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The introduction of a new organizational structure to the Irish church (1072-1152) Volume 1 of 2
The penetration of a new organizational structure to the Irish church

(1072-1132)
The introduction of a new organizational structure
to the Irish church

(1072-1152)

Volume 1 of 2 volumes.

Author: Martin Holland

Submitted to Trinity College, University of Dublin for a Ph D degree in the year 2003.
Declaration

This thesis was written under the supervision of Professor J. Lydon during the years 1995 to 2003. It is entirely my own work and has not been submitted as an exercise for a degree at this or any other University. The Library of Trinity College Dublin may lend or copy this thesis on request.

Signed: Martin Holland

Date: 28 October 2003
Summary

This study, based exclusively on written sources, seeks to ascertain, as far as is possible, the critical factors behind events which, starting in 1072, culminated in the papal ratification of a new organizational structure for the Irish church in 1152. Canterbury’s strategy in relation to its claimed primacy over Ireland is investigated and shown to be exercised through the agency of Dublin which it hoped to establish as the metropolitan see for the whole of Ireland. As part of that strategy the assistance of the Uí Briain kings was engaged, initially with some success. However, Muirchertach Ua Briain soon withdrew this assistance and initiated a process, the objective of which was to organize the church within an Irish context only and independent of Canterbury. His motivation in so doing would appear to be his belief that a church organized in such a manner would be supportive of the type of kingship then evolving in Ireland. He began the process with the grant of Cashel to the church in 1101 and then, using the threat posed by Canterbury, won Armagh’s support for the project. Under his influence, and representing a change in the approach which he had earlier adopted at the synod of Cashel, a man, shown to have been a monk in an English abbey, was recruited to prepare for and preside over a synod which would introduce the new organization. He was helped in this by a similar ex-monk who also had associations with Ua Briain. Papal support was sought and got in advance.
Despite Ua Briain's death soon afterwards, the secular power in Munster continued to give its support, especially in keeping Armagh within the process; this was helped later on by lay magnates in the north. Before papal ratification was attained, two problems were resolved: the demands of the king of Connacht, now in the ascendant, and Canterbury's continuing claim to primacy. The resolution of the latter is shown to be the primary contribution of the Gregorian reform movement, exercised through its influence on the way the papacy viewed the ecclesial role of the primate. However, it was the active role played by Muirchertach Ua Briain which was the most significant factor in the whole process, especially during that most crucial decade, the first in the twelfth century.
Acknowledgements

I would like, in a special way, to acknowledge all the help and the very positive encouragement given to me throughout this project by my supervisor, Professor James Lydon. The willing assistance given to me by the staff of the Departments of Medieval History and of Irish, Trinity College, Dublin is also acknowledged as is that of my fellow students during the seminars which I gave on various aspects of this study. The library staff, but especially Anne Walsh and Mary Higgins of the Research Area in the Berkeley, were always most helpful. Finally, I would like to thank Gerard Murphy and John Holland for helping me fathom some of the mysteries associated with the use of a computer.
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Chapter 1: Introduction

Around the middle of the eleventh century a number of events were in train, both at home and abroad, that were to have an impact on how the church in Ireland would, in the future, be administered. In December 1046, at synods held in Sutri and Rome, three allegedly simoniacal popes were deposed and the first of a series of German popes was elected on the proposal of the emperor, Henry III. From this eventful beginning there emerged a process which would see the papacy transformed; unlike previously, it would now attempt to exercise real leadership throughout the western church resulting, eventually, in a church that was organized hierarchically and bound in obedience to the pope.¹ That leadership, however, had to operate within the real world of secular politics. The early influence of the emperor was soon attenuated, not least because of the death of Henry III in 1056 and his succession by a boy heir but, perhaps more importantly, by a change in papal policy towards the Normans of southern Italy during the pontificate of Nicholas II (1059-61), a policy that extended into the reign of Alexander II (1061-73). He had been elected and consecrated under Norman protection.² Although these Normans were in southern Italy, they were, in their own minds, the same dynasts as those who ruled Normandy at this time and who, in 1066, invaded and conquered England.³ And it would appear that

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² ibid. 150-53.
Alexander II was persuaded to give this invasion his blessing, being particularly encouraged to do so by cardinal Hildebrand, the future pope Gregory VII. But it was Alexander himself who, through his legates, introduced reforms into the English church, deposed Stigand, archbishop of Canterbury and persuaded abbot Lanfranc of Bec to become the new archbishop in his place. In this way Canterbury had got a new archbishop and England a new primate. It was in his interpretation of the role of the latter that Lanfranc was to have a considerable impact upon the manner in which the church in Ireland would, at a later date, be administered. And it was primarily through Dublin, already a canonical diocese when Lanfranc assumed the archbishopric of Canterbury, that he was to exercise that influence. For, apart from its being the only canonical diocese in Ireland at the time, Dublin had been and was continuing to be of growing importance within Irish secular politics.

Indeed from the year of its re-foundation as a defended settlement or dún in the early tenth century and its concomitant rise as a wealthy trading centre, Dublin attracted the attention of native Irish rulers. But the attention paid was not all one way; the settlers also looked out towards their Gaelic

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6 A. Gwynn, The Irish church in the eleventh and twelfth centuries, ed. G. O’Brien (Dublin 1992) 50-67; an earlier version of this chapter appeared as ‘The origins of the see of Dublin [c.1028]’, IER 57 (1941) 40-55, 97-112.
neighbours and soon became directly involved in their power struggles. As early as 945, Amlaib Cuarán, king of Dublin, was in alliance with Congalach mac Máele Mithig, king of Brega and aspirant to the kingship of Tara\(^8\) and, around 964, he supported Congalach’s son Domnall (who was married to his daughter Ragnailt) in his opposition to the new king of Tara, the northern Domnall ua Néill. But he was also married at one point to a sister of the same Domnall ua Néill and later to a daughter of Murchad, king of Laigin (†972). Both marriages produced sons, Glúin lairn and Sitriuc, respectively, while the first made him step-father to Máel Sechnaill mac Domnaill, king of Mide. These connections with the greatest dynasties in Ireland, together with his Christian faith - Amlaib apparently patronised religious establishments in the neighbourhood of Tara - shows how much and how quickly the foreigners had become entangled in the Irish political scene at the highest level since the re-founder of Dublin in the early tenth century.\(^9\) As well as that they had, by then, become an integral part of Ireland’s economy.\(^10\) They were now of sufficient consequence to attract the attention in 984 of the leader of a rising dynasty further afield - Brian Bóroime of the Dál Cais. However, it was not until the late 990s that the overlordship he claimed over Dublin was challenged; king Sitriuc of Dublin together with his uncle, Máel Morda, king

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\(^8\) D. Ó Corráin, *Ireland before the Normans*, (Dublin 1972) 118.


of Laigin, rose in revolt against him. This led to the decisive battle of Glenn Máná and the victorious Brian sacking the city. Despite this, he restored Sitriuc (his ex-stepson) to its kingship shortly afterwards. Nevertheless, it would appear that he aspired thereafter to a firmer control of Dublin than that exercised by Máel Sechnaill, king of Tara, ten years earlier. Dublin was coming under perceptibly closer domination by a Gaelic overlord.¹¹ That dominance would become dramatically closer still in 1052 when, after sacking the city and in an unprecedented move, Diarmait mac Máel na mBó, king of Laigin, assumed the kingship of the city himself. Thereafter, and to his own considerable advantage, he exercised substantive authority over its inhabitants and appointed his son Murchad, at some point, to take over direct rule of the city. This was a further innovation; it would be followed in succession by the next three claimants to the kingship of Ireland, starting with Tairdelbach Ua Briain’s appointment of his son Muirchertach to rule the city in 1075 and continuing into the period of Tairdelbach Ua Conchobair’s dominance when he similarly appointed his son Conchobar in 1126. Murchad ruled the city until his death in 1070 and did so with an authority that no Gaelic king had ever managed to do before.¹² By the middle of the eleventh century Dublin had become, and would continue to remain, firmly

established in a central position in both the political and economic life of Ireland, a position that was to be of particular importance for the role it would play in the reform of the administrative structure of the Irish church. That reform has engaged the attention of historians for many years, even centuries; the earliest known historical reference to it being in the remonstrance to pope John XXII in 1317. During the Counter-Reformation, in the seventeenth century, Geoffrey Keating reported uniquely on the new diocesan system that had been introduced in the twelfth; but he also challenged Meredith Hanmer's view that the archbishop of Canterbury had jurisdiction over the Irish church from the time of Augustine up until the Norman invasion. Such jurisdiction, he argued, was an innovation after that invasion and was, in any case, confined to Hiberno-Norse cities. The Irish church had, according to Keating, completed its reform by the mid-twelfth century and its condition, therefore, offered no justification for Henry II's intervention in Irish affairs. How to explain papal authorisation for that intervention as well as the reported irregularities in sexual behaviour of the time was a pre-occupation for nineteenth-century historians; the nationality of the pope in question, Adrian IV, and the impact of the Viking depredation on the church being the usual explanations offered. However, in more

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modern times, Edmund Curtis, the great historian of medieval Ireland,\textsuperscript{15} blamed the reforming clerics of the period for creating an exaggerated and distorted picture of decadence; this was a crucial factor, he argued, in the decision made by the pope to authorize intervention. Despite their exaggeration, however, he believed that they were successful in their reform efforts although the political price paid subsequently was very high indeed. Credit for reform, seen in a wider European context, was given by James F. Kenney to Irish churchmen, the role of Canterbury being minimized; its ambitions were, he argued, expansionist and linked with those of Henry II in the secular sphere. These Irish churchmen were also praised by Eoin Mac Neill for providing a purely native impetus for reform but, once again, are castigated for providing Rome with material that was used in the papal sanction given for Henry II's annexation of the lordship of Ireland.\textsuperscript{16}

In contrast to much of what had been done before, Dean Lawlor dealt with reform as a subject in its own right and not merely as a prelude to a discussion of the later invasion of Ireland. In the introduction to his translation of Bernard of Clairvaux's Life of St Malachy, he provides a valuable essay on the reform movement; although clearly focussing on Malachy's role in the latter part of that movement, he nevertheless also follows its course in the period before that. He sees a certain similarity

\textsuperscript{15} J. Lydon, \textit{The making of Ireland: from ancient times to the present} (London & New York 1998) p ix.

\textsuperscript{16} Irwin, 'Historiography of reform', 23-25.
between this reform and that of the sixteenth century in that it was preceded by a revival in learning. But the main impulse for reform came, he believes, from those Irishmen who travelled abroad and returned to preside over canonical dioceses in Hiberno-Norse cities; these dioceses acted as models of good government which could be viewed by Irishmen. However, mutual hostility between Dublin and the Irish church prevented the latter from benefiting from the example provided. Their connection with Canterbury provided it with an opportunity to indirectly influence reform; through letters sent from Canterbury the Úi Briain kings became staunch supporters of reform. The support they gave, however, is not analysed nor is it explained how it affected the process although it is noted that the reform that they supported resulted, in the end, in the repudiation of Canterbury’s claim to primacy over Ireland. Similarly there is no explanation of how the revival of learning affected the attitude of the clergy who remained in Ireland; it is just left hanging in the background. In fact, rather surprisingly, no reference is made to the decrees of the first synod of Cashel and, unlike many other writers on the subject, the first phase of reform is identified, not with that synod, but with dioceses he believes were established before Ráith Bressail, beginning with an attempt by Máel Muire Ua Dúnáin to establish a diocese in Meath while he was still a bishop there. The second stage of reform is seen to begin at Ráith Bressail. Among its features, as observed, is the omission of Dublin from the list of dioceses drawn up there. Mutual hostility is not
sufficient explanation for its omission; more important was the growing prosperity of Dublin, something its citizens were aware of and an attitude that led to one of them acting as if he were an archbishop. Continuing to do so, despite a rebuke from Canterbury, would have been strongly resented by Cellach of Armagh, so it is unsurprising that he tried to take possession of the church of Dublin in 1121. Equally unsurprising was the resistance offered by the Dubliners. Although they would eventually look favourably on the Irish church, for now they are seen not to behave as very obedient suffragans of Canterbury. Their hubris, it is concluded, is the reason why they were ignored at the synod of Ráith Bressail but it is also the reason why they gained metropolitan status when finally they were reconciled with the Irish church.17

It is probably true to say that Aubrey Gwynn has studied Irish church reform of this period more deeply than anyone – either before his time or since – and researchers in this area owe him a very great debt indeed. During his life he published numerous articles on it and, late in his career, was able to draw on them when he wrote a history of the whole reform movement.18 This overall view of the topic allows us an insight into his analysis of the movement. One of his prime concerns is to place it within the wider reform movement then

17 H. J. Lawlor (tr), St Bernard of Clairvaux’s Life of St Malachy of Armagh (London 1920) pp xii-xxxvii, xlv-xlvi, ixiii-lxiv.
in process within the western church. This together with letters from Canterbury to Irish kings and bishops, he believes, provided the impetus to reform. Lanfranc's urgings that an assembly be held to correct abuses led ultimately to Muirchertach Ua Briain's calling of the two synods (Cashel and Ráith Bressail) which laid the foundation of the reforms that were finally sanctioned at the synod of Kells in 1152. This is the closest the analysis gets to explaining the impact that Canterbury had on the actual reform process. Although a direct connection is not established, Canterbury's claim to primatial authority over Ireland (seen as part of Lanfranc's overarching ambition) together with the oaths of obedience made to it by the bishops of Hiberno-Norse cities are, of course, examined but the claim is simply rejected as is Dublin's claim to be *metropolis Hibernie*. In fact, it is actually suggested that those who sent bishop-elect Donngus of Dublin to Canterbury for consecration in 1085 probably objected to both of these claims - with some success. Dublin's omission from the list of dioceses planned at Ráith Bressail is attributed to the personal behaviour of bishop Samuel of Dublin, his death providing Cellach of Armagh with an opportunity to solve what is seen to be just an internal dispute within the province of Cashel by gaining recognition of his authority by the new bishop of Dublin. This new bishop's skill and diplomacy together with Dublin's longstanding connection with Canterbury are seen to be the main reasons why Dublin ultimately achieved metropolitan status.
While fully acknowledging the importance of the role of the Úi Briain kings in the reform movement, the actual impact of that role is, just as in the case of Canterbury, seen only in the involvement of Muirchertach Ua Briain in the two synods at the start of the century. Starting with a description of the synod of Cashel and the important part Máel Muire Ua Dúnáin is perceived to have played there, events are unfolded in an episodic and unconnected way; Cellach’s entrance is heralded by a report in the annals, no reason for it is hazarded. These two are now said to progress reform speedily and efficiently; included in this is the erection of the new diocese of Limerick with the consecration of its first bishop leading on to the synod of Ráith Bressail. After this the leadership of the movement is said to pass from Munster to Armagh; from this forward to the synod of Kells in 1152 two successive archbishops of Armagh, Cellach and Malachy, are seen to be the unquestioned leaders of the reformers. With the death of Muirchertach Ua Briain the impetus from Munster for reform at a national level is said to collapse; reform in Munster continuing in a confined and particular way. Overall, Gwynn’s approach is more descriptive than analytical but to the extent that he does analyse he sees reform being pursued essentially by the clergy with the secular authorities consigned to a relatively insignificant role. Kathleen Hughes notes the increasing contacts that occurred between Ireland and the continent in the eleventh and twelfth centuries but she believes that between 1074 and 1111 English influence was probably more important in
shaping ecclesiastical opinion in Ireland. This influence was mediated directly by letter from Canterbury and indirectly through the bishops of the Hiberno-Norse sees and must have brought not only the clergy of Ireland but the kings of Munster as well to an understanding of the discrepancies between current ecclesiastical practices in Ireland and those approved by the pope. From this emerged a conviction within the Irish church that reform was necessary. The synod of Cashel (1101) is the first evidence of a response. Reform there was very moderate and not, she shrewdly observes, what one might have anticipated from a legatine council - thus casting doubt that it was such a council; nevertheless reform there was, although nothing so dramatic as occurred in later synods which, by contrast, she dubs revolutionary. Although English influence is credited with bringing to the Irish church an awareness of its own peculiarities, it does not explain why, in response, the church should first respond by adopting such apparently moderate reforms at Cashel only to introduce far more fundamental ones at later synods. Nor does it explain what role was played in the process by secular forces, by the Úi Briain kings and especially Muirchertach. For example, Cellach of Armagh is seen to take holy orders somehow as a response to the Cashel decree which sought to improve control of ecclesiastical appointments thus paving the way for subsequent revolutionary changes; Gille\textsuperscript{19} of Limerick writes his treatise for the bishops\footnote{Known also as Giolla Easpug or Gilbert or Gillebertus. The name which is used here, Gille, is discussed in Chapter 5 below (268 n 2).}.
and priests of the whole of Ireland, the implication of which was a complete overthrow of the traditional system; and finally all would come together at Ráith Bressail to inaugurate this momentous transformation. Muirchertach Ua Briain is merely mentioned as an attendee at that synod. Thereafter reformers - presumably churchmen and especially Cellach and Malachy - are seen to make steady progress up until 1152. It is noted en passant that Malachy had to be installed in Armagh by force but the implications of secular involvement are not pursued. As elsewhere the exact impact of Canterbury and that of the Uí Briain and others is not explored.  

Tomás Ó Fiaich, who largely follows Lawlor and Gwynn, sees laicisation as the root cause of most of the perceived evils that affected the Irish church of the period - the most successful remedy was an adaptation of the current Gregorian reform, all the more difficult as existing structures within the church had to be changed and new ones built. A whole new diocesan organization had to be created - a gigantic task; it was achieved by native Irishmen who were in close contact with ecclesiastical developments elsewhere. Forces that set reform in motion were ever closer contact between Ireland and the continent; exhortation to correct abuses from Canterbury and Gregory VII; dioceses in Norse cities seeking canonicity and independence from the Irish ecclesiastical system presenting a model and a challenge that the rest of the country could not ignore. Armagh had least contact with

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Britain and the continent but was patronized by the reform-minded Uí Briain kings. Cellach was the first to attempt change. Dying, he sought to break the hereditary system of succession at Armagh. Malachy, whom he chose as his successor, had to be persuaded by both clerical and lay leaders to accept, thus starting a struggle for control of Armagh between reformers and the Clann Sínaich. The former eventually won out with the help of secular forces, thus making the way clear for Armagh to fully participate in the re-organization of the Irish church.21

John A. Watt distinguishes three main sources from which church reform sprung: Tairdelbach and Muirchertach Ua Briain, kings of Munster, the Hiberno-Norse towns whose bishops owed allegiance to Canterbury and Cellach who acceded to the abbacy of Armagh in 1106(sic). Although initially separate from one another they eventually came together and, ultimately, provided three of the four metropolitan sees – Cashel, Dublin and Armagh. The connection between the Hiberno-Norse towns, especially Dublin, and Canterbury was based, he argues, inter alia upon a desire for the canonicity provided by an accessible metropolitan at Canterbury rather than a robust exercise of claimed primacy by the latter and upon the mutual antipathy between them and the Irish church. These sees were suffragans only in a limited sense, there being no evidence of their attendance at provincial councils or use of appellate jurisdiction. While the grounds upon which

Canterbury’s claim to primacy over Ireland were based are examined in some detail, considerable difficulty is experienced in trying to explain what exactly its impact was upon the reform of the church. The letters from Canterbury to the Uí Briain kings, it is accepted, are primarily admonitory but perhaps archbishop Lanfranc’s advice to call a council may be the reason why the synod of Cashel met in 1101 or archbishop Anselm’s insistence that each bishop should have his own defined *parochia* and flock may have been the impetus that led to the setting up of the diocesan structure at Ráith Bressail. If the impact of Canterbury’s influence is not very clear it is agreed that the connection was valued by the Uí Briain kings and that there was much correspondence between them and Canterbury. To them belongs the primary impulse for church reform, symbolized in a particular way by Muirchertach presiding over the synods of Cashel and Ráith Bressail. Apart from that there is no insight given into the role they played in progressing reform or into the significance of reform for them. Similarly with the third source of church reform as identified, Cellach of Armagh; he merely appears on the reform scene with no explanation or reason given. The linking of this source with that from Munster soon becomes clear at the synod of Ráith Bressail but the connection between these and the influence of Canterbury remains unexplained. For Watt, the reform movement proper begins at Cashel the decrees passed at which he sees as being partly inspired by influences emanating from the contemporary Gregorian reform movement.
and partly peculiarly Irish. They are seen to provide evidence of a more radical approach to the problems of the church and to be so original that the synod may be considered to be a point of new departure. However, the grant of Cashel to the church by Muirchertach at the synod, while being acknowledged as the inauguration of Cashel’s ecclesiastical career that would see it soon become a metropolitan see, is interpreted merely as a symbol of the change in men’s thinking about church and society, a signal that reform was on the way.22

In her study of the background to the issuing of the papal document Laudabiliter, Marie Therese Flanagan sets out to elaborate on the proposition, put forward by O’Doherty and Bethell, that it was Canterbury not Henry II which was behind the procural of papal authority to invade Ireland. This leads her to review the origins of Dublin’s connections with Canterbury. The inability of Irish kings to assert control over Dublin between 1014 and 1052 made conditions favourable, she believes, for king Cnut to draw Dublin into his sphere of influence but the foundation of the diocese of Dublin was unlikely to have been the result of the pilgrimages made to Rome by Cnut and Sitriuc of Dublin. Whether Dublin was concerned about the canonicity of episcopal consecration is not clear; neither is the question of why it chose to turn to Canterbury rather than to York, for instance, given its established links with the latter. Based upon the lack of evidence provided by Lanfranc

about his predecessor, it is suggested that bishop Patrick was the first of Dublin’s bishops to be consecrated at Canterbury. Developments in canon law which required the involvement of a canonical metropolitan, together with a connection with Canterbury through Patrick’s ex-prior, bishop Wulfstan of Worcester, may explain the Canterbury connection at this stage; however, it could also have been suggested to Tairdelbach Ua Briain by pope Gregory VII. The Ui Briain kings accepted the connection until 1096; thereafter a series of events starting with the synod of Cashel, it is suggested, signalled a change by Muirchertach Ua Briain away from Canterbury and towards Armagh, possibly due to problems he was encountering in dealing with Canterbury. There was no protest from Canterbury. The synod of Ráith Bressail, held during a vacancy at Canterbury, made no allowance for its claims. By 1120 Canterbury’s claim to primacy over York was at a low ebb and its claim in Ireland might have lapsed were it not for the gratuitous act by Dublin in sending Gréine to it for consecration. Thereafter the only evidence of contact between Canterbury and the Irish church was in 1140 when Patrick was consecrated bishop of Limerick by Theobald, archbishop of Canterbury. The timing of this coincided with St Malachy’s attempt to gain papal recognition for the outcome of the synod of Ráith Bressail; refusal may have been influenced by arguments put to the pope by Theobald, prompted by this consecration, giving him to understand that the Irish church was not united and that there was a conflict with Canterbury over
jurisdiction. His motive in seeking to delay the papal recognition sought by Malachy may not, however, have been out of concern to reverse developments in the Irish church; it may have been due to events in Wales where metropolitan status was being sought possibly with help from Ireland. Ireland getting papal recognition for its plans would have been an unwelcome precedent that might be used in Wales and in Scotland as well. A number of events are seen to suggest that it was feared that the three churches were colluding. However, Ireland capitalized on the weakness of both Canterbury and king Stephen in 1152 when it gained papal recognition for its plans.

Dr Flanagan’s overall assessment of Canterbury’s role in relation to Ireland is that it was essentially passive; that the initiatives had all come from Ireland being supported in the initial phase by the Úa Briain kings. Later initiatives had either, as in the case of Gréine, prevented Canterbury’s claim to primacy over Ireland from lapsing or, in the case of Patrick in 1140, provided the archbishop of Canterbury with an opportunity to thwart Irish attempts at gaining papal approval for its new church structure but only because he feared its use as a precedent by the Welsh church in its claim for metropolitan status. Canterbury, she argues, continued with this policy between 1140 and 1152 i.e. no objection to the Irish church’s claim for an independent administrative structure per se, only to the precedent that granting it would create. This analysis, however, is contradicted by her
subsequent conclusion that Canterbury was behind the procural of papal authorization for the invasion of Ireland as a reaction to the recognition by Rome of the new Irish church structure; an action which clearly indicates its determination to have its position in relation to Ireland, as viewed by itself, restored. But the reason why it wanted it restored was not, as Flanagan has argued, to remove what might be used as a precedent by the Welsh and Scots; for it can hardly be argued that papal authorization was sought for such a major and hazardous adventure, the outcome of which was hoped would help it to win a future argument at the papal court. A more direct approach to pope Adrian IV, who looked so favourably on Canterbury, would have been much more appropriate for Canterbury if its greatest concern in procuring Laudabiliter was only the maintenance of the whole island of Britain under the jurisdiction of the two existing metropolitans. Its motivation in acting as it did was primarily the restoration of its interests in Ireland; it was an end in itself not a means towards another end that might arise in the future, although, of course, the help it would give to that other end would be very welcome. This would indicate that, contrary to what Flanagan had earlier argued, Canterbury took its claim to primacy over Ireland very seriously indeed; it was prepared to take strong action when this appeared to have been compromised. It was not the action of one who was a passive partner. On the contrary, it suggests a much more active role for Canterbury in its relationship with the Irish church, not only in 1155 but
at all times since that relationship was initiated or re-activated by Lanfranc. It is very unlikely that it would have been suddenly stirred to such a level of activity as it was in 1155 in response to events at Kells in 1152 if it had not already been an active participant, perhaps even the principal partner, in its relationship with elements in Ireland.  

A more recent study takes a new and important approach to the analysis of the church reform movement. This is the work of Anthony Candon which seeks to place the history of reform within the context of the contemporary Irish secular world. The study, to a large extent, focuses on the role of the Ui Briain kings, Tairdelbach but especially Muirchertach and the synod of Cashel. This, he argues, was not the first synod in which these kings were involved; earlier assemblies to choose bishops for Dublin and Waterford were also reform synods. The date and location of the Cashel synod he finds especially significant. Cashel was the secular capital of Munster but there was also, he believes, a substantial ecclesiastical establishment there with longstanding Patrician connections. The good relations between Armagh and Cashel, based on these, were subject to a dramatic shift around the time of the synod. Evidence for this is to be found in Lebor na Cert, a propaganda text written during the reign of Muirchertach Ua Briain and probably, he argues, written specifically for the synod. In the year of the synod, Muirchertach Ua

Briain appeared triumphant, after previous efforts failed, in his attempt to bring the north of the country under his sway. The first poem in *Lebor na Cert*, he believes, is modelled on Muirchertach's great circuit of Ireland in that year. The third poem twice asserts that the king of Cashel's right to be king of Ireland was recognized by Patrick i.e. the abbot of Armagh, the church itself being exempt from his authority. The Prologue of the book appears to say that, with Patrician authority, the primacy of the church belongs to Cashel and that Cashel is the capital of the king of Ireland. The first of these claims, which Kathleen Hughes dubbed 'barefaced effrontery', he suggests might be differently interpreted as an invitation to Armagh to accept leadership of the reforming church because the king of Cashel recognizes the primacy of Patrick i.e. Armagh. The problem, of course, was that Armagh was unreformed and the text emphasizes the episcopal character of Patrick's primacy; to make recognition of its primacy absolute Armagh would have to reform itself. Nevertheless, the implication of the king's recognition was that he no longer accepted Canterbury's claim to primacy over the Irish church. Candon's analysis of this claim largely follows that of Dr Flanagan, with some disagreements. He accepts the view that archbishop Anselm acquiesced in the independence asserted by the Irish church in the first decade of the twelfth century while disagreeing with the reasons given for Muirchertach's involvement in that. Considerable emphasis is given to a perceived reluctance by Cellach to become a bishop; a
possible reason for this is that the purported invitation to Armagh to lead reform was tied to the assertion of the legitimacy of Muirchertach’s kingship of Ireland as defined by Patrician authority. Cellach’s conversion to reform fitted well with Muirchertach’s aims but he would have to be a bishop to bring it to fulfillment; aware of Muirchertach’s ambitions, Cellach hesitated. Muirchertach’s claim to be king of Ireland because Patrick ordains it together with the request to Armagh for legitimisation is said to be an indication that Ua Briain was looking beyond the contemporary approach to high-kingship (i.e. that the most powerful claimant could take it) to a new one whereby legitimacy would be based upon clerical recognition, specifically that of Armagh. His submission to the truces, engineered on a number of occasions by Armagh, is put forward in support of this proposition although it is also said that it may have been due to his awareness of and agreement with claims then being made by an aggressive papacy in the investiture controversy.

The synod of Cashel he sees as having serious political ramifications as well as ecclesiastical. There was a substantial element of political reality in Muirchertach’s promotion of reform. His desire that the legitimacy of his kingship have church recognition was likely to be reflected in how a reformed church would view kingship and Muirchertach would have been aware of that kind of kingship. Through his own contacts and the experience of the men appointed as bishops of the Hiberno-Norse dioceses he would
have been familiar with the type of contemporary kingship that existed elsewhere in Europe. However, the reality on the ground was different as the church in general, but the church of Armagh in particular, was not very keen on his ideas. Nevertheless, the synod of Cashel is seen to be an important step in the reform process even if a relatively modest one; its importance lies in the attempt that was made to involve Armagh in the process of reform and in the rejection of Canterbury claims to jurisdiction over the Irish church. Despite the fact that some of his analysis and his conclusions are open to challenge, Anthony Candon nevertheless opens up an important new front in seeking to understand the church reform movement.

Almost all of the historians who have written on the various aspects of this movement in the eleventh and twelfth centuries acknowledge the fact of Canterbury’s involvement. Some merely report it, suggesting that it was confined to the Hiberno-Norse cities and had minimal effect on reform. Others, however, see it as having an influence on reform in a variety of different ways. One that is commonly expressed is that the letters it sent provided an impetus for reform; they had an influence upon kings and bishops which led to an understanding of the problems facing the church and ultimately to the convening of the synods of Cashel and Ráith Bressail. Another quite different approach is an attempt made to characterize the manner in which Canterbury exercised its claim to primacy. This has led to a divergence of interpretation between Irish and English historians, the former
seeing it as expansionist and ambitious with the latter seeing it as being only of incidental interest to it and therefore not robustly asserted. No attempt has, however, been made to analyse the exact nature of the connection that was brought about between Canterbury and the Dublin church. An understanding of this is imperative if one is to explore what influence Canterbury had on the initiation of church reform and how that influence was put into effect. It is also necessary to a good understanding of the progress, and indeed the obstacles put in the way, of that reform thereafter.

It is with an analysis of the nature of the connection between Canterbury and the Dublin church that this study begins. The direct sources related to the topic, which are used, are not new but they are subjected to a more rigorous analysis. In particular, they are looked at against the background of developments in the wider church around that time, especially the evolving situation concerning the roles of primate, metropolitan and suffragan in the church hierarchy. Sources referred to, therefore, include a pontifical that was to have a major influence on ecclesiastical practice in the western church and which was then in use both in Canterbury and on the continent; they also include important research done into the origin of the position of primate within the hierarchy of the church - an origin that emerged from the Ps-Isidorian Decretals. From this a new insight into the nature of the Dublin

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25 An early version of this study has already been published (Martin Holland, ‘Dublin and the reform of the Irish church in the eleventh and twelfth centuries’, Peritia 14 (2000) 111-60).
26 C. Vogel & R. Elze (ed), Le pontifical romano-germanique du dixième siècle, Studi e Testi 226-27, 269 (3 vols, Vatican 1963-72); Horst Fuhrmann, Einfluß und Verbreitung der pseudoisidorischen
church's relationship with Canterbury emerges; an insight that has major significance for an understanding not just of that relationship itself but, much more importantly, of the impact it would have during the whole period in which reform of the administrative structure of the Irish church was being enacted. Thereafter, this new insight is tested against and used to interpret afresh evidence that has long been available to scholars, as well as new evidence, on the interaction between the Dublin church and Canterbury, on the one hand and Irish authorities, ecclesiastical and secular, on the other. Actions of various bishops of Dublin, whether they be in connection with a special synod held in Dublin in 1080 (recently shown by this author to have taken place and which was brought together in apparent response to an exhortation by Lanfranc that one should be convened\(^\text{27}\)), the erection of a new diocese at Waterford, the action of bishop Samuel in having a cross carried before him in the manner of a metropolitan, the invention of a mythical legend of the conversion of Dublin by St Patrick, the adaptation of an existing saint's Life to give support to Dublin's claims or the later evidence of Dublin as metropolitan see for the bishopric of the Isles of the Irish sea area, are all viewed against the background of this new insight and are seen to be supportive of it. Moreover, it offers a particularly good explanation of some glaring omissions that are seen to exist in the letters of

exhortation and admonition sent by archbishops of Canterbury to Irish kings and bishops. It also helps to clarify many of the subsequent events which would take place during the whole subsequent period up until the synod of Kells and which many historians have attempted to explain without having the benefit of a proper understanding of this very special relationship.

There is, however, no good evidence available to us to enable us to come to a safe conclusion as to whether the Úi Briain kings or the Irish bishops, who in the period up until the year 1096 co-operated with Canterbury and its protégé in Ireland (Dublin), were aware of the exact nature of the relationship between them. With the convening of the synod of Cashel in 1101 we get the first substantial piece of evidence that Muirchertach Ua Briain has a project in mind that would involve the introduction of a new administrative structure into the Irish church; a structure that would present a major challenge to the plans for Ireland which Canterbury hoped to put into practice through its special relationship with Dublin. The evidence of Muirchertach’s project – his granting of Cashel to the church – only becomes recognizable to us as such ten years later when Cashel was to be approved at the synod of Ráith Bressail as the archiepiscopal see for the southern part of Ireland. But that synod would also raise some questions about the people who took part, along with Muirchertach, in the synod of Cashel ten years earlier. Why, for example, did Muirchertach choose Máel Muire Ua Dúnáin
to play a major part in that synod and, ten years later, choose someone else to lead the next synod despite the fact that Ua Dúnáin also attended and that he remained very loyal to Muirchertach in the years that followed?

An answer to this is important as it helps to expand our understanding of what happened in the intervening years, perhaps the most crucial years in the whole process of introducing a new church structure. For this it is important that as much enlightenment as possible be extracted from the evidence available in relation to the synod of Cashel. Apart from the involvement of Muirchertach and Máel Muire Ua Dúnáin in that synod, we have no other names of those who participated; we have, however, an account of its decrees, decrees that are generally taken to be genuine. From these it is possible to get an insight into the minds of those responsible for them. Traditionally, they have been seen as the point of departure for reform of the church; they have been seen by historians as reforming acts, some of

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28 It has been suggested that the evidence that exists for Ua Dúnáin’s attendance at this synod is not very reliable; that it consists only of an entry in AFM and a dubious entry at the end of an account of the synod in the genealogical tract, Senchas Sil Briain (D. Ó Corráin, ‘Mael Muire Ua Dúnáin (1040-1117), reformer’, P. de Brún, S. Ó Coileain & P. Ó Riain (ed), Fola Gadelica: essays presented to R. A. Breatnach, M.A., M.R.I. A. (Cork 1983) 47-53: 48-49). However, it seems to be overlooked that his attendance is noted also in AC s.a. 1100 (r. 1101) and it is there recorded in a manner very similar to that which appears in AFM, suggesting that it was the latter’s source. In fact, it could be argued that since Ua Dúnáin did not belong to the clergy of Killaloe (he was an outsider, having been previously in Meath (ibid. 49-51)) he may have been brought into Muirchertach’s retinue, perhaps after the death of Domnall Ua hEnna in 1098, in order to prepare for the synod of Cashel. That year (1098) was two years after the last evidence we have of Muirchertach’s co-operation with Canterbury. 29 Although it has been argued that Ua Dúnáin was never bishop of Killaloe (ibid. 49-50; idem, ‘Dáil Cais – church and dynasty’, Érie 24 (1973) 52-63: 58), evidence has been produced that shows him in close association with the community (maintrí) of Killaloe, providing for the possibility that he did act as bishop of Killaloe from 1106, or even from the mid-1090s, up to 1117 (C. Etchingham, ‘Episcopal hierarchy in Connacht and Tairdelbach Ua Conchobair’, Journal of the Galway Archaeological and Historical Society, 52(2000) 13-29: 20-22). He was certainly a supporter of Muirchertach in 1117 according to Mac Carthy’s Book. See MIA s.a. 1117. 30 Ó Corráin, ‘Mael Muire Ua Dúnáin’, 48.
which have been clearly identified as being in line with papal reforms then in
progress elsewhere in the western church while one, in particular, has been
seen to address the many complaints then being made about the sexual
behaviour of Irishmen. However, these conclusions would appear to be
based upon a superficial analysis and it is for that reason that a more
extensive study of them has been carried out as part of this study.
The first such decree, often seen as a proscription on simony, prohibits
\textit{aithlaích} or \textit{aithchléirig} from acquiring a church.\footnote{The reason why these terms have not been translated is explained when the decree is discussed
below (Chapter 3, 86 n 7).} In order to understand the
import of this decree a comprehensive study is made of who these people
were, what their status was and how they were viewed by the church; the
study concentrates mainly upon the \textit{aithláech} as he is the one most often met
in the sources. The sources were trawled for any reference to him that it was
possible to find or for anything that might help elucidate the attitude of the
church towards him; biblical and legal glosses, martyrologies, hagiography,
law tracts, literary and descriptive texts, sagas, church canons and the
Tallaght documents. These sources were also searched for evidence in
relation to the organization of ecclesiastical establishments within which the
\textit{aithláech} would have found his place and for anything relevant that may have
been happening within such establishments around the time of the synod
that would help to explain why the synodsmen were motivated to pass this
decree. For this a new line of investigation is opened up; an investigation
into the contrast in penitential practice in the Irish church, which our understanding of the role of the *athlāech* clarifies, and that which existed in the rest of the western church. Sources used in regard to the latter are liturgical rites of penance as found in a variety of sacramentaries as well as research already done by others in this area. This is followed by an examination of the evidence available to establish when attempts may have been made to introduce this practice into Ireland, the effect of which would be to displace the old system. A brief consideration is also given, on the basis of a variety of sources, to its introduction to Scotland and England. The continued existence of the old system in Ireland is first established by reference to the Tallaght documents, a monastic rule and the annals. Evidence of the date of its introduction is then ascertained from the annals and the Corpus missal, recently dated by this author to the eleventh century.\(^\text{32}\) It is against this background that the Cashel decree is interpreted. It helps to explain why it was that the synodsmen decided to enact this decree. From their motivation in this regard it is possible to arrive at some conclusion as to their disposition in regard to reform of the structure of the church.

The next decree that is examined at some length prohibits laymen from being *airchinnig* in Ireland; a decree that has been seen by some historians as reflecting contemporary attempts by reformers in the wider church to free it

from lay interference. The widely held view among scholars that it was common practice for laymen to hold abbacies in the church before the synod met and that this decree is directed against that perceived abuse is challenged. To start with, evidence from early Irish church canons, the Patrician dossier and a legal tract, which has been used to assert the presence of lay abbots in the church before the arrival of the Vikings is closely examined in order to dispute that assertion. Following that a case is assembled which argues that, long before the synod met, it was against church law that a layman should hold the office of airchinnech. First of all, evidence from early Irish law, both Latin and vernacular, as well as glosses is used to show that, within the legal system, an airchinnech was judged to be an ecclesiastic. Other evidence from similar sources is then used to investigate the way in which the Irish church categorized clerics who did not have ecclesiastical orders; among these being a category known as a `cleric with a tonsure'. After that, evidence contained in vernacular legal sources is examined (despite some difficulties of translation) to establish that the category existed and, along with other evidence, to prove that the presence within an ecclesiastical establishment of someone as low in clerical ranking as a `cleric with a tonsure' was sufficient to render it and the person in question fit to receive some particular entitlement; the presence of anyone lower (i.e. a person without a tonsure who would, of course, be a layman) disallowing such an entitlement. That tonsure is considered a minimum
requirement is confirmed by evidence from an early Irish church canon. Finally, evidence of a non-legal nature is examined to show that such people as `clerics with a tonsure' were recognized by the church and did hold the position of airchinnech. The existence of such clerics, who did not hold ecclesiastical grades, is then shown to explain a number of otherwise inexplicable items thus further confirming their existence. Many, if not most, of the clerics at the synod of Cashel would have been of this type; this helps to explain why they approved the prohibition of laymen becoming airchinnig, giving us as a result a better understanding of the motivation which lay behind the enactment of this decree.

Following this there is the decree which is often considered by historians to be a reply to the many accusations concerning the sexual behaviour of Irishmen. In order to put this into context, the pre-existing church laws on the subject in Ireland are investigated; the focus in this is the attitude to incest and what degree of relationship was considered to be incestuous. The penitentials and penitential commutations are first used to gauge the attitude adopted to incest. Evidence in vernacular legal sources is then examined and the position on incest detected there is compared with that found in the penitentials. Attitudes regarding sexual unions with stepmothers as found in literary sources are somewhat ambiguous but not so in biblical commentary; there they are found to be very clear. Next an attempt is made to discover the degree of kinship within which a relationship would be considered to be
incestuous. Irish sources used for this are the Old Irish penitential, an ecclesiastical book of rules and a synodical canon. Interpretation of the latter is facilitated by an examination of other evidence of church rules on cousin marriage. After this the expansion of the degrees of prohibition relating to sexual relationships in the western church in general is contrasted with the much narrower interpretation by the Irish church and the reasons why the Cashel synodsmen chose to retain their narrow interpretation are explored. As well as that attention is drawn to the huge contrast in attitudes on the subject between these synodsmen and the leader of the synod that would follow ten years later, Gille of Limerick.

Although some of the remaining decrees have been included by historians among those perceived to be characteristic of the contemporary reform programme in the wider church, they are here assessed in the context of the laws that had already existed in the Irish church; the purpose being to investigate whether they represent a turning away from traditional practices and towards those of the wider church or reflect a conservative mindset.

With this analysis of all the decrees completed, our understanding of where the churchmen, whom Muirchertach Ua Briain called together at Cashel, stood on reform of church structure is considerably enhanced as is also our understanding of the role which Muirchertach now played in progressing reform, including some of the actions he took later in that decade. It is to an examination of that role and those actions which the study then turns – an
aspect of the whole topic that, as we have seen, apart from the work of Anthony Candon has not been explored to any great extent by historians. The change in attitude, away from Canterbury and towards Armagh, as signalled by Muirchertach’s grant of Cashel to the Irish church in 1101, is first placed within the context of his political strategy both domestic and foreign. In particular, his reaction to the intervention of the comarbai of Armagh during his campaigns in the north and his innovatory involvement in international affairs are investigated to help elucidate what perceptions he had of his kingship at this time. How Armagh would fit into those perceptions and, in particular, how it might be used as a source of legitimacy for a new concept of kingship is then examined; the object being to discover, if possible, what the motive was behind Muirchertach’s deep involvement, not just in the transfer of co-operation away from Canterbury towards Armagh but, in a project of such major proportions as the introduction of a new administrative structure into the Irish church. The relations between Armagh and Cashel, both before and after the kingship of Munster was taken over by the Dál Cais are then reviewed with particular attention paid to Muirchertach’s dealings with Armagh. A number of texts and some particularly appropriate glosses and commentaries on a law tract are used to elucidate the latter; one text in particular, Lebor na Cert, requiring a more elaborate analysis, both in the interpretation of the relevant parts and in the matter of dating. Investigation of the latter leads to an examination of the
important topic of when and how Armagh became aware of the true nature of Canterbury’s enterprise in Ireland, how it reacted to that knowledge and what part Muirchertach played in the result: Armagh opting for reform. Not alone does Muirchertach’s role in the evolving process become clearer as a result but the motive that lay behind his actions becomes clearer too.

With Armagh, as a result, now won over to the reform process the next major decision facing Muirchertach was how to activate his plan. Here the question, raised earlier, comes into sharper focus - why did he choose different clerics to lead the upcoming synod he clearly had in mind? To help our understanding of this it is necessary that we find out who these clerics were. A considerable amount is already known about one of them, Máel Ísa Ua hAinmire, consecrated first bishop of Waterford in 1096. However, very little is known about the other and more important one - Gille, the presiding prelate at the synod. Given that he was made bishop of Limerick, Muirchertach’s headquarters at the time, it seems clear that he was chosen by the latter. But where did he find him and, more importantly, what does this tell us about Muirchertach’s church reform activities at this time? With this in mind, an extensive study is carried out in an attempt to answer this with Gille’s writings being the first to be examined for evidence that would narrow down the potential sources that influenced him, thus pointing to the general location where he spent his early clerical life. The first items looked at are liturgical in nature; sources used include a variety of pontificals and
sacramentaries, collections of ancient church rituals, contemporary or earlier treatises on liturgy and conciliar acta. The information gleaned from this part of the study is confirmed by an examination of two items of a non-liturgical nature also found in Gille's writing; sources used for this include Anglo-Saxon works on religious and civic topics, papal letters and English chroniclers. The importance of this information becomes clearer when the next two pieces of evidence relating to Gille's later life are examined. These are reports on two separate sets of activities carried out by Gille in England; if these are taken in isolation from the information gained earlier it would not be possible to conclude anything of substance from them. However, with the background information established, it is possible to arrive, with a considerable degree of certainty, at a conclusion as to the precise location where Gille spent his clerical life before being chosen by Muirchertach to push forward the programme of church reform. From that we can gain an insight into Muirchertach's thinking at this point in the process; this is particularly so since, as will be shown, he chose a man whose formative experience was gained in the English church.

A new factor is investigated at this stage - the direct involvement of Rome in the reform movement, signalled by the appointment of Gille as papal legate at the synod of Ráith Bressail. In the absence of any extant evidence specific to this appointment, circumstantial aspects are examined; Gille's suitability,
who may have recommended him and where Muirchertach may have fitted into this. How the pope was likely to react to the proposed creation of an Irish church structure independent of, and opposed by, Canterbury is examined specifically against the background of how the role of primate and that of papal legate was viewed in Rome and Canterbury respectively. The actual response is interpreted with respect to current papal thinking.

Extant evidence relating to the synod of Raith Bressail is then examined with respect to the role played there by a Munster/Armagh alliance and the deliberate omission of Dublin; the consequence of which was to be a new phase in the relationship between Canterbury and the Irish church. And it is here that the exact nature of Canterbury’s claims in Ireland, which is explained at an earlier stage in this study, helps to render more explicable the action taken in 1121 by Cellach in seizing the bishopric of Dublin and the problems faced by the reformers, after Raith Bressail, in trying to get the Dublin church to join in with the new structure, thus modifying its ambitions and cutting its link with Canterbury. However, the other problem which they faced during this period is also examined: the problem presented by the conservative forces which remained active in Armagh after Cellach joined the church reformers. This came to a head on the death of Cellach in 1129; difficulties encountered thereafter are analysed, not as some historians have previously done as a struggle between Malachy and the Clann Sinaich but, as

34 Because of its specialized character, discussion of the respective views is consigned to an appendix (Appendix G: ‘Primate and papal legate: Rome and Canterbury’s views’).
a concerted effort by the two remaining protégés of Muirchertach Ua Briain, Gille and Máel Ísa, backed by the kings of North and South Munster, prepared to use force if necessary, to keep Armagh under the control of the reformers. Malachy’s subsequent resignation from the see is also analysed within the context of the same strategy.

With Armagh securely in the hands of reformers, the efforts now made to seek formal recognition by the pope of the new church structure are explored: Malachy’s initial attempt to obtain pallia, his appointment as papal legate, the success achieved in getting the Dublin church and the hitherto reluctant Tairdelbach Ua Conchobair, together with the clergy of Connacht, to agree to join the new structure (adapted now to accommodate their demands), the opposition offered by English elements and, finally, papal approval gained more than forty years after the synod of Ráith Bressail had met.

Except where relevant the study does not discuss the pre-existing church organization, the details of each diocese within the new structure (including success or otherwise of implementation), variation in the dioceses chosen at different synods, organization at a sub-diocesan level or the introduction of foreign religious orders; neither does it attempt to discover what, if anything, was done to bring about reform in the behaviour of members of the church, the analysis of the Cashel decrees being the obvious exception. It does, however, bring together in a logical sequence and in a coherent way, and in a
way that no previous analysis of the topic has ever done before, the main elements that contributed, each in its own peculiar manner, to the introduction of a new administrative structure to the Irish church. In particular, it explains the nature of the Canterbury connection, the motive behind Armagh’s entry into the reform process and, most importantly, the significance of the part played by Úi Briain kings, but especially Muirchertach, and later kings; something that heretofore has been virtually ignored yet is essential to a proper understanding of the subject.
Chapter 2: The Canterbury connection

The synod of Cashel in 1101 marks a very important stage in the reform of the structure of the Irish church in the eleventh and twelfth centuries. Its significance lies in the change of attitude of the Úi Briain kings to that reform which became manifest there. Up to that point it can be shown that, because of their deep involvement with Dublin, they co-operated, wittingly or unwittingly, with Canterbury's reforming enterprise in Ireland which had begun during archbishop Lanfranc's pontificate. But, beginning with that synod, a new approach is seen to have been adopted by the then king, Muirchertach, as subsequent events make clear. This was to lead to the introduction of a new organizational structure to the church, initiated just ten years later at the synod of Ráith Bressail. That change in attitude, therefore, may be seen as the catalyst which set in train a process whereby the Irish church would be reformed, not under the auspices of Canterbury but, within a purely Irish context.

The first evidence we have of Canterbury's active involvement with church reform in Ireland is connected with the consecration of bishop Patrick for the see of Dublin in 1074. He was consecrated in London by Lanfranc, archbishop of Canterbury. The evidence, which survives, consists of a number of items. The first is an entry in Acta Lanfranci. This tells us that in the fourth year of Lanfranc's pontificate he consecrated Patrick as bishop for Dublin, a city in Ireland (Patricium Dublinae ciuitati in Hybernia sacrauit
episcopum'). He got a profession (of obedience) from him ('a quo et professionem accepi') and gave him letters to bring back with him to kings in Ireland.\(^1\) The next item is the profession of obedience, referred to in the Acta, given by Patrick to archbishop Lanfranc and to his successors. In this Dublin is referred to, not simply as a city in Ireland, but as the metropolis of Ireland ('metropolem Hiberniae').\(^2\) As the word metropolis is used here in an ecclesiastical setting it is best translated as 'metropolitan church'.\(^3\) Patrick's profession of obedience to Lanfranc, therefore, refers to Dublin, or more correctly, to the Dublin church, as the 'metropolitan church of Ireland'. And indeed this description is almost exactly replicated in the next item of evidence. This is a letter purportedly from the clergy and people of Dublin to Lanfranc reminding him of his awareness of the lack of a pastor in Dublin, telling him that they had elected Patrick (whose qualities they outline) to succeed, and requesting that he be consecrated bishop.\(^4\) However, this is no ordinary letter independently composed by the clergy and people of Dublin.

It is, in fact, an abbreviated form of a standard type of letter, the purpose of

\(^1\) C. Plummer (ed), Two of the Saxon chronicles parallel (2 vols, Oxford 1892-99, repr. 1965), i 289 (appendix B).
\(^2\) 'Properea ego Patricius, ad regendum Dublinam metropolem Hiberniae electus antistes ...'. This profession, which is preserved in two manuscripts (London, British Library, Cotton Cleopatra Ei and Canterbury, Register A), is printed in Ussher, Sylloge, 118-19 and repr. in C. R. Elrington (ed), The whole works of the most rev. James Ussher, D.D., lord archbishop of Armagh and primate of all Ireland (17 vols, Dublin 1864), iv 564. It is also printed in M. Richter (ed), Canterbury professions, Canterbury &York Soc 67 (1973) 29. For translation (Gwynn, Irish church, 75).
\(^3\) J. F Niermeyer, Mediae latinitatis lexicon minus (Leiden 1976) s.v. metropolis. Gwynn translates 'metropolem Hiberniae' as 'the capital city of Ireland' (Gwynn, Irish church, 75). However, the term 'capital city' as we now understand it, cannot be applied to this period in Ireland as it is understood to embrace the idea of being the headquarters of a centralized government. Elsewhere, Gwynn simply avoids translation and uses metropolis as an English word in translation (A. Gwynn & D. F. Gleeson, A history of the diocese of Killaloe (Dublin 1962) 102).
\(^4\) Ussher, Sylloge 68-69.
which is to petition an archbishop to consecrate a bishop-elect. The full standard letter is found in the tenth century Romano-Germanic pontifical. It is there entitled "Decretum quod clerus et populus firmare debet de electo episcopo" "The decretum in which the clergy and people should confirm the election of a bishop". Although it is theoretically possible that the letter, or decretum as it is more correctly called, could have been taken from a copy of the Romano-Germanic pontifical with which the church in Dublin was acquainted it is much more likely that it originated in Canterbury. There are a number of reasons for this. Evidence is available for the existence of at least two copies of the Romano-Germanic pontifical in pre-conquest England. Furthermore, there is evidence that it soon brought influence to bear on the liturgical practice associated with the consecration of bishops in England although the decretum itself did not appear before the early twelfth century in Canterbury pontificals. The first recorded decretum in a contemporary roll (London, British Library, Harley Roll A3) was for bishop-elect Robert Bloet of Lincoln in 1094. Thereafter, it was in regular use in the Canterbury archdiocese. An added reason why it is most likely that the decretum originated in Canterbury is the absence of subscriptions. Had it come from Dublin it is possible that it would have had some subscriptions as was the

5 Vogel & Elze, Pontifical, i 194-95. Date of composition of the pontifical is 950x961 or 963-64 (ibid. i p xvi-xvii).
7 Richter, Canterbury professions, liv-lvii and appendix B (112-17, where twelve English specimens of the decretum are given beginning with that of bishop-elect Robert Bloet of Lincoln).
case with the consecration of the first bishop of Waterford, to be examined later. Because the decretum is of a standard format only a small amount of information may be gained about the bishop-elect or the church for which he is to be consecrated bishop. Despite the fact that Patrick’s decretum is considerably abbreviated, nothing of substance in regard to the information given in it about Patrick is lost except the place where he last held office.8 The actual abbreviation itself may be an indication that the process of adaptation of the decretum from the Romano-Germanic pontifical was not as yet fully established. The decreta recorded at Canterbury from 1094 onwards were full and unabridged versions.9 From Patrick’s decretum we discover that he was a priest at the time that the decretum was drawn up. But what is of much more importance is the description that is given to the church of Dublin. The first sentence is as follows:

Vestrae paternitati est cognitum, quod Ecclesia Dublinensis, quae Hiberniae insulae metropolis est, suo sit viduata pastore, ac destituta rectore.10

The words in italic are from the standard format of the decretum.11 The other words were inserted and thus they are of particular importance. According to them, the Dublin church is seen by the person who filled in this part of the

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8 For an outline of the parts of the decretum omitted, see Philpott, ‘English and Irish churches’, 194 n 36; Richter, Canterbury professions’, 112-13 where a candidate’s ‘place of origin’ is shown to be ‘the place where he last held office’.
9 ibid. 113-17. Note that they contain the parts omitted in Patrick’s decretum as outlined by Philpott. The exception, as one would expect, is that for the consecration of Thomas II, archbishop-elect of York (1109) where the decretum is quite different.
10 Ussher, Sylloge, 68.
11 Vogel & Elze, Pontifical, i 194.
decretum\textsuperscript{12} to be the metropolitan church of the island of Ireland. Not alone does this confirm the description of the Dublin church, as found in the profession of obedience that Patrick made, it does more. It clarifies it. It puts it beyond the need for interpretation. It makes it clear that the Dublin church is being described as the metropolitan church of the whole island of Ireland. From an Irish point of view, this statement regarding Dublin in the year 1074 might appear to be preposterous and, because of that, something not to be taken seriously. Gwynn wrote of it: 'Even the author of the Old Irish poem in the Book of Rights, who sang so loudly the praises of the young men and women of Dublin, would have been startled had he heard the title *metropolis Hiberniae* applied to a city which was for him, as for all other Irishmen of his day, the city of the Foreigners of Dublin'.\textsuperscript{13} Whether preposterous or not, the statement was made and has to be taken seriously. What is more, it seems most likely to have been the seed, planted in 1074, which ultimately bore fruit in 1152 when the pallium was given to Grêine, thus making him the first canonical archbishop of the metropolitan see of Dublin. And it had even more important consequences: by stating that the Dublin church was the metropolitan see of the whole of Ireland it set the scene for a clash with Armagh whose island-wide authority it challenged. It is most likely that it

\textsuperscript{12} There are only a few places in the *decretum* that require filling in: the name of the metropolitan, the church to which the electors belong, the church that had been deprived of its pastor (i.e. the recently departed bishop), the name of the bishop-elect and the last place where he held office.

\textsuperscript{13} Gwynn, *Irish church*, 69.
was responsible for drawing Armagh into the arms of a reform movement that was to emerge, particularly in Munster.

The reference to the Dublin church as the metropolitan church of Ireland did not occur in a vacuum. When Lanfranc became archbishop of Canterbury in 1070 he was soon embroiled in a dispute over the relationship between the archbishopric of Canterbury and that of York. The dispute was referred to Rome where both archbishops were going to receive their pallia in 1071. However, the pope said that the dispute should be discussed and decided in England. As a result, an agreement was reached during the spring of 1072, and Lanfranc wrote a letter to the pope outlining that agreement and how it was reached.\(^\text{14}\) He wrote: "... we brought in the Ecclesiastical history of the English people, the work of Bede, a priest of the church of York and doctor of the English; passages were read out which proved to everyone's satisfaction that from the time of St Augustine, the first archbishop of Canterbury, until the last years of Bede himself, which is a period of almost 140 years, my predecessors exercised primacy over the church of York and the whole island which men call Britain and over Ireland as well."\(^\text{15}\)

Here we see a clear statement that Lanfranc in 1072 considers that there exists in Bede's work a precedent for a claim by Canterbury that it holds


\(^{15}\) 'Allata est ... Aecclesiastica gentis Anglorum ystoria quam Eboracensis aecclesiae praesbiter et Anglorum doctor Beda compositit; lectae sententiae quibus pace omnium demonstratum est a tempore beati Augustini primi Dorobernensis archiepiscopi usque ad ipsius Bedae ultimam seunctutem, quod fere centum et quadraginta annum spatio terminatur, antecessores meis super Eboracensem aecclesiam totamque insulam quam Britanniam uocant necnon et Hiberniam primatum gessisse.' (Clover & Gibson *Letters of Lanfranc*, 50, lines 26-34 (letter 4); ibid. 51 (translation)).
ecclesiastical primacy over Ireland. In the following year, 1073, it would appear that he got papal encouragement in this belief although one cannot be fully certain of this.\(^\text{16}\) In any case, soon afterwards, in 1074, a vacancy occurred in the see of Dublin. Bishop Patrick was consecrated by Lanfranc to fill that vacancy and Lanfranc received a profession of obedience from him. From the letter sent back with Patrick to Gofraid, king of Dublin, we learn that Patrick had been sent to Lanfranc for consecration.\(^\text{17}\) However, it is unlikely that Patrick brought his *decretum*, duly filled out, along with him. This, we have suggested, was most likely done at Canterbury. A further reason may now be added to those already given. The description of the church of Dublin given in Patrick’s profession of obedience is very similar to that in his *decretum*. Given that the profession of obedience was certainly drawn up at Canterbury, it seems likely that the *decretum* was drawn up there too. This is so because it is highly unlikely that the Dublin church

\(^{16}\) This is based upon a letter sent by the newly elected pope Gregory VII to Lanfranc. In this letter the pope encourages Lanfranc ‘to ban the wicked practice which we have heard rumoured of the Irish (*Scottis*): namely that many of them not only desert their lawful wives but even sell them’. He endows Lanfranc with ‘apostolic authority’ (‘apostolica ... auctoritate’) in dealing with this crime (ibid. 66-67). Gibson translates *Scottis* as ‘Irish’ due to the subsequent references to Irish marriage customs by Lanfranc in his letters to kings Gofraid and Tairdelbach (ibid. 66 n 4). However, one must offset this against the letter which was sent by pope Gregory to Tairdelbach and the clergy of Ireland, most likely after he had sent his letter to Lanfranc. In this letter Gregory urges that in any matters of business that might arise and over which help is sought, they should get in touch with him. He makes no mention of Canterbury (H. E. J. Cowdrey (ed), *The epistolae vagantes of pope Gregory VII* (Oxford 1972) 138-141 (letter 57)). For further discussion on this, see Philpott, ‘English and Irish churches’, 190 n 16. One possibility not canvassed there is that the apparent contradiction which arises if one accepts Gibson’s translation of ‘*Scottis*’ as ‘Irish’ could be answered by the possibility that Gregory’s views on the role of primate vis-à-vis that of the pope may have evolved during his papacy. As late as 1079, Gregory seems not to have had, as yet, settled on his views of ecclesiastical primacies (H. E. J. Cowdrey, *Pope Gregory VII 1073-1085* (Oxford 1998) 604) and his letter to Lanfranc was written early in his pontificate (1073). His letter to Ireland could have been written as late as 1084 (idem, *Epistolae vagantes*, 138n).

\(^{17}\) Clover & Gibson, *Letters of Lanfranc*, 66 (letter 9).
would have come up with a title for itself, independently of Canterbury, which happened to be the exact same as that which Canterbury had given to it.

Coming, as it did, only two years after Lanfranc had declared in his letter to the pope that there was a precedent in Bede for a claim by Canterbury to the primacy of Ireland, the description of the Dublin church gives a clear indication of how Lanfranc planned to exercise that primacy. He would do so through the see of Dublin. It would become the metropolitan see for the whole ecclesiastical province of Ireland. As well as his own province of Canterbury, he would be primate of two other provinces, each with a metropolitan: York and Dublin. Of course, it was only a plan, perhaps even a mere aspiration at this stage. After all Patrick, whom he consecrated, was merely a bishop not an archbishop. That would have required papal approval and the granting of a pallium. But the Dublin church of 1074 could not, by any stretch of the imagination, be seen to have already achieved a relationship with the rest of the Irish church that would justify metropolitan status with authority over the whole Irish church. As a plan, however, it made some sense and was perhaps the only option open to Lanfranc if he was to take seriously his claim to primacy over the Irish church. And the task facing Lanfranc in that connection was a very daunting one.

The position of a primate in the church hierarchy was at that time a relatively new one. It was invented by the compiler of the False or Pseudo-Isidorian
Decretals which appeared for the first time around the middle of the ninth century. The principal aim of these Decretals was to protect suffragan bishops from their metropolitans, from provincial synods and secular power. However, one of the consequences of this aim was the creation of the new office of primate, an office that was equated with that of a patriarch.\textsuperscript{18} It is known that Lanfranc had a copy, though an incomplete one, of the False Decretals.\textsuperscript{19} These would have been of some help to him had he been dealing with a country recently converted to christianity and now requiring a hierarchy to rule its church.\textsuperscript{20} But christianity had long been established in Ireland where a church had emerged which did not appear to have a hierarchical structure with which Lanfranc would have been familiar.\textsuperscript{21} This

\textsuperscript{18} Fuhrmann, \textit{Einfluß}, i 146. For the historical background to the compilation of these decretals, see ibid. i 141-45. It is significant to note that Gille (or Gilbert as he has often been called (see 268 n 2 below)), first bishop of Limerick (he is discussed in chapter 5 below) in his tract \textit{De statu ecclesiae} equates primates with the patriarchs of the Eastern church (‘Locum itaque quem apud orientales patriarchae possident hunc apud nos primataes quodammodo obtinere videntur’ (Ussher, \textit{Sylloge}, 87; PL 159,1003-04; J. Fleming, \textit{Gille of Limerick} (c.1070-1143) (Dublin 2001) 162) ‘And so patriarchs hold a place among the orientals; they appear to hold this in the manner that primates among us do’). In the \textit{Collectio canonum hibernensis} book 20 is devoted to an ecclesiastical province. It is clear from its contents that it is dealing with a metropolitan, not a primatial province. According to its decrees, problems are to be resolved within the province in which they arise. They are not to be brought to other provinces for resolution (CCH 20.3b; 20.3c; 20.5a; 20.6). However, if they are incapable of resolution ‘in this island’ they are referred to the apostolic see (20.5b). The only reference to primacy is to that of Rome. One manuscript, the Coloniensis, has a title \textit{Ecclesia romana semper temuit primatum} (‘The Roman church always held the primacy’). Citation is from H. Wasserschleben (ed), \textit{Die irische Kanonensammlung} (Leipzig 1885) 61 n (e). Obviously, the concept of a primate in the church hierarchy between the metropolitan bishop and the pope was unknown to the compilers of CCH. This is quite in line with Fuhrmann’s assertion that the office was a later invention.\textsuperscript{19} Z. N. Brooke, \textit{The English church and the papacy from the conquest to the reign of John} (Cambridge 1931) 57-83; Fuhrmann, \textit{Einfluß}, ii 419-22.

\textsuperscript{20} Hinschius, \textit{Decretales}, ‘Epistola Clementis ad iacobum fratrem domini’ (Epistola Clementis prima) 39 (cc. xxviii and xxix). It is known that this letter was contained in Lanfranc’s abridged copy of the decretal collection (Brooke, \textit{English church}, 61).

\textsuperscript{21} For a comprehensive and recent discussion of the type of church organization which existed in Ireland around this time (C. Etchingham, \textit{Church organisation in Ireland AD 650 to 1000} (Maynooth 1999)).
was Lanfranc's problem. Given the knowledge of the role of a primate in relation to that of a metropolitan which he gained from the Ps-Isidorian decretals and which was honed by his conflict with York, it would have appeared to Lanfranc to be much more practicable to try to exercise primacy over Ireland through the agency of a metropolitan based in Ireland rather than try to incorporate the whole of the church in Ireland into the metropolitan province of Canterbury. The latter was a virtually impossible task.

The choice of Dublin as that metropolitan see was essentially on three grounds. By far the most important of these was that Dublin was urban in a country that was predominantly rural. It is clear from his actions in England that Lanfranc believed that episcopal sees should be based in cities. This belief was grounded in canon law as can be seen in canon 3 of the Council of London in 1075, the year after he took his initiative with respect to Dublin. This canon was used to justify the movement of three bishops from small townships to cities. The second reason was that the Dublin church was not part of the traditional structure of the Irish church. The third was opportunity. This arose as a result of the vacancy which occurred in the see of Dublin in 1074 and the arrival of Patrick seeking consecration, perhaps

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22 'Following the decrees of popes Damasus and Leo and also the councils of Sardis and Laodicea, which prohibit the existence of episcopal sees in small townships, ... three ... bishops were permitted to move from townships to cities' (D. Whitelock, M. Brett & C. N. L Brooke Councils and synods with other documents relating to the English church, i pt 2 (Oxford 1981) 613).
because his predecessor had been consecrated by a previous archbishop of Canterbury.23

When a person of the quality of Patrick24 came to Lanfranc to be consecrated bishop of Dublin it must have seemed opportune to Lanfranc to initiate his plan to exercise his primacy of Ireland through the agency of a Dublin-based metropolitan see. Hence the reference to the Dublin church as the metropolis of Ireland, a description which, as has been argued, originated at Canterbury. There is no record of how the Dublin church reacted, in the short term, to its new-found status. However, as will become clear from its actions in later years, it would appear that it was quite receptive of the idea.

At one stage during Patrick’s short pontificate Lanfranc wrote a letter to bishop Domnall Ua hÉnna and the clergy assembled with him.25 An idea of how he perceived himself in relation to the Irish clergy may be gleaned from the way he refers to them in this letter. He calls them his ‘dearest brethren,

23 It is not of any particular relevance to the discussion as to whether Patrick was the first or the second bishop of Dublin to be consecrated at Canterbury. The argument about this essentially turns on how one understands the words ‘more antecessorum nostrorum’ (‘as was the custom of our predecessors’), that Lanfranc wrote in his letter to Gofraid, king of Dublin, after he had consecrated Patrick (Clover & Gibson, Letters of Lanfranc, 66). Dr Flanagan puts forward a different interpretation from that of Gwynn and Watt and suggests that Patrick was the first bishop of Dublin to be consecrated at Canterbury (Flanagan, Irish society, 14–15). She discusses (n 22) the views of Gwynn and Watt and points to the use of incorrectly dated evidence by both. Philpott’s is yet another interpretation of ‘more antecessorum nostrorum’ but it leads him to agree with Flanagan that Patrick was the first Dublin bishop to be consecrated at Canterbury. He further argues that if there had been any such consecration previously at Canterbury Lanfranc would have made a clearer reference to it (Philpott, ‘English and Irish churches’, 191-92).

24 That Lanfranc recognized Patrick’s quality can be seen in his letter to king Gofraid of Dublin (Clover & Gibson, Letters of Lanfranc, 68). A testament to his learning is found in his writings (A. Gwynn (ed. & tr.), The writings of bishop Patrick 1074-84, SLH I (Dublin 1955)). Indeed, it is not beyond the bounds of possibility that Lanfranc may have had a hand in the selection of Patrick, a monk of Worcester, given his extensive contacts with bishop Wulfstan of Worcester early in his pontificate (Gibson, Lanfranc of Bec, 117-19, 146). If so, it would have been an integral part of his overall plan for Dublin.

25 Written in 1080; Clover & Gibson, Letters of Lanfranc, 154-60 (letter 49).
whom I love as a father’ (‘dulcissimam nobis fraternitatem uestrarn paterna
caritate’).\textsuperscript{26} Nowhere in this letter does he refer to himself as their primate.

His approach is sensitive, not assertive. The same approach would be
expected of the man charged with the task of giving some meaning to the
title of metropolitan church of the island of Ireland. And it would appear
that Patrick did succeed in giving some element of meaning to that title
during his pontificate, though it is not clear how that meaning was perceived
by Irish authorities, secular and ecclesiastical, outside the Dublin church. In
1080, during Patrick’s pontificate, a synod was held in Dublin which was
attended by king Tairdelbach Ua Briain, bishop Domnall Ua hÉnna, the
comarbae of Patrick, the clergy of Munster and possibly others. This was
apparently in response to the request made by Lanfranc to Tairdelbach in a
letter brought to him by bishop Patrick after his consecration. It is almost
certain, given its location, that bishop Patrick was instrumental in seeing to it
that this synod took place. As well as that, a group that could have been
similar to that which attended the synod, gathered in Dublin, some five years
later, to elect Patrick’s successor.\textsuperscript{27} This assembly together with those which
met subsequently to elect other successors to the see of Dublin, as well as

\begin{footnotes}
\item[26] ibid. 156.
\item[27] Holland, ‘Synod of Dublin’, 81-94. Tairdelbach Ua Briain, unnamed Irish bishops and the clergy
and people of Dublin elected Patrick’s successor, Donngus (J. T. Gilbert (ed), \textit{The chartularies of St.
Mary’s Abbey, Dublin}, RS 80 (2 vols, London 1884) ii 250).
\end{footnotes}
that which elected the first bishop of Waterford in 1096, could, in fact, have been synods as well although there is no direct evidence for this.  

The *decretum* for the consecration of Patrick's successor, Donngus, has not survived but the consecration is recorded in *Acta Lanfranci*. There it is stated that the king, clergy and people of Ireland petitioned Lanfranc to consecrate Donngus. By recording the request as coming from the king, clergy and people of Ireland rather than from the king, clergy and people of Dublin, the person making the record may be merely reflecting the fact that Tairdelbach Ua Briain and Irish bishops participated in the election of Donngus. But he may also be reflecting a belief at Canterbury that the bishop of Dublin's authority extended over the whole of Ireland and was not confined to Dublin alone. If this is the case, it is not explicitly stated in the profession of obedience which, according to Canterbury sources, Donngus made to Lanfranc at his consecration. According to these, the Dublin church is described in a much more neutral way without reference to metropolitan status. The Dublin church is merely said 'to be situated in Ireland' ('que in Hibernia sita est').

There is, however, something peculiar about the profession of obedience which, according to these Canterbury sources, Donngus gave to Lanfranc.

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28 Candon, 'Barefaced effrontery', 4-6.
29 'Sexto decimo anno, sacrauit Donatum monachum suum Cantuarie ad regimen Dubliniae, petente rege, clero et populo Hyberniae, quibus etiam literas exortatorias misit' (Plummer, *Chronicles*, i 290). 'In the sixteenth year he consecrated Donatus, his own monk at Canterbury, to rule Dublin, having been requested by the king, clergy and people of Ireland, for whom he also sent a letter of exhortation'.
Under Lanfranc the profession of obedience for all newly consecrated bishops took a very specific form. It begins with a short explanation of why a bishop should be obedient. After that comes the actual profession itself. The profession is linked to the opening explanation by a conjunction such as propterea ('for that reason') or unde ('from which'). All the newly consecrated bishops used this format when professing obedience to Lanfranc - all, that is, except Donngus. The format that he is said to have used in 1085 belongs to a later post-Lanfrancian period. It developed during the vacancy at Canterbury (1089-93) when the explanation of why a bishop should be obedient was dropped lest it imply obedience to the prelate who carried out consecrations during the vacancy - the archbishop of York. This shorter form was retained by Anselm when he became archbishop31 and it is the form that is uniquely, among Lanfrancian professions, attributed to Donngus. Since the oldest manuscript, in which the Donngus profession is found, was written around 1120-23,32 the possibility exists that the form of profession in use at the time the manuscript was written could have been inserted for a profession by Donngus which the scribe could not find in his records. That was the form that, as we have seen, began during the vacancy (1089-93) and was retained by Anselm. His successors, Ralph D’Escures and William of

31 ibid. p lvii, lxxiv-lxxvi. For the professions of newly consecrated bishops to Lanfranc (28-33 §§35-47) and note that all, except that of Donngus (31 §42), have two separate sections as described above (30-31 §§40-41 have an additional short section introducing a subscription). Compare the profession attributed to Donngus with those beginning during the vacancy (33 §§48-49) and continuing under Anselm (34-37 §§50a-61). Note the similarity.

32 This is London, British Library, Cotton Cleopatra E i. The other manuscript in which it is found, Canterbury Register A, was written in the fifteenth century (ibid. p xxxi, xliii, xcvi and 31).
Corbeil, also retained it. This would account for the form of profession attributed to Donngus. But it would also account for the more neutral description of the church of Dublin which, as we have already noted, it contains. For, under Anselm, there would appear to have been a degree of caution in the way in which the primacy of Canterbury over the Irish church was asserted. This point will be discussed later. But for now it may be pointed out that when bishop Samuel made his profession of obedience to Anselm, the church of Dublin is described simply as `que sita est in Hybernia'. This description is also used in the profession made by Gréine to archbishop Ralph D'Esures. And it is the description which a scribe, writing around 1120-23, could have used if he did not have available to him the original used by Donngus. He would simply have taken it from the profession made by Samuel or possibly Gréine.

Apart from the form of profession attributed to Donngus which suggests that it was inserted by a scribe around 1120-23, there is another indication of lateness. In the professions of obedience made to Lanfranc by newly consecrated bishops, the majority (9 out of a total of 14) refer to Lanfranc as `Britanniarum primas' or variants of this title. This was a title that had gone out of use by the time that the scribe was writing. It was used only once during Anselm's tenure of office and even this may have been an

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33 ibid. 37-41 (§§63-79).
34 ibid. 34, 39 (§§51,69).
35 ibid. 29-33 (§§36-41, 44,46, 47).
aberration.36 Thereafter, it was not used at all.37 The profession of obedience attributed to Donngus is one of the minority of professions that does not use the title although one might have expected its use since Donngus came from Ireland.38 A late insertion would be an explanation for its absence.

If we accept the proposition that the profession of obedience which is attributed to Donngus was a subsequent insertion, then the description of the church of Dublin which it contains belongs to a later time and does not reflect Lanfranc’s opinion. But even if we do not accept this proposition and hold the view that it is the actual wording used for his profession, then we can say that, by its neutral tone, it neither supports or opposes the implication which may lie behind the record of his consecration in Acta Lanfranci. That implication is that, in Canterbury’s thinking, Dublin’s ecclesiastical authority extended over the whole of Ireland.

The letter of exhortation which, according to Acta Lanfranci, Donngus brought to the king, clergy and people of Ireland is not extant. However, some important information regarding the relationship between Lanfranc and Donngus has survived. It is contained in two letters sent by Lanfranc’s successor at Canterbury, Anselm. One of these letters he sent to bishop Mael Ísa of Waterford, the other to the man who succeeded Donngus in the see of

36 ibid. 35 (§55); see footnote for what may be an explanation of what the editor calls ‘the old-fashioned form of the profession’.
37 ibid. p lxxix.
38 This is because of the plural form in the title Britanniarum primas.
Dublin, bishop Samuel.\textsuperscript{39} The information in both letters is similar, but more detailed in the letter to Samuel. From this we learn that Lanfranc gave books, vestments and other church ornaments to Donngus for use by the church of Dublin. That these items were for the use of the church and were not given as personal property is stressed in the letter. The monks of Canterbury had a close involvement in the giving of these gifts. They are said by Anselm to be witnesses not just to the fact that gifts were given but to the more subtle point that they were given for church use and not as a personal gift to the bishop.\textsuperscript{40} After all, \textit{Acta Lanfranci} tells us that Donngus had been a monk at Canterbury.\textsuperscript{41} So the involvement of the Canterbury monks is not surprising. Anselm's letter also tells us that monks had been brought together for the service of the same church presumably before the time Samuel became bishop (1096) since Anselm's letter complains about Samuel expelling them. That means that they were probably established during the pontificate of either Patrick or Donngus. Gwynn has hypothesised, on the basis of the existence of an early Dublin chronicle whose origins can be traced to Winchcombe, that bishop Patrick brought in Benedictine monks from Worcester and Winchcombe, given the close connections these two monasteries had with one another and Patrick's own connections with


\textsuperscript{40} The possibility that the witnesses cited by Anselm may have been, as argued below, a colony of Canterbury monks in Dublin, rather than monks then in residence at Canterbury, does not invalidate the assertion that Canterbury monks were closely involved in the giving of the gifts.

\textsuperscript{41} Plummet, \textit{Chronicles}, i 290.
Worcester. However, a much simpler case can be made for the proposition that the monks came from Canterbury and that they arrived along with Donngus who had himself been a monk at Canterbury. Lanfranc is likely to have taken a hand in the establishment of a monastic chapter at Dublin. We have evidence in the letters of Anselm, just discussed, that he was sufficiently concerned about liturgical practice at Holy Trinity church to send books, vestments and church ornaments to that cathedral when Donngus became its bishop. Liturgical practice at the cathedral would have been an important part of the function of the cathedral chapter. It is, therefore, quite logical to assume that he would have been concerned about the chapter also. And if he got involved in setting up the chapter, the obvious place to look for monks to place there would have been Canterbury. Furthermore, it is quite likely that these monks would have brought with them the books, vestments and church ornaments to which Anselm refers. The monks of the chapter in Dublin and their brethren at Canterbury would be acutely aware of the distinction between property belonging to the cathedral and the bishop’s personal property. In fact, it is quite possible that the monks whom Anselm quotes as being witnesses to these transactions belonged to a colony of Canterbury monks established at Dublin. It depends upon how one translates a particular sentence in Anselm’s letter: "... cum ipsa ornamenta non ei sed ecclesiae data sint sicut fratres Cantuariensis ecclesiae filii

attestatitur'. Lawlor translates it as: 'For ornaments were given not to him, but to the church, as the brothers, sons of the church of Canterbury, bear witness'. From this Lawlor deduces that the monastic chapter in Dublin was formed from monks who had come to Dublin from Canterbury, bringing their service books with them. Gwynn translates it differently: 'For these ornaments were not given to the Bishop, but to the church, as our brethren, the sons of the church of Canterbury, bear witness'. He translates *fratres* as 'our brethren' rather than simply 'the brethren', a translation that is not justified. Lawlor's translation is closer to the original.

A chapter in the cathedral in Dublin is likely, therefore, to have been formed by monks from Canterbury during the pontificate of Donngus. This would be entirely in keeping with Lanfranc's plan to exercise primacy over Ireland through the agency of a metropolitan see in Dublin. Furthermore, it is likely that some formal link between that chapter and Canterbury was maintained after its foundation. Such a link would have been an important vehicle for ensuring that Canterbury's interests continued to be articulated in Dublin. It would also, as Anselm's letters show, ensure that Canterbury was kept abreast of events in Dublin and it would be particularly important during

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43 Schmitt, *Opera*, iv 192. Schmitt's punctuation has been omitted as editorial and likely to influence the way the text is translated.
44 H. J. Lawlor, 'Note on the church of St. Michan, Dublin', JRSAI 56 (1926) 11-21: 19. Lawlor says that others have rendered 'fratres Cantuariensis ecclesiae filii' as 'brothers and sons' or 'brothers of the Church of Canterbury, my sons' (ibid. 19 n 39). Lawlor's own translation seems preferable.
45 A. Gwynn, 'Bishop Samuel of Dublin', IER 60 (1942) 81-88: 82. Probably based upon this translation Gwynn assumes that the witnesses, whom Anselm cites in his letter, are monks of Canterbury (Gwynn, *Irish church*, 101).
vacancies in the see. It would provide a mechanism through which Canterbury could exercise influence over the selection of bishops. Above all, it would ensure the continuation of the link between Canterbury and Dublin. While Donngus was bishop of Dublin Lanfranc died in May 1089. After a vacancy that lasted for four and a half years he was succeeded as archbishop of Canterbury by Anselm, who was consecrated in December 1093. Some time after he was consecrated Anselm wrote to all the canonical bishops in Ireland informing them of his election. In this letter he tells them about his troubles and asks them for their prayers. He feels duty bound ('pastorali sollicitudine ... compellor'), he says, to remind ('monere') them to be vigilant and severe in dealing with anything which they find in their regions ('in provinciis') which is contrary to ecclesiastical doctrine. He then continues: 'If any question arises among you concerning episcopal consecrations or any other ecclesiastical business, or matters relating to holy religion which you are unable to determine canonically, we urge you by the duty of charity to bring it to our notice so that you may receive counsel and

47 Schmitt, Opera, iv 88-89 (letter 198). The reason why one may say that he addressed his letter to the 'canonical' bishops in Ireland is to be found in the rather cumbersome way in which Anselm describes the bishops. He first calls them his fellow bishops ('coepiscopi') and goes on to refer to two of them by name. However, he refers to the rest as 'caeteris in Hiberniae insula pontifici dignitatus' 'others in the island of Ireland who are eminent by pontifical dignity'. This is Anselm's way of ensuring he is addressing canonical bishops only and not those who had been consecrated by one bishop. Although such ecclesiastics might use the title bishop, they would not, in Anselm's eyes, have 'pontifical dignity'.
48 provincia may be translated as a 'church province', 'district of a metropolitan see', 'diocese', 'region' (Niermeyer, Lexicon minus, s.v. provincia). The latter is chosen here as Anselm must have been aware that, apart from Dublin, no canonical dioceses, much less metropolitan sees, existed in Ireland at that time.
comfort from us, and not come into his judgement as perverters of the commandments of God'.

49 This letter is certainly written from the perspective of one who sees himself as having pastoral responsibility for the whole of Ireland. As Southern puts it: 'This is the gentlest of expressions of authority, but it could scarcely be firmer'.

50 That would suggest that Anselm saw Canterbury as still holding the primacy over the whole of Ireland even if he did not expressly say so. On the other hand, his closest companion at Canterbury, Eadmer, never hesitates in openly expressing this claim.

51 There is, however, an indication in the letter that Anselm may have been cautious about implementing Lanfranc's plan for exercising Canterbury's primacy through a metropolitan see in Dublin. This may be detected if one examines the order in which he places the names of the bishops to whom he addresses the letter. He addresses it to 'seniori Domnaldo, Donato ...'.

52 The 'Domnaldus' here has been identified as Domnall Ua hÉnna, the most important prelate in the southern part of Ireland at the time.

53 The use of senior, a reflex of the Irish word senoir, as a title for him shows that there was some familiarity in Canterbury with the Irish church outside Dublin. Its use

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49 'Si quando vero seu in consecrationibus episcoporum, seu in ecclesiasticorum negotiorum causis, seu quibuslibet aliis rationibus aliquid quod ad saeculam religionem pertineat, inter vos ortum fuerit, quod per vos canonice nequeat definiri: caritatis officio id ad notitiam nostram proferri commonemus, quatenus a nobis potius consilium et solatium accipiatis, quam praevericatores mandatorum dei in iudicium eius incidatis' (Schmitt, Opera, iv 89 (letter 198)).

50 Southern, Anselm: a portrait, 338.

51 ibid. 318-21.

52 M. Rule (ed), Eadmeri Historia novorum in Anglia, RS 81, (London 1884) 26, 63, 76, 189.

53 Schmitt, Opera, iv 88 (letter 198).

54 ibid. 88 n 2; Gwynn, Irish church, 100.
also allows Canterbury to flatter him without conferring on him a title such as archbishop that might conflict with its own interests and, in any case, would not have been canonical. Donatus is bishop Donngus of Dublin.\textsuperscript{55}

Placing Domnall Ua hÉnna before the bishop of Dublin, as his letter does, suggests that Anselm is conceding pre-eminence to Ua hÉnna over the bishop of Dublin. A similar pre-eminence is conceded in the subscriptions to the \textit{decretum} prepared in 1096 for the consecration of Mael Ísa of Waterford.\textsuperscript{56}

Taking both of these incidents together with the description of the church of Dublin merely as ´situated in Ireland´ as happened when Samuel made his profession of obedience to Anselm\textsuperscript{57} rather than as ´the metropolitan see of the island of Ireland´ as it appears in bishop Patrick’s \textit{decretum}\textsuperscript{58} and add to this the almost complete abandonment during Anselm’s pontificate of the title, much favoured by Lanfranc, ´Britanniarum primas´,\textsuperscript{59} one might be tempted to suggest that Anselm had given up Lanfranc’s plan to exercise the primacy over Ireland through a metropolitan see in Dublin. However, it needs to be recalled that even in Lanfranc’s time this was only a plan and implementation would have to be carried out with great sensitivity. The same applied in Anselm’s time. When he gave precedence to Ua hÉnna in his

\textsuperscript{55} Donatus is the Latin form that was used for his name (Rule, \textit{Historia novorum} 73; Plummer, \textit{Chronicles}, i 290; and Richter, \textit{Canterbury professions}, 31 (§42).

\textsuperscript{56} Rule, \textit{Historia novorum}, 77. This document is discussed in more detail below.

\textsuperscript{57} Richter, \textit{Canterbury professions}, 34 (§51).

\textsuperscript{58} Ussher, \textit{Sylloge}, 68.

\textsuperscript{59} Richter, \textit{Canterbury professions}, p lxxix.
letter he may just have been acting in a tactful manner - there was nothing to be gained by arousing the antagonism of so important a prelate.

Samuel was the only bishop of Dublin whom Anselm consecrated. His decretum, which would have notified Anselm of his election and would have requested that he be consecrated, has not survived. However, we do know from Eadmer’s Historia novorum that one did exist. Eadmer writes: ‘Hic ... a rege Hiberniae, Murierdach nomine, necne a clero et populo in episcopatum ipsius civitatis electus est, atque ad Anselmum juxta morem antiquum sacrandus cum communi decreto directus’.60 ‘He had been chosen for the bishopric of that city by Muirchertach, king of Ireland and also by the clergy and people and had been sent, according to ancient custom, with a public decretum to Anselm for consecration’.61 This, together with the reference to the death of the previous bishop, the name of the bishop-elect Samuel, and the place where he last held office - all of which Eadmer gives - is, in effect, a synopsis of those parts of the decretum which are particular to this case. Eadmer is not here concerned to repeat the standard references to a bishop’s qualities that are a mere formula in the normal decretum: he excerpts Samuel’s decretum. We learn that king Muirchertach Ua Briain took part in his election just as his father Tairdelbach had taken part in the election of his

60 Rule, Historia novorum, 73.
61 Gwynn apparently was unaware of the technical nature of a decretum in this context when he rendered cum communi decreto as ‘and by common decree’ (Gwynn, Irish church, 103). Bosanquet had some awareness of it, however, as he translated it as ‘with an official letter of the church’ (G. Bosanquet (tr), Eadmer’s History of recent events in England (London 1964) 77).
predecessor Donngus. It is likely that the clergy who are referred to in Eadmer's report include Irish bishops, as was the case at the election of Donngus\(^6^2\) - the wording of the report certainly allows for this interpretation. However, one cannot be sure of this. It is possible that it refers only to the monastic chapter which we know existed at the cathedral at this time. But if we take it side by side with the fact that Irish bishops took part in the election of Donngus and that they also took part in the election of Mael Ísa as bishop of Waterford in the same year as Samuel was consecrated\(^6^3\), then it is most probable that they were among the clergy whom Eadmer says took part in the election of Samuel. This does not preclude the involvement of members of the monastic chapter in the election. It seems certain that they, with their Canterbury connections, would have filled out Samuel's decretum.

Whatever about the caution which Anselm adopted in exercising his primacy through a metropolitan see in Dublin, the same caution was not always evident in Dublin during Samuel's pontificate. This is exemplified by the well-known fact that, at some stage, Samuel caused a cross to be carried before him after the manner of a metropolitan bishop and was rebuked by Anselm.\(^6^4\) Earlier, it appears, he was much more discreet in this regard. In the year of his consecration, Samuel was instrumental in setting up a new bishopric at Waterford and having its first bishop, Mael Ísa, sent to

\(^6^2\) Gilbert, Chartularies of St Mary's Abbey, ii 250.

\(^6^3\) Rule, Historia novorum, 77.

\(^6^4\) Schmitt, Opera, iv 192 (letter 278).
Canterbury for consecration. This will become clearer when the surviving evidence is analysed. It comes from two sources: Eadmer’s *Historia novorum* and a letter sent by Walkelin, bishop of Winchester, to Anselm. It is clear from Eadmer that there were two separate letters sent to Anselm from Ireland. The first was a petition to Anselm ‘in right of the primacy he held over them and of the apostolic authority which he exercised’ (‘primatus quem super eos gerebat potestate et qua fungebatur vicis apostolicae fretus auctoritate’) to erect a bishopric in Waterford in view of the size of its population. This justification for the erection of a bishopric (viz. the size of its population), which is explicitly said to be in the letter which the messengers brought from Ireland to Anselm, makes it clear that two separate letters were sent. We know this because Eadmer publishes, in full, the second

67 Literally, the request was that a ‘bishop be instituted there’ (‘cui ... episcopum institui’) which, in effect, means that a ‘bishopric be erected’ since there was no bishop there previously, as they loudly proclaim. It is unlikely that there was any reference in the letter to ‘the right of primacy’ given that it was sent by king Muirchertach Ua Briain, Domnall Ua hÉnna and the rest of the bishops of Ireland. The reference to primacy was most likely inserted by Eadmer given his propensity for referring to Canterbury’s claim to primacy over Ireland (Rule, *Historia novorum*, 26, 63, 189). It seems clear that Anselm approved the erection of the new diocese since he consecrated its bishop. There is no evidence that, in doing this, he sought the approval of the pope. This may be contrasted with his action later in his pontificate (in 1108) when, after discussion with the king and other magnates of the realm, it was decided to divide up the diocese of Lincoln as it was deemed to be becoming too unwieldy. Part of the diocese would have to be hived off and formed into a new diocese. Although Anselm agreed to this he, nevertheless, ‘knowing that no new diocese could properly be created anywhere without the consent and authority of the pope’, wrote to him seeking permission to do so (ibid. 195-96). Why Anselm should be so insistent on getting papal approval in the latter case but not in the former is not clear. Perhaps he did not wish to seek papal approval for the erection of the diocese of Waterford, preferring instead not to draw papal attention too directly to the actions of Canterbury in Ireland. On the other hand, his attitude in 1108 may reflect a more acute awareness of the requirements of the reform papacy which he would have acquired during his periods of exile. There is no evidence that Lanfranc had ever sought papal approval for his plan to convert the Dublin diocese into a metropolitan see.

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letter, which is in fact Mael Ísa's *decretum*, and nowhere in this is there any reference to the size of the population of Waterford.

The first letter is said by Eadmer to have been sent by Muirchertach Ua Briain, Domnall Ua hÉnna 'together with the rest of the bishops and all the nobility, clergy and people of that island' ('cum caeteris episcopis, et quique nobiles cum clero et populo ipsius insulae'). Nowhere in this is there any specific reference to Samuel's involvement. However, not alone is he likely to be among those described as 'the rest of the bishops' but, as will be seen from an analysis of the second letter, he is likely to have been the prime mover behind it. This second letter is, as has already been intimated, a *decretum* for the consecration of Mael Ísa. However, there is a necessary difference between it and all other contemporary *decreta*. In a normal *decretum* the first item is the salutation to the metropolitan from the clergy and people of the vacant see. The text of the *decretum* then, using a very specific formula, alludes to the consecrator's knowledge of the vacancy and its detrimental effect on the see and the whole metropolitan province. This is the justification for the request that the person elected be consecrated - all stated in the same formal language. Quite obviously, in a situation like Waterford, where a new bishopric is being set up, one cannot speak of a vacancy, and this part of the normal *decretum* cannot be used. It is replaced by a preamble which, while tailored to suit a new bishopric, uses a justification similar to that of a normal *decretum*. It speaks of the dangers to
the people of being without a pastor for a number of years. After this preamble, however, it gets into line with the normal decretum in use at Canterbury at the time. It is simply an abbreviation of that decretum which does not omit anything of essence.68 The fact that it comes from a Canterbury source cannot be in doubt as the following textual comparison between Mael Ísa’s decretum and those contemporaneously in use at Canterbury will show.69

MAEL ÍSA’S DECRETUM (1096)

Propterea nos et rex noster Murchertachus et episcopus Donaldus et Dermeth, dux noster, frater regis, eligimus hunc presbyterum Malchum Walchelini, Wentoniensis episcopi, monachum nobis sufficientissime cognitum, natalibus et moribus nobilem, apostolica et ecclesiastica disciplina imbutum, fide catholicum, prudentem, moribus temperatum, vita castum, sobrium, humilem, affabilem, misericordem, litteratum, in lege dei instructum, in scripturarum sensibus cautum,70 hospitalen, suae domui bene praeposatum, non neophytum, habentem testimonium bonum in gradibus singulis.

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68 It is not, however, a similar abbreviation to that used for bishop Patrick’s consecration. Compare the omissions, which may be observed in the textual comparison below, with those which Philpott outlines in Patrick’s decretum (Philpott, ‘English and Irish churches’, 194 n 36).

69 The preamble in both Mael Ísa’s decretum and those in use in Canterbury is not given in the textual comparison for the reasons stated above.

70 ‘in lege ... cautum’ is omitted in Eadmer’s version (Rule, Historia novorum, 77).
Hunc nobis petimus a vestra paternitate ordinarium pontificem, quatenus regulariter nobis praesesse valeat et prodesse, et nos sub eius regimine salubriter Domino militare possimus.

Ut autem omnium nostrum vota in hanc electionem convenire noscatis, huic decreto canonico promptissima voluntate singuli manibus propriis roborantes subscripsimus.

Ego Murchertachus, rex Hiberniae, subscripsi
Ego Dermeth dux, frater regis, subscripsi
Ego Dofnaldus episcopus, subscripsi
Ego Idunan, episcopus Midiae, subscripsi
Ego Samuel, Dublinsensis episcopus, subscripsi
Ego Ferdomnachus, Laginiensium episcopus, subscripsi.71

CANTERBURY DECRETA (1094-1121)

Propterea eligimus [name of bishop-elect and place where he last held office] nobis sufficientissime cognitum, natalibus et moribus nobilem, apostolica et ecclesiastica disciplina imbutum, fide catholicum, natura prudentem, docilem, patientem, moribus temperatum, uita castum, sobrium, humilem, affabilem, misericordem, litteratum, in lege Dei instructum, in scripturarum sensibus cautum, in dogmatibus ecclesiasticis exercitatum et secundum scripturarum tramitem traditionemque orthodoxorum et canonum ac decretorum sedis apostolice,

71 Schmitt, Opera, iv 92-93 (letter 201).
presulum constitutionis, sano sensu ecclesiasticas regulas intelligentem sanoque sermone docentem atque seruantem, amplectentem eum qui secundum doctrinam est fidelem sermonem et cum modestia corripientem eos qui resistunt et, qui sane doctrine aduersantur, eis resistere et redarguere preualentem, hospitalem, modestum, sue domui bene prepositum, non neophitum, habentem testimonium bonum in gradibus singulis secundum traditionem ecclesiasticam ministrantem, ad omne opus bonum et ad satisfactionem omni poscenti rationem de ea, que in illo est spe, paratum.

Quem nobis quantotius petimus ordinari pontificem, quantinus auctore domino regulariter nobis preesse ualeat et prodesse et nos sub eius regimine salubriter militare possimus, quia integritas presidentium salus est subditorum et ubi est incolumitas oboedientie, ibi sana est forma doctrine.72

Ut autem omnium nostrum uota in hanc electionem conuenire noscatis, huic decreto canonico promptissima voluntate singuli manibus propriis roborantes subscriptinus.74

The similarity between the two could suggest that Mael Ísa’s decretum was drawn up at Canterbury when he arrived there for consecration despite Eadmer’s statement that he was sent from Ireland with the decretum.75

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72 Some decretum stop at this point (Richter, Canterbury professions, 113-15 §§1-8).
73 Some decretum include this introduction to the subscriptions (ibid. 116-17 §§9, 11, 12). The whole decretum, including this introduction to the subscriptions and the title Decretum quod clerus et populus firmare debet de electo episco po which derives, as has already been noted, from the Romano-Germanic pontifical is found in the twelfth-century English Pontifical of Magdalen College, ed. H. A. Wilson, HBS 39 (London 1910) 69-70. Internal evidence in the decretum indicates that the pontifical belonged to a suffragan see of Canterbury.
74 Richter, Canterbury professions, 113-17.
75 Rule, Historia novorum, 77.
However, the subscriptions of a number of known Irish people appended to it argues against that. Even the possibility that Eadmer may have himself entered these names with the statement that there were "many more signatories whom for brevity we have thought it unnecessary to name"\(^76\), in order to give support to his often stated claim of Canterbury's primacy over all of Ireland, is countered by the one other piece of evidence that is available. This makes it clear that Mael Ísa was elected in Ireland. The letter which bishop Walkelin sent to Anselm tells us that "the king of Ireland with the bishops and clergy and people of that country" ('Rex Hiberniae cum episcopis et clero et populo illius patriae') elected Mael Ísa. Furthermore, it tells us that the initiative in terms of the practicalities associated with the consecration was taken in Ireland. A legation was sent from there to Walkelin to gain his consent and to ask that he arrange with Anselm to have the consecration carried out as quickly as possible since men from that country awaited the new bishop with ships *apud Brigestou*.\(^77\) We can feel sure, therefore, that Eadmer is telling the truth when he says that Mael Ísa was sent to Canterbury with the *decretum* ('cum communi decreto'). If we accept that this Canterbury *decretum* was prepared in Ireland (and abbreviated) the next question is: who was likely to have had access to such a *decretum*? The answer must surely be Samuel who was himself consecrated at Canterbury the previous Easter. Besides, he had a monastic chapter founded most likely

\(^{76}\) ibid.

by Canterbury monks and in possession of books brought from Canterbury.\textsuperscript{78} And we have direct evidence that Samuel was indeed involved since he signed the \textit{decretum} along with the others.

It is likely, therefore, that Samuel, in the early months of his pontificate,\textsuperscript{79} was instrumental not alone in organising the election and consecration of Mael Ísa but also in setting up the new diocese of Waterford. He was, therefore, taking a step towards implementing the plan, as originally conceived by Lanfranc, that Dublin should be the metropolitan see for the whole of Ireland. And judging from the precedence in the list of episcopal signatories to Mael Ísa’s \textit{decretum}, he was doing it with the unknowing cooperation of Irish bishops, but not in a way that asserted the position to which his see aspired. Just as in the case of Anselm’s letter to Irish bishops, precedence was conceded to Irish bishops. This was probably done to gain their co-operation and to avoid antagonising them. It does not mean that the aspiration had disappeared - far from it, as will become apparent.

Apart from the synod held, probably by bishop Patrick, in Dublin in 1080 and the erection of a new diocese in Waterford by bishop Samuel in 1096, there is other evidence which would suggest that some or all of the early bishops of Dublin sought to realise their aspiration to make Dublin the metropolitan see for the whole of Ireland and not just for the Hiberno-Norse

\textsuperscript{78} Even if Dublin had access to the \textit{decretum} in the Romano-Germanic pontifical from before bishop Patrick’s time, Dublin would still be the source of the \textit{decretum} that was prepared for Mael Ísa (Philpott, ‘English and Irish churches’, 194 n 37).

\textsuperscript{79} Samuel was consecrated in April 1096, Mael Ísa in December of the same year.
enclaves only. To this end it would appear that they set out to promote their church in a way that they hoped would be more acceptable to the Irish church in general. They dedicated a church to St Patrick and may well have developed a cult around him. But more importantly, they seem to have invented a legend in which Dublin is said to have been converted to christianity by St Patrick himself. Having Patrick on their side would be a necessary pre-requisite towards making any headway in realising their aspiration in the Gaelic parts of Ireland. As well as inventing a legend about Patrick bringing christianity to Dublin, it seems that the Dublin church of this time also adapted an existing Life of a saint in order to portray him as having once been the archbishop of Dublin. This was the Life of St Rumold. It was written, around the year 1100, by Thierry of St Trond. In this work by Thierry there is no reference whatever to any association between the saint and Dublin. However, in a subsequent Life we find Dublin playing an important role. We are told in this that Rumold was born at the time of, and educated under, Guallaferus who was then archbishop ('archiantistes') of Dublin and that on the death of Guallaferus, Rumold succeeded him as

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80 H. B. Clarke, 'Conversion, church and cathedral: the diocese of Dublin to 1152', J. Kelly & D. Keogh (ed), History of the catholic diocese of Dublin (Dublin 2000) 19-50: 20. There could, of course, have been a cult of Patrick among christian people of Dublin long before bishop Patrick’s time as his cult was widespread in Ireland.

81 See Appendix A below (‘The legend of Dublin’s conversion by St Patrick’) where the case for this proposition is argued.

82 AASS Jul 1, 241-47. For other editions see Kenney, Sources, §333 527-28.

archbishop there. Given that 775 is the year assigned to the death of Rumold, this work is, as Kenney puts it, 'quite fabulous'. However, it is the use to which it was put that makes the work significant for us. The reference to Rumold's connection with Dublin was introduced into Vita II. However, we do not have a date for this as what has been preserved is a Latin translation made in 1569. The original source, a 'libellus Germanicus', was lost in a fire. Traditionally it has been taken that this Vita goes back to the twelfth century as prior to that it was believed that no reference could be made to the archbishopric of Dublin. However, this does not take into account the fact that Dublin perceived itself as being an archbishopric earlier than that. In fact, the Dublin archbishopric, which the redactor of Vita II had in mind, was not the canonical one which formally came into being in 1152 when the pallium was given to bishop Gréine. It was that which existed beforehand as is clear from the fact that Rumold was said to have been consecrated by the archbishop of Canterbury. It is difficult to find any other explanation as to why the archbishop of Canterbury in particular should have been chosen as the person in Vita II who consecrated Rumold. Hugh Ward, whose edition of Vita II was published by the Bollandists, was surprised at the choice and wondered why the archbishop of Armagh was

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84 ibid.
85 Kenney, Sources, §333 528.
86 Hennig, 'Archdiocese of Dublin', 47. Hennig, in fact, states that the tradition of Vita II goes back to the 'thirteenth' century and that is based on the argument that prior to that date no reference could be made to the archbishopric of Dublin. It is assumed here that Hennig intended to say the twelfth century rather than the thirteenth, as it is in this century that Dublin became a canonical archbishopric.
87 AASS Jul 1, 255-56.
ignored. However, a Bollandist commentary suggests that the first author of the Life of Rumold (presumably Thierry, writing c.1100) would have been aware of the fact that the four previous bishops of Dublin had been consecrated by the archbishop of Canterbury and would not, therefore, venture to ascribe the consecration of Rumold to the archbishop of Armagh. But, as we have seen, Thierry does not give any indication in his *Vita* that Rumold had any connection with Dublin, much less that he was archbishop there and was consecrated by the archbishop of Canterbury. It was the person who adapted his *Vita* (or perhaps its exemplar, if it was not original) who introduced the Dublin/Canterbury story into the *Vita*. Since Dublin is represented in this story as an archbishopric whose incumbent is consecrated by the archbishop of Canterbury, the only motive for introducing the story into the Life of a saint, then said to have been dead for over 300 years, seems to be an attempt at providing what might be perceived as being historical backing for the claim, then being made, that Dublin was an archbishopric under the primacy of Canterbury.

To make Dublin a metropolitan see under its primacy was, therefore, Canterbury’s enterprise in Ireland. That metropolitan see was to include the whole island of Ireland. But there is a possibility that it had a wider remit. In 1072 Lanfranc, as we have seen, claimed in a letter to pope Alexander that his predecessors exercised primacy over the church of York and the whole

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88 ibid. 256.
island which men call Britain and over Ireland as well'. Nowhere in this
does he make a specific claim that Canterbury had primacy over the islands
of the Irish Sea area. However, given the wide scope of his claim, repeated by
his successors, it seems to be almost certain that he did, in fact, see himself as
being primate in that area also, something that Eadmer later confirmed.
That being so, it seems likely that he, or perhaps one of his successors, may
have considered Dublin, given its prominent role in the Irish Sea area, to be
most suited to act as the metropolitan see for the bishopric of the Isles.
And there is evidence that it was, indeed, seen to act in such a role. Shortly after
he was appointed the first Norman archbishop of Dublin in 1181, John
Cumin was confirmed by pope Lucius III as metropolitan of the bishoprics of
Wexford, Ossory, Leighlin, Kildare and the bishopric of the Isles
(‘episcopatus Insularum’). Nearly thirty years later (1219) the papacy still
considered Dublin to be the metropolitan of the bishop of the Isles.

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89 Clover & Gibson, *Letters of Lanfranc*, 50 lines 33-34.
90 Eadmer, describing how king William Rufus took possession of Canterbury on the death of
Lanfranc, writes: ‘He laid hands upon the very mother of the whole of England, Scotland, and Ireland
and of the adjacent isles, that is, upon the church of Canterbury’ (Rule, *Historia novorum*, 26). Later
when describing a dispute between the king and Anselm, archbishop of Canterbury, Eadmer quotes a
reply given to the king by bishops whom he (the king) had asked to condemn Anselm: ‘…we cannot
comply … He is primate not only of this realm but also of Scotland, of Ireland and of the adjacent
isles and we are his suffragans’ (ibid. 63). Anselm is himself quoted as saying elsewhere: ‘The
archbishop of Canterbury is primate of England, Scotland, Ireland and the adjacent isles’ (ibid. 189).
91 The area of the sea which Dublin would govern as a metropolitan see would not have extended as
far as the Orkneys, since there is evidence that a bishop from those islands was sent to York for
consecration (1072x1073). Lanfranc co-operated in this consecration by sending some of his
suffragans to help the archbishop of York (Clover & Gibson, *Letters of Lanfranc*, 78-82 (letters 12,
13)). Where the boundaries were, within which Dublin’s responsibilities would have been exercised,
is not clear.
92 Maurice P. Sheehy (ed), *Pontificia hibernica: medieval papal chancery documents concerning
Registers relating to Great Britain and Ireland: papal letters* (5 vols, London 1893-1904) i 69; Sean
Duffy, ‘The Bruce brothers and the Irish Sea World, 1306-29’, *Cambridge Medieval Celtic Studies
Although Dublin was a canonical metropolitan see, independent of Canterbury, when this attitude of the papal chancery becomes visible, it is highly unlikely that the Isles were deliberately included within the scope of Dublin’s metropolitan governance at the synods of Inis Pádraig and Kells (to be discussed later) when Dublin was finally included as a metropolitan see within a purely Irish context, i.e. independent of Canterbury. The most likely scenario is that Dublin’s governance of that area was already recorded in the papal archives, probably as a by-product of the dispute over Canterbury’s claim to primacy over Ireland. If this argument is accepted, it would mean that Dublin’s relationship with the bishop of the Isles is yet another confirmation of its early attempt to become a metropolitan see, a role which was contemplated for it by Lanfranc.

Returning to Dublin within a purely Irish context, it is not at all clear whether the Uí Briain kings knew the purpose and scope of Canterbury’s enterprise in Ireland. However, the available evidence demonstrates clearly that, in the earlier period, they co-operated freely with it. In 1074 Lanfranc had called on Tairdelbach to forbid abuses by edict and to order bishops and men of religion to assemble to banish evil customs; it is not known whether

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93 None of the lists of dioceses, which record Paparo’s work in Ireland, make any reference to a bishopric of the Isles as a suffragan of the metropolitan see of Dublin (H. J. Lawlor, ‘A fresh authority for the synod of Kells, 1152’, 16-22: 18 (the list in the Montpellier MS); J. Ware, De Hibernia et antiquitatis ejus disquisitiones, 2nd ed. (London 1685) 85 (the list compiled by Censius in the Liber censuum in 1192); P. Fabre & L. Duchesne (ed), Le Liber censuum de l’Eglise romaine, Bibliothèque des Ecoles françaises d’Athènes et de Rome, 2. série 6 (3 vols, Paris 1889-1952) ii 101 (the Provinciale of Albinus)).

94 Clover & Gibson, Letters of Lanfranc, 70-72 (tr. 71- 73).
any edicts were issued but it would appear that it was at his behest that the synod of Dublin was convened in 1080, attended by himself and, most likely, his son Muirchertach who was then king of Dublin.\textsuperscript{95} We know but little about what was discussed there but what is significant is that it took place at all and that it took place in Dublin. It is the first indication we have of this cooperation. Soon afterwards we get a further indication when bishop-elect Donngus is sent to the archbishop of Canterbury for consecration; Tairdelbach Ua Briain and the bishops of a part of Ireland were involved in this and in his election.\textsuperscript{96} It is not clear what Tairdelbach’s purpose was but given the involvement of Irish clergy, it is unlikely that he was aware of Canterbury’s motives. Nevertheless, he must have seen some advantage for Dublin, over which he held control, in having a special relationship with Canterbury, however he understood the nature of that relationship to be. The same probably applied when the next bishop of Dublin, Samuel, was elected and sent for consecration by Anselm, archbishop of Canterbury in 1096. This time it was Muirchertach, king in succession to his late father Tairdelbach, who took part in the proceedings;\textsuperscript{97} the policy of co-operation had continued into the new reign. This is further confirmed by his involvement in the erection, by permission of Canterbury, of the new diocese of Waterford in

\textsuperscript{95} Holland, ‘Synod of Dublin’ 81- 94.
\textsuperscript{96} Gilbert, \textit{Chartularies of St. Mary’s Abbey}, ii 250; Plummer, \textit{Chronicles}, i 290
\textsuperscript{97} Rule, \textit{Historia novorum}, 73, 76. Bishop Walkelin, in his letter to Anselm, also says that ‘the king of Ireland’, among others, elected Mael Isa (Schmitt, \textit{Opera}, iv 92-93 (letter 201).
the same year\textsuperscript{98} Up to this point, therefore, there is clear evidence that the Uí Briain kings co-operated with Canterbury.

However, the events surrounding the erection of the diocese of Waterford is the last evidence there is for that co-operation; indeed it is also the last evidence there is (before the agreement reached at the synods of Inis Pádraig and Kells) for co-operation between the Dublin church and the Irish church in general. Up to that point there is no evidence of conflict. Equally, there is no evidence that the Dublin church had revealed its plan to the Irish church. No doubt it preached reform, as did both Lanfranc and Anselm in their letters. However, none of these letters to Irish kings and bishops makes any reference to what must have appeared, to men as well versed in ecclesiology as both Lanfranc and Anselm, as the most glaring problem in Ireland - the absence of a diocesan structure and a hierarchy. Anselm, in particular, has strong words to say about the way bishops in Ireland are elected, about their not being established in a specific location, and about their being consecrated by one bishop only. He spells out the canonical way in which bishops should be consecrated - by at least three bishops. However, he carefully avoids making any reference to the important role of the metropolitan in such a canonical consecration.\textsuperscript{99} The only explanation for these glaring omissions is that Lanfranc and Anselm do not want to encourage the Irish church to set up a hierarchical structure independent of Canterbury. They already had a

\textsuperscript{98} ibid. 76.

\textsuperscript{99} See, in particular, the letter to Muirchertach (ibid. v 382-83 (letter 435, esp. lines 25-38)).

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plan or at least an aspiration to set up such a structure based upon a metropolitan see in Dublin but because they expected antagonism towards it they did not divulge their plan to the Irish church; they had to await a suitable opportunity to implement it. The case of the Dublin church was similar: its only opportunity to act by the year 1096 was the erection of the bishopric of Waterford.

After 1096, something must have gone very wrong for Dublin and Canterbury. It would appear that Muirchertach Ua Briain was evolving a policy which related to his concept of his own kingship. This had the effect of altering the relations he had with England and by extension with Canterbury. But it also meant turning his focus more on Armagh, the most important ecclesiastical establishment in Ireland. The result of this was that reform of the Irish church would now be pursued within an Irish context and not through the agency of Canterbury. The Dublin church and the plan which Canterbury had for it in Ireland would, in the event, become isolated. The first solid piece of evidence we have that this process was underway is to be found, as will be shown later, in the context of the first synod of Cashel.
Chapter 3: The decrees of the first synod of Cashel

In the year 1101 a synod was called together at Cashel by Muirchertach Ua Briain in his capacity as king of Ireland. Although many people are reported as attending, both cleric and lay, the only names we have, apart from that of Muirchertach, are his brother Diarmait and bishop Mael Muire Ua Dúnáin.¹

Unusually for a synod of this period, its decrees (or at least some of them) are extant and are generally accepted as being genuine.² However, these are found in one source only, the genealogical tract Senchas Sil Bhriain;³ there is no reference to them in the annals. Something else that occurred at the synod attracted the attention of the annalists - the grant of Cashel to the church.⁴ It is this action on the part of Muirchertach Ua Briain that provides us with the first piece of evidence that he favours the introduction of a new type of administrative structure for the church. The significance of his action, however, only becomes visible ten years later at the synod of Ráith Bressail when Cashel was chosen as the metropolitan see for the southern province in the new church structure that was set out there. That synod was also called together by Muirchertach but, significantly, the ecclesiastics chosen to lead it

¹ Reference to Muirchertach being king of Ireland in this context is found in the report of the synod in the Ua Briain genealogical tract Senchas Sil Bhriain; there, too, it is stated that Diarmait and Ua Dúnáin attended (S. H. O'Grady (ed), Caithréim Thoirdhealbhcaigh, ITS 26-27 (2 vols, London 1929) i 175; Tadhg Ó Donnchadha (ed), An Leabhar Muimhneach maraon le suim aguisini (Baile Átha Cliath [1940]) 341). AC s.a. 1100 (r.1101) and AFM s.a. 1101 report the presence of Muirchertach and Ua Dúnáin while AT s.a. 1101 and CS s.a. 1097 (=1101) name Muirchertach only. All these sources report the presence of other unnamed clerics and laymen.
³ O'Grady, Caithréim, i 174-75; Ó Donnchadha, An Leabhar Muimhneach, 341.
⁴ AT, AFM s.a. 1101; CS s.a. 1097 (=1101); AC s.a. 1100 (r.1101).
were different from those who led the earlier one; this, despite the fact that
the leader of that synod, Máel Muire Ua Dúnáin, was also in attendance at
Ráith Bressail. But it was not just the fact of their being different people that
is important, it is their background that is most significant; for apart from the
necessary presence of the *comarbae* of Patrick, now the proto-primate of
Ireland, the main leaders of the synod had, as will be shown later, previously
been monks in Benedictine abbeys in England before being elected bishops
in Hiberno-Norse dioceses with the full support of Muirchertach Ua Briain.5
This was a substantial change from the approach which Muirchertach had
taken at Cashel and the question inevitably arises as to reason that lay
behind it. A full answer to this is unlikely to be realizable but it is at least
possible to gain some insight into it from an investigation of the mindset of
the leaders at Cashel, especially in relation to how they stood on the question
of bringing the Irish church into conformity with the rest of the western
church, particularly since it would appear that Muirchertach was already
entertaining thoughts on that subject at the synod. This can be done by
analysing their known work - the decrees of the synod. From this it may be
possible to gain a better grasp of the kind of task that Muirchertach faced in
bringing to fruition the objective he would appear to have had in mind – the
introduction of a new administrative structure to the Irish church.

5 The leading ecclesiastics who attended Ráith Bressail are discussed in Chapter 6 below.
But there is another reason why it is important that the decrees be analysed. A number of them have been seen by historians as reflecting the thinking of the Gregorian reform movement then current in the western church. However, no convincing analysis, as far as it has been possible to discover, has been put forward to support these conclusions. But, if one is to understand the influences at work in bringing about reform of the church structure in Ireland, it is essential to find out if there was, in fact, a Gregorian input into the thinking of that synod. For that reason, the decrees which have been seen to reflect the influence of that reform movement are subjected in particular to a more thorough analysis.

3.1: The prohibition on aithlaich or aithchléirig

The first of these states: "gan cennach egailse dé do athlaochaib na do aithcléirchib go bráth" ("that for all time neither aithlaich nor aithchléirig should acquire a church of God"). This statute has been interpreted as a decree against simony and therefore a reforming decree in the Gregorian

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6 Gwynn, *Irish church*, 157-58; Watt, *Church in medieval Ireland*, 8-9, 235; idem, *Two nations*, 11. In the case of the latter, Watt distinguishes between decrees that are similar to Gregorian reforms and those that are peculiar to the Irish church.

7 In what follows it has been decided to refrain from translating athlæech as 'ex-layman' as is commonly done. This translation is often interpreted as meaning that the person in question has assumed clerical status (e.g. O’ Grady’s translation (idem, *Caithréim*, ii 185)). But as can be seen in ‘The Old Irish table of penitential commutations’ (ed. D. A. Binchy. Éiri 19 (1962) 47-72: 60 §§7,8) a clear distinction is drawn between the athlæech and the cleric. The word athlæech will, therefore, be retained in translation and athlæech (singular) and aithlaich (plural) will be used generally in discussion; similarly with aithchléech (singular) and aithchléirig (plural).


9 DIL s.v. cennach b) ‘act of buying’, ‘purchasing’, ‘acquiring’. That ‘acquiring’ is the most appropriate translation here will become clear from the discussion which follows.
mould. This interpretation was probably influenced by the manner in which O'Grady translated the Irish text and by the fact that simony was high on the agenda of the reformers of the western church at the time. O'Grady's translation of *aithlaich* and *aithchldrech* is misleading and no effort was made, in this context, to discover who these people were. However, an analysis of who they were and how they were viewed in the Irish church of the period in question will show that the decree is not, in fact, a reforming decree but is a restatement of existing church law perhaps in the face of efforts being made to change it. Not alone, therefore, is it not to be categorized as a reforming decree it may instead be seen as a decree which was proclaimed as part of an effort to resist reform. The reason for this is to be found in the fact that the decree is applied to two particular categories only. These had already been banned from possessing a church but it would appear that a challenge was now being made to remove this ban. So far as is known no attempt has yet been made to explain why the decree should be confined to the particular people it names. The reason for this is probably due to the fact that they remain somewhat obscure figures to historians.

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10 The most recent examples of this are: Gwynn, *Irish church*, 156-57; Watt, *Church in medieval Ireland*, 8-9. Hughes confines herself to quoting Gwynn on the matter (Hughes, *Early Irish society*, 265-66).

11 'that for all time neither laicised clerk nor cleric should make traffic of God's church' (O'Grady, *Caithréim*, ii 185).

12 Reformers of the time saw simony as being so serious that they deemed it to be heresy (Brooke, *Europe in the central middle*, 337).

13 As far as has been possible to discover there is no secondary literature of any substance on the *athláech* or the *aithchldrech* apart from a recently published monograph (Etchingham, *Church organisation*, 290-318 (chapter 7)).
Of the two, the *athláech* is much more commonly met in the sources and his obscurity is probably due to the often contradictory impression of him found there. On the one hand a quite negative view of him emerges from a well-known Old Irish gloss on a passage of the Pauline epistles – one of the Würzburg glosses. That passage ‘contemptibiles qui sunt in aeclesia’ (1 Cor 6.4) ('those who in the church are held in contempt') carries the gloss ‘adláig bite oc pennit in aeclesiis’ (*athláich* who are at penance in the churches).\(^{14}\)

On the other hand the preface to the Martyrology of Oengus gives him a quite positive image. In fact Oengus composed his martyrology to facilitate those who, like the *athlaich*, sang the praises of the saints.\(^{15}\) And to confirm this positive image, the martyrology gives April 5\(^{th}\) as the feast day of Béccán mac Cula\(^{16}\) and it explains that he is one of ‘the three *athlaich* of Ireland’.\(^{17}\) It further states that Béccán performed a miracle\(^{18}\), the story of which is told in a marginal entry associated with the Martyrology of Tallaght in the Book of

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\(^{14}\) W. Stokes & J. Strachan (ed. & tr.), *Thesaurus Palaeohibernicus* (2 vols, Cambridge 1901-03) i 553. See Hughes, *Early Irish society*, 265 where she takes special note of this gloss.

\(^{15}\) W. Stokes (ed), *Féileire Óengusso Céili Dé. The martyrology of Oengus the Culdee*, HBS 29 (London 1905). Two prefaxes, one from the Lebar Brecc (ibid. 2-8, tr. 3-9), the other from Laud 610 (ibid. 8-14, tr. 9-15) are given. Both recount the place, author, time and cause of composition of the work. As to the cause, both say that Oengus came to a place where he saw a grave with angels all the way up to heaven. Obviously impressed he asked the priest of the church who it was that was buried in the grave. The priest replied ‘Araile athlaech truag bói issin baile’ (ibid. 10. See also 6 n 12) ‘a certain pitiable *athláech* who dwelt in the place’. Oengus then asked what good he had done. The priest replied that every time he lay down or got up he recounted the saints of the world ‘as is the custom of *athláich*’ (*amal is béis athlaech* ibid. 8, 10). Oengus then, in the Laud 610 version, prayed God that he would greatly reward those who likewise sang the praises of the saints (ibid. 10). Both versions then say that at that point Oengus began his martyrology.

\(^{16}\) ibid. 104.

\(^{17}\) ibid. 112. See also reference to the three *athlaich* of Ireland (ibid. 70).

\(^{18}\) ‘is e ro tódúisig Bresal Brec a báis’ ‘it is he that raised Bresal Brecc from the dead’ (ibid. 112).
Leinster. Not alone was Bécán, the athláech, a miracle worker and worthy of commemoration among the saints in both of the Célt Dé martyrologies but he was also included among the three athláích of Ireland. The exact meaning of the latter is not clear but there can be no doubt that it was considered to be a high honour indeed.

We thus have the contrast of athláích being equated with those whom the church holds in contempt in one source while in another they (or at least those specified) are held in high regard. This potential for confusion is further exacerbated by the manner in which the athláech is dealt with in hagiography. In the Life of Maedóc of Ferns a person described as athláech borb ('a foolish athláech') is said to be the only person who ignores Maedóc's injunction on a particular occasion thus thwarting a miracle about to be wrought by the saint. Also in Betha Ruadhain only an athláech refuses to obey Ruadhán's instructions in a story about the saint's miraculous powers.

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19 It tells about the drowning of Bresal mac Diarmata by his father who later repents. He then asks Colum Cille if there is any help for him. Colum Cille says that there is and continues: 'etrig cossin n-athlaech fil isind insi .i. Becan' 'go to the athláech who is in the island, namely Bécán'. They both go to Bécán who, after some persuasion, brings Bresal back from the dead (literally a iifiurn 'from hell') and restores him to his father Diarmait (R. I. Best, O. Bergin, M. A. O'Brien & A. O Sullivan (ed), The book of Leinster. formerly, Lebar na Níuchongbóla, Dublin Institute of Advanced Studies (Dublin 1954-83) vi 1612 n 1. Citations from lines 24 and 41. See also R. I. Best & H. J. Lawlor (ed), The martyrology of Tallaght, HBS 68 (London 1931) 104-06).

20 'Betha Máedóc Ferna (II)' (C. Plummer (ed), Bethada nāem nErenn. Lives of Irish saints (2 vols, Oxford 1922) i 190-290. Story: ibid. 237-38 §§163, 164; reference to 'athlaech borb': ibid. 237 §164). Although this version of the Life may be late it should be noted that the same story appears in Latin in MS Cotton Vespasian A. xiv. This was translated from an Irish original in the late eleventh or early twelfth century – the original Irish version therefore being earlier. In that version the person who disobeyed the saint is called 'relaicus'. This word is a literal translation of the Irish word athléach (C. Plummer (ed), Vitae sanctorum Hiberniae (2 vols, Oxford 1910) ii 308 §xlvi (for text of the story containing the word 'relaicus'); 384 (for explanation of its derivation from the Irish word athláech); i pp lxv-lxvi (for discussion of Cotton Vespasian MS A.xiv); R. Sharpe, Medieval Irish saints' Lives: an introduction to the vitae Hiberniae (Oxford 1991) 395 (for date of Life)).

21 'Betha Ruadhain' (Plummer, Bethada, ii 317-329: 326 §§45, 46).
In both cases the *athláech* is seen to act as a kind of foil to the saint whose powers are being demonstrated, thus portraying him once again negatively. This popular story is found in the Lives of a number of saints\(^22\) and probably originated in a story in Adomnan’s Life of St Columba which belongs to the earliest period of Irish hagiography.\(^23\) There the story tells of a penitent who falls foul of the saint and incurs his wrath;\(^24\) this suggests that the *athláech* in the other Lives could also have been a penitent. If that is the case then the *athláech* in hagiography is comparable to those referred to in the Würzburg gloss – all are penitents and, in one way or another, are not seen to be very worthy members of the Christian community.

Elsewhere, however, a more benign view of the *athláech* is taken while at the same time confirming his role as a penitent. A passage in ‘Bretha im Fuillema Gell’ which reads ‘fer doairgair a bitherchuiliud’\(^25\) (‘a man whom his perpetual votum excludes’) is glossed ‘i. Athlaich fristongat dia pecthaib .i. dul i nailithre’\(^26\) (‘*Athlaich* who renounce their sins i.e. going into retirement/pilgrimage’\(^27\)). It is true that this does not come anywhere near the level of admiration which Oengus felt for the *athláech* who inspired him

\(^{22}\) ‘Vita Prima Sancti Brendani’ (Plummer, *Vita*, i 146 §xciv); ‘Vita Sancti Ciarani de Saigir’ (ibid. i 229-30 §xxx); ‘Vita Sancti Endei’ (ibid. ii 73 §xxx); ‘Vita Sancti Lasriani’ (ibid. ii 139 §xxx); ‘Vita S. Ciarani Saigirensis’ (W. W. Heist, *Vitaee sanctorum Hibenniae* (Brussels 1965) 352 §17); ‘Betha Ciarain Saigre (1)’ (Plummer, *Bethada*, i 110 §44); ‘Betha Ciarain Saighre (II)’ (ibid. i 110 §§9, 10).


\(^{25}\) CIH 476.29.

\(^{26}\) CIH 476.32.

\(^{27}\) Translation follows that in Etchingham, *Church organisation*, 296.
to write his Martyrology. But neither does it come near the level of contempt shown to the *athanach* in the Würzburg gloss. Perhaps closer to Oengus’s end of the spectrum is the reference to *athanach* in *Saltair na Rann*, a metrical text composed in 988. Canto 51 describes God’s instruction to the people of Israel to erect for themselves a building which, despite the Old Testament setting, the composer visualized as a Christian church. In one passage the relationship of *athanach* to that church is described.


((4377) Godly Temple, protector of everyone, /house very beautiful /for addressing God, here awhile, /for instructing, for teaching. (4381) Let there not visit it foolish people, /women or boys or a band of warriors /let there

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28 G. S. MacEoin, ‘The date and authorship of Saltair na Rann’, *Zeitschrift für Celtische Philologie* 28 (1960-61) 51-67: 51-60, 67. See also K. H. Jackson (ed), *Aislinge Meic Con Glinne* (Dublin 1990) pxx. The date 988 has not been accepted by all scholars but there is a general consensus that it was composed in the tenth century (D. Greene & F. Kelly, *The Irish Adam and Eve story from Saltair na Rann*, vol 1 Text & translation (Dublin 1976) 7-8).

29 This building is to include, *inter alia*, the tabernacle, the ark of the covenant, the altar of burnt offering (W. Stokes, *Anecdota Oxoniensia Saltair na Rann* (Oxford 1883). References quoted by line number. Canto 51 consists of lines 4185-4429). Compare with Exodus 25-27; 30-31; 35-40.

30 He uses the word ‘eclais’ on a number of occasions to describe the building (Stokes, *Saltair na Rann* 4187, 4214, 4242).

31 ‘aín’ has had the position of the length mark normalised. It appears as ‘áin’ in the text. My thanks to Prof. L. Breatnach of Trinity College, Dublin for his assistance in this matter.

32 As in the previous footnote, the length mark has here also been normalised.
traverse the path of its stations/only righteous truly steadfast people. (4385)
Pitiable people, just godly people,/athlaich and ath-laywomen,/thongs are
they, pleasant, stern, ............,/all around it outside. (4389) Let there go into
the beautiful church,/celibate people, priests, scholars,/and humble people,
path of knowledge,/after repentance,33 after pure confession).

Here the athlaich are seen to be among those who are permitted to enter the
church. However, they may not do so until they have confessed and
completed their penance. Nevertheless, even before that and while they are
still all around and outside34 the church they are described as ‘pitiable
people, just godly people’, if one might interpret that section as applying to
them.35

Given that the church in the text is described as beautiful (‘fo li’) it seems
quite reasonable to assume that it is a properly run church. In a canon in
Hibernensis, a true church is said to have three characteristics. It sustains the
contemplative life, the active life and the penitential life.36 If we take the ‘aes
óg’ (celibate people) of the Saltair na Rann text to be the contemplative

33 See discussion about the translation of ‘aithrige’ (Etchingham, Church organisation, 294-95).
34 The expression ‘all around and outside’ is true to the text. To simplify it to ‘outside the church’
might convey the wrong meaning as it suggests exclusion or even excommunication, a meaning that
we cannot assume it implies. For this reason the more cumbersome but correct expression is retained.
35 Even if it does not apply to them they are still portrayed as being among ‘pitiable people, just godly
people’ who are also all around and outside the church and presumably awaiting confession and
penance. They would hardly be described in such positive terms if they were unrepentant sinners not
interested in seeking confession and penance. It is most likely, therefore, that the athlaich and the
‘pitiable people, just godly people’ are, in fact, one and the same.
36 ‘De vera ecclesia non habente nisi tria. Hieronimus: Tria tantum ecclesia custodit et nutrit: theoricam et actualem et penitentem, ultra nec sumit nec custodit ecclesia’ (CCH 42.1). ‘Of a true
church having only three things. Hieronymus: a church maintains and supports three things only: the
contemplative life, the active life and the penitential life; a church neither assumes nor maintains
anything other than that.’ ‘Penitentem’ is translated as ‘the penitential life’ (duration unspecified). See
Niermeyer, Lexicon minus, s.v. paenitens = public penitent.
people and the 'sacairt' (priests) to be the active people and the 'áes humal ... farn-athirge, farnglanchobais' (humble people ... after their penance, after their pure confession) to be the penitent people, all of whom are in the church, then the church does indeed qualify as a properly run church. And we have further confirmation of this in vernacular legal tracts which have been shown to be versions of the *Hibernensis* canon. One particularly appropriate to this discussion states: 'Caide dagfolad saertha ecalsa?' (CIH 2100.17) `... aes fognama .i. sacairt ocus espuic, ocus aes urnaigti .i. lucht teoiri, ocus aes aithrigi .i. athlaich ocus ailithrig' (CIH 2100.20-22) (What good qualifications ennoble a church? ... (to have in it) the people who serve i.e. priests and bishops and the people who pray i.e. contemplative people and the people who have repented i.e. *athlaich* and people on pilgrimage). The gloss 'sacairt ocus espuic' (priests and bishops) on 'aes fognama' (the people who serve) confirms the assumption that the 'sacairt' of the *Saltair na Rann* text represents the active life in the church of that text. The other two categories – the people who pray or the contemplative people and the people who have repented – are the same as those already identified in the *Saltair* text with the equivalent categories in the *Hibernensis* canon. However, the gloss on one of them brings up a question that requires further discussion. The text 'aes aithrigi' (the people who have repented) is glossed '.i. athlaich

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37 It seems reasonable to assume that only people who are celibate would be in a position to lead such a life.

ocus aílithrig' (*athlaích* and people on pilgrimage). In the text in *Saltair na Rann* the *athlaích* are said to be all around and outside the church; it is only after their repentance ("iarn-athirge") that they are seen to be inside. However, in the legal text just discussed, the 'aes aithrigi' are said by the glossator to be *athlaích*. In effect the glossator is saying that those inside the church who have completed their penance are also *athlaích*. This leaves us with *athlaích* around and outside the church as well as inside; both are called *athlaích* but there is obviously some difference between them.

To help us discover what it is we turn to a text appended to *Míadšeolchta*, a legal tract dating perhaps to the eighth century. Here there is an analysis of the *athlæch*, more detailed than that found elsewhere. The text itself is an integral piece, different in subject matter to, and not necessarily later than, that of *Míadšeolchta* and partly a paraphrase of the Irish Canons which may date from the seventh or eighth century.\textsuperscript{39}

Three different categories of *athlæch* are there described: 'Atait tri haithlaich i neclais .i. athlaech ara tabair anmcar a thest ocus [adchosnai] sacarbuic, bis a firaentaidh ecalsa cin comus coise na laime ... Athlaech ara tabair [anmchara] a test, nad nascnai sacarbuic cadacht ... athlaech aile dobeir crich fria tola ocus dotaet co cleirchiu inniu, na tabuir anmcar a teist' (CIH 589.7-

\textsuperscript{39} CIH 582.32-589.32. The part of the text which appears to have been added on is CIH 588.1-589.32. Of that CIH 589.18-32 is an imperfect repetition, in résumé, of what immediately precedes it (E. MacNeill, 'Ancient Irish law: the law of status or franchise', PRIA 36C (1923) 265-316: 311-13; F. Kelly, *A guide to early Irish law* (Dublin 1988) 267; L. Bieler, *The Irish penitentials* (Dublin 1963) 9; Etchingham, *Church organisation*, 70.)
13) ‘There are three athlaich in the church i.e. an athláech for whom a confessor gives testimony and who goes to communion, who is in true unity with the church without capacity of foot or hand ... an athláech for whom a confessor gives testimony, who does not go to communion yet ... another athláech who abandons his desires and goes to the clerics today, for whom a confessor does not give testimony’.40

The first of the categories of athláech above is, in fact, at the final stage of a process through which an athláech progresses. He can go to communion and he is said to be in full unity with the church.41 He would appear to have completed his penance but continues to remain attached to the church in some special way. He would also appear to be the same as the athláech in the Saltair na Rann text who is inside the church after he has completed his confession and penance. The second category is under the supervision of a confessor but does not yet go to communion. This would strongly suggest that he is still carrying out his penance under the watchful eye of his confessor and may not go to communion until he has completed that penance. The third category is at the initial stage of the process laid out for athlaich. He gives up his sinful ways and goes to seek a confessor but, as yet, he has not found one to take him under his supervision. In other words, he

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40 The translation follows, with a few minor variations, that found in ibid. 296-97.
41 The reference in the text to his lack of capacity of foot or hand is, according to Ettingham, an indication that he has some ‘monastic’ affiliation which involves community and obedience (ibid. 296-97). However, this is not necessarily so. For a non-monastic connotation see the reference to ‘fer midboth’ in Uraicecht Becc where it says of him ‘is eiside nadh comathar cos na lam’ (CIH 655.9 = CIH 1609.10-11 = CIH 2325.21) ‘it is he who does not have control over foot and hand’. According to a gloss, it is his father who has power over them (CIH 655.10-11 = CIH 1609.12 = CIH 2325.21).
has made a commitment and is about to undertake a penitential regime that will ultimately bring him to the final stage where he is in full unity with the church and may go to communion. The *athlaích* of the second and third category appear to be those in the *Saltair na Rann* text who are described as being all around and outside the church. As already stated, the approving manner in which these are described represents, at the very minimum, a commitment on their part to seek confession and penance. It could also, of course, represent those who have progressed to the stage where they have confessed but are still carrying out their penance. It is thus possible that *athlaích*, at different stages of the penitential process, could either be all around and outside the church or within it as the text of *Saltair na Rann* implies.

The stages in this same penitential process could also help to explain the differing attitudes to the *athláech*. It is easy to visualize how an *athláech* who has yet to commence his penitential regime or who has begun it but is not yet allowed go to communion could be described in less than complimentary terms as in the case of the Würzburg glossator or in hagiography. Equally one could visualize how such an *athláech* could also be described in more neutral terms as in the case of the *athláech* at Tallaght who is reported as being in the company of and in conversation with a `son of life’ (`mac bethad’) and thus, by implication, not being himself a `son of life’.42 But it is

also easy to visualize how an *athláech* who has completed his penance, is in full unity with the church and thereafter leads, what Etchingham calls, a 'paramonastic' life\(^{43}\) in the penitential section of a church could earn the admiration of Oengus, the author of the Martyrology. Indeed he may have been so admired as to earn for himself the reputation of being a 'blue martyr'\(^{44}\) or even on occasion, as in the case of Béccán, a saint.

The passage in *Saltair na Rann* is important in that it confirms, in a non-legal text, two things which elsewhere are only apparent in legal texts. The first is the statement in the *Hibernensis* canon that a true church maintains and supports three things only, the contemplative, the active and the penitential life, a statement, as we have seen, which is reflected in vernacular legal texts. The second is that there are different circumstances under which an *athláech* may exist as outlined in the text added on to *Míadsléchta*. This confirmation assures us that these things are not merely the mental constructions of canon lawyers or lawmakers but that they actually existed.

The *Saltair na Rann* passage also gives us an insight into another characteristic of the *athláech* that has tended to add to the rather negative attitude that existed towards him. It will be noticed that even when the

\(^{43}\) See the chapter entitled ‘Repentance, ‘Paramonastacism’ and the elective christian elite’ (Etchingham, *Church organisation*, 290-318) and his suggestion that such an *athláech* might enter a paramonastic position (ibid. 298).

athláich in the passage have entered the church after penance and good confession or, in other words, after they have achieved their highest potential as penitents, they are nevertheless described as ‘humble people’ (‘aes humal’). This attitude is reflected also in that other text where an overall positive view is taken of the athláech – the Martyrology of Oengus. In the preface of that text we are told that Oengus asked a priest what good the athláech had done during his life. The reply, which is what motivated Oengus to write his Martyrology, was only partly complimentary. This would suggest that, although the man was obviously well regarded, his status in the community was not very high.

The athláech thus at the highest level of his achievement (i.e. the first category athláech) was socially restricted. Further evidence for this can be seen in the manner in which he was treated in relation to the holding of ecclesiastical office. In Bretha Nemed Toisech a number of disqualifications are listed which, it says, debase a church (CIH 2211.27-32). Among these is ‘athláech inna hairtiu’ (‘an athláech presiding over it’). A parallel passage is found in Triad 66 and in the Trinity College MS H. 3. 17 (col. 855.10). Both list three things which are not allowed in a church. Among those listed in Triad 66 is ‘athláech i n-apdaine’ (‘an athláech in the abbacy’) and in the TCD MS is

45 ‘Ni fáicmis émh ... nach maith do denam dó, acht nóeim in domain do thuirim’ ‘Truly we used not to see any good done by him, save that he recounted the saints of the world’ (Stokes, Féileire Óengusso, 10; tr. 11). In the Lebor Brecc version, the first part of this reply is not found (ibid. 8).
46 L. Bretnach, ‘The first third of Bretha Nemed Toisech’, Eriu 40 (1989) 1-40: 10 §6 = CIH 2211.30 (‘athlaoch na hairitiudh’). Translation (Breatnach, ‘The first third’, 11 §6) except that the word athláech has been retained in translation.
"athloech eccraibech ina aircindecht' ('a non-devout athlæch as its aircinnech'). 47 Even more dismissively, the late eleventh century text Aislinge Meic Con Glinne places among a long list of things that are considered to be self-evidently incapable of happening or to be simply useless the idea that an athláech would become a bishop. 48 Why are these texts so adamant that an athláech cannot hold the position of an aircinnech and, even more so, that of a bishop? One possible answer would appear to lie in the status accorded to him in a society that was very status conscious. That status, as reflected in his honour-price, was quite low.

To discover what it was it is necessary to return to the short piece of text added on to Míadslechta (CIH 588.1-589.32). This begins by asserting that the bishop has the highest dignity ('neimed is uaisliu') (CIH 588.1-2). There are three categories of bishop. The virgin bishop ('espuc oighe') has the highest honour-price ('dire') (CIH 588.11-12). Two thirds of that honour-price is due to the bishop of one wife ('easpoc aenseite') (CIH 588.32.33) while two thirds of that, in turn, is accorded to the repentant bishop ('espoc aithrighe') (CIH 588.39-40). The honour-price of the lower ecclesiastical orders is determined by whichever of these categories they belong to and by their

47 The appropriate excerpts from these manuscripts are given in the Notes to the critical edition of the first third of Bretha Nemed Toisech (ibid. 31 §6).
48 Among the list cited is 'ba h-athlaech i cathair n-espuic' (Jackson, Aislinge, 28 §53 line 866 = K. Meyer (ed. & tr.), Aislinge Meic ConGlinne The vision of Mac Conglinne (London 1892 Reprint New York 1974) 73.15) 'it was an athláech in a bishop's chair' (tr. ibid 72 except for the retention of athláech in translation). For date of text (Jackson, Aislinge, p xxvi).
level within it.\textsuperscript{49} The text then proceeds to deal with the \textit{athláech}. Here also, as we have already seen in relation his penitential process, there are three categories. Despite the difference, relative to the men in orders, in which these categories are defined their honour-price relative to one another is the same i.e. category two \textit{athláech} has an honour-price two thirds that of the category one while that of category three is two thirds that of category two.\textsuperscript{50}

While the picture painted is quite logical and consistent it seems almost too precise to be credible. However, that is not as important as what it tells us about the attitude it displays to the \textit{athláech}.

It is quite clear that there is a good deal of respect for him. It applies to him the same scheme for determining honour-price as it applies to men in orders. Not alone does it give to him the same number of categories but it also gives him the same relationship between the categories. What is more, when it comes to dealing with the honour-price of the top category of \textit{athláech} and therefore, by the construction of the scheme, of all categories of \textit{athláech}, it is

\textsuperscript{49} CIH 588.26-31 for the various orders who are virgins, CIH 588.34-5 for those who have one wife and CIH 589.1-3 for those who are repentant. The lowest order named is the ‘macclech’ (CIH 588.28,35; 589.3). This seems somewhat unusual as he is normally called the usher or doorkeeper (‘dorsaid’) when the seven orders are named. (The seven orders are extensively discussed in R. E Reynolds, \textit{The ordinals of Christ from their origins to the twelfth century}, Beiträge zur Geschichte und Quellenkunde des Mittelalters, Band 7 (Berlin-New York 1978)). In \textit{Bretha Nemed Toisech}, where the person in the lowest order is twice called ‘dorsaid’, a section devoted particularly to the age of people in the various orders describes the doorkeeper as follows: ‘Oírdnide ord oírdnes noíbeclais noëbdai ó noïdenacht noib ómbi mac combi fichtech fri andóine iadad’ ‘Ordained is the order which orders a hallowed holy ecclesiastic, from holy infancy, from when he is a boy, until he is twenty years of age, engaged in the closing of the church’ (Bretnach, ‘The first third’, 18-20 §24; tr. 19-21 §24 = CIH 2213.23-4). With such a description of a doorkeeper, it perhaps is not that surprising that he is here called ‘macclech’.

\textsuperscript{50} CIH 589.7-13. For a description of each of those categories see page 94 above where the text is given but that which relates to their relative honour-price is omitted as it is not relevant at that point in the discussion.
stressed that he is equated with the grade of virginity\(^{31}\), the highest of the three categories in the overall scheme. And to confirm this, the following is added by way of explanation:

'Naba mach tad la nech comdire dona athlaech aib fri aes [editorial emendation of 'fas' in MS] noighe mad beth dia seirc la dia ocus di met a saethair, mat comlina a ferla no mat lia, amail doboi petar ocus pol fri heoin, ocus amail roboi antan ocus martan, ut dicit scriptura: ubi habundabit dilectum superhabundabit gratia' (CIH 589.14-17).

'One should not be surprised that there is the same honour-price for athlaic h as there is for virgin people if they be beloved by God and their toil is great, if their miracles are as numerous or if they were more numerous in the same way that Peter and Paul were to John and in the same way that Anthony and Martin were, as scripture says: “Where sin abounded, grace abounded all the more”'.

Although it is conditional upon their behaviour, this is an amazing tribute to the potential inherent in athlaich. The quotation from scripture at the end of the passage (Rom. 5.20) is particularly appropriate for an athlach who has converted from sinful ways and has undertaken a contrasting lifestyle in full unity with the church. It is not clear, however, what relationship Peter and Paul had with John which is of relevance here. But that an athlach could be seen as being potentially on a par with Anthony, considered to be the

\(^{31}\) 'is o gradh oige dorenaru [sic]' (CIH 589.8-9) ‘it is as a grade of virginity he is paid (fines)’.
founder of asceticism and a model for monks and Martin, bishop of Tours and founder of the earliest monastic institutions in Gaul is high praise indeed. And the fact that athlaich were seen as people capable of performing miracles is borne out by the action of the athláech Béccán whose feastday is commemorated in the Tallaght Martyrologies and whose miraculous powers are recorded in the story that, as we have already noted, is written in the Book of Leinster.

And yet, despite all this, the honour-price accorded to him is quite low. The highest honour-price that the top category athláech may be accorded is equivalent to the lowest assigned to a man in orders, albeit one who is in the virgin category. According to the text ‘he has the same honour-price as the virgin maccléirech’ (‘is comdire fri maccléirech noighe’ (CIH 589.9)). As has already been observed, this is the lowest of the seven ecclesiastical orders.

And there is confirmation elsewhere that this was indeed the honour-price

52 H. Wace & W. C. Piercy, A dictionary of christian biography and literature (London 1911) s.v. Antonius and Martinus (1). Evagrius’ translation of the Life of Anthony by Athanasius (PL 73,125-170) and Sulpicius Severus’ Life of Martin were well known in Ireland. Both were used as a source by Adamnan in his Life of St Columba (Brüning, ‘Adamnans Vita’ 229, 244-8; Stancliffe, ‘Martyrdom’, 30-31). For the cult of St Martin in Ireland (M. Richter, Ireland and her neighbours in the seventh century (Dublin 1999) 225-31; P. Grosjean, ‘Gloria postuma S. Martini Turonensis apud Scottos et Britanos’, Analecta Bollandiana, 55 (1937) 300-48; A. Gwynn, ‘The cult of St. Martin in Ireland’, IER 105 (1966) 353-64).

53 It is possible, however, that what is meant here is not that their miracles were comparable to those of Anthony and Martin but that their miracles were the result of invoking these saints along with Peter, Paul and John. We have already noted that Oengus composed his martyrology to facilitate those who, like the athlaich, sang the praises of the saints. For an early eleventh century list of saints who are invoked, although to accompany maledictory psalms, and which begins with Peter, Paul and John includes Martin but not Anthony (D. M. Wiley, ‘The maledictory psalms’, Peritia 15 (2001) 261-79; 267; date of text ibid. 266). Perhaps a better explanation would be that the contrast between athlaich and virgin people is exemplified by that between Peter and Paul (both had sinned and repented) and John (the beloved disciple who saw Revelations and was the prototype of the monk) and by that between Anthony of Egypt (a virgin from childhood) and Martin (a soldier in earlier life). My thanks to Dr K. Simms of Trinity College, Dublin for this suggestion.

54 See footnote 49 above.
assigned to the *athláech*. In a legal text on distraint the value of the witness or testimony ('fidnaisce') of a devout, and hence presumably a category one *athláech* is put at the same level as that of a *macclérech* (CIH 1960.15-16 and 20). But since the validity of testimony was measured by honour-price\(^ {55}\) that means that they had a similar honour-price. But it does more than that. It also indicates that they both had the same honour-price as a *bóaire*\(^ {56}\) whose status was inferior\(^ {57}\).

This inferior status is likely to be one of the reasons for the prohibition on *athlaich* holding ecclesiastical office; another would be that they were reformed sinners although these may be two sides of the same coin. As well as that they may be merely symptomatic of a deeper reason. Reference has already been made to the *Hibernensis* canon (CCH 42.1) in which it is stated that a true church has three characteristics. It embraces the contemplative, the active and the penitential life. This three-way division of a true church would have applied equally to both laity and clergy. This may be inferred from two very different types of texts, one descriptive, the other legal. The first applies to the laity and is found in a passage of the *Liber Angeli*, an Armagh text which may be dated to the mid-seventh century.\(^ {58}\) This passage

\(^ {55}\) 'in litigation the extent to which (a person's) ... testimony was valid was in some way measured by his honour-price' (MacNeill, 'Ancient Irish law', 271).

\(^ {56}\) 'fidnaisce boairech no macleirigh no athlaich craibigh' (CIH 1960.15-16 and 20).

\(^ {57}\) The status of a 'bóaire' was based upon the fact that he had possession of cattle but did not have authority over people. He did not have any contractual clients. He belonged to a class that was ruled, not one that governed (MacNeill, 'Ancient Irish law', 267-70).

tells of pious Christian people of both sexes who attend the church of the northern quarter of Armagh on Sundays. It divides them into three orders ('tres ordines'): 'uirgines et poenitentes <et> in matrimonio legitimo aeclesiae seruientes'\(^59\) ('virgins, penitents and those serving the church in legitimate matrimony'). The second text is a legal one and applies to clerics in orders. This is the text appended to *Míadšlechta* which has been discussed earlier. Here the clerics are divided into three categories, each characterized by the description of its bishop i.e. 'espuc oighe' (CIH 588.11), 'easpoc aenseitce' (CIH 588.32) and 'espoc aithrighe' (CIH 588.39) ('the virgin bishop, the bishop of one wife, the repentant bishop'). These characteristics are identical with those of the three orders of lay people described in the passage of the *Liber Angeli* i.e virgin, lawfully married and penitent or repentant sinner. But are they the same as the three divisions of a true church as outlined in the *Hibernensis* canon and the derivative vernacular texts? Clearly the penitents or repentant sinners are representative of the penitential life referred to in the *Hibernensis* canon. In regard to the contemplative life referred to there, it seems to be clear that only people who are celibate, whether they be lay or cleric, would be in a position to lead such a life. It was certainly not suited to those who continued to be married. This would therefore exclude those described as serving the church in legitimate

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\(^{72}\) 60-72. Sharpe discusses various attempts at dating this text. His own conclusion, which is largely in line with that of Kathleen Hughes, is that it probably dates between 640 and 670 (ibid. 64).

marriage and a man described as a bishop with one wife. That leaves the final division of a true church – the active life. Since the men in orders who are described as having one wife are not considered to be suited to the contemplative life, it seems to be a reasonable assumption to make that if they are to have any function at all it must be in the active ministry. As for lay people and the active life, the terminology used to describe their function in Liber Angeli is the same as that in the vernacular text derived from the Hibernensis canon. It seems, therefore, from this analysis of the two texts that the three-way division of a true church applied equally to the lay people who were in good standing with the church as well as to clerics. And this three-way division included penitents or repentant sinners, lay and clerical.

Within this three-way division of a church may lie the real reason why the athlæch was deemed to be unworthy of holding ecclesiastical office. If such divisions were considered to characterize that which made a church a true church, according to the Hibernensis canon, then it may not have been permissible for a person who was in the penitent or repentant division to move into either of the other two divisions. This rather than inferior status, which in any case would have been merely a reflection of the penitent

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60 They are described in the passage in Liber Angeli as serving ('seruientes') the church. The vernacular text, derived from the Hibernensis canon, describes them as ‘ães fognama’ ‘people who serve’ (Breatnach, ‘The first third’, 8 §3 = CIH 2100.20-21 = CIH 2211.9).
condition, is most likely to have been the real cause of the prohibition which the *athláech* faced.

The concept of a three-way division of a true church continued to hold sway in the late tenth century if we are to take the description of a 'beautiful church' ('eclais fo li') as found in *Saltair na Rann* as being representative of contemporary thinking. No doubt efforts had to be made to maintain that structure. This is likely to have been the reason why the various statements were made about *athláich* not being allowed to cross the divide and hold ecclesiastical office. It is with this in mind that one must consider the decree of the synod of Cashel, meeting approximately one hundred years after *Saltair na Rann* was written. This particular decree was passed around the same time as the author of *Aislinge Meic Con Glinne* was mocking the very idea of an *athláich* becoming a bishop. Is it possible that the three-way division of the church, with its special category of penitents constituting one of the divisions and which still existed at the end of the tenth century, was breaking down? And was such a breakdown the motivation behind the passing of the particular decree at Cashel?

Before considering that it may be worthwhile to move forward beyond the beginning of reform and look at what evidence there is in relation to the *athláech*. That evidence, although sparse, would suggest that change was

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61 Honour-price was not fixed for a person's life. It reflected his condition at any given time (MacNeill, 'Ancient Irish laws', 270). A person's entry into the penitent division of a church would therefore have changed his honour-price.
underway. *Acallamh na Senóirach* is a saga set in the time of St Patrick but composed in the middle or late twelfth century. In it reference is made to an *athláech* of Patrick’s *familia* called Muchua mac Lonan.62 He is heard to say: ‘What have I to do but to remember you in all the eight canonical hours of the church?’ (‘crét fuil acumsa ... acht do chuimniguds a n-oct trathaib na hEcaisí?’)63 This statement suggests that the *athláech*, Muchua, is here considered to be more the equivalent of one who belongs to the contemplative division of a church than to be a penitent. One is led to such a conclusion not so much because it is stated that he observes the eight canonical hours of the church, although that is perfectly consonant with leading a contemplative life. It is the fact that in doing so he is praying not for the purgation of his own sins but for someone else that is more convincing. In *Bretha Nemed Toisech*, praying for someone else is seen to characterize the contemplative life. People who lead such a life are called ‘áes airnaigthe ar chách foda-gni’ (‘people praying for those who serve it [the church]’).64 In another copy of this passage they are called ‘aes urnaigti’ (CIH 2100.21) or ‘people who pray’ and this carries a gloss ‘.i. lucht teoiri’ (CIH 2100.21) or ‘contemplative people’.65

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62 W. Stokes & E. Windisch (ed), *Irische Texte*, IV Ser 1 Heft (Leipsig 1900) lines 2351-2. A date around the middle of the twelfth century is given by T Ó Máille, (‘Contributions to the history of the verbs of existence in Irish’, *Ériu* 6 (1912) 1-102: 1). According to Jackson (*Aislinge*, p xxvi) the ‘generally accepted view’ is that it is dated around 1200.


64 Breatnach, ‘The first third’, 8 §3; tr. 9 §3.

65 That such a change has come about in the role of the *athláech* and reflected in this reference to him in *Acallamh na Senóirach* is confirmed by the reformist nature of this text; already described as such but based upon other evidence (Máire Ní Mhaonaigh, ‘Vernacular literature and the twelfth-century
That an **athlæech** might be considered to belong to the contemplative division of a church in the middle of the twelfth century would appear to be confirmed by the D redaction of the Life of St Ruadhán. We have already noted the incident in *Betha Ruadhain* where an **athlæech** is used by the hagiographer to help illustrate the saint’s miraculous powers. However, when this story appears in the late twelfth- or early thirteenth-century redaction of the Life the **athlæech** of the vernacular *Betha* is transformed into a ‘conversus monachus’. The **athlæech** is no longer recognized for what he had been: a penitent who was based in a church. He is now seen to be a monk who is not in orders. The line that once divided the two categories—the contemplative life and the penitential life—no longer held. The understanding of what had once constituted an **athlæech** had become blurred. Years later it would become more than just blurred; the association it once had with the church would be forgotten completely.

When the word **athlæech** appears in seventeenth-century literature it carries no ecclesiastical connotation whatsoever. Even in the writing of Geoffrey Keating, an **athlæech** simply means a very old man. A passage in his work, *Tri

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67 The date of the *Betha* is a problem. However Sharpe suggests, in relation to the *Bethada* in general, that the tenacity of vested interests probably makes the information which they contain useful (R. Sharpe, ‘Some problems concerning the organization of the church in early medieval Ireland’, *Peritia* 3 (1984) 230-70: 258 n 3). For the date of the D redaction (idem, *Saints’ Lives*, 349-63).

68 Vita Sancti Ruadani (Plummer, *Vitae*, ii 249 §xxi).

69 It would appear that by the middle of the twelfth century the idea of what constituted an **aithcléirech** had also become blurred. It is used as a person’s forename in a report in the annals in 1160 (AFM).
Bior-Ghaoithe an Bháis, outlines the seven stages in a man’s life from infancy to very old age, the last of which he calls the athláech.\textsuperscript{70} Similarly in the writing of a man intimately associated with the most Gaelic part of Ireland in the early seventeenth century, Tadhg Ó Cianáin, the word simply means an old retired soldier with absolutely no ecclesiastical associations whatsoever.\textsuperscript{71}

The same applies to the word as it appears in a late seventeenth century work, Páirliamant na mBan. In this, the obvious meaning of the word athláech is an ex-warrior ‘who is not able to carry a weapon’ (‘nách féadann an t-arm d’iomchar’) because of his age.\textsuperscript{72}

From the evidence available, therefore, it would appear that from around the middle of the twelfth century onwards the athláech was no longer understood to be a member of the penitential division within the church. From this two questions arise. First: did the concept of a true church, as spelled out in the Hibernensis canon, continue to exist at that time? In other words, were there still three separate divisions in a church? Or put even more simply, did the penitential life, as it had hitherto been understood, continue to exist? (It can be safely assumed that both the contemplative and the active life did continue although with the introduction of the Cistercian order it seems clear that both did not always co-exist at the same establishment.) If the

\textsuperscript{70} Those seven stages and the place of the athláech among them can be seen in the following passage: ‘ionnus gurab ionann sgiobas dà sgrìb an naoidhin agus an leanbh agus an macaomh, an t-ögán, an fear, an seanóir agus an t-athlaoch’ (S. Kéitinn, Trí bior-ghaoithe an bháis. The three shafts of death, ed. O. Bergin (Dublin 1931) 239 lines 7629-7631). The same seven stages in a man’s life are repeated in lines 9959-9960.

\textsuperscript{71} P. Walsh (ed), The flight of the earls by Tadhg Ó Cianáin (Dublin 1916) 244.

\textsuperscript{72} B. Ó Cuiv (ed), Páirliamant na mban (Dublin 1970) 116 line 3702. For date (ibid. p xxviii).
penitential life, as previously understood, did not continue to exist, then the second question is: when did it cease to exist? Was the change brought about by the twelfth-century reform movement or did it begin earlier? The answer to these two questions would appear to be that penitential practice in the Irish church was indeed undergoing change and that that change began in the eleventh century. But in order to understand this change it is first necessary to establish what the penitential practice was in the western church in general at the beginning of the eleventh century and to show that that practice did not exist in Ireland at the time. After that it will be necessary to consider the evidence that exists regarding its introduction into Ireland.

From around the middle of the seventh century onwards the penitential practice of the western church was both public and liturgical and focussed on Lent.73 The mid-eighth century Gelasian sacramentary74 has a liturgical office for the public reconciliation of penitents on Maundy Thursday75 and for the reception of penitents at the beginning of Lent (‘IIII feria mane in capite quadragesimae’)76, i.e. on the Wednesday before Quadragesima Sunday77, the day that is now referred to as Ash Wednesday. Lent became

77The office of the day is placed ahead of that of Quadragesima Sunday (Mohlberg, *Liber sacramentorum*, 20 (= Wilson, *Gelasian*, 17)). The Gellone sacramentary, dated to the last decade of the eighth century, makes this even clearer. The office is there rubricated ‘quarta feria mane infra quinquagesimam’ ‘on the Wednesday morning after Quinquagesima Sunday’ (A. Dumas (ed), *Liber
the season for performing public penance, initially in a monastery but afterwards this was superseded by a ritual expulsion of the penitents from the church on Ash Wednesday with instructions not to return until Maundy Thursday. From the end of the ninth century onwards many people, with lesser sins, joined the public penitents in this ritual and soon afterwards, for a number of special reasons, general absolution was given, not just on Maundy Thursday but on Ash Wednesday as well.

This practice of the western church, however, did not exist in Ireland at the beginning of the eleventh century. Of crucial importance in demonstrating this is the centrality of Lent, and in particular of Ash Wednesday. The reason for this is that the western church in general did not always begin Lent on Ash Wednesday. From early times the prevalent custom was to begin it on

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79 The use made of monasteries for penitents is discussed in a paper on public penance as it was implemented during its coexistence with private penance (the so-called ‘Carolingian dichotomy’) (M. de Jong, ‘What was public about public penance? Paenitentia Publica and justice in the Carolingian World.’ *La Giustizia Nell’alto Medioevo*, Settimane di studio del Centro Italiano di studi sull’alto Medioevo XLIV 1996 Tomo Secundo (Spoleto 1997) 863-902). This practice of performing penance at a monastery has some similarity with the practice in the early Irish church i.e. penitents being part of a church establishment, as already discussed.


80 For an example of the kind of reasons why people were reconciled immediately (‘reconciliet eum statim’) after confession on Ash Wednesday see Vogel & Elze, *Pontifical*, ii 14 §44 lines 16-19. This pontifical is dated 950±951 or 963/4 (ibid. i pp xvi-xvii). By the end of the eleventh century, absolution on Ash Wednesday was not restricted to those who could furnish specific reasons as to why it should be made available to them. This is the presumption behind a story told by Eadmer concerning Anselm, archbishop of Canterbury at the beginning of Lent in 1094 (Rule, *Historia novorum*, 49).
Quadragesima Sunday, the sixth Sunday before Easter, and to begin the Lenten fast on the following day. But because Sundays were not fast days this meant that only thirty-six days fasting, not forty, were observed during Lent. This was justified by pope Gregory the Great when he said that thirty-six fasting days represented a tithe of the year, that is one tenth of 365 days. Despite this, however, and although considerable differences existed among various branches of the western church, the practice of fasting for forty days during Lent, rather than thirty-six, became established from an early date — probably the eighth century. That meant that an extra four fasting days had to be added; so instead of Lent beginning on Quadragesima Sunday, it was brought forward four fasting days to the previous Wednesday, Ash Wednesday, the day that became central in penitential practice. However, as we shall see, the Irish church still recognized Quadragesima Sunday as the first day of Lent at the beginning of the eleventh century. And because it did not recognize Ash Wednesday as the beginning of Lent it could not have observed the penitential practice that

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81 There are seven weeks and six Sundays between Quadragesima Sunday and Easter. Six days (i.e. the Sundays) subtracted from forty-two days (i.e. the seven weeks) leaves only thirty-six days.

82 Thurston, Lent, 15–21, 34. For the date when the Lenten fast was extended back to the Wednesday before Quadragesima Sunday, see Moreton, Eighth-century Gelasian, 44. Pope Gregory the Great in his homily on Matt. 4.1-11 which he gave on Quadragesima Sunday, then the beginning of Lent, said ‘A praesenti etenim die usque ad Paschalis solennitatis gaudia sex hebdomadae veniunt, quorum videlicet dies quadraginta duo fluint. Ex quibus dum sex dies Dominici ab abstinentia subtrahuntur, non plus in abstinentia quam triginta et sex dies remanent. Dum vero per trecentos et sexaginta quinque dies annus ducitur, nos autem per triginta et sex dies affligimur, quasi anni nostri decimas Deo damus’ (PL 76, 1137). ‘From the present day [Quadragesima Sunday] up to the joys of the Easter festival there are six weeks. That amounts to forty two days. When six Sundays, not being fast days, are subtracted from these, there remains no more than thirty six fast days. While there are three hundred and sixty five days in a year, we however are afflicted for thirty six days (only). It is as if we give the tithes of our year to God’.
was so intimately associated with it in the rest of the western church.

The early Irish church, influenced by the Old Testament, exempted Saturdays as well as Sundays from fasting.\(^83\) This, however, changed over time as we know that the Cēlí Dé exempted Sundays only.\(^84\) They also fasted for only thirty-six days during Lent as can be seen in their ninth century metrical ‘Rule of St Carthage’.\(^85\) About fasting in Lent, it says:

8. Aine chorgais ro nain Crist · isin ditruib tall:/mar bad diugla ni chaithi ní · cech én lathi ann. 9. Aine Domnaig uam ní beir · déag in choimded chain:/in airem na dechmaide · na bliadna nís fail.\(^86\)

‘8. The fast of the Lent that Christ fasted in the desert yonder,/as is you shall not eat anything any day in it. 9. Fasting on Sunday do not take from me on account of the holy Lord,/in the reckoning of the tithe of the year it is not (counted).’\(^87\)

Here the forty days of Lent are seen to be based upon the period of time that

\(^83\) Gwynn & Purton, ‘Monastery of Tallaght’, 156 §69.

\(^84\) E. J. Gwynn, ‘Teaching of Maelruain’, Hermathena 44 (second supplemental volume) (Dublin 1927) 2-63: 2 §1, 32 §52, 44 §77, 50 §87. See also Gwynn & Purton, ‘Monastery of Tallaght’, 136 §24, 143 §42.

\(^85\) That the Rule is associated with the Cēlí Dé is clear from the fact that a section of it is devoted to ‘the Cēle Dé or the Cleric of the Enclosure ‘Do Cēliu Dé nó di Cléirech Rēclesa’ (‘Mac Eclaise’ (ed), ‘The Rule of St. Carthage’, IER 27 (1910), 495-517: 508-11 (including translation)). Hughes (Early Irish society, 174) dates all three versions of the teachings of the Cēlí Dé to the ninth century.

\(^86\) ibid. 512. We are only concerned with the Lent before Easter in the discussion which follows. The section of the Rule which deals with the order of meals and refectory was also edited but not translated by Kuno Meyer. There are some differences between that edition and the text given here but they are not of sufficient substance to affect the conclusion that is drawn (K. Meyer, ‘Ord prainni 7 prainnighi imm so sis’, Zeitschrift für Celtische Philologie 13 (1921) 27-30). The extract given above is found in Meyer’s edition (ibid. 28).

\(^87\) Translation by ‘Mac Eclaise’ (‘Rule of St. Carthage’, 513). He did not translate the word ‘diugla’. A translation, however, is not needed for our purpose here. The word used for Lent here (‘corgas’) seems to be, according to O Donovan, an abbreviation of Quadragesima, in the same way as the French word carême, or more anciently, caresme, appears to have been (J. O Donovan (ed. & tr.), Leabhar na g-ceart, or The Book of Rights (Dublin 1847) 4-5 note e).
Christ fasted in the wilderness. Sundays, not being fastdays, were not reckoned by the Céli Dé as part of the 'tithe of the year'; this, as we have seen, was thirty six days. Like Gregory the Great, therefore, if we are to take the statement in the Rule of St Carthage as being representative of the Céli Dé movement, it seems that they began their Lenten fast on the Monday after Quadragesima Sunday and not on the Wednesday before.

It seems clear also that the liturgical penitential service on Maundy Thursday, although it had existed in the wider church from quite an early date, was unknown in Ireland in the ninth century as is apparent from Mael Ruain's activities on that day. At no point is there any reference to a penitential service. It is almost certain that he would have made a reference to such a service, if such existed, seeing that he was dealing with penitents. In fact the description of his activities goes on to deal with his treatment of the penitents after Easter - a sure sign that the penitents had not completed their penance and been reconciled on Maundy Thursday.

The Céli Dé in ninth century Ireland, therefore, did not observe the penitential practices associated with Ash Wednesday and Maundy Thursday as was happening elsewhere in the church outside Ireland. It is unlikely that the rest of the Irish church observed them either since, if it did, it would have

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88 Matt. 4.1-2.
89 It is mentioned in a letter by Pope Innocent I written c.416 (PL 20, 559; Watkins, Penance, ii 415).
90 After the midday sermon, all went to eat. Then came the ceremonial washing of the feet followed by a sermon on the subject. Vespers concluded the day (Gwynn, 'Teaching of Maelruain' 14,16 §25; tr. 15,17 §25). The 'Teaching of Maelruain' is a Céli Dé document and the description is particularly appropriate as it concerns Maelruain's activities in relation to penitents.
91 Ibid. 16 §26; tr. 17 §26.
fasted four days longer than did the Céli Dé: an unlikely scenario.

And there is good evidence that Lent was still seen by the Irish church to begin on Quadragesima Sunday in the early years of the eleventh century: it comes from an entry in a number of annals for the year 1014. In that year Easter day, for the first time in nearly a hundred years, fell upon the latest date of the calendar year that it was possible for it to do and therefore earned a record in the annals. Because Easter was so late the beginning of Lent and the first Sunday after Easter were also very late that year leading to the following report:

‘Feil Grigoir ria nInit ocus Minchaisc i samradh isin bliadain-si quod non auditum est ab antiquis temporibus’.92

“The feast of Gregory fell before the beginning of Lent and Low Sunday was in Summer this year, which was not heard of from ancient times.”93

92AU s.a.1014. The same report with some variation in the words used but not of sufficient importance to alter its meaning occurs in ALC s.a. 1014 and CS s.a.1012 [recte 1014]. Easter day was on the 25th of April in that year and this was the first time that such an event had occurred since the year 919 (C. R. Cheney (ed), Handbook of dates for students of English history (London 1945) 152-53).

93Init is translated here as ‘the beginning of Lent’. See DIL s.v. init (gen. sing. initie) where the word is said to have been derived from the Latin word initium (‘the beginning’). The use of the word ‘Shrovetide’ to translate it, a word commonly used by the editors of the annals has been avoided. (Examples of such are: S. MacAirt & G. Mac Niocaill (ed), The Annals of Ulster (to A.D. 1131) i (Dublin 1983) 446-47; W. M. Hennessy (ed), The Annals of Loch Cé. A chronicle of Irish affairs from A.D.1014 to A.D. 1590, RS 54 (2 vols, London 1871) i 2-3; J. O’Donovan (ed), Annaíl Rioghachta Eireann. Annals of the Kingdom of Ireland by the Four Masters (7 vols, Dublin 1848-51) ii 930-31).

However, this translation was not used in an earlier edition of the Annals of Ulster (W. M. Hennessy & B. MacCarthy (ed), Annala Uílaidh. Annals of Ulster (4 vols, Dublin 1887-1901) ii 44-55, 80-81). The word ‘Shrovetide’ means the time during which people are shriven at the beginning of Lent, that is, the time during which they have had penance imposed upon them or are absolved of their sins at the beginning of Lent. But, as has been argued above, the practice of doing this at the beginning of Lent coincided with the change of the beginning of Lent from Quadragesima Sunday to the previous Wednesday. So to use ‘shrovetide’ as a translation of init is to assume that that change has already come about, an assumption which can not be justified, since the very purpose of the exercise here is to try to discover when this change, in fact, occurred.
The festival of Gregory (March 12th) was on Friday in 1014 i.e. before Quadragesima Sunday (March 14th) but after Wednesday (March 10th),\(^{94}\) clearly indicating that, for the annalist, Lent began on Quadragesima Sunday in 1014. The penitential service associated with the previous Wednesday was not as yet known to him or had not been accepted by him, if he knew about it, as marking the beginning of Lent. This is around the period when, as we shall see, the practice, which had already been introduced into England, had not as yet been fully established there.

This is clear evidence that the penitential practice prevailing in the western church was not followed in Ireland in the early years of the eleventh century.\(^{95}\) And indeed the same situation prevailed in Scotland much later in the century. Thurgot, writing in the Life of queen Margaret of Scotland, tells of her reforming efforts in the Scottish church after she had married king Malcolm in 1070. She had urged 'ut quatuor diebus ante Quadragesimae initium jejunare nobiscum incipiatis' ('that you begin to fast with us four days before the beginning of Quadragesima'); in other words, recognize that


\(^{95}\) It is appropriate at this stage to point to an error in DIL regarding an interpretation of the word *athlæech*. The plural version of this word in the eighth-century Würzburg glosses was translated as 'ex-laymen' by Stokes and he explained that these people were 'laymen who became monks in their old age, dotards' (Stokes & Strachan, Thesaurus, i 553). This explanation was taken up in K. Meyer, Contributions to Irish lexicography, vol 1 (Halle-London 1906) and from there found its way into S. Caomhánach, R. Hertz, V. E. Hull & G. Lehmacher, Hessens irisches Lexicon, vol. 1 fasc. 2 (Halle 1935). This evoked a response from Havers who disagreed with the interpretation. He wrote that they were instead the sinners who were expelled from the church community on Ash Wednesday and reconciled on Maundy Thursday (W. Havers, 'Sprachliche Beobachtungen an den altirischen Glossen', Celtica 3 (1956) 256-61: 261). Havers' interpretation is included in DIL s.v. *athlæech* (b). However, as we have just shown the penitential practice that Havers refers to did not exist in Ireland before the eleventh century. His interpretation of the word in the eighth-century gloss, which is included in DIL, is therefore incorrect.
Lent begins, not on Quadragesima Sunday but on Ash Wednesday as elsewhere in the western church.\textsuperscript{96}

It had already been introduced to the church in England where, at an earlier period, there had been no ritual of public penance.\textsuperscript{97} By the tenth and eleventh century, due to the influence of Frankish sources, many English texts describe the practice,\textsuperscript{98} relatively new there, it would seem, at that time.\textsuperscript{99} No standard practice had yet developed\textsuperscript{100} and support for it was not


\textsuperscript{97}‘Reconciliatio ideo in hac provincia puplice statuta non est, quia et puplice penitentia non est’ ‘in this province reconciliation is not publicly ordered because there is no public penance’ (A. W. Hadden & W. Stubbs (ed), Councils and ecclesiastical documents relating to Great Britain and Ireland (3 vols, Oxford 1869-78) iii 187 (Theodore’s penitential, lib I c13 §4); Watkins, Penance, ii 646-48).

\textsuperscript{98}A. J. Frantzen, ‘The significance of the Frankish penitentials’, JEccles Hist 30 (1979) 409-421: 418. Examples of tenth-century liturgical books in England containing this practice are: G. H. Doble (ed), Pontificale Lanaletense, (Bibliothèque de la Ville de Rouen A.27.Cat.368) HBS 74 (London 1937) (Penitential service for Ash Wednesday (ibid. 68-72); for Maundy Thursday (ibid. 75-80); for date in tenth century (ibid. p x). This penitential service includes the ritual expulsion from the church of those in grave sin on Ash Wednesday: ‘Et si in grauis delectis preocupatus fuerit expelli debet ab ecclesia cantando’ (ibid. 71)); H. A. Wilson (ed), The benedictional of archbishop Robert, HBS 24 (London 1903) (Penitential service (ibid. 57-60); for date in the latter part of the tenth century (ibid. p xi)); D. H. Turner (ed), The Claudius pontificals HBS 97 (Chichester 1971) (Penitential service on Ash Wednesday (including expulsion from the church) (ibid. 83-85); service on Maundy Thursday (ibid. 88); tenth-century date (ibid. p vi)); H. M. J. Banting (ed), Two Anglo-Saxon pontificals, HBS 104 (London 1989) [The Egbert pontifical] (Penitential service on Ash Wednesday (ibid. 130-31); service on Maundy Thursday (ibid. 131-32); tenth-century date (ibid. p xi)); A. Davril (ed), The Winchcombe sacramentary HBS 109 (London 1995) (Penitential service on Ash Wednesday (ibid. 48-49 §§125-128); service on Maundy Thursday (ibid. 75 §§ 358-360); tenth-century date (ibid. 23)). In the early eleventh century: H. A. Wilson (ed), Missal of Robert of Jumièges HBS 11, (London 1896) (penitential services for Ash Wednesday and for Maundy Thursday (ibid. 270-72); date of the missal (ibid. pp xxiv- xxvi)). In the twelfth century the service is found in Wilson, Magdalen, 152-53 (penitential service for Ash Wednesday); 156-59 (penitential service for Maundy Thursday).

\textsuperscript{99}In the Old English version of Haltigars’s penitential, the so-called Ps-Egbert Penitential, there is a remark to the effect that the practice was then observed by christian people overseas and that it should be observed by all christian people. This remark is not found in the original penitential of which this is a translation (D. Bethurum, The homilies of Wulfstan (Oxford 1957) 347).

\textsuperscript{100}This is suggested by the diversity of foreign orders found in English service books of the period (C. E. Hohler, ‘Some service books of the later Saxon church’, David Parson (ed), Tenth-century studies: essays in commemoration of the millennium of the council of Winchester and Regularis concordia (London 1975) 60-83: 226 n 74).
yet fully established (c.994). Shortly afterwards (post 1002) two homilies were written, in the first of which it is noted that the new practice is being followed 'in many places' but that it is not as well observed as it should be in the country. It would seem, therefore, that penitential service associated with Ash Wednesday and Maundy Thursday was introduced to England from the continent and, in particular, from the Frankish church, in the tenth century; it was not yet fully established, however, in the early years of the eleventh.

But what about its introduction into Ireland? Two sources suggest that it was being introduced in the eleventh century: the annals and the Corpus missal. In 1088 an annalist reports a death 'dia domhnaigh Initte itteirt Nóin Marta' ('on Sunday of the beginning of Lent, the third of the Nones of March') In that year Quadragesima Sunday fell on the third of the Nones of March. So the annalist uses the words 'domhnach Initte' ('Sunday of the beginning of Lent') to refer to Quadragesima Sunday. In 1136 an annalist records 'i nomad lá don earrach Domnach Inede' ('Sunday of the

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101 Aelfric's homily (c.994), based on that of Gregory the Great for Quadragesima Sunday, would suggest support for the old system (P. Clemoes (ed), Aelfric's Catholic homilies: the first series, Early English Text Society. Supplementary series 17 (Oxford 1997) 273, lines 190-5; Thurston, Lent, 20 n 2; the date of both series of homilies (M. Godden (ed), Aelfric's Catholic homilies: the second series, Early English Text Society. Supplementary series 5 (Oxford 1979) pp xci-xciii).

102 Bethurum, Homilies, 233-35 (the Quadragesima homily), 236-38 (the Maundy Thursday homily) and note on the latter (ibid. 345). The homilies were composed by Wulfstan soon after he became bishop of Worcester and archbishop of York in 1002 (ibid. 59, 62).

103 Ibid. 235 lines 53-62.

104 AFM s.a. 1088, The same report appears in AU with wording slightly re-arranged.

105 As already discussed (footnote 93), the word 'shrovetide', as used in the translation by the editors of both annals, is avoided here. Instead, the words 'of the beginning of Lent' is used to translate initte.


107 ALC s.a. 1136
beginning of Lent on the ninth day of spring'). That year, the ninth day of spring was Quadragesima Sunday. So again, as in 1088, the annalist uses 'Domnach Inede' ('Sunday of the beginning of Lent') to describe Quadragesima Sunday. It might, therefore, be assumed that 'domnach Initte (Inede)' had a precise meaning i.e. Quadragesima Sunday. But that is not the case. An entry in the annals of a much later date gives it a different meaning. In 1573 a report says 'Domhnach initte agus fél brighde for aon lo an bliadhain si'. ('The Sunday of the beginning of Lent and the festival of Brigid on the same day this year.') In that year the festival of Brigit (1st February) fell on Quinquagesima Sunday - the Sunday before Quadragesima Sunday. By that late date the practice of beginning Lent on the Wednesday before Quadragesima Sunday (Ash Wednesday) was the norm. So Quinquagesima Sunday, here referred to as 'Domhnach initte' ('Sunday of the beginning of Lent'), would have been the Sunday before the beginning of Lent. The expression 'domnach initte', therefore, was used to refer to Quadragesima Sunday in the earlier entries and Quinquagesima Sunday in the later one. Perhaps it is the literal meaning of the expression - Sunday of the beginning of Lent - that made this possible. It could equally be applied to

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109 AFM s.a. 1573.
110 O'Donovan's translation of 'Domhnach initte' as 'Shrove-Sunday' has been changed in favour of the above translation. See footnote 93 above.
112 See ALC s.a. 1590 where there is a reference to 'cedaoine in luathridhe' (Ash Wednesday) and to the following day as 'in ced Derdaoin don Corghas' (the first Thursday of Lent).
the Sunday before or the Sunday after the beginning of Lent. Its literal meaning could easily be understood to mean simply the Sunday near the beginning of Lent. In that case either Sunday would qualify for the description. But it cannot yet be taken that the earlier entries are to be interpreted as meaning 'the Sunday after the beginning of Lent'. After all it has been shown that in 1014 Lent was clearly understood by the annalist to have begun on Quadragesima Sunday. However, it may be significant that while this annalist refers to Quadragesima Sunday simply as 'init' the two subsequent entries in the annals, in 1088 and 1136, refer to it as 'domnach initte'. And one of these entries occurs in the same annals as the 1014 entry. The question that has to be asked then is why did the later entries in the annals have the word 'domnach' tagged on. Would not 'init' on its own have been sufficient to describe Quadragesima Sunday if it were still recognized as the first day of Lent, just as it was sufficient for the annalist in 1014? The answer to this may be that a change had come about in the way that the beginning of Lent was reckoned by certain ecclesiastics in the Irish church and that it was necessary therefore to add the prefix 'domnach' to indicate that it was Quadragesima Sunday which was in question and not the beginning of Lent. If a change had in fact come about, that beginning

113 The same reasoning can be applied to the interpretation of 'Satharn initi' (AU s.a. 1109). Literally it means 'Saturday of the beginning of Lent' which could be the Saturday before or after the beginning of Lent. However, it has been interpreted as indicating that in 1109 init 'unambiguously denotes Quadragesima Sunday' (Pádraig P. Ó Néill, 'Irish observance of the three Lents and the date of the St Gall Priscian (MS 904)', Ériu 51 (2000) 159-80: 171.

114 The 1014 and the 1088 entries are in AU.
would have been on the previous Wednesday. The use of the prefix ‘domnach’ is quite consistent with the possibility of a change having happened but it is not perhaps strong enough evidence to prove that it did. All that one can say from an analysis of this evidence is that in 1014 the old system of reckoning the beginning of Lent still prevailed as far as the annalist who made the entry for that year is concerned. It still prevailed in the Scottish church in 1070 at the time that Queen Margaret arrived there. By 1088 a change may possibly have come about in this regard in the Irish church. The evidence allows for that possibility but it cannot prove it.

The second source, the Corpus missal, is dated to the eleventh century and possibly to the early part;115 it has a penitential service for Ash Wednesday and Maundy Thursday. Unfortunately, both are quite brief and have no rubrics; also their titles appear to suggest, rather confusingly, that a service of absolution is held on both days.116 However, the only reference to absolution in the text of the Ash Wednesday service is in the final collect.117

But this collect is in the rite of the same day elsewhere;118 a rite for confessing

115 Holland, ‘Dating the Corpus missal’, 280-301.
116 The service for Ash Wednesday is entitled ‘Absolutiones in capite ieiunii’ (F. E. Warren (ed), The manuscript Irish missal belonging to the president and fellows of Corpus Christi College, Oxford (London 1879) 100). That on Maundy Thursday is entitled ‘Feria quinta in Cena Domini absulutio episcopalis uel sacerdotalis’ (ibid. 117).
117 The collect is: ‘Exaudi domine preces nostras et confitentium tibi parce peccatis ut quos conscientiae reatus accusat indulgentia tue miseratamis absoluat. per christum’ (ibid. 100) ‘Hear our prayers, O Lord, and forgive the sins of those who confess to you, so that those whose consciences are accused may be absolved by your merciful pardon. Through Christ’.
118 Mohlberg, Liber sacramentorum, 17 §78 (=Wilson, Gelasian, 14); Dumas, Gellonensis, 33 c49 §266; Saint-Roch, Engelisensis, 37 c47 §271; Heiming, Augustodunensis, 34 c51 §279; Turner, Claudius, 83; Banting, Two Anglo-Saxon pontificals [The Egbert pontifical] 130; Davril, Winchombe, 48 §125; Wilson, Magdalen, 152; H.A. Wilson (ed), The Gregorian sacramentary under Charles the Great, HBS 49 (London 1915) 205.
sins or imposing penance, not for the granting of absolution. This is also
the function of the Corpus rite as a comparison with a Beauvais ordo makes
clear. The latter has an important rubric which explains the Ash
Wednesday rite in detail and the service which follows is very similar to the
Corpus one and like it, it uses the word ‘absolution’ in its title. However,
according to the rubric, potential penitents present themselves for
examination and are given a penance. They are then brought into the church,
psalms are sung for their forgiveness (‘pro eorum absolutione’), ashes are
imposed upon them and they are ritually expelled from the church with
instructions to return on Maundy Thursday. The forms in both the
Beauvais and Corpus service begin at the point where the psalms are sung
and it is quite clear from the Beauvais rubric that, at this stage, psalms and
prayers are being offered so that absolution will eventually be achieved. That
will only happen when the penitents return to the church on Maundy
Thursday. Given the similarity between the Beauvais and the Corpus service

119 The title ‘Orationes et preces super penitentem confessitentem peccata sua more solito’ ‘Prayers and
supplications over a penitent confessing his sins in the customary manner’ or a variation of it is found
in: Mohlberg, Liber sacramentorum, 17 (= Wilson, Gelasian, 14); Dumas, Gellonensis, 33; Saint-
Roch, Engolismensis, 37 c47 §271; Heiming, Augustodunensis, 34; Wilson, Gregorian, 205; Banting,
Two Anglo-Saxon pontificals [The Egbert pontifical] 130; Wilson, Missal of Robert, 270. The title:
Ordo ad dandum penitentiam ‘A ritual for the giving of penance’ is found in the following: Turner,
Claudius, 83; Wilson, Magdalen, 152.

120 E. Martene, De antiquis ecclesiae ritibus libri, 2nd ed (4 vols, Antwerp 1736-38) i 793-94 (lib i cap
vi art vii ordo viii); Syllabus s.v. Bellovacensis.

121 It appears in many collections of canons: in the collection of Regino of Prüm (a.d.900) (PL 132,
245-6. Lib 1, c291); Burchard of Worms (c. a.d.1020) (PL 140, 984. Lib 19 c26); Ivo of Chartres (d.
1117) (PL 161, 867-8 Pars 15 c45); Gratian (a.d.1139) (PL 187, 284 Pars prima c64 D 50). Attributed
incorrectly by all to the Council of Agde (a.d.506) (Watkins, Penance, ii 581).

122 The title of the Beauvais service is ‘Absolutio poenitentium in Caput [sic] Jejunii’ ‘Absolution of
penitents on Ash Wednesday’ (Martene, De ritibus, i 793 (lib i cap vii art vii ordo viii)) The Corpus
title is ‘Absolutiones in Capite leiunii’ ‘Absolutions on Ash Wednesday’ (Warren, Irish missal, 100).

123 Martene, De ritibus, i 793 (lib i cap vi art vii ordo viii).
this is likely to be the case in the Corpus service also. There is, however, no
evidence of the ritual expulsion of penitents in that service nor of their
reception back on Maundy Thursday\textsuperscript{124} although a comparison of that day’s
ritual with the similar Sarum rite allows for its possibility.\textsuperscript{125} Clearly,
however, they were expected to attend both penitential services. On Ash
Wednesday they would have confessed their sins, have penance imposed
upon them and have prayers said over them seeking absolution of their sins.
On Maundy Thursday they would have been back in the church, presumably
after completing their penance, in order to be reconciled. They would,
therefore, have been following the form of penitential service, in its most
essential details, then current in the wider church outside Ireland.

While the evidence available from the annals only allows for the possibility
of the new penitential practice having been introduced into Ireland by the
year 1088 without being able to prove it, the evidence available from the
Corpus missal provides the proof. We do not, unfortunately, know anything
about how it was received or how widespread it became. It is highly unlikely
that such an innovation would have gained wide acceptance quickly
throughout the church. It has already been noted that such was the case after
its introduction into the Anglo-Saxon church. The most likely scenario is that


\textsuperscript{125} The Corpus rite begins with the antiphon ‘Ne reminiscaris’ (ibid. 117) which in the Sarum rite is
sung after the reception service at the doors of the church is completed and all have returned to the
centre of the church. (‘Quibus expletis et reuersis illis in chorum ...’ ‘When those things have been
completed and they have returned to the choir (of the church) ...’) (J. Wickham Legg (ed), \textit{The Sarum
missal edited from three early manuscripts} (Oxford 1916) 102).
it would have been accepted in some places but not in others.

Indeed such a situation would have been a good example of what Gille, bishop of Limerick, describes as the 'diverse rites' which he saw existing in Ireland in his time. It was such a diversity which he said made a man who was learned in one rite quite ignorant when he found himself in a church where another rite was practised.\textsuperscript{126} It would have meant that the old penitential system continued to be practised alongside the new one. It would have meant that some parts of the church began their Lenten fast on the Monday after Quadragesima Sunday while others had begun their fast five days earlier on Ash Wednesday.\textsuperscript{127} It would have meant that some churches conducted liturgical services on Ash Wednesday and on Maundy Thursday, services which were unknown in other churches.

It is against this background that one must try to interpret the decree of the synod of Cashel in relation to \textit{athlaich} and \textit{aithchléirig}.\textsuperscript{128} As we have seen this

\textsuperscript{126} Ussher, \textit{Sylloge}, 77; PL 159, 995; Fleming, \textit{Gille}, 144. Gille himself, of course, followed the 'new' system. In his tract, \textit{De statu ecclesiae}, he makes two direct references to it. Among a bishop's responsibilities he writes 'Absolvit praesul populum de venialibus in capite jejunii, de criminalibus in Coena Domini' (Ussher, \textit{Sylloge}, 86; PL 159, 1002; Fleming, \textit{Gille}, 160). 'The bishop absolves the people of venial offences on Ash Wednesday, of grave sins on Maundy Thursday'. And in the bishop's absence, a priest 'can bless the ashes on Ash Wednesday' ('potest benedicere ... cineres in capite jejunii') (Ussher, \textit{Sylloge}, 84; PL 159, 1000; Fleming, \textit{Gille}, 156).

\textsuperscript{127} This may well have been the origin of a peculiar custom that lasted on Skellig Michael until relatively modern times. There was a tradition among the people that Lent began later on the Skellig than on the mainland. This meant that marriage could be contracted on the Skellig when it was no longer possible to do so on the mainland. It is not known if marriages did in fact take place during the intervening days. However, other customs related to courtship and marriage did arise as a result of the peculiar situation of the Skellig and these spread around the south west of Ireland (D. Lavelle, \textit{The Skellig story} (Dublin 1993) 26-29).

\textsuperscript{128} The \textit{aithchléireach} is seldom met in the sources under this title. However, as has been shown earlier in this discussion the three-way division of the church applied to both lay and clerical people. One of those divisions - the 'áes aithhrige' or the people pursuing a penitential life - therefore has clerical as well as lay people. Since these lay people are often referred to as \textit{athlaich}, it seems most likely that the clerical people are to be identified with the \textit{aithchléirig} who are included in this decree. As already stated, the term \textit{athláech} has not been given a translation in this discussion. The term 'ex-
decree prohibits for all time the acquisition of ('cennach') and therefore the possession of a church of God by either an athláech or an aithchlérech. At its simplest this decree may be interpreted as merely re-affirming the statement in the eighth century Bretha Nemed Toisech which says that an athláech tending a church debases it, a statement which we have seen is paralleled in passages in Triad 66 and T.C.D MS H. 3.17. Viewed in this way the decree is restating a long held church policy and is thus a conservative rather than a reforming decree. However, if we take into account the events which we have argued were occurring in the church at the time, the decree takes on a different perspective. If it is accepted that a new penitential practice was, in fact, being introduced into the church at the time it would mean that attempts were being made to displace the old system. The effect of this would be that, instead of a church establishment maintaining and supporting at any given time a group of people pursuing a penitential life, whether on a short-term or
a life-long basis, the new system would only require that it provide penitential services on Ash Wednesday and Maundy Thursday. This new penitential practice was not totally dissimilar to what had existed until then in that sins had to be confessed, penance allocated and carried out and reconciliation brought about. However, it would no longer have been required that a church establishment would maintain and support a group of people pursuing a penitential life as the *Hibernensis* canon required (CCH 42.1). These people, the *athlaich* and presumably the *aithecléirig*, would no longer be seen as a separate division within a church to be treated in a particular manner. The ending of this categorization of penitents, of this setting them apart from the rest of the church, would have removed the underlying reason which prevented them from holding ecclesiastical office. There can be no doubt that this innovation would have encountered strong opposition especially from those otherwise entitled to hold such offices. By re-affirming the long-held church policy that an *athláech* may not hold ecclesiastical office, the synod of Cashel would have been rejecting attempts being made to bring the penitential practice of the Irish church into line with that which prevailed in the rest of the western church. In so doing it would not merely have been acting conservatively but would have been openly resisting reform.
3.2: Laymen may not be *airchinnig*.

The next decree which requires a more thorough analysis states: "gan tuatadha do beith ina noircinnechaib innte'129 (that laymen should not be *airchinnig* there [i.e. in Ireland]). The critical question here is: did this decree indicate a desire to change (i.e. reform) existing practice or did it merely reaffirm it? To answer this it is necessary to know what that practice was. Up until now it seems to be generally agreed that laymen did, in fact, commonly hold abbacies in early Ireland, the only dispute being about the date when the custom began i.e. was it before or after the arrival of the Vikings.130 Dr Hughes tackles this question and satisfies herself that lay abbots were indeed present in the pre-Viking Irish church.131

This conclusion, which is based on an interpretation of three items of evidence, is not however justified. The first is a canon in *Hibernensis*, dated to the seventh or eighth century, and attributed to a *Synodus Hibernensis*.132 It is concerned with how property is to be divided when a *princeps* leaves his church. Two situations are considered. The first deals with a *princeps* without specifying what ecclesiastical order, if any, he has; the second deals with a *princeps* who is a catholic priest. The manner in which this *princeps* is introduced ("sed si princeps sacerdos catholicus sit" 'but if the *princeps*

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130 Ó Corráin says that 'the effects of the early Viking raids on the church ... have been the subject of much misinterpretation'. One such effect was said to be the secularization of the church (Ó Corráin, *Ireland before the Normans*, 83). Such a view is found, for example, in J. Barry, 'The coarb and the twelfth-century reform', IER 88 (1957) 17-25: 17.
131 Hughes, *Early Irish society*, 158-61, 166.
132 CCH 43.6.
should be a catholic priest’) suggests that the first princeps mentioned was not a priest and, by implication, also not a bishop. He could, of course, have been a deacon, in minor orders or a layman; we simply do not know. Nevertheless, the inference made is that he is a layman.\textsuperscript{133}

The same applies to the next two items, both of which deal with succession to a coarbship. The first, in the Additions to Tirechán, gives the order of priority of entitlement to the coarbship of Druim Lias. Those higher on the list, it is argued, would possibly have been in major orders. However, if no one were found suitable among them, the entitlement would devolve upon one of its monastic clients (‘di a manchib’). Such a person, it is suggested, would be unlikely to be in major orders. While this may very well be true it does not follow that, under certain circumstances, the abbot could be a layman. The evidence simply does not justify that conclusion.

The other item, a gloss on a text in Córus Béscna, states:\textsuperscript{134}

‘THE CHURCH OF THE PATRON’S FAMILY i.e. the patron’s family will get the church as long as there is a person fit to be an abbot in the patron’s family; even though there should be only a psalm-singer from among them, it is they who will get the abbacy’.

\textsuperscript{133} This, of course, is not explicitly stated but when the abbot in the next piece of evidence is introduced for discussion it is said that he could ‘also’ be a layman. This clearly indicates what the inference is: that the first princeps of the canon, just analysed, is indeed considered to be a layman (Hughes, \textit{Early Irish society}, 158-60).

\textsuperscript{134} ‘EACLUIS FINE ERLUMA i.e. fine erloma gebus in eaglais cein bes damna apad dó fine erluma; cinco roibe acht sailmceatuluidh dibh, is iat berus in apdaine’ (CIH 1820.8-10).
Noting that a psalm-singer does not have major orders the gloss is seen to indicate that someone not in major orders may become abbot. However, the status or dignity that the psalm-singer holds in the church is not discussed. Clearly he must have had some status seeing as he is referred to in the gloss although the inference is that it is quite low in the clerical hierarchy. Equally, it seems clear that he is not a layman. Nevertheless, it is concluded from this gloss that a layman could succeed to the abbacy.

The only thing that one may safely say, on the basis of the three pieces of evidence produced, is that a person who was not in major orders but may have held a church status or dignity down as far as a psalm-singer (and who was otherwise suitable) could have held the position of abbot. Nowhere here is there solid ground for believing that a layman could have done so. Despite this, as far as can be discovered, the view that such was the case has not been challenged.

In relation to the church after the Viking invasions, Kenney says that by the eleventh century the comarbae or airchinnech of the average church in Ireland was a lay lord. Ó Fiaich is so convinced of the existence of lay abbots that

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135 The status of the psalm-singer will be discussed later.
136 Again, this is not explicitly said while the evidence is being analysed as is the case when the succession to the coarbship of Druim Lias is being discussed. But the message is clear enough. This piece of evidence is joined with the other two to underpin the belief that there were lay abbots in the church in the pre-Viking era (Hughes, Early Irish society, 160-61, 166).
137 Ó Corráin accepted this view (idem, Ireland before the Normans, 84) but later restricted himself to saying that abbots were very often not in major orders in the eighth century and before (idem, ‘The early Irish churches: some aspects of organisation’, idem (ed), Irish antiquity: essays and studies presented to Professor M. J. O’Kelly (Cork 1981) 327-41: 339).
138 Kenney, Sources, 747.
he includes this belief in the very title he gives to his work on the abbacy of Armagh between the mid-tenth century and the twelfth century. Other scholars also accept that laymen held ecclesiastical office while Gwynn says `All our evidence suggests that the airchinnech was most commonly a layman.'

It is easy enough to see how there could be such a consensus on the subject. There is what appears to be good clear evidence from around this period, from both external commentators and indigenous sources, to support the proposition. First of all there is Giraldus Cambrensis. On his journey through Wales he came upon a particular church which led him to write the following:

`It must be noted that this church, like so many others in Ireland and Wales, has a lay abbot. For the practice and perverse custom grew whereby men, powerful in the parish, at first were established by the clergy as patrons and defenders of the household or rather of the churches; later with the passage

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130 Ó Fiaich, ‘Armagh under lay control’, 75-127.
140 Sharpe, ‘Some problems’, 258; idem, ‘Churches and communities in early medieval Ireland: towards a pastoral model’, J. Blair & R. Sharpe (ed), Pastoral care before the parish (Leicester 1992) 81-109: 101 (Sharpe does not discuss the topic but his use of the words ‘lay abbacy’ or ‘lay erenagh’ suggests that he accepts the idea); Ó Corráin, Ireland before the Normans, 84; B. Ó Cuiv, ‘Ireland in the eleventh and twelfth centuries (c.1000-1169)’, T. W. Moody & F. X. Martin (ed), The course of Irish history (Cork 1967) 107-22: 117; F. J. Byrne, Irish kings and high-kings, 2nd ed (Dublin 2001) 256.
141 Gwynn, Irish church, 163.
142 ‘Notandum autem quod haec ecclesia, sicut et aliae per Hiberniam et Walliam plures, abbatem laicum habet. Usus enim inolevit et prava consuetudo, ut viri in parochia potentes, primo tamquam oeconomi seu potius ecclesiarium patrobi et defensores a clero constituti, postea processu temporis aucta cupidine totum sibi jus usurparent, et terras omnes cum exteriore possessione sibi impudenter appropriarent: solum altaria cum decimis et obventionibus clero relinquentes; et haec ipsa filiis suis clericis et cognatis assignantes. Tales itaque defensores seu potius ecclesiarium destructores abbates se vocari fecere; et tam nomen indebitum quam rem sibi quoque assignari praeumpsere’ (J.F. Dimock (ed), Giraldi Cambrensis Opera, RS 21-5,6,7 (London 1867-77) vi 120 (cap.iv)).
of time (and) with increasing greediness they usurped the whole administration to themselves and impudently appropriated all the lands and external possessions to themselves; leaving to the clergy only the altar income together with tithes and offerings and assigning these to their sons and relations who were clerics. Such defenders or rather destroyers of churches cause themselves to be called abbots; and they thus dare to have assigned to themselves the name as well as the thing that is not their due'.

This is a very blunt assertion that lay abbots were common in twelfth-century Ireland. Earlier in the same century Bernard of Clairvaux wrote about `married men without orders' being in the abbacy of Armagh for about two hundred years.143 Ó Fiaich interprets this to mean that Armagh was under lay control.144 In Irish sources, too, there is evidence that a man without orders may have held the position of airchinnech; in a gloss on part of the first tract in the Senchas Már collection of Heptads it says: 'Leitheineclann in erluma oca mbi int [sic for don? editor] aircinneach muna beitt gradha fair fein'.145 (If he is not in orders, the airchinnech is due half of the honour price of the patron saint with whom he is). Given the strength of all this evidence it

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143 'Denique iam octo exstiterant ante Celsum viri uxorati et absque ordinibus' (J. Leclercq & H. M. Rochais (ed), S Bernardi Opera (6 vols, Rome 1957-72), iii 330 (x 19)). Reference to two hundred years (ibid. 331 (x 20)). In translation (Bernard of Clairvaux, The life and death of Saint Malachy the Irishman, tr. R.T. Meyer (Kalamazoo 1978) 38-39 §§19,20).

144 Ó Fiaich, 'Armagh under lay control', 85-87.

145 CIH 1822.39-40 = CIH 3.19. However, the latter has 'ma beit gradha' instead of 'muna beitt gradha' thus reversing its meaning. The version that became best known to historians through its publication in the Ancient laws of Ireland was 'mana beit gradha'. (R. Atkinson (ed), Ancient laws of Ireland, (6 vols, Dublin 1865-1901) v 126 (lines 22-23)). This is how its editor, Atkinson, expanded the abbreviation m in the Rawlinson B manuscript. Binchy expanded it instead as ma (CIH 3.19). It is the meaning conveyed by Atkinson's interpretation that probably had wider recognition and the text conveying that meaning is given here.
would appear that the argument in favour of the existence of lay abbots in tenth and eleventh century Ireland is conclusive.

However, it can be argued that this was not the case as it does not follow that a man without orders was necessarily a layman; he could have been a cleric. For a start it seems clear that the *airchinnech* is seen to be a cleric when he functions within the ecclesiastical legal system. And there is a considerable amount of evidence concerning the administration of that system to be found both in *Hibernensis* and in vernacular legal tracts. In *Hibernensis* one book is devoted to the administration of justice and it covers ecclesiastical as well as secular affairs. Different people are to deal with either system. The bishop, for example, is supreme in the ecclesiastical one. He is first in a list of those who, according to the Romani, may judge a variety of cases. His situation in this respect is mirrored in Old Irish law. Laymen may not give judgements when those charged with administering ecclesiastical justice are present. Most important of all, clerics may not be judged by laymen but laymen may be judged by clerics. A passage in another book of *Hibernensis* refers to judges giving a judgement which differs from that given by others in a matter that relates specifically to ecclesiastical affairs. The passage is

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146 Much of this evidence has been referred to elsewhere (D. Ó Corráin, L. Breathnach, & A. Breen, 'The laws of the Irish', *Peritia* 3 (1984) 382-438: 386, n.3). Use of references found there will be made in what follows.

147 CCH 21.

148 CCH 21.1.a and CCH 21.1.b respectively.

149 CCH 21.2.


151 CCH 21.28. See also CCH 21.1.a.

152 CCH 21.29.
attributed to a Sinodus Hibernensis. This would suggest that there were, in fact, clerical judges dealing with ecclesiastical matters in early Ireland. From the evidence of Hibernensis, therefore, it would seem that there were two judicial systems and two sets of judges in existence. This is borne out by a passage in a vernacular source. This is in an Old Irish legal text on judges and procedure to be followed in a lawsuit. There it is written: `Nach brithem beres breth tuaithe no eccolsa' (Any judge who gives a secular or ecclesiastical judgement) followed shortly afterwards by: `a rer rig ima nae bes `na tuaith no a rer ecolsa ima nae bes a neclais i.e. ollam cleirigh' (in accordance with the decision of a king concerning the lawsuit which is in his tíath, or in accordance with the decision of an ecclesiastic concerning the lawsuit which is in his church i.e. a cleric-judge). As well as the cleric-judge, here referred to, the text elsewhere refers to a secular judge (`ollaman laich'). The text makes it clear who this judge is. It is the king who judges the lawsuit in his tíath i.e. the secular lawsuit, although a gloss on it suggests that a king’s judge may actually perform the duty. However, the

153 ‘Alii tamen judices volunt ...’. This is part of a canon that occurs in the codex Valicellanus only. There the attribution is merely Sinodus (Wasserschleben, Kanonensammlung, 179, n). However, a very similar and more extensive version occurs in the other codices although the word ‘judices’ does not occur. Instead of the expression given above, which contains the word ‘judices’, the words ‘Aliis vero placuit’ are found. And in this more extensive version the attribution is to Sinodus Hibernensis. This interprets the Sinodus of the canon of the Valicellanus codex for us (CCH 43.6).

154 Ó Corráin says that the word judices ‘refers explicitly to canon lawyers’ (Ó Corráin et al, ‘The laws of the Irish’, 386 n.3). Whether one should see a distinction between ‘clerical judges’ and ‘canon lawyers’ is not clear. They are likely to be one and the same.

155 CIH 1968.17.

156 CIH 1968.31-4.


158 CIH 1965.30-1.

159 CIH 1968.35-6.
text does not make it clear who the ecclesiastic or cleric-judge is, who judges the law suit in the church. Here the gloss may be of help. It states: "i. reir bretheman in aircindigh masi caingin egailsi'160 (i.e. according to a judge of the airchinnech if it be an ecclesiastical law suit). Although this does not make it clear who the cleric-judge is, it does tell us whom he is responsible to in the matter - the airchinnech. That being so, then ecclesiastical lawsuits come within the ambit of the airchinnech's responsibilities. This responsibility puts the airchinnech into a special relationship with the church. And since, according to Hibernensis, only clerics may judge clerics and by extension ecclesiastical matters, an airchinnech who has responsibility for ecclesiastical legal matters is considered to be a cleric. This opinion is confirmed by a reference to a cleric-judge in a legal text Do Dliged Ollaman.161 Here it says: "Mad fer tuaithe bid i cetud fri rig no tuiseach oca mbe diam clerech bid i cetu fri aircindech nuasal'162 (If he [the judge] is a layman he sits with the king or the lord who employs him, if a cleric he sits with the noble airchinnech). Here again we see two separate legal systems, the secular and the clerical or ecclesiastical. And once again the airchinnech is clearly seen as part of the ecclesiastical system and because of that, according to the Hibernensis canon whereby only clerics judge clerics, is considered to be a cleric. However, as we have already noted, he may also have been on

160 CIH 1968.36.
161 For this title to the text (J. Fraser, P. Grosjean & J. G. O'Keeffe, Irish Texts, fasc. 4 (London 1934) 22-24: 22).
162 CIH 1269.8-9.

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occasion without ecclesiastical orders\textsuperscript{163}, a situation which may, on the surface, seem anomalous. There is, however, an explanation.

A considerable amount of \textit{Hibernensis} is drawn from Isidore of Seville's \textit{De ecclesiasticis officiis}, the second book of which systematically examines various categories of people within the church.\textsuperscript{164} Unlike Isidore, who first deals with the clergy as a class followed by individual grades, the compilers of \textit{Hibernensis} start with the bishop (the highest order) and then deal with each grade down to the doorkeeper. After that they recapitulate on the seven grades showing first how Christ, during his life on earth, fulfilled each of them himself;\textsuperscript{165} the duties of each then follow.\textsuperscript{166} Having thus completed all the seven grades they follow with a book that is of particular interest: it contains two chapters and is entitled \textit{De acolito et psalmista et clericis}\textsuperscript{167} ('Concerning the acolyte and the psalm-singer and the clerics'). As these categories are not included in the preceding book (\textit{De recapitulatione vii graduum}) which rounds off the exposition on each of the seven grades, it must be assumed that the compilers do not consider them to be among these orders. One of their main sources, Isidore, does not include acolytes among the clerical orders in his \textit{De ecclesiasticis officiis}\textsuperscript{168} but he does in his

\textsuperscript{163} See the gloss on part of the first tract in the \textit{Senchas Már} collection of Heptads, already cited. This gives the honour price of an \textit{airchimnech} who is not in orders (CIH 1822.39-40=CIH 3.19).


\textsuperscript{165} CCH 8.1. See Reynolds, \textit{Ordinals}, 1-3.

\textsuperscript{166} CCH 8.2.

\textsuperscript{167} CCH Liber 9.

\textsuperscript{168} Lawson, \textit{De ecclesiasticis officiis}, 52.
Etymologiae. He includes *psalmistae* (‘psalm-singers’) in both. Nowhere, however, does he say that a *clericus* is, in itself, an ecclesiastical grade. But what do the compilers of *Hibernensis* consider these three categories to be if they do not consider them to be ecclesiastical grades?

A clue to this may be forthcoming from the Old Irish law tract *Uraicecht Becc*. Like *Hibernensis* (Book 8), this lists the seven grades of the church; they are, however, arranged slightly differently. A further three categories, referred to as ‘sub-grades’, have been added by a commentator (he gives their honour-price): ‘Cumal da tri fogradaib, a leth dunt sailmcetlaid, a leth eli d’adhantaig ocus do cleirech gu coraind’. (A *cumal* for their three sub-grades, half to the psalm-singer, the other half to an acolyte and to a cleric with a tonsure). Three ‘sub-grades’ are also added to a list of grades in the law tract *Bretha Nemed*: `sochla triar arucleth iar sin, acloid adannuigh caindle la salmcedlaid sceo cleirech co coruinn’ (Well-reputed are the three

169 W. M. Lindsay (ed), *Isidori Hispalensis episcopi Etymologiarum sive originum libri XX* (Oxford 1911) 7.12.3.
170 ibid. 7.12.3; Lawson, *De ecclesiasticis officiis*, 71-72 (2.12).
171 The arrangement in *Hibernensis* reflects the hierarchical relationships in Isidore’s *De ecclesiasticis officiis*. Compare CCH 8.1,2 with the Isidore’s list of chapter headings (Lawson, *De ecclesiasticis officiis*, 52). However, the arrangement in *Uraicecht Becc* is by no means unique. There are other instances where this arrangement is found (R. E. Reynolds, ‘Excerpta from the Collectio Hibernensis in three Vatican manuscripts’, *Bulletin of Medieval Canon Law*, n.s. 5 (1975) 1-9: 7).
172 CIH 1595.22-4. ‘Gu coraind’, as it appears in the text, belongs to the previous clause despite the full stop and the capital letter that would appear to separate them (Binchy, *Corpus*, v 1598 n g-g). In fact, this is how the words appear in another copy of the text (CIH 639.23).
173 DIL translates *adann(t)aid* as ‘candle lighter’. That this may be interpreted as ‘acolyte’ can be inferred from the fact that the dominical sanctions given in a wide variety of sources for the grade of acolyte has light as its central motif. These sanctions, in abbreviated form, and the sources in which they are found are conveniently set out in a Comparative Table of the Ordinals of Christ (Reynolds, *Ordinals*, 175-91). Binchy also interpreted it in this manner (Reynolds, ‘Excerpta’ 7 n 43).
174 As this tract has *Hibernensis* as one of its main sources, it is not surprising that, unlike what we have seen in *Uraicecht Becc*, the list of grades is arranged exactly as in *Hibernensis* (Breatnach, ‘The significance of *Bretha Nemed*’, 439-59, esp 445-56; compare CCH 8.1,2 with CIH 2212.24-6).
175 CIH 2212.26-7.
under its [viz. the church’s] protection thereafter: the acolyte who lights candles, together with the psalmist and tonsured cleric).\(^{176}\) They are not actually called `sub-grades' here but as they are dealt with after and separately from the seven grades, they are treated as such; also an interlinear gloss in another recension of part of Bretha Nemed does refer to the three `sub-grades' without naming them: `secht ngraid eclasa cona foidlaib i.e. na tri fograid'\(^{177}\) (seven grades of the church with their divisions i.e. the three sub-grades). In yet another reference in the law tracts to the grades and the `sub-grades'\(^{178}\) we are given the functions of the sub-grades.\(^{179}\) Here the arrangement of the seven grades is the same as that in Uraicecht Becc, which, as we have seen, is not unique to Ireland\(^{180}\) and, therefore, likely to have been derived from external sources rather than randomly assembled. It is, however, different from that in Bretha Nemed which is also ultimately derived from external sources.\(^{181}\) Since both have the same `sub-grades' tagged on to

\(^{176}\) The translation is that given in a critical edition (Bretnach, ‘The first third’, 15). The punctuation adopted in the critical edition varies somewhat from that in CIH. Hence sochla (‘well-reputed’) is seen in CIH to belong to the preceding clause and is therefore followed by a semi-colon. However, in the critical edition it is taken to belong to the clause that follows it. This then gives rise to the translation as given above.

\(^{177}\) CIH 2100.19.

\(^{178}\) CIH 2101.14-36 and 2102.16-19. This includes commentary and gloss.

\(^{179}\) ‘TEORA FODLA LEO ADANDAID .i. fursantaid caínlé ocus SALMCETLAID .i. iar prois, no intí cansa salma ocus CLERECH CO CORUNN .i. bis i comairici isin eclais gin leghn. Cumal doibsin a triur ina neencláinn, lethcumal dont sailmcetlaid ocus cethraimthi cumaille cechtarnai na desí aíli’ (CIH 2102.16-19). ‘THREE SUB-DIVISIONS ALONG WITH THEM [i.e. the seven grades] ACOLYTE i.e. he lights candles and PSALM-SINGER i.e. in prose or he who recites psalms and CLERIC WITH TONSURE i.e. he who gives protection [sanctuary] in the church without learning. The three of them are entitled to a cumal as their honour price, a half of a cumal for the psalm-singer and a fourth part of a cumal for each of the other two’. (Note on the translation of ‘i comairici’. DIL s.v. commairge (a) refuge, sanctuary, act of protecting. ‘bis i commairci’ could be ‘he who is under protection’ or ‘he who is in the act of protecting’. The latter seems more likely).


\(^{181}\) It is the same as that in Hibernensis, which is one of its sources, and with that in Isidore of Seville’s De ecclesiasticis officiis (Compare CCH 8.1,2 with CIH 2212.24-6 and with Isidore’s list of
these different externally derived arrangements of grades it is probable that
this way of dealing with the three categories was devised locally. This is
likely to be the reason why the compilers of *Hibernensis* allocated a separate
book to them, although they never actually call them 'sub-grades'. However,
they exhibit some difficulty in dealing with them as Book 9, in its title, refers
to all three categories, but subsequently deals with only two of them, the
acolytes and psalm-singers; it gives their ordination or induction rite.\(^{182}\) It is
silent on the category of *clericus*. One codex (Valicellanus), however,
intercalates, immediately afterwards, a book in ten chapters devoted to the
category. It includes one chapter\(^{183}\) which appears as Book 10 in all other
codices used by Wasserschleben. In this there is a substantial amount of
material devoted to the general topic of *clericus*. A great bulk of it is drawn
from *Statuta ecclesiae antiqua* with excerpts also from Isidore of Seville and
from the canons of councils and decretals of popes.\(^{184}\) None of these refer
specifically to a *clericus* who has not got an ecclesiastical grade and do not,
therefore, throw any light on what the compilers of *Hibernensis* considered
such a category to be.\(^{185}\)

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\(^{182}\) For the ordination of an acolyte (CCH 9.1); for the induction into office of a psalm-singer (CCH 9.2.b).

\(^{183}\) Chapter 9. *De multimodis observationibus clericis* (Wasserschleben, *Kanonensammlung*, 27 n (f)).

\(^{184}\) Wasserschleben, in his edition, gives these various sources after each particular excerpt.

\(^{185}\) Works consulted for an examination of the sources from which the excerpts were drawn are: Lawson, *De ecclesiasticis officiis*, for Isidore of Seville; PL 67 for the Councils of Chalcedon, Nicaea
and Laodicea (Dionysius Exiguus); C. Munier (ed), *Conciliae Gallicae A.D.314–A.506*, CCSL 148
(Turnholt 1963) for the *Statuta ecclesiae antiqua* and for the Council of Agde; PL 67 for the decretals
of Popes Innocent and Siricus (Dionysius Exiguus); C. Munier (ed), *Conciliae Africæ A.D.345–A.525*,

138
Elsewhere in the collection we do get some insight into this but, in order to understand it, it is first necessary to return to the three categories identified as `sub-grades' in the law tracts. There the third category is described, not simply as a `cleric' as in Hibernensis, but as a `cleric with a tonsure'. This qualification may be significant. The other two `sub-grades' – psalm-singer and acolyte – have an induction procedure or ordination rite. These characterize them and legitimize them in their role. The equivalent for the `cleric with a tonsure' was tonsuring. It entitled him to be regarded as a cleric. It was for him a legitimizing procedure. It would have been the only recognizable and recognized procedure that he would have gone through and it would have commanded a lot of respect, one must assume, given the extraordinary seriousness with which the form of the tonsure was viewed (whether it was the Celtic or the Roman form). As well as that a person who wore a tonsure would have visibly stood apart from the rest of the people. For these reasons it would have made sense to refer to this category as a `cleric with a tonsure'.

CCSL 149 (Turnholt 1974) for the Council of Carthage III (Collectio Hispana); PL 84 for the Council of Telepte (Collectio canonum S. Isidori Hispal. ascripta).

186 However, note the way that `Gu coraind' is separated from `cleirech' in the passage on the three sub-grades (CIH 1595.22-4). Binchy suggests that `Gu coraind' be taken along with `cleirech' despite the separation (idem, Corpus, v 1595 n g-g). It is perhaps possible that `Gu coraind' was added later. If this were the case, then the three categories, before the addition, would have been described in exactly the same way as in the title of Book 9 of Hibernensis.

187 CCH 9.2.b.

188 CCH 9.1.

189 That the subject of tonsuring was still at issue in Ireland in the late ninth century could be inferred from an entry in the Annals of Inisfallen s.a. 887. The editor translates it as follows: `Anealoen the pilgrim, came to Ireland, and the wearing of the hair long was abolished by him, and tonsures were accepted'.
And there is evidence to prove that such clerics did exist. A passage in *Uraicecht Becc* states that the heirs of a church are ranked according to the church to which they belong even if they are not in holy orders provided that the means for sustaining their function in that church are otherwise good.\(^{190}\)

The part of this passage which refers to their not having orders carries an important gloss: ‘CENNI BEIT GRADA FORAIB BUDEISIN .i. gengu rabad grada orru budein acht a mbeth ina foltmaisi’\(^{191}\) (THOUGH ORDERS HAVE NOT BEEN CONFERRED ON THEMSELVES i.e. though there being no grades upon themselves but their abiding in their foltmaisi).

There has been some controversy over the translation of the word foltmaisi. Literally it means ‘hair beauty’ and given the context here it could be interpreted to mean either ‘tonsured’ or ‘not tonsured’. Atkinson follows

\(^{190}\) CIH 647.36-648.4 and 1603.5-10. Both of these include some glosses. Only one of these refers to the heirs of the church (‘do chomarbaibh ecalsa’ CIH 647.36). The other has instead the words ‘du gradaib ecalsa’ ‘to the church grades’ (CIH 1603.5). This seems to be an error, repeating the same words from the preceding passage (CIH 1602.38). It would appear that MacNeill made this assumption silently when he published a translation of *Uraicecht Becc* (E. MacNeill, ‘Ancient Irish law’, 275 §19). MacNeill observes in a footnote that the meaning of this passage is that the heir (‘comorbbe’) is equal in status to the principal ecclesiastic in his church. He also states that this passage is not likely to have been part of the original text as the early law tracts have no reference to laymen holding the office of heir to the headship of church or monastery (ibid. 275 n 2). However, MacNeill is wrong in assuming that not being in holy orders means that the heir is a layman. As will be shown later, he may be a tonsured cleric who, although he is not in orders, is nevertheless a cleric and not therefore a layman. It follows then that there is no reason to doubt, on that ground, that the passage did occur in the original text. Also it should be noted that a canon of *Hibernensis* (CCH 42.22) clearly shows that the abbot of a church does not determine its status even though he may administer it. This canon, which is attributed to *Synodus Hibernensis*, deals with the abandonment of an infant in a church without the knowledge of the abbot (‘ignorante abbate’). This reference to the abbot suggests that he is who administers the church. However, the penalty incurred for an offence against the church depends upon whether there is a bishop there or not. As the status of the church is independent of its abbot, it leaves open the possibility of the abbot getting his status from the church which he administers. In this way the canon is quite similar to the passage in *Uraicecht Becc* which is being discussed.

\(^{191}\) CIH 1603.8,9. See also CIH 648.2,3.
O’Donovan in interpreting it as ‘not tonsured’. Plummer disagrees with this interpretation and uses O’Donovan’s own citations to argue cogently that the word means ‘tonsured’. Noting that O’Donovan in his Supplement has two separate entries for the word *foltmaisi*, each with a meaning that is diametrically opposed to the other, he argues that a good deal of evidence would be required to substantiate such highly unlikely usages of the word.

He proceeds then to assess the evidence produced. He first looks at the passage which O’Donovan cites to back the interpretation of *foltmaisi* as meaning ‘tonsure’. It is a gloss on the first tract in the *Senchas Már* collection of Heptads. This tract outlines the seven types of churches whose deficiency renders them unentitled to the status appropriate to a properly run church.

One such church has a lay *airchinnech*, unrebuked by his abbot. According to a gloss, however, entitlement may be regained, if the *airchinnech* submits himself, *inter alia*, to the law of tonsure (‘fo dliged foltmaisi’), that is, by ceasing to be a layman. Plummer argues that this passage is strictly parallel

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192 Atkinson, *Ancient laws*, v 55 lines 3-4, 8-9. In his letter, which prefaces volume 5, Atkinson acknowledges that his translation is based upon that of Dr O’Donovan and Prof. O Curry (ibid. v p iii). O’Donovan does indeed translate *foltmaisi* in this gloss as an ‘untonsured’ person (E. O’Reilly & J O’Donovan, *An Irish-English dictionary: ... A new edition ...* with a supplement ... by John O’Donovan (Dublin ... & London 1864). See the second entry for the word *foltmaisi* in O’Donovan’s Supplement in this work).

193 ibid.


195 ‘CEALL A MBI AIRCHINDECH LAICH CIN CAIRIUGA DO ABUID’ (CIH 2.4). ‘A CHURCH OF WHICH THERE IS A LAY AIRCHINNECH WITHOUT REBUKE BY THE ABBOT’. See also CIH 1881.23-4.

196 ‘i.e. ceall a mbi aircinnech tuata cin cairiugh no cin cursachad don ap bis uasa no don esboce, uair ni fil eneclann don aircindech no go ropinne ocus co roerca ocus co rogab do laim tiachtain fo dliged foltmaisi’ (CIH 2.5-7). ‘i.e. a church in which there is a lay *airchinnech* without being rebuked or corrected by the abbot who is over him or by the bishop; for there is no eneclann for the *airchinnech* until he has done penance and paid éric and until he has undertaken to submit to the law of tonsure’. See also CIH 1881.28-9.
to the passage about church heirs in *Uraicecht Becc*, referred to above. Because of that, *foltmaisi* in that passage also means 'tonsured'.\footnote{This passage, in translation, is: 'THOUGH ORDERS HAVE NOT BEEN CONFERRED ON THEMSELVES ... i.e. though there be no grades upon themselves but they be tonsured ('acht a mbeth ina foltmaisi')' (CIH 1603.8,9). See also CIH 648.2,3.} That passage then means that heirs of a church, although they are not in orders, are entitled to certain privileges because they are tonsured. The parallel to this in the gloss to the first Heptad is that a lay *airchinnech* becomes entitled to certain privileges when, *inter alia*, he submits to the tonsure.

To confirm this interpretation of *foltmaisi*, Plummer looks at the second reference which O'Donovan produces, this time to support the meaning 'not tonsured'\footnote{Plummer, 'Notes', 39-40.} - a passage in *Cáin Adamnáin*. This tells us that what a church is due in compensation ('dire') is dependent upon the grade of the churchmen in it. It then says: 'leithdíre a foltmaissi cléirech namá cen guin, cen gait'\footnote{K Meyer (ed & tr), *Anecdota Oxoniensia*, Mediaeval and Modern Series – Part XII. *Cáin Adamnáin*. An Old Irish treatise on the Law of Adamnan (Oxford 1905) 26 §36.} ('half compensation only for a tonsured cleric who does not wound or steal'). It is difficult to know how O'Donovan concluded that *foltmaisi* means 'not tonsured' in this context.\footnote{Meyer admits to not knowing the exact meaning of *foltmaisi* although he notes that Atkinson in his glossary to his edition of the *Ancient laws* conjectures 'tonsure' as its meaning (ibid. 44 Notes on §36).} The passage, in fact, suggests that a

\footnote{An untonsured cleric does not make much sense except in the context of tonsuring being an ongoing exercise. Hair continues to grow and tonsuring would have to be applied regularly. In the *Teaching of Mael-Ruain*, one of the Tallaght documents, tonsuring is to be carried out on the last Thursday of each month with certain provisions being made if that requirement is not fulfilled (Gwynn, 'Teaching of Maelruain', 48 §83). So it is possible that a cleric who allowed his hair to grow and did not attend to its tonsuring could be considered to be an 'untonsured cleric'. However, if he persisted in such behaviour it is unlikely that he would any longer be considered to be a cleric. In any case, it is unlikely that such behaviour would lead to a special category entitled 'untonsured cleric' becoming established.}
A distinction is being made between what is due to a church in which there are men in ecclesiastical grades and what is due when only a tonsured cleric is there. Only half is due to the church under those circumstances. And it is made clear that the tonsured cleric must be well behaved; he must not wound or steal.202 The substantial evidence sought by Plummer to justify diametrically opposed meanings for *foltmaise*, therefore, does not exist. On the contrary, O’Donovan’s evidence, in fact, supports the interpretation of *foltmaise* as ‘tonsured’.

This is important when it comes to interpreting part of a commentary elsewhere in *Uraicecht Becc* which is concerned with the honour-price of people in different categories of churches. At one point it says:

‘Ma robadar-sen innti fri re in erluma no iarsan erlam, ocus ni uilet andossa, gebe duini uili is oircinnech innti, is letheniclann-sin do oircinnech i. uiii. cumala; ocus cemad foltmaisi dobeth i noircinnecht innti, co mbetis .uiii. cumala a [sic (ed.suggests ‘in(n)a’)] eniclainn-sin’203

‘If these had been in it [i.e. in a particular church] in the time of the patron saint or after the patron saint, and are not there now, every person who is *airchinnech* in it (now), half his honour-price is due to (such) an *airchinnech* i.e.

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202 There is a similar statement about good behaviour in *Críth Gablach*. There it is said that a churl (‘aithech’) is in a state of innocence when he does not steal or plunder or wound a person ‘cen gait, cen brait, cen guin doine’ (D. A. Binchy, *Críth Gablach*, Mediaeval & Modern Irish Series 11 (Dublin 1970) 6 (lines 142-43)).

203 CIH 1603.20-23. See also CIH 648.13-16.
eight cumals; and although it be a tonsured person who is *airchinnech* in it, eight cumals are his honour price.'

Immediately before this statement the commentator refers to the honour-price that applies when there was a bishop, a 'fer légind' and an *airchinnech* there. In the statement itself he deals with the honour price that applies when there is only an *airchinnech* there. Under those circumstances only half the honour-price applies; to stress the point he says it applies even though he is but a tonsured cleric. Implied in this statement is the fact that not only does the commentator see a tonsured cleric as a distinct ecclesiastical dignity but he also sees it as the lowest status he can imagine attached to a person, who holds the position of *airchinnech*. Even when one is as low in ranking as a tonsured person, he says, one is entitled to hold such a position. And we have already seen that when the three 'sub-grades' are tagged on in the vernacular texts, the tonsured cleric is always last. If such a person is the lowest rank the commentator can imagine holding the position of *airchinnech*, then that excludes an untionsured person i.e. a layman. That reflects exactly what we have already seen in the Heptads and the gloss in *Uraicecht Becc*. In the former an *airchinnech*, who is a layman, deprives a church of its entitlement to certain privileges but restores it on taking the tonsure. In the latter, the heirs of a church, who are not in orders, may be ranked according

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204 CIH 648.11-13; CIH 1603.16-20.
to the status of the church, provided they are tonsured. Tonsure is the key element in both. This is further confirmed by a passage in another law tract:

`Ni tiagad laith a nairitin neclasa ḇrl-. teit foltmaisi i cind chille iter chain ocus urradus ocus treabaid a ḋerand ocus beraid dliged necailsi. teit tuata i cind chille a nurradus ocus treabaid i ferand ocus nocho beraid dliged neclasa Ƀ a thobairt do bochtaib ocus do aidilgnechaib'205

`A laymen may not take possession of a church etc. A tonsure(d man) becomes the head of an ecclesiastical establishment under church and civil law and he cultivates his land and he gets what is due to the church. A layman becomes the head of an ecclesiastical establishment in civil law and he cultivates its land and does not in any way get what is due to the church but it is given to the poor and the needy'.

In this passage, which a marginal entry describes as a church law,206 a layman is forbidden to take what is due to the church. In contrast, a tonsured man may do so. The tonsured man is also in possession of a church under church law while the layman is not. The contrast suggests that to be tonsured is sufficient to qualify a man to be in charge of a church.

We return, as promised earlier, to the compilers of *Hibernensis* and their understanding of the category called *clericus* in the title of Book 9. This and the other categories of the title correspond exactly to the `sub-grades' of the

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205 CIH 978.39 – 979.2. The editor suggests reading *laith* as *laich*.

206 The marginal entry opposite the heading of the passage is given as `cain sin’ ‘that is church law’ (Binchy, *Corpus*, 978 note h).
vernacular texts except that there it is called 'cleric with a tonsure'. The compilers were fully alive to the importance of the tonsure; they devoted a full book to it. Nowhere in this, however, is there any indication that it is possible to be a tonsured cleric without being in orders. One has to look elsewhere in *Hibernensis* for this; in fact, to a book dealing with a completely different topic, the position of the *princeps* (or *airchinnech* in the vernacular) and entitled *De principatu*.

One of its chapters (*De laicis principatum affectantibus*) explains in its first two canons why it is inappropriate for laymen to hold the position of *princeps*; it is assumed that they are warriors and have blood on their hands. However, the third goes on to warn of the danger of laymen attempting to overcome this prohibition by resorting to a certain ruse:

> "Quidam desiderio honoris inflati defunctis episcopis tunsurantur, et fiunt..."

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207 CCH 52. *De Tonsura*. The contents of this clearly reflect the dispute that had taken place over the form of tonsure used in Ireland. They make it clear that only the Petrine or Roman form of tonsure is acceptable. They give reasons, which they attribute to the Romani, as to why Peter wore this type of tonsure. Apart from those with religious or theological significance, one reason they give is eminently sensible. ‘The Romani say ...that in the tonsure clerics have a mark of distinction from the laity and as they are separated (from them) in their appearance so also in their deeds’ (CCH 52.3.3).

208 According to Hughes, the word *airchinnech* became more frequently used in the later ninth and tenth centuries, thus reflecting a shift in emphasis in its function (Hughes, *Early Irish society*, 223). Binchy, however, in a review article on this book, disagrees. He suggests that *airchinnech* was probably the first term to be used for the head of a monastic foundation. He says that the Latin word *princeps* is a calque on it. Its use in the annals from the later ninth century merely reflects the increasing use of Irish in these sources (D. A. Binchy, ‘Review article on K. Hughes *The church in early Irish society*’, *Studia Hibernica* 7 (1967) 217-19: 219.

209 CCH 37

210 CCH 37.24

211 CCH 37.24.a,b In fact, the words ‘de laicis’ in the title of the chapter could be translated as ‘concerning warriors’ just as they are translated ‘concerning lay people’ above. The word *laicus/16ech* can have a semantic range that includes ‘brigand’ (R. Sharpe, ‘Hiberno-Latin *Laicus*, Irish *Láech* and the devil’s men’, *Ériu* 30 (1979) 75-92: esp. 79-80). However, this meaning is not appropriate here as the third canon in the chapter, about to be discussed, refers to these people as *milites* (‘soldiers’ or ‘warriors’). See also P. Mac Cana, ‘On the word *láech* ‘warrior’’, *Celtica* 11 (1976) 125-28.
repente ex laicis principes, atque inverecunde religiosi propositi ducatum arripiunt, qui nec se esse adhuc milites didicerunt' 212 'Certain men, filled with a longing for honour, are tonsured by ex-bishops, and suddenly from being laymen they become principes. And so they shamelessly seize the leadership of a religious way of life which, till now, soldiers have learned is not theirs'.

The compilers are here clearly warning against the danger of ambitious men or soldiers 213 getting tonsured by former bishops 214 and so being entitled to become principes. Although they are said to shamelessly seize the office it will be noted that they first take care to be tonsured. The validity of their tonsuring may be challenged by the description of the bishops' status but there is no challenge to the tonsuring process itself. It appears from the canon to be accepted as being an appropriate minimum for assuming the office of princeps. 215 There is absolutely no reference to any of the seven church orders being sought by these men. Just as in the law tracts, tonsuring is all that is required; it changes a layman into a cleric and gives him the distinguishing mark of the cleric as the compilers say elsewhere. 216 It does not need

212 CCH 37.24.c.
213 'All laymen not somehow incapacitated were potential warriors, cf. ōac/ó: ‘young man’ and hence ‘warrior’' (MacCana, ‘On the word Ḗch’, 126 n 6).
214 ‘defunctis episcopis’. The word ‘defunctis’ suggests that the bishops are no longer seen to be holding office or to still have episcopal potestas.
215 It thus helps to make sense of the gloss in the passage of Córus Béscna which says that a patron’s family is entitled to succeed to the church as long as there is among them a person fit to be an abbot ‘even though there should be but a psalm-singer among them, it is he who will get the abbacy’ (CIH 1820.8-10).
216 CCH 52.3.2.
anything further, such as an ecclesiastical grade, to give him clerical status; it
stands on its own. He who possesses it is clearly the 'cleric with a tonsure'
found in the 'sub-grades' of the legal texts\textsuperscript{217} and the \textit{clericus} in the title of
Book 9 of \textit{Hibernensis}.

And there is a considerable amount of evidence of a non-legal nature which
suggests that such clerics did, in fact, exist. In the Martyrology of Oengus, a
short hagiographical note associated with the feast day of Óennu describes
how Círín of Clonmacnoise chose Óennu as his successor. They met as Óennu
was on his way to go into military service with the king of Connacht. Círín
suggested that it would be better for him to go into the service of God. Óennu
agreed. The note continues: 'Tecstar a folt annsin 7 ailtir frisin eclais. Gabais
comorbus Círín, ut Círín profetavit' (Then his hair is clipped, and he is
fostered in the church and he took Círín's coarbship afterwards, as Círín
prophesied).\textsuperscript{218} It is, of course, possible that Óennu received orders at some
point before assuming the role of \textit{comarbae} of Círín but, significantly, it is
only tonsuring that is mentioned.

However, the evidence found in an ecclesiastical service book, is, perhaps,
even more significant. It has been noted earlier that Giraldus Cambrensis

\textsuperscript{217} CIH 1595.23-4; 639.23; 2212.27; 2102.17.

\textsuperscript{218} Stokes, \textit{Féileire Óengusso}, 37, 48-49. The martyrology was composed ca. 800 but it is not clear
when the note was composed (ibid. pp ix, xlvii-xlviili). The same story appears in a Latin and an Irish
Life of Círín but without any reference to Óennu's intention to go into military service of the king of
Connacht. However, in both cases it is stated that Círín tonsured Óennu who was later to succeed him
as abbot of Clonmacnoise. No mention is made of any other form of ecclesiastical status being
conferred on Óennu (Plummer, \textit{Vitae}, i 210; W. Stokes (ed), \textit{Lives of saints from the Book of Lismore}
(Oxford 1890) 129).
believed that the people whom he called ‘lay abbots’ and who were present in many churches in Ireland and Wales had been first established by the clergy as ‘patrons and defenders of the household or rather of the churches’ (oeconomı seu potius ecclesiarum patronı et defensores’) but later usurped all church property, left the clergy to subsist on church earnings and caused themselves to be called abbots.\textsuperscript{219} However, evidence from the service book tells us that these lay defenders were, in fact, admitted into the clerical order despite what Giraldus says. The service book is a late tenth or early eleventh century pontifical belonging to the ‘old Celtic monastery-bishopric of St Germans in Cornwall’.\textsuperscript{220} Although it is not Irish it may, in this respect, reflect ecclesiastical practice in Ireland.\textsuperscript{221} Before it deals with ecclesiastical grades it gives a short explanation of the rules governing promotion from one grade to another – from lector to bishop\textsuperscript{222} and concludes: ‘Moreover defenders (defensores’) of the church, who, men of one wife, are drawn from among laymen if they are held to the aforesaid rule and if they should merit it by their life and habits and knowledge of the scriptures, may be admitted into the clerical order’.\textsuperscript{223} The important thing to note here is that

\textsuperscript{219} Dimock, \textit{Giraldi Opera}, vi 129 (cap.iv).
\textsuperscript{221} It is of relevance to note that in the Old Irish legal text, the glosses of which give the function of each of the three ‘sub-grades’, the function of the ‘cleric with a tonsure’ is given, in part, as ‘bis i comairci isin eilais’ ‘he who gives protection [sanctuary] in the church’, a function which bears a close resemblance to the role which was probably played by defensores. (See footnote 179 above).
\textsuperscript{222} Lector, exorcist, subdeacon, deacon and bishop are the only grades specifically mentioned (Doble, \textit{Pontificale}, 48).
\textsuperscript{223} ‘alioquin defensores eclesies qui ex laicis fiunt unius uxoris viri si in supradicta observatione teneantur et si vita et moribus et scientia scriptuarum meruerint in ordine clericatus admitti debent’ (ibid. 48).
these laymen who are admitted ‘in ordine clericatus’ are not being admitted to any of the ecclesiastical grades that had just been discussed. They are given clerical status but not ecclesiastical grade. After this the pontifical gives the form for admitting a psalmist followed by a listing of the seven church grades which does not include the acolyte. However, when the ordination rites for all the grades are given, one for an acolyte is included but it differs from the others in that, unlike them, it is not followed by the rubric: ‘Hucusque primus/ secundus/ tertius gradus’ (‘Thus far the first/ second/ third grade’). Because of this and because of its omission from the listing of the seven grades it would appear that it was not considered to be a full grade. The pontifical, therefore, states that there are seven grades but it also gives an ordination rite for an acolyte, a form for the admission of a psalmist and a rule whereby laymen who are ‘defenders’ of the church may be admitted to the clerical order. It thus reflects exactly what was recognized in the early Irish laws and in Hibernensis, that is, that there were seven ecclesiastical grades and three ‘sub-grades’. In particular, it gives clear evidence that certain married laymen who acted as ‘defenders’ of the church and who, according to Giraldus, ‘caused themselves to be called abbots’, could be admitted to clerical status. However, it does not give any information as to whether an induction rite existed. It seems reasonable to suggest that, at the

224 Doorkeeper, lector, exorcist, subdeacon, deacon, priest and bishop (ibid. 49). It is explained how Christ fulfilled the role of each of these grades during his life.
225 Ibid. 51.
226 Ibid. 50-52.
very least, such `defenders‘ would have been tonsured on being admitted to clerical status and it is quite likely that this tonsuring would, in fact, have been the induction rite.

There is further evidence available that these `defenders‘ were admitted to clerical status but without ecclesiastical orders; it is found in the mid-twelfth century eschatological text, `The vision of Tnugdal‘, written by the Irish monk Marcus. In this, the soul of Tnugdal is led by its guardian angel through the various states of the other world where it observes the many punishments meted out in hell and the different experiences of heaven. In the second highest compartment of heaven, accompanied by martyrs, saints and worthy monks and nuns, are found `builders and defenders‘ (`constructores et defensores‘) of churches. These, the angel tells Tnugdal’s soul, when on earth `were welcomed into the brotherhood of those churches and through the admonition of those churchmen, leaving the secular condition they restrained themselves from carnal desires‘ (`ipsarum (ecclesiasiarum) fraternitatem consecuti sunt et per illorum commitionem relinquentes secularum habitum continebant se a carnalibus desideriis‘).

They are thus seen to have entered the clerical status but since we are told that they included women as well as men it may be assumed that they did not receive ecclesiastical orders; furthermore the text makes it clear that they were not monks either.227

The next evidence is from a much later date, the early seventeenth century and is associated with the preliminaries to the plantation of Ulster. It is not new evidence; it is well known to historians. In fact, only three or four years after it was collected, it was used by Ussher. However, what he wrote was not nearly so accurate as that written by Sir John Davies, the Attorney-General in Ireland. This is contained in a letter which he wrote to Robert, Earl of Salisbury in 1607. What impresses one most about this is that Davies, a lawyer, appeared to be quite curious about the kind of ecclesiastics the comarbae and the airchinnech were; going so far as to engage ‘a brehon ... (who) had some skill in the civil and common laws’ to enlighten him. Not only that, he was so concerned about the accuracy of his information that he transcribes from what he calls ‘a certificate in Latin made unto me by an Irish scholar whose opinion I required in this matter’. He says in the letter to Robert, Earl of Salisbury, that he is ‘inserting’ this document as proof of the authenticity of what he is writing and to guard against any defect in what he has written due to a lapse of memory between the time he got the

228 Gwynn quotes a passage from it and is prompted to refer to it as ‘a familiar passage’ (Gwynn, Irish church, 158-59).
230 ‘A letter from Sir John Davies, knight, attorney-general of Ireland, to Robert Earl of Salisbury, touching the state of Monaghan, Fermanagh, and Cavan, wherein is a discourse concerning the corbes and irenahs of Ireland. MDCVII’, H. Morley (ed), Ireland under Elizabeth and James the First (London 1890) 343-380: 364.
information and the time he wrote the letter.\footnote{ibid. 365-36.} That this document actually existed is attested by the fact that Ussher calls it a 'certificate delivered unto Sir John Davies' before quoting it in toto and verbatim.\footnote{Elrington, The whole works, xi 432.} The document, therefore, represents first hand information from a contemporaneous Irish scholar. It describes the comarbae as 'initiatus sacris ordinibus'. As well as that it describes his office as a dignity and not as an ordo ('Corbanatus ... dignitas est').\footnote{Morley, Ireland. 366.} The use of the word 'initiatus' is of particular interest. According to the example given in Du Cange it would suggest that it is separate from ordination.\footnote{D. Du Cange, Glossarium mediae et infimae Latinitatis (10 vols, Paris 1937-38) s.v. initiatum.} That would indicate that the comarbae was initiated, but not ordained, into holy orders. This would imply that he was tonsured only as that is the first step in becoming a cleric. And indeed this impression is confirmed in very clear cut terms when Davies proceeds to describe the airchinnech. He describes his status in the clearest fashion and what he has to say is in keeping with what we have already found in the early sources. Writing about him, he says 'He had always primam tonsuram, but took no other orders'.\footnote{Morley, Ireland. 367.} In other words he was not a layman but a tonsured cleric without orders; exactly what we have sought to show existed in the earlier church.
Davies put his finger on it when he referred to the *comarbae* and *airchinnech* as 'ecclesiastical persons the like whereof are not to be met in any other part of Christendom ... but only in the countries that are mere Irish'. As such, Giraldus Cambrensis would not have recognized them as clerics. For him anyone not in orders would automatically be considered to be a layman. Similarly for Bernard of Clairvaux although it should be noted that he, presumably on the basis of information supplied to him by Irishmen familiar with the situation, merely referred to the people holding the abbacy of Armagh as 'married men without orders', a description which is quite accurate. However, this was sufficient for Ó Fiaich to dub them as laymen.

And indeed the same would apply to most other historians since the position of the western church in general would be that one could not be a cleric without being in at least one of the seven ecclesiastical grades. However, things were different in the early Irish church and indeed in parts of it, as we have seen, right up to the seventeenth century. And the continuity of practice in those parts over such a long period is indeed impressive. John Davies' evidence shows that they did adapt to the post-reform church structure of dioceses with bishops in control. But, whatever changes that adaptation

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236 ibid. 364.

237 Gwynn actually quotes from the letter of Sir John Davies to substantiate his statement that 'there can be no doubt that the erenaghs of a later period were laymen'. However, his quotation carefully avoids any reference to the *airchinnech* having the privilege of clergy or to him being a clerk who was not in orders or to the fact that he always had *primam tonsuram* but took no orders – all of which is in the letter (Gwynn, *Irish church*, 158-59).

238 For example the *comarbae* had his own stall in the choir of the cathedral and had a voice in the chapter (Morley, *Ireland*, 365). This would suggest that the bishop recognized his clerical status.
brought about, it did not change their locally recognized status as clerics. It
must have been a unique situation in the post-Tridentine church.

The consensus among historians that laymen took control of the offices of
comarbae and airchinnech - whether before or after the Norse invasions does
not matter - must be revised. It is no longer acceptable, in the context of the
pre-reform church in Ireland, to equate the absence of ecclesiastical orders
with being a layman. In this discussion it has been shown that there is
another possibility. One could be without orders and still be a cleric with all
the implications in Irish society that such a dignity conferred upon a person.

While those in orders and especially the bishop were held in high esteem,
clerics in general were likely also to have had an honoured place in society.
The visible distinction afforded them by their tonsure would have helped
this. In such a situation it is easy to see why a comarbae or airchinnech who
was a cleric, but without orders, could be an acceptable person to hold an
important administrative position in the church. When historians speak of
these positions being held by laymen they tend to see such a situation as an
abuse.239 If, however, it is accepted that these men were not laymen but
clerics without orders the situation is changed and the question of whether it
was an abuse or not does not arise. It is, of course, possible that in practice
men who were not clerics and were, in fact, laymen did, on some occasion,

239 There has been a tendency to move away from that position in recent times. Hughes is hesitant
about calling it that. Her solution is to put inverted commas around the word ‘abuses’ in her chapter
on the subject (Hughes, Early Irish society, 157-172). Ó Corráin reflects this attitude also (Ó Corráin,
Ireland before the Normans, 83).
usurp these positions. But if they did, they did so without the approval of the church. The first tract in the collection of Heptads is quite clear on that. According to it a lay *airchinnech* is not considered to be a suitable person to be in charge of a church.\(^{240}\) This view is echoed in *Hibernensis*.\(^{241}\)

A further confirmation of our conclusion is that it clarifies some hitherto unexplainable items. Despite their not holding orders and taken by historians to be laymen, many pre-reform *comarbai* of Patrick were, nevertheless, often considered in their time to be clerics. Mael Muire is reported on his death in 1020 as head of the clergy of Ireland or of the West of Europe\(^ {242}\); an unlikely title if he were then seen to be a layman. His successor, Amalgaid, was present along with the *comarbai* of Colum Cille and Ciarán at the death-bed of king Maelsechlainn Mór in 1022; despite the presence of a priest (implied in a reference to masses) he anointed the king.\(^ {243}\)

This action reflects a well-known motif in Irish hagiography - a dying man being ministered to by a famous or holy man\(^ {244}\); nevertheless it is unlikely that a layman would anoint the dying king in the presence of a priest. That he was, in fact, considered to be a cleric is confirmed by a charter (dated 1033x1049) in the Book of Kells witnessed by two separate groups; by the

\(^{240}\) CIH 2.4. See also CIH 1881.23–4.

\(^{241}\) CCH 37.24.

\(^{242}\) AU, ALC, AFM, CS, AT.

\(^{243}\) AFM, CS.

\(^{244}\) For examples of this see *Vita S Aidi Killariensis* (Heist, *Vitae*, 170 §11; Plummer, *Vitae*, i 37 §7). *Vita S Cainnechi* (Heist, *Vitae*, 198 §60; Plummer, *Vitae*, i 169 §46). *Vita S Finani Abbatis de Cenn Etigh* (Heist, *Vitae*, 154 §7; Plummer, *Vitae*, ii 88 §6); *Vita Prior S Fintani seu Munnu* (Heist, *Vitae*, 209 §35; Plummer, *Vitae*, ii 238 §30).
comarbai of Armagh, Clonard and Clonmacnoise ‘of the clergy’ and by local rulers ‘of the laity’. All three comarbai are thus considered to be clerics but the only one named is Amalgaid. Later that century, in 1096, the people of Ireland were spared from danger because ‘God protected them through the fasts of the successor of Patrick and the other clerics of Ireland’, suggesting that the then comarbae, Domnall, was also considered to be a cleric. Finally, Muirchertach, who became comarbae on Cellach’s death (1129) and said to be a layman, is reported as imparting his blessing while on circuit - hardly the action of a layman.

Next, there are the reports of the synod of Raith Bressail (1111) in the annals: all refer to the different types of ecclesiastics who were present. Even though they do not all agree exactly on how many were there, all report the number

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245 G. Mac Niocaill (ed), Notitiae as Leabhar Cheanannaí 1033-1161 (Cló Morainn 1961) 10-12. For date of charter (ibid. 12). For translation of witness list see J. O’Donovan, The Irish charters in the Book of Kells, Miscellany of the Irish Archaeological Society, i (Dublin 1846) 127-158: 139. Kenney described this charter as ‘the most solemn kind of agreement known to Irish usage’. His response to finding Amalgaid among a group described as clergy neatly sums up the dilemma faced by historians who knew that the comarbai of Armagh at this time were not in orders but yet, as in this case, found them described as clerics. He wrote that ‘the term “clergy” was used in a wide sense as applying to all connected officially with the church’. This, it must be admitted, is a rather weak attempt at explaining what must have appeared to him to be rather strange i.e. a man not in holy orders being described as a cleric (Kenney, Sources, 754-55 §628 & notes thereto).

246 ‘ro thesairc Dia tria troiscibh comarba Patraicc ocus cleirech nErenn archena’ (AU s.a. 1096). A similar entry in ALC s.a. 1096 is translated by the editor as ‘God and Patrick saved them through the fasting of the comarb of Patrick and the clerics of Erinn besides’.

247 Ó Fiaich, ‘Armagh under lay control’, 118.

248 Apart from these annalistic references to the comarbai of Patrick, which fit well with their having the dignity of a cleric, there is an annalistic reference to another comarbae — that of Comgall — which clearly states, in a praise poem composed for him, that he is a cleric. This follows a description of him which states that he is ‘a scribe and an anchorite and apostolic doctor to all Ireland’ but nowhere makes any reference to his holding an ecclesiastical grade (AU s.a. 929). Also note the name of the airchinnech of Cork — ‘Cleirech H Selbaig’ (AU s.a.1085) and the name ‘In Cleirech Hua Conchobair’ (AT s.a.1044 and 1069).
of bishops and priests present. Some report on the number of students (‘mac necalsa’) present while others tell us how many deacons were there. Three annals recount the number of ‘aes graid’ (‘men in orders’) who were present but two of these go on to state and there is no counting the clerics (‘cleirchib’) because of their number. These clerics, who were present but were so numerous as to be uncountable, were therefore separate and distinct from those described as men ‘in orders’. Who could they be? There could be no answer to this question as long as the view prevailed that only those in orders were deemed to be clerics. Now that it has been established that in the early Irish church this was not so and that it was possible to be a cleric while not being in orders it is possible to answer this question; they were comarbai and airchinnig. This should not come as a surprise. Given their prominence in the church at this time one would expect them to attend important synods. Although it is often fairly difficult to interpret the rather laconic entries in the annals it is not uncommon when reporting on a synod or council to refer to the presence of both laity and clergy also referred to as men or subjects of Ireland. This is sometimes qualified by referring to them as the chiefs of the laity and the chiefs of the clergy. The overall impression given by all

250 AFM, AU, AI, AT, CS, ALC.
251 AFM, AU, ALC.
252 AT, CS.
253 AI, AT, CS.
254 AT, CS. The translation given in the latter annals is ‘and there is no counting the multitude of their clerics besides’.
255 AFM s.a.1050; AT s.a 1101; CS s.a.1097; AI, AT s.a. 1111; CS s.a 1107.
256 AT, AC s.a. 1101; CS s.a. 1097; AI, AT, s.a.1111; CS s.a. 1107.
257 AFM s.a. 1101.
those entries is that a fairly wide spectrum of people attended. Such a
spectrum would surely have included a large number of comarbai and
airchinnig. Indeed, it is more likely that these are the people referred to in a
number of annals as 'mac neclasa'. This has been translated variously in the
editions of the annals as 'students', 'clerics' or 'ecclesiastics'. Unlike the
annals where it is said that they could not count the clerics other than the
men in orders, these annals say that there were three thousand 'mac neclasa'
present.  

Finally, there is a legal text that can now be re-interpreted in a manner that
may provide us with a generic term for the clerics who do not have
ecclesiastical orders. The text in question is a short exposition on distraint in
Irish law, which, according to Binchy, cannot be dated any later than the
ninth century and which does not belong to that great and influential law
book, the Senchas Már. Although it had been included in the official edition,
The Ancient Laws and Institutes of Ireland, Binchy considered it to be of
sufficient importance to justify a new edition and translation. In his
introduction to that edition he notes that it is concerned with two particular
aspects of this legal activity; distraint of certain animals for special reasons

258 In the editions of AFM and ALC the translation given is 'and with three thousand students'. The
editors of AU prefer 'clerics' (Mac Airt and MacNiocaill edition) or 'ecclesiastics' (MacCarthy
and distraint of important classes of people such as kings, churchmen, poets, leeches and craftsmen.259 One passage reads as follows:

`aithgabail aesa ecolsa: troscad ocus apad iarum nad ngeba a paitir nach a credo ocus nad tet do sacarfaic ocus do aubairt; mad aes graid no aes creidme, (gat im?) toig a cluicc no im chois a altoire, ocus apad na rooifrither fuirri ocus nad mbentar cloc do trathaib; do airchindchaib ocus aes graid in so’260

'To distraint [a member of] the church folk: fast [against him] and give notice that he is not to recite his pater or his credo, not to go the sacrament or to mass. If he be a man in orders or [a member of the] clerical(?) order, tie a withe round the tongue(?) of his bell or about the foot of his altar, and give notice that no mass be said upon it (the former) and that the bell be not struck for the canonical hours; this applies to airchinnig and to men in orders’.261

Binchy is unsure of what the word `creidme' means. He tentatively translates `aes creidme' as `[a member of the] clerical (?) order'. Furthermore, he confesses in his Notes to be baffled as to `what the difference, if any, there is between áes gráid and áes creitme'.262 However, given that they are treated as

260 CIH 898.8-11. There are minor differences between this and the reading which Binchy gives in his edition which he had published some years earlier than his Corpus (Binchy, ‘A text on distraint’, 78, 80 §8).
261 This translation is based upon that of Binchy. There have been some changes made to it however (ibid. 79, 81).
262 Ibid. 83 §8.
separate categories in the passage ('aes graid no aes creidme') there must be no doubt that they are seen to be different from one another despite the fact that the passage also considers them to belong to the overall category of 'church folk' ('aes ecolsa') and subject to the same procedure when they are to be distrained. Having spelled out what that procedure is, the text goes on to say that it applies to airchinnig and to men in orders ('aes graid'). Perhaps here we have an explanation of that difference which so baffled Binchy. The two categories first referred to as 'aes graid' and 'aes creidme' are subsequently equated with airchinnig and 'aes graid'. The logical conclusion from this is that the airchinnech is considered to be among the category called 'aes creidme'. He is certainly not considered here to be among the category called 'aes graid'. This would suggest that at the time that this text was written the airchinnech was not necessarily considered to be a man in orders and those who were not were considered to be members of the 'aes creidme'. This may have been a generic term for the clerics who did not have one of the seven ecclesiastical grades and may well have been the category of clerics who were identified elsewhere in the laws as 'sub-grades' to those seven grades, one of which, of course, is the cleric with a tonsure.

263 This is the obvious inference to be drawn from the statement that the ruling on distraint applies to airchinnig and to men in orders, a statement which assumes that they are different categories. Since it is clear that men in orders often held the position of airchinnech, the passage here is presumably concerned to deal only with the situation where it is not so held.
When the synod of Cashel assembled in 1101 it is most likely, as we have seen, that among the laity and clergy who were reported as attending was a large contingent of *comarbai* and *airchinnig*. They would have been part of the clergy reported as being in attendance. They would have had no problem in approving the decree which stated "gan tuatadha do beith in a noircinneaib innte" (that laymen should not be *airchinnig* there [i.e. in Ireland]). They and the others attending who passed this decree were re-affirming what the church's position on the subject had been all along. That this was so can be seen from the remarkable continuity of the custom whereby *comarbai* and *airchinnig* were, at minimum, tonsured clerics without orders. As has been shown this custom can be detected in the early eighth century *Hibernensis*, in legal texts and in the annalistic references to the attendance at the synod of Raith Breasail in 1111. As well as that it was still in existence in a Gaelic part of Ireland as late as the early seventeenth century. It had thus survived, in certain places, the major reform of the church begun in the early part of the twelfth century. Gille of Limerick had a lot to say about various categories in the church from layman to pope. Nowhere in his work is there any reference to the existence of a cleric who was tonsured but not in orders.

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264 AT, CS, AC; O'Grady *Caithréim*, i 174; Ó Donnchadha, *An Leabhar Muimhneach*, 341.

265 ibid. 175.

The men assembled at Cashel, in re-stating what the church's position was in relation to the *airchínnech*, can hardly be said to have been introducing reform into that office. Attempts have been made to interpret the decree in terms of the Gregorian reform that had been in progress in the western church for some time before the synod assembled.\(^{267}\) A major characteristic of this reform was the attempt made to free the church from the control of princes. This control manifested itself in the princes' claim to the right of nomination of bishops and to their investiture with ring and staff. Surely it is stretching things too far to see a parallel between this reform and a re-statement of the Irish church's position on the status of an *airchínnech* - an ecclesiastical dignity unknown elsewhere in the western church. This is all the more so when one bears in mind that in preventing laymen from usurping this office, the decree is preserving the status quo whereby men who have a clerical status, equally unknown elsewhere in the western church, may retain it. It is true that the Gregorian reform is about freeing the church from lay interference. It is also true that the decree at Cashel is about preventing laymen from assuming the office of *airchínnech*. The parallel between the two, however, is totally superficial and devoid of substance. The Cashel decree is not a reforming decree; it is a re-affirmation of existing practice.

\(^{267}\) Gwynn, *Irish church*, 158. Watt, however, is more cautious, separating decrees at Cashel that resemble Gregorian reform from those that do not (Watt, *Church in medieval Ireland*, 8-9; idem, *Two Nations*, 11-12).
3.3: Those with whom sexual union is forbidden

The next decree to be analysed is that which prohibits incestuous relationships. Again, before it can be determined whether it was a reforming decree or not, the contemporary situation in Ireland must first be examined. It is well known that complaints about marriage practices in Ireland in the eleventh and the twelfth centuries were numerous and scathing. Evidence of this abounds and is to be found in writings such as that of pope Gregory VII, archbishops Lanfranc and Anselm of Canterbury, Bernard of Clairvaux and Giraldus Cambrensis. Gregory wrote of the practice whereby many Irishmen not only deserted their lawful wives but even sold them. Lanfranc similarly complained about Irishmen abandoning or exchanging wives who are legally married to them. Anselm repeated these charges adding that they contract marriage within the forbidden degrees of kindred. Bernard of Clairvaux was even more scathing. He said that the Irishmen, to whom St Malachy was ministering, knew nothing about nor did they care about the contract of marriage. In fact, according to Bernard, they did not enter lawful marriage at all. Giraldus repeated this charge and included also a charge of incestuous marriage. All these complaints can be grouped under three

268 Cowdrey, Epistolae vagantes, 4 (letter 1); Clover & Gibson, Letters of Lanfranc, 66 (letter 8). The word Scottis in Gregory’s letter is taken to mean ‘Irish’ although this is not certain (Cowdrey, Epistolae vagantes, 5 n 1).
269 ibid. 68, 70 (letters 9, 10).
270 Schmitt, Opera, v 374, 382 (letters 427, 435).
271 Leclercq & Rochais, S. Bernardi Opera, iii 316 §7; 325 §16.
272 J. S. Brewer (ed), Giraldi Cambrensis Opera, RS 21-1,2,3,4 (4 vols, London 1862-73) i 68 (xiv); Dimock (ed), Giraldi Opera, v 164 (iii, xix).
headings. First, Irish people did not enter into lawful marriage. In other words they were not married in a lawful marriage ceremony. Second, many repudiated their wives even going so far as to exchange or sell them. Third, they contracted marriage within the forbidden degrees of kindred.

When the synod of Cashel met it addressed only one of these concerns – that about marriage within forbidden degrees - and did so in a manner that still evokes some puzzlement. It declared: "gan ben a athar ná a senathar, ná a siur ná a ingen, do beith ina mnaoi ag fer i nEirinn, ná ben a derbráthar ná ben ar bith chom fogus sin i ngaol' which Standish O'Grady translates as 'that in Ireland none should have to wife either his father’s wife or his grandfather’s, either his sister or his daughter; or his brother’s wife or any woman at all thus near akin'. Aubrey Gwynn sees this decree as 'astonishingly incomplete' and sees the inclusion of a prohibition on a man marrying his own sister or daughter as a 'monstrous anomaly'; so much so that he attempts, in translating, to establish that the sister and daughter whom, according to the decree, one is prohibited from marrying are, in fact, the sister and daughter of the grandfather, who is listed immediately before them in the decree, rather than of the man himself. He admits, however, that Professor Binchy finds this to be grammatically impossible. Alternatively, he suggests that the bishops might have been 'careless in their use of technical

273 O’Grady, Caithréim, i 175; tr, ii 185; see also Ó Donnchadhá, An Leabhar Muimhneach, 341.
274 Gwynn, Irish church, 168.
language'. This, however, is unlikely; so for the purposes of this discussion O'Grady's translation is accepted.

The thinking which underpins the decree, if it is to be properly understood, must be placed within the context of the Irish church's pre-existing position on incest. As we will see, it did have a rule that forbade incestuous relationships. However, its definition of what was incestuous was completely at variance with that which obtained in most of the western church. It was so much more narrowly defined than in other parts of the church that those who complained about the situation in Ireland thought that no rule forbidding marriage within a kindred existed there at all. This, as we shall see, was untrue.

Our knowledge of what that situation was likely to have been in the late eleventh century depends to a large extent on earlier sources like, for example, the penitentials. Bieler refers to the regular use in these of medical metaphors and to the fact that the penance prescribed in them is the cure for the souls of those who have sinned;276 one says that 'diversity of offences causes diversity of penances' and that there are appropriate remedies for the various 'wounds of the soul'.277 The penitentials, therefore, are a valuable source for revealing the attitude of their authors to incest as it can be detected in the severity or otherwise of the penance assigned to it.

275ibid. 168-70.
276The introduction to the B-text of the penitential of St Columbanus (Bieler, Penitentials, 46-47).
277ibid. 99.
Both the Cummean and the Old Irish one, quoting Cummean, assign a
penance of three and four years respectively together with permanent exile
for those committing incest within - but not including all - the range of
prohibitions expressed in chapter 18 of Leviticus. Exile is commonly,
though not exclusively, used in the penitentials as a punishment for errant
clerics and for offences related to the church. In the majority of cases, with
the exception of the most serious offences and in situations where the
offender is adjudged not to have carried out the obligation laid upon him,
the period to be spent in exile is not permanent. For example, in the
penitential of Finian, a cleric who is guilty of fornication and homicide is
assigned a penance of fasting for nine years but with declining severity
together with seven years in exile. Also in Cummean’s penitential a cleric
who begets a son is assigned a penance of seven years in exile. An example
of an offence that is seen to warrant a penance of permanent exile is given in
one of the Three Irish Canons. This states that a tyrant (glossed in the
manuscript as ‘king’) who kills ‘anyone attached to a bishop’ (‘aliquem juxta

278 Cum peregrinatione perenni’ in Cummean (ibid. 114 §7); ‘bith-ailithre’ in the Old Irish penitential
279 ibid. 76-78 §12.
280 ibid. 114 §17.
281 This small group of canons, along with a number of other items, was apparently copied by an
English scribe on to a manuscript for a bishop’s use around the turn of the eleventh century and was at
one time the property of Worcester Cathedral (Mary Bateson, ‘A Worcester cathedral book of
ecclesiastical collections, made c.1000 A.D’, English Historical Review 10 (1895) 712-731: 712, 721-
22).
episcopum’) is to give up his inheritance and that of his associates and is to
go into perpetual exile.\textsuperscript{282}

It is clear from these examples that the authors of the Cummean and the Old
Irish penitentials took a very serious view of incest that occurred within
certain of the Levitical prohibitions. This view is corroborated by the
inclusion of incest among the sins for which there can be no remission of
penance in the Old Irish table of penitential commutations or no forgiveness
in the Rule of the Céli Dé\textsuperscript{283} and by the inclusion of a man guilty of incest,
contrary to some of the Levitical prohibitions, among those whose offences
are so serious that whatever they drink becomes contaminated and as a
result an offence for others to drink.\textsuperscript{284}

Another source - law tracts with glosses and commentary - confirms the use
of exile as a penance for incest but, more generally also, the disapproval with
which incest was viewed. The use of exile as a penance can be seen in the
gloss on a fragment of the law tract, Côrus Fine (‘the regulation of a kin-
group’).\textsuperscript{285} The fragment ‘mad mac scrine’ (literally ‘in the case of a son of a

\textsuperscript{282}Bieler, \textit{Penitentials}, 182 §3.
\textsuperscript{283}ibid. 278 §5. In the B text, the Old Irish word ‘cuiligi’ has been translated as ‘incest’ (Binchy,
‘Commutations’, 58-59 §5). In the R text, the word appears as ‘cuilige’ and has been translated as
§5). According to Hughes (\textit{Early Irish society}, 178) the table was composed in the second half of the
eighth century in association with the ascetic revival of the Céli Dé. This opinion is corroborated by
the fact that the same attitude to incest is found in the Rule of the Céli Dé. This Rule spells out the
four things for which there can be no penance assigned – in other words, things which cannot be
forgiven. One of these is ‘diall fri coibdelai’ (‘transgressing with a kinswoman’). Written above
‘coibdelai’ (‘kinswoman’) is an explanatory gloss ‘i. siar no ingein’ ‘that is, a sister or daughter’, a
clear indication of the narrowness of the interpretation of the degree of kinship that was seen to incur
a charge of incest (E. J. Gwynn, ‘Rule of Céli Dé’, \textit{Hermathena} 44, second supplemental volume
(Dublin 1927) 64-87:74 (tr. 75). Gloss (ibid. 74 n 3).
\textsuperscript{284}Bieler, \textit{Penitentials}, 261 §17.
\textsuperscript{285}CIH 728.17-746.16. This tract is, itself, only preserved in fragments (Kelly, \textit{Guide}, 270 (appendix 1

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coffer') is glossed ‘i. mac so dorinne re coibdelaig ina richt bodein; ocus is ed
dlegar a cur i scrin lethair ar muir in eret bus leir gelsciath ar muir; sed masin
ferann-sin fein dorala aris é, is fognum fuidhre uadha do macaib na
primmna, ocus a beth amal gac mac indligthec isin fine’286 (‘this son is one
begotten on a kinswoman with cognizance of her identity the law is that he
be put in a leather box out to sea as far as a white shield will be visible on the
sea. But if it is in the same land he chances again he gives the service of a
fuidir287 to the sons of the primary wife and he is like every illegitimate son in
the fine’).288 Exile is the prime purpose of this exercise and it is clearly meant
as a punishment. Where the child goes is left to the judgement of God.289
Whatever the outcome of that, it means punishment for the child even if it
should return to its own land. In that case, it does not gain legitimate status
in the fine, having instead to serve as fuidir to the legitimate sons. Although
the punishment is visited on the child of an incestuous union, it is a clear
indication of the unacceptability of that union. It also seems appropriate that

\[\text{§21})\]  
\[\text{\textsuperscript{286}}\text{CIH 744.28-31.}\]  
\[\text{\textsuperscript{287}}\text{Translated (Kelly, Guide, 314) as ‘tenant-at-will, semi-freeman’.}\]  
\[\text{\textsuperscript{288}}\text{The translation, with a minor variation, is that given by Mary E. Byrne, ‘On punishment of sending}
\text{adrift’, Ériu 11 (1932) 97-102: 98-99. She calls her translation ‘tentative’ and explains that the words}
\text{‘her identity’ are literally ‘in her own form’ and the words ‘if it is in the same land he chances’ are}
\text{literally ‘if it is in the same land it has put him’. She also explains that ‘the sons of the first wife’ are}
\text{those ‘of his father’. ‘Primary’ rather than ‘first’ wife has been used in the translation given above.}\]  
\[\text{\textsuperscript{289}}\text{A connection has been shown to exist between voluntary exile or peregrinatio and exile as a}
\text{penance assigned for an offence. This connection came about through the practice of setting a person}
\text{adrift on the sea and leaving it to God to decide his fate – a practice that was introduced with the}
\text{advent of christianity as a form of Judgement of God but which evolved for some offences into}
\text{something that contained an element of punishment as well as of judgement (T. M. Charles-Edwards,}
\text{‘The social background to Irish Peregrinatio’, Celtica 11 (1976) 43-59; Kelly, Guide, 219-20).}\]
this fragment and its gloss should appear in a law tract that is concerned
with the regulation of a kin-group.

Elsewhere a commentary on an item in the law tracts states: `Adultrus in
no techt for coibdeluich do cach aen chena is inunn ocus int eisinnrucus i
mbreithir` (`Adultery or cohabiting with a kinswoman is for everyone equal
to unworthiness in word`). The commentary in general follows upon a
legal statement about the four dignitaries of a tuath who may be degraded
and deals with the way honour-price may be lost, partially or totally, and
regained and with the exemptions and treatments afforded to different
people. Some crimes that lead to deprivation of honour-price, described as
`false witness`, `false testimony` and `false arbitration`, seem quite similar to
`unworthiness in word`, to which cohabiting with a kinswoman is equated in
the sentence that immediately follows. If this is accepted, then `cohabiting
with a kinswoman`, while being considered serious enough would not be at
the top of the scale of infringements. Committed once it would reduce
honour-price by a half while treachery, kin-slaying and secret murder
result in loss of full honour-price. Although this method of comparison
may not be accurate, it may nevertheless give some impression of how
incestuous relations were viewed by the commentator on the introduction to

290 The commentary is on the last item of the introduction to Senchas Már (CIH 1661.36-7).
291DIL s.v. coibdelach: `techt for coibdeluich` is translated as `cohabiting with a kinswoman`.
292CIH 352.10-12.
293CIH 352.13-24; 1657.10-1663.19.
294CIH 1661.36-37.
295CIH 1661.8-10.
296CIH 1661.16-17.
the Senchas Már. And it is also worthy of note that the parties to the action are here directly condemned, not the child of such a union as was the case in the reference previously discussed and in the one now examined.

A law tract *Macšlechta* ('categories of sons') survives in fragmentary form as part of the Senchas Már. It seems that its main purpose was concerned with the rights of inheritance of sons.\(^{297}\) In it, it states that only certain categories of sons are entitled to inherit e.g. 'mac cetmuinndtír' ('the son of a first wife'), 'mac aititin' ('the son of acknowledgement') and 'mac adaltraigh urmadma' ('the son of a secondary wife who was betrothed'). Certain other sons mentioned do not have that right, although there may have been circumstances whereby they could gain those rights. They are called 'mic doirche' ('sons of darkness').\(^{298}\) In a different manuscript, also containing fragments of the text *Macšlechta* together with glosses on them, reference is made to the son of an incestuous relationship.\(^{299}\) Although the fragmentary nature of the text makes it difficult to interpret, it would seem that this particular son was also without the right to inheritance, not just because his parent's relationship lacked the characteristics that bestowed that right upon


\(^{298}\)CIH 1296.33-39; T. M. Charles-Edwards, *Early Irish and Welsh kinship* (Oxford 1993) 313-14. That such 'sons of darkness' are not considered to be in good standing with the Christian community may be inferred from what St Paul wrote to the Christians of Thessalonika (1Th 5:4-5): 'Vos autem, fratres, non estis in tenebris, ut vos dies illa tamquam fur comprehendent: omnes enim vos filii lucis estis, et filii diei: non sumus noctis, neque tenebrarum' ('But it is not as if you live in the dark, my brothers, for that day [of Judgement] to overtake you like a thief. No, you are all sons of light and sons of the day: we do not belong to the night or to darkness').

\(^{299}\)CIH 1546.26-1550.14. This contains the fragment of text plus the glosses. The reference in question is at CIH 1546.29-30.
their son but by virtue of the incest involved. This son is also called ‘son of darkness’, although the Old Irish word is different ‘mac dubtaidh’. The gloss explains this as ‘dogní coibdealach fri araile’ (‘a kinsman begets him with another [member of the kin]’), although the exact meaning of ‘coibdealbach’ - here translated as ‘kinsman’ - is difficult to pin down. Whatever the precise meaning, the information that is gained from the law tracts on the attitude to incestuous relationships is sparse; nothing at all is said about it in the law that regulates marriage, Cán Lánamna. Nevertheless, the attitude is clearly negative although not perhaps as negative as that displayed in the penitentials; the likely reason for this is that they are dealing with them in a totally different context.

In regard to another source - literary - Charles-Edwards has written, in the context of a metrical story Timna Chathaír Máir, that ‘it does not appear to have been regarded as incestuous for a man to have sexual relations with a wife of his father other than his mother.’ As justification for this statement he refers his reader to two references in Bede’s Historia Ecclesiastica. In the

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300 Charles-Edwards, Kinship, 316.
301 A gloss on it in the Leabhar Breac 10b 48 (cited in DIL) gives ‘sister or daughter’. ‘Coibdealbach’ is itself given as the Old Irish equivalent of consubrinus or ‘cousin’ in one of the Würzburg glosses (Stokes & Strachan, Thesaurus, i 677. The word glossed is in column 4.10). DIL translates it as ‘relative, kinsman, kinswoman’.
304 Charles-Edwards, Kinship, 315.
305 The first reference he gives, 2.27, must surely have been meant to be 1.27 which deals with the subject. In any case book 2 does not have 27 chapters. The second reference given is 2.5.
first, Bede records a number of replies that Gregory the Great gave to questions asked of him by Augustine, the man whom Gregory had sent to convert the English people. As part of one question, Augustine asked if it were lawful to marry a stepmother. Gregory, quoting scripture, replied that it was gravely sinful to do so. He also said that many English people had contracted such unlawful marriages before they had become christians but once they accepted the faith he warned that they must abstain. He conceded that they should not be punished for such offences committed through ignorance before baptism but he made it clear that those offenders who had since come to the faith must not continue to perpetuate their crime. There is controversy about the authenticity of Gregory’s responses and it does seem strange that Augustine should have posed the question in the first place given that the practice is expressly forbidden in Levitcus 18.8 and that Paul, in his first letter to the Corinthians, was so outraged by reports of the practice among Corinthian christians, which he said did not occur even among the Gentiles, that he advised them to turn the offender out of their community. It is equally strange that Gregory in his reply quoted none of these verses but relied upon an indirect argument using other scriptural sources. Whatever about the controversy the fact remains that Bede did

306 C. Plummer (ed), Venerabilis Baedae Opera historica (2 vols, Oxford 1896) i 50-52 (1.27); B. Colgrave & R. A. B. Mynors (ed), Bede’s ecclesiastical history of the English people (Oxford 1991) 84-87 (1.27).
307 Ibid. 79 n 4.
308 1 Co 5:1-2.
309 Lv 18:7; Mt 19:5.
incorporate them in his Ecclesiastical History. The second reference sees Bede recording with some horror the fact that, after the death in 616 of king Æthelberht of Kent, who was a christian, his son Eadwald, once on the throne, not alone refused to become a christian but married his father’s wife.\textsuperscript{310} However, in doing the latter, Eadwald was merely doing what Gregory had said that many English people, who were not christians, did. And it would appear also that this was in line with Germanic tradition.\textsuperscript{311} In fact, according to Bede, Eadwald eventually became a christian and when he did so he put away his unlawful wife.\textsuperscript{312} Despite Augustine’s apparent inquiry as to the lawfulness of marrying one’s stepmother, it seems to be quite clear that Bede was in no doubt about its unlawfulness. It is, therefore, difficult to see how Charles-Edwards could maintain that such a relationship was not considered to be ‘incestuous’.

Charles-Edwards, as we have said, made his statement in the context of Timna Chathair Máir. He did so in order to show that depriving a son, resulting from a sexual relationship with a stepmother, of his inheritance was due to the lack of recognition of that relationship and not because it was considered incestuous.\textsuperscript{313} Timna Chathair Máir is a story in verse which recalls

\textsuperscript{310}Plummer, \textit{Baedae Opera}, i, 90 (2.5); Colgrave & Mynors, \textit{Ecclesiastical history}, 150-51 (2.5).
\textsuperscript{311}ibid. 151 n 5.
\textsuperscript{312}ibid. 154-55.
\textsuperscript{313}Timna Chathair Máir ‘The testament of Chathair Máir’ was edited by M. Dillon as part of his edition of \textit{Lebor na cert} (The Book of Rights) - a book he describes as a compilation of ‘antiquarian learning’ reflecting ‘the revival of learning in Ireland in the eleventh century’ (M. Dillon (ed. & tr.), \textit{Lebor na cert: the Book of rights} (Dublin 1962) p.xx). He put Timna Chathair Máir into an Appendix (ibid. 148-78) as it seemed to him to be out of place in the main text and, because of its difficulty, he felt it should be treated separately.
the legendary bequests that Cathaír, believed to be king of Lagin in the second century, made to his sons; a story that was composed perhaps with the account of Jacob’s testament in mind.\textsuperscript{314} It tells of one of his sons, Eochu Timíne, as having had sexual relations with his father’s, Cathaír’s, wife. Both the deed and the perpetrators are strongly condemned, especially the son to whom Cathaír leaves no bequest although he does permit him to work as a husbandman with his brothers. Furthermore, his children would suffer as a consequence too: none would ever be king.\textsuperscript{315} Although there is here a clear condemnation of sexual relations with a father’s wife, the reason for it is not clear; it could be due to a breach of a moral code or the father’s outrage at his son’s action. It is probably a combination of both since the deed itself, in the abstract, is condemned. Part of the testament reads: ‘is esconn is étriathach / in lepthachas lánamhnais / athir is mac mi-chuirdech /.ic tuisliudh ic tairlighe /.fri mnai mir co mináire’. Dillon translates this as: ‘Impure and ignoble / is the marriage bed / father and unruly(?) son / tumbling and wantoning / with a fickle shameless woman’. The woman in question, it is made quite clear in the subsequent lines, is the father’s wife.\textsuperscript{316} There is similarly a mixture of motivations apparent in another literary source where disapproval is expressed about sexual relations between a stepson and the wife of his father. This occurs in a story which dates perhaps to

\textsuperscript{314} Ibid. 148-49. The account of Jacob’s testament is given in Gn 49.
\textsuperscript{315} Ibid. 148, 160-63.
\textsuperscript{316} Ibid. 160-63.
the early tenth century. It is called Fingal Rónáin and the main characters in it are Rónán, an unknown king of the Laigin, his new young wife who is the daughter of Echaid, king of Dún Sobairche and Rónán’s son Mael Fothartaig. Rónán’s new wife wants to have her step-son Mael Fothartaig as her lover but he strenuously spurns her advances. In revenge she tricks Rónán into believing that Mael Fothartaig has taken advantage of her sexually. As a result Rónán has Mael Fothartaig killed. The reason for this killing is clearly Rónán’s jealousy over his son’s perceived behaviour; it was not because of disapproval of sexual relations seen to be incestuous or morally inappropriate. Also Mael Fothartaig’s foster brother Congal strongly disapproves of the step-mother’s behaviour but he disapproves because she is bringing disgrace upon the king of Laigin. However, Mael Fothartaig’s extraordinary efforts to avoid his step-mother’s advances appear to be motivated, at least in part, by moral disapproval. At one point in the story he remarks that his guilt would not be greater if he met her (i.e. if he were to have sexual relations with her) than if he were to meet his mother (‘ní mó mo chin-sa do imrādud comraic frie ol-dass con-risainn frim māthair’).317 Although we cannot be certain that Mael Fothartaig’s feelings of guilt, should he have had relations with his step-mother, were due to his seeing

317 David Greene (ed), Fingal Rónáin and other stories, Mediaeval and Modern Irish Series 16 (Dublin 1955) lines 149-150. Suggested date of the archetype from which the story, in the two manuscripts which now contain them, is derived (ibid. 2). The story also appears, with translation, in K. Meyer, ‘Fingal Rónáin’, Revue Celtique 13 (1892) 368-97 and in R. Thurneyssen, Sagen aus dem alten Irland (Berlin 1901) 105ff. There is a summary and partial translation in Myles Dillon, The cycles of the kings (Dublin 1994) 42ff.

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them as being incestuous, his equation of his step-mother with his own 
mother in the matter would suggest that such was the case.

However, sexual relations between a son and a stepmother were condemned 
in Ireland in the Christian period as can be seen in another source - the Old 
Irish glosses on the Pauline epistles in a manuscript now held at Würzburg.318

In Paul’s first letter to Corinthian Christians, he chides them for their reaction 
to the man among them who was living with his stepmother. He says (1 Cor 
5:2) that they should have been grieving bitterly ‘ut tollatur de medio 
vestrum qui hoc opus fecit’ (‘so that the man who has done this deed should 
be removed from your midst’). This is glossed ‘i. conibé eter in peccato act 
cobeid in paenitentia’ (‘i.e. so that he may not be at all in peccato but that he 
may be in poenitentia’).319 Here the glossator explains expulsion from the 
community as doing penance to overcome the sin of living with one’s 
stepmother, a penance that is reminiscent of exile for the sin of incest in the 
Irish penitential system. Indeed it could be argued that the penalty of exile or 
expulsion from the community for incest could have come from this biblical 
source.320

318 There is no general agreement on the date of this manuscript; it has variously been assigned to the 
eighth, ninth or tenth century with some of the script going back to the seventh century (Stokes & 
Strachan, Thesaurus, p.xxiii).
319 Ibid. 551 gloss 2.
320 A further reminder of the Irish penitential system is found in a gloss that follows shortly 
afterwards. When the text in verse 5 speaks of handing over such a man (i.e. a man who has had 
sexual relations with his stepmother) to Satan to be destroyed as far as natural life is concerned in 
order that his spirit might be saved, the explanatory gloss on the word Satan is: ‘Satane i. donfresndid 
i. paenitentiae i. iscotarsne dondfalig darahési’ ‘Satanae, i.e. to the adversary i.e. 
poenitentiae i.e. opposed to the vice is the virtue which takes its place’ (ibid. 551 gloss 8). To 
counteract vices by their opposing virtues is in line with the aim of those Irish penitentials that 
expressly state their aim. In the Old Irish penitential, for example, it is stated in its introduction: ‘for
Although evidence in the penitentials, the law tracts, literary sources and glosses on the Pauline epistles may point to disapproval of incestuous relations, what has so far been reviewed is of no help in trying to discover what degree of relationship was considered incestuous. The Old Irish penitential is somewhat more helpful; it allocates two levels of penance differentiated by the degree of relationship. A more stringent penance is assigned to one who has an incestuous relationship with a mother, daughter or sister than 'with remaining relatives' ('isna coibdilcha olchene').

Unfortunately, he does not make clear how far this relationship extends. However, if it is to have any meaning at all, it must extend, at the very least, to the next level of blood relationship. That would include a granddaughter and an aunt. It would also, most likely, include the other relatives referred to

the eight chief virtues, with their subdivisions, have been appointed to cure and heal the eight chief vices, with whatever springs therefrom' (Gwynn, 'Irish penitential', 135-36). The author of the penitential of Finnian spoke of his penitential as the 'remedies of penance' and of the people (or things) that were cured by them (Bieler, Penitentials, 92-95). The author of the penitential of Cummean spoke of 'the eight principal vices ... (to be) healed by the eight remedies that are their contraries' (ibid. 101-02). The Bigotian penitential has eight chapters on the remedies of vices organised in line with the eight principal vices, each containing penances to act as 'remedies' for these vices (ibid. 214-39). This, of course, follows Cassian. The last eight books of his Institutes are each devoted to the principal vices with symptoms and remedies for each sin (O. Chadwick, John Cassian (Cambridge 1968) 42, 94). Cassian considered the sequence in which they were laid down was important. The penitential of Cummean and the Bigotian penitential follow his sequence exactly while the Old Irish penitential reflects some of the changes introduced by Gregory the Great a century and a half after Cassian's death (ibid. 95). Reflecting Gregory, it introduced 'envy' and amalgamated 'melancholy' and 'accidie' into one which it called 'tristitia'. However, unlike Gregory, it retained 'gluttony' in the first position and did not amalgamate 'vanity' and 'pride'.

Gwynn, 'Irish penitential', 144-45.
in Leviticus 18, given that the penitential, according to its introduction, had been ‘drawn up from the rules of scripture’. A much clearer description of the extent of prohibited relationships, however, is given in a different text that was quite obviously drawn up from the rules of scripture. This text is the Liber ex lege Moysi, said by Kottje to have been composed towards the end of the seventh century in an Irish monastery. It contains a fairly full exposition on the laws against incest contained in Leviticus 18, covering most of the categories of kin specified there. But it also specifies a category that is not included by name in Leviticus 18 - a niece. This was a move from the strict biblical position. Marriage between uncle and niece has never been considered unlawful for those of the Jewish religion and it was only after the Roman empire became Christian that such marriages were prohibited in Roman law. As to the impact of the Liber ex lege Moysi on the life of the early Irish church, Kottje

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322Lv 18.10 and 18.12-14 refer to granddaughter and aunts while the others are as follows: stepmother (Lv 18.8); stepsister (Lv 18.11); aunt-in-law (Lv 18.14); daughter-in-law (Lv 18.15); sister-in-law (Lv 18.16); stepdaughter or step-granddaughter (Lv 18.17). Relations with a stepmother have already been seen to be treated as incestuous.

323‘Conaemdetar sruithe Erenn a riaglaib na screptrae pennatoir dilgiud (ocus) freptha cech pecthae’ (Gwynn, ‘Irish penitential’ 135); (‘The venerable of Ireland have drawn up from the rules of the Scriptures a penitential for the annulling and remedying of every sin...’ (ibid. 136)).

324Raymund Kottje, ‘Der Liber ex lege Moysis’, P. Ni Chatháin & M. Richter (ed), Irland und die Christenheit: Ireland and Christendom (Stuttgart 1987) 59-69. Kottje changed the title that had been given to the text by Fournier to one that he considered more accurate grammatically (ibid. 59 n 2). His conclusion as to the date and provenance is: ‘Vielleicht darf man also annehmen, daß er in einem irischen Kloster gegen Ende des 7. Jahrhunderts verfasst worden ist’ (ibid. 66).

325This statement is based upon a résumé of its contents in relation to Leviticus 18 (L. Hardinge, The Celtic church in Britain (London 1972) 212). Although Kottje was quite critical of Hardinge’s treatment of the Liber ex lege Moysi, he did, nevertheless, accept that his survey of the content was generally correct (‘er am Ende einen in wesentlichen zutreffenden überblick über den Inhalt des Liber gegeben hat’ (Kottje, ‘Liber ex lege Moysi’, 68-69)).

challenges Hardinge’s view that it was of ‘paramount’ significance but does admit that it was probably used from the sixth to the end of the eighth century in many places as an ecclesiastical book of laws acting as a guiding principle (Richtschnur) of Christian life. It thus seems clear from evidence in both the Old Irish penitential and the Liber ex Lege Moysi that those named in the Levitical rules (with the addition of a niece) were adopted by the early Irish church as a guide in determining whether a relationship was incestuous or not and hence whether a marriage was allowed. However, when these rules are contrasted with those prevailing elsewhere in the church at the time, it becomes necessary to describe them in terms of degrees of separation. The reason for this is that the church generally prohibited marriage between those related to one another by a far greater separation than those specifically named in Leviticus.

This becomes clear when one encounters the so-called second synod of St Patrick: a synod probably held in the seventh century by ecclesiastics who favoured Roman reform, sometimes referred to as Romani. One of its canons refers specifically to the degrees of consanguinity that are observed in marriage. This is the only time, as far as can be discovered, that a record exists of this having been done in Ireland before the early twelfth century when Gille, the first bishop of Limerick, dealt with it in his tract De statu

ecclesiae. The canon, number 29, reads: ‘De consanguinitate in coniugio intellege quod lex loquitur, neque minus neque plus. Quod autem observatur apud vos, ut quattuor genera dividantur neque audisse neque legisse Romanis sedantur’ (‘On consanguinity in marriage, understand what the law says, neither less nor more. For what is observed amongst you, that four degrees (of consanguinity) are separated, has been determined to have been neither read nor heard of by the Romani’).329

Bieler, whose published text of this canon is somewhat different to this330, interprets the canon as probably being a criticism by the Romani against their opponents.331 Breen’s edition of the text, however, makes it much clearer that such is the case.332 Hughes, who used Bieler’s edition, is more specific. She sees it as a deprecation by the Romani of ‘the Irish customs (sic) of forbidding marriage within only four degrees’.333 In her view the Romani were trying to introduce a prohibition on marriage up as far as and including second cousins who were related in the sixth degree according to the

329 A. Breen, ‘The date, provenance and authorship of the pseudo-Patrician canonical materials’, Zeitschrift der Savigny-Stiftung für Rechtsgeschichte 112 (1995) 83-129: 116 (tr. 120). (There has been a slight modification made to the translation given there – ‘divitantur’ has been translated above as ‘are separated’ rather than ‘are excluded’).
330 Bieler’s text of the canon is as follows: ‘De consanguinitate in conjugio. Intellege quid lex loquitur, non minos[sic] nec plus; quod autem observatur apud nos, ut quattuor genera dividantur, nec vidisse dicunt nec legisse’. His translation of this is: ‘Of consanguinity in marriage. Understand what the law saith, neither less nor more: but what is observed among us, that they be separated by four degrees, they say they have never seen nor read’ (Bieler, Penitentials, 196–97). There are two notable differences between the two versions. Where Breen’s version has ‘apud vos’, Bieler’s has ‘apud nos’. Also Breen’s version has specific reference to the Romani while in Bieler’s it is necessary to infer a reference to them. For the manuscripts used in Breen’s version and the arguments in favour of this version see Breen, ‘Pseudo-Patrician canonical materials’, 96-102.
331 Ibid. 255 n 17.
333 Hughes, Early Irish society, 130-31.

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reckoning of Roman law. She believes that they were opposed by those in the Irish church who held out for a prohibition to the fourth degree only. However, it is not at all clear from the text of the canon that there was an Irish custom of forbidding marriage within four degrees. When it says that the Romani have observed in the Irish church 'that four degrees are separated' it could well mean that they observe in the church that couples who marry are separated by four degrees. Their observation that 'four degrees are separated' could mean that the church permits marriage between couples separated by four degrees but forbids those separated by less. But it could also mean that they observe the prohibition of marriage between those separated by four degrees. Either interpretation is possible but the former is more probable since they are more likely to have observed actual marriages taking place between those separated by four degrees than to have observed a rule stating that such a marriage was prohibited. And, as we shall see, the former is also more probable since it fits better with the evidence available elsewhere in the sources.

But how is one to interpret four degrees? The western church had at first followed the Roman method of computation but later changed over to the Germanic method which then became the canonical one. This has led to much confusion among scholars and it is not clear which one applies here.

335 Joyce, Marriage, 510-13.
It seems most likely, however, that, in using the word 'genera' to describe the number of degrees of separation between a couple, it is the Roman method which is being used,\textsuperscript{336} in which case four degrees would refer to first cousins.\textsuperscript{337} From this it would follow that, according to the above interpretation of the canon, the church in Ireland at the time permitted the marriage of first cousins and the Romani strongly objected saying that they never heard or read of such a thing.

And, in fact, according to Ó Corráin,\textsuperscript{338} there is evidence that such marriages could indeed have been contracted with the approval of the church. Dillon edited and translated a tract on the law of inheritance as it related to women.\textsuperscript{339} From this he concluded that a woman could only inherit a life interest in family land and he specified the rules which governed such an event.\textsuperscript{340} The son of such an heiress could only inherit the family land from her if his father had been of the same kin as his mother and was also her nearest surviving kin.\textsuperscript{341} In other words, an heiress who wished to pass on her inheritance to her son, rather than see it revert on her death to her 

\begin{itemize}
  \item \textsuperscript{336} The Roman method counts the number of acts of procreation that separates a couple (ibid. 512). The word \textit{genera} (sing. \textit{genus}) has its root in the verb \textit{gignere} (Perf. \textit{genui}) = to procreate, to beget.
  \item \textsuperscript{337} First cousins A and B have each a parent C and D. C and D are siblings with a common parent who is also a common grandparent of A and B. The number of procreations which separates A and B is as follows: the procreation of A, the procreation of C, the procreation of D and the procreation of B – four procreations in all.
  \item \textsuperscript{338} What follows in relation to female inheritance and close marriage as seen through the canons of \textit{Hibernensis}, is indebted to D. Ó Corráin, 'Marriage in early Ireland', Art Cosgrove (ed), \textit{Marriage in Ireland} (Dublin 1985) 5 –24: 11-12 and idem 'Irish law and canon law', Ni Chatháin & Richter, \textit{Irland und Europa: die Kirche in Frühmittelalter}, 157-66: 157-61.
  \item \textsuperscript{339} M. Dillon, ‘The relationship of mother and son, of father and daughter and the law of inheritance with regard to women’, Binchy \textit{et al}, \textit{Studies}, 129-79.
  \item \textsuperscript{340} Ibid. 178.
  \item \textsuperscript{341} Ibid. 150-51.
\end{itemize}

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could only do so if she had, in the first case, married her nearest relative within her fine. But how near could that relative be to the heiress? Quite obviously it could not include a brother; if he existed she would not have inherited in the first place. Neither could it include an uncle; marriage to a niece was prohibited, as we saw, according to Liber ex lege Moysi. The nearest relative, therefore, would be a first cousin. If she wished to pass on her inheritance to her son she would thus have to marry her first cousin (assuming, of course, that there was one available to marry).

And she got church support in doing this as can be seen in Hibernensis. This collection of canons devotes one complete book to inheritance - 'De parentibus et eorum heredibus'. One chapter within that book confirms that where a man dies without sons, his daughter stands first in the line of potential heirs, a situation to which it gives direct biblical support. This support is a virtual verbatim rendering of Nb 27:8-11. However, his daughter does not get the principal share of the inheritance. What this means is explained in a separate chapter. In this there are two references to the Book of Numbers. The first gives God’s decision in the case of

342 CCH 32.
341 ‘Concerning the inheritance of one who does not have sons. It must be preserved by the daughter and the remaining heirs after her’.
340 ‘Concerning the fact that the daughter does not obtain the chief division of the inheritance’.
345 ‘Concerning the fact that women share the inheritance but not the chief one.’
346 The text, in CCH 32.19.c under the title ‘Lex (Num 27.1ff)’, is: Filiae Selphat de tribu Manassen accesserunt ad Moysen in campesribus Moab dicentes: pater noster mortuus est, non habens filios, ... cur privamur hereditate eius? Moyses retulit hanc questionem ad judicium Dei, qui dixit: Rem justam postulant filiae Selphat; date eis hereditatem in medio fratrum suorum.
Selphaat’s daughters. Through Moses these daughters had requested God that they be allowed to receive their father’s inheritance since he had no sons. God gave as his decision that they should get the inheritance. However in the second reference, it recounts how God gave as a ruling ‘ut viris tribus suae nuberent, ne transferatur hereditas de tribu in tribum’ (‘that they be married to men of their own tribe lest the inheritance be transferred from one tribe to another’). Thus the daughters’ right to inherit was circumscribed by a precept, given by God, that they marry their kinsmen so as to retain the inheritance within the kindred. This, in fact, is a more forceful statement than that contained in the law tract edited by Dillon as it implies a duty to marry a kinsman. The explanatory gloss that Dillon finds most satisfactory in interpreting the appropriate section of the tract merely states that the only way a son of such an heiress could inherit would be, if the inheritance was ‘nearer to him on account of his father’s kin than to the rest of the fine’.348

There is no duty implied here although, of course, this does not preclude its

347 Nb 36:8. The remainder of the text in CCH 32.19.c is: Sed Dominus praecepit, ut viris tribus suae nuberent, ne transferatur hereditas de tribu in tribum. In quo inteligendum est, quod Dominus ideo dixit: Nemo copuletur uxori nisi de tribu suae, ne hereditas transferatur de tribu in tribum.

348 Dillon, ‘Relationship’ 150-51. As provided by Dillon, the relevant section of that tract that is glossed is ‘Ni mac bradas finntiga / Fine fri fod frithmeasa’ (CIH 216.35) ‘Munab neasa fire[hi]obneas / Mathair athair inorba’ (CIH 217.7). This is translated by Dillon as: ‘A son does not take family land, even to land which is restorable to the fine(?) unless the occupying father be nearer in true kinship to the mother’. The gloss from MS H1 (=H3.18 in TCD) on ‘ni mac bratus’ is ‘i. mac bancomarba ani-siu, ocus is inann fine dia mathair ocus a athair, acht ni bratfe finntiu in mac-sin a comabus a mathar manip nesa do-som ara athru in grian-sin ina bancomarba oldas don fine olcena’ (CIH 912.26-28). Dillon translates it as: ‘This is the case of the son of a banchomarba, and his mother and father are of the same fine, and that son shall not take family land as heir to his mother unless that land of the banchomarba be nearer to him on account of his father’s kin than to the rest of the fine.’ Charles-Edwards (Kinship, 518) has a normalized version and translation of the relevant section of the tract cited above: ‘Ni mac bratas finnted / Fine fri fot frithmeso / Manip nessa firchoibnius / Mathair athair inorbae’ (‘He is no son who steals kin-lands / In respect of land valued by the other side, / Unless a father capable of inheriting / Be nearer by true kinship than a mother’).
existence. The *Hibernensis* canon only gives God’s decision and precept in relation to Selphaat’s daughters but the bible narrative goes on to relate the fact that they all subsequently married sons of their father’s brothers, their first cousins or relatives in the fourth degree according to the Roman legal method of reckoning: an event that surely would not have gone unnoticed by the Irish canon lawyers.\(^{349}\)

A subsequent chapter in *Hibernensis*, which directly relates authors of the church to the position of female heirs, clearly shows this to be Irish church policy.\(^{350}\) This chapter is attributed to an Irish synod and the ecclesiastics who attended, according to Hughes were “more concerned to fit the church into the structure of native legal institutions than to bring it into line with continental practices”.\(^{351}\) These authors of the church saw female inheritance as temporary since they demanded “ut feminae heredes dent ratas et stipulationes, ne transferatur hereditas ad alienos” (‘that female heirs should give sureties and guarantees not to transfer inheritance to outsiders’).\(^{352}\) But they also state that in the event of their producing sons by men of their own kindred, they are to give them the inheritance.\(^{353}\)

\(^{349}\) Nb 36:11.

\(^{350}\) De his, qui addunt auctores ecclesiae in feminis heredibus (CCH 32.20). (‘About those things which church authors add in relation to female heirs’).

\(^{351}\) Hughes, *Early Irish society*, 129.

\(^{352}\) CCH 32.20.

\(^{353}\) There are three different wordings in relation to this. In the main one of Wasserschleben’s edition (CCH 32.20) – ‘si genuerint filios, viris suae cognitionis dabunt hereditatem’ (‘if they have produced sons, they will give the inheritance to men of their own kindred’) – it is not clear that it is the sons who get the inheritance or that it is men of their own kindred whom they marry. However, in the codex Vallicellanus, using somewhat similar words, this is more clearly stated: ‘si genuerint filios viri de cognitione sua, paterna hereditas eorum filiis erit’ (‘if they have produced sons by a man of their own kindred, the ancestral inheritance is owned by their sons’). This interpretation is supported by the
There are other references to biblical stories that involve marriage between persons who are closely related in the section of *Hibernensis* devoted to inheritance. For example, in the chapter about a father giving an inheritance to a daughter even though he had brothers, the biblical support given for this is the story of Caleph giving an inheritance to his daughter Axa who had requested it. However, when one reads the context within which Caleph makes his grant, it is seen that it is Axa’s husband, Othnill, who urged her to ask Caleph for the inheritance in the first case. And, importantly, Othnill is her first cousin on her father’s side; he is, in fact, the son of Kenaz, one of Caleph’s brothers. Another example can be found in the Carlsruhe codex which contains an extra biblical reference (Rt 4:2-6) in support of the chapter, discussed earlier, about women getting the inheritance but not the chief one. It emphasizes, not only the transient nature of female inheritance but more particularly, the fact that the nearest surviving kinsman gains the right of that inheritance through marrying the woman in question. The final example is found in a separate book that exists in three codices only.

rendering in the Carlsruhe codex: ‘Si peperint filios viris cognitionis hereditas paterna filiorum erit’ (‘If they bear sons for men of their own kindred, the ancestral inheritance belongs to the sons’) (Wasserschleben, *Kanonensammlung*, xxxii, xxxiv, 116 n (k)).

De eo, quod dare debet pater hereditatem filiae inter fratres suos (CCH 32.17). (‘Concerning the fact that a father ought to give an inheritance to a daughter among his brothers.’). The biblical reference given, in CCH 32.17.a, is Jg 1:14-15. The story also appears in Jos 15:18-19.

Wasserschleben, *Kanonensammlung*, 116 n (g). The Book of Ruth tells a story about Naomi and Ruth, a mother-in-law and daughter-in-law, both widowed and in possession of an inheritance from their husbands’ kindred. One of that kindred, Boaz, acquired the ownership of the inheritance by marrying Ruth but only after the closest kinsman, who was entitled to redeem the inheritance in the first case, refused to marry her in order to do so. This left the way open for Boaz as he was the next closest kinsman. The specific reference in the Carlsruhe codex - Rt 4:2-6 - is concerned with the part of the story where Boaz gains the right of inheritance through the unwillingness of the closer kinsman to exercise his right.
Wasserschleben printed the titles of the chapters but not their contents; one is concerned with the inheritance of a father, who has no son, going to the husband of his daughter provided that he is of the same kindred. The reference given is simply 'Tobias'; in the relevant bible story it is stated that the daughter is bound by the law of Moses to marry her kinsman. The canons of Hibernensis thus, not only approve of close marriage within a kindred in the interest of retaining its inheritance but, in fact, see it as a precept of both God and Moses. Although there is no explicit statement that first cousins may or indeed should marry in such an interest, it is clear in the case of Selphaat's daughters and Caleph's daughter, Axa, that they did, in fact, marry first cousins on their father's side, something that the canonists and those using the canons would be well aware of. As well as that, the other two references, although they appear only in some codices, give further biblical support to the right of the closest kinsman to marry an heiress in

357ibid. 171 n (cc). The three codices are Vallicellanus A.18, Cotton Otho Exiii and Bodleian Hatton MS no. 42 (ibid. xxxii- xxxiv). One of the chapters is entitled: De eo, quod omnia patris non habentis filium debentur viro filiae suae post mortem suam in una tribu ('Concerning the fact that everything belonging to a father who has no son is due, after his death, to the husband of his daughter who is of the same kindred').

358According to the bible, Tobias is the son of Tobit and Anna, a woman of his own kin (Tb 1:9. The references given here refer to 'Liber Tobias' (P. M. Hetzenaver (ed), Biblia sacra Vulgatae editionis (Innsbruck 1906) 419-27)). A kinsman of his, Raguel, has a daughter, Sarah, who is an only child (Tb 6:11). She is said to have a duty to marry Tobias and, as a result, he stands to get Raguel's inheritance (Tb 6:12). On a request from Tobias, Raguel, after some hesitation, agrees 'ut ista conjungeretur cognatone suae secundum legem Moysi' ('that she should be joined to one of her own kindred according to the law of Moses') and proceeds to hand her over to him (Tb 7:10-15). After the death of Raguel and his wife, Tobias receives all Raguel's inheritance (Tb 14:14-15). The law of Moses, referred to here, must surely be that pronounced in the case of Selphaat's daughters (Nb 36:6-8). Although it is not made clear that Tobias is the most closely related of Sarah's kinsmen, this is implied by the statement that she has a duty to marry him and by the fact that the Angel says that she is owed to Tobias as his bride thereby preventing anyone else from having her (Tb 7:12; 6:12-13).
order to retain an inheritance. The canons thus implicitly encourage the marriage of people as closely related as first cousins.

It is worth pointing out that this implicit encouragement does not appear in the book of *Hibernensis* devoted to marriage.\(^{359}\) That book, although it contains thirty-eight chapters, has only one on impediment to marriage. That one prohibits levirate marriage i.e. the marriage of a man with the wife of his deceased brother.\(^{360}\) And this, despite the fact that levirate marriage has strong biblical support in a precept in Deuteronomy\(^{361}\) while there is a narrative based largely upon it in Genesis: the story of Judah and Tamar.\(^{362}\) Furthermore, it was clearly in operation during Christ’s life as can be seen by the attempt of the Sadducees to use it to challenge Christ on the resurrection of the dead.\(^{363}\) However, it was prohibited in Roman law in 355 AD\(^ {364}\) while in Ireland it was prohibited by the Romani in the so-called second synod of St Patrick.\(^ {365}\) Indeed, the Romani are quoted as one of the sources for the relevant canon that prohibited it again in *Hibernensis*.\(^ {366}\)

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\(^{359}\)*De ratione matrimonii* (CCH 46). (‘On the nature of Matrimony’).

\(^{360}\)*De fratre non accendente thorum defuncti fratri* (CCH 46.35). This is also the only impediment to marriage (based on kinship) that appears in another collection of texts on marriage which has a strong Irish connection. This collection probably belongs to the ninth or tenth century and may have been compiled in Germany. It bears a great resemblance, both in the choice of material and in the order in which it is arranged, to CCH 46. However, it has extra material much of it from a Ps-Isidorian source. It is published in *Archiv für katholischen Kirchenrecht* (vi 10) (P. Fournier & G. Le Bras, *Histoire des collections canoniques en occident depuis les Fausses Décrétales jusqu’au Décret Gratien* (2 vols, Paris 1931-32) i 276-77).

\(^{361}\)*Dt 25.5-10.*

\(^{362}\)*Gn 38.*

\(^{363}\)*Mt 22:23-33; Mk 12:18-27; Lk 20:27-38.*


\(^{365}\)*De thoro fratris defuncti audi decreta synodi: Superstes frater thorum defuncti <fratri> non ascendat, Domino dicente : erunt duo carne una. Ergo est soror tua uxor fratris tui. ‘Of the marriage bed of a deceased brother, hear the decrees of the synod. The surviving brother shall not enter the marriage bed of the deceased brother, as the Lord says: they shall be two in one flesh. Therefore, your
In fact, a considerable number of the Romani canons from that synod are included in *Hibernensis*. They, however, do not include the canon on the law of consanguinity which articulated the reform that the Romani wished to introduce in this area. One cannot argue that this absence alone indicates the failure of the Romani to get their reform accepted. But given the implicit encouragement, even imperative, to contract first cousin marriage that occurs elsewhere in *Hibernensis*, it would have been, at the very least, inconsistent to have included a prohibition on marriage up to, including and most likely beyond the fourth degree as the Romani appear to have attempted at their synod. In any case, the fact that *Hibernensis* in itself implicitly favours first cousin marriage indicates that the attempt at reform, in this particular area, made by the Romani in the seventh century had not borne fruit in the eighth. And, as will be seen later, the evidence suggests that the same situation still continued to exist in Ireland at the beginning of the reform period in the early twelfth century.

Although there is nothing in the bible to support a ban on cousin marriages,\(^367\) there were, nevertheless, already signs at the beginning of the fifth century that the western church disapproved of them. St. Augustine, in his *De civitate Dei*, certainly did and indicated that Christians had already brother's wife is your sister' (Breen, ‘Pseudo-Patrician canonical materials’, 114, 120 (canon 25); Bieler, *Penitentials*, 194).

\(^366\) The wording of the canon in CCH 46.35b, which was there attributed to the Romani, is almost identical to that given in Breen’s edition of canon 25 of the so-called second synod of St Patrick. See previous footnote. Wasserschleben (*Kanonensammlung*, 194 n 51) interprets the attribution to the Romani as ‘Synod II Patric. c25’.

been avoiding them before his time. However, secular Roman law, having for a time forbidden them, later allowed them in the *Institutes of Justinian* of 533. This may well have been the ‘quaedam terrena lex in Romana republica’ to which Gregory the Great referred in his reply to Augustine of Canterbury in 601. Later the western church not only prohibited them but extended the prohibition on marriage to a cover a much wider range of blood relations. It extended them further still in the second half of the eleventh century. The Irish church, meanwhile, held on to a much narrower definition of the Mosaic Law. It is highly unlikely that it did not know about the more restrictive marriage impediments applying abroad. Indeed, already from the seventh century works such as those of Isidore of Seville would have been familiar in Ireland. His *Etymologiae* contains two chapters which deals with the subject of the familial relationship of individuals. It explains the stage at which family relationship ceases to exist as one’s blood connection with another moves further and further away with the passing of each generation. As well as that, it explains the terminology involved when discussing such relationships. This work had great influence on the development of the system of marriage impediments due to consanguinity on the Continent and was widely quoted in canonical

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369 Colgrave & Mynors, *Ecclesiastical history*, 79 n 3, 84.
372 ‘De adfinitatibus et gradibus’ and ‘De agnatis et cognatis’ (Lindsay, *Etymologiarum*, bk 9 cc5,6).
However, it does not seem to have been used in the same way in Ireland. In three individual codices, *Hibernensis* has an extra book that does not appear in the others. Wasserschleben printed, in a footnote, the title of that book and of each of its ten chapters. Of the ten chapters, four are attributed to Isidore and two are almost certainly taken from his *Etymologiae*. One is entitled *De consanguinitate in una tribu* and the other is *De differentia agnatorum et cognatorum*. The book is entitled *De tribu*. One other chapter, however, is the one attributed to Tobias, to which reference has already been made and whose very title indicates support for marriage within one’s kindred. Bearing in mind the implicit biblical support given in *Hibernensis* for first cousin marriage in the book on inheritance, the juxtaposition of these chapters within this book would suggest that, unlike on the Continent where Isidore’s *Etymologiae* was used to interpret the prohibition in Leviticus 18:6 on marriage between those closely related and

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373 For example, Rabanus Maurus, abbot of Fulda and archbishop of Mainz specifically referred to Isidore’s *Etymologiae* in a letter written in 842 to bishop Humbert about the degrees of relationship that were allowable in marriage: *Quota generatione licitum sit commubium* (PL 110, 1083-88). Rabanus, in explaining which marriages were allowable and which were not, quoted all the Levitical prohibitions verbatim but then went on to use Gregory the Great, Theodore of Tharsus and Isidore’s *Etymologiae* to explain precisely what Leviticus 18.6 meant. In other words, when it said in Leviticus that one was prohibited from approaching ‘ad proximam sanguinis sui’ he tried to show what that meant in practice. Regino, abbot of Prüm in his early tenth century work *De ecclesiasticis disciplinis et religione christiana* also referred to Isidore’s *Etymologiae*, quoting from Rabanus’ letter to Humbert. (PL 132, 322-24 (ii, cc)). Others such as Burchard of Worms (PL 140, 781 and PL 140, 784-88), Ivo of Chartres (PL 161, 659, PL 161, 667-68, PL 161, 671-76, PL 161, 1299-1300 and PL 161, 1303-04) and Gratian (PL 187, 1675-76 & 1681-83) also quote canons based upon it.

374 Wasserschleben, *Kanonensammlung*, 171 n (cc).

375 That title is: ‘Concerning the fact that everything belonging to a father who has no son is due, after his death, to the husband of his daughter who is of the same kindred’ (*De eo, quod omnia patris non habentis filium debentur viro filiae suae post mortem suam in una tribu* (ibid. 171 n (cc))).
in the process used to expand the prohibited degrees, no similar use was made of it in Ireland. Nor is there any evidence that other sources were used. Of course, if Irish ecclesiastics had intended that Leviticus 18:6 be interpreted to include all those known to be related to one another they had no need of Isidore's *Etymologiae* or any other such work in that they had their own methods of knowing how people were related to one another. The way the Old Irish penitential deals with the serious crime of kin slaying is a case in point. It allocates different levels of penance depending upon how closely the slayer is related to his victim: first to those very closely related, then to the remaining relatives. Unlike the situation where penance was allocated for the offence of incest with 'remaining relatives', this time it explains who they are. It states that: 'lentar sin com-morfeiser etir maithre ocus aithri co hua ocus iarmu ocus indau ocus maccu anua co ingin ar meraib'.

Gwynn translates this as: 'this rule is followed to seven degrees both of the mother's and father's kin - to the grandson and the great grandson and great great grandson, and the sons of the great great grandson, as far as the fingernails'.

Binchy accepts this translation, although he changes 'to seven degrees' into 'to the seventh man'. Tracing relationship as far as 'ingen ar meraib' ('nail on the fingers') also occurs in the law tract *D'fodlaib cineoil tuaithi*. There it is explained that relationship at that stage is by repute and

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376 Gwynn, 'Irish penitential', 166.
377 Ibid. 167.
that it ceases to exist thereafter. It seems however to carry a right to inherit kin-land.\textsuperscript{380} This suggests that there was a correlation between how far kinship was seen to exist in the application of penance for kin slaying and in the potential for inheriting kin-land. In Roman law, inheritance rights extended to the seventh degree of relationship and it was upon this legal definition of relationship that the western church based its marriage impediment of consanguinity; although there was some confusion for a time as to whether the seventh degree should be included or not.\textsuperscript{381} Irish ecclesiastics could similarly have used local laws to interpret Leviticus 18:6 in order to include all known kin, just as they did when applying penance for kin-slaying, if they had so desired. This suggests that they did not see any necessity to do so and the use of any foreign source, whether it be Isidore's \textit{Etymologiae} or any other work that may have been available to them, would therefore have been irrelevant. The reality was that their interpretation of this text was guided by the social context within which the ecclesiastics found themselves and was based upon what they believed to be sound biblical precedent. This is likely to be the reason why they held on to such a narrow interpretation of Leviticus 18.6 when the most of the remainder of the western church took a substantially different view.

\textsuperscript{380}Translation (ibid. 515-16). ‘Nail upon fingers’ is the last in a listing of the number of kin (§3 = CIH 429.25-27). ‘Inferior kin’ appears not to be included since it does not share any inheritance (§13 = CIH 432.5). ‘Nail upon fingers’ is said to share kin-lands (§12 = CIH 431.35 - 432.1) although, unlike others (§4 = CIH 429.27-28, §5 = CIH 430.5 and §7 = CIH 430.15-16), it is not specified that it is an inheritance after the death of a kinsman. However, a share in kin-land is most likely to be acquired through inheritance.

\textsuperscript{381}Joyce, \textit{Marriage}, 510-11.
This is the background against which the Cashel decree on incest must be interpreted; it is, in fact, substantially in line with the relevant Mosaic laws. Of the six types of relatives mentioned in the decree with whom a man was not allowed to have sexual relations, four are specifically prohibited in Mosaic law: father's wife (Lv 18:8); brother's wife (Lv 18:16); 'any woman at all thus near akin' (Lv 18:6); and sister (Lv 18:9). Mosaic law does not specifically prohibit sexual union with a daughter; however, any reasonable interpretation which takes account of the general prohibition of a sexual union with a close relative (Lv 18:6), together with those which are specifically mentioned would, without any difficulty, conclude that such a union was also prohibited by it. That means that only one of the six types mentioned in the decree was not included in the Levitical prohibitions - a grandfather's wife. Why this was added it is difficult to say. Perhaps it had something to do with the position of a grandfather at the head of the Gelfine whose name the grandson carried. It was probably felt to be in the spirit of the Mosaic law that prohibited sexual union with the wife of a father out of respect for the father. Respect for the grandfather would, therefore, demand a similar prohibition.

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382 J. R. Porter, *Leviticus* (Cambridge 1976) 146. It is shown here that this verse defines 'what is meant by sister'.
383 Lv 18:9 was probably once followed by a verse prohibiting intercourse with a daughter and may have been lost 'in the course of literary transmission' (ibid. 146).
385 Lv 18:8
The big question, of course, is what was a synod of ecclesiastics at the beginning of the twelfth century, in the presence of Mael Muire Ua Dúnáin, possibly though highly unlikely a papal legate and of Muirchertach Ua Briain, upon whom reform of the church, specifically in relation to consanguineous marriages, had been urged by Anselm of Canterbury, doing repeating the Mosaic law at a time when the church at large, had centuries before greatly extended the range of impediments beyond those of the Mosaic law and, indeed, had even extended them further in the second half of the eleventh century? It is highly unlikely that they did not know about the more restrictive marriage impediments applying abroad.

The answer to this must surely be the same as that which led earlier churchmen and canonists to interpret Leviticus 18.6 so narrowly. We have already noted the negative attitudes towards or the prohibition of incestuous relationships that can be found in penitentials, penitential commutations, law tracts, literary sources and glosses on the Pauline epistles. We have noted, in particular, that a definition of what is considered to be incestuous is given in the Old Irish penitential and the text *Liber ex Lege Moysi*. From these

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386 Ua Dúnáin is described as 'aírdlegaíd aírddepseach agus aírdsenóir innse Éireann i nugardháis ó’n bpápa eiside' (O’Grady, *Caithréim*, i 175; Ó Donnchadhá, *An Leabhar Muimhneach*, 341) 'by the Pope’s authority high legate, archbishop and archpresbyter of this island of Ireland' (O’Grady, *Caithréim*, ii 185-86). However, Ó Corrán has argued that, far from Ua Dúnáin being a papal legate at this synod, as had previously been stated by Aubrey Gwynn and John Ryan, on the basis of the text in the *Caithréim*, he may not even have been present at the synod as the only place his presence there is recorded is in the Annals of the Four Masters and entries in these annals that are not corroborated in others have, in his opinion, to be treated with caution (Ó Corrán, ‘Mael Muire Ua Dúnáin’ 48-49). It would appear, however, that the entry in AC s.a. 1100 (r 1101), which reports his presence, has been overlooked in this argument.

387 Ua Briain’s presence is independently attested in AT s.a.1101 and in CS s.a.1097 (r.1101).

we learn that the Levitical rules relating to marriage were the general guidelines about what was disallowed. The first indication we get that prohibition did not extend any further than these rules is in a canon of the so-called Second Synod of Patrick, although that indication is not easily interpreted. However, in Hibernensis the indication we get about this is clear enough but there is a substantial difference in the way the information is transmitted to us. Here we get no prohibitions on consanguineous relationships. In fact, the rather substantial book on marriage that is in the collection barely touches on the subject. Instead we get our information on marriage practices in a chapter devoted to the subject of inheritance. The prime objective in this book is to regulate the manner in which property may be passed on after the death of the present owner; the information we get on marriage practices is incidental. Although property rules dominate, the canonists went to considerable trouble to underpin them with biblical precedents. Here, it would appear, is the reason why the Irish church held on to a narrow interpretation of the Mosaic law on incest when elsewhere it had been widely expanded. Its rules were not arbitrary; they were biblically sound. Most of all, they suited the social environment in which they operated and were, therefore, more easily enforced. There was, as we have seen, widespread disapproval of those who breached them. For these reasons, therefore, Irish ecclesiastics would have felt satisfied that their

389 De ratione matrimonii (CCH 46). There is a total of 38 chapters in this book.
marriage rules were quite sound and any attempt to get them to change them would have experienced considerable difficulty.

An idea of this difficulty can be got from a tract *De nuptiis consanguineorum* which for centuries was thought to have been written by Anselm of Canterbury. In fact, for many years the tract was also thought to have been written for king Muirchertach Ua Briain. However, the attribution to Anselm has been rejected by the most recent editor of the works of Anselm, Dom Schmitt, on the grounds that it was ‘intellectually foreign’ to him. With this rejection, the suggestion that it was sent to Muirchertach also falls. Without wishing, however, to dispute Dom Schmitt’s opinion, the tract may still have some interest in the Irish context of Anselm’s time as its contents would suggest that it was sent in reply to a query from someone in an area where the contemporary rules of the western church, in relation to consanguinity and marriage, were only recently known or possibly in an area where an attempt was being made to enforce them. For the inquirer seeks, not so much to learn what those rules are but why they are being enforced so strictly by the church. And, more importantly, he wants to know

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390 J. Picard, *Divi Anselmi archiepiscopi Cantuariensis Opera omnia* (4 vols, Cologne 1612) iv 170-72 (letter 158 bk 3). The tract is here in its original form as a letter and without title. G. Geberon, *Sancti Anselmi ex Beccensi abbate Cantuariensis archiepiscopi Opera* (Paris 1675) 141-42. (A second edition was published in 1721.) Geberon placed it among Anselm’s work devoted to Dogma in Part One, although he listed it as letter number 158 in Book 3 of Part 3. It is also in PL 158, 557-60.

391 This is in the *Censura Libri* that Geberon wrote for the tract (idem, *Anselmi Opera*, pt. 1 but without pagination). It is reprinted in PL 158, 25.

the rational reason for them, not just the authority upon which they are based. This suggests that the inquirer is having some difficulty in accepting them as they do not appear reasonable to him. The reply he gets from the man, whom he considers to be well read, is that, in regard to the precept, there are plenty of canons and many decretals of the fathers but 'the reason for the precept, which you are looking for, I confess that I do not ever remember reading'. He is told that, as a result, the writer has to depend for an answer on holy scriptures which he then proceeds to give. This is an example of a well-read man of the time unable to give a rational argument in support of the church's rules on consanguinity. The only argument he had to offer was one based upon scripture. But scripture contains no prohibition on cousin marriage whereas its Mosaic laws are clearly stated, even if Leviticus 18.6 is open to interpretation. However, Irish canonists, who interpreted it much more narrowly than did the rest of the western church, had plenty of biblical support for their narrow definition. To get them to change their regulations regarding the impediments of consanguinity in marriage to bring them into line with the rest of the church would have

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393Et, ut video, non quaeris auctoritatem solo (si ita dicam) imperio cognoscentem, sed potius rationem rationabiliter docentem (PL 158, 557).
394Rogas enim me hominem, ut putas, multae lectionis (PL 158, 557).
395sed rationem praecepti quam exigis, fateor, me nunquam legisse memini. Sic tamen de hac recum ex consideratione sanctorum Scripturarum soleo cogitare (PL 158, 557).
396There are two MSS which contain this tract, one is the twelfth century Codex Paris S. Genevieve 1367; the other is the thirteenth century Codex Paris B. N. 14869 (Schmitt, 'Korrespondenz des hl. Anselm', 223). Of course, the tract could have been written much earlier. However, the views expressed would be equally valid at the beginning of the twelfth century.
397Goody, Family and marriage, 49.
required more than just an appeal to biblical sources. It would have required of them instead that they submit to the authority of the church in this matter. Such a change, however, would have had much wider consequences than just a change in church law. It would have gone to the heart of the laws governing the inheritance of property and especially of land. To implement a regulation with such far reaching consequences, especially when the biblical basis for it was at the very least dubious, would have required two things. First of all, it would require a church that was prepared to submit to the authority of the wider church and especially to that of Rome even when it was unlikely to have been convinced about the reasoning upon which the regulation was based. This would have been all the more difficult since the area in which the regulation was applied would not have been seen to have been strictly concerned with religion as would be the case if, for example, it was concerned with the liturgy or theological matters. Secondly, it would have required a church with the ability to implement a regulation the implications of which would have application throughout the whole of Ireland. Furthermore, these implications would have been of such consequence to the people’s traditional way of living that it is most unlikely that they would have been willing to conform to the new regulation. The unreformed Irish church of the late eleventh century was highly unlikely to have met either of these requirements and it would appear from the content
of the relevant statute that the participants of the synod at Cashel did not meet them either.

To get reform in this area it would have been necessary for conservative clergy to accept, without rational explanation, canons and decretals such as those to which the author of the tract, *De nuptiis consanguineorum*, referred. It would also have been necessary for them to reject the clearly stated biblically based laws that had for so long been integrated into their laws of inheritance and which, in any case, they may very well have preferred to patristic and synodal law. And, even if they did come around to the view that reform was necessary and that they were prepared to accept the regulations that had for so long prevailed in the rest of the western church, they would be faced with the task of implementing them. Implementing such severe changes in the laws of consanguinity would have been even more difficult when combined with the reforms called for in the other two areas— the insistence

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398 Hardinge, dealing with an earlier period, writes (*Celtic church*, 37) ‘Ussher pointed out that Alcuin († 804) had noted that some Irish theologians of his day put little weight on authority and custom “unless some reason was added to authority”’. I have, however, failed to find this statement by Alcuin in the references that Hardinge gives.

399 Ó Corráin *et al*, ‘The laws of the Irish’, 395-96. Although they were writing about the church establishment of the seventh and eight centuries, their observation may still have applied in the late eleventh. They wrote: ‘Careful comparison of Irish law with scripture shows that where the Pentateuch provided detailed rules of law these were very often adopted to the letter: where it did not, the churchmen relied on the Fathers and on the provisions of synods, foreign and domestic’ (ibid. 396). The Pentateuch, of course, contains the Mosaic Laws.

400 That the changes would be severe, there can be no doubt. For they meant that they would have to move from a position where first cousin marriages not alone were permitted but in some cases were required to a position where they would have to prohibit marriages between third or fourth cousins, if one were to interpret the current church laws according to the Roman legal system of computation. The changes would have been even more severe if one used the canonical system of computation. According to this system, marriage between seventh cousins was prohibited. According to Gille, bishop of Limerick, in his tract *De statu ecclesiae*, the current church law on consanguinity was that men were prohibited from marrying those related to them by blood up to the sixth or more correctly the seventh degree of relationship (Ussher, *Sylloge*, 81; PL 159, 999; Fleming, *Gille*, 152).
that all marriages be conducted lawfully in a church and the application of
the rule which prohibited the repudiation of a spouse. To have any hope of
success in introducing these reforms they would have had to approach the
problem in a concerted fashion. To introduce decrees at a synod or council
would not in itself be sufficient. Neither would it have been sufficient to
leave it to individual churchmen operating on their own or to local
ecclesiastical establishments acting independently of one another. It would
have required much more than that. It would have required a cohesive
church organization where all the elements of that organization were
committed to the project and where all those elements were supervised to

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401 It should be noted that, in at least some parts of the Irish church before the synod of Cashel,
marriages that were legitimate in the eyes of the church existed. This is attested by the existence in the
eleventh-century Corpus Irish missal of an orthodox ordo sponsalium (Warren, Irish missal, 81-84; Holland, ‘Dating the Corpus missal’, 282-301. For a discussion of the orthodoxy of this marriage rite,
see Appendix B below ‘The Corpus missal’s ordo sponsalium – its orthodoxy’) and supported by
further evidence. Lanfranc, in his letter to king Gofraid, wrote about men who abandon the wives who
are ‘legitime sibi copulatas’ ‘legally married to them’ (Clover & Gibson, Letters of Lanfranc, 68
(letter 9)). In his letter to king Tairdelbach he writes of a man abandoning ‘legitime sibi copulatum
uxorem’ ‘the wife who is lawfully married to him’ (ibid. 70 (letter 10)). Anselm, on the other hand,
while complaining about the fact that impediments of consanguinity are ignored, refers to those
related by blood being joined together (‘commiscerti’) ‘under the name of marriage’ (‘sub nomine
coniugii’). He is obviously picking his words very carefully and because of that he is unlikely to say
that marriage ceremonies are performed unless such was the case. So his statement that some people
go through a ceremony ‘sub nomine coniugii’ is evidence that such ceremonies exist even if they are
‘contra canoniam prohibitionem’ ‘against canonical regulation’ i.e on the grounds of the laws of
consanguinity (Schmitt, Opera, v 374 (letter 427)). Furthermore, Lanfranc and Anselm’s use of the
word ‘uxor’ to describe a wife suggests that they believe that such a woman had been married in a
lawful manner (Clover & Gibson, Letters of Lanfranc, 70 (letter 10); Schmitt, Opera, v 382 (letter
435). For a short discussion of the careful use of the word ‘uxor’ by Ivo of Chartres see G. Duby, The
knight, the lady and the priest: the making of modern marriage in medieval France, tr. B. Bray
(London 1984) 9). Indeed, pope Gregory VII, in his letter to king Tairdelbach, also uses the word
‘uxor’ (Cowardrey, Epistolae vagantes, 4). As for the Irish church’s position in relation to the
repudiation of spouses the opening rubric of the ordo sponsalium in the Corpus missal gives us some
insight. It begins with the words: ‘facta professione ut se inuicem caste et fideliter custodiant usque in
finem vitae sue’ ‘having declared that they would keep themselves chaste and faithful to each other
until the end of their life’ (Warren, Irish missal, 81). This suggests that some effort was being made to
get spouses at least to promise that they would not repudiate one another while they lived. What effect
this had is, of course, impossible to say.
ensure that the regulations were being implemented. Such an organization
did not exist in the late eleventh century and, without it, any attempt to
introduce such far-reaching regulations was doomed to failure. However,
ability to implement a tough new regulation is highly unlikely to be the
reason why no reform of the laws on consanguinity was introduced at
Cashel in 1101 although it would have played an important part in the
thinking of Gille when he prepared his tract in advance of the measures
taken at the synod of Ráith Bressail to reform the Irish church. The reason
why the synodsmen at Cashel restated the traditional early Irish church law
governing the prohibition of marriage within certain degrees of
consanguinity is most likely to be that they were most suited to social
conditions in the Ireland of the time. As well as that they would have been
considered by them to be based upon sound biblical precedent. It is most
likely that they were not convinced by arguments put forward by those who
advocated change to the rules in place in the western church in general—that
is, if such discussion took place at all. The net result of this is that the statute
relating to incest promulgated at Cashel in 1101 merely restates, in an
approximate form, the church’s long-standing rule governing the prohibition
of sexual relations within its definition of the Levitical laws. It is, therefore, a
conservative statute and cannot be seen to be in any way reformative. It was
not, as Watt would have it, ‘the first step in a projected revolution,
constituting a root and branch attack on the bases of Irish familial society.\textsuperscript{402}

To accept that is to deny that the Levitical prohibitions had previously applied; which, as we have seen, is untrue. The first step, if it is to be attributed to anyone, must surely be attributed to Gille, the first bishop of Limerick, in his tract \textit{De statu ecclesiae}. And the hugh contrast between the prohibitions which he advocates and those in the Cashel decree highlights, perhaps more than anything else, the major difference between the clerics whom Muirchertach Ua Briain chose to preside over the synod of Cashel and those whom he chose ten years later to preside at Ráith Bressail. In his tract, he wrote:\textsuperscript{403} ‘It is required of men who marry that they do not take to wife anyone who is related to them by blood up to the sixth or, in truth, the seventh degree of relationship, neither one whom a close relative will have or has possessed in that way nor a co-mother.\textsuperscript{404} In fact, those with whom the

\textsuperscript{402}Watt, \textit{Church in medieval Ireland}, 9.

\textsuperscript{403}Conjugatorum est, nullam usque in sextam vel certam septimam progeniem sanguine sibi conjunctam, aut illi quam habuerit aut quam habuit sibi proximus, vel commatrem ducere uxorem: cum quibus enim semel juncta est ecclesia, cum eisdem iterum replicare illicitum dicit ecclesia (Ussher, \textit{Sylloge}, 81; PL 159, 999; Fleming, \textit{Gille}, 152). All published editions, Ussher, Migne (who follows Ussher) and Fleming misread the important word ‘certam’ above as ‘etiam’; Ussher also misread ‘dicit’ as ‘ducit’ but Migne emended it while giving Ussher’s reading in brackets. See Cambridge, University Library MS Ff. I. 27, 240 and Durham, Cathedral Library MS B. II. 35, 69.

\textsuperscript{404}There is no direct English word for the Latin word ‘commater’. It would more properly convey the meaning if there were such a word as ‘co-mother’. It is strictly incorrect to translate this as ‘godmother’ (Fleming, \textit{Gille}, 153 translates it in this way) the Latin word for which is ‘matrina’. In order to explain this, it is necessary to understand the relationships that are engendered when people act as sponsors at baptism. Natural parents and sponsors became co-parents, co-mothers as well as co-fathers, of the child at baptism and thus a relationship is seen to arise. The male and female sponsors are thus related to one another and from this relationship the prohibition on their marrying one another arises. Similarly a relationship arises between the child being baptised and the sponsors. A female sponsor becomes ‘matrina’ ‘godmother’ to the child and from this relationship, they are also prohibited from marrying one another. This distinction between ‘commater’ and ‘matrina’ has fallen from use in the English language, presumably as a result of the disappearance of this form of marriage impediment after the Reformation (Joseph H. Lynch, \textit{Godparents and kinship in early medieval Europe} (Princeton NJ 1986) 5-6).
church was once joined, the church says it is forbidden to repeat again with
the same'. With that standpoint on marriage law and with the subsequent
national organization of the church at Ráith Bressail the possibility of
tackling the problem of consanguineous marriages in Ireland was put on a
new footing. The task, of course, would still be daunting but it would appear
that the ruling of the western church was being adopted. As well as that the
structural reforms would present the church with a much better chance of
having that ruling accepted. Neither of these pre-requisites to reform
emerged from the synod of Cashel. The synodsmen there preferred to retain
the traditional marriage law, at least as far as it was concerned with
consanguinity. They did not appear to show any interest in reforming it. By
restating it they may even have been reacting to efforts being made to have it
reformed. If that is the case, then the decree is not just a conservative decree,
it is in fact a rejection of reform. As for the complaints about the other aspects
of marriage in Ireland, they do not appear, as far as is known, to have done
anything at the synod to respond to them.

3.4: The other decrees

The remaining decrees of Cashel deal with church freedom, clerical celibacy,
sanctuary and clerical immunity. The decree on church freedom states: `gan
chíos ná chán do ríg ná do taoisech ó'n eglais in nEirinn go bráth'.

405 What this means is that the church joined with them at the baptismal ceremony when they became
spiritually related i.e. parents and godparents became co-parents through the action of the church. The
church united them once; it will not do so again.
406 O'Grady, Caithréim, i 175; Ó Donnchadh, An Leabhar Muimhneach, 341.
neither to king nor to chief for ever should the church in Ireland pay either rent or tribute\textsuperscript{407}). This has been seen by some as being in line with contemporary papal reforms on the continent\textsuperscript{408}. However, the movement by the church in Ireland to gain its freedom from secular obligation, which is reflected in this decree, had begun in Ireland long before the onset of the Gregorian reform. That is already apparent in \textit{Hibernensis}. In a book `On kingship' (`De regno') it is made clear that a king is entitled to tax from the people - even Christ paid tax for himself and Peter\textsuperscript{409}. However, it is made equally clear that the church is to be free of this duty. In a chapter entitled `De censu non dando super ecclesiam' (CCH 25.10) `Of tax that is not to be imposed on the church' it attributes to Christ a slightly elaborated version of something he said in a story about temple tax (Mt 17:24-27) - `Ergo filii regni liberi sunt in omni regno'\textsuperscript{410} `Therefore the sons of the kingdom are free in all the kingdom'. This is followed by an elaboration of what that freedom entails as explained by St Augustine: `If those sons are free from tax in any earthly kingdom, how much more (free) are the sons of that kingdom, under which all earthly kingdoms exist',\textsuperscript{411} the `sons of that kingdom' being, of course, the church. However, if that is not clear enough, St Ambrose is then quoted

\textsuperscript{407} O'Grady, \textit{Caithréim}, ii 185.
\textsuperscript{408} Watt, \textit{Two nations}, 11; idem, \textit{Church in medieval Ireland}, 8-9; Gwynn, \textit{Irish church}, 157.
\textsuperscript{409} De regno (CCH 25); De censu regi danda (CCH 25.9); Christus tributum reddit pro se et Petro dicens: redde eis pro me et te (CCH 25.9.b) `Christ rendered tribute for himself and Peter saying: give it to them for me and for you' (cf. Mt 17:27).
\textsuperscript{410} CCH 25.10.a. Christ is recorded in the Vulgate as saying: `Ergo liberi sunt filii' `Therefore the sons are free' (Mt 17:26).
\textsuperscript{411} Agustinus ait: Si ipsi filii liberi sunt a censu in quolibet regno terreno, quanto magis filii regni illius, sub quo sunt omnia terrena regna (CCH 25.10.b).
where he states bluntly ‘The catholic church is free from all tax: if, however, because of an evil magnate it is burdened, it ought to return to its prior freedom’.\textsuperscript{412} It seems reasonable to assume that churches in Ireland had to struggle to assert and, possibly, re-assert this claim to be free from secular obligation. This struggle appears to have gathered pace in the eleventh century. An example of this can be seen in the report that ‘Brian (Bóroime) led an army into Mag Muirtheimne, and he gave complete immunity to Patrick’s churches on that hosting’.\textsuperscript{413} Some years after that the church of Kells is described in a poem composed 1076x1106 as being free of tribute (‘cen chain’).\textsuperscript{414} The decree promulgated at Cashel is merely part of this movement although it did seek to make universal the application of the freedom that it sought, just as was declared in \textit{Hibernensis}. As well as that, the movement did not culminate with the proclamation of the Cashel decree. It continued long after the synod had completed its work.\textsuperscript{415} The decree is thus firmly grounded in the on-going experience of the Irish church and, while it may be described as reformative in a general sense (though not one that would present any problem to the synodsmen), it cannot be considered

\textsuperscript{412} Ambrosius: Ecclesia catholica libera est ab omni censu; si autem gravetur causa mali principis, debet revertere ad priorem libertatem (CCH 25.10.c). St Jerome is also quoted as saying that the church had enough problems without being weighed down by earthly burdens (CCH 25.10.d).
\textsuperscript{413} EU s.a. 1012.
\textsuperscript{414} P. J. Smyth, ‘\textit{Mide maigen claimne Cuind}: a medieval poem on kings of Mide’, \textit{Peritia} 15 (2001) 108-44: 122 q51a. The poem overall is dated 1030x1106 but this added quatrain which tells of the death of Murchad (mac Flainn) Ua Máel Sechlainn, reported in EU for the year 1076, allows that date to be narrowed down to 1076x1106 (ibid. 114, 139).
\textsuperscript{415} Hughes, \textit{Early Irish society}, 219, 225, 241-42, 263-64. For the freeing of churches of the Columban federation from secular imposition (Máire Herbert, \textit{Iona, Kells, and Derry: the history and historiography of the monastic familia of Columba} (Oxford 1988) 118-19).
as a reform in the sense of seeking to bring about change in a particular practice of the church.

The decree on clerical celibacy states: "gan ben do beith ag aircinnech cille ann" ("that no erenach of any church in Ireland should have a wife"). This decree has also been seen as a Gregorian type reform and "characteristic" of "reform programmes throughout Christendom in this period". Whether it is to be compared with Gregorian reform or not, this decree has all the appearances of a reformative decree given that it was common practice in Ireland at the time of the synod for aircinnig to have wives. The most obvious example of this was the situation that existed in Armagh - the most important ecclesiastical centre in Ireland - at the time. There, as is well known, the abbacy had been held for a considerable period of time - and continued to be held - by married men. However, it would appear that at an earlier period the church had attempted to make the clergy live a celibate life. Prior to that period - in the fifth or sixth centuries - it seems that it was the norm for clerics to have wives. At least that would appear to be the import of one of the canons of the so-called first Synod of Patrick. According to this "Any cleric, from ostiary to priest, ... whose wife goes about with her

416 O’Grady, Caithréim, i 175; Ó Donnchadha, An Leabhar Muimhneach, 341.
417 O’Grady, Caithréim, ii 185.
418 Watt, Church in medieval Ireland, 8-9; idem, Two nations, 11. Gwynn deals with this decree in combination with the decree prohibiting a layman from becoming an aircinnech. This he sees as being similar to the struggle by the contemporary papacy against lay interference in ecclesiastical affairs (Gwynn, Irish church, 158).
419 Ó Fiaich, ‘Armagh under lay control’, 75-127.
head unveiled, shall both likewise be held in contempt by the laity and be removed from the church'.

This situation lasted until the reforms introduced by the Romani. It would appear that part of this reform was the introduction of a precept that a man should live apart from his wife when he becomes a cleric. This can be seen in two canons of Hibernensis. The first simply states: 'A cleric may not dwell with women who are not related to him'. The second clarifies this. It details who those women are with whom he is not allowed to live. It states: 'Clergy are not permitted to consort with women who are not related to them but may live only with a mother, maternal aunt, daughter, sister, granddaughter about all of whom it is abominable to suspect anything which nature establishes'. This clear exposition excludes a wife but includes a daughter and granddaughter, indicating thereby that the person in question has been married. However, the exclusion of a wife strongly suggests that on becoming a cleric he is no longer permitted to live with his wife. Just as the

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420 Quicumque clericus ab hostiario usque ad sacerdotem ... uxor eius si non uelato capite ambulauerit, pariter a laicis contemptur et ab ecclesia separantur (Bieler, Penitentials, 54 §6; tr. ibid. 55 §6). Bieler gives 457 as the date of this synod (ibid. 2). However, Breen ('Pseudo-Patrician canonical materials', 96) says that there is no conclusive argument for establishing a date in either the fifth or the sixth century for this synod and suggests that it is contemporary with the early period of the Romani reform.

421 Clericus cum extraneis mulieribus non habitet (CCH 10.b = Statuta ecclesiae antiqua 27(XLVI) (Munier, Concilia Galliae, 171)).

422 Clerici frequentandi extraneas mulieres non habeant potestatem, sed cum matre, thia, filia, sorore, nepte tantum vivant, de quibus omnibus nefas est aliquid, quam natura constituit, suspicari (CCH 10.q. This is based upon c.10 of the Council of Agde in AD 506 (Munier, Concilia Galliae, 199-200)).
decree of the synod of Cashel states, he is not permitted, as a cleric, to have a wife.

What efforts, if any, the Irish church made to put this precept into practice is not at all apparent. Clearly, at the time of the synod of Cashel, it was widely flouted although it should be stressed that an airchinnech could have been married and had children before coming to office and being made a cleric only to live apart from her thereafter - thus ensuring hereditary succession while obeying the church law about celibacy. To what extent, if at all, such a situation prevailed is impossible to say. Even taking this unknown factor into account, however, it seems reasonable to assume that this decree of the synod was reformative in the context of contemporary practice but was nevertheless, as Hughes points out 'perfectly in accordance' with the feeling of earlier and stricter Irish churchmen.

Another decree states: "gan dá oirchinnech do beith ar aonchill acht ar in gcill do biadh i gcomrac dá còiged' ('that two airchinnig should not [at the one time] belong to the same church, unless it were a church set where two provinces march'). This decree is apparently designed to deal with problems that occur within the contemporary form of church administration. It is, as it were, a housekeeping decree. The allowance made, in the case of a

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423 The Cashel decree prohibits an airchinnech from having a wife. However, as has been argued in section 3.2 above, it was a precept of the church that all airchinnig should be clerics.

424 Hughes, Early Irish society, 265.

425 O'Grady, Caithréim, i 175; tr. ii 185 (slightly adapted); Ó Donnchadha, An Leabhar Muimhneach, 341.
church on a border between two secular jurisdictions, shows how far removed it is from the thinking behind a church administration based upon dioceses with bishops in charge. In such cases only one bishop could be in charge even if the boundaries of a diocese were to encompass lands that were subject to different kings or secular lords; indeed one aspect of the contemporary papal reform was the emphasis it put on the fact that a bishop's authority was to be restricted within defined boundaries, an emphasis made clear in The Collection in 74 Titles, a canonical collection reflecting that reform. The decree, therefore, reflects a conservative mindset concerned to correct problems within the current form of administration, not to change it.

The decree, which deals with the right of ecclesiastical sanctuary, specifies certain types of criminals who should not be afforded sanctuary by the church. It states: 'gan chomairce do beith ag in ti dogénfadh fell ná finghal' ('that any having committed whether [simple] murder or parricide [murder of a relative] no more should find sanctuary'). Long before this decree was promulgated the question of sanctuary had been discussed within the

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426 C. Morris, The papal monarchy: the western church from 1050 to 1250 (Oxford 1989) 220; John Gilchrist (tr), The Collection in Seventy-Four Titles: a canon law manual of the Gregorian reform, Medieval Studies in Translation 22 (Toronto 1980) 175-78 (Titulus 26 'That everyone should be content within his own boundaries'; four of its six chapters (cc.191, 192, 194, 195) refer specifically to primates, metropolitans or bishops, the other two (cc. 193, 196) have a general application). This is a translation of an edition of the text as it appears in idem (ed) Diversorum patrum sententie sive Collectio in LXXIV titulos digesta, Monumenta Iuris Canonici Series B: Corpus Collectionum I (Vatican City 1973). The Collection in Seventy-Four Titles was compiled ca. 1076 by an unknown author and deals with certain fundamental themes such as Roman primacy. It was closely associated with the Gregorian reform and was very influential. It spread widely and was incorporated into many other collections in the late eleventh and early twelfth centuries (Gilchrist, Collection, pp ix-x).

427 O'Grady, Caithréim, i 175; tr. ii 185; Ó Donnchadha, An Leabhar Muimhneach, 341.
church. Already in the seventh century, in the wake of the reform movement, the Irish church declared in a canon that, while the church should give spiritual assistance to those who fled to it, it was nevertheless "not made for the defence of grievous matters" ('non ad severum defensionem facta'). Although this canon clearly deals with the question of ecclesiastical sanctuary it does not specify what is meant by 'grievous matters'. Neither is it clear what these matters are when the canon appears again in the following century in Hibernensis. This time it is said that 'the church was not made for the defence of accused persons ('reorum'). However, elsewhere in the same book of Hibernensis there are canons which are more specific on the topic. Man-slayers ('homicidae'), it is said, should not be hastily repelled from the doors of the church (CCH 28.3) and the reason why they should do penance in the church is given (CCH 28.4). However, a very clear distinction is made between those killers who are to be provided with sanctuary and those who are not. Based directly on biblical precedent, refuge is to be provided to a man who has killed involuntarily. An example of such a provision is given and the penance specified (CCH 28.5). However, a

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428 Canon 9 of the so-called second synod of Patrick (Breen, 'Pseudo-Patrician canonical materials', 113, 118); date of synod (ibid. 96).
429 This can be seen from the content of the canon. It reads: De abstractis ab ecclesiis reis: Non ad severum defensionem facta ecclesia, sed iudicibus persuadendum est spirituali eos morte occiderint qui ad sinum matris ecclesiae conugerint (ibid. 113). 'Of accused persons removed from the church: the church was not made for the defence of grievous matters, but judges must be prevailed upon to kill with spiritual death those who flee to the bosom of the church' (ibid. 118).
431 CCH 28.2.a. This is based upon Ex 21:13-14.
432 A person goes with a friend to a forest to cut wood. While swinging the axe, its head slips off the handle and kills his companion. This man is to be given refuge lest the avenger of the killing should, in the heat of his anger, fatally wound him (CCH 28.2.b. This is taken from Dt 19:4-6).
person who kills on purpose can expect no mercy, much less refuge. In a section which deals with ‘those whom the city of refuge may not defend’\(^{433}\), two biblically based canons are given. The first states: ‘Should a man dare to kill his fellow by treacherous intent, you must take him even from my altar to be put to death’.\(^{434}\) The second states: ‘If it happens that a man has a feud with his fellow and lies in wait for him and falls on him and wounds him fatally and he dies, and the man takes refuge in one of those cities, the elders of his own town shall send to have him seized and hand him over to the avenger of blood to die. You are to show him no pity’.\(^{435}\) This seems quite clear and straightforward. However, \textit{Hibernensis} goes on, rather confusingly, to outline diverse penances that may be applied to people such as these. There are three canons in a section entitled ‘Of the diverse penance for those who have committed manslaughter voluntarily’.\(^{436}\) The first, attributed to Dionysius, envisages those who commit homicide voluntarily gaining communion with Christ at the end of their life if they submit to a certain penance continuously (presumably for the rest of their lives).\(^{437}\) The other two do not specifically state that the manslaughter in question is voluntary. But since they appear under a heading which does so specify them, they may

\(^{433}\) De his, quos non defendit civitas refugii (CCH 28.7).

\(^{434}\) Si quis de industria et per insidias occiderit proximum suum, ab altari meo evelles eum, ut moriatur (CCH 28.7.a). This comes from Ex 21:14.

\(^{435}\) Si quis odio habens proximum suum et insidiatus fuerit vitae ejus, et surgens percusserit eum et mortuus fuerit, et fugerit ad unam de supra dictis urbibus, mittent seniores civitatis illius, et eripent eum de loco refugii, et tradant eum in manus proximi ejus, cujus sanguis effusus est, et morietur, nec misereberis ejus (CCH 28.7.b). This is from Dt 19:11-13.

\(^{436}\) De penitentia diversa homicidarum sponte occidentium (CCH 28.10).

\(^{437}\) CCH 28.10.a.
therefore be regarded as such. As well as that they are particularly significant canons since both are said to have derived from an Irish source. The first of them gives an Irish synod as its source. It states: 'All man-slayers, if they be converted completely in their heart, may perform penance strictly for seven years under the rule of a monastery'.\textsuperscript{438} The second is, in fact, a canon from the so-called first synod of Patrick and is attributed in \textit{Hibernensis} to 'Patricius'. It states: 'He who slays or commits fornication or consults a druid as pagans do, shall do a year's penance for each individual crime; when that is completed, accompanied afterwards with witnesses, he is freed of his obligation by a priest'.\textsuperscript{439}

We have thus in \textit{Hibernensis} two mutually contradictory views on how those who have committed manslaughter of their own free will are to be treated. One view is strictly biblical and would deny them sanctuary. They are to be handed over and put to death; no mercy is to be shown. The other allows them to do penance for their sin and eventually be accepted back into the church community. It may be significant that the latter approach was that adopted by the Irish church which was unaffected by the seventh century reform associated with the Romani.\textsuperscript{440} Indeed this softer approach by that,
presumably, earlier Irish church in providing sanctuary for murderers can be seen again in another canon elsewhere in *Hibernensis* - a canon that is also attributed to an Irish source. In this only a penance, albeit a penance involving exile, is set out for a person who commits homicide in that holiest of places - the place where the relics of bishops and martyrs are located. A lesser penalty is prescribed if the homicide is committed within the *terminus* of the holy place where lay people receive hospitality. However, in what may be a later addition - perhaps due to Romani influence - the canon goes on to oppose this apparently soft approach. For it proclaims that a place may not be called holy into which man-slayers, inter alia, enter with their spoils ('non locus sanctus dicendus est, in quem homicidae cum spoliis ... intrant'). And it further states that every holy place should be cleansed not only internally [i.e. in that part referred to as *sanctissimus*] but also in its *termini* which have been consecrated. It seems clear what the canon means by 'cleansed'. It means preventing the entry of, among others, man-slayers or expelling them if they have already entered. Although the language of this part of the canon is not sufficiently explicit to allow us to determine exactly who may or may not be granted sanctuary, it is reasonable to assume that it is more in line with the more restrictive approach already noted in the two biblically based canons.

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441 CCH 44.8. This is said to be 'a decretum of the Irish' or in the Valicellanus MS 'of an Irish synod'.
442 CCH 28.7.a, 28.7.b.
There is thus in *Hibernensis* prescriptions, relating to sanctuary and manslayers, which differ from one another in how the problem should be tackled. As the less strict approach is attributed to the Irish church before the impact of the Romani was felt, it is possible that the stricter approach was due to the influence of the Romani. There is, however, no way of knowing which of the two approaches prevailed in subsequent years. It is, nevertheless, reasonable to assume that what was common to both probably, at minimum, did prevail — that is, that sanctuary was provided for those who committed murder involuntarily. Whichever approach the church adopted in practice it is likely that it did not find favour with lay powers since it would have prevented them from laying hold of enemies who sought the protection of the church. Brian Bóroime’s action in the year 987 when he demanded hostages to guarantee ‘the banishment of robbers and lawless people’ from Lismore, Cork and Emly\(^{443}\) seems to be an attack on the church’s provision of sanctuary since his action was not, apparently, confined to one church establishment. If this action is representative of the attitude of powerful secular leaders then the motivation behind the Cashel decree becomes clearer. Its statement that those who committed ‘fell’ or ‘finghal’ should not find sanctuary does not give us any indication as to whether it refers to wilful or involuntary murder. If it is the former, then the decree is a mere re-assertion of the stricter of the two approaches outlined in *Hibernensis*. If the

\(^{443}\) Al s.a. 987; Hughes, *Early Irish society*, 220, 264.
latter, it represents an even more strict approach than either of the two found there. The reality is that it probably refers to wilful murder and its re-assertion at Cashel is likely, given the action taken by Brian Bóroime in 987, to be an action that would, at the very least, find favour with the then secular power, Muirchertach Ua Briain. Indeed, it is not at all unlikely that he would have played a part in ensuring that the decree was, in fact, introduced at the synod in the first place.

The sixth decree states: ‘gan chion in chléirig nó in filead do tabairt do’n tuata’444 (‘that neither cleric’s nor poet’s misdemeanour should be brought before lay authority’445). Once again, this decree has been interpreted as ‘characteristic’ of ‘reform programmes throughout Christendom in this period’446 - a Gregorian type reform.447 However, leaving aside the inclusion of poets in the decree, the reference to clerics not being judged by lay authority is in line with a practice which had been advocated by the church in Ireland from a much earlier period. This was that there should be two separate judicial systems and two sets of judges in Ireland: one secular, the other ecclesiastical.448 And indeed there is evidence available from both Hibernensis and the vernacular law tracts that suggests that these two parallel systems of justice did in fact exist in Ireland at some period prior to the

444 O'Grady, Caithréim, i 175; Ó Donnchadha, An Leabhar Muimhneach, 341.
445 O'Grady, Caithréim, ii 185.
446 Watt, Church in medieval Ireland, 8-9.
447 idem, Two nations, 11.
448 CCH 21.1.a, 21.1.b.
Cashel synod. According to this separation within the judicial system, one prescription forbids a layman from giving a judgement when those charged with administering ecclesiastical justice are present. Another deals with the reason why clerics ought to be judged by their abbot and not by their lay powers (‘De eo quod debent clericí apud abbatem, non apud saeculares judicari’). However, a prescription that is even more pertinent to the Cashel decree is the one that states that ‘clerics are not to be judged by laymen but laymen are to be judged by clerics’ (‘non judicandi sunt clericí a laicis, sed laici a clericis judicandi sunt’). Apart from the reference in it to poets, the Cashel decree is a clear restatement of this principle and is not, therefore, new. Whatever the motive for its re-assertion at Cashel, it probably owes more to the Irish church’s traditional position on the matter.

449 See pages 132-34 above.
450 CCH 21.28.
451 This is item 3 of Book 10 in the codex Valicellanus. The title of this section only is given (Wasserschleben, Kanonesammlung, 27). It is derived from canon 9 of the Council of Chalcedon where it is stipulated, however, that it is the bishop who is to judge clerics (PL 67, 88).
452 CCH 21.29.
453 Gwynn suggested an alternative translation of this decree to that given by O’Grady, owing to an ambiguity in the Irish word ‘cion’, which he says also means ‘part’ or ‘share’. With this meaning the decree would read ‘That the share of cleric or poet should not be given to a layman’ (Gwynn, Irish church, 167). Even if this translation is accepted, the decree would still not be considered to be a reform decree. It is highly unlikely that the church would ever have agreed that a layman should get a cleric’s part (presumably meaning his share of the church’s income) and was now reversing that policy. It is true that the church may have been facilitated by local lords in collecting some of that income (Etchingham, Church organisation, 269-70). There may have been trouble encountered between local churches and lords over this with the latter purloining some of that income. However, that was unlikely to be what is addressed by this translation of the decree since it refers specifically to the cleric’s part not church income. Nor is it likely that it refers to that part of the church’s income which is to be given to the poor, who presumably were lay people. That was considered to be separate from the cleric’s part according to a canon in Hibernensis, not published by Wasserschleben. There it is stated that tithes are divided into three parts with one part going to ‘the priests of the people’, another in payment for equipment for the church and the third part going to the poor (ibid. 240-42).
than to contemporary concerns of the mainstream western church about clerical privilege; the inclusion of poets454 would tend to confirm this.

All the decrees that were promulgated at Cashel, therefore, affirm practices and policies which had already existed. They did not introduce new ones. While some may have been concerned about restoration and may be considered reformation in a general sense since they advocated conservative reform, none of them sought innovation. They cannot, therefore, be considered radical reform decrees. In particular, they give no indication that the ecclesiastics involved envisaged any change in the structure of the church in a manner that would suggest that they were supportive of the plan that Muirchertach Ua Briain would appear at that time to be formulating in his mind.

454 Dr Katherine Simms (of Trinity College, Dublin), who has special expertise in relation to poets and bards in this and later periods, has assured me in a personal communication that the inclusion of poets in this canon is not likely to be a later interpolation.
Chapter 4: Muirchertach Ua Briain exchanges Canterbury for Armagh.

The impetus given to reform of the structure of the Irish church at the synod of Cashel is, as we have seen, not to be found in its decrees but in the action taken there by Muirchertach Ua Briain. Unlike the decrees of the synod, this action is widely reported in the annals although in slightly differing forms. All, except perhaps that in Chronicon Scottorum, which is too vague to be interpreted, have one thing in common. The grant is made, not to some local community, but to all the christian people of Ireland. Cashel of the kings was to become the property of the whole church in Ireland forever. There is no need to explain away this grant and the extraordinary impact it made upon the annalists by saying that the Ua Briain dynasty had no ancestral connections with Cashel or that, by giving it to the church, Muirchertach Ua Briain was preventing it becoming a focal point for opposing Uí Briain sovereignty in Munster in the future. Given the undoubted commitment of the dynasty to church reform and the subsequent use the church so quickly made of it as a metropolitan see, one must conclude that the motivation was reform, not mere power play. Of course, if it killed two birds with one stone, so be it. The action, however, must be seen as substantial and even dramatic and as an indication that Muirchertach Ua Briain already had in mind, in some form, the shape which the Irish church would take after it had been

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1 AT, AFM s.a. 1101; CS s.a. 1097 [ =1101]; AC 1100 [ =1101].
2 Ryan uses this metaphor (J. Ryan, 'The O'Briens in Munster after Clontarf', North Munster Antiquarian Journal 3 (1942) 1-52: 16).
restructured. And, if we are to judge by the decrees passed at Cashel, Muirchertach did not get any assistance in progressing his plan from the clergy who attended that synod. It seems reasonable to suggest, therefore, that he would in the future have to look elsewhere for such help. But he had one problem that was more immediate and acute. If, as seems likely from subsequent events, he already planned that the church should have a territorially based episcopal hierarchy, within which Cashel would play an important role, it seems almost certain that there would have been no place in it for Canterbury. Instead it would have to include Armagh, the most prestigious ecclesiastical establishment in Ireland. Armagh, therefore, would have to be brought on board the movement for structural reform. Such a change in policy from co-operation, knowingly or unknowingly, with Canterbury's initiative in Ireland to one which substitutes Armagh in its place is momentous. Any study of this and, indeed, of church reform in general "cannot be properly understood divorced from its political and social background". It must, therefore, be placed within the context of his political strategy, both domestic and foreign, at this time. Because of that, it is necessary that this strategy be examined, starting first with his domestic policies up to the time of the synod of Cashel.

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3 Byrne, *Kings and high-kings*, 269.
When Tairdelbach Ua Briain died in 1086 he was succeeded, as king of Munster, by his son Muirchertach. Prior to that, Muirchertach had governed Dublin on behalf of his father for eleven years. Muirchertach’s accession to the kingship, however, was not straightforward; he had to contend with opposition from within the dynasty especially from his brother Diarmait. The year after Muirchertach became king, Diarmait allied himself with the men of Leinster in their unsuccessful battle against him, probably for the control of Dublin. Diarmait continued to oppose him until 1093 when he submitted; they were reconciled with the apparent help of the chief bishop of Munster, Domnall Ua hÉnna. This was affirmed in both Cashel and Lismore by their swearing on the Bachall Isa, the chief insignia of the comarbae of Patrick. The opposition presented by Diarmait and his party in Munster in the early years weakened Muirchertach’s ability to assert himself successfully in the field of battle. He suffered a number of defeats by the king of Connacht and, while he was on expedition in Leinster, Munster was devastated by the combined forces of Connacht and Domnall Mac Lochlainn, the powerful king of Cenél n-Eógain. Despite these setbacks he was soon on the offensive in Meath and took the kingship of both Leinster and Dublin. He then turned to Connacht, initially without success and there were failures elsewhere forcing him to acknowledge the superiority of Domnall Mac

5 ‘Diarmait, son of Tairdelbach Ua Briain, submitted to Muirchertach (‘do thictain i tech Muirchertaig’) i.e. his brother, and they made peace and a covenant (‘sith ’gh chomluge’) in Caisel and Les Mór, with the relics of Ireland, including the Staff of Jesus, as pledges, and in the presence of Ua hÉnna and the nobles of Mumu’ (A.I. s.a. 1093).
Lochlainn. However in 1092, taking advantage of dynastic problems there, he seized the kingship of Connacht. It took some time for him to establish proper control there and it was not until 1095 that he managed to do so. The result was that by 1096 he was dominant in Munster, Leinster, Meath, Dublin and Connacht. It was this level of dominance which probably led him to perceive himself to be *rex Hiberniae* in the *decretum* for the consecration of bishop Samuel for the see of Dublin in 1096⁶ and when his subscription was added to the *decretum* which was sent to Canterbury for the consecration of Mael Ísa as first bishop of Waterford in the same year. Furthermore, it may be of significance to note that the other subscriptions, apart from that of his brother Diarmait, who was then governor of Waterford, were representative (at least in the territorial title given to them) of the very regions over which Muirchertach exercised dominance - Domnall Ua hÉnna of Munster, Mael Muire Ua Dunáin of Meath, Samuel of Dublin and Ferdomnach of Leinster.⁷ Connacht, which had only just been finally brought under full control, is the only region omitted although it is possible that it may have been one of the subscriptions which Eadmer says he omitted for the sake of brevity.⁸ It was probably the description of Muirchertach as king of Ireland in these *decreta* that led Anselm to use the words ‘Muriardacho, glorioso gratia dei regii

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⁶ Excerpts from this *decretum* are published by Eadmer (Rule, *Historia novorum*, 73).
⁷ Schmitt, *Opera*, iv 92-93 (letter 201); in the subscriptions, Ua hÉnna is not actually given the title of bishop of Munster and Ferdomanch’s status is more literally translated as ‘bishop of the Leinstermen’. It is, perhaps, worth noting here that around this time Muirchertach may also have had a governor in place in Leinster (D. Ó Corráin, ‘Nationality and kingship in pre-Norman Ireland’, T. W. Moody (ed), *Nationality and the pursuit of national independence* (Belfast 1978) 1-35: 27-28).
⁸ Rule, *Historia novorum*, 77.
Hiberniae⁹ (‘To Muirchertach, by the grace of God, glorious king of Ireland’) in his letter to him. If Muirchertach did in fact see himself as being king of Ireland at this date he was ignoring one major Irish power who was not under his control - Domnall Mac Lochlainn of Cenél n-Eógain.

In reality there is plenty of evidence that Muirchertach did not ignore this opposing power in the north. With his position in Leth Moga, Mide and Connacht now firmly under control, he began a series of attempts to assert his authority over Mac Lochlainn. In 1097 he led a host, made up of people from the areas under his control, into Mag Muirthemne (the Louth area) to challenge Mac Lochlainn. Although Mac Lochlainn did march south to meet him, a new factor entered into the situation. The comarbae of Patrick, Domnall mac Amalgada, went south to intervene and successfully made peace between them. This type of intervention was to become fairly common whenever Muirchertach set out to challenge Mac Lochlainn. It happened again in 1099 and also in 1102 when a Munster army marched north and in 1105 Domnall went to Dublin to make peace between the two great rivals. Domnall’s successor, Cellach continued to intervene in this way. He did so in 1107, 1109 and 1113.

The comarbai of Patrick at this time were members of the Clann Sinaich. This Clann held the coarbship as their rightful inheritance due to the patronage of

⁹ Schmitt, Opera, iv 373 (letter 427). A date in 1096 for this letter is suggested by Gwynn (idem, Irish church, 103-04). It has, of course, to be admitted that Anselm’s predecessor, Lanfranc, had also used the title rex when addressing Muirchertach’s father, Tairdelbach.
the Cenél n-Eógain\(^\text{10}\) and were, therefore, beholden to Mac Lochlainn. The intervention of the *comarbae* of Patrick may therefore be seen as an attempt to assist Mac Lochlainn. At the very least it could be said that he would not have intervened if Mac Lochlainn had not so wanted. Why Muirchertach should have repeatedly tried to assert his authority over Mac Lochlainn only to allow himself to be persuaded to desist by the *comarbae* of Patrick could be explained by Muirchertach’s respect for the office held by the *comarbae* and the role which that office might play in any scheme he may have had in mind for the reform of the church. Muirchertach also aspired, as we will see later, to replace Mac Lochlainn as patron and protector of the *comarbae* of Patrick. In the meantime Armagh, in the person of the *comarbae*, had to be kept on side. This evidence of Muirchertach’s attitude to Armagh is particularly important as it can be accurately dated—other evidence for the same attitude, to be discussed later, does not lend itself to such accurate dating. It is also of particular significance that the first date we have for this attitude to Armagh is 1097, one year after the date of the last piece of evidence we have for Muirchertach’s active co-operation with Canterbury—the erection of the new diocese of Waterford and the sending of Mael Ísa to Canterbury in 1096 with a *decretum* bearing Muirchertach’s subscription.

There were two years, in particular, in which the *comarbae* Domnall, for whatever reason, chose not to intervene and Muirchertach’s hosting to the

\(^{10}\) Ó Fiaich, ‘Armagh under lay control’, 80-85; Ó Corráin, *Ireland before the Normans*, 17.
north went into action. In the first of these years, 1100, Muirchertach’s forces were defeated. In the second however, 1101 (the year of the synod of Cashel), they were triumphant to the extent that he destroyed Ailech, the historic fortress of the Cenél n-Éógain but, importantly, he failed to secure the submission of Domnall Mac Lochlainn. Nevertheless, his attempt to have himself recognized by all as king of Ireland had almost succeeded, leaving him with realistic expectations that the kingship was almost within his grasp. However, in this year a sharp reminder of the threat from abroad emerged when the annals report the plundering of Inis Cathaig by the foreigners, perhaps by Magnus Barelegs, king of Norway. This incursion brings into focus Muirchertach’s foreign policies; policies that are particularly significant since they provide a context for his decision to abandon co-operation with Canterbury and to seek to put Armagh in its place in the efforts being made to reform the church in Ireland.

When we talk about Muirchertach Ua Briain’s foreign policies at this time we are talking in particular about his relationship with Dublin and the Isles of the Irish Sea. In 1095, Muirchertach was clearly in control of Dublin having expelled Gofraid Meránach, king of Dublin, in the previous year. Muirchertach’s reputation in the Irish sea region was now such that, when Gofraid died the following year, all the magnates of the Isles sent legates to Muirchertach asking him to appoint a regent for the Isles until Gofraid’s son came of age. It would seem that he appointed Domnall son of Tadc, probably
his nephew. He ruled the Isles during the period 1095-98. His assumption of this role has been described as "the culmination of a period of rapid intensification of Irish domination of the region". However, such a development was likely to have aroused concern among others such as the kings of Norway and of England. Nevertheless, whether such a concern was the reason or not, Magnus Barelegs, king of Norway, set out on an expedition to the west in 1098 that would see him conquering all before him as far as the Isle of Man: he took the Orkneys, the Hebrides, Kintyre and parts of Galloway before conquering and establishing a base on the Isle of Man. According to Orderic Vitalis it had been his intention to invade Ireland but "the Irish were assembled in war array on the shores and turned him away". Indeed when Magnus later killed Hugh, earl of Shrewsbury, in battle on Anglesea, Magnus is said to have grieved. He explained that he was leading an army against the Irish and not the English. It is possible, therefore, that Magnus's

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11 Duffy, ‘Irishmen and Islesmen’, 108-110. It should be noted that this account of Irish domination of the region is largely based upon the account in the Chronicle of Man and the Isles. However, there are great difficulties in clarifying its dates. The years between Gofraid’s death, in 1095, and the arrival of Magnus Barelegs in 1098 present particular difficulties. See Rosemary Power, ‘Magnus Barelegs’ expeditions to the west’, *Scottish Historical Review* 65 (1986) 107-132: 115-17. She suggests the period between 1111 and 1114 as the time when Domnall son of Tadc ruled Man (ibid. 116). But, as Dr Duffy has pointed out, the known presence of Domnall’s brother, Amlaib, in Man in 1096 together with the fact that the Chronicle puts the magnates’ request for a regent before its report of the arrival of Magnus Barelegs and Muirchertach’s high standing after the expulsion of Gofraid Méránach from Dublin is probably strong enough evidence for accepting the dates 1095-8 for Domnall son of Tadc’s rule over Man (Duffy, ‘Irishmen and Islesmen’, 109 n 78; see also A. O. Anderson, *Early sources of Scottish history A.D.300 to 1286* (2 vols, Edinburgh 1922, repr. Stamford 1990) ii 98-101).


13 M. Chibnall (ed. & tr.), *The ecclesiastical history of Orderic Vitalis* (6 vols, Oxford 1969-1980), v 223-25. This explanation is not as far-fetched as it seems. There were Irishmen on Anglesea at the time. In 1098 the Normans had been attempting to expand their control over the North of Wales. In response, the Welsh had called in help from Ireland. However, the Irish were bought off by the Normans and, in fact, were said to have brought the Normans to Anglesea (T. Jones (ed. & tr.), *Brut y tywysogyon or the Chronicle of the princes: Red Book of Hergest version* (Cardiff 1955) 37; idem, (ed. & tr.), *Brut y tywysogyon or the Chronicle of the princes: Peniarth MS. 20 version* (Cardiff 1952)
main concern, when setting out on his first expedition to the west, was to challenge the dominance held by Muirchertach Ua Briain in the Irish-Sea area. However, there is no evidence of contact between the two during this expedition although, given the close links between Dublin and Man, Muirchertach undoubtedly knew about Magnus’s expedition. In any case, Magnus returned to Norway having made a treaty with the Scottish king whereby he gained control of all the islands west of Scotland, including Man.

Magnus returned in 1102. This time he had Ireland more clearly in his sights and, in particular, Muirchertach Ua Briain. He must have been perceived as a major threat by Ua Briain, and especially to Dublin. However, the threat was handled diplomatically. A year’s peace between the two was negotiated in Dublin in 1102 and the truce was cemented by a marriage alliance. A potential enemy was turned into an ally, a fact that greatly enhanced Muirchertach’s position both in Ireland and in the Irish-Sea area.

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20-21). They may, therefore, have been fighting alongside the earl of Shrewsbury when he was killed by Magnus, thus giving plausibility to Orderic’s report that Magnus thought that he was fighting Irishmen. This plausibility holds despite the obvious error that Orderic made in attributing a motivation to Magnus for seeking to fight the Irish. This motivation, he said, arose from the failure on the part of the Irish king to meet a bargain struck when he had married that king’s daughter (Chibnall, Orderic, v 221-23.) Orderic is here confusing the marriage which took place some years later between Magnus’s son and Muirchertach’s daughter (A. Candon, ‘Muirchertach Ua Briain, politics and naval activity in the Irish Sea, 1075 to 1119’, G. MacNiocaill & P.F. Wallace (ed), Keimelia: studies in medieval archaeology and history in memory of Tom Delaney (Galway 1988) 398-415: 406. The date of this marriage, 1102, is based on Irish annals (Power, ‘Magnus Barelegs’, 122 n 3)).

14 Duffy, ‘Irishmen and Islesmen’, 109-110, where he also argues that Magnus may have been motivated to challenge Irish domination in the region.
15 ibid. 110; Power, ‘Magnus Barelegs’, 122 n 3.
17 Power, ‘Magnus Barelegs’, 121.
1102, although it brought him dangers, also serves to highlight Muirchertach Ua Briain's increased prominence in international affairs. We have just noted him gaining an ally in the king of Norway and cementing the relationship through a marriage alliance. In the same year, he also forged a relationship with one of the leading families in Europe again through a marriage alliance. His daughter married Arnulf de Montgomery whose father was one of the leading barons in Normandy even before the Conqueror invaded England. According to Mason, 'by 1102 the Montgomeries had reached the topmost level of west-European aristocracy'. This alliance placed Muirchertach Ua Briain in opposition to the king of England, Henry I, indicating a move away from the apparently cordial relations which he had, only a few years earlier (1098) with his predecessor William Rufus. Whether one accepts the Welsh chronicle's account of the alliance occurring during the Montgomery

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19 J. F. A. Mason, 'Roger de Montgomery and his sons (1067-1102)', *Transactions of the Royal Historical Society*, ser 5, 13 (1963) 1-28: 1, 26. AFM s.a. 1102. The Munster Annals of Inisfallen report the two alliances succinctly: 'In this year Muirchertach Ua Briain made a marriage-alliance with the French and with the Norsemen' (AI s.a. 1102; on this marriage alliance, see E. Curtis, 'Murchertach O'Brien, high king of Ireland, and his Norman son-in-law, Arnulf de Montgomery circa 1100', JRSAI 51 (1921) 116-124. That is, if we are to believe a report (in a chronicle that lacks a certain credibility) that in 1098 William Rufus got the timber which was used to build the roof frame of Westminster Hall from Oxmantown, Dublin 'by licence of Murchard' (Meredith Hanmer, 'The chronicle of Ireland', James Ware (ed), *Ancient Irish histories* (2 vols, Dublin 1633. Repr. 1809, 1970) ii 194-95). Although the report in the chronicle earlier refers, when recalling the granting of land for the foundation of the church of St Michan, to Murchard as 'King of Leinster' the same title could not apply to a Murchard in the year 1098. The Murchard, king of Leinster, who gave the land, must have been Murchad, son of Diarmait Mac Mael na mBó. He had concentrated his attention particularly, on Dublin, so much so that the annals refer to him as 'lord of the Norse'. However he died in 1070 (Ó Corráin, *Ireland before the Normans*, 136, 188). By 1098, Muirchertach Ua Briain was in control of Dublin and it is most likely that the 'Murchard' who the report says granted license to William Rufus to import the timber from Dublin, is in fact Muirchertach Ua Briain. Such a license would hardly have been granted if relations between Muirchertach and the English king were other than cordial. Keating names the wrong king when he reports this story; he says that it was Tairdelbach Ua Briain. This is impossible for the year 1098 (Keating, *Foras feasa*, iii 294).
rebellion against Henry" or Orderic Vitalis's account, which records it separate from the rebellion, it seems most likely that Muirchertach and the Montgomeries were in contact before the rebellion began. And it does seem that he came to their assistance during the rebellion. That assistance was the obvious advantage gained by the Montgomeries from the alliance. The consequence, however, was that Muirchertach was aligned against the English king and, given that, one has to ask what advantage it brought to him. There is no evidence, as in the case of Magnus, that the Montgomeries posed a threat to Ireland or even to Muirchertach's interests in the Irish-Sea area for their interests lay in England, France and Wales. The conquest of Wales and the consolidation of their control there seem to have been the main focus of their attention. The alliance, therefore, cannot be seen as being for defensive purposes. Rather it was an alliance made by a king who wished to enhance his standing not merely, as we have seen, on the domestic front but also internationally. If that meant offending the English king in the process, then that was only to be expected. That he was, by his action, prepared to offend the English king gives us some insight into his own perception of his kingship at this time.

21 Jones, Brut Hergest, 43-45; idem, Brut Pentart, 23-24.
22 Chibnall, Orderic, vi 31-33.
23 Orderic Vitalis reports what could have been another advantage, however unlikely, as seen by the Montgomeries. He states that Arnulf married Muirchertach’s daughter and hoped thereby to secure, in her right, Muirchertach’s kingdom (ibid).
It has often been assumed that this action is the one referred to by William of Malmesbury in his *Gesta regum*. There he refers to some action of Muirchertach which offended king Henry who responded with a form of trade sanctions against him in the Irish-Sea area (a response which is an oblique tribute to the latter's strength in international commerce). However, there are some indications that the action referred to here may not be the assistance given by Muirchertach to the Montgomeries. Both the Welsh chronicle and Orderic Vitalis give considerable details on the rebellion of the Montgomeries against Henry I, and these include the help given by Muirchertach to the Montgomeries. However, there is no report of any involvement in the rebellion of the castle in Pembroke, owned by Muirchertach's son-in-law Arnulf, or the part played by the fleet sent by Muirchertach. The rebellion lasted at least four months, yet Muirchertach's action referred to by William of Malmesbury lasted only a few days ('paucis diebus'). Furthermore, despite reporting the rebellion in the same book some twenty years after it had taken place, William says that he cannot remember the reason for Muirchertach's action. If, in fact, it did take place at a time other than the period of the Montgomery rebellion, then it could be viewed

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as an example of Muirchertach exerting his influence outside the merely
domestic sphere, and given the nature of Henry's response - a ban on sailing
and the commerce of sailing - he was probably exerting it in the Irish-Sea
area. The robustness of that response would suggest that the conflict must
have been of a substantial kind. It would indicate that Muirchertach did not
shrink from conflict with English interests, perhaps even interests directly
associated with Henry himself. The English king's interest in the Irish-Sea
area at this time is demonstrated by an entry in the Chronicles of the Kings of
Man and the Isles. There it is stated that Amlaib, son of Gofraid Meránach,
had been living at Henry's court until he was brought back to the Isles after
the death of king Magnus in 1103.27 If he had been brought to court in his
infancy, then the interest shown by the English king in the area would
indicate his opposition to the Uí Briain efforts to establish their dominance
over the region.28 Out of that opposition a conflict could easily have arisen
that gave rise to the report by William of Malmesbury.

If the incident reported is indeed separate from the assistance given by
Muirchertach to the Montgomeries, it is but another example of
Muirchertach, as an Irish king, coming into conflict with a foreign king. His
activities, generally, in the Irish-Sea area have been seen as representing 'a
new departure in Irish politics' - a move away from absorption in domestic

27 George Broderick (ed), *Cronica regum Mannie et Insularum* (Belfast 1979) f.35r.
28 Duffy, 'Irishmen and Islesmen', 115.
affairs and an opening up to the international politics of Europe. This was particularly so in the last few years of the eleventh century and the opening ones of the twelfth, the year 1102 being especially prominent.

It is precisely within this period that it appears that Muirchertach decided that the Irish church should be reformed in an Irish context. His co-operation with Canterbury's initiative in Ireland would cease and Armagh would, instead, become central to his reform plan. His claim to the kingship of Ireland had already been recognized by Canterbury, as we have noted earlier; such recognition, however, would not have had any practical value within the Irish domestic political milieu. Armagh, on the other hand, would have been quite different. Could it have been seen as a possible source of legitimacy for a king of Ireland under a new concept of kingship, something more closely allied to that which existed in England and on the continent? It certainly had some recognizable authority at this level since, as we have seen, the _comarbae_ of Patrick was capable of bringing about peace between the two powerful rivals on a number of occasions, both when they were already at battle drawn and when they were not, as in the case of Domnall in Dublin in 1105. And, from Muirchertach's point of view, it would have had particular value as a support for his claim to be king of Ireland, even in the traditional manner, since his opposition came from Domnall Mac Lochlain of

29 Candon, 'Muirchertach Ua Briain', 415.
30 Schmitt, _Opera_, v 373 (letter 427), 382 (letter 435). These letters are not dated but it would appear that both of them may have been sent before December 1096 (Gwynn, _Irish church_, 103-04).
the Cenél n-Eógain and he was, as we have seen, the patron of the contemporary *comarbai* of Patrick.

If it were, indeed, seen as such a source then it would have made good sense for Muirchertach to devote his efforts to winning it over to his side. However, that on its own was unlikely to be sufficient. To play such a role it would be necessary for Armagh to become the leading ecclesiastical establishment in Ireland in the same way as Canterbury aspired to be in the contemporary English church. That, of course, meant that not alone would it be necessary to win Armagh over to reform but it would also be necessary to structurally reform the Irish church as a whole, winning Armagh being the first step.

If this were his plan then he was particularly fortunate in that there was a long history of good relations between Cashel and Armagh. Already in 823 Muirchertach’s predecessor as king of Munster, Feidlimid mac Crimthainn, who was one of the Eóganacht of Cashel and bishop-king of Munster, imposed the Law of Patrick (‘Lex Patricii’) on Munster.\(^{31}\) But even earlier than that, Tírechán, in his work written in the seventh century, relates a story about St Patrick baptizing the sons of Nad Froích on the rock at Cashel and he calls it ‘Patrick’s rock’ (‘super Petram Coithrigi’).\(^{32}\) This story is retold and

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\(^{31}\) AU s.a. 823. Also reported in CS, AFM. Another predecessor of Muirchertach, Cathal mac Finguine as king of Munster may have promulgated it the previous century, in 734 (Byrne, *Kings and high-kings*, 189).

\(^{32}\) Bieler & Kelly, *Patrician texts*, 162 (c51 §4); tr. 163 (c51 §4). Cothrige was one of Patrick’s names which Tírechán knew (ibid. 232 (c49 §2)). The title ‘Patrick’s rock’ was not unique to Cashel at this time. Tírechán refers elsewhere to a rock `quae petra Patricii usque nunc’ ‘which is called Patrick’s rock until now’ (ibid. 160 (c48 §3)).
expanded in the later (9th to early 10th century) Tripartite Life of Patrick. According to this, Patrick, after the baptism, blessed Cashel and promised that, till doom, only one slaughter would take place there. However, according to the second version of the story of the Finding of Cashel, perhaps dated to the tenth century, this one slaughter had already occurred before the Tripartite Life was composed. It was probably this that allows the composer of that Life to report that Patrick also promised that none of the kings of Cashel would ever die from a wound. But the composer goes even further. He makes the claim that no one can become king of Cashel until the comarbae of Patrick installs him (‘ní rí Caisil corón ordnea comarba Pátraic’)35, a statement which would have provided Muirchertach with a very apt precedent for the involvement of the comarbae of Patrick in the role of giving legitimacy to a king of Cashel. This, of course, along with the statement in the tenth century version of the Finding of Cashel that tribute was willingly paid by Cashel to Armagh36 can be dismissed as being merely an attempt at aggrandizement by Armagh. Perhaps it was but it could now be used by Muirchertach to entice Armagh into joining with Cashel in the enterprise he may have envisaged for it.

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33 K. Mulchrone (ed), *Bethu Phdtraic: the Tripartite Life of Patrick*, Text & Sources (Dublin 1939) 118 esp. line 2293. Work on the Tripartite Life may have begun in the eighth century and continued until early in the tenth (Etchingham, *Church organisation*, 9).

34 In this story, it is reported that Cormac Hua Mäenaig was slain to fulfill this prophecy of Patrick and the annals of Ulster report that Mäenach, king of Munster, died in 661 (M. Dillon, ‘The story of the finding of Cashel’, *Ériu* 16 (1952) 61-73: 67; tr. 72-73. Ascription of version B, perhaps to the tenth century (ibid. 64)).


When the Dál Cais took over the kingship of Munster from the Eóganacht in the tenth century the good relationship that had already existed between Cashel and Armagh continued and, if anything, improved. Although Mathgamain mac Cennétig, king of Dál Cais and aspirant king of Munster, had captured Cashel and occupied the lands of the Eóganacht Caisil in 964 he had more work to do if he would be king of Munster. He still had to assert his authority over others in the province, especially Úi Fidgente. However, in 973 an opportunity occurred which allowed him to be seen to act in the role of the king of Munster. In that year as Dub dá Leithe, the comarbae of Patrick, was on circuit in Munster a dispute over tributes arose between him and the comarbae of Ailbe (abbot of Emly, a major ecclesiastical settlement which had strong associations with the Eóganacht, the dynasty which provided the kings of Munster up to this time). Mathgamain intervened and found in favour, not of the famous Munster community, but of Armagh. As the annals put it ‘Mathgamain, king of Mumu made peace between them, and they agreed upon the perpetual right of [the comarbae of] Patrick’. Armagh was obviously held in high esteem by the new power in Munster. That this was so is indicated by the actions of Mathgamain’s successor, his brother Brian Bóroime. He visited Armagh in 1005 and left gold on the altar there. But more important is the title accorded to him in

37 Byrne refers to this action as a ‘successful Dál Cais coup’ which is ‘indicative of the final collapse of the Eóganacht’ (Byrne, *Kings and high-kings*, 204).
39 Al s.a. 973; Ó Corráin, *Ireland before the Normans*, 116-17.
Armagh in 1014. This is recorded in the Annals of Ulster, which were being written at Armagh at that time.\textsuperscript{40} In these he is described as 'ardri Gaidhel Erenn \& Gall \& Bretan, August iartair tuaiscirt Eorpa uile' ('high-king of the Irish of Ireland and of the Foreigners and the Welsh, the Augustus of the whole of north-west Europe').\textsuperscript{41} This rather grand description of him is reflected in the title accorded to him when an inscription was made, on his behalf by a member of his own staff\textsuperscript{42}, in the Book of Armagh at the time of his visit in 1005. In this he is described as 'imperator Scotorum' ('emperor of the Irish'). But the inscription also records that he gave his recognition to Armagh as the 'apostolic city' in Ireland, something it says he had found in the records of the Irish, presumably furnished to him by Armagh. In these he also found that tribute, resulting from all of St Patrick's work, was due to Armagh. Brian, as a result, bound his successors as kings of Cashel to the payment of this tribute.\textsuperscript{43} The encounter was, therefore, mutually beneficial and some of its fruits can be seen some few years later when the annals record the death of Tuathal Ua Mailmacha 'comarbae of Patrick in Munster'\textsuperscript{44}, where he, presumably, had been engaged in collecting the tribute due to

\textsuperscript{40} Gearóid Mac Níocaill, The medieval Irish annals (Dublin 1975) 18-23.
\textsuperscript{41} AU s.a. 1005, 1014; Byrne, Kings and high-kings, 257.
\textsuperscript{42} Calvus perennis or Mael Suthain, described as annchara of Brian in his obit (AFM s.a. 1031). It is not clear if he was his annchara in 1005 but at least he would have been one of his staff. Byrne refers to him as 'his [Brian's] secretary' (idem, Kings and high-kings, 257).
\textsuperscript{43} J. Gwynn, Liber Ardmachanus: the Book of Armagh (Dublin 1913) 32; A. Gwynn, 'Brian in Armagh', Seanchas Ardmhacha 9 (1978) 35-50. The latter draws attention to the suggestion made by his grandfather, J. Gwynn, in the introduction of his edition of the Book of Armagh, to the effect that the Liber Angeli, an Armagh document, was probably one of the records furnished by Armagh to convince Brian of its primatial rights (ibid. 42).
\textsuperscript{44} CS s.a. 1005[=1007], AFM s.a.1006[=1007]. This man is not to be confused with Maelmuire who was the comarbae of Patrick at Armagh at this time.
Armagh from Munster.45 Later, while Brian was on an expedition in Mag Muirthemne, he granted full freedom from secular tribute to churches there that were subject to Armagh.46 The encounter at Armagh was given even further approval by the fact that Brian was subsequently buried with great reverence there, apparently, if one is to believe later tradition, at his own request.47 Brian’s relationship with Armagh, especially his apparent belief in its capacity to grant legitimacy to the kingship to which he aspired, must have provided those of his lineal successors, who would have held him in high respect and who would similarly aspire, with a very obvious precedent. Meanwhile, at a more mundane level the relationship can be seen to have been continued by Brian’s son, Donnchad, when he gave hospitality to Amalgaid, the comarbae of Patrick, accompanied by his clerics (‘cona sruithib’), at Cenn Corad during the Easter period in 1026.48 Subsequently at different periods of the eleventh century, and indeed also in the twelfth, there may have been an official stationed in Munster whose role was to protect the rights of Armagh in that province.49

As for Muirchertach’s dealings with Armagh there are a number of texts which give us some insight. However, there are some attendant difficulties;

45 It is possible that he had some other more lofty type of function. In the AFM obit he is described as ‘saoi’ (‘a learned man’).
46 AU s.a. 1012 (‘Slogad la Brian i Magh Muirteimhne co tuc og-shoere do chellaib Patraic dont shluagad-sin’).
47 AU s.a. 1014, AFM s.a. 1013 [=1014]; J. H. Todd (ed. & tr.), Cogadh Gaedhel re Gallaibh: the war of the Gaedhil with the Gaill, RS 48 (London 1867) 200-02 (§113); 210 (§118).
48 AI s.a. 1026.
49 Gwynn, ‘Brian in Armagh’, 48-50; idem & Gleeson, Diocese of Killaloe, 92-93.
they have to be interpreted and they are not easy to date accurately. The first of these, *Cogadh Gaedhel re Gallaibh*, is a work of propaganda, the objective of which is to boost the reputation of Brian Bóroime and, in consequence, the Ua Briain dynasty. It was composed during the reign, and probably at the behest of Muirchertach at some date early in the twelfth century, perhaps 1103-1113.\textsuperscript{50} The work, in general, relates a story about the invasion of Ireland by Vikings and the depredations caused there by them. Against this background, and without any particular regard for dates, the author is able to portray Brian Bóroime as the hero who saves the Irish and their church from great devastation. When he deals with Armagh the author writes:

'Moreover, Ard Macha was plundered three times in the same month by them; and Turgeis himself usurped the abbacy of Ard Macha, and Farannan, abbot of Ard Macha, and chief\textsuperscript{51} *comharba* of Patrick, was driven out, and went to Mumhain, and Patrick's shrine with him; and he was four years in Mumhain, while Turgeis was in Ard Macha, and in the sovereignty of the north of Ireland'.\textsuperscript{52}


\textsuperscript{51} Calling Farannan ‘chief *comharba* of Patrick’ (‘ard comarba Padraic’) after he has called him ‘abbot of Armagh’ (‘abb Arda Macha’) may be significant. We have already noted the death of Tuathal Ua Mailmacha ‘*comarbae* of Patrick in Munster’ (CS s.a. 1005[=1007], AFM s.a. 1006[=1007]) who, as we then pointed out, is not to be confused with Maelmuire who was the *comarbae* of Patrick in Armagh at the time. If the early twelfth century Munster author of the *Cogadh* finds it necessary to use the epithet ‘chief’ to describe Farannan, could it be that he wants to distinguish him from a *comarbae* of Patrick in Munster of whose contemporary existence he is aware? If so, his presence there, around 100 years after the death of Tuathal Ua Mailmacha, would be particularly significant. It would indicate continuity in the office over the period which we are discussing and would add a very important dimension to the relationship between Munster/Cashel and Armagh.

\textsuperscript{52} Todd, *Cogadh*, 8 (§9) (tr. 9 as above). This excerpt also appears in the fragment preserved in the twelfth century Book of Leinster (ibid. 224-25).
Although there is plenty of evidence that Armagh was often raided by the Vikings, there is no indication whatever in the annals that Armagh was ever held for a period of time as a colony by the Vikings. In fact, the story of Turgeis usurping the abbacy of Armagh and remaining there for four years is quite obviously built on one of the annalistic reports of a Viking raid on Armagh, a report which also, rather incongruously, appears in the *Cogadh* but in a part of that text separate from the story which is built upon it. And, what is more, when compared with the annals, especially the Munster Annals of Inisfallen, it is reported there quite accurately. The story, however, departs from the annalistic report in significant ways. The raid is reported in the annals as follows:

'Forannán, abbot of Ard Macha, was taken prisoner by the heathens in Cluain Comarda with his halidoms ('cona mindaibh') and following ('cona muintir') and was brought to the ships of Luimnech'.

It will be immediately apparent when this is compared with the story in the *Cogadh*, as outlined above, that the latter introduces a number of new items. First of all it introduces Turgeis. It also says that he usurped the abbacy of Armagh when Farannan had been driven out and that he remained in that position for four years while at the same time holding sovereignty of the

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54 Todd, *Cogadh*, 14 (§13); AU, CS, AI s.a. 845; AFM s.a 843.
55 AU s.a 845. The reports in the other annals are quite similar to this. In AI, however, he is said to have been captured along with the shrine of Patrick, which was broken. This is the way the incident is described in the *Cogadh* report (Todd, *Cogadh*, 14 (§13)).
north of Ireland. In other words, it invents the idea that a Viking colony was set up in Armagh. Finally, with a neat twist in favour of the Munster men, and Limerick in particular, the author of the *Cogadh* changes the statement which appears in almost all the annals that Forannan was taken prisoner by the heathens and brought to the ships in Limerick. Instead, he states that Forannan, after being driven out of Armagh, went to Munster and stayed there for four years; in effect, it says he was given refuge, while Turgeis held Armagh, rather than held prisoner. Later, after it has related the death of Turgeis, *Cogadh* says that Farannan left Munster — thus confirming the idea that he was a refugee there rather than a prisoner. The motive of the author, who built this story on the annalistic report, seems to be to demonstrate that the Uí Néill (represented at the time the book was written by Domnall Mac Lochlain of Cenél n-Eógain, Muirchertach’s great rival), who would have been expected to afford protection to the *comarbae* of Patrick against the ambitions of the Vikings, were in fact incapable of fulfilling that role. In contrast, Brian Bóroime is shown to have heroically defeated the Vikings and to have been munificent to the church in Ireland. Here we see an attempt being made by an Ua Briain propagandist to show that it is the Uí Briain who should be regarded by Armagh as its patron and protector and not Domnall Mac Lochlainn. Associating the Uí Briain in a positive way with Armagh was important to the author.

56 ibid. 14 (§14).
57 Ó Corráin, *Ireland before the Normans*, 91-92.
Whether the author, in devising the story of the Viking occupation of Armagh and the provision of refuge in Munster to the comarbae of Patrick during the period of that occupation, is motivated by an effort to enhance early twelfth century Uí Briain claims to high-king status or not, it certainly has the effect of giving Armagh political significance at a national level. From this it can be taken that Armagh is now considered to matter politically. That such is the contemporary perception would appear to be confirmed by the way the author of a work, composed a short time after the Cogadh was written, deals with it.

This work, Caithréim Chellacháin Chaisil, composed possibly during the time that Muirchertach Ua Briain was king of Munster, though more likely at a time somewhat later (1127x1134), is considered to be dynastic propaganda written on behalf of the Mac Carthaig. In writing it, the author appears to have emulated the Cogadh which, as we have seen, is dynastic propaganda for the Uí Briain. The hero of this work is the eponymous Cellachán, a member of the Éoganacht Chaisil and king of Munster. He is represented as appearing on the scene at a time when his predecessors, in particular, and the people of Munster, in general, had been subjected to the tyranny of the Vikings for 141 years. With his arrival the tables are turned dramatically on the Vikings.\(^\text{58}\) However, a major part of the work is devoted to a story in which Cellachán falls victim to a Viking plot in which he is captured by

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\(^{58}\) Ó Corráin, ‘Caithréim Chellacháin’, 5-7, 57-59.
Sitriuc of Dublin and held captive, rather strangely, not in Dublin but in the putative Viking colony at Armagh. A considerable amount of the work is devoted to a narrative of the planning and execution of an attempt to rescue him. When the rescuers finally arrive at Armagh they discover that the Vikings have been warned in advance of their arrival and have spirited Cellachán away to their ships at Dundalk. It is there that battle is joined, Cellachán rescued and the Vikings defeated. The choice of Armagh for the incarceration of Cellachán is very curious indeed, especially since it seems certain that, historically, no Viking colony ever existed there; it was an invention of the author of the Cogadh. It seems clear enough that it was necessary for the author to have Cellachán transferred to the ships at Dundalk for the denouement since it was not possible to have a sea battle at Armagh. That being so, Dundalk may be seen as, in effect, the port of Armagh and the battle there as a substitute for a battle at Armagh. The victorious battle was the climax of Cellachán’s triumph over the Vikings and may therefore be compared to the battle of Clontarf in Brian Boróime’s heroic struggle against them, as portrayed in the Cogadh. Armagh/Dundalk was for Cellachán what Clontarf was for Brian. However one interprets the choice of Armagh for this central role in the story told about Cellachán (we will see, in

59 ibid. 26-50. Ó Corráin bases his analysis of this work on an edition of the text by A. Bugge (idem (ed), Caithreim Cellachain Caisil: the victorious career of Cellachan of Cashel (Christiania 1905)). According to Ó Corráin’s analysis, approximately sixty of the one hundred chapters of this text are devoted to the story of Cellachán’s capture by the Vikings, his rescue and defeat of the Vikings (Ó Corráin ‘Caithréim Chellacháin’, 6-53). In fact, it is possible that one version of the work ended after the defeat is described (ibid. 51).

60 ibid. 56; idem, Ireland before the Normans, 91.
the final chapter, Cormac Mac Carthaigh actively involved, around the years 1129x1132, in keeping Armagh aboard the reform movement), it seems to confirm the impression that Armagh was seen to play a significant role not just in the politics of the early twelfth century but, perhaps more specifically, in relation to how the kingship of Ireland was perceived at that time.

This can be seen even more clearly in some glosses and commentaries on a passage from the *Senchus Már* which deals with 'the chattels of prostration' or the buying out of the honour-price of various ranks after they have entered a contract of base clientship. These particular glosses and commentaries have been examined in the course of a discussion which argues that later passages of commentary on the Irish law tracts deserve to be examined in their own right and not as an aid to understanding the original text upon which they purport to comment. Previously these later commentaries had been dismissed, by such notable scholars as Professor D. A. Binchy and Eoin MacNeill, as having little historical value from the point of view of illuminating the original meaning of the legal text or as direct evidence of how the laws were applied at the time they were added. The particular glosses and commentaries in question therefore, it is argued, contain material of authentic historic interest quite separate from their
relationship with the text to which they are attached. The passage, glosses and commentaries that are relevant to our topic are as follows:

CAITIAT .S. TURCHLUIDE CAICH FO MIAD .NÍ. III. .S. DO OGAIRIGH TRI .UÍ. CUMULA DO RUIRIGH .i. do rig erund co freasbra ris .i. ri lethe erund; no is ina rath ar daerrath o ri erunn in tan bit gell erund ina thigh; no dò is ina .s.uib turcluidhe.

.UÍ. CUMULA DO RI RUIRIUCH .i. do righ erunn cin freasabra, 7 taris dogabside rath o ri romain, no cumudh o comurba padruid dobertha rath do ri erunn .i. in tan bit na hinbir fui, ath cliath 7 port lairge 7 luimnuich olchena .i. Ci atbeir-sim ri ruiriuch sunn, ni do taidbsin aigillne fair acht do reallad logh einiuch.

WHAT ARE THE CHATTELS OF PROSTRATION OF EACH ONE ACCORDING TO HIS RANK? IT IS NOT DIFFICULT - THREE SÉTS FOR AN ÓCAIRE, THREE TIMES SEVEN CUMALS FOR AN OVER-KING, i.e. for the king of Ireland with opposition to him, i.e. the king of half of Ireland; or it is for his fief as a fief of base-clientship, from the king of Ireland when the hostages of Ireland are in his house, or moreover it is for his chattels of prostration.

FOUR TIMES SEVEN CUMALS FOR A KING OF OVER-KINGS, i.e. for the king of Ireland without opposition, and it is from overseas that he took a fief

from the king of the Romans, or it might be from the *comarbae* of Patrick that a fief would be given to the king of Ireland i.e. when the estuaries are under him, Dublin and Waterford and Limerick besides. That is, although he makes mention of the king of over-kings here, it is not to show base-clientship as applying to him, but to specify honour-price.'63

As Dr Simms has pointed out, the statement here that the possession of three estuaries, Dublin, Waterford and Limerick is the qualification for high-kingship without opposition dates this commentary to the period of Muirchertach Ua Briain’s kingship i.e. the end of the eleventh and the beginning of the twelfth century. This date, she writes, is confirmed by the reference to the *comarbae* of Patrick as ‘a possible overlord of the high king’ citing, in support, the efforts of the *comarbae* at mediating between Muirchertach and Domnall Mac Lochlainn and his possession in 1102 of ‘the hostages of the men of Ireland’ during a year’s peace between the two.64 As we have noted earlier, Muirchertach did not consolidate his hold over Munster, Leinster, Meath, Dublin and Connacht until 1096 and it was perhaps only then that he felt in a position to call himself *rex Hiberniae*, despite the continuing opposition of Domnall Mac Lochlainn. The commentator in the text cited above deals with such a king i.e. the king of Ireland with opposition; but he also considers the possessor of the three

63 This translation is that of Simms (eadem, ‘Later commentaries’, 33) with a minor alteration. Instead of ‘successor of Patrick’ the expression ‘*comarbae* of Patrick’ has been used to retain consistency with other translations elsewhere in this discussion.
64 ibid.
estuaries to be the king of Ireland. As that possessor was Muirchertach, he therefore regards Muirchertach as the king of Ireland. But it would not have been in accord with the facts as we know them to refer to him in such a way before 1096. While accepting that Mac Lochlainn continued to oppose, this date may be taken as a probable terminus post quem for the commentary.

Although the commentator is at pains to assert that the king of over-kings (i.e. the king of Ireland) is not in base-clientship relationship with anyone, he nevertheless sees a possibility that he might be, in some way, subject to the king of the Romans or the comarbae of Patrick – at least as far as calculating his honour-price is concerned. That this relationship is not just the construct of a jurist’s mind we have confirmation that such a relationship is envisaged by the author of a poem in Lebor na cert. He writes:

‘Rí Caisil do chind os cäch/is ead fil sunn co tì in bráth./fuigell beandachtan Dê,/altóir Pátraic meic Calpraind’ (‘It is prescribed here that the king of Cashel shall be head over all for ever, by sentence of the blessing of God Almighty, the altar [i.e. Cashel is the altar] of Patrick son of Calprann’).65

Having thus stated that the king of Cashel is head over all the poet then proceeds to outline who the exceptions to this are. He writes:

‘Caisil do chind ós cach cind/acht Pádraic is rí na rind/airdri in domain is mac dé,/acht maid sin dligid uaisle’ (‘[The king of] Cashel to be head over

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65 Dillon, Lebor na cert, lines 231-34 (tr. 19). Refer n 2 for interpretation of the word ‘altar’.
all except Patrick and the king of the stars, the emperor of the world and the son of God — save for them he is entitled to supremacy').

Here the claim is made that the king of Cashel (i.e. the king of Munster) is king of Ireland. Just as the commentator on the legal text cited above states, only two people can be considered to be in some ill-defined way superior to him, apart, that is, from ‘ri na rind’ (‘king of the stars’) and ‘mac Dé’ (‘son of God’) who may be taken to mean God and Jesus Christ respectively. One is called ‘king of the Romans’ by the commentator and ‘airdrí in domain’ by the poet. This latter title can be shown, with reference to an entry in the Annals of Ulster for the year 1023, to be the title by which Henry II, the Emperor of the Romans, was known. The other is Patrick or, more specifically, the comarbae of Patrick as the commentator describes him. We thus have an exact parallel between what both the legal commentator and the poet have to say; the king of Ireland is seen to be, in some way, subject to the Emperor of the Romans and to the comarbae of Patrick.

Lebor na cert, however, has much more than that to say about the relationship between the king and the comarbae of Patrick but what it has to say can be apparently self-contradictory even on such an important subject as that relationship. In the prose preface to the poem in which, as we have noted above, the king of Ireland is said to be in some way subject to the comarbae of Patrick, Benén, Patrick’s cantor, is cited as saying that ‘the heir to Cashel [i.e.

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66 ibid. lines 235–38 (tr. 19).
67 A U s.a. 1023; Candon, ‘Barefaced effrontery’, 15 n 49.
the king of Cashel and of Ireland] is the common head of all, as is the heir of Patrick'. 68 This statement by the Munster author 69 of the work would suggest that, based upon the authority of Patrick as articulated by his cantor Benén, he sees the authority of the king of Cashel and of Ireland as being supreme in the secular area while that of the comarbae of Patrick is supreme in the ecclesiastical area. Each is supreme in his own area; a version of the two-power theory of church-state relationship based on an interpretation of the biblical reference to the two swords (Lk 22:38). 70 However, (and this is where the apparent self-contradiction comes in) if we place beside this statement of the equal supremacy of the two of them, the apparent subjection of the king to the comarbae, as seen in both the poem that follows and in the words of the legal commentator, already discussed, we see what appears to be an acceptance that, while the comarbae has no jurisdiction over the king in the secular area, he has some authority over him outside of that. This can hardly be related to the king in his personal capacity with respect to matters of religion. After all the comarbae of Patrick at this time was not in holy orders 71 and, in any case, it is highly unlikely that the author of a text of this type,

68 'corab ceand coitchenn cáich comarba Caisil feib is ed comarba Pádraic' (Dillon, Lebor na cert, 16 lines 208-09; tr. 17). We are able to interpret the expression 'the heir of Cashel' as being the king of Cashel and king of Ireland since Benén’s attributed citation, as given above, is continued as follows ‘and when the king of Cashel is not king of Ireland’ (‘t in tan nába ri for Erind ri Caisil’) suggesting that the ‘heir of Cashel’ just discussed refers to the king of Cashel when he is the king of Ireland (ibid. 16 line 209; tr. 17).


70 Morris, Papal monarchy, 207.

71 Assuming, that is, that the text was written before Cellach assumed the office in 1105 (Ó Fiaich, ‘Armagh under lay control’, 93-94).
which deals with the rights and responsibilities of kings, would be concerned with the personal religious disposition of kings. The authority he possesses over him must relate to him as king and thus to his kingship. It is difficult to see how the expression of this authority can be understood in any other way than in the process of somehow legitimising a king in that kingship. In fact, the transfer of the kingship from Tara to Cashel is said, in the poem that follows, to have been approved by Patrick.  

The king and the *comarbae* of Patrick are thus supreme in their own spheres but the *comarbae* has the power to grant legitimacy in some way to the possessor for the time being of the kingship.

Here we have a direct parallel, at a different level of kingship, with the statement in the Tripartite Life of Patrick, which we have already met. In this it is stated that no one can be king of Cashel until the *comarbae* of Patrick installs him ("ní rí Caisil corón ordnea comarba Pátraic") a statement which, we have already observed, would have provided Muirchertach Ua Briain with a very apt precedent, should he have desired it, for the involvement of the *comarbae* of Patrick in the role of giving him legitimacy as king of Cashel. Since he, as king of Cashel, was now claiming to be king of Ireland as well, the involvement of the *comarbae* of Patrick in that enterprise would even be more appropriate. The statement in the Tripartite Life was part of Armagh’s aggrandizement in an earlier period. If such tendencies still existed at

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72 Dillon, *Lebor na cert*, 20 (lines 271-78).  
Armagh in the time of Muirchertach's reign, and there is no reason to doubt that they did, then Muirchertach would have been pushing an open door if he sought to have Armagh involved in the process of granting legitimacy to the incumbent of the kingship of Ireland. According to the text of *Lebor na Ceart* which we have so far examined and the remarks of the commentator on the legal text, this seems to have been the role envisaged for the *comarbae* of Patrick. He was seen to be the legitimiser of the incumbent of the kingship of Ireland, then aspired to by the king of Munster. Munster may thus have been tapping into the ideas that Armagh held about itself in order to use them to its own advantage. It may have been inviting Armagh to play the role of legitimiser of its king, Muirchertach, as king of Ireland. It should be remembered that, although Armagh had gained primacy in its own sphere as early as the seventh century, that primacy `would remain precarious until supported by a parallel secular institution. The prerogatives of the abbot of Armagh, as set out in the *Liber Anguelli* were modelled on those of an as yet theoretical high-king of Ireland'.

It is against this background that the famous statement in the Preface of the work about the `primacy of Ireland' always being in Cashel is analysed. In the Preface there is an abbreviated re-working of the tenth century version of

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74 These ideas may be reflected in the way St Bernard described Armagh over forty years later. In the Life of St Malachy, he wrote: `The see [Armagh] ... was held from the very beginning in such veneration by all the people that not only bishops and priests and other clerics, but the whole body of kings and princes is subject to the metropolitan [of Armagh] in all obedience and that one man is himself in charge of all' (Leclercq & Rochais, *S. Bernardi Opera*, iii 329 (x.19)).

75 Byrne, *Kings and high-kings*, 255.
the story of the Finding of Cashel. In the tenth century version a cleric in white chasuble along with two chanting choirs are said to symbolize the coming of Patrick.\footnote{Dillon, ‘Finding of Cashel’, 66 §4; tr.70 §4.}

In the version in the Preface it is Patrick’s angel, Victor, who is used to proclaim the coming of Patrick. We are told that he ‘was prophesying that Patrick and the dignity and primacy of Ireland would be always in that place [i.e. Cashel]. Accordingly that is Patrick’s sanctuary and the principal stronghold of the king of Ireland. And the rent and service of the men of Ireland is due to the king of that place always, namely to the king of Cashel through the blessing of Patrick son of Calpurnius’ (‘ic taircheadal Pádraic 7 ordain 7 aíreochais Érind do beith do grés isin baili sin. Cid fil ann didiu acht is cellphort do Phádraic 7 is prímchathair do ríg Hérind in baili sin. Acus d'leagair cí 7 fognam fear nEreand do ríg in baili sin do grés i. d. do ríg Caisil tre beandachtain Pádraic meic Alplaind’).\footnote{idem, Lebor na cert, 4; tr. 5. A small but important change has been made to Dillon’s translation. Dillon translates ‘ic taircheadal Pádraic 7 ordain 7 aíreochais Érind do beith do grés isin baili sin’ as ‘prophesying Patrick, and proclaiming that the dignity and primacy of Ireland would be always in that place’. The use of the word ‘proclaiming’ seems to add a more authoritative air to the translation than the original would seem to bear. The removal of this word brings the translation closer to the original. Professor Liam Breatnach of Trinity College, Dublin has kindly checked and agreed this change made to the translation.}

Hughes saw in this prophecy of Patrick’s angel, Victor, a claim being made by Cashel that it held the primacy of Ireland, a claim which she saw as ‘outrageous’ and, more famously, as ‘the most barefaced effrontery’.\footnote{Hughes, Early Christian Ireland, 285-86. This assertion by Hughes was taken up by Candon for use in the title to his article (Candon, ‘Barefaced effrontery’).} But that is to interpret the statement much too literally. She was probably...
influenced in her interpretation by the fact that in Dillon’s translation Patrick’s angel, Victor, was said to be ‘proclaiming that the ... primacy of Ireland would be always in that place’ and by the fact that the word ‘primacy’ carries ecclesiastical connotations. However, in O Donovan’s translation that word is not used at all. His translation has Victor, ‘prophesying [the coming of] Patrick, and that the grandeur and supremacy of Eire would be perpetually in that place’. Furthermore, there is absolutely no evidence anywhere that Cashel ever attempted to usurp the place of Armagh within the Irish church. The prophecy, therefore, should not be interpreted to mean that Cashel was claiming ecclesiastical primacy. In fact, the same prophecy contains no less than two separate confirmations of what we have seen elsewhere in the text that Cashel saw Armagh as the legitimiser of the king of Ireland, then aspired to by Muirchertach Ua Briain. In the first of these it appears to say that it is through Patrick that Cashel gets its special position in Ireland as the principal stronghold of the king of Ireland. It is through his connection with Cashel that it is deemed to be Patrick’s sanctuary. It is through his connection that the dignity and primacy of Ireland would always be in that place. It is even possible that it is saying that it is through him that Cashel gets its place in the church in Ireland. In the second it states quite clearly that it is because of the ‘blessing of Patrick son of Calpurnius’ that the rent and the service of the men of Ireland is due to the

king of Cashel. If the men of Ireland are at the service of the king of Cashel then he must be regarded as the king of Ireland. Through the blessing of Patrick the king of Ireland gets the loyalty of the men of Ireland. He is thus legitimised by Patrick which, of course, means the comarbae of Patrick. It seems much more likely, then, that when Victor prophesies that the primacy of Ireland would always be in Cashel he is referring to the secular primacy of Ireland81 (or the `supremacy of Eire' as O Donovan translates it) and that the legitimacy of that primacy is due to its sanction by Patrick i.e. the comarbae of Patrick. This is consistent with what we have seen to exist in the other parts of the text. Lebor na cert, therefore, contains significant evidence that Cashel saw Armagh playing an important role in relation to the kingship of Ireland, a role in which it would obviously be keen to get Armagh to play.82 It is important, therefore, to try and establish the date on which it was written as this would help to illuminate the evolution of the policies followed by Muirchertach Ua Briain.

The early view, held for example by Eoin MacNeill, was that the main text was drawn up around the year 900.83 However, this view has long since been

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81 It is of some interest to note that in discussing the nature of the high-kingship in Ireland at this time, Byrne writes: 'Primacy in Ireland was the goal of the aspirants to the high-kingship' (idem, Kings and high-kings, 270).
82 There is further evidence for this in the fact that Lebor na cert includes, in its main text, a poem purporting to tell of the conversion to Christianity of Dublin and in consequence of which Dublin is subject to Armagh to which it owes tribute. This is a poem entirely favourable to Armagh's interests and shows no apparent benefit to Cashel. That a Munster, or perhaps even a Cashel, compiler of the text should include it shows, at minimum, a benevolent interest in the affairs of Armagh (Dillon, Lebor na cert, 114-18; tr. 115-19).
83 E. MacNeill, Celtic Ireland (Dublin 1921; reprinted in 1981 with additional notes and references by D. Ó Corráin) 73-95.
rejected. The most recent editor, Myles Dillon, thought that, on linguistic grounds, the main text was written in the late eleventh century but that the compilation (i.e. the appending to the main text of the long poem about Tara at the end of the book) may have been made in the twelfth century. With some variation, this view seems to have found acceptance. In an attempt to refine the date to a more specific time some scholars have sought to find in it an association with the synod of Cashel. Hughes thought there were two oblique references to that synod in it and as a result was inclined to date the text to 1101x1119, the latter being the date of Muirchertach's death. One of those oblique references was what she termed the 'outrageous ... claim' of Cashel to the primacy of Ireland. She thought that some incentive would have been required to stimulate such a 'claim' on the part of the poet. The granting of Cashel to the church at the synod would, she believes, have provided such an incentive. However, as has been argued earlier, her interpretation of the statement regarding primacy is much too literal. The statement by the poet does not contain the claim she attributes to it and it does not, therefore, require the stimulus an event such as the granting of Cashel to the church would give in order for it to be made. The second oblique reference to the synod is contained in the long poem on Tara

84 Dillon, 'On the date', 248; idem, Lebor na cert, xii. For the long poem on Tara (ibid. 122-46; tr. 123-47).
85 Ó Corráin writes 'It is probable that none of it is any earlier than 1080 and that most of it belongs to the first quarter of the twelfth century' (MacNeill, Celtic Ireland, 191).
86 Hughes, Early christian Ireland, 285-86.
appended to the main text and is not, therefore, relevant to the dating of that main text. Without making any direct reference to Hughes's suggestion, Byrne thought that it was "an attractive hypothesis that the Book of Rights was composed for recitation at the synod of Cashel, when Muirchertach Ua Briain was at the height of his power". More recently this hypothesis was taken up by Candon. He argues that it was, in fact, written for that synod. He says that "the first poem is quite clearly modelled on Muirchertach Ua Briain's great circuit of Ireland in 1101", a circuit which like the poem "proceeds deisial, in a clockwise direction". That such is the case is not, however, obvious. To go around the kingdoms in a clockwise direction, whether it be a triumphant march or a poetic journey, is what one would expect. To do the opposite would have been considered to be unlucky. Also to say that "the reference to "Patrick's sanctuary" is a clear reference to the gift of Cashel to the church by Muirchertach Ua Briain" is again not obvious. We have seen the long associations that Patrick had been perceived to have had with the rock of Cashel going back to the seventh century, even

87 ibid. The second oblique reference to the synod is alluded to by Dillon in his edition of the work (idem, Lebor na cert, 141 n 1).
88 Byrne, Kings and high-kings, 192. The book containing the suggestion made by Hughes is acknowledged in the Bibliographical Note (ibid. 310 n *).
89 Candon, 'Barefaced effrontery', 12, 14-16.
90 ibid. 15.
91 See, for example, the taboo on the king of Leinster going around Leinster 'tuaitheal' or in a left-hand direction in the text Geasa agus buadha riogh Eireann 'The taboos and lucky things of the kings of Ireland' (O Donovan, Leabhar na g-ceart, 2, 12). See also, in the poem about the Norse of Dublin, the direction said to have been taken by Patrick around Ireland before arriving in Dublin and the direction taken by him when he made three circuits of Eochoid in order to raise him from the dead. On both occasions he proceeded 'deisial' (Dillon, Lebor na cert, 116 (lines 1705 & 1725)).
92 Candon, 'Barefaced effrontery', 16.
to the extent that the rock had actually been named after Patrick. Calling it "Patrick’s sanctuary" can hardly be pinpointed to one single event in this long history of the association between Patrick and Cashel.

There is, however, one important clue available to us which allows us to place the text within the chronology of events that were occurring at that time even if it does not allow us to place a specific date on it. That is the inclusion of what Dillon calls "a poem on the Norse of Dublin" as part of the main text. It has been argued elsewhere that this is a recension of the text of a story devised by Armagh in response to one which had earlier been created by Dublin. The Dublin story describes its conversion to Christianity by St Patrick, which is, of course, pure myth. It was composed to support Dublin’s claim that it had metropolitan authority over the whole of Ireland. Armagh, when it became aware of this, retained the legend of the conversion of Dublin by Patrick but changed the story to show that, through this very association with Patrick, Dublin was subjected to Armagh. The inclusion of a recension of Armagh’s version of the story in Lebor na cert is an indication that the main text of that book was written after Armagh became aware of Dublin’s attempt to establish itself as the metropolitan see for the whole of Ireland. The author would, therefore, have been conscious of Armagh’s struggle with Dublin to assert its supremacy. If, as has been suggested, the text was written for the synod of Cashel then there would have been

93 Dillon, Lebor na cert, ix-xii.
94 See Appendix A below (‘The legend of Dublin’s conversion by St Patrick’).
knowledge of Armagh’s struggle with Dublin at the time of the synod. Because of that and because of the attitude shown to exist at Cashel towards Armagh in the text one might have expected that the comarbae of Patrick would have attended that synod. After all, the unreformed comarbae did attend the synod of Dublin in 1080 and the reformed one (Cellach) attended Ráith Bressail. But, as far as we know, he did not attend at Cashel in 1101; nor was the synod recorded in the Annals of Ulster.

If Armagh did not know of Dublin’s plan in 1101 when did it become aware of it and in what way did it discover it? When Muirchertach Ua Briain granted Cashel to the church in 1101 it seems clear that he already had an embryonic plan in mind for a national episcopate. It seems also clear that that episcopate would have to include Armagh. In fact one of the reports in the annals specifically states that the gift of Cashel which Muirchertach made at the synod was to ‘Patrick and the Lord’. But at the time the comarbae of Patrick was Domnall, a member of the Clann Sinaich, which had controlled this office since the middle of the tenth century. Domnall was married and was not in holy orders. This obviously presented a problem for

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95 Dr. Flanagan misinterprets Keating when she says that he recorded the presence of the comarbae of Patrick at this synod. The synod where he records his presence was held at Fiadh Mic Aonghusa i.e. the synod of Ráith Bressail in 1111 (Keating, Foras feasa, iii 297; Marie Therese Flanagan, ‘Henry II, the council of Cashel and the Irish bishops’, Pertitio 10 (1996) 184-211: 95 n 41).

96 Holland, ‘Synod of Dublin’, 86-87, 91.

97 Neither is it recorded in the Annals of Loch Cé and, more surprisingly, in the Annals of Inisfallen. Note that the subsequent synod of Ráith Bressail is recorded in the Annals of Ulster and on that occasion the comarbae of Patrick did attend (AU s.a. 1111).

98 AT s.a. 1101.

Muirchertach; such a situation was not compatible with the type of reformed church he was likely to have had in mind. It should be remembered that Muirchertach would have had such awareness since he was king of Dublin at the time that Patrick, a man with a reputation for learning, was bishop there. He would have to persuade Armagh that a change was needed to bring it into line with current practice. Such a change was very difficult for Armagh since it represented a major departure from a long tradition. If Muirchertach were to be successful he would need more than persuasive powers; he needed strong leverage to bring about what he required. That leverage was Dublin and the role that was mapped out for it in Ireland by Canterbury. Should this role be realised, Dublin would usurp a position in the Irish church which Armagh believed to be its prerogative. Muirchertach Ua Briain would have had the opportunity to apply this leverage when he visited Armagh in 1103, and stayed there for a fortnight. He also gave gifts to the church there: eight ounces of gold were left on the altar and one hundred and sixty cows were promised. It would seem that Muirchertach was successful in winning over important elements in Armagh to reform, for there can hardly be any other explanation for the abrupt change of attitude that was about to take place in Armagh. The threat posed by Dublin, as

100 AT s.a. 1103; CS s.a. 1099 [=1103].
101 AU, AFM s.a. 1103.
102 It has been suggested that Muirchertach did not gain support for what is taken to have been the military objectives which he hoped to achieve during this visit to Armagh (Candon, 'Barefaced effrontery', 22-23). This is clearly based upon the report of the visit as it appears in the published editions of the annals and, in particular, on the place in the overall report of the phrase 'i.e. non impetator' as well as the manner in which the editors translate it. The following is an extract from the
explained by Muirchertach, must have caused alarm, and then action. It is likely that nothing could be done in relation to the ecclesiastical status of the current *comarbae*, Domnall, as long as he lived. But the choice of his successor, Cellach\textsuperscript{103} and the speed with which he took orders after his succession to the coarbship in 1105 suggests that such an action was planned well in advance of his appointment. Domnall died on 12 August 1105. At

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overall report in AU (Mac Airt & Mac Niocall edition (1983)) of Muirchertach’s hosting to the north which includes both the visit and the subsequent inclusion of the aforementioned phrase: ‘do luidh Muircertach co h-Aenach Macha & co h-Emhuin & timecall do Ard Macha co fargaibh ocht n-unga oir forsin altoir & co ro gheall ocht xx. b6 & impais i Magh Cobha dorisse i. non impetrator & facbais coiced Laigin and & sochaidi do feraibh Muman’. The words ‘i. non impetrator’, the editors tell us, are interlined. The translation given is: ‘Muirchertach went to Aenach Macha and to Emain and round to Ard Macha, and left eight ounces of gold on the altar and promised eight score cows, and returned again to Magh Coba i.e. not having obtained [what he sought], and left the province of Laigin there and some of the men of Mumu’. There are some problems both with this translation of ‘non impetrator’ and its location in the text. ‘Non impetratur’ literally means ‘he/it is not brought to pass, not accomplished, not effected, not obtained, not got’ (note that this is the passive form of the verb ‘impeto’). The translation given to it by the editors (they use the active form of the verb) seems to be modified in order to make sense of what appears to them to be the correct location in the text. In other words, they are answering an unasked question: what is not accomplished when Muirchertach is back in Magh Coba? They answer this by assuming that he asked for something in Armagh and that whatever he asked for was not accomplished before he returned to Magh Coba; hence the translation ‘not having obtained [what he sought]’. However, there is a much simpler solution that allows one to translate the phrase in a much more accurate and straightforward way but that requires an examination of the location of the phrase in the text. Apart from orthography, the section, quoted above, in the 1103 AU report of Muirchertach’s hosting to the north appears in almost identical form in AFM and ALC except that the comment ‘i. non impetrator’ does not appear at all. However, in ALC, according to the editor, it is inserted over the name Magh Cobha which leads him to believe that it probably should have followed the preceding words ‘& gur roghaill ocht xx. bo’ (‘and promised eight score cows’). In such a location, the comment would have made clear sense; a promise had been made and someone inserted the comment that it had not been fulfilled – ‘it [the arrival of eight score cows in Armagh] has not come to pass’. The fact that the comment does not exist in AFM and is inserted interlinearly in AU and ALC together with the fact that it is in Latin not in Irish, as in the rest of the text, suggests a late insertion. A later insertion would also mean that the person who inserted it would by then have become aware of the non-fulfillment by Muirchertach of this particular promise. With this translation, there is no longer a basis for assuming that Muirchertach failed to gain support in Armagh for whatever he was assumed to have sought while on his visit there.

\textsuperscript{103} Domnall’s son, Muirchertach, was bypassed in favour of his grandnephew Cellach (Ó Fiaich, ‘Armagh under lay control’, 124). Muirchertach would later (1129) be chosen to succeed Cellach but circumstances had by then completely changed. He was chosen in opposition, apparently, to Cellach’s choice of successor, Malachy who was, of course, a champion of reform. This was an attempt by the Clann Sinaich, or at least conservative forces among them, to perpetuate their hereditary control of the office and would indicate, therefore, that Muirchertach - at least in 1129 - was not in favour of reform. (This is discussed in the final chapter).
some date shortly afterwards Cellach was appointed. On the 23 September -
a mere six weeks after Domnall's death and, most likely, at the earliest date
that proper liturgical practice would allow - he took orders, and in the
following year, perhaps only a few months later, he was consecrated bishop
'by command (or on the advice) of the men of Ireland', significantly while on
a visit to Munster.

Although there is no hard evidence to prove that Muirchertach Ua Briain
acted in the way that has just been outlined, it seems to be the most likely
way of explaining how important elements in Armagh were converted so
suddenly to reform. As stated earlier, we do not know whether Muirchertach

104 AU, AFM s.a. 1105. The annals say that he was ordained on the feast of St Adomnan which is
celebrated on the 23rd of September. In 1105 the 23rd of September was a Saturday. However, what is
of much more significance for the manner in which liturgical practices were followed in Armagh is
the fact that in that particular year it was the Saturday of the September group of Ember days (the
September Quatuor tempora). Ordinations were traditionally carried out in the church on Ember days
with Saturday being the Ember day that was most favoured (W. J. O'Shea, The worship of the church,
(rev. ed. London 1960) 231-34 esp. 234). It cannot be a coincidence that the day most favoured by the
church in general for carrying out ordinations was the date chosen for Cellach's ordination. This being
so, then the 23rd of September was the earliest date on which good liturgical practice would allow his
ordination to go ahead. It is extremely unusual to get information of such a detailed character about
liturgical practice in the annals. Because of this the information gained here about Armagh, in its as
yet unreformed state, is all the more important.

105 AU, AFM, ALC s.a. 1106. It has been suggested that one could detect in the expression used (AU)
to report the assumption of the orders of a bishop by Cellach, a reluctance on his part to become a
bishop; one reason offered for this apparent reluctance being a disinclination to participate in
whatever stratagem Muirchertach Ua Briain envisaged for the reformed abbot of Armagh (Candon,
'Barefaced effrontery', 21-22, 24). This, however, would give too much depth of meaning to that
expression and, in particular, to the way it is translated. The editors of AU translate 'forcongra' as 'by
command of'; however, O Donovan (AFM) translates the same word as 'at the request of'. According
to DIL, 'forcongra' has the meaning of 'a command' or 'a summons'. In fact, the report in ALC uses
the expression 'a comairle' in its report ('on the advice of'). Expressions like these in the annals
cannot be taken too literally; if they are, then one would also have to take the words 'by the command
of the men of Ireland' literally - something that is impossible to envisage. In the previous year,
Cellach's appointment to the coarbship of Patrick was reported (AU, ALC, AFM) as being 'a togha'
('by the choice/election of') the men of Ireland; a predecessor was chosen 'a comurle' ('by the
counsel of') the men of Ireland (AU s.a. 1007). In any case, one could just as easily interpret the
words 'by the command of' as not applying to Cellach at a personal level; it could be (and perhaps
should be) interpreted as meaning that it was with the authority of the 'men of Ireland' that Cellach
assumed the bishopric i.e on the authority of Muirchertach Ua Briain and his followers. For a brief
discussion of the interpretation of 'the men of Ireland' (Ó Corráin, 'Nationality and kingship', 8).
was aware of Canterbury’s plan or not. His subscription to the special *decretum* which was prepared for the consecration of Mael Ísa of Waterford would suggest that he was not aware of it. Bishop Samuel of Dublin, who had himself been consecrated only recently, played down the role mapped out for Dublin when his name was added to Mael Ísa’s *decretum*. However, that was not to last. For some reason, perhaps got to do with the character of his personality, Samuel exposed the plan for all to see. We know this from two letters written by Anselm, one to Mael Ísa, the other to Samuel. Both refer to Samuel’s behaving like a metropolitan. The letter to Samuel is more detailed and specific in this respect, and what it has to say requires close study: ‘Praeterea audivi quia facis portari crucem ante te in via. Quod si verum est, mando tibi ne amplius hoc facias, quia non pertinent nisi ad archiepiscopum a Romano pontifice pallio confirmatum’. Moreover, I have heard that you cause a cross to be carried before you on the way. If this is true, I command you to do this no longer since it is applicable only to an archbishop who has been confirmed with the pallium by the Roman pontiff’. This reprimand by Anselm makes it clear that what is wrong with Samuel’s behaviour is not that he is acting as a metropolitan but that he is acting as if he has already been confirmed as archbishop by the granting of a pallium. Quite clearly, no such confirmation had been given and Samuel should not

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106 Schmitt, *Opera*, iv 192 (letter 278); letter to Mael Ísa (ibid. iv 191 (letter 277). Both letters complain also about other behaviour that Anselm finds objectionable in Samuel. This may indicate that he was impetuous by nature.
have behaved as he did. But that does not mean that Anselm was opposed to the plan for the see of Dublin. Only when it had reached fruition could a pallium be sought and granted. Only then could a Dublin prelate have the cross carried before him. Anselm may have written his letters while he was in England (from September 1100 to April 1103) between his two periods in exile.\textsuperscript{107} If that is the case, then Muirchertach Ua Briain could have known, before his journey to Armagh in 1103, that Samuel was behaving as a metropolitan.

Of course, Samuel’s activity could have come to the notice of Armagh independently of Muirchertach. However, the interpretation of it and, much more importantly, the manner in which Armagh should respond to the threat to its position within the Irish church points to the reforming hand of Muirchertach. Of one thing we can be almost certain: the decision of a scion of the Clann Sinaich to take holy orders was not spontaneous. The spur to Armagh’s action in joining the reform movement was its recently acquired knowledge of Dublin’s aspiration. This will become manifest in later times as the conflict between Armagh and Dublin, which begins here is played out in public, particularly at crucial times like the selection of Samuel’s successor.

Given the nature of this dramatic change at Armagh it seems probable that it only became aware of the threat posed by Dublin’s aspirations when alerted by Muirchertach in 1103. It could be because of this that the \textit{comarbae}

\begin{footnote}
\textsuperscript{107} Southern, \textit{Anselm: a portrait}, xxviii-xxix.
\end{footnote}
Domnall chose in 1105 to go to Dublin to make peace between Muirchertach Ua Briain and Domnall Mac Lochlainn when on all previous occasions he performed this duty, as we have seen, after Muirchertach’s army had marched north. If 1103 is the date when Armagh became aware of Dublin’s plans then the date when it revised the Dublin conversion story must be later. In which case the relationship between Cashel and Armagh as outlined in Lebor na cert must be a reflection of that which existed after Armagh had been won over for reform by Muirchertach. Reformed Armagh was seen by Cashel to have the power in some undefined way to grant legitimacy to the person who held the kingship of Ireland. That it is the reformed Armagh that is in question seems to be the clear message that comes across from the words of Patrick’s angel, Victor, when he says:

`A good man shall reign over lofty and venerable Cashel in the name of the Father and of the Son of the Virgin with the grace of the Holy Ghost. A bishop stately and benign, sage of all the world in judgement, will fill Ireland of the angels with people of every rank with many canonical orders in the service of Christ’.

It is hardly imaginable that the representative of an unreformed Armagh could be made to articulate words such as these, words that seem clearly to

108 AU s.a. 1105.
109 ‘Fó fó fó fear fallnafass/Caisil coir céméandach/i n-anmain in Ard-Athar/seeo Meic na hIngine/la rath Spírit Noib. Epseop miséach móramaith/mech)/bár beatha co mbreitheannus/ linfas Érind ardainglig/d’aes each uidr co n-ilgrádaib/la fognum Crist chaim’. (Dillon, Lebor na cert, 2 (lines 15-24)).
belong to the church, either reformed or in the process of reform. The relationship which Muirchertach Ua Briain had with the reformed Armagh would, therefore, appear to be that as outlined in Lebor na cert, a relationship that is a mirror image of that found in the legal commentary, discussed earlier. Reformed Armagh would, in the eyes of Cashel, have the power in some undefined way to grant legitimacy to Muirchertach in his aspiration to be king of Ireland. Here would have lain an incentive for Muirchertach to place Armagh at the centre of his plans for reforming the Irish church. Perhaps this, then, was his motivation for deciding that the church in Ireland should be reformed in a purely Irish context, a decision which excluded Canterbury. If this is the case, then the role which he envisaged for Armagh in relation to the kingship of Ireland was qualitatively different to that which his great grandfather Brian Bóroime envisaged for it. The role would be new since the form of kingship that was being developed in the Ireland of the twelfth century, alongside the reform of the church, was new; it was one that would have had particular attraction for Ua Briain since his claim in the old one was insecure, his family having no ancient rights. It was, what Byrne calls, "a new model of monarchy". If this new model were

110 Candon, 'Barefaced effrontery', 17.
112 Byrne, Kings and high-kings, 12, 35, 41. Perhaps it is within this context that one should view another, although later, Ui Briain action, new to Ireland but existing for a long time on the continent as well as in England; the introduction of the idea that the ancestor of their dynasty was a saint. This appears as one of the themes of hagiographies composed at Killaloe in the middle of the twelfth century in support of the Ui Briain right to rule Ireland at a time when that right was being
to bear any resemblance to the monarchies that existed elsewhere in Europe at the time a centrally controlled church presided over by a primate would be necessary; the primate participating in whatever practice that would be adopted for the inauguration of the king. In England, the model most likely to influence thinking in Ireland, it was the duty of the primate to anoint and crown the king, a duty which he (the primate) jealously guarded and which was recognized to be his right by the king himself. Similarly in France, pope Urban II, when granting the primacy to archbishop Rainald of Rheims in 1089, specified that it was his right to crown and anoint the king of the Franks; he was to be crowned by no other archbishop or bishop. Gille, first bishop of Limerick, in his tract, De statu ecclesiae, also stipulates that it is the right of a primate to crown the king. The most likely place where such a primate would emerge in Ireland was, of course, Armagh and because of that, Muirchertach had developed his relationship with it. That relationship will be seen more clearly in action when the synod of Ráith Bressail is


See discussion of the close relationship between the king and church in the government of early post-Norman England and, in particular, the role of the primate in that relationship (Appendix G below (ii 68-69)). In regard to Muirchertach and his intentions, note the correspondence between the territoriality of the bishops who subscribed, along with Muirchertach, to Mael Isa’s decretum in 1096 and the areas over which he then exercised his authority as king, as discussed earlier (223 above; also Rule, Historia novorum, 77).

There are indications in the Uí Briain propaganda text Cogadh Gáedhil re Gallaibh that Muirchertach Ua Briain regarded his dynasty as ruling all of Ireland in the same way as the Normans were then ruling England (Ó Corráin, ‘Nationality and kingship’, 34-35).

This will be discussed, in some detail, in the next chapter. Letter of pope Urban II in the year 1089; JL 5414; PL 161, 309-11.

Ussher, Sylloge, 87; PL 159, 1003; Fleming, Gille, 162. This will also be examined in the next chapter where the name Gille is discussed in footnote 2.
analysed, a synod which, as will become clear, reflects that Munster/Armagh alliance while, at the same time, inaugurating a hierarchical structure for the whole Irish church under the primacy of Armagh. Armagh had thus, in the opening years of the twelfth century, replaced Canterbury in the scheme which Muirchertach envisaged for the reform of the church in Ireland. It had done so as an integral part of a trend away from traditional to a more modern European style kingship and at a time when Muirchertach was, as we have seen, becoming more involved in international political affairs.

118 This is discussed in Chapter 6 below.
Chapter 5: Gille of Limerick, chosen to introduce the new church structure

With Armagh on board the movement for reform of the structure of the church, the next problem facing Muirchertach was how to go about bringing the project to fruition. In this, it is clear that he needed ecclesiastical assistance. But, as has already been observed, the clerics who were chosen to lead the Cashel synod did not appear to offer him any assistance towards that end when they had gathered together with him a few years earlier. As well as that, Cellach of Armagh, who had now joined with him in his enterprise, was unlikely to have had the capacity to tackle that problem. He had to look elsewhere and the person chosen was called Gille in Irish and Gilbertus or Gillebertus in Latin (hence his name, Gilbert, in English).

1 His successor, Malachy, had to go to bishop Mael Ísa in Lismore to learn about ritual and the sacraments in order to be sure of what was canonical (Leclercq & Rochais, S. Bernardi Opera, iii 316-17 (iv.8)). For the problems that Cellach would have faced on becoming bishop and which might render it difficult for him to take on this role (Candon, ‘Barefaced effrontery’, 20-22).

2 There is a problem about his name. There are two contemporary references to him that do not use the Latin version. In the letter he sent to the bishops and priests of Ireland to accompany his tract De statu ecclesiae he calls himself Gille (Ussher, Sylloge, 77; PL 159, 995; Fleming, Gille, 144. This has been checked in the two MSS in which the letter is copied and it is very clear that the word is Gille (Cambridge, Corpus Christi College Library 66, 99; Cambridge, University Library MS Ff. I. 27, 237)). His obituary in CS s.a. 1145 is ‘Gilli Episcop Luimnig, quievit’. So the contemporary name used is either Gille or Gilli, both of which are similar and, therefore, likely to be the actual name. Although Gillae is regularly found as a name-element, it also occurs as a name on its own (Rolf Baumgarten (ed), ‘Old Irish personal names: M.A. O’Brien’s ‘Rŷs Lecture’ ... notes, 1957’, Celtica 10 (1973) 211-236: 229-30; B. Ó Cuív, ‘Aspects of Irish personal names’, Celtica 18 (1986) 151-84: 167-68). For many years historians have called him Giolla Easpuig. This came about because Geoffrey Keating, in his description of the synod of Ráith Bressail, called him ‘Giolla Easpuig, easpog Luimnigh’ (Keating, Foras feasa, iii 306). It is possible that the original name Gille got confused during textual transmission with the more common prefix Giolla. That prefix would have required that a word in the genitive case follow it. So ‘Gille, easpog Luimnigh’ could easily have been transformed into ‘Giolla Easpuig, easpog Luimnigh’. The Latin version of the name as seen in Bernard’s Life of Malachy is Gilbertus (Leclercq & Rochais, S. Bernardi Opera, iii 331 (x.20), 344 (xvi.38)) or Gillebertus as used by Ussher (idem, Sylloge, 77,78). From this Latin version of the name, the very common English version, Gilbert, is derived. The name he himself chose to use, Gille, is the one used here.
For a man who played such an important part in the reform movement in the Irish church of the twelfth century, surprisingly little is known about Gille, bishop of Limerick. Apart from the fact that he met Anselm of Canterbury at Rouen before he became a bishop and before he wrote his tract, De statu ecclesiae, and that he later presided as papal legate at the synod of Ráth Bressail, nothing, except a dubious reference to his being abbot of Bangor, is

3 We learn this from an exchange of letters between them. Anselm notes in his letter that Gille has been made a bishop since they met at Rouen (Schmitt, Opera, iv 374-75, (Gille’s letter, no.428; Anselm’s letter, no.429)).
4 He was a bishop when he wrote his tract (Ussher, Sylloge, 77, PL 159, 995; Fleming, Gille, 144). This meeting with Anselm would appear to be the only justification for the conclusion that Curtis arrived at when he wrote that Gille ‘had been a monk at Rouen with Anselm’ (E. Curtis, A history of Ireland (London 1961) 39).
5 In his work Cambrensis everversus, composed to contradict Giraldus Cambrensis and published in 1662, Lynch says that he got from Geoffrey Keating’s description of the synod of Ráth Bressail that Gille was the successor of Congell. He took this to mean the abbot of Beannchor (Bangor). That he had been abbot of Bangor he simply stated as fact, with no attribution to Keating, in a later work which was published in 1672. Lanigan, however, failed to find any trace of this in the English translation of Keating’s work but did admit that Keating had omitted or altered many parts of his works. There is similarly no trace of it to be found in the modern translation of Keating’s work where he describes the synod of Ráth Bressail. Ware, writing in the same century as Keating and Lynch, does not make any reference to Bangor when he writes about Gille (J. Lynch, Cambrensis everversus, ed. M. Kelly (2 vols, Dublin 1850) ii 52 (date of publication: ibid i p x); ed. J. F. O’Doherty (2 vols, Dublin 1944) ii 72 (date of publication: ibid. i p iii); J. Lanigan, An ecclesiastical history of Ireland (4 vols, Dublin 1822) iv 23 n 57; Keating, Foras feasa, iiii 298-306; J. Ware, De praesulibus Hiberniae, commentarius. A prima genus Hibernicae ad fidem christianam conversione ad nostra usque tempora (Dublin 1665) 183). In a recent work it is incorrectly stated that Gille is reported in Chronicon Scotorum to have died at Bangor, Co Down (Fleming, Gille, 11). It is clear that Lynch, in his earlier work, derives his information on Gille, just as he says, from Keating since he calls him ‘Gillaspec quem latine Gilbertum dicimus’. Keating did call him ‘Giolla Easpuig’ (Lynch, Cambrensis everversus, ii 52; Keating, Foras feasa, iiii 298, 306). However, Lynch, perhaps influenced by Ware, whose work was published in the meantime, calls him ‘Gilbertus, hibernice Gille’ in his later work. Ware simply refers to him as ‘Gille, al. Gillebertus’ (Lynch, De praesulibus, ii 72; Ware, De praesulibus, 183). It is not clear what happened to the reference to Bangor in Keating’s work. Did he consciously omit it because he discovered that it was an error or was it simply lost in transmission? It is not possible at this remove to know the answer to this. However, if we are to take the description of Bangor by Bernard of Clairvaux before it was reformed by Malachy (c. 1123) as accurate it is unlikely that Gille would have been abbot there before that. Bernard refers to the abbots of Bangor from the time of its destruction by the Norsemen until it was taken over by Malachy as being ‘called abbots, preserving in name but not in fact what had once been’ (Leclercq & Rochais, S Bernardi Opera, iii 323 (v 13)). However, as Lawlor points out, the annals do not support Bernard’s opinion of these abbots. In particular, he draws attention to the death of the comarbae of Comgall at Lismore in 1123, probably while Malachy was there (Lawlor, Life of St Malachy, 27 n1, 31 n 1) which suggests that he was in favour of reform. Despite this, however, is seems unlikely that Bernard would have described these abbots in this way if Gille, whom he describes in his work as being the legate of the Apostolic See in Ireland, had been one of them (‘the latter (Gille) was the first to
known about his earlier life. Since he became bishop of Limerick, Muirchertach Ua Briain’s headquarters, it seems clear that it was Muirchertach who chose him to lead the reform of the church. But where did Muirchertach find him and more importantly, did this choice fit into, and thus confirm, the pattern of Muirchertach’s reforming activities, then evolving? Because of the dearth of relevant historical evidence we have to examine closely the main source available to us – his tract De statu ecclesiae – in an attempt to find answers to these questions. This is an ecclesiastical document and the task is to isolate, where possible, any items in it which may be peculiar to a particular location. These peculiarities help to narrow down the sources that influenced him and thus pinpoint the location where he spent his early clerical life. From this a judgement can be made about Muirchertach’s action in choosing him.

The first items which are examined are liturgical in nature and some of them are seen to reflect practices peculiar to Normandy; however, others are

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function as legate of the apostolic see throughout all of Ireland’ (Leclercq & Rochais S. Bernardi Opera, iii 331 (x.20)); ‘for bishop Gille, who, as we have mentioned above, was then legate’ (ibid. iii 344 (xvi.38))). It is, of course, possible that Gille retired to Bangor and may have then been the abbot there since the abbey had, by that time, been restored by St Malachy; the latter now being actively involved with wider church reform matters, having replaced Gille as papal legate in 1140. The suggestion that he may have been one of the boys educated in the household of Thierry of St Évroul as mentioned by Orderic Vitalis is nothing more than guesswork based upon the rather common name Gislebertus (B. T. Hudson, ‘Gaelic princes and Gregorian reform’, B. T. Hudson & V. Ziegler (ed), Crossed paths: methodological approaches to the Celtic aspect of the European Middle Ages (Lanham, Md. 1991) 61-82: 67-68; Chibnall, Orderic, ii 20). ‘by the early twelfth century as the annals clearly show, Limerick had become an Uí Briain capital’ (Ó Corráin, ‘Caithríom Chellacháin’, 13). For example, the annals of Inisfallen report for the year 1114, the year that Muirchertach fell ill, that ‘Diarmait Ua Briain took the kingship of Mumu and banished Muirchertach from Luimnech to Cell Da Lua’.
clearly not Norman. This immediately prompts the question: where at this time was one likely to experience a blend of liturgical practices which combined strong Norman with other non-Norman influences? The most likely answer is Anglo-Norman England where recently introduced Norman churchmen brought with them their own liturgical practices but had not completely replaced the indigenous ones in such a short time. To confirm that it was, in fact, England there are two pieces of evidence, of a non-liturgical nature, in the document which firmly link it to that country. As well as that, it can be shown that the works of Amalar - the only source to whom Gille specifically refers - were well known in England. This is so despite the fact that, as will be demonstrated, the documents from which Gille was working were falsely attributed to Amalar.

To begin with Amalar and his influence in England, his most famous work, the Liber Officialis, was quickly and widely propagated there soon after it was written. By the tenth century his lesser-known work, Eclogae de Romano ordine, was also known in England. However, it was in the eleventh century

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8 Because of the detailed nature of the analysis which supports this conclusion, it has been dealt with separately in Appendix C below: ‘Bishop Gille’s early clerical life – the liturgical evidence’.

9 There are examples of resistance to the introduction of Norman customs into the English church but a particularly notorious example is the case of Glastonbury Abbey. The new abbot, Thurstan, had been a monk under Lanfranc at St-Etienne de Caen. He demanded that the monks of Glastonbury observe the customs of Caen. They refused and continued to sing their office in their own manner. Thurstan then ordered his Norman bodyguards to fire arrows at them as they sang (David Knowles, The monastic order in England: a history of its development from the times of St Dunstan to the fourth Lateran Council, 2nd ed (Cambridge 1963) 114-15). Because of the scandal it caused there are many accounts of this episode to be found in the sources. For details of these and a short discussion of them (ibid. 115, n 1).

10 A detailed study of Gille’s references to Amalar appears in Appendix D below: ‘Amalar of Metz in the writings of bishop Gille’.
and, to a lesser extent, in the twelfth century that most codices containing his
work were written there.\textsuperscript{11} The oldest extant English manuscript containing
some of his works is dated to 952; the oldest in an English hand is eleventh
century. Perhaps the greatest testament to his influence in England is the
abbreviation of the \textit{Liber Officialis} undertaken by William of Malmesbury in
the mid-twelfth century based upon a first edition, no longer extant, issued
by Amalar (820x822). As well as that, complete copies of the \textit{Liber Officialis}
dating from the twelfth century survive and come from the abbeys of Bury St
Edmunds and Ely. Amalar's work is also known to have been in the library
of Canterbury Christ Church, Worcester and Exeter in the twelfth century
and most likely in the libraries of the other important abbeys in England
too.\textsuperscript{12} There can, therefore, be no doubting the influence that his works had
in ecclesiastical establishments in England especially in the eleventh and
twelfth centuries, the period that Gille was gaining his experience and

\textsuperscript{11} J. M. Hanssens (ed), \textit{Amalarii episcopi Opera liturgica omnia}, Studi e Testi 138-40 (3 vols, Vatican
City 1948-50) i 83-85; for names of the two extant English codices of \textit{Liber Officialis} (ibid. i 123).
They are grouped together there under the heading of \textit{Codices editionis 1\textsuperscript{*}}. For two further English
MSS containing excerpts of the same work (ibid. i 125-26 Cantabrigiensis C4 and Londiniensis C);
two other English MSS, which contain a set of selections compiled by someone other than Amalar
(ibid. i 129 Cantabrigiensis C\textsuperscript{1} and Cantabrigiensis T\textsuperscript{1}). For an indication that the works of Amalar
were being consulted in England at the beginning of the eleventh century see the Latin letters written
by Aelfric to archbishop Wulfstan in 1003-5 (Bernhard Fehr (ed, tr & intro), \textit{Die Hirtenbriefe Aelfrics
in altenglischer und lateinischer Fassung} (Hamburg 1914); repr with supp. P. Clemoes (Darmstadt
1966) 35, 41, 46, 48-50, 52, 54, 58, 61 (in each case the reference to the work of Amalar is to be
found in the footnotes indicating sources)).

\textsuperscript{12} R. W. Pfaff, "The "Abbrevatio Amalarii" of William of Malmesbury", \textit{Recherches de Théologie
Ancienne et Médiévale} 47 (1980) 77-113: 78-82; Allen Cabaniss, \textit{Amalarius of Metz} (Syracuse 1954)
52, 111-12 (his argument against Hanssens, about the date of the first edition of \textit{Liber Officialis}, has
been accepted by Pfaff and used above); Reinhard Mönchemeir, \textit{Amalar von Metz: sein Leben und
seine Schriften} (Münster 1893) 256.
writing his tract; a point which, incidentally, counters the claim sometimes made that Gille was backward-looking in using a ninth century source.\textsuperscript{13}

As for the non-liturgical evidence linking Gille’s tract firmly to England, the first item is Gille’s attempt to explain the structure of society. Referring to a diagrammatic representation of the parish - a pyramid - he says: ‘Those who are held under these grades [i.e. the seven ecclesiastical grades] within the bosom of the parish church, are divided into three. Of these, the ones at the top of the pyramid are to be regarded as oratores [those who pray] and because some of them are married, we will call them men and women. The ones on the left side of the pyramid are the aratores [those who plough], both men and women. The ones on the right are the bellatores [those who fight], men and women. I do not say that it is the duty of women to pray, plough or, even more so, to fight but they are married to those who pray and plough and fight and they are subject to them ... And from the beginning, the church has sanctioned these three legitimate orders of the faithful so that within it one part, the clergy, while devoting itself to prayer may protect the others from the hostile attack of the Deceiver; another, while sweating in labour, may ward off the scarcity of provisions from the others; the third, dedicated

with zeal to military service, may render the rest secure from physical enemies'.

This method of portraying the structure of society is very well attested in English sources before Gille was writing. Although, as we will see, it made a fleeting appearance in French sources in the early eleventh century it did not gain acceptance in France until almost three-quarter of a century after Gille was writing; even then, its acceptance was most likely due to English influence.

Evidence of its use in late ninth-century England is found in king Alfred's adaptation (887x899) of Boethius's Consolation of Philosophy. In an addition to the original, made by Alfred, he deals with fame and the craft of kingship saying that it is necessary 'that he [the king] have his land well-peopled; he must have prayer-men and soldiers and workmen ('he sceal habban gebedmen and fyrdmen and weorcmen'). You know that without these tools no king can exhibit his craft'. These three essential elements are similar to

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14 'Qui autem sub his gradibus intra sinum parochialis ecclesiae continentur, trifarie dividuntur. Ex quibus superiores in pyramidce oratores intellige; et quia quidam ex eis conjugati sunt, ideo viros et feminas nominavimus. Sinistrales vero in pyramidce aratores sunt, tam viri quam feminae. Dextrales quoque bellatores sunt, viri atque feminae. Nec dico feminarum esse officium orare, arare, aut certe bellare; sed tamens his conjugatae sunt atque subserviunt, qui orant, et arant et pugnant. ... Et hos tres legitimos fidelium ordinem ab initio admittit ecclesia: ut pars in ea elerus videlicit orationi vacans, alios ab impetu fallacios inimici defendat; alia, labore desudans, ab aliis victus penuriam repellat; tertia militia studio dedita, caeteros a corporis hostibus securos reddat' (Ussher, Syllsge, 79-80; PL 159, 997-998; Fleming, Gille, 148).

15 The work of Georges Duby is an important source on this topic (G. Duby, The three orders: feudal society imagined, tr. A. Goldhammer (Chicago and London 1980)).

16 W. J. Sedgefield (ed), King Alfred's Old English version of Boethius' De consolatione philosophiae (Oxford 1899) 41; F. A. Payne, King Alfred and Boethius (Milwaukee - London 1968) 3, 64-65 (trans. of above citation, ibid. 65); Duby, The three orders, 99-100; S. Turner, The history of the Anglo-Saxons from the earliest to the Norman Conquest, vol 2, 7th ed (London 1852) 31 (for a translation from the chapter which discusses fame).
those expounded by Gille, if we take Alfred’s ‘workmen’, as being similar to Gille’s ‘ploughmen’ (‘aratores’). In fact, these two were equated when the same analysis of society was made in a treatise written in the Saxon language by Alfric, abbot of Ensham in 1005-6: ‘the throne is founded upon these three pillars: laboratores, bellatores, oratores’. Laboratores, he says, are ploughmen and husbandmen whose function is to provide sustenance for the rest of society.17 Although ‘husbandmen’ is added to ‘ploughmen’ in this explanation of laboratores, their function is the same as that attributed by Gille to ploughmen: by the sweat of their labour (‘labore desudans’), they furnish sustenance for the rest of society. He provided a similar interpretation in an earlier work when he said ‘laboratores are they who obtain with toil our subsistence’ and a little later ‘Now toils the field-labourer for our subsistence’. In this work, entitled ‘Qui sunt oratores, laboratores, bellatores?’ (‘Who are oratores, laboratores, bellatores?’), he says that the world is ‘set in unity’ by these three orders; the function of each is similar to that which he gives in his later work, already discussed, and to that as explained by Gille.18 These two works of Alfric are in the vernacular, yet he regularly retains the words oratores, bellatores, laboratores in their Latin form. This prompted Duby

17 S. J. Crawford (ed), Libellus de veteri testamento et novo: the Old English version of the Heptateuch; Alfric’s treatise on the Old and New Testament and his preface to Genesis (London 1922) 71. Translation is that by William (de) L’isle from the Bodleian copy of the 1623 edition of the work and is provided by Crawford at the bottom of each page of his edition (ibid. 10).

18 The work was written by Alfric in 996 or 997 while he was still a monk at Winchester (Walter W. Skeat (ed), Aelfric’s Lives of saints being a set of sermons on saints’ days formerly observed by the English church (2 vols, London 1881-1900) ii 120-24, tr.ii 121-25; date of the work and Alfric’s location at that date (ibid. ii p xlii)).
to suggest that he may have been the originator of ‘the triad of Latin nouns ending in the suffix ator’, a triad which Gille also used even though he substituted aratores for laboratores. Retaining the words in their Latin form within a vernacular text was probably meant to lend them more gravitas and thereby enhance the standing of the structure of society being advocated.

The words are also in Latin when Alfric once more touches on this subject. On this occasion (c 1003-5), however, the whole text is in Latin as he is writing to archbishop Wulfstan of York about, inter alia, the question of clergy carrying arms. Fighting, he writes, is not the function of oratores. If they do so, they should be considered apostates; the canons teach that a cleric who bears arms should be degraded. Archbishop Wulfstan held similar views on the organization of society when writing a vernacular treatise on political morality. And, like Alfric, he retains the words oratores, laboratores and bellatores in their Latin form. Wulfstan’s work must have reached a substantial number of people given the fact that it was copied in numerous manuscripts. Indeed, it is likely that the concept of society as envisaged by Alfric and Wulfstan would have had wide currency, especially in clerical circles, in England in the eleventh century. Towards the end of that

19 Duby, The three orders, 108.
20 Fehr, Hirtenbriefe Aelfrics, 225-26; Duby, The three orders, 104.
21 K. Jost (ed), Die ‘Institutes of polity, civil and ecclesiastical’: ein Werk Erzbischof Wulfstans von York, Schweizer Anglistische Arbeiten 47 (Berne 1959) 55-58. According to Wulfstan, the royal throne rested on these three pillars (‘stapulum’). If any one of them weakened the throne tottered; if it buckled the throne would fall, a fact that would be very injurious to the people and a cause of weakness to christendom (ibid. 56-58). This explanation is quite similar to that given by Alfric in his treatise There, as we saw above, he also refers to the throne as resting on these three pillars. See also Duby, The three orders, 105-106.
century Anselm, archbishop of Canterbury, was aware of it and it was still current in the 1130s as can be seen from an entry in the Chronicles of John of Worcester. In this we meet again the same triad but here in the guise of peasants, knights and clerks. This time, however, it is not contained in a political treatise or in a condemnation of clerics carrying arms. Instead, it provides the framework and some of the contents of a rather strange story. This would suggest that this particular way of visualizing society had deep roots and was fairly commonplace in England at that time.

However, in France, it was different. This concept of society first came to light there in the early part of the eleventh century but, in the words of Duby, it then 'returned to the depths of the inarticulate, only to surface once again a century and a half later'. It reappeared in the work of Benedict of Saint-Maure who was writing at some date between 1173-75 and 1180-85. It is possible that the initial emergence in France may have been due to English

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22 This is to be seen in a collection of the sayings of Anselm put together shortly after his death by an anonymous compiler. The collection gradually came to be known as Liber de similitudinibus (R. W. Southern, Saint Anselm and his biographer: a study of monastic life and thought 1059 – c.1130 (Cambridge 1963) 221-26). In this collection it is said that there are three orders of men, namely those who pray, those who work in agriculture and those who defend ('orantes, agricultores et defensores'). God placed these orders in this world to carry out various duties (PL 159, 679-680).

23 John reports a story that he heard king Henry I’s physician tell to the abbot of Winchcombe. The story is about three nightmares that the king had successively during one particular night. During each nightmare the king dreamt that he was being attacked by a group of people; in the first by a big band of peasants carrying agricultural implements; in the second by a large group of armoured knights carrying a variety of weapons; in the third by archbishops, bishops, abbots, deans and priors holding their pastoral staffs (P. Mgurk (ed & tr), The chronicle of John of Worcester, vol 3 (Oxford 1998) 198-203; for the date that this story was added to the chronicles (ibid. p xxxii)).

24 Duby, The three orders, 271-80; citation: ibid. 285. It is important to note that the particular threefold concept of society we are discussing is one based upon the duties performed or functions served – what Duby calls the trifunctional model or simply, trifunctionality (ibid. passim). Other ternary models were known in France such as that put forward by Dudo of Saint-Quentin. His is a social model – monks, canons and laymen – a model which places monastacism at the highest point in this method of visualizing society (ibid. 83-87).
influence as it came at a point soon after archbishop Wulfstan's writing had circulated. However, it is even more likely that the re-emergence in the 1170s is due to English influence with Plantagenet encouragement. At this time Henry II's power lay on both sides of the Channel. In his rivalry with the Capetian monarch he sought out cultural material in England to bolster Plantagenet prestige. That the model of society should re-emerge in Normandy and in a history of the Norman dukes is perhaps no accident. In the century and a half in between there is absolutely no indication that any man of high culture used this model of society as part of a discussion of a perfect society. And this is so despite the fact that there is plenty of evidence available about how these men thought. It is unlikely, therefore, that Gille, writing at approximately the middle of this century and a half long hiatus, got his inspiration in France when he wrote about the structure of society. Instead, it would appear that England was far more likely to have been his source.

Gille's explanation of the duties of an ecclesiastical primate is the second item of non-liturgical evidence that links his tract to England. Concerned to distinguish between these duties and those of an archbishop he writes: 'In that place [i.e. the primatial province] therefore only the primate presides over the archbishop. Because when there are many archbishops in the same

\[\text{\small 25 ibid. 107.}\]
\[\text{\small 26 ibid. 271, 286-92.}\]
\[\text{\small 27 ibid. 169.}\]
region, he alone among them may ordain the king and crown him on the three great feast days'. In outlining this duty, Gille envisages a situation where there is only one primate in the kingdom. That means that he could not have had France in mind as there was more than one primate in that kingdom at the time that he was writing. There were, for instance, primates in Lyons, Rheims and Narbonne. All of these were founded or re-founded in the second half of the eleventh century and were, in part or wholly, in France. Nor, indeed, could Gille have had in mind the primacy within which the province of Rouen was situated. That primacy, Lyons, included within its bounds different sovereigns, Norman (Rouen), French (Tours and Sens) and German (Lyons). Of these primacies, Rheims was granted the honour by the pope of crowning the king of the Franks.

However, it was particularly suited to England as there was only one primate in that kingdom. And, what is more, it can be shown that it did, in fact, apply to England. This comes from an analysis of some of the detail

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28 'Eo tantum ergo praeest primas archiepiscopo; quod cum multi sint in eadem regione archiepiscopi, solus ex eis qui regem ordinat; et in tribus somelinitatibus coronat' (Ussher, Syiloge, 87; PL 159, 1003; Fleming, Gille, 162).


30 ibid. iii 143. Narbonne also laid claims to primacy over bishops in part of Spain (Letter from pope Urban II in 1089 to his legate, the cardinal-priest Rainer, then dealing with problems in Spain: JL 5414; PL 161, 313-14; Ep. 29). In regard to the German part of the primacy of Lyons it was even acknowledged in its title ('Le 19 avril 1079, Grégoire VII accorde à l'archevêque de Lyon, Gebuin, le titre de primat des Gaules et de Germanie' (A. Fliche, La réforme grégorienne (3 vols, Paris 1924-37) ii 229)).

31 Letter from pope Urban II to Rainald, archbishop of Rheims in 1089 states '... we deem (you) to be the primate of the second Belgian province according to the dignity of your predecessors. ... Wherefore we deliver wholly to you and to your successors the foremost and particular power to consecrate the kings of the Franks. ... let him be crowned by no other archbishop or bishop'. (JL 5415; PL 151, 309-11:310, Ep. 27).
within the statement. What, for instance, does Gille mean when he says that the primate `ordain(s) the king'? What does he mean when he says that `he crown(s) him on the three great feast days'? The answer to this is to be found in a custom that was followed by the early Norman kings of England. This was the practice of wearing their crown at formal gatherings on the three great feast days of the Christian calendar, Easter, Whitsuntide and Christmas - a practice that came to be known as crown-wearing. The Anglo-Saxon chronicle for the year 1086 gives quite a clear description of this practice when it attempts to set out the activities and characteristics of William the Conqueror. The chronicler writes: `Moreover he kept a great state. He wore his royal crown three times a year as often as he was in England: at Easter at Winchester, at Whitsuntide at Westminster, at Christmas at Gloucester. On these occasions all the great men of England were assembled about him: archbishops, bishops, abbots, earls, thanes, and knights'.

Opinions vary as to whether crown-wearing on the three feast days was a Norman innovation or whether the Conqueror was merely continuing the practice of his English predecessors. Whichever opinion is correct, the

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33 William of Malmesbury, writing in the second quarter of the twelfth century, believed it to have been a practice introduced by the Conqueror (Martin Biddle, 'Seasonal festivals and residence: Winchester, Westminster and Gloucester in the tenth to the twelfth centuries', R. Allen Brown (ed), Anglo-Norman studies 8: proceedings of the Battle conference 1985 (Woodbridge 1986) 51-72: 51). On the other hand, a strong argument has been put forward in favour of the view that the practice existed before the conquest (H. G. Richardson & G. O. Sayles, The governance of mediaeval England from the Conquest to Magna Carta (Edinburgh 1963) Appendix I 'Coronations and crown-wearing before the conquest', 397-412).
practice would have been well established by the time that Gille was writing in the first decade of the twelfth century. That this is so can be seen in a writ issued by Henry I on the day of his inaugural coronation in 1101; he ordered that the convents of Westminster, Winchester and Gloucester were to have their full allowance (‘plenariam liberacionem’) at all feast days when he would be crowned (‘coronatus fuero’) in their churches. The bishop of London, in office since 1087, testified that such had been the practice in the time of Henry’s predecessors. And, indeed, his predecessors did, in the main and in so far as they are known, celebrate the three festivals with crown-wearing ceremonies in these churches. Henry I continued the custom in the early years of his reign in the years immediately before Gille was writing – although he did not always adhere as closely to the same locations as his predecessors did. He always, however, celebrated the three great feasts with crown-wearing. Of course, crown-wearing was not

34 R. H. C. Davis, R. J. Whitwell, C. Johnson, H. A. Cronne & H. W. C. Davis (ed), Regesta regum Anglo-Normanorum 1066-1154 (4 vols, Oxford 1953-69) ii 2 §490; text: J. H. Round The king’s serjeants and officers of state with their coronation services (London 1911) 322. Round draws attention to what he considers to be a strong expression of intention – ‘when I shall be crowned’ (‘coronatus fuero’). The practice of giving ‘full allowance’ to the clergy of the churches where the crown wearing took place is a direct echo of the papal practice of giving ‘priest-money’ (‘presbyterium’) to his cardinals and clerks on his crown-wearing days. For an example of this at Christmas 1119 in Autun and at Epiphany 1120 in Cluny (C. Johnson (ed), Hugh the Chanter: the history of the church of York 1066-1127, rev. M. Brett, C. N. L. Brooke & M. Winterbottom, Oxford Medieval Texts (Oxford 1990) 138); for a general description of the practice (Fabre & Duchesne, Le Liber censuum, i 291-92, cited in Johnson, Hugh the Chanter. 139 n 3); for contemporary criticism of the papal practice (I. S. Robinson, The papacy 1073-1198: continuity and innovation (Cambridge 1990) 4-5).
35 Biddle, ‘Seasonal festivals’, 55. See table for the locations where William I and William II are known to have celebrated these festivals.
36 ibid. 67 (Appendix C). Note the entry in the Annals of Winchester where the report of Henry’s inaugural coronation in London at Christmas of 1101 is followed immediately by the report that ‘he was crowned again’ (‘iterum coronatus est’) at Winchester at Easter (H. R. Luard (ed), Annales monastici, RS 36 (5 vols, London 1864-69) ii 41).
peculiar to England. The custom prevailed in Germany and France as well. In the latter it was known as ‘coronamenta’. However, it was in England that it was most developed and the Conqueror ‘combined it with his three court-days which coincided with great feasts of the church’. It is this association of crown-wearing with the three great church festivals that distinguishes the practice in England from that on the continent.

The ritual associated with crown-wearing was derived from the inaugural coronation. Central to it was the placing of the crown on the king’s head by the primate or by his representative if he were absent or if the see were vacant. And, as we will see, the primate was very insistent that this right belonged to him alone. According to Gervase of Canterbury’s description of the ritual the archbishop of Canterbury, after a procession of dignitaries, places the golden crown on the king’s head and the sceptre in his right hand while saying the same prayer that is said at his original coronation. After mass the king exchanges his crown for a lighter one before proceeding from the church for a banquet. The gold crown is probably that with which he was originally crowned and with which he was again crowned at subsequent

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38 ibid.
39 Although this description relates to a ceremony involving Richard I, there is no reason to doubt that it reflects the practice followed in earlier times (H. G. Richardson, ‘The coronation in medieval England: the evolution of the office and the oath’, Traditio 16 (1960) 111-202: 129).
40 ‘Cantuariensis archiepiscopus coronam imponat auream, et sceptrum in dextram, et hanc dicat orationem ‘Coronet te Dominus’’ (W. Stubbs (ed), The historical works of Gervase of Canterbury, RS 73 (2 vols, London 1879-80) i 525). Evidence that the prayer ‘Coronet te Dominus’ was said at the inaugural coronation is found in the incipit of the coronation prayer in the eleventh, twelfth and fourteenth century recensions of the coronation ordo given in a comparative table (J. Wickham Legg (ed), Missale ad usum ecclesie Westmonasteriensis, fasc. 3, HBS 12 (London 1897) 1437-38).
41 Stubbs, Gervase of Canterbury, i 525-26.
crown-wearing ceremonies. The use of a lighter one ('levior corona') for a less solemn occasion such as banqueting would suggest that. We can see from this description that, although it was not an inaugural crowning, the king is, nevertheless, solemnly crowned by the primate. This is what Gille refers to when he says that the primate crowns the king on the three great feasts of the church.

Crowning the king at his inaugural coronation and at his subsequent crown-wearing ceremonies was the sole right of the primate and was recognised as such by the king. However, William the Conqueror was crowned by the archbishop of York because Stigand, then occupying the see of Canterbury, was not recognized as legitimate by Rome.42 After this situation had been rectified the next king, William II or Rufus, was crowned by the primate, Lanfranc. However, when his successor, Henry I, needed to be crowned in 1101 the primate, Anselm, was in exile. As Henry could not wait for his return, the bishop of London, as Anselm's first suffragan, performed the ceremony. Henry wrote to Anselm seeking his forgiveness saying that circumstances had compelled him to hasten his coronation. As well as that, he was careful to tell Anselm that it was his 'vicar' who had performed the ceremony. This suggests that Henry recognized the fact that it was the

42 Reporting on the fact that William was crowned by the archbishop of York, Eadmer wrote 'Although the king himself and everyone else knew well enough that such consecration ought to be performed by the archbishop of Canterbury as being his special and peculiar privilege, yet seeing that many and wicked crimes were ascribed to Stigand, William was unwilling to receive consecration at his hands, lest he should seem to be taking upon himself a curse instead of a blessing' (Rule, Historia novorum, 9).
primate's right to crown him. Further evidence for this is found in his brushing aside the claim to that right made by the archbishop of York who said that only an archbishop could crown a king. The rejection of this argument goes to the core of Gille's statement that the right to crown the king is what distinguishes a primate from other archbishops. Again in 1109, during a vacancy at Canterbury, the archbishop of York claimed the right to crown Henry at a crown-wearing ceremony. Once again he claimed in vain and the bishop of London, the first Canterbury suffragan, crowned him.43 Both of these incidents indicate the king's recognition of the primate's sole right in the matter of his coronation.

But there is also evidence of the primate insisting that it was his right to crown the king. A particularly bizarre example of this occurred in 1121 on the occasion of Henry I's second marriage. This was presided over by the primate at Windsor. On the following day at mass the primate saw that the king already had the crown on his head. He threatened to stop the mass and asked the king who put the crown on him. The king avoided answering but agreed to do whatever the primate wished. With that the primate lifted the crown off the king's head and then put it on again.44 Another example occurred in 1127 when the archbishop of York tried to crown the king.

43 Schramm, English coronation, 40-42. Eadmer reports that when Anselm visited king Henry I on return from his exile in 1100, the king excused himself for having accepted the blessing of consecration at his coronation without waiting for the return of Anselm 'whose special right he knew it was to give such blessing' (Rule, Historia novorum, 119-20). It was Eadmer, too, who reported the rejected attempt of the archbishop of York to crown the king at a crown wearing ceremony in 1109 (ibid. 212).
44 ibid. 292-92; Schramm, English coronation, 42-43.
against, it was said, the interests of William, archbishop of Canterbury. However he was ‘infamously repelled by the judgement of all’.\textsuperscript{45} It would seem, therefore, that the right of the primate to crown the king both at his inaugural coronation and at the three crown-wearing ceremonies each year was asserted and was recognized. That was the right which Gille says distinguishes a primate from other archbishops\textsuperscript{46} and, in saying so, he is clearly drawing on a practice that is peculiar to England.

But as well as that, the only other duty which Gille says is the prerogative of a primate (i.e. the holding of a council over which he presides\textsuperscript{47}) is precisely the function of a primate which Canterbury chose to illustrate its primacy over the archbishop of York. The memorandum on the primacy of Canterbury, based on the deliberations of the council of Winchester (Easter 1072), states that it was established and demonstrated ‘that the church of York should be subject to Canterbury and should obey the directions of its

\textsuperscript{45} ‘judicio omnium probose repulsus est’ (F. Madden (ed), Matthaei Parisiensis, monachi Sancti Albani, historia Anglorum sive, ut vulgo dicitur, historia minor; item, ejusdem abbreviatio chronicorum Angliae RS 44 (3 vols, London 1866-69) i 238).

\textsuperscript{46} It will be noted that Gille uses the term ‘ordinat’ when he refers to the inaugural coronation and ‘coronat’ when he refers to the crowning that takes place during a crown-wearing ritual. The reason for this is that it was necessary to distinguish between the two rituals. And given the terse nature of his tract he had to do so in as brief a manner as possible. One essential difference between the two rituals is that, unlike the inaugural coronation, there is no anointing at the crown-wearing ceremony (Richardson, ‘Coronation’ 129). So ‘coronat’ was the more appropriate word to use in the context of the crown-wearing coronation. In fact, the use of the word ‘coronatio’ for crown-wearing was found, at the time, to be a convenient way of distinguishing this ceremony from the inaugural coronation. ‘Ordinatio’, on the other hand, had been used for the inaugural consecration of a king, during which the king is seen to become ‘the anointed of the Lord’ (‘christus Domini’) (Richardson & Sayles, Governance of mediaeval England, 405). See the canons of the legatine synod of 786-87 where canon 12 is entitled ‘De ordinacione et honore regum’ and in which the king is twice referred to as ‘christus Domini’ (Hadden & Stubbs, Councils, iii 447-62: 453-54).

\textsuperscript{47} ‘apud quem concilia pro veritate peraguntur ipse eorum primatum tenet’ (Ussher, Sylloge, 87; PL 159, 1003; Fleming, Gille, 162) ‘in his [the primate’s] presence councils seeking truth are held; he himself holds the primacy over them’.

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archbishop as primate of the whole of Britain'. By way of clarification it proceeds: 'If, for instance, the archbishop of Canterbury should wish to summon a council, wherever he may see fit, the archbishop of York shall present himself at his command, with all his suffragan bishops, and be obedient to his lawful instructions'. This prerogative was exercised by Lanfranc and obeyed by archbishop Thomas of York. Both of the functions of a primate as seen by Gille are thus found to be those that were practised in England. Taking them alongside his use of a method of analysing society then current in England and adding to this the liturgical evidence which also points to England (in particular Anglo-Norman England), one must conclude that the influences which informed Gille as he wrote his tract are to be found in England. It remains, therefore, to see if it is possible to pinpoint the precise location in England where he is likely to have experienced them.

Little is known about his later lifetime but one particular reference from this period may be of help in pursuing this objective. This relates to a series of episcopal activities said to have been carried out, on one particular occasion,

48 The memorandum was drawn up, at some date between April 1073 and August 1075 and it described the outcome of the council of Winchester, held at Easter 1072 (Clover & Gibson, Letters of Lanfranc, 38-48 (item 3); citations 47).
49 ibid. 47 n 16.
50 One could add that the stipulation made by Gille in De statu ecclesiae that the abbot of a monastery should be in priestly orders (Ussher, Sylloge, 80; PL159, 998; Fleming, Gille, 148) reflects the practice then strictly advocated in the English church. This may be seen in the description, by Eadmer, of the ordination of the abbot of St Edmund. When his ordination was first mooted in August 1107 it had to be deferred because the man chosen was discovered not to hold ecclesiastical orders. He was, therefore, ordained deacon by Anselm of Canterbury in September and priest by the bishop of Exeter during Advent before finally being ordained as abbot, by Anselm, in February 1108 (Rule, Historia novorum, 188-90). Similarly, Gille's injunction that subdeacons and, by implication, those in higher orders must be celibate (Ussher, Sylloge, 82; PL159, 999; Fleming, Gille, 152) is a restatement of one of the canons of the Council of London of 1102 (‘That no one is to be ordained to the subdiaconate or any higher order without making a profession of chastity’ (Rule, Historia novorum, 142)).
by Gille in the abbey and town of St Albans in England. The first of these is
the dedication of a chapel in honour of SS Nicholas and Blaise in the abbey
church. There had previously been a chapel dedicated to St Nicholas in the
old church of St Alban. However, the old church was replaced by a new
one by the first Norman abbot, Paul of Caen and was dedicated in
December 1115. Although this date is disputed it is, in any case, of little use
in trying to put a date on Gille's action. Other duties he performed while at
St Albans were the dedication of an infirmary chapel at the abbey and of a
church in the town of St Albans for which he provided a charter.

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51 H. T. Riley (ed), Gesta abbatum monasterii Sancti Alban, a Thoma Walsingham, regnante Ricardo
secundo, ejusdem ecclesiae praezentore, compilata, RS 28.4 (3 vols, London 1867-69) i 148; W.
Wats (ed), Matthaei Paris, monachi Albanensis Angli, historia major (London 1684) 1026.
52 Riley, Gesta abbatum, i 34.
53 L. F. R. Williams, History of the abbey of St. Alban (London 1917) 36-40. According to Eadmer, it
was Paul's uncle, archbishop Lanfranc, who not alone installed Paul as abbot but was also responsible
for the rebuilding of the church of St Albans (Rule, Historia novorum, 15).
54 There is a conflict between the two sources of evidence for the date of dedication. According to one
source it was dedicated 'anno gratiae millesimo centesimo quinto decimo ... quinto Kalendas
Januarii, feria tertia' = 28th December 1115 (Riley, Gesta abbatum, i 71). According to the other it
was dedicated 'anno ab Incarnatione Domini MCXVI, indictione IX, in die Sanctorum Innocentium'
= 28th December 1116 (H. R. Luard (ed), Matthaei Parisiensis monachi Sancti Albani, chronica
majora, RS 57 (7 vols, London 1872-84) vi 36). Williams (Abbey of St. Alban, 48) accepts 1116 as the
correct year. However, there are good reasons for rejecting this view. The first is to be found in an
extra detail given in the Gesta abbatum version. It states that the dedication took place on a Tuesday
('feria tertia'). Only in 1115 did the feast of the Holy Innocents or the 28th of December fall on a
Tuesday; in 1116 it fell on a Thursday. The second reason, however, is even more significant. The
source that gives 1116 as the year of dedication also gives the indiction-year as 9. This is incorrect.
The indiction-year 9 of that cycle was 1115. This applies irrespective of the method used in reckoning
the opening date of the indiction-year (Cheney, Handbook, 2-3. Note that 28th of December falls in the
lesser part of the year according to the Greek, the Bedan and the Roman or Pontifical indiction.
Because of this it is necessary to add 1 to the number calculated by the method outlined).
55 The reason for this is that, at first sight, it might be assumed that Gille did not dedicate the chapel in
the new church until the church itself had first been dedicated i.e. not before December 1115. But that
need not necessarily be the case. There is evidence that Ralph D'Escuries dedicated a side altar in the
southern part of the church while he was still bishop of Rochester and before he was elected
archbishop of Canterbury in April 1114 (Riley, Gesta abbatum, i 147). For the date of Ralph's
election to Canterbury (26th of April 1114) (F. M. Powicke & E. B. Fryde (ed), Handbook of British
(Unfortunately it is no longer extant and nothing is known of its details.56) In this church he ordained the hermit Roger to the subdiaconate; he also blessed a large cross in the southern part of the abbey. All these actions were carried out during the same sojourn at the abbey as is implied in the comment that follows the account: `And these things were done at the request and on the authority of abbot Richard. He sent to London for him [i.e. Gille] while he was staying with queen Matilda, the second'.57

Only Roger's ordination provides a clue to a date; he is featured in the Life of Christina of Markyate, a recluse closely associated with the community of St Albans. By calculating periods of elapsed time mentioned in the Life, the editor is able to construct an outline chronology of events prior to 1123. From this we discover that a certain hermit, called Eadwin, consulted the archbishop of Canterbury, Ralph D'Escares, around the period 1115-1116. But before this event occurred, Eadwin had met Roger the hermit, then said to be in deacon's orders;58 that is, after Gille had ordained him subdeacon. This puts the date of Gille's activities at some point prior to 1115-1116. Although not a very precise date, it does nevertheless give us a terminus ante quem. The only terminus post quem available, however, is the date of Gille's own consecration - that is 1106-1107.

56 That he provided a charter is of itself interesting for the history of Irish churchmen of this period. However, the only information we have about it is the report in Gesta abbatum. This reveals nothing of its content.
57 Riley, Gesta abbatum, i 148.
58 C. H. Talbot (ed. & tr.), The Life of Christina of Markyate: a twelfth century recluse (Oxford 1987) 1-2, 6, 13-14, 80,84.
In contrast to this, we have a very precise date for another episcopal activity carried out by Gille in England - his assistance at the consecration of Bernard as bishop of St David on Sunday the 19th of September 1115. A good case can be made for the proposition that Gille went to St Albans at abbot Richard's request soon after this. The consecration took place only three days after a royal council, attended by a large body of churchmen, was convened at Westminster so that letters of chastisement from pope Paschal could be read to it by the legate, Anselm of St Saba, and their contents discussed. However, from Eadmer's description of the council, it would appear that Bernard's consecration was discussed during it. The fact that one of the king's principal advisers, Robert, count of Meulan, who was present at the council, took part in a dispute about Bernard's consecration would, as we will now see, tend to confirm that. Bernard was elected bishop on Saturday (the 18th), probably the last day of the council. He was to be consecrated on the following day. However, a dispute arose, involving Robert, the archbishop of Canterbury and the king, over where this should take place. The problem was resolved when it was made known that queen Matilda

59 Rule, Historia novorum, 231-36; Johnson, Hugh the Chanter, 62-65; D. Whitelock et al, Councils and synods, i.ii 709-16; M. Brett, The English church under Henry I (Oxford 1975) 36-37.
60 Whitelock et al, Councils and synods, i.ii 709-10.
61 Rule, Historia novorum, 235. Hugh the Chanter reports the presence of Robert at the council (Johnson, Hugh the Chanter, 62). Robert of Meulan advised the king on both secular and ecclesiastical affairs until he died in 1118 (ibid. 42 n 1, 56 (where he is described as 'consiliarius regis'); Rule, Historia novorum, 191 (where it is said that the king followed his advice more than that of any other of his counsellors)).
62 Sometimes referred to as queen Edith/Matilda as she was baptised Edith but used the name Matilda as queen (Chibnall, Orderic, vi 188: 'Mathildis regina quae in baptismate Edit dicta fuit'). She will be referred to simply as queen Matilda here.
wished to attend. As a result, it was decided that it should be held in the church of St Peter at Westminster. And, in fact, that is where the consecration was held on the following day, at which Gille assisted.  

What makes this rather strange dispute significant is the decisive role played in it by queen Matilda. Once her wish was made known the dispute was resolved. Of course, it has to be remembered that the man who was about to be consecrated had been Matilda’s chancellor. Nevertheless, it would appear that Matilda’s word carried considerable weight. It will be recalled that when abbot Richard of St Albans sent for Gille to carry out certain duties for him, Gille was said to have been staying with queen Matilda in London — most likely at Westminster, Matilda’s normal residence. Given that it is known that Gille was staying with Matilda at this unspecified time, it seems reasonable to assume that he was staying with her at Westminster when he assisted at the consecration of her chancellor Bernard on Sunday 19th of September 1115 — especially since it would appear that it was at her wish that the consecration was held at Westminster. But it is possible to go one step further. Richard, abbot of St Albans, an abbey of high standing in the

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63 Rule, Historia novorum, 235-36.
64 Eadmer calls him her chaplain (ibid. 235) but Florence of Worcester, more correctly, calls him her chancellor (B. Thorpe (ed) Florentii Wigornensis monachi chronicon ex chronicis, English Historical Society (2 vols, 1848-49) ii 68; Whitelock et al, Councils and synods, i.ii 709 n 3).
kingdom, would almost certainly have attended the council that had just
concluded at Westminster on the day before the consecration. He would
have been aware of the fact that Gille was staying with Matilda at the time. It
is quite likely, therefore, that Gille's invitation to go to St Albans was
received by him at some point during or shortly after the conclusion of the
council and the consecration of Bernard in September 1115. A date, therefore,
towards the end of September 1115 is quite likely for Gille's activities at St
Albans. This would fit well with the date proposed above as a \textit{terminus ante quem} - 1115-1116.

What we know about Gille's activities at St Albans has come down to us
rather fortuitously. It is a by-product of a row that erupted between the
abbey and the local bishop over the episcopal jurisdiction of the latter. It
erupted during the pontificate of Adrian IV, who, as Nicholas Breakspear,
was born within the jurisdiction of St Albans. The then abbot of St Albans,
sensing opportunity, went to Rome in 1155; Adrian granted him a famous
privilege that, inter alia, gave him freedom from episcopal authority, save
that of the pope. As a result an ongoing dispute arose between the abbey
and the bishop over jurisdiction, the details of which are not of concern
here except for one particular event; its trial before king Henry II at

\begin{footnotes}
\footnote{For a description of the abbey and events there during Richard's abbacy (Williams, \textit{Abbey of St Alban}, 45-52).}
\footnote{According to Hugh the Chanter the abbots of the realm as well as the bishops attended the council (Johnson, \textit{Hugh the Chanter}, 62).}
\footnote{Riley, \textit{Gesta abbatum}, i 128.}
\footnote{For these details (Williams, \textit{Abbey of St Alban}, 70-75).}
\end{footnotes}
Westminster in March 1163. Here, evidence was produced by abbot Robert concerning the ordinations of monks and dedications of altars and chapels which had been performed at or within the jurisdiction of St Albans by bishops other than the local bishop of Lincoln. Gille was one of those bishops.71

By showing that these various episcopal functions were not carried out by the bishop of Lincoln, abbot Robert hoped to strengthen his case for the independence of his abbey. But in the process of doing that, Gille’s activities were being represented as being subversive of the principle that bishops should have jurisdiction over abbeys or monasteries which were located within their dioceses. If Gille had indeed acted in that manner he would have gone completely against what he himself had written in his tract De statu ecclesiae where he states that a bishopric ‘is formed to hold all parishes and abbeys which he [i.e. the bishop] governs’.72 Earlier, using the diagrammatic figure of a pyramid to convey an image of hierarchy and authority, he wrote ‘And so the episcopal church holds these two pyramids under its authority (namely the parish and the monastery)’.73 By episcopal church he means a bishopric (‘episcopatus’), as he shortly afterwards explains. With views like that it seems very unlikely that Gille would be involved with an abbot in a

71 Riley, Gesta abbatum, i 147-49.
72 ‘omnes parochias, et ... omnes abbatias, quas regit, obtinere figuratur’ (Ussher, Sylloge, 80; PL 159, 998B; Fleming, Gille, 150).
73 ‘Has itaque duas pyramides (parochiam scilicet et coenobium) subjectas possidet pontificalis ecclesia’ (Ussher, Sylloge, 80; PL 159, 998A; Fleming, Gille, 150).
scheme to deprive the local bishop of his authority over the abbey. In fact, as will now be explained, it is most likely that Gille carried out his activities at St Albans with the full knowledge and consent of the then bishop of Lincoln, Robert Bloet. Despite the impression abbot Robert tried to convey in 1163, there was not 'the slightest reason for thinking that in Richard's time [i.e. when Gille carried out the activities at St Albans] the abbey enjoyed any formal exemption from episcopal authority'. Richard was a kinsman of bishop Robert Bloet and he called him into the abbey to help him restore his authority as abbot - hardly the action of an abbot who wished to exclude the abbey from his jurisdiction. In fact, when abbot Richard received his benediction as abbot, he gave his obedience to the bishop of Lincoln 'ut sic monachos suos ... rigidius gubernaret' ('so that he might thereby govern his monks more sternly'). And it was this same abbot who was said to have called Gille to perform his activities at St Albans.

It has already been argued that this was done after the royal council which was held at Westminster on 16th to the 18th of September 1115 at which abbot Richard was most likely present. But it should also be noted that bishop Robert Bloet of Lincoln was also likely to have been present since, according to Eadmer, king Henry ordered 'all the bishops of the whole kingdom'

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74 Williams, Abbey of St Alban, 47.
75 ibid. 46-47.
76 Riley, Gesta abbatum, i 72; Brett, Church under Henry I, 132.
77 Riley, Gesta abbatum, i 148.
(‘omnes episcopos ... totius regni’) to attend. In any case, he was certainly present at Westminster on the following day, the 19th of September, since he took part, along with Gille, in the consecration of Bernard. It seems most likely, therefore, that both abbot Richard and bishop Robert Bloet met Gille in Westminster at that time. Since we know that there was no dispute over jurisdiction between abbot Richard and bishop Robert, it seems quite reasonable to assume that the subsequent invitation by Richard to Gille to perform certain episcopal duties at St Albans would have received either the explicit or implicit approval of bishop Robert. We have no way of knowing why Robert Bloet did not perform the duties himself. He may simply have been too busy as it would appear that, as well as being bishop of Lincoln, he was also a shire justiciar.

Of course, the fact that Robert Bloet may have consented to Gille’s actions would not have been recorded when events surrounding the trial of the abbey’s attempt to exert its independence from the diocesan bishop came to be written down. Self-evidently, it would not have been in the abbey’s interest to declare such consent. And, unfortunately, there in no reference at all to Gille’s activities when the history of the period, during which they were carried out, is recorded i.e. the history of Richard’s abbacy. They only appear later during the dispute with the local bishop after, presumably, a

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78 Rule, Historia novorum, 231.
79 ibid. 236.
80 Brett, Church under Henry I, 111 n 1.
81 Riley, Gesta abbatum, i 66-72.
trawl was made through the abbey's archives for anything performed within the abbey by any bishop other than the bishop of Lincoln. The result was that Gille's activities came to be recorded but recorded in such a way as to make them appear to be contrary to the principles he had stated in his tract. Despite the incongruity of this we can only be grateful that they were recorded at all.

However, it is only right, given the circumstance in which they were recorded, to challenge the authenticity of the information provided to see if it will stand up to scrutiny. After all, abbot Robert had a motivation that could have led him to forge the evidence as he prepared documents for the trial. With this in mind, the immediate question to be asked is this: if it was a forgery, why, among the various bishops he named, would he include an Irish bishop, then dead for eighteen years? There is one possible reason that must be explored. His name could have been suggested by Patrick, the man who had made a profession of obedience to the archbishop of Canterbury on his consecration as bishop of Limerick in 1140.82

The circumstances surrounding this man's consecration, given that Gille did not die until 1145, are extremely unclear. Very little is known about him but there is, however, a suggestion that he may have had some connection with the diocese of Lincoln and perhaps with the abbey of St Alban itself. It has

82 Richter, Canterbury professions, 42 (no. 81).
been argued that when Gille retired as bishop of Limerick, due to age and infirmity, a dispute over his successor may have arisen. Two bishops may have been separately consecrated for the bishopric. Erolb, whose obit in 1151 (AFM) calls him bishop of Limerick, may have gained possession of the diocese whereas Patrick, who confessed his allegiance to Canterbury, may, like Gréine of Dublin in 1121, have not. He may, therefore, have had to find refuge elsewhere. In 1145, the year of Gille’s death, he is found as the chief witness of a charter granted by bishop Alexander of Lincoln for the consecration of a church on lands owned by the dean and chapter of St Paul’s of London. However, the church was for Christina and her nuns of the priory of Markyate, founded and endowed by abbot Geoffrey of St Albans. Abbot Geoffrey is included in the witness list of the charter along with bishop Patrick. The only other evidence we have concerning bishop Patrick comes from the year 1148. In that year he assisted at the consecration of Alexander’s successor as bishop of Lincoln, Robert de Chesney. It is conceivable, then, that Patrick may have found refuge in Lincoln, perhaps at St Albans and was still alive in 1163 to give Gille’s name to abbot Robert, that

85 Riley, Gesta abbatum, i 103. Unfortunately the Life of Christina of Markyate does not cover this period. The story it outlines ends around 1143 (Talbot, Life of Christina of Markyate, 14). This Life is, of course, the same Life that we have already met when discussing the date for the ordination of the hermit Roger, whom Gille ordained to the subdiaconate.
86 Dugdale, Monasticon Anglicanum, iii 372.
87 Stubbs, Gervase of Canterbury, i 138.
is, if the evidence was forged. Although the link is possible, it is very tenuous.

The case for the authenticity of the evidence is altogether more convincing. Robert must have brought with him documentary evidence concerning the dedication of the church of St Stephen in the vill of St Albans. According to the information given to us, that dedication is said to have been testified by a charter granted by Gille. This charter appears to have been still available to the chronicler when the information was being recorded as we are told that it begins with 'I etc'. Apparently, for the sake of brevity, its contents were not given but the fact that it existed is an important testament to Gille's action in dedicating this church. Proof of Gille's other activities was provided by monks whom Robert brought with him to act as witnesses. These presumably were elderly monks as what they were bearing witness to had occurred 48 years earlier. But what appears to be even more authentic in the information relayed is the reference to Gille staying with queen Matilda in London when abbot Richard sent for him. This quite unusual information fits well, as we have already seen, with information from a totally different source which tells us that Gille assisted in the consecration of Matilda's chancellor and that Matilda herself attended the consecration. From this source it is reasonable to conclude that Gille would have stayed with Matilda at Westminster particularly when one takes into account what is known

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88 Rule, Historia novorum, 235.
about her. When she left the court, wrote William of Malmesbury, she spent
many years at Westminster where she had innumerable visitors. She was
famous for her bounty to all sorts of men ‘especially to foreigners’.89 Her
court was also known to have had an affection for things Irish.90 It is
inconceivable that a forger would be able, 48 years later, to come up with
such unusual information, the truth of which receives strong support from
another source. The conclusion therefore must be that the information that
has come down to us, about Gille’s activities at St Albans, is true.

Accepting, therefore, that it is genuine, what is one to make of its contents
when it is taken together with the information that Eadmer gives us about
Gille being at Westminster in September 1115? As we have already noted,
Gille met Robert Bloet at Westmister and also, most likely, abbot Richard of
St Albans. Subsequent to that meeting it would seem that Gille was invited
up to St Albans to perform a substantial range of episcopal functions there
most likely with the approval of bishop Robert. It could be argued that Gille
was invited to carry out these functions because he was an outsider and his
actions would not, therefore, be seen as leading to any subsequent danger of

89 Stubbs, Gesia regun, ii 494 §418; Mynors, Thompson & Winterbottom, William of Malmesbury, i
757 §418.
90 D. Bethell, ‘English monks and Irish reform in the eleventh and twelfth centuries’, T. D. Williams
(ed), Historical studies: papers read before the Irish conference of historians VIII Dublin 27-30 May
1960 (Dublin 1971) 111-35: 124. Matilda had been brought up at Wilton Abbey (Rule, Historia
novorum, 123) and it is likely that it was here that she acquired her affection for things Irish. This
abbey was famous as a place of education for royal and noble women (F. Barlow, Edward the
Confessor (New Haven & London 1997) 80) and a previous queen, Edith wife of Edward the
Confessor, had learned to speak fluent Irish while being educated there about fifty years earlier (F.
Barlow (ed & tr), The Life of king Edward who rests at Westminster, Oxford Medieval Texts (Oxford
encroachment such as might occur if a local bishop had been employed for
the same tasks. However, this argument does not hold as there is clear
evidence that similar episcopal duties were carried out at St Albans by
bishops of other dioceses in England - e.g. Rochester, Ely and Norwich.91 A
more likely explanation is that Gille had been at one time a monk of St
Albans. As an ex-monk of that abbey and now a bishop, he would have had
a special relationship with both abbot Richard and bishop Robert Bloet. It
seems reasonable to suppose they would have remembered him some nine
years later as they would have been in office at the time Gille would have
been a monk there.92 This would follow from the fact that his status at the
abbey was of sufficient substance for him to travel to Rouen in 1106 and
there establish a certain relationship with the archbishop of Canterbury
while not as yet a bishop. This relationship was not insubstantial; it was
important enough to encourage Gille to write to Anselm, after he [Gille] had
become a bishop, to congratulate him on his success in the English
investiture dispute and to send him a gift and for Anselm to recall their
meeting in such warm terms when he replied.93 The memory of Gille would,

91 Riley, *Gesta abbatum*, i 147-49.
92 Richard was abbot from 1097 to 1119 (ibid. i 66-72). Robert Bloet was bishop of Lincoln from
1094 to 1123 (Powicke & Fryde, *Handbook*, 235). Gille would have been at St Albans until the
middle of the first decade of the twelfth century, perhaps until 1105-1106.
93 Schmitt, *Opera*, v 374-75. It should be noted that Gille did not inform Anselm in his letter that he
had become a bishop as is sometimes said (see Candon, ‘Barefaced effrontery’, 19). Anselm would
have got this information from the manner in which Gille described himself in the greeting at the top
of the letter. It may be of some interest to note that while Gille made no specific reference to this,
Anselm’s reply is dominated by it; his letter is almost completely devoted to advice which he gives to
Gille about how he should behave as a bishop. It is the type of advice one might expect would be
written by a person who sees himself as having a responsibility for the behaviour of the person to
of course, have been greatly helped by the manner of his leaving the abbey -
his promotion to the bishopric of Limerick.

In support of this view that Gille had been a monk at St Albans one may call
as a witness that elusive figure bishop Patrick, consecrated bishop of
Limerick in 1140. As we have already seen, this man professed obedience to
the archbishop of Canterbury when he was consecrated some five years
before Gille died - presumably after Gille had retired. We have also noted
the evidence which suggests that he had some connection with the diocese of
Lincoln and possibly the abbey of St Albans. In the year that Patrick was
consecrated as bishop of Limerick (1140), the reform of the Irish church’s
hierarchical structure was not as yet settled. In that year pope Innocent II
refused to give the pallia for Armagh and Cashel to St Malachy. He did,
however, promise that they would be given when full agreement had been
reached between all parties in Ireland on the question of structural reform of
the church. This agreement was being hindered by Canterbury’s claim to
hold the primacy of the whole of Ireland and, in particular, by Dublin’s
refusal to join the newly created hierarchy.94 On learning of Gille’s retirement
in 1140, Canterbury, in conjunction with Dublin, would appear to have tried
to have Patrick installed as bishop of Limerick. This seems to be the only
logical interpretation of Patrick’s profession of obedience to the archbishop

whom he was writing. In other words he is acting in the manner of one who sees himself as Gille’s
superior.
94 This is discussed in detail in the final chapter.
of Canterbury. In choosing Patrick, Canterbury picked a man who, like Gille, may also have had St Albans connections. Given that Gille had good relations with that abbey when he was bishop of Limerick and in the period after the synod of Ráith Bressail there is quite a possibility that St Albans was in touch with events in Limerick. It may have been through this relationship that it came about that Canterbury picked a man who may also have had some relationship with St Albans. The mechanism by which this happened is unknown but St Albans was likely to have been involved in some way. Thus bishop Patrick’s appointment by Canterbury to the bishopric of Limerick is another event that associates Gille with St Albans although its nature is but dimly perceived.

If we are to accept, partly on liturgical evidence, that Gille was a monk at St Albans it is important to inquire as to whether Norman liturgical practices were introduced into St Albans. Although it is impossible to discover the situation in relation to specific items, it is almost certain that some Norman practices were introduced. The first Norman abbot after the conquest took up his position in 1077. He was Paul of Caen, a nephew of archbishop Lanfranc.

95 This interpretation has to be seen in the light of the professions of obedience of bishops of Dublin and Waterford to the archbishop of Canterbury as part of Canterbury’s plan to put its claim to the primacy of Ireland into action. There is no evidence to connect Dublin with the profession of this bishop Patrick, although, of course, that cannot be ruled out. It can hardly be a coincidence that Limerick was the third Hiberno-Norse city for which bishops, who professed obedience to Canterbury, were consecrated – the other two being, of course, Dublin and Waterford. It may have been part of Canterbury’s plan to target those locations first, although by this time, it had lost Waterford. Despite that, given the attempt to intrude its man into Limerick, it may still have held out hopes to regain Waterford.

96 This is clear from his activities there, at the invitation of abbot Richard, probably in the late part of 1115.
of Canterbury. It is known that he was contemptuous of his predecessors. He is reported to have destroyed the tombs of his predecessors whom he was reported by Matthew Paris to have called ‘rudes et idiotes’. Paul would appear to have been a very energetic and proactive abbot. As we have already seen he replaced the old abbey church with a large new one although it seems not to have been completed by the time of his death in 1093. As well as that, he made good provisions for the scriptorium and replaced many of the abbey’s books. More specifically, in relation to liturgy, he strictly enforced the monastic constitutions that Lanfranc devised – the Decreta Lanfranci. There can be no doubt that Norman liturgical practices were introduced into St Albans although it seems quite likely that they did not displace all local practices. Despite abbot Paul’s negative reputation in regard to English saints he showed no disrespect to the English protomartyr, St Alban. In fact, he is seen in Matthew Paris’s work as being in close alliance with him. As well as that, his successor, Richard of Lessay (1097-1119), another Norman, showed respect for English saints when he attended the translation of St Cuthbert for whom he later dedicated a new chapel in the abbey. Also the next Norman abbot, Geoffrey (1119-1146) translated St

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97 Riley, Gesta abbatum, i 62.
98 According to Matthew Paris he gave ‘twenty-eight notable volumes’ to the abbey as well as ‘eight psalters, a collect, an epistolary, a book containing the Gospel readings throughout the year, two texts (i.e. Gospel books) ornamented with gold, silver and gems; and other ordinals, custumals, missals, tropers, and collects’ (ibid. 57-58).
99 ibid. 52.
Albans' relics into a magnificent new shrine.\textsuperscript{100} It is highly unlikely, therefore, that all prior liturgical practices at St Albans were abandoned with the arrival there of the new Norman abbots. This means that there would have been a mixture of two liturgies there although it is impossible to say in what way one or the other survived in any particular circumstance. Nevertheless, it would allow for the possibility that Gille could draw on his experience of the liturgy there in such a way as to display in his tract items unique to both traditions, Norman and Anglo-Saxon.

As can be seen in the letter that accompanied it, Gille was bishop of Limerick when he sent his tract to the presbyters and bishops of Ireland. We do not know if he was already a bishop when he actually wrote it. However, it seems most likely that he was, as it is difficult to see what would cause him to be made bishop between writing the tract and sending it to his fellow ecclesiastics. Also he says that many of them asked him to write it. If he were already a bishop when he was writing then that would mean that he had already left the abbey of St Alban; he would, therefore, have written his tract from memory and without the benefit of the abbey's library of books. This would account for the rather selective references he makes to liturgical matters.\textsuperscript{101} Of course, he was not writing a liturgical tract but one primarily


\textsuperscript{101} An example of this selectivity is to be found when Gille expands a little on one of the twelve duties he says a priest is required to fulfill. Perhaps the most important of the priest's duties is that of saying mass. Of this Gille says: 'It is required of him [i.e. the priest] that he offer bread and wine with water each day and that on solemn occasions he (sing/recite) the \textit{Te Deum}, and the \textit{Benedictus} and the
on the structure of the church and the duties of people at different levels of that structure. But here too, in an area that was to be of particular importance in the subsequent synod of Raith Bressail, there are indications that Gille was improvising. When he specifies the number of suffragan bishops which a metropolitan province should contain, he appears to be influenced more by the practicalities of the situation rather than reflecting the thinking of contemporary canonists of the Gregorian reform.102

Whatever about the immediate circumstances under which Gille wrote his tract, it seems that the most important influences that informed him while writing it were found in England and it seems most likely that he encountered these influences while he was a monk at St Albans. Furthermore, when he refers to a particular usage being practiced by bishops "apud nos"103 he is unlikely to be referring to the Irish church in general since he describes that church as being almost entirely misled by diverse and schismatic rites. He may be referring to his own church in Limerick, the liturgical practices of which would reflect those of the English church. It

_Magnificat_ and that he burn incense before the mass over and around the altar and the host’ ‘Offerre autem ejus est; panem et vinum cum aqua singulis diebus immolare, et in solemniis Te Deum, et Benedictus, et Magnificat, et ante sacrificium thus super et circa altare et sacrificium incendere’ (Ussher, _Sylloge_, 82–83; PL 159, 1000A; Fleming, _Gille_, 154). Quite obviously, on the subject of the mass, there is a substantial array of topics on which Gille could have chosen to write. It is not apparent why he chose to concentrate on those items that he did. In fact, he gives more of an explanation of why mass is to be said frequently when he is writing about the priest’s duty to baptize. In order to emphasize the command that baptism is not to be repeated, he contrasts it with the fact that mass is to be said frequently. In doing so, he gives the scriptural authority for the frequent celebration of mass (Ussher, _Sylloge_, 83; PL 159, 1000B/C; Fleming, _Gille_, 154).

102 This is discussed in Appendix F below: ‘Bishop Gille and the canonists of the Gregorian reform’. Of course, it should be pointed out that there is no evidence available as to whether the thinking of the Gregorian canonists had reached St Albans at the time that Gille would have been in residence there. 103 Ussher, _Sylloge_, 85; PL 159, 1001D; Fleming, _Gille_, 158.
would be unsafe to read any more into the personal tone of the expression 'apud nos'. However, it does not put a strain on its interpretation if we say that it applies to the English church if, as we have been arguing, Gille had spent a number of years, until writing his tract, in that church.\textsuperscript{104}

As for the criterion used by Muirchertach Ua Briain in choosing Gille for the important task which he required him to perform, that appears now to be quite clear. He would choose a man who had experience in a church that already had a structure which he now wished to have introduced into Ireland. And in doing so he would adopt the same procedure as that in which he and his father before him had been directly involved when bishops were chosen for the dioceses of Dublin and Waterford. He would look to a Benedictine house in England for a suitable candidate\textsuperscript{105} and he would instal him in a new diocese in a Hiberno-Norse city. That being so it seems entirely appropriate that he should find such a candidate in the same abbey from which the then bishop of Dublin, Samuel, had been chosen\textsuperscript{106} He had been involved in that choice. He was now merely following his own precedent. That was his criterion. All the evidence that we have, therefore, points to the fact that Gille was a monk at St Albans before he was chosen by

\textsuperscript{104} See footnote 69 in Appendix C below.
\textsuperscript{105} For a discussion about Irish monks abroad at this period and the relationship between English and Irish monks as well as the Canterbury connection (Bethell, 'English monks and Irish reform', 111-35).
\textsuperscript{106} Rule, \textit{Historia novorum}, 73-74. This opens up the intriguing possibility that Gille and Samuel were monks in St Albans at approximately the same time. Samuel was probably somewhat older than Gille as he was consecrated bishop in 1096 while Gille was consecrated ten years later. Also Samuel died in 1121 whereas Gille died in 1145. What makes the situation so intriguing is that they were to become ecclesiastical leaders of the opposing factions in the run up to the synod of Raith Bressail and afterwards until Samuel’s death in 1121. This is discussed in more detail in the final chapter.
Muirchertach Ua Briain to take the leading role in progressing the reform of the Irish church within a purely Irish context.

It seems clear also that Gille did not wait until the synod of Ráith Bressail had agreed to set up a new diocesan system before he began to establish his own diocese. The detail by which the diocese of Limerick is described at that synod would suggest that it was already in operation. Furthermore, this detailed description shows that it was not confined to the city of Limerick and its immediate boundaries. The action of Muirchertach in 1107 would indicate that the diocese was then in the process of being set up, with the authority of the bishop being extended to cover the whole area as delimited shortly afterwards at the synod of Ráith Bressail. In that year Mungret, an ecclesiastical establishment with a venerable tradition, was plundered. This may have been the result of the process of bringing that place under the authority of the new bishop of Limerick. But the most telling evidence of all is the inference to be drawn from the reference to Ñ.teampull Muire i Luimneac a priori-eaglais’ (‘the church of Mary in Limerick, its chief church’) as part of the description of the diocese of Limerick at the synod. That a cathedral church for the diocese should already be in use (and named at the synod) shows that the diocese was already functioning before the

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synod met. Furthermore, it can be safely assumed, given the views expressed by Gille in his tract and the fact that he was subsequently appointed as papal legate to preside over the synod, that it was a diocese canonically established. It was thus at that time the third canonical diocese in Ireland each in a Hiberno-Norse city i.e. Dublin, Waterford and Limerick. On the same grounds, it may also be safely assumed that his consecration as bishop was canonical. But where was he consecrated? We know from his letter to Anselm that he was not consecrated at Canterbury\(^{110}\) which, of course, is completely to be expected given that, as has been argued, he was chosen to lead the structural reform of the Irish church within a purely Irish context. It is highly unlikely that he went to any other church abroad for consecration as such an action would be viewed by any such church as irregular. The place in which he was most likely consecrated was in Ireland itself. Although there were many bishops in Ireland at the time who were uncanonically consecrated by one bishop only, it seems quite likely that there were sufficient canonically consecrated bishops there, outside Dublin and Waterford, to ensure the regularity of his (and of Cellach’s) consecration.\(^{111}\) Muirchertach Ua Briain thus had in place a canonically consecrated bishop

\(^{110}\) Schmitt, Opera, v 374-75 (letter 428).

\(^{111}\) It seems to have become almost an accepted fact that the bishops in Ireland outside the Hiberno-Norse sees were not canonically consecrated. It is merely stated without feeling any need to give supporting evidence (e.g. ‘(Bishop Dúnan’s) consecration is unlikely to have been by Irish bishops, given their uncanonical status in the eyes of Rome’ (S. Kinsella, ‘From Hiberno-Norse to Anglo-Norman c.1030 – 1300’, K. Milne (ed), Christ church cathedral, Dublin: a history (Dublin 2000) 25-52: 28)). However, for an opposing view (M. Holland, ‘Episcopal consecration in the Irish church before the twelfth century’, (forthcoming)).
already installed in the new bishopric of Limerick ready to embark upon the
next stage of his plan for the reform of the church. His choice of Gille fitted
well with the pattern of reforming activities which he had followed until
then; the only difference was that this time the bishop of the Hiberno-Norse
city, whom he was involved in choosing, did not owe allegiance to
Canterbury. He would, instead, set about organising the Irish church in a
manner that would ensure its ultimate independence of Canterbury; it would
also allow for the evolution of the type of kingship to which Muirchertach
seems to have aspired. A major step in that direction would take place at the
synod of Ráith Bressail in the year 1111.
Chapter 6: A new church structure is introduced

In the Irish annals there is widespread coverage of the synod of Ráith Bressail; all report the presence of Muirchertach Ua Briain, Cellach the *comarbae* of Patrick and bishop Mael Muire Ua Dunáin.1 These are the only people they name, thus giving the impression that, since Ua Dunáin was then considered to be a Munster bishop,2 it was a predominantly Munster-Armagh synod - an impression confirmed by an analysis of Geoffrey Keating's report on the synod, to be discussed shortly. But these reports are deficient in two respects: the complete omission of any reference to the role played by Gille, despite its importance and the absence of any account of its transactions and decrees. However, we are fortunate in having another source which gives us, in considerable detail, an explanation of what was done: an extract from an old book of annals kept at the church of Cluain Eidnech. The book itself is no longer extant but Geoffrey Keating extracted from it the regulations made at the synod.3 In this, only three names appear -

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1 AU, AI, AT, AFM, ALC s.a. 1111. CS s.a 1107 [= 1111].
2 The Annals of Tigernach, when reporting on the synod, refers to him as 'airdespoc Muman' (AT s.a. 1111); before his association with Munster he had been a bishop in Meath (Gwynn, *Irish church*, 119-123).
3 Keating, *Foras feasa*, iii 298-307. When Keating was writing, there was conflict between the secular and regular clergy in Ireland as a result of the effects of the Counter-Reformation. The structure of the church, as outlined in the synod of Ráith Bressail, would have favoured the position taken by the secular clergy in the conflict and Keating was a secular priest. This conflict may, therefore, have influenced him in recording what he found in the old book (B. Cunningham, ‘Seventeenth-century interpretations of the past: the case of Geoffrey Keating’, *Irish Historical Studies* 25 (1986) 116-128: 120-21, 125; eadem, ‘Geoffrey Keating’s *Eochairsgiath an aifrinn* and the catholic reformation in Ireland’, W. J. Shiels & D. Wood (ed), *The churches, Ireland and the Irish*, Studies in Church History 25 (Oxford 1989) 133-143: 134). However, there is no reason to believe that Keating, whatever his motivation, in any way interfered with what he found in the old book. His motivation did not require him to interfere in any of the detail since it was served by the overall report he recorded and would not in any way be enhanced by distortion of detail. In fact, we can be but pleased that Keating was so motivated: otherwise the description of the synod of Ráith Bressail would have been lost.
Gille, Cellach and Mael Ísa Ua hAinmire. The names of others who attended and subscribed to the decrees are not given presumably because they were of less account. Here we see, in sharp relief, the contrast between Muirchertach's approach to this synod and that of Cashel ten years earlier. The clerics now chosen to play the leading roles are bishops whose sees are closely associated with him (Limerick and Cashel); these men had previously been Benedictine monks in English abbeys and made bishops at his request. There was also the comarbae of Patrick, recruited for reform by him and now a bishop. As well as that preparations were made in advance of this synod; Gille already installed in a new bishopric of Limerick, Máel Ísa already transferred to Cashel (he is given this title in Keating's report of the synod) and, most importantly, a tract written by Gille, mainly concerned with the administrative structure in use in the wider church outside Ireland, had been distributed among the bishops and priests of the whole of Ireland. As far as it is possible to discover no preparations of this kind were made prior to Cashel, although the presence of Ua Dúnáin, who had previously been a bishop in Meath before being appointed to an important ecclesiastical position in Munster on the death of Domnall Ua hÉnna three years previously, would suggest that some were made.

4 For a discussion of this and the accompanying letter see Appendix E below: 'Bishop Gille's letter and tract'.

5 That Muirchertach Ua Briain was responsible for the appointment of Ua Dúnáin is almost certain. It is possible that it was done with the expectation that he would help to implement the plan for structural reform of the church which, it is clear, Ua Briain had in mind at Cashel. If that is the case, then Ua Briain would have been disappointed.
Of the three prelates named Gille is listed in the first position because he is described as legate of the pope, a status that is confirmed by Bernard of Clairvaux in his Life of St Malachy. That he should be appointed a papal legate to this synod is particularly significant. It seems most likely that he was not yet legate when he wrote his tract given that there is no reference to the office or status of papal legate in it, despite the fact that it attempts to describe in a systematic way, and for the benefit of the Irish clergy, the structure of the whole church. Even allowing for normal modesty, it is most unlikely that he would have called himself a 'most lowly bishop' in the accompanying letter if he were already a legate. However, his firm belief in a unified church clearly governed by a hierarchy from the pope downwards

6 'the latter (Gille) was the first to function as legate of the apostolic see throughout all of Ireland' (Leclercq & Rochais, S. Bernardi Opera, iii 331 (x 20); 'for bishop Gille, who, as we have mentioned above, was then legate' (ibid. iii 344 (xvi 38)). According to Senchas sil Bhriain, Ua Dunain had been a papal legate at the synod of Cashel (O’ Grady, Caithréim, i 175). However, doubt has been cast on the veracity of this (Ó Corráin, ‘Máel Muire Ua Dunain’, 48-49). If Ua Dunain had, indeed, been papal legate at Cashel, then the appointment of Gille as papal legate to preside over a synod ten years later would indicate, at the very least, dissatisfaction in Rome with Ua Dunain's performance at Cashel. In Keating’s extract, reference to Gille’s status as papal legate is found in the subscriptions as follows: ‘ὁ ἐξοπλισμὸς Πέτρου καὶ τοῦ ἡγούμενος τοῦ Νεμέωνα’ translated by Dineen as ‘The cross of the comorba of Peter and of his legate, that is Giolla Easpug, bishop of Luimneach’ (Keating, Foras feasa, iii 298-99). This version of Gille’s name has already been discussed (261 n 2 above) but the description of the pope as ‘the comorba of Peter’ is obviously an Irish version of ‘the vicar of Peter’ (‘vicarius Petri’), a phrase that was common in the eleventh and twelfth centuries (M. Maccarone, Vicarius Christi (Rome 1952) 59-70, 85-86 as cited in Johnson, Hugh the Chanter, 83 n 5). Gille’s own description of the pope in this context is somewhat less pithy. When he wrote to the bishops and priests of Ireland he spoke about the members of the church being governed ‘uni episcopo videlicet Christo ejusque vicario beato petro apostolo et in ejus sede praesidenti apostolico’ ‘by the one bishop, namely Christ, and by his vicar, the blessed Peter, and by the one who presides in his apostolic see’ (Ussher, Sylloge, 78; PL 159, 996; Fleming, Gille, 144).

7 If Gille were already a papal legate, the first ever appointed to the Irish church, it is inconceivable that he would not take the opportunity afforded him by the circulation of this tract to inform the clergy of the role of such a legate. This assumes that Ua Dunain was not a papal legate ten years earlier (Ó Corráin, ‘Máel Muire Ua Dunain’, 48-49); but, even assuming that he had been, the role of a legate in the Irish church would still have been quite novel.

8 Ussher, Sylloge, 77; PL 159,995; Fleming, Gille, 144. Richter, however, on the basis of the same letter, believes that Gille was already papal legate when he wrote the tract (Richter, ‘Gilbert revisited’, 342).
and his fervent advocacy of subjection to the apostolic see, evident in the 
tract and letter⁹, made him suitable for appointment as legate. But who 
proposed him to pope Paschal II? And, much more important, who 
convincing the pope in the first place that a legate should preside over the 
synod? That question, in turn, leads to others: who convinced the pope that 
the Irish church should be reformed within an Irish context, separate from 
Canterbury and how was he convinced? It seems clear that a pope would not 
appoint a personal representative to preside over a synod unless he first 
knew its business. One must, therefore, assume that he agreed, in principle, 
that the Irish church should have its own hierarchy. In this matter, he 
differed from the view he held regarding the Scottish and the Welsh 
churches: the former he believed should be subject to York, the latter to 
Canterbury.¹⁰ There was, however, an essential difference between the Irish 
case and the other two; the Scottish and Welsh churches were seen to be 
subject to metropolitans whereas Canterbury’s claim was to primacy, not 
metropolitancy, over the Irish church.

In fact, we just do not know who convinced the pope how the Irish church 
should be reformed or what arguments were used. The papal archives would

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⁹ These are discussed in Appendix E below: ‘Bishop Gille’s letter and tract’.
¹⁰ That pope Paschal II recognized Canterbury as the metropolitan see of the Welsh church can be 
inferred from his letter to Anselm in 1102, where he leaves the problems which have arisen in relation 
to Hervé, bishop of Bangor, with Anselm for resolution (Rule, Historia novorum 139; J. E. Lloyd, A 
history of Wales from the earliest times to the Edwardian conquest (2 vols, London 1911), ii 448). 
More direct evidence is available about the Scottish church. In 1101, pope Paschal wrote to ‘the 
suffragans throughout Scotland of the metropolitan of York’ telling them to obey Gerard whom he 
had just promoted to that metropolitan see (J. Raine (ed), The historians of the church of York and its 
archbishops, RS 71 (3 vols, London 1879-94), iii 22).
have contained the letter sent by Lanfranc to Paschal’s predecessor Alexander II as recently as 1072, claiming for Canterbury the primacy over Ireland.\textsuperscript{11} We know that Gille was on good personal terms with Anselm of Canterbury\textsuperscript{12} and Anselm would have been aware of Gille’s orthodox views. However, it is highly unlikely that Anselm would have recommended Gille for the position of legate to a synod the purpose of which was a structural reform of the Irish church that would make it totally independent of Canterbury. This, of course, would not preclude Anselm’s vouching for Gille’s orthodoxy and general worthiness at some point without necessarily knowing what was to happen at Ráith Bressail. In any case, Anselm died in April 1109\textsuperscript{13} and it is most unlikely that Gille would have been appointed papal legate as early as that, two years before the synod of Ráith Bressail. Furthermore, it is unlikely that Gille was personally known in Rome as his writing, despite its obvious support for the supremacy of the papacy in the church, shows a peculiar lack of acquaintance with the operation of the church in Rome. The whole of his tract \textit{De statu ecclesiae} is devoted to outlining the relationship to each other, and the respective duties, of every level within the church from layman to pope; it even deals with patriarchs in the eastern church.\textsuperscript{14} However, nothing whatever is said about an increasingly important functionary in Rome - the cardinal. Cardinals had

\textsuperscript{11} Clover & Gibson, \textit{Letters of Lanfranc}, 48-56 (letter 4).
\textsuperscript{12} Schmitt, \textit{Opera}, v 374-75 (letters 428-29).
\textsuperscript{13} Southern, \textit{Anselm: a portrait}, p xxix.
\textsuperscript{14} See Appendix E below: ‘Bishop Gille’s letter and tract’. 

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played an important role in the reform movement and, around fifty years before Gille was writing, pope Nicholas II had initiated a process whereby they would gain the sole prerogative of electing a new pope. None of this is reflected in what Gille writes and, in particular, in what he has to say about the election of a pope. He merely says that ‘the Romans raise him aloft’ by the consent of the whole church. This curious omission by Gille would suggest that he had not been to Rome and was, therefore, not personally known in Rome.

Even if we do not know who convinced the pope that the Irish church should be reformed in the way it was, it is quite likely that whoever did so was acting on behalf of Muirchertach Ua Briain. After all, as we have seen, it was Muirchertach who most likely chose Gille to promote the reform of the church. It is, of course, possible that Muirchertach could have been facilitated in this task by someone from the colony of Irish monks present in Rome at the end of the eleventh century and the beginning of the twelfth. That this colony is likely to have had Munster connections is suggested by the obituary in the Munster Annals of Inisfallen (and only there) of Eogan, head

15 ‘ex consensu totius ecclesiae Romani eum sublimant’ (Ussher, Sylloge, 87; PL 159,1004; Fleming, Gille, 162); the decree of pope Nicholas II on papal elections (L. Weiland (ed.), ‘Decretum electionis pontificiae’, MGH Constitutiones et Acta Publica Imperatorum et Regum 1 (Hannover 1893) 539-41 §382); the developing role of the cardinal (S. Kuttner, ‘Cardinalis: the history of a canonical concept’, Traditio 3 (1945) 129-214) and of the college of cardinals (Robinson, Papacy, 33-120). However, one would not expect to find the cardinal placed in the exposition of the church hierarchy outlined by Gille since that was only defined by the papacy much later – in the second half of the twelfth century (ibid. 91).

of the monks of the Gaedil in Rome' ('Eogan, cend manac na Gaedel hi Roim') in the year 1095.

We know from Gille's letter that he was bishop of Limerick when he wrote the tract and that it was written at the request of many Irish bishops and priests. And since there is no indication that he was papal legate at the time, it seems quite likely that preparations for the synod of Ráith Bressail were underway before steps were taken to involve Rome. It must, however, have been considered necessary to gain papal approval for a project that involved reform within an Irish context only; this was an obvious requirement if the proposed reform was to be recognized as canonical. But given Canterbury's claim to primacy over Ireland and, indeed, given that it had established a certain foundation on which to base that claim (i.e. its relationship with the dioceses of Dublin and Waterford), it was to be expected that it would meet resistance from Canterbury in its approach to Rome. How Rome would react to its request would depend very much on its interpretation of the function of a primate within the ecclesiastical hierarchy. Resistance by Canterbury would equally depend upon how it viewed the same function. And it would appear that there were substantial differences between the two of them on this and also on the use by the pope of papal legates to carry out reform in local churches.

17 Ussher, Sylloge, 77; PL 159, 995; Fleming, Gille, 144.
18 An excursus on this topic at this point would be a distraction from the overall discussion. It is, therefore, dealt with in Appendix G below: 'Primate and papal legate: Rome and Canterbury's views'. What follows is based upon this.
Although the reform papacy founded or re-founded a number of primacies around this period, it did not develop or strengthen the role of the primate in the church hierarchy. It preferred to act directly through legates, whom it endowed with its own authority, rather than work through local primates. This was a policy designed to retain control of the reform process in the hands of the pope rather than risk creating centres of power elsewhere through delegating papal authority to the primates of local churches. It could of course, and did on occasion, delegate such authority to them but when it did, the primates, in consequence, acted as papal legates not as primates. The thinking in Canterbury, however, was in stark contrast to this; its view of the role of primate and papal legate was, in fact, the exact opposite to that of the papacy. This explains the intensity of the campaign which it fought to establish, and to gain papal approval for, its claimed primacy over York and the reason why, in the end, it failed. Given this failure, its claim to primacy over Ireland, which was based on even more slender grounds, was less likely to prevail over a request from the king of Ireland, Muirchertach Ua Briain, that Ireland should have a hierarchy under its own primate. And it was entirely in keeping with current papal policy that a native legate such as Gille be appointed to carry through the proposed reforms. That the pope would come down in favour of the Irish church being restructured under its own primate rather than that of Canterbury is due largely to the type of reform that was then prevalent in the papal court; it could, in fact, be said to
be the most important contribution which the Gregorian reform movement made to the introduction of a new organizational structure to the Irish church at the time.

It is very unlikely that the initiative in having Gille appointed to preside over the synod of Raith Bressail originated in Rome given that, as we have already seen, all initiatives in relation to reform within an Irish context only are to be found in Ireland and are associated, in particular, with Muirchertach Ua Briain - his granting of Cashel to the church in 1101, his bringing of Armagh into the reform movement, his appointment of Gille to carry through that reform; added to these was his involvement in the possible creation of an archbishopric at Cashel in 1106 with the subsequent translation of Mael Ísa Ua hAinmire to it.  

19 The proposition that Cashel was made an archbishopric as early as 1106 was made by Lawlor. He based his argument upon the statement by St Bernard that Cellach created it and that 1106 (the year that Cellach was consecrated bishop) is the only record we have of Cellach being in Munster before the synod of Raith Bressail. Furthermore, he believes that in the same year, or shortly thereafter, Mael Ísa was translated to the new see (Lawlor, *Life of Malachy*, pp xxxv-xxxvi). There is nothing inherently impossible in this proposition. Such a role for Cashel had been anticipated five years earlier when Muirchertach granted it to the church at the synod of Cashel and he had just now successfully involved Armagh, in the person of Cellach, in the reform movement. The next logical step would be the fulfillment of the projected role for Cashel to be followed by the appointment of someone as suited to the purpose of reform as was Mael Ísa. It may have been necessary for Muirchertach to have had a coterie of prelates, together with some likeminded clergy, linked to one another in an embryonic structure from which to launch the next step. That was to request the theorist of early reform, Gille, to produce a document for all the bishops and priests of Ireland outlining how the church was organized. We know, of course, that such a request was made (Ussher, *Sylloge*, 77; PL 159, 995; Fleming, *Gille*, 144). Furthermore, it would have been necessary, if the pope were to be successfully petitioned to appoint Gille as legate to a synod that would introduce a new diocesan system, that Muirchertach would have important prelates supporting him and, perhaps, an outline sketch, based upon an already agreed provincial structure, of what the likely outcome would be. It is not without significance that the only subscriptions to the decrees of Raith Bressail which Keating records are those of Gille, Cellach and Mael Isa (Keating, *Foras feasac*, iii 306) and that, as we have seen in the chapter immediately previous to this (306-07 above), Gille’s diocese, Limerick, was already established before the synod met. As for Mael Ísa’s decision to forsake his allegiance to Canterbury, a proposition one must assume when he agreed to become the archbishop of Cashel, we have very little information about this. It would appear that he was in regular correspondence with Anselm before his (Anselm’s) first departure into exile in 1097 and he also wrote to him when he was back in England between
Rome does not appear to have taken any part in the reform process until the appointment of Gille as papal legate to preside over the synod of Ráith Bressail. Now, however, the involvement of Rome becomes very clear. More specifically, something that is very characteristic of the reform papacy comes into view; that is, the use of a legatine synod as the mechanism through which the historic decision would be made to establish a national hierarchy. The reform papacy, from the time of pope Gregory VII onwards, saw the papal legation as one of the most important means through which it could implement its policy and the legates, in turn, actualized this policy in synods over which they presided. We do not know, however, the details of how exactly Gille was appointed legate to preside over the synod of Ráith Bressail. His appointment is, nevertheless, a testament to his status, not only in Ireland but also in Rome, a fact that makes his absence from reports of the synod in the annals all the more intriguing. His appointment could also be seen as a tribute to the influence which Muirchertach was capable of exercising in Rome.

September 1100 and April 1103. He was aware of the pope’s approval of Anselm’s work on the Trinity at the council of Bari in 1098 and it is of interest to note that when he asked Anselm to send him what he had written on this he said it was for himself and ‘for all the Irish clergy’ (‘omnibus Hiberniensibus clericis’). Although he was, at this stage, still apparently loyal to Canterbury, he was, nevertheless, looking beyond his own diocese in Waterford to the whole Irish church. Perhaps there is an intimation here of his later action in joining the new Irish hierarchy (Schmitt, Opera, iv 101-02 (letter 207)). Apart, that is, from the letter sent by pope Gregory VII to Tairdelbach Ua Briain, in which he says he is to be consulted if any matters arise upon which help is needed. However, this letter is not sufficiently specific in relation to the reform process to be considered an important part of that process (Cowdrey, Epistolae vagantes, 138-41 (letter 57)). The belief that Rome did not take any part in the reform process before the appointment of Gille as legate is based on the assumption that Máel Muire Ua Dúnáin was not a papal legate at Cashel in 1101 (Ó Corráin, ‘Máel Muire Ua Dúnáin’, 48-49).

20 Robinson, Papacy, 146-50.
As noted earlier, only three names appear in Geoffrey Keating’s report of the synod. The first is Gille: the others are Cellach, described as *comarbae* of Patrick and primate of Ireland (‘príomáth Éireann’) and Mael Ísa Ua h-Ainmire, described as archbishop of Cashel. Gille, as well as being described as the legate of the *comarbae* of Peter (i.e. the pope) is also described as bishop of Limerick.22 Those named are either Munster or Armagh prelates, thus confirming the impression conveyed by annalistic reports that it was a predominantly Munster-Armagh synod. This impression is further confirmed by internal textual evidence. In the list of dioceses and their boundaries, Armagh is first, immediately followed by those dioceses in Ulster, Meath and Connacht which are subject to it. Cashel comes next with its suffragan dioceses in Munster and Leinster. After the sees and boundaries of Connacht and Leinster have been outlined, a note is inserted to the effect that if the clergy of these provinces agree to the proposed division, it would please the synod; however, they may make changes provided the number of dioceses does not exceed five. This is a clear indication that the clergy of Connacht and Leinster did not attend the synod.23 Furthermore, in the year of the synod, another synod took place at Uisnech. The division of Meath into two dioceses that had been made at Ráith Bressail was altered at Uisnech though it stayed within the allocation of two dioceses made for

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23 ibid. 302-06.
Meath at Ráith Bressail. This would suggest that the clergy of Meath were not present either or, if they were, they were not fully representative of the whole of Meath. If the clergy of Connacht, Leinster and at least some of those from Meath were not present, then we have further confirmation of the dominance of Munster and Armagh at the synod. That, in turn, tells us something of how Munster perceived itself in relation to the whole of Ireland at that time. The decrees of the synod had an all-Ireland application and Armagh would naturally see its ecclesiastical authority as potentially having the same scope. That, however, would not apply to the clergy of Munster. It was only in the secular area that Munster could see itself exercise authority at such a level. The influence of Muirchertach Ua Briain on the synod’s decisions can, therefore, be seen in the dominant role played by Munster clerics there; it can also be seen in the way the Cashel province was carved up into dioceses.

However, the clearest indication of his influence is found in the choice of the clerics who lead the synod. The two most important, Gille and Mael Ísa, had clear personal associations with Muirchertach, as we have seen, both through the location of their episcopal sees and the manner of their selection. That Muirchertach chose these men to hold, first of all, such important sees in Munster, and secondly, to play a dominant role in the synod is particularly

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24 ibid. 302. Details of the synod of Uisnech are given in CS s.a.1107 [= 1111]. The synod is also reported but with no detail in AT s.a.1111.

significant. He obviously passed over Mael Muire Ua Dúnáin despite the fact that the latter attended the synod\textsuperscript{26} and subsequently showed that he was still very loyal to Muirchertach.\textsuperscript{27} This was a major change from ten years earlier at Cashel when Ua Dúnáin was chosen to preside. It indicates, at minimum, a lack of confidence in Ua Dúnáin to progress reform in the manner in which he wished it to go and his choice of clerics with a background in the English church suggests that that church may have influenced his thinking about how he wished reform to proceed.

As for the synod itself, the most obvious omission from the list of dioceses it put forward is Dublin.\textsuperscript{28} As we have seen, Dublin had a special relationship with Canterbury and through that relationship, it aspired to being the metropolitan see of Ireland, ultimately under the primacy of Canterbury. Raith Bressail was a direct challenge to that plan, in fact, a deliberate attempt to thwart it. Given that bishop Samuel of Dublin had already been openly behaving as a metropolitan, it is most unlikely that he would have attended Raith Bressail, even if invited. It is possible that overtures may have been made to him. This could be argued, based upon an analysis of the letter which Gille wrote to accompany his tract. Although he sent the letter 'to the bishops and priests of the whole of Ireland' he says that he was asked to write the tract 'by most of you', a distinction that could reflect the division

\textsuperscript{26} He is not mentioned by Keating but there are plenty of reports in the annals about his attendance e.g. AT, AI, AU, ALC, AFM s.a. 1111; CS s.a. 1107 (r 1111).

\textsuperscript{27} For example, see MIA s.a. 1117.

\textsuperscript{28} Keating, \textit{Foras feasa}, iii 298-306.
between Dublin and the rest of the Irish church that was to become visible after Ráith Bressail. If that is the case, then Gille may have been trying to include Dublin when planning for the synod. As well as that, we know that Mael Ísa of Waterford, who had also been consecrated by Anselm of Canterbury in 1096 and was on good terms with him, did attend. He, therefore, had thrown in his lot with those who would restructure the Irish church independently of Canterbury. He obviously did this enthusiastically since he accepted the position of archbishop of Cashel; an appointment which suggests, at the very least, the involvement of Muirchertach Ua Briain. His profession of obedience to the archbishop of Canterbury and his friendship with him must not have presented him with enough of a stumbling block. But then Waterford’s position vis-à-vis Canterbury was different from that of Dublin. More than a mere profession of obedience stood in Samuel’s way, namely, Dublin’s ambition to become the metropolitan see of Ireland. Taking part in the synod of Ráith Bressail, if asked, meant renouncing that ambition, and this is why its name is absent from the list of dioceses proposed at Ráith Bressail.

29 Ussher, Sylloge, 77-78; PL 159, 995-96; Fleming, Gille, 144.
30 See the letter from Mael Ísa to Anselm which implies that another letter had already been sent, and that Mael Ísa knew Anselm’s writings and that they had won papal approval (Schmitt, Opera, iv 101-02 (letter 207)). The letter was written shortly after Anselm had left England in November 1097. From it, it can be deduced that he had heard Anselm give a sermon, ‘De Incarnatione Verbi’, at St Omer in France on 11 November 1097 (R. W. Southern (ed & tr), The Life of St Anselm archbishop of Canterbury by Eadmer, Oxford Medieval Texts (Oxford 1972) 72 n 1, 101 n 1). Mael Ísa was also used by Anselm to deliver his letter of rebuke to Samuel and in this letter Anselm describes Mael Ísa as a ‘friend and fellow-bishop’ (ibid. 191 (letter 277)).
But it seems clear that the synod left the door open for a future entry of the Dublin diocese into the Irish church hierarchy. According to Keating’s text (whether he is quoting directly from the old book of Cluain Eidnech or paraphrasing it does not matter) the synod chose as a model for the Irish hierarchy what had originally been proposed for Canterbury and York: two metropolitan provinces, each having an archbishop with twelve suffragans.

In other words, there would be thirteen bishops including the archbishop in each province, twenty-six bishops in all. At Ráith Bressail it was decided that, likewise, there would be two metropolitan provinces, Leth Cuinn (the north) and Leth Moga (the south). However, when it came to enumerating the bishops, their dioceses and boundaries, only twenty-five were listed, thirteen in Leth Cuinn and twelve in Leth Moga, both including an archbishop. It may be argued that one was omitted from Leth Moga in textual transmission, but this does not stand up because, towards the end of

31 This holds good despite Gwynn’s conclusion that the note added after the five Leinster dioceses are named excludes Dublin from the Irish hierarchy. This note states that “if the clergy of Leinster agree to this we approve it, provided they have only five bishops” (Gwynn, Irish church 185). The implication of this is that they can change the boundaries or sees but they cannot change the number of dioceses. Theoretically, therefore, they could make changes that allowed Dublin to join, however unlikely that may have been. At another level, however, the note added at the end of the list of Leinster dioceses may be totally irrelevant to Dublin’s position since the Munstermen at Ráith Bressail would not necessarily have seen Dublin as being part of Leinster. It was at that time under the control of Muirchertach Ua Briain.

32 Keating, Foras feasa, iii 298. According to Bede (i 29), this was the model proposed by pope Gregory the Great to Augustine of Canterbury in 601. The original model was, of course, based on London and York, not on Canterbury and York as Keating reports (Colgrave & Mynors, Ecclesiastical history, 104-06). That the synod should choose a church structure based on what was originally proposed for the English church may have been influenced by Gille, who presided over the synod and who had earlier in his career been a monk, as we have seen, in England. As well as that, the works of Bede would have been well known in Ireland. Something familiar that also had the imprimatur of pope Gregory the Great would have been easier to propose to the Irish clergy for their acceptance. Also, as Gwynn has pointed out, the historic division of Ireland into two halves, Leath Cuinn and Leath Mogha, meant that the division chosen was particularly appropriate (Gwynn, Irish church, 182).
his extract, Keating copies out a blessing ‘on everyone of the twenty-five bishops’, a blessing that was obviously in the old book. This confirms twenty five as the number of dioceses chosen. Furthermore, it is clear that the synod was determined to keep a firm grip on that number as the admonition to the clergy of Connacht and Leinster to remain strictly within their allocation of five dioceses suggests. However, twenty six was the number in their chosen Canterbury/York model; if it had been determined to exclude Dublin forever, it seems logical to expect that it would have assigned thirteen dioceses to each province, but it did not do that. There can, therefore, be no doubt, as MacErlean says, that it ‘had in view the future inclusion of the bishopric of Dublin. The very symmetry of the partition proves this’. How to include Dublin would, of course, be the problem. It is possible that Muirchertach Ua Briain tried to encourage it to join when he travelled to Dublin in the autumn of 1111. He stayed there for a period just short of three months (from the feast of St Michael - September 29th - until Christmas). If that is so, then, as we will see, he obviously failed. It is possible also that it

33 Keating, Foras feasa, iii 298-307. Based on the fact that Keating noted the absence of boundaries for the diocese of Down, Gwynn states that there were only eleven, not twelve, suffragans in each province i.e. in Leth Cuinn as well as Leth Moga. However, he also notes that the boundaries for the diocese of Connor are complicated and that it is probable that the two bishoprics of Down and Connor were separate in the original text. He further observes that there is an obit for a man who was probably a bishop of Down in 1117 (AU) and, in any case, St Malachy was certainly bishop there between 1137 and 1148. This suggests, although he does not explicitly say so, that there were in fact twelve suffragans bishoprics planned for Leath Cuinn at the synod (Gwynn, Twelfth-century reform, 31-32). The reference to twenty-five bishops in the blessing, copied out by Keating, further confirms that there were twelve suffragans planned for Leth Cuinn.

34 Keating noted the omission but simply attributed it to the fact that it was customary for its bishop to be consecrated by the archbishop of Canterbury (idem, Foras feasa, iii 300).

35 Mac Erlean, ‘Synod of Raith Breasail’, 3.

36 Al s.a. 1111.
was hoped that when the current bishop died an opportunity would present itself. That, it would seem, was what was behind the actions of Cellach when Samuel died in 1121.

It is important to establish what Canterbury’s view was of its position in relation to Ireland after the synod of Ráith Bressail. For two years before that synod and for three years after, Canterbury was vacant. Eventually, in April 1114, Ralph d’Escures was elevated to the see. Like his two predecessors, Lanfranc and Anselm, Ralph spent a great deal of his time and effort defending Canterbury’s primatial claim. When the pope consecrated the archbishop of York in 1119, without consulting Ralph, it was clear that Canterbury’s primatial position was in difficulties. Ralph, therefore, in 1120, wrote the ‘most detailed account ever written on the subject of the primacy, explaining fully to the pope the basis of Canterbury’s claim’. We look only at those parts of the claim that pertain to Ireland. Ralph quotes Bede in relation to Laurence, the successor of Augustine at Canterbury, as follows: ‘he (Laurence) not only undertook the charge of the new church which had been gathered from among the English, but he also endeavoured to bestow his pastoral care upon the older inhabitants of Britain as well as upon those Irish who live in Ireland, which is an island close to Britain’. On this basis, Ralph makes a claim for Canterbury’s primacy over Ireland. He writes: ‘It is clear that the church of Canterbury never ceased afterwards to apply that
duty of pastoral care to the benefit of and at the same time to the primacy of
the whole of Britain as well as of Ireland'. It is clear, therefore, that almost
ten years after the synod of Raith Bressail, Canterbury still laid claim to
primacy over Ireland and this was so despite the fact that it is known that
Gille assisted Ralph in consecrating Bernard as bishop of St David’s at
Westminster in September 1115. One can merely speculate on the reason for
Gille’s presence with archbishop Ralph at this consecration; it was then only
four years after the momentous decisions made at Raith Bressail excluding
Canterbury, and Gille may have been trying to persuade Canterbury to
accept its decisions. And, given what we have just seen of archbishop
Ralph’s position on the question in his submission to the pope in 1120,
Canterbury did not accept them, a matter that became clearer in the
following year when Samuel of Dublin died.

Following his death, evidence for the conflict between Armagh and Dublin,
which up to that point can only be derived indirectly from the impact the
conflict had upon the reform movement, becomes fully visible. The Annals of
Ulster record the following for the year 1121: ‘Samuel Ua hAngli, bishop of

39 ‘Quam videlicet pastoralis curae sollicitudinem nunquam postea Cantuariensis ecclesia, tam
universae Britanniae quam Hiberniae beneficio simul et primatu, impendere cessavit’ (Raine,
Historians of the church of York, ii 236).
40 Rule, Historia novorum, 235-36. Eadmer describes Gille as one of the ‘suffragans of the church of
Canterbury’ (‘suffraganei ecclesiae Cantuariensis’). However, Eadmer is not to be taken literally as an
accurate recorder of Gille’s status but rather as reflecting the thinking that existed at Canterbury at the
time. His thinking merely reflects that which we have just seen Ralph overtly express in 1120.
Dublin, rested in peace. Cellach, *comarbae* of Patrick, took the bishopric, by choice of the Foreigners and Irish’. This synod of Ráith Bressail made provision for the future incorporation of Dublin into the newly constituted Irish hierarchy. The report in the Annals of Ulster, just quoted, is the first indication we have of an attempt being made so to incorporate Dublin. Efforts to persuade Dublin

41 ‘Samual H. Angli espoc Atha Cliath in pace quievit. Celleach comarbae Patraic do ghabail episcopoiti Atha Cliath a togha Gall 7 Gaedhel’ (AU s.a. 1121). That Dublin was seen to consist of both Foreigners and Irish is confirmed by a reference to Dublin as ‘dun Gaigel is Gall’ (‘fortress of the Gaedil and Foreigners’) in the Book of Ui Maine (UM q 27, 126ra57). It has to be remembered that both reflect Armagh thinking. The Annals of St Mary’s Abbey in Dublin report Cellach as taking possession of the see of Dublin two years before Samuel’s death. According to these annals he took it over in 1120 and Samuel died in 1122. As well as that they refer to the Dublin church of the time as a ‘new metropolitan church’. The entry for 1120 reads: ‘Celsus primas Armachanus, novam metropolim constituit Dublin, sedi tamen Armachane et illius archiepiscopo subdita tamquam primati. Hoc est enim quod in quibusdam chronicis legitur, Celsus primatem hoc anno episcopatum Dublin accepisse, quia usque ad hoc tempus archiepiscopi Cantuarii sedi Dublin episcopos ordinaverunt, ut in epistolis Lamfranci manifestissime ostenditur’ (Gilbert, *Chartularies of St Mary’s Abbey*, ii 254). (‘Cellach, the Armagh primate, erected Dublin as a new metropolitan church but subject nevertheless to Armagh and to its archbishop just as to a primate. Certainly, this is what is read in certain chronicles, that the primate Cellach had, in this year, taken over the bishopric of Dublin because up to this time the archbishop of Canterbury appointed the bishops to Dublin, as is most manifestly set forth in the letters of Lanfranc’). The annalist is using here what he read in the chronicles about Cellach’s visit to Dublin in order to interpret what he has read in the Life of Malachy. (Gilbert in his edition of the annals points out the parts which are extracted from the Life or epitomized by the annalist but misses this item). In that Life the erection of Cashel by Cellach as a metropolitan see is referred to but not by name. The annalist here assumes that it was Dublin that was erected and he takes this to have happened when Cellach took over its bishopric. Compare the words (italicised in both) used in the first part of the annalist’s report (cited above) with that written in the Life: ‘Erat et altera metropolica sedes, quam de novo constituerat Celsus, primae tamen sedi, et illius archiepiscopo subdita, tamquam primati” (Leclercq & Rochais, *S Bernardi Opera*, iii 340 (xv 33)). Later, when the annalist is reporting on Malachy’s visit to Rome in 1140, he excerpts directly from the Life and adds a gloss which confirms his belief that it was for Dublin (not Cashel) that Malachy sought papal confirmation as a new metropolitan as well as a pallium for both sees: ‘Post hec petit Malachias confirmari nove metropolis constitutionem, et utrius sedis, Armachane, scilicet, et Dublin, pallia sibi dari’ (Gilbert, *Chartularies*, ii 259; for the original in the Life (Leclercq & Rochais, *S Bernardi Opera*, iii 344 (xvi 38)). Gwynn noted that the annalist’s interpretation of what happened when Cellach went to Dublin was wrong but has no explanation for it (A. Gwynn (ed), ‘Some unpublished texts from the Black Book of Christ Church, Dublin’, *Analecta Hibernica* 16 (1946) 281-377: 317). As regards Cellach arriving in Dublin before Samuel died, there is nothing inherently implausible about it. For one thing, it would have allowed him time to organize the deputation which he sent to Canterbury in an effort to prevent the consecration there of Gréine, Samuel’s successor (to be discussed shortly). However, it would have some slight implications for the dating of St Malachy’s activities at Armagh as he was in charge there while Cellach was in Dublin.
to participate may have been made in the meantime. If so, they plainly failed. In the symmetrical plan for the Irish dioceses and provinces, a vacancy had been left to allow for the future entry of Dublin. It was intended that Dublin would become a suffragan diocese of the southern province, which was left short one diocese. Here Mael Ísa Ua hAinmire was archbishop, and one might have expected him to take over the bishopric of Dublin when Samuel died. This would give the southern part of Ireland its full complement of twelve suffragans, but it did not happen. Instead, it was Cellach, bishop of Armagh, who took the initiative.

The reason for this seems clear. The threat posed by Dublin, Canterbury’s bridgehead in Ireland, to Armagh’s pre-eminent position in the Irish church had brought Armagh into the reform movement in the first instance. That in turn had led to the setting up of a hierarchy at Ráith Bressail but Dublin remained aloof. The implementation of the decrees of Ráith Bressail’s must still have appeared fragile in 1121, merely ten years after the synod. This is particularly so given the sudden illness, in 1114, of one of the main architects of that reforming synod, Muirchertach Ua Briain and his subsequent death in 1119. Furthermore, a new power in the land, Tairdelbach Ua Conchobair, king of Connacht, took control of Dublin from 1118, and this was no mere symbolic control. This was a matter that Armagh had to take seriously since

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42 AU, AT, AI, AFM, MIA s.a. 1114, CS s.a.1110 [=1114]; AU, AT, AI, AFM, MIA s.a.1119, CS s.a.1115 [=1119].
(as will become apparent) Ua Conchobair took Dublin’s side in the conflict with Armagh. For that reason, Cellach, and not Mael Ísa Ua hAinmire, seized the opportunity that arose on the death of Samuel and took over the bishopric of Dublin.

There was, however, resistance to this in Dublin. What we know about this and the conflict to which it gave rise comes from a Canterbury source and, one must suspect, not a completely unbiased one. Eadmer tells us that Gréine (Gregorius) was ‘elected by the king and clergy and people of Ireland to the episcopacy of the see of Dublin’ (‘a rege et clero et populo Hiberniae in pontificatum Dublinae civitatis electus’). He went to England ‘with a letter and suitable testimonies’ (‘cum litteris et testibus idoneis’) to be consecrated by the archbishop of Canterbury. However, a certain cleric accompanied by a layman also travelled to England to try and prevent the consecration. They argued that Gréine had not been elected ‘by those to whom the power of that election most greatly belonged’ (‘ab eis ad quos electionis firmitas maxime pertinebat’). However, they lost the argument, according to Eadmer, because of the contents of the letter which Gréine brought with him and which was sealed with the seal of the church of Dublin. As well as that, ‘honest men’ (it is not said who these were) concurred with the contents of that letter. Eadmer then proceeds to give its contents. It is addressed to archbishop Ralph from ‘all the burghers of the city of Dublin and the whole assembly of

44 Rule, Historia novorum, 297.
the clergy' ("omnes burgenses Dublinae civitatis cunctusque clericorum conventus"). After the initial pious expressions, they give their reasons for sending Gréine to him: 'For we always gladly subjected ourselves to the rule of your antecedents from which we remember we have received ecclesiastical dignity. Indeed, let it be known to you that the bishops in Ireland have very great jealousy towards us, and especially that bishop who lives in Armagh, because we do not wish to comply with their arrangement but wish always to be under your lordship. For that reason we humbly seek your assent in order that you may promote Gréine to the sacred rank of episcopacy, if you wish to retain that diocese for a further period than the long time we have preserved it for you'.

From Eadmer's report it would appear that members of the Irish church (probably Cellach and his associates) were aware of the election of Gréine early enough to send representatives to Canterbury to try to prevent his consecration, something that suggests that he was elected after Cellach took over the bishopric. This, in turn, would explain what Cellach's initial action was intended to achieve: to influence the choice of Samuel's successor and to have him consecrated in Ireland and accept the new hierarchical church there. With the election of Gréine, that initial aim failed. Representatives

45 'Antecessorum enim vestrorum magisterio semper nostros libenter subdimus, a quo recordamur nostros accepisse dignitatem ecclesiasticam. Sciatis vos revera quod episcopi Hiberniae maximum zelum erga nos habent, et maxime ille episcopus qui habitat Archmacha, quia nos nolumus oboedire eorum ordinationi, sed semper sub vestro domino esse volumus. Iecirco vestra suffragia supplices petimus, quatimus Gregorium ad sacrum ordinem episcopatus promoveatis, si amplius illam parochiam quam multo tempore vobis servavimus retinere volueritis' (ibid. 297).
were then sent to Canterbury, and the argument used by these representatives is particularly important. It is based upon an understanding of where the power to elect Gréine lay. There existed, according to them, people with a greater power of election than those who had elected him. According to Eadmer, Gréine had been elected 'by the king and clergy and people of Ireland' (‘electus a rege et clero et populo Hiberniae’) or according to John of Worcester 'by the king of Ireland, by the clergy and people' (‘a rege Hibernie, clero et populo’),\(^{46}\) thus implying that Tairdelbach Ua Conchobair was involved in the election - an implication that is quite plausible as he was then king of Dublin and, as we shall see, a supporter of Gréine against Cellach. The representatives of Cellach, who went to Canterbury to oppose Gréine’s consecration, would have argued that the greater power of election resided with the metropolitan of the province of Cashel. That this was the thinking on the matter of the election of a bishop in the newly reformed church in Ireland at the time may be inferred from the tract which Gille had written before the synod of Ráith Bressail. In this he wrote: ‘(Archiepiscopus) adjutus tamen ab omnibus dioecesis suae episcopis, ordinat episcopum. Si quis enim ipsorum ordinationi adesse non possit, litteris sui se excusans atque legatis, assensum suum in ordinandis facere confirmat’\(^{47}\) ‘(The archbishop) helped by all the bishops of his province, ordains a bishop. If, however, anyone of them is unable to be present at an

\(^{46}\) ibid. 297; McGurk, *Chronicle*, iii 150.

\(^{47}\) Ussher, *Sylloge*, 86; PL 159, 1002-03; Fleming, *Gille*, 162.
ordination, he sends his excuses by letter and envoy, confirming that his assent is given to those requiring ordination. Assent of the archbishop and suffragans would amount to 'the greater power of election' since, if it were not given, those who had carried out the election in the first place would, in effect, be overruled. It is important to note that the method of electing bishops was of major concern to the church reformers in the western church generally at this time. Cardinal Humbert, one of those reformers, in his Libri tres adversus simoniacos, spelled out the three stages that were essential to a canonical election. These are: election by the clergy, request by the people and consecration by provincial bishops with the authority of the metropolitan. Those representatives of the Irish bishops at Canterbury would have asserted that 'the greater power of election' lay with the archbishop of Cashel. Canterbury would, of course, have rejected this since it would have perceived itself to have had 'the greater power of election' in this case since it held (in its own view) primacy over all of Ireland and authority in a particular way over Dublin. This episode represents a direct clash between Canterbury and the newly established Irish hierarchy.

However, it is important to note that there is no evidence that the Irish bishops elected and consecrated a bishop for the diocese of Dublin in opposition to Gréine. This would suggest that, despite Cellach's action in taking over Dublin, the reformers wished to retain good relations with

48 Flanagan, Irish society, 16; F. Thaner (ed), Humberti cardinalis Libri III adversus simoniacos, MGH Libelli de Lite Imperatorum et Pontificum (Hanover 1891) 95-253: 104.
Canterbury while nonetheless asserting that they had the 'greater power of election' when bishops of Dublin were to be elected.

Canterbury, however, did not concede that right. Eadmer says that its rulers were swayed by the contents of the letter that Gréine brought with him. This is not the normal decretum that a bishop-elect would have brought with him when going to an archbishop to be consecrated. Such a decretum has already been discussed in relation to the consecration of bishops Patrick and Mael Ísa. We do not know whether a decretum for a bishop-elect was also sent. Samuel had expelled the monks from Holy Trinity cathedral and given away the liturgical books that Lanfranc had given his uncle Donngus.49 It is possible, therefore, that knowledge of the decretum was not available to those who elected Gréine. In any case, circumstances had changed. The pro-Canterbury people of Dublin obviously now felt themselves to be under pressure, and the core of the letter that Gréine brought with him reflects that. It contains (from Dublin's point of view) a very clear statement of the newly reformed Irish church's relationship to Dublin. The bishops of Ireland but especially the bishop 'who lives in Armagh' are paying particular attention to Dublin and perhaps applying pressure ('maximum zelum erga nos habent').50 We already know from the report in the Annals of Ulster that

49 Schmitt, Opera, iv 192 (letter 278).
50 The exact interpretation of the word 'zelum' is difficult to convey. It may be translated as 'jealousy' but can also mean 'zeal'. What exactly does it mean to say that 'they have very great jealousy (or zeal) towards us'? Whatever it means, something tangible is being felt by the church in Dublin. It would appear, therefore, that some form of pressure is being applied.
Cellach, bishop of Armagh, is applying pressure, since he is actually occupying the bishopric. But it is important to note that, although he is by far the most significant person involved in the conflict, he is supported by other Irish bishops, obviously those committed to reform. It is equally important to note that the reason they are applying pressure is to get Dublin 'to comply with their arrangement' ('oboedire eorum ordinationi'), meaning to bring Dublin into the church structure that they had set up at Ráith Bressail.

The people of Dublin who sent Gréine to Ralph for consecration were evidently not prepared to go along with this; and, given what we know about Ralph's views on the matter, it was entirely predictable that he would consecrate Gréine. The contrary argument of the Irish bishops' representatives was dismissed as 'frivolous and of no weight' ('frivola et nullius ponderis'). Gréine was consecrated bishop of Dublin and made a written profession of obedience to Canterbury. However, when he returned to Dublin, he found Cellach still in possession of the see and, according to Eadmer, he held the see with the support of the people of his country. Gréine

51 Rule, Historia novorum, 306-07. Some extra detail, over and above Eadmer's account, about the ordination of Gréine to the diaconate and the priesthood, followed by his episcopal consecration, may be found in the Chronicle of John of Worcester. It is of interest to note that despite what might be expected to be some urgency attending the consecration of Gréine, proper liturgical requirements were observed. Gréine's ordination to the priesthood was carried out on the Saturday of the September ember days, the day which the church in general favoured most for ordinations to the priesthood (McGurk, Chronicle, 150-51 and note; O Shea, Worship, 321-34; esp. 234). We have already noted (261 n 104 above) that Cellach had himself been ordained on the Saturday of the September ember days in 1105.
was banished and returned to archbishop Ralph with whom he remained until Ralph died in October 1122.52

It seems reasonably clear that Cellach had support in Dublin. Otherwise, he would not have been able to prevent Gréine gaining possession of his see. Eadmer, no supporter of Cellach, admits that he had support. Besides, there are two separate references in the annals that suggest that Cellach had support from Foreigners. The first, already quoted, refers to Cellach taking the bishopric of Dublin 'by choice of Foreigners and Irish'.53 The other occurs in his obituary. There he is said to be 'the only head whom Irish and Foreigners, lay and clergy, obeyed'.54

However, the support Cellach enjoyed was by no means complete. He lacked the backing of one very important man, Tairdelbach Ua Conchobair, king of Connacht, king of Ireland co fresabra and, since 1118, king of Dublin.55 We know this from a letter sent by Henry I to archbishop Ralph regarding the consecration of Gréine in which Henry says that he had been informed by the king of Ireland that the burghers of Dublin had elected Gréine to the episcopacy and were sending him to archbishop Ralph for consecration.

52 Rule, Historia novorum 298, 302.
53 AU s.a. 1121.
54 AU s.a. 1129. However, the reference to Foreigners, both here and in the previous example, may not necessarily have been to the Foreigners of Dublin. It seems fairly certain that he would have been supported by the Foreigners of Limerick and Waterford, given the influence of Gille and Mael Ísa. His success in excluding Gréine shows that he had significant support from at least some Foreigners in Dublin. This calls into question the inference that Gréine was elected by 'all the burghers of the city of Dublin and the whole assembly of the clergy'.
55 'When Domnall Mac Lochlainn died in February 1121 ... Toirdelbach O'Connor was left without a rival as the most important ruler in the country' (J. Ryan, Toirdelbach O Conchubair (1088-1156), king of Connacht, king of Ireland co fresabra, O'Donnell Lecture (Dublin 1966) 7); AT s.a.1118.
Henry then commands Ralph to carry out the consecration, if he is satisfied with their petition. Although Henry does not name the king who wrote to him there can be no doubt that the person called ‘rex Hiberniae’ in 1121 must be Tairdelbach Ua Conchobair. Though the letter does not specifically state that Tairdelbach supported Gréine, his support is clearly implied. Why else should Tairdelbach write to Henry in the first place? That he should have taken the trouble to involve the English king on the side of Gréine suggests that he strongly supported Gréine and was, thus, a keen opponent of Cellach’s demarche. In the previous year he had shown no respect for Cellach’s personal status when he carried off hostages who were under his protection. Why he should have been so hostile is not immediately clear. When one recalls that a Munster-Armagh alliance was the driving force behind the reform and when one considers that it was highly unlikely that the clergy of Connacht were involved directly in the synod of Ráith Bressail, the paucity of evidence regarding Tairdelbach’s position on church reform up to this time becomes apparent. His stance in relation to the conflict between Cellach and Gréine would indicate that, for the moment at least, he was not on the side of the reformers who are identified with the outcome of Ráith Bressail. This may have been due to the structure they had


57 AT, AFM s.a. 1120.
decided on at that synod, a structure that he may have seen as too much favouring Munster and Armagh, and relegating Connacht to a position of subservience to Armagh. More importantly, however, it may reflect an attitude to the primacy that was related to the idea of kingship. We have already noted Muirchertach Ua Briain's involvement of Armagh in the reform process in the place of Canterbury and have argued that this was related to the role of a primate in legitimising his claim to kingship. In such a situation, therefore, Armagh would have been seen by Tairdelbach as supporting the Ua Briain claim to the kingship of Ireland for the king of Munster/Cashel, a claim that he would have opposed. Perhaps it was for this reason that he opposed Armagh and, therefore, Cellach's action in Dublin; an opposition so strong as to motivate him to write to king Henry I on behalf of Cellach's opponents in Dublin. If this was, in fact, Tairdelbach's reason for taking Dublin's side against Armagh, it would indicate that the attitude towards kingship which we have sought to show that Muirchertach Ua Briain was developing, was not just a personal or dynastic initiative; it would have reflected a trend that had wider currency in Ireland at that time.

In any case, Tairdelbach's action is an early indication of a view held by him that would lead, years later, to the elevation of Connacht to the status of a church province at the synod of Kells in 1152.

There is one further point which requires attention with regard to the involvement of Tairdelbach in the effort to have Gréine consecrated as
bishop in opposition to Cellach, then in possession of the bishopric of Dublin. It seems reasonable to assume that the pro-Canterbury people in Dublin would not have needed anyone to help them in having their man consecrated at Canterbury even with emissaries arriving there to put the case for the Irish bishops, as indeed proved to be the case. But, as we have seen, Tairdelbach did help them. Why this should have been considered necessary is difficult to say. It may, however, be a further indication, taken alongside the fact that, as already noted, Cellach had considerable support in Dublin that the pro-Canterbury side was weakening in Dublin. The help they sought from Tairdelbach may have been of a purely practical nature. They may have wished to have their own Canterbury consecrated bishop installed as quickly as possible given that the see was then held by a bishop who they felt was hostile to them. In support of this proposition is the fact that king Henry commanded archbishop Ralph to consecrate Gréine ‘sine delatione’ (‘without delay’).58

It is not known how long Cellach stayed in Dublin. While he was there it would appear that Mael M’Aedóc Ua Morgair (St Malachy) looked after Armagh.59 However, Malachy soon went to Mael Ísa at Lismore where he is said to have spent some years.60 On his return north he spent some time at Bangor before being consecrated bishop of Connor in 1124.61 All of this

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58 Ussher, Sylloge, 101 = Elrington, The whole works, iv 534.
59 Leclercq & Rochais, S. Bernardi Opera, iii 314-15.(iii 6)
60 ibid. iii 316-17 (iv 8).
61 ibid. iii 321-26 (vi.12-viii.16); AFM s.a. 1124.
would suggest that Malachy went to Lismore at the latest in 1122 or even perhaps in 1121. That in turn would suggest that, if Cellach returned to Armagh before Malachy left for Lismore, he must have left Dublin in 1122 or even in 1121, while Gréine was still residing with archbishop Ralph. Although Cellach may have returned that quickly to Armagh he would have maintained contact with Dublin. We can say this because we know that he had property near Dublin at Ballyboughal, property that was to remain in his hands and in those of his successors at Armagh until one of them, Eugenius, granted it to the monks of St Mary’s Abbey early in the thirteenth century. Despite this, however, an opportunity must have arisen for Gréine to take up his office at some point, and he may have been helped by Tairdelbach Ua Conchobair to do so. The most likely date for this is after the kingship of Dublin had been given by Tairdelbach to his son Conchobair between August 1126 and February 1127. Despite what Gwynn says, there

62 If one is to believe the report in the Annals of St Mary’s that Cellach had come to Dublin two years before Samuel died (Gilbert, Chartularies of St Mary’s Abbey, ii 254) and remembering that he was long enough in Dublin to organize the protest which was sent to Canterbury, then his stay would not have been that short.

63 In granting the property Eugenius wrote in his charter, which was addressed to the community of St Mary’s Abbey: ‘Sciatis nos dedisse, et presenti carta nostra confirmasse, et in perpetuam eleemosinam assignasse, ... albis monachis juxta Dublin, terram Sancti Patricii que dicitur Balibachel, cum omnibus pertinentiis suis ... liberas et quietas ab omni seculari servitio et extractio. Quare volumus et firmiter precipimus quod predicti monachi predictas terras ... habeant et teneant libere et quiete, sicut puram et liberam eleemosinam, et sicut pie memorie Kellach, archiepiscopus et primas totius Hibernie, eas melius et liberius tenuit et habuit unquam’ (ibid. i 148) ‘Let it be known to you that we have given, and with our charter here have confirmed, and have assigned as a grant for ever, ... to the white monks near Dublin, the land of St Patrick which is called Ballyboughal together with its appurtenances ... free and quit of all secular service and tax. Wherefore we desire and do firmly direct that the aforesaid monks have and hold, freely and peacefully, the aforesaid lands as an unencumbered and free grant and just as Cellach, of pious memory, archbishop and primate of all Ireland, once better and more freely held and had them’.

64 Ryan, Tairdelbach O Conchubair, 10.

65 Gwynn, Irish church, 228; idem, Twelfth-century reform, 35, 54.
is no evidence that any agreement on this was arrived at between Armagh and Dublin. Indeed, any such arrangement is most unlikely for Dublin remained firmly outside the newly established order. That this is so can be inferred from the action of pope Innocent II in refusing to grant pallia for Armagh and Cashel to Malachy when he sought them in Rome in 1140. Innocent approved the foundation of a new metropolitan see at Cashel and he appointed Malachy as legate in place of the ailing Gille. However, in regard to the pallia, the pope said to Malachy: 'More formal action must be taken regarding the pallia. You are to call together the bishops and clergy and nobles of your country and hold a general council. Once all the people agree, you will request the pallium through trustworthy persons and it shall be given to you'. The key words here are 'once all the people agree'. The inference to be drawn from these and the refusal to meet Malachy's request for the two pallia is that all did not agree when Malachy made his request and the pope knew it. Malachy's request to the pope was based upon the

66 Dean Lawlor has carried out an extensive analysis of the evidence relating to the timing of Malachy’s journey to Rome. He concluded that the most likely dates were: departure on 4 January 1140, return on 10 October of the same year (H. J. Lawlor, ‘Notes on St Bernard’s Life of St Malachy, and his two sermons on the passing of St Malachy’, PRIA C 35 (1918-20) 230-64: 245-48). 67 Leclercq & Rochais, S. Bernardi Opera, iii 344 (xvi 38). 68 Theobald, archbishop of Canterbury, was in Rome at the same time (A. Saltman, Theobald, archbishop of Canterbury (London 1956) 13-15). He would have been aware of Dublin’s position (Flanagan, Irish society, 32-33). Immenkötter sees a certain complexity in Innocent’s response to Malachy’s request. The decision to confirm the erection of a new metropolitan see at Cashel while at the same time refusing to send the pallia, he sees as being ‘unusual, to say the least’. Innocent had just gained full papal authority after being challenged by the anti-popes Anacletus II and Victor IV. He was indebted, on this account, to England but, even more so, to Bernard of Clairvaux. The conflict between Canterbury’s interests in Ireland and the Irish church, then undergoing reform, posed a problem for him, personified by the presence of both Theobald and Malachy in Rome. Innocent, according to Immenkötter, played for time by making it a condition for the reception of the pallia that all in Ireland, Gaelic and Norse, should come to an agreement at a general council. Such an agreement was hardly to be expected. By this stratagem Innocent would see the Irish church ultimately come
church structure of Ráith Bressail, and it is most likely that Dublin was still refusing to come in as late as 1140 when Malachy went to Rome. All were not in agreement at the time and the pope did not feel justified in giving the pallia to Malachy despite his high regard for him, which is evident from his appointing him papal legate.

Apart from Dublin, however, another problem of some substance had faced the reformers in Ireland. What made this so troublesome was that it was located in Armagh itself. Already during the pontificate of Cellach there are intimations that conservative forces there still held some sway. We have already noted that Dublin's story of its conversion to Christianity by St Patrick was transformed by Armagh. It became, instead, the story of a church that owed allegiance to Armagh because of that very connection with St

under Canterbury's control while, in the meantime, he would not appear to be completely refusing Malachy's request (Herbert Immenkötter, 'Ecclesia hibernicana: die Synode von Inis Pádraig im Jahre 1148', Annuarium Archivum Historiae Conciliorum 17.1 (1985) 19-69: 61-63). If this analysis of what went on in Innocent's mind is true, then it would represent a reversal of papal policy with regard to an independent Irish hierarchy. This policy had become apparent three decades earlier with the appointment of Gille as papal legate. His brief, one must assume from the outcome of the subsequent synod of Ráith Bressail, was to set up an Irish hierarchy. That this hierarchy had not as yet managed to include Dublin would obviously be of concern to Innocent - of sufficient concern to cause him to refuse Malachy the pallia and to encourage him to gain the agreement of all. However, it would not have been sufficient to cause Innocent to change existing papal policy even if one were to add to it Innocent's gratitude to England in the matter of his papacy versus that of the anti-popes. This gratitude, however, has to be offset against a similar gratitude owed to Bernard of Clairvaux, who was likely to have supported the claim of the Irish church to have its own hierarchy. Bernard was, after all, among those churchmen whose support for Innocent was the determining factor in his victory (F.-J. Schmale, Studien zum Schisma des Jahres 1130 (Cologne-Graz 1961) 55-56 as cited in Robinson, Papacy, 215-16 (where challenges to Schmale's thesis are also discussed) and 442-43 (where Bernard is seen as Innocent's 'most influential supporter' in gaining the support of the emperor Lothar III)). Furthermore, Innocent's appointment of Malachy as legate, with instructions to call a council to solve outstanding problems, was a characteristic action of the reform papacy (ibid. 146-50) and therefore, unlikely to be a mere stratagem. As for Immenkötter's assertion that Innocent's action, in refusing to send the pallia, was 'unusual, to say the least', his predecessors had acted in a somewhat similar fashion in relation to Spain during the reconquest from the Moslems. Diego Gelmirerez received the pallium in 1104 but did not receive metropolitan status until 1120 when he got it as a temporary measure. This was made permanent in 1124 when Diego was raised to archiepiscopal status (ibid. 264).
Patrick; it paid tribute to Armagh and St Patrick, in turn, promised protection.  

69 It was a traditional form of subjection; not one of a suffragan to a metropolitan or primate, as would have been understood by a reformer. Of more concern still was the fact that in the year following Cellach’s consecration a new bishop, Mael Coluim Ua Brolchain, is reported to have ‘assumed the bishopric [of Armagh]’. 70 What is more, he is described as ‘bishop of Ard Macha’ when he died in 1122. 71 He was thus a bishop in Armagh at the same time as Cellach was also bishop there. 72 In 1106 Caenchomhrac Ua Baeighill, also described as ‘bishop of Armagh’ had died. 73 It is not clear whether he died before or after Cellach had become bishop. But the raising of Ua Brolchain to the bishopric of Armagh after Cellach had become *comarbae* of Patrick and bishop 74 would suggest that he

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69 Appendix A below: ‘The legend of Dublin’s conversion by St Patrick’.
70 AU s.a. 1107.
71 AU, AFM s.a. 1122.
72 The annals report the presence of this and two subsequent bishops in Armagh while it was under the control of reform bishops. Aubrey Gwynn believed that there may have been an error in textual transmission with the substitution of Ard Sratha for Ard Macha, since there are no names of bishops of Ard Sratha in the annals in the years following Ráith Bressail (Gwynn, *Irish church*, 187). However, he was somewhat hesitant about this as he admitted that the text of AU was so accurate that to have an error such as this repeated three times was to be unexpected (ibid. 351 n 23). Professor Byrne has suggested that this bishop and one who may have succeeded him, Maelbrigdhe Ua Brolchain (†1139), may have combined the old office of monastic bishop at Armagh with pastoral responsibility for the territory of Cenél nEógain (F. J. Byrne, ‘Heads of churches to c.1200’, T. W. Moody, F. X. Martin & F. J. Byrne (ed), *A new history of Ireland*, vol 9 (Oxford 1984) 237-41, 241 n 30).
73 AU, AFM, AI s.a. 1106; AC s.a. 1105; AT s.a. 1102. He had ‘assumed the bishopric of Ard Macha on Whitsunday’ in 1099 (AU, AFM s.a. 1099).
74 This seems to have been overlooked by Gwynn when he wrote about the timing of the death of Caenchomhrac Ua Baeighill (in 1106) providing ‘a fortunate coincidence’ for Cellach ‘to establish his canonical position as bishop of Armagh’. Having two bishops at Armagh would have been uncanonical; something about which Lanfranc and Anselm had complained. If Cellach was supported by both the reformers and traditionalists at Armagh in his attempt to establish his canonical position, as Gwynn suggests, then it would seem very strange indeed that in the following year another man would be raised to the bishopric of Armagh while Cellach was also bishop of Armagh (Gwynn, *Twelfth-century reform*, 24).
was chosen to fill the role which Ua Baeighill had served. His role, after all, was separate from that of the *comarbae*. Ua Brolchain’s role would similarly be separate from that of Cellach. As might be expected, there is no reference to Ua Brolchain in Bernard of Clairvaux’s *Life of Malachy*. This is significant since Bernard describes what happened when Cellach, presumably during his absence from Armagh, transferred his own authority to Malachy who was, at that stage, still a priest. Among the reforms which Malachy is said to have brought about on this occasion was the re-institution of the sacrament of confirmation.\(^7\) If this were to have any meaning, the presence of a bishop would have been necessary. Could Ua Brolchain have performed this duty? But more importantly, why did Cellach, when absent from Armagh, not transfer his authority to Ua Brolchain rather than to a priest? If we are to believe that such transfer of authority did in fact take place, then the reason why the priest Malachy was chosen over the bishop Ua Brolchain is that the latter was either irregularly consecrated and/or was not committed to the reform programme. It is likely also that the people behind his appointment in 1107 were equally uncommitted to reform. Right from the outset, then, there was some form of division in Armagh over the question of reform. And this was at a time when the long standing tradition of the Clann Sinaich holding the coarbship of Patrick was still intact; Cellach being the latest *comarbae* who belonged to that family.

\(^{7}\) Leclercq & Rochais, *S Bernardi Opera*, iii 316 (iii 7).
This division becomes much easier to observe after the death of Cellach. He died in 1129 at Ard Patraic in Munster and, significantly, was buried in Lismore not at Armagh.76 Before his death, according to St Bernard, he appointed Malachy as his successor and charged the two kings of Munster, at that time Conchobar Ua Briain of Tuadmumu (Thomond) and Cormac Mac Carthaigh of Desmumu (Desmond), with responsibility for ensuring that this appointment was put into practice.77 The Armagh/Munster alliance, which we have earlier noted, was still in operation ten years after the death of Muirchertach Ua Briain.78 However, the opposing faction in Armagh acted speedily and appointed another member of the Clann Sínaich as *comarbae* on the fourth day after Cellach’s death. He was Muirchertach, the son of Cellach’s predecessor, Domnall and Cellach’s cousin;79 he had not been

76 AU, AFM, AI s.a. 1129; CS s.a. 1125[=1129]; cf. AT s.a. 1129.

77 Leclercq & Rochais, *S Bernardi Opera*, iii 328 (x 19). Cormac Mac Carthaigh’s friendship with Malachy, begun at Lismore, is an easy explanation for his involvement (Lawlor, *Life of Malachy*, p liii); there is, however, another possible explanation. It may have been in his interest to ensure the continuation of a reformer as archbishop of Armagh as he (Cormac), perhaps like Muirchertach Ua Briain earlier in the century, wished to see a reformed church succeed as it would have been necessary for his idea of a new form of kingship; he seems to have held such an idea at this time of revival of Éoganacht power. This can be seen in a note in the genealogical tracts: ‘It is in this wise that the kings of Munster should be elected: the twenty four best chief counsellors in the two provinces of Munster should choose him, as the German emperor (‘an tmper Almanach’) is chosen, and he should be brought to the Stone of Cothraige and to Cormac’s great church and there proclaimed king, and be brought to Lis na n-Urlann and proclaimed [there also]’ (T. Ó Raithbheartaigh (ed), *Genealogical Tracts I*, Irish Manuscripts Commission (Dublin 1932) 182 §172; Byrne, *Kings and high-kings*, 191; cf. Michael Richter, ‘The European dimension of Irish history in the eleventh and twelfth centuries’, *Peritia*, 4 (1985) 328-45: 344).

78 This would contradict Gwynn’s suggestion that there was a collapse of the reform movement as a whole in Munster after Muirchertach Ua Briain’s death in 1119 (Gwynn, *Twelfth-century reform*, 36). It is not beyond the bounds of possibility that it was not the dying Cellach who nominated Malachy as his successor but Conchobar Ua Briain in whose territory (Ardpatrick in Co. Limerick) Cellach died. It would, of course, be necessary that it be portrayed as Cellach’s choice. Gille, bishop of Limerick and papal legate, would probably have approved. Malachy was well known in Munster after his stay in Lismore. He had set up a monastery at *Ibracense* in Munster. Also his father had died at Mungret, in Ua Briain territory.

chosen in 1105 after his father’s death, perhaps an indication that division in Armagh, now becoming apparent, already existed at that time.

This division which, before 1129, had apparently revolved around participation in the reform movement now focussed upon the manner of succession to the coarbship, itself a question central to that movement. An open struggle between the two sides for possession of Armagh now began. It was an effort to gain control over how it would see its place in the church at that time, not just to control it physically, although that was important too. This struggle is revealed in both the annals and in Bernard’s Life of Malachy. In the latter we see two of the three principal participants at Ráith Bressail, as revealed in the old book of annals of the church of Cluain Eidnech, Mael Ísa and Gille, exhorting Malachy, the appointed successor of the third, Cellach, to take on the opposition in Armagh; a task that was imperative if Armagh, the see of the proto-primate of Ireland, were to remain in the possession of the reformers. Malachy, knowing the difficulties, was reluctant to do so. But they persisted and, three years after Cellach’s death (in 1132), they apparently called an assembly of the bishops and, especially noteworthy, the princes of the land (‘convocatis episcopis et princibibus terrae’) to add force to their persuasion.⁸⁰ This appears to be confirmed in the annals.⁸¹ It is

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⁸⁰ Leclercq & Rochais, S Bernardi Opera, iii 330-31 (x 20). St Bernard here confirms the importance of these three people in the reform process. This is significant as the extant Irish annals name only one of these, Cellach, when reporting on the synod of Ráith Bressail.

⁸¹ AFM s.a. 1132 reports ‘Maelmaedhog Ua Morgair [St Malachy] sat in the successorship of Patrick, at the request of the clergy of Ireland’. Whether this is merely formulaic or reflects, in fact, a request made by the clergy of Ireland is not clear. MIA (s.a. 1134), however, says that he entered into the succession of Patrick ‘with the prayers of the men of Ireland’.
particularly significant that Gille and Mael Ísa are here seen to be the prime movers behind this action, some eighteen to twenty-one years after the synod of Raith Bressail had dispersed.\textsuperscript{82} In fact, it would not be unreasonable to suggest that, by their action at this very critical point in the course of the reform movement, their input was of such importance that it was crucial to its successful consolidation; if they had not acted as they did, Armagh could have been lost to the reformers. Although Cellach is, reasonably enough, given credit for the choice of Malachy as his successor, that was the easy part; getting him to successfully assume that role in any meaningful way against the opposition of the Clann Sínaich was, by far, the more difficult. After initial refusal, Malachy responded positively to their exhortation. But, fearing violence, he did not enter Armagh as Muirchertach was still there. For two years (1132-1134) he exercised his office from outside the city.\textsuperscript{83} This, according to Bernard, was his episcopal office. It would appear that at this time the office of \textit{comarbae} of Patrick was still held by Muirchertach as he made a visitation of Tir-Eoghain in 1133.\textsuperscript{84} In 1134 Malachy made a visitation of Munster.\textsuperscript{85} Later that year, on September 17, Muirchertach died and Niall, a brother of Cellach, was installed as \textit{comarbae}.\textsuperscript{86} This seems to have spurred

\textsuperscript{82} To suggest, as Gwynn does, that they had no real input into reform movement after the synod of Raith Bressail had dispersed is to misinterpret the paucity of references to them in the sources (Gwynn, \textit{Twelfth-century reform}, 36).
\textsuperscript{83} Leclercq & Rochais, \textit{S Bernardi Opera}, iii 331-32 (x.21, 22).
\textsuperscript{84} AFM s.a. 1133.
\textsuperscript{85} AFM s.a. 1134.
\textsuperscript{86} AFM s.a. 1134. Given that the death occurred in September and its recording in the annals follows the entry regarding the visitation of Munster by Malachy, it is likely that the death of Muirchertach and the succession of Niall occurred after Malachy’s visit to Munster. Furthermore, as we will see,
Malachy's supporters into action. According to Bernard, the king and the bishops (none of them named) came together to install Malachy in Armagh. This was installation by force if we are to judge by the earlier declaration by his supporters that they were prepared to use force ('parati vim facere') and given the opposition it met. It was resisted by forces backing Niall, some of whom in the process were struck by a thunderbolt. This might be dismissed as mere hyperbole were it not for the fact that, remarkably, it is corroborated by a report in the annals where the forces are identified as being Cenel nÉogan Tulcha Óc. In the event, Malachy was installed and, five years after Cellach's death, had finally gained possession of Armagh. However, he had only done so with the assistance of an unnamed king. Although the opposition is reported to have been overcome by a

Malachy made another visitation of Munster that year. That Niall was a brother of Cellach, see Ó Fiaich, 'Armagh under lay control', 124.

87 Leclercq & Rochais, S Bernardi Opera, iii 331 (x 20).
88 ibid. iii 332-33 (xii.22,23).
89 AT s.a. 1134. 'Mael M'Aedhoic h-Ua (Morgair) do dhul a cathair Padraic. Cenel Eogain Tulcha Óc do chocar Mael M’Aedhoic, 7 teni gelain do loscud da fer déc dib sin inadh ar’ cogradar éé ('Mael M’Aedóc Ua Morgair ascends Patrick’s throne. The kindred of Eogain of Tulac Óc conspired against Mael M’Aedóc and a flash of lightning consumed twelve men of them on the spot where they conspired against him').
90 AFM, AT, MIA s.a. 1134; CS s.a. 1130[=1134].
91 This could have been Conchobar Ua Briain or Cormac Mac Carthaigh or both. They are elsewhere reported to have been on an expedition as far as the border of the diocese of Armagh in this year ('The Dublin annals of Inisfallen' (RIA. ms.23, F9) as quoted in Lawlor, Life of St Malachy, 43 n 5). See also ibid. 51 n 2. However, Gwynn says that these annals are late and untrustworthy and, in any case, are carelessly quoted by Lawlor. As well as that, it should be noted that the Ua Briain/Mac Carthaigh alliance fell apart in this year (MIA s.a. 1134). Based mainly upon subsequent relations with Malachy and reform, Gwynn suggests that the king in question is Donnchad Ua Cerbaill, the new king of Airgialla (Gwynn, Irish church, 212-13). Ó Fiaich also believes it was Donnchad Ua Cerbaill who put Malachy in possession of his see, suggesting that it gave him an opportunity to exercise his authority over the Armagh area as his predecessors had before (Ó Fiaich, 'Armagh under lay control', 119-20). However, it is worth emphasising here that Armagh was considered to be politically important by Meic Carthaigh around this time as we have already seen in their work of propaganda, Caithréim Chellacháin Chaisil, probably composed 1129x1134; it would provide a motive for the possible involvement of Cormac Mac Carthaigh.
thunderbolt, the reality must surely be that it was overcome by this king’s forces and that Malachy had been installed by force of arms. When that force was removed, on the king’s return home, Malachy’s situation in Armagh must have been precarious. Niall had taken with him the Bachall Ísa and other insignia when ousted. These allowed him to travel around and act as if he were still in office. However, Malachy managed to buy them back in the following year after their official keeper had died. More significantly for Malachy’s security in Armagh, the king who had installed him, before he returned home, had compelled a magnate (‘princeps’), presumably local, to maintain peace with Malachy and had taken hostages in an attempt to ensure that he complied with this arrangement. Armagh was now, once again in the hands of the reformers. It had, in the first place, been persuaded to come on board the reform movement by the secular arm of Munster, Muirchertach Ua Briain; now it was Munster which once again acted - this time to prevent it from seceding, the initiative coming from clerics but the implementation being clearly secular. The motive for this continuing secular involvement of Munster may still have been a concern for a new type of kingship which required that a church primate and hierarchy be in place in Ireland. Although the Uí Briain were no longer in the strong situation they

93 AFM s.a. 1135. This was, most likely, a bribe but Bernard says that through Malachy’s effort, Niall surrendered, handed over the insignia and remained in peace subject to Malachy thereafter (Leclercq & Rochais, *S Bernardi Opera*, iii 336 (xii 27)). That the latter is also untrue will be shown shortly where it will be seen that Niall regained the coarbship in 1136.
were when Muirchertach had been king, nevertheless they would still have aspirations towards regaining their pre-eminence. Tairdelbach Ua Conchobair was the current power and had divided Munster but there was at this time close co-operation between those in control of both its parts; a co-operation most likely motivated by a desire to regain this power from Ua Conchobair. In 1127, Cormac Mac Carthaigh, king of Desmond, had been forced to find refuge at Lismore; later in that year, however, the two leading Uí Briain dynasts, Conchobar and Tairdelbach, arrived at Lismore and offered the kingship of all Munster to Cormac. He thus became titular king of Munster and remained in close alliance with the Uí Briain, waging successful war against Tairdelbach Ua Conchobhair, until 1134. During this period, Domnall Ua Conaing was appointed to the see of Cashel and a new chapel was consecrated there during which, as will be discussed later, a synod may have been held and attended by the bishops of Connacht. But most importantly of all, it was during this period that the two leading Munster dynasts co-operated in putting Malachy into possession of Armagh and thus preventing it from seceding from reform.

However, Malachy’s hold on Armagh was insecure; he had to be guarded, day and night, by armed men. Most likely because this intolerable situation restricted his freedom of movement, Malachy determined on a particular

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96 See 365 below.
97 Leclercq & Rochais, S Bernardi Opera, iii 334, 336 (xii.25,27).
action, the course of which can partly be followed in the annals and partly
deduced from its consequence. In 1136 he visited Munster during which it
would appear that Niall took opportunity to regain the coarbship.98 In the
same year, Malachy resigned as bishop of Armagh and *comarbae* of Patrick.
He did so, according to the annals 'for the sake of God' and according to
Bernard, to fulfil a bargain made on taking up the post that when the
enterprise had succeeded, he would be allowed to return to his humble
position when a suitable substitute was found for Armagh.99 Both of these
reasons are likely to be pious fictions. The reality is much more likely to be
that, since Armagh was once again in the control of the Clann Sínaich,
negotiations took place to find someone for the position of *comarbae* of
Patrick who was acceptable to both the reformers and the local power, Cenél
nEógain. The person chosen was Gilla Meic Liac described, at the time of his
appointment to Armagh, as *airchinnech* of Derry100 and, at the time of his
death as having held the abbacy of Derry ('i n-abdaine Coluim Cille i n-
Daire').101 According to St Bernard, he was chosen by Malachy himself.102
But, importantly, he was a kinsman, albeit a distant one, of the king of Cenél
nEógain. He was a direct descendant of Áed Allán (†743), the founder of

98 AFM s.a. 1136.
99 AFM s.a. 1136; Leclercq & Rochais, *S Bernardi Opera*, iii 331, 338 (x.21; xiv.31).
100 AFM s.a. 1137 'A change of abbots at Ard Macha i.e. the *airchinnech* of Doire (Choluim Chille) in
place of Niall, son of Aedh'.
101 AU s.a. 1174. See also AFM s.a. 1173, AT, AI s.a. 1174.
Cenél nEógain supremacy in the north. That meant that he shared a common ancestor, king Fergal mac Máele Dúin (†722), Áed Allán’s father, with the Mac Lochlainn king of Cenél nEógain, a factor that would have made him acceptable to the latter. Also of importance was the Cenél nEógain association with Derry. Having for centuries been dominated by its rival Cenél Conaill, Derry came within the sphere of influence of Cenél nEógain during the period of Domnall Mac Lochlainn’s reign (1083-1121). The effect of this can already be seen in 1111 when the synodsmen at Ráith Bressail gave Raphoe as an alternative to Derry as the see of the diocese of Cenél Conaill. This recognized that Derry was no longer securely held by Cenél Conaill. In the following year, the death of the aircinnech of Derry, a man from a Cenél nEógain family, is recorded. In the year of Domnall Mac Lochlainn’s death (1121), Gilla Meic Liac became aircinnech there – a position he was to hold until his selection by Malachy as his successor in Armagh. But before that, Derry was to become even more closely associated with Cenél nEógain when, for a time, it appears to have replaced Ardstraw, the see assigned to it at Ráith Bressail, as its new see. This may have occurred as a result of the war fought between Cenél nEógain and

104 ibid. 284.
106 Keating, Foras feasa, iii 302.
107 Lac[ely], ‘Development of Derry’, 383.
108 AU, AFM s.a. 1174.
It is quite likely that Malachy was actively supportive of this replacement. According to genealogical records, he was linked with a branch of Cenél Conaill and may, therefore, have been looked upon favourably by the Columban community in Derry. Moreover, he must have been familiar with this community and impressed by it, especially by the pastoral service it provided, since he chose Gilla Meic Liac, its leader, to be his successor in Armagh where he would become head of the secular clergy of Ireland. If Gilla were deemed suited for such an important role it seems quite logical to

110 Herbert, Iona, Kells, and Derry, 111-12.
111 That the community of Derry had a high regard for pastoral work, a characteristic which would make it particularly suited to participation in the reform movement, may be seen in the Irish Life of St Colum Cille. Mairé Herbert has shown that this work was almost certainly compiled in Derry between 1150 and 1182 and probably before 1169 (ibid. 192-93) but the positive attitude to pastoral work, which can be inferred from it, had probably existed for some time before its compilation (i.e. at the period under consideration here). The Life begins with an homiletic exordium based on the biblical text ‘Leave your country and your kindred and your father’s house and go to the land which I shall have shown to you (Gen. 12:1)’. As part of the exordium the author explains that there are three ways in which a man might leave his fatherland when he goes on pilgrimage but only two of these are of any value. The one which has no value is where a person leaves bodily but continues to misbehave as he did while he was at home (ibid. 220 §6). Of the other two, the person who leaves his fatherland, both in mind and body, is deserving of great praise (ibid. 221-22 §9). St Colum Cille, whose Life is about to be told, belongs to this category (ibid. 222 §10). It is entirely in keeping with the story of Colum Cille’s life that such a pilgrim should be here praised with suitable scriptural backing. But it is not immediately obvious why there should be praise for a man who does not physically leave his fatherland in the exordium of a Life of a man who does and in one that takes as its initial text the advice of the Lord to Abraham to leave his country, his kindred and his father’s house. Yet this is what the composer does when he explains the second type of pilgrim who has value in the sight of the Lord. This person, he says, leaves his fatherland in mind and heart only but not in body and is one of those who ‘remain living in their own areas as if they were not inhabitants’ (‘in suis locis manent habitentes quasi non habitentes’). They too are pilgrims ‘amal do-cuirither dona hordnigib tochathit a mbetha ina tirib fen co bás, ár nos-fastat tuatha γ eclairai isna ferannaib i mbit for mét a tarba do chách’ (‘as is the lot of the ordained who spend their lives until death in their own countries, since both laity and clergy detain them in lands in which they live, because of their usefulness to all’). Because of their ‘cainduthracht’ (devotion, goodwill) in remaining in their fatherland to perform that service, they are deemed to have the status of pilgrim (ibid. 221 §8; trans. 250). This status is all the more exalted as it is attributed to them in a book on the life of such an eminent pilgrim as Colum Cille. What a remarkable tribute to pay to these ordained men who provide a pastoral service in their own land to their own people. This exordium was excluded when a linguistic analysis of the text was carried out in order to date it. That, however, does not mean that the exordium was necessarily added later (ibid. 185 n 15). An analysis of the composition and concerns of the text suggests that, since the exordium and peroratio are both particularly suited to the Life, it was composed in homily form from the outset and that it reflected ‘the attitude of monastic Derry’ of the time (ibid. 195-96, 202).
assume that the church, of which till then he had been leader, would also be deemed a suitable location for the diocesan see. By actively supporting Derry as the see of Cenél nEógain Malachy would, therefore, have been true to his overall objective of furthering church reform. But his action would also have won favour with Cenél nEógain. That, in turn, would have served his more immediate objective - gaining secular backing and thus, personal security, for the man he had chosen as his successor in Armagh, who was, in any case, one of that kindred.

With his successor secure in Armagh, Malachy was now free to pursue church reform at a different level. This is apparent from Malachy’s decision, around this time, to go to Rome in order to get the pallia for the two archbishops of Armagh and Cashel.\textsuperscript{112} It has been suggested that it was the ending of the papal schism that spurred Malachy’s decision to go to Rome at this particular time.\textsuperscript{113} This schism lasted from February 1130 until May 1139.\textsuperscript{114} However, it had taken around twenty eight years before any apparent effort was made to get papal approval for the decisions of Ráith Bressail, decisions made long before that schism had even begun. A much more likely explanation for this long delay must be the problems in Armagh which appear to have been resolved to the satisfaction of the reformers only

\textsuperscript{112} Leclercq & Rochais, \textit{S Bernardi Opera}, iii 340 (xv 33).
\textsuperscript{113} Lawlor, \textit{Life of Malachy}, 72 n 3.
\textsuperscript{114} Robinson, \textit{Papacy}, 525.
around this time.\textsuperscript{115} By now, Gille, the papal legate, was old and infirm\textsuperscript{116} and would not have been fit to travel. It was Malachy, therefore, who made the momentous journey to Rome. Strictly speaking, the office he held at that time, bishop of Down, would not have given him the authority to perform this duty. But it seems clear enough that this authority was devolved upon him by Gilla Meic Liac. He was, in effect, acting \textit{vice} Gilla, as some later references in the annals would suggest.\textsuperscript{117} When he returned from Rome he would, of course, have authority of a different kind - he would return as papal legate.\textsuperscript{118}

\textsuperscript{115} Not long before Malachy set out for Rome in the early days of 1140 (Lawlor, ‘Notes on St Bernard’s Life of St Malachy’, 245-48) Niall, the last of the Clann Sinaich to hold the coarbship of Patrick, died. So too did Maelbrighde Ua Brolchain, described in the annals as ‘bishop of Ard Macha’ and, therefore, since Gilla Meic Liac was the reform bishop there since 1137, a pre-reform style bishop (AFM s.a. 1139). On the surface it might appear that conservative forces were still holding out later in Armagh since Amhlaim Ua Muirethaigh is described as ‘bishop of Ard Macha’ on his death in 1185 at a time when Tomaltach Ua Conchobair was archbishop (AU s.a. 1185; F. J. Byrne, ‘Bishops, 1111-1534’, T. W. Moody, F. X. Martin & F. J. Byrne (ed), \textit{A new history of Ireland} ix (Oxford 1984) 264-332: 268). However, it is believed that Ua Muirethaigh was, in fact, bishop of Ráith Luraig/Derry when he died (ibid. 279; see also Byrne, ‘Heads of churches’, 241 n 31). Nevertheless, his association with Armagh gets backing from the inclusion of his name in a list of \textit{comarbai} of Patrick, drawn up during the period of Tomaltach’s coarbship, that is included in the Book of Leinster. This list is particularly interesting in that it omits the two \textit{comarbai}, Muirchertach and Niall, who we know were not part of the reform process; this suggests that the author of the list was on the side of the reformers. So the inclusion of Ua Muirethaigh on the list would indicate that he was deemed by the author to be pro-reform. He appears on the list between Gilla Meic Liac († 27 March 1174) and Gilla in Choimded Ua Caráin († c. January 1180) with no reference made to Conchobair mac Meic Con Caille who had been archbishop c.1174x1175 (Best, Bergin, O’Brien & Sullivan, \textit{Book of Leinster}, vi 199-201; Byrne, ‘Bishops’, 268). There may have been a dispute between him and the latter and he may have held the position for a time. If he did, it is likely to have been in the manner of a reform bishop and not the old style pre-reform bishops we have been discussing; otherwise he is unlikely to have been included in a list that excluded the anti-reformers Muirchertach and Niall.

\textsuperscript{116} Leclercq & Rochais, \textit{S Bernardi Opera}, iii 344 (xvi 38).

\textsuperscript{117} On a number of occasions Malachy is referred to as \textit{comarbae} of Patrick although he had long resigned that post in favour of Gilla Meic Liac. These would suggest that he was acting on his behalf. For example, the report on the release of Tadhg Ua Briain (AFM s.a. 1147; see also the report in MIA s.a. 1145-57); the consecration of the church of Cnoc na Seangan (AFM s.a. 1148) and the convening of the synod of Inis Pádraig (AFM.s.a. 1148, CS s.a. 1144 [=1148]).

\textsuperscript{118} Leclercq & Rochais, \textit{S Bernardi Opera}, iii 344 (xvi 38).
We know very little about what happened after he returned. As papal legate he was now charged by the pope to get agreement from all before another attempt was made to seek the pallia from Rome. The obvious obstacle was Dublin. There was also the new power in the land, Tairdelbach Ua Conchobair, who, as we have seen, was not on the side of the reformers during the conflict between Dublin and Armagh which erupted in 1121. However, there must have been a growing awareness in Dublin of the lack of progress in its fundamental aim - to become the metropolitan see for the whole of Ireland under the primacy of Canterbury. As well as that, it must have been aware, as time went by, that the diocesan structure decreed at Ráith Bressail was not going to go away even if it had not yet gained full papal approval.\textsuperscript{119} Moreover, Malachy was now papal legate charged by the pope to get agreement - a clear indication to Dublin that the pope wished to have an Irish diocesan structure. Malachy had already gained papal approval for the metropolitan sees of Armagh and Cashel in 1140.\textsuperscript{120} Now Dublin's greater ambitions were no longer possible and it was left with no option but to salvage what it could of its aspirations. This meant coming to terms, somehow, with the new Irish diocesan structure. It would appear,

\textsuperscript{119} There is an almost total dearth of evidence relating to Dublin in this period. The only item found is a gift of twenty shillings given to 'the church of Christ in Dublin' by Gruffyd ap Cynan, king of Gwynedd in Wales before he died in 1137; he had been born in Dublin and reared in the 'commot of Columcille', at Swords. He also gave the same amount to 'all the chief churches in Ireland'. Through his mother he was descended from the Norse kings of Dublin and through his maternal grandmother it was claimed that he had wide connections with a number of prominent Gaelic kings (A. Jones (ed), \textit{The history of Gruffyd ap Cynan: the Welsh text with translation, introduction, and notes} (Manchester 1910) 39-47, 99,102-03, 154-56).

\textsuperscript{120} Leclercq \& Rochais, \textit{S Bernardi Opera}, iii 343-44 (xvi 38).
however, that it was determined to retain its status (in its own eyes, at least) as a metropolitan see but by now it was out of the question that it could expect the whole island to be its province. It would have to be satisfied with less. Such was the compromise likely to have been negotiated by Malachy when he assembled the bishops and clergy for a synod on the little island known as Inis Pádraig, off the coast and near the modern town of Skerries to the north of Dublin. Here decisions were made that were to have consequences for the church that last up to the present day.

The annals tell us that the synod was attended by Malachy and a number of bishops and priests but they do not tell us who the other bishops were. Similarly, we are told by St Bernard that Malachy assembled bishops for a council but he does not name any of them. We have no direct evidence that Gréine, bishop of Dublin, attended. However, we do have direct evidence that the question of how the pallia were to be obtained from the pope was discussed there and since that was of supreme importance to the bishop of Dublin, at that time, it is most likely that he attended. Besides, we have evidence that Malachy most likely joined Gréine in Dublin in 1148 in consecrating the ground upon which St Mary's Abbey was built. This evidence is to be found in a passage of the lost Annals of Leinster cited by Robert Ware. Ware writes: 'The Irish Annals of Leinster ... specifies that

121 CS, AFM s.a. 1148.
122 Leclercq & Rochais, S Bernardi Opera, iii 371-72 (xxx 67).
123 ibid.
when Mallachias came up to build the Monastery called St. Mary Abby by
the Liffy side that before he and the Bishop of the Ostmen As the Irish
termed it went to sanctifie that ground on which the sayd Abbey was
founded that he heard Masse at this Church of St. Michants and that the
offering that he gave at that time in this Church was soe Great that they did
enlarge the same Church with the sayd offering of Mallachias'.
St. Mary’s Abbey was founded in 1139. It was first associated with Savigny but adopted
the Cistercian rule in 1148. Now Malachy’s deep involvement with the
Cistercians in Ireland is well known and he introduced the first house in
Mellifont in 1142. It seems, therefore, that the ‘Mallachias’ in the passage
quoted was the papal legate Malachy and equally that the occasion for his
presence at this ceremony was associated with the adoption by the monks of
St Mary’s Abbey of the Cistercian rule in 1148 – indeed, he may even have
been responsible for its adoption of the rule. If Malachy and Gréine got
together to perform this ceremony for St Mary’s Abbey, then there is good
reason for believing that no personal antipathy existed between them that
would have prevented Gréine from attending the synod of Inis Pádraig in

124 London, British Library, MS Additional 4813, f.41v-42, cited in H. J. Lawlor, ‘Note on the church
125 Gwynn, ‘Origins of St. Mary’s Abbey’, 111-12; H. J. Lawlor, ‘The foundation of St. Mary’s
115-16.
127 It would appear that Malachy was held in high regard in Dublin, that is, if we are to believe his obit
which says that he was ‘the only head whom the Irish and the Foreigners obeyed’ (AFM s.a. 1148).
the same year. Given that he had good reason to be there, he is very likely to have attended. Indeed, as we will see, the outcome of the synod would suggest that he did.

The choice of location for the synod – a small island off the coast - appears to be somewhat peculiar. However, there may have been specific reasons for choosing it. It is near Dublin and decisions about the future of the see of Dublin would be taken at the synod. At the core of those decisions was the resolution of the conflict between Dublin and Armagh. That resolution would see the primacy of Armagh being accepted by Dublin. That such acceptance should take place on an island associated with Patrick would have special symbolism for Armagh in particular. It would be as if the acceptance had taken place in Armagh itself.

According to both St Bernard’s account and that of the annals Malachy was sent by the synod to the pope, the purpose being, as St Bernard tells it, to get pallia for Ireland. None of these sources tell us what the outcome of the synod was and the number of pallia required. However, this can be deduced from the number of pallia cardinal Paparo brought with him. In fact, Malachy did not convey the decisions of the synod of Inis Pádraig to the pope: he died in Clairvaux on his way to meet him. Somebody else

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128 This ceremony most likely took place at some time before the synod of Inis Pádraig as Malachy is said to have set out to meet the pope directly after the synod (Leclercq & Rochais, S Bernardi Opera, iii 372 (xxx 67); see also CS s.a. 1148).
129 Leclercq & Rochais, S. Bernardi Opera, iii 372 (xxx 67); CS, AFM s.a. 1148.
130 Leclercq & Rochais, S. Bernardi Opera, iii 377 (xxxi 74). Pope Eugenius was in France in early 1148, having called a council to meet at Troyes, near Clairvaux. Malachy may have hoped to meet him there but the pope had gone back to Rome when Malachy arrived.
completed this work for him. It appears that the Cistercian pope Eugenius III accepted the decisions of the synod. It must, therefore, be assumed that a final agreement was reached on the overall structure of the church (i.e. on the number and locations of the metropolitan sees) either before or at the synod of Inis Pádraig. That, after all, was what pope Innocent II, eight years earlier, sought of Malachy as a pre-condition for the granting of pallia and that decision was to be made in Ireland. There is another good reason for believing that final agreement on the overall structure of the church was reached at Inis Pádraig. As already stated, these decisions were conveyed to the pope by some unknown person after Malachy had died at Clairvaux. As a result, pope Eugenius sent the cardinal-priest, John Paparo, to Ireland bringing with him four pallia, and that he brought four is well attested in the sources.\(^\text{131}\) This is important for it has to be remembered that a pallium is a vestment worn by an archbishop. It is, therefore, a physical item and, if

\[^{131}\text{John of Hexham, a contemporary, in his continuation of the Chronicle of Symeon of Durham wrote 'At this time John, cardinal priest, landed at Tynemouth in Northumbria, being sent as a legate of the Holy See with pallia for the Irish ('cum palliis Hyberniiusibus'). ... He then set out for Ireland where he distributed four pallia among certain episcopal sees ('quattuor pallia certis sedibus distribuit') (T. Arnold (ed), Symeonis monachi Opera omnia, RS 75 (2 vols, London 1882-85) ii 326). Robert de Monte or Robert of Torigny (1110?-86) wrote 'Pope Eugenius appointed John cardinal priest of the Roman church, Paparo by name, as legate to go to Ireland with four pallia ('cum quatuor pallia')' (R. Howlett (ed), Chronicles of the reigns of Stephen, Henry II, and Richard I, RS 82 (4 vols, London 1884-89) iv 166=G. H. Pertz (ed), Roberti de Monte Cronica, MGH SS 6 (Hanover 1844) 500). John of Salisbury wrote 'he (John Paparo) recovered the legation of which he had been deprived and set out to carry four pallia to Ireland ('quatuor pallia in Hibernia delaturus')' (M. Chibnall (ed), John of Salisbury Historia pontificalis (London 1956) 71). Roger of Howden, using the contemporary Chronicle of Melrose, wrote 'Pope Eugenius, through his legate John Paparo, sent four pallia to Ireland ('quatuor pallia ... in Hiberniam transmisit') where a pallium had never before been brought' (W. Stubbs (ed), Chronica Magistri Rogeri de Hauedene, RS 51 (4 vols, London 1868-71) i 212). Excerpt from the Chronicle of Melrose is noted in the margin. For reference to the contemporaneous nature of this chronicle (ibid. p xlii). Geoffrey Keating quotes directly from the old book of Cluain Eidnech when he writes 'He gave four pallia to the four archbishops of Ireland ('Quattuor pallia quattuor archiepiscopis Hiberniae')' (Keating, Foras feasa, iii 314; see also Gilbert, Chartularies of St. Mary's Abbey, ii 263-64 and AT s.a. 1152).\]
Paparo brought four pallia with him, it would have to be already known and agreed at Rome that there would be four archbishops. In effect, all had been decided beforehand and the decision was not taken subsequently at the synod of Kells. The place and time of the final decision was Inis Pádraig in 1148; and if the decision was made there, that gives us another reason for believing that Gréine, bishop of Dublin, attended.

It must have been apparent to Gréine that Dublin’s attempt to become the metropolitan see for the whole of Ireland was no longer possible, but he sought (it appears) to have metropolitan status of some kind. That at least is what the outcome of the synod would suggest. Armagh would not have been well disposed to allow it even that and there must have been considerable anger in Armagh over the temerity of Dublin in trying to usurp what it saw as its role in the Irish church. Even when the compromise was reached at Inis Pádraig, there was residual anger expressed in Armagh over the outcome. As Geoffrey Keating writes, citing the annals at Cluain Eidnech:

132 That the granting of the pallia and the holding of the synod of Kells were two separate events is clear form John of Salisbury’s report. As we have seen, John of Salisbury wrote about Paparo carrying four pallia to Ireland. Subsequently he wrote: ‘Going to Ireland, John created two archbishops, held a council and published canons which are preserved in that country and in the archives of the papacy’ (Chibnall, John of Salisbury, 72). The reference to the creation of two archbishops only obviously refers to the two new archbishops, Dublin and Tuam. Armagh and Cashel had already been created at Ráith Bressail and approved by pope Innocent II in 1140 though they did not get the pallia at that time. As for the decision that there should be four archbishops in Ireland being finalized at Inis Pádraig and not at Kells, this directly contradicts the suggestion that cardinal Paparo brought with him more pallia than that for which the Irish bishops asked (Lawlor, Life of St Malachy, p lxiii) and answers the question posed by Watt as to whether Malachy was briefed at Inis Pádraig ‘to ask again for two palls as in 1139 or for the four that Eugenius III in the event despatched’ (Watt, Two nations, 28).

133 Dumville would appear to agree with this when he writes ‘It seems to have been the church of Armagh which felt most threatened by Canterbury’s interest in Ireland’ (D. N. Dumville, Councils and synods of the Gaelic early and central middle ages, Quiggin Pamphlets 3 (Cambridge 1997) 51).
For Ireland thought it enough to have a pallium in Ard Macha and a pallium at Cashel, and particularly it was in spite of the church of Ard Macha and the church of Dun da Leathghlas that other pallia were given besides one to Ard Macha and one to Cashel.\textsuperscript{134} Despite this hostility, however, there were gains to be made by Armagh. There is no doubt that the cooler heads there, in particular Malachy, saw this.\textsuperscript{135} Those gains included the formal recognition by all in Ireland and by the papacy of Armagh as the primatial see in Ireland. Furthermore, Dublin would recognize the primacy of Armagh and become a full member of the Irish hierarchy. That, in turn, involved the formal severing of its connection with Canterbury. The threat to Armagh’s long-held primatial position in the Irish church was over. Finally, the pope could now, once again but this time with a greater expectation of success, be approached and pallia for Ireland be received. This for Malachy, the papal legate, who had failed in his first approach to the pope, must have been a major incentive to gain a compromise and hence an agreement. It is important to note also that the recognition given by leading Irish churchmen to the Dublin church at this time in agreeing that it should have metropolitan status over some parts of the island is an indication of their acceptance of the

\textsuperscript{134} Keating, \textit{Foras feasa}, iii 314. The combining of Armagh with Downpatrick, in the objection to the increase in the number of pallia granted, finds a curious echo in the description of Armagh’s rights over Dublin in the Book of Uí Maine. One quatrains there states that there are two things required in Dublin from the time of St Patrick – a bishop from Armagh and a priest from Downpatrick (UM q 26, 126ra55-56).

\textsuperscript{135} Although Malachy was not the \textit{comarbae} of Patrick at this time, it seems fairly clear that his influence would have been strong in Armagh. Also the anger felt in Armagh would not necessarily have been confined to any conservative elements which remained there. Any perceived slight to the dignity of Armagh would have been resented by reformer and conservative alike.
important place which Dublin was now seen to hold in Irish society; it is, as it were, the ecclesiastical equivalent of the recognition already given to the importance of Dublin within the Irish milieu by Irish kings ever since Diarmait mac Máel na mBó had made himself king of Dublin in 1052, exactly one hundred years before the synod of Kells.

The outcome of the synod of Inis Pádraig would indicate, of course, that another compromise had been achieved, most likely, as we will see, at least a year before that synod met. The acquisition of four pallia implies that there were to be four archbishops. Armagh and Cashel had already been chosen at Ráith Bressail and approved by pope Innocent II. A compromise over Dublin was reached at Inis Pádraig. The fourth archbishopric was Tuam. As we have seen, the clergy of Connacht were unlikely to have been present at Ráith Bressail and we have also noted that Tairdelbach Ua Conchobair was not on the side of the reformers when he supported the election of Gréine in 1121 in the face of opposition by Armagh. This may have been due to the primacy/kingship issue or to the church structure chosen at the synod of Ráith Bressail, a structure that he may have seen as favouring Munster and Armagh, and relegating Connacht to a position of subservience to Armagh. This relegation may have been perceived in Connacht as resulting from a form of dominance exercised by Munster over ecclesiastical affairs in Connacht during the latter part of Muirchertach Ua Briain’s rule there, perhaps even before the synod of Ráith Bressail took place. The evidence for
this dominance comes from a description of the re-edification of a church in Mayo (1106x1117/8 or perhaps before 1111) as found in TCD MS H.2.17, p399. In this, bishop Máel Múire Ua Dunáin of Killaloe is named as one of the guarantors of the church along with Tairdelbach Ua Conchobair and other Connacht bishops. But, importantly, Ua Dunáin’s name appears first in the list of guarantors ahead even of that of Tairdelbach. It has to be remembered, of course, that at this stage Muirchertach Ua Briain still maintained political control over Connacht. However, soon afterwards in 1119 Muirchertach died and with that came opportunity for the young Tairdelbach to attempt to take over the political power which till then had been exercised by Muirchertach. Along with that, of course, would come the power to exercise influence in ecclesiastical affairs. An early indication of this and a precursor of the stand he would take on the following year against Cellach of Armagh in Dublin was his expulsion of the king of Meath in 1120 in violation of the protection which that king had from Cellach (‘fáesam comurba Padraic 7 Issa’). As well as that the rift with Armagh that became apparent in Dublin in 1121 would appear to be reflected in the fact that, although Cellach had made a successful visitation of Connacht in 1108 when he brought away ‘his full dues’ and again in 1116 at a time when Munster’s dominance had collapsed but before Tairdelbach had established his political ascendancy, there are no more visitations of Connacht by the comarbae of

137 AU, AT, AI, AFM, MIA s.a.1119, CS s.a.1115 [=1119]; AT, AI s.a. 1120.
Patrick recorded in the annals for another twenty years.\textsuperscript{138} Tairdelbach's experience in Dublin in 1121 would have alerted him to the role played by his predecessor in power, Muirchertach Ua Briain, in ecclesiastical politics and to the fact that he had been instrumental in having an archiepiscopal see planned for the seat of the Munster kings at Cashel. This may have stimulated a similar ambition in him. Two years later he may have given expression to this ambition when he commissioned the processional Cross of Cong.\textsuperscript{139} A cross such as this would be suitable for carrying before an archbishop or, as in the case of Samuel of Dublin which we have already met, one who aspired to be an archbishop. It had the extra advantage of also being a reliquary since it held a fragment of what was believed to be the cross of Christ. Reliquaries had traditionally been associated with ecclesiastical authority in Ireland since people with such authority typically carried relics with them when on circuit - the bachall Ísa being an apt example of this.\textsuperscript{140} If the Cross of Cong is indeed an expression of Tairdelbach's ambition to have a metropolitan in Connacht it would indicate that his opposition to Cellach's action in Dublin in 1121 is not to be interpreted as opposition to reform of the church \textit{per se}. Rather it would indicate support for such an endeavour but not in the form in which it had been decided at Ráith Bressail. A metropolitan in Connacht would suggest

\textsuperscript{138} Etchingham, "Episcopal hierarchy in Connacht", 26.
\textsuperscript{139} F. J. Byrne, 'The trembling sod: Ireland in 1169', A. Cosgrove (ed.), \textit{A new history of Ireland} (Oxford 1987) ii 1-42: 34.
\textsuperscript{140} Etchingham, "Episcopal hierarchy in Connacht", 22-23.
that but it would also imply a clash with Armagh as it would mean that Connacht would have to be removed from the proposed metropolitan province of Armagh. That Tairdelbach was indeed in favour of reform would seem to be indicated by the foundation of an Augustinian community of regular canons at Cong soon after 1130, a community that is intimately associated with the reform movement which at this period appears to have been much influenced by St Malachy.\footnote{Gwynn & Hadcock, *Religious houses*, 146; P. Ó Riain, ‘Sanctity and politics in Connacht c1100: the case of St Fursa’, *Cambridge Medieval Celtic Studies* 17 (1989) 1-14: 9-10.} He had already presided over the dedication of a monastic church in Tuam in 1127.\footnote{AT s.a. 1127.} However, there still appears to have been a rift between the Connacht clergy (and presumably Tairdelbach) and the Ráith Bressail reformers in 1134. In that year Cormac’s church in Cashel was consecrated.\footnote{AFM, MIA s.a. 1134; CS s.a. 1130 [=1134]; AC, ALC s.a.1135.} In that year also, and possibly around the same time, the Annals of Tigernach report that an extraordinary shower of hail fell on Cashel and in Magh Femin ‘on the day that the clerics of Connacht went away in displeasure’.\footnote{‘in là thancatar cleirigh Con[n]acht uaidhib fo dimdhaíd’. The extraordinary shower of hail is also reported in CS s.a. 1130 [=1134], but without reference to the Connacht clergy.} This would suggest that a synod may have been held at Cashel, perhaps coinciding with the consecration of Cormac’s church, which was attended by the clergy of Connacht.\footnote{AFM reports a synod of the clergy of Ireland assembled for the consecration. However, according to AC, it was an assembly of ‘Leath Moye’; that would exclude Connacht.} If that is so, then whatever happened at that synod displeased them. It may thus
reflect a continuing difference between them and the Ráith Bressail reformers.146

St Bernard tells us that Malachy held assemblies in various locations throughout the country on his return, as papal legate, from his visit to pope Innocent II.147 Unfortunately, we have no detail on these but it is possible that one of them may have led to a visit to Connacht by the *comarbae* of Patrick (it may, in fact, have been Malachy himself who made this visit148) along with his clergy in 1140, a significant development as it appears to be the first such visit since a conflict had developed between the *comarbae* and Tairdelbach in 1120 and 1121. During the visit Tairdelbach and the lords of Connacht ‘adjusted their churches to his jurisdiction’ (‘γρα δισθηθεί αν δείξαντων για θρησκείαν’).149 That relationships were thawing seems to be confirmed by the adoption of the Arroasian rule, which St Malachy had brought to Ireland in 1140, by the Augustinian community in Cong shortly thereafter.150 Three years later, an assembly of the clergy of Ireland and of Connacht was held and was attended by Muiredach Ua Dubthaig, chief bishop of Connacht.151 It would appear that dialogue between the Ráith Bressail reformers and the clergy of Connacht was well under way. However, given that the dioceses in

146 Byrne, ‘The trembling sod’, 34.
148 The *comarbae* in this report is unnamed but there are occasions around this time when Malachy is called ‘the *comarbae* of Patrick’ in these annals. See footnote 156 below.
149 AFM s.a. 1140. There is a lacuna in AU, ALC and CS at this date. The report does not appear in AT.
151 AT s.a. 1143; see AT s.a.1150 for the description of Ua Dubthaig as chief bishop of Connacht; see also CS, AFM s.a. 1150.
Connacht, which emerged from the synod of Kells in 1152 were changed more radically from those proposed at Raith Bressail than those in any other part of Ireland, it is clear that the original proposals were not satisfactory to the clergy of Connacht. Much remained to be negotiated between the two parties. As well as that, Ua Conchobair’s prestige in the country at the time would have made it difficult to refuse his demands. If the price of that was the granting of metropolitan status to Tuam, then it was a price that would have to be paid. If such a price could be paid to bring Dublin into the Irish diocesan structure and end Canterbury’s pretensions, then it could be done to get the king of Ireland co fresa on side and bring the Connacht clergy into a unified approach to reform. That such a satisfactory conclusion had most likely been already achieved in the year before the synod of Inis Pádraig met can be seen in a report from the year 1147. In this ‘the bishops of Ireland’ are said to have given protection to Tadhg Ua Briain and to have had him released from imprisonment. These ‘bishops of Ireland’ are reported as: Mael M’Aedóc Ua Morgair or St Malachy (here described as the comarbae of Patrick), Muireadhach Ua Dubhthaigh and Domhnall Ua Longargáin (‘archbishop of Cashel’). Although Mael M’Aedóc is described as the

152 Gwynn, Irish church, 189.
152 AFM s.a. 1156.
154 AFM s.a. 1147; cf. MIA s.a. 1145-47.
155 Keating, Foras feasa, iii 316 (described as ‘archbishop of Munster’ when attending the synod of Kells); AFM s.a. 1158 (obit of Domnall Ua Longargáin, archbishop of Caiseal); Byrne, ‘Bishops’, 289.
successor of Patrick rather than Gilla Meic Liac\textsuperscript{156} nevertheless Muireadhach Ua Dubhthaigh, described on his death in 1150 as 'archbishop of Connacht and Ireland'\textsuperscript{157}, is here included, with the papal legate Malachy and with the archbishop of Cashel, in a group called 'the bishops of Ireland'. By acting in concert with these two leading reformers, Muireadhach is acting as if he has come to a settlement with them on the role of Tuam in the church hierarchy. That such an agreement had been reached before the synod of Inis Pádraig would suggest that the only outstanding problem to be discussed at that synod was Dublin's entry into the hierarchy, a suggestion that fits well with the place chosen for the synod. On his death in 1150, Muireadhach Ua Dubhthaigh was included in the necrology of the Schottenkloster in Regensburg. This necrology contains mainly Munster ecclesiastics and kings and 'reads like a check-list of (Ráith Bressail) reformers'.\textsuperscript{158} This would suggest that he had joined the reformers while living and thus points to the inclusion of Connacht in the reformed hierarchy before 1150. Although this

\textsuperscript{156} In the following year, in the same annals, Mael M'Aedóc Ua Morgair is also described, on two occasions, as the successor of Patrick (AFM s.a. 1148; for a similar description see CS s.a. 1144 [=1148]). In fact, at this time and until his death, he was bishop of Down. Gilla Meic Liac had been \textit{comarbae} of Patrick since 1137 when Mael M'Aedóc had resigned that position and become bishop of Down. Some time after that, as we have seen, he set out for Rome to seek pallia for Armagh and Cashel. In doing so, he must have been acting with authority devolved to him by Gilla Meic Liac. The same would apply to him when he acted, as described above, in concert with the proto-archbishops of Connacht and Cashel even though by now he was papal legate. It is even possible that it was Mael M'Aedóc who was the unnamed \textit{comarbae} of Patrick who, as we have seen, was reported in the same annals as having the churches of Connacht adjusted to his jurisdiction during a visitation of Connacht in 1140 (see footnote 148 above). Perhaps this confusion which sees Mael M'Aedóc being described as 'comarbae Phattraic' may have somehow arisen from the fact that he was then legate of the 'comarbae Pheadair', a role with which the annalists would have been unfamiliar.

\textsuperscript{157} AT s.a. 1150. Elsewhere he is described simply as 'archbishop of Connacht' (AFM s.a.1150).

does not pinpoint the date at which it was included, it does support the assertion that decisions about the four archbishoprics in Ireland were made before Malachy left for Rome in 1148 and not subsequently at the synod of Kells in 1152.159

On his way to meet pope Eugenius in 1148, Malachy was refused permission by king Stephen to pass through England160 and there has been speculation about Stephen’s reason for doing this. St Bernard himself suggests that it was due to some misunderstanding between the pope and the king. After all, as Bernard states, the king also prevented other bishops from crossing the Channel.161 It could also have been due to some domestic quarrel between the crown and the papacy over the jurisdiction of papal legates162 or perhaps some concern over Malachy’s relationship with king David of Scotland.163

There is another, perhaps better, way of explaining his action and this appears more plausible when one combines this action with Stephen’s refusal to grant cardinal Paparo safe conduct through England in 1150.164 It is quite possible that Stephen knew that, as a result of the synod of Inis Pádraig, Dublin had decided to cut its ties with Canterbury thus ending its

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159 It is true that the monk, Marcus, writing in 1149 and knowing about Malachy’s death the previous November, says that there are two metropolitans in Ireland, Armagh and Cashel. Such had been the case for thirty eight years at the time he was writing. Final agreement to increase that to four, however, was only reached some months before this and he may not yet have become aware of it (Pfeil, Visto, *5; Picard & de Pontifarcy, Vision of Trugdal, 111).

160 Leclercq & Rochais, S. Bernardi Opera, iii 373 (xxx 69).

161 ibid. John of Salisbury gives the same explanation as St Bernard (Chibnall, John of Salisbury, 6).

162 Flanagan, Irish society, 36.


164 Arnold, Symeonis monachi Opera, ii 326.
influence and potential influence over the Irish church; there would certainly have been elements in Dublin who demurred and who would have alerted Canterbury. By denying him right of passage, Stephen was trying to prevent Malachy seeking papal approval for the new arrangements. It must be remembered that Malachy had not been refused the right of passage through England eight years previously. Now Canterbury's interests were more vitally involved. But after Malachy had successfully arrived in France and the request for the pallia had been brought to the pope, Stephen tried to prevent the pope's emissary, Paparo, from getting to Ireland through England. He must have suspected that Paparo was bringing the pallia with him thus giving official papal approval to the decisions made at Inis Ídraidh. Stephen suspected that Paparo's actions would damage England's interests in Ireland since "he refused to grant him a safe conduct unless he pledged himself to do nothing on this journey that would injure the kingdom of the English" ("cui non acquievit ... conductum praestare, nisi fidem daret se in hac profectione regno Anglorum nullum damnum quaerere"). How else could Paparo injure the kingdom of England through his actions in Ireland other than by interfering with Canterbury's interests there? If king Stephen prevented Paparo from travelling through England to Ireland because he feared that he might act in a manner that was contrary to the interests of

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165 Of course there could have been other factors which alerted the king to Dublin's preparedness to cut its links with Canterbury, factors which are now lost to our view.

166 ibid. ii 326.
Canterbury in Ireland, then that could also have been the motivation behind his refusal of the right of passage to Malachy in 1148. In other words, Stephen knew Malachy’s purpose and believed it inimical to Canterbury’s interests. Hence his refusal of passage.\textsuperscript{167}

That Paparo’s actions in Ireland were also perceived to be inimical to the interests of Canterbury is most likely the reason why so many English chroniclers report on his mission. John of Hexham, John of Salisbury, Robert de Monte (or de Torigny), Roger of Howden and Ralph of Diss all report on it and most of them are hostile.\textsuperscript{168} Robert de Monte explains why. Paparo’s action in granting the pallia was done ‘in contravention of the custom of the ancients and the dignity of the church of Canterbury, from which the bishops of Ireland were wont to seek and to obtain the blessing of consecration’.\textsuperscript{169} Indeed, the hostility to Paparo was so intense that a Winchester annalist wrote of him when he died in 1156 ‘This year cardinal John died. When he was dead sailors heard a voice under Mount Etna saying “stoke up the fire”’.\textsuperscript{170} Paparo’s friendship with king David of Scotland and his promise to

\textsuperscript{167} Canterbury’s claim to primacy over Ireland was well known at the royal court. See, for example, the way queen Matilda, wife of king Henry I, addressed Anselm of Canterbury in a letter written c1100x1103. ‘Venerando patri Anselmo ... Hibernorum omnium ... primati’ ‘To the venerable Anselm ... primate of all the Irish’ (Schmitt, \textit{Opera}, iv 150 (letter 242)). It seems clear, given the intensity of the on-going dispute between Canterbury and York over the primacy, that the king would have been fully aware of how seriously Canterbury took its claim to be primate, in particular its claim to be primate of all Britain. Canterbury was always prepared to use the king to back its claim and the king did support that claim apart from the time when Anselm was in dispute with him over the matter of investiture (Southern, \textit{Anselm and his biographer}, 139).

\textsuperscript{168} Flanagan, \textit{Irish society}, 36.

\textsuperscript{169} Howlett, \textit{Chronicles}, iv 166=Pertz, \textit{Cronica}, 500. (‘contra consuetudinem antiquorum et dignitatem Cantuariensis ecclesie, a quo solemnt episcopi Hiberniae expetere et accipere consecrationis benedictionem’).

him that he would persuade the pope to give a pallium to St Andrews would, of course, have heightened the hostility.\textsuperscript{171} Although the hostility was directed at Paparo, the real decisions had been made already in Ireland and Rome; Paparo merely carried the symbols of papal approval – the pallia – with him. He could not, therefore, accede to king Stephen’s demands that he do nothing in Ireland that would be injurious to the kingdom of the English. And he was supported in this by the papal curia where the king lost favour over the matter. Indignant because of the demand made of him, he returned to Rome.\textsuperscript{172}

Knowledge of this debacle must have arrived in Ireland because a delegation was sent from there, representing both secular and church interests, requesting that the legate, whom they sought (‘quem petierant’), be sent to them.\textsuperscript{173} This resulted in Paparo being commissioned once again by the pope to go as a legate to Ireland carrying the pallia.\textsuperscript{174}

In May 1151 he set out for Ireland; he sailed from Flanders and, avoiding England, landed at Tynemouth in Northumbria before the end of September.

He was accompanied by Gilla Crist Ua Conairce, bishop of Lismore and


\textsuperscript{172} Arnold, \textit{Symeonis monachi Opera}, ii 326.

\textsuperscript{173} Chibnall, \textit{John of Salisbury}, 70. This report by John of Salisbury, in fact, indicates that it was not the first time such a delegation had arrived with this request. He says that the ‘delegates ... had now come back again’ (‘Nuntii ... iam altera vice redierant’). Remembering that Malachy had never made it to Rome to carry out his duty after the synod of Inis Fadraig, it is possible that his work was done for him by a delegation such as this. If that is so, then it makes sense to describe the delegates as coming back again. Two things arise from this: first, it indicates a strong desire, even impatience, to get papal approval for the church structure, now involving four metropolitans; second, it indicates the continuing desire on the part of secular authorities that the new structure be put in place officially.

\textsuperscript{174} ibid. 71.
papal legate.\footnote{ibid. 71 n1, 72; Arnold, \textit{Symeonis monachi Opera}, ii 326; Gilbert, \textit{Chartularies of St Mary's Abbey}, ii 263.} It is most likely that Gilla Crist, who had close associations with Malachy, with Clairvaux and with pope Eugenius III,\footnote{Gwynn, \textit{Irish church}, 219.} was involved in completing the work which was interrupted by Malachy’s death at Clairvaux; indeed, given that he travelled with Paparo as a bishop and legate, it seems most probable that he had been one of the delegation sent to Rome where he was consecrated bishop and appointed legate.

Nothing is known about Paparo’s activities from the time he left Northumbria until he presided over a synod in the following March, apart from a week’s stay with Gilla Meic Liac at Armagh. As this happened in 1151\footnote{AFM s.a. 1151. Cf AC s.a. 1151; also the Cottonian annals (Annals of Boyle) s.a. 1151 (A. M. Freeman (ed), ‘The annals of Cotton MS Titus A x xv’, \textit{Revue Celtique} 42 (1925) 283-305: 287 §337).} it would appear that he came to Ireland fairly promptly after this arrival in Northumbria. This would indicate that he spent a considerable time in Ireland before convening the synod; it would have allowed him time to familiarise himself with the church’s problems and to make plans ahead of the synod.

As for the execution of the synod itself, two problems have been encountered by historians: the dates that it opened and closed and the location or locations where it met. The latter arises from the fact that three different locations are mentioned in the sources: Drogheda\footnote{AFM, AT s.a. 1152.}, Kells\footnote{Keating, \textit{Foras feasa}, iii 312-14.} and Mellifont;\footnote{Gilbert, \textit{Chartularies of St Mary’s Abbey}, ii 263-64.}
the former from a conflict of dates in the translated edition of Keating’s report of the synod.181 This tells us that the synod was held ‘about the time of “Laetare Jerusalem” Sunday’ (9 March 1152); it closed on the day before the Nones of March (6 March 1152) and that Paparo departed on the ninth of the Calends of April (24 March 1152) ‘immediately after the council was over’.182 This gives us two closing dates (6 March and, most likely, 23 March) and a date when the synod was in session (9 March).

One solution to this conundrum was to plump for one location, Kells, and ignore one of the closing dates, 6 March.183 Another approach, however, is that adopted by Gwynn. He tries to account for the lapse of time between 6 March when the synod was said to have closed and 24 March, the day on which it was implied that the synod was just over. He does this with reference to the list of those reported by Keating as attending. He surmises that Keating’s report must refer to some stage of the proceedings since it includes a number of bishops-elect but no bishop or archbishop of Tuam and the latter must have attended for the granting of the pallium; he was probably, therefore, one of the bishops-elect. There must then have been a consecration and a presentation of pallia at a later stage of the proceedings. This ingenious line of thought allows him to suggest that there were two

181 Keating, Foras feasa, iii 314-17.
182 Note that what the Irish annals refer to as a ‘synod’ is here, and in the annals of St Mary’s Abbey, referred to as a ‘council’.
183 This was the approach adopted by Dr M. J. Brennan, Professor of Ecclesiastical History, Maynooth College (Ecclesiastical History iii 303) as cited in A. Cogan, The diocese of Meath: ancient and modern (3 vols, Dublin 1862-70) i 42-44.
sessions of the synod; the first, in the early days of March, at Kells where the
decrees were decided and the second, on the 23 March, at Mellifont, where
the pallia were presented.184 This idea that there were two sessions prompted
Archdeacon Healy of Kells to suggest that, because the old Irish church was
in the process of being Romanized, the synod was chased out of Kells 'only
to find refuge among the foreign monks of Mellifont'.185

There is, however, good evidence which supports the view that there was, in
fact, only one session and which also resolves the confusion over the dates of
closure of the synod. It is found in a report of the synod in a manuscript now
in the British Library (BL Add 4783 f.34). This report is so close to that of
Keating that it can be safely said that both derive ultimately from the same
source although, given the differences that do exist between them, it is
unlikely that it and Keating's report were copied from the same immediate
source, the possibility of which was raised by Robin Flower.186 From this
report, James Ware published, not very accurately, a list of bishops who
attended the synod;187 however no one, as far as is known, published the rest
of the report. Unlike Keating's, all of it - apart from a two-sentence
commentary added after it ends - is in Latin. After it has listed the names of
the bishops, the report ends with the sentence 'Pridie Nonas Martis caeptum

184 Gwynn, Irish church, 221-22.
186 S. H. O'Grady, R. Flower & M. Dillon, Catalogue of Irish manuscripts in the British Museum (3
187 Ware, De Hibernia disquisitiones, 87-88.
est hoc concilium’ (‘On the day before the Nones of March [6 March] this
synod began’). This may be contrasted with the first part of the sentence in
Keating’s report following the list of bishops’ names: ‘I bPriό Nόin Μάρτα νο
φοπόφο й seanaό-so’.
Dineen translates this as: ‘On the day before the
Nones of March [6 March] this synod closed’.
However, the translation of
the expression ‘νο φοπόφο’ here as ‘closed’ conveys the wrong sense of what
is meant. The verb in question ‘φοπόφο’ is translated in Dineen’s dictionary
as ‘finish, perfect’; but the semantic range of such words includes ‘bring to
completion, bring together, assemble’. With this latter sense of the verb,
the translation of Keating’s sentence takes on the opposite to the meaning
conveyed by Dineen’s translation and is shown to be the exact same as that
found in the parallel report in BL Add 4783 f.34. (i.e ‘On the day before the
Nones of March [6 March] this synod assembled’). The result is that the
confusion over dates which has existed prior to now has disappeared; the
synod assembled on 6 March and concluded on Sunday 23 March 1152.
There remains the confusion over location. Drogheda may be eliminated
straightaway as reference to it in the annals, it has been convincingly argued,

188 Keating, Foras feasa, iii 316. The rest of this sentence is a paraphrase of the first part of the
commentary that follows the report. This can be clearly seen in BL Add 4783 f.34. Here the full report
of the synod is in Latin but the commentary that follows is in Irish; in fact, the copyist draws attention
to this fact when introducing it with the words ‘Post paulo habet Hibernice’. This indicates that it is
separate from the report as well as the fact that it is in Irish.
189 ibid. iii 317.
190 P. S. Dineen, Foclóir Gaeilge agus Béarla: an Irish-English dictionary (Dublin 1927) s.v.
191 The Old Irish version of this word can be used intransitively as well as transitively and may be
translated as ‘becomes complete, attains maturity’ (DIL s.v. foirbhthigid(ir) II.).
must be taken to mean Mellifont. As for the latter, the main support for it as the location is the report in the annals of St Mary’s Abbey, Dublin. However, the strong emphasis given there to the Cistercian influence on the synod could, instead of confirming Mellifont as the location, arouse suspicions as to its accuracy. Gilla Crist Ua Conairche, legate and Cistercian, is there given complete credit for the conduct of the synod, even going so far as to say that ‘by the authority of the Holy See and on the advice of cardinals, and with the consent of the bishops, abbots and others there present, he established four archbishoprics in Ireland and distributed four pallia to the four churches of the archbishoprics’. Paparo, on the other hand, is virtually ignored; he is merely said to have blessed the people and clergy before returning home ‘having completed his duty’ (‘peracta obedientia’). This exaggeration of Gilla Crist’s role at the expense of Paparo is plainly wrong. We have already seen the extensive evidence attesting to the fact that it was Paparo who brought and distributed the pallia. As well as that it was clearly assumed in Rome that it was Paparo who would ‘bless the archbishops’ in Ireland when he arrived there with the

193 Gilbert, Chartularies of St Mary’s Abbey, ii 263-64/
194 Colmcille, Story of Mellifont, 287-88.
195 Gilbert, Chartularies of St Mary’s Abbey, ii 264.
196 ibid.
197 See also the introduction to a list of Irish dioceses, written, at the latest, ten to fifteen years after the synod: ‘Tempore Domini Eugenii pape ij facta est divisio tocius hibernie in iiiior metropolos (sic) per iohannem paparo presbyterum cardinalem tituli Sancti laurencii in da[m]aso apostolice [s]edis legatum modo’ (Lawlor, ‘A fresh authority’, 18. For the date of writing (ibid. 17); for a similar introduction see Fabre & Duchesne, Le Liber censuum, ii 101).
four pallia.\textsuperscript{198} Given this level of exaggeration in favour of Gilla Crist, one has to question the credibility of the opening line of the report ‘Christian, bishop of Lismore, legate of all Ireland, held a famous council at Mellifont’.\textsuperscript{199} In contrast to this, the report of the synod as transcribed by Keating and the copyist of BL Add 4783 f. 34 (both, of course, originally from the same source) has Paparo presiding; he is given his proper title of cardinal-priest of St Lawrence in Damaso;\textsuperscript{200} he is said to exercise apostolic authority ‘on behalf of the holy apostles Peter and Paul, and of the apostolic lord Eugenius’; he is reported as giving the pallia to the four archbishops and appointing the archbishop of Armagh as primate over the others.\textsuperscript{201} As well as that, the report gives the opening and closing dates, the names of those who attended (Gilla Crist is here noted among the attendees, not the president) and the place where the synod was held – Kells. Unlike the St Mary’s annal report, there is nothing here that challenges its credibility suggesting, therefore, that Kells was, in fact, the location of the synod.

\textsuperscript{198} See the story told by John of Salisbury in which cardinals are seen to persuade Paparo to accept elevation to the status of cardinal-priest. They point out that it would not be seemly for a deacon to bless archbishops and the pope would not give the Irish delegation to anyone who was not a priest. Paparo acquiesced, was ordained priest, recovered the legation and set out for Ireland with the four pallia (Chibnall,\textit{John of Salisbury}, 71). For the actual blessing which accompanied the handing over of a pallium (Vogel & Elze,\textit{Pontifical}, i 229-30 c 64).

\textsuperscript{199} Gilbert,\textit{Chartularies of St Mary’s Abbey}, ii 263-64.

\textsuperscript{200} Keating copied this as ‘in Damasco’.

\textsuperscript{201} The difference between the description of the appointment of the archbishop of Armagh as primate over the others as found in the two sources is one area which supports the view that BL Add 4783 f. 34 was not copied from the annals of Cluain Eidnech. The latter, as copied by Keating, is: ‘Insuper Armachanum archiepiscopum in primatem super alios prout decuit ordinavit’ (idem,\textit{Foras feasa}, iii 314-16). It appears in BL Add 4783 f. 34 as: ‘In Eirin Ardmachano archiepiscopum primatem Eirin alios prout decuit ordinavit’.
Other factors support that. As already noted, Paparo spent a week in Armagh with the primate-to-be, Gilla Meic Liac where, no doubt, the upcoming synod was discussed if not, in fact, planned. A short time previously, Gilla, who before becoming comarbae of Patrick had been airchinnech of the Columban monastery of Derry, appears to have been responsible, along with the rising secular power, Muirchertach Mac Lochlainn, in having a man with strong Armagh connections, Flaithbertach Ua Brolcháin, appointed to the vacant abbacy of Derry. Subsequent events would show that this was an appointment with a purpose; the new abbot would take over the leadership of the Columban familia, would make that leadership more of a reality and would use it to further the reform process.\footnote{Herbert, \textit{Iona, Kells, and Derry}, 112-23.}

How to gain the co-operation of traditional churches, uncommitted to the new diocesan system, must have been a major consideration in the discussions between Paparo and Gilla. Kells, it would appear, had not been won over and the new abbot of Derry, who would in time become the acknowledged leader of the Columban familia, had not, as yet, exercised that leadership over it. By locating the synod there, an opportunity would present itself to engage Kells, not just in the reform process but also, within that, to accept the abbot of Derry as the new head of the Columban federation. That such an effort was made is indicated by the decision made at
the synod to make Kells a diocesan see with the Columban church as its cathedral.\footnote{Lawlor, ‘A fresh authority’, 18. If, as Dean Lawlor suggests, there had been an earlier bishop at Kells he was not part of the reform movement. Kells was not recognized as a diocese at Ráith Bressail (ibid. 20-21); Gwynn & Hadcock, Religious houses, 82. The fact that in one report (BL Add 4783 f. 34) objections were said to have been raised by the community of Coluim Cille (‘is tar sarghadh samtha ... Coluim Cille’) to the granting of pallia to Dublin and Tuam is an indication that they had become involved in the reform movement even though they objected to a particular aspect of it. Also, if it is true that they, rather than the church of Downpatrick (as stated in Keating’s report (idem, Foras feasa, iii 314)) joined some people in Armagh in this objection, then it is a further indication that the synod took place in Kells as the community there would have had an opportunity to have its voice heard and recorded.}  
The fact that the synod was held in Kells does not preclude the possibility that some activity took place at nearby Mellifont – perhaps consecrations and/or the granting of pallia, which were merely ritual and formal activities. The real work would have taken place at (and, indeed, before) the synod; the fixing of the dioceses, their sees and boundaries. That there should be four ecclesiastical provinces had already been agreed, as we have seen, at the synod of Inis Pádraig in 1148. Now, having tested the validity of that agreement, it was time to make determinations in relation to dioceses. The concern of the synod of Ráith Bressail in 1111 to limit the number of dioceses\footnote{The limit was set at twenty-six; Bede’s report of the decision made by Gregory the Great in relation to Britain, a report that would have been well known in Ireland, was used to support that limit. The concern over the limit that was being set can be seen in the injunction to the clergy of Connacht and Leinster that they could alter all the sees and boundaries which the synod set out for them provided that they kept within the allotted number of dioceses (ibid. iii 302-06).} seems, in the meantime to have been ignored, or, more likely, to have been substituted by a degree of pragmatism as it would appear that in 1149 the number had increased considerably.\footnote{It would appear to have increased from twenty five to thirty four or thirty six if we are to believe the monk Marcus; it is not clear whether Armagh and Cashel are included in his ‘civitates’ (Pfeil, Visio, *5; Picard & de Pontfarcy, Vision of Tnugdal, 111). Some doubt must be cast on the reliability of the description of the Irish church by Marcus as he is incorrect in one area about which we have, otherwise, good information. He says that Malachy, when he came to Rome (in 1140), was}
however, seems also to have exercised Paparo's mind at Kells where it is said that 'he went to form and set the boundaries to the Irish churches' ('ad informandas et limitandas Hibernienses ecclesias accessisset'). Claims made subsequently by Dublin and Simon Rochfort, bishop of Meath, that Paparo ruled that when bishops of certain sees died, those sees would cease to exist are a testament to that concern. And it would seem that he was fairly successful in keeping the numbers down in the face of a struggle that is indicated by the apparently futile, but ongoing, attempts of two dioceses (Ardmore and Mungret) to gain recognition. That struggle did not end with the synod; there would be subsequent changes made, with some dioceses merging or disappearing and a new one emerging. But the overall

established by pope Innocent II as legate and archbishop (ibid. 155; Pfeil, Visio, *55). But we know that at that time Malachy was no longer archbishop; he was bishop of Down at that time. There is some confusion in this report as it appears in Pfeil's edition; the word 'episcopo' occurs where 'ipso' appears in the other copies of the text (ibid. *55 line 12 and apparatur criticus). Sheehy, Pontificia hibernica, i 171; from the letter of pope Innocent III to Henry, archbishop of Dublin, confirming the incorporation of the diocese of Glendalough in the metropolitan see of Dublin. See also ibid. i 187.

207 The claim by Dublin, which may be inferred from papa! letters (ibid. i 171-72, 187-88; P. J. Dunning, 'Letters of pope Innocent III to Ireland', Archivium Hibernicum 13 (1947) 27-44: 37-38 §21) was apparently supported, in regard to Paparo's ruling, by the witness of Felix Ua Ruanada, archbishop of Tuam and by his suffragans (Sheehy, Pontificia hibernica, i 172 n 3; Charles McNeill, Calendar of archbishop Allen's Register c1172-1534 (Dublin 1950) 40-41). However, there is some doubt as to its authenticity (M. V. Ronan, 'Union of the dioceses of Glendaloch and Dublin in 1216', JRSAI 60 (1930) 56-72: 59-63). It may be noted here that Aoë Ua hOissin, first canonical archbishop of Tuam, is listed as attending the synod of Kells in BL Add 4783 f. 34 but omitted in the list copied by Keating (idem, Foras feasa, iii 316-17). Rochfort's claim was made at a diocesan synod held at Newtown, Trim in 1216 (David Wilkins (ed), Conciliae magnae Britanniae, et Hiberniae (4 vols, 1737, repr. Brussels 1964) i 547). It has been argued that Rochfort sought legitimacy for his actions, which had other purposes, in his reference to a Paparo ruling (J. Brady, 'The origin and growth of the diocese of Meath', IER 72 (1949) 1-13, 166-76:2-4).

208 There were thirty six dioceses, if we accept Lawlor's arguments (idem, 'A fresh authority', 18-20) or thirty seven if 'Daragh', listed in the Montpellier MS, is to be identified with the see of the bishop of Uf Briuin (later Kilmore) and the copyist lacked space for Clonmacnoise (ibid. 18; A. Gwynn, 'Origins of the diocese of Kilmore', Breifne: Journal of Cumann Seanchais Bhreifne 1.4 (1961) 293-306; idem, Irish church, 247-49); for reference to Ardmore and Mungret (Lawlor, 'A fresh authority', 18).
framework, first introduced at Ráith Bressail, adjusted subsequently and canonically approved at Kells, remains intact to the present day as does indeed much of its infrastructure.\textsuperscript{209}

In the event, Dublin had achieved the status of a metropolitan see, recognized by the papacy and the rest of the Irish church. It was not, however, what archbishop Lanfranc had envisaged for it and, indeed, Canterbury must have felt a sense of betrayal by Dublin’s actions. For it was under its auspices that Dublin’s efforts to become a metropolitan see had been launched in the first place. Although Dublin had already, by the year 1072, long been involved, through alliances and otherwise, with some of the most important Gaelic dynasties in the country and was by then considered to be of such status that it was almost essential that it be directly governed by the son of any Gaelic king who aspired to dominance over his rivals, it can hardly be imagined that it, of its own initiative, would have taken steps to engage Canterbury in an enterprise that would see it attempt to become the metropolitan see for the whole of Ireland. The arrival of a new regime in England in 1066 and in Canterbury in 1070, a regime which saw the role of the primate in the church as being of particular importance, seems much more likely to have taken that initiative. And it was its understanding of that role - a relatively new one in the church and one which was still fluid and ill-

\textsuperscript{209} B. Millet, ‘Dioceses in Ireland up to the fifteenth century’, \textit{Seanchas Ard Mhacha} 12 (1986) 1-42: 15-22, 37-40. For the purposes of the discussion here, changes made to the organizational structure of the Established Church during the nineteenth century have not been discussed.
defined - which was to be of importance in the way it would approach its relationship with the Irish church. A clear distinction was drawn between it and the role of the metropolitan; out of that clarity of thought was born the idea that it would exercise its claimed primacy over the Irish church through the agency of a metropolitan see. The obvious place where such a see would be located was Dublin. Given the latter’s quickening importance within the Irish political and economical landscape there can be no doubt that it had no problem adapting itself to this new role; the boost to its self-confidence as a growing city is easily understood.

What started as Canterbury’s project now became Dublin’s too. However, while their overall objective would continue to be the same, the actions that would be required of them in pursuit of that objective would differ. Canterbury, the seat of the primate, would provide back-up facilities including consecration of bishops associated with the project and would also be the advocate in Rome. Dublin, on the other hand, would have to operate within an Irish milieu in its attempt to make a reality of its objective. In this it had, by far, the more difficult task.

In so far as it is possible to judge, its progress was relatively slow; it had managed to create only one diocese, Waterford, in over twenty years. Its real success, however, was one that had within it the seeds of its own ultimate failure; it managed, with help from Canterbury, to gain the assistance of the dominant dynasty in Ireland, the Ui Briain. This was the most crucial linkage
in the whole process. Out of it would emerge the idea that the Irish church should be organized within an Irish context only and in a manner that was independent of Canterbury.

In this the most significant role was that played by Muirchertach Ua Briain motivated, it would seem, by the manner in which a church, so organized, would be supportive of a type of kingship that was then evolving. His action at Cashel in 1101 is the first and the clearest signal we have that this new idea was taking shape; five years previously he was still actively co-operating with Canterbury and Dublin. Now all would be different. Armagh had to be, and was, won over and preparations made to turn the idea into a reality. Based on his experience while co-operating with Canterbury, Muirchertach looked to an English abbey to find a man, Gille, to take charge of these and to bring them to fruition. At this point the active support of the papacy was sought and won. The result was a dramatic change in the organization of the Irish church but it also meant that for Dublin and its patron Canterbury the situation in Ireland had radically altered.

An outcome of such proportions did not just happen; it was the result of intensive activity spearheaded by Muirchertach Ua Briain, ably assisted by two important clerics whose formation had taken place within the English church, Gille and Máel Ísa Ua hAinmire. The important part played by this combination - the secular power of Munster and these two clerics - would emerge again at a very crucial time when the new church organization was
in danger of losing control of the primatial see, thus highlighting its decisive significance not just at the innovation stage but later, after Muirchertach’s death, during the period of consolidation. As well as retaining control of the primatial see, it played a crucial role in the promotion to that see of an Armagh man with strong links to Munster and deeply committed to the success of the new organization, Malachy; this would set the process on the road from consolidation to papal ratification.

The main obstacle on that road was Dublin which still held on to its aspiration to be a metropolitan see. On his appointment as legate with instructions to find the necessary agreement Malachy had received papal support in advance of that ratification. That, however, was not new; such support had been there from the period of innovation. That the papacy would favour the organization of the church on an hierarchical and episcopal basis was hardly surprising and cannot be attributed to influences which are peculiarly Gregorian in origin; that it would do so in a manner that went against the expressed interest of Canterbury, whose pre-existing rights in Ireland were manifest in Dublin and Waterford, was a different matter. Here the impact of Gregorian reform on events in the Irish church would have its most important result. With the tendency of that reform to centralize control and to exercise it directly through legates, the role of the primate was allowed to atrophy or, perhaps more correctly, was not allowed to develop.
It was because of this that Canterbury lost out and Ireland got papal support for its own hierarchy, directly responsible to Rome.

Nevertheless, Canterbury and its protégé in Ireland, Dublin, had played a very important role in the introduction of that hierarchy although its nature changed dramatically when Muirchertach Ua Briain decided that the church should be organized within an Irish context only. That decision was a watershed; it was followed quickly by a series of important events leading up to introduction of the new organization with all of which Muirchertach was intimately involved: the grant of Cashel to the church, the winning of Armagh for reform, the transfer of Máel Ísa Ua hAinmire from Waterford to Cashel, the appointment of Gille of Limerick and the calling of the synod of Ráith Bressail. Given such direct involvement it would not be an exaggeration to say that the introduction of a new organizational structure to the church in Ireland in the twelfth century was primarily the king’s project.