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# Legal position and living conditions of peasants and commoners in early medieval Ireland, *c.* 680-*c.* 1170

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Submitted for the degree of PhD

University of Dublin

2014

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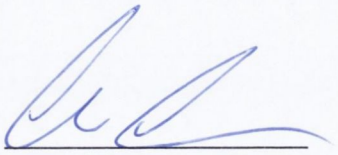

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**Summary**

This thesis discusses the non-noble classes of early medieval Ireland under the categories of 'commoner' – a hereditary landowning freeman of non-noble status, most typically termed in Irish *bóaire*; 'peasant' – a semi-free tenant-at-will, most commonly termed in Irish *fuidir* (also *bothach*); and 'serf' – a semi-free cultivator bound to the soil, most commonly termed in Irish *senchléithe*. All three of these status-groups are often subsumed in the historiography of the early middle ages under the polysemous term 'peasantry'. Yet the secular Irish law tracts suggest a clear and sustained difference between these status-groups between the seventh and the twelfth centuries. These law tracts, however, focus on free landowning members of society, and, as a result, discussions of the position and status of the semi-free are limited, but nonetheless vital to the understanding of status in early medieval Ireland. Conversely, the law tracts portray a wide range of legal abilities and social constructs for commoners.

Within the surviving legal collections from early medieval Ireland three key 'status-texts' describe in detail the importance of status and an indvidual's grade in society. The seven grades of commoners often listed in these tracts were based on a seven-grade ecclesiastical model, outlined in the seventh-century collection of canon law known as the *Collectio Canonum Hibernensis*. A number of the grades outlined in these status-texts are remarkably similar and have been thought by some eminent scholars (such as Daniel Binchy, Thomas Charles-Edwards, Neil McLeod, and Liam Breatnach) to have been created by seventh- and eighth-century jurists to conform to this seven-grade model. Which grades were created and which accurately represented early medieval Irish society, however, has been the subject of much debate. Further complications arise from the fact that the status-texts were inconsistent in the titles they used for a number of different grades and that many of these titles are not found in non-status based law tracts. As a result, the first part of this thesis will provide a detailed analysis of the differences between the grades of commoner as well as the grades of peasants as discussed in the status-texts and non status-based law tracts.

Furthermore, the interactions between these two status-groups will show the transient nature of status in early medieval Ireland. The status-texts describe how peasants and commoners were separated economically. Most *fuidri* were landless (although one group of *fuidri* are noted as having shared possession of kin-land) and worked on land granted to them by a lord (*flaith*). Fortunate *fuidri* who managed to increase their wealth could escape *fuidir*-ship and become a commoner, but if they and their heirs remained as *fuidri* for three

successive generations they became *senchléithi*. Commoners, on the other hand, generally owned their own land, and could enter into a voluntary contract of base clientship (*gíallnae*) with a lord (*flaith*) in order to increase their livestock and social relations. Clientship, however, was not legally mandatory and some law tracts mention commoners who did not have to/want to make a contract of clientship. Commoners who acquired a substantial surplus of wealth could begin to lend property to other commoners and become *flaithi* themselves.

The potential for a group of prosperous commoners crossing the semi-permeable boundary between commoners and nobles (hereditary lords of freemen in clientship) necessitated the creation of status symbols in early medieval Ireland. The law tracts note that the foods a person was allowed to request while in another person's home, their clothing and their houses were, therefore, also indicators of their grade and status in society. These concepts were reinforced in ecclesiastical documents and contemporary secular literature. During social events, such as feasts and assemblies (*óenaig*), multiple status-groups gathered together and the principles of status were reinforced through the foods people ate and their material possessions. For example, beef was a luxury good, most often consumed only by nobles, and during feasts different cuts of beef were used to further reinforce notions of status, as kings often received the tenderest steaks and doorkeepers the coccyx. Some law tracts also suggest that different status-groups were limited in the colours they wore on their garments. Commoners were noted as wearing garments in muted colours of browns, blacks and greys, while the clothing of nobles was described in brighter and richer hues of red, blue and green. Similarly, the size of a person's house was, according to the law tracts, relative to his grade and status in society. Commoners were said to generally maintain dwellings between seventeen and twenty-seven feet, whereas the houses of nobles were listed between twenty-seven and thirty feet in diameter. The minute differences between the size of the houses listed for higher-ranking commoners and lower-ranking nobles suggest that, on the ground, it may have been difficult to determine the differences between the habitation site of a noble and that of a commoner. This has led to a number of problems with the social classification of some early medieval dwellings found via archaeological excavations.

This thesis will, therefore, investigate the legal and social interactions of peasants and commoners in early medieval Ireland, with a focus on the Old and Middle Irish law tracts, supported by extensive examinations of the surviving ecclesiastical sources, secular literature and archaeology. When taken together, these sources indicate that peasants and commoners were distinguished from each other not only by their legal freedoms, but also by the material culture associated with them in early medieval Ireland.

**Acknowledgments**

This thesis would not have been possible without the dedicated support of a number of significant individuals. First and foremost I would like to thank my supervisors, Dr Katharine Simms and Professor Seán Duffy. Even though Dr Simms 'officially' retired in my first year as a PhD student she nevertheless continued to be an integral part in the completion of this thesis. I am in Professor Duffy's debt for agreeing to supervise me in Dr Simss' absence and for getting me involved with the Friends of Medieval Dublin. I would also like to thank everyone else in the history department who helped me throughout my time at Trinity. To my friends and colleagues in the medieval history research centre, Caoimhe Whelan, Dr Sparky Booker, Dr Grace O'Keeffe, Dr Linda Shine, Dr Emma Arbuthnott, etc., I thank you for all the tea breaks and fascinating discussions on (later) medieval Ireland. To Drs Booker and O'Keeffe especially, who finished before I did, I thank you for all your words of wisdom regarding the finishing process.

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## Abbreviations and Conventions

| | |
|---|---|
| *AFM* | *Annala rioghachta Eireann: annals of the kingdom of Ireland by the Four Masters from the earliest period to the year 1616,* ed. John O'Donovan (7 vols, Dublin, 1841-51; repr. 1990) |
| *AI* | *The Annals of Inisfallen (MS Rawlinson B503),* ed. and trans. Seán Mac Airt (Dublin, 1951) |
| *ALI* | *Ancient laws of Ireland*, ed. W. Neilson Hancock, Thaddeus O'Mahony, Alexander George Richey and Robert Atkinson (6 vols, Dublin, 1865-1901) |
| *AU* | *Annála Uladh, Annals of Ulster; otherwise Annála Senait, Annals of Senat; a chronicle of Irish affairs, 431-1131, 1155-1541*, ed. W. M. Hennessy and B. MacCarthy (4 vols, Dublin, 1887-1901) |
| *AU* (1983) | *The Annals of Ulster to A.D. 1131*, ed. Seán Mac Airt and Gearóid Mac Niocaill (Dublin, 1983) |
| *Arch. Ir.* | *Archaeology Ireland* (1987- ) |
| BAR | British Archaeological Reports |
| *BNÉ* | *Bethada Náem nÉrenn: Lives of Irish saints*, ed. Charles Plummer (2 vols, Oxford, 1922) |
| *c.* | *circa* (about) |
| *Cam. Med. Celt. Studies* | *Cambridge Medieval Celtic Studies* (Leamington Spa, 1981-93, 25 issues; continued as *Cambrian Medieval Celtic Studies,* Aberystwyth, 1993- ) |
| *CIH* | *Corpus iuris Hibernici*, ed. Daniel Binchy (6 vols, Dublin, 1978) |
| *Celtica* | *Celtica* (Dublin, 1946- ) |
| *Cork Hist. Soc. Jn.* | *Journal of the Cork Historical and Archaeological Society* (Cork, 1892- ) |
| *DIL* | *Dictionary of the Irish language based mainly on Old and Middle Irish materials*, electronic |

| | |
|---|---|
| | edition: http://edil.qub.ac.uk/dictionary/search.php |
| *EIGD* | *Early Irish glossaries database*, electronic edition, ed. Paul Russell, Sharon Arbuthnot and Pádraic Moran, based in Cambridge Unviersity: http://www.asnc.cam.ac.uk/irishglossaries/ |
| ed. | edited by, edition, editor(s) |
| *Éigse* | *Éigse: a journal of Irish studies* (Dublin, 1939- ) |
| *Ériu* | *Ériu: founded as the journal of the School of Irish learning* (Dublin, 1904- ) |
| EMAP | Early medieval archaeology project, based in University College Dublin: http://emap.ie/ |
| *Galway Arch. Soc. Jn.* | *Journal of the Galway Archaeological and Historical Society* (Galway, 1900- ) |
| *Harvard Celt. Coll. Proc.* | *Proceedings of the Harvard Celtic Colloquium* (Boston, 1981- ) |
| *Hermathena* | *Hermathena: a series of papers ... by members of Trinity College, Dublin* (Dublin, 1874- ) |
| *I.H.S.* | *Irish Historical Studies: the joint journal of the Irish Historical Society and the Ulster Society for Irish Historical Studies* (Dublin, 1938- ) |
| *Ir. Arch. Jn.* | *The Journal of Irish Archaeology* (1983- ) |
| *Ir. Jurist* | *The Irish Jurist*, new series (Dublin, 1966- ) |
| Ir. Texts Soc. | Irish Texts Society |
| ISOS | Irish script on screen, School of Celtic Studies, Dublin Institute for Advanced Studies, http://www.isos.dias.ie/ |
| *Kerry Arch. Soc. Jn.* | *Journal of the Kerry Archaeological and Historical Society* ([Tralee], 1968- ) |
| *LismL* | *Lives of saints from the Book of Lismore*, ed. Whitley Stokes (London, 1890) |
| *Louth Arch. Soc. Jn.* | *Journal of the County Louth Archaeological Society* (Dundalk, 1904- ) |
| *Medieval Archaeology* | *Medieval Archaeology* (London, 1957- ) |

| | |
|---|---|
| MNI | 'Minimum number of individuals', used in archaeology to represent the smallest number of living animals which could account for the present bone samples |
| *N.H.I.* | *A new history of Ireland* (9 vols, Oxford, 1976-2005) |
| N.U.I. | National University of Ireland |
| *Peritia* | *Peritia: journal of the Medieval Academy of Ireland* ([Cork], 1982- ) |
| *PMLA* | *Publications of the Modern Language Association of America* (New York, 1884- ) |
| repr. | reprint, reprinted |
| R.I.A. | Royal Irish Academy |
| *R.I.A. Proc.* | *Proceedings of the Royal Irish Academy* (Dublin, 1836- ) |
| *R.I.A. Trans.* | *Transactions of the Royal Irish Academy* (33 vols, Dublin, 1786-1907) |
| R.S.A.I. | Royal Society of Antiquaries of Ireland |
| *R.S.A.I. Jn.* | *Journal of the Royal Society of Antiquaries of Ireland* (Dublin, 1892- ) |
| *Proc. R. Soc. B* | *Proceedings of the Royal Society of London*, B series (London, 1905- ) |
| *Rev. Celt.* | *Revue Celtique* (41 vols, Paris and London, 1870-1924) |
| *s.a.* | *sub anno* (under year) |
| *s.v.* | *sub verbo* (under word) |
| *Script. Lat. Hib.* | *Scriptores Latini Hiberniae*, series of edited Hiberno-Latin texts published by the Dublin Institute for Advanced Studies |
| *Speculum* | *Speculum: a journal of medieval studies* (Cambridge, Mass., 1926- ) |
| *Studia Hib.* | *Studia Hibernica* (Dublin, 1961- ) |
| Todd Lect. Ser. | Todd Lecture Series |
| trans. | Translated (by) |

| | |
|---|---|
| *U.J.A.* | *Ulster Journal of Archaeology* (Belfast, 3 series: 1853-62, 9 vols; 1895-1911, 17 vols; 1938- ) |
| *v.l.* | *varia lectio* |
| *ZCP* | *Zeitschrift für celtische Philologie* (Halle, 1896-1943, 23 vols; Tübingen, 1953- ) |

## Section I, Chapter 1

## Peasants and commoners in early medieval Ireland

### Introduction

This thesis discusses the non-noble classes of early medieval Ireland under the categories of commoners, semi-free peasants and serfs. Two initial problems of terminology arise immediately: a) there are many more than three legal terms in Irish for the non-noble classes and b) modern historiography varies according to different authors in the definition of the words commoner, peasant and serf. In this thesis 'commoner' signifies a hereditary landowning freeman of non-noble status, most typically termed in Irish *bóaire*; 'peasant' is used to describe a semi-free tenant-at-will, most commonly termed in Irish *fuidir*, also *bothach*, and 'serf' is equated to the Irish term *senchléithe*, a class who are semi-free in the sense that they are not slaves, whose bodies may be sold as a commodity, but are less free than the *fuidri* because they are bound to the soil they cultivate (*adscripti glebae*) rather than to an individual lord. It will be argued in the chapter on 'Status' below that early Irish law tracts not specifically focused on the question of status use a simpler terminology closer to this threefold division, while references to peasants and commoners outside of the legal texts, though present, are infrequent and scattered. The rest of this chapter will seek to place the Irish non-noble classes within the context of European studies on non-noble classes to explain and justify the need for this threefold minimum distinction in an examination of early Irish society, before proceeding to a review of secondary studies to date in this area.

As in most medieval societies, peasants and commoners ultimately made up the majority of the population in early medieval Ireland, and yet much about them is still unknown. This thesis will be a source-based analysis of peasants and commoners in Ireland from the first datable law tract, *c.* 680[1], to the Anglo-Norman invasion in 1170. While this time period is replete with documentary sources, including law tracts, ecclesiastical documents and a vibrant literary tradition, these texts were written by and for the privileged classes (nobles, churchmen and men of learning) and do not focus on the non-noble classes. A small amount of comparative research on contemporary medieval societies will, therefore, also be employed in this thesis.

---

[1] Daniel Binchy has dated *Cáin Ḟuithirbe*, 'the law of Fuithirbe', between 678 and 683 AD, based on in-text references to datable persons, such as Finguine son of Cú-cen-máthair, king of Munster from 678-695 AD, Daniel Binchy, 'The date and provenance of *Uraicecht Becc*', in *Ériu*, xviii (1958), pp 44-54: 51-4. See also, Liam Breatnach, 'The ecclesiastical element in the Old-Irish legal tract *Cáin Fhuithirbe*' in *Peritia*, v (1986), pp 36-52.

The most valuable sources for the analysis in this thesis are the secular law tracts, written mainly between the seventh and eighth centuries. Some historians have remarked on the drawbacks to reconstructing a social history through the use of legal material. R.W. Southern described legal status as 'the most deceptive of all standards of a people's well-being'.[2] Chris Wickham, in his epic *Framing the early middle ages*, proposed that 'it cannot be the case that schematic legal texts exactly encapsulated the range of social practice anywhere, or that they could even begin to reflect the huge micro-regional differences in practice that will have existed everywhere'.[3] Additionally, Dominique Barthèlemy argued for the 'artificiality of distinguishing freedom from servitude, inspired as it is by Roman law which failed to encompass medieval social reality'.[4]

The Irish law tracts, however, are a particularly good source for status because they are unlike modern law or even late Roman civil law. As Sir Henry Maine, in his treatise on *Ancient Law* noted, the progression of Roman law was such that 'the individual is steadily substituted for the family, as the unit of which the civil laws take account ... we seem to have steadily moved towards a phase of social order in which all these relations arise from the free agreement of individuals'.[5] Thus Roman law can be distinguished by the recognition of individual responsibility for crimes and debts. Early Irish law, like other non-Roman legal systems, however, maintained that the responsibility for debts and crimes was kinship-based and varied according to social status,[6] though like Roman citizenship, not all inhabitants in a territory in Ireland were allowed the freedom to participate in the legal process, or receive its protection. For this 'freedom' an individual had to be an adult male landowner who was a member of a land-owning kin-group.[7] Some restricted rights could also be held by adult females or adult sons who had not as yet inherited property. Additionally, there were certain talented individuals, such as scholars or artisans who, through the practice of their art, could acquire enough property to qualify to be free as individuals, though this privilege was retained

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[2] R.W. Southern, *The making of the middle ages* (London, 1978), p. 74.
[3] Chris Wickham, *Framing the early middle ages: Europe and the Mediterranean, 400-800* (Oxford, 2005), pp 383-4.
[4] Paul Freedman, *The origins of peasant servitude in medieval Catalonia* (Cambridge, 1991), p. 12; Dominique Barthèlemy, *Les deux âges de la seigneurie banale: pouvoir et société dans la terre des sires de Coucy, milieu XIe-milieu XIIIe siècle* (Sorbonne, 1984), p. 323.
[5] Sir Henry Maine, *Ancient law: its connection with the early history of society and its relation to modern ideas* (London, 1880), pp 168-9.
[6] See, for example, the Germanic law codes and how they were eventually influenced by Roman law, James A. Brundage, *Law and sex and Christian society in medieval Europe* (Chicago, 1987), pp 125-6.
[7] This can be seen from the fact that an 'outsider/exile' (*deorad*) could gain the status of a 'person of legal standing within the *túath*' (*aurrad*) through the purchase of land, Fergus Kelly, *A guide to early Irish law* (Dublin, 1988; repr. 1991), pp 5, 223.

solely by the individual, and did not extend to other family members who did not practise the same art. These rights, however only pertained to individuals within their own *túatha*. Outside of their home communities individuals were treated as aliens and had limited rights.[8]

These freemen (*féni*), and the nobles (*airig*) to whom they were bound in obedience by individual contracts of clientship, were the main focus of the law tracts. It is unfortunate that there is only incidental information regarding the semi-free and the unfree. Yet, as the law tracts developed the free classes became more inclusive and individuals could be considered 'freemen' with as little property as many peasants in other societies. Normally, however, this inclusion was accompanied by minimal landownership. The early Irish law tracts are an invaluable source for the grades of secular society into which these classes were divided along with the resulting status afforded to individuals in early medieval Ireland due to the fact that these legal texts were written for the instruction of jurists rather than as lists of decrees of bygone kings, as in other barbarian legal codes.[9]

Yet, before looking at the various ways in which peasants and commoners are represented in Irish history it is necessary to define and differentiate between these two status-groups. In the historiography of Irish legal and social customs the terms 'peasant' and 'peasantry' are used to describe semi-free tenants-at-will known as *fuidri* (sg. *fuidir*), *bothaig* (sg. *bothach*) and *senchléithi* (sg. *senchléithe*).[10] A 'commoner', on the other hand, was a free land-owning farmer, commonly referred to collectively as *bóairig* (sg. *bóaire*) and *ócairig* (sg. *ócaire*).[11] Yet, in broader-ranging works of modern scholars the term 'peasant' is often used as a comprehensive term applied to any land cultivators below the level of a noble (in early medieval Ireland a noble is generally defined as a hereditary lord of freemen in clientship).[12]

---

[8] Clerics and the *áes dána* were exceptions to this rule, and maintained their legal status outside their native *túath*, Kelly, *A guide to early Irish law*, pp 4-5.

[9] For a discussion on the barbarian law codes, see a collection of essays by Patrick Wormald, republished in Patrick Wormald, *Legal culture in the early medieval west: law as text, image and experience* (London, 1999). Chapter 1 on '*Lex scripta* and *verbum regis*: legislation and Germanic kingship, from Euric to Cnut', pp 1-43 is particularly relevant and was originally published in P.H. Sawyer and I.N. Wood (eds), *Early medieval kingship* (Leeds, 1977), pp 105-38. For Irish law see, Dáibhí Ó Cróinín, *Early medieval Ireland 400-1200* (Harlow, 1995), pp 114-15, see also the discussion of the early Irish laws as sources in Chapter 2 on 'Source coommentary'.

[10] See below for more details about these divergent groups of peasants.

[11] A number of divisions exist within these two main classifications of commoners and will be discussed in Chapter 3.

[12] See, for example, Elva Johnston's discussion of Irish society between *c.* 750-950 in which she describes the major divisions in society as 'kings and the greater lords at its head, the lesser lords, landholders of varying importance, a large class of free peasants, the semi-servile and servile lay beneath them', Elva Johnston, *Literacy and identity in early medieval Ireland* (Woodbridge, 2013), p. 71. See also, Roy Flechner, 'Investigating 'peasant conversion' in Ireland and Anglo-Saxon England: a preliminary inquiry' published online as part of the 'Converting the Isles' project at the Department of

The excessive use of the terminology distorts internal social divisions evident in non-Roman legal systems.

Furthermore, in the works of Georges Duby, Marc Bloch, and more recent scholars, such as Rodney Hilton or Christopher Dyer's work on medieval England, Paul Freedman's publications on medieval Catalonia and high medieval peasant imagery, Wendy Davies' work on villages in Wales and Brittany, and Chris Wickham's recent major tome on the early middle ages the polysemous terms 'peasant' and 'peasantry' have been liberally applied to semi-free and free individuals who may or may not have owned property, but who were subject to a lord or church.[13] Before an analysis of Irish society that contains comparative research with contemporary medieval societies can begin, therefore, it is necessary to briefly define what Irish status grades are implied by the term 'peasants' and 'commoners' in this thesis and how these divisions differ from modern historiography.

**Definitions of 'peasant'**

In his book *Images of the medieval peasant*, Paul Freedman disagreed with John Maddicott's argument that the extensive use of the term peasant was 'a "confession of weakness" that fails to grapple with a more complex reality'.[14] Instead, he argued, the modern definition of peasant suited the system of land tenure in medieval Europe. Unfortunately, there are various 'modern definitions' of peasants. Eric Wolf in 1966, for example, wrote an ethnographical study on peasants spanning from the Neolithic to the modern era. In bridging these diverse societies Wolf proposed a broad classification of peasants describing them as

> 'rural cultivators whose surpluses are transferred to a dominant group of rulers that uses the surpluses both to underwrite its own standard of living and to distribute the remainder to groups in society that do not farm but must be fed for their specific goods and services in turn'.[15]

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Anglo-Saxon, Norse and Celtic Studies at Cambridge University: http://www.asnc.cam.ac.uk/conversion/logos/Flechner_Peasant_Conversion.pdf, specifically pp 3-4 where he defines the peasantry as 'a heterogeneous group, the different strands of which were distinguished from one another by economic, social and legal criteria'. For the definition of a noble, see Thomas Charles-Edwards, '*Críth Gablach* and the law of status', in *Peritia*, v (1986), pp 53-73.

[13] Early medieval Scotland has been omitted from this list since 'the surviving textual evidence for social history in Scotland is appallingly slight until the very end of the middle ages', and historians have tended to make 'some basic generalisations on the basis of what we know of the similar medieval societies of England, Ireland and Wales', Alex Woolf, *From Pictland to Alba 789-1070* (Edinburgh, repr. 2010), p. 17.

[14] Paul Freedman, *Images of the medieval peasant* (Stanford, 1999), p. 9, referencing John Maddicott's article on peasants in medieval England, John Maddicott, 'The English peasantry and the demands of the crown, 1294-1341' in *Past & Present*, Supplement no. 1 (1975), p. 68.

[15] Eric Wolf, *Peasants* (Englewood Cliffs, 1966), pp 3-4.

Similarly, Steve Stern, studying medieval Peru, defined peasants as 'subsistence-oriented agricultural producers or communities whose integration into a wider political structure subjects them to the authority and economic demands of the state, or of a landed class of overlords'.[16] While these definitions focus on a wider socio-economic network, Freedman chose a narrower definition linked to the prevalent landholding system in medieval Europe and based on the individual. He defined a peasant as:

> 'a tenant farmer who, at least in theory, could sustain himself and his family while paying a substantial rent (labor [sic] service, produce, and/or money) that supported his lord'.[17]

Or, as he argued in one of his earlier books *The origins of peasant servitude in medieval Catalonia*, peasants are 'cultivators of land who pay rent, work as a family, are identified with a property held on long-term lease or by inheritance, and whose liberty is in some measure constrained by the state or a dominant *rentier* class'.[18] Although he posited that these individuals did not usually own their own land, they did, however, 'have effective possession (*dominium utile*) over a particular parcel'.[19] While Freedman does allow for the possibility of land-ownership, the bulk of his discussion focuses on individuals who did not personally own property, but worked on their lord's land. Furthermore, Freedman included all 'medieval agriculturalists' in his definition of peasants.[20]

**Assorted terminology**

This cohesive classification posited by scholars is not always found in the contemporary sources. Medieval legal sources, for instance, markedly distinguish between free, semi-free and unfree cultivators in both Latin and the vernacular, a division which is not always manifest in modern society. Latin sources exhibit a variety of terms to describe these individuals, *ingenui*, *liberi*, *liti*, *mancipii*, *rustici*, *agricolae* and *coloni* being some of the most popular.[21] Yet,

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[16] Steve J. Stern, *Peru's Indian peoples and the challenge of Spanish Conquest: Huamanga to 1640* (Madison, 1993), p. 20.
[17] Freedman, *Images of the medieval peasant*, p. 9.
[18] Freedman, *The origins of peasant servitude in medieval Catalonia*, p. 4.
[19] Ibid.
[20] Freedman, *Images of the medieval peasant*, p. 9. Chris Wickham, in *Framing the early middle ages*, did argue that peasants could have been landowners, but he also included non-agricultural pastoralists in his classification, further broadening the definition of a peasant, Wickham, *Framing the early middle ages*, p. 386. More information on the legal capacities of different grades in Irish society will be discussed in Chapter 3 of this thesis on status.
[21] Many of the Latin terms can be found in Isidore of Seville's *Etymologies*, text in Isidore of Seville, *Etymologiarum sive originum libri xx,* ed. W.M. Lindsay (2 vols, Oxford, 1911), book ix, chs 45-6

applying a universal definition to these terms is not easy. *Liberi*, for example, is so fraught with complications that in his *Medieval Latin Lexicon* Niermeyer abstained from 'attempting to outline the different senses of this word'.[22] These complications increase when historians include the vernacular terminology into the scholarship. In Germany, *Bauer* indicated a 'person of fairly extensive property but carried ... at least a certain implication of unfree, servile status'.[23] A *villein* in England was not a slave in either the Anglo-Saxon or the Norman periods, but the appellation gained a more servile connotation for rural tenants in the later middle ages. In France, in a legal context, *vilain* followed much the same path, but in 'common parlance' it maintained its adjectival form meaning rustic.[24] In Ireland the jurists enumerated a number of different grades of people within the commoner classification, not including the semi-free and the unfree.[25] Marc Bloch, when discussing the pernicious problem of finding various terms applied to the same group of individuals by different manorial surveys in medieval Francia, noted that

> 'very different systems of classification cut across each other. Some, borrowing their terminology indifferently from Roman or from Germanic tradition – traditions that were themselves in conflict – were now very imperfectly adapted to the present; others tried their best to express the reality but did it clumsily'.[26]

In order to incorporate the many differences in legal and social status extant in the medieval sources many historians divide the peasantry into peasants and serfs.

**Difference between peasants and commoners**

One of the first modern scholars to compare and contrast peasants in early medieval Ireland with peasants in contemporary continental societies was Thomas Charles-Edwards. Charles-Edwards analysed the differences between rural cultivators in contemporary medieval

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(*mancipii, ingenui*); book x, chs 16, 52 (*agricola, colonus*); book xv, ch. 7 (*rusticus*); trans. in Isidore of Seville, *The Etymologies*, ed. Stephen A. Barney, W.J. Lewis, J.A. Beach, and Oliver Berghof (Cambridge, 2011), p. 205, book ix, §4, chs 45, 46 (*mancipii, ingenui*); p. 214, book x, ch. 16 (*agricola*); p. 216, book x, ch. 52 (*colonus*); p. 314, book xv, §13, ch. 7 (*rusticus*). More modern studies can be found in Freedman, *Images of the medieval peasant*, pp 10-11; Werner Rösener, *Peasants in the middle ages* (Oxford, 1992), p. 12; Rodney Hilton, 'Reasons for inequality among medieval peasants' in *The Journal of Peasant Studies*, v, no. 3 (1978), pp 271-84; Jean-Pierre Devroey, 'Men and women in early medieval serfdom: the ninth-century north Frankish evidence' in *Past & Present*, clxvi (2000), pp 3-30.

[22] J.F. Niermeyer and C. Van De Kieft, *Mediae Latinitatis Lexicon Minus*: A-L (Leiden, 2002), p. 793.

[23] Freedman, *Images of the medieval peasant*, p. 10.

[24] Ibid.

[25] The difference in the amount of grades is dependent upon the variations in the texts as well as the separation between peasants and commoners. This will be discussed at length in Chapter 3 on status.

[26] Marc Bloch, *Feudal society*, L.A. Manyon (trans.) (2 vols, London, 1989), i, p. 255.

societies and Irish commoners in base clientship (a socio-economic relationship between commoners and lords)[27] in his book *Early Christian Ireland*. While this book is dedicated to untangling the religious and political environment of early medieval Ireland, several sections in the second and third chapters provide a glimpse into other aspects of society around the eighth century. One very important point that emerges is an explanation of the differences that separated the 'husbandmen' (*coloni*) of Carolingian Francia in the ninth century from the 'clients' (*céli*) as described in the early medieval Irish law tracts.[28]

Charles-Edwards began his analysis by grouping both the husbandmen and the clients as legal 'dependants'. Niermeyer's *Medieval Latin Lexicon* defines a husbandman as 'a hereditary landholder of a particular personal status, attachment to the soil being its chief caracteristic [sic], while it becomes assimilated progressively to the status of the serf provided with a holding'.[29] A client, on the other hand, was a free landowner in Irish society, either noble or non-noble, who made a contract with a lord (*flaith*) that, in exchange for goods, the individual would render a variety of dues and services.[30] Base clients were commoners who had stricter regulations than the free clients (nobles), but retained a certain amount of independence. Charles-Edwards proposed that the key elements that distinguished an Irish base client from a Carolingian husbandman were the ownership of land and a divergent interpretation of dependent status. In regards to the latter argument, Charles-Edwards notes that in Carolingian Francia lords not only owned the land on which the husbandmen worked but they 'had rights over the *colonus*' as well.[31] The inability of a husbandman to own or vacate the land, and thus free himself from his relationship with his lord, is represented in the Irish system by the *fuidir* grade.[32] Base clientship on the other hand was a voluntary office which a person of commoner grade could join by becoming semi-dependent on a lord in order to increase his land or stock in an attempt to survive during hard times or, in times of greater fecundity, to increase his social status and eventually his grade. As a result, this thesis will limit the usage of the term

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[27] See Chapter 4 below.

[28] The law tracts were composed mainly during the seventh and eighth centuries during a period of Old Irish (*c.* 600-900 AD). Many of the surviving manuscripts contain glosses and commentary dating to the Old, MIddle (*c.* 900-1200 AD) and Classical Modern Irish (*c.* 1200-1650 AD) periods, see Liam Breatnach, 'Lawyers in early Ireland' in Daire Hogan and W.N. Osborough (eds), *Brehons, serjeants and attorneys: studies in the history of the Irish legal profession* (Blackrock, 1990), pp 1-13: 2. For more information on the law tracts see Chapter 2 below.

[29] Niermeyer and Van De Kieft, *Mediae Latinitatis Lexicon Minus*: A-L, p. 266.

[30] For a discussion of clientship see 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Rudolf Thurneysen, in *ZCP*, xiv (1923), pp 335-94. Clientship will be discussed further in Chapter 4 of this thesis on dues and services.

[31] Thomas Charles-Edwards, *Early Christian Ireland* (Cambridge, 2000), p. 72.

[32] Kelly, *A guide to early Irish law*, p. 11. The law tracts do indicate that some fortunate *fuidri* may have owned land and could leave their lord, although they surrendered a substantial fee to do so.

peasant to refer to a *fuidir* or *bothach* in early medieval Ireland, who had a much more dependent relationship with their lord and, for the most part, did not own their own land.[33]

**Peasants and serfs**

The individual referred to by historians as serf, on the other hand, was involved in many of the same pursuits as a peasant but was bound by more servile obligations. 'Serf' is an Old French word which did not enter the English language until the fifteenth century, but is often applied by historians to individuals in a similar position in a much earlier period.[34] The reason for this application is the complicated evolution of the term *servus* which historians believe changed in meaning from slave to serf sometime after the Fall of Rome, but they cannot agree as to when this happened or who exactly was being identified by the new definition.[35] C.R. Whittaker, for example, argued that the reason there appeared to be a decline in slavery in the later Roman Empire was due to the growth of medieval serfdom. Instead of slave labour disappearing, lords just elevated their status ever so slightly.[36] An explanation of this evolution is partly hindered by conflicting theories on the increasing power of manorial lords in the eleventh century and a proposed subsequent enserfment of formerly free peasants. Modern theories regarding medieval social status have shifted from slaves gaining freedom to free peasants losing it, due to new research, which shows that slavery continued to exist well after the Fall of Rome. This process of enserfment, however, did not occur in all areas in medieval Europe, or even all areas in medieval France, where many historians, such as Georges Duby and Marc Bloch, focused their studies. Furthermore, when the process did occur it evolved at different rates in different areas. Thus, those particular qualities which characterised a serf remain the subject of much debate.

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[33] A more in-depth account on the various grades of the legal hierarchy of early medieval Ireland will be discussed in Chapter 3 below.

[34] Louis Heller, Alexander Humez and Malcah Dror, *The private lives of English words* (London, 1984), p. 169.

[35] For the church's role in the proposed transition from slaves to serfs see Siegfried Epperlein, 'Die sogenannte Freilassung in merowingischer und karolingischer Zeit' in *Jahrbuch für Wirtschaftsgeschichte,* part iv (1963), pp 92-110 and for how the church handled freeing serfs who became priests, see Susan Wood, *The proprietary church in the medieval west* (Oxford, 2006), particularly pp 525-6.

[36] Whittaker used the evidence of tenant farming from the Abbey at Farfa in Sabinum, where slaves began to work as tenants and therefore grew to become free tenant labour, C.R. Whittaker, 'Circe's pigs: from slavery to serfdom in the later Roman world' in Moses I. Finley (ed.), *Classical slavery* (London, 1987), p. 113.

Marc Bloch argued throughout most of his works for the importance of separating the free from the unfree amongst the peasantry in medieval Francia.[37] He estimated that serfs could be identified based on the payment of certain taxes in early medieval Francia (*chevage*, an annual poll-tax, *formariage*, a prohibition of marriage outside the lord's jurisdiction and *mainmorte*, a succession tax).[38] Modern historians, however, no longer identify servility based on the payment of certain taxes. Georges Duby posited that the rise of the *seigneurie banale* in the eleventh and twelfth centuries was 'the most significant event in the social history of the Middle Ages' and allowed nobles to 'subordinate agriculturalists irrespective of their legal status or form of tenure'.[39] In his case-study on Mâconnais he argued that free and unfree peasants became indistinguishable as a result of this enforced dependence on their lords.[40]

Focusing on medieval Catalonia, Pierre Bonnassie argued against Whittaker's assumption that serfdom was a direct continuation of medieval slavery, and insisted that it both affected a larger number of people and originated from a different source.[41] Like Duby, Bonnassie saw the eleventh century as a turning point in medieval social history, what he called the 'feudal revolution'.[42] This revolution consisted of the extinction of slavery as a result of agrarian expansion, which was 'to a large extent the achievement of the small proletariat of the enfranchised' followed by a period of civil wars which led to feudalism and serfdom.[43] He thus proposed that the term serf encompassed 'very diverse situations' and could be applied to men 'whose dependence clearly derived from very different juridical categories'.[44] Paul Freedman, in his own treatise on peasants and serfs in medieval Catalonia, argued that serfdom had existed in Catalonia before the eleventh century, but it was not until the end of the twelfth century that it was fully entrenched in society. The changing definitions of lordship, the right of mistreatment and weakening royal jurisdiction were at the heart of this shift and culminated in a law which forced unfree tenants to pay a fine in order to leave

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[37] Marc Bloch, *Slavery and serfdom in the middle ages: selected essays by Marc Bloch*, William R. Beer (trans.) (London, 1975).
[38] Marc Bloch, 'Personal liberty and servitude in the middle ages, particularly in France. Contribution to a class study' in *Slavery and serfdom in the middle ages*, pp 33-91.
[39] Paul Freedman, 'Georges Duby and the medieval peasantry' in *The Medieval History Journal*, iv (2001), pp 259-71: 264.
[40] Freedman, 'Georges Duby and the medieval peasantry', 267.
[41] Pierre Bonnassie, *From slavery to feudalism in south-western Europe*, Jean Birrell (trans.) (Cambridge, 1991), p. 316.
[42] Ibid, p. 320.
[43] Ibid, p. 46. See also, Howard B. Clarke's review of Bonnassie's work in *The Agricultural History Review*, xl, no. 2 (1992), pp 182-4: 183.
[44] Bonnassie, *From slavery to feudalism in south-western Europe*, p. 327.

seigneurial lands for royal ones.[45] For Freedman then, these free peasants were being effectively enserfed. These serfs could contract their own marriages and were tied to the land not a lord.[46] While one of their duties may have been to work on a lord's land, this was 'part of their rent and not the entire sum of their labor'.[47] Separation of a serf from the land and their obligations was not easy, and their subordination was transmitted to their descendants.[48]

In later medieval Ireland, the serf was known as a *betagh*. Gearóid Mac Niocaill has shown that *betagh* was an Anglicized derivation of the Irish term *biatach*, 'provider of food-rent'.[49] Mac Niocaill further argued that, after the invasion by the Anglo-Normans in the latter half of the twelfth century, the term *betagh*, which had a 'sense identical to that of the villein of England', was used to categorise the 'great bulk of the native Irish'.[50] The Irish tradition that 'personal dependence on a lord could be compatible with independence of one's hereditary land' disappeared underneath a new mode of land tenure in which 'all land except the royal demesne was in fact tenement'.[51] Thus many *betagh*s found themselves regarded as 'unfree and bound to their lords'.[52] In his discussion Mac Niocaill specifically argued that the early medieval predecessors of the *betaghry* were known in the Old Irish law tracts as *senchléithi*.[53] Certain references to land being granted to St Patrick in the ninth-century Book of Armagh confirm this assertion, as land is described as being given 'with serfs' (*cum servis*).[54] Both Fergus Kelly and Charles Doherty have found complementary evidence in the Patrician material written in Irish, such as *Bethu Phátraic*, to identify these *servi* with *senchléithi*.[55] A *senchléithe* ('ancient dwelling', but used in this way to refer to a status grade) was not a slave, but was bound to his lord in a much more restricted way than the *fuidir*. If a *fuidir* and his descendants remained in this dependent grade for three successive generations his grandson

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[45] Freedman, *The origins of peasant servitude in medieval Catalonia*, p. 87.
[46] Ibid, p. 5
[47] Ibid
[48] Ibid.
[49] Gearóid Mac Niocaill, 'The origins of the *betagh*' in *Ir. Jurist*, i (1966), pp 292-98.
[50] Ibid, p. 297.
[51] Ibid, p. 298.
[52] Robin Frame, *Colonial Ireland, 1169-1369* (Dublin, repr. 2012), p. 99. See also Kenneth Nicholls' discussion of the *betagh* in K.W. Nicholls, 'Anglo-French Ireland and after' in *Peritia,* i, (1982), pp 370-403: 378-9.
[53] Mac Niocaill, 'The origins of the *betagh*', p. 293.
[54] 'Item campum aquilonis inter Gleoir et Ferni cum seruis in eo sibi famulantibus filii Fiechrach Patricio in sempiternum ymmolauerunt', 'Also the sons of Fíachrae offered the northern plain between (the river) Gleór and (the river?) Ferne, together with the serfs serving them there, to Patrick for ever', text and trans. in *The Patrician texts in the Book of Armagh*, ed. Ludwig Bieler, *Script. Lat. Hib.*, x (Dublin, 1979), pp 170-1, §5.2.
[55] Kelly, *A guide to early Irish law*, p. 36; Charles Doherty, 'Some aspects of hagiography as a source for Irish economic history' in *Peritia*, i (1982), pp 300-28: 314.

would be called a *senchléithe*.[56] A *senchléithe* could not renounce his tenancy and was bound to the land.[57] Similarly, if the property was acquired by a new owner the *senchléithe* accompanied the land not the lord. The association between the *senchléithe* and the thirteenth-century *betagh* as well as the correlation between these dependants and Freedman's characterisation indicate that the *senchléithe* in early medieval Ireland was, most likely, what medieval historians generally refer to as a serf.

**Peasants not paupers**

Before this terminological discussion concludes, it is also important to highlight the fact that the term *pauper* was not a classification applied strictly to peasants and commoners in early medieval Ireland. Paul Freedman has noted that the term pauper was occasionally used in the early middle ages, to refer to both 'the destitute and the lower-level agricultural workers'.[58] Freedman has argued that, in the late Merovingian and Carolingian eras, the term pauper was used as the antithesis of *potentes*, contrasting the powerful landowners with the servile labourers.[59] Yet, this term, generally defined as 'the poor', could refer to a wide range of individuals, in varying degrees of social grades. As Michel Mollat described this classification, 'poverty referred first to the quality then to the condition of a person subject to some deficiency, regardless of that person's social status'.[60] A *pauper* could therefore be any person 'who permanently or temporarily found himself in a situation of weakness, dependence, or humiliation, characterised by privation of the means to power and social esteem (which varied with period and place): these included money, relations, influence, power, knowledge, skill, nobility of birth, physical strength, intellectual capacity, and personal freedom and dignity'.[61] In early medieval Ireland the adjective 'poor' (*bocht*) was used substantively in reference to a poor or miserable person and has been linguistically linked to a *pauper* in Latin sources.[62] The appearance of *bocht* or *pauper* in Old Irish and Latin ecclesiastical documents does not have any significant link to the numerous grades of commoners or peasants described in the law tracts and will therefore not be used in this thesis

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[56] For more information on the transient nature of the *fuidir* see the discussion of *fuidri* in Chapter 3 below.
[57] Kelly, *A guide to early Irish law*, pp 35-6.
[58] Freedman, *Images of the medieval peasant*, p. 11.
[59] Ibid.
[60] Michel Mollat, *The poor in the middle ages: an essay in social history* (New Haven, 1986), p. 2
[61] Ibid, p. 5.
[62] In a medieval tract on Latin declension edited by Whitley Stokes the Latin *pauper* was glossed *bocht*: Whitley Stokes, *Irish glosses: a medieval tract on Latin declension with examples in Irish*, (Dublin, 1860), p. 32.

to denote a specific grade or class of persons. Descriptions of the appropriate food, clothing and housing for the 'poor' in society within the sources, however, will be utilised to aid a discussion on the availability of such products amongst peasants and commoners.

One of the drawbacks to using comparative research, then, for early medieval Irish social history is the formidable problems which accompany the standard nomenclature of medieval social groups. Nevertheless, this short discussion on terminology has determined that, when comparative studies are used in this thesis, the terms peasant and serf which appear in the external sources refer, in early medieval Irish society, to the *fuidir* and the *senchléithe* respecitvely. These semi-servile grades are not to be confused with commoners, a separate and distinct status-group of free landowning farmers.

**Literature Review**

In recent years scholars such as Bette Crigger, Nerys Patterson, Marilyn Gerriets, Fergus Kelly, and Thomas Charles-Edwards have shed light on certain aspects and institutions of early medieval Irish society that were important to peasants and commoners, but to date there has been no full-scale study of these status-groups in both a legal and social context based on the surviving sources for early medieval Ireland. In the early 1990s two of these scholars used multi-disciplinary approaches to probe early medieval Irish society. In 1991 Bette Crigger produced a PhD thesis on the status grades, clientship and kinship, based on the early Irish law tracts viewed through an anthropological and linguistic lens, and in 1994 Nerys Patterson published the first edition of her study of early medieval Ireland entitled *Cattle-lords and clansmen*, which she described as an example of an 'historical sociology' approach to kinship and society.[63] Each of these texts utilises various social theories to help interpret the sometimes conflicting sources which survive for early medieval Irish society.

The methodology behind Crigger's thesis is twofold: the application of Dumézil's tripartite structure of society on to early medieval Ireland (with some modification), and her usage of the early Irish laws as an 'indigenous ethnography'.[64] Dumézil's tripartite structure divided Indo-European society into function-based sections – *prêtres* (priests), *guerriers* (warriors), *producteurs* (producers).[65] Crigger believed that this formation could be found in

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[63] Bette Crigger, '"A man is better than his birth": identity and action in early Irish law' (unpublished PhD thesis, University of Chicago, 1991); Nerys Patterson, *Cattle-lords and clansmen: the social structure of early Ireland* (2nd ed., Notre Dame, 1994).

[64] Crigger, 'A man is better than his birth', p. 12.

[65] George Dumézil, *L'idéologie tripartie des Indo-Européens*, *Collections Latomus*, xxxi (Burssels, 1958), p. 18. This tripartite division has been applied to medieval society by a number of scholars in the form of *oratores*, *bellatores* and *laboratores*.

early medieval Ireland in an altered state of poet (and cleric), noble and commoner. The premise, however, of applying Dumézil's theory to Irish history has come under review in more recent scholarship.[66] Timothy Powell, for example, published an article a few years after Crigger's thesis was accepted criticising any notions of this tripartite function-based structure to early Irish society.[67] Powell spends most of his essay criticising an article by the French historian Daniel Dubuisson , 'L'Irlande et la théorie medieval des "trois ordres"', in which Dubuisson argued that not only was the idea of the three orders extant, but that this concept of the three orders may even originate from early medieval Ireland.[68]

The most convincing criticism which Powell makes is that, though the law tracts and various other documents divide early Irish society into groups, occasionally three of them, as noted by Crigger, the primary distinguishing factor is status, not function as described in Dumézil's original premise.[69] For example, Dubuisson relies on a later version from a scene in the eighth-century Irish text *Compert Con Culainn* in which members of Conchobar's court vying for the opportunity to foster Cú Chulainn list the various honours they have achieved in a particular field. However, as Powell rightly asserts, these assertions do not indicate the presence of the 'three orders' but instead indicate 'different aspects, or different qualities, of Irish nobility'.[70] For example, Dubuisson, despite the fact that there are actually four people vying for the position of foster-father, argued that the character of Fergus represented the warrior class because strength and military prowess were on his list of accomplishments, yet, the character of Amargin also boasted of these qualities. It does not, therefore, seem reasonable to suggest that these two individuals represented distinct status-groups. Furthermore, Blai Briuga, another possible foster parent, is cast by Dubuisson to represent the role of the workers, by virtue of his position as a hospitaller (*briugu*). The position of a hospitaller in early medieval Irish society, however, is a complicated one, for while he is associated with hospitality and thus food his status in society is distinct from that of a commoner. One eighth-century law tract, *Uraicecht Becc*, 'small primer', even indicates that a man with this title could have the honour-price of a king thus placing his role in society well

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[66] Dumézil's theory itself has also been revised by various historians since Crigger's thesis, including Susan Reynolds, *Fiefs and vassals* (Oxford, 1994), especially pp 38-9.
[67] Timothy E. Powell, 'The idea of the three orders of society and social stratification in early medieval Ireland', in *I.H.S.*, xxix, no. 116 (1995), pp 475-89.
[68] Daniel Dubuisson, 'L'Irlande et la théorie médiévale des "trois ordres"' in *Revue de l'Histoire des Religions*, clxxxviii (1975), pp 35-63.
[69] Powell, 'The idea of the three orders of society', p. 480.
[70] Ibid, p. 479.

above that of the commoner to whom Dumézil was originally referring.[71] For these reasons amongst many others the idea that early medieval Ireland was based around the 'three orders' is therefore unsustainable. Nevertheless, this fault does not make Crigger's work unusable, since, despite her acceptance of this problematic formation, she found that instead of three function-based divisions the underlying tensions in early medieval Ireland are better represented by paired dyads such as superior and subordinate and 'participation in relationships of systemic production versus relationships of primary subsistence production'.[72]

Furthermore, Crigger's work tackles the complicated sources for early Irish law. She rightly argued that these law tracts were descriptive of society rather than prescriptive.[73] Furthermore, her background in linguistics aided in a translation of some heretofore unedited legal texts attached in an appendix. For example, Crigger includes a discussion and translation of a previously unedited and independent law tract that follows *Di Dligiud Raith ⁊ Somaíne la Flaith*, 'on the law relating to the fief and profit of a lord', in the TCD 1337 manuscript; a text she calls *Dliged Rath Fine*, 'rights of grants of the Féni (?)'.[74] Both Fergus Kelly and Thomas Charles-Edwards have also, more recently, argued for this text's independence from *Di Dligiud Raith ⁊ Somaíne la Flaith*.[75] Crigger's thesis will therefore be used mainly for her anthropological and linguistic approach to the study of ranks and grades in the law tracts, as well as some of the information on clientship based on her translations of texts which have not yet been published elsewhere.[76]

As Crigger used anthropology to aid her investigation, Nerys Patterson approached the study of early medieval Ireland through a self-entitled lens of 'historical sociology'.[77] In her book *Cattle-lords and clansmen* Patterson crossed disciplines in an effort to study and explain kinship and the inner workings of the social system. The use of sociology in order to help understand social inequality in early medieval Ireland does have its merits, particularly as

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[71] For the *briugu* in *Uraicecht Becc*, see *CIH*, v, p. 1608.22; trans. in Eoin MacNeill 'Ancient Irish law. The law of status or franchise' in *R.I.A Proc.*, xxxvi (1923), sect. C, pp 265-316: 276, §30. Also see Gearóid Mac Eoin, 'Old Irish *briugu* "hospitaller" and connected words' in *Celtica*, xxiii (1999), pp 169-73: 170.
[72] Crigger, 'A man is better than his birth', p. 17.
[73] Ibid, p. 12.
[74] Ibid, p. 174.
[75] Kelly, *A guide to early Irish law*, p. 271; Thomas Charles-Edwards, *Early Irish and Welsh kinship* (New York, 1993), p. 337.
[76] More recent discussions of many of the texts she mentions can be found in a publication by Liam Breatnach, *A companion to the Corpus Iuris Hibernici* (Dublin, 2005). Preference will, therefore, be given to Breatnach (amongst others) in more recent studies, when the translations and interpretations of the tracts themselves come into conflict.
[77] Patterson, *Cattle-lords and clansmen*, p. 30.

regards the origins of social inequality about which the eighth century Irish themselves were briefly concerned.[78]

For some sociologists there is no way of escaping social inequality; it is simply a part of society. According to Melvin Tumin, 'every time power and property are distributed unequally, no matter what the cultural definition, prestige and esteem differentiations have tended to result as well'.[79] In other words 'social inequality always exists within a *social system* – bounded, interrelated set of roles, structures, or persons'.[80] Sociologists offer two possible theories for why property and power are consistently distributed unequally: either it was a natural phenomenon that was reflective of individual ability, or inequality existed as a structure 'artificially imposed or enacted by interested parties, and as a result accords benefits to incumbents of privileged positions' independent of their own abilities and qualities.[81] Roger Gould, in his article on the origins of status hierarchies, attempted to bridge the gap between these two theories, and determined that social hierarchies developed as a combination of the two, highlighting that individuals simultaneously created hierarchies through their actions and confronted them as social facts.[82]

These theories help us to understand why status was afforded to certain people in certain positions, a question that is consistently asked by scholars when reviewing the early Irish law tracts and their apportionment of status and rank. In this sense, Gould defined an individual's status as 'the prestige accorded to individuals because of the abstract positions they occupy rather than because of immediately observable behaviour'.[83] Similarly, Max Weber defined status as 'an effective claim to social esteem in terms of positive or negative privileges'.[84] Yet, those qualities which an individual needed to possess, and as a result, were accorded status, changed depending on the society in which they lived.

For, as Louis Kriesberg stated, 'inequality must be viewed within a system context because rankings are relative; references to 'high' or 'low', 'up' or 'down,' are meaningful only in the context of a set of persons or positions'.[85] 'Status' was therefore dependent on the

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[78] This will be discussed further in Chapter 2 in an analysis of the law tracts as a source, see p. 36 below.
[79] Melvin Tumin, 'Some principles of stratification: a critical analysis' in *American sociological review*, xviii, no. 4 (1953), pp 387-94: 392.
[80] Louis Kriesberg, *Social inequality* (Englewood Cliffs, 1979), p. 25.
[81] Roger Gould, 'The origins of status hierarchies: a formal theory and empirical test' in *American Journal of Sociology*, cvii, no. 5 (2002), pp 1143-78: 1145.
[82] Ibid, p. 1173.
[83] Ibid, p. 1147.
[84] Max Weber, *Economy and society: an outline of interpretive sociology*, Guenter Roth and Claus Wittich (eds and trans) (Los Angeles, 1968, repr. 1978), p. 305 (this edition and translation is based on a collection of Weber's works, published posthumously in the early 1920s).
[85] Kriesberg, *Social inequality*, p. 25.

privileges associated with class or category membership, which Paul Kingston has defined as 'groups of people sharing common economic positions'.[86] As will be seen in the following chapter, status was very important to the Irish, and for this reason these sociological theories and interpretations can assist an investigation into class and status in early medieval Ireland.

While this approach has merits, Patterson's study fails in certain key areas for this thesis. She offers some very interesting challenges to preconceived notions of early Irish society, such as her criticism of Daniel Binchy's assessment that the status hierarchies described in the law tracts were unrealistic. Many of her conclusions regarding peasants and commoners, however, are based on late and comparative evidence, instead of the extant earlier material. For example, when discussing the end of the Samain festival, Patterson indicates that 'nobles and kings required their dependants to 'quarter' their servants, animals and mercenaries'.[87] Yet, her evidence for this assertion is reliant on the seventeenth-century contributions of Geoffrey Keating and a sixteenth-century poet, Tadhg Dall Ó hUigínn, instead of the evidence which survives for quartering in the early material.[88] Another drawback to Patterson's analysis is the fact that she limited her investigation of society to specific groups within that society, rather than a comprehensive study of the whole. For example, in her discussion on clientship and rank, Patterson, for the most part, omits an analysis of the semi-free, claiming lack of information and relevance. Yet, the semi-free are an integral part of any analysis of rank and status, since they were the bridge between the free and the unfree in society. Furthermore, a few of the details she does provide are not supported upon further research. One group of semi-free individuals which Patterson does describe from the Irish law tracts were the *senchléithi*, and yet they are distorted in her analysis, due to a misreading of Thomas Charles-Edwards' investigation of status from the eighth-century law tract *Críth Gablach*, 'branched purchase'.[89] Patterson recorded Charles-Edwards as saying that, according to *Críth Gablach*, a *senchléithe* was a type of dependant that would *only* be found on the land of the *tánaise ríg* or heir-apparent.[90] What Charles-Edwards actually argued was that part of the honour-price and status of the *tánaise ríg* was based on his accumulation of dependants,

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[86] Paul Kingston, *The classless society* (Stanford, 2000), p. 1.
[87] Patterson, *Cattle-lords and clansmen*, p. 122
[88] Ibid, p. 123; Evidence for this quartering can be found in Katharine Simms, 'Guesting and feasting in Gaelic Ireland' in the *R.S.A.I. Jn.*, cviii (1978), pp 67-100; Katharine Simms', 'Gaelic military history and the later brehon law commentaries' in Cathal G. Ó Háinle and Donald E. Meek (eds), *Unity and diversity: studies in Irish and Scottish Gaelic language, literature and history* (Dublin, 2004), pp 51-68.
[89] Charles-Edwards, '*Críth Gablach* and the law of status', pp 53-73.
[90] Patterson, *Cattle-lords and clansmen*, p. 153.

some of which included *senchléithi*.[91] Patterson, herself, was uncomfortable with this interpretation, as she indicated conflicting evidence in her notes. Yet, she let the mistaken reading stand in the main argument.[92] For reasons such as these, Patterson's work will be used sparingly in this thesis, but the theoretical impetus behind her approach will be considered in the discussion of status and rank in Chapter 3.

Taking a broader approach, Fergus Kelly's two major works on early medieval Ireland, *A Guide to early Irish law* and *Early Irish farming*, both part of the Dublin Institute for Advanced Studies Early Irish Law series, offer a detailed introductory analysis of society, and one of the main occupations of the lower classes, farming, based on the Old Irish law tracts.[93] His *Guide to early Irish law* deconstructs the complex society described in these tracts which can be found in the un-translated *Corpus Iuris Hibernici*, compiled in six volumes by Daniel Binchy in 1978. With the aid of the later glosses and commentaries, Kelly provides a clearer image of those individuals who were entitled to legal redress, and to what degree, based on their grade and status in society. His book also supplies the reader with a basic understanding of how the legal system worked in early medieval Ireland. One of the most important assertions that Kelly makes is that these laws were not edicts but were instead text-books used by judges to instruct them in 'the theory and practice of Irish law'.[94]

Another important argument Kelly proposes is the extent of the influence of the Church on the written laws in Ireland. Following on from Donnchadh Ó Corráin, Liam Breatnach and Aidan Breen's article in *Peritia* volume three on the influence of canon law on the Old Irish law-texts, Kelly concurs that the authors of the law texts were most likely clerical scholars.[95] This insight aids in the understanding of the complicated yet interconnected relationship between ecclesiastical laws, such as *Cáin Domnaig*, 'law of Sundays', and the secular tracts like *Cáin Aicillne*, 'The regulation of base clientship'. Yet, as the scope of Kelly's book is so broad, an in-depth investigation into the relationship between canon law and secular law is better served by the articles of Ó Corráin, Breatnach and Breen. One of the main virtues of this book is that Kelly's multiple appendices direct the reader to where one can find these and many other scholarly works.

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[91] Charles-Edwards, '*Críth Gablach* and the law of status', p. 61.
[92] Patterson, *Cattle-lords and clansmen*, p. 178, no. 4.
[93] Kelly, *A guide to early Irish law*, particularly pp 26-38; Fergus Kelly, *Early Irish farming: the evidence from the law tracts* (Dublin, 1997; repr. 1998).
[94] Kelly, *A guide to early Irish law*, p. 242.
[95] Ibid, p. 233; Donnchadh Ó Corráin, Liam Breatnach and Aidan Breen, 'The laws of the Irish' in *Peritia*, iii (1984), pp 382-438; Breatnach, 'Lawyers in early Ireland', pp 1-13; Donnchadh Ó Corráin, 'Irish law and canon law' in Próinséas Ní Chatháin and Michael Richter (eds), *Irland und Europa: die Kirche im Frühmittelalter/Ireland and Europe: the early church* (Stuttgart, 1984), pp 157-66.

Kelly's second book, *Early Irish farming*, is also based on the early Irish law tracts, but includes a wealth of information from archaeological, zoological and botanical research to support his analysis of the texts. Kelly is exhaustive in his discussion of the various flora and fauna evident from the documentary sources and archaeological excavations. His first chapter is entirely devoted to cattle in early medieval Ireland, what type of cattle were raised, what type of food they were raised on, and how important they were in the Irish legal system. This is followed by two more chapters describing the existence and use of every animal found in Ireland, from pigs to bees. A further two chapters are dedicated to a discussion on crops including wheat, vegetables and even flowers. He then delves into consumption, first by describing the method of procurement, hunting, fishing or gathering, and then recounting how these foods were cooked, and whether or not any foods were taboo, like horsemeat. This treatise on diet is, however, more of a general recitation of the foods that were or could have been eaten. While this chapter greatly expands on A.T. Lucas' seminal article 'Irish food before the potato', from the 1960s, it only briefly notes what, if any, role status played in either procurement or consumption.[96] Yet, Kelly goes beyond this exhaustive study of plants and animals; he also discusses the farm itself, the land, the houses that accompanied it and the tools that were involved in the farming process. These are integral parts of a farmer's life and are therefore vital to any discussion on peasants and commoners in early medieval Ireland. Yet, due to the scope of this book Kelly often condenses a complicated discussion into one or two sentences. For example, when discussing clientship and the dues and services which are demanded of a farmer by his lord, his king and his church, Kelly takes for granted the power of the church, and maintains the assertions in the law tracts that tithes and first fruits were universally collected.[97] Recently, scholars, such as Colmán Etchingham and Donnchadh Ó Corráin, have challenged the extent to which tithes and first-fruits were collected in early medieval Ireland.[98] As a result, the total amount of dues and services owed by farmers may have been fewer, depending on the power of the church in a particular location at a particular time.

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[96] Kelly, *Early Irish farming*, pp 316-59; A.T. Lucas, 'Irish food before the potato', in *Gwerin*, iii, no. 2 (1960-2), pp 8-43.

[97] Kelly, *Early Irish farming*, p. 447. This view can also be found in Richard Sharpe, 'Churches and communities in early medieval Ireland: towards a pastoral model' in John Blair and Richard Sharpe (eds), *Pastoral care before the parish* (Leicester, 1992), pp 82-109: 81.

[98] Colmán Etchingham, *Church organisation in Ireland: A.D. 650 to 1000* (Maynooth, 1999), p. 289; Donnchadh Ó Corráin, 'Ireland *c.* 800: aspects of society' in Dáibhí Ó Cróinín (ed.), *N.H.I.*, i (Oxford, 2005), pp 549-608.

Both *A guide to early Irish law* and *Early Irish farming* are invaluable resources for the study of early medieval Ireland, but the wide-ranging scope of the books necessitates more in-depth reading in order to determine the impact of societal features on any one group in society, including peasants and commoners. As a result, these texts will be utilised throughout the thesis, but the focus will be narrowed to those rules and regulations which pertained to peasants and commoners.

In many of her articles Marilyn Gerriets concentrated her investigation of early medieval Ireland on economic exchange, a facet of society which directly impacted peasants and commoners.[99] In her main study on clientship and exchange, 'Economy and society: clientship according to the Irish laws', Gerriets utilised modern economic theory to discuss the social and material interactions of the Irish within this institution. According to Gerriets the driving principle in modern economic theory is that 'all individuals, in all cultures, are rational – that is, capable of choosing those actions which will best attain their goals – and that all individuals would like, other things being equal, to have the largest material income possible'.[100] When these assumptions are evident in a society, economists believe that 'people will allocate their productive resources to produce the largest possible income'.[101] Though Gerriets notes arguments which exist against the use of modern economic theory to describe or interpret pre-modern societies, she quickly overcomes them in an Irish context. For example, one argument holds that past societies were less materialistic and therefore the application of a thoroughly materialistic theorem to them would be incongruous, at best. Ample evidence can be found in the descriptions of clothing, housing and diet in the following chapters to persuade the reader that early medieval Ireland was quite clearly materialistic.

Another argument against the use of modern economic theory is that some believe it can obfuscate the importance of non-economic factors. Thus the acceptance, by some individuals in a society, of lower incomes in order to gain power and status led some economists to redefine income to include non-material considerations. Gerriets, however, believes that this inclusion obscures the difference between material income and power and status, despite the fact that these are important distinctions separating pre-modern from modern economies. Likewise, in her analysis she refused to consider cattle in Ireland solely as

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[99] Marilyn Gerriets, 'Economy and society: clientship according to the Irish laws' in *Cam. Med. Celt. Studies*, vi (1983), pp 43-61; Marilyn Gerriets, 'Money in early Christian Ireland according to the Irish laws' in *Comparative studies in society and history*, xxvii, no. 2 (1985), pp 323-39; Marilyn Gerriets, 'The organization of exchange in early Christian Ireland' in *The Journal of Economic History*, xli, no. 1 (1981), pp 171-6.

[100] Gerriets, 'Economy and society: clientship according to the Irish laws', pp 44-5.

[101] Ibid, p. 45.

a form of capital, which yielded material income, since cattle played a much larger role in society, cementing political alliances, marriages and much more.[102] She further refuted the notion of treating protection by a lord as 'just another commodity'.[103] Though economic theory thus has its drawbacks, Gerriets argues that, with a few adjustments, it can be helpful in understanding the 'interaction of decisions affecting material income, the political structure of Ireland, and the social status of the individual', thereby describing the social aspects of exchange.[104]

Gerriets' focus on both the material and social aspects of this societal feature does allow for a better understanding of how clientship was viewed and used in early medieval Ireland. For example, she records one law tract's preference for the lord and client to be closely related so that, in case the client defaults on any loans, any land or cattle that are taken from him to cover the cost of the debt do not leave the kin-holdings, but are simply transferred from one family member to another.[105] Another point which Gerriets makes in her article regarding the premise that clientship was not just an economic exchange, described how clientship was so ingrained in society that the language and crucial aspects of this societal feature were appropriated into the discussions of the relationships between kings. This point is expounded upon in a follow-up article, 'Kingship and exchange in pre-Viking Ireland'.[106] In 'Kingship and exchange' Gerriets found that, within the Old Irish sources, the language of clientship was sometimes used to divide different grades of kings into one of two forms of clientship in an effort to distinguish their rights and obligations, further indicating that

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[102] Ibid, p. 47. Harold Mytum, who based much of his discussion on clientship on Gerriets' article and Gearoid MacNiocaill's work, however, continued to refer to cattle as capital and spoke mainly of their economic function in society, while omitting their role in social functions, Harold Mytum, *The origins of early Christian Ireland* (London, 1992), pp 119-26, 205-9; Gearóid Mac Niocaill, *Ireland before the Vikings* (Dublin, 1972), pp 59-98 and Gearóid Mac Niocaill, 'Investment in early Irish agriculture', in B.G. Scott (ed.), *Studies on early Ireland: essays in honour of M.V. Duignan* (Belfast, 1981), pp 7-9. Mytum also incorrectly argued that early medieval Ireland was a 'relatively peaceful society' based on the lack of weapons mentioned as grants given by lords to base clients (a quick scan through any of the annalistic records would show that this was not the case), Mytum, *The origins of early Christian Ireland*, p. 122. See also a selection of reviews in which many of the crucial arguments in Mytum's book are dismissed, Dáibhí Ó Cróinín, 'Review: The origins of early Christian Ireland by Harold Mytum' in *The Linen Hall Review*, ix, no. 1 (1992), pp 23-5, Richard Sharpe, 'Review: The origins of early Christian Ireland' in *Early Medieval Europe*, ii, no. 1 (1993), pp 88-90; Thomas Charles-Edwards, 'Review: The origins of early Christian Ireland, by Harold Mytum' in *English Historical Review*, cix, no. 430 (1994), pp 101-2.

[103] Gerriets, 'Economy and society: clientship according to the Irish laws', p. 47.

[104] Ibid. For a discussion on the role archaeology can play in the discussion of the economic and social nature of clientship in early medieval Ireland see Nancy Edwards, *The archaeology of early medieval Ireland* (New York, 1990, repr. 2004), pp 96-8.

[105] Gerriets, 'Economy and society: clientship according to the Irish laws', p. 58.

[106] Marilyn Gerriets, 'Kingship and exchange in pre-Viking Ireland' in *Cam. Med. Celt. Studies*, xiii (1987), pp 39-72.

clientship did not play a solely economic function in early medieval Ireland. Gerriets' linguistic abilities, as well as her careful application of economic theory, allowed her to extract as much information as she could from her complicated sources, and as a result this article remains one of the best sources for the study of clientship in early medieval Ireland.

In his two major works *Early Christian Ireland* and *Early Irish and Welsh kinship*, along with a multitude of articles, Thomas Charles-Edwards has delved into a variety of topics which affected the lives and work of both peasants and commoners paying particular attention to clientship and the status-based legal tracts.[107] For example, Charles-Edwards devoted a variety of articles and chapters to a discussion of the extensive hierarchical grading system extant in the Old Irish laws.[108] One particular article, written in 1986, focused on one of the main eighth-century status-texts known as *Críth Gablach*. Neil McLeod, at around the same time, also published an article on the subject of hierarchies.[109] Both scholars concluded that the divisions in society described in the law tracts had some validity in reality and were not fully invented by the jurists, as once proposed by Daniel Binchy. From that point on, however, the arguments diverged as to how many and which grades were extant in early medieval Ireland, and into which category they belonged.[110]

A number of these grades, such as the *fer fothlai*, *aire coisring*, and the semi-free *fuidir* (peasant), play an important role in the argument for social mobility amongst commoners in early medieval Ireland.[111] Most historians and Celticists agree social mobility existed, but many of them tend to focus on the loss of status as opposed to the acquisition of it.[112] Both the *aire coisring* and the *fer fothlai* had begun to increase their wealth and push the social boundary that separated commoners from nobles. The discussion of their grades in the law tracts,

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[107] Charles-Edwards, *Early Christian Ireland*, especially Chapter 3, pp 124-44; Charles-Edwards, *Early Irish and Welsh kinship*, especially Chapter 7, pp 307-36 and Chapter 8, pp 337-63; Thomas Charles-Edwards, 'Kinship, status and the origins of the hide' in *Past & Present*, lvi (1972), pp 3-33.

[108] Charles-Edwards, '*Críth Gablach* and the law of status', pp 53-73.

[109] Neil McLeod, 'Interpreting early Irish law: status and currency (i)' in *ZCP*, xli (1986), pp 46-65; continued as 'Interpreting early Irish law: status and currency (ii)' in *ZCP*, xlii (1987), pp 42-115.

[110] For example, McLeod grouped the *aire coisring* ('freeman of constraint') with the nobility, but the *fer fothlai* ('man of withdrawal') amongst the commoners, McLeod, 'Interpreting early Irish law (ii)', p. 88. Charles-Edwards, however, labelled them as commoners, with 'ranks intermediate between commoner and noble', Charles-Edwards, '*Crith Gablach* and the law of status', p. 56. A more in-depth discussion of the grades of society can be found in Chapter 3 below.

[111] Each of these grades represents a transitional status-grade: the *fer fothlai* and the *aire coisring* are listed as commoners in *Críth Gablach*'s discussion of grades, but had begun to acquire wealth, clients and responsibilities for the kindred indicating these individuals were on the verge of becoming nobles, the *fuidri*, similarly, represented a mid-way between freedom and permanent servitude. All of these status-groups will be discussed in more detail in chatper 3 below.

[112] Kelly, *A guide to early Irish law*, pp 11-12.

therefore, is an important window into how these grades (and thus the people they represented) were viewed in society.

These extensive yet divergent studies indicate that an in depth analysis of peasants and commoners requires examination of the surviving legal material as well as ecclesiastical rules, poetry, satire and saga literature. Furthermore, as has been made clear, more work is needed to better understand these status-groups and how they related to one another in early medieval Ireland. This thesis will thus redress this gap in knowledge by using these analyses as a foundation for further research into the status and grades as defined in the law tracts, as well as the ways in which this status was interpreted through diet, clothing and housing.

## Chapter 2

## Source commentary

### Introduction

In order to determine the legal and social character of peasants and commoners in early medieval Ireland it is necessary to consult a wide range of sources. Contemporary law tracts, saga literature, poetry, satire, ecclesiastical sources and archaeology are just some of the records that survive for early medieval Ireland, and will be used in this thesis. Occasional reference will also be made to material from late medieval and early modern Ireland, to indicate a possible thematic continuity. However, these sources are not without their complexities, including composition, language, dating and mutual borrowings between secular and ecclesiastical traditions. It is therefore necessary to briefly introduce these sources before an analysis of early medieval Ireland can begin.

### Secular law tracts

These law tracts were 'text-books' composed in law schools and used to guide judges through cases based on customary laws. They were thus descriptive not prescriptive[1]. Liam Breatnach pointed out the two types of texts that are found in these legal compendiums: texts on legal procedure and status-texts.[2] Descriptions of social classes and their property qualifications, found mainly in the status-texts, could vary from school to school and thus from tract to tract, but they all saw themselves as describing island-wide custom rather than regional variations.[3] Many of these texts survive in manuscripts from the fourteenth to the sixteenth century and evidence an elaborate scholastic trend of glosses and commentaries which can be dated to between the ninth and the sixteenth centuries.[4] Though less emphasis is placed on the evidence from the later glosses and commentary for the early medieval period, they can help to elucidate a text when sections of it are missing.[5] More importantly, however, they can be evidence of an attempt by a later glossator or commentarist to extend

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[1] Chris Wickham misunderstood this principle and his argument is predicated on the basis that early Irish laws were 'normative not descriptive', Wickham, *Framing the early middle ages*, p. 384.
[2] Breatnach, 'Lawyers in early Ireland', p. 1.
[3] Donnchadh Ó Corráin, 'Nationality and kingship in pre-Norman Ireland' in T.W. Moody (ed.), *Historical Studies XI: nationality and the pursuit of national independence, papers read before the Conference held at Trinity College, Dublin, 26-31 May 1975* (Belfast, 1978), pp 1-35.
www.ucc.ie/celt/nation_kingship.html, accessed 28 February 2013.
[4] Kelly, *A guide to early Irish law*, pp 225-6; Thomas Charles-Edwards, 'Early Irish law' in Ó Cróinín (ed.), *N.H.I.*, i, pp 331-70: 331-2.
[5] Kelly, *A guide to early Irish law*, p. 226.

the principles of early Irish law 'into a system that had contemporary relevance for their own day'.[6]

The late-nineteenth/early-twentieth century saw the publication of the *Ancient Laws of Ireland,* a six-volume work, which contributed greatly to the study of early Irish law. Compiled by Eugene O'Curry and John O'Donovan, this publication collected and edited the, then known, manuscripts for early Irish law and offered translations into English. Unfortunately, many later scholars have argued that the editorial policy was inadequate and, in the words of the Celtic scholar, Daniel Binchy, was 'so arbitrary and chaotic as to defy any attempt at classification'.[7] Thus, in the early twentieth century scholars, such as Eoin MacNeill, Rudolf Thurneysen and Daniel Binchy, laboured to produce critical editions of some of the most important legal texts on status, kinship and clientship.[8] Research was aided in 1978 by Binchy's production of a new six-volume diplomatic edition of most of the manuscript sources for the legal texts emanating from the professional schools, as opposed to later paper copies.[9] *Corpus iuris Hibernici* (*CIH*) includes the original text as well as later glosses and commentaries, the original text being differentiated by the use of all capital letters.[10] Unfortunately this impressive series was not accompanied by a translation and many scholars since have laboured to produce editions and translations of individual law tracts. Furthermore, while there were many complications with the texts in the *Ancient laws of Ireland*, the translations, particularly of the later material, are 'reasonably' accurate, although O'Curry and O'Donovan often applied the understanding of these later glossators and commentators to the somewhat cryptic earlier material, assuming these were simple explanations of the text rather than possible derivations from it. Therefore, if a critical edition of an individual law tract has been published, that text and, if possible, translation will be followed in this thesis. Where a critical edition has not been produced, the main source for the original law tracts will be the *CIH* and translations will derive from a recently completed, but unpublished, PhD thesis, focusing on a particular law tract, the *Ancient laws of Ireland*, or, the translation will be my own, tentative, suggestion; the source of the translation, as well as edition, will be registered in each footnote.

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[6] Katharine Simms 'The contents of later commentaries on the brehon law tracts' in *Ériu*, xlix (1998), pp 23-40: 24.
[7] *CIH*, i, p. xii.
[8] For example, see MacNeill, 'Ancient Irish law', pp 265-316; 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, pp 335-94; 'Aus dem irischen Recht II' [2. Das Frei-Lehen], ed. Rudolf Thurneysen, in *ZCP*, xv (1925), pp 238-60; 'Bretha Crólige', ed. Daniel Binchy, in *Ériu*, xii (1938), pp 1-77; 'Irish law tracts re-edited', ed. Daniel Binchy, in *Ériu*, xvii (1955), pp 52-85; *Críth Gablach*, ed. Daniel Binchy, (Dublin, 1941; repr. 1970).
[9] *CIH*, i, p. ix.
[10] *CIH*, i, pp xiv-xv.

From these new editions scholars have been able to determine that in the Old Irish period (*c.* 650-900) the law tracts were compiled in church schools that occasionally glossed over or misrepresented certain lay customs (like secondary wives for example).[11] This is particularly important for the treatment of status hierarchies in the early Irish laws which survived the conversion and were legally and morally justified by the jurists through a Christian lens.[12] The clearest evidence for this merging of traditional legal theories and Christian ideology can be seen in the introduction and pseudo-historical prologue to the *Senchas Már*, the great secular legal compendium of the eighth century. According to the Introduction unequal status and thus social inequality did not exist in Irish society until the mythical codification of the *Senchas Már* in the fifth century via St Patrick. The text states 'in it was established the "dire"-fine of each one according to his dignity; for the world was at an equality until the Senchus Mor was established' (*Is and roairled dire caich fo miad ar robui in bith i cutruma conid tainic senchas mar*).[13] This assertion that social inequality was a product of the codification of secular law, which involved introducing the grades of the church into secular society, is repeated in a Middle Irish gloss on a similar discussion of *díre* payments in the eighth-century legal tract *Bretha Crólige*, 'judgments of blood-lying': 'for the world was in equality until the *Senchas Mār* came' (*ar robi in bith i cutrumus co tainic sencus mor*).[14] This assertion, promoted by the early medieval jurists, is curious, since, in his study of early Irish law, Fergus Kelly has argued that the word 'lord' (*tigerna*), which survived in Old Irish, had proto-Celtic roots, proving that notions of status and grades existed, in the language at least, prior to the codification of secular laws in early medieval Ireland.[15] It is possible that these pre-existing notions of status and grade, however, were not as constraining as the various grades and statuses described in the codified law tracts. In a way, the law tracts did, therefore, propose a more rigidly defined 'inequality'.

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[11] Breatnach, 'Lawyers in early Ireland', pp 1-13; Ó Corráin, 'Irish law and canon law', pp 157-66.
[12] For a discussion on the pseudo-historical prologue, see Kim McCone, 'Dubthach maccu Lugair and a matter of life and death in the pseudo-historical prologue to the *Senchas Mar*' in *Peritia*, v (1986), pp 1-35.
[13] Text in *CIH*, ii, p. 348.10-11; trans. in *ALI*, i, p. 41.
[14] Text and translation in 'Bretha Crólige', ed. Binchy, pp 8-9, §5.
[15] Kelly, *A guide to early Irish law*, p. 7.

**Canon law**

From as early as the sixth century, Irish canonists adopted many institutions and legal maxims from these secular Irish laws into canon law;[16] the fines liable for an injury done to a high-ranking cleric, for example, were based mainly on a secular antecedent, according to an early section of canon law, the *Canones Hibernenses*, 'Irish canons'.[17] These seventh-century canons have been described by Colmán Etchingham as a 'short collection of miscellaneous material which indeed may never have formed a whole'.[18] A larger collection of canon law survives in two recensions in the eighth-century compilation known as the *Collectio canonum Hibernensis*, 'Irish collection of canons'.[19] A colophon in one of the 'A' recension manuscripts of the *Collectio Canonum Hibernensis* (*Collectio*) indicated that it was compiled by two individuals: Ruben of Dairinis, on the Blackwater River near Youghal (d. 725) and Cú Chuimne of Iona (d. 747).[20] However, the colophon does not indicate whether the compilers worked together on the 'A' recension or, as Thurneysen suggested, Ruben compiled the 'B' recension and 'Cú Chuimne the 'A'.[21] The name of the compiler, as well as the chronological order of the recensions, is not at issue here, except to comprehensibly date the texts to the eighth-century. The contents of the *Collectio* incorporate citations from Scripture, the views of early Church Fathers, such as Augustine and Isidore of Seville, and synods, both foreign and domestic. Ruben and Cú Chuimne even adopted some of the *Canones Hibernenses* as sources for the *Collectio*.

One of the main methodological problems modern historians face when confronted with the various sources cited in the collections of canon law from early medieval Ireland is the existence of conflicting canonical ideologies which appear to have been accepted by the clerics. Within the *Canones Hibernenses*, for example, there is a text entitled *Synodus sapientium: sic de decimis disputant*, 'A synod of the wise: thus they teach concerning tithes' which proffers variant readings for the collection of tithes:

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[16] Ó Corráin, 'Irish law and canon law', pp 157, 165-6; Ó Corráin, Breatnach and Breen, 'The laws of the Irish', 382-438; Breatnach, 'Lawyers in early Ireland', pp 2-3; Liam Breatnach, 'Canon law and secular law in early Ireland: the significance of *Bretha Nemed*' in *Peritia*, iii (1984), pp 439-59.

[17] Ó Corráin, 'Irish law and canon law', pp 164-6. The *Canones Hibernenses* can be found in *The Irish penitentials*, ed. Ludwig Bieler (Dublin, 1963), pp 160-75.

[18] Colmán Etchingham, 'Aspects of early Irish ecclesiastical organization' (unpublished PhD thesis, Trinity College, Dublin, 1992), p. 55.

[19] The only edition of the *Collectio* in print at the moment is *Die irische Kanonensammlung*, ed. Hermann Wasserschleben (Giessen, 1874). However, Dr. Roy Flechner of University College Dublin will be publishing a more up to date edition in 2014 with a critical study and, for the first time, a translation, Roy Flechner, *A study, edition and translation of the Hibernensis with commentary* (Dublin, 2014).

[20] 'Zur irischen Kanonensammlung', ed. Rudolf Thurneysen, in *ZCP,* vi (1908), pp 1-5; Breatnach, 'Canon law and secular law in early Ireland', p. 456.

[21] Ibid.

> 'The authorities say that the tithes of the flock ought to be offered once, and therefore it shall be most holy, that is, a tithe ought not to be offered out of these a second time. But others in sound faith affirm that we are to give to God tithes, every year, of animals and human beings, since we have also His benefits every year'.[22]

Furthermore, an entire chapter at the end of recension 'A' of the *Collectio* is devoted to a discussion of these conflicting ideologies.[23] Yet, these texts demonstrate no overwhelming desire to consolidate the disparate views. In fact, both texts appear to allow for alternative interpretations. Roy Flechner has recently argued that despite the fact that these compilations of canon law did not exhibit a single unified ideology of Christianity, and instead included incongruous traditions that appeared as conflicting canonical prescriptions, the stated aim of the compilers in the prologue to the *Collectio* of 'bringing harmony to conflicting legal proscriptions' was maintained.[24] Harmony, as noted by Flechner, was not necessarily equated by the early Irish church with 'either uniformity or uncompromising consistency'.[25] The variant ideologies do, however, present a problem, particularly when attempting to determine just how many dues and services a peasant or commoner owed, if any, to religious authorities (which will be discussed in Chapter 4 of this thesis). Yet, this complexity does not negate the wealth of information about the economic, social and religious history of Ireland one can perceive from these sources.

**Monastic rules and Irish penitentials**

Additional ecclesiastical records such as penitentials and monastic rules are also significant sources for social and economic practice in early medieval Ireland. The penitentials, as defined by Thomas P. Oakley, were 'systematic manuals of penance containing long schedules, or tariffs, of specific penances for corresponding lists of sins'.[26] The penitentials that will be used in this thesis can be found in Ludwig Bieler's *The Irish penitentials*, which include Latin penitentials in the body of the work and one Irish penitential, retranslated by

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[22] *The Irish penitentials*, ed. Bieler, p. 159.
[23] Etchingham, *Church organisation in Ireland*, pp 240-1.
[24] Roy Flechner, 'An Insular tradition of ecclesiastical law: fifth to the eighth century' in James Graham-Campbell and Michael Ryan (eds), *Anglo-Saxon/Irish relations before the Vikings* (Oxford, 2009), pp 23-46: 41.
[25] Flechner, 'An Insular tradition of ecclesiastical law', p. 41.
[26] Thomas P. Oakley, 'The penitentials as sources for medieval history' in *Speculum*, xv (1940), pp 210-23: 211.

Daniel Binchy, in the appendix.[27] One of the main penances included dietary restrictions and, as a result, these penitentials describe an array of foods available and appropriate for a clerical diet in early medieval Ireland. For example, in the first section of *De Luxuria*, in the Irish penitential the original penance for a priest or deacon who had broken a vow of celibacy was to be a very meagre fare of bread and water for three-and-a-half years. However, during the high festivals, on Sundays, and throughout the fifty nights between Easter and Pentecost, this ration was commuted to

> 'brothchan di as maith no cethramthu sella indraicc mani bé ass ₇ is licet doaib sercla tírmai di cach toruth ind cach amsir ₇ is liceth doaib dano imthormach mbeorgine asin troscad aidchi domnaig ₇ cethramtha menadcha ₇ medc-usci arna bé croth di otnu no blathaig cach dia cingit di as maith mad lobar aicnith inna doinachta ₇ foillech di menadaich for bairgin',
>
> 'a *bochtán*-measure of fresh milk, or a fair quarter of a *selann* if there be no milk, and they are allowed dry relishes of all sorts of fruit at all seasons, and they are also allowed an extra portion of bread in the Saturday night's fast, and a quarter ration of gruel and whey-water on which there is no cream of curds or buttermilk every day; a goblet of fresh milk, if the nature of a man's constitution be sickly, and a scrape of gruel on bread'.[28]

This elaborate relaxation of the penance is demonstrative of the types of foods available to ecclesiastics, which can also be discovered in the similar vernacular ecclesiastical texts of the ninth and tenth centuries, such as *Ríagail na Céle nDé*, 'The rule of the Céli Dé',[29] and 'The monastery of Tallaght'. The ninth-century composition of the 'The rule of the Céli Dé', as it survives in the manuscript, is a composite text. According to Westley Follett, the first fifty-four of its sixty-five chapters are a single text, while the remaining eleven are taken from two other

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[27] 'The Old-Irish penitential', ed. Daniel Binchy, in *The Irish penitentials*, ed. Bieler, Appendix, pp 258-77. The Irish penitential was originally translated by 'An Irish penitential', ed. Edward Gwynn, in *Ériu*, vii (1914), pp 121-95.

[28] Text in 'An Irish penitential', ed. Gwynn, pp 140-1, *Luxuria*, §3; trans. in 'The Old-Irish penitential', ed. Binchy, p. 262, *Luxuria*, §3.

[29] This text, found in the fifteenth-century *Leabhar Breac*, has been edited and translated twice. The first edition was based solely on *Leabhar Breac* and can be found in 'Prose Rule of the Céli Dé', ed. John O'Donovan, in William Reeves, *The Culdees of the British Islands as they appear in history with an appendix of evidences* (Dublin, 1864), pp. 84-97. In the later edition of the text, Edward Gwynn included a fresh translation of 'The rule of the Céli Dé', which was influenced by his comparison between this text and similar Céli Dé documents, namely 'The monastery of Tallaght' and a seventeenth-century Franciscan adaptation of the text, 'The rule of Tallaght', ed. Edward Gwynn, in *Hermathena*, xliv, 2nd Supplement (Dublin, 1927), pp 64-87 (for his discussion of the text see, p. vii).Gwynn's updated edition and translation will be used throughout this thesis.

sources: the *Rule of Colum Cille* and *Ríagail Phátraic*, 'The rule of Patrick'.[30] 'The monastery of Tallaght', as edited by Gwynn and Purton, is an incomplete copy of a ninth-century work written in Old Irish which related the teachings of Máel Ruain the founder of Tallaght and his successor Máel Díthruib.[31] The author of the text was most likely at Tallaght during Máel Díthruib's reign. These two monastic rules come from a religious group that first appeared in Ireland in the eighth century, the *Céli Dé*, which Westley Follett has recently argued was not an attempt at nationwide reform, but was instead a local ascetic movement focused on Tallaght.[32] Whether the *Céli Dé* represented a local or an island-wide movement, the information regarding diet, described in detail in these rules, can be compared to contemporary ecclesiastical and secular norms. One commodity popular in secular society was beer, which 'The monastery of Tallaght' claims was excluded from the menu at Tallaght, but not from the diet of Tallaght-based monks when travelling.[33] Similarly, a contemporary account of a ninth-century Irish scholar travelling through Liège records how miserable he was, since the only food he could afford was 'exceeding bad bread and the least particle of abominable beer' (*pessimum panem et minimam particulam de pessima cervisa*).[34] Thus, this thesis will use these monastic rules, amongst others, to interpret variant ecclesiastical attitudes towards social and economic customs in early medieval Ireland.

**Hagiography**

In early medieval Ireland the lives of saints were composed as adventure stories, similar to secular *immrama* ('voyage tales', see below), but with a saint as the hero or heroine. Indeed, according to Kim McCone, some 'key features of that genre [saga literature] were assimilated to the medium of hagiography by degrees'.[35] Yet, the hagiographic tradition reached Ireland from the continent, and as a result many of the earliest lives were written not in Irish but in Latin. Only a handful of these compositions can be dated to the seventh century,

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[30] Westley Follett, *Céli Dé in Ireland: monastic writing and identity in the early middle ages* (Woodbridge, 2006), p. 115.

[31] 'The monastery of Tallaght', ed. Edward Gwynn and W.J. Purton, in *R.I.A. Proc.*, xix (1911-12), pp 115-79; Follett, *Céli Dé in Ireland*, pp 101-2.

[32] Follett, *Céli Dé in Ireland*, particularly pp 171-215.

[33] Kelly, *Early Irish farming*, p. 334. The reference to beer in 'The monastery of Tallaght' can be found in 'The monastery of Tallaght', ed. Gwynn and Purton, p. 129, §6

[34] The Irishman's complaint can be found in a collection of Latin letters from a group of Irish pilgrims travelling through Liège in the second half of the ninth-century, *Epistolae Karolini aevi*, ed. Ernst Dümmer, in idem (ed.), *Monumenta Germaniae Historica*, (Hannover and Leipzig, 1902-25), i, p. 195; trans. in Helen Waddell, *The wandering scholars* (London, 1927), pp 58-60. See also, Ó Cróinín, *Early medieval Ireland 400-1200*, pp 222-3.

[35] Kim McCone, 'An introduction to early Irish saints' lives' in *The Maynooth Review*, xi (1984), pp 26-59: 35.

and they, not surprisingly, focus on Sts Patrick, Brigit and Columba.[36] Written in a style which includes details surrounding the life of the saint, as well as miracles attributed to them, along with an intense interest in the physical as well as the spiritual world around them, Cogitosus' *Life* of Brigit, Tírechán's Patrician Miscellany, Muirchú's *Life* of Patrick and Adomnán's *Life* of Columba offer a wide range of information on the social and economic landscape of seventh-century Ireland. Furthermore, as the lives were written in different parts of Ireland (or on behalf of prominent early medieval churches), Kildare, Armagh and Iona respectively, the information that can be obtained through a careful review of the corpus of sources is not limited to a particular geographical setting.[37] The motivations behind these lives have been described as attempting to assert primacy and control over daughter-churches by the larger institutions, and while this causes problems with attempting to recreate political structures or ecclesiastical organisation in early medieval Ireland, the information on farming, diet, clothing, housing, the natural world and the treatment of the poor is, most often, secondary and therefore not so politically charged or challenging.[38] Furthermore, this information is not just reflective of monastic, but can be extrapolated, with caution, to include secular practices. Charles Doherty, in his article on the use of hagiography for Irish economic history, notes the growth of the 'secular side of monastic life' in the eighth and subsequent centuries.[39]

By the ninth century there was a growing general trend of writing in the vernacular.[40] Some of the lives which exist in both languages can be read either as separate compositions or edited translations. A selection of hagiographical texts from the fifteenth-century Book of Lismore, edited and translated by Whitley Stokes, exist as some relatively datable eleventh/twelfth century Irish compositions.[41] But by the eleventh and twelfth centuries, Latin had come 'back into active use' as well.[42] The Salamanca collection of over forty-five lives of Irish saints survives in a fourteenth-century Brussels manuscript.[43] Many of the other *vitae*, however, survive in much later manuscripts. Scholars have attempted to linguistically date

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[36] Ibid, p. 29.
[37] Ibid, pp 26-59.
[38] Doherty, 'Some aspects of hagiography as a source for Irish economic history', pp 303-4.
[39] Ibid, p. 302.
[40] McCone, 'An introduction to early Irish saints' lives', 38; Richard Sharpe, *Medieval Irish saints' lives: an introduction to Vitae Sanctorum Hiberniae* (Oxford, repr. 2001), p. 20.
[41] *LismL*, pp v, xlv. While this fifteenth-century collection of texts includes material in Old, Middle and Early Modern Irish some texts can be reliably dated to the eleventh or twelfth centuries. See, for example, Máire Herbert's discussion of the *Life* of St Ciarán, which she dates to between the mid-eleventh and mid-twelfth centuries, Máire Herbert, 'An infancy narrative of Saint Ciarán' in *Harvard. Celt. Coll. Proc.*, xiv (1994), pp 1-8.
[42] Sharpe, *Medieval Irish saints' lives*, p. 25.
[43] McCone, 'An introduction to early Irish saints' lives', p. 39.

these compositions, but have encountered many obstacles. As Kim McCone noted, 'in the case of Irish material linguistic dating is, whatever scholars of Old and Middle Irish may sometimes say and get others to believe, at best a very approximate affair'.[44] McCone ventured that even less success would be had in using linguistics to date the Latin lives. Pádraig Ó Riain agreed with McCone's assessment but added the addendum that if 'verbal echoes' of other datable texts can be found within these Latin compositions it may be possible to establish a *terminus post quem*.[45]

Using a detailed examination of the orthography in the Salamanca collection of Saints' Lives and focusing on a collection of texts rather than individual Saints' Lives, Richard Sharpe has argued that a scribe, *c.* 800, compiled about nine or ten of these Lives, from existing copies, into a composite manuscript, pushing the potential date of composition possibly as far back as the seventh century, making these Lives contemporaneous with the earliest lives of Patrick, Brigit, and Columba.[46] Although some scholars have criticised the date of Sharpe's parent manuscript, based on a similar methodology, and offering instead the tenth century as a possible date, contextual information from within the individual Lives shows that their antecedents are likely earlier.[47] Thus another common way scholars have attempted to date variant lives is through the references to particular people, places or events which can be somewhat confidently dated using additional materials. Throwing a blanket over this glimmer of hope, Charles Doherty remarked that 'many of the lives as we now have them are the end-product of centuries of accretion, editorial interference and manipulation'.[48] Therefore, attempting to date an entire text based on the reference to one individual or event is exceptionally problematic, as that individual may have been added to the text by a later scribe for a variety of reasons.

Yet, while some of the texts themselves are of a late date, much of the information contained therein is based on earlier compositions. For example, there are three surviving Irish

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[44] Ibid, p. 40.

[45] Pádraig Ó Riain, 'The Lives of Kevin (Caoimhghin) of Glendalough' in Charles Doherty, Linda Doran and Mary Kelly (eds), *Glendalough: city of God* (Dublin, 2011), pp 137-44: 141.

[46] Sharpe, *Medieval Irish saints' lives*, pp 297-339.

[47] See, for example, John Carey, 'Review: Richard Sharpe, *Medieval Irish saints' lives: an introduction to Vitae Sanctorum Hiberniae*' in *Speculum*, lxviii, no. 1 (1993), pp 260-2; Pádraig Ó Riain, 'The O'Donohue Lives of the Salamancan Codex: the earliest collection of Irish saints' Lives?' in Sarah Sheehan, Joanne Findon and Westley Follett (eds), *Gablánach in scélaigecht: Celtic studies in honour of Ann Dooley* (Dublin, 2013), pp 38-52; Lisa Bitel, 'Review: Medieval Irish saints' lives: an introduction to 'Vitae Sanctorum Hiberniae' by Richard Sharpe' in *The Catholic Historical Review*, lxxviii, no. 2 (1992), pp 278-80.

[48] Doherty, 'Some aspects of hagiography as a source for Irish economic history', p. 300.

lives of the seventh-century saint, Cóemgen of Glendalough, as well as two Latin lives.[49] Ó Riain described, in his article on the *Life* of Cóemgen, how the same events used by Ailbhe MacShamhráin to date the original composition of Cóemgen's lives to the ninth century were actually more indicative of the twelfth century.[50] Charles Plummer, in his Introduction to the Irish lives, noted that there was no direct connection between the Irish lives and the Latin lives, despite some of the incidents in both being identical.[51] The problems with dating the original composition and the later interpretations of the lives of Cóemgen are symptomatic of the later compositions of Irish hagiography. Yet, the information that this thesis seeks is quite broad, i.e. type of dress, clothing and diet in the main, as well as any characterisations of the above that may lead to labelling these objects as low or high status. The exact date of the original composition, though important, does not preclude general commentary on the stories as they are now. However, when possible, any commentary gained from these texts will be situated in a time period based on relatively persuasive dates provided by modern scholars.

**Narrative sources**

These discussions of status and the characterisations of certain items or activities as being appropriate to people of differing grades in society are pervasive in the narrative and poetic texts of early medieval and even early modern Ireland. As a result, a variety of these sources will be used throughout this thesis in conjunction with the legal texts. The narrative sources for early medieval Ireland include many genres of texts such as poetry, 'voyage tales' (*immrama*), 'adventures' (*echtraí*), 'visions' (*aislinge*), and the well known 'cattle raid' (*táin*) sagas, including *Táin Bó Cúailgne* and *Táin Bó Fraích*. The amount of surviving sources used in this thesis prohibits a full examination of them here. As a result, a short sampling of the most oft-cited narrative sources will be examined in brief, particularly the *immrama*, *echtraí*, and *aislinge*, which describe everyday items of dress, food and housing common in early medieval Ireland.

***Immrama* and *echtraí***

The *immrama* (voyage-tales, lit. 'rowing about') and *echtraí* (adventures) are vernacular narrative tales that feature adventures in otherworldly locales. Though the

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[49] James F. Kenney, *The sources for the early history of Ireland: ecclesiastical* (Ithaca, 1929, repr. Dublin, 1993), p. 404.
[50] Ó Riain, 'The lives of Kevin (Caoimhghin) of Glendalough', pp 141-3; Ailbhe Mac Shamhráin, *Church and polity in pre-Norman Ireland: the case of Glendalough* (Maynooth, 1996), pp 7, 9-10.
[51] *BNÉ*, i, p. xxvii.

relationship between these genres is much debated in the scholarship, the *immrama* generally focus on voyages to overseas islands and the *echtraí*, for the most part, include adventures with supernatural beings within Ireland.[52] While a number of *echtraí* survive, there are only four extant *immrama*: the tenth-century copy of a possibly seventh- or eighth-century tale, *Immram Brain*, 'The voyage of Bran', the ninth- or tenth-century *Immram curaig Maíle Dúin*, 'The voyage of the boat of Máel Dúin', the tenth-century *Immram Snédgusa ocus Maic Riagla*, 'The voyage of Snédgus and Mac Riagla', and the fifteenth-century version of a possibly twelfth-century narrative *Immram curaig Ua Corra*, 'The voyage of the boat of the Uí Chorra'.[53] These were 'frame-tales', in which all of the incidents that occurred revolved around a central frame, in this case the 'voyage'. David Dumville has noted that, within this genre, 'episodes may be added or subtracted at will' without affecting the overall composition.[54] Many of these *immrama* also borrow from each other, which can aid in the dating of a text's composition.[55]

Furthermore, it has been observed by multiple scholars that the *immrama*, which follow lay individuals throughout their journeys, are heavily influenced by ecclesiastical material, including hagiographical motifs and apocrypha.[56] In fact, Dumville has argued that this genre is based on the historical 'clerical sea pilgrimages' popular amongst Irish clerics in early medieval Ireland.[57] Thomas Owen Clancy has asserted that these stories are in fact 'tales

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[52] See for example, David Dumville, 'Echtrae and Immram: some problems of definition' in *Ériu*, xxvii (1976), pp 73-94 and Kim McCone's scathing criticism of some of Dumville's findings in *Echtrae Chonnlai and the beginnings of vernacular narrative writing in Ireland: a critical edition with introduction, notes, bibliography and vocabulary*, ed. Kim McCone, Maynooth Medieval Irish texts, i (Maynooth, 2000).

[53] There are two major surviving tale-lists that claim to offer an inventory of all of the tales known to the *fili* in medieval Ireland and can be found in Proinsias Mac Cana, *The learned tales of medieval Ireland* (Dublin, 1980). For specific information regarding *immrama*, see, *The voyage of Bran son of Febal to the land of the living: an Old Irish saga*, ed. Kuno Meyer (London, 1895); 'The voyage of Mael Duin', ed. Whitley Stokes, in *Rev. Celt.*, ix (1888), pp 447-95, x (1889), pp 50-95; Elva Johnston, 'A sailor on the seas of faith: the individual and the church in *The Voyage of Máel Dúin*', in Judith Devlin and Howard B. Clarke (eds), *European encounters: essays in memory of Albert Lovett* (Dublin, 2003), pp 239-52; 'The voyage of Snedgus and Mac Riagla', ed. Whitley Stokes, in *Rev. Celt.*, ix (1888), pp 14-25; 'The voyage of the Húi Corra', ed. Whitley Stokes, in *Rev. Celt.*, xiv (1893), pp 22-69; Caoimhín Breatnach, 'The transmission and structure of Immram Curaig Ua Corra' in *Ériu*, liii (2003), pp 91-107.

[54] Dumville, 'Echtrae and Immram: some problems of definition', p. 75. See also Elva Johnston's argument that these stories may have been based on actual historical adventures, Johnston, 'A sailor on the seas of faith', pp 239-40; Elva Johnston, *Literarcy and identity in early medieval Ireland* (Woodbridge, 2013), especially pp 50-2.

[55] On the borrowing between tales, see Barbara Hillers, 'Voyages between Heaven and Hell: navigating the early Irish Immram tales', in *Harvard Celt. Coll. Proc.*, xiii (1993), pp 66-81: 74. On the dating of these compositions based on borrowings, see Whitley Stokes, in his edition of the *Immram curaig Ua Corra*, 'The voyage of the Húi Corra', ed. Stokes, p. 25

[56] Muireann Ní Bhrolcháin, *An introduction to early Irish literature* (Dublin, 2009), p. 87; Dumville, 'Echtrae and Immram: some problems of definition', p. 77.

[57] Dumville, 'Echtrae and Immram: some problems of definition', pp 77-8.

about the saving of souls which use a voyage on the sea as the means of redemption'.[58] This point, however, need not be laboured, since 'on the whole, scholars have always agreed about the Christian, monastic provenance of the tales'.[59] It has recently been argued by Kim McCone following James Carney that the oldest extant *echtrae*, *Echtrae Chonnlai*, 'The adventure of Connlae', was composed in the eighth century, around the same time as *Immram Brain*, and has similar Christian undertones.[60]

It is possible to view some of the more fantastical aspects of these tales as products of a scribe's (or scribes') active imagination, but more everyday information regarding the food men eat and the clothing they wear can be indicative of early medieval customs. Thus, while the descriptions of some foods may have been embellished specifically to evoke Christian themes, such as the everlasting apple in *Echtrae Chonnlai*,[61] others, which were less central to the main story, are less likely to be subject to exaggeration. In *Echtra mac nEchach Muigmedóin*, 'The adventure of the sons of Echu Mugmedón', for example, the royal brothers go hunting and it is only after cooking and eating their prey that they interact with the sovereignty goddess.[62] Likewise, while travelling between islands, Máel Dúin and his men, in *Immram curaig Maíle Dúin*, land on one particular island and are provided with an elaborate meal consisting of a roasted ox, a flitch of bacon and beer.[63] It is clear that this was a meal fit for nobles or kings due to the jewelled regalia within the household and the contempt the author has otherwise shown towards commoners.[64] Thus this thesis will focus on the everyday

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[58] Thomas Owen Clancy, 'Subversion at sea: structure, style and intent in the *Immrama*' in Jonathan M. Wooding (ed.), *The otherworld voyage in early Irish literature: an anthology of criticism* (Dublin, 2000), p. 197.

[59] Hillers, 'Voyages between Heaven and Hell', p. 67.

[60] *Echtrae Chonnlai*, ed. McCone, pp 47-119; Kim McCone, *Pagan past and Christian present* (Maynooth, 1980), pp 79-83

[61] For a discussion on the possible Christian motifs in *Echtrae Chonnlai*, see *Echtrae Chonnlai*, ed. McCone, pp 81-3; McCone, *Pagan past and Christian present*, pp 79-83; James Carney, 'Language and literature to 1169' in Ó Cróinín (ed.), *N.H.I,* i, pp 451-510: 500-2.

[62] 'The death of Crimthann son of Fidach, and the adventures of the sons of Eochaid Muigmedón', ed. Whitley Stokes, in *Rev. Celt.*, xxiv (1903), pp 172-207: 202-3. Although the specific type of prey is not mentioned in the text, deer and wild boar were common targets of hunting parties in early medieval Ireland, see, for example, Patricia Long and Gillian McCarthy, 'To the waters and the wild: ancient hunting in County Kildare' in Michael Stanley, Ed Danaher and James Eogan (eds), *Dining and Dwelling: proceedings of a public seminar on archaeological discoveries on national road schemes, August 2008* (Dublin, 2009), pp 65-72.

[63] 'The voyage of Mael Duin', ed. Stokes, p. 479, §11. More information regarding how these particular items, though present in the commoner diet, were more typical of a noble diet will be discussed in Chapters 4 and 5.

[64] In the only section of the tale to discuss commoners, a man was told to dig a grave for an *aithech* (commoner), but shortly after he had begun a voice from beneath protested having a 'sinner' buried above him. Thus the only commoner to appear in the tale was both dead and labelled a sinner, 'The voyage of Mael Duin', ed. Stokes, pp 82-3, §33; see also Johnston, 'A sailor on the seas of faith', p. 248.

items described in both the *immrama* and *echtraí*, in an effort to determine what foods and clothing were considered appropriate by the authors for contemporary social groups.

### *Aislinge*

Another narrative source, *Aislinge Meic Conglinne*, 'The vision of Mac Conglinne', offers a biting commentary on the consequences of the refusal of hospitality in medieval Ireland and includes frequent mockery of various peoples and places for the lack of quality food received during these occasions.[65] Though the story is set in the eighth century, during the reign of Cathal mac Finguine, king of Munster (d. 742), it is, likely, a late-eleventh- or early-twelfth-century composition, which survives in two recensions and reflects a mainly Munster provenance.[66] The tale itself focuses on Aniér Mac Conglinne, the self-professed author of the text, who learned that a demon of gluttony was residing within the Munster king. In his quest to cure the king, Mac Conglinne travelled from Roscommon to Cork, but received poor hospitality at a monastery until a vision came to him. This vision, as Muireann Ní Bhrolcháin described it, was a 'satire on Manchín's [the abbot of the monastery in Cork] genealogy back to Adam told in the form of food'.[67] Manchín believed that this vision would aid the king and so sent Mac Conglinne off on his travels. The curative process involved Cathal mac Finguine being tied to a chair while Mac Conglinne enticed the demon out of him by describing a vision of a land made entirely out of food, and dangling certain foodstuffs in front of the restrained king. This text therefore is particularly 'noteworthy for its depiction of the customs and values of medieval Ireland, particularly with reference to the church, political systems, and the arts, as well as more specific aspects of cultural status such as food, hospitality, and punishment for crimes'[68] and will be used as such in this thesis.

### Annals

Other sources which offer a variety of information regarding social, political and economic history in early medieval Ireland are the annalistic compilations. These compilations began in the sixth century as notations on Easter tables marking specific events that happened

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[65] *Aislinge Meic Conglinne*: *the vision of MacConglinne a Middle-Irish wonder tale*, ed. Kuno Meyer (London, 1892); *Aislinge Meic Con Glinne*, ed. Kenneth H. Jackson (Dublin, 1990); *Aislinge Meic Conglinne: the vision of Mac Conglinne*, ed. Lahney Preston-Matto (Syracuse, 2010).

[66] Carney, 'Language and literature to 1169', pp 486-7. For the argument that there is some evidence to suggest a potential Ulster provenance as well, see Henry A. Jeffries, 'The visions of Mac Conglinne, and their authors' in *Studia Hib.*, xxix (1995-7), pp 7-30 and *Aislinge Meic Conglinne*, ed. Preston-Matto, pp xxxi-xxxii.

[67] Ní Bhrolcháin, *An introduction to early Irish literature*, p. 91.

[68] *Aislinge Meic Conglinne*, ed. Preston-Matto, p. xi.

in a given year.[69] By the early- to mid-eighth century these notations had grown into a genre in their own right.[70] These texts were written by ecclesiastical scribes in monasteries, and as such the information contained therein highlights the events pertaining to the relevant houses and localities surrounding the place of composition, as well as any important families that patronised the establishment.[71] For example, the *Annals of Inisfallen*, which depicts events that occurred throughout the country, including Ulster or Connacht, from 1159 onwards focus mainly on the south-west area of Munster, in which the monastery of Inisfallen and the additional houses in which the text was continued were located.[72] Yet, Colmán Etchingham has demonstrated that, from the mid tenth-century onwards, secular events were also being recorded in greater numbers.[73] One of the results of these texts being written in monasteries is that they were composed mainly in Latin. By the later eighth century, however, there was an increasing usage of the vernacular in the annals, following a general Irish literary trend.[74] One of the problems with these sources is that, as the annals were re-transcribed, many of the interpolations from later centuries were included along with the original text, often in a discernible pattern by the compiler, but not always. Thus it is often necessary to determine whether or not an event was contemporary or inserted by a later scribe through a comparison of the manuscripts and different annalistic texts.[75] Even though many of the compilations purport to represent almost a complete history of the country from well before the early medieval period, the records only became contemporary by the middle of the sixth century.[76]

For this thesis, these annalistic compilations are mainly used for their recordings of economic and societal stressors, such as famines, dearths, scarcities, blights, and cattle murrains, which, when documented, include the dates of occurrence/recurrence and, sometimes, society's reaction to them. This investigation, for climatologic and economic

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[69] Gearóid Mac Niocaill, *The medieval Irish annals* (Dublin, 1975), p. 13; Dáibhí Ó Cróinín, 'Early Irish annals from Easter tables: a case restated' in *Peritia*, ii (1983), pp 74-86: 74; Daniel McCarthy, *The Irish annals: their genesis, evolution and history* (Dublin, 2008, repr. 2010).

[70] See Dáibhí Ó Cróinín who argues that, although contemporary recording began in the sixth century, the earliest exemplar for the *Annals of Ulster* and the *Annals of Tigernach* was produced in the mid-seventh century, 'Early Irish annals from Easter tables', p. 84.

[71] MacNiocaill, *The medieval Irish annals*, p. 28.

[72] *AI*, pp xxix-xxx.

[73] Colmán Etchingham, *Viking raids on Irish church settlements in the ninth century* (Maynooth, 1996), pp 18-19, 28-9.

[74] David Dumville, 'Latin and Irish in the *Annals of Ulster,* A.D. 431-1050' in Dorothy Whitelock, Rosamond McKitterick and David Dumville (eds), *Ireland in early medieval Europe: studies in memory of Kathleen Hughes* (Cambridge, 1982), pp 320-1.

[75] Mac Niocaill, *The medieval Irish annals*, pp 14-18.

[76] Alfred P. Smyth, 'The earliest Irish annals: their first contemporary entries, and the earliest centres of recording' in *R.I.A. Proc.*, lxxii (1972), pp 1-48.

history, however, can often be hindered by the presentation of these historical events in modern editions of the text. In the original manuscripts, multiple events are often listed under a single year, and are, therefore, written as a single text in the modern editions. Gearóid MacNiocaill, however, has pointed out that this grouping in the manuscript does not indicate any 'necessary connexion' between the events[77] and, therefore, as David Dumville has argued, editors of these annalistic compilations should be careful, when listing these events, to avoid any implied connection.[78] Thus, Dumville contends, the notice in the 1983 edition of the *Annals of Ulster* for 825.7 (*'Magna pestilentia in Hibernia insola senioribus ⁊ pueris ⁊ infirmis. Magna fames ⁊ defectio panis'*) should be separated into two distinct entries;[79] the editors' inclusion of the two statements under a single event could lead one to incorrectly conclude that the annalists were claiming that the famine was either a direct cause or a direct result of the pestilence.[80] Once each event is looked at independently and in context, however, these annalistic compilations reveal a wealth of information regarding economic and societal pressures in early medieval Ireland.[81]

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[77] MacNiocaill, *The medieval Irish annals*, p. 13.

[78] David N. Dumville, 'On editing and translating medieval Irish chronicles: the Annals of Ulster' in *Cam. Med. Celt. Studies*, x (1985), pp 67-86.

[79] *AU* 1983, *s.a.* 825, p. 282.

[80] Dumville, 'On editing and translating medieval Irish chronicles', p. 78. While disease and famines have often occurred in conjunction, as starvation can have serious consequences on an individual's immune system and infection can accelerate starvation, they were not always causally linked. On the link between disease and starvation, see Catryn Power 'A demographic study of human skeletal populations from historic Munster' in *U.J.A.*, 3rd Series, lvii (1994), pp 95-118: 115; Cormac Ó Gráda, *Famine: a short history* (Princeton, 2009), p. 5; George W. Cox, 'The ecology of famine: an overview' in John R.K. Robson (ed.), *Famine: its causes, effects and management* (London, 1981), pp 5-18: 13.

[81] For example, Mike Baillie and Daniel MacCarthy have shown, through a comparison with dendrochronology and astronomical observations, that these compilations can be used to record historical climatic or astronomic occurrences, Mike Baillie, Daniel P. McCarthy and Aidan Breen, 'An evaluation of astronomical observations in the Irish annals' in *Vistas in Astronomy*, xli, no. 1 (1997), pp 117-38; M.G.L. Baillie 'Dendrochronology raises questions about the nature of the AD 536 dust-veil event' in *The Holocene*, iv (1994), pp 212-17. Francis Ludlow has also recently completed a PhD study on the use of annalistic compilations in creating a historical climatology study of medieval Ireland, Francis Ludlow, 'The utility of the Irish Annals as a source for the reconstruction of the climate' (unpublished PhD thesis, Trinity College, Dublin, 2010). See also, Thomas Kerr, Graeme Swindles and Gill Plunkett, 'Making hay while the sun shines? Socio economic change, cereal production and climatic deterioration in early medieval Ireland' in *Journal of Archaeological Science*, xxxvi (2009), pp 2868-74; Gerard Kiely, Paul Leahy, Francis Ludlow, Bettina Stefanini, Eileen Reilly, Michael Monk and Jason Harris, 'Extreme weather, climate and natural disasters in Ireland' in *Climate Change Research Programme Report* (2007), online at https://www.epa.ie/pubs/reports/research/climate/CCRP_5_Kiely_ExtremeWeather_syn_web.pdf.pdf; Mary C. Lyons, 'Weather, Famine, Pestilence and Plague in Ireland, 900-1500' in E. Margaret Crawford (ed.), *Famine: the Irish Experience, 900-1900: subsistence Crises and Famines in Ireland* (Edinburgh, 1989), pp 31-74; William Robert Wills Wilde, *The census of Ireland for the year 1851*, part V: *tables of deaths*, volume I. *Containing the report, tables of pestilences, and analysis of the table of deaths.*

**Archaeology**

As was stated at the beginning of this chapter, this thesis will use a variety of evidence from early medieval Ireland in order to assemble as much information as is known about peasants and commoners. One of the ways to do this is to include amongst the historical data information gained from recent archaeological surveys. The creation of the Early Medieval Archaeology Project (EMAP) in 2008 has led to a wide assortment of published archaeological reports on dwellings and settlements, livestock and cereal production, as well as a comprehensive bibliography of early medieval Ireland which is regularly being updated.[82] All of these reports can and will be used in conjunction with other published excavations to supplement the findings in the historical record. Despite the plethora of information that can be gleaned from these reports, there are a few drawbacks to using archaeology in a historical study which must first be discussed.

Chapter 4 below will focus on the housing of the peasants and commoners, including the type and location of settlements. Although archaeology is a great source for settlement, the conflicting evidence for settlement patterns is problematic. In areas of intense tillage throughout the middle ages (and even especially into the modern era), for example, several early medieval settlements were destroyed in order to create larger farms.[83] The surviving visible ringforts indicate a particular settlement pattern; yet Matthew Stout noted, in his study of *The Irish ringfort*, that some recent excavations in the Cork/Waterford and Kildare areas challenged the validity of this perceived ringfort distribution pattern.[84] Furthermore, the economic boom that Ireland experienced in the late 1990s to the mid 2000s evidenced an increase in infrastructural projects which necessitated many and varied archaeological excavations. Some of these projects have led to 'an array of previously unknown early

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*Presented to both houses of parliament by command of Her Majesty* (Dublin, 1856), in Leslie A. Clarkson and E. Margaret Crawford (eds), *Famine and disease in Ireland*, volume i, (London, 2005), pp 1-528.

[82] The Early Medieval Archaeology Project and their reports can be found online at www.emap.ie: Aidan O'Sullivan, Finbar McCormick, Lorcan Harney, Jonathan Kinsella and Thomas Kerr, 'Early medieval dwellings and settlements in Ireland, AD400-1100', EMAP Report 4.2, (December, 2010); Lorcan Harney, Aidan O'Sullivan, Finbar McCormick, Thomas Kerr, Jonathan Kinsella, Meriel McClatchie, Eileen Reilly, Denise Keating, Matt Seaver and Rob O'Hara, 'A bibliography of early medieval archaeology in Ireland: version 3', EMAP Report 4.3, (December 2010); Finbar McCormick, Thom Kerr, Meriel McClatchie and Aidan O'Sullivan, 'The archaeology of livestock and cereal production in early medieval Ireland, AD 400-1100', EMAP Report 5.1 (December, 2011). A recently published volume from EMAP also summarises many of the detailed discussions made in the individual reports, Aidan O'Sullivan, Finbar McCormick, Thomas Kerr and Lorcan Harney, *Early medieval Ireland: AD 400-1100: the evidence from archaeological excavations* (Dublin, 2014). For many of the more complete notes on the excavations, however, the individual reports provide a more detailed investigation and will, therefore, be used in conjunction with the most recent summary volume.

[83] Matthew Stout, *The Irish ringfort* (Dublin, 2000), p. 49.

[84] Stout, *The Irish ringfort*, p. 51.

medieval archaeology, from unenclosed habitations, field systems, watermills, cereal drying kilns and metalworking-related features, beyond the bounds of the traditionally excavated sites, such as enclosed settlements and ecclesiastical sites'.[85] Yet many of these finds came from excavations conducted along the construction sites of modern route ways, the construction of the M1 and M4 being particularly significant. This concentration of excavation creates an unequal distribution pattern in the known settlement sites in Ireland. Those areas not encroached upon by roads such as these were thus not excavated. One of the ways to challenge this unequal distribution of excavated settlement sites has been the increasing use of aerial photography, which can aid in the discovery of new sites, monitor change in the landscape and provide an image of a site within its landscape context.[86] Thus some generalisations about land use and settlement type in early medieval Ireland are oversimplified and cannot represent the entirety of the Irish situation. Specific details about specific sites, however, can offer a wealth of information on various topics, including housing and living conditions. The detailed analysis of the excavation at Deer Park Farms in County Antrim, for example, has revealed that some early medieval houses had an inner, load-bearing, wall and an outside wall constructed to help weather-proof the house and protect insulation.[87]

The study of the surviving animal bones, flora and human dental remains from archaeological excavations can also act as resources for early medieval living conditions. Archaeobotany, for example, examines the preserved plant remains on archaeological sites, and a number of recent studies, such as Siobhán Geraghty's on early medieval Dublin, have increased our knowledge of the plant life and diet in early medieval Ireland.[88] Yet not every plant that would have been consumed survives in the soil. Charred grains tend to survive well in the landscape, whereas vegetables often decompose well before excavation.[89] The presence of fruits, vegetables and herbs on an early medieval site could, furthermore, indicate

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[85] O'Sullivan *et al.*, 'Early medieval dwellings and settlements in Ireland, AD 400-1100', i, p. 13.

[86] On the use of aerial photography in Irish archaeology, see Tom Condit and Christiaan Corlett (eds), *Above and beyond: essays in memory of Leo Swan* (Bray, 2005).

[87] Aidan O'Sullivan, 'Early medieval houses in Ireland: social identity and dwelling spaces' in *Peritia*, xx (2008), pp 225-56: 251; Chris Lynn and J.A. McDowell, *Deer Park Farms: the excavation of a raised rath in the Glenarm Valley, County Antrim* (Norwich, 2011), especially pp 598-602.

[88] Siobhán Geraghty, *Viking Dublin: botanical evidence from Fishamble Street* (Dublin, 1996).

[89] For example, at the early medieval site of Ballynagallagh near Lough Gur, County Limerick, Meriel McClatchie has noted that 'on a well-drained site ... archaeobotanical material can only survive if it has been charred. The plant remains will, therefore, be biased in favour of material that is more likely to have been exposed to fire, for example, in the preparation of food', Meriel McClatchie, 'The plant remains' in Rose M. Cleary, 'Excavations of an early-medieval period enclosure at Ballynagallagh, Lough Gur, County Limerick' in *R.I.A. Proc.*, cvi, section C (2006) pp 60-6: 65.

consumption, or they could instead be indicative of wild plant life growing adjacent to cultivation sites.[90]

Another branch of archaeology relevant to this study is archaeozoology. Archaeozoology (also called zooarchaeology) studies the relationship between humans and animals, often in reference to faunal remains, and is particularly useful for compiling economic and dietary data from early medieval sites in Ireland. Archaeozoologists such as Finbar McCormick can use these bones to distinguish feasting sites from butchery sites. For example, evidence from the high-status crannog (artificial island) at Moynagh Lough, County Meath, indicated only a few types of bones, leading the investigators to conclude that the animals 'would have been slaughtered on the shore and then a restricted range of high-quality meat joints, with lesser quantities of poor carcass parts, would be ferried to the crannog'.[91] However, these studies should not be accepted without reservations. In the same study, McCormick reminded his readers of potential chronological incongruities. Faunal assemblages on early medieval settlements, he noted, could be evidence of either a 'large quantity of meat consumed in a short period of time or ... small portions of meat consumed over a long period'.[92] Furthermore, the smaller bones of fish and birds are much more difficult to find in the soil, and as such have not always been the focus of excavations.[93] Soil type can also affect the preservation of faunal remains.[94] Despite these complications, however, the evidence gained from archaeology and its various disciplines can appreciably augment the current understanding of early medieval Ireland from the historical sources.

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[90] Geraghty, *Viking Dublin: botanical evidence from Fishamble Street*, p. 32.

[91] Finbar McCormick, 'The distribution of meat in a hierarchical society: the Irish evidence' in Preston Miracle and Nicky Milner (eds), *Consuming passions and patterns of consumption* (Cambridge, 2002), pp 29-30.

[92] McCormick, 'The distribution of meat in a hierarchical society', p. 29.

[93] A.W. Stelfox in a report on the bird bones found at Lagore crannog makes specific reference to this problem when he appeals to archaeologists to 'look out for the smaller bones during excavations, so that we may be enabled to get further glimpses into the Irish bird fauna of past times', A.W. Stelfox, 'The birds of Lagore about one thousand years ago' in *The Irish Naturalists' Journal*, vii, no. 2 (1938), pp 37-43: 43.

[94] At the excavation at Killederdadrum Finbar McCormick found very few animal bones due to 'adverse soil conditions', Finbar McCormick, 'The animal bones from Killederdadrum' in Conleth Manning's, 'The excavation of the early Christian enclosure of Killederdadrum in Lackenavorna, Co. Tipperary' in *R.I.A. Proc.*, lxxxiv, (1984), sect. C., pp 237-68: 265. Yet survival rates are not always due to adverse conditions and could be instead evidence of something else, A.W. Stelfox, 'Appendix' in Michael J. O'Kelly and A.W. Stelfox, 'Two ring-forts at Garryduff, Co. Cork' in *R.I.A. Proc.*, lxiii (1962-64), sect. C, pp 17-125: 125.

**Conclusion**

Overall, these many and varied sources will be used to explore the position of peasants and commoners in both a social and legal context in early medieval Ireland. The ability to compare legal descriptions of status and grade with their embodiment in the literature and the actual remains extant in the soil will enable a more developed picture of peasants and commoners to form. It is only after this has been accomplished that it will be possible to compare Irish peasants and commoners in the early middle ages with their English and continental counterparts.

## Section II, Chapter 3

## Legal status

### Introduction

From a close reading of the surviving seventh- and eighth-century law tracts it is clear that early medieval Ireland was an inegalitarian society. Numerous grades of kings, nobles and commoners are recorded, but the emphasis is on the differences between nobles (*grád flatha*) and commoners (*grád féne*). Since these law tracts focus on free land-owning members of society, the legal complexities of the grades of peasants (such as the *fuidri* and the *bothaig*) and serfs (*senchléithi*) are treated only in brief, although certain legal limitations are discussed, such as their inability to make independent contracts and the relationship between a *fuidir* and his lord.[1] This chapter will, therefore, focus on the legal status of commoners, determining what qualifications gave a commoner his or her status and how these qualifications differed from nobles and from *fuidri* (the grade among semi-free and servile classes for which the most information survives). Furthermore, this chapter will also examine social mobility in early medieval Ireland, how status could be lost or gained and how easy (or difficult) it was to traverse these social boundaries.

Of the surviving law tracts, there are three key texts that concentrate specifically on status in early medieval Ireland – the *Críth Gablach* (*c.* 700), the eighth-century *Uraicecht Becc,* and the eighth-century *Míadślechtae*, 'rank sections'.[2] From these status-texts seven different grades of commoner are highlighted as being typical, although as can be seen from the accompanying table, the status-texts do not agree on names or their place in the hierarchy (see below, Table 3.1). Yet, if one looks beyond these status-texts, a number of other grades begin to appear (see below, Table 3.2). From this compilation it is clear that the grades of *bóaire*, *ócaire* and *fer midboth* are almost universally agreed upon by the law tracts, but many of the others only appear in one or two law tracts. Thus, Daniel Binchy questioned whether or not 'most of the numerous 'grades' of rank into which the freeborn Irish are divided ever had

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[1] These groups of peasants will be discussed below under the sub-heading 'peasants'.

[2] *Críth Gablach*: text in *Críth Gablach*, ed. Binchy,; trans. in MacNeill, 'Ancient Irish law', pp 281-306 (some sections of *Críth Gablach* have been edited and translated in more recent editions of scholarly works and will be referred to on occasion). *Uraicecht Becc*: *CIH*, v, pp 1590-1618, ii, pp 634-55 and vi, pp 2318-35; trans. in MacNeill, 'Ancient Irish law', pp 272-81. *Míadślechtae*: text and trans. in Gerald Manning, '*Míadślechtae*: an Old-Irish law text on status' (unpublished Ph.D. Thesis, Trinity College, Dublin, 2004).

any practical significance outside the law schools'?[3] The extent, then, to which these legal divides reflected social reality is, as John Arnold sets forth, 'the more intriguing question'.[4]

| Table 3.1 Commoner grades as they appear in status-texts (ranked from highest to lowest)[5] | | |
|---|---|---|
| ***Críth Gablach* (c. 700)** | ***Uraicecht Becc* (eighth-century)** | ***Míadślechtae* (eighth-century)** |
| *aire coisring* | *bóaire túise* | *ógflaithem* |
| *fer fothlai* | *bóaire tanaise* | *lethflaithem* |
| *mruigfer* | *mruigfer* | *flaithem óenescrae* |
| *bóaire febsa* | *fer midboth* | *bóaire tánaise* |
| *aithech ara threba a deich* | *gairid* | *bóaire túise* |
| *ócaire* | *flescach* | *úaithne* |
| *fer midboth .ii.*<br>*fer midboth .i.* | *inol* | *seirthid* |

| Table 3.2 Commoner grades as they appear outside status-texts (Sources ordered from those using the most elaborate rankings to the simplest) | | | | | |
|---|---|---|---|---|---|
| ***Cáin Aicillne*** | *bóaire* | *ócaire* | *fer midboth* | *óenchiniud* | *fer domun* |
| ***Bretha Déin Chécht*** | *bóaire* | *ócaire* | *fer midboth* | *bruider* | *flescach* |
| ***Bretha Nemed*** | *fer mruige* | *bóaire* | *clí* | *fer midboth* | |
| ***Bretha Crólige*** | *bóaire* | *ócaire* | *fer midboth* | *flescach* | |
| ***Cáin Íarraith*** | *bóaire* | *ócaire* | *fer midboth* | | |
| ***Córus Béscnai*** | *bóaire* | *ócaire* | | | |
| ***Cáin Lánamna*** | *bóaire* | *ócaire* | | | |
| ***Bretha im Ḟuillema Gell*** | *bóaire* | *ócaire* | | | |

[3] Daniel Binchy, 'The linguistic and historical value of the Irish law tracts', *Proceedings of the British Academy*, xxix (1943), p. 32.

[4] John Arnold, *What is medieval history?* (Cambridge, 2008), p. 97.

[5] It is important to note that the top grade provided in *Críth Gablach* (the *aire coisring*) is not identical to that provided in *Uraicecht Becc* (*bóaire túise*) or *Míadślechtae* (*ógflaithem*). How these status grades relate to one another will be discussed in more depth below.

**Inconsistency in the law tracts**

One of the main problems that any scholar confronts when researching the commoner grades in early medieval Ireland, therefore, is the inconsistency with which these grades are described in the various law tracts. For example, the ranking order in which the various commoner grades were listed often fluctuated[6] and different terminology was sometimes used to refer to the same commoner grades. These inconsistencies were mainly the result of an attempt, by jurists working in church schools, to adopt the seven-grade clerical model into secular laws. *Críth Gablach* specifically notes:

> 'Cid asa fordailtea grád túa[i]the? A [a]urlunn grád n-ecalsa; ar na(ch) grád bís i n-eclais is coir cia beith a [a]urlann i túaith, dég ḟortaig nó díthig nó ḟiadnaisi nó brithemnachta[e] ó chách dialailiu'.
>
> 'On what basis have the lay grades been divided? On the basis of correspondence with the Church grades, for any grade that is in the Church, it is right that its corresponding one should be in the *túath*, for the sake of proof by oath, or denial by oath, or evidence, or judgement, from one to the other'.[7]

This association allowed the church to establish the rights and privileges of the clergy within secular customary law after the conversion to Christianity. If and when legal interaction occurred between lay society and the clergy, the correlation perpetuated by the law tracts allowed the judge to weigh the penalties for violating an individual's honour, person or property against each other. Thus, after listing the rights and privileges of the nobility, *Uraicecht Becc* records that 'in like measure for the grades of the church, as to food-provision and protection and *díre*, but penance is added for these along with *díre*'.[8]

As a result, the jurists of these status texts endeavoured to order a complicated secular society into seven strict grades. Yet, since secular society was not this neat and tidy, many of the non-status texts often encompassed a broader ranging society, including extra categories of person that not every law tract needed to address, such as a young man who renounced his kin in order to join a warrior band (*óenchiniud*). This perceived inconsistency is one of the

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[6] For example, *Uraicecht Becc* ranked the *bóaire túise* above the *bóaire tánaise*, while *Míadślechtae* reversed the order, as is evident in Table 3.1.

[7] *Críth Gablach*, ed. Binchy, p. 1, ll. 6-9, §2; trans. in *Uraicecht na Ríar: the poetic grades in early Irish law*, ed. Liam Breatnach (Dublin, 1987), p. 86.

[8] 'Faenan cuma du gradaib ecalsa itir biatad $_7$ turtugud $_7$ diri act doformagar pendait do suidib la diri', *CIH*, v, p. 1602.38-1603.2; trans. in MacNeill, 'Ancient Irish law', p. 275, §18. In like manner, towards the end of *Uraicecht Becc*, the king of Munster was given superiority over other kings, and the master bishop and master canon are given the same *díre* (particularly if the canon and bishop are from Munster), Ibid, p. 281, §56.

principal reasons many scholars view the seven grades of commoners as atypical of society, but, as this chapter will show, the grades listed in status-texts, such as *Críth Gablach*, should not be automatically dismissed as superfluous. A more thorough investigation is needed.

**Honour-price**

The main characteristic that separated one grade from another in early medieval Ireland was one's 'honour-price' (*lóg n-enech*, or *eneclann*). This was a specific amount that was paid to a person as reparation for 'any assault that lessened his/her social esteem'[9] and was used to restrict an individual's ability to make contracts, give property and act as surety or guarantor.[10] A person's honour-price was dependent on his grade in society and increased the higher up an individual was on the social hierarchy; in the case of commoners the honour-price was valued in terms of *sét* (pl. *séoit*) (a unit of value),[11] and for nobles it was measured in *cumal* (pl. *cumala*) ('female slaves').[12] Yet, this honour-price was based on a set of qualifications that differed depending on one's social group. According to Kim McCone the main qualifications were 'based upon property or calling', but, these were 'liable to more or less elaborate further subdivisions on the basis of wealth, function, professional standing or various combinations of the three'.[13]

In this regard, the honour-price of a church official or poet was based on different qualifications than the honour-price of a noble or commoner. Both the grades of the church and the grades of poets were based on a premise of progression. In early medieval Irish law members of each of these schemes could advance from one grade to the next by acquiring knowledge. *Bretha Nemed toísech*, 'the first judgments of privileged (or professional) persons', explains the differences between the grades of the church as knowledge and age:

> 'Oirdnide ord/ oirdnes noíbeclais nóebdai/ ó noídenacht noíb ómbi mac/ combi fichtech fri andóine íadad./ Aill nad amrae recht/ dorsaid duim sceo glantaid/ – glan deblíadnach/ bís for fichtige fot./ Fothad léir/ líachtróir la fothimthirthid/ – fó deblíadnach n-aill,/ nach lugu timthirthid/ tresa costaider cóic./ Glanšuí sacard diambi tríchtaige./ Tabair búaid/ Dé do epscup/ – scoth nádbi

[9] Patterson, *Cattle-lords and clansmen*, p. 181.
[10] An individual was allowed to act as a surety or guarantor for others only up to the level of his honour-price, Neil McLeod, 'Society, grades of Gaelic' in Seán Duffy (ed.), *Medieval Ireland: an encyclopaedia* (New York, 2005), p. 438.
[11] A *sét* was usually equivalent to the value of half a milch cow or 12 scruples, but could vary, Kelly, *Early Irish farming*, pp 589-91.
[12] While it is clear that female slaves were once used as currency, in the seventh- and eighth-century law tracts, the term most often refers to a unit of value that differed depending on the tract, Kelly, *Early Irish farming*, pp 591-3.
[13] McCone, *Pagan past and Christian present*, p. 124.

drochduini drécht –/ ro cethorcho blíadnae/ bélrai báin bí;/ biru is tresa eclais/ cach neimthiuso nár/'.

'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. Hear that the doorkeeper of a church is not a wondrous person, nor [lit. and] the exorcist – exact are the two years which are in addition to the period of twenty. An earnest basis are the lector and the subdeacon – good are another two years, and not less is the deacon by whom five are established. A pure sage is the priest when he is thirty years of age. Give divine excellence to the bishop – a statement which is not the portion of an evil person – who has had forty years of the 'fair language''.[14]

Similarly, Liam Breatnach has convincingly argued that, based on the eighth-century law tract *Uraicecht na Ríar*, 'the primer of the stipulations', poets (*filid*) were likewise divided into seven grades (from highest to lowest – *ollam, ánruth, clí, cano, dos, macḟuirmid, fochloc* with three sub-grades: *taman, drisiuc* and *oblaire*),[15] and these grades were 'the successive stages in a progression which an individual may make in his own lifetime'.[16] As Breatnach has explained, training to become the highest ranked poet (*ollam*) would have taken at least twelve years: the first six were spent with an annual progression from grade to grade and the remaining six years of training were split between the final and highest two ranks: the *ánruth* and the *ollam*. *Uraicecht na Ríar* notes that a poet 'may rise over each grade from *fochloc* to *ollam*, as Neire says: 'He may make a full ascent to the designated position of sage'' (*Fris-ocaib ós cach grád ó ḟochlocain co hollamain, amail as-beir Neire: Dringid dréim slán co suad suidiugud sluindte*).[17] Thus, as a poet or cleric increased his grade his honour-price subsequently increased.[18]

The secular grades, however, were not 'successive steps in a progression' that an individual was expected to complete throughout his lifetime.[19] In fact, out of the twelve

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[14] Text and trans. in 'The first third of Bretha Nemed Toísech', ed. Liam Breatnach, in *Ériu*, xl (1989), pp 1-40: 18-21, §24.

[15] *Uraicecht na Ríar*, ed. Breatnach, pp 80-1.

[16] Ibid, p. 87.

[17] Ibid, pp 104-5, §4.

[18] For example, the *fochloc* was worth one and a half *séoit* while the *macḟuirmid* was worth four *séoit*. The twenty *séoit* for an *ánruth* was comparable to an *aire tuiseo* in the secular grades and the forty *séoit* for an *ollam*, was roughly comparable to the seven *cumala* of a *rí tuaithe,* 'king of a *túath*'. The extent of the *ollam*'s honour-price represents the importance of these individuals as well as the extensive training and knowledge expected of these grades, Liam Breatnach, 'Poet and scholar: the education of the *fili* in early medieval Ireland', Statutory lecture for Dublin Institute for Advanced Studies, *Tionól,* 18 November 2011.

[19] Yet, there were three separate divisions within the ecclesiastical hierarchies: *grád uird ecalsa* 'the officers of a church', the *grád ecnai*, and *grád ecalsa* (to which I have been referring). While progression was most likely expected in both the *grád ecalsa* and the *grád ecnai* it was atypical to see a lower ranking member of the *grád uird ecalsa*, such as a door-keeper, progress to the *airchinnech* position. The *grád uird ecalsa* was 'essentially a ranking of offices according to relative importance' according to

different law tracts which discuss grades in early medieval Ireland, none of them directly, or indirectly, mention this sort of progression as the objective of a layman.[20] Secular grades were instead based on a combination of wealth, birth and function. Thus, all of these hierarchical systems recognized different grades through the award of honour-price, but it was the distinctive qualities upon which honour-price was based which truly separated the secular hierarchy from clerics and poets. Exactly what basis of qualifications was used to define the honour-price of commoners, however, is difficult to determine without a full examination of each individual grade. This next section will, therefore, survey the grades as they appear in the status-texts, with an emphasis on *Críth Gablach* (the status-text with the most detailed discussion of commoner grades). This analysis will help to determine which of these grades were representative of actual social practice and which grades may have been introduced by jurists in an attempt to transform a complicated secular society into the seven-grade ecclesiastical model.

**The grades of commoners**

R.E. Reynolds has argued that the seven-grade ecclesiastical model developed in the seventh century. If this is accurate then any commoner grades that do not pre-date this development could be evidence of adaptation.[21] Yet, social development must also be considered as a possible explanation for the appearance of any 'new' grades. Daniel Binchy and, following him, Thomas Charles-Edwards have proposed that, originally, there was only one grade of commoner – the *bóaire* (pl. *bóairig*) – who can be found in a number of early Irish law tracts.[22] Over time, due to a series of societal pressures, this single grade developed sub-groups of its own – *ócaire* (pl. *ócairig*) and *fer midboth* (pl. *fir midboth*), in order from highest to lowest and, arguably, oldest to youngest – which appear in fewer law tracts. Charles-Edwards has further argued that it was a combination of these grades – the *bóairig*, the *ócairig* and the *fir midboth* – which were then expanded into even more sub-groups to conform to the appropriate seven-grade scheme. It is these extended sub-groups that rarely appear in the laws outside of the status-texts.

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*Uraicecht na Ríar*, ed. Breatnach, p. 87. Furthermore the other poetic-based grades, the bards (*baird*) of early medieval Ireland were not expected to advance from one rank to another, ibid, p. 88.

[20] These twelve texts are *Críth Gablach*, *Uraicecht Becc*, *Cáin Aicillne*, *Cáin Lánamna*, *Cáin Íarraith*, *Bretha Crólige*, *Míadslechtae*, *Córus Béscnai*, *Cethairślicht Athgabálae*, *Bretha Déin Chécht*, *Bretha Nemed*, *Bretha im Ḟuillema Gell*.

[21] R.E. Reynolds, '"At sixes and sevens"- and eights and nines: the sacred mathematics of sacred orders in the early middle ages' in *Speculum*, liv (1979), pp 669-84.

[22] *Críth Gablach*, ed. Binchy, pp 101-2; Charles-Edwards, 'Kinship, status and the origins of the hide', p. 9.

Each of these sub-groups, as they appear in *Críth Gablach*, will now be examined in depth beginning with the archetypal *bóaire* (which, in *Críth Gablach*, is represented by the grade of the *mruigḟer*) and then proceeding down the social hierarchy to the *ócairig* and the *fir midboth*. A number of other grades which appear solely in *Críth Gablach* will be discussed in relation to these three main grades, accompanied by a discussion of whether or not these grades played any valid social role outside this law-tract. This analysis will also include an assessment of the various grades of peasants – *fuidir* (pl. *fuidri*), *bothach* (pl. *bothaig*) and *senchléithe* (pl. *senchléithi*) – and how they relate to these commoner grades.

***Mruigḟer***

The *mruigḟer* ('land man') was 'ascribe[d] full legal rights' in the law tracts and was entitled to 'participate fully' in community life.[23] Daniel Binchy, in his edition of *Críth Gablach*, considered the *mruigḟer* the archetypal commoner based on the 'great detail in which his property and functions are described'.[24] For this reason, scholars extrapolate the *mruigḟer*'s property qualifications, legal rights and obligations to characterise the rights of most commoners. While the honour-price given to the *mruigḟer* in *Críth Gablach* (six *séoit*)[25] is slightly higher than the typical *bóaire*'s honour-price in non-status-based law tracts (five *séoit*),[26] the render of one milch cow that he owed to his lord (*flaith*) in clientship (discussed in the following chapter) is characteristic of the *bóaire*.[27] Both Rudolf Thurneysen and, following him, Binchy have argued that the term *bóaire* actually derives from this render (*bó*, a single milch cow) rather than any cattle a *bóaire* may have owned, despite the fact that, in two separate places, *Críth Gablach* declares that a *bóaire*'s status derives from his cattle.[28]

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[23] Charles-Edwards, 'Kinship, status and the origins of the hide', p. 9.

[24] *Críth Gablach*, ed. Binchy, p. 78, glossary, *s.v. bóaire*.

[25] See Table 3.3 below for a list of the honour-prices given to *bóairig* in the status-texts.

[26] In *Berrad Airechta*, for instance, the *bóaire* is only allowed to act as a surety up to the value of his honour-price, listed as five *séoit*: 'Toboing naidm im̃ oglog a enech. Mad in tan in boaire doboingeth a naidm .uii. cumala, indorsa im̃ is coruice .u.s.u.', *CIH*, ii, p. 594.10-12; trans. in '*Berrad Airechta*: an Old Irish tract on suretyship', ed. Robin Chapman Stacey, in Thomas Charles-Edwards, Morfydd E. Owen and D.B. Walters (eds), *Lawyers and laymen: studies in the history of law, presented to Professor Dafydd Jenkins on his seventy-fifth birthday, Gwyl Ddewi 1986* (Cardiff, 1986), pp 210-33: 216, §41: 'a *naidm*-surety, however, enforces (a claim equal in value to) his full honour-price. In times past, the substantial freeman [*bóaire*] used to enforce his *naidm*-suretyship (up to a value of) seven *cumals*, but now it is up to five *séts*'. See also a list of some of the non-status-based law tracts in Table 3.2 above.

[27] 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 361.

[28] Thurneysen suggested in his comments to his edition of *Cáin Aicillne* that the *bóaire* denomination may have derived particularly from his yearly render to a lord of a fully-grown cow, 'Der *bō-aire*, der vielleicht seinen Namen eben von dieser bei ihm häufigen Zinsleistung (*bō*) hat, bildet mit dem unter ihm stehenden *ōc-aire* den *grād Fene*, was wir etwa mit 'Stand der Gemein – Freien' übersetzen können', 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 361. Binchy highlights two

Furthermore, *Críth Gablach* states that the honour-price of the *mruigfer* was derived from his landed property, not livestock: 'A 'landman' (*mruigfer*), why is he so called? From the number of his lands. Land of three times seven cumals he has' (*Mrugḟer, cid ara n-e(i)perr? Di lín a mruige: tír trí .vii. cumal la suide*).[29] Any loss or gain of property entailed a re-assessment of a person's legal rights and resulted in a gain or loss of status, represented by a number of different sub-groups in *Críth Gablach*.

***Bóaire febsa***

The basis of a commoner's status is discussed further under the grade of the *bóaire febsa* in *Críth Gablach*. Despite the fact that the *mruigḟer* is discussed in more detail, and represents the archetypal early medieval commoner, the typical honour-price given to *bóairig* outside of the status-texts (five *séoit*) is instead given to the *bóaire febsa* ('*bóaire* of excellence') in *Críth Gablach* (see Table 3.3).[30] The text offers two conflicting accounts regarding the exact nature of the property upon which this honour-price is based. In the first instance the text clearly states: 'A bóaire of excellence', why is he so called? Because his nobility and his honour-price are derived from kine' (*Bóaire febsa, cid ara n-e(i)per[r]? Ar is di búaib atá a airechas ⁊ a eneclann*).[31] Yet, after the property holdings of a *bóaire febsa* are listed, in which a kiln, a barn, a sheep-fold, a calf-fold and a pigsty are named, the texts suggest that these houses are the basis for not just the *bóaire febsa*'s honour-price, but the honour-price of all *bóairig*: 'these are the seven roof-trees in respect of which every *bóaire* is paid *díre*' (*It hé insin .vii. cléithe ó ndírenar cach bóaire*).[32]

In his translation of the text, MacNeill suggested that the second passage might refer to a specific payment 'due for injury done to a house' (*trebdíre*) and not an individual's honour-price.[33] Neil McLeod has instead suggested that land ownership, not just the

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sections of the text that describe cattle as the basis for a *bóaire*'s status, but then argues that this justification is incorrect, *Críth Gablach*, ed. Binchy, p. 77. The first reference can be found under a description of the *bóaire febsa*, see p. 62. The second appears in the description of the *aire désa* and notes 'the *aire désso*, why is he so called? Because it is in regard of his *déis* that his *díre* (honourprice) is paid. Not so the *bóaire*, it is for his cattle that *díre* is paid to him' (*Aire désa, cid ara n-eperr? Arindí as dia déis direnar. Nimthá bóaire: is dia búaib direnar side*), text in *Críth Gablach*, ed. Binchy, p. 13, ll. 328-9, §24; trans. in MacNeill, 'Ancient Irish law', p. 296, §106.

[29] *Críth Gablach*, ed. Binchy, p. 7, ll 171-2, §14; trans. in MacNeill, 'Ancient Irish law', p. 291, §89.

[30] *Críth Gablach*, ed. Binchy, pp 6-7, ll. 160-1, §13; trans. in MacNeill, 'Ancient Irish law', p. 290, §87.

[31] *Críth Gablach*, ed. Binchy, p. 6, ll. 152-3, §13; trans. in MacNeill, 'Ancient Irish law', p. 290, §87.

[32] *Críth Gablach*, ed. Binchy, p. 6, ll. 156-7, §13; trans. in MacNeill, 'Ancient Irish law', p. 290, §87.

[33] MacNeill, 'Ancient Irish law', p. 290, no. 2. See also, Neil McLeod, 'Property and honour price in the Brehon law glosses and commentaries' in *Ir. Jurist*, xxxi (1996), pp 280-95: 292-4.

possession of livestock, was the basis for status amongst commoners;[34] indeed, McLeod argues that an individual needed fourteen *cumala* of land in order to qualify as a *bóaire*.[35] In Thomas Charles-Edwards' discussion of *Críth Gablach* and the status-grades he notes that the 'economic resources' of a commoner, such as livestock, land and buildings, are the basis of his status, but the discussions of individual grades do not agree as to which specific resources are central.[36] In *Críth Gablach*'s discussion of the *aire déso* his ten *séoit* honour-price is described as deriving in part from landed property and in part from his base clients: 'What gives ten chattels as the *díre* (=honourprice) of this man? Five chattels in regard of his own house in the first place and five in regard of the five houses that are in vassalage to him' (*Cid dobe[i]r .x. séotu do díriu ind ḟir sin? Cóic(c) ṡéoit a thige fadessin cétamus, ⁊ a cóic asin chóicthigi[u] adidngíallna*).[37] Thomas Charles-Edwards has argued that this basis for the honour-price of the lowest grade of nobles suggests that, in terms of farming, a noble was 'not fundamentally different from a commoner', and that what truly distinguished a noble from a commoner was the possession of base clients.[38]

Thus, the reason the basis of status for the *bóaire febsa* changes in *Críth Gablach* might stem from the fact that, in attempting to conform to a seven-grade model, the *bóaire* class was bifurcated. According to Charles-Edwards this division was based on affluence; the *bóaire febsa* was the 'somewhat poor' variant compared to the 'somewhat prosperous' *mruigḟer*.[39] Both land and livestock were considered important property elements of commoners that were divided by jurists in order to emphasise a difference between these two grades.

### *Aithech ara threba a deich*

Out of all of the grades listed in *Críth Gablach*, the *aithech ara threba a deich* ('commoner who farms by means of tens') is the one used most often by scholars to highlight the artificial nature of the seven grades of commoners listed in many of the status-texts.[40] For example, the *aithech ara threba a deich* was said to maintain 'ten cows, ten pigs and ten sheep', only slightly more than the grade beneath him (the *ócaire*) who was supposed to

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[34] McLeod, 'Property and honour-price', p. 281.
[35] Ibid, citing McLeod, 'Interpreting early Irish law (ii)', pp 64-5.
[36] Charles-Edwards, '*Críth Gablach* and the law of status', p. 64.
[37] *Críth Gablach*, ed. Binchy, p. 14, ll. 354-6, §24; trans. in MacNeill, 'Ancient Irish law', p. 297, §108.
[38] Charles-Edwards, *Early Irish and Welsh kinship*, p. 350.
[39] Charles-Edwards, '*Críth Gablach* and the law of status', p. 72.
[40] See, for example, Charles-Edwards, *Early Irish and Welsh kinship*, p. 348; McLeod, 'Interpreting early Irish law (ii)', pp 84-5; Gerriets, 'Economy and society: clientship according to the Irish laws', pp 52-3.

maintain 'seven cows with their bull; seven pigs with their brood sow; seven sheep; a horse both for working and for riding'.[41] This specific quantity of animals each grade was said to possess is clearly artificial, as the archaeozoological record shows a predominantly bovine majority until the eighth and ninth centuries.[42] This suggests that the amount of movable property listed for many of the commoner grades was likely created by the jurists as a way to emphasise differences between grades that may not have actually existed. This is particularly true in the case of the *aithech ara threba a deich,* as Charles-Edwards has identified that there were very few legal differences between the grade of *aithech ara threba a deich* and the grade of *ócaire*; both grades had the same share in a plough-team, were allowed the same retinue during hospitality, and owed the same food-renders in clientship.[43]

The *aithech ara threba a deich* was clearly inserted into the status-texts in order to extend the common grades into a seven-grade system; nevertheless, the justification for the grade offered by *Críth Gablach* suggests that heirs with insufficient inheritances were the people described as *aithig ara threba a deich* and they were a real (and perhaps growing) concern in early medieval Irish society. *Críth Gablach* states: 'What deprives this man of the status of a *bóaire*? It is that perhaps four or five men may be in joint heirship to a *bóaire*, so that each of them cannot easily be a *bóaire*' (*Cid nodmbrisi in fer so a bóairechas? Ar bés bid cethrar nó chóicer bíte hi comarbus bóairech con[n]ách assa[e] bóaire do cach áe*).[44] Thus partible inheritance and a significant number of surviving legitimate heirs created problems for status in Irish society.

In early medieval Ireland one's inheritance was portioned out in an attempt to 'ensure fairness'.[45] Upon a man's death, the law tracts decree that his property and wealth be divided amongst his legitimate sons,[46] and if he had no surviving sons, his daughters. A number of law tracts describe the process as follows: all of the land over which the father had sole legal rights was divided up by the youngest heir, while the eldest heir was allowed to choose which part of

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[41] *Aithech ara threba a deich*: *Críth Gablach*, ed. Binchy, p. 5, l. 133, §12; trans. in MacNeill, 'Ancient Irish law', p. 289, §84; *ócaire*: *Críth Gablach*, ed. Binchy, p. 4, ll. 90-1, §10; trans. in MacNeill, 'Ancient Irish law', p. 291, §90.

[42] See, for example, the distribution of animal remains at Deer Park Farms, Finbar McCormick and Emily Murray, 'The animal bones from Deer Park Farms', in Lynn and McDowell, *Deer Park Farms*, pp 469-88.

[43] Charles-Edwards, *Early Irish and Welsh kinship*, p. 350.

[44] *Críth Gablach*, ed. Binchy, p. 6, ll. 145-8, §12; trans. in MacNeill, 'Ancient Irish law', p. 286, §77.

[45] Kelly, *A guide to early Irish law*, p. 102.

[46] There were nine sons that were not eligible to receive inheritance: *macc muine* (the son who is conceived in the bushes, excluded for doubt of paternity), sons of a prostitute (*baítsech*), *macc raite*, ('son of the road', abandoned child not fully adopted), *mac toimten* ('putative son', his paternity was also in doubt), the son of an underage girl (that union would not have had the support of either kin), criminal sons, such as the *macc fócrai* ('proclaimed or outlawed son'), and the *mac ingor* ('impious son'), Kelly, *A guide to early Irish law*, pp 102-3.

the inheritance he wanted. Successively younger heirs chose their portions until the youngest was left with the remainder.[47] There was also a piece of land entitled the *cumal senorba* ('the *cumal* of the old inheritance'), a piece of land valued at one *cumal*. This tract of land was given to the 'head of the inheriting kindred' or the eldest son.[48] As an individual's status and grade depended on his property and wealth it was in the youngest heir's best interest to divide the land fairly, ensuring for himself a respectable place in society. Yet, because an equitable division of the assets could leave multiple heirs equally poor, brothers did not always accept shares that had the power to demote their status.

Depending on the amount of land a typical *bóaire* possessed, and the number of sons who sought an inheritance, this division of property did not allow for all of the heirs to retain the qualifications of a *bóaire*. Thus, there are a number of references in early medieval literature to animosity between heirs. Tírechán, in his *Life* of Patrick, recounts an engagement between two brothers who fought a duel over their inheritance: 'the wood of contention had been set, which the pagans call *caam* [battle] and they took up two-edged swords, raising their hands, with their feet wide apart, one brother being about to slay the other'.[49] As a way of forestalling these fights, the eighth-century legal text *Gúbretha Caratniad,* 'the false judgements of Caratnia', decrees that lots should be cast in order to settle any disputed inheritance.[50]

Partible inheritance, however, was not a new problem around *c.* 700 when *Críth Gablach* was being codified. In a society which not only tolerated secondary wives, but allowed their sons to inherit, multiple surviving heirs were a common problem throughout the middle ages in Ireland. Fergus Kelly noted that there were three types of sons who were allowed to inherit, the 'recognized son' (*mac aititen*), 'son of a pure woman (i.e. a chief wife)' (*mac óige*), and the 'the son of a betrothed concubine' (*mac adaltraig[e] urnadma*).[51] Thomas Charles-Edwards has proposed that, prior to the eighth century, when an excess of heirs culminated in an insufficient inheritance, the children of a *bóaire* did not become *aithig ara threba a deich* or even *ócairig*. Instead, he argued, these men likely became semi-free *fuidri* (peasants, see below for more information on the *fuidri*), not only losing their land, but also their free status.[52] Thus, even though the grade of the *aithech ara threba a deich* did not differ

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[47] Kelly, *Early Irish farming*, p. 413.
[48] Ibid, p. 415; McCone, *Pagan past and Christian present*, p. 208.
[49] Text and trans. in *The Patrician texts in the Book of Armagh*, ed. Bieler, pp 123-63: 148-9, §32.
[50] 'Aus dem irischen Recht III' [4. Die falschen Urteilssprüche Caratnia's], ed. Rudolf Thurneysen, in *ZCP*, xv (1926), pp 302-76: 316-17, §10.
[51] Kelly, *A guide to early Irish law*, p. 102.
[52] Charles-Edwards, 'Kinship, status and the origins of the hide', pp 9-10.

in any significant way from the *ócaire* and may merely have been an extension of the *ócairig*, the discussion in *Críth Gablach* highlights a growing concern over heirs with insufficient property to retain free status.

### *Ócaire*

If the *bóairig* were originally represented by only one grade in society, the *mruigḟer* according to *Críth Gablach*, and both the *bóaire febsa* and the *aithech ara threba a deich* were created by eighth-century jurists, then the *ócairig* ('young freemen') are the first sub-group in Irish society to have been hived off from the *bóaire* grade. In a number of law tracts, outside the main status-texts, the *ócaire* could appear as the lowest-ranking adult commoner, suggesting only a bi-partite division of the grades of commoners (*bóaire* and *ócaire*) (see above, Table 3.2). An *ócaire* was given an honour-price of three *séoit* and he could make an oath, act as bond, guarantee and hostage surety, and give evidence up to that amount.[53] His reduced honour-price (in comparison to the *mruigḟer*) was, according to *Críth Gablach*, a result of 'the smallness of his means' (*ar lagait a ḟolaid*);[54] the term *folad* in this case should be understood to mean 'property, wealth'.[55] A preceding passage, however, reduces the *ócaire*'s honour-price and grade specifically on 'the basis of land' (*di thír*).[56] Modern scholars have interpreted this section of the text in two ways – either the *ócaire* did not possess any land or he did not possess *enough* land to qualify as a *bóaire*. The qualifier in the first sentence (*lagait*) would seem to indicate, however, that the *ócaire* did own at least some property and part of this 'property' was probably in the form of land. Indeed, another passage in *Críth Gablach* describes the exact value of the land an *ócaire* maintained as the 'land of thrice seven cumals' (*tír (trí) .vii. cumal les*)'.[57] The text goes on to note 'that is a 'cow's land' in the tradition of the Féni, it sustains seven cows for a year' (*is ed tír mbó la Féniu insin, foloing .vii. mbúu co cenn mblíadna[e]*).[58] The next sentence in *Críth Gablach*, however, has been interpreted by some scholars, such as Eoin MacNeill and Neil McLeod, to mean that this land worth 21 *cumala* was

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[53] 'Lóg a enech, is ed im[m]atuing, ₇ téit fora naidm ₇ a ráith ₇ a aitiri ₇ a ḟíadnaise', *Críth Gablach*, ed. Binchy, p. 5, §11, ll.128-9; trans. in MacNeill, 'Ancient Irish law', p. 289, §83: 'his honour-price is (the measure of value to which) he makes oath and which goes upon his bond and his guarantee and his hostage and his evidence'.

[54] *Críth Gablach*, ed. Binchy, p. 5, l. 131, §11; trans. in MacNeill, 'Ancient Irish law', p. 289, §83.

[55] See *DIL*, *s.v. folud*; Daniel Binchy, 'Irish history and Irish law (ii)', in *Studia Hib.*, xvi (1976), pp 7-45: 27-31; *Críth Gablach*, ed. Binchy, vocabulary, p. 54, *s.v. folud*.

[56] *Críth Gablach*, ed. Binchy, pp 4-5, ll. 106-7, §10; trans. in McLeod, 'Interpreting Irish law (ii)', p. 62.

[57] *Críth Gablach*, ed. Binchy, p. 4, l. 91, §10; trans. in MacNeill, 'Ancient Irish law', p. 286, §77. This is the same amount of land as noted for the *mruigḟer*, see p. 62.

[58] *Críth Gablach*, ed. Binchy, p. 4, ll. 92-3, §10; trans. in MacNeill, 'Ancient Irish law', p. 286, §77.

rented, not owned by the *ócaire*: 'that is (when it is let for grazing), seven cows are put into it (and the grazier) leaves one of the seven cows at the year's end for the rent of the land' *(.i. adagatar .vii. mba[í] ind, fáccaib in .vii.maid mboin dia blíadnae i fochraic in tíre)*.[59]

Neil McLeod has argued that the status of an *ócaire* was based on this rented land rather than any property he may have owned.[60] Furthermore, McLeod held that the reason an *ócaire* did not own any land was because his father was still alive and currently in possession of the family lands. The hypothesis that an *ócaire*'s status was based on future inheritance, not current property holdings is, however, mistaken. The justification for the 'grade' of the *aithech ara threba a deich* followed the division of inheritance, and did not precede it. Furthermore, the following analysis will show that, in the cases of the *fir midboth* and the *fuidri*, future inheritance did not count towards an individual's status; only current possession of property counted towards an individual's grade in society. The three *séoit* honour-price given to an *ócaire* in *Críth Gablach*, therefore, was based upon existing property qualifications, not rented land or future inheritance.

***Fer midboth***

A *fer midboth* ('man between [two] houses'), is described as a young freeman who had left fosterage (a socio-economic custom through which one's children were reared by another couple, usually ending between the ages of 14 and 17),[61] but was not old enough or did not have the necessary property qualifications to become a full-fledged member of society.[62] While the age many individuals left fosterage was seventeen, the age at which they were given 'full legal status as an adult' was twenty.[63] According to *Críth Gablach*, there were two separate and distinct individuals within the grade of *fer midboth* – the first *fer midboth* and the second *fer midboth*. The differences between individuals in this bifurcated grade have been the subject of much debate among scholars.

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[59] *Críth Gablach*, ed. Binchy, p. 4, ll. 93-4, §10; trans. in MacNeill, 'Ancient Irish law', p. 286, §77.
[60] Neil McLeod, part of the Brehon Law project, discussed part of his unpublished translation of *Críth Gablach* in regards to the *ócaire* on a message board at: http://groups.yahoo.com/group/fenechas/message/1212.
[61] See Peter Parkes, 'Celtic fosterage: adoptive kinship and clientage in northwest Europe' in *Comparative Studies in Society and History* xlviii, no. 2 (2006), pp 359-95; Seamus Ó hInnse, 'Fosterage in early and medieval Ireland' (unpublished PhD thesis, N.U.I., University College Dublin, 1943); Bronagh Ní Chonaill, 'The place of the child in medieval Irish and Welsh law' (unpublished PhD thesis, Trinity College Dublin, 2011). For a brief discussion of the types of foods children were entitled to while in fosterage, see Chapter 5 below, pp 150-1.
[62] *Críth Gablach*, ed. Binchy, pp 1-4, ll.23-86, §§6-9; trans. in MacNeill, 'Ancient Irish law', pp 283-6, §§66-75.
[63] McCone, *Pagan past and Christian present*, p. 204.

Daniel Binchy argued that the distinguishing factor between the two divisions was the two independent ages, fourteen and seventeen, described in *Críth Gablach*. The status-text determined that the age at which the first *fer midboth* could 'swear to fines' was at fourteen, as he is only capable of evidence 'on every trivial matter before (the age of) seventeen years, (and) that he has not taken a possession (of the land of his kin) or an inheritance before that' (*fri cach súaill re secht mblíadna[ib] .x., ná[d] roga(i)b seilb ná comarbus ria sin*).[64] McLeod, on the other hand, focused on a later section of *Críth Gablach*, in which the age at which a *fer midboth* could preserve statements was reckoned at 'fourteen years to twenty, to the fringe of beard' (*ó chetheoraib blíadnaib deec co fichtig co cúairtulchaigi*).[65] Using this section of text, McLeod contended that the grade of the *fer midboth* encompassed all individuals between the ages of fourteen and twenty, and the division of the grade was instead based on inheritance.[66] Kim McCone combined the two theories and posited that both age and inheritance were at the crux of the division. He reasoned that at the age of fourteen (once out of fosterage) an individual could progress directly into the role of the second *fer midboth* if he had already inherited property. Young men who had not received their inheritance, on the other hand, became the first *fer midboth* and were only eligible for the second *fer midboth* role after the age of seventeen. Once all of these men had reached the age of twenty they were then eligible to move into one of the full status grades of *ócaire* or *bóaire*, depending on the size of the property they had inherited. If they did not in fact receive an inheritance at the age of twenty then they retained their status as a second *fer midboth*.[67] Thus, future inheritance did not count towards a *fer midboth*'s grade, only age and current property holdings. Although two distinct individuals under the age of twenty are distinguished in *Críth Gablach*, the following analysis will show that they do not represent two separate social groups, but one sub-group of the *bóairig* divided in order to extend the commoner grades to fit the ecclesiastical model.

**The first *fer midboth***

While both *fir midboth* were young and unmarried, the first *fer midboth* was also landless.[68] In addition to not having yet received an inheritance, the first (and younger) *fer*

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[64] *Críth Gablach*, ed. Binchy, p. 2, ll. 35-7, §6; trans. in MacNeill, 'Ancient Irish law', p. 283, §68.
[65] *Críth Gablach*, ed. Binchy, p. 3, ll. 66-7, §9; trans. in MacNeill, 'Ancient Irish law', p. 285, §73.
[66] Neil McLeod, 'The two *fer midboth* and their evidence in court' in *Ériu,* xxxiii (1982), pp 59-63: 62.
[67] McCone, *Pagan past and Christian present*, p. 204.
[68] The *fer midboth* was the only grade in which a wife and/or children are not mentioned. In the description of the *ócaire* in *Críth Gablach,* for instance, the text notes that 'it is a rule of law in the tradition of the Féni, half of the *dire* (i.e. of the honourprice) of every grade of the *tuath* for his wife and his son and his daughter, unless it be a *dormuine* or a son who is a defaulter from his filial duty – for

*midboth* was also unable to enter into base clientship and receive land or livestock as a grant from a lord.[69] Kim McCone has proposed that this lack of social and economic ties to society may have made life in a *fían* (roving 'warrior band') seem preferable to many of these young landless *fir midboth* who were living and working on family lands and dependent upon their fathers.[70] Although, most of the surviving historical evidence focuses on *fíanna* composed of young noble men, one source, *Tecosca Cormaic*, 'The instructions of Cormac Mac Airt', suggests that 'everyone is a fían-member until (he acquires) landed property' (*fénnid cách co trebad*).[71]

References to an individual known as an *óenchiniud* ('single kin') in *Críth Gablach* suggest that some landless *fir midboth* may have joined these warrior bands. In the first passage, directly after listing the house-custom of the first *fer midboth*, *Críth Gablach* notes 'that is the custom of a single-kin [*óenchiniud*] a man who cultivates neither possession nor land for himself' (*iss é bés óenchin(n)eda insin, fer ná[d] tre(a)ba seilb ná ferann dó fadeisin*).[72] In a following section on hospitality and the *fer midboth*, *Críth Gablach* observes:

> 'Ní dligther fothud a thige do neoch céin mbes maice, combi túalaing saintrebtha ⁊ gabála[e] se(a)lb, do ḟi[u]r midboth(a) céin mbes n-óenchin(n)i[u]d acht ma ḟrisnasar a ḟlaith ná[d] fuiln(g)e a bés tar molt cona ḟosair'.
>
> 'no one is entitled to invite to his house as long as he is a minor, until he is capable of husbandry apart and of taking property; a *fer midboth* (is not so entitled) as long as he is a single-kin [*óenchiniud*], unless he be bound to it by (his) lord, so as he sustain no custom beyond a wether with its accompaniment'.[73]

Neil McLeod has argued that these two passages are proof that 'the lower of the two *fer midboth* sub-divisions corresponds to the *óenchiniud* and that the characteristic of both is

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these a fourth' (*Acht is breth la Féniu: leth díri cach gráid túaithe fora mnaí ⁊ a mac ⁊ a ingin, acht ma[d] dormuine nó mac bes élódach ria ngoiri - a cethramthu for suidib*), *Críth Gablach*, ed. Binchy, p. 5, ll. 124-7, §11; trans. in MacNeill, 'Ancient Irish law', p. 289, §83. There is no such rule describing any wives or children of a *fer midboth*.

[69] The *taurchrecc* (grant given to a client by a lord to establish clientship) is not mentioned under the discussion of the first *fer midboth*, but is mentioned twice in the discussion of the second *fer midboth*, *Críth Gablach*, ed. Binchy, p. 3, l. 71, §9; trans. in MacNeill, 'Ancient Irish law', p. 286, §73; and *Críth Gablach*, ed. Binchy, p. 4, l. 82, §9; trans. in MacNeill, 'Ancient Irish law', p. 289, §75. For more information on the *taurchrecc* see Chapter 4 below, on Dues and Services.

[70] McCone, *Pagan past and Christian present*, pp 203-5.

[71] *The instructions of King Cormac Mac Airt*, ed. Kuno Meyer, Todd Lect. Ser., xv, Dublin, 1909), p. 47, §31; McCone, *Pagan past and Christian present*, p. 205.

[72] *Críth Gablach*, ed. Binchy, p. 3, ll. 72-3, §9; trans. in MacNeill, 'Ancient Irish law', p. 286, §73.

[73] *Críth Gablach*, ed. Binchy, pp 3-4, ll. 77-80, §9; trans. in MacNeill, 'Ancient Irish law', p. 286, §74.

their lack of property'.[74] Yet, the *óenchiniud* was not a grade of person that directly equated to the first *fer midboth*. Instead, it could be argued that the status of an *óenchiniud* (here perhaps more aptly explained as a 'kinless' man) was a shield that the first *fer midboth* could use to protect his family from any penalty payments resulting from criminal behaviour as a *fían* member.

In 1923, while editing and translating *Cáin Aicillne*, Rudolf Thurneysen hesitantly posited that the *óenchiniud* was the last surviving member of a *fine*, akin to the un-propertied *fer midboth*.[75] Yet, Thurneysen himself pointed out the inconsistencies with this interpretation. If the *óenchiniud* was indeed the sole heir to his kin land (*fintiu*), it would be reasonable to assume that he would be rich in property not the 'poor wretch without land or cattle' as described in *Críth Gablach*.[76] Rejecting the suggestion of a later glossator, Thurneysen did not believe that the *óenchiniud* had no family because he came from outside the *túath* and instead grudgingly suggested that perhaps the *óenchiniud* was the sole survivor of an impoverished family. This explanation, however, is inconsistent with other law tracts and references to the kin and relatives of an *óenchiniud* who were allowed to 'impugn his contract'.[77] Kim McCone, more recently, has argued that the *óenchiniud* was not the sole survivor of an impoverished family, but an individual who had renounced his family or been renounced by them in order to join a warrior-band.[78] This renunciation was important to keep his family free from any penalty payments that may have resulted from a warrior-band lifestyle (such as murder and theft). Therefore, the second quote from *Críth Gablach*, instead of equating the *fer midboth* with the *óenchiniud*, may on the other hand exempt from the duty of hospitality a *fer midboth* who has renounced his family, become an *óenchiniud*, and joined a *fían*.

The description of a *fían* as a nomadic band of male youths, variously described as violent *díberga*, brigands who liked to raid, pillage and rape, or harmless hunters in the later sources, suggests that membership of one of these roving bands was not permanent. Although many early sources condemn this criminal behaviour, a number of them also demonstrate how these individuals were allowed to re-join the settled and landed community. Thus even

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[74] McLeod, 'Interpreting early Irish law (ii)', p. 67.

[75] Noted as an unpropertied youth living in his own 'hut' on his father's land without any economic independence; '$_7$ nád roig fertaid', *Críth Gablach*, ed. Binchy, p. 2, ll. 31-2, §6; trans. in MacNeill, 'Ancient Irish law', p. 283, §67: 'and he does not reach (the ownership of) a *fertach* (of land)'. See also, McLeod, 'Interpreting early Irish law (ii)', p. 66.

[76] 'Tropf ohne eigenes Land und Vieh', 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 347, discussion of §3b.

[77] McCone, *Pagan past and Christian present*, p. 205.

[78] Ibid.

though the *c.* seventh-century *Aipgitir Chrábaid*, 'Alphabet of Piety', describes the four evil things a *fían* causes – 'it contracts territories ... it increases hostility ... it destroys life' and 'it prolongs torments'[79] – the annalistic compilation known as the Fragmentary Annals records that some of these criminal young nobles would still become kings. Under the year 721 in the Fragmentary Annals there is a description of the two sons of Fergal mac Máele Dúin, the pious Níall Frossach and the *fían*-leader Áed Allán. Both sons eventually became kings, but only the pious Níall was able to establish a 'major royal line'.[80] It would appear, therefore, that while members of the *fían* were entitled to re-join society not all of their past activities were forgotten (or perhaps forgiven). For the first *fer midboth*, if he inherited property he was entitled to become a second grade or propertied *fer midboth*.

**The second *fer midboth***

The second *fer midboth* of *Críth Gablach* was the traditional propertied *fer midboth* who appears outside the status-texts. He had an honour-price the value of a *colpthach* (a two year-old heifer, worth ⅔ *sét*)[81] and was entitled to 'act as a surety, oath-helper or witness' up to that amount.[82] The second *fer midboth* could also enter into a clientship contract with a lord in order to increase his land or livestock and he could provide legal protection to a fellow *fer midboth* (within the borders of the *túath*).[83]

Both Bette Crigger and Colmán Etchingham have posited that this propertied *fer midboth* could have been related or even equivalent to another type of youth called the 'son of a living father' (*mac béoathar*) and that the *fer midboth* was subject to the same legal limitations as the *mac béoathar*.[84] The eighth-century law tract *Berrad Airechta*, 'shearing of the court', distinguishes three types of *mac béoathar* – the *macc té* (hot son), the *macc úar* (cold son) and the *macc ailte* ('fostered son').[85] The *macc té* was subject to his father's direction and had no independent legal ability to make contracts or act as surety, although he could annul his father's contract if that contract endangered his livelihood.[86] The *macc úar*

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[79] Ibid, p. 219.
[80] Ibid, p. 223; *Fragmentary annals of Ireland* [*FA*], ed. Joan Newtown Radner (Dublin, 1978), *s.a.* 721, pp 60-3.
[81] *Críth Gablach*, ed. Binchy, p. 2, ll. 42-3, §7; trans. in MacNeill, 'Ancient Irish law', p. 284, §69. For the comparative value with a *sét* see Kelly, *Early Irish farming*, pp 588-9.
[82] Kelly, *A guide to early Irish law*, p. 82.
[83] Ibid.
[84] Crigger, 'A man is better than his birth', p. 96; Colman Etchingham, 'Aspects of early Irish ecclesiastical organisation' (PhD thesis, Trinity College Dublin, 1991), p. 312.
[85] '*Berrad Airechta*', ed. Stacey, p. 215, §36; see also Kelly, *A guide to early Irish law*, pp 80-1.
[86] Kelly, *A guide to early Irish law*, p. 80.

(who failed in his responsibilities to care for his father or mother) could not make any contracts and could not be protected by anyone. The *macc ailte*, on the other hand, was given slightly more legal freedoms and could make contracts provided they were advantageous, rather than detracting from the value of the family's inheritance, including being able to rent land (when he had insufficient room on his father's estate), enter into a co-ploughing arrangement (when not ploughing with his father) and he was allowed to enter into a marriage contract.[87] Yet, the *mac béoathar* was still dependent on his father and remained in the family home awaiting a direct inheritance, as can be seen from a reference in the Heptads that entitled him, as a member of the household, to purchase additional meat or cattle in order to feed a lord during a coshering visit (one of the reciprocal duties owed in clientship, discussed more in the following chapter).[88] The second *fer midboth*, on the other hand, had already received an inheritance, thus implying either the death or retirement of his father, and did not remain within the family household.[89] Furthermore, the *macc béoathar*, unlike the second *fer midboth*, could not enter into a base clientship contract.[90] The amount of legal restrictions that applied to a *mac béoathar*, therefore, did not apply to the second *fer midboth*.

Evidence from both within and beyond the status-texts thus confirms that the *fer midboth* was a sub-group of *bóairig* with a number of legal rights and was not manufactured by the jurists in order to better fit a seven-grade model. This socio-economic group, however, consisted of young men who had not yet reached full adult legal status. The grade of the *fer midboth* was generally thought to be transitory, as most young men advanced to the status of an *ócaire* or a *bóaire* after reaching twenty years of age and receiving their inheritance, yet some adult males could retain the status of a *fer midboth* well into adulthood, depending on the lifespan of their father.

**Young boys**

A number of law tracts, including status-texts, propose, however, that there were further subdivisions below the grade of the *fer midboth* – the *inol, flescach* and *gairid* (found in *Uraicecht Becc*), the *óenchiniud* (discussed above) and *fer domun* (found in *Cáin Aicillne*), and the *bruider* (found in *Bretha Déin Chécht*, 'judgments of Dían Cécht'). These titles represent

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[87] Ibid, p. 81.

[88] *CIH*, i, p. 45.36; Daniel Binchy, 'Aimser Chue' in *Féil-Sgríbhinn Eóin Mic Néill: essays and studies presented to Professor Eoin MacNeill on the occasion of his seventieth birthday, May 15, 1938* (Dublin, 1940), pp 21-2. For more information on coshering see Chapter 4 on Dues and Services.

[89] For information regarding the housing of the *fer midboth* see Chapter 7.

[90] '*Berrad Airechta*', ed. Stacey, p. 215, §36.

different groups of young men (in many cases, specifically boys), some of which appear outside of status-texts in discussions of various legal disputes. They do not, however, signify distinct grades in society.

There are few, if any, differences between many of these 'grades' and they were clearly created to extend the commoner grades in status-texts. One section of *Bretha Crólige* seems to indicate that the *flescach* ('sapling') was not a grade of commoner, as it suggests that the *flescaig* had more in common with slaves, than with the *bóairig* or *ócairig*:

> '.vii. cumala crolige cach airech tuisi ₇ cech airech desa corige boairig. Teora cumala crolighi cach boairech ₇ cach ocairech. Di cumail crolige cach flescaig ₇ cach mogo',
>
> 'Seven *cumals* are [the penalty for] the blood-lying of every *aire túise* and every *aire désa* down to a *bóaire*. Three *cumals* are [the penalty for] the blood-lying of every *bóaire* and every *ócaire*. Two *cumals* are [the penalty for] the blood-lying of every *flescach* and every slave'.[91]

McLeod used this association between *flescaig* and slaves to demonstrate that neither social group had an independent legal capacity.[92] The *flescach* has also been connected to the *fer domun* in Rudolf Thurneysen's discussion of *Cáin Aicillne*, based on a line in the TCD 1336 manuscript in which the term *flescach* is used to gloss *fer domun*. The original line of text lists: 'nobles and men and women and *fir domuin*' (*Airig ₇fir ₇mna ₇fir domuin*), and *fir domuin* is glossed 'the little boys and the *flescaig* and the *fir midboth*' (*na mic beca ₇na flescaig ₇na fir midbad*).[93] Here the over-arching term of *fir domuin* used age to distinguish three further sub-groups – the *flescaig* were not as young as the 'little boys', but also not as old as a *fer midboth*. The 'grade' of a *flescach*, therefore, was not an actual grade below the *fer midboth*, but was a term used to refer to young men still in fosterage who were neither 'little boys' nor *fir midboth*.

The following three terms– *gairid*, *inol* and *bruider* – all fall into a similar manufactured category. *Gairid* ('rod or switch') is analogous to the '*flesc*' element of the *flescach* and has no independent defining characteristics.[94] MacNeill, Thurneysen, Binchy and

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[91] Text and trans. in 'Bretha Crólige', ed. Binchy, in *Ériu*, xii (1938), pp 1-77: 6-7, §2.
[92] McLeod believes that the text here is corrupt and instead of having the *flescach* follow *ócaire* in order of descent the *fer midboth* should be reinstituted between them, McLeod, 'Interpreting early Irish law (ii)', pp 65-6.
[93] 'Aus dem irischen Recht IV' [6. Zu den bisherigen Ausgaben der irischen Rechtstexte], ed. Rudolf Thurneysen, in *ZCP*, xvi (1927), pp 167-230: 208; *CIH*, vi, p. 2058.28.
[94] *DIL*, *s.v. gairid*.

McLeod have all concluded that the same can be said of the third grade, the *inol*.[95] The *bruider*, from *Bretha Déin Chécht*, does not appear outside this law tract and is given the same *díre* as the *flescach* in *Uraicecht Becc*, suggesting that he too was not a distinct grade in society.[96] All of these titles represented youths between the ages of 8 and 14 born into landowning families who were still in fosterage, similar to the *fer domun* in *Cáin Aicillne*.[97] As they were all still in fosterage, but over the age of seven, their honour-price was considered to be dependent on the status of their fathers.

There were, therefore, three main grades of commoner, according to the seventh- and eighth-century law tracts – *bóaire*, *ócaire* and *fer midboth* – although some of these grades were represented by different titles in the various tracts. All of the supplementary grades described in the three main status-texts, *Críth Gablach*, *Uraicecht Becc* and *Míadślechtae*, were created in order to force secular society to conform to a seven-grade ecclesiastical model. Nevertheless, the people represented by many of these manufactured grades were not themselves products of the jurists' imagination, but were instead real social groups in early medieval Ireland. The *flescaig, gairid* and *inol,* for example, all represented young boys on the cusp of manhood, who were just about to join settled society, but for whom no legal grade was needed, as they were still under the care of a foster-parent. The grade of the *aithech ara threba a deich*, though created for this seven-grade model, shows a growing concern with inheritance as well as freedom. Arguably the creation of the *aithech ara threba a deich* could indicate that partible inheritance may have been more of a concern for commoners than nobles; if a noble lost his status, he likely fell to the rank of commoner (such as the notice in *Críth Gablach* that a king who uses a spade(and thus acts as a commoner) becomes a commoner),[98] but any loss in status for a commoner may have resulted in a concomitant loss of freedom, as Thomas Charles-Edwards has argued loss of property may have resulted in peasant status (specifically the status of a *fuidir*).

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[95] As discussed in McLeod, 'Interpreting early Irish law (ii)', p. 70.

[96] See Table 3.3 for the appearance of the *bruider* outside of the status-texts. For the discussion of the *bruider*'s *díre* in *Bretha Déin Chécht* see, text and trans. in 'Bretha Déin Chécht', ed. Daniel Binchy, in Ériu, xx (1966), pp 1-66: 30-1, §13.

[97] McLeod, 'Interpreting early Irish law (ii)', pp 65-70, citing commentary to *Uraicecht Becc* ('a tri naesa .i. .uiii. mbliadna $_7$ .x. mbliadna $_7$ .xii. bliadna'), *CIH*, vi, p. 2326.39-40; trans in *ALI*, v, p. 87: 'their three ages, viz. eight years, and ten years, and twelve years'), also discussed by MacNeill, 'Ancient Irish law', p. 277, no. 1. As the age of the youngest *fer midboth* was reckoned at 14 (see above) it is plausible to suggest that these young men were generally between the ages of 8 and 14. This commentary on *Uraicecht Becc* also informed later status-texts, see *CIH*, ii, pp 704.23-708.23 (at 706.14-15) and *CIH*, iii, pp 1056.14-1059.15 (at 1058.25-6); see also Breatnach, *A companion to the Corpus Iuris Hibernici*, p. 317.

[98] *Críth Gablach*, ed. Binchy, p. 21, ll. 41-3, §40; trans. in MacNeill, 'Ancient Irish law', p. 303, §126.

**Peasants**

Though there are three types of peasants mentioned in the law tracts – *fuidir*, *bothach* ('one who lives in a *both* (hut)'),[99] and *senchléithe* ('ancient dwelling') – very little information regarding the status of *bothaig* and *senchléithi* survives. Daniel Binchy, for example, has argued that, outside of the fact that both the *fuidir* and the *bothach* were restricted from making certain legal contracts without the approval of their lords,[100] any actual differences between these two groups are 'impossible to determine'.[101] One difference, Binchy suggested, may have been in 'the nature of the services required from him [the *bothach*]', but he did not explain what these 'services' might be.[102] In an effort to distinguish the two groups, Thomas Charles-Edwards proposed that perhaps the lord provided the house in the case of the *bothach*.[103] The law tracts, furthermore, never mention a separate and distinct honour-price for the *bothach*. Thus, the focus of this section will be on the *fuidri*, but reference will also be made to the other two social groups when the evidence permits.

The *fuidri* were described as semi-free in Irish society, representing a mid-way between freedom (represented by commoners and nobles) and slavery. As Thomas Charles-Edwards has argued, *fuidri* were generally perceived, in the law tracts, as transient; they were seen as 'freemen in process of falling into servitude or as unfree in process of liberation'.[104] An individual could become a *fuidir* in a number of ways, including commission of a crime or having a defective kinship, such as being the son of an unrecognised union, an adopted kinsman, or an alien.[105] The children of commoners were particularly susceptible to becoming *fuidri*. As birth did not guarantee a child free status, children of commoners who received insufficient inheritances were at risk of losing not only commoner status, but also their

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[99] Later commentaries divide the *bothaig* into *sóerbothach* and *dóerbothach*, but most scholars agree that this is a 'purely schematic distinction', *Críth Gablach*, ed. Binchy, p. 78; 'Cóic conara fugill: die fünf Wege zum Urteil, ein altirischer Rechtstext', ed. Rudolf Thurneysen, in *Abhandlungen der preussischen Akademie der Wissenschaften*, Jahrgang 1925, phil-hist, Klasse, Nr. 7 (Berlin 1926), repr. in Patrizia de Bernardo Stempel and Rolf Ködderitzsch (eds), *Rudolf Thurneysen: Gesammelte Schriften* (3 vols, Tübingen, 1991-5), iii, pp 3-87: 77.

[100] 'Is urocra[ch] gach fuidir, gach bothach, gach dalta co diailtre, cach felmac i n-aimsir daire do fithidir, gach mac beoathur nad·bi saor a chor, nach ben forsa·mbe cenn comuirle', 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 375, §38; trans. in Ó hInnse, 'Fosterage in early and medieval Ireland', p. 49, §56: 'Every *fuidir*, every *bothach*, every foster-son to the end of fosterage, every pupil during the period of submission to his tutors, every son of a living father whose contract is not free, every woman subject to a *cenn comuirle* is a person proclaimed'.

[101] *Críth Gablach*, ed. Binchy, p. 78, legal glossary, *s.v. bothach*.

[102] Ibid.

[103] Kelly, *A guide to Early Irish law*, p. 35 n. 128.

[104] Charles-Edwards, *Early Irish and Welsh kinship*, p. 307.

[105] Ibid, pp 307-36. See also, Kelly, *A guide to early Irish law*, pp 34-5.

freedom. One archaic legal poem, dating between the late sixth and early seventh century, describes how an insufficient inheritance could cause the child of a *bóaire* to become a *fuidir*:

> 'Fine o chiurt chobrainne/ Nís tic di chiurt chomocais/ Acht certorbae mbóairech,/ Da .uii. cumal comardae,/ Orbae bíatas bóairig/ Orbae for sét n-imḟaebair,/ As di-renar lethdíre//',
>
> 'A kinsman, by right of sharing/ There comes to him by right of kinship/ Only the proper inheritance of a *bóaire*,/ Fourteen *cumal*s of equal value,/[The inheritance which feeds a *bóaire*.]/ An inheritance upon the path of a double-edged sword,/ In virtue of it half honour price is paid//'.[106]

Though the *fuidir* is not mentioned by name in this poem, Charles-Edwards posits that the terms *imḟaebair* ('double-edged path') and the *lethdire* ('half honour-price') refer directly to the status of a *fuidir*. One similarly archaic section of *Críth Gablach*, for example, specifically refers to this 'double-edged path' and includes *fuidri* in its discussion: 'Double-edged is every uncertain service: it brings on to the land the "clinging" of *bothach*-ship and *fuidir*-ship' (*Imḟáebair cach gíallnae éislinne, glenomon botha(i)s[a] ⁊ ḟuidri[u]s[a] foa tír tabeir*).[107]

Thurneysen, in his edition of the eighth-century law tract on *fuidri*, proposed that this socio-economic group was divided into two categories of person, based on property-ownership (or lack thereof) and a resulting difference in legal capacity – the '*fuidir* who has his rightful property' (*fuidir cona tothchus téchtae*)[108] and the '*fuidir* who has five holdings for his kindred' (*fuidir laiss mbiat .u. treba dia ceiniul*).[109] Both types of *fuidri* were tenants-at-will, but

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[106] Charles-Edwards, *Early Irish and Welsh kinship*, pp 518-19, §15. See also Myles Dillon, 'The relationship of mother and son, of father and daughter and the law of inheritance with regard to women' in Rudolf Thurneysen, Nancy Power, Myles Dillon, Kathleen Mulchrone, Daniel Binchy, August Knoch, John Ryan, S.J., *Studies in early Irish law* (Dublin, 1936), pp 155-6. The translation in brackets ('the inheritance which feeds a *bóaire*') was omitted in Charles-Edwards most recent translation, but can be found in Charles-Edwards, 'Kinship, status and the origins of the hide', p. 20, with a minor emendation based on the un-translated *bóaire* in the more modern edition.

[107] *Críth Gablach*, ed. Binchy, p. 13, ll. 324-5, §23, trans. by Binchy in his notes to ll. 324-35 on p. 33.

[108] Thurneysen noted in his edition of the text that *cona* here is most like an old scribal error for *cena* ('without') despite the fact that *cona* is rendered in all of the surviving manuscripts of the *fuidir* text, 'Irisches Recht' [I. Díre. Ein altirischer Rechtstext, II Zu den unteren Ständen in Irland], ed. Rudolf Thurneysen, *Abhandlungen der preussischen Akademie der Wissenschaften,* Jahrgang 1931, phil-hist, Klasse, Nr. 2 (Berlin, 1931), repr. as 'Irisches Recht' [I. Díre. Ein altirischer Rechtstext, II Zu den unteren Ständen in Irland] in Patrizia de Bernardo Stempel and Rolf Ködderitzsch (eds), *Rudolf Thurneysen: Gesammelte Schriften* (3 vols, Tübingen, 1991), iii, pp 175-262: 235, no. 2. Yet, Charles-Edwards has argued that this emendation is unnecessary and unlikely, Charles-Edwards, *Early Irish and Welsh kinship*, p. 323.

[109] 'Irisches Recht', [II Zu den unteren Ständen in Irland], ed. Thurneysen, p. 235, §2. A later glossator describes these five houses as a great-house (*tec mor*), a cow house (*botheg*), a pig sty (*foil muc*), a sheep pen (*lias caerach*) and a calf pen (*lias laeg*), *CIH*, ii, p. 662.3. They were noted as being 'from his own kindred for his own property' (*dia ceineal budein do budhein*), *CIH*, ii, p. 426.25-6; trans. in Crigger, 'A man is better than his birth', p. 182. Thomas Charles-Edwards does not agree with this interpretation,

they differed in the way in which their honour-prices were calculated and in their legal entitlements.[110] The honour-price of the *'fuidir* who has his rightful property' was fully dependent on the status of his lord and was not derived in any way from his own personal or familial holdings, as the text states: 'it is one-quarter of his (the lord's) compensation to which he [the *fuidir*] is entitled; half thereof for his wife' (*cethramthu a dire ales; a leth saide dia mnai*).[111] These landless *fuidri* worked as labourers on their lord's land and, as a result of their status being dependent on their lord, had no independent legal capacity. Thomas Charles-Edwards has argued that this landless *fuidir* was the typical tenant-at-will in early medieval Ireland.[112]

The honour-price of the *'fuidir* who has five holdings for his kindred', on the other hand, was calculated based on a combination of two factors – property holdings[113] and the status of his lord; for, the honour-price 'is paid according to half his property; the other half is of the lord and whoever pays for his offences' (*di·renar asa lethochus; a-lleth n-aill is na flatha ⁊ ne[i]ch iccas a cinta*).[114] Charles-Edwards has noted that these 'fortunate' *fuidri* who had kin-lands paid food renders to a lord 'like a base client', while the landless *fuidri* were fed by the lord, as a sign of their dependence on him.[115] Unlike base clients, however, the services and renders of a *fuidir* were 'double-edged' or 'uncertain' and not fixed.[116]

Regardless of whether or not a *fuidir* had kin lands, the relationship between a *fuidir* and his lord was not permanent. According to the law tracts, a *fuidir* could endeavour to improve his status and he and his family were given three successive generations in which to escape *fuidir*-ship.[117] If successful, the *fuidir* was entitled to full legal freedom and given a new

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however, and instead suggests that the five houses (*treba*) are five separate farms and are part of kin land holdings, Charles-Edwards, *Early Irish and Welsh kinship*, pp 319-24.

[110] One example of the difference in legal entitlements is that the *'fuidir* who has five holdings for his kindred' was capable of terminating his contract with a lord, unlike the *'fuidir* who has his rightful property'. The propertied *fuidir* was allowed to leave his lord's lands as long as he surrendered two thirds of the produce from his husbandry and as long as there were no outstanding debts or liabilities. The landless *fuidir* on the other hand, had no legal capacity on his own and thus was unlikely to be able to leave his lord's lands, Kelly, *A Guide to Early Irish law*, p. 34.

[111] 'Irisches Recht' [II Zu den unteren Ständen in Irland], ed. Thurneysen, p. 236, §3; trans. in Crigger, 'A man is better than his birth', p. 183.

[112] Charles-Edwards, *Early Irish and Welsh kinship*, p. 323.

[113] Thomas Charles-Edwards has argued that these holdings were not the sole property of the *fuidir,* but were kin-lands held in common amongst a kindred of *fuidri*, Charles-Edwards, *Early Irish and Welsh kinship*, pp 319-24, see note 109, above.

[114] 'Irisches Recht' [II Zu den unteren Ständen in Irland], ed. Thurneysen, p. 236, §6; trans. in Crigger, 'A man is better than his birth', p. 183.

[115] Charles-Edwards, *Early Irish and Welsh kinship*, p. 324

[116] Charles-Edwards, '*Críth Gablach* and the law of status', p. 58.

[117] *Críth Gablach*, ed. Binchy , p. 13, ll. 326-7, §23; trans. in MacNeill, 'Ancient Irish law', p. 296, §105; see also Daniel Binchy, 'The original meaning of *co nómad náu* (*nó*): linguists v. historians?' in *Celtica*, xvi

status based on current property holdings (this was easier to achieve for a *fuidir* with kin lands).[118] On the other hand, if a *fuidir* was unsuccessful he and his heirs were relegated to the more permanent grade of a semi-free *senchléithe* (a hereditary serf, bound to the land in perpetuity with very few legal entitlements). Thus, paying rent or owing services for three successive generations 'resulted in a permanent bond between lord and client'.[119]

**Social Mobility**

The transient character of both the *fuidir* and the *fer midboth* highlight the pervasiveness of social mobility in early medieval Ireland. The loss of one's status was a particular concern which could occur through the loss of property and livestock or through more esoteric means, such as satire.[120] Yet, an individual could also increase his property and his resulting grade and status in society. Upward mobility in early medieval Ireland was aided by two additional considerations – the accumulation of clients and acting as a representative for one's kin.

**Acquisition of clients**

One of the essential characteristics of the lordly grades, as mentioned above, was the possession of clients. Clientship was a legally binding contract made between two parties, a lord (*flaith*)[121] and client (*céle*), based on a set of broadly defined terms of dues and services. Though the generic term *céle* could describe an individual of noble or commoner grade, the relationship between clients and lords differed, depending on their status. The law tracts, therefore, describe two types of clients, the free client (*sóerchéle*, or client of noble status) and the base client (*dóerchéle/céle giallnai*, or client of free commoner status).[122] In order to

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(1984), pp 1-12; Kelly, *A guide to early Irish law*, p. 35; Ó Cróinín, *Early medieval Ireland 400-1200*, p. 143. Rolf Baumgarten in his article discusses how this rule applies to three successive generations, or four generations all together, Rolf Baumgarten, '*Co nómad n-ó:*An early Irish socio-legal timescale' in *Peritia* xvii-xviii (2003-4), pp 338-56. Thus, Thomas Charles-Edwards notes that the rule involves four generations, Charles-Edwards, *Early Irish and Welsh kinship*, p. 309.

[118] Charles-Edwards notes that in order to achieve this free status a *fuidir* needed to 'belong to a kindred which has five holdings of the substantial size required to uphold the status of the fullest kind of freeman' (the *mruigfer*), Charles-Edwards, *Early Irish and Welsh kinship*, p. 320.

[119] Bart Jaski, *Early Irish kingship and succession* (Dublin, 2000), p. 180.

[120] According to F.J. Byrne, 'a person who was justifiably satirised forfeited his honour-price and therewith his franchise', F.J. Byrne, *Irish kings and high-kings* (Dublin, 1973; repr. 2001), p. 15. See also, Jaski, *Early Irish kingship and succession*, p. 44, citing Heptad 79, *CIH*, iv, p. 1268.3-5.

[121] The term *flaith* describes a lord or 'any noble exercising authority over subjects (e.g. over clients)', McLeod, 'Interpreting early Irish law (i)', p. 59.

[122] See, for example, Rudolf Thurneysen's discussion of base clientship in his edition of *Cáin Aicillne* in 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 336. More information on clientship can be found in Chapter 4 of this thesis on Dues and Services.

attain the grade of a lord, an individual had to attain a surplus of land or livestock so as to be able to lend goods to base clients. Nerys Patterson posited that 'the ranks of nobility were assessed not by their wealth but by the numbers of their clients'.[123] Similarly, Neil McLeod has argued that *Críth Gablach* makes almost no 'functional distinctions' between the grades of nobles.[124] Instead, 'they are all described in terms of their clients, and the difference between them is a question of degree merely – the number of those clients'.[125] *Críth Gablach* more precisely notes that an *aire déso*'s honour-price was derived from both his property and his base clients,[126] but that his *tothacht* ('substance') included 'five clients of vassalage and five free clients' (*cóic céli gíallna[i] leis ₇cóic ṡóerchéli*).[127] Many of the lordly grades listed in *Críth Gablach* were similarly distinguished by the amount of clients they had acquired. Thus, the *aire ard*, who had an honour-price of fifteen *séoit*, was described as a 'high noble' because he had 'twenty clients, ten clients of vassalage and ten free clients' (*fiche céile leis, .x. céili gíallna[i] ₇ .x. sóerchéili*).[128]

While lordship was, therefore, a function of nobility, Thomas Charles-Edwards has argued that in order for nobility 'to have its proper effect it needed to be old inherited lordship'.[129] Bette Crigger ascribed the title of *flaith* to a grade in the law tracts that was attained as a function of achievement and separated from similar titles by honour-price, while nobility was restrained to a class or category of persons which was conferred by birth.[130] Thus, in the discussion of the rights and role of the *aire déso*, *Críth Gablach* requires him to be both the 'son of a noble and grandson of a noble' (*mac airech ₇ aue airech*).[131] A similar qualification is also found in the eighth-century law tract *Míadṡlechtae*: 'an *aire désa* i.e. a man who preserves the vassalry of father and grandfather as he finds it before him' (*aire desa .i. fer conae deis nathar ₇atsenathar amail atcota riam*).[132] As *Bretha Nemed toísech* notes as a general principle applying also to poets: 'it does not ebb if it is a proper well (source) which is over them from grandfather until great-grandson: it is [a matter of] grade from then on' (*ni traigh diam tobar techda fordambi a tṡenathuir go hiarmo, is grad iarmotha*).[133] Therefore, as

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[123] Patterson, *Cattle-lords and clansmen*, p. 203.
[124] McLeod, 'Interpreting early Irish law, (ii)', p. 41.
[125] Ibid.
[126] *Críth Gablach*, ed. Binchy, p. 14, ll. 344-6, §24; trans. in MacNeill, 'Ancient Irish law', p. 297, §108.
[127] *Críth Gablach*, ed. Binchy, p. 13, ll. 330-1, §24; trans. in MacNeill, 'Ancient Irish law', p. 296, §107; *DIL*, *s.v. tothacht*.
[128] *Críth Gablach*, ed. Binchy, p. 15, ll. 369-70, §26; trans. in MacNeill, 'Ancient Irish law', p. 298, §110.
[129] Charles-Edwards, *Early Christian Ireland*, p. 93.
[130] Crigger, 'A man is better than his birth', p. 99.
[131] *Críth Gablach*, ed. Binchy, p. 14, §24, ll. 335-6; trans. in MacNeill, 'Ancient Irish law', p. 297, §107.
[132] Text and trans. in Manning, '*Míadṡlechtae*: an Old-Irish law text on status', pp 38-9, §9.
[133] Text and trans. in *Uraicecht na Ríar*, ed. Breatnach, p. 95.

with the grade of *fuidri*, three prosperous (or deficient) generations were needed before a change in class could occur.

Commoners who gained enough surplus wealth to begin lending to clients, therefore, could become lords, but it was only their descendents who could avail of all the privileges of nobility and be awarded a full noble honour-price. This particular type of lord is represented in *Críth Gablach* by the *fer fothlai* ('man of withdrawal'). According to *Críth Gablach*, the *fer fothlai* is considered a commoner, but he 'withdraws somewhat from the position of *bóaire* in order to lend capital to clients' (*arindí fotlen a bóairechas di thaurchreic céile*).[134] Thus, in the eighth-century law tract, *Cáin Ṡóerraith*, 'The regulation of noble fief', the individual represented by the *fer fothlai* is known as a commoner lord (*flaith aithig*):

> 'Ata coboduil for rath ⁊ for flathuib .i. flaith na dlig s̄ im ⁊ sil ⁊ beocethrath flaith athuigh nabid flaith a athair, [f]laith corma ⁊ sallcarna bruithe, [f]laith dergcarna ⁊ saill cen tsailliud, flaith ciniul coir athar ⁊ senathur eiside dliges riara la urtechta olcenu'.[135]
>
> 'There is a variety of fiefs and lords: that is, the lord who is only entitled to butter and seed[-corn?] and live cattle, [namely] the commoner lord whose father is not a lord; the lord of ale and of boiled salted meat ... the lord of red meat and of meat not yet salted – he is the lord according to proper descent of father and grandfather, who is entitled to requisitions as well as other rights'.[136]

In order to have an honour-price equivalent to that of a lord, however, a commoner needed to have double the qualifications of the lowest noble (*aire déso*).[137] As the *fer fothlai,* did not have these qualifications, *Críth Gablach* notes that he should have had an honour-price of five *séoit* (half that of the *aire déso*), the typical honour-price given to *bóairig* outside of the status-texts (see Table 3.3, below): 'Unless ten *séoit* dignify (him), five *séoit* support his legal obligations until there is wholeness of proper restitution; for half perishes from default of incapacity' (*mani deich séoit sóerat segait .v. ṡéoit cundrathu combi óg n-innraic n-aithgena; ar atbaill leth ó ḟaill (n)éc(s)macht*).[138] A similar principle was described in the eighth-century status-text *Míadṡlechtae* where three types of lords are mentioned, but only the *ógflaithem* (pure lord) who has had three generations of *senchléithi* bound to his lands is awarded an honour-price equal to that of

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[134] *Críth Gablach,* ed. Binchy, p. 10, ll. 249-50, §19; trans. in MacNeill, 'Ancient Irish law', p. 293, §93;
[135] Text in *CIH*, v, pp 1772.24-1773.25.
[136] Trans. in Charles-Edwards, *Early Christian Ireland*, p. 93; See also, 'Aus dem irischen Recht II' [2. Das Frei-Lehen], ed. Thurneysen, p. 245, §4.
[137] *Críth Gablach*, ed. Binchy, p. 10, ll. 256-61, §19; trans. in MacNeill, 'Ancient Irish law', p. 294, §94.
[138] *Críth Gablach*, ed. Binchy, p. 11, ll. 274-6, §19; trans. in Jaski, *Early Irish kingship and succession*, pp 172-3.

an *aire déso*.[139] Yet, *Críth Gablach* values the *fer fothlai*'s honour-price not at five, but at eight *séoit*, due to the fact that the highest *bóaire* (the *mruigfer*) had an honour-price of six *séoit*. The eight *séoit* honour-price of a *fer fothlai*, therefore, was calculated as mid-way between a *bóaire* and an *aire déso*, highlighting his liminal role between social groups.[140]

Table 3.3: Honour-price of *bóaire* in a sample of law tracts

| | | |
|---|---|---|
| ***Críth Gablach*** | *Mruigfer* | 6 *séoit* |
| | *Bóaire febsa* | 5 *séoit* |
| ***Uraicecht Becc*** | *Bóaire túise* | 5 *séoit* |
| ***Bretha Nemed*** | *Fer mruige* | 7 *séoit* |
| | *Bóaire* | 5 *séoit* |
| ***Míadslechtae*** | *Lethflaithem* | 5 *séoit* |
| | *Flaithem óenescrae* | 4 *séoit* |

One of the privileges that a commoner lord could not avail of was *nemed* status. A number of law tracts described different social groups in early medieval Ireland as *nemed*, 'sacred, privileged' and these individuals were granted special legal advantages and exemptions.[141] Through the normal process of distraint, for example, a commoner could seize certain property of an offender until the offender discharged his debt;[142] the only way to distrain a *nemed* person's property, however, was by fasting in hopes of shaming the *nemed* into compliance.[143] A *nemed* person, furthermore, was protected from certain legal obligations, such as the fact that he or she was free from 'vicarious liability (collective

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[139] Manning, '*Míadslechtae:* an Old-Irish law text on status', pp 42-3, §15.

[140] *Críth Gablach*, ed. Binchy, p. 10, ll. 261-2, §19; trans. in MacNeill, 'Ancient Irish law', p. 294, §94.

[141] These law tracts include, *Uraicecht Becc, Cáin Lánamna, Cáin Íarraith, Bretha Crólige, Cáin Aicillne, Míadslechtae, Críth Gablach, Córus Béscnai, Bretha Déin Chécht, Bretha Nemed* and *Bretha im Ḟuillema Gell*. Scholars have proposed two different etymologies for the term *nemed*: either it originated from spaces that were special and privileged and eventually got transferred to the people who were using those spaces, i.e. mainly druids and nobles; or the term originally focused on individuals and was transferred to the place, *DIL s.v. nemed*.

[142] Daniel Binchy, 'Distraint in Irish law' in *Celtica*, x (1973), pp 22-71: 22.

[143] Kelly, *Guide to early Irish law*, pp 9, 182. Binchy went on to describe how the offender 'was thereby confronted with a choice between three alternatives: satisfying the claim, resisting it by 'counter magic', i.e. by undertaking a similar fast, or ignoring the threat and thus incurring all the supernatural sanctions that would result from the 'pollution' of his household by the suitor's corpse'. Furthermore, Binchy states that this process developed into a 'ritual hunger-strike from sunset to sunrise' during which time the offender was 'obliged to fast for the same duration, unless he was willing either to satisfy the claim or submit it to arbitration'. Binchy also argued that this process was dying out even by the ninth century, Daniel Binchy, 'Irish history and Irish law (i)' in *Studia Hib.*, xv (1975), pp 7-36: 23-4.

responsibility for offences of the kin)'.[144] The *grád ḟlatha* (lordly grades, more broadly applied to the nobility) in early medieval Ireland were allocated this *nemed* status.[145] Commoners (part of the *grád ḟene*) were not.[146] Thus, even though the *fer fothlai* had begun to take on some characteristics of lordship and thus of nobility, he was not entitled to this *nemed* status.

The acquisition of clients was, therefore, a necessary qualification of nobility in early medieval Ireland, but they alone were not enough to allow a commoner to advance into a new social class. In order to avail of all the rights and privileges granted to nobles (such as *nemed* status), a commoner, such as the *fer fothlai*, had to have double the property and clients of the lowest grade of noble (*aire déso*). If a commoner had begun to acquire clients and act as a lord, but did not possess double the qualifications, he was not noble in the eyes of the law, but it was still possible for his grandchildren to attain this status. If two successive generations of commoners managed to maintain this surplus of wealth and continue to acquire clients the grandchild of a commoner lord was granted noble status. Thus, although the requirements were formidable, the boundary that separated a commoner from a noble was not impermeable.

**Head of kin**

Another way to increase one's privileges and grade was to function as the head of a kindred; in the commoner grades this role was filled by an individual known as the *aire coisring,* according to *Críth Gablach*. The *aire coisring*'s ability to act as an intermediary

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[144] Kelly, *A guide to early Irish law*, p. 9; Riita Latvio, '*Neimed*-exploring social distinctions and sacredness' in Katja Ritari and Alexandra Bergholm (eds), *Approaches to religion and mythology in Celtic studies* (Cambridge, 2008), pp 220-42: 234.

[145] For example, the eighth-century law tract *Bretha Nemed toísech* describes the different social groups who were granted a *nemed* status: 'How many divisions are there of privileged ones? It is not difficult: two divisions, that is noble privileged one and base privileged one. How many divisions are there of noble privileged ones? It is not difficult: four: ecclesiastical scholar, churchman, lord, poet; the remaining craftsmen are base privileged ones' (*Cair: cis lir fodlai for neimthib? Ní hansae: dí ḟodail, ed ón soírnemed ⁊ doírnemed. Cis lir fodlai for soírneimthib? Ní hansae: a cethair-ecnae, eclais, flaith, fili; it é doírnemid dánae olchenae*), text and trans. in 'The first third of Bretha Nemed Toísech', ed. Breatnach, pp 8-9, §1.

[146] Some later glosses and commentary on the seventh-century law tract *Bechbreatha*, 'bee judgements', explain that the *grád ḟene* were *íselneimed* (lesser *nemed*), *Bechbretha: an Old Irish law-tract on bee-keeping*, ed. Thomas Charles-Edwards and Fergus Kelly (Dublin, 1983), p. 108. See also, ibid, pp 177, 180: Appendix 2(e), commentary on §36. One late version of *Uraicecht Becc* also includes the *grád ḟene* among the list of *nemed* persons, but Gerald Manning has noted that this particular manuscript (TCD E 3.3) has 'a number of unique (and superior) readings' that suggest the *grád ḟene* were absent from this list in the original text (Gerald Manning, pers. comm.). This conclusion is consistent with other law tracts that caution commoners no to enter into contracts with people who had *nemed* status, see, for example, 'An Old-Irish tract on the privileges and responsibilities of poets', ed. Edward Gwynn, in *Ériu* xiii (1942), pp 1-60, 220-32: 23, l. 26. See also, Kelly, *A guide to early Irish law*, p. 162.

between kin and various authorities, including lords, kings and church officials, was the basis for his advanced grade (above that of the *fer fothlai*). His rights and responsibilities are detailed in *Críth Gablach*:

> 'Arindí consrenga túath ₇ rí ₇ senod tar cenn a chenéoil, ná[d] dlig a ślán doib, for curu bél, acht atndaimet do thoísiuch ₇ aurlabraid remib. Is é aire fine insin tobeir gell tar cenn a fine do ríg ₇ senud ₇ óes cherdd dia timorggain do réir',
>
> 'he constrains *tuath* and king and synod on behalf of his kindred, to whom he does not owe fulfilment over simple contracts, but they accept him for chief and he makes speech for them. This is the "noble of a kin". He gives a pledge for his kin to king and synod and craftsmen, to compel them to obedience'.[147]

The addition of the 'craftsmen' at the end of the quote from *Críth Gablach*, caused Daniel Binchy to posit that this referred to some poets who had a 'semi-public status'.[148] Robin Chapman Stacey has, however, convincingly argued that the reference to the *óes cherdd* meant that the *aire coisring* also acted as the intermediary between farmers and 'tribal professionals', such as doctors and poets.[149] Katharine Simms has argued that the *aire coisring* was specifically in charge of

> 'ensuring the payment of his family's tax to the king, leading the men of his family out to battle when the king summoned them to war, insisting that his family members paid their debts to outsiders, and demanding payment from perpetrators and their kin if one of his family was robbed or injured'.[150]

The *aire coisring* thus took accountability for the adherence of his kindred to both secular and ecclesiastical laws and duties of the *túath*, while simultaneously making sure that lords and church officials did not take advantage of his kin.

Not only was the *aire coisring* awarded a suitably high honour-price for acting in these responsibilities (nine *séoit*, just below that of the ten *séoit* of an *aire déso*), but he also profited from his role as a pledge guarantor. As a pledge, the *aire coisring* maintained a gage worth five *séoit* (an object made of silver, bronze or yew which he was unable to use) that was handed

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[147] *Críth Gablach*, ed. Binchy, p. 11, ll. 277-83, §20; trans. in MacNeill, 'Ancient Irish law', p. 294, §95. Robin Chapman Stacey, 'Ties that bind: immunities in Irish and Welsh law' in *Cam. Med. Celt. Stud.*, xx (1990), pp 39-60: 59.

[148] *Críth Gablach*, ed. Binchy, p. 70.

[149] Stacey, 'Ties that bind: immunities in Irish and Welsh law', p. 47.

[150] Katharine Simms, 'Changing patterns of regnal succession in later medieval Ireland' in Frederique Lachaud, and Michael Penman (eds), *Making and breaking the rules: succession in medieval Europe c. 1000-c. 1600/Etablir et abolir les norms: la succession dans l'Europe medieval vers 1000-vers 1600* (Belgium, 2008), pp 161-72: 165. For more information also see Bart Jaski's discussion on the *aire coisring*, Jaski, *Early Irish kingship and succession*, pp 260-1.

over to the offended party whenever one of his kinsmen committed an offence.[151] While the gage was out of his possession the *aire coisring* was entitled to a certain amount of interest, payable by his kinsman.[152] If the kinsman failed in his obligation to compensate the offended party the gage became forfeit and the *aire coisring* was entitled to compensation for the loss of the gage as well as interest.[153] Every pledge who handed over a gage was entitled to these payments of interest during the lending period, and both interest and compensation if the gage was forfeited, but the value of the *aire coisring*'s compensation was much higher than that of an ordinary person.[154] Through public service, therefore, a commoner could profit as well as increase his honour-price and grade in early medieval Ireland. Yet, Bette Crigger has argued that the role of the *aire coisiring* was usually filled by someone like the *fer fothlai*, a commoner lord who had surplus wealth and clients,[155] suggesting that public service alone could not increase a commoner's grade.

This emphasis on public service amongst the highest grade of person discussed as part of the commoner class in *Críth Gablach* is also evidence of the transitional role held by the *aire coisring*, as public service was an important part of the civic responsibility of nobles. Thus, after possession of the necessary clients and one's heritage were noted in *Críth Gablach*, nobles were further defined by 'their ability to protect the *túath*'.[156] Members of the nobility were also supposed to act on behalf of their clients and the *túath* in legal matters. The *aire túise* ('leading noble'), for example, was responsible for helping the *túath* in regards to a variety of matters including, 'full assistance in the kingdom for representations, for oaths, for a pledge, for a hostage, for a treaty on behalf of a people across the border and in the house of the Lord' (*combi lánchongnam i túaith do aidbdenaib, do noillechaib, do gi[u]ll, do gíall, do chairdiu tar cenn ceníuil tar crích ⁊ i tech flatha*).[157] The eighth-century status-text *Míadślechtae*, however, notes, more specifically, that the individuals represented by the *aire túise* were 'a kindred of his peers' (*fine com-chenél*).[158] Similarly, Thomas Charles-Edwards has argued that the five

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[151] *Críth Gablach*, ed. Binchy, p. 11, ll. 282-3, §20; trans. in MacNeill, 'Ancient Irish law', p. 295, §96. For the idea that the *aire coisring* was not allowed to use the gage see, Stacey, 'Ties that bind: immunities in Irish and Welsh law', p. 59.

[152] *Críth Gablach*, ed. Binchy, pp 11-12, ll. 284-9, §20; trans. in MacNeill, 'Ancient Irish law', p. 295, §97.

[153] *Críth Gablach*, ed. Binchy, pp 11-12, ll. 289-94, §20; trans. in MacNeill, 'Ancient Irish law', p. 295, §98.

[154] Binchy also suggested that the high value placed on an *aire coisring* might be due to the fact that he was obligated to act as pledge surety, whereas ordinary people volunteered for this role, *Críth Gablach*, ed. Binchy, pp 70, 94-5, glossary, *s.v. aire coisring* and *gell*.

[155] Crigger, 'A man is better than his birth', p. 119.

[156] Ibid, p. 99.

[157] *Críth Gablach*, ed. Binchy, pp 16-17, ll. 411-13, §27; trans. in McLeod, 'Interpreting early Irish law (ii)', p. 42.

[158] Text and trans. in Manning, '*Míadślechtae*: an Old-Irish law text on status', p. 38, §8.

clients an *aire déso* was supposed to maintain could have been members of the same kin group; his responsibilities towards them, therefore, were familial and not borne out of civic responsibility.[159]

While both the *aire déso* and *aire túise* may have had other reasons for protecting their clients' interests, one noble grade, the *aire échta*, seems to have been created specifically in order to keep all members of the *túath* safe. The exact role of the *aire échta* has been the subject of much debate. Eoin MacNeill originally proposed that he was the head of an avenging party, while Daniel Binchy believed (however implausibly) that the *aire échta* offered 'protection to an incoming avenging party from an external *túath*'.[160] More recently Kim McCone has argued in favour of MacNeill's suggestion and proposed that the *aire échta* 'was at the head of a band of five employed by the *túath* to prosecute acts of extraterritorial revenge on its behalf in the appropriate circumstances', such as the murder of a person or persons within their own *túath*.[161] By exercising these martial duties the *aire échta* was not creating distress, but ensuring that inter-territorial blood feuds did not escalate and thus his role was to prevent war.[162] The lack of a discussion on the number of clients the *aire échta* was to maintain, and the paucity of information regarding his status and honour-price, led Neil McLeod to argue that the *aire échta* was not a distinct grade, but a function of one of the other grades.[163] Indeed, *Críth Gablach* specifically states that the company of an *aire échta* and his entitlements during sick-maintenance were 'due as (those of) an *aire désso*' (*amal airig ndésa dligthir*).[164]

Thus, just as the *aire échta* was a role likely performed by the *aire déso* (or another grade of noble), the *aire coisring* could have been a role most likely performed by the *fer fothlai*. An increase in public or familial responsibility, therefore, could increase one's honour-price and grade. Yet, these grades, the *fer fothlai* and the *aire coisring*, as described in *Críth*

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[159] Charles-Edwards, 'Kinship, status and the origins of the hide', p. 18.

[160] MacNeill, 'Ancient Irish law', pp 297-8, §109; Binchy's views on the *aire échta* can be found in *Críth Gablach*, ed. Binchy, pp 70-2, but are here summarised in Crigger, 'A man is better than his birth', p. 104.

[161] McCone went on to explore the notion that the *aire échta* was the head of a *fían* or warrior band, Kim McCone, 'Werewolves, cyclopes, *díberga* and *fíanna*: juvenile delinquency in early Ireland' in *Cam. Med. Celt. Stud.*, xii (1986), pp 1-22: 7-8, and the associated notes. See also, McCone, *Pagan past and Christian present*, p. 212.

[162] McCone, *Pagan past and Christian present*, p. 212.

[163] McLeod also noted that the *aire échta* only appears in four early Irish law tracts that deal with status and grades (*Uraicecht Becc*, *Bretha Nemed*, *Bretha Déin Chécht*, and *Críth Gablach*). Of these only the first two established a separate and distinct status for him, and McLeod saw this as an invention to 'pad out the number of grades to make up the 'sevenfold' division of the Nobles', McLeod, 'Interpreting early Irish law (ii)', p. 50.

[164] *Críth Gablach*, ed. Binchy, p. 15, ll. 366-7, §25; trans. in MacNeill, 'Ancient Irish law', p. 298, §109.

*Gablach*, highlight the fact that while commoners were clearly entitled to try and climb the social ladder in early medieval Ireland (through an increase in property, the acquisition of clients, and an increase in social responsibilities), actually crossing the social threshold was extremely difficult and only the exceptional few who could gain an excess of wealth or the necessary heredity requirements were entitled to the grade and status of a noble.

**Society's view of social mobility**

Although social mobility was acknowledged, commoners who managed to traverse the semi-permeable boundary of class were not always welcomed into their new 'status group'.[165] The tragic ninth-century story of *Noínden Ulad,* 'The debility of the Ulstermen', clearly disparaged wealthy commoners who participated in activities characteristically restricted to the upper classes. In this tale, Crunnchu mac Agnomain, a wealthy widowed commoner, married a beautiful mysterious maiden, Macha, who promised he would be prosperous and acquire the trappings (*escrim*) of wealth, as long as he refrained from mentioning their marriage to anyone.[166] Yet, Crunnchu could not restrain himself and, in an act that was disastrous not only for him, but also the entire male population of Ulster, Crunnchu ventured to an *óenach* and boasted that his wife could outrun the king's horses. Upon hearing this boast, the king had the commoner (*aithech*) seized and forced Macha to race the horses and prove her husband's claim, despite her being pregnant with twins at the time. Although she was victorious, Macha died in great pain whilst giving birth. As a result, not only did Crunnchu lose his wife, but all of the warriors in Ulster were cursed for nine successive generations. Thus, even though a commoner may have accrued wealth, he was considered unworthy to take part in this noble pursuit, for 'horses and, especially, boasting about horses' was a privilege of the nobility.[167]

Another example of the low opinion of social climbing can be found in a poem entitled *A rí richid, réidig dam*, composed by Gilla in Chomded Úa Cormaic, a twelfth-century poet-historian. In this scathing commentary Gilla in Chomded condems the contemporary revisions of historical genealogies for the sake of enterprising political families:[168]

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[165] For a discussion on 'status groups' see Weber, *Economy and society*, p. 306.

[166] *'Noínden Ulad:* the debility of the Ulstermen', ed. Vernam Hull, in *Celtica*, viii (1968), pp 1-42: 35. According to *DIL*, *escrimm* could include 'general appearance, attire and arms and in some cases mount and trappings of steed', *DIL*, *s.v. escrimm*.

[167] Charles-Edwards, *Early Christian Ireland*, p. 137.

[168] For a discussion on twelfth-century revisions of historical genealogies see, Johnston, *Literacy and identity in early medieval Ireland*, p. 80; Katharine Simms, *Medieval Gaelic sources* (Dublin, 2009) pp 39-56.

> 'Failet se muid sain mebair/ cummaiscit craeb ngenelaig./ totinsma daerchland ic dul./ i lloc saerchland re slonnud// Torrchi mogad mod mebla./ 7 dibad tigerna;/ serg na saerchland étig uath./ la forbairt na n-athechthuath.// Míscribend do gne eolais./ do lucht uilc in aneolais/ nó lucht ind eolais ní ferr/ gníit ar muín miscribend//'.[169]

> 'There are six modes specially to be remembered, which confound a genealogical table: a wholesale insertion of baseborn folk taking the place of nobles in surnames; Multiplying serfs, a shameful mode, and extinction of lords; reducing the aristocracy, a hideous error, by increasing the rent-paying tribes; Miswriting in the guise of learning by the evil folk of ignorance; or it is the learned, which is no better, who for the sake of pelf perpetrate the miswriting'.[170]

While political families (and not commoners) are the targets of this censure, the derisive attitude towards nobles of less historically important dynasties rewriting their own histories to increase their importance could easily apply to social-climbing commoners as well.[171] Indeed, one Middle Irish poem, *Diambad messe bad rí réil*, asserts that in order to maintain an orderly society 'the farmer's son is on the land' and 'the husbandman's son tills soil', thus reinforcing a social maxim that 'for each his task has been appointed' (*roscaíled do chách a ord*) and that any deviation subverts the social order.[172]

**Conclusion**

This chapter has argued that before the codification of the law tracts in the seventh and eighth centuries there were two main grades of commoners in early medieval Ireland – the *bóaire* and the *ócaire*. The hyperbolic division of grades described in detail in the status-texts – *Críth Gablach*, *Uraicecht Becc* and *Míadslechtae* – does not represent a sudden increase in the

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[169] *The Book of Leinster, formerly Lebar na Núachongbála*, ed. R.I. Best, Osborn Bergin, M.A. O'Brien and Anne O'Sullivan (6 vols, Dublin, 1954-1983), iii, p. 579, §§45-7.

[170] *Miscellanea Hibernica*, ed. Kuno Meyer, University of Illinois Studies in Language and Literature, ii, no. 4 (Urbana, 1917), p. 9.

[171] This derision for aspiring peasants was a common theme in medieval literature. A thirteenth-century German poem, for example, traces the ultimately disastrous quest of a wealthy peasant, Helmbrecht, who desires to abandon farming and become a valiant knight. At one point his father says to him: 'For seldom does it come to pass/ That one can rise above one's class./ Your station is behind the plow' (*wan selten im gelinget,/ der wider sînen orden ringet./ dîn ordenunge is der pfluoc*), text in Wernher der Gartenaere, *Meier Helmbrecht*, ed. Friedrich Panzer (Tübingen, 1911), pp 10-11, ll. 287-98; trans. in Clair Hayden Bell, *Peasant life in Old German epics: Meier Helmbrecht and Der arme Heinrech* (New York, 1931), pp 44-5.

[172] Text in Tadhg O'Donoghue, 'Advice to a prince' in *Ériu*, ix (1921-5), pp 43-54: 48-9, 53-4, §§26-7, 31; trans. in Edel Bhreathnach, 'Perceptions of kingship in early medieval Irish vernacular literature' in Linda Doran and James Lyttleton (eds), *Lordship in medieval Ireland: image and reality* (Dublin, 2007), pp 21-47: 26-8 .

number of social groups in society, but an attempt to make status-groups in lay society conform to a seven-grade ecclesiastical model. The *gairid*, *inol* and *flescach* of *Uraicecht Becc*, for example, were clearly added to expand the commoner class, as they all represented young boys still in fosterage who had yet to receive an inheritance and as such their honour-price was determined by the status of their fathers, not through any qualifications of their own.

A number of other grades did not represent different social groups, but did instead epitomize real early medieval concerns. The *aithech ara threba a deich* (who was distinguished only slightly from the *ócaire* in *Críth Gablach*) was created in order to force the commoner grades into a seven-grade model, but the descriptions of men who, as a result of partible inheritance, were at risk of losing not only their status, but also their freedom was clearly a concern for all status-groups in early medieval Ireland. It is argued that prior to the seventh and eighth centuries many of these heirs with insufficient inheritances would have only been entitled to the status of a semi-free *fuidir* (peasant). Yet, the grade of a *fuidir* was temporary. Men who had fallen into *fuidir*-ship for one reason or another were given three generations from which to escape this condition before they became a *senchléithe*, a serf forever bound to the land. At some point before the eighth century the legal system in Ireland had begun to change and by creating extra grades in the classification of commoners it allowed many of these young men to retain their freedom as members of the *ócairig*.

Both the *fer fothlai* and the *aire coisring* in *Críth Gablach* represent another group of transitional people and social concerns in early medieval Ireland. Yet, instead of losing status, these individuals represented the lucky few who may have been able to gain status. Though scholars have argued that the *aire coisring* was actually a role played by the *fer fothlai* and not a distinct status-grade, these two individuals indicate, in detail, the first steps a commoner needed to climb in order to transition into a noble. Both the *fer fothlai* and the *aire coisring* were in possession of a surplus of wealth, and due to this suprlus had begun to acquire clients and accept a certain amount of responsibility for their kin. Yet, these two grades remained commoners. In order to be considered a noble, *Críth Gablach* argues that they needed to have double the qualifications of an *aire déso* or have a noble pedigree.

The same three-generation rule that could force a *fuidir* into permanent servitude was also used as a barrier to prevent social-climbing commoners from becoming entitled to the full privileges and status of nobility. For, although familial relations played a role in one's status, any advancement in society was individual; a man could gain enough wealth to lend to clients and become a leader of his community, but his sons were not guaranteed this position and status. As war, famine and disease were all constant concerns in the early middle ages many of

the families of those lucky individuals who did manage to increase their position on the social hierarchy were not able to maintain the new status through successive generations. As a result, although advancement into different social classifications did occur, it is probable that the most common direction for an individual to go on the social ladder was down rather than up.

## Chapter 4

## Dues and services

### Introduction

In early medieval Ireland a commoner owed dues and services to three separate legal entities: his lord, his king, and his church.[1] The relationship between an individual and his lord was known as clientship. From the eighth to the twelfth centuries the vocabulary of clientship was also used to refer to relationships between subject and king, as well as layman and church. Therefore, in order to fully understand the legal obligations of peasants and commoners, it is first necessary to define and describe the affiliation known as clientship, and then to elucidate, as much as one can, the extent of dues and services a peasant or commoner normally owed in early medieval Ireland.

### Definition of clientship

In the early twentieth century Rudolf Thurneysen edited and translated (into German) the two main law tracts on clientship – *Cáin Śóerraith* and *Cáin Aicillne*.[2] Thurneysen explained clientship as follows:

> 'in the structure of Irish society the "fief" (*Lehen*) plays a great role – its acceptance brings a freeman into dependence and under the protection of a lord. In Ireland the "fief" (*rath*) does not consist of land but of cattle – normally people who accept the fief possess land themselves. Through it the freeman becomes a "*céle*" "comrade, companion" of a lord, which is to be understood literally in the first place, that is, he has to accompany his lord into battles and assemblies. Not, of course, as a comrade on an equal footing, any more than the Roman *socii* were on an equal footing with Roman citizens. His status was called *célsine* "companionship". According to the conditions attached to the fief, there was a distinction between the "free companion" *soerchéle* and the "unfree companion" *doerchéle*, the "free-fief", *soer-rath* and "unfree-fief", *doer-rath*'.[3]

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[1] In the case of a commoner without a lord, he owed these dues and services to his 'kin head' (*cenn fine*), Kelly, *A guide to early Irish law*, pp 3-4, p. 29.

[2] 'Aus dem irischen Recht I' [1. Das Unfrei-lehen], ed. Thurneysen, pp 335-94. Thomas Charles-Edwards noted that the section on a kinsman's right to impugn the contract of another kinsman was 'linguistically earlier than the rest by at least half a century', Charles-Edwards, *Early Irish and Welsh kinship*, p. 338.

[3] 'Im Aufbau der irischen Gesellschaft spielt das Lehen, durch dessen Annahme sich ein an sich Freier in die Abhängigkeit und den Schutz eines Herrn begibt, eine groſse Rolle. Das Lehen (*rath*) besteht in Irland nicht in Land – in der Regel sind es Leute mit eigenem Grundbesitz, die das Lehen annehmen -, sondern in Vieh. Dadurch wird der Freie zum *cēle* 'Genossen, Begleiter' eines Herrn, was zunächst wörtlich zu verstehen ist, indem er ihn in Kampf und Volksversammlung zu begleiten hat; freilich nicht zum gleichberechtigten Genossen, so wenig die römischen *socii* den Bürgern Roms gleichberechtigt waren. Seine Stellung heiſst *cē(i)lsine* 'Genossentum'. Man unterscheidet, je nach den Lehnsbedingungen, *soer-*

While the amount of scholarship surrounding the relationship between lords and clients has greatly expanded since the early twentieth century, Thurneysen's description remains pertinent. In his book, *Early Christian Ireland*, Thomas Charles-Edwards agreed with Thurneysen about the basic character of the base client and added a convincing argument that this base client was separate and distinct from the *colonus* in contemporary Frankish society (as discussed in Chapter 1 above). Charles-Edwards further proposed that the fundamental distinction between a base client and his lord and the relationship between a lord and a *colonus* was the possession of land on the part of most, if not all, of the Irish clients.[4] Marilyn Gerriets similarly agreed with Thurneysen on many points and demonstrated that clientship was an economic contract that operated on multiple socio-political levels, based on this dependence on and protection by a lord in the seventh- and eighth-century Irish law tracts.[5]

**Legal sources**

Before an examination of the institution itself, and the role clientship played in the lives of ordinary commoners, can be carried out it is first necessary to outline the main law tracts available, and to briefly explain the principal terminology that will be employed throughout this chapter. There are four main law tracts on clientship that survive from early medieval Ireland, which are accompanied by later glosses and commentary: *Cáin Aicillne*, *Cáin Ṡóerraith*, *Di Dligiud Raith ⁊ Somaíne la Flaith* and a fourth tract, which follows *Di Dligiud Raith ⁊ Somaíne la Flaith* in the TCD 1337 manuscript and appears to be an independent commentary on clientship. *Cáin Aicillne* survives mostly intact, except for the beginning, which only survived as a series of extracts from the original.[6] *Cáin Ṡóerraith* survives in a similar form.[7] Thurneysen has suggested that these two tracts were the work of a single compiler, while the latter two stemmed from a different person. *Di Dligiud Raith ⁊ Somaíne la Flaith* is a continuous text for

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*chēle* und *doer-chēle* 'Frei-Genosse' und 'Unfrei-Genosse', *soer-rath* und *doer-rath* 'Frei-Lehen' und 'Unfrei-Lehen'', 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 336. The English translation of many sections of *Cáin Aicillne* is thanks to Dr Katharine Simms, but any mistakes are, of course, my own.

[4] Charles-Edwards, *Early Christian Ireland*, pp 71-2.

[5] Gerriets, 'Economy and society: clientship according to the Irish laws', pp 43-61.

[6] Translated into German based on the Irish text from *ALI*, ii, pp 222-340; 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, pp 336-94, with corrections and additions in *ZCP*, xiv (1923), p. 393, *ZCP*, xv (1925), pp 238-9, pp 259-60, pp 370-6 and *ZCP*, xvi (1927), pp 205-10.

[7] 'Aus dem irischen Recht II' [2. Das Frei-Lehen], ed. Thurneysen, pp 238-60; corrections and additions in 'Aus dem irischen Recht IV' [6. Zu den bisherigen Ausgaben der irischen Rechtstexte], ed. Thurneysen, pp 211-13.

the first half, but then falls into extracts.[8] These three texts, *Cáin Aicillne*, *Cáin Ṡóerraith* and *Di Dligiud Raith ⁊ Somaíne la Flaith* are all part of the large legal compendium known as the *Senchas Már*. The fourth tract, however, may be a distinct text on clientship with later glosses, possibly originating from a different legal tradition.[9] Bette Crigger has pointed out similarities between this text and *Críth Gablach*, and has tentatively suggested that they may have been compiled by the same person or within the same law school.[10] Both Fergus Kelly and Thomas Charles-Edwards have noted the distinctiveness of this text, and recorded it as an 'independent tract'.[11] All of these texts date to around the eighth century.

**Terminology**

These law tracts utilised specific terminology when discussing clientship. In addition to the grades of commoners and nobles enumerated in the previous chapter, these law tracts also employed the terms *aithech* (rent-payer, commoner), *céle* (client) and *flaith* (lord). The term *aithech* was derived from *aithe*, the verbal noun of *aith-fe-n-, '*pays'.[12] In various contemporary literary compositions the term *aithech* was used to indicate a subjugated person or *túath*, and was also used in the law tracts to distinguish a commoner from a lord.[13] Furthermore, in many of the cases where the term appeared in literary constructs, it was used in a pejorative manner, and seems to mean something akin to 'churl'.[14] When it was used in

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[8] This text has been edited and translated in Crigger, 'A man is better than his birth', Appendix i, pp 312-58.

[9] *CIH*, iii, pp 919.25-922.11. The only independent edition and translation of this text is in Crigger, 'A man is better than his birth', Appendix ii, pp 359-69.

[10] Crigger, 'A man is better than his birth', p. 174.

[11] Charles-Edwards, *Early Irish and Welsh kinship*, p. 337; Kelly, *A guide to Early Irish law*, Appendix i, p. 271. Liam Breatnach offers a conflicting perspective on the text. In Chapter 2 of his *Companion to the Corpus Iuris Hibernici*, where he offers a table of contents, *CIH*, iii, 919.25-922.11 is listed as a commentary on *Di Dligiud Raith ⁊ Somaíne la Flaith*, but in his actual discussion of *Di Dligiud Raith ⁊ Somaíne la Flaith* in Chapter 5, there is no mention of any connection or relation to the commentary at *CIH*, iii, 919.25-922.11, Breatnach, *A companion to the Corpus Iuris Hibernici*, pp 41, 295.

[12] See MacNeill, 'Ancient Irish law', p. 267; Charles-Edwards, *Early Irish and Welsh kinship*, p. 350, no. 63.

[13] *DIL*, *s.v. aithech* (a). The only commoner (*aithech*) mentioned in *Immram curaig Máile Dúin* was dead and referred to as a sinner, 'The voyage of Mael Duin', ed. Stokes, pp 82-3. See also, Johnston, 'A sailor on the seas of faith', p. 248. The term *aithech cís* can also be found in the eighth-century law tract *Cóic Conara Fugill*, 'the five paths of judgement', and was glossed *dóerchéle*: 'Sreth failsigthi na conaire fugill is techta: Techta do bithbunud biid: im bothus, im fuidrius, im senchleithi flatha, im sensmur cinad, im athechu bunaid, im athechu cis. – A sreth sain', where *athechu bunaid* is glossed '.i. na aithig ḟortha' and *athechu cis* is glossed '.i. na doerchele', 'Cóic conara fugill die fünf Wege zum Urteil, ein altirischer Rechtstext', ed. Rudolf Thurneysen, p. 21, §14.

[14] *DIL*, *s.v. aithech* (b). For example, Eochaid called Rónán a *ṡenaithiuch* or 'old churl' in the early tenth-century *Fingal Rónáin*, *Fingal Rónáin and other stories*, ed. David Greene (Dublin, 1975), p. 5. Churl from the Old English *ceorl* which could refer to either a generic freeman or the lowest class of free men, i.e. a

the law tracts it was similar to the more commonly used *céle* (client, cognate with Latin *cliens*, 'client, dependant').[15] Clients were further subdivided, in the Old Irish law tracts and in some of the later glosses and commentary, into base clients (*dóerchéle*) and free clients (*sóerchéle*), depending on an individual's legal status; men of lower status became base clients and men of higher status became free clients.[16] It is important to note, however, that the term *dóerchéle* is not found in the original law tracts, but only in later glosses and commentary, in pointed contrast to free clients, with no inherent implication that base clients were in any way unfree (*dóer*).[17] Some law tracts, on the other hand, preferred to refer to individuals by their specific legal grade, indicating additional levels of subdivision.[18]

Both base and free clients were subject to a lord. As the previous chapter has shown, there was a subtle, yet important, distinction between a lord and a noble; though all nobles were supposed to be lords, a commoner (such as a *fer fothlai*) who managed to aquire enough surplus wealth could also begin to lend capital and become a lord by aquiring clients, despite the fact that he was not legally recognised as a noble. The bond that linked a lord to his client was known as clientship (*célsine*). Base clientship, or the relationship between a lord and a commoner, was represented by the terms *céle gíallnae* or *céle aicillne*. These terms were used solely to refer to base clientship and derived from Old Irish *gíall* (hostage), indicating a potentially archaic tradition of securing these types of contracts with hostages.[19] The eighth-century law tract *Berrad Airechta* specifically notes, however, that sureties were unnecessary in a clientship contract.[20] Thus, although some references survive in the law tracts, the practice of hostage-taking in clientship had begun to recede by the seventh century.[21]

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peasant, Dictionary of Old English – A-G Online, University of Toronto http://tapor.library.utoronto.ca/doe/dict/indices/headwordsindexc.html, 23 July, 2012.

[15] Charles Doherty, 'Clientship' in Duffy (ed.), *Medieval Ireland: an encyclopedia*, p. 90.

[16] 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 336.

[17] 'Die Ausdrücke *doer-chēle* und *doer-rath* finden sich aber nie im Rechtstext, nur in Glosse und Kommentar und sind nur als Gegensatz zu denen mit *soer-* 'frei, edel' gebildet; denn diese Lehnsträger werden nicht etwa unfrei (*doer*) im gewöhnlichen Sinne; sie stehen nur tiefer als die andere Klasse', 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 336.

[18] A version of *Bretha Nemed toísech* found in the sixteenth-century manuscript Nero A 7 is the only one which mentions specific grades of nobles paired off with specific grades of commoners in clientship, *CIH*, vi, p. 2230.16-39.

[19] Robin Chapman Stacey has argued that the *gíall* acted as a 'surety for the public and political obligations of his principals', while an *aitire* was a hostage given in private contracts or situations, Robin Chapman Stacey, *The road to judgment: from custom to court in medieval Ireland and Wales* (Philadelphia, 1994), p. 87; Charles-Edwards, *Early Christian Ireland*, p. 341.

[20] '*Berrad Airechta*', ed. Stacey, p. 210, §1.

[21] Katharine Simms, *From kings to warlords: the changing political structure of Gaelic Ireland in the later middle ages* (Suffolk, 1987), p. 97. See also, Charles-Edwards, *Early Irish and Welsh kinship,* p. 341. However, Robin Chapman Stacey has pointed out a reference to the 'man of clientship' (*fer giallna*) in *Tosach Bésgnai*, 'The beginnings of discipline', Stacey, *The road to judgment,* p. 86. A later commentator

### *Fine*'s right to annul a clientship contract

According to the four main legal tracts, clientship was a legally binding contract made between two parties, a lord and a client, based on a set of defined conditions of dues and services.[22] Before this contract could be considered valid, however, a client's kindred (*fine*) had to approve. The *fine* had a right and an obligation to protect their kinsmen from bad contracts, which affected any commonly held property, such as the family land (*fintu*). A maxim recorded in *Di Thúaslucud Rudrad*, 'On the dissolution of prescriptions', emphasises the veto-power of kin in this type of contract, holding that, 'twelve tongues are stronger for cancelling [an agreement] than is the one tongue for binding it'.[23] If, however, the clientship contract did not involve common holdings the *fine* could not annul the contract, but only voice a strongly-worded objection, which, if publicised, released the *fine* from any responsibility in compensation or interest payments that their kinsman might incur due to any future defaults.[24]

### Witnesses

Both an archaic custom of hostage-taking and the *fine*'s right to annul (or at least voice an objection) indicate that a contract of clientship was likely validated in some sort of public fashion. Although one section of *Berrad Airechta* suggests that sureties were not required to endorse this type of contract,[25] a reference in *Bretha Nemed* indicates that the acceptance of clientship was usually a formal, public act in front of witnesses and sureties.[26] Witnesses were

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on *Tosach Bésgnai,* an eighth-century law tract, part of the *Senchas Már*, defined 'man of clientship' as a guarantor for a clientship contract: '.i. na fir danad ada in giallad, in ceillsine, .i. na flatha, ticfait fo coraib', *CIH*, i, p. 214.13, gloss, p. 214.25-6.

[22] *Críth Gablach*, ed. Binchy, p. 80.

[23] 'us treise in da teangaid .x. dia tindtug oldas in aenteanga dia hasdadh', *CIH*, i, p. 247.24-5; trans. in Stacey, *The road to judgment,* p. 67.

[24] Stacey, *The road to judgment*, p. 67.

[25] 'Atait dā ruidlesa tuaithe lā; cia lluid-sidhe? .nī. ruidles donach tacoir naidm na rrath oca ruidhilsiguth, acht ropet oga aruiltin folad foib $_7$ doratatar fiad fiadhnaibh. Cadiat? aurbiat flatha, taurchreic ngiallna', *CIH*, ii, p. 591.9-12; trans. in '*Berrad Airechta*', ed. Stacey, p. 210, §1: 'There are, moreover, transactions within the tribe [which are] entirely immune from claim in Irish law. What is their form? Not difficult. (A transaction) for which neither a naidm-surety nor a ráth-surety is appropriate to render [the transaction] entirely immune from claim is nevertheless entirely immune from claim, provided that the values of those things which are due (from the other side to each bargain) in respect of them (the contracts) be complete, and provided that they have been given in the presence of witnesses. What are they? The food-rent of a lord, a fief of base-clientship'.

[26] 'ar atait .iii.a hairidan for ceilsina: airitiu .s. i ndingaibter do dernainn, airitiu taib i timcellatar desiul, airitiu bel i fonaiscter ceilsine for mac $_7$ raith $_7$ roach', *CIH*, vi, p. 2230.9-11; trans. in Crigger, 'A man is better than his birth', p. 227: 'There are three acts of accepting as regards clientship: accepting of chattels in which they are taken by (into the) hand, accepting by the side in which they are encircled righthand-wise, accepting by mouth in which the clientship is bound by mac and ráith and roách'. The

also often present at various exchanges of goods and services throughout the life of the contract in order to ensure the proper receipt of goods; thus, *Berrad Airechta* guaranteed that base clientship was immune from claim 'provided that he (the lord) has been fed from it (the fief) in the presence of "living candles" (before witnesses)' (*acht robiatar de fri beocaindle*).[27] This public acceptance and validation was used to reinforce the authority and strength of a clientship contract. These contracts were strong enough that even when contracted in a state of drunkenness, assuming no objections were raised before nightfall on the day the pledge was made, the contract was considered valid and the individual was subject to all associated dues and services of base clientship.[28]

**Clientship as voluntary (for both free and unfree clients)**

Yet, one of the fundamental aspects of clientship in early medieval Ireland was that, legally, it was a voluntary contract.[29] Despite a clause from *Berrad Airechta*, which indicates that free clientship may have resulted as the penalty for a foster-father who refused to return a horse that was given to him as part of a foster-son's training, most nobles were financially stable and could choose whether or not to participate in free clientship, based on other, socio-political conditions.[30] Mitigating factors, however, such as the adverse weather conditions and internecine political struggles that characterised early medieval Ireland, often made it difficult for commoners, whose livelihood depended on land and livestock (frequently lost in storms or

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*mac* was an 'enforcing surety', the *rath* a 'paying surety' and a *roách* was a 'witness', Stacey, *The road to judgment*, index. A later section of *Berrad Airechta* also indicates that sureties may have been present: 'Ata dā naidm dogni gnim raithe; naidm son dothe fri giallnai, is rath giallae iar nélo don ceile co mbeir (?) flaith hi tir', *CIH*, ii, p. 594.16-8; trans. in *'Berrad Airechta'*, ed. Stacey, p. 214, §42: 'there is also a *naidm*-surety who performs the responsibility of a *ráth*-surety: that is a *naidm*-surety who guarantees base clientship. He is a *ráth*-surety of base clientship after the client defaults until he brings the lord onto the land'.

[27] *CIH*, ii, p. 591.20-21, trans. in '*Berrad Airechta*', ed. Stacey, p. 211, §3

[28] Charles-Edwards, *Early Irish and Welsh kinship*, p. 342; *Berrad Airectha* states: 'Ingellad turcreice .c.amus, is coir cid oc mescai adruigliter, s̄ cammae is ma gialltar tar heisi, is s-amlaid is coir dō', *CIH*, ii, p. 592.18-9; trans. in '*Berrad Airechta*', ed. Stacey, p. 212, §18: 'The promise of a fief, in the first place, is lawful though it may have been promised in a state of drunkenness, provided, however, that service be subsequently given – it is thus that it is then lawful'. Neil McLeod indicated that in later commentaries a contract was not valid until a full twenty-four hours after the bargain was agreed upon, Neil McLeod, *Early Irish contract law* (Sydney, 1992), p. 25.

[29] MacNeill, 'Ancient Irish law', p. 267.

[30] '*Berrad Airechta*', ed. Stacey, p. 211, §10. In this particular case of fosterage the child's father was almost certainly noble, as a passage in the eighth-century *Cáin Íarraith*, 'the law of fosterage', clearly stated that, for the son of a noble, 'a horse is to be supplied by his father for him to the end of seven years, and a horse is to be supplied by the foster-father for him from that on', trans. in Ó hInnse, 'Fosterage in early and medieval Ireland', p. 14, §15; original text: 'each ón athair foe | co ceann .uii. mbliadan ⁊ each on aitte fae o sin amach', *CIH*, i, p. 82.19. Nowhere in the discussion of the children of commoners did a horse appear as part of their training in fosterage.

raiding), to avoid base clientship. This struggle to remain free of base clientship is highlighted in some glosses on *Di Dligiud Raith ⁊ Somaíne la Flaith*, which, according to Robin Champan Stacey, indicate that base clientship could be forced upon an individual as a result of a failure to pay his debts.[31] Thus, although commentary from *Cáin Aicillne* notes that 'the law does not require of a man to accept [a base grant] from his own [lord], nor from an extern [lord], or from his own king, or from an external king' (*nochan fasluighiunn dliged ar duine daerrath do gabail o flaith fein na o flaith echtrunn na o ri fen ł o ri echtrunn*),[32] a fortunate inheritance or beneficial land dealings (or both) were required if a commoner wanted to avoid entering base clientship.[33]

**Base clientship**

Once base clientship was agreed upon by both parties, the lord was obligated to make two disbursements at the outset of the relationship: the grant (*taurchrecc/rath*), which could take the form of livestock, land, or equipment, and a payment called the 'worth of submission' (*séoit turchluide*), the value of which depended on the specific grade of commoner.[34] The base client then responded by offering the 'lawful obligations arising from the worth of the fief' (*somoíne*), which consisted of paying food renders (*bíathad*), and performing various personal services (*manchuine*) throughout the life of the contract.[35] Base clientship lasted for seven years unless one of the parties died prior to the end of the fixed-term contract, or decided to withdraw from the agreement in a process of separation (*scarad*).[36] Some modern analyses on the laws of base clientship, however, note that a base client's right to separate from a lord 'may have been impossible to exercise even in the classical period'.[37] This outline, apparent in the sources and accepted by some historians, does not take into account the nuances of law and the ambiguities rife amongst the variant legal materials. As a result, a more in-depth discussion of each aspect of this dependent relationship – the obligations and responsibilities of the lord and the base client as well as the eventual separation between the two – is required.

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[31] Stacey, *The road to judgment*, pp 91-2.
[32] *CIH*, v, p. 1779.17-8; trans. in *ALI*, ii, p. 223.
[33] Gerriets, 'Economy and society: clientship according to the Irish laws', pp 56-7.
[34] *Críth Gablach*, ed. Binchy, p. 80.
[35] 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 336.
[36] Ibid, pp 362-4, §22, §24.
[37] Gerriets, 'Kingship and exchange in pre-Viking Ireland', p. 46. See, for example, Binchy *CIH*, iv, p. 1320.26-33, p. 1374.22-8; vi, p. 1937.4-10, p. 2231.2-8.

**The obligations of the lord**

As noted above, the lord was only required to make two payments, both given at the start of the contract. The first payment was the grant (*taurchrecc*), which provided the base client with the desired goods or materials that led him to first seek out clientship. One eighth-century law text listed seven items which could not be given as a grant: a male slave (*mug*), a female slave (*cumal*), a criminal, a woman's dowry (*coibche*),[38] a church with its internal property (furniture, etc.), a fort (*dún*) with its property, and 'land not (entailing) restitution' (*tír díaithgena*).[39] The majority of these grants took one of three possible forms: livestock, land, or equipment. For the most part, base clients already possessed some amount of hereditary land and thus were mainly seeking livestock as their grant. There were some, however, who may have been seeking land as the main form of the grant.

**Value of the grant**

A list of the value of the grant given to each grade of commoner can be found at the end of this chapter in Tables 4.1 and 4.2. The information for the tables is drawn from two important eighth-century legal texts: *Críth Gablach* and *Cáin Aicillne*. These values, though very clearly marked in the law tracts, were not assigned to an individual, but to a grade. If an individual changed grades, his *taurchrecc* increased or decreased accordingly; a clause from *Críth Gablach* notes that, if a *fer midboth* acquired enough wealth while in clientship to obtain the honour-price, and thus the status, of a *bóaire*, the value of his grant increased to reflect the current value of his honour-price.[40] This not only affected any future contracts the former *fer midboth* might have made, but also his existing contracts. If the former *fer midboth*

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[38] Commentary to this Heptad discusses the process of separation if in fact a client did accept the daughter of his lord as a *rath*, *Cáin Lánamna*: *an Old Irish tract on marriage and divorce*, ed. Charlene Eska, (Leiden, 2010), Appendix 5, pp 329-32; *CIH*, i, pp 95.37-96.30. Although some addenda from the TCD 1336 version of *Dliged Rath ⁊ Somaíne la Flaith* discuss the possibility of a relationship between women associated with clients and their lords, Crigger, 'A man is better than his birth', p. 358.

[39] Heptad 29: 'tait .uii. necmachta ratha lā, mug. cumal. cimid. ben a lanamnus. Cell cona hincrod, dun conu tochus. tir diaithgena', *CIH*, i, p. 27.9-24; trans. in *ALI*, v, p. 223: 'there are with the Feine seven things impossible as stock: a serf; a bond-maid; a criminal; a woman in marriage; a church with its internal property; a "dun" with its appurtenances; irrestorable land'. The phrase *tír díaithgena* is understood by a later glossator to be land from which only bald wheat grows or awnless wheat, 'the most prized type of cereal', according to Fergus Kelly, Kelly, *Early Irish farming*, p. 228. , 'ferann asa nasann arbur can frichgnam .i. asna fasann acht cruithnecht maol', *CIH*, i, p. 27.25-6; trans. in Kelly, *Early Irish farming*, p. 228: 'land from which corn grows without labour, i.e. land from which only bald wheat grows'.

[40] 'Ma ḟorbera folud a thige combi folud mbóairech nó ní bes arddu, forbeir córus a thaurchrecce dosom a suidiu', *Críth Gablach*, ed. Binchy, p. 4, ll. 80-2, §9; trans. in MacNeill, 'Ancient Irish law', p. 286, §75: 'If the means of his house increase so that he is of the means of a *bóaire,* or something higher, the ordering of his client-purchase increases for him accordingly'.

increased his household to just such an extent, his reciprocal renders, like the value of his grant, increased, until 'his house-custom therein is according to his dignity'.[41] It must be remembered, however, that any decisions regarding the gain or loss of status would not have been immediate; any changes in the amount of land a client owned would probably have taken time to translate into increased or decreased legal abilities.

**Livestock and land as grants**

The two most common grants given by lords to base clients were livestock and land, the amount and type of which depended on the grade of the commoner.[42] An itemised list of various animals that could be used as grants can be found in the Old Irish law tracts and commentary. Boars, she-goats, he-goats, bees, hens and hounds are all listed as possible grants, but *Dliged Raith ⁊ Somaíne la Flaith* notes that 'every grant up to a grant of pigs (is) petty'.[43] The small value of most of these animals would seem to indicate that the recipient of the grant was already mostly self-sufficient. Therefore, these grants were either symbolic or could have been an additional grant from a secondary lord. According to a later glossator though, these animals were not supplementary; instead, the glossator incorrectly interpreted these seemingly meagre grants as the only moveable property the client owned.[44]

The most common type of livestock granted to base clients was cattle, as later commentators explained that, since cattle were used as pledges and oxen could be used in the harvesting of grain, a man who did not have them would be base (*dóer*).[45] One law tract notes that the best grant, in terms of animals, was 'a milk cow with her calf' (*lulgach cona lloegh*);[46] an ox was, similarly, reckoned as the best fief, according to *Dliged Raith ⁊ Somaíne la Flaith*.[47]

One law tract, however, indicates that although cattle were the best livestock to receive as grants, the best grant was in land, for 'every fief up to a fief of land is frivolous (?)' (*uicce cach raith co rath tíre*).[48] This land, as explained by one glossator, was superior to cattle

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[41] 'co mbí bés a thige and íarna míad', *Críth Gablach*, ed. Binchy, p. 4, l. 83, §9; trans. in MacNeill, 'Ancient Irish law', p. 286, §75.
[42] See Tables 4.1 and 4.2.
[43] 'diur cach rath co rath muc', *CIH*, v, p. 1907.1; trans. in Crigger, 'A man is better than his birth', p. 351.
[44] '.i. is | diur no is daor cach fer ocna biat, ar med gellait do incaib in duine oca mbiait', *CIH*, v, p. 1907.3-4; trans. in Crigger, 'A man is better than his birth', p. 352: 'i.e., each man who does not have them is petty or base because of the extent to which they serve as pledges according to the honor of the person who has them'.
[45] *CIH*, v, p. 1906.33; trans. in Crigger, 'A man is better than his birth', p. 335.
[46] *CIH*, iii, p. 920.6; trans. in Crigger, 'A man is better than his birth', p 365. For a discussion of the milch cow (*lulgach*) see Kevin Murray, '*Lulgach* 'a milch cow'' in *Celtica,* xxiv (2003), pp 223-4.
[47] *CIH*, v, p. 1906.33-6; trans. in Crigger, 'A man is better than his birth', p.351.
[48] *CIH*, v, p. 1906.29; trans. in Crigger, 'A man is better than his birth', p. 351.

due to its 'enduringness' (*suthaine*).[49] One particular section on the *ócaire* from *Críth Gablach*, as interpreted by Eoin MacNeill, indicated that land could take the place of livestock as a grant for an *ócaire*: 'for it is from land that these (?) grades do vassal-service; of land, too, the value of his ten chattels (is given) to this man to retain him as vassal' (*Ar is di thír gíallaid a ngrád n-i; is di thír dano ḟóg a .x. sét dosom dia th[a]urchre[i]c*).[50] MacNeill argued that this usage of land was the 'exception', not the rule.[51] Yet, in a subsequent paragraph in *Críth Gablach*, and another in *Cáin Aicillne*, the grant was explained in terms of cattle, not land.[52] Both Daniel Binchy and Neil McLeod have argued that this preceding statement in *Críth Gablach* should not necessarily be taken as an indication that an *ócaire* lacked possession of land, and therefore entered a clientship agreement to gain it, as Binchy highlighted the fact that there is no mention of land as a grant for an *ócaire* in *Cáin Aicillne*.[53] McLeod suggested, instead, that these lines were an additional justification by the jurists of the difference between an *ócaire* and a *bóaire*, i.e. 'due to the paucity of his land a lower grade (and therefore advance) is reckoned for the *ócaire*'.[54]

One interesting legal passage indicates that the renders for a grant of land depended on the value of the land itself, not on the grade of the individual: 'Renders for land according to rank (?) of its value in cattle' (*Somuine tiri fo miadh a loige do buaib*).[55] The association between different grades of land is reminiscent of the valuations given in the short legal tract known as *Tír cumaile*, 'land worth a *cumal*':

> 'Na se fodla tiri so asrubartmar, cosmail a tomus, ecosmaili a loigi. Etham rem[i]-bi ethamnaib, cumal .iiii. bo fichit mblicht a log; etham taulcach, cumal fichit mbo mblicht; etham frichnama, cumal se mbo ndec mblicht a log. Ainmin, cumal .ui. bo ndec seisc n-aire. Antren(n)d, cumal da bo ndec seisc n-airi. Andomain, cumal ocht mbo seisci n-airi'.

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[49] *CIH*, v, p. 1906.30; trans. in Crigger, 'A man is better than his birth', p. 351.
[50] *Críth Gablach*, ed. Binchy, pp 4-5, ll. 106-8, §10; trans. in MacNeill, 'Ancient Irish law', p. 288, §80; cf. Neil McLeod, 'Interpreting Irish law: status and currency, (ii)', in ZCP, xlii (1987), pp 42-115: 62.
[51] MacNeill, 'Ancient Irish law', p. 288, no. 2.
[52] *Críth Gablach*: 'Ocht mba[í] a th[a]urchrecc, it é .x. séoit insin', *Críth Gablach*, ed. Binchy, p. 4, l. 105, §10; trans. in MacNeill, 'Ancient Irish law', p. 288, §80: 'Eight cows are his loan-capital. That is ten chattels'. *Cáin Aicillne*: 'Turchreic(h) colpaige firinne .ui. seotu (read seoit) dec no a log cenmotha seotu turclaide. Is e bes fo·loing ocairi(g) in sein', 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 361, §18; translation (of Thurneysen from German) by Dr Simms: 'The fore-purchase of a male steer in its second year: sixteen *séoit* or their value, besides the 'worth of submission'. That is the yearly render that an *ócaire* can afford'.
[53] *Críth Gablach*, ed. Binchy, p. 102; McLeod, 'Interpreting Irish law, part 2', p. 62.
[54] McLeod, 'Interpreting Irish law, part 2', p. 62.
[55] *CIH*, iii, p. 921.32-3; trans. in Crigger, 'A man is better than his birth', p. 368.

> 'The six kinds of land we have enumerated, their measurement is alike, but their values are dissimilar. First-class cultivable land, its value is a *cumal* of twenty-four milch cows; upland cultivable, a *cumal* of twenty milch cows; land cultivable by labour, its value is a *cumal* of sixteen milch cows. Rough [land], a *cumal* of sixteen dry cows for it. Very rough [land], a *cumal* of twelve dry cows for it. Shallow [land], a cumal of eight dry cows'.[56]

The principle of basing a client's render on the quality of his land and not his legal grade diverges from the ideas described in the main law tracts on base clientship.[57] More importantly, the absence of a link between rank and render is one of the leading characteristics of free clientship.[58] It is possible that, despite the fact that this law tract does not specify the type of clientship to which it refers, this particular grant was relevant to free clients only.[59]

**Equipment**

Various types of equipment were also exchanged in clientship. Some of the objects that the law tracts described include clothing and armour. An excerpt from *Di Dligiud Raith ⁊ Somaíne la Flaith* states that 'half-renders [were due] with a fief of arms or clothing' (*(L)eth somuine la rath narm ł eduig*).[60] In this case both the value of the renders and the glosses on the text signify that these items were part of an exchange in free not base clientship.[61] Donnchadh Ó Corráin has noted that free clientship 'enabled lords to recruit a military following, ambitious aristocrats and freemen, for raiding and political in-fighting'.[62] The grant of arms and clothing would suit this purpose, as well as the fact that the only renders

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[56] 'Tír cumaile', ed. Gearóid Mac Niocaill, in *Ériu*, xxii (1971), pp 81-6: 82, trans. p. 85.

[57] Thomas Charles-Edwards has written extensively on this link, and noted that 'both *Cáin Aicillne* and *Críth Gablach* agree that the value of the fief, and therefore of the render, is tied to the status of the client', Charles-Edwards, *Early Irish and Welsh kinship*, p. 352.

[58] Charles-Edwards, *Early Irish and Welsh kinship*, p. 354.

[59] This law tract and the question of which type of clientship is being referred to will be examined in the following section on the use of inanimate objects as grants.

[60] *CIH*, v, p. 1907.8; trans. in Crigger, 'A man is better than his birth', p. 352.

[61] For example, one of the glosses mentions that the fief of cloth and arms was equal in value to twenty-four cows. Yet, the client in this case only owed 'half (the value) of the cow with its 'strewing'' (*leth na bo cona fosair*) so that 'it may be he who ... is to serve with the fief of arms and clothing and horses' (*curup edh bes do foghnum laisin rath narm ⁊ eduidh ⁊ ech*), *CIH*, v, p. 1907.10-12; trans. in Crigger, 'A man is better than his birth', p. 352. Thus the renders are low so that the client was free to participate in any military campaigns on behalf of his lord. This is different from the reading of *Cáin Ṡóerraith* which noted that the render a free client owed for each year of clientship was worth one-third of the value of the original grant.

[62] Donnchadh Ó Corráin, 'Ireland, Scotland and Wales, *c.* 700 to the early eleventh century' in Rosamund McKitterick (ed.), *The new Cambridge medieval history, vol. ii, c. 700-c. 900* (Cambridge, 1995), pp 43-63: 51.

mentioned are personal services.[63] The later glossator makes this apparent when he states that 'the lord is entitled to take with him in his personal service the arms and clothing which are given in the fief' (*uair dligid in flaith int arm ⁊ int edach doberar isin raith do breith leis ina manacuine*).[64] In this case, then, it would appear evident that clothes and arms were reserved for grants of free clientship.

On the other hand, a number of inanimate and low-value objects could also have been used in grants of base clientship, such as 'the due of a knife' (*somaine scene*), 'a full plough with its appurtenances' (*arathar og cona brut ⁊ a huile*), 'the due of a billhook' (*somuine fidbai*), 'the due of an axe' (*somuine belo*) and 'the due of a cauldron' (*somuine lestra*).[65] In her discussion of this law tract, Bette Crigger argued that these tools were given to free clients as 'token(s) ... used to establish a bond for primarily non-productive purposes'.[66] While it is evident that the grants given to a free client are of a disproportionately low value compared to the renders they owed,[67] the idea that farming equipment would be exchanged amongst the nobility in order to establish an undisclosed type of bond runs counter to the assertion in *Críth Gablach* that states, if a king was seen using a mallet, an axe or a spade, his honour-price dropped to that of a commoner.[68] It is possible that this same loss of status might have been perceived for all nobles, not just the king. This notion of farming equipment being given as a grant in free clientship therefore needs to be investigated further.

The giving of gifts to establish bonds has been well documented for early medieval Ireland, but the type of gift bestowed is generally one either of necessity or luxury.[69] A billhook,

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[63] 'ar is edh in sein dechmoaile somuine mancanuine lā', *CIH*, v, p. 1907.5; trans. in Crigger, 'A man is better than his birth', p. 352: 'for it is that which best deserves renders of personal service according to law'.

[64] *CIH*, v, p. 1907.6-7; trans. in Crigger, 'A man is better than his birth', p. 352.

[65] *CIH*, iii, p. 921.11-36; trans. in Crigger, 'A man is better than his birth', pp 367-8. While some of these items, like the plough with its outfit, were very important to the daily running of a farm, others, like the billhook, were considered less valuable. For example, the *díre* for a billhook stolen from a *mruigfer* was, at most, a *colpthach*, or a two-year-old heifer, which was valued at 8 scruples. By way of comparison, a milch cow was worth twenty-four scruples, *Críth Gablach*, ed. Binchy, p. 10, ll. 146-7, §8; trans. in MacNeill, 'Ancient law of Ireland', p. 293, §92. See also, Kelly, *Early Irish farming*, pp 587-8.

[66] Crigger, 'A man is better than his birth', p. 180.

[67] Charles-Edwards, *Early Irish and Welsh kinship*, p. 345.

[68] 'A thóraic for teora[ib] lorggaib a[i]thich – lorgg ḟorcha, lorgg ṡamthaige, lorgg rám(m)ai – ar cé[i]n mbís foraib is aithech', *Críth Gablach*, ed. Binchy, p. 21, ll. 531-3, §40; trans. in MacNeill, 'Ancient Irish law', p. 303, §126: 'His stoopings over the three hafts of a vassal, the haft of a mallet, the haft of an axe, the haft of a spade, for while he is upon them, he is a vassal'.

[69] For example, in the twelfth-century *Lebor na Cert*, 'Book of rights', the grants given to nobles from the high-king of Ireland consisted of horses, swords, shields, horns, ships, tunics, slaves, cows, servants, bridles and various other luxury goods. Not once was a plough or a billhook mentioned, Charles Doherty, 'Exchange and trade in early medieval Ireland' in *R.S.A.I. Jn.*, cx (1980), pp 67-89: 74; *Lebor na Cert*, ed. Myles Dillon, Ir. Texts Soc., xlvi (Dublin, 1962).

to a noble, was neither a necessity nor a luxury, since he did not do any of the actual farming on his lands; he had base clients and peasants to do it for him. The practical solution to the conundrum would instead indicate that these tools were *not* being granted to a noble in free clientship, but instead were given to commoners as a part of base clientship. This particular Irish law tract has not been otherwise edited or translated, and some scholars emphasise its relationship with the law tract that precedes it in the manuscript: *Dliged Raith ⁊ Somaíne la Flaith*.[70] In her PhD thesis, Crigger claimed, however, that the style and type of renders given in response for these grants indicate free clientship. One of the ways in which free clientship differed from base clientship was that the renders changed, depending on the year of the contract.[71] For the billhook and the axe the renders listed in the text changed from the first to the third year of the contract, but for the rest of the items the renders were fixed. The render for a complete plough was 'a cow with its accompaniment', which, as will be seen in the following section, was a typical render for a *bóaire* in base clientship.[72] Furthermore, the list of tools used as grants is very similar to the list of tools enumerated in *Críth Gablach* as the property of the *mruigfer*.[73] Crigger tentatively proffered the suggestion in her thesis that this tract was, in fact, from the same legal school that produced *Críth Gablach*.[74] If this was true, it would be even more likely that the grant was for base clientship since the compiler would have been well aware of the association between these items and the section in *Críth Gablach*.

Therefore, there is enough surviving evidence to state that livestock was not the only possible form a grant could take in base clientship, as land and agricultural tools were also used. Arms, however, were luxury items that were most likely used as grants between nobles in free clientship.[75] This suggests that the type of equipment, and the status attached to the items by society, may act as a better indicator of the type of clientship than the associated distribution of renders.

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[70] For example, Breatnach, *A companion to the Corpus Iuris Hibernici*, p. 41.

[71] *Cáin Ṡóerraith* states: 'Caite somuine cach seoit o bic co mor i-ssaorrathuib? – A trian cach s[e]oit, is si a somuini co cenn mbliadna; ar teora (m)bliadna do·sli set a muin araile; as ocus los ocus geart iar suidiu co cend teora mbliadan', 'Aus dem irischen Recht II' [2. Das Frei-Lehen], ed. Thurneysen, p. 240, §3; trans. in Charles-Edwards, *Early Irish and Welsh kinship*, p. 356: 'What is the return to each *sét* from small to great in free fiefs? A third of each *sét* is the return for a year; in three years a *sét* earns its value again; after that it is 'growth' and 'young' and milk and dung for three years'.

[72] 'Arathar og cona brut ⁊ a huile, bo cona timthaig a somuine', *CIH*, iii, p. 921.20-21; trans. in Crigger, 'A man is better than his birth', p. 368, with a minor emendation: 'A [complete] plough with its goad and completeness(?). A cow with its accompaniment its render'.

[73] *Críth Gablach*, ed. Binchy, p. 7, ll. 174-82, §14; trans. in MacNeill, 'Ancient Irish law', p. 291, §89; See also Chapter 7 below.

[74] Crigger, 'A man is better than his birth', p. 174.

[75] Clothing and armour and the status attached to these objects will be discussed below in Chapter 4, on clothing, and Chapter 7, on housing.

**'The worth of submission'**

The second payment a lord made to a base client at the outset of a clientship contract was the 'worth of submission', the value of which depended on an individual's grade in society, as it was equal in value to the base client's honour-price.[76] By handing over this payment a lord, in good legal standing, was entitled to part of the compensation for any offences committed against his client;[77] according to Binchy's edition of *Críth Gablach*, 'if an unfree client is robbed, or injured in a drunken brawl ... or slain, his lord is entitled to one-third of the appropriate penalty'.[78] The acceptance of the 'worth of submission', however, has led some scholars to argue that the base client thus took on the status of a 'dependant' in the eyes of the law. When Eoin MacNeill translated *Críth Gablach* in 1923 he wrote that, in essence, 'he (the client) made a sale of his status to his lord (*flaith*), and transferred to him his franchise'.[79] Bart Jaski hedged the issue in his book *Early Irish kingship and succession* when he determined that, by accepting the 'worth of submission', the client 'symbolically relinquished his independence'.[80] Likewise, Charles Doherty has stated that the client had the status of a 'dependant' in the laws, since the lord had assumed 'some legal responsibility for him'.[81] Charles-Edwards in his discussion of the origin of the terms for clientship used the definition of the terms 'independent' (*soíre*) and 'dependent' (*doíre*) to indicate that base clients had the status of a dependant.[82]

The problem here stems from the legal capacities of someone who is a dependant and one who is dependent. There are many ways in which a client is dependent upon his lord, but that did not make him a dependant in the eyes of the law. A dependent person in the Old Irish

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[76] *Cáin Aicillne* stated quite clearly that 'everyone's "worth of submission" is equal to their honour-price' (*logh einech cach ain is edh a seota turcluide*), 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 342, §4; translation (of Thurneysen from German) by Dr Simms.

[77] Heptad §14 includes seven nobles who were not entitled to collect the payment normally due to them: 'Atat .uii. nairig la Féine na dlegut dire na log neneach: aire astoing cach recht, aire ithus gait ⁊ bruit, aire feallus foru aineach, aire forloing air no aire, aire dorairngaire a bithbachull toichtindtai co hoca aithearrach, aire doheim eloduch rechta co mbi elod iarna chul, aire nadcon ndaim ceart na dliged do duiniu – ni fordlig-som cert do o duiniu', 'According to Irish law there are seven noblemen who are not entitled to penalty-fine or honour-price: a nobleman who refuses every person (hospitality), a nobleman who consumes (goods of) theft and plunder, a nobleman who betrays his honour, a nobleman who endures satire which defames him, a nobleman who promises permanent pilgrimage and who returns at will, a nobleman who protects an evader of law so that it becomes an evasion behind his back, a nobleman who does not yield justice nor law to men – such a person is not entitled to justice from men himself', text and trans. in Jaski, *Early Irish kingship and succession*, pp 45-6, citing *CIH*, ii, p. 538.1-6.

[78] *Críth Gablach*, ed. Binchy, p. 27, no. 85.

[79] MacNeill, 'Ancient Irish law', p. 270.

[80] Jaski, *Early Irish kingship and succession,* p. 105.

[81] Doherty, 'Clientship', p. 90.

[82] Charles-Edwards, *Early Irish and Welsh kinship*, p 340.

law tracts, such as a woman or a child, was considered legally incompetent (*báeth*) or senseless (*éconn*);[83] their honour-price depended on their legal guardian,[84] and they were unable to bequeath property to their heirs, act as sureties or make contracts independently.[85] Three of these conditions can easily be dismissed in terms of a base client. As has already been discussed in the previous chapter on status, the honour-price of commoners was in no way reflective of their lord; their honour-price was instead based on their own property.[86] The law tracts are equally clear on the process by which the inheritance of a commoner, whether they were in base clientship or outside of it, was distributed.[87] Thirdly, a commoner was entitled to act as a surety in legal proceedings. Although Marilyn Gerriets has noted that, once a commoner became a base client of a lord, he was not allowed to act as a *naidm* (enforcing surety) 'with respect to his lord',[88] this did not mean, however, that he was forbidden from acting as a surety in other matters. *Berrad Airechta*, for example, listed the fee for a *bóaire* who acted as an 'enforcing surety' (*naidm*) as equal to a two-year-old heifer (*colpthach*);[89] the only restriction on the *bóaire*'s abilities seems to have been that he was not allowed to act as surety for an amount greater than his honour-price.[90]

A base client's ability to make contracts without the consent of a guardian is somewhat more complex. Some law tracts entitled lords to a limited ability to annul contracts made by their base clients. *Cáin Aicillne*, for example, allowed a base client to make a second, or even a third, base clientship contract with additional lords, as long as the first lord (*cetgiallna*) approved.[91] Yet, lords were not the only ones who were entitled to a say in contracts, particularly ones that involved land. A dialogue between Fachtnae and Sogen, found

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[83] Kelly, *A guide to early Irish law*, p. 68.
[84] Ibid, p. 11.
[85] Kelly, *A guide to early Irish law*, p. 68; McLeod, *Early Irish contract law*, p. 59.
[86] For a list of the independent honour-prices see chart 3.1 in Chapter 3.
[87] For a discussion of inheritance amongst commoners refer back to Chapter 3, in which the roles of the *fer midboth* and the *aithech ara threba a deich* were discussed.
[88] Gerriets, 'Kingship and exchange in pre-Viking Ireland', p. 56.
[89] 'Cs̄ tra, cid teite for fornaidm caich? nī. miach for breithir, aipert, | boairech, dairt fora roach .i. fora fiadnaise. colbdach fora aicdiu .i. fora naidm, bo fora aitire .i. trian loighe enech', *CIH*, ii, p. 594.8-12; trans. in '*Berrad Airechta*', ed. Stacey, p. 216, §40: 'A question, then: what (fee) does each person receive for his guarantee? Not difficult: a sack (of grain) for the testimony (i.e. the word) of a substantial freeman (*bóaire*), a yearling heifer for his witnessing (i.e. for his witness), a yearling calf for his appointment (i.e. for his *naidm*-suretyship), a cow for his *aitire*-suretyship, i.e. one third of his honour-price'.
[90] 'Mad in tan in boaire doboingeth a naidm .uii. cumala, indorsa im̄ is coruice .u.s.u.', *CIH*, ii, p. 594.11-12; trans. in '*Berrad Airechta*', ed. Stacey, p. 216, §41: 'In times past, the substantial freeman used to enforce his *naidm*-suretyship (up to the value of) seven *cumal*s, but now it is up to five *séts*'.
[91] See, for example, discussions by Stacey, *The road to judgment*, p. 62 citing 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 381, §§44-5 and Gerriets, 'Economy and society: clientship according to the Irish laws', p. 59.

in the law tracts, indicates that individuals had to have permission from everyone who had an interest in their property before they were allowed to make any contracts regarding said property,[92] a constraint which was reiterated in *Cáin Lánamna*, 'the law of couples'.[93] Yet, the interested parties only had a short window of time in which to annul the contract before it became valid in the eyes of the law; Neil McLeod notes that a lord only had twenty-four hours to protest a contract entered into by one of his clients.[94]

The independent legal capacity of a base client becomes clearer when the rights of the lord in clientship are briefly compared to the rights of 'the head of a kindred' (*cenn fine*) outside clientship. Just as a lord was entitled to a third of the compensation for any injury done to his base client (as a result of the acceptance of the 'worth of submission') a *cenn fine* was entitled to a third of the compensation for any injury done to a member of his kindred. The *cenn fine* was also able to annul the contracts of free commoners within his kindred, similar to a lord.[95] Therefore, every commoner was subject to limited legal rights, whether because of the entitlements of the head of their kin, their lord, their king or their church. These limited rights did not make them a dependant in the eyes of the law. As a result, the base client retained his independent legal status and maintained the legal rights to his land and his ability to withdraw from clientship at any time (although he would incur substantial penalties for vacating the relationship before the term of the contract had ended).[96] However, some tracts saw marriage, a monk's subordination to an abbot, and a client's subordination to his lord, as only dissoluable by death.

**Social and legal responsibilities of a lord**

In addition to the economic aspect of the relationship, the lord also had an obligation to protect his client's interests in both legal and physical matters. Lords often acted as *naidm-*

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[92] Stacey, *The road to judgment*, p. 62, citing *CIH*, ii, p. 591.3-5.

[93] 'Cach cor cen saithiud ar do-fúasailci cechtar dá lína dochuru araili; ní túasailci a sochuru do neoch do-ruirmed ma bheith cach comsa | cen immamainsi cen immaclaid co sochomsa co sochobus', 'every contract is without defrauding because each of the two parties dissolves the other's disadvantageous contracts; one does not dissolve their good contracts for anything that has been mentioned if each (matter of) joint husbandry may be without mutual sharpness (of words), without mutual liability, in good husbandry, conscientiously', text and trans. in *Cáin Lánamna*, ed. Eska, pp 134-5, §9.

[94] McLeod, *Early Irish contract law*, p. 199.

[95] In §32 of *Cáin Aicillne* the text notes that members of the kindred are able to annul the disadventageous (*dochor*) contracts of their fellow *fine* members. Thurneysen notes that in the previous section the text seems to indicate a transition from when individual kin members could annul each other's contracts to the point when the *cenn fine* took this responsibility upon himself, 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, pp 369-70, §32.

[96] On this topic, see *Críth Gablach*, ed. Binchy, pp 96-8; Kelly, *A guide to Early Irish law*, p. 33; Gerriets, 'Economy and society: clientship according to the Irish laws', p. 50; Stacey, *The road to judgment*, p. 60.

sureties for their clients, for example, since it was the lord's duty to 'guarantee that their associates would live up to the obligations they had contracted'.[97] Furthermore, Marilyn Gerriets has noted that lords could act as the *fethem*, a legal representative who presented their client's case before a judge;[98] this obligation entitled the lord to a third of any compensation a client received.[99] It has been argued by Katharine Simms that through this entitlement the lord 'gained the same vested interest in protecting and avenging his vassal [base client] that normally belonged to the man's kindred'.[100] Little evidence survives of the lord's role as physical protector of his base clients in the earliest law tracts, but some later commentaries in *Cáin Lánamna* do include 'defending them [his clients] from every injustice that he can' (*a nditin ar cach n-inndliged gonic*) in a list of a lord's responsibilities.[101]

**What a client owes to his lord**

The commentary on *Cáin Lánamna*, which discussed the lord's responsibilities towards his base clients, goes on to state that, in return for these, payments and protection, 'refection and personal service (are due) from them to him' (*biathad ⁊ manchuine uathaib-sium do-sum*).[102] Refection consisted of various food renders, the contents of which depended on the season, and personal services, which usually involved assistance at harvest, in battle and other assorted tasks. The amount of dues and services a base client owed was directly proportional to his grade in society.

**Food renders**

As can be seen from the accompanying charts, both *Cáin Aicillne* and *Críth Gablach* listed the associated renders a client owed to his lord (Table 4.3). As the ranks increased in honour-price so did the value of the animal rendered (Table 4.4). The types of produce given to a lord depended on the time of year; in summer, milk products, corn and vegetables featured heavily in the render, whereas in the winter meat was the predominant fare.[103] In

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[97] Stacey, *The road to judgment*, p. 69.

[98] Gerriets, 'Economy and society: clientship according to the Irish laws', p. 55. Although Gerriets noted that a member of the *fine* could also act as the 'guardian' (*fethem*) in legal disputes. See also, Daniel Binchy, '*Féchem, fethem, aigne*' in *Celtica*, xi (1976), pp 18-33.

[99] 'ar trian a duinn ocus a meisce, ar leth fri beo-eludh', 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 343, §5; translation (of Thurneysen from German) by Dr Simms: 'for the third of the case of theft, and the case of drunkenness, for a half if he withdraws from his obligations in his lifetime'.

[100] Simms, *From kings to warlords*, p. 96.

[101] *Cáin Lánamna*, ed. Eska, pp 86-7, §2. Though the term *rath* is used here to represent the grant, the context of the statement is clearly discussing base clientship.

[102] Ibid.

[103] Gerriets, 'Economy and society: clientship according to the Irish laws', p. 52.

addition to meat, corn and vegetables, the renders also mandated items that were inedible, but were made from animal by-products, like candles.[104] One important distinction between free clientship and base clientship can be seen in these renders. Hides, for instance, were never mentioned in the texts on base clientship. Instead, hides and other assorted items of clothing were listed in the tracts on free clientship and in political tribute texts which used the language of free clientship.[105] Furthermore, the renders in base clientship stayed the same throughout the life of the contract, and varied only according to a commoner's grade.

The law tracts imposed strict stipulations for each item given as food renders. *Cáin Aicillne*, for example, directed that the food had to taste good and could not cause sickness to the stomach; the reference to stomach-turning food was likely included to prevent base clients from incorporating any rotted meat or mouldy corn in the renders.[106] Not only did the food provided in renders have to taste good, but, the animals themselves had to be raised properly. For steers, the laws stipulate that they must be castrated and grazed on land accompanied by milch cows, and their deaths must be from slaughter, not from any disease.[107] The quality of the milk from milch cows was also carefully controlled by the law tracts. Cream, for example, had to be 'pressed' for three days and nights so that it was neither watery nor harmful and tested no longer than one day and night after the pressing, so that 'one could say

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[104] *Cáin Aicillne* §13 notes that the candles were to be made by dipping a stripped rush into the tallow and grease of a slaughtered cow, 'ocus tri imglaice do cainnlib cona toimsib techtaib, ocht nduirn a fot cach itharna, ara·letha bun cacha simne iarna airdbe cutruma graine frisi·tomister ordlach; tumud na cainnell a [n]geir ocus uscca in carna', 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 355, §13; Kelly, *Early Irish farming*, p. 55; translation (of Thurneysen from German ) by Dr Simms: 'and three handfuls of candles with due measure, each rushlight eight fists long the bottom end of each cut rush as broad as a grain used to measure an inch the candles dipped in the tallow and fat of a slaughtered animal'. Candles could also have been made out of beeswax, but there is no discussion of beeswax candles in the law tracts, Kelly, *Early Irish farming*, p. 114.

[105] For example, the twelfth-century *Lebor na Cert* describes the reciprocal tributes owed between kings. Both hides and mantles or other types of clothing were frequently mentioned within the text in addition to the typical renders of cows, pigs and bacon, *Lebor na Cert*, ed. Dillon, pp 179-89.

[106] 'Cach biad cona dilsi, cona somillsi, cona slaine do bru', 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 346, §7; translation (of Thurneysen from German) by Dr Simms: 'every feeding (delivered) (should be) owned (not stolen) good-tasting, healthy for the stomach'.

[107] The regulation that these steers must be grazed with milch cows is intriguing. The only reasonable explanation would appear to be that, having the steer grazed with the milch cows, the farmer could prove that the bullock no longer had any of the aggressive traits that were found in bulls and therefore when the bullock was introduced to a new herd of female cattle it would not cause any trouble, Fergus Kelly (pers. comm.). There is a vast amount of detail on the types of diseases that cattle were susceptible to in early medieval Ireland in the law tracts. Fergus Kelly has enumerated seventeen different diseases and defects that could affect cattle, including the most common disease noted in the annalistic record, a possible relative of foot-and-mouth disease known as *máelgarb*, Kelly, *Early Irish farming*, pp 194-205.

it was not sourer today than yesterday'.[108] A more important stipulation prevented clients from using stolen goods as part of the render and the later commentaries went into explicit detail concerning the legal ramifications of using stolen animals and meat, specifically.[109] The amount of detail focusing on stolen goods in these commentaries highlights a growing concern with this method of procuring renders.

The law tracts also discussed the proper proportions and taste of corn, used both in bread making and in beer production. For the malt, which is handed over in a raw form and given to the lord's brewer to produce beer, there were three separate tests to make sure both the quality and taste was acceptable.[110] If no complaints were raised during any of these tests the base client was free from any liability that could result from a poor quality or poor tasting beer produced as a result.[111] If, however, a complaint was not only made but upheld (presumably by witnesses) the render, or a portion of it, was considered invalid. The client had to then supply a valid render and pay a penalty fine.[112] For the corn, the law tract assumes this will already be processed into bread and notes the proper amount and dimensions as 'twenty-four loaves of woman's baking, of which each should be two fists broad and one fist thick' (*ceitheora bairgena fichet do banfuine, ocus im da dorn a leithet ocus dorn a tiget*).[113]

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[108] 'Ocus lanu[d] eine tri n-ol do uachtar taiscida tri la ocus teora n-aidchi, cen fothana na ruba and, acht la co n-aidchi iarna toiscidi fria focul, con·eperar do, na·bi go(i)rta(i) inni[u] olbui ane', 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 356, §13; trans. (of Thurneysen from German) by Dr Simms: 'and the full of 'a vessel of three drafts' with cream that has been pressed 3 days and 3 nights without wateriness and without harmfulness in it, tested (at most) one day and one night after its pressing, so that one could say it was not 'sharper' (sourer?) today than yesterday'.

[109] *CIH*, v, pp 1781.32-1782.2.

[110] 'Tri focail for braich: focul fair iarna tirad cen bleith; focul fair iarna bleith – do·gnither tuirtin de, co·finntar a blas ocus a slaine –; focul for braich lis, riasiu do·cae for descthu', 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, pp 348-9, §8; translation (of Thurneysen from German) by Dr Simms: 'Three tests are required for malt. One test after it is dried (but as yet) not milled; one test after the milling – one makes a little cake from it to study its taste and 'health' (digestability) -; one test for the malt in the courtyard (after it is brought to the lord's courtyard?) before the yeast is added'.

[111] 'Mana·airigt[h]er fair isin treide seo, ni·sui meth forsin ceili de', 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, pp 348-9, §8; translation (of Thurneysen from German) by Dr Simms: 'If by these thee (tests) nothing is noticed (complained about), no penalty results from the failure of the 'companion' (that is even if the beer does not come out well then, he gets no penalty for the unsatisfactory render)'.

[112] 'Ma claid airigu[d], dilis. Nach airbern, a aithgin fri eiric on ceili, cia do·ragba airigiu[d]', 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurnesyen, pp 348-9, §8; translation (of Thurneysen from German) by Dr Simms: 'If a complaint 'wins' (is upheld) (the thing complained of) is nullified (it is not reckoned as a valid render). The gap caused by the complaint (the difference between the full render owed and the amount recognised as valid) is to be replaced by the 'companion' together with the (penalty) payment'.

[113] 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, pp 356-7, §13.

Vegetables on the other hand played a relatively minor role in the renders; this is evident from the lack of stipulations regarding these garnishes or accompaniments.[114] It is likely, therefore, that meat, milk and corn were considered more valuable. Yet, some vegetables or herbs may have played a larger role in the occasional feasts that clients were obliged to hold for their lords during certain times of the year. *Di Dligid Raith ⁊ Somaíne la Flaith*, for example, notes that a client was supposed to hold a 'garlic feast' (*crimḟeis*) for his lord just before Easter.[115] Failure to hold this feast incurred a fine of three *séoit* and twice the restitution.[116] Though the title suggests a feast centred on garlic, some later glossators propose that the title simply indicated the time of year in which the feast was held, 'in summer, i.e. when the wild garlic comes in', or 'a feast given to the lord in the season of wild garlic'.[117] The main components of the feast, therefore, could have been various cheeses and milk, not garlic.

Winter on the other hand was the coshering season, when the client was also obligated to entertain his lord. It is possible that, if any meat had been left over after the apportionment of the renders, that meat was salted and preserved, and thus *Críth Gablach* noted that a *mruigḟer* was a man of three sacks, one of which was a 'sack of sea-ash against the cutting up of joints of his cattle' (*míach murlúatha fri haithchumba[e] n-áige dia chethrai*).[118] This preserved food, however, was most likely not only saved for consumption by the family of the commoner, but also for the lord at another point in time, such as during a coshering visit. Coshering was an event during which a lord was entitled to bring a retinue of people, the amount dependent on his own grade, to his client's house for refection. The coshering season was between New Year's Day and Shrovetide, but usually only lasted for one night.[119] The preservation of meat would have been even more important if a client had more than one clientship contract, and thus multiple lords and their retinues to feed. As Katharine Simms noted: 'the coshering season came at a time when it was most convenient for the lord

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[114] The only explicit stipulation is the number of handfuls of vegetables a base client was supposed to provide: 'Ocus ceithri imglaici laime toimsi techta, ocus a do do glascainnind ocus a do do borrlus, do sambes', 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, pp 356-7, §13; translation (of Thurneysen from German) by Dr Simms: 'And four handfuls of a regular measure hand; two of leeks and two of garlic (all this) as summer render'.

[115] Kelly, *Early Irish farming*, p. 309.

[116] 'Ma rometha crimes, tri .s. ina meth la diabul naithghina', *CIH*, v, p. 1910.24; trans. in Crigger, 'A man is better than his birth', p. 356: 'If the feast of wild garlic has failed, three sets for its failure with doubling of restitution.

[117] '.i. an tan ticc in crimh .i. feis doberur a naimsir in cremha don flaith .i. maothla ⁊ loim', *CiH*, v, p. 1910.24-5; trans. in Crigger, 'A man is better than his birth', p. 356: 'when the wild garlic comes in; i.e. a feast given to the lord in the season of wild garlic; i.e., cheese and milk'.

[118] *Críth Gablach*, ed. Binchy, p. 8, ll. 190-1, §15; trans. in MacNeill, 'Ancient Irish law', p. 291, §90.

[119] Binchy, 'Aimser chue', p. 21.

to bring his servants and followers to feast at another's expense ... and when supplying materials for the feast was most burdensome and embarrassing for the client concerned'.[120] Another probable duty of a client during this coshering season was the clearance and general maintenance of roads so that the lord could travel between clients with relative ease.[121]

The yearly renders that were owed by base clients, like the *mruigfer*, added up to one full grown steer, one steer 'the value of a sack' and one steer 'the value of four sacks'.[122] The value of the 'worth of submission' for a *mruigfer* was equivalent to approximately six *séoit* or three milch cows. Gearóid MacNiocaill argued, therefore, that, as long as the cows received in the grant remained productive, calf mortality stayed at or below fifty per cent, and disease was avoided, it was possible for a commoner to not only survive, but to prosper in base clientship.[123] If, on the other hand, any one of these conditions changed, the incoming grant and 'the worth of submission', and the outgoing renders would not be balanced, and would instead favour the lord. Thus, as Thomas Charles-Edwards argued in his book, *Early Irish and Welsh kinship*, 'once the render, obligatory hospitality, and his own consumption have taken their toll of his herd it must generally decline in size with each year that passes'.[124] As soon as the relationship became unbalanced it would have become necessary for a base client to make another clientship contract in order to make up the deficiency, thereby keeping a client in a perpetual state of subservience.

**Manual labour**

The other part of a base client's obligations was manual service (*manchuine*). There were two distinct elements of service that a client owed to his lord: personal service and military service. In regards to the former, the base client had to carry out various labour services, which, according to *Cáin Aicillne*, included support during the harvest, construction of walls and ditches, and the erection of a funeral mound upon the death of his lord.[125] A number of other services are outlined in the fifty requests a living lord was entitled to make and the seven death entitlements a lord's heir was entitled to demand before discharging a client. In terms of labour services, a living lord was entitled to have a client participate in the

[120] Simms, 'Guesting and feasting', p. 80.
[121] Binchy, 'Aimser chue', pp 19-20.
[122] 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 355, §13.
[123] Mac Niocaill, 'Investment in early Irish agriculture', pp 7-9.
[124] Charles-Edwards, *Early Irish and Welsh kinship*, p. 358.
[125] 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 336.

construction of his stronghold and contribute 'a cart(load) of wattling' (*carr cail*).[126] In death, a lord's heir was entitled to:

> 'marbgabail tiuglomrad fertad. dia techta comaithmet anma comallad flede crolige. meth meithil giallna ma rubla taimthin fogomuir ... ni rometha do marbriaraib. Is comarba na flatha etir fiachu ⁊ riaras'.
>
> 'death-dues, last foodrent, (making) a burial mound, a "proper day", commemoration of (the lord's) soul, celebration of a feast of "blood-lying", a client's reaping band if he has died a natural death in autumn ... Anything that has failed of the death-entitlements, both penalties and entitlements to the lord's heir'.[127]

Some of the later glossators hinted that the client may not have completed all of these tasks himself, but sent other men, most likely peasants, serfs or slaves who worked on his farm, to serve in his stead.[128]

**Military service**

In addition to these labours, the base client also had to provide martial service. According to *Cáin Aicillne*, a base client was obliged to offer, '(escort to the) folk assembly, (and for) "revenge" and internal military service' (*fri dail, fri digail, fri rubu, fri fuba*).[129] Failure to carry out these duties resulted in the distraint of an individual's cattle.[130] Internal military service is here referred to as *fuba ⁊ ruba*, which the *Dictionary of the Irish language* translates as 'attack and defence'.[131] Thurneysen noted that these terms covered everything from 'sentinel duty' to resistance against pirates, horse-thieves and wolves.[132] In an alternate section of *Cáin Aicillne* Thurneysen included *gaisced* as another type of military service:

> 'Turcreic aige loige meich cona fosair ocus fuiririud trir i samrad ocus manchuine tresse teora samaisci no a log cenmotha seotu turcluide caich fo miad, ocus gaisced ocus mancuine',

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[126] *CIH*, v, p. 1906.15-6; trans. Crigger, 'A man is better than his birth', p. 346.
[127] *CIH*, ii, p. 434.29-32; trans. in Crigger, 'A man is better than his birth', p. 346.
[128] See Thurneysen's discussion on §15: 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 359; The base client was said to owe refection for three men in the summer according to *Cáin Aicillne* and the gloss added '.i. aenfer co cenn tri la ł triar i naenlo .i. foirithniugud biata trir i samrad', *CIH*, ii, p. 484.18-9; trans. in *ALI*, ii, p. 257: 'for one man to the end of three days or for three men for one day, i.e. what is sufficient to feed three persons in the summer'.
[129] 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, pp 364-5, §24.
[130] Kelly, *A guide to early Irish law*, p. 31.
[131] *DIL*, *s.v. fubae*.
[132] 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 365, notes to §24.

> 'The fore-purchase of a steer worth one "sack" with its garnish and the food of three men in summer and of the 'personal service' of three days (?) is three heifers in their third year, or the value of them, besides the "worth of submission" of each according to his rank and for military service and other personal service'.[133]

As Thurneysen noted, the later glossators understood *gaisced* to specifically denote weapons, although they were unclear as to whether these weapons originally belonged to the client or if they were given to clients as part of the initial grant of clientship.[134] The fact that weapons were not mentioned in any of the other law texts in relation to base clientship supports Thurneysen's interpretation of *gaisced* in this context as 'military service', not weapons specifically. Yet, whether these military services were owed directly to a lord, or if they extended to regional kings, is unclear. Katharine Simms has shown that, in the later commentaries, when a noble submitted to a king, he lost control over his military forces, and if that king then submitted to some higher authority, the ordinary subjects then owed 'their military allegiance to that higher authority, not to the intermediate lord'.[135] Furthermore, this insistence on some form of *fuba ⁊ ruba* as part of the duties of a base client is interesting, since military prowess is usually associated with nobles. The difference here is that basic military defence was expected of everyone, but it was only nobles who were praised for their abilities in this area.[136]

This military service, however, may not have been owed by every base client. The passage noted above, according to Thurneysen, discussed the dues and services owed by a *fer domun*,[137] since the end of the passage referred to the client's youth: 'That is the yearly render that a minor can afford. More is not meted out to him unless his father afforded it earlier; for he can not endure it' (*Is e bes fo·loing fer-domun in sin. Ni techta fair ni bes mo, acht ma no·sa a athair riam; ar ni·ruca*).[138] Thurneysen posited that one possible interpretation of the Old Irish text (*cenmotha ... gaisced ocus mancuine*) might instead be *cen* ('without'), giving the

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[133] Ibid, p. 359, §15; translation (of Thurneysen from German) by Dr Simms.
[134] Ibid, referencing *CIH*, ii, p. 484.22-5.
[135] Simms, 'Gaelic military history and the later brehon law commentaries', pp 62-3.
[136] The only reference to a member of the lower classes being praised for some form of military prowess occurs in the *Annals of the Four Masters*: an Irish slave, Colbain, living in servitude in Dublin, killed the king, Gluiniarn, son of Amlaeibh (who was referred to in this text as a *tigerna,* 'lord') whilst the king was drunk one night in 988, *AFM*, ii, *s.a.* 988, pp 724-5.
[137] The *fer domun* was discussed in the previous chapter, and was a young boy who may or may not have been out of fosterage.
[138] 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 359, §15.

sense 'without military service and other personal service'.[139] Therefore, the *fer domun* may have been exempt from the various personal services because of his youth.

**Termination of contract**

The length of the clientship contract differed depending on the type of relationship. A free clientship contract normally lasted for seven years. According to *Cáin Śóerraith*, the reason for this time period was the fertility of the milch cow: 'for one animal does not grow from another after seven years' (*ar ni·induth nech di araile iarmotha secht mbliadna*).[140] For a base client, however, the law tracts differed, and the contract could last for seven years or until the death of the lord.[141] If the base client had fulfilled all of his obligations, both food renders and personal services throughout the first seven years, he was allowed to retain the value of the original grant.[142] *Cáin Aicillne* described in detail the various 'separations' (*imscarad*) that could legally occur while both parties were still living: a separation by mutual consent, a separation requested by the lord, a separation by return of stock without improper conduct by the lord, a separation as a result of improper conduct by the lord, a separation as a result of improper conduct by the base client, and a separation caused by mutual improper conduct.[143] There were also other reasons given for the possible end of a contract: if a lord wanted to retain a different base client,[144] or if the base client wanted to contract an agreement with a lord of higher status or of closer kinship.[145] In most of these cases of separation the base client was forced to pay a penalty for the termination of the contract, except in the latter case. A base client was justified in ending one contract in order to contract with either an individual of higher status or of closer kinship, with limited associated penalties.[146] There was a noted reduction in the accrued penalties in both of these cases,

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[139] Thurneysen's commentary to §15, 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 360.

[140] 'Aus dem irischen Recht II' [2. Das Frei-Lehen], ed. Thurneysen, p. 240, §3; Charles-Edwards, 'Early Irish law', p. 358.

[141] Charles-Edwards, 'Early Irish law', p. 358.

[142] Charles-Edwards, *Early Irish and Welsh kinship*, p. 357.

[143] 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, pp 383-93, §§48-61.

[144] Ibid, p. 392, §60.

[145] Gerriets, 'Economy and society: clientship according to the Irish laws', p. 58.

[146] *Di Dligiud Raith ⁊ Somaíne la Flaith* records the existence of 'a fief which is granted within a kin-group' (*finerath*) as a distinct grant, Kelly, *A guide to early Irish law*, p. 29. 'Cia lin raith docuissin | fineraith inerath iarrath soerath rath doboing comracc rath naiccille rath irraith', *CIH*, ii, p. 432.27-8; trans. in Crigger, 'A man is better than his birth', p. 342: 'How many (fiefs) are there? The kin-fief, the compensatory fief (?), fosterage fief, free-fief, the fief that judicial challenge enjoins, the fief of ordinary clientship, the fief after a fief, the fief in a contractual share'. As stated at the beginning of this chapter the Middle Irish commentary to the first section of *Cáin Aicillne* noted that an individual was not required by law to participate in clientship, but at the end it does say '⁊ da ngaba daerrath, curub o ri

indicating once again the importance of status and also the desire to keep land tightly within a kin group.[147]

If a lord died early in a contract of base clientship the benefit was to the base client. Thus *Cáin Aicillne* notes that a base client retained the grant after the death of a lord, provided that the base client was not culpable for his lord's death.[148] Furthermore, *Cáin Aicillne* states that, if the base client died, his heirs were not liable for the remainder of the contract. Instead, if the heirs continued the renders for one final month the contract was dissolved.[149] *Di Astud Chirt ⁊ Dligid*, 'on the confirmation of right and law', likewise notes that the '(Liability for) a loan of stock (*rath*) does not persist (lit. "incur") to the grave. The offence dies with the offender, if it is after long support [and] after a death ... of everything legally due' (*Ni fuille rath for ullaid daba a chin la chindtach mad iar fod folach ecaib ulla cach techta*).[150] However, some Middle Irish commentary on the fragmentary law tract *Córus Fine*, 'the regulations of the kin group', had a different stipulation surrounding the one-month time limit. This commentary authorized the lord to claim a substitute base client amongst the heirs, if his base client either died or absconded from the contract. Furthermore, if a replacement base client could not be found or did not volunteer after one month's time, the lord was entitled to seize part of his

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fein gabus', *CIH*, v, p. 1779.20; trans. in *ALI*, ii, p. 225: 'if he does take [a base grant] it should be from his own king'.

[147] Gerriets, 'Economy and society: clientship according to the Irish laws', p. 58. If the lord was a member of the kin group then any defaults on the part of the client which incurred relinquishment of the *fintiu* would allow the *fintiu* to remain in kin hands.

[148] 'Dilius cach turcreic iar fognum techta cen meth, cin follugad, cen elguin, cin ecell, cen eislis co cenn secht mbliadan, mad flaith bes marb', 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 364, §24; translation (of Thurneysen from German) by Dr Simms: 'If the lord dies, every fore-purchase (fief-value) becomes the property of the 'companion' after lawful service to the end of seven years without failure, without neglect, without deliberate injury (to the lord), without injury otherwise (?), without disrespect'. A gloss on an earlier passage in *Cáin Aicillne* records one way in which the death of a lord could have resulted from the actions of a client: 'that the "companion" goes to the wife of another lord (and thus obviously brings about the revenge of the husband on his own lord)', Ibid, p. 363; translation (of Thurneysen from German) by Dr Simms. '.i. arna dernat cin tresa ningniter a flaith do basugad .i. dul co mnai flatha echtrann', *CIH*, ii, p. 486.7-8; trans. *ALI*, ii, p. 263: 'i.e. that they have not committed a crime through which the chief may be put to death, i.e. to lie with the wife of an external chieftain'.

[149] 'Nimta, mad in ceili bes marb. Dligid in flaith ceilsine dia comorbuib in ceili ar de mis fri manchuine, fri fuirire[d], fri gell, fri dail, fri digail, fri rubu, fri fuba', 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, pp 364-5, §24; translation (of Thurneysen from German) by Dr Simms: 'It is not thus if the 'companion' dies. The lord has then still a claim for 'companion-service' from the 'companion's heir for a month: personal service, 'feeding', pledge (redemption of a pledge given on behalf of the 'companion', (escort to the) folk assembly, (and for) 'revenge' and internal military service'.

[150] *CIH*, i, pp 230.32-231.3; trans. in Nancy Breen, 'Towards an edition of *Di Astud Chirt ⁊ Dligid*' (unpublished PhD thesis, Harvard University, 1999), p. 110, §18.

client's kin land (*fintiu*).[151] At this point, the commentary stated that one-third of the property would go to the lord, a third to the church, and then the final third would be distributed amongst the heirs.[152] Marilyn Gerriets, however, noted that, since the *fine* had the ability to annul any clientship contract that put the *fintiu* in danger, the right of the lord to acquire a third of the property was, most likely, atypical.[153] Otherwise, most clientship contracts simply would have been annulled by the *fine*, and the system would have broken down. Thomas Charles-Edwards has also remarked upon possible regional differences that existed in the law tracts on the termination of a clientship contract.[154] The eighth-century *Bretha Nemed toísech*, written in Munster, acknowledged that the death of a lord dictated the end of clientship, provided, however, that the lord was only one grade higher than the base client in the hierarchical grading system, i.e. an *aire déso* to a *bóaire*. Any additional grade that divided the lord from the base client added another generation of clientship between the client and the lord's family, and presumably between the lord and the base client's family.[155] Thus it is perhaps understandable that later glossators assumed or proposed that there was no escape from the dependency of a clientship contract, and why clients may have appeared hereditary.[156]

For the most part, however, when a base client died his inheritance was split amongst his legitimate heirs, who would, in turn, require a clientship contract to maintain their legal status. The ties that bound the base client to his lord might have continued between the lord and the base client's heirs, not because of legal mandate, but due to ongoing familial or neighbourhood links between the parties, including fosterage and marriage. The same can be said of the reverse. If the lord died it was likely that the commoner would need to find another lord to supply him with the necessary property or livestock. As Thomas Charles-Edwards,

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[151] Commentary on *Córus Fine*: 'Masa marb an ceile, is ed dlegar ceile do torachtain do ar mís, no comroinn diba', *CIH*, iii, pp 745.36-7; trans. into German in 'Aus dem irischen Recht III' [5. Zur Überlieferung und zur Ausgabe der Texte über das Unfrei-Lehen und das Frei-Lehen], ed. Thurneysen, pp 375-6: 'Wenn der Genosse stirbt, so hat er (der Herr) Anspruch, einen Genossen auf (den Tag nach einem) Monat zu erhalten oder das Erbe zu teilen' (When the client dies, he (the lord) is entitled to receive a client on (the day after) a month or to a share of the inheritance [English translation is my own]). See also, Jaski, *Early Irish kingship and succession*, p. 184; Etchingham, *Church organisation in Ireland*, pp 474-5.

[152] 'a trian do flaith ⁊ a trian do eclais ⁊ a trian do fine', *CIH*, iii, p. 746.2-3; translation my own: 'one-third to the lord, and one-third to the church and one-third to the *fine*'. See also 'Aus dem irischen Recht III' [5. Zur Überlieferung und zur Ausgabe der Texte über das Unfrei-Lehen und das Frei-Lehen], ed. Thurneysen, pp 375-6. A more in-depth discussion of the involvement of the church in the dues and services of a base client will be provided in a subsequent section.

[153] Gerriets, 'Kingship and exchange in pre-Viking Ireland', p. 60.

[154] Charles-Edwards, *Early Irish and Welsh kinship*, p. 359.

[155] Ibid, pp 359-60, citing *CIH*, vi, p. 2230.16-7, 24-35.

[156] Gerriets, 'Kingship and exchange in pre-Viking Ireland', p. 46.

among other scholars, has pointed out, 'as the fief of base clientship endows a man with cattle, so must the render gradually strip him of his cattle so that he or his heirs are compelled to remain base clients'.[157] Unless the lord died within an extremely short window after the contract was established, the client's stock was slowly depleted. Thus, at the death of a lord, the base client generally needed to establish another clientship contract with an alternate lord, and it was likely the heir of the original lord with whom he would contract. Many of the same reasons that the heirs of a base client might make new contracts with the original lord would be applicable to the heirs of a lord contracting with the same base client.

The relationship between a base client and his lord was a complicated one, according to the surviving Old Irish law tracts and their later glosses and commentary. In return for a grant, which differed, depending on an individual's grade in society, an extra payment, the value of their honour-price, and protection, a base client owed various food renders and services throughout the year, and faced severe penalties for the failure to provide any of these dues and services. Yet, the relationship was not completely one-sided. If the lord failed in his duties, the client was also entitled to the dissolution of the contract, although how often and how easy it was for a client to extricate himself from the bounds of clientship is unknown.

This relationship between nobles and commoners was similar to the relationship between lords and *fuidri* (peasants). As was noted in the previous chapter, there were two types of *fudri* in Irish law, the '*fuidir* who has five holdings for his kindred' and the '*fuidir* who has his rightful property'. The '*fudir* who has five holdings for his kindred' also owed food renders to his lord from the land or livestock given to him by his lord and this type of *fuidir* was able to separate from the relationship, although stricter penalties applied to him than to the base client.[158] For instance, if a '*fuidir* who has five holdings for his kindred' wanted to leave his lord he had to surrender two-thirds of his property.[159] The key difference between the base client and either *fuidir* was that the honour-price of a *fuidir* was partially dependent on his lord.[160] Though this relationship between a *fuidir* and a lord was not called clientship many of

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[157] Charles-Edwards, *Early Irish and Welsh kinship*, p. 358.

[158] 'Flaith ari[d] mbiatha, is si nod·beir, ₇ iccas a chinaid ₇ fo·loing a chinta', 'Irisches Recht' [II Zu den unteren Ständen in Irland], ed. Thurneysen, p. 235, §1; trans. in Crigger, 'A man is better than his birth', p. 182: 'the lord whom he feeds, it is he who receives it (compensation for injury to the *fuidir*) and who pays for his offence and sustains (liability for) his offences'.

[159] 'beirid oentrian, facaib da trian la flaith olcena', 'Irisches Recht' [II. Zu den unteren Ständen in Irland], ed. Thurneysen, p. 238, §8; trans. in *ALI*, v, p. 361: 'he takes one-third, he leaves two-thirds to the chieftain besides'.

[160] 'log n-ainech cach fuid(i)re acht doerfuidir, di·renar asa lethochus; a-lleth n-aill is na flatha ₇ ne[i]ch iccas a cinta', 'Irisches Recht' [II. Zu den unteren Ständen in Irland], ed. Thurneysen, p. 237, §6; trans. in Crigger, 'A man is better than his birth', p. 183: 'The honourprice of every *fuidir* except a *dóerfuidir*, it is paid according to half his property; the other half is of the lord and whoever pays for his offences'.

the same expectations may have applied, i.e. supplying of renders, aid in harvest and aid in defence of the land.

**Dues and services owed to a king**

While variations in Old Irish law indicated possible divergent traditions of a hereditary or terminable contract of base clientship, the relationship between a subject and king, with its ensuing dues and services, endured as long as the office of king remained; thus subjects owed dues and services to the office of the king, regardless of the person in that office. The dues and services commoners and peasants owed to their king were similar to those they owed to their lord, and included a range of labour services, military support and tribute payments. The extent of these dues and services could, however, vary, based on the person in office. In return, subjects could expect protection in internal disputes and from external threats.

**Labour services**

For both the benefit of the king and the extended benefit of the entire *túath* a king was legally entitled to require his subjects to perform certain labour services. One of these labour services was the building of ramparts around a king's house, for, *Críth Gablach* notes, 'it is then that he is a king, when ramparts of vassalage surround him' (*is and ís rí(g) in tan dodnimmchellat dréchta[i] gíalna[i]*).[161] The usage of the term *gíallnae* would seem to indicate that the construction was completed by base clients.[162] Cogitosus's seventh-century *Life of St Brigit* indicates that a king also had the right to mandate the construction of public works, such as roads, in order to facilitate transportation within his subject territories:

> 'all the peoples and *tuatha* should come together from all the territories and provinces and build a solid wide road. They were to lay a foundation of tree branches and rocks and some very solid earth works in the deep and virtually impassable bog and in the sodden and marshy places through which a large river ran so that, when it was built, it could bear the weight of charioteers and horsemen and chariots and wagon-wheels and the rushing of people and the clash of enemies from all sides'.[163]

Charles-Edwards has noted that a section of commentary suggested that construction of roads was 'partly directed towards facilitating the meeting of the major assembly and fair, the

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[161] *Críth Gablach*, ed. Binchy, p. 22, ll. 569-70, §45; trans. in MacNeill, 'Ancient Irish law', p. 305, §133.
[162] *Críth Gablach*, ed. Binchy, pp 96-8, glossary, *s.v. gíallnae*; *DIL*, *s.v. gíallnae*.
[163] Text in Cogitosus, *Vita II S. Brigidae*, *Acta Sanctorum quotquot toto orbe coluntur*, 1 February (1658) pp 135-41; *Vita Brigitae*, trans. Sean Connolly and J.-M Picard, as 'Cogitosus: Life of Saint Brigit' in 'Cogitosus's "Life of St Brigit" content and value' in *R.S.A.I. Jn.*, cxvii (1987), pp 5-27: 23, §30.

*óenach*, and also the movements of lords at 'the coshering season' when they were entertained by their clients'.[164] *Bretha Comaithchesa*, 'judgments on the neighbourhood', also suggests that a farmer, with property adjacent to a road, was responsible for some road maintenance, as it notes that: 'a fence towards him alone (i.e. maintenance of a road-fence on his land?), and tree-removal, and clearing them, and digging out their ditches, and clearing their mires in the time of winter-visiting and of an assembly' (*ime fris a aenur ⁊ a slaide ⁊ a nurscartadh ⁊ a coclaidh ⁊ glanadh a ngreallach a naimsir cua ⁊ aenaigh*).[165] The passage from Cogitosus indicates that the road may also have functioned as an avenue for military assaults. The construction of roads, therefore, may be construed as indirect involvement in a king's military campaigns by his subjects. In this regard, James Campbell has suggested that the inclusion of people from 'all of the territories and provinces' from a variety of 'peoples and *tuatha*' in the *Life of St Brigit*[166] may signify that 'major roads and obligations towards them transcended political boundaries'.[167] Thus commoners had a direct responsibility to their king, regardless of any agreements made with lords.

**Military support**

There were, however, other more direct ways that a king's subjects assisted in his military campaigns. One aspect of kingship, vital to the balance of power in early medieval Ireland, was a king's ability to raise an army from subject peoples (*aithechthúatha*), as well as base clients. This is especially important, since kings in the seventh and eighth centuries did not have standing armies. According to F.J. Byrne, a king in early medieval Ireland only maintained a 'bodyguard of hired mercenaries and his retinue of noble clients'.[168] It is for this reason that the law tract *Críth Gablach* (*c.* 700) entitled a king to bind his subjects to a hosting (*slógad*).[169] These hostings generally took one of two forms: either expeditions to repel invaders or coordinated attacks on neighbouring *túatha*, each led by the king. For such an event the king had the right to call upon all of his subjects, not just the nobles, for support in these battles.[170] Furthermore, this right was not limited to a local king; both territorial and

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[164] Charles-Edwards, *Early Christian Ireland*, p. 530; *CIH*, ii, p. 580.6-8; Kelly, *Early Irish farming*, pp 538-9. Also see Binchy on distraint for 'public duties' in Binchy, 'Distraint in Irish law', pp 39-40.
[165] *CIH*, i, pp 201.41-202.1; trans. in Kelly, *Early Irish farming*, pp 542-3.
[166] Trans. in 'Cogitosus' "Life of Brigid"', ed. Connolly and Picard, p. 23, §30.
[167] James Campbell, 'Archipelagic thoughts: comparing early medieval polities in Britain and Ireland' in Stephen Baxter, *et. al.* (eds), *Early medieval studies in memory of Patrick Wormald* (Farnham, 2009), pp 47-64: 57.
[168] Byrne, *Irish kings and high-kings*, p. 31.
[169] *Críth Gablach*, ed. Binchy, p. 20, ll. 509-13, §37; trans. in MacNeill, 'Ancient Irish law', p. 303, §122.
[170] Ibid.

provincial kings could also call upon their subject-kingdoms for aid in their own hostings.[171] Later glosses on the law tract *Cethairślicht Athgabálae*, 'four divisions of distraint', note that it was a king's prerogative whether or not to limit the call to arms to landowners (including female heiresses, but excluding peasants, serfs, and slaves), or every shield-bearing warrior, or the king could recruit every individual in the *túath*.[172] Yet, the king's power was not limited to assembling forces for external incidents. He was also entitled to insist that individuals 'muster for internal defence' (*fuba ⁊ ruba*, one of the prerogatives of a lord in base clientship noted earlier).[173] Women, however, may have been exempt from military service, particularly a 'female heir' (*banchomarbae*). A later section of commentary on the law tract *Din Techtugud*, 'on legal entry', notes that a female heir was liable to provide military service (e.g. through a kinsman) or a payment for military service if she accepted the entirety of an inheritance. If she only accepted half of the inheritance she could be exempted from this duty or payment.[174] Similarly, the law tract *Cáin Adomnáin*, 'law of Adomnán' (first promulgated in 697) condemns using women in warfare.[175]

Though a king was still entitled to assemble armies from all ranks, mercenaries and the nobility became the focus of these musters in the tenth and eleventh centuries. By the tenth century, mercenaries had begun to play a significant role in Irish political conflicts. Employment for these men, whose sole occupation was warfare, increased along with the rise in dynastic struggles, and, as Katharine Simms stated, 'with their more widespread employment came social acceptance and integration, so that the upper ranks of the professional soldiery became influential hereditary members of the Gaelic aristocracy'.[176] By the eleventh century kings had at least one permanent fighting force at their disposal, the troops of his household (*teaghlach* or *lucht tighe*).[177] It is possible that the inclusion of mercenaries and the development of a standing army at the king's behest meant that fewer commoners and peasants took part in provincial wars.[178] In that case, the duties of peasants

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[171] Charles-Edwards, *Early Christian Ireland*, p. 531.
[172] Simms, *From kings to warlords*, p. 116; *CIH*, ii, p. 381.10-13; cf. *CIH*, iii, p. 889.34-5.
[173] Simms, *From kings to warlords*, p. 116; *DIL*, *s.v. fubae*.
[174] 'Bancomorba so, ⁊ berid in ferunn uili co fuba ⁊ ruba re' re, ⁊ a leth doib cen fuba cen ruba', *CIH*, v, p. 1861.14-5; trans. in Myles Dillon, 'The relationship of mother and son, of father and daughter, and the law of inheritance with regard to women', p. 140: 'a female heir, and she takes all the land with 'attack and defence', and a half to her without 'attack and defence''.
[175] *Cáin Adamnáin: an Old-Irish treatise on the law of Adamnan*, ed. Kuno Meyer (Oxford, 1905), pp 32-3, §52.
[176] Simms, *From kings to warlords*, p. 99.
[177] Ibid.
[178] Ó Corráin, 'Nationality and kingship in pre-Norman Ireland', pp 29-30.

and commoners to their king may have shifted to centre more or less entirely on labour tributes and dues rather than military service.

**Tributes and dues**

In the eighth century, according to *Críth Gablach*, a king had the right to an 'enforced loan, or requisition' (*errech*) of property, most likely in the form of cattle, on his subjects on three separate occasions.[179] In the first instance a king was allowed to requisition any outstanding tribute payments, as well as any compensation to cover the cost of an expedition, if he was engaged in quelling a rebellion inside one of his subordinate *túatha*.[180] Secondly, a king had the right to enforce this loan on his subjects in order to offer provisions to an external king travelling through the *túath* on a 'state visit' on his way to a royal centre.[181] The other instance mentioned in *Críth Gablach* when a king was entitled to levy this loan was in order to feed his troops upon return from an external expedition.[182] In the first case an over-king was not required to return the stock, since it was lawful tribute, but in the latter two cases the local king was supposed to compensate the owners of the cattle for their losses.[183]

This pressure of billeting (*coinnmed*) became even more burdensome to the 'poor husbandmen' who had to provide for the troops after the ninth century.[184] In a PhD thesis on medieval kingship from the ninth through the twelfth centuries, Mark Zumbuhl has documented that a notable feature of post-Viking-Age Ireland was the 'increasing ability of Irish kings to campaign at considerable distances from home and to assert their power over kingdoms at great geographical removes', which was, essentially, 'the basis of the provincial

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[179] *DIL, s.v. airrech*. *Críth Gablach*, ed. Binchy, p. 22, ll. 559-65, §44, discussion, p. 87; trans. in MacNeill, 'Ancient Irish law', p. 304, §132. See also, Kelly, *A guide to early Irish law*, p. 119.

[180] 'e(i)rrech ar thúaith asidluí oco[a] n-indriud', *Críth Gablach*, ed. Binchy, p. 22, ll. 559-60, §44, discussion, p. 87; Binchy's interpretation of this line and the following three varies slightly from the ones provided by MacNeill: 'exaction from an (external) *tuath* that avoids him when he invades it', MacNeill, 'Ancient Irish law', p. 304, §132.

[181] 'errech in tan mbís rí anechtair leis inna thúaith mani ró a dúne', *Críth Gablach*, ed. Binchy, p. 22, ll. 560-1, §44, discussion, p. 87; trans. in MacNeill, 'Ancient Irish law', p. 304, §132: 'exaction when there is an external king with him in his own *tuath*'.

[182] 'e(i)rrech di se(i)scslabrai i ndíthrub íar tuidecht tar crích', *Críth Gablach*, ed. Binchy, p. 22, ll. 561-2, §44, discussion, p. 87; trans. in MacNeill, 'Ancient Irish law', p. 304, §132: 'exaction of dry cattle in waste land that have come in over the border'.

[183] *Críth Gablach*, ed. Binchy, p. 87; Jaski, *Early Irish kingship and succession*, p. 48.

[184] Katharine Simms has pointed to a twelfth-century poem from the Book of Leinster in which an old woman, under the auspices of the king of Leinster, argues about the burdens of billeting with a demanding servant sent by the king of Munster, Simms, 'Guesting and feasting', p. 82; 'The quarrel about the loaf', ed. T.P. O'Nowlan, in *Ériu*, i (1904), pp 128-37: 133-5.

wars and competition for the overkingship of Ireland'.[185] A major predicament kings faced while travelling outside their normal jurisdiction was access to provisions. The farther afield kings went from their own *túatha* the more subject kingdoms were forced to provide for them. By the eleventh and twelfth centuries, with the introduction of mercenaries into the warfare of kings, 'billeting rights became much more onerous'.[186] This was particularly problematic since 'overkings may be masters within their own realms (if subject to challenge from dynastic rivals) but their hold on external kingdoms was highly contingent. Sub-kings repeatedly rebelled, and had to be repeatedly brought to submission'.[187] The amount of dues peasants and commoners owed to kings would therefore have greatly increased towards the end of the early middle ages, creating extra pressures on the family household, and perhaps necessitating additional clientship contracts.

**Protection that a king owes in return**

Though most of the law tracts which discussed the relationship between king and subject focused on a subject's duties towards his king, there is some evidence to indicate that kings, like lords, owed reciprocal protection. For example, in addition to a king's ability to call for a hosting he was also entitled to make a treaty (*cairde*) with external *túatha*.[188] By this right a king was able to protect his *túath* from raiding parties, as well as outright war. This type of treaty, however, only applied to certain actions. One short legal text explains that, in this type of treaty, the 'victim of a crime committed by a member of the other *túath*' was allowed 'to obtain legal redress for the injury which he has suffered'.[189] The list of injuries for which he was entitled to redress included 'wounding and plunder and theft and raiding and rape of women and arson and satire' (*guin ⁊ brait ⁊ gait ⁊ turorguin ... ⁊ forchor ban ⁊ forloscad ⁊ āer*).[190] Redress was secured by the exchange of hostages (*aitire* or *gíall*) between *túatha*. Typically these hostages were members of the nobility.[191] The ability to prevent battles that might have

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[185] Mark Joseph Zumbuhl, 'The practice of Irish kingship in the central middle ages' (unpublished Ph.D. thesis, University of Glasgow, 2005), p. 259.
[186] Simms, 'Gaelic military history and the later brehon law commentaries', p. 65.
[187] Zumbuhl, 'The practice of Irish kingship in the central middle ages', pp 260-1.
[188] 'Cair: cis lir ata chóra[i] do ríg do giull fora thúatha? A trí. Cateat? Gell slógad, gell rechtge, gell cairddi; ar it l(i)essa túaithe huli insin', *Críth Gablach*, ed. Binchy, p. 20, ll. 505-8, §36; trans. in MacNeill, 'Ancient Irish law', p. 303, §121: 'Question – how many things is it proper for a king to bind by pledge on his *túatha*? Three. What are they? Pledge for hosting, pledge for government, pledge for treaty, for all these are benefits to a *tuath*'.
[189] Kelly, *A guide to early Irish law*, p. 5.
[190] Breatnach, *A Companion to the Corpus Iuris Hibernici*, p. 280.
[191] Stacey, *The road to judgment*, p. 92.

started over small crimes and disputes, such as those listed above, was one of the first steps in stabilising and protecting a *túath* and its inhabitants.

Another important aspect of the king's ability to create this type of treaty between *túatha* was that the texts which described kings in these types of alliances very often communicated the resulting dues and services between them in terms of clientship. One of these political texts was the ninth-century text known as the Airgíalla charter-poem, which listed the reciprocal dues and services owed between the Airgíalla and the Uí Néill in early medieval Ireland, with a bias towards the privileged place of the Airgíalla.[192] Merilyn Gerriets posited that the terms and conditions expressed between the Uí Néill kings and their *túatha* followed the conditions of base clientship based on the usage of hostages (*gialla*) to explain the type of agreement.[193] Robin Chapman Stacey, on the other hand, argued that this type of alliance contained many of the same reciprocal duties akin to free clientship due to the fact that some kings may have had to pay homage to others.[194] Thomas Charles-Edwards agreed and argued that 'instead of denying explicitly that renders characteristic of base clientship, and thus of *aithechthúatha*, should be paid by the Airgíalla, it simply omitted to mention such a possibility'.[195] The fact that politically partisan texts such as this used dues, services and terminology reminiscent of clientship to describe a relationship in which one king is subordinate to another showcases the pervasiveness of the lord/client ideology in early medieval Ireland and demonstrates how the relationship between commoners and lords could be extrapolated to subject an entire *túath*.[196]

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[192] This poem has been edited twice, once by Máirín O Daly and more recently by Edel Bhreathnach and Kevin Murray, 'A poem on the Airgialla', ed. Máirín O Daly, in *Ériu*, xvi (1952), pp 179-88; 'The Airgíalla charter poem: edition', ed. Edel Bhreathnach and Kevin Murray, in Edel Bhreatnach (ed.), *The kingship and landscape of Tara* (Dublin, 2005), pp 124-58.

[193] 'Dlegar dona hAirghiallaib/ a corus a ggialla/ sloged cecha coicithiss/ dia teora bliadna//', 'There is due from the Airgialla according to the terms of their clientship military service for three fortnights once every three years', 'A poem on the Airgialla', ed. O Daly, p. 181, trans. p. 186, §23; See also, Gerriets, 'Kingship and exchange in pre-Viking Ireland', p. 47. Bhreathnach and Murray, however, have translated this section slightly differently: 'There is due from the Airgíalla the proper arrangement of their hostageship, a hosting of three fortnights every three years', 'The Airgíalla charter poem: edition', ed. Bhreathnach and Murray, p. 133.

[194] Stacey, *The road to judgment*, p. 99. The text of the poem indicated that the Uí Neill were entitled to *airéirge* from the Airgíalla which was a term used in the texts on free clientship to describe a 'rising up' or mark of homage to a lord, 'A poem on the Airgialla', ed. O Daly, p. 180; Kelly, *A guide to early Irish law*, p. 32.

[195] Thomas Charles-Edwards, 'The Airgíalla charter poem: the legal context' in Bhreatnach (ed.), *The kingship and landscape of Tara*, pp 100-58: 115.

[196] One such subject *túath* was the Déisi, whose very name was derived from 'clients' (*déis*) to 'vassals or rent-paying tribes', David E. Thornton, *Kings, chronologies, and genealogies: studies in the political history of early medieval Ireland and Wales* (Oxford, 2003), p. 121. See also, Kim McCone, 'Varia I: the etymology of Old Irish *déis* 'clients'' in *Ériu*, xliii (1992), pp 193-7.

Some of these political (and propagandist) texts from the ninth century, which discuss the mutual obligations of kings in the language of clientship, also suggest penalties and fines for the failure of a local lord and a king, to provide military protection. A text known as *Frithfolad Muman*, 'The counter-obligations of Munster', for example, dates to the early ninth century and discusses these mutual obligations between the king of Munster and smaller *túatha* from the perspective of the lesser kings, not unlike the Airgíalla poem.[197] In this text some kings were given 'an extra payment of protection money', which the king of Cashel forfeited if he did not aid one of his client kingdoms.[198] The language of the text indicates that the relationship between kingdoms was one of free clientship, not base clientship. Yet, it does show that, at least in free clientship, clients expected protection from their overking as part of his reciprocal duties and this might be extended to include any of the king's subordinates.

The dues and services owed to a king by his subjects were not so different from the dues and services owed to lords by their clients. It is not surprising, therefore, that many political texts written between the eighth and twelfth centuries used the terminology of clientship to explain a relationship in which one *túath* was subordinate to another. Thus commoners owed dues and services both as base clients of a lord and separately as subjects of a king. Yet, while the demands of lords were consistent and could be anticipated, the obligations to kings were sporadic and subject to change. The amount of livestock and grain a commoner owed as dues to secular authorities in any given year in early medieval Ireland cannot, therefore, be quantified.

**Dues and services between lay farmers and church**

A peasant or commoner, however, owed dues and services not just to his king and his lord, but potentially to his local church as well. The eighth-century Introduction to the *Senchas Már* proposes that in order to prevent plagues, wars and other calamities 'tithes and first-fruits and alms' (*dechmada ₇ primiti ₇ almsana*) must be paid to the church.[199] Though this

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[197] Gerriets, 'Kingship and exchange in pre-Viking Ireland', p. 41.

[198] Byrne, *Irish kings and high-kings*, p. 198. This fee did not apply to the Osraige and the Laigin. See also, 'Dál Caladbuig and reciprocal services between the kings of Cashel and various Munster states', ed. J.G. O'Keeffe, in J. Fraser, P. Grosjean, S.J. and J.G. O'Keeffe (eds), *Irish texts, fasciculus i* (London, 1931), pp 19-21: 21, §16.

[199] *CIH*, ii, p. 351.8; trans. my own. This phrase is repeated almost word for word in the legal tract *Córus Béscnai*: 'atait a tri nodicat .x.mada ₇ primite ₇ almsana argairet recuaird duinebaid traethad cairde la rig ₇ tuaith argair tuaradlia coctha astad caich ina sochur ₇ ina dochur | argair bailidiu in betha', *CIH*, ii, p. 522.33-5; trans. in *ALI*, iii, pp 12-15 'there are three things which remedy them [plagues, wars and the dissolution of contracts mentioned in the previous section], tithes and first-fruits and alms; they prevent the occurrence of plague, they confirm peace between the king and the *túath*; they prevent the

quote did not specify the individuals who were obligated to pay these dues, it is likely that the author had the entire Christian population of Ireland in mind, for, as Giles Constable has noted, 'in theory, all Christians had to pay tithes'.[200] Scholars, such as Donnchadh Ó Corráin, maintain, however, that the surviving information regarding the extent of pastoral care and any dues and services owed in return in the seventh and eighth centuries remains ambiguous.[201] Kathleen Hughes, in her discussion of the early Irish church, suggested that it was the monastic tenants or *manaig* who paid these taxes to the church, not lay society in its entirety.[202] Colmán Etchingham has expanded on this argument stating that the influence of a local church was marginal, implying that the ecclesiastical community did not have the power to collect tithes from the entire lay community.[203]

Central to this debate is the question of how much control the church could exert on the general population. As many historians have noted in recent years, the structure of the early Irish church is still relatively uncertain, but historians have proposed that certain changes that occurred between the ninth and twelfth centuries would have altered the nature of the interaction between the laity and their local church.[204] This section does not propose to reconstruct the organization of the early medieval Irish church, but will instead look into those dues and services that ecclesiastical documents and secular law tracts from the seventh through the twelfth centuries alleged were owed by the laity, and will then investigate to what extent these dues and services were actually levied on the lay population.

In general, these dues consisted of many of the same products that were rendered to lords in base clientship, but the documentation is less specific. One eighth-century tract on tithes, for example, describes the tithe as consisting of a tenth of a farmer's livestock, which, depending on the source, could include an assortment of 'animals', or more specifically 'cattle, sheep and goats, but not pigs'.[205] Ecclesiastical rules mandate that the animals all had to be

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prevalence of war; they confirm all in their good contracts and in their bad contracts; they prevent the worthlessness of the world'.

[200] Giles Constable, *Monastic tithes: from their origins to the twelfth century* (Cambridge, 1964), p. 198.

[201] Ó Corráin, 'Ireland *c.* 800: aspects of society', pp 549-608.

[202] Kathleen Hughes, *The church in early Irish society* (Ithaca, 1966), p. 142.

[203] Etchingham, *Church organisation in Ireland*, p. 289.

[204] The documents that survived from the ninth century religious houses of the *Céli Dé* have, in the past, led to a theory of a nationwide reform movement, and in the twelfth century various synods of reform have been utilised to indicate a shift in religious practice in Ireland, Richard Sharpe, 'Churches and communities', pp 105ff; Ó Corráin, 'Ireland *c.* 800: aspects of society', p. 596; Etchingham, *Church organisation*, pp 238-89. For a discussion of the *Céli Dé* see above, p. 40 and Follett, *Céli Dé in Ireland*, especially Chapter 3, pp 89-99.

[205] Etchingham, *Church organisation in Ireland*, p. 241. This text, *De Decimis et Primitiuis et Primogenitis,* 'Concerning tithes and first-fruits and firstlings', originated in the B-recension of the *Collectio Canonum Hibernensis* and was not included in Wasserschleben's edition of canon law, see also below, p. 126.

male.[206] Oxen were exempt from this tax, however, because they were necessary for the processes of sowing and harvesting through which the church also collected first-fruits.[207] The texts were similarly inconsistent as to what particular foodstuffs were included under first-fruits. According to the ninth-century *Ríagail na Céle nDé*, first-fruits included 'every tenth cartload'.[208] The seventh-century *Synodus Sapientium: sic de decimis disputant*, 'Synod of the wise: thus they teach concerning tithes', however, gave a more detailed description in which this tax consisted of grains as well as vegetables.[209] For grains, the text noted that nine or twelve loaves or the material for nine or twelve loaves was to be handed over.[210] For vegetables, 'as much as the hand can hold' was the stipulation.[211] The discussion of the amount of bread handed over is interesting when compared with the prescriptions in the secular law tract *Uraicecht Becc*, which listed the legal entitlements of a *bóaire* while on a hospitality visit as eight cakes/loaves.[212] The *Synodus Sapientium* itself related the 'loaves' of first-fruits to the 'loaves of proposition', which have historically been numbered at twelve, so the connection between the *bóaire*'s legal entitlement and the amount of bread supposed to be offered in this tax may be coincidental.[213] Yet, it is also possible that the *Synodus Sapientium* could be indicating either the status of the person receiving the first-fruits or some association between lay farmers and ecclesiastical dues. The *Synodus Sapientium* is a particularly complicated source, however, since it also proffered conflicting opinions as to whether flocks were considered part of first-fruits and grains were considered part of tithes.[214]

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[206] Etchingham, *Church organisation in Ireland*, p. 241.

[207] 'The rule of Tallaght', ed. Gwynn, pp 78-9, §54

[208] Ibid.

[209] *The Irish penitentials*, ed. Bieler, p. 169, §5. The specific types of grains and vegetables were not mentioned, but it is possible that the same type of foods given to lords in clientship were also given to the church as tithes. For more information on the status given to various grains and vegetables see Chapter 5 below.

[210] 'ut alii, .i. viiii. panes uel .xii. panes ... materia .viiii. panium uel .xii. panium', text and trans. in *The Irish penitentials*, ed. Bieler, p. 168, §5.

[211] 'de oleribus uero quantum pugnus capere potest', text and trans. in Bieler, *The Irish pententials*, p. 168, §5.

[212] 'Coig seoid do boairig tuisi ₇ da laithi a turtugud ₇ ocht mbairgin do cona nandlunn ₇ saland dia tarsand', *CIH*, v, p. 1611.17-31; trans. in MacNeill, 'Ancient Irish law', p. 277, §36: 'Five chattels for a first *bóaire*, and two days his protection, and eight cakes for him with their condiment, and salt for their seasoning'.

[213] The 'loaves of proposition' were twelve loaves made on the Sabbath and left on an altar in front of the ark of the covenant, not to be touched until the following Sabbath when the breads were replaced by fresh ones and the priests of the temple ate the stale ones. The reason why the Irish source has offered either nine or twelve loaves is intriguing since the Bible did not number the loaves, but Bede mentioned that there were twelve in his 'On the Temple', Bede, *On the Temple*, ed. Seán Connolly (Liverpool, 1995), pp 110-11.

[214] 'Decimae in peccoribus sunt et in fructibus terrae; uel: decimae in peccoribus, primitiae in fructibus. Primitiae sunt quicquid de peccoribus nascitur antequam nascentur alia hoc anno', 'Tithes are in the

The view that tithes could have included grains is also found in some sections of the 'B' recension of the eighth-century canon law text entitled *Collectio Canonum Hibernensis* that were left out of Hermann Wasserschleben's nineteenth-century edition of the 'A' recension.[215] It is clear, then, that, from the seventh to the ninth centuries, the appropriate constituents of each tax were still under debate. The fact that the canons did not find it necessary to resolve the contrasting options, however, could perhaps indicate acceptance of variations in the system, rather than a disorganised church. Whether or not a lay farmer was subject to tithes and other dues may have been just as varied as the contents of the taxes.

Kathleen Hughes and Colmán Etchingham have argued that these dues and services were intended not for the entirety of the lay population, but only for the direct dependants of the church, the *manaig*. *Manach* is a derivative of the Latin *monachus* meaning 'monk'; yet, in the Irish sources Colmán Etchingham has shown that the term *manaig* more often referred to a specific group of lay farmers attached to lands that were controlled by a local church or monastery.[216] According to Donnchadh Ó Corráin, many of the same rules that governed the relationship between a base client and a lord also guided the relationship between a *manach* and his abbot.[217] Yet, there was one main difference that separated the *manach* from the base client: the dependent status of a *manach* in the law tracts. As discussed above the payment of the 'worth of submission' in base clientship led many scholars to the incorrect assumption that the base client relinquished his independence when he agreed to a clientship contract. As has been demonstrated above, he did not. The legal status of the *manaig*, on the other hand, was similar to those individuals referred to as being *sub censu* according to canon law and secular law tracts.[218] As a result these monastic tenants were under the control of an abbot, and could not make contracts or bequeath land without approval.[219] These *manaig*, therefore, were not just the ecclesiastical version of base clients, they were, in fact, closer in relation to peasants and serfs in the secular law tracts.

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flocks and in the fruits of the ground; or, tithes are in the flocks, first fruits in the fruits (of the ground). First fruits are whatever is born of the flocks before others are born in that year', text and trans. in *The Irish penitentials*, ed. Bieler, p. 168-9, §4.

[215] Etchingham, *Church organisation in Ireland*, p. 241, also see above, p. 125, no. 205.

[216] Ibid, p. 249.

[217] Donnchadh Ó Corráin, 'The early Irish churches: some aspects of organisation' in Donnchadh Ó Corráin (ed.), *Irish antiquity: essays and studies presented to Professor M.J. O'Kelly* (Dublin, 1994), pp 327-41: 333.

[218] Gerriets, 'Kingship and exchange in pre-Viking Ireland', p. 54. See also, Jaski, *Early Irish kingship and succession*, pp 182-5.

[219] Gerriets, 'Kingship and exchange in pre-Viking Ireland', p. 54.

Ecclesiastical sources, such as canonical legislation from the seventh-century *Synodus Sapientium,* parts of the eighth-century *Collectio Canonum Hibernensis*, along with secular legislation found in the (mainly) eighth-century legal tracts, the ninth-century *Ríagail Phátraic,*[220] and the ninth-century *Ríagail na Céle nDé*, [221] proffer an inconsistent image of the intended target for ecclesiastical dues. While many of these tracts were introduced by a passage extolling the payments of dues by everyone, the discussion generally narrowed to a more restricted segment of society as the tract continued. For example, in the explanation of how tithes were collected, the *Ríagail na Céle nDé* states that 'every animal that a man owns is let out through a gap, and every tenth beast is given to God, except only oxen: because every tenth cartload of (the fruit of) their labour is taken' (*cech anmanna techtas duine do lecud tar bernai ₇ cech dechmad mil do thabairt do Dia acht doimh nama, fobith gabar dia saethar cech dechmad carr*).[222] In this instance the supplier was noted only as being 'a man' (*duine*). The eighth-century legal text *Di Astud Chirt ₇ Dligid* records that, in order to prevent the pestilence and famine noted in the Introduction to the *Senchas Már*, 'alms of every produce from all' (*almsana o cach di cach torad*) should be collected by church officials.[223] In this case, Colmán Etchingham believed alms (*almsanna*) to represent all ecclesiastical dues, including tithes and first-fruits.[224] Another secular legal tract, *Córus Béscnai,* 'the regulation of proper behaviour', holds that, in exchange for services such as baptism, communion and mass, the church was entitled to 'their donation, their tithe, their firstfruits, their firstlings, their *audacht*, [and] their *imnae*' (*a nubairt, a ndechmad, a primite ₇ a primgeine ₇ a nudacht, a nimna*).[225]

Evidence suggests, however, that the *manaig* were the only class of people effectively subjected to these dues in early medieval Ireland, probably due to their proximity to and relationship with local churches. The ninth-century *Ríagail Phátraic* notes that any church which does not provide the pastoral services to *manaig*, including baptism, communion and the singing of the intercession, 'is not entitled to tithes or a capitation cow (*bó chennaithe*) or the third share of a testament'.[226] The author clearly specifies the *manaig* as the recipients of church services in terms of baptism and communion, and as a result they, the *manaig*, were

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[220] Charles-Edwards, *Early Christian Ireland*, p. 258.
[221] Etchingham, *Church organisation in Ireland,* p. 259; Follett, *Céli Dé in Ireland*, pp 114-17.
[222] 'The rule of Tallaght', ed. Gwynn, pp 78-9, §54, the Irish text includes changes made by Gwynn in his footnotes.
[223] *CIH*, i, p. 231.30. See also Breen, 'Towards an edition of *Di Astud Chirt ₇ Dligid*', pp 125-6.
[224] Etchingham, *Church organisation in Ireland*, p. 244.
[225] *CIH*, ii, p. 529.23-4; trans. in Ethchingham, 'Aspects of early Irish ecclesiastical organisation', p. 265.
[226] 'The rule of Patrick', ed. J.G. O'Keeffe, in *Ériu*, i (1904), pp 216-24: 219, §8; trans. by Thomas Charles-Edwards, 'The Church in the early Irish laws' in John Blair and Richard Sharpe (eds), *Pastoral care before the parish* (Leicester, 1992), pp 63-80: 70.

responsible for the payment of tithes and other dues. In her book *The church in early Irish society*, Kathleen Hughes wrote that the *Synodus Sapientium* specifically required tithes from the *manaig*, not the totality of lay society.[227] At the end of the ninth-century 'Rule of St. Carthage' is a small appended tract entitled 'The duties of the husbandman'.[228] This tract encourages all husbandmen (*trebthaich*) to 'pay tithes and first-fruit' and 'neglect nothing of the law of the King'.[229] At first glance this instruction might appear to be appealing to the entirety of lay farmers, but the last lines of the tract suggest a more restricted audience: 'When thou performest vigil, fasting, prayer, alms, let it not be for glory before men, let it be for God whatsoever thou do' (*Figell, āine, ernaigthe,/ almsan tan nosgēne,/ nīb ar adbchloss do dōinib,/ ba ar Dīa gacha ndēne//*).[230] The inclusion of duties normally performed by ecclesiastical tenants, as well as the fact that this section of 'duties' is included at the end of an ecclesiastical Rule, indicate that the aforementioned husbandmen were most likely those attached to church lands, i.e. *manaig*, and did not include the entirety of the lay population.

Another piece of evidence that may support the notion that these dues and services promoted by the church actually only fell upon the *manaig* to perform is the addition of 'firstlings' (*primgeine*) in many of the dues. Firstlings are listed as an additional tax levied on the dutiful Christian in one secular legal tract, *Córus Béscnai*. According to this law tract, these firstlings include the male firstborn of every clean animal, every couple as well as every primary wife (*cétmuinter*).[231] Colmán Etchingham quickly dismissed the idea that the donation of a firstborn child would have been compulsory for anyone who was not under the strictest control or influence by the church.[232] Etchingham also suggested that the church required labour services from lay farmers.[233] As evidence Etchingham offered a line from *Córus Béscnai* which stated that, in addition to owing tithes and first-fruits, individuals were supposed to

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[227] Hughes, *The church in early Irish society*, p. 140. The *Synodus Sapientium* noted that tithes were supposed to be given by an individual 'to the monastery of which he is a monk (*monachus*)'. In this instance, Etchingham understood *monachus* to be equivalent to the *manach* or church tenant, *The Irish penitentials*, ed. Bieler, p. 169, §5; Etchingham, *Church organisation in Ireland*, p. 250

[228] Follett, *Céli Dé in Ireland*, p. 123.

[229] 'The duties of a husbandman', ed. Kuno Meyer, in *Ériu*, ii (1905), p. 172, §3.

[230] Ibid, §5.

[231] *Córus Béscnai* explained *primgene* as follows: 'Caite techta primgene cach primgeinit .i. cach cettuisdiu cacha lanaman daenda ⁊ cach fermac arosloice broind a mathar iar cetmuintir coir cona coidsenaib reir a nanmcarat dechmolesaidter eclais ⁊ anmanda ⁊ cach fermil dō olcena arosloice broind a mathar do cethraib licaib', *CIH*, ii, p. 531.3-7; trans. in *ALI*, iii, p. 39: 'What are the lawful firstlings? Every first-born, that is, every first birth of every human couple and every male child that opens the womb of his mother after the lawful first wife with his confession according to the soul-friend, by which a church and souls are more improved; and also every male animal that opens the womb of its mother, of cattle in milk'.

[232] Etchingham, *Church organisation in Ireland*, p. 267.

[233] Ibid, p. 245.

dedicate 'every seventh day of the year in service to God' (*cach .uii.mad la don bliadain do fognam do dia*).[234] In this regard, Etchingham followed a later glossator, who presumed that this request did not refer to any Sunday observance, but instead focused on labour services owed to the church.[235] This Middle Irish gloss, however, specifically notes that this labour service was due from the *manaig*, not the wider lay population.

In support of this theory that the *manaig* were the main focus of these ecclesiastical dues, various secular laws maintained that lords were authorized to collect tithes and alms from their base clients, but there was no stipulation that the enforcement of canon law was compulsory. In reality, the collection of tithes amongst lay farmers by local lords came down to the personal religious fervour of the lord. The eighth-century *Córus Béscnai*, for example, states that 'lords are entitled to the redemption of their pledges. They bind by pledge tithes and first-fruits and alms upon their kindred and base clients; each overlord upon his *tuaths*' (*dlegait flaithe fonuaslaicter a ngella geallait .x.mada ⁊ primite ⁊ almsanna fora fine ⁊ fora naicgillne | cach marflaith fora tuatha*).[236] According to Thomas Charles-Edwards, this was an uncertain right, but it does show that the authors of this text hoped to extend this taxation over the entire lay population.[237] Other legal tracts, such as the eighth-century *Di Astud Chirt ⁊ Dligid*,[238] the eighth-century *Bretha Nemed toísech*, and some Middle Irish commentary on *Uraicecht Becc*, also imply that a lord had the ability to levy 'on behalf of a church' (*do eclais*).[239] However, the commentary on *Uraicecht Becc* distinctly observes that it is the lord who 'gives first-fruits and tithes and alms to the church' (*do [beir] primidi ⁊ dechmadha ⁊*

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[234] *CIH*, ii, p. 531.22-3; trans. in Etchingham, *Church organisation in Ireland*, p. 245.

[235] Etchingham, *Church organisation in Ireland*, p. 245; '.i. domnach dobeir i nairim .i. ⁊ o daermanchaib i nurradus, ⁊ cethracha aidche o saermanchaib Ma iar cain, is trian gnima caich i nerruch ⁊ i fogmar don eclais, ⁊ cach .uii.mad la isin gemriud ⁊ isint [ś]amrudh; o daermanchaib ind so ⁊ .l.a la isin bliadain ona soermanchuib', *CIH*, ii, p. 531.30-3; trans. in *ALI*, iii, p. 43: 'he puts Sunday in the reckoning, i.e. from *daermanaig*, in native law, and forty nights from *saermanaig*. If according to *cain* law, it is one-third of the work of all in the spring and in the harvest time that is due to the church, and every seventh day in the winter and in the summer; this is from *daermanaig* and fifty days in the year from *saermanaig*'. Interestingly in this passage the duties were divided up by season the same way food renders were divided in base clientship.

[236] *CIH*, ii, p. 526.20-1; trans. in Etchingham, *Church organisation in Ireland*, p. 269.

[237] Charles-Edwards, 'The Church in the early Irish laws', pp 70-1.

[238] *Di Astud Chirt ⁊ Dligid*: 'cisne .iii. haimsera inad apail a torad ar cach flaith combe dithle ith ⁊ blicht ⁊ meas taithmeach nudburta saerad fuidre fuaslugad .x.mad fuaslucad do mogaib', *CIH*, i, p. 231.15-7; trans. in Etchingham, *Church organisation in Ireland*, p. 269: 'What are the three occasions when failure of produce afflicts each lord, so that corn, milk and mast are destroyed? Reversion of donations, freeing semi-freemen, release from tithes, release from slaves'.

[239] *Bretha Nemed toísech*: *CIH*, vi, p. 2225.21-2; *Uraicecht Becc: CIH*, v, p. 1592.35-8; Etchingham, *Church organisation in Ireland*, p. 270.

*almsana dun eclais*).[240] From these sources, the collection of tithes does not seem to have been a mandate, but merely a privilege of the lord. Therefore, whether or not a lay base client was subject to these dues would appear to depend on the religious commitment of his lord. Very rarely is there verifiable evidence of a lord actually levying this tax on his lay farmers. In 1007, however, according to the *Chronicum Scotorum*, Máel Sechnaill did levy a tax of one hide on every *les* (farmyard) in Meath in order to pay for a high altar at Clonmacnoise.[241] In this case, of course, the demand came from a king, not a lord.

Another possible indication of the general negligence of the payment of tithes by the lay population can be seen through the circuit of relics performed by churches in the early middle ages. Félim Ó Briain has remarked that, by the eighth century, the procession of relics around various *paruchiae* in Ireland had deteriorated from a veneration of the faithful to a mere 'expedient for replenishing the coffers of the king and his monastic relatives'.[242] According to Ó Briain, the way the church achieved this was through the imposition of a tax on the districts while the relics were on tour.[243] Support for this may be found in references to the 'earnings of a reliquary' (*tuillem meinistrech*) in both the Old Irish Heptads and *Berrad Airechta,* which were extracted from the population during a circuit and explained by a glossator as tithes, first fruits and alms.[244] Kathleen Hughes, in general, agreed with this assessment, but she offered an alternative suggestion. Hughes noted the frequency with which the procession of relics in the eighth century followed natural disasters, and thus proposed their usage for remedial purposes. For example, the outbreak of smallpox in 742-3

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[240] Text and trans. in 'Addenda and corrigenda to "The caldron of Poesy"', ed. Liam Breatnach, in *Ériu*, xxxv (1984), pp 189-91: 190, l. 8.

[241] 'Eneclár altóire moire Cluana muc Nois do cennach la Maolsecláinn mac Domnaill ₇ seche cech lis a Midhe da cinn', 'The front of the great altar of Cluain moccu Nóis was bought by Mael Sechnaill son of Domnall, and a hide from every lios in Mide for it', text and trans. in *Chronicum Scotorum: a chronicle of Irish affairs, from the earliest times to A.D. 1135* [*CS*], ed. W.M. Hennessy, (London, 1866, repr. Wiesbaden, 1964), *s.a.* 1007, pp 211-2; *DIL*, *s.v.* (2) *les*. One hide may have been worth about six scruples according to some legal commentary from about the twelfth century on salvage rights relating to furs and hides: 'Is ann ata in .s. .ui. screpal do in tan is cluman ₇ secheda ₇ iarnach robui indti', *CIH*, vi, p. 2155.20-1; Kelly, *Early Irish farming*, p. 55. The honour-price of the youngest and lowest commoner on the hierarchy scale, the *fer midboth*, was listed in *Críth Gablach* as being a *colpthach* (two year-old heifer) which equated to eight scruples, according to Fergus Kelly. Thus the tax would have been quite steep for many of the lower-ranking commoners, Kelly, *Early Irish farming*, p. 588.

[242] F.Ó Briain, 'The hagiography of Leinster' in John Ryan (ed.), *Féil-sgríbhinn Eoin Mhic Néill: essays and studies presented to Professor Eoin MacNeill on the occasion of his seventieth birthday* (Dublin, 1940), p. 457.

[243] Ibid.

[244] Heptad 43: *CIH*, i, p. 40.10-14; *Berrad Airechta*: *CIH*, ii, p. 591.13; Colmán Etchingham, 'The early Irish Church: some observations on pastoral care and dues' in *Ériu*, xlii (1991), pp 99-118: 118; A.T. Lucas, 'The social role of relics and reliquaries in ancient Ireland' in *R.S.A.I. Jn.*, cxvi (1986), pp 5-37: 15.

was followed in 743 by the 'circuit of the relics of Trian of Kildalkey'.[245] While it is possible that the relics were used to comfort an ailing population, it is also possible that both Ó Briain and Hughes were correct. The collection of tithes in Old and Middle Irish sources, as noted above, was often linked with the power to prevent famines, war and other disasters. It would seem perfectly plausible that the church could have taken advantage of the supposed healing powers of relics in order to collect tithes along the circuit route. As Etchingham stated, it is possible that 'churches attempted to procure the support or acquiescence of lords for a general imposition of such charges, on the pretext of appeasing the deity in order to avert social calamities'.[246] The motivations of the church, however, need not be completely underhanded. The church, and most likely the general Christian population in Ireland at this time, believed in the healing power of the relics. According to Adomnán's *Life* of Columba, for example, there was a great drought in Iona that was cured by having some of the elders

> 'go round the plain that had been lately ploughed and sown, taking with them the white tunic of Saint Columba, and books in his own handwriting; and should three times raise and shake in the air that tunic, which he wore in the hour of his departure from the flesh; and should open his books and read from them, on the hill of the angels, where at one time the citizens of the heavenly country were seen descending to confer with the holy man'.[247]

Thus it is perhaps more accurate to state that the use of relics in a time of disaster managed to accomplish both the temporary spiritual healing of the population and the payment of tithes. In fact, periods of famine and disease also drove many poor and starving individuals, who could no longer support their families, to throw themselves on the mercy of the church.[248] These individuals may have become tenants of the church (*manaig*) and thereby obtained

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[245] Hughes, *The church in early Ireland*, p. 168.

[246] Etchingham, *Church organisation*, p. 271; Although A.T. Lucas was wary of drawing any direct connection between plagues/natural disasters and circuits involving relics, Máire Herbert has argued that a connection 'cannot be entirely ruled out', Lucas, 'The social role of relics', pp 16-17; Máire Herbert, 'Hagiography and holy bodies: observations on corporeal relics in pre-Viking Ireland' in *L'Irlanda e gli irlandesi nell'alto medioevo,* Settimane di Studio, lvii (Spoleto, 2010), pp 239-57: 255.

[247] *Adomnán's Life of Columba*, ed. Alan Orr Anderson and Marjorie Ogilvie Anderson (Edinburgh, 1961; repr. and revised by M.O. Anderson, Oxford, 1991), p. 173, book ii, §44; also trans. in Adomnán of Iona, *Life of St Columba*, ed. Richard Sharpe, (Harmondsworth, 1995), pp 199-200. For more information on relics in early medieval Ireland, see Charles Doherty, 'The use of relics in early Ireland' in Próinséas Ní Chatháin and Michael Richter (eds), *Irland und Europa: die Kirche im Frühmittelalter/Ireland and Europe: the early Church* (Stuttgart, 1984), pp 89-104.

[248] In times of shortages the church or the local monastery was supposed to provide food for *pauperes* 'the hungry'. However, it must be remembered ( see the Introduction to this thesis) that *pauperes* did not denote a class of people, but could have been used to describe anyone who found himself/herself in a state of hardship, Mollat, *The poor in the middle ages*, pp 4, 5, 53.

charity and protection in return for tithes and other dues and services.[249] This theory that the circuit of relics may have been necessary in order to propel the lay population into paying tithes, and the associations between famine, relics and church tenants, all indicated that, on average, lay farmers, without direct involvement by their lords or kings, did not pay tithes or other religious taxes in Ireland in the early middle ages.

Another point worth mentioning relates to the one main difference that separated the renders offered in base clientship from the tithes and first-fruits required by the church, and that is the fact that tithes and first-fruits did not offer any avenue for advancement in status. One of the reasons a lay farmer would partake in clientship was to increase his stock, which, barring any natural disasters, could have, in return, eventually increased his status. Tithes and first-fruits, however, were expected to be paid in order to secure an individual's 'eternal salvation'.[250]

The surviving evidence thus suggested to Colmán Etchingham that, 'as regards the general populace, ministration and the exaction of dues is more likely to have been, at best, patchy, sporadic and largely dependent on the cooperation of the lay magnates'.[251] It is reasonable to suggest, then, that lay farmers would only have been subject to tithes and other church taxes depending on their proximity to church lands and the religious fervour of the lord or king. The larger monastic centres, like Lismore or Clonmacnoise from the seventh to the ninth centuries, may have had greater control over their tenants (*manaig* as well as possible members of the laity) and may have been able to enforce tax collection on surrounding lay farmers.[252] Yet, the collection of tithes remained a problem up to and throughout the twelfth-century church reform movement in Ireland, so much so that multiple decrees had to be issued from at least three different major church councils.[253] Smaller churches in more remote

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[249] The *c.* twelfth-century *Life* of Ciarán of Clonmacnoise, for example, noted 'that is most proper for them, for the wicked men who dwell near to the church and who get the benefit of the church, both communion, and baptism, and food, and teaching, and nevertheless they cease not persecuting the Church till a king's persecution or a mortality or an unknown illness comes to them; and then they must needs go under the protection of the church even as the fox went under Ciarán's cowl', 'Life of Ciaran of Clonmacnois', in *LismL*, pp 117-34; trans. pp 262-80: 121, ll. 4058-62; trans. p. 266. For a discussion on the date and content of the *Life* itself see Pádraig Ó Riain, *A dictionary of Irish saints* (Dublin, 2011), pp 169-71.

[250] Constable, *Monastic tithes*, p. 13.

[251] Etchingham, *Church organisation*, p. 289.

[252] Ó Corráin, 'The early Irish churches', p. 336.

[253] A reference to taxation is made in the decrees from the surviving evidence of the Synod of Cashel in 1101 that some historians have argued regulates for the payment of tithes; Marie Therese Flanagan, *The transformation of the Irish church in the twelfth and thirteenth centuries* (Woodbridge, 2010), pp 47-8; The *Annals of the Four Masters* note that tithes were also discussed at the Synod of Kells in 1152, *AFM*, ii, *s.a.* 1152, p. 1101. Then in 1172, after the invasion by the Anglo-Normans, the Synod of Cashel further decreed 'quod universi fideles Christi decimas animalium, frugum, ceterarumque provencionum,

areas, furthermore, often incurred the neglect of ecclesiastical discipline, which in turn could mean a lack of capacity to impose ecclesiastical taxes on local lay farmers.[254] Therefore, when describing the dues and services that base clients owed out of their annual stock and harvest, in order to obtain a more realistic picture it is prudent to focus mainly on those which were owed to their lords and kings, but not the stipulations professed by ecclesiastical rules and canons.

**Evidence of economic tensions**

These dues and services that peasants and common farmers were said by the sources to owe not just to one, but to three separate entities – lord, king and (possibly) church – put intense pressures on their livestock, their crops, and their time, even if church dues were only sporadically enforced. The law tracts present a plethora of information regarding economic tensions in early medieval Ireland, from the penalties described for not providing sufficient renders to information on individuals who defaulted or absconded from contracts, particularly from clientship. In the discussion of food render noted above it was noted that some of the commentaries spent a large amount of time excoriating the use of stolen goods in renders. If a client was caught submitting renders that he knew to be stolen, for example, the penalties were quite high, and he was subject to restitution of double the renders in 'honest' (*inraic*) food, an additional *cumal* in penalty and the value of the honour-price of the lord.[255] Furthermore, according to the commentator, if the client was caught handing over stolen goods, he was considered 'disqualified' (*anfolad*), a label which allowed a lord to separate from a base client before the end of the contract without any ensuing penalties. The focus on stolen goods is perhaps not surprising, considering that cattle raids were considered good sport as well as a military tactic in early medieval Ireland.[256] Furthermore, it is possible that the

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ecclesie cuius fuerint parochiani persolvant', 'that all faithful followers of Christ should pay tithes of animals, crops and other produce to the church of which they have been parishoners', text and trans. in Gerald of Wales, *Expugnatio Hibernica*: *the conquest of Ireland*, ed. A.B. Scott and F.X. Martin (Dublin, 1978), pp 98-9.

[254] Ó Corráin, 'The early Irish churches', p. 339.

[255] 'Ma rofitir in c.ii. cunu gat ₇ ni fitir in flaith, muna rochaith, aithgin bidh innruicc cona dublad d'ic res, ₇ cumul ₇ einiuclunn', *CIH*, v, p. 1781.37-8; trans. in *ALI*, ii, p. 235, with minor emendations in square brackets: 'If the [client] had known that it was got by theft and the chief had not, if he (the chief) has not consumed it, he (the [client]) shall pay restitution in honest food, with its double, a "cumhal" and honor-price'.

[256] Charles-Edwards has said that 'it is tempting to regard such activities as a matter of a little gentlemanly reiving, removing a few cows, which, if the victims showed any proper spirit, they could regain by the same method the next year – hard work for the cows but good sport for the humans', Thomas Charles-Edwards, 'Irish warfare before 1100' in Thomas Bartlett and Keith Jeffery (eds), *A military history of Ireland* (Cambridge, 1996), pp 26-51: 32.

climactic challenges of the seventh and eighth centuries led many poor farmers to participate in improper activities in order to realize the extent of their dues. The extensive details noted in the Middle Irish commentaries suggest that the use of stolen goods in renders was an ongoing problem in Irish society.

Further hints of economic tensions can be seen in some of the legalities surrounding absconders. The Old Irish text and some later commentaries on *Cáin Aicillne* have diverse interpretations of what happened to the property of a base client if he defaulted or absconded from his lord. According to the Old Irish text, the lord automatically gained ownership of half of the property if the client 'withdraws from his obligations in his lifetime' (*fri beo-eludh*).[257] According to Thurneysen, the later commentator attempted to force the process from his own time period to fit the Old Irish material. Thus the commentator offered an extended discussion on the 'half' which the lord was supposed to receive:

> 'after an "unfree companion" runs off, first the guarantor of the fief contract, apparently a member of his extended family, supplies the render due for the first year. Instead of subsequent renders, the land of the defaulting "companion" is divided in three; the lord receives one-third, the church receives a third (because the runaway will also have defaulted on church dues) and only one-third returns to the extended family (obviously in the old text they would have received a half). But of this third even then a half, that is a sixth of the whole is then given into the hand of the guarantor until he is compensated for his render of the obligatory loss of milk, calves and increase in value (of his herd) and besides his full honour-price (for the violation of his guarantee). To get the "half" of the old text, the commentator assumes the lord "releases" the sixth of the guarantor, that is, he undertakes his compensation himself, then he receives this sixth in addition to his own third, thus a half of the original whole'.[258]

What followed was an even more complicated argument for the case where the client had taken on a second lord and absconded from him as well. While these prescriptions do not indicate a full-scale rebellion they do signify that a system of penalties was in place for individuals who defaulted or fled from their obligations, whether in life or in death. In this particular section the cause of the default is absent from discussion; the commentator

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[257] 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 343, §5; translation (of Thurneysen from German) by Dr Simms.

[258] Thurneysen's discussion of the commentary to §5: 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, pp 344-5; translation (of Thurneysen from German) by Dr Simms; see also, *CIH*, v, pp 1780.29-1781.14. The proposal that one-third of the property of the client would go to the church is reminiscent of the dictate in *Córus Béscnai*, mentioned in the previous section, on what the expected dues were between a lay farmer and the church. In this case the land under discussion was the *fintiu*, so perhaps the kin-land was also partially relinquished in the case of an absconder.

appeared to have cared more about the resulting property division than the grounds of the default. The *Life* of Columba by Adomnán describes a similar situation in which Librán was going to be condemned for murder in Connacht, but was saved by a wealthy relative provided Librán agreed to become his slave.[259] After living the life of a slave for only a few days, a defiant Librán fled his obligations and went to Columba in Iona, where he confessed his desire to become a monk. Upon hearing Librán's story, Columba ordered him to spend seven years in penance,[260] and only after that was completed should he return to Connacht and attempt to repay his wealthy relative, indicating two separate types of punishment, one ecclesiastical and one lay, for an individual who absconded from his obligations.

In his commentary on *Cáin Aicillne*, Thurneysen reasoned that it was the consistency with which small farmers defaulted on their renders which led to some of the high-priced penalties noted in the Old Irish law tract.[261] For instance, one passage in the Old Irish text set the fine for failure to pay a first lord at twenty *séoit*, failure to pay a second lord at ten *séoit* and failure to pay a third lord at five *séoit*.[262] These fines were maintained by the later glossator.[263] Yet, in an earlier section of the tract, one glossator described a 'milder practice'.[264] A gloss, for example, listed the penalty for failure to provide renders simply as one-seventh of a scruple.[265] According to Fergus Kelly, it would take twelve scruples to equal

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[259] *Adomnán's Life of Columba*, ed. Anderson and Anderson, pp 154-63, book ii, §39; also trans. in Adomnán of Iona, *Life of St Columba*, ed. Sharpe, pp 188-93.

[260] The text is unclear as to which sin(s) were absolved by the act of penance. It may have been imposed for the original murderous act Librán committed, his neglect of duties, or both.

[261] 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 368, commentary to §29.

[262] 'Cumul, fichi(t) seoit, cu ndiabladh n-aithginu ne[i]ch ro·meatha meath mbid flatha cetgiallna. Leth-cumal, dech seoit, la diablud [n-aithgine] ne[i]ch meathus meath mbid alu chuir. Cethruime cumuile, cuic seoit, la diablud n-aithginu ne[i]ch meathus meath mbid treas-cuir', 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 368, §29; translation (of Thurneysen from German) by Dr Simms: 'A cumal, twenty *séoit*, with doubling of the replacement of whatever is lacking in the 'feeding' of a first-lord. A half cumal, ten *séoit*, with the doubling of the replacement of whatever is lacking in the 'feeding' of a second contract. A quarter cumal, five *séoit*, besides the doubling of the replacement of what is lacking from the 'feeding' of a third contract'.

[263] Thurneysen's discussion to §29, 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 368; translation (of Thurneysen from German) by Dr Simms.

[264] Thurneysen's discussion of the commentary to §3a, 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 342; translation (of Thurneysen from German) by Dr Simms.

[265] The gloss on the render notes: '.i. screpal a fiu .i. uiii. ratha so; $_7$ cach ni bus esbadhach don biudh doberthar on cheile, curub .uii.madh bidh', *CIH*, v, p. 1780.7-8, see also 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 360, §16; translation (of Thurneysen from German) by Dr Simms: 'it is worth a scruple, that is, eight chattels; and if any part of the food which was brought by the client is defective, let it [the fine] be one-seventh of the food'. In this case the *taurchrecc* was listed as three milch-cows which was noted in an earlier section as being the *taurchrecc* of the *óenchiniud*, the young man who had renounced or been renounced by his kin to participate in a warrior band. For this interpretation of the *óenchiniud* see McCone, *Pagan past and Christian present*, p. 205 and Chapter 3 above on status.

the value of one *sét*. The difference between the two fines is remarkable.[266] The reduction in penalties in the gloss could indicate fewer defaulting base clients, resulting in a decreased need for high penalties. Yet, it is also possible that the number of clients defaulting remained the same, and in this section the glossator offered leniency to the struggling small farmer.

This possible leniency begs the question as to whether or not the law tracts allowed for exceptions in the case of catastrophe. Though evidence for migration as a result of scarcity and famine does not appear before the eleventh century in the annalistic record, and even then those events may have been written with a political mindset, the early middle ages was rife with disasters, whether they were Viking incursions, poor harvests or cattle murrains.[267] Indeed, in the eighth century, food was so scarce that cannibalism appeared to be a possible alternative.[268] In situations as dire as these it is reasonable to propose the notion that farmers would have required a break on some of the stipulations of the clientship contract, especially since the penalties for absconding during a client's lifetime were so extreme.[269]

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[266] Kelly, *Early Irish farming*, p. 589.

[267] For instance, the *Annals of Inisfallen* described a 'scarcity' so detrimental to people's livelihoods in 1005 that the Ulaid were forced to abandon their land: 'Ulaid do fássugud a tíre ar terca co n-dechatar ar cech leth fo h-Erind', 'The Ulaid abandoned their land on account of scarcity and scattered throughout Ireland', text and trans. in *AI*, *s.a.* 1005, pp 176-7. However, the Ulaid had been attacked by Brian Boru's forces in conjunction with the Vikings of Dublin in both 1002 and 1005, so the 'scarcity' here mentioned may have more to do with their land being ravaged than any natural disasters. According to the *Annals of the Four Masters*, this happened again in 1047, *AFM*, ii, *s.a.* 1047, pp 852-3.

[268] *Annals of Ulster*, *s.a.* 700: 'Fames et pestilentia .iii. annis in Hibernia facta est, ut homo hominem comederet', 'Famine and pestilence prevailed in Ireland for three years so that man ate man', text and trans. in *AU* 1983, *s.a.* 700, pp 158-9. For a discussion on cannibalism as a result of famines in the annalistic and chronicle sources for the early middle ages, see, Pierre Bonnassie, 'Consommation d'Aliments Immodes et Cannibalisme de Survie dans l'Occident du Haut Moyen Age' in *Annales Histoire*, Sciences Sociales, xliv, no. 5 (1989), pp 1035-56.

[269] If an individual not only defaulted but absconded due to lack of resources he had very limited options. Anyone who absconded from his duties and was proclaimed by his *túath* lost his honour-price. Anyone caught harbouring an absconder (*élúd*) even individuals of high rank, had their honour-prices stripped from them as well, '.a. doeim elodhach rechta co mbi elod iarna cul', *CIH*, i, p. 15.7-8; trans. in *ALI*, v, p. 175: 'an "aire" who receives an absconder from law, becoming himself an absconder thereafter'. Thus, the only recourse for an individual who fled from his responsibilities was, most likely, to leave the *túath* as an 'exile' (*deorad*). As an exile, the individual had no honour-price, unless he purchased land or took up employment as a servant or bodyguard in another territory, see Kelly, *A guide to early Irish law*, p. 223. If this individual did manage to find work in the retinue of another individual in another *túáth* then his honour-price was determined by that of the lord, king, or church official that he served, 'rechtairi, techtairi folongtar lethḟolug a flaithe', *Críth Gablach*, ed. Binchy, p. 19, l. 484, §33; trans. in MacNeill, 'Ancient Irish law', p. 301, §118: 'administrators, envoys are maintained at half the sick-maintenance of their lords'. Without an honour-price he was not legally allowed to take an active role in society. Furthermore, absconders were treated as dangerous outsiders in the law tracts. Foster-parents, for example, were cautioned about these outsiders and the dangers they posed towards the children in the foster-parents' care, Bronagh Ní Chonaill, 'Child-centred law in medieval Ireland' in R. Davis and T. Dunne (eds), *The empty throne: childhood and the crisis of modernity* (Cambridge, 2008), pp 20-1 (online) http://eprints.gla.ac.uk/3812. Thus those who absconded from

**Conclusion**

As is clear from the evidence cited above, it was not mandatory for commoners to take on a contract of clientship, but if they did it imposed a number of conditions on their livelihoods. Furthermore, though a commoner was obligated to certain dues and services if he made a contract of base clientship, this was not the extent of his commitments. Whether he became a client or not, a commoner was still subject to his king, and, depending on the area, a layman could have also had certain responsibilities to his local church. These responsibilities imply that, while it may have been possible to speculate on the property a base client may have both possessed and relinquished within a given year, these amounts for a commoner were much more indeterminate. Until a greater understanding of the interaction between local churches and ordinary laymen can be developed, the payment of tithes, first-fruits and alms by commoners on a regular basis is unlikely, but possible. If the requirements of a Christian were taken into account, a commoner likely owed more renders than he received in an initial grant of clientship. As long as his livestock remained healthy and productive, this did not cause too many problems. As is clear from the evidence cited above regarding economic tensions in the law tracts, this harmony was not always the norm. Therefore, the evidence would seem to signify that in early medieval Ireland the obligations of a commoner were many and varied, but ultimately they had the very real possibility of being manageable. It was only when the rising power of provincial kings and the increased dynastic wars in the eleventh and twelfth centuries began to take their toll on the landscape that peasants and commoners felt the economic pressures of increased and inconsistent dues and services.

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their societal and contractual duties were forced to abandon not just their own property, but their kinship ties as well.

| Table 4.1 *Cáin Aicillne* | |
|---|---|
| Value of the grant given by a lord in base clientship | |
| ***Bóaire*** | 30 *séoit* |
| ***Ócaire*** | 16 *séoit* |
| ***Fer midboth*** | 12 *séoit* |
| ***Óenchiniud*** | 6 *samaisci* |
| ***Fer domun*** | 3 *samaisci* |

| Table 4.2 *Críth Gablach* | |
|---|---|
| Value of the grant given by a lord in base clientship | |
| ***Aire coisring*** | 5 *cumala* |
| ***Fer fothlai*** | 4 *cumala* |
| ***Mruigḟer*** | 2 *cumala* |
| ***Bóaire febsa*** | 12 cows |
| ***Aithech ara threba a deich*** | 10 cows |
| ***Ócaire*** | 8 cows/ 10 *séoit* |
| ***Fer midboth*** | 5 *séoit* |

| Table 4.3 *Críth Gablach* – Renders owed to a lord in base clientship | |
|---|---|
| *Mruigfer* | A cow with its accompaniment for both winter and summer provisions. |
| *Bóaire febsa* | Steer with its accompaniment for summer and winter provisions. |
| *Aithech ara threba a deich* | Choice of his yearling stock, bacon of 2 fingers, fairly cut, 4 sacks of malt and a measure of salt. |
| *Ócaire* | *Dartaid* at Shrovetide with complement, i.e. a pig's belly (a belly of bacon) or a bacon of 1 inch, fairly cut, 3 sacks of malt and a ½ of wheat. |
| *Fer midboth* .ii. | Wether with accompaniment, i.e. bacon, 12 cakes, butter, leeks with heads, a drinking-vessel of milk 3 palms (high) filled with 3 different types of milk: cream and new milk and *draunce*, or buttermilk. |

| Table 4.4 *Cáin Aicillne* – Renders owed to a lord in base clientship | |
|---|---|
| *Bóaire* | A full-grown steer with accompaniment; lard from the kidney third of the steer; curved bacon, 8 fists long, 4 fists wide, 1 'hand' thick; 8 sacks of malt, correctly processed, without lack or blemish; hardened wheat: 1 sack, edible; candles, 3 fistfuls, 8 fists long. |
| | **Summer**: steer, the value of 1 sack for roasting; a steer the value of 4 sacks for boiling; bacon, ½ flitch, salted; lard of a steer; wether; 'milch cow cauldron' filled with fresh milk to be boiled to curd cheese butter; cream in a vessel of 'three drafts'; 24 loaves of women's baking, 2 fists broad, 1 fist thick; leeks, 2 handfuls, garlic, 2 handfuls<br>**Winter**: pig, 9 fists long, 2 fingers thick; an ox/cow the value of 2 sacks for roasting. |
| *Ócaire* | An ox/cow, the value of 4 sacks, a bullock in its 2nd year, 14 fists its girth, healed after castration, grazed with milch cows, no damage from sickness; bacon, 3 fingers, salted, 8 fists long and 4 fists broad; malt, the value of 3 sacks, without deficit or blemish; ½ sack of wheat, ripened; candles, 2 fistfuls. |
| *Fer midboth* | An ox/cow the value of 3 sacks, 12 fists in girth, healthy after castration, grazed with milch cows; bacon 3 fingers, salted, 8 fists in length, 4 fists in breadth, of a pig in its 2nd or 3rd year; malt the value of 3 sacks, ½ sack of wheat, ripened; candles, 1 fistful, 8 fists in length. |
| *óenchiniud* | An ox/cow the value of 2 sacks, healed after castration, fed on grass with milch cows, 10 fists wide; cured bacon from a pig in its 2nd or 3rd year, the value of 2 sacks, 2 fingers thick, 8 fists long and 3 fists wide; malt the value of 2 sacks, 1/3 of a sack of wheat, candles, 1 fistful, 8 fists long |
| *Fer domun* | An ox/cow the value of 1 sack of corn, 8 fists wide, healed after castration, fed on grass with milch cows; pork belly, the value of 1 sack, 9 fists long, front width, 1 fist plus a thumb, back width, 1 fist, middle 3 fists wide and 3 fists thick; malt, the value of 1 sack. |

## Section III, Chapter 5

## Diet

### Introduction

Although a number of factors impact the types of foods individuals consume, like environment, availability, access and nutrition, in hierarchical societies, such as early medieval Ireland, diet is also partially influenced by a person's relative social status.[1] Nobles, for instance, were generally allotted the 'selection of the prime quality parts' while commoners and peasants often made do with the remainders.[2] The designation of certain goods as 'luxury' items associated with the nobility was made manifest in a variety of early medieval sources. An oft-cited image of the *Suidigud Tigi Midchúarda*, 'the seating of the house of the mead-circuit', which survives in the Book of Leinster (*c.* 1160), aptly illustrates this principle (see Figure 1). In this depiction members of the king's household are carefully positioned around a banqueting hall, and both their proximate position to the king as well as the portion and quality of meat they were afforded was based on their grade and status.[3] Finbar McCormick has shown that the higher up on a cow's back (i.e. the closer to the head) the meat was, the greater status it was afforded; the king received the tenderloin and the queen a rump steak, while the royal doorkeepers received the coccyx.[4] This division of food based on personal grade and status can also be found in the mythical dish entitled the 'caldron of restitution' (*caire aisic*), which appears in two twelfth-century Irish tales.[5] In each instance, individuals

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[1] See, for example, Marijke van der Veen, 'When is food a luxury?' in *World Archaeology*, xxxiv, no. 3 (2003), pp 405-27 and David Waines, '"Luxury foods" in medieval Islamic societies' in *World Archaeology*, xxxiv, no. 3, Luxury Foods (2003), pp 571-80.

[2] Anton Ervynck, Wim Van Neer, Heide Hüster-Plogmann and Jörg Schiber, 'Beyond Affluence: the Zooarchaeology of Luxury' in *World Archaeology*, xxxiv, no. 3, Luxury Foods (2003), pp 428-41: 432.

[3] Book of Leinster, TCD 1339, p. 29, Kelly, *Early Irish farming*, p. 356; George Petrie, 'On the history and antiquities of Tara Hill' in *R.I.A. Trans.,* xviii (1839), pp 25-232: 204. The same chart, with slightly different placements, is also found in the Yellow Book of Lecan, TCD 1318, written in the fourteenth century mainly by Giolla-Íosa, son of Donnchadh Mór of the Mac Fhir Bhisigh family.

[4] McCormick, 'The distribution of meat in a hierarchical society', p. 28.

[5] The first tale is *Scél na Fir Flatha, Echtra Cormaic i Tír Tairngiri ocus Ceart Claidib Cormaic*, 'The Irish ordeals, Cormac's adventure in the Land of Promise and the decision as to Cormac's sword', ed. Whitley Stokes, in Ernst Windisch and Whitley Stokes (eds), *Irische Texte: Mit Übersetzungen und Wörterbuch* (4 vols, Leipzig, 1891), iii, pp 183-229: 205-6, §§9-10. This saga centres around the king, Cormac Mac Airt, who supposedly reigned in the third century; but the text, as it survives, is most likely a twelfth-century composition, preserved in two fourteenth-century manuscripts, the Book of Ballymote and the Yellow Book of Lecan, 'Echtra Cormaic Maic Airt, 'The adventure of Cormac Mac Airt'', ed. Vernam Hull, in *PMLA*, lxiv, no. 4 (1949), pp 871-83: 871. The second tale is entitled *Fled Dúin na nGéd*, and in this particular instance Congal Claen goes in search of allies to fight his foster-father, Domhnall son of Aedh, and finds the cauldron in Scotland. This particular cauldron, the text notes, was previously located at Dá Derga's hostel, where Conaire was slain, and Mac Dá Tho's hostel, where both the men of Connacht and

placed their forks into the caldron and pulled out a meal that was 'sufficient for the company according to their grade and rank' (*dáithin na dáime fana míad ₇ fana ngrád*).[6] Thus, the foods which people consumed or were seen to consume in early medieval Ireland 'did not create social difference in this period, but it was evidence of social difference and ... it helped perpetuate that difference'.[7]

Figure 1, TCD MS 1339, Book of Leinster, p. 29

Unfortunately the main sources for food and diet in early medieval Ireland were written by and for the nobility, with occasional references to commoners. As such they focus more on luxury goods available to and appropriate for the wealthy and influential members of society. Very little information survives about the food consumed by peasants and serfs. Therefore, a wide range of sources which relate information directly about commoners, as

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the men of Ulster were slain. The caldron was, thus, associated with both death and status. For editions of the text see, *The banquet of Dun na n-Gedh and the battle of Magh Rath: an ancient historical tale*, ed. John O'Donovan (Dublin, 1842), pp 51-3; *Fled Dúin na nGéd*, ed. Ruth Lehmann (Dublin, 1964). For the date of the text see, Máire Herbert, '*Fled Dúin na nGéd*: a reappraisal' in *CMCS*, xviii (1989), pp 75-87.

[6] Text in *Fled Dúin na nGéd*, ed. Lehmann, p. 16; trans. in *The banquet of Dun na n-Gedh and the battle of Magh Rath*, ed. O'Donovan, p. 51.

[7] P.R. Schofield, 'Medieval diet and demography' in C.M. Woolgar, D. Serjeantson, and T. Waldron (eds), *Food in medieval England: diet and nutrition* (Oxford, 2006), pp 239-53: 244.

well as those which indirectly describe 'the fill of a poor man's cup' (*lán eini in boicht*)[8] will be discussed in this chapter. The Irish adjective for 'poor' (*bocht*) or its substantive form 'poor man', along with its Latin equivalents, was used throughout Irish history to describe a restricted diet in both secular and ecclesiastical works. The quote regarding the fill of a poor man's cup appears in the glosses on the eighth-century legal text *Cethairślicht Athgabálae*. The rations for a cowherd (*buachail*), who was in fetters for failure to pay a debt, were, during the summer, 'the fill of a poor man's cup' (*lán eini in boicht*), the capacity of which was twelve hen's eggs or a Roman pint, *c.* six fluid ounces. In winter, however, the cowherd was entitled to recieve a ration of one half-loaf (*urchaelán*), thin at both ends, in contrast to a round whole loaf.[9] Similarly, the diet of monks and ascetics is frequently associated with a 'poor' diet in much of the ecclesiastical documentary sources; St Columbanus, in his monastic rule, for instance, insists that a monk's food should be poor (*vilis*).[10] The association between the ecclesiastical diet and the diet of a secular peasant, however, should not be exaggerated, as, in his rule for monks, St Augustine notes that a monastic diet was simultaneously inferior to a secular nobleman's, but superior to a pauper's.[11] Furthermore, the surviving evidence attests that, although the ideal was 'poor' rations, many ecclesiastics consumed a broader diet, sometimes containing luxury goods.

Previous research into the study of diet in early medieval Ireland has focused on the two main activities of a settled economy, corn growing and livestock rearing. A.T. Lucas, in his seminal work, 'Irish food before the potato', argued that 'from prehistoric times to the close of the seventeenth century corn and milk were the mainstay of the national food'.[12] This otherwise excellent analysis denied meat any significant role in the diet of all socio-economic

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[8] *CIH*, ii, p. 364.4, see below, no. 9.

[9] 'na dlegait biathad acht bochtan no urchaelan no bairgen huasallaithe cona handlonn', *CIH*, ii, p. 363.26-7; trans. in *ALI*, i, p. 107: 'he is not entitled to any food except the 'bochtan' or 'urchaelan,' or the cake of the noble festival with its obsonium'. The term *bochtan* is then glossed 'ɫcha dlegait biathad s̄ lan eini in boicht', *CIH*, ii, p. 364.4; trans. in *ALI*, i, p. 107: 'he is not entitled to any food but the full of the poor man's vessel'; see also the discussion in Kelly, *Early Irish farming*, p. 577. The seasonal changes to the rations are recorded in the later commentary, *CIH*, ii, p. 364.6; trans. in *ALI*, i, p. 107. A similar distinction between summer and winter food is found in the legal discussions on the food rents that clients owed to their lords, Gerriets, 'Economy and society: clientship according to the Irish laws', p. 52.

[10] Text and translation in *Sancti Columbani Opera*, ed. G.S.M. Walker, *Script. Lat. Hib.*, ii (Dublin, 1957), pp 124-5, §5, 'Of food and drink'.

[11] Thus, St Augustine notes, 'those who had nothing should not seek in the monastery possessions which were beyond their reach outside' (*qui autem non habebant,/non ea quaerant in monasterio/quae nec foris habere potuerunt*); specifically, 'they should not consider their present good fortune to consist in the possession of food and clothing which were beyond their means elsewhere' (*non ideo se putent esse felices,/quia inuenerunt uictum et tegumentum,/quale foris inuenire non poterant*), text and trans. in Augustine of Hippo, *Regula Sancti Augustini*, ed. George Lawless, (Oxford, 1987), pp 65-120: 80-1, ll. 19-21, §5.

[12] Lucas, 'Irish food before the potato', p. 8.

levels. More recently, Fergus Kelly's exhaustive *Early Irish farming* included both cereals and meat as cornerstones of the medieval diet;[13] importantly, however, Kelly argued for a potentially balanced diet, depending on seasonal and regional availability of nutritious fruits and vegetables.[14] Both of these studies, however, focus on the diet of nobles, mainly due to the prestige-based nature of the surviving sources. While Kelly's discussion included valuable information on restricted ecclesiastical diets and feasts, foods specifically related to the diet of peasants and commoners were often eclipsed by necessary generalisations. Donnchadh Ó Corráin agreed with Kelly that fruits and vegetables were cultivated in early medieval Ireland, but emphasised instead that the food supply 'depended on the two major activities of the rural economy, cereal-growing and animal husbandry'.[15] Though status is often mentioned as a factor in diet, as Dáibhí Ó Cróinín has observed, 'for the aristocracy, at any rate, the diet must have been fairly substantial',[16] there has been no in-depth study of those foods likely to have been consumed by peasants and commoners. Recent archaeological and historical analyses have added to this growing dietary discussion by offering evidence for extensive fishing, fowling, hunting and gathering in early medieval Ireland. In order to obtain a clearer image of the diet of peasants and commoners specifically, the prestige-based literary and legal tradition will therefore be counterbalanced by an analysis of literary descriptions of restricted diets and supplementary archaeological evidence.

**The law tracts**

Hospitality was a vital cultural institution in early medieval Ireland, for which every free law-abiding individual, 'regardless of his rank or profession', was eligible.[17] The seventh- and eighth-century Irish law tracts meticulously described the types of foods to which each level of society was entitled during these social visits. Certain limitations applied to these meals, based on a person's grade and status; a noble was allowed to request higher-quality foods, for example. Thus, the nourishment of guests reinforced the social hierarchy through these dietary entitlements.

The two key texts for food entitlements during hospitality are *Críth Gablach* (*c.* 700), thought to have been produced in a law-school near Meath/south Ulster, and the eighth-century *Uraicecht Becc*, thought to have been produced in a *Nemed* law-school in Munster (a

[13] Kelly, *Early Irish farming*, p. 317-18.
[14] Ibid. See also, Donnchad Ó Corráin, *Ireland before the Normans* (Dublin, 1972), pp 50-61.
[15] Ó Corráin, 'Ireland *c.* 800: aspects of society', p. 575.
[16] Ó Cróinín, *Early medieval Ireland 400-1200*, p. 103.
[17] Catherine O'Sullivan, *Hospitality in medieval Ireland, 900-1500* (Dublin, 2004), p. 31.

list of the grades of commoners discussed in both texts can be found in Table 5.1).[18] The authors of these texts recorded in exhaustive detail luxury food items due only to the nobility on these occasions, as well as standard foodstuffs to which commoners were entitled. A close reading of these two sources and their discussions regarding the entitlements of commoners will indicate that, although the anonymous authors of these texts approached the entitlements in different ways, allowing for some variety in social practice, they did, as Lucas asserted, focus mainly on rations consisting of corn and dairy products; however, some fruits, vegetables and meat were also documented. More importantly, no entitlements were listed for peasants and serfs.[19]

| Table 5.1 Commoner grades listed in two status-texts | |
|---|---|
| *Críth Gablach* | ***Uraicecht Becc*** |
| Aire coisring | |
| Fer fothlai | |
| Mruigfer | Mruigfer |
| Bóaire febsa | Bóaire túise |
| Aithech ara threba a deich | |
| Ócaire | Bóaire tánaise |
| Fer midboth .ii.<br>Fer midboth .i. | Fer midboth<br>Gairid<br>Flescach<br>Inol |

The food provisions to which the lowest-ranked commoner, a *fer midboth*, was entitled when visiting, according to *Críth Gablach*, were milk and cheese or corn; the substitution of corn for milk and cheese was likely a seasonal allowance during the winter when stores of dairy products were at their lowest.[20] This law tract also specifically denied the

[18] For *Críth Gablach* see, *Críth Gablach*, ed. Binchy; trans. in MacNeill, 'Ancient Irish law', pp 281-306. For *Uraicecht Becc* see, *CIH*, v, pp 1590-1618; ii, pp 634-55; vi, pp 2318-35; trans. in MacNeill, 'Ancient Irish law', pp 272-81. For the date and provenance of the texts see, Kelly, *A guide to early Irish law*, p. 246 (for *Uraicecht Becc*) and pp 246-8 (for *Críth Gablach*); *Críth Gablach*, ed. Binchy, p. xiv; Binchy, 'The date and provenance of *Uraicecht Becc*', pp 44-54.

[19] The main tract on peasants, commonly referred to as the *fuidir*-tract, does not make any mention of dietary restrictions and is instead solely focused on the determination of honour-price and the relationship between peasant and lord, 'Irisches Recht' [II Zu den unteren Ständen in Irland], ed. Thurneysen, pp 233-55.

[20] First *fer midboth*: 'A bíathad [a] óenur, ass $_7$ grús nó arbur', *Críth Gablach*, ed. Binchy, p. 2, ll. 26-7, §6; trans. in MacNeill, 'Ancient Irish law', p. 283, §66: 'his food provision is for himself alone, milk and curds or corn'. Second *fer midboth*: 'a bíatha[d] [a] óenur, ass $_7$ grús nó arbur', *Críth Gablach*, ed. Binchy, p. 2,

*fer midboth* the right to ask for butter. While no particular reason was expressed, other than 'he is not entitled to butter' (*ní dlig imb*), the *fer midboth*'s inferior rank was the most likely basis for this prohibition, as higher grades of commoner, such as the *aithech ara threba a deich*, were allowed to request this particular dairy product.[21] The contemporary legal tract *Uraicecht Becc* likewise conveyed the entitlements for a *fer midboth*, but it described them exclusively as three loaves (*bairgen*); no seasonal substitutions were indicated.[22] The non-entitlement to butter, or, if *Uraicecht Becc* is to be relied upon, all dairy products, was the only limit specifically imposed upon the meal of a visiting *fer midboth*.

In the outline of the meals that the next commoner grade, the *ócaire*, was allotted while visiting someone else's home there emerges yet another distinction between *Críth Gablach* and *Uraicecht Becc*. According to *Críth Gablach*, an *ócaire* would have been presented with the same basic fare as a *fer midboth* – milk and cheese or corn – with the same non-entitlement to butter.[23] Yet, the *ócaire* was also entitled to certain substitute dishes. These additional items included a wooden mug of twelve inches filled with a thickened sour milk (*draumce*) [24] and 'a full-sized [loaf]' (*bairgen*) or 'two [loaves] of a woman's baking' (*di bairgin banfuine*).[25] These 'loaves' of bread measured, roughly, twelve 'inches' (*ordlach*) in circumference and were as thick as 'a man's little finger' (*lútu laime fir*), according to the eighth-century legal tract *Cáin Aicillne*.[26] The inclusion of sour milk and loaves of bread would

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l. 44, §7; trans. in MacNeill, 'Ancient Irish law', p. 284, §69: 'food provision for himself alone, milk and curds or corn'. MacNeill translated *grus* as curds, but it was translated in the *Dictionary of the Irish language* and by Kelly as cheese, and as such cheese will be the term used in this discussion, *DIL*, s.v., *grus* and Kelly, *Early Irish farming*, p. 326.

[21] *Críth Gablach*, ed. Binchy, p. 2, l. 27, §6; trans. in MacNeill, 'Ancient Irish law', p. 283, §66.

[22] 'et teora bairgen a biathad', *CIH*, v, p. 1610.23; trans. in MacNeill, 'Ancient Irish law', p. 277, §34: 'and three [loaves] his food provision'.

[23] 'bíathad deise dó di as ₇grús nó arbaimm', *Críth Gablach*, ed. Binchy, p. 5, ll. 115-16, §10; trans. in MacNeill, 'Ancient Irish law', p. 288, §82: 'He is entitled to food-provision for two persons, of milk and curds or corn. He is not entitled to butter'. Though the nomenclature in *Uraicecht Becc* listed a *bóaire tanisi*, an analysis of grades and rank shows that the *bóaire tanisi* and the *ócaire* were the same grade. As such, all references will be made to the *ócaire* not the *bóaire tanisi*. See, for example, McLeod, 'Interpreting early Irish law (i)', pp 46-65 and idem, 'Interpreting early Irish law (ii)', pp 72-4.

[24] 'Cúad dá ordlach .x. di draumcu ar lemlacht cechtar n-aí', *Críth Gablach*, ed. Binchy, p. 5, ll. 116-7, §10; trans. in MacNeill, 'Ancient Irish law', p. 288, §82: 'A noggin of twelve inches of *draumce* instead of new milk for each of the two'. See also a discussion on cheese by Micheál Ó Sé, 'Old Irish cheeses and other milk products' in *Cork Hist. Soc. Jn.*, liii, no. 2 (1948), pp 82-7: 86. Fergus Kelly called this a 'whey drink', Kelly, *Early Irish farming*, p. 328.

[25] '₇ bairgen in(d)ruic nó dí bairgin banḟuini', *Críth Gablach*, ed. Binchy, p. 5, ll. 117-8, §10; trans. in MacNeill, 'Ancient Irish law', p. 288, §82: 'and a full-sized [loaf], or two [loaves] of woman's baking'.

[26] For the circumference of the loaf see the monastic rule of Ailbe of Emly: 'Bargen trichat ungae mes/ ar dá ordlach déc is cóir,/ acht ma gabthai gortae díb/ dlegait in bráthair im nóin', 'A [loaf] of thirty ounces, in measure by twelve inches (in size), it is just, unless a famine take it from them, the brethren should get it about nones', text and trans. in 'The rule of Ailbe of Emly', ed. Joseph O'Neill, in *Ériu*, i (1907), pp 92-115: 102-3, §31a. John Strachan also has an edition of this text and dates it to before 800,

seem to indicate that, in the case of the *ócaire*, he was not just restricted to milk and cheese or corn, but he could request a combination of the three. In *Uraicecht Becc*, on the other hand, the *ócaire* was listed as being entitled to five loaves (*bairgin*), and with them he was allowed either milk or butter.[27] The potential substitution, in this case, may not have centred on the season, although butter could be salted and preserved for winter, but upon the contents of the homeowner's larder. The choice, therefore, for milk or butter was, likely, not made by the visiting *ócaire*, but by the homeowner, who may have been of a similar grade and needed to reserve butter stores for visits by higher-ranking individuals. While these two texts conflicted over the amount of loaves or the type of dairy products appropriate for the meal of an *ócaire,* the character – corn and dairy – remained the same.

As the grades of commoner progressed up the social ladder so too did the variety of food they were allowed to request while eating in another person's home. The higher grades of commoners listed in *Críth Gablach*, some of which do not appear in *Uraicecht Becc*, were entitled to request the same basic diet, but with vegetable or various meat as side-dishes. The *aithech ara threba a deich*, according to *Críth Gablach*, consumed the typical milk and curds or corn, but he was also permitted to request butter on Sundays as well as 'a serccol of condiment with this, *duilesc*, onions, salt' (*serccol tar(r)sain[n] la sodain – duilesc, cainnenn, salann*).[28] The translation of *serccol tarsaind* as 'salted venison' by the editors of the *Ancient laws of Ireland,* was queried by Eoin MacNeill who, in his translation of *Críth Gablach*, left *serccol* untranslated and referred only, in his footnotes, to an 'official' translation of salted venison.[29] Fergus Kelly has interpreted *serccol* to mean a 'titbit, delicacy' and *tarsunn*, 'a relish', which applied to the seaweed, onions and salt.[30] The translators of the *Ancient laws of Ireland* may have inferred venison in this particular instance as there are similar historical contexts in which deer-meat constituted part of a 'poor' diet (see below). Similarly, the inclusion of seaweed and wild, as opposed to cultivated, onions[31] in the diet of the *aithech ara*

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'An Old-Irish metrical Rule', ed. John Strachan, in *Ériu*, i (1904), pp 191-208: 192. For the thickness described in *Cáin Aicillne*, see *CIH*, v, p. 1781.29 and 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 345, §6.

[27] 'cuic bairgin la hais do ł him', *CIH*, v, p. 1611.5; trans. in MacNeill, 'Ancient Irish law', p. 277, §35: 'five [loaves] with milk for him or butter'.

[28] *Críth Gablach*, ed. Binchy, p. 6, ll. 149-50, §12; trans. in MacNeill 'Ancient Irish law', p. 290, §86. *Duilesc* was a type of seaweed that could have been used for either human consumption or animal fodder in early medieval Ireland, Kelly, *Early Irish farming*, pp 304-5, 313.

[29] *ALI*, iv, p. 309.

[30] Kelly, *Early Irish farming*, pp 316-17.

[31] In his edition and translation of the eighth-century legal tract *Bretha Crólige*, Daniel Binchy defined *fír cainnenn* as garlic, due to the adjectival sense of *fír* ('true'), which he argued was reflective of the 'freshness of the vegetable', text and trans. in 'Bretha Crólige', ed. Binchy, pp 36-7, §45. See also, *Críth*

*threba a deich* may suggest that these extra foods which he was entitled to request from his host were derived not from corn cultivation or livestock rearing, but from outside resources, like hunting and gathering.[32]

The highest grades of commoners, according to *Críth Gablach*, the *bóaire febsa,* the *mruigfer*, the *fer fothlai* and the *aire coisring*, were all entitled to request similar items which necessitated gathering, but they were also entitled to meat sourced, most likely, from domestic livestock. The *bóaire febsa* was entitled to request the same milk and corn meals as the grades below him, but with the addition of, according to MacNeill's translation, 'fresh or salted onions for condiment' (*fírchainnenn nó ṡaillte do tharsun[n]*).[33] MacNeill's translation was queried by Binchy who proposed, instead, that *saillte*, in this case, acted as a substantive and referred specifically to salted meat.[34] *Uraicecht Becc*, unfortunately, does not provide any clarification and, instead, allows the *bóaire febsa* 'eight [loaves] for him with their condiment, and salt for their seasoning' (*ocht mbairgin do cona nandlunn ⁊ saland dia tarsand*).[35] The *mruigfer*, according to *Críth Gablach*, was always allowed to have 'butter with its condiment' (*imb dó co tarsunn*), as well as 'salted meat on the third, fifth, ninth, and tenth days, and on Sunday' (*sall dó i tr[e]isi, i cóicthi, i nómaid, i ndechmaid i ndomnuch*).[36] Both MacNeill and Binchy translated *sall* simply as 'salted meat', but, in a similar context, it could refer specifically to bacon.[37] The *fer fothlai* was, likewise, entitled to salted meat while the *aire coisring* was allowed salted meat and titbits or relish (*serccol tarsain[n]*).[38]

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*Gablach*, ed. Binchy, p. 53, glossary. Fergus Kelly, however, persuasively proposed in his *Early Irish farming* that the various references throughout the law tracts to both *cainnenn* and *fír cainnenn* suggested instead a plant more akin to the onion. The difference between *cainnenn* and *fir cainnen*, he argued, was the difference between wild (*cainnenn*) and cultivated onions (*fir*, 'true', *cainnenn*), Kelly, *Early Irish farming*, pp 251-3. In deference to the convincing evidence collected by Kelly in his analysis, this thesis will retain his translation of *cainnenn* as 'onion'.

[32] However, one may be able to argue that this insistence by the jurists on outside resources demonstrates the complex position of the *aithech ara threba a deich* in the law tracts and may be further evidence for its existence in this law tract simply as a placeholder, so that the commoners could conform to a seven-grade scheme.

[33] *Críth Gablach*, ed. Binchy, p. 7, ll. 168-9, §13; trans. in MacNeill, 'Ancient Irish law', p. 290, §88.

[34] *Críth Gablach*, ed. Binchy, p. 62, glossary, *s.v. saillte*. The translation of *fír cainnenn* as 'onions' and not 'leeks', as Binchy proposed, is based on Fergus Kelly's arguments in Kelly, *Early Irish farming*, pp 251-3, see above note 31.

[35] *CIH*, v, p. 1611.25-31; trans. in MacNeill, 'Ancient Irish law', p. 277, §36.

[36] *Críth Gablach*, ed. Binchy, p. 8, ll. 204-6, §15; trans. in MacNeill, 'Ancient Irish law', p. 291, §90.

[37] See for example, a gloss in the *Thesaurus Palaeohibernicus* on *Broccán's Hymn* in which 'a flitch [of bacon]' (*tinne*) is glossed 'salted meat' (*saille*), text in *Thesaurus Palaeohibernicus: a collection of Old-Irish glosses, scholia prose and verse*, ed. Whitley Stokes and John Strachan (2 vols, Cambridge, 1901-3), ii, p. 339, l. 1, gloss no. 4, l. 22; *DIL*, *s.v. tinne* (2); *s.v. saill*.

[38] *Fer fothlai*: *Críth Gablach*, ed. Binchy, p. 11, ll. 270-1, §19; trans. in MacNeill, 'Ancient Irish law', p. 294, §94; *aire coisring*: *Críth Gablach*, ed. Binchy, p. 12, ll. 300-1, §20; trans. in MacNeill, 'Ancient Irish law', p. 295, §99.

In these lists of potential meals the luxury status of certain items is clear; salt was a condiment which only the grades of an *aithech ara threba a deich* or above was entitled to request and salted meat, specifically from domestic livestock, was reserved only for the highest grades of commoner. The restrictions on butter, however, become much more interesting when viewed in light of another eighth-century law tract that differentiated between the types of lords, based on the renders they received in clientship. A commoner, who had acquired enough wealth to start lending to other commoners, could become what was known as a commoner lord (*flaith aithig*) and was described as the lord 'who is only entitled to butter and seed[-corn?] and live cattle' as renders from his clients,[39] distinguishing him from noble lords who were entitled to ale, and various forms of salted and fresh meat. While this description was mainly used to highlight the prestige of ale and meat, it simultaneously highlights that the status applied to luxury items, such as butter, was relative.

An important caveat to these itemised lists of food, of which a commoner was allowed to avail while in another person's home, was that certain restrictions on luxury or high-status items could, occasionally, be waived during periods of institutionalised caretaking, such as sick-maintenance; a process, which involved the care and treatment of a wounded individual by the attacker. The two main law tracts on the types of food available to a sick individual, *Críth Gablach* and *Bretha Crólige*, recorded foods appropriate to both the illness and the status of the wounded individual. *Críth Gablach* maintained a restriction on butter for the *fer midboth*,[40] but relaxed this provision for other grades, such as the *ócaire* and the *bóaire febsa*.[41] The inclusion of butter in a sick person's diet, almost regardless of status, may be indicative of the supplementary nutrients in this food stuff. The ninth-century ecclesiastical document known as 'The monastery of Tallaght' contains a story in which a group of saints, who had witnessed penitents dying as a result of a strict bread and water diet, sought aid from heaven. In response, an angel appeared and ordered the saints to 'mix some meal with their butter to make gruel, so that the penitents should not perish upon their hands(?), because the water and the bread did not suffice to support them' (*ni de min do chummusc doib aranim*

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[39] Trans. in Charles-Edwards, *Early Christian Ireland*, p. 93; text in 'Aus dem irischen Recht II' [2. Das Frei-Lehen], ed. Thurneysen, p. 245, §4; see also Chapter 3 above on status.

[40] Neil McLeod, 'Crólige mbáis' in *Ériu*, lix (2009), pp 25-36: 33.

[41] *Ócaire*: 'imb i suidiu i treisi, i cóicthi, i nómaid, i ndechmaid, i ndomnuch', *Críth Gablach*, ed. Binchy, p. 5, ll. 118-19, §10; trans. in MacNeill, 'Ancient Irish law', p. 288, §82: 'butter, in this case, on the third, fifth, ninth and tenth day, and on Sunday'. *Bóaire febsa*: 'imb(m) dó i ndeissi, i treisi, i cóicthi, i nnómaid, i ndechmaid, i ndomnuch', *Críth Gablach*, ed. Binchy, p. 7, ll. 167-8, § 13; trans. in MacNeill, 'Ancient Irish law', p. 290, §88: 'He is entitled to butter on the second, third, fifth, ninth and tenth day, (and) on Sunday'.

*combed menadach arna toitsitis an aes pende immallama fobithin arna forfoelnangair int uisce ₇ int aran*).[42]

During sick-maintenance, Daniel Binchy has argued, various members of commoner grades were also allowed to consume salted meat on Sundays between New Year's Eve and Lent and fresh meat between Halloween and New Year's Eve, although the exact days for the latter were not articulated.[43] The loosely-worded section in *Bretha Crólige* simply notes that 'every freeman from a *fer midbad* up to an *aire ard* is entitled to fresh meat' (*alid carnai cach aire otha fer midbod connicc airig na(i)rd*), which the later glossators attempted to restrict solely to Sundays or festivals.[44] These relaxations indicate that a commoner's diet was not restricted to those foods to which they were legally entitled during hospitality.

**Women and children**

The discussion, so far, has focused on foods which men were entitled to request in certain situations in early medieval Ireland, as more evidence survives for their consumption than for that of their wives or daughters. *Bretha Crólige* is one of the only sources which describes the food entitlements of sick women; a woman on sick-maintenance was entitled to half the food (*lethbíathad*) to which her husband was entitled.[45] A concubine, however, could only claim one third or one quarter of his food;[46] no mention is made of any compositional differences. The surviving sources offer very little information regarding any specific meals prepared for unmarried adult women of the commoner grade. One stipulation in the *Riagail na Céle nDé* requires nuns who are menstruating to be given *brochan* (*v.l. brothchán*), a dish often reserved for invalids, made by heating milk with oatmeal and herbs.[47] Any law-abiding freeman was entitled to collect herbs for just such a concoction, even if the herbs grew on private property, according to one eighth-century law tract, *Di Astud Chirt ₇ Dligid*.[48] Relaxations of, and exceptions to, the normal fare (unfortunately not mentioned) were also acknowledged as appropriate during pregnancy. At this time a woman and her child required additional vitamins and nutrients, and this need was recognised by the jurists. The vernacular ninth-century hagiographical text *Bethu Phátraic* documented one pregnant woman's quest

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[42] 'The monastery of Tallaght', ed. Gwynn and Purton, pp 157-8, §73.
[43] Daniel Binchy, 'Sick-maintenance in Irish law' in *Ériu,* xii (1938), pp 78-134: 108-9.
[44] 'Bretha Crólige', ed. Binchy, pp 22-3, §26.
[45] 'Bretha Crólige', ed. Binchy, pp 24-5, §30; pp 44-5, §56; Binchy, 'Sick-maintenance in Irish law', p. 110.
[46] 'Bretha Crólige', ed. Binchy, p. 45, §56; Binchy, 'Sick-maintenance in Irish law', p. 110.
[47] 'The rule of Tallaght', ed. Gwynn, pp 78-9, §50, Gwynn translates *brochan* as 'gruel'. For a discussion of this dish see Kelly, *Early Irish farming*, p. 349.
[48] 'Iosa brochain cacha muige', *CIH*, i, p. 242.17-8; trans. in Kelly, *Early Irish farming*, p. 304: 'herbs for (an invalid's) broth from every plain'.

for chives, while another legal tract verified that the smell of malt could trigger a pregnant woman's desire for beer.[49] In the latter case, a person was exempted from any liabilities incurred during the pursuit of beer for a pregnant woman. Beer, mostly brewed from barley, was also an important beverage in the winter, as it provided the consumer with vitamins and nutrients lacking when milk and other vegetables were in short supply (see below).[50] According to one eighth-century law tract, *Cethairślicht Athgabálae*, a man could be fined for withholding these longed-for foods from a pregnant woman:

> 'i mir mend, .i. mian mna torrcha, .i. gan a mian a thabairt di, .i. ó á fir féin, ocus ar daigin secdachta no crunnachta ro gabadh im in mbiadh ann, no cumad ar daigin esba. Ocus a fuil ann ar treisi, .i. in coirpdire'
>
> 'For the longed-for morsel, i.e. the longing of a pregnant woman, i.e. what she longs for not being given her, i.e. by her own husband, and it was through penuriousness or niggardliness the food was withheld on this occasion, or it was in wantonness. The fine which is for it has a stay of three days, i.e. body-fine'.[51]

Bronagh Ní Chonaill has argued that another reason the lawyers may have justified this penalty fine was because a husband or partner may have withheld the food with the 'intention of initiating a miscarriage' for an unwanted child.[52] The lack of a specific list of foods apportioned to women on sick maintenance, or when on a visit to another person's home, suggests that they consumed the same types of foods as their husband, only in smaller quantities.

Evidence for the types of foods appropriate for children, on the other hand, survives in abundance in the legal sources, which detailed the responsibilities of a foster-parent. Fosterage was an institution in early medieval Ireland through which a parent gave his child, generally at the age of seven or possibly even in infancy, to another individual to be raised in the proper manner, according to the status of the father.[53] According to the *Bretha Crólige*, all children in fosterage were given the 'soft fare of fosterage' (*maotbiad altruma*), explained by a

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[49] For the *Bethu Phátraic* see *Bethu Phátraic: the tripartite Life of Patrick*, ed. Kathleen Mulchrone (Dublin, 1939), pp 120-1; for the legal advisory see Kelly, *Early Irish farming*, p. 350 citing *CIH*, iii, p. 1068.3.

[50] Kelly, *Early Irish farming*, p. 333.

[51] Text and trans. in *ALI*, i, pp 180-1. The text is arranged somewhat differently in *CIH*, ii, p. 387.30, gloss, p. 387.34-6: '.i. in coirpdire .i. o fir fein .i. mian mna torrcha. .i. gan a thabairt di, ₇ ar daigin secdachta ł crunnachta rogabad imin mbiad ann, ł cumad ar daigin espba; ₇ a fuil ann ar .iii.'; see also, Kelly, *A guide to early Irish law*, p. 154.

[52] Ní Chonaill, 'Child-centred law in medieval Ireland', p. 4.

[53] Ibid, pp 11-12.

later glossator as 'the yoke of eggs, butter, curds and [porridge]' (*in buidecan ⁊ im ⁊ maotla ⁊ lictiu*).[54] The types of condiments, however, that were added to a basic porridge dish were reflective of their father's grade in society, as another law tract, *Cáin Íarraith*, 'law of the fosterage-fee', notes 'porridge is given to them all, but the flavouring which goes into it differs' (*lite doib uile acht ni cosmuil tuma tet indte*).[55] According to *Cáin Íarraith*, the children of commoners were allotted 'porridge made with buttermilk or water' (*lite blaithighe no uisce*), although, of this, they could only expect 'a bare sufficiency of it' (*a seangsaith doibh di*).[56] While children of nobles were entitled to have fresh butter added to their dishes and the children of kings were allowed honey, the children of commoners were only entitled to have 'salted butter' (*gruiten*) added to their meal 'for flavouring' (*dia tumu*).[57] The discussion in *Cáin Íarraith* did not list differences within the commoner grades, but clearly, emphasised that there should be a difference between status groups, such as commoners and nobles.

It is clear that some of the seventh- and eighth-century law tracts, along with their glosses and commentaries, differed as to the specific foods appropriate for different grades of commoners when in other people's homes. What is consistent, however, is that, according to the jurists, the foods appropriate to commoners were not the same foods appropriate to nobles and kings, and certain items were considered luxuries. Yet, a range of information from legal, literary, ecclesiastical and archaeological sources indicates that different grades of commoners, their wives and their children were not limited to these items within their own homes or during feasts. Other foods such as pulse crops, vegetables, fruits, fish, fowl and meat, were all locally available, with certain regional variations. Although direct records of peasant or commoner consumption of these foods do not always survive, the extant historical and archaeological evidence indicates that these types of foods would have been consumed by a wide range of the population, *including* peasants and commoners.

**Dietary staples**

As is clear from the discussion of the foods commoners were entitled to while in another person's home, corn and dairy products were the foundations of these meals, and

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[54] Text and trans. in 'Bretha Crólige', ed. Binchy, pp 42-3, §52. Binchy translated *lictiu* as gruel, but both Ó hInnse and Kelly preferred a translation of porridge, Ó hInnse, 'Fosterage in early and medieval Ireland', p. 15, §16; Kelly, *Early Irish farming*, p. 84; *DIL*, *s.v. littiu*. 'Porridge' will be the translation used in this thesis.

[55] Text and trans. in Ó hInnse, 'Fosterage in early and medieval Ireland', p. 15, §16.

[56] Ibid. See also, *CIH*, v, p. 1759.39-41.

[57] Text and trans. in Ó hInnse, 'Fosterage in early and medieval Ireland', p. 15, §16. For a discussion of *gruiten* see *DIL*, *s.v. gruiten* and Mícheál Ó Sé, 'Old Irish buttermaking' in *Cork Hist. Soc. Jn.*, liv, part 2 (1949), pp 61-7.

thus a brief discussion of these foods will introduce a more in-depth study of the diet of peasants and commoners in early medieval Ireland. According to Regina Sexton, in her article on cereals in early medieval Ireland, loaves (*bairgen*) were produced in one of two forms: a flat loaf or a leavened variety.[58] The leavened bread was a mixed-flour option that could have been anywhere from three-quarters of an inch to four inches higher than the flat loaf.[59] The flat loaf, however, was the typical loaf described above in *Críth Gablach* and two types of these flat loaves are represented in the sources: 'a loaf baked for a woman' (*bairgen banfuine*) and 'a loaf baked for a man' (*bairgen ferfuine*). Sexton, in her article, translated *bairgen ferfuine* as 'a loaf of a man's baking' presupposing that this term derived from the monastic community in which the only cooks were men.[60] Fergus Kelly, however, translates *bairgen ferfuine* not as a loaf of a man's baking, but as 'a loaf baked for a man'; thus, the difference between the two types of flat loaves was not the producer, but the consumer.[61] One of the reasons these loaves were so-called is due to the fact that the loaf made for a woman was half the size of a loaf made for a man; a visiting *ócaire* was entitled to request either 'a standard sized loaf' (*bairgen indruic*) or two loaves baked for a woman while visiting. According to a glossator on *Bretha Crólige*, the standard loaf was roughly the same size as the loaf baked for a man.[62] Similarly, *Cáin Íarraith* describes a vessel that could hold either 'three loaves [baked for a man] or six loaves [baked for a woman]' (*teora mbairgen ferfuine no a se do banḟuine*), further reiterating the diminutive size of the loaves baked for women.[63] Commentary on the legal text *Bretha Comaithchesa* reiterates this distinction, but includes an important addendum describing the types of grains commonly used in production: 'Three cakes of man-baking with their condiment [of butter or bacon] every quarter of a year, are the equivalent for six cakes of woman-baking, which consist of three cakes of oats, and the same number of barley' (*teora bairgina ferḟuine cona nandlunn brechtain cacha raithi ar .ui. bairghina banfuine. tri bairgina coirci and, ⁊ an cetna d'eornain*).[64] The types of grains listed in this description of the loaves baked for a woman are important, and will be discussed in the following section.

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[58] Regina Sexton 'Porridges, gruels and breads: the cereal foodstuffs of early medieval Ireland' in Monk and Sheehan (eds), *Early medieval Munster* (Dublin, 1998), pp 76-86: 80.
[59] Sexton, 'Porridges, gruels and breads', p. 80.
[60] Ibid.
[61] Kelly, *Early Irish law,* p. 330.
[62] 'Bretha Crólige', ed. Binchy, pp 22-3, §27.
[63] *CIH*, v, p. 1766.14; trans. in Ó hInnse, 'Fosterage in early and medieval Ireland', p. 79, §87, with emendations based on Kelly's translations of *ferfuine* and *banfuine*.
[64] *CIH*, i, p. 73.36-7; trans. in Hancock *et al.*, *ALI*, iv, p. 119. The text in brackets, 'of butter or bacon' is not found in the original text, but was added by the translator as an explanation for *brechtan*, defined as 'butter or fat', by the RIA dictionary, *DIL*, *s.v. brechtán* (a). See p. 155, no. 77 below, where Kuno Meyer renders it 'custard'.

Although built-up ovens did not exist in early medieval Ireland, and most scholars doubt the existence of leavened bread, Sexton maintained that grain (barm, wort, sourdough) and acid (sour milk, buttermilk) ferments were popular in the period, and therefore both types of bread, the loaf baked for a woman and the loaf baked for a man, could have been leavened.[65] Furthermore, she suggested that placing an inverted clay pot over the dough on a griddle or baking flag could ensure uniform baking, and thus a leavened loaf.[66] The production of clay pots in early medieval Ireland, however, was limited. Souterrain ware, native Irish pottery produced from the seventh to the twelfth centuries, was generally a domestic craft, and although finds have been uncovered all over Ireland, they are concentrated in the north east, namely Antrim and Down.[67] As a result, the greater part of the country was aceramic for this period. The use of clay pots in the creation of leavened bread, then, would most likely have been restricted to a specific geographical location, or to those wealthier individuals who could afford to trade in ceramics.

**Cereal crops**

Another indicator that these leavened breads would *not* have been part of the diet of commoners was due to the types of grains necessary in their production. These leavened breads could only have been made from glutenous grains, such as wheat and rye, and both of these grains require especially rich soil in which to grow. As a result, breads made from these grains were considered luxuries. Michael Monk, John Tierney and Martha Hannon, for example, have argued that wheat was rarely grown in the west and southwest of the country in the early middle ages, due to the 'dampness of the climate' and a 'relative lack of deep mineral-rich soils and sunshine'.[68] The soil and climate in the north and east, therefore, were more conducive to the production of wheat, as is evident by a collection of souterrains

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[65] Sexton, 'Porridges, gruels and breads', p. 80.

[66] Ibid.

[67] O'Sullivan, *et al.*, 'Early medieval dwellings and settlements in Ireland, AD 400-1100', i, pp 144-5; O'Sullivan, *et al.*, *Early medieval Ireland, AD 400-1100*, pp 240-3, 279, 423-34, 469. See also, Alison Kyle, Karen Stewart and Auli Tourunen, 'Excavating a meal: a multidisciplinary approach to early medieval food economy' in Michael Stanley, Ed Danaher and James Eogan (eds), *Dining and dwelling: proceedings of a public seminar on archaeological discoveries on national road schemes, August 2008* (Dublin, 2009), pp 73-84: 79.

[68] Michael Monk, John Tierney and Martha Hannon, 'Archaeobotanical studies in early medieval Munster' in Michael Monk and John Sheehan's (eds), *Early medieval Munster: archaeology, history and society* (Cork, 1998), pp 65-75: 73. See also, McCormick, *et al.*, 'The archaeology of livestock and cereal production in early medieval Ireland, AD 400-1100', pp 50-4.

excavated at Marshes Upper in Dundalk.[69] A direct link between wheat and nobility was expressed in a number of historical sources; the *Life* of Ciarán of Saighir, for example, contains an episode in which Ciarán transforms some bacon into a more sophisticated meal of wheat, honey, fish and 'other noble foods' (*biadha uaisle ele*).[70] According to the eighth-century legal text *Bretha Déin Chécht*, the fines for an injury were valued in grain, different types of which were connected to different grades in society. Wheat (*cruithnecht*) was the highest valued grain and was associated with the 'supreme king' (*ollam ríg*), a bishop (*escop*) and a master poet (*ollam filed*). Rye (*secal*) was linked to the king of several *túatha* (*ri thuath*), an *ánruth* (the second highest level a poet could attain) and a priest (*sacart*).[71] Despite the fact that wheat was a luxury grain, some sources do mention specific occasions when commoners or low-ranking members of society would consume it. Amongst the foods listed for the poor cowherd from *Cethairślicht Athgabálae*, mentioned at the beginning of this chapter, one of the dishes he was entitled to while in fetters was the '[bread] of the noble [feast], with its [condiment]' (*bairgen huasallaithe cona handlonn*).[72] A later glossator specified this as bread eaten during Easter, Christmas or on Sundays.[73] It is likely that this bread reserved for feasts was made of a luxury grain, possibly wheat, as the twelfth- or thirteenth-century Irish *Life* of Finnian of Clonard notes that he could exchange his normal repast of a 'bit of barley-bread and a drink of water' (*boim do aran eorna ₇ deogh do uisce*), for wheaten bread and some broiled salmon on holydays or Sundays.[74]

Generally, however, barley and oats were the typical grains consumed by commoners; both historical and archaeological evidence highlights that these were the most popular grains cultivated in early medieval Ireland (see figure 2). A grain of oat, for instance, is linked to the *bóaire* in the grain hierarchy enumerated in *Bretha Déin Chécht*, noted above.[75] Furthermore, these two grains, barley and oats, lack gluten, a necessary leavening agent, and confirm that these loaves would have been quite dense. Barley-bread, for instance, has been described as

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[69] Siobhán Geraghty 'The macrofossil plant remains' in Margaret Gowen, 'Excavations of two souterrain complexes at Marshes Upper, Dundalk, County Louth' in *R.I.A. Proc.*, xcii (1992) sect. C, pp 119-21: 119.
[70] 'Life of Ciarán of Saighir II', *BNÉ*, i, pp 113-30; trans. ii, pp 109-20: i, pp 119-20, trans. ii, p. 116, §19, ch. 46.
[71] 'Bretha Déin Chécht', ed. Binchy, pp 22-3, §2. See also, *CIH*, vi, p. 2305.4-15.
[72] 'na dlegait biathad acht bochtan no urchaelan no bairgen huasallaithe cona handlonn', *CIH*, ii, p. 363.26-7; trans. in *ALI*, i, p. 107: 'he is not entitled to any food except the 'bochtan' or 'urchaelan,' or the cake of the noble festival with its obsonium', as above, no. 9. This may also be an early reference to the use of 'trenchers', slices of bread used instead of plates at feasts and which were distributed to the dogs or the poor after the meal had finished: Thomas King Moylan, 'Dubliners: 1200-1500' in *Dublin Historical Record*, xiii, no. 3-4 (1953), pp 79-93: 89.
[73] 'casc ł notlac ł domnaig', *CIH*, ii, p. 364.8.
[74] 'Life of Findian of Clonard', *LismL*, pp 75-38, trans. pp 222-30: p. 81, l. 2734; trans. p. 229.
[75] 'Bretha Déin Chécht', ed. Binchy, pp 22-3, §2.

'heavy, with a characteristic grey colour and an earthy tang',[76] while a section in the twelfth-century *Aislinge Meic Conglinne* highlights the density of 'coarse oaten bread' when it is likened to the hooves of a horse.[77] When these descriptions are compared to wheaten breads, which were often of 'good-quality' and produced a 'light loaf with more volume and a better colour', it is not surprising that nobles preferred the latter.[78]

While soil type clearly presented a problem for growing wheat, barley and oats were not only produced throughout the country, but they dominate the archaeobotanical finds from early medieval sites (as can be seen in figure 2):

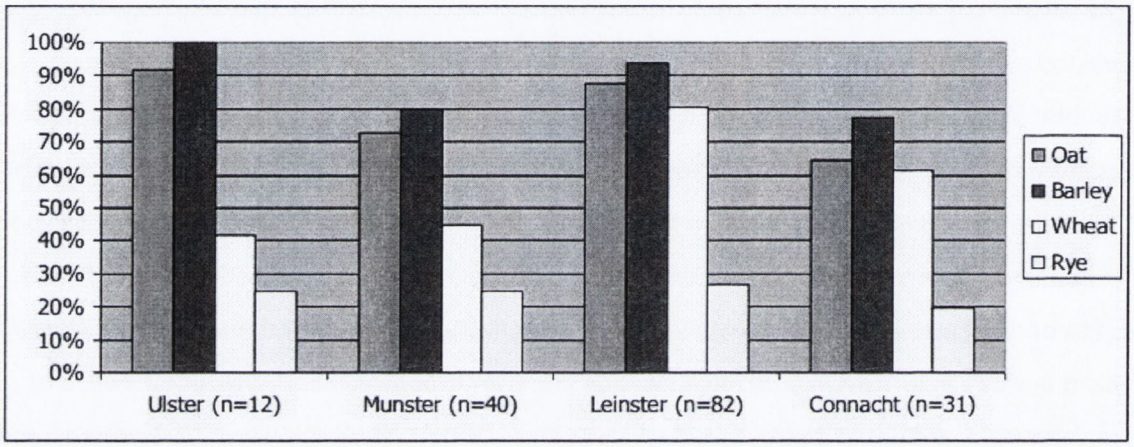


Figure 2, Relative occurrence of cereal types by region from EMAP report 5.1, McCormick *et al.*, 'The archaeology of livestock and cereal production in early medieval Ireland, AD 400-1100', (Dublin, 2011), p. 52 .

Interestingly, barley was often associated in the historical record with low-ranking nobles, laymen in general, or ecclesiastics, not commoners. *Bretha Déin Chécht*, for example, associated a grain of barley with the lowest-ranked noble, the *aire déso*.[79] *Cáin Íarraith*, similarly, insists that the sons of nobles were allowed to have porridge made with new milk (*lemnacht*) and barley.[80] In a story from the late seventh-century *Life* of Columba by Adomnán (d. 704), Columba repays a *plebeus* for the use of some wattle by offering him 'twice three measures of barley'.[81] William Reeves, in his nineteenth-century edition of the text, originally

[76] Sexton, 'Porridges, gruels and breads', p. 79.

[77] A steed was said to be made of bacon with four legs of custard and 'four hoofs of coarse oaten bread under it' (*cethri crú do garbarán chorca fou*), *Aislinge Meic Conglinne*, ed. Meyer, p. 89, l. 16, trans. p. 88, l. 17. See also *Aislinge Meic Con Glinne*, ed. Jackson, p. 35, l. 1074, §63.

[78] Sexton, 'Porridges, gruels and breads', p. 79.

[79] 'Bretha Déin Chécht', ed. Binchy, pp 22-3, §2.

[80] 'Lite lemhnuchta do macuibh na ngradh flatha, ₇ im ur dia tumadh, ₇ a tsendsaith doib di, ₇ min eornu furru', 'Porridge made with new milk is given to the sons of the aristocratic grades with fresh butter for flavouring. And a full sufficiency of it, and barley meal in it', text and trans. in O'hInnse, 'Fosterage in early and medieval Ireland', pp 15-16, §16.

[81] *Adomnán's Life of Columba*, ed. Anderson and Anderson, pp 96-7, book ii, §3. See also Richard Sharpe's translation, Adomnán of Iona, *Life of St Columba*, ed. Sharpe, pp 155-6, book ii, §3. The term

translated *plebeus* as 'peasant', but more recent translators, such as Alan and Marjorie Anderson and Richard Sharpe, have employed the more generic 'layman' in their editions.[82] David Woods justifies this translation by noting that the term *plebeus* was used throughout Adomnán's text as a way to distinguish laymen from monks.[83] In this instance, therefore, barley is not directly associated with peasants, but the story does suggest the consumption of barley by multiple socio-economic groups.

Another curious potential association between barley and lower levels of society is from a later source, the first *Life* of Máedóc of Ferns. This life described an *óglach* who was 'destitute' (*delam*) and in debt to his 'lord' (*tigerna*).[84] In an act of charity the saint gave the poor man some barley, which had to be transmuted into gold in order to pay off this debt. Yet, the fact that the 'lord' changes to a king (*rí*) from one sentence to the next may indicate that the poor individual was not of low rank, as *óglach* can mean 'military vassal' or 'warrior'.[85] For, as was noted in the introduction to this thesis, poverty, as a condition, could happen to people of various grades and classes for short or extended periods of time.[86] Nevertheless, two important conclusions can be drawn from this source: barley was again associated with the diet of a saint, and, more importantly, barley did not have the necessary inherent value to erode the poor man's debt. The conflicting archaeological and historical evidence for barley, therefore, indicates that it was a common food source in early medieval Ireland. It can be suggested, therefore, based on this evidence, that, in terms of the type of grains consumed on a daily basis, the diets of nobles and commoners were comparable.

Another reason barley and oats may have dominated the historical record was due to their ability to be used not just in bread-making, but also as animal fodder and in the production of beer. According to Fergus Kelly, pigs eat a 'wide variety of foods of animal and

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*modius* has been equated by Fergus Kelly to an Irish *míach*, both of which roughly equal 50 pints, making the total Columba donated somewhere around 300 pints, Kelly, *Early Irish farming*, pp 582-3.

[82] Adomnán of Iona, *Life of Saint Columba, founder of Hy,* trans. William Reeves (Edinburgh, 1874), p. 72; *Adomnán's Life of Columba*, ed. Anderson and Anderson, p. 97, book ii, §3; Adomnán of Iona, *Life of St Columba*, ed. Sharpe, pp 155-6, book ii, §3.

[83] David Woods, 'Arculf's luggage: the sources for Adomnán's 'De locis Sanctis'' in *Ériu*, lii (2002), pp 25-52: 36, no. 35.

[84] 'Life of Maedoc of Ferns (I)', *BNÉ*, i pp 183-90; trans. ii, pp 177-83: i, p. 188; trans. ii, p. 182, §33; *DIL*, *s.v. óclach* (b) and (c). Scholarship to date has yet to ascertain a specific date for this text. A Latin life survives of Maedoc of Ferns from around the twelfth century and the second vernacular *Life* of Maedoc is from the fifteenth or sixteenth centuries, Ó Riain, *A dictionary of Irish saints*, p 432. The usage of *dealamh*, would seem to indicate a post twelfth-century date according to T.F. O'Rahilly who could only find a handful of pre-modern references to this term, T.F. O'Rahilly, 'Notes, mainly etymological' in *Ériu*, xiii (1942), pp 144-219: 203-4.

[85] 'Life of Maedoc of Ferns (i)', *BNÉ*, i, p. 188; ii, p. 182, §33.

[86] See above, pp 24-5.

vegetable origin',[87] and in a section of legal commentary to the *c.* 700 tract *Cáin Lánamna* a pig which is 'fattened on mast' (*metar for meas*), is distinguished from one 'fattened on grain' (*methtar for arbar*), although the specific type of corn is not mentioned.[88] In the tenth-century tale *Fled Bricrenn*, 'The feast of Bricriu', furthermore, three men were offered grains to feed their horses; Conall and Lóegaire chose 'oats two years old' (*airthend da blíadan*) while Cú Chulainn fed his horse on barley (*eórna*).[89] While this evidence does show that barley was used as animal fodder, the main use of barley outside of bread consumption in early medieval Ireland was in beer production.

Beer (*cuirm*) was a very important and highly-valued beverage in early medieval Ireland, and was most often brewed from barley.[90] Fergus Kelly established the importance of this beverage in winter, providing vitamins and a variety of other nutrients when milk and vegetables were in short supply.[91] The ubiquity of beer in Irish society can be seen from a variety of sources. A king in the mythological *Cath Maige Tuired*, 'Second battle of Moytura', for example, was admonished by the Tuatha Dé because they always left his house without the 'smell of ale' (*cormaide a n-anáulai*).[92] Certain ecclesiastical documents restricted the consumption of beer by monks; one document of commutations for penance allowed 'a little beer in another's church on occasion' (*paruum de herbisa in cella aliena per tempus*).[93] A ninth-century text, 'The monastery of Tallaght', however, states that 'not a drop of beer was drunk in Tallaght in Maelruain's lifetime. When the monks used to go anywhere else, they used not to drink a drop of beer in Tir Cualann, whomsoever they might happen to meet' (*Niconesbed bandai cormmai hi tamlachdai i mbethu maolrúoin cid a muindtersom indtan noteigdis nach leth aili niconibdis bandai cormmai i tír cualand cía bith ara tecmainged dóib*), unless they travelled on a desperately long journey.[94] One travelling Irish scholar, in the ninth

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[87] Kelly, *Early Irish farming*, p. 82

[88] *Cáin Lánamna*, ed. Eska, pp 158-9, commentary to §14.

[89] The text of *Fled Bricrenn* has been edited twice: 'Fled Bricrend: Das Fest des Bricriu', ed. Ernst Windisch, in Windisch, *et al.* (ed.), *Irische Texte mit Wörterbuch* (4 vols, Leipzig, 1880-1900), i, pp 254-303, based mainly on the *Lebor na hUidre* and *Fled Bricrend (The feast of Bricriu)*, ed. George Henderson, Ir. Txt. Soc., ii (London, 1899), also based on *Lebor na hUidre*, but containing variant readings from the remaining manuscripts. Henderson's more recent and inclusive version will be used in this thesis, *Fled Bricrend*, ed. Henderson, pp 80-1, §63. For a discussion on the modern editions see Edgar M. Slotkin, 'The structure of Fled Bricrenn before and after the Lebor na hUidre interpolations' in *Ériu*, xxix (1978), pp 64-77.

[90] Kelly, *Early Irish farming*, p. 334.

[91] Ibid, p. 333.

[92] Text and trans. in *Cath Maige Tuired: the Second Battle of Mag Tuired*, ed. Elizabeth Gray, (Kildare, 1982), p. 32, l. 155, trans. p. 33. See also, 'The second battle of Moytura', ed. Whitley Stokes, in *Rev. Celt.*, xii (1891), pp 52-130, pp 306-8: 68-9, §36.

[93] *The Irish penitentials*, ed. Bieler, pp 166-7, 'Of commutations', §12.

[94] 'The monastery of Tallaght', ed. Gwynn and Purton, p. 129, §6.

century, complained to the bishop of Liège about the small amount and poor quality of the beer he could afford.[95]

This inconsistency in the historical record as to the consumption of beer by ecclesiastics is similar to the surviving record for the consumption of beer amongst commoners. As can be seen from Table 4.4 in Chapter 4 above on 'Dues and Services', the legal renders a client owed to his lord generally included some form of malt. In *Críth Gablach* only the *ócaire* and the *aithech ara threba a deich* were specifically required to include sacks of malt in their renders.[96] In the eighth-century *Cáin Aicillne* sacks of malt were required from every grade of commoner listed in the text. The actual brewing of the beer was done by the lord's brewer (*scóaire*).[97] Though the texts do not describe the consumption of beer by members of the lower classes, *Críth Gablach* insists that a 'mug of beer' (*ian chorma*), should always be available for guests in a *mruigfer*'s house.[98] It appears, then, that, based on the surviving sources, although rye and wheat were valued highly, the most common grains, oats and barley, were likely consumed by multiple socio-economic levels, including commoners and nobles, demonstrating a certain similarity in diet.

**Pulse crops**

As *Bretha Déin Chécht* linked wheat with kings and high-ranking poets, barley with nobles and oats with *bóairig*, the *ócaire* and the *fer midboth* were connected to pulse crops and vegetables. Thus the text lists 'a pea for an *ócaire* and every person of equal status corresponding to him' (*graine pisi do ocairig ⁊ cach gra(i)d cuma frisidngair*), and 'a bean for a *fer midboth* and every person of equal status corresponding to him' (*graindi sebe do fir midboth ⁊ cech gradh cuma frisitngair*).[99] That a low value was placed on peas and beans can also be interpreted by the fact that they were occasionally ground up and consumed as famine foods. There are a number of medieval continental sources which described a form of 'bread'

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[95] 'the least particle of abominable beer' (*minimam particulam de pessima cervisa*), text in *Epistolae Karolini aevi*, ed. Dümmer, i, p. 195; trans. in Waddell, *The wandering scholars*, pp 58-60. See also, Ó Cróinín, *Early medieval Ireland 400-1200*, pp 222-3.

[96] *ócaire*: *Críth Gablach*, ed. Binchy, p. 5, l. 111, §10; trans. in MacNeill, 'Ancient Irish law', p. 288, §80; *aithech ara threba a deich*: *Críth Gablach*, ed. Binchy, p. 6, l. 139, §12; trans. in MacNeill, 'Ancient Irish law', p. 289, §84.

[97] Daniel Binchy, 'Brewing in eighth-century Ireland' in B.G. Scott (ed.) *Studies on early Ireland: essays in honour of M.V. Duignan* (Belfast, 1982), pp 3-6: 4. For more information on the malt that was rendered see *Cáin Aicillne*, §§8-12 and Chapter 4 above of this thesis.

[98] *Críth Gablach*, ed. Binchy, p. 7, l. 184, §15; trans. in MacNeill, 'Ancient Irish law', p. 291, §90.

[99] 'Bretha Déin Chécht', ed. Binchy, pp 22-3, §2.

made from any available foodstuff during times of shortages and famine. These ingredients could and occasionally did include legumes.[100]

Pulse crops also featured in the ecclesiastical diet, not as a bread substitute but as a side dish. In his *Rules* for monks, for example, Columbanus included beans (*legumina*) in his list of acceptably poor foods.[101] Archaeobotanical evidence for these pulse crops in early medieval Ireland is limited, possibly due to poor survival rates, but they do appear periodically. Remains from a late eighth/early ninth-century phase of the excavations from Talbot's Tower in Kilkenny, for example, indicate a consumption of peas, as do the remains found at an early medieval farm in Boyerstown, County Meath.[102] Viking-Age Dublin and Waterford also contain evidence for the consumption of pulse crops.[103] The Viking-Age finds are particularly important, since the Irish word *pónair*, used almost exclusively after the tenth century to refer to beans, derived from Old Norse *baunir*.[104] Furthermore, the cultivation of these crops, perhaps even more so than wheat, was subject to great geographical variation. Rural sites in Leinster, for example, had the most archaeobotanical finds, while pulse crops were almost completely absent from the archaeological record in Connacht.[105] Furthermore, when peas and beans do appear in the archaeobotanical record, they are most often found in enclosed settlements, signifying, perhaps, garden-cultivation.[106] The rarity of peas and beans in the early medieval sources may signify a certain disregard for this food source in contemporary society. Notably, post-Norman sites suggest, according to Michael Monk, an increase in pulse

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[100] See, for example, the bread loaves found in the Swedish Viking-Age graves at Birka, which were made from a variety of materials, such as linseed, peas, wheat, oats, barley and rye, H.A. Jensen, 'The Nordic countries' in W. van Zeist, K.-E Wasylikowa and K.E. Behre (eds), *Progress in Old World palaeoethnobotany* (Rotterdam, 1991), pp 335-46: 335, 345. For more information on famines, see below in the final section of this chapter; Sexton, 'Porridges, gruels and breads', p. 81; Lucas, 'Irish food before the potato', p. 5. Dried peas and beans were also a normal staple food in many early medieval communities, see Kathy L. Pearson, 'Nutrition and the early-medieval diet' in *Speculum*, lxxii, no. 1 (1997), pp 1-32: 5-6.

[101] Text and trans. in *Sancti Columbani opera*, ed. Walker, pp 124-7, §3.

[102] Nikolah Gilligan, 'Archaeobotanical assemblage of medieval Talbot's Tower, Kilkenny' on behalf of Heritage office of Kilkenny Local Authorities, February 2012, p. 13; L. Clarke, 'Report on the archaeological excavation of Boyerstown 3, Co. Meath' excavation report unpublished: http://www.m3motorway.ie/Archaeology/Section3/Boyerstown3/; McCormick, *et al.*, 'The archaeology of livestock and cereal production in early medieval Ireland, AD 400-1100', pp p20-p28. See also, O'Sullivan, *et al.*, *Early medieval Ireland, AD 400-1100*, p. 197.

[103] Geraghty, *Viking Dublin*, p. 32; John Tierney and Martha Hannon, 'Plant remains' in M.F. Hurley and O.M.B. Scully (eds), *Late Viking Age and medieval Waterford excavations 1986-92* (Waterford, 1997), pp 854-93: 889; O'Sullivan *et al.*, 'Early medieval dwellings and settlements in Ireland, AD 400-1100', p. 55. See also, O'Sullivan, *et al.*, *Early medieval Ireland, AD 400-1100*, p. 197.

[104] Kelly, *Early Irish farming*, p. 249.

[105] O'Sullivan *et al.*, 'Early medieval dwellings and settlements in Ireland, AD400-1100', p. 55.

[106] Ibid, p. 58.

crops, perhaps due to the introduction of the crop rotation system.[107] For this economic system legumes were of 'outstanding agricultural importance because the root nodules of these plants fix nitrogen in the soil, thus providing vital nutrition for plants such as cereals'.[108] Despite their importance after the Anglo-Norman invasion, the direct link made by jurists between pulse crops and the lower grades of commoners as well as their inclusion in the diet of monks in early medieval Ireland suggests that peas and beans, which could offer much needed nutrition, were important to restricted diets.[109]

**Milk and dairy products**

Crops, however, were only one way in which the diets of nobles and commoners were distinguished in the historical sources. Another foodstuff commonly noted in the diet of early medieval Ireland was milk and other dairy products. Many of the surviving sources characterised milk and dairy products based on the animal which produced them, as well as the amount produced and the quality of the product. Three different animals were reared in Ireland to produce milk as well as meat: goats, sheep and cows. Unlike sheep, goats were not often mentioned in contemporary literature, nor are they found in record numbers on early medieval archaeological sites. This has led some to assert that goats therefore did not play a major role in contemporary society. Curiously, the twelfth-century *Aislinge Meic Conglinne*, which is an excellent repository of information regarding food sources in early medieval Ireland, is silent on goats, making only one reference to the foolhardy attempt of seeking wool on a goat.[110] Neither their milk nor their meat is discussed. Yet, the same text celebrated a porridge made with 'pure sheep's milk' (*d' ass chōerach co n-glaine*).[111] Some references, however, do survive for the small-scale production of both sheep's and goat's milk in early medieval Ireland, particularly with regards to clientship.

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[107] Michael A. Monk, 'Evidence from macroscopic plant remains for crop husbandry in prehistoric and early Ireland: a review' in *Ir. Arch. Jn.*, iii (1985-6), pp 31-6: 34.
[108] O'Sullivan *et al.*, 'Early medieval dwellings and settlements in Ireland, AD 400-1100', p. 58
[109] Susan Lyons, 'The emergence of peas, beans and lentils in the early Irish diet: new investigations into pulse crop production and use', paper presented at the joint summer conference of the *Agricultural History Society of Ireland and the Environmental History Network* entitled 'Irish food products – a historical perspective', 14-15 June 2013.
[110] *Aislinge Meic Conglinne*, ed. Meyer, p. 71, l. 31, trans. p. 70, l. 33. See also, *Aislinge Meic Con Glinne*, ed. Jackson, p. 28, l. 859, §53.
[111] *Aislinge Meic Conglinne*, ed. Meyer, p. 33, l. 29, trans. p. 32, l. 34. See also, *Aislinge Meic Con Glinne,* ed. Jackson, p. 13, l. 403, §31.

Legal sources are an especially good place for information on goat's milk and the regard in which it was held. One eighth-century legal tract on clientship describes the milk of a goat being used to produce both curds and butter for renders owed by a client to a lord:

> 'Somuine gabuir baininn: cuadh da ordlach .x. in .c.bliadain do milsen, cuad lan imme in tanaise, Damna da neine in tres bliadain, ferim ⁊ banimb, cethri ordlaigi indraic do baneim, a .u. do ferimb.'
>
> 'Render for a she-goat: a [twelve]-inch mug of [sweet cheese] the first year, a full *cúad* of butter the second, and the makings of two *íans* (of butter) the third year – [man-butter and woman-butter], [four] inches, of standard quality [woman-butter], five of [man-butter]'.[112]

Goat's milk had a higher value than sheep's milk in the law tracts, despite the fact that sheep, as animals, were valued higher than goats. Some twelfth-century commentary on the legal text *Bretha Éitgid*, 'judgments of inadvertence', value a she-goat at less than two scruples:

> 'In gabar, noco teit tar da screpall: trian ar scath a colla, trian ar scath a sailtinche, trian ar scath a lachta ⁊ a mennain, a teora .iiii.thi arin lacht ⁊ a .iiii.thi arin mennan .i. da trian pingindi ar scath a mendain ⁊ pinginn ⁊ trian pinginne ar scath a lachta.'
>
> '(The she-goat, does not exceed two scruples); one-third of [her] value is for [her flesh], one-third [for her potential], and one-third for [her] milk and [her] kid; three fourths of this third for the milk and one-fourth for [her] kid, i.e. two-thirds of a [penny], for [her] kid and a [penny] and the third of a [penny], for [her] milk'.[113]

Since the value of a female sheep in her prime could rise to three scruples, the goat was clearly one of the lowest-valued reared animals in early medieval Ireland.[114] Interestingly, the excavations of twelfth-century Waterford City, a Hiberno-Norse settlement, had a high incidence rate of goat bones, mainly female, and Finbar McCormick has argued that the age at slaughter indicated they were kept for milk and then slaughtered only as a secondary form of food.[115] The value of goat's milk, however, was substantially higher than that of sheep's milk. The same legal tract, *Bretha Éitgid*, which values goat's milk at one and a third penny, values

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[112] *CIH*, iii, p. 920.28-32; trans. in Crigger, 'A man is better than his birth', p. 366, §11, with emendations based on Kelly's discussion, Kelly, *Early Irish farming*, p. 78.

[113] Text in *CIH*, i, p. 307.8-11; trans. in *ALI*, iii, p. 379, with a few emendations based on Kelly's discussion of the text, Kelly, *Early Irish farming*, p. 79. The first part of the text (here represented parenthetically) can be found at the end of the *ALI* edition.

[114] Kelly, *Early Irish farming*, p. 77.

[115] Finbar McCormick, 'The animal bones' in M.F. Hurley and O.M.B. Scully (eds), *Late Viking Age and medieval Waterford excavations 1986-1992* (Waterford, 1997), pp 819-53: 828.

that of sheep's milk at only a half or a third of a penny (depending on whether it was a sheep worth three scruples or one worth only two scruples).[116] This disregard for sheep's milk is further evidenced by an eleventh- or twelfth-century poem ascribed to Bécán mac Dé in which he predicted that one of the signs of the end of the world will be that 'the grey goat will have the milk-yield of a sheep' (*blicht cáerach ag gobor glas*).[117] Although goat's milk may not have been preferred over dairy milk, *Bretha Éitgid* and Bécán mac Dé's poem suggest that it was preferable to sheep's milk.

Part of the low value attached to sheep's and goat's milk in early medieval Ireland may stem from their low milk-yields. Sheep and goats only produced approximately one-tenth the milk produce of cows;[118] one scholar has estimated this to be between 40 and 50 litres of milk a year, some of which needed to be reserved for the suckling of young.[119] This low yield likely indicates domestic consumption of sheep and goat's milk. Thus, although the milk of goats and sheep was being consumed in early medieval Ireland, due to low yields these types of milk are unlikely to have played a major role in a commoner's diet.

Dairy milk provided, far and away, the main source of milk for commoners in early medieval Ireland. The entitlements of a commoner when visiting another's home, discussed in the law tracts above, provide evidence for four different types of dairy milk: a generic milk (*as*), 'thickened sour skim milk' (*draumce*), 'new milk' (*lemnacht*; *v.l.*, *lemlacht*), and 'cream' (*úachtar*). According to Mícheál Ó Sé, the generic term for milk used in the law tracts (*as*) could not be narrowed down any further and, therefore, could not be differentiated from other vernacular terms for milk, such as *arg*, *gert*, or *melg*.[120] The thickened sour skim milk (*draumce*) has been described by Fergus Kelly as a whey drink, a beverage which tended to be sour and 'generally considered unpleasant to drink in its raw form'.[121] An aversion to whey drinks by contemporary authors can be seen in the twelfth-century tale *Immram curaig Maíle Dúin* in which a fountain provided whey (*medg*) or water (*usce*) on Wednesdays and Fridays, but 'good milk' (*deg-ass*) on feast days of martyrs and Sundays.[122] New milk (*lemnacht*), on the

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[116] *CIH*, i, p. 307.5-7.

[117] Text and trans. in Kelly, *Early Irish farming,* p. 73. In Eleanor Knott's edition and translation she proposed that this meant: 'sheep's milk with the grey pony', 'A poem of prophecies', ed. Eleanor Knott, in *Ériu*, xviii (1958), pp 55-84: 64-5, §30.

[118] Pearson, 'Nutrition and the early-medieval diet', p. 17.

[119] Ibid.

[120] Ó Sé, 'Old Irish cheeses and other milk products', pp 82-7. See also, *DIL*, *s.v. as*.

[121] Kelly, *Early Irish farming*, p. 327.

[122] '"Atá ém," ol se, "sund topor isind insi-se. I n-aine ⁊ hi cetain medg no usce doberar ass. I ndomnachaib immurro, ⁊ hi felib mártir deg-ass (.i. loim) doberar ass. Mad hi feil apstal immurro ⁊ Mairi ⁊ Eoin Babtaist is coirm ⁊ fin doberar ass, ⁊ is-sollamnaib dano"', '"Verily", saith he, "there is a fountain in this island. On Friday and on Wednesday whey or water is yielded by it. On Sundays, however, and on

other hand, was described by Ó Sé as milk in which 'the acidity had not developed sufficiently to cloak the sweet taste of the lactose or milk-sugar'.[123] Yet, *draumce*, as presented positively in the entitlements of a visiting *ócaire* in *Críth Gablach*, would indicate a higher value being placed upon this sour-tasting beverage. A *fer midboth*, furthermore, owed his lord a measure of either this sour whey drink or sweet-tasting buttermilk (*bláthach*), as food renders, according to *Críth Gablach*.[124] This seeming incongruity may be explained if the whey was not actually being drunk by the lord, but used as a base for cheese-making; *Ríagail na Céle nDé*, for example, forbade the drinking of 'cheese-whey' (*druchtan*), because it was 'used to make cheese'.[125] Soft cheeses could be made from this whey and were likely valued higher than the cheese or curds (*grús*), listed in the entitlements of visiting commoners.[126] Cream (*uachtar*) was also valued higher than new milk since *Críth Gablach* allows a *fer midboth* to substitute cream for his entitlement of new milk for cream on the third, fifth, ninth and tenth days as well as on Sunday when on sick-maintenance.[127] Thus, the assortment of milk products described as grade-based in the status-texts displayed an unsurprising preference for sweet-tasting beverages or, more importantly, those that could be used to make cheese.

As mentioned above, the cheese found most often in the list of commoner's entitlements when visiting (*grús*) was a hard-pressed cheese, most likely made from skim milk.[128] Significantly, there are no surviving references to the consumption of cheese by commoners outside of these entitlements despite the fact that a number of cheese varieties are described in great detail in contemporary literature, such as sagas and hagiographical texts. Two hagiographical sources, for example, the *Life* of Patrick from the Book of Lismore and the second *Life* of Cóemgen of Glendalough, describe various types of cheese as part of a saint's diet, namely 'curds' (*gruth*), 'soft cheese' (*maethal*), and 'hard cheese' (*mulchán*).[129] In both cases, however, although the food was desired by the saint it was not consumed.

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feasts of martyrs good milk (that is a sip) is yielded by it. But on the feasts of apostles, and of Mary and of John Baptist, and also on the hightides (of the year), it is ale and wine that are yielded by it"', text and trans. in 'The voyage of Mael Duin', ed. Stokes, p. 50, §20. See also H.P.A. Oskamp (ed.), *The voyage of Máel Dúin* (Groningen, 1970), pp 140-1, where the Yellow Book of Lecan manuscript reads *medhgusce* and is translated as 'whey-water'.

[123] Ó Sé, 'Old Irish cheeses and other milk products', p. 86.

[124] *Críth Gablach*, ed. Binchy, p. 3, ll. 73-6, §9; trans. in MacNeill, 'Ancient Irish law', p. 286, §73.

[125] 'The rule of Tallaght', ed. Gwynn, pp 64-7, §5.

[126] Pearson, 'Nutrition and the early-medieval diet', p. 10.

[127] *Críth Gablach*, ed. Binchy, p. 3, ll. 63-5, §9; trans. in MacNeill, 'Ancient Irish law', p. 285, §72.

[128] Ó Sé, 'Old Irish cheeses and other milk products', p. 83.

[129] 'Life of Patrick', *LismL*, pp 1-19, trans. pp 149-67: p. 15, ll. 483-93; trans. p. 163. The incident in the *Life* of Cóemgen can be found in both the second and third vernacular recensions, 'Life of Coemgen (ii)', *BNÉ*, i, pp 131-54; trans. ii, pp 127-50: i, pp 153-4, trans. ii, pp 149-50, §23; 'Life of Coemgen (iii)', *BNÉ*, i, pp 155-67; trans. ii, pp 151-61: i, p. 166; trans. ii, p. 161, §22, ch. 43.

Instead, the cheeses were transmogrified into stones and caused the embarrassment or death of impudent people who refused to share the food source. According to the ninth-century *Ríagail na Céle nDé*, on the other hand, monks were allowed to add cheese (*maethal*), to their mainly bread-based diet.[130] There was only one restriction on ecclesiastical cheese-making: no rennet (from the stomach of a calf or any other animal) was allowed to be used in cheese-production.[131] Interestingly, cheese does not appear to have been part of the normal ecclesiastical diet, but may have been considered a luxury in need of justification. The author of *Ríagail na Céle nDé* explained the consumption of cheese by suggesting that it 'counts as bread'.[132] The references to cheese in the legal entitlements of visiting commoners, as well as to clerics in ecclesiastical sources, may be yet another example of the similarities in diet in early medieval Ireland, although, in this case, commoners were entitled to a less desirable form (*grús*). Perhaps, therefore, the difference between the diet of commoners and ecclesiastics or even nobles was not the type of foods consumed, but the quality of the foodstuffs.

**Importance of gathering**

This qualitative difference can also be seen in the consumption of fruits and vegetables in early medieval Ireland. Included in the list of legal entitlements for visiting commoners were various plants, most of which were wild rather than cultivated. From the extensive lists of available fruits and vegetables compiled by Fergus Kelly in his *Early Irish farming*, the small number of vegetables listed as legal entitlements must be different to the actual amount and variety consumed by commoners on a daily basis. Archaeobotanical and historical evidence from early medieval Ireland supports the concept that gathering and exploitation of the landscape, in addition to garden cultivation, was also a significant element of the early medieval diet.[133]

**Vegetables**

Both cultivated and wild vegetables are included as popular sources of food in the law tracts, some of which were particularly important for herbal medicines. A number of these vegetables, mentioned above, were included in the legal entitlements of commoners, specifically, *dulse*, and onions (*cainnenn*). Wild garlic (*crim*) was popular in both the diet of

[130] 'The rule of Tallaght', ed. Gwynn, pp 64-5, §4.
[131] Ibid, pp 64-7, §5.
[132] Ibid.
[133] Monk, *et al.*, 'Archaeobotanical studies in early medieval Munster', p. 68.

commoners and nobles.[134] According to the eighth-century legal tract *Di Dligiud Raith ⁊ Somaíne la Flaith*, one of the services a base client owed his lord was the preparation of a 'garlic feast' (*crimḟeis*) sometime before Easter (discussed in more detail in the previous chapter).[135] Failure to hold this feast resulted in a three *séoit* penalty fine.[136] Another legal tract, *Di Astud Chirt ⁊ Dliged*, entitles every free person in good legal standing in a *túath* the right to pick 'wild garlic' (*crim allda*);[137] an accompanying gloss restricted this to the right to pick only on common land.[138] Wild garlic is also noted as a staple of a woodland diet in the twelfth-century tale *Buile Suibhne*. In this tale Suibhne Geilt was forced to survive on woodland resources when he reached the Mourne Mountains, a place he considered beautiful, but lacking in 'corn or milk or food' (*eatha, blechta nó bídh*).[139] In one poem, Suibhne Geilt celebrates the ability of garlic and other vegetables to sate his hunger: 'wood-sorrels, goodly wild garlic,/ and clean-topped cress,/ together they drive hunger from me'.[140] Wild vegetables, therefore, were consumed by multiple socio-economic groups including, commoners, lords and individuals secluded in the wilderness.

Other wild plants, such as nettles, were similarly connected to the diet of ascetics and poor people. A Middle Irish *Life* of Cóemgen of Glendalough boasted that the saint managed to survive for seven years 'without food except nettles and sorrel' (*gan biadh acht nenntocc ⁊ samhadh*).[141] The body of notes which accompanies the text of *Félire Óengusso*, 'the marytrology of Óengus', highlights the role vegetables played in a poor woman's diet. These notes record that St Columba desired to eat a soup made solely from nettles, since he had seen a 'miserable/poor' (*trógnait*) woman eating just such a dish and wanted to consume

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[134] Kelly, *Early Irish farming*, pp 251-3, 308-9.
[135] *CIH,* v, p. 1910.24-5; trans. in Crigger, 'A man is better than his birth', p. 356.
[136] Ibid. See also the discussion in Kelly, *Early Irish farming*, p. 309.
[137] 'Cis lir rosuidigead rodilse cacha tuaithe ada comdilsi da cach recht hae aite | crim allda', *CIH*, i, p. 241.19-20; trans. in *ALI*, v, p. 483: 'How many things have been established as the inherent rights of every territory, and which are equally due to every person? The salmon of every place, wild garlic'.
[138] Wild garlic could only be freely picked, according to a later glossator, from land 'which is not appropriated [i.e. held as common property]' (*.i. arna bi techtugud*), *CIH*, i, p. 241.32; trans. in *ALI*, v, p. 485. See also, *DIL, s.v., techtugad*.
[139] *Buile Shuibhne,* ed. J.G. O'Keeffe, Medieval and modern series, i, (Dublin, 1931), p. 60, l. 1711, trans. in *Buile Suibhne* (*The frenzy of Suibhne*), ed. J. G. O'Keeffe, (London, 1913), p. 115, §57.
[140] 'siomsán, samhadh, creamhlus cain/ agus bior[o]ráin bharrghlain,/ benuidh dhíom géire malle', *Buile Shuibhne*, ed. O'Keeffe, p. 62, ll. 1751-4; trans. in *Buile Suibhne* (*The frenzy of Suibhne*), ed. O'Keeffe, p. 117, §58.
[141] 'Life of Coemgen (i)', *BNÉ*, i p. 126-7, trans. ii, p. 122, §8, ch. 13. In a later *Life*, sorrel and garlic were also noted as part of Cóemgen's ascetic diet, 'Life of Coemgen (iii)', *BNÉ*, i, p. 165; trans. ii, p. 160, §20, ch. 39.

similarly meagre meals.[142] Yet, when he asked his cook to prepare the nettle soup for him, Columba's cook took the liberty of adding butter to the mix.[143] The addition of a prestige item, such as butter, may have been an indication of Columba's higher status, but it is much more likely that the cook added the butter to the soup for the same reason the angel in 'The monastery of Tallaght' entitled penitents to add butter to their gruel (as was discussed in the allowance for butter in the porridge mixture of children), to prevent malnutrition and starvation. Therefore, although Columba desired to eat like a poor person, he was prevented from eating a typically 'poor' meal and, therefore, the diet of ecclesiastics should not be equated, but should instead be considered similar to a commoner's diet. The foods these saints and ascetics desired to eat may, in fact, be more reflective of contemporary 'poor' foods, than those they actually consumed in the texts.

In some cases, remains of wild vegetables from archaeological sites, not mentioned in the documentary sources, suggest consumption of a larger number of wild vegetables by peasants and commoners. The archaeobotanical remains from Viking-Age Dublin and early medieval rural sites, such as Ballynagallagh, County Limerick, Killederdadrum, County Tipperary, Lisnagun, County Cork, Raystown, County Meath, Boyerstown, County Meath and Scart in County Kilkenny, for example, all contained remains of wild radish.[144] Some of these remains suggest consumption, despite the fact that wild radish was an invasive weed, which was occasionally mixed into the cereal harvest.[145] Siobhán Geraghty noted that wild radish may also have been a famine food for Viking-Age Dubliners.[146] Furthermore, the finds from a late eighth- early ninth-century level at Talbot's Tower in Kilkenny are particularly interesting, since they were found on lands associated with a nearby ecclesiastical site. Wild radish may, therefore, have been part of the ecclesiastical as well as the commoner diet.[147]

Other vegetables, such as wild carrots, were found in Viking-Age Dublin, and there may be evidence for the consumption of carrots from the early medieval literature as well depending on the translation of Irish *cerrbacán*. The term *cerrbacán* has often been translated as carrots, as in the text *Aislinge Meic Conglinne* in which they were associated with the diet of a queen. Fergus Kelly argued, however, that this was a false association, and he proposed an

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[142] Text and trans. in *Félire Óengusso Céli Dé: the martyrology of Oengus the Culdee* (London, 1905), ed. Whitley Stokes, pp 146-7, notes on June.
[143] Ibid.
[144] McCormick *et al.*, 'The archaeology of livestock and cereal production in early medieval Ireland, AD 400-1100', Appendix, pp p16, p27, p138, p157, p197, p210.
[145] Gilligan, 'Medieval Talbot's tower, Kilkenny', p. 14; Geraghty, *Viking Dublin*, p. 38.
[146] Geraghty, *Viking Dublin*, p. 38.
[147] Gilligan, 'Medieval Talbot's tower, Kilkenny', p. 17.

alternative translation of skirret, a plant grown for its edible tuberous roots.[148] The association between this plant and the diet of a queen, however, would seem to indicate that it was considered a luxury item in early medieval Ireland.[149] Cabbage (*braisech*), on the other hand, was similarly listed in the tale *Aislinge Meic Conglinne*, but it was associated with the diet of a priest: 'to the priests' fancy – juicy [cabbage]' (*co mīan na sacart .i. braisech belaide*).[150] The connection between cabbage and the ecclesiastical diet is further borne out by several early medieval monastic rules. Cabbage was included in a list of common foods that were not to be eaten if they had been prepared on a Sunday, according to the ninth-century text 'The monastery of Tallaght'.[151] Multiple seed remains were also found at the early medieval farm in Boyerstown, Co. Meath.[152] The main association in the historical record, however, is between cabbage and ecclesiastics,[153] and thus the role this vegetable played in the diet of commoners is mainly conjecture.

Wild vegetables, however, were not the sole source of nutrients available to commoners. Specific cultivated vegetables were also listed in the medico-legal texts, the consumption of which was restricted based on an individual's grade. *Bretha Crólige,* for example, entitled any law-abiding freeperson to have 'garden herbs' (*lus lubgoirt*) when sick, 'for it is for this purpose that gardens have been made, viz. for care of the sick' (*air is airi der[ō]nta lubgo[i]rt ar foichill notrusa*).[154] A gloss on this section restricted commoners to these garden herbs only, including honey (*mil*), cultivated onions and *imus*. Presumably, since honey was not an herb, the implication was instead that bees were kept in gardens. During Lent, however, these restrictions applied to both nobles and commoners.[155] This entitlement is contradicted later on in the text, in which the consumption of honey, cultivated onions and unlimited *imus* is restricted to the nobility.[156] Commoners were only entitled to *imus* in this

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[148] Kelly, *Early Irish farming*, p. 256.

[149] 'co briscén m-banrīgna .i. cerrbacan', 'to a queen's mash – carrots', text and trans. in *Aislinge Meic Conglinne*, ed. Meyer, p. 99, l. 20, trans. p. 98, l. 21. See also, *Aislinge Meic Con Glinne*, ed. Jackson, p. 38, ll. 1194-5, §69.

[150] *Aislinge Meic conglinne*, ed. Meyer, p. 99, l. 27, trans. p. 98, l. 28. See also, *Aislinge Meic Con Glinne*, ed. Jackson, pp 38-9, ll. 1198-9, §69. Meyer originally translated *braisech* as kale, Kelly translates it as cabbage and Jackson includes both kale and cabbage in his glossary, Kelly, *Early Irish farming*, p. 255 and *Aislinge Meic Con Glinne*, ed. Jackson, p. 150, *s.v. braisech*.

[151] 'The monastery of Tallaght', ed. Gwynn and Purton, p. 132, §13, here translated as 'kale' by Gwynn and Purton.

[152] McCormick *et al.*, 'The archaeology of livestock and cereal production in early medieval Ireland, AD 400-1100', p. p27.

[153] Kelly, *Early Irish farming*, p. 255.

[154] 'Bretha Crólige', ed. Binchy, pp 22-3, §27.

[155] Ibid, p. 23, §27, gloss #3.

[156] Ibid, pp 36-7, §45.

later section: 'for every (person on) sick-maintenance in Irish law from an *aire itir da airig* down to a *fer midboth* is entitled to *imus*, which prevents sickness and does not stir it up, which prevents thirst and does not infect wounds' (*ar ailid cac otrus humus(a) la Fēne ota airig etir da airic corigi fer midbod, aragair eslane nad comlui, aragair luge ndige nat fuiben fuile*).[157] The exact translation of *imus*, however, is the subject of much debate. In his edition of this legal tract Binchy translated *imus* as celery.[158] Donnchadh Ó Corráin has also found reference to *imus* in later medical manuscripts associating the term with celery or smallage.[159] Yet, he felt that the toxicity of the wild variety might negate this interpretation.[160] Archaeobotonists, however, consistently list wild celery or *Apium graveolens* as an edible plant, although it would not have been nearly as tender as the modern cultivated variety, *Apium graveolens* vars. *dulce*.[161] The *Dictionary of the Irish language*, published by the Royal Irish Academy, suggests parsley as an alternative translation. Unfortunately, this translation was dismissed by Fergus Kelly, based on no 'firm evidence'.[162] Kelly offered an alternative suggestion: that *imus* might have referred to alexanders (Lat. *Smyrnium olusatrum*), a vegetable formerly popular in Britain.[163] Although some wild celery seeds have been found in a late-tenth-century pit in Viking-Age Dublin, and from an unlined pit in late twelfth-century Waterford, they are rarely found on rural sites in early medieval Ireland.[164] Thus the best deduction by scholars is that *imus* referred to some type of umbelliferous plant, possibly wild celery.

It is clear, then, that many plants were cultivated in gardens, and those which grew around a farmstead could have acted both as a nuisance and food sources. The types of vegetables a commoner in early medieval Ireland would have consumed must, therefore, include those archaeobotanical remains found on early medieval sites. Thus to *dulse* and cultivated onions must be added, cabbage(?), wild radish, nettles, sorrels, possibly wild celery or alexanders, and garlic. The consumption of many of these plants, however, would have

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[157] Ibid.
[158] Ibid, p. 23, §27; p. 37, §45.
[159] Ó Corráin, 'Ireland *c.* 800: aspects of society', p. 567.
[160] Ibid.
[161] For example, in the remains from Dublin as described in Geraghty, *Viking Dublin*, p. 39; Margaret Murphy and Michael Potterton (eds), *The Dublin region in the middle ages: settlement, land-use and economy* (Dublin, 2010), p. 312; Kelly, *Early Irish farming*, p. 254.
[162] Kelly, *Early Irish farming*, p. 254.
[163] Ibid.
[164] Geraghty, *Viking Dublin*, p. 39; John Tierney and Martha Hannon, 'Plant remains' in M.F. Hurley and O.M.B. Scully (eds), *Late Viking Age and medieval Waterford excavations 1986-92,* (Waterford, 1997), pp 854-93: 858; McCormick *et al.*, 'The archaeology of livestock and cereal production in early medieval Ireland, AD 400-1100', pp 61-7.

been dependent on wild growth instead of cultivation, and as such would only have accounted for a small portion of the diet.

**Fruits**

One item not represented in the legal entitlements of visiting commoners is fruit. In addition to vegetables and other plants, fruits were commonly gathered and/or cultivated in early medieval Ireland. The remains of a number of fruits and berries have been found on early medieval rural settlements, and their place in the diet of commoners can be deduced either by direct associations in the historical sources or through links with the ecclesiastical diet.

Some refuse-pits from Viking-Age Dublin highlight the consumption of a variety of fruits, including blackberries (Lat. *Rubus fruticosus*, Ir. *sméra*), strawberries (Lat. *Fragaria vesca*, Ir. *suba*), rowan berries (Lat. *Sorbus aucuparia*, Ir. *cáera*), sloe (Lat. *Prunus spinosa*, Ir. *áirne*), bilberries (Lat. *Vaccinium myrtillus*, Ir. *fráechóca*), hazel nuts (Lat. *Corylus avellana*, Ir. *coll*, hazel nuts specifically, Ir. *cna*), and apples both cultivated and wild (Lat. *Malus*, Ir. *uball* and *uball fíadain,* 'wild sour apples').[165] Many of these fruits and berries were also found on early medieval rural sites, such as Illaunloughan, County Kerry, Raystown, County Meath and Sroove, County Sligo.[166] These remains are especially important, since the survival of these seeds and pits was achieved through charring in early medieval Ireland either by hearths or in corn drying kilns.[167] A number of fruits, therefore, which do not survive in the archaeobotanical record, do survive in the historical sources. Cranberries, wild cherries, possibly juniper berries, yew berries and plums, for example, are rare in the archaeobotanical record, but can be found throughout ecclesiastical texts, saga literature, and poetry.

There are abundant references to apple consumption in medieval Irish sources. In one genre, hagiography, the miracle of transforming bitter wild apples into a sweet, cultivated variety was a common motif.[168] The value placed on apples can also be seen from the fact that St Finnian of Clonard chose to locate and build a new church on the site of an apple-tree.[169] Apples were also one of the many foods that 'The monastery of Tallaght' had to expressly

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[165] Geraghty, *Viking Dublin*, pp 36-42.
[166] McCormick *et al.*, 'The archaeology of livestock and cereal production in early medieval Ireland, AD 400-1100', pp p113, p197, p217.
[167] McClatchie, 'The plant remains', p. 65.
[168] See, for example, a miracle performed by Columba in *Adomnán's Life of Columba,* ed. Anderson and Anderson, pp 96-7, book ii, ch. 2. See also Adomnán of Iona, *Life of St Columba*, ed. Sharpe, p. 155.
[169] 'Life of Findian of Clonard', *LismL*, p. 77, ll. 2580-97; trans. pp 224-5.

forbid the act of picking on Sundays.[170] Apples were not just favoured by ecclesiastics, but by lay society as well. The eighth-century law tract *Bretha Comaithchesa* lists the 'wild apple tree' (*aball*) among one of the seven 'nobles of the wood' (*airig fedo*).[171] Apples, therefore, were a favoured fruit in early medieval Ireland and the importance placed upon them by Old and Middle Irish texts highlights a preference, by nobles and ecclesiastics, for the sweet, cultivated variety.

A number of sources, however, also suggest the consumption of apples by a wider range of social groups. According to one early Irish law tract, the seventh-century *Bechbretha*, 'bee judgments', if a fruit tree lay near the boundary between two properties, any fruit which fell onto the neighbouring property had to be divided equally for three years. In the fourth year the neighbour retained all rights to the fruit, but in the fifth year the cycle began anew.[172] If a commoner did not possess any cultivated apple trees on his own property, but possessed property adjacent to some, this law tract entitled him to keep and consume some of this sweet fruit. A commoner was also legally entitled to consume any wild apples that grew on common land, despite the more sour nature of the wild variety. Yet, the complex laws regarding common land in early medieval Ireland indicate that it was possible to recognise private rights over certain trees, even on common land;[173] one reference in the eighth-century legal tract *Di Astud Chirt ⁊ Dligid* describes a 'wild apple (tree?)' (*(fíad) aball*), which, according to the gloss, had been appropriated by a lord.[174] Any apples taken from this appropriated apple tree incurred a five *séoit* penalty fine.[175] Although examples of recognising the private rights of an apple tree in the woods are rare, this legal constraint shows both the prestige nature of certain food items and how common land rights (and the restriction thereof) could affect diet in early medieval Ireland.

The immunity from fines which applied to the gathering of apples on common land also extended to procuring nuts. An old Irish legal poem, which follows *Críth Gablach* in the manuscript, dated between the seventh and eighth-century, states:[176]

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[170] 'The monastery of Tallaght', ed. Gwynn and Purton, p. 145, §149.
[171] Fergus Kelly, 'The Old Irish tree-List' in *Celtica*, xi (1976), pp 107-124: 113.
[172] *Bechbretha*, ed. Charles-Edwards and Kelly, p. 103, notes to §12.
[173] 'im crand ngabala bis i ndithrib', *CIH*, ii, p. 395.23; trans. in Kelly, *Early Irish farming*, p. 407: 'an appropriated tree which is in the wilderness'.
[174] Kelly, *Early Irish farming*, p. 304, citing *CIH*, i, p. 238.31.
[175] '.i. na flatha .i. u.s. ind do rigaib cona comgradaibh; amal glas fiadan he', *CIH*, i, pp 238.34-239.1; trans. in *ALI*, v, p. 475: 'of the chief, i.e. there are five 'seds' for it to kings, with those of the same grade; it is like a wild herb'.
[176] MacNeill believed the poem to be older than *Críth Gablach* and proposed that it dates from around the end of the seventh century, MacNeill, 'Ancient Irish law', pp 307-11. Binchy agreed that the language of the poem is consistent with that of *Críth Gablach* and thought that it should not be dated

> 'Let me venture for (the benefit of) the immature/ (to state) the immune things of the forest:/ a (single) caldron's cooking (-wood) that is cut/ a handful of ripe nuts/ to which one stretches not his hand in satiety (?)'.[177]

Thus, it is possible to interpret this poem as stating that every free person in good legal standing was allowed to procure nuts from a forest, depending on their proximity to woodland resources. Yet, Binchy, in his notes on this poem, follows Thurneysen's suggestion that these lines refer not to common land, but to trespass on privately held land. Indeed, Binchy interprets this list of items as those which a person was allowed to procure from another person's property without incurring legal liability and that 'only a person short of food may help himself to a handful of nuts from another's tree'.[178] Nuts could, therefore, be seen as a source of nutrition, particularly important during times of food shortages.

Surviving historical sources also indicate that nuts would have been consumed by a wide range of socio-economic groups in early medieval Ireland.The hazel nut, for example, was a particularly prized item and the hazel-tree, like the apple-tree, was listed in *Bretha Comaithchesa* as one of the seven nobles of the wood (*airig fedo*), a distinction given due to 'its nuts and its rods' (*a mes ⁊ a c[h]áel*).[179] A variety of poems composed throughout early medieval Ireland also highlight the popularity of hazel nuts. In a tenth-century poem, 'The king and the hermit', King Guaire Aidne's brother Marbán described the joys of hermit life and the types of foods that were available to an ascetic in the wilderness. In one section Marbán extols the virtues of 'an excellent clustered crop from small-nutted branching green hazels'.[180] Hazel

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any later than the seventh century, 'An archaic legal poem', ed. Daniel Binchy, in *Celtica*, ix (1971), pp 152-68: 152. Liam Breatnach, however, has recently argued that the poem is not necessarily older than that of the text simply because it was written in *roscad* (a specific legal style written in the form of poetry). Breatnach also suggested that MacNeill and Binchy were incorrect when they argued that the poem represents a separate text and instead argued that it was 'indeed part of *Críth Gablach*', Breatnach, *A companion to the Corpus Iuris Hibernici,* pp 242-3.

[177] 'Laumur ar dochondaib/ dílsi cailli:/ cairi fulocht benar,/ bas chnoe foísce/ frisna láim i sáith soi//', 'An archaic legal poem', ed. Binchy, p. 157, ll. 44-8. In MacNeill's edition of this poem he suggested that *dochondaib* referred to unfree persons, but Binchy has convincingly argued that the text should instead read 'immature persons', people who, for various reasons, had a 'defective legal capacity', MacNeill, 'Ancient Irish law', p. 309, l. 43; 'An archaic legal poem', ed. Binchy, p. 162.

[178] 'An archaic legal poem', ed. Binchy, p. 162, referencing 'Aus dem irischen Recht IV' [6. Zu den bisherigen Ausgaben der irischen Rechtstexte], ed. Thurneysen, pp 202-5.

[179] Kelly, 'The Old Irish tree-List', p. 109, citing *CIH*, i, p. 202.24-5.

[180] 'barr dess dornach/ collán cnóbec/ cróebach nglas', 'The king and the hermit' in *Early Irish lyrics: eighth to twelfth century*, ed. Gerard Murphy (Dublin, 1998), pp 10-17: 12, §14, trans., p. 13, §14. See also *King and hermit: a colloquy between King Guaire of Aidne and his brother Marban*, ed. Kuno Meyer (London, 1901), pp 14-15, with a slightly different trans. p. 15: 'A pretty bush, thick as a fist, of tiny hazelnuts,/ branching, green'; cf. another edition of the text produced by Meyer, with a few stanzas

nuts are similarly prized in a number of hagiographical texts and were traded in large quantities, likely by both lay and ecclesiastical communities.[181] An excellent nut-harvest is noted for both 1066 and 1097 in the *Annals of Ulster*.[182] Siobhán Geraghty, in her examination of the archaeobotanical remains from Viking-Age Dublin, commented that in early medieval Ireland these hazelnuts were eaten either whole or 'crushed to form a kind of meal called *maothal*'. In his examination of early medieval Ireland, Eugene O'Curry proffered that this *maothal* became, in time, 'the meal taken on fast days, and which consisted at first of nut meal and milk and afterwards of oatmeal, milk, cheese, etc'.[183] Nuts, particularly hazel nuts, were thus consumed by multiple levels of society and were recognised as an important food source during scarcities.

A number of other fruits and berries are frequently mentioned in hagiographical, prose and poetic literature in early medieval Ireland, some of which were given to poor and infirm individuals. In the ninth-century *Bethu Brigte*, for example, Brigit is offered a basket of fruit containing apples and plums (*arni cumrae*), which she does not consume, but offers the fruit to some begging lepers.[184] Since Brigit also gives swords to some begging lepers, this story does not suggest that cultivated fruits were part of a typically poor diet (as swords were not typically part of a poor person's possessions). Instead, this story is an example of prestige food being donated to the needy. One, possibly twelfth-century, section of legal commentary records that a wild, sour variety of plums also existed in early medieval Ireland: sloes (*áirne fiadain*).[185] Another twelfth-century literary source, *Buile Suibhne*, describes sloes as 'refreshing' (*ionnúara*).[186] In another example of food donations to the poor, in the *Life* of Cóemgen of Glendalough, the saint gives blackberries to some 'sick and morbid folk' (*aingcisi ⁊ easláinte miana*).[187] Interestingly, blackberries are also directly linked to commoners in the *Life*

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omitted, 'King and hermit', ed. Kuno Meyer, in idem (ed.), *Selections from ancient Irish poetry* (New York, 1911).

[181] For example, in the Lives of Brendan of Clonfert and Cóemgen of Glendalough nuts were included in the saints' diets, 'Life of Brendan of Clonfert', *BNÉ*, i, pp 44-95; trans. ii, pp 44-92: i, p. 49; trans. ii, p. 49, §12, ch. 30; 'Life of Coemgen (iii)', *BNÉ*, i, p. 156; trans. ii, p. 152, §2, ch. 5.

[182] *AU* 1983, *s.a.* 1066, pp 504-5 and ibid, *s.a.* 1097, pp 532-3.

[183] Geraghty, *Viking Dublin*, p. 44; Eugene O'Curry, *On the manners and customs of the ancient Irish* (3 vols, Dublin, 1873), i, pp ccclxv-ccclxvi.

[184] Text and trans. in *Bethu Brigte*, ed. Donncha Ó hAodha (Dublin, 1978), p. 29, §§32-3.

[185] Kelly, *Early Irish farming*, p. 261, citing *CIH*, v, p. 1874.15-6.

[186] *Buile Shuibhne*, ed. O'Keeffe, p 58, l. 1650, trans. *Buile Suibhne* (*The frenzy of Suibhne*), ed. O'Keeffe, p. 111, §54.

[187] 'Na neithe immorro da ttabhratais lucht aingcisi ⁊ easláinte miana ⁊ áilghesa, dobeiredh Caoimhgin doibh .i. sméra 'sna fuighlechaibh, ⁊ ubhla for crannaibh sailech', 'Moreover, the things which sick and morbid folk had a desire and craving for, Coemgen would supply to them, such as blackberries in winter, apples on willow trees', text and trans. in 'Life of Coemgen (i)', *BNÉ*, i, p. 128; trans. ii, p. 124, §12, ch. 25.

of Senán from the Book of Lismore. In this text, probably composed *c.* twelfth-century, Senán's father, Geirgeann, is labelled a commoner (*aithech*) and his wife is described as wandering through her garden and later picking blackberries by the well.[188] The fact that this couple had their own garden and consumed blackberries indicates that both cultivated and wild fruits played some role in the diet of commoners.

Other edible berries available to resourceful commoners are also elaborated in the tenth-century poem, 'King and hermit' (noted above). Strawberries 'good to taste in their plenty' were enjoyed alongside red cranberries, bilberries and yew berries.[189] The bilberry was noted by Fergus Kelly as having been a particularly valuable crop in early medieval Ireland, since 'the bilberries of Brí Léith' (*fráechmess Bríg Léith*), were noted as part of the entitlements of the king of Tara in one Middle Irish text.[190] Máire MacNeill has suggested, however, a more universal consumption of bilberries. In her book on *Lughnasa* she argued that bilberry picking also played a role in this festival held in August, thus reiterating that both season and feast times impact the types of food consumed by commoners.[191]

It is essential, therefore, to emphasise that on a daily baiss early medieval commoners were not restricted to those foods described as their entitlements when visiting another person's home. Instead, both historical and archaeological evidence suggests that they gathered wild vegetables and fruits and cultivated small gardens around their homesteads. The types and varieties of these foods would have depended on an individual's place in the landscape, i.e., near woodlands, meadows or bogs. Furthermore, prestige foods may have been consumed during special events, such as festivals and feasts, or been donated to those in need.

**Fish**

Another resource, fish, is not explicitly listed as part of the foods to which a visiting commoner was entitled (although it is listed in *Uraicecht Becc* as a potential meal for visiting nobles),[192] but probably played a significant role in their diet. Fish have historically been an

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[188] 'Life of Senán' *LismL*, pp 54-74, trans. pp 201-21: p. 57, ll. 1880-94; trans. p. 204. See also, Ó Riain, *A dictionary of Irish saints*, p. 558.

[189] Text and trans. in 'The king and the hermit', in *Early Irish lyrics*, ed. Murphy, p. 15, §21. See also, *King and hermit*, ed. Meyer, p. 17, §21.

[190] Kelly, *Early Irish farming*, p. 307.

[191] Kelly, *Early Irish farming*, p. 459; Máire MacNeill, *The festival of Lughnasa: a study of the survival of the Celtic festival of the beginning of the harvest* (Oxford, 1962; repr. Dublin, 2008), pp 20, 38-9.

[192] 'Mad fircaindend .ui. hingni dec cacha bairgine no ceitri buindi fircainde cacha bairgine no mil no iasc no grus no camcnaim saillte la cach ficid bairgin', in *CIH*, v, p. 1599.34-42, see also *CIH*, ii, p. 644.6-15; trans. in MacNeill, 'Ancient Irish law', p. 274, §11, with minor emendations: 'If it be [onions], sixteen

important resource in Ireland, and the country's position in the north-east Atlantic offers exceptional supplies of fishes. As noted by J.P. Haughton, the Irish 'coastline, especially in the west, is so deeply indented that no part of the island lies more than 100 km from tidewater'.[193] According to Vivian Pollack, in her discussion of the herring industry of County Down in the nineteenth and twentieth century, this 'narrow surrounding continental shelf meant that Irish fishing boats did not have to travel far to reach marginal ocean areas where deep-water species like ling and hake could be taken alongside shallow-water species like cod and haddock'.[194] Furthermore , the 'rocky, indented shore-line common to much of the Irish coast provided a prime habitat for crabs and lobsters, while productive oyster and scallop beds, succoured and scoured clean by Atlantic and Irish Sea currents, occurred naturally in estuarine waters'.[195] Pollack also found that 'indigenous mussel, winkle and whelk beds' appeared extensively around the Irish coast'.[196]

In addition to the favourable coast line, the physical layout of the interior of Ireland abounds with waterways sufficient for substantial fishing. J.P. Haughton described Ireland as a 'broad drift-covered lowland with many lakes and bogs scattered over its surface' and the 'streams that rise on the seaward slopes of the bordering mountains are short and rapid, but those whose sources lie on the inland side have low gradients with long devious courses and many lakes'.[197] Gerald of Wales, in his *Topographia*, notes that 'the sea coasts on all sides abound sufficiently with sea-fish' and 'the rivers...and lakes are rich in fish peculiar to themselves, and especially in fish of three kinds, namely, salmon, trout, and mud-eels'.[198] It is clear, then, that Ireland was, and still is, eminently suited to the exploitation of fish and other marine life.

The importance of this food source, for a wide variety of social groups, can be seen in a number of texts from early medieval Ireland. A genre of texts, known as 'Mirrors of Princes' (*Specula Principum*), illustrate a symbiotic relationship between nature and kingship, one in

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flakes to each cake, or four stalks of [onion] to each cake; or honey, or fish, or curds; or a salted joint with every twenty cakes'. Legal commentary asserts that this fish was a 'salmon of first swimming' (*éo cétṡnáma*), presumably a salmon that had yet to spawn for the first time, Kelly, *Early Irish farming*, p. 292, citing *CIH*, ii, p. 644.12.

[193] J.P. Haughton, 'The physical environment', in Ó Cróinín (ed.) *N.H.I.*, i, pp 32-48: 33.

[194] Vivienne L. Pollock, 'The herring industry in County Down 1840-1940' in Lindsay Proudfoot (ed.), *Down: history and society, interdisciplinary essays on the history of an Irish county*, (Belfast, 1997), pp 405-30: 406.

[195] Pollock, 'The herring industry in County Down', p. 406.

[196] Ibid.

[197] Haughton, 'The physical environment', p. 33.

[198] Gerald of Wales, *The history and topography of Ireland*, ed. J.J. O'Meara (London, 1982), p. 37-8, book i, ch. 7.

which good kingship begets fecund lands and rivers. The seventh-century *Audacht Morainn*, 'The testament of Morann', maintains that it is 'through the justice of the ruler that abundance of fish swim in streams'.[199] Similarly, the ninth-century *Tecosca Cormaic*, 'The instructions of King Cormac Mac Airt', attests that 'fish in river-mouths' signifies good kingship.[200] Another literary reference highlighting the relationship between good heroic men and fish can be found in the Middle Irish *Macgnimartha Find*, 'the boyhood deeds of Finn', in which Finn mac Cumaill consumes an important salmon (*bradán*) and receives the gift of poetic knowledge.[201] Similarly, one recension of *Táin Bó Cúailgne*, found in the *Lebor na hUidre* (*c.* 1100), describes the hero Cú Chulainn consuming salmon. In this section, however, the foods Cú Chulainn consumes were collected from the wilderness and labelled 'a meal fit for an outlaw' (*is infoglaga in chuid sin*).[202] Fish are also commonly depicted in manuscripts; the Book of Kells, for example, contains numerous illustrations of fish, some of which may be associated with Christ and others which suggest fish was a well-known food source.[203] The number of sources that discuss the importance of fish as a resource highlights the fact that this food was likely consumed by multiple socio-economic groups in early medieval Ireland.

As a valuable source of protein, fish acted as an important resource for those who did not consume meat on a regular basis, including ascetics, monks, devout laymen, and the poor. The amount of fast days on a medieval Christian calendar was immense; out of a total 365 days a year, on average, during the middle ages 180 of them were fast days, some of which were specific holy days, like every Wednesday, Friday and sometimes even the eves of Christian celebrations, or before feast days on Sunday or saint's days.[204] Other fasts included the period of Lent, which in medieval Ireland consisted of three separate periods: the forty days before Christmas, the forty days before Easter and the forty days of Pentecost.[205] In many of these fasts the flesh of animals was avoided. This abstinence can be seen from a notice in

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[199] Text and trans. in *Audacht Morainn*, ed. Fergus Kelly (Dublin, 1976), p. 7, §20.
[200] Text and trans. in *The instructions of King Cormac Mac Airt*, ed. Meyer, p. 2, l. 23, p. 3, ll. 23.
[201] 'Macgnimartha Find', ed. Kuno Meyer, in *Rev. Celt.*, v (1881-3), pp 195-204: 201, §18; trans. in John Carey, 'The three things required of a poet' in *Ériu*, xlviii (1997), pp 41-58: 41.
[202] *Táin Bó Cuailnge: recension I*, ed. Cecile O'Rahilly (Dublin, 1976), p. 83, l. 2732, trans. p. 199.
[203] TCD MS 58, fo. 179v; In this folio the fish is decorated above 'Iħs', the Greek abbreviation of Jesus' name, Bernard Meehan, 'The text and decoration of the Book of Kells: fos 179v-180r' in W.E. Vaughn (ed.), *The Old Library Trinity College Dublin 1712-2012* (Dublin, 2013), p. 24. On fo, 186v there are two fish: one in a decorated initial and the second between lines 10 and 11 in which it has a long skinny animal in its mouth, potentially an eel, since many eels were part of the fish and human diet in early medieval Ireland.
[204] Laurie J. Reitsema, Douglas E. Crews and Marek Polycn, 'Preliminary evidence for medieval Polish diet from carbon and nitrogen stable isotopes' in the *Journal of Archaeological Science,* xxxvii (2010), 1413-23: 1419.
[205] Kelly, *Early Irish farming*, p. 346.

the ninth-century text 'The monastery of Tallaght' which reproves monks who only consume wild boar or venison in celebration of the Easter feast rather than a piece of meat, as these food sources were not considered meat (*feoil*).[206] The reasons why wild boar and venison should not be considered flesh are not listed, but the implication is that they could be consumed during fasting periods.

A number of sources record the consumption of fish by saints, lesser clerics and nobles in the surviving ecclesiastical and hagiographical material. The ninth-century *Ríagail na Céle nDé* records that the normal repast for a Céli Dé monk comprised a limited amount of bread with an assortment of condiments, which could include dry eggs, apples, cheese or fish.[207] In the Middle Irish *Life* of Brigit from the Book of Lismore Brigit instructs a member of her household to 'go to the sea and catch fish' (*dochum im mhara co ndernad iasgach*), when a group of 'noble and pious' (*uaisli craibdecha*) guests arrive on her doorstep.[208] Although the term *iasc* here simply referred to 'fish', a number of sources highlight a preference for salmon and trout. St Finnian of Clonard, for example, permitted himself 'broiled salmon' (*bradan fhonaithi*), as an indulgence on Sundays.[209] The starving clerics, Snédgus and Mac Riagla, furthermore, were thrilled to find a fish weir filled with 'huge salmon' each of which was 'bigger than a bull-calf', in the tenth-century voyage tale *Immram Snédgusa ocus Maic Riagla*.[210] Similarly, in an episode from *Immram curaig Maíle Dúin* a church cook, adrift in the sea, punished for stealing and hoarding goods from the church, was saved from starvation on a lonely rock by a helpful otter, who provided him with salmon.[211] Finally, salmon and trout are described as the 'delightful feasts' (*caíne fleda*) of a hermit in the tenth-century poem the 'King and hermit'.[212]

This emphasis on fish, both in the ecclesiastical diet (as seen from the regular appearance of fish in hagiographical texts) and in the diet of 'outlaws' or hunters and gatherers (as seen in the diet of Cú Chulainn and Finn mac Cumaill), also suggests that, even though there are few, if any, direct references to commoners consuming fish in the historical sources, multiple socio-economic groups consumed this resource in early medieval Ireland.

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[206] 'The monastery of Tallaght', ed. Gwynn and Purton, p. 146.
[207] 'The rule of Tallaght', ed. Gwynn, pp 64-5, §4.
[208] 'Life of Brigit', *LismL*, pp 34-53; trans. pp 182-200: p. 49, ll. 1637-40, trans. p. 196.
[209] 'Life of Findian of Clonard', *LismL*, p. 81, l. 2736, trans. p. 229.
[210] 'The voyage of Snedgus and Mac Riagla', ed. Stokes, p. 19, §15.
[211] 'The voyage of Mael Duin', ed. Stokes, p. 89, §33. The cook would not eat uncooked salmon, so the otter disappeared again and returned with flaming firewood, ibid. Seee also, Oskamp, *The voyage of Máel Dúin*, pp 172-3.
[212] 'The king and the hermit', in *Early Irish lyrics*, ed. Murphy, p. 15, §18. See also *King and hermit*, ed. Meyer, p. 17, §18 who has 'fairest princes' (*caine flathu*) instead of 'delightful feasts'.

The number of species that have been found during excavations on early medieval archaeological sites (as shown in Table 5.2) and within Old and Middle Irish documentary sources, furthermore, suggests that while some species, such as salmon and trout, held a prestige status, others, sometimes omitted from historical sources, retained less value and may have been more prevalent in a commoner's diet.

Table 5.2: Consolidated evidence for fish from a selection of early medieval archaeological sites described in the Appendix

| | Strangford Lough | Shannon estuary | Rathgureen, County | Church Island, County Kerry | Larrybane, County Antrim | Rinnaraw, County Donegal | Ballyfounder, County Down | Cork harbour, County Cork | Kilgreany, County Waterford | Oughtymore, County Derry |
|---|---|---|---|---|---|---|---|---|---|---|
| Salmon | ✓ | | | | | | | | | ✓ |
| Trout | ✓ | | | | | | | | | ✓ |
| Eel | ✓ | | | | | | | | | ✓ |
| Cod | ✓ | ✓ | | ✓ | ✓ | ✓ | | | | ✓ |
| Haddock | | | | | | | | | | ✓ |
| Hake | | | ✓ | | | | | | | |
| Ballan wrasse | | | | ✓ | | | | | | |
| Twaite Shad | | ✓ | | | | | | | | |
| Scad | | ✓ | ✓ | | | | | | | |
| Flounder | ✓ | | | | | | | | | ✓ |
| Plaice | ✓ | | | | | | | | | ✓ |
| Mackerel | ✓ | | | | | | | | | |
| Grey mullet | ✓ | | | | | | | | | |
| Common skate | ✓ | | | | | | | | | |
| Lamprey | | ✓ | | | | | | | | |
| Angler | | | ✓ | | | | | | | |
| Limpet | | | ✓ | | | ✓ | | | | |
| Mussel | | | | | | | | | ✓ | |
| Scallop | | | | | | | | | ✓ | |
| Periwinkle | | | ✓ | | | ✓ | | | ✓ | |
| Cockle | | | ✓ | | | ✓ | | | ✓ | |
| Oyster | | | ✓ | | | | | | ✓ | |
| Shellfish species not listed | | | ✓ | | | | ✓ | ✓ | | |

Archaeological excavations have shown that throughout early medieval Ireland the inhabitants took advantage of this 'maritime resource'.[213] According to archaeological reports, the fish weirs of Strangford Lough, near Grey Abbey Bay and around Chapel Island in County Down, for example, would have been filled with salmonids such as salmon and sea trout, flatfish such as flounder and plaice, mackerel, cod, grey mullet, skate and conger eels. In the Shannon estuary, furthermore, many of the same fishes could be trapped, except instead of plaice and mackerel, the western waters were filled with lampreys and shad.[214] These fish weirs were artificial barriers of stone or wood built in the rivers or estuaries to 'deflect fish into an opening where they could be trapped in nets or baskets'.[215] In early medieval Ireland land that had access to a river or an estuary was highly valued, particularly since access to streams and rivers could be restricted.[216] Thus much of the land along rivers and near estuaries was most likely occupied by higher-status individuals, or by churches and monasteries. The popularity of fish weirs is evident from the citation from the Old Irish legal tract *Anfuigell*, 'wrong judgement or decision', preserved in O'Davoren's glossary, which forbade fish weirs from covering the river from bank to bank, in case it interrupted the flow of fish to other weirs further up or downstream.[217]

The law tracts suggest, however, that, despite the high value placed on these lands near water-ways, commoners still had certain access rights to fish weirs. The glosses on the eighth-century law tract, *Cethairślicht Athgabálae*, for example, note that a *fine* may have had common rights to fish weirs in early medieval Ireland, granting commoners access to family holdings.[218] Commoners may also have been able to rent fish weirs. The eighth-century law-tract, *Coibnes Uisci Thairidne*, 'kinship of conducted water', discusses the legal ramifications of the construction of a mill-race on a neighbour's land. If a person (A) needed water for his mill and he had to go across his neighbour (B)'s land to reach a lake/river/pond, then this law afforded (A) the legal right to build on (B)'s property, as long as (A) either paid (B) a fee or offered (B) usage of the mill.[219] Some of these early Irish water-mills may have ponded fish,

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[213] Pollock, 'The herring industry in County Down', p. 407.
[214] Aidan O'Sullivan, 'Place, memory and identity among estuarine fishing communities: interpreting the archaeology of early medieval fish weirs' in *World Archaeology*, xxxv, no. 3 (2003), pp 449-68: 459.
[215] Ibid, p. 451.
[216] 'Tír cumaile', ed. Mac Niocaill, pp 81-6, especially, p. 85.
[217] 'O'Davoren's glossary', ed. Whitley Stokes, in Kuno Meyer and Whitley Stokes (eds), *Archiv für celtische lexicographie* ii (London, 1904), pp 197-504: 206, §60. For a discussion on the association between this section in O'Davoren's glossary and *Anfuigell* see Breatnach, *A companion to the Corpus Iurus Hibernici*, p. 165.
[218] Kelly, *Early Irish farming*, p. 288, citing *CIH*, ii, p. 369.15.
[219] 'Irish law tracts re-edited', ed. Binchy, pp 52-85.

allowing the neighbour (B) access to fishing as well as corn grinding rights.[220] The legal text known as *Tír cumaile* includes a 'mill-weir' (*sod muilinn*), in a list of items that add value to land.[221] These mill ponds, however, were not specifically constructed for fish, and it is unclear whether or not they would have been consistently restocked for just such a purpose.[222] Yet this law text also records that one of the entitlements which an heir could not alter was that of a neighbour's fishing weir on his property, provided a fee had been paid to his family.[223] It is possible, then, that, if the offer of payment and/or usage was available for a millrace it might also extend to a fishing-weir.

Even in restricted waters, however, commoners, as free persons in good legal standing, were entitled to a 'single swift dip of a fishing-net in a stream', according to the eighth-century law tract *Di Astud Dligid ⁊ Chirt*.[224] Some streams, furthermore, were freely accessible to all legal members of a community. Fergus Kelly has noted one particular gloss from *Cethairślicht Athgabálae* which refers to a regulation on fishing-nets and notes 'i.e. of fish i.e. a common place which is for the community in water' (*.i. piscium .i. āit coitcend bīs don tuaith i n-uisce*).[225] Thus, alhough certain constraints were noted, commoners, as free members of a community, had a legal right to fish in early medieval Ireland.

Various species of fish, the remains of which have been found on archaeological excavations, could have been caught with the use of boats. At the ringfort of Rathgurreen in County Galway, for example, the fish remains include scad, hake and angler, all of which were 'offshore' species, suggesting the use of boats.[226] Within the archaeological record dugout vessels have been found and are 'not confined to any one period' in Irish history.[227] Other vessels in early Ireland, such as the bark and hide-covered boats, can be found in early medieval hagiographical and legal texts, and were probably better than dugout logs on the rough Irish seas.[228] If a commoner was able to procure a boat, some surviving quotations from

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[220] Niall Brady, 'Mills in medieval Ireland: looking beyond design' in Steven A. Walton (ed.), *Wind and water in the middle ages: fluid technologies from Antiquity to the Renaissance* (Arizona, 2006), pp 39-68: 51.

[221] 'Tír cumaile', ed. Mac Niocaill, p. 83; trans. p. 86.

[222] Margaret Murphy and Kieran O'Conor, 'Castles and deer parks in Anglo-Norman Ireland' in *Eolas: The Journal of the American Society of Medieval Studies*, i (2006), pp 53-70: 55.

[223] 'Irish law tracts re-edited', ed. Binchy, p. 69, §9.

[224] Kelly, *Early Irish farming*, p. 286, citing *CIH*, i, p. 241.20-2.

[225] Text and trans. in Kelly, *Early Irish farming*, p. 287, citing *CIH*, iii, p. 888.15.

[226] Michelle Comber, 'M.V. Duignan's excavations at the ringfort of Rathgureen, County Galway, 1948-9' in *R.I.A. Proc.*, cii (2002), sect. C, pp 137-92: 182.

[227] Michelle Comber, 'Trade and communication networks in early historic Ireland' in *Ir. Arch. Jn.*, x (2001), pp 73-92: 76.

[228] 'Life of Brenainn', *LismL*, pp 99-116; trans. pp 247-61: pp 106-7, ll. 3573-89; trans. p. 252-3; MacNeill, 'Ancient Irish law', p. 279, §47; Meike Blackwell, *Ships in early Irish history* (Whitegate, 1992), p. 8.

the lost legal text *Muirbretha*, 'sea-judgements', entitled him to goods which were 'beyond nine waves (from the shore)' (*dar nāe tondaib*).[229] The eighth-century law tract *Sechtae,* 'heptads', notes that the loan of a boat (*náu*), is one of seven loans for which no compensation was needed if it was damaged; unfortunately there is no discussion of the status of those who possessed these boats.[230] Similarly, the eighth-century legal tract *Cáin Domnaig* notes that if anyone put a boat (*curach*) out to sea on a Sunday a half-ounce fine was mandated, and both the boat and the clothes of the individual(s) were to be burnt, but no mention is made of status.[231] The probability that boats would have been covered in hides to protect them against the water highlights their value, and suggests that individuals such as the *fer midboth* did not own these particular types of boats. Yet, the fisherman is listed amongst the *daernemed* in *Uraicecht Becc* with the grade of the *fer midboth*, suggesting a possible connection.[232] Furthermore, despite the fact that boats are omitted from the equipment list of the *mruigfer* from *Críth Gablach*, it is likely that high-ranking commoners, such as the *mruigfer* or the *fer fothlai*, could have constructed or purchased boats.[233] The easiest way for commoners to obtain fish, however, was through local lakes, rivers and estuaries, without the need of expensive equipment, such as boats.

In addition to fish, another marine resource, shellfish, was common to Irish shores and archaeological evidence suggests a broad exploitation of this food resource by multiple socio-economic groups. A cave in Kilgreany, County Waterford, for instance, may have been a seasonal habitation, where shellfish such as perwinkle, cockle, mussel, oyster and scallops were consumed.[234] Despite the lack of early medieval settlements around the area, Marion Dowd argued that the cave would have been home to commoners, based on additional finds, including small personal ornaments.[235] Early medieval shell middens, or mounds of accumulated shells, such as one found in Cork harbour that stretched over 125 metres long and up to two metres thick, are often found in conjunction with good agricultural land, and

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[229] Text and trans. in Kelly, *Early Irish farming*, p. 297, citing *CIH*, i, p. 314.17.

[230] 'tait .uii. nona oiditer lā na dlegar a taisic na aithgein cia robriathar i setuib a nona oin nae for muir', *CIH*, i, p. 43.21-44.1; trans. in *ALI*, v, p. 279: 'There are with the Feine seven loans that are lent, which it is not obligatory to restore, nor make compensation for, though the lent articles be broken: the loan of a boat upon the sea'.

[231] 'Cáin Domnaig', ed. J.G. O'Keeffe, in *Ériu*, ii (1905), pp 189-214: 204-7, §24.

[232] *CIH*, vi, p. 2333.13; trans. in MacNeill, 'Ancient Irish law', p. 280, §51.

[233] The equipment list can be found in *Críth Gablach*, ed. Binchy, p. 7, ll. 171-82, §14, a discussion about this can be found in Chapter 7 below.

[234] Marion A. Dowd, 'Kilgreany, Co. Waterford: biography of a cave' in *Ir. Arch. Jn.*, xi (2002), pp 77-97: 87.

[235] Dowd, 'Kilgreany, Co. Waterford', p. 90.

suggest that the collection of shellfish was 'more than the product of a marginal lifestyle'.[236] Sometimes middens grew around the dwelling space, like that at the ninth-century cashel at Rinnaraw in County Donegal, which was either the focus of a seasonal settlement 'designed to exploit the local marine resources' or a permanent habitation site in which the occupants were dependent on both local pasturage and marine resources.[237] Thus, although fish is not included in the list of items a visiting commoner was entitled to request, commoners more than likely consumed some form of marine life, either fish or shellfish at home. Yet, similar to fruits and vegetables seasonal variation and settlement location played a large role in the types of marine life available at any given time.

This argument that fish were consumed by commoners in early medieval Ireland, despite the lack of direct historical reference, can be supported by records for a wide-ranging consumption of fish in contemporary societies. Archaeological and historical evidence from England and Scotland, for example, suggests extensive exploitation of fish and fisheries in the early middle ages. In Scotland, specifically in the Orkney and Shetland Islands, a recent survey has shown that, during the Viking Age, there was an increase in fishing intensity, which would have led to an increase in fish consumption.[238] Unfortunately, the status of many of the archaeological sites used in this study is unclear. By around 1000 AD, England experienced a 'fish event horizon' in which 'increases in cod and herring abundance in northern waters...had a profound effect on English fish consumption'.[239] The documentary sources, furthermore, highlight how 'fish made a major contribution to the diet of the aristocracy, in the monasteries, and in some parts of the countryside and in some towns, certainly the larger conurbations'.[240] In the rest of the country, however, it has been argued that the 'benefits of fish eating were probably nugatory, perhaps non-existent'.[241] Yet, English manorial custumals, which record the customary obligations of the tenants on a manor, indicate that 'fish, principally herring, but also whiting, cod, salmon and eels, was commonly included in the

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[236] Peter Woodman, 'Mesolithic middens: from famine to feasting' in *Arch. Ir.*, xv, no. 3 (2001), pp 32-5: 33.

[237] Michelle Comber, 'Tom Fanning's excavations at Rinnaraw Cashel, Portnablagh, Co. Donegal' in *R.I.A. Proc.*, cvi (2006), sect. C, pp 67-124: 108.

[238] James H. Barrett, Roelf P. Beukens and Rebecca A. Nicholason, 'Diet and ethnicity during the Viking colonization of northern Scotland: evidence from fish bones and stable carbon isotopes' in *Antiquity*, lxxv (2001), pp 145-54.

[239] James H. Barrett, Alison M. Locker and Callum M. Roberts, 'The origins of intensive marine fishing in medieval Europe: the English evidence' in *Proc. R. Soc. B.*, cclxxi (2004), pp 2417-21.

[240] D. Serjeantson and C.M. Woolgar, 'Fish consumption in medieval England' in C.M. Woolgar, D. Serjeantson and T. Waldron (eds), *Food in medieval England: diet and nutrition* (Oxford, 2006), pp 102-30: 130.

[241] Serjeantson and Woolgar, 'Fish consumption in medieval England', p. 130.

meals given by lords to boon workers at harvest and ploughing'.[242] In addition to consuming fish during a harvest feast, C.M. Woolgar has noted that in England, before 1350, both dried cod and salt herring could, at times, be cheaper than meat, allowing commoners to purchase, if not procure their own, fish and increase their protein intake.[243] From both the Scottish and English records it is plausible that the amount of fishing and fish consumption by commoners is underrepresented in the historical sources from early medieval Ireland.

Another way archaeologists have tested the role of marine life in the diet of early medieval Europe is through isotopic analysis of human skeletal remains. Jonny Geber recently examined the deviation in the isotope ratio between the stable isotopes of carbon ($^{13}C$) and nitrogen ($^{15}N$) in bone collagen at an early medieval graveyard in Owenbristy, County Galway.[244] This analysis allowed him to determine the type of foods eaten by an individual based on the fact that 'different classes of food differ in their stable isotope ratio'.[245] Carbon isotopes can provide information regarding the 'ecosystem of the consumer, distinguishing between terrestrial versus marine niches' while nitrogen isotope ratios help to differentiate between herbivores, omnivores and carnivores.[246] Thus, lower levels of $\delta^{13}C$ can indicate a mainly terrestrial as opposed to marine diet, as was the case at Owenbristy.[247] Recent isotopic analyses on skeletons from Fishamble Street and John's Lane in Viking-Age Dublin suggest a mainly terrestrial diet, but also point to 'some marine protein consumption'.[248] Several individuals moreover, may have consumed 'relatively large amounts of marine products' within the last few years of their lives.[249] A number of reasons could explain the differences between Owenbristy and Dublin, such as a geographical preference for certain food sources, or a cultural preference, i.e., the difference between a Hiberno-Norse diet and that of a rural farmer in early medieval Ireland. Although there is no 'typical' Viking diet, research from Scotland, England and Dublin does indicate consumption of marine foods by these disparate

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[242] Ibid, p. 122.
[243] C.M. Woolgar, ''Take this penance now, and afterwards the fare will improve': seafood and late medieval diet' in *England's sea fisheries: the commercial sea fisheries of England and Wales since 1300* (London, 2000), pp 36-44: 39.
[244] Jonny Geber, 'Human remains from Owenbristy' in Finn Delaney and John Tierney (eds), *In the lowlands of South Galway: archaeological excavations on the N18 Oranmore to Gort, National Road Scheme* (Galway, 2011), pp 88-97: 91-2.
[245] Ibid, p. 91.
[246] Reitsema, *et al.*, 'Preliminary evidence for medieval Polish diet from carbon and nitrogen stable isotopes', pp 1413-14.
[247] Geber, 'Human remains from Owenbristy', p. 91.
[248] Kelly J. Knudson, Barra Ó Donnabháin, Charisse Carver, Robin Cleland and T. Douglas Price, 'Migration and Viking Dublin: paleomobility and paleodiet through isotopic analysis', *Journal of Archaeological Science* xlix (2012), pp 308-20: 317.
[249] Ibid.

Viking groups, as noted above.[250] Additional isotopic analysis on bone collagen was completed in other areas of early medieval Europe as well and suggests a conflicting view regarding fish in an early medieval diet. Analyses were conducted on a number of medieval skeletons in a purported peasant graveyard in Poland and a monastic community in Belgium, the results of which, unfortunately, contradicted the contemporary landscape and historical documentation. Despite the proximity of the communities to waters containing marine life, as well as a high incidence of fish in the local historical record, actual levels of marine animals in the diet were said to be quite small.[251] The Belgian analysis, in particular, was perplexing as there was a relatively high incidence of fish remains in the surrounding soil. It is clear, therefore, that, although isotopic analyses broaden the current state of knowledge regarding dietary practices, the process needs to be integrated with the historical documentation.

Both the archaeological evidence and the historical documentation, from within and outside of Ireland, suggest that fishing was a wide-ranging practice in the early middle ages. While fish such as salmon and trout may have been considered prestige items, the archaeological record highlights a large number of other fish species that were regularly consumed by multiple socio-economic groups. Aidan O'Sullivan has argued that the practice of using fish weirs in Ireland was most likely initially intended for the 'domestic table', indicating local consumption.[252] It is possible that farmers in early medieval Ireland, like those in medieval Icelandic communities, ploughed and harvested during the respective seasons, and, in other months, focused more intensely on fishing to supplement their diet.[253] Eels, for example, were regularly caught in the Shannon estuary between October and November, after the crop harvesting in September.[254] This exploitation of local marine resources was, however, limited to individuals who lived in areas surrounding waterways. A number of differences in the early medieval diet were based, therefore, partly on regional diversity and seasonal availability.

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[250] Ibid, p. 312.

[251] It is interesting that two communities either surrounded by fish remains or described in the documentary evidence as having a fish trade show so little evidence for marine animals in the diet, according to isotopic analyses on a selection of skeletons, Reitsema, *et al.*, 'Preliminary evidence for medieval Polish diet', p. 1418; C. Polet and M.A. Katzenberg, 'Reconstruction of the diet in a medieval monastic community from the coast of Belgium' in *Journal of Archaeological Science,* xxx (2003), pp 525-33.

[252] O'Sullivan, 'Place, memory and identity among estuarine fishing communities', p. 462.

[253] Robb Robinson, 'The common North Atlantic pool' in Chris Reid, N. Ashcroft and David Starkey (eds), *England's sea fisheries: the commercial sea fisheries of England and Wales since 1300* (London, 2000), pp 9-17: 12.

[254] O'Sullivan, 'Place, memory and identity among estuarine fishing communities', p. 459. See also, Kelly, *Early Irish farming*, p. 237.

After the growth of urban populations and improved methods of fishing in the tenth and eleventh centuries, fishing became more regulated and a source of great wealth and power.[255] Fish weirs, ponds, lakes and rivers started to be controlled, not by local farmers, but by powerful lords and churches.[256] Thus the surviving records suggest that the surplus of rivers and lakes in Ireland, as well as the surrounding coastline, allowed for a consistent small-scale consumption of fish by local groups. The amount of fish in a commoner or peasant's diet depended on their own 'resourcefulness'.[257]

**Fowl**

Other food sources not listed amongst the entitlements of a visiting commoner were domestic fowl and wild birds. There is clear evidence for domestic fowling in early medieval Ireland from a crannog in Lough Faughan, County Down.[258] The archaeological remains of chickens, as well as geese and a variety of small birds, such as the blackbird or corncrake, have also been found on a number of early medieval sites. The small bones of domestic fowl and wild birds, however, are most commonly found on coastal sites or crannogs (artificial islands), not inland rural farmsteads. On the high-status crannog at Lagore a great variety of bird remains were found including wild goose, duck, raven, swan, great-crested grebe, coot, moorhen and corncrake. Archaeological excavations at ecclesiastical sites, such as Illaunloughan in County Kerry, have also produced large assemblages of bones, these being dominated by the Manx shearwater and other seabirds.[259] In the seventh- to ninth-century phase of a ringfort at Rathgurreen, County Galway, the bones of geese, small passerines, and Manx shearwater were all in evidence.[260] Sheila Hamilton-Dyer has cautioned that some of the bones found during the excavations of Rathgurreen could have been from natural mortality, but there was certainly some degree of domestic fowling as well, due to the bones of at least

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[255] O'Sullivan, 'Place, memory and identity among estuarine fishing communities', p. 462.
[256] Ibid.
[257] Pearson, 'Nutrition and the early-medieval diet', p. 2.
[258] It is possible that the bones found in Lough Faughan could have been used in consumption, or they could be evidence of cock-fighting due to the large spurs evident on the tarsometatarsals, Margaret Jope, 'The animal remains' in 'Excavations in Lough Faughan Crannog, Co. Down, 1951-2' in *U.J.A.*, 3rd Series, xviii (1955), pp 77-81: 77; Aidan O'Sullivan, *The Archaeology of Lake Settlement in Ireland* (Dublin, 1998), p. 126.
[259] Sheila Hamilton-Dyer, 'Exploitation of birds and fish in historic Ireland: a brief review of the evidence' in Eileen M. Murphy and Nicki J. Whitehouse (eds), *Environmental archaeology in Ireland* (Oxford, 2007), pp 102-18: 107.
[260] Sheila Hamilton-Dyer, 'Fish and fowl bones' in Michelle Comber's 'M.V. Duignan's excavations at the ringfort of Rathgurreen, Co. Galway, 1948-9' in *R.I.A. Proc.*, cii, (2002), sect. C, pp 137-97: 193.

one hen-in-lay.[261] Part of the apparent regional bias for bird consumption may be due to changing archaeological sampling procedures, rather than an actual absence of evidence. The process of sieving to retrieve small animal bones was not standard practice on archaeological excavation sites until fairly recently.[262] Thus, historical documentation, which suggests consumption of both birds and their eggs, must be considered.

Hens were seen, by lawyers and other early medieval scribes, as both a common source of food and a nuisance to crops. Thus, while 'it is good that there should be a hen on a farm' (*fó cía beith cerc i trebad*), according to a tenth-century poem found in the Book of Leinster (*c.* 1160),[263] commentary on the legal tract *Bretha Comaithchesa* records that neither madder nor onions were safe around loose hens.[264] According to a variety of Old Irish law tracts, noted in Fergus Kelly's seminal work *Early Irish farming*, domestic fowling was standard practice on most early medieval farms and these animals were consumed by a wide range of socio-economic groups, including nobles, ecclesiastics, and common farmers.[265] One of the potential *díre* payments applicable to an *inol*, a very young commoner, as described in the eighth-century status-text *Uraicecht Becc*, was a 'hen without a secret' (*cearc gan run*, likely a hen that was not hatching or laying).[266] The eighth-century legal tract *Dligid Raith ⁊ Somaíne la Flaith*, furthermore, includes hens as one of the loans a lord could give to his client to cement a clientship contract. This text mentions a twelve-inch mug full of eggs as the reciprocal render owed by the client.[267] Since a hen in early medieval Ireland was only expected to lay about fifty eggs a year, the client owed his lord a substantial part of its produce.[268]

Hens, like most female animals in early medieval Ireland, were valued more highly while they could still produce offspring. This can be seen from the fact that, according to the commentary on *Uraicecht Becc*, the value of a hen decreased by half after it was no longer able to lay eggs: 'two sacks for a hen while it is hatching, a sack for a cock when it is treading, half a sack thereafter' (*da miach ar circ cein dotas, Miach ar caileach cein niunas, lethmiach iarmotha*).[269] Yet, the eighth-century legal tract *Bretha Éitgid* notes that hens and their eggs

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[261] Ibid, p. 192.
[262] Hamilton-Dyer, 'Exploitation of birds and fish in historic Ireland', p. 104.
[263] Kelly, *Early Irish farming*, p. 102.
[264] Ibid, p. 141, citing *CIH*, i, p. 73.22-3.
[265] Kelly, *Early Irish farming*, pp 102-5.
[266] *CIH*, v, p. 1609.32; trans. in MacNeill, 'Ancient Irish law', p. 276, §33.
[267] 'Somuine chirce: a aithgin, cuad da ordluch .x. lan d'uighe', *CIH*, iii, p. 920.35-40; trans. in Crigger, 'A man is better than his birth', p. 366: 'Render for a hen: it's restitution, a 12-inch mug full of eggs(?)'.
[268] Kelly, *Early Irish farming*, p. 104.
[269] *CIH*, v, p. 1609.38-9; trans. in *ALI*, v, p. 83.

could also hold equal value.[270] Eggs are also mentioned in the twelfth-century tale *Cogadh Gaedhel re Gallaib*, 'The war of the Gaedhel with the Gall', as one of the food sources cruelly taken as tribute by the Vikings to such an extent that 'none of the men of Erinn had power to give even the milk of his cow, nor as much as the clutch of eggs of one hen in succour or in kindness to an aged man, or to a friend' (*conach rabi commuis ic duni deraib Erend cet blegon a bó, na comeis lini oen chirci dugaib do din, no do digrais da sinser no donamcairt*).[271] *Ríagail na Céle nDé* also includes eggs as part of an ecclesiastical diet; although a particular bird was not listed, the eggs would most likely either have come from hens or geese.[272]

Some early medieval literary sources suggest that the consumption of certain birds may have been used to highlight an individual's status. In the eleventh or twelfth-century tale *Fled Dúin na nGéd*, 'The banquet of Dún na ngédh', for example, a fight erupts between the high-king, Domnall, and his foster-son Congal, king of the Ulaid, over a perceived insult to Congal's honour. According to the text, a banquet was held and everyone's place-setting consisted of a goose egg on a silver platter, except for the plate in front of Congal. Congal receives instead a red-feathered hen egg on a wooden platter; regarding this insult a poet recites this verse:

> 'IN chuid sin chaithi-se anocht,/ cen úabar, cen imarnocht:/ ug circe ón ríg národ car,/ is ug géoid do Máelodar./ Nochan fhitir misi ríam,/ comad úasal ríg Oirgiall,/ no co faca in Máelodar,/ a tig óil 'gá fhíadugad',[273]
>
> 'The meal thou hast taken to-night/ is without pride, without honour;/ a hen egg from the king who loves thee not,/ and a goose egg to Maelodhar./ I never had known/ the noble position of the king of Oirghiall,/ Until I beheld Maelodhar,/ Being honoured at the banqueting house'.[274]

The difference between the platters upon which the eggs rested, one wooden the other silver, was just one way of visually distinguishing the status of those parties involved, while the eggs were another. One of the reasons for this disparagement was due to the size difference between the eggs. A surviving quote from a lost legal text notes that a hen's egg measured

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[270] 'In cerc, treiniugud uirri .i. trian ar scath a colla ₇ trian ar scath a háil ₇ trian ar scath a sailtinchi iar tain', *CIH*, v, p. 1628.33-4; trans. in *ALI*, iii, pp 379-81, with minor emendations based on Kelly, *Early Irish farming*, p. 649, index, s.v. *saíltinche*: 'The hen has a tripartite division, i.e. one-third her [flesh], one-third for her clutch, and one-third for her [potential] afterwards'.

[271] *Cogadh Gaedhel re Gallaibh: the war of the Gaedhl with the Gall, or the invasions of Ireland by the Danes and other Norsemen*, ed. James H. Todd (London, 1867), pp 48-9, §40.

[272] 'The rule of Tallaght', ed. Gwynn, pp 64- 5, §4.

[273] *Fled Dúin na nGéd*, ed. Lehmann, p. 9, ll. 273-80.

[274] *The banquet of Dun na n-Gedh and the battle of Magh Rath*, ed. O'Donovan, p. 31.

only four inches in circumference and five inches along the vertical axis.[275] While the dimensions of a goose egg are not given, it can be accepted that these would have been larger, relative to the size of the bird. The high-value of a goose egg was also partially derived from its limited availability; unlike hens, that could lay for longer periods of time, geese normally only laid in summer, increasing the perceived value of this item.[276]

Archaeological and historical information indicates that seabirds, such as gulls and Manx shearwaters, were also exploited in early medieval Ireland, particularly on sites from the west coast. Seagulls were one of the many birds hunted and recounted as 'delectable' in a depiction of the island of Arran in the twelfth-century *Acallamh na Senórach*, 'Colloquy of the ancients'.[277] Gulls' eggs seem to have been particularly valued, since they made up part of the stipend the king of Ireland owed to the king of the Ulaid, according to the twelfth-century *Lebor na Cert*, 'Book of rights'.[278] The Manx shearwater, on the other hand, was less important to contemporary authors, as there was no mention of this bird in Old or Middle Irish legal or literary texts. Yet, the remains of Manx shearwaters have been found on the early medieval ecclesiastical site on Illaunloughan, County Kerry, and the early medieval secular site at Rathgurreen, County Galway. Its presence on both ecclesiastical and secular sites may indicate another link between the ecclesiastical and the commoner diet or similar regional diets.

More historical evidence survives for the consumption, by commoners, of smaller wild birds, like blackbirds and corncrakes, in early medieval Ireland, as there are a multitude of references to these birds being captured by snares and eaten by opportunistic hunters. A blackbird in one Middle Irish poem laments the loss of his wife and children to some cowherds (*buachalla*).[279] These cowherds ranked relatively low on the wider social scale, according to the eighth-century legal tract *Cethairślicht Athgabálae*, which included them on a list with slaves and *fuidri*.[280] A part of the eighth-century law tract *Bretha Sén Forma*, 'judgements on nets for bird-snaring', which only survives in quotations from O'Davoren's glossary and in legal commentary, entitles any individual to trap 'a small bird' (*minnta*), 'a heron' (*corr*), or 'a hawk

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[275] 'O'Davoren's glossary', ed. Stokes, p. 461, §1484.

[276] The eggs in *Fléd Dúin na n-Gedh* were particularly hard to find, since it was not the appropriate season, *The banquet of Dun na n-Gedh and the battle of Magh Rath*, ed. O'Donovan, pp 16-17, no. 'm'.

[277] 'Acallamh na Senorach' in *Silva Gadelica*, ed. Standish Hayes O'Grady, (2 vols, London, 1892), i pp 94-232, trans. ii, pp 101-264: i, p. 102, trans. ii, p. 109.

[278] *Lebor na Cert*, ed. Dillon, p. 85, l. 1238, §5, ch. 1.

[279] 'A Middle-Irish lyric', ed. Kuno Meyer, in *The Gaelic Journal*, iv (1889) pp 42-3: 42, ll. 9-12.

[280] 'Ni mug. ni fuidir. ni fulla. ni augaire. ni buachail. ni crette cuaine', *CIH*, ii, p. 363.23-4; trans. in *ALI*, i, p. 105, with minor emendations: 'No [slave], no 'fuidhir', no imbecile vagrant, no shepherd, no cowherd, no [dog's body (poet's apprentice)]'. For more information on the *crette cuaine*, see *Uraicecht na Ríar*, ed. Breatnach, pp 112-13, §18, commentary.

(*séig*) or other large bird of prey', on a neighbour's property, without first securing permission.[281] Presumably, it was legal to trap small birds as the amount of meat or feathers one could gain was not substantial enough to cause any legal disputes.[282] According to some late legal commentary on this law tract, however, the owner of the land received a portion of the catch.[283] If a bird was caught on property owned by a noble, the owner of the land was entitled to a third of the meat and two-thirds of the feathers.[284] If, on the other hand, a bird was caught on the land of a commoner, the owner of the land was only owed one-fifth of the flesh and two-fifths of the feathers.[285] Throughout these entitlements no importance was placed on the status of the person trapping birds, the only status important to the lawyers being that of the property-owner. Ensnaring birds for consumption, therefore, was common practice in early medieval Ireland.

The corncrake is one bird that was likely ensared on a regular basis. Commonly found on early medieval archaeological sites, the corncrake was, interestingly, scorned in the historical sources. The ninth-century *Triads of Ireland*, for example, includes corncrake (*tradna*), along with elder (*tromm*), and nettles (*nenaid*), as the three tokens of a 'cursed site' (*láthraig mallachtan*).[286] Similarly, the guarantors of the seventh-century *Cáin Adomnáin* cursed any man 'who would kill a woman with his right hand or left, by a kick, or by his tongue, so that his heirs are elder and nettle and the corncrake' (*nomuirbfeth mnái a deis nā clí ná lū nā tengaid, comad hē a comarbpa trom ₇ nenaid ₇ traghnae*).[287] This 'common expression' detailed a negative association with the corncrake in early medieval Ireland, as this bird and the other two features were symptoms of uninhabited, formerly cultivated land.[288] The corncrake was, therefore, negatively associated with waste land. Yet, this bird, like the quail, was a migratory species that came to Ireland to breed in the summer and returned to Africa in

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[281] 'O'Davoren's glossary', ed. Stokes, p. 460, §1480. On *Bretha Sén Formae* see Breatnach, *A Companion to the Corpus Iuris Hibernici*, p. 308.
[282] Kelly, *Early Irish farming*, p. 189.
[283] Kelly, *A guide to early Irish law*, p. 106; *CIH*, vi, p. 2108.24-9. In the case of snaring on church-owned lands the ensnarer owed the church different amounts of his catch depending on whether or not he had first gained permission catch there.
[284] 'Trian feola ₇ da trian cluime ge fiarfaig gingu fiarfaig ar ferann na ngrad flatha', *CIH*, vi, p. 2108.25-6; trans. my own based on Kelly, *A guide to early Irish law*, p. 106: 'One-third of the flesh and two-thirds of the feathers [are owed whether it is] with permission or without permission on the land of the *grád flatha*'.
[285] 'Mas ar ferannn na ngradh fene roinnled gin fiarfaigid ł cu fiarfaigid, cuicedh feola ₇ da .u.eth cluime', *CIH*, vi, p. 2108.28-9; trans. my own based on Kelly, *A guide to early Irish law*, p. 106 'If it is on the land of the commoner grades that it is trapped without permission or with permission, one-fifth of the flesh and two-fifths of the feathers [are owed]'.
[286] *The triads of Ireland*, ed. Kuno Meyer, Todd. Lect. Ser., xiii (Dublin, 1906), pp 18-19, §129.
[287] *Cáin Adamnáin*, ed. Meyer, pp 12-13, §23.
[288] Ibid, p. 13, n. 3

the winter, offering seasonal trapping.[289] According to Emily Murray, both the corncrake and the quail favoured 'rough grasslands, growing crops and heather heath'; areas well within reach of a common farmer in early medieval Ireland.[290] Thus, through the process of trapping wild birds, as well as domestic fowling, it is clear, then, that commoners, along with a number of other individuals, such as cowherds and peasants, could supplement their diet with both the meat and the eggs of these animals. While some smaller birds may only have played a seasonal role, others, like hens, could have provided year-round sustenance.

**Meat**

Another common foodstuff in early medieval Ireland was meat, often attributed by some contemporary sources and scholars as a luxury good not often found in the day-to-day meals of peasants and commoners.[291] Yet, a combination of historical and archaeological evidence suggests that commoners consumed, at least, some form of meat sourced from a variety of animals often slaughtered, namely goats, sheep, cows, and pigs. The consumption of goats, in particular, is not often mentioned in contemporary sources, possibly since both historical and archaeological evidence indicates that they may have been kept mainly for milk and secondly for meat.[292] No surviving historical sources directly mention commoners eating goats, but when a she-goat had ceased milk-production or a he-goat had outlived its usefulness as a breeder, archaeological evidence suggests that these farm animals were slaughtered and consumed. Sheep, on the other hand, were often consumed, but were prized in the literature more for their wool than their meat.[293] Sheep, furthermore, were included on the list of livestock that commoners likely owned, according to *Críth Gablach*, but no mention was made of their consumption.[294] Additionally, wethers (castrated male sheep) were included in the food-rents a client owed his lord.[295] Mutton may also have been a food reserved for special occasions, such as weddings, as attested in a ninth-century poem, the 'Lament of the Old Woman of Beare'.[296] Both sheep and goats were likely consumed by various social groups,

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[289] Emily Murray, 'Lesser-spotted feathered friends' in *Arch. Ir.*, xxii, no. 3 (2008), pp 30-1: 30.
[290] Ibid, p. 30.
[291] See, for example, Pearson, 'Nutrition and the early-medieval diet', pp 1-32.
[292] McCormick, 'The animal bones', p. 828.
[293] The seventh-century *Audacht Morainn*, for example, notes that a king should 'estimate sheep by their covering which is selected for the garments of the people', *Audacht Morainn*, ed. Kelly, p. 13, §44.
[294] For example, in the list of an *ócaire*'s possessions, *Críth Gablach*, ed. Binchy, p. 4, ll. 89-91, §10; trans. in MacNeill, 'Ancient Irish law', p. 286, §77.
[295] 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, pp 341-60, §§3, 13, 16. See also Chapter 4 above on Dues and Services, table 3.
[296] 'Ní feraim cobra milis;/ ní marbtar muilt dom banais;/ is bec, is líath mo thrilis;/ ní líach droch-caille tarais','I speak no honied words; no wethers are killed for my wedding; my hair is scanty and grey; to

but, since it is often difficult to tell just how many goats a commoner would have had on his farm and to distinguish sheep and goat remains in the archaeological record, the exact proportion of goat and sheep meat in a commoner's diet cannot be determined.

The two main domestic animals slaughtered for meat were cows and pigs. As was mentioned at the beginning of this chapter, the legal entitlements of a visiting *aithech ara threba a deich* and a visiting *mruigfer* included various types of meat, likely venison and/or bacon, yet part of their normal diet was probably composed of some type of beef as well. The importance of the cow in early medieval Ireland has been well established by modern scholars, such as A.T. Lucas and Fergus Kelly.[297] Likewise, archaeozoologists, such as Finbar McCormick, have shown that on many early medieval archaeological sites cattle bones clearly outweighed and outnumbered other domestic livestock.[298] The cattle bones found at the high-status enclosure at Ballynagallagh, County Limerick, moreover, suggest that, in this case, the cattle were not kept for dairying, but, due to the age at slaughter, they were kept solely for their meat.[299] Both the historical and archaeological evidence for beef consumption amongst peasants and commoners, however, is limited.[300] The illustration in the Book of Leinster (*c.* 1160) noted at the start of this chapter assigns provisions to even the lowest-ranked member of the king's retinue, including doorkeepers and buffoons, but the common farmer, who was not commonly invited to these feasts, was omitted. A similar description of this feast found in the twelfth-century *Metrical Dindshenchas* includes a farmer amongst the attendees and notes that he was given a choice cut of meat, but, although Edward Gwynn originally translated Old Irish *brugaid* as 'farmer', this term specifically refers to a grade in society known as the hospitaller (*briugu*), who could have an honour-price equal to that of a local king.[301]

Some hagiographical evidence does survive in which meat is prepared for reapers during harvest time. In the twelfth-century text *Betha Choluim Chille* found in the Book of Lismore, Columba prepares an ox for a reaping band (*meithel*). The actual meat these men

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have a mean veil over it causes no regret', 'The Lament of the Old Woman of Beare', ed. Gerard Murphy, in *R.I.A. Proc.*, lv (1952-3), pp 83-109: 94-5, §11.

[297] A.T. Lucas *Cattle in ancient Ireland* (Kilkenny, 1989); Kelly, *Early Irish farming*, pp 27-66.

[298] Margaret McCarthy, 'The faunal remains' in Rose M. Clery's 'Excavations of an early-medieval period enclosure at Ballynagallagh, Lough Gur, County Limerick' in *R.I.A. Proc.*, cvi, (2006), sect. C, pp 1-66: 54; O'Sullivan, *The archaeology of lake settlement in Ireland*, p. 117.

[299] McCarthy, 'The faunal remains' [Ballynagallagh], p. 55.

[300] Finbar McCormick and Emily Murray (eds), *Knowth and the zooarchaeology of early Christian Ireland* (Dublin, 2007); Finbar McCormick, 'The decline of the cow: agricultural and settlement change in early medieval Ireland' in *Peritia*, xx (2008), pp 210-25; Finbar McCormick, 'Dairying and beef production in early Christian Ireland: the faunal evidence' in Terence Reeves-Smyth and Fred Hammond (eds), *Landscape archaeology in Ireland* (Oxford, 1983), pp 253-67.

[301] *The metrical Dindsenchas*, ed. Edward Gwynn, Todd Lect. Ser., viii (5 vols, Dublin, 1903-35, repr. 1941), i, pp 24-5, §39.

receive, however, is second-rate. The text describes how a warrior entered the kitchen whilst Columba was preparing the meal and the entire ox was given to the demanding warrior. In order to be able to feed the workers, Columba miraculously reconstitutes the ox's flesh from its bones.[302] The text thus indicates that during certain situations farmers did consume beef. Yet, it is difficult to determine whether or not these reapers were monastic tenants (*manaig*) or secular commoners. Yet, base clients in early medieval Ireland were also obliged to aid in the reaping of their lord's harvest, either by themselves or by proxy and though no description of any reciprocal meals are described it is plausible that beef would have been part of this feast. It must be noted, however, that this episode in the twelfth-century vernacular *Life* of Columba is not found in Adomnán's seventh-century Latin text. Furthermore, a similar incident occurs in in the *Lebor na hUidre* (*c.* 1100) version of *Tucaid innarba na nDéssi i mMummain ⁊ aided Chormaic*, 'This is the cause of the Expulsion of the Déssi to Munster and the violent death of Cormac', and in this account the harvest workers were not offered beef, but eight loaves of bread (*hocht mbargin*).[303] In this version a warrior, Óengus, on a plan to avenge his kinsman, enters the kitchen of a woman preparing food for a similar band of reapers. After the warrior demands to be fed, the woman specifically asks him why he believes he is more deserving of the food, since, she argues 'your work ... is not more deserving than is the work of the people whose food this is' (*ní hairchisi th'op(ar) or si andá opar in lochta asa cuit seo*).[304] Angered, Óengus eats the food anyway, kills her, and flees the vicinity.[305] Interestingly, between these two sources it was the literary text and the secular woman who was preparing bread and the hagiographical text which considered beef an appropriate food for harvest workers. This feast prepared by churches or lords is yet another possible example of prestige foods being donated to peasants and commoners by wealthy or religious members of society.[306]

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[302] 'Life of Colum-Cille', *LismL*, pp 20-33, trans. pp 168-80: p. 31, ll. 1055-63, trans. p. 179.

[303] *Lebor na hUidre: the Book of the Dun Cow*, ed. Osborn Bergin and Richard Best (Dublin, 1992), p. 137, l. 4355; trans. 'The later version of the Expulsion of the Déssi', ed. Vernam Hull, in *ZCP*, xxvii (1958-9), pp 14-63.

[304] *Lebor na hUidre*, ed. Bergin and Best, p. 137, ll. 4350-1; see also, 'Expulsion of the Déssi', ed. Hull, p. 25, §3, trans. p. 46.

[305] *Lebor na hUidre*, ed. Bergin and Best, p. 137, ll. 4357-8; see also, 'Expulsion of the Déssi', ed. Hull, p. 25, §3, trans. p. 46.

[306] Similarly, in England Christopher Dyer has shown that harvest workers were given small amounts of fish and meat in the thirteenth century, which increased to beef, wheat and ale in the fifteenth century, Christopher Dyer, 'Changes in diet in the late middle ages: the case of harvest workers' in *Agricultural Historical Review*, xxxvi, no. 1 (1988), pp 21-37: 36-7.

**Domestic pork**

Unlike cows, goats or sheep in early medieval Ireland, pigs were reared solely for their meat. The amount of historical sources that discuss pig-meat (pork or bacon, i.e. fresh or salted meat) highlights the fact that this meat was consumed by a wide range of socio-economic groups. As was noted in Chapter 4 above, for example, bacon was one of the items a base client owed his lord as renders. Pork was also the preferred food at noble feasts and some contemporary sources suggest it may have been considered a luxury good. At the festival of Samain, for example, one of the main dishes served was known as the 'the piglet of Samain' (*banb samna*).[307] Additionally, a cunning suitor attempts to woo a young woman with fresh pork (*muc úr*) in a ninth-century love poem entitled *A bé fhind, in raga limm?*, 'Fair Lady, will you go with me?'.[308] Fresh pork was a luxury item that needed to be consumed shortly after slaughter, while bacon, described by Harold Mytum as a way of storing protein through winter, could be doled out in thin slices over time.[309] In an alternate version of this poem found in the eighth- or ninth-century tale *Tochmarc Étaíne*, 'The wooing of Étaín', the suitor instead tries to woo his lady with promises of honey (*mil*), and wine (*fin*).[310] Pig-meat also played some role in the ecclesiastical diet, as a ninth-century text, 'The monastery of Tallaght', notes that whatever foods are left after the monks have finished eating should be donated to the poor; one of these leftovers was 'flitches of bacon' (*na mbocht de chrocaib saildi*).[311]

Due to the prevalence of pig-meat in the literary sources, it is, perhaps, not surprising, therefore, that bacon is also mentioned amongst the entitlements a visiting commoner could request from his host or hostess.[312] Similarly, an *ócaire* was said to commonly possess seven male pigs and one sow on his farm; one of these pigs was killed each year to accommodate the render given to the lord.[313] The *mruigfer*, furthermore, is described, in *Críth Gablach* (*c.* 700), as possessing 'a bronze cauldron in which a hog fits' (*caire umai hi talla(i) torcc*).[314] The law tract *Cáin Lánamna* (*c.* 700), which discusses the appropriate dispensation of household assets

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[307] Kelly, *Early Irish farming*, p. 461.

[308] Text and trans. in '*A bé fhind, in raga limm?*, 'Fair Lady, will you go with me?'', in *Early Irish lyrics: eighth to twelfth century*, ed. Murphy, pp 105-7: 106-7, §7.

[309] Mytum, *The origins of early Christian Ireland*, p. 188; see also Kelly, *Early Irish farming*, p. 336.

[310] 'Tochmarc Étaíne', ed. Osborn Bergin and Richard Best, in *Ériu*, xii (1938), pp 137-96: 182-3, §10.

[311] 'The monastery of Tallaght', ed. Gwynn and Purton, p. 128, §3.

[312] *Bóaire febsa*: *Críth Gablach*, ed. Binchy, p. 7, ll. 168-9, §13; trans. in MacNeill, 'Ancient Irish law', p. 290, §88. Although in MacNeill's translation he takes *saillte* to refer to salted onions, Binchy translates it as 'salt meat', *Críth Gablach*, ed. Binchy, glossary, p. 63; *DIL*, *s.v. saill*. *Mruigfer*: *Críth Gablach*, ed. Binchy, p. 8, ll. 205-6, §15; trans. in MacNeill, 'Ancient Irish law', p. 291, §90.

[313] *Críth Gablach*, ed. Binchy, p. 4, ll. 87-94, §10; MacNeill, 'Ancient Irish law', p. 286, §77. See also, Chapter 4 above, particularly Tables 4.3 and 4.4 for more information on the specific renders owed in clientship.

[314] *Críth Gablach*, ed. Binchy, p. 8, l. 197, §15; trans. in MacNeill, 'Ancient Irish law', p. 291, §90.

in the event of a couple's separation (*scarad*), entitles the wife or husband (if the union was of a woman's contribution) to a third of the 'salted meat' (*saille*), which a glossator interpreted as 'of the pigs' (*na muc*).[315] Later commentary, furthermore, notes that the wife could be entitled to a limited share 'of the bacon of a pig (that lives in) a sty' (*a saill muice crai*).[316] Very few sections of this text actually focus on the status of the couples;[317] this section in particular did not distinguish between grades. The lack of any particular entitlements based on the husband or wife's status suggests that pig rearing, and consumption, was common in early medieval Ireland.

**Hunting**

A number of historical sources suggest that commoners also hunted wild animals, such as boar and deer. For the most part hunting is portrayed in early medieval Irish literary sources as the pursuit of young noblemen and warriors,[318] but one surviving story does describe a commoner killing a wild boar. This tract, preserved in the *Triads of Ireland*, records how a commoner managed to kill the boar Druim Leithe when Finn Mac Cumaill could not. Finn then recites this lay: 'It is not well that we fed our hounds,/it is not well that we rode our horses,/since a little [commoner] from a kiln/has killed the boar of Druimm Leithe' (*Ní mad biadsam ar cono./ ní mad ríadsam ar n-echa/ tan is aithechán átha./ romarb torcc Dromma Letha*).[319] While Finn's lay associates the commoner with a kiln not the hunt, the slaughtered boar, no doubt, made a welcome addition to the commoner's foodstores. Law tracts, such as *Di Astud Chirt ⁊ Dligid*, furthermore, acknowledge that all members of a *túath*, in good legal standing, had limited rights to hunt wild animals in the woods.[320] An Old Irish gloss

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[315] Text and trans. in *Cáin Lánamna*, ed. Eska, pp 156-7, §14.

[316] Ibid, pp 158-9, §14 and pp 236-7, §31.

[317] One reference to status is found in the discussion of how many guests a wife is supposed to be able to entertain: 'the wife entertains half the retinue of the husband in accordance with the status of the wife's spouse' (*fo-suidethar in ben lethdáim in ḟir amail bes míad céili na mná*), text and trans. in *Cáin Lánamna*, ed. Eska, pp 214-15, §25. Thus, 'if she is a wife of a *bóaire*, she entertains an *ócaire*' (*mad ben bóairech fo-suidethar / ócairig*), Ibid, p. 218-19, §26.

[318] See, for example, 'The boyhood deeds of Finn', 'Macgnimartha Find', ed. Meyer, pp 195-204; trans. in 'The boyish exploits of Finn', ed. Kuno Meyer, in *Ériu,* i (1904), pp 180-90; Joseph Falaky Nagy, 'Hearing and hunting in medieval Celtic tradition' in Stephen O. Glosecki (ed.), *Myth in early northwest Europe* (Turnhout, 2007), pp 121-52.

[319] Text in *The triads of Ireland*, ed. Meyer, p. 30, §236; trans. in Kelly, *Early Irish farming*, p. 281, with a minor emendation to the text based on this thesis' translation of *aithech*.

[320] 'Cis lir rosuidigead rodilse cacha tuaithe ada comdilsi da cach recht ... fiad cacha feda', *CIH*, i, p. 241.19-25; trans. in *ALI*, v, p. 483: 'How many things have been established as the inherent rights of every territory, and which are equally due to every person? the wild animals of each wood'. See also, Kelly, *A guide to early Irish law*, p. 106.

enumerated these animals as 'badgers, deer and wild pigs' (*bruic, huis, muca aldti*).[321] Wild animal imagery was also used in some insults from Middle Irish satire; one particularly, unlucky individual is described as follows in one such invective: 'you captured goose,/ you belly meat of a pine marten',[322] highlighting the low value attached to the meat of smaller animals, such as pine martens.

According to one story in Adomnán's seventh-century *Life* of Columba, wild animals are directly associated with the diet of a 'very poor man' (*pauperrimus*) and his family.[323] There is no mention of this man's specific grade in society, but the description of his house, his wife, his pet dog and the furnishings suggest a once economically stable individual, possibly a commoner, who was having financial difficulties. In this story, the poor man is given a stake, blessed by Columba, which had the power to hurt 'neither man nor any cattle' and would instead kill 'only wild animals, and also fish'.[324] The man chooses to place the stake 'in an out-of-the-way part of the district, frequented by wild creatures', possibly alluding to a common woodland.[325] This remote location may also have been chosen as the result of a stipulation from the eighth-century legal tract *Osbretha*, 'deer judgements', which requires any trapper to give a public warning if he plans to set a fixed spike in the ground in order to trap deer or other wild animals.[326] The remote spot in the woods chosen by the commoner may, therefore, have limited the number of warnings he was required to issue. It was not long before the poor man and his family were satiated with venison and the meat of other wild animals, to such an extent that they began selling their extra portions to neighbours.[327] Unfortunately, the poor man was forced to destroy the stake, due to the unfounded anxiety of the dangers this weapon posed to family pets and domestic livestock by his wife, whose faith in Columba's miraculous powers had waned. In the end, their combined lack of faith in the saint forced them to revert to poverty and starvation once again.

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[321] 'fiad cacha fedha .i. ut diximus, fiadhmīla .i. bruic, huis, muca aldti', 'the hunting of every wood i.e. as we have said, game-animals i.e. badgers, deer, wild pigs', text and trans. in Kelly, *Early Irish farming*, p. 282, no. 74, citing *CIH*, iii, p. 916.40-1.

[322] 'a geóid íarna gabáil,/ a ḟeóil tarra togáin', text and trans. in *Early Irish satire*, ed. Róisín McLaughlin, (Dublin, 2008), pp 150-1, §46.

[323] Text and trans. in *Adomnán's Life of Columba*, ed. Anderson and Anderson, pp 148-9, book ii, ch. 37. See also trans. in Adomnán of Iona, *Life of St Columba*, ed. Sharpe, pp 185-7.

[324] *Adamnán's Life of Columba*, ed. Anderson and Anderson, p. 149, book ii, ch. 37; also trans. in Adomnán of Iona, *Life of St Columba*, ed. Sharpe, pp 185-7

[325] *Adamnán's Life of Columba*, ed. Anderson and Anderson, p. 149, book ii, ch. 37; also trans. in Adomnán of Iona, *Life of St Columba*, ed. Sharpe, pp 185-7

[326] Kelly, *Early Irish farming*, p. 278.

[327] *Adomnán's Life of Columba*, ed. Anderson and Anderson, p. 149, book ii, ch. 37; also trans. in Adomnán of Iona, *Life of St Columba*, ed. Sharpe, p. 186.

An important precedent is established in this tale, namely the prohibition that the stake would not kill cattle. This embargo was included since it is clear that the poor man did not own any of his own cattle and any cow that died as a result of the stake, therefore, was someone else's property. The death of a neighbour's cow incurred strict fines in early medieval Ireland, and these fines, as recorded in commentary to the eighth-century legal text *Osbretha*, could be quite high: 'If it be a case of a [stake trap] between a green and [undivided land] ... one-third of *díre*-fine with compensation for a cow' (*Masa bir airnil iter faiche ⁊ diraind ... trian diri re taeb aithgina im boin*).[328] Thus, the amount and variety of foods the stake provided for the poor man and his family were specific and exclusive. Wild animals, such as deer, and fish, such as salmon, were all freely available to the starving individual, but someone else's domestic livestock was prohibited.

An interesting comparison may be made here between the foods associated with this poor man and the outlaw diet referenced above. Kim McCone, in his discussion of the *fían*, references a short Old Irish charm found in the ninth-century *Codex Sancti Pauli*, in which the scribe relates the difference between a man settled in society and that of an outlaw in terms of their diet:

> 'Adgúisiu fid nallabrach ⁊ arggatbrain etir tenid ⁊ fraig./ Adgúisiu na tri turcu tercu . tairi siabair mochondáil con ith ⁊ mlicht neich arindchuiriur./ Ma rom thoicthersa inso rop ith ⁊ mlicht adcear manim rothcaither ropat choin altai ⁊ ois ⁊ imthecht slebe ⁊ oaic féne adcear//',
>
> 'I wish for the wood ... of notice (?) and of silver raven (chief?) between fire and wall. I wish for the three thin boars. May a fairy attend my encounter with cereal and dairy produce ... of whatever I move it for. If I be granted good luck here may it be cereal and dairy produce that I see ... If I be not granted good luck let it be wolves ... and deer and traversing of mountains and young warriors of the *fían* that I see'.[329]

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[328] *CIH*, i, p. 321.10-11; trans in *ALI*, iii, p. 451, with a few emendations based on *DIL*, *s.v. faithche* and *dírainn*, Kelly, Early Irish farming, pp 278-9 and Kelly, *A guide to early Irish law*, p. 107. According to *DIL*, a *faithche* could refer to a green or lawn in front of a residence, or an open space around a town or a place kept specifically for cattle.

[329] *Thesaurus Palaeohibernicus*, ed. Stokes and Strachan, ii, p. 293; trans. in McCone, *Pagan past and Christian present*, p. 207. For an alternate translation see Ó Cróinín, *Early medieval Ireland 400-1200*, p. 88: 'I wish for a wood of *allabair* and *arggatbran*, [Ó Cróinín posits these refer to some form of herbs, not board games, as was proposed by McCone] together with a fire and house;/ I wish for the three lean boars./ May a spirit come to me with someone's corn/ and a yield of milk, which I increase./ If this is to be, may it be corn and yield of milk that I see;/ If it is not to be, may I see wolves and deer wandering on the mountain,/ and bands of *fían*-warriors'.

This charm is not used here to imply that the outlaw or *fían* diet was the same as a commoner or peasant diet, but merely to reiterate the fact that deer could act as a food resource for various people on the periphery of society as well as starving members of the settled community.

Further evidence that the exploitation of the wild animals played a role in restricted diets can be seen from the allowances for the consumption of wild boar and venison in some ecclesiastical diets, particularly as described in material from the monastic group known as the *Céli Dé*. Instead of prohibiting the consumption of meat, 'The monastery of Tallaght' entitles a monk to consume both deer and wild swine. Firstly, the author notes that 'Not a morsel of meat was eaten in Tallaght in his [Máel Ruain's] lifetime (unless) it were a deer or a wild swine' (*Nicodoes mír feolai dano hi tamlachdai inda bethusom ... mad oss no muc allaid*). This statement is then qualified: 'what meat there was (at Tallaght used to be consumed by) the guests' (*No ... oigid ánanobid and de feol*).[330] A later section of the text specifically allows monks to eat deer and wild swine at Easter.[331] They were allowed these meats principally because 'he [Máel Ruain] does not reckon this as flesh' (*ar ní ar feoil adrime indísin*).[332] The author of the text does, however, hold those individuals who refrained from consumption of meat in higher regard and even calls those who died as a result of this self-imposed restriction martyrs. Thus, the consumption of these meats was not only allowed, but sanctioned and regulated.[333] These same rules and exceptions can be found in another document associated with the *Céli Dé*, the ninth-century composition known as *Ríagail na Céle nDé*. This text notes that 'the relaxation at Easter permits eggs and lard and the flesh of deer and wild swine' (*Is e in tuaslocud ar chaisc .i. oga ₇ blonoca ₇ feoil oss n-allaid ₇ mucc n-allaid*) could be consumed.[334] Similarly, the text allows for 'fleshmeats' (*feola*) to be consumed during 'great Lent' or spring Lent 'when other things are scarce' (*in tan bis i terci a arille*).[335] Yet, the Céli Dé exemplar, Máel Díthruib, was described as living solely on bread and water during all three

[330] 'The monastery of Tallaght', ed. Gwynn and Purton, p. 129, §6.

[331] If monks did consume venison and pork at Easter, though, they were not allowed to consume these meats again for an entire year: 'Intí dano arbir bith oss nallaid no muc naldaich ₇ nad caith aliam carnem in pascha non manducat aliam carnem usque ad aliud pascha et nisi necesseitas aliqua coegerit illum', 'Now he that eats the flesh of a wild deer or wild swine and who eats not other flesh at Easter, must not eat any other flesh until the Easter following, unless constrained by some necessity', text and trans. in 'The monastery of Tallaght', ed. Gwynn and Purton, p. 146, §51.

[332] Ibid.

[333] '₇ is ar martrai atrimther dó ced donecmai bás ind ar comalnad androtairrngert do anmcharait', 'and it is reckoned to him as martyrdom if he chance to die for it, to fulfil what he had promised to his confessor', Ibid.

[334] 'The rule of Tallaght', ed. Gwynn, pp 66-7, §6.

[335] Ibid, pp 66-7, §8. I take the 'great Lent' described in this text to be the spring Lent discussed in Kelly, *Early Irish farming*, p. 346.

Lenten periods.[336] According to one ninth-century Irish penitential, possibly associated with the Céli Dé, secular individuals in lawful wedlock were bound to 'go without bacon or fresh meat during the three Lents of the year' (*beith cen saill cen carna i trib corgusaib na bliadna*).[337] These ecclesiastical texts, therefore, describe both the ideal and the reality of meat consumption amongst monks, as well as laymen, in early medieval Ireland.

A number of suggestions have been posited for the allowance of deer and wild swine in the monastic diet. As it was noted above, the authors themselves advocate that meat from these animals not be considered flesh, despite their own usage of the term. Another theory suggests that an ecclesiastical preference for venison may stem from the medieval belief that one could acquire the 'character of an animal ... through the consumption of its flesh', and roe deer were characterised in later medieval English art as faithful, chaste and 'abstemious'.[338] Yet I have found no evidence for this conceptual practice in early medieval Ireland. It seems more likely that this emphasis on deer and wild swine is evidence of a diet 'determined by the environment'.[339] Like the community at Iona, in which archaeological excavations have found large numbers of bones from both the red deer and roe deer in early medieval middens, sufficient woodland was in relative proximity to the Céli Dé community in Tallaght, County Dublin, and could support the consumption of wild animals.[340] Early medieval commoners would also have exhibited this resourcefulness to exploit the surroundings of their local *túatha* particularly in times of hardship.

**Famines and scarcities**

The need to seek out additional food sources from the landscape was particularly important during recurrent periods of famine and scarcity consistently recorded in the early

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[336] 'The monastery of Tallaght', ed. Gwynn and Purton, p. 163, §86.

[337] 'An Irish penitential', ed. Gwynn, pp 150-1, 'De gula', §36; trans. in 'The Old-Irish penitential', ed. Binchy, p. 265. For the association between the Irish penitential and the Céli Dé see Follett, *Céli Dé in Ireland*, p. 124.

[338] N.J. Sykes, 'The impact of the Normans on hunting practices in England' in C.M. Woolgar, D. Serjeantson and T. Waldron (eds), *Food in medieval England: diet and nutrition* (Oxford, 2006), pp 162-75: 168.

[339] Finbar McCormick, 'Iona: the archaeology of the early monastery' in Cormac Bourke (ed.), *Studies in the cult of Saint Columba* (Dublin, 1997), pp 45-68: 58.

[340] McCormick, 'Iona: the archaeology of the early monastery', p. 57. Red deer were common to both Ireland and Scotland, but the roe deer was native to Scotland, and only introduced into Ireland after the arrival of the Anglo-Normans, Murphy and Potterton, *The Dublin region in the middle ages*, pp 360-2; John Soderberg, 'Wild cattle: red deer in the religious texts, iconography, and archaeology of early medieval Ireland' in *International Journal of Historical Archaeology*, viii, no. 3 (2004), pp 167-83.

medieval annalistic record.[341] Between 600 and 1170 there were over 50 recorded events of famines, scarcities or cattle murrains, many of which led to a significant loss of cattle, various domestic and wild animals, and people. During these famines and scarcities additional food resources were required. One animal occasionally slaughtered for meat in times of difficulty was the horse. The consistent recriminations found in the Irish canons for the consumption of this type of meat as well as butchery marks on some bones found on early medieval excavations, indicate that horses were being consumed in early medieval Ireland regardless, but mainly by high-status individuals.[342] The importance of a horse in farm work, and the fact that only the highest commoners were said to have owned one, suggest that, if a horse was slaughtered for its meat by a commoner, it was done only out of extreme necessity.

The importance of wild animals or woodland resources in general during these times is evident in a number of annalistic entries. The constant inclusion in the annalistic record of years in which the oak and other trees were producing a particularly good mast crop is a valid indication of the importance of woodland resources, as mast was a common food for wild pigs, but could also have been used by farmers to feed domestic pigs (see Table 5.3 below).[343]

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[341] The following records are taken from a total of nine annalistic compilations: *AFM*; *AI*; *CS*; *FA*; *AU*; 'The Annals of Tigernach' [*AT*], ed. Whitley Stokes, in *Rev. Celt.*, xvi (1895), pp 374-419; xvii (1896), pp 6-33, 116-263, 337-420; xviii (1897), pp 9-59, 150-303; repr. as (2 vols, Dyfed, 1993); *The Annals of Clonmacnoise: being annals of Ireland from the earliest period to AD 1408* [*AClon*], trans. Conell Mageoghagan, ed. Rev. Denis Murphy (Dublin, 1896); *The Annals of Loch Cé: a chronicle of Irish affairs from A.D. 1014 to A.D. 1590* [*ALC*], ed. W.M. Hennessy (Dublin, 1871); *Miscellaneous Irish Annals (A.D. 1114-1437)* [*MI*], ed. Séamus Ó hInnse (Dublin, 1947). See also, *The chronicle of Ireland*, ed. Thomas Charles-Edwards, (2 vols, Liverpool, 2006). For a discussion of these natural disasters see, Mac Niocaill, *Ireland before the Vikings*, especially pp 66, 101-2; Ó Corráin, 'Ireland *c.* 800: aspects of society', pp 578-82; Ó Cróinín, *Early medieval Ireland 400-1200*, pp 109, 159-60. See also, no. 81 of Chapter 1 above.

[342] See, for example, the type of penance required for the consumption of horseflesh: 'poenitentia essus carnis aequi .iiii. anni in pane et aqua', 'The penance for eating horseflesh, four years on bread and water', text and trans. in Ludwig Bieler, 'Irish canons: Of the decision of an Irish synod and of Gregory Nazianzen, a discourse concerning unnumbered sins' in *The Irish Penitentials*, ed. Bieler, pp 160-1, §13. There is also a caution against the consumption of horseflesh in one early Irish law tract, 'Bretha Crólige', ed. Binchy, p. 21. Furthermore, archaeological remains from a graveyard in Moyne, County Mayo, Church Island and Illaunloughan in County Kerry, Waterford City, County Waterford, Moynagh Lough, County Meath and Marshes Upper in Dundalk indicate that horses were consumed on site, Finbar McCormick, 'The horse in early Ireland' in *Anthropozoologica*, xlii, no. 1 (2007), pp 85-104; see also Jenny White Marshall and Claire Walsh, *Illaunloughan Island: an early medieval monastery in County Kerry* (Bray, 2005), pp 68, 73.

[343] Kelly, *Early Irish farming*, p. 83.

| Table 5.3 Mast crops recorded in the annals between 600-1170 AD | | |
|---|---|---|
| **Date (as recorded in the annals)** | **Event** | **Chronicle** |
| **672** | abundant mast | *AU* |
| **760** | great mast-crop | *AU* |
| **769** | abundant oak-mast | *AU* |
| **773** | abundant oak-mast | *AU* |
| **806** | great crop of mast | *AU* |
| **836** | a great crop of mast: both nuts and acorns | *AU* |
| **935** | abundant oak-mast | *AU* |
| **950** | abnormally great mast-crop | *AU* |
| **981** | abnormal mast-crop | *AU* |
| **985** | abundant mast | *AI* |
| **1057** | abundant mast | *AI* |
| **1060** | great mast-crop | *CS* |
| **1075** | great mast-crop | *AI* |
| **1087** | abundance of nuts and fruit | *AFM* |
| **1093** | great harvest of mast | *AU* |
| **1095** | abundant mast | *Ai* |
| **1097** | great nut crop: white nuts in particular | *ALC* |
| **1108** | plenty of corn and mast | *AU/ALC* |
| **1109** | abundance of apples | *AI* |
| **1112** | great mast-crop | *AI* |
| **1135** | great mast-harvest | *CS* |
| **1147** | great mast-crop; nuts and bark | *CS* |
| **1148** | great crop of oak-mast | *CS* |

In total, as can be seen from Table 5.3, during the period between 600-1170 there are twenty-three different records of abundant mast crops. David Woods has argued that the prevalence of these entries in the surviving annalistic record was due to a very early transcription error, which he believed originally referred to an outbreak of bubonic plague, not

a mast crop.[344] The successive scribes, he argued, then followed this predecessor and noted any abundance of mast. Nearly every time an abundance of mast was noted in the annalistic record, however, it was recorded in a difficult year. According to the *Annals of Ulster*, for example, there was both a 'famine and a great mast crop' (*fames ⁊ mess mar*) in the year 760.[345] The *Annals of Innisfallen* similarly records a 'murrain of cattle, pigs, etc.' (*teid ar innilib ⁊ mucca ⁊ rl*), as well as 'an abundance of mast' (*mess mor*) in 1057.[346] David Dumville has argued that scholars should not interpret these records in annalistic sources as necessarily being connected or causative of one another.[347] He notes, for example, an entry recorded in the *Annals of Ulster* under the year 769, which states 'An earthquake and famine; and a leprous disease attacked many. Abundance of oak-mast' (*Terremotus ⁊ fames, ⁊ morbus lepre multos inuasit. Habundantia dairmesa*).[348] Dumville could not 'imagine' what the connection was between these two items, and felt that it was necessary to surgically separate them into two distinct notations from the same year.[349] In this case, however, the consistency with which an abundance of mast is recorded alongside a famine or scarcity suggests a connection. It is more likely that, instead of being a transcription error, the notices about mast crops were warning signs that members of the community required additional food supplies from outside resources. This is particularly relevant, since these annalistic records were compiled in religious houses.[350]

The evidence compiled here is not intended to subvert the current state of research and suggest that meat played a major role in the diet of peasants and commoners in early medieval Ireland. Instead, it is used to combat the assumption that meat played little to no role in their lives.[351] Beef was clearly consumed by both nobles and commoners, but the extent to which it entered the diet of commoners on a regular basis is still debateable. Clear evidence from the law tracts, however, signifies the importance of the domestic pig in the diet and the frequent mention of wild animals in the diet of both commoners and some

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[344] Woods noted the first description in the Annals of Ulster, *s.a.* 576, which describes 'scintilla lepre ⁊ habundantia nucum inaudita', and presumed that the scribe misinterpreted an original text of 'magnis pestis glandularia' understanding *glandular* not as plague, but as 'the fruit of mast-bearing trees', David Woods, 'Acorns, the plague and the 'Iona Chronicle' in *Peritia*, xvii-xviii (2003-4), pp 495-502: 498.
[345] *AU* 1983, *s.a.* 760, pp 214-5.
[346] Mac Airt, *The Annals of Innisfallen*, *s.a.* 1057, pp 216-7.
[347] Dumville, 'On editing and translating medieval Irish chronicles', p. 78.
[348] *AU* 1983, *s.a.* 769, pp 222-3.
[349] Dumville, 'On editing and translating medieval Irish chronicles', p. 78.
[350] See Chapter 2 above for a commentary on the annals as an historical source.
[351] Lucas, 'Irish food before the potato', p. 8.

ecclesiastical communities clearly indicates a common exploitation of the surrounding lands, especially in times of hardship.

**Conclusion**

This chapter has identified those foods which were both available in early medieval Ireland and which most likely made up part of the diet of commoners, either through direct evidence, such as discussions in the law tracts, or indirectly, through an association with an ecclesiastical or 'poor' diet. At its core, the daily diet would have consisted of a base of corn and dairy, as most scholars have suggested. A great wealth of information concerning the role society played in attaching luxury status to certain every-day foods, such as butter, and the resourcefulness that most early medieval commoners employed to supplement this diet, however, is overlooked by this simplification. The loaves of bread consumed by commoners were flat and made from either oats or barley; a porridge-like mixture could also be made from these grains. This porridge could have included a variety of types of milk, including milk from a sheep or a goat. Depending on weather and location all sorts of fruits, vegetables, fish or fowl could and were added to the main repast, although, amongst these additives, early medieval Irish authors and noble landowners found ways to restrict access to certain items they considered high-status, such as salmon, sweet apples, and honey. Lastly, meat, often considered the reserve of the nobility, also appears in the diet of commoners, although the types of meat consumed were used to distinguish an individual's status. The historical and archaeological evidence for diet in early medieval Ireland, therefore, indicates that in times of economic prosperity peasants and commoners could consume a balanced diet, containing mainly corn and dairy products, but also fruits and vegetables and meat. In times of hardship, however, limited food supplies forced multiple socio-economic groups to make greater use of woodland resources.The persistent verbalisation that certain food items should be considered luxuries, while others were more applicable to peasants and commoners, signifies a desire to distinguish these grades in social situations.

## Chapter 6

## Clothing

### Introduction

Françoise Henry[1], Francis Shaw[2], Mairéad Dunlevy[3], Maria Fitzgerald[4] and Maggie McEnchroe Williams[5] are some of the many historians and art historians who have contributed to the scholarship surrounding dress in early medieval Ireland. Yet their research has, for the most part, concerned the clothing of ecclesiastics, nobles and royals, as these groups of people are the focus of most historical sources and artistic representations. The types and styles of the garments of commoners and peasants, on the other hand, remain unexplored. A combination of illuminated manuscripts, high-crosses, and contemporary legal and literary texts will be used in this chapter in order to shed some light on the clothing of early medieval Irish peasants and commoners. Although there is a wide disparity in the type and chronologies of these sources, it is possible to compare them, albeit cautiously, in order to gain a deeper understanding of the attitudes of medieval authors and artists towards low-status clothing.

### *Brat* and *léine*

The main ensemble for individuals in early medieval Ireland consisted of a *léine* and a *brat*, or a shortened *léine* or jacket and trews. The *léine* was a tunic-like [6] garment that was worn underneath the *brat*. It would most likely have been a long piece of cloth made from

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[1] Françoise Henry, 'Remains of the early Christian period on Inishkea North, Co. Mayo', *R.S.A.I. Jn.*, lxxv, no. 3 (1945), pp 127-55; See also Françoise Henry, *Irish Art during the Viking invasions (800-1020 A.D.)* (London, 1967).

[2] Francis Shaw, 'Irish dress in pre-Norman times' in H.F. McClintock, *Old Irish and Highland dress* (Dundalk, 1950), pp 11-18.

[3] Mairead Dunlevy, *Dress in Ireland* (London, 1989).

[4] Maria Fitzgerald, 'Insular dress in early medieval Ireland', *Bulletin of the John Rylands University Library of Manchester*, lxxix, no. 3 (1997), pp 251-61.

[5] Maggie McEnchroe Williams 'Dressing the part: depictions of noble costume in Irish high crosses' in Desiree Koslin and Janet E. Snyder (eds), *Encountering medieval textiles and dress: objects, texts, images* (New York, 2002), pp 45-63.

[6] Shaw mentions that the term *tunica* in Latin, referring to the Roman tunic, was used to translate the Irish term *léine*, thus giving credence to its description as such, Shaw, 'Irish dress', p. 13. Similarly, *léine* has been glossed with the term *camisia*, 'linen shirt', in some Irish texts, *DIL*, *s.v. léine*, *caimmse*. There was a term in Irish *tuinech* or *tonach* which appears to have been a direct borrowing of *tunica*. In the Passion of Christ from *The passions and the homilies of Leabhar Breac*, there is a note that, after the crucifixion of Christ, lots were cast to determine who would retain his garments, and in this case the *tonaig* is likened to an *inar* or a shorter version of the *léine*, text and trans. in *The passions and the homilies from Leabhar Breac: text, translation and glossary*, ed. Robert Atkinson, (Dublin, 1887), p. 133, l. 3317, trans. p. 381; *DIL*, *s.v. tuinech*, *tonach* (2).

linen, or possibly silk (referred to in literary sources),[7] sleeveless,[8] falling generally below the knee, and worn by both men and women. During times of war, or physical labour, however, it could be belted at the waist with a *criss*, and hoisted up to allow for ease of movement.[9] Yet, this abbreviated hemline had its limits; the ninth-century *Triads of Ireland* allows for the *léine* to be worn one handsbreadth above or below the knee, indicating that a *léine* should not drag on the ground.[10] The belt (*criss*) that would have held the *léine* in place could have been made out of leather, wool[11] or animal hair.[12] The *brat*, which was worn over the *léine,* was a cloak with no hood or sleeves that, depending on an individual's status, could be wrapped[13] around the body between one and five times.[14] It was four-cornered and secured by a brooch or pin,[15] which, if worn by a man, was placed on his shoulder, and if worn by a woman, was placed at her breast.[16] The *brat* functioned, most likely, as a means of warmth, either as a cloak during the day or as a blanket at night,[17] and was commonly made out of wool, although some sources do refer to leather cloaks.[18]

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[7] Shaw pointed out that silk was most likely a rarity in early medieval Ireland, as it is absent in a list of luxury items in the twelfth-century *Immram curaig Maíle Dúin*, Shaw, 'Irish dress', p. 13; *DIL, s.v. sról(l)* (b); but see also p. 211, no. 54 below for silk finds in Viking-Age Dublin.

[8] Shaw, 'Irish dress', p. 13.

[9] See the lowermost panel on the Cross of the Scriptures at Clonmacnois, which depicts two individuals who, by their dress, are interpreted by Williams as an ecclesiastic and a warrior. The warrior wears a shortened, and most likely belted, tunic, Williams, 'Dressing the part', p. 50.

[10] 'bass etir chorthair a léined $_7$ glún', 'a hand-breath between the fringe of the tunic and the knee', text and trans. in *The triads of Ireland*, ed. Meyer, pp 28-9, §222.

[11] Shaw, 'Irish dress', p. 14.

[12] Dunlevy notes that a belt found In Armoy, Co. Antrim, and dated by George Coffey to the Bronze Age, was made out of woven horsehair and included tassels, Dunlevy, *Dress in Ireland*, p. 15; George Coffey, *The Bronze-Age in Ireland* (London, 1913), p. 81

[13] The notion that it was wrapped around the body derives from the Irish phrase *i forcipulim* meaning 'folded' or 'wrapped', Shaw, 'Irish dress', p. 13; *DIL, s.v. forcipol.*

[14] Dunlevy, *Dress in Ireland*, p. 18; Fitzgerald, 'Insular dress in early medieval Ireland', p. 252; see also Cú Chulainn's 'five-folded' mantle in *Táin Bó Cuailnge: recension I*, ed. O'Rahilly, p. 71, l. 2355, trans. p. 190.

[15] Shaw determined that the Old Irish word *ó*, usually translated as 'ear', when used in phrases which describe shields, playing-boards or mantles, refers specifically to the angle or corner of a rectangular garment that may have sometimes been accompanied by 'some metal flange or ornament', Francis Shaw, 'Brat co n-auib, etc.' in *Ériu*, xvi (1952), pp 200-4: 201; *DIL, s.v. ó* (3).

[16] Niamh Whitfield, 'Dress and accessories in the early Irish tale "The wooing of Bechfola"' in Robin Netherton and Gale R. Owen-Crocker (eds), *Medieval clothing and textiles*, vol. 2 (Woodbridge, 2006), pp 1-34: 14; Williams 'Dressing the part', p. 49.

[17] For the use of a *brat* as a blanket in *Tochmarc nBecfhola* see Whitfield, 'Dress and accessories', p. 27; text and trans. in 'A new edition of Tochmarc Becfhola', ed. Máire Bhreathnach, in *Ériu*, 35 (1984), pp 59-91: 78, §8; Shaw, 'Irish dress', p. 12.

[18] A twelfth-century poem described how the tenth-century Muirchertach mac Néill gave his army 'leather cloaks' (*cochall croicenn*), to be worn during the day and as some form of covering during the night, Dunlevy, *Dress in Ireland*, p. 25; Cormacán Éigeas, 'The circuit of Ireland by Muirchertach Mac Néill, prince of Aileach: a poem written in the year 942' in John O'Donovan (ed. and trans.), *Tracts relating to Ireland*, Irish Archaeological Society, i (1841), pp 24-68: 36-7, ll. 69-70; Donnchadh Ó Corráin 'Muirchertach Mac Lochlainn and the *Circuit of Ireland*' in *Seanchas: studies in early and medieval Irish*

**Trews and short tunics**

Most authors, including Shaw and Dunlevy, indicate that these two items, the *brat* and *léine*, were the most commonly discussed form of attire in the early sources, and as a result of their characteristics in the texts were aristocratic or ecclesiastical in nature.[19] Coexisting with the *brat* and *léine* combination, however, was an alternative, a shorter *léine* or jacket and trews. Mairéad Dunlevy distinguished three types of trews in the early middle ages. The first type was illustrated in a manuscript containing the Irish works of Gerald of Wales, and consisted of a leg that was narrow at the calves, with an 'instep strap for each foot'.[20] The Latin term *bracae* that Gerald of Wales used in his twelfth-century *Topography* signified a type of trews made principally from wool.[21] The second type of trews depicted in Ireland was tighter, perhaps even skin-tight, and was depicted in an illustration from the ninth-century Book of Kells.[22] A shorter version reached only to the knee, was 'bulbous' in character and was identified by Dunlevy on soldiers on the tenth-century Cross of Muiredach at Monasterboice, and on an acrobat on the eleventh-century Crozier of Aghadoe.[23] Ankle-length trews were also illustrated in an image of St Matthew in the Book of Durrow (*c.* 650).[24]

These trews and shorter *léini* allowed for an 'ease of movement' not traditionally felt with the *brat* and *léine*.[25] As a result, it has been argued, trews would have been favoured by those individuals involved with 'outdoor activities'.[26] *Bracae*, thought to be of Celtic origin, were described having three main functions, according to various late classical and early medieval sources: decency, warmth and riding.[27] On this association alone, between trews and outdoor work, many historians have concluded that these were the typical garments of the

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*archaeology, history and literature in honour of Francis J. Byrne* (Dublin, 1999), pp 238-50: 240; Robert MacAdam, 'Ancient leather cloak', *U.J.A.*, 1st Series, ix (1861-2), pp 294-300.

[19] Dunlevy, *Dress in Ireland*, pp 17-18; Shaw, 'Irish dress', p. 15.

[20] Dunlevy, *Dress in Ireland*, p. 21; See also, British Library MS Royal 13 B VIII folios. 22, 28, 28v.

[21] Gerald of Wales, *Topographia Hibernica,* ed. J.J. O'Meara, as 'Giraldus Cambrensis in Topographia Hibernie. 'Text of the first recension'' in *R.I.A. Proc.*, lii, (1948-50), pp 113-78: 162, 'De gentis istius natura moribus et cultu'. This form of trousers could also have been embroidered or striped with various colours, William Smith, *A dictionary of Greek and Roman antiquities* (New York, 1878), pp 171-2.

[22] Dunlevy, *Dress in Ireland*, p. 21, referencing the figure at the top-right on folio 130r at the opening of St Mark's Gospel in the Book of Kells.

[23] Ibid

[24] TCD MS 57 folio 21v; Fitzgerald, 'Insular dress in early medieval Ireland', p. 254.

[25] Dunlevy, *Dress in Ireland*, p. 21.

[26] Fitzgerald, 'Insular dress in early medieval Ireland', p. 260.

[27] Oscar Bandle, Kurt Braunmuller, Ernst Jahr, Allan Karker and Hans-Peter Naumann, *The Nordic languages: an international handbook of the history of the north Germanic languages*, (2 vols, Berlin, 2002), i, p. 575, *s.v. brācae*; Isidore of Seville reasons that the usage of *bracae* was 'because they are short ... and the "shameful parts" (*verecunda*) of the body are concealed with these', text in Isidore of Seville, *Etymologiarum*, ed. Lindsay, book xix, ch. 22, ll. 29-30; trans. in Isidore of Seville, *The Etymologies*, ed. Barney, *et al.*, p. 385, book xix, ch. 22, §29.

lower classes, due to their typical vocation as farmers. Another item of clothing, leg bandages (*fasciolis*), however, could have offered similar protection from brambles and other irritants. While these bandages are not often found in the Irish source material, one ninth-century Irish ecclesiastic travelling between Ireland and Rome lamented the loss of his bandages, due to theft, in a letter addressed to the bishop at Liége.[28] In light of this alternate solution, it is necessary to further investigate the use of trews by peasants and commoners in early medieval Ireland.

Figure 1, British Library, MS Royal 13 B viii, folio 22r

Figure 2, Book of Kells, Trinity College Dublin, MS 58, folio 89r

[28] 'hoc est unam albam cum stola et corporalibus duobus et unam bonam nigram capam III uncias valentem, et tonicam cum fasciolis valentem II solidos, et unam camisiam II solidos valentem, et unum rocum valentem unciam, et IIII osas Scotticae vestis, et unam pelliciam et reliquas minutas causas, sed mihi necessarias', *Epistolae Karolini aevi*, ed. Dümmler, iv, pp 196-7; the extensive list of clothing interestingly includes 'four worn Irish garments' (*et iiii osasa Scotticae vestis*), but does not say what exactly these were. See also Waddell, *The Wandering Scholars*, p. 59 and Ó Cróinín, *Early medieval Ireland 400-1200*, pp 222-3. For the kinds of protection these bandages afforded the wearer, see also, Gale Owen-Crocker, *Dress in Anglo-Saxon England: revised and enlarged edition* (Woodbridge, 2004), p. 118.

Figure 3, 'The arrest of Christ' on the 10th century Cross of Muiredach at Monasterboice

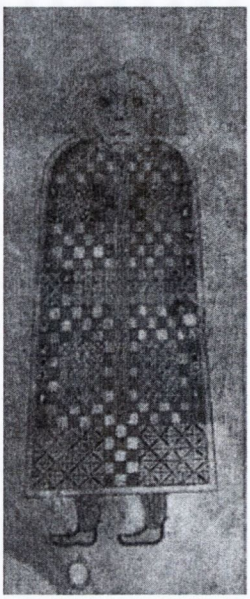

Figure 4, Book of Durrow, Trinity College Dublin, MS 57 folio 21v

An early synonym for trews, according to Kuno Meyer and Henrich Zimmer, was *bern-bróc/berrbróc*, thought to stem from the Old Norse *brók* for hose or trousers.[29] Occasionally throughout medieval Irish literature the term *bern-bróc/berrbróc* was used to describe the attire of men in 'subordinate positions' i.e. 'charioteers, troops in the king's bodyguard, food-bearers, doorkeepers, and scouts or spies'.[30] As members of a king's retinue these individuals did not have an honour-price of their own. It was instead conditional upon the status of their king and therefore a direct comparison between them and free commoners like a *bóaire* or an *ócaire* is complicated.[31] Furthermore, the term *bern-broc* itself has been translated multiple ways within a single text, specifically Whitley Stokes' translation of *Togail Bruidne Da Derga*. A group of warriors in the eleventh or twelfth-century *Lebor na hUidre* version of this text wore

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[29] *Contributions to Irish Lexicography*, ed. Kuno Meyer, (London, 1906), p. 206; Heinrich Zimmer, 'Keltische studien' in *Zeitschrift für vergleichende Sprachforschung auf dem Gebiete der Indogermanischen Sprachen*, xxx (1890), pp 1-292: 81-8; Geir T. Zoëga, *A concise dictionary of Old Icelandic* (Oxford, 1910), pp 72-3, *s.v. brók*; David Greene, 'The influence of Scandinavian on Irish' in Bo Almqvist and David Greene (eds), *Proceedings of the seventh Viking congress: Dublin 15-21 August 1973* (Dundalk, 1976) pp 75-82: 79.

[30] Williams, 'Dressing the part', p. 50.

[31] *Uraicecht Becc* states 'aes ciuil $_7$ airfidid oilcena .i. monaig ocus araid luamain $_7$ comail $_7$ daime $_7$ creccoire $_7$ cleasamnaig $_7$ fuirseoire $_7$ bruigedoire $_7$ fodana olceana is a hincaib aga mbiad is as direnaiter nis ta saire cena fo leithe', *CIH*, v, p. 1617.11-20; trans. in MacNeill, 'Ancient Irish law', p. 280, §55: 'The folk of vocal and instrumental music besides, jockeys and charioteers and steersmen and followers in feast and retinue (?) and mummers and jugglers and buffoons and clowns and the lesser crafts besides, it is in regard of the honour of those who keep them that *díre* is paid for them. Otherwise they have no franchise apart'.

*berdbróca brecglassa*, which Stokes translated as 'speckled green drawers'.[32] A group of charioteers from the same story also wore *berrbróca*, here translated as 'aprons' by Stokes, but these were made out of linen and embroidered with gold.[33] While it was true that some references in continental sources mentioned the possibility of trews produced from linen or even leather, the most common fabric used, particularly in Ireland, was wool.[34] Furthermore, a group of cooks working in Dá Derga's kitchen, and the king's bodyguards, were all described as wearing *berrbróca*, again translated by Stokes as 'aprons'.[35] If one looks outside of *Togail Bruidne Da Derga* for comparison, there is a description of Mac Roth, a messenger (*echlach*), in the *Táin Bó Cúailgne* from the *Book of Leinster* (*c.* 1160), in which he is said to have 'two shoes between his feet and the ground' (*dá bernbróic eter a dá choiss is talmain*).[36] While the translation of shoes fits in this context it does not appear to work in any of the others. As a result, the link between *bern-broc* and trews was not always consistent, and therefore a direct link between *bern-broc*, trews and commoners cannot be sustained based on this evidence alone. Another interesting term in relation to trews is the Old Irish word *rucht* which was glossed in *Sanas Cormaic* as *inar*, but in *Amrae Con Roí*, 'The eulogy of Cú Roí', as '*inar* (jacket) or trews' (*inar nó tribhsa*).[37] The association between Old Irish *rucht* and Old Norse *rokkr*, 'spindle, distaff', may indicate that, whatever this garment was, it was woven.[38]

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[32] Text and trans. in *Togail Bruidne Dá Derga*: *the destruction of Dá Derga's hostel*, ed. Whitley Stokes (Paris, 1902), pp 48-9, §60; see also *Lebor na hUidre*, ed. Bergin and Best, p. 213, l. 6960. Another recension of this text can be found in the Yellow Book of Lecan and has been edited by Eleanor Knott, *Togail Bruidne Da Derga*, ed. Eleanor Knott (Dublin, 1936), p. 16, ll. 530-1.

[33] *Togail Bruidne Dá Derga*, ed. Stokes, p. 110, §113; *Lebor na hUidre*, ed. Bergin and Best, p. 232, l. 7592 (this section of text is omitted from Knott's edition).

[34] Agathias, in his sixth-century *Histories*, describes the dress of Europeans as follows: 'back and chest are bare as far as the waist, the legs being encased in linen or leather trousers [*bracae*]', Agathias, *The histories*, in ed. J.D. Frendo, *Corpus Fontium Historiae Byzantiae*, Series Berolinensis, 2a (Berlin, 1975), p. 37.

[35] For kitcheners: text and trans. in *Togail Bruidne Dá Derga*, ed. Stokes, p. 116, §123; see also *Lebor na hUidre*, ed. Bergin and Best, p. 234, l. 7658. For the king's bodyguards: text and trans. in *Togail Bruidne Dá Derga*, ed. Stokes, pp 117-18, §126; see also *Lebor na hUidre*, ed. Bergin and Best, p. 235, l. 7676; *Togail Bruidne Da Derga*, ed. Knott, p. 36, l. 1204, §126.

[36] *Táin Bó Cúalnge: from the Book of Leinster*, ed. Cecile O'Rahilly (Dublin, 1984), p. 41, l. 1490, trans. p. 179.

[37] *Three Irish glossaries: Cormac's glossary: Codex A, O'Davorens glossary, and a glossary to the calendar of Oingus the Culdee*, ed. Whitley Stokes (London, 1862), p. 39, s.v., *rucht*; also see *EIGD*, *s.v. rucht*; *DIL*, *s.v. rucht*; 'The Eulogy of Cúrói (Amra Chonrói)', ed. Whitley Stokes, in *Ériu*, ii (1905), pp 1-14: 5, gloss 81. For a discussion and more recent edition of the text also see, '*Amra Con Roi* (*ACR*): discussion, edition, translation', ed. Patrick L. Henry, in *Études Celtiques*, xxxi (1995), pp 179-94: 188, §2, l. 43; trans. p. 192 (although this gloss is not included in Henry's edition).

[38] George Sherman Lane, 'Words for clothing in the principal Indo-European languages' in *Language*, vii, no. 3 (1931), pp 3-44: 23. See also J. Loth, 'Notes étymologiques et lexicographiques' in *Rev. Celt.*, lxii (1925), pp 58-92 and 345-75: 62.

There is, however, further evidence for the association between the lower classes in general and short tunics which occasionally accompanied these trews. In the eighth-century *Life* of Munna (Fintan) of Taghmon, a king's son, fostered by Munna, was attired in a short *léine* (*tunica brevis*), which was considered unfit by the king, since it was a mark of 'poverty and lowliness'.[39] Likewise, in the twelfth-century satire *Aislinge Meic Conglinne*, 'The vision of Mac Conglinne', Mac Conglinne disguised himself as a jester in order to gain entrance to King Cathal mac Finnguine's household. As a jester his attire consisted of a 'short cloak and short garments' (*gerrchochall ocus gerrétach*).[40] Furthermore, one Middle Irish satire utilised the shortness of a horse-racer's garment as cause for mockery:

> 'A meic dúir daill iffirnn,/ a thigaill ar graphainn/ ar gairdi do gipáin,/ a geóid íarna gabáil,/ a ḟeóil tarra togáin,/ a ithe i míl étaig,/ a uí brécaig Britáin',
>
> 'You dour, ignorant son of hell,/ you last bridle on a horse race/ because of the shortness of your ragged tunic,/ you captured goose,/ you belly meat of a pine marten,/ you eating of a clothes' louse,/ o deceitful grandson of Britán'.[41]

These references clearly disparaged shorter garments, but interestingly, none of them mentioned trews as an accompanying garment. In *Aislinge Meic Conglinne*, for example, before he exchanged his clothes for the garb of a jester, and in order to hasten across a green, Mac Conglinne hiked up his *léine*, tied it around his waist and exposed his buttocks.[42] This suggests that he was definitely not wearing any trews (or any garment at all) underneath. A similar satirical account of the trouser-less Irish is offered in Warner of Rouen's condemnation towards the lustful Irish for not wearing trousers in order to more easily couple with prostitutes in the early eleventh-century Norman Latin poem *Moriuht*.[43] Although peasants and common farmers were not specifically mentioned in any of these sources in connection

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[39] Shaw, 'Irish dress', p. 13; 'in cucolo nigro colore ovium, et in tunica brevis et alba, cum ora nigra, et in calciamentis vilibus', *'Vita prior S. Fintani seu munnu abbatis de tech munnu'* in *Vita sanctorum Hiberniae: ex codice olim Salmanticensi nunc Bruxellensi*, ed. W.W. Heist (Bruxelles, 1965), pp 198-209: 204; trans. in Ó hInnse, 'Fosterage in early and medieval Ireland', pp 154-5: 'wearing a cloak the colour of a black sheep, and a short tunic and a smock with a black fringe and cheap shoes'.

[40] *Aislinge Meic Conglinne*, ed. Meyer, p. 43, ll. 22-3, trans. p. 42, l. 25. See also, *Aislinge Meic Con Glinne*, ed. Jackson, p. 18, l. 545, §36. For a discussion on this section of the text see Alan Harrison, *The Irish trickster* (Sheffield, 1989), p. 25.

[41] Text and trans. in *Early Irish satire*, ed. McLaughlin, pp 150-1, §46, see also, p. 189 above.

[42] *Aislinge Meic Conglinne,* ed. Meyer, p. 43, ll. 14-19, trans. p. 42, ll. 16-22. See also, *Aislinge Meic Con Glinne*, ed. Jackson, pp 17-18, ll. 537-42, §36.

[43] Text and trans. in Warner of Rouen, *Moriuht: a Norman Latin poem from the early eleventh century*, ed. Christopher McDonough (Toronto, 1995), pp 74-5, and notes p. 119. I would like to thank Dáibhí Ó Cróinín for providing me with this reference.

with the trews, it must be remembered that they were rarely mentioned in the literary sources at all.

Another way to try and distinguish what a lower-class garment may have been is through the Old Irish law tracts and their later glosses and commentary. The eighth-century *Cáin Íarraith* noted what was and was not appropriate for the children of different ranks while they remained in fosterage. This included food, drink, education and clothing. This text allowed for different ranks to own garments or *díllat*. It is difficult, however, to know exactly what these garments were. In the commentaries on the amount and style of the garments of the children of nobles, reference was made to a mantle or tunic (*brut no foru inur*); although, in this instance, *Inar* most likely acted as a synonym for *léine*.[44] However, by about the twelfth century, it could have referred to a shorter tunic, like those worn with trews.[45] Unfortunately, trews are not discussed in this law tract. It is possible that children did not wear trews as a rule, and this may be one instance in which a garment specific for children would be different from that allowed for an adult. There are then, two conceivable distinctions in dress signalled in this text; those between children and adults and those between different classes.

It is probable that the style of trews with a shorter *léine* was socially inclusive, not exclusive. Warriors, food-bearers, peasants and commoners alike could have worn these garments, signifying that there may not have been that much of a difference between the types of clothing worn by most individuals involved in some form of labour and those whose occupations involved extreme toil and necessitated manoeuvrability. Along these lines a marginal note on the Middle Irish commentary to *Cáin Íarraith*, written between the tenth and twelfth centuries, on the clothing of these foster-children, declared that 'the book does not mention difference of apparel, or indeed that there is any difference of apparel at all'.[46] To what text 'this book' refers is now unknown, but it does support the possibility that difference in clothing between children of different social grades was not necessarily based on the type of garment. This similarity of garments for labourers, in particular, would have made it difficult to distinguish between commoners and peasants or between peasants and slaves as they worked side-by-side on their farms. Yet, it is clear from the historical evidence that there was a difference between adult social grades, for the 'Bóroma' saga in the *Book of Leinster* (*c.* 1160) described Brandub, at one point, as 'putting on the attire of a slave' (*ro gab dano Brandub*

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[44] Text and trans. in Ó hInnse, 'Fosterage in early and medieval Ireland', p. 11, §14.

[45] In the *Lebor na hUidre* version of *Fled Bricrenn*, 'The feast of Bricriu', the term *inar* is used to describe the tunic of a giant that was worn over a dun coloured covering (*araít*) and fell to the 'ball of his rump' (*foph a thona*); however, no trews are mentioned, text and trans. in *Fled Bricrend*, ed. Henderson, pp 46-7, §37. See also, *Lebor na hUidre*, ed. Bergin and Best, pp 258-9, ll. 8515-21.

[46] Text and trans. in Ó hInnse, 'Fosterage in early and medieval Ireland', p. 11, §14.

*étach mogad imme*).[47] It is, therefore, likely that the type of garment, i.e. *léine*, *brat* and trews, was not the main way of visually demarcating social groups in early medieval Ireland.

**Multiple garments as a mark of status**

One potential indicator of status described in the law tracts and contemporary literature was the amount of garments individuals were said to characteristically own. Niamh Whitfield discussed the amount of garments Becfhola owned in the ninth- or tenth-century version of *Tochmarc Becfhola*, 'The wooing of Becfhola', and used this quantity, among other details, to demonstrate the wealth of the noble woman.[48] For the peasants and commoners, however, not much can conclusively be said about the number of garments they may have owned. Both the early law tracts and later commentary on them describe their amount of clothing as limited. The eighth-century law-tract *Críth Gablach* stated that the *mruigfer* and his wife characteristically owned four pieces of clothing (*díllat*) each.[49] Another brief section on clothing from the eighth-century *Cáin Íarraith* permitted the sons of every free grade in fosterage to possess two garments.[50] Whether these garments were new or worn was another way to distinguish between social groups. Accordingly, the eighth-century *Cáin Íarraith* required that the children of *ócairig* were to be supplied with worn clothes, while the children of *bóairig* received new ones.[51] As Elizabeth Coatsworth and Gale Owen-Crocker have noted, 'since the production of textile was labour intensive, most items of cloth would be exploited to the maximum. They might be cut up, patched, darned, shortened or otherwise refashioned for other wearers and increasingly humble uses until completely worn out'.[52] In short, part of the difference in clothing within social groups, particularly amongst children, was between the amount of garments and those which were new or hand-me-downs. Certain aspects of a wardrobe, therefore, still signified an individual's status, even when the types of garments were the same, including the quality and colour of the material utilised, as well as any added embellishments and accessories, including jewellery, head-coverings, leggings and shoes.

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[47] Text in *The Book of Leinster: formerly Lebar na Núachongbála*, ed. Richard Best, Osborn Bergin, M.A. O'Brien and Anne O'Sullivan (6 vols, Dublin, 1967), v, p. 1290, l. 38378.
[48] Whitfield, 'Dress and accessories', p. 23.
[49] *Críth Gablach*, ed. Binchy, p. 8, ll. 198-99, §15; trans. in MacNeill, 'Ancient Irish law', p. 291, §90.
[50] Text and trans. in Ó hInnse, 'Fosterage in early and medieval Ireland', p. 11, §14.
[51] Ibid, p. 12, §14.
[52] Eizabeth Coatsworth and Gale R. Owen-Crocker, *Medieval textiles of the British Isles AD 450-1100: an anrotated bibliography,* BAR, British series, no. 445 (Oxford, 2007), p. 13.

**Silk**

A variety of fabrics were used in early medieval Ireland, and different materials including silk were considered luxuries. As a result, these luxuries could have been a very significant determinant of status. Silk production between the fourth and twelfth centuries was centred in Byzantium and the Islamic centres of the Mediterranean.[53] Silk in Ireland, therefore, had to be obtained through long-distance trade, and this increased the value and status of the material.[54] To the majority of the early medieval population, particularly rural farmers, this luxury was unavailable. Both wool and linen, however, were produced locally, and many of the surviving legal tracts and contemporary literature associate sheep-rearing and flax cultivation with the rural farmer.

**Wool**

According to David Jenkins, the bulk of textiles in the early middle ages 'were produced domestically, locally, often self-sufficiently, according to local raw materials available and local needs'.[55] One of the main raw materials extant in early medieval Ireland was sheep and their fleeces. The importance of this fibre can be seen from a quote in the seventh-century *Audacht Morainn* which instructs princes to 'estimate sheep by their covering which is selected for the garments of the people'.[56] One way to produce 'light, and quite cheap fabrics' was by using 'combed wools that were coarse, straight, and long-fibred'.[57] These were then spun with the 'traditional drop-spindle and distaff'.[58] Support for the use of combed threads in early medieval Ireland by a wide range of social groups comes from the Old Irish law tracts, particularly the eighth-century legal tract *Cáin Lánamna*. This law tract entitles a wife, upon separation from her husband, to a 'third of prepared combed wool'.[59] The later glossator defines 'prepared' wool as 'prepared thread after having been helped by her by hand for

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[53] Anna Muthesius, 'Silk in the medieval world' in David Jenkins (ed.) *The Cambridge history of western textiles* (2 vols, Cambridge, 2003), i, pp 325-54: 325.

[54] A variety of silken head coverings were found in Viking-Age Dublin, a possible reflection of the Hiberno-Norse trading industry, Elizabeth Wincott Heckett, 'Some silk and wool head-coverings from Viking Dublin: uses and origins – an enquiry' in Penelope Walton and John-Peter Wild (eds), *Textiles in northern archaeology: NESAT III: textile symposium in York, 6-9 May 1987* (London, 1990), pp 85-96; Mairead Dunlevy, *Pomp and poverty: a history of silk in Ireland* (New Haven, 2011), particularly pp 9-15.

[55] David Jenkins, 'Introduction' to Part II in David Jenkins (ed.), *The Cambridge History of Western Textiles* (2 vols, Cambridge, 2003), i, pp 179-80: 179.

[56] Text and trans. in *Audacht Morainn*, ed. Kelly, p. 13, §44.

[57] John H. Munro, 'Medieval woollens: textiles, textiles technology and industrial organisation, *c.* 800-1500' in David Jenkins (ed.) *The Cambridge history of western textiles* (2 vols, Cambridge, 2003), i, pp 181-227: 183-4.

[58] Ibid.

[59] Text and trans. in *Cáin Lánamna*, ed. Eska, pp 166-7, §16.

spinning'.[60] The yarns produced from this spinning, and the fabrics produced from the yarn, were known as worsteds.[61] This fabric was then woven using a number of possible techniques, some more intricate than others.[62] Once woven, all that was left for the individual was to press and dye the garment if desired and/or required.[63] Though the survival rate of cloth in the archaeological record is low, wool textiles have been found in the Viking-Age towns of Dublin[64] and Waterford[65] (though both of these settlements may have drawn on traditions acquired in the Viking homelands). Wool has also been found in excavations of rural settlements, as seven pieces of seventh-century wool textiles were found in a crannog in Lough Gara, County Sligo, twenty-eight seventh-century textiles from Lagore crannog, County Meath, one seventh-century textile from an ecclesiastical site on Church Island, County Kerry and three eighth-century textiles from a ringfort at Deer Park Farms, County Antrim.[66] These surviving assemblages evidence a variety of weaving techniques and patterns that were used to produce garments like the *brat* on ecclesiastical, royal and low-status archaeological sites. The amount of wool one sheep could produce in a given year was minimal.[67] Therefore, though they and their families wore wool, those farmers with smaller stocks would not have been able to produce much of it. This may, perhaps, explain why the children of an *ócaire* had to make do with worn garments, while the children of a *bóaire* received new ones, since they had characteristically larger stocks of sheep and sufficient wool for new garments.

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[60] Ibid.

[61] Coatsworth and Owen-Crocker, *Medieval textiles of the British Isles*, p. 48.

[62] Though Munro discusses the prevalence of the warp weighted loom in the rest of north western Europe during the early medieval period, Elizabeth Wincott Heckett does not believe that the wool fabrics from Viking-Age Dublin were produced on such an assemblage and notes that there is no surviving evidence for the warp weighted loom in Ireland until the end of the Viking Age, Munro, 'Medieval woollens', p. 192; Elizabeth Wincott Heckett, *Viking Age headcoverings from Dublin* (Dublin, 2003), p. 98.

[63] This contrasts with the more laborious process for wool textiles, which required that the fabric undergo fulling, drying, stretching, napping and shearing after weaving, Munro, 'Medieval woollens', pp 183-4.

[64] These were dated between the tenth and eleventh century, Heckett, *Viking Age headcoverings from Dublin*, p. xv.

[65] None of these fibres date from before the eleventh century, Elizabeth Wincott Heckett, 'Textiles, cordage, basketry and raw fibre' in M.F. Hurley and Orla M.B. Scully (eds), *Late Viking Age and Medieval Waterford Excavations 1986-1992* (Waterford, 1997), pp 743-60.

[66] Elizabeth Wincott Heckett, 'The lady of Cloonshannagh Bog: an Irish seventh century AD female bog body and the related textiles' paper given at NESAT XI, May 2011. For a discussion on the textiles from Deer Park Farms, see Elizabeth Wincott Heckett, 'The textiles' in Lynn and McDowell, *Deer Park Farms*, pp 354-66.

[67] Wincott Heckett notes that the 'fleece from a sheep might have provided only 1-2kg of wool per annum providing enough yarn for 1.3-4m of cloth', Heckett, *Viking Age headcoverings from Dublin*, p. 99.

Another, often overlooked, animal whose hair was occasionally used in the production of textiles in the early middle ages was the goat. Partly due to problems with preservation, however, none of the current textiles in the Irish archaeological record have been conclusively determined to be of goat hair. Laura Start proposed that one of the textiles found at an early medieval site, Ballinderry crannog number two, was comprised of animal hair, 'probably goat'.[68] She also identified fibres from the pre-eleventh-century Lagore crannog as potential goat hairs.[69] A Scandinavian maritime habit of using goat skin and hair in various boat-building practices may have also found its way into medieval Ireland.[70] References to garments made in part or in whole from goat hair are scant in the historical record, although an Irish gloss on a possibly seventh-century hymn dedicated to St Brigit described a mourning sackcloth produced from either goat's or camel's hair.[71]

**Linen**

More historical and archaeological evidence survives for the production and use of vegetable fibres in early medieval Ireland. One such fibrous crop was flax, which could be used to produce the common textile, linen.[72] Flax was harvested in July when the seed was slightly under-ripe and the fibre at its finest;[73] ripe flax would occasionally have been used, if the intended fabric necessitated strong fibres, such as ropes.[74] These flax bundles had to go through various processes before the fibre was ready for manufacture. In early medieval Ireland all of these processes could have been completed domestically by women of varying social status. These processes included rippling (in which the seeds were removed from the dried stalks), retting (in which the stalks were held under water to remove the pectin which held the fibres together), beetling (in which the now dried stalks were broken to loosen the

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[68] Hugh Hencken, 'Ballinderry crannog no. 2', *R.I.A. Proc.*, xlvii (1941-2), sect. C, pp 1-76: 58.
[69] Laura Start, 'Textiles' in Hugh Hencken's, 'Lagore crannog: an Irish royal residence of the 7th to 10th centuries A.D.', *R.I.A. Proc.*, liii (1950-1), sect. C, pp 1-248: 207-8.
[70] Wincott Heckett, 'Textiles that work for their living: a late eleventh-century cloth from Cork, Ireland' in John Sheehan and Donnchadh Ó Corráin (eds), *The Viking Age: Ireland and the West* (Dublin, 2010), pp 555-64.
[71] Text and trans. in 'Ultan's hymn' in *Thesaurus Paleohibernicus*, ed. Stokes and Strachan, ii, pp 323-6: 326; *DIL*, *s.v. cilic*.
[72] Linen and other vegetable fibre cloths have been found in Faddenmore bog, Co. Offaly, dated to the seventh century, and Ballyvass, Co. Kildare, dated between the seventh and ninth century, as well as in Viking-Age Dublin, and Waterford, Heckett, 'The lady of Cloonshannagh Bog'; Geraghty, *Viking Dublin*, p. 45; Michael Monk, 'The archaeobotanial evidence for field crop plants in early historic Ireland' in Jane M. Renfrew (ed.) *New light on early farming: recent developments in palaeoethnobotany* (Edinburgh, 1991), pp 315-28: 320.
[73] Geraghty, *Viking Dublin*, p. 45.
[74] Margarita Gleba and Ulla Mannering, 'Introduction: textile preservation, analysis and technology' in eaedem, *Textiles and textile production in Europe* (Oxford, 2012), pp 1-26: 5.

pith from the fibres), scutching (in which the pith was removed from the stalk with the use of a wooden knife) and hackling (in which the pith was removed by the use of a tool with long teeth).[75] The various tools required for these processes could have been produced and obtained locally. For example, finds such as 'wooden beetles and 'weavers' swords' used in the scutching process were found in the excavations of Fishamble Street, and show production on a domestic level.[76]

Historical evidence documented the importance of the flax crop and eventual cloth in early medieval Ireland. *Cáin Lánamna* entitles a wife to a sixth of the 'sheaves of flax' when separating from her husband in a union of common contribution.[77] The commentary on this section entitles the wife to a cup of linseed, if the flax was still growing when the husband and wife separated. This would have been important if she wished to plant her own crop.[78] If the divorce occurred before the flax was beaten, she was entitled to a ninth of the material, and if they divorced after it was beaten, she was entitled to a sixth share.[79] If the couple divorced after the flax was scutched, after it was woven, or after it had turned into a garment, however, the wife was entitled to half of the yield.[80] While this law tract clearly emphasised the role of women in the production of flax, it did not differentiate between the wife of a noble and the wife of a *bóaire*; the only distinction made concerned the type of union between the husband and wife.[81] It is clear that much of cloth production would have been accomplished by the women in the household; amongst peasant and commoner households it was most likely accomplished by the wife while in the noble households some of the more laborious and

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[75] Gleba and Mannering, 'Introduction: textile preservation, analysis and technology', pp 5-6. See also, Lillias Mitchell, *Irish spinning, dyeing and weaving: an anthology, from original documents* (Dundalk, 1978).
[76] Geraghty, *Viking Dublin*, pp 46-7.
[77] Text and trans. in *Cáin Lánamna*, ed. Eska, pp 166-7, §16.
[78] The linseed could also have been used as oil that could be extracted from the seeds of the flax. Linseed oil could have been used for a variety of purposes, including cooking and lighting, Kelly, *Early Irish farming*, p. 269.
[79] Ibid, p. 270.
[80] Ibid; text and trans. in *Cáin Lánamna*, ed. Eska, pp 168-9, §16.
[81] Other sections in *Cáin Lánamna* discuss hospitality and the amount of people to whom a wife must give hospitality was based on the rank of her husband, text and trans. in *Cáin Lánamna*, ed. Eska, pp 214-21, §§25-6.

unpleasant aspects of cloth production were completed by servants.[82] Furthermore, linen garments appear in connection with multiple levels of society throughout the literature.[83]

**Nettles**

Other fibrous plants, like nettles, could and probably were used to produce textiles in early medieval Ireland. Nettles were important as a food source during food shortages and, according to one source, as part of a poor person's regular diet.[84] Limited archaeological evidence from early medieval sites in Ireland suggests that these abundant plants could have been used to make textiles in a process similar to the production of linen. Bruce Proudfoot has argued that nettles could have been used to produce textiles at an early medieval ringfort in Shaneen Park in Belfast, based on analogous materials from Anglo-Saxon England and Scandinavia.[85] Proudfoot did note, however, that he was unable to find any reference to the use of these bast (vegetable or plant) fibres in creating textiles in the Old Irish law tracts.[86] References to nettles themselves appeared in the seventh-century ecclesiastical legislation known as *Cáin Adomnáin*; yet, no mention was made of their ability to produce clothing.[87]

Potential retting-wells have recently been found in conjunction with some early medieval enclosures in Castlefarm, County Meath.[88] The presence of some uncharred flax, as well as 'abundant nettle remains', led the archaeologists to conclude that nettles were potentially being used to create textiles.[89] The authors of the study further argued that this was not just a domestic craft, since 'it appears to have been necessary to sink a new well every 40-50 years over a period of around three centuries', which 'suggests that this production was relatively large in scale and would have produced a surplus of items in relation to the

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[82] While both sewing and embroidery were considered to be pursuits of noble women, as will be seen in the following sections, a fair amount of labour was needed to produce cloth. The fact that urine was an essential part of the dying process indicates that noble women were unlikely to participate in this part of cloth making.

[83] Kelly, *Early Irish farming*, p. 598; 'sliasait sair sethnaig. samaiscib dirirther lennaib sceo lennaib lin', 'the thigh of a noble body (when blemished) involves (a penalty of) *séoit* which shall be paid in *samaisci* and linen mantles', text and trans. in 'Bretha Déin Chécht', ed. Binchy, pp 40-1, §30.

[84] A. T. Lucas, 'Nettles and charlock as famine food' in *Breifne: Journal of cumann seanchais Bhreifne*, i (1959), pp 137-46; *Félire Óengusso Céli Dé*, ed. Stokes, pp 146-7; see also Chapter 4 above, pp 165-6.

[85] Bruce Proudfoot, M.Y. Orr, Professor Walmsley, G.A. Hayes-McCoy and A. L. Griffiths, 'Further excavations at Shaneen Park, Belfast, Ballyaghagan Townland, Co. Antrim' in *U.J.A.*, 3rd Series, xxi (1958), pp 18-38: 30; See also, Gale R. Owen-Crocker, Elizabeth Coatsworth and Maria Hayward, *Encyclopedia of dress and textiles in the British Isles c. 450-1450* (Leiden, 2012), *s.v.,* vegetable fibre.

[86] Bast fibres are plant fibres.

[87] See Chapter 5 above on diet.

[88] Aidan O'Connell and Allister Clark, 'Report on the archaeological excavation of Castlefarm 1, Co. Meath', unpublished report prepared for Archaeological Consultancy Services Ltd. (April, 2009): http://www.m3motorway.ie/Archaeology/Section1/Castlefarm1/file,16711,en.pdf, p. 25.

[89] Ibid, p. 25

requirements of the enclosure occupants'.[90] Furthermore, the existence of cloth-production tools, such as spindle whorls, needles and possible loom accessories, with the nettle refuse revealed that the textiles were being produced from the extracted fibres onsite.[91] Siobhán Geraghty also noted an unusual amount of nettles in two samples from Fishamble Street, Dublin, which may be evidence that 'stinging nettles were retted for fibre'.[92]

Garments made of bast fibres, whether they were of nettle or flax origin, have been found in some intriguing contexts. Dee De Roche, in her discussion on English textiles between the Bronze and Iron Ages, noted a recurring pattern that bast fibres seem to be found in conjunction with copper alloys, but wool and hair fibres seem to be found most often in context with iron alloys.[93] According to R.C. Janaway, however, there is no firm evidence as to whether this was the result of a 'bias of preservation or of use'.[94] The difference here may be important regarding the types of alloys used in accessories worn by various social groups, and will be discussed later in a section on jewellery.

**Leather and skins**

Another material commonly referred to in literary sources was skin, i.e. hides, either in a tanned or an untanned form. Muirchertach mac Néill's alleged donation of skin cloaks to his army on his circuit of Ireland mentioned at the beginning of this chapter was merely one such example. John O'Donovan has argued that these skins would have been of cows and tanned, thus protecting the warriors from all sorts of winter weather. Another example of skins being used for cloaks is the highly valuable *tugen*, which was a poet's cloak made out of birds. *Sanas Cormaic* described the garment as being made up of birds' feathers, both white and multi-coloured, as well as their skins.[95] Yet, Robert MacAdam has noted the 'enormous number of such birds' that would have been required to create a garment that covered a person from head to foot.[96] Both of these cloaks would have been quite expensive to make, and thus are not likely to have been amongst the garments of a peasant or commoner.

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[90] Ibid, p. 72.
[91] Ibid, p. 72.
[92] Geraghty, *Viking Dublin*, p. 36.
[93] Dee DeRoche, 'England: Bronze and Iron Ages' in Margarita Gleba and Ulla Mannering (eds), *Textiles and textile production in Europe: from prehistory to AD 400* (Oxford, 2012), pp 444-50: 446.
[94] R.C. Janaway, 'The preservation of organic materials in association with metal artefacts deposited in inhumation graves', in A Boddington, A.N. Garland and R.C. Janaway (eds), *Death, decay and reconstruction: approaches to archaeology and forensic science* (Manchester, 1987), pp 127-48: 136.
[95] *Cormac's glossary*, ed. John O'Donovan and Whitley Stokes (Calcutta, 1868), p. 160, s.v., *tugen*; *EIGD*, s.v. *tugen*; see also, Katharine Simms, 'Literacy and the Irish bards' in Huw Pryce (ed.), *Literacy in medieval Celtic societies* (Cambridge, 1998), pp 238-58: 244-5.
[96] MacAdam, 'Ancient leather cloak', pp 296-7.

In an article on textiles from Scotland and Ireland during the Iron Age, Elizabeth Wincott Heckett noted that, along with the usual skin garments made from cattle and sheep, there was an 'interesting minority of unusual animals' that were used as well, like deer or wolves.[97] This led her to propose that there may have been 'social and community reasons why people chose or were chosen to wear different animal skins'.[98] For instance, a deer-skin garment was found that was fastened with careful stitching. The hairy side of this garment faced inwards, likely for warmth.[99] A possible wolf skin garment was also found in Derrykeighan, Co. Antrim, and has been tentatively dated to the first century AD. As the hunting of deer and wolves was mainly the pastime of young aristocrats, or members of the *fían*, it is likely that these garments were valuable. As was argued in the foregoing chapter on diet, however, commoners also hunted deer and, likely, would have made use of the skins as well. It has been argued that some skin garments found on bog bodies from a selection of Danish bogs may indicate a more extensive practice of wearing skin garments by multiple levels of society, based on a theory that these individuals were outcasts or sacrifices necessitating their purposeful burial in bogs.[100] Recent studies into the associated artefacts have shown, however, that these bodies were most likely high-status individuals.[101]

Unfortunately, there are no direct references to commoners wearing skin garments in early medieval Ireland. Kathleen Ryan, furthermore, has argued that a large number of animal skins would have been needed to create just one manuscript; the fifteenth-century Leabhar Breac, for example, probably would have needed around 70 animal skins for the 140 vellum leaves, from young male cattle, part of a breeding female herd of around 343 cows.[102] The *mruigfer*, it must be remembered from Chapter 3, was depicted in the law tracts as only maintaining twenty cows. In areas around religious centres and scriptoria (as well as trading centres), it is even less likely then that animal hides, particularly cattle, would have been used as clothing by peasants and commoners; manuscript production and trade may, instead, have

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[97] Elizabeth Wincott Heckett, 'Scotland and Ireland' in Margarita Gleba and Ulla Mannering (eds), *Textiles and textile production in Europe: from prehistory to AD 400* (Oxford, 2012), pp 428-42: 432.
[98] Wincott Heckett, 'Scotland and Ireland', p. 432.
[99] Wincott Heckett, 'Scotland and Ireland', p. 436.
[100] Margeret Hald, *Ancient Danish textiles from bogs and burials* (Copenhagen, 1980), pp 313-22; 374-54
[101] M. Ravn. 'Burials in bogs –Bronze and Early Iron Age Bog Bodies from Denmark' in *Acta Archaeological*, lxxxi (2010), pp 112-23: 118-19; Ulla Mannering, Margarita Gleba and Marianne Bloch Hansen, 'Denmark' in Margarita Gleba and Ulla Mannering (eds), *Textiles and textile production in Europe: from prehistory to AD 400* (Oxford, 2012), pp 91-118.
[102] Kathleen Ryan, 'Holes and flaws in medieval Irish manuscripts' in *Peritia*, vi-vii (1987-8), pp 243-64: 254 and 264, fig. 8.

been the priority. The evidence thus suggests that wool was the most common material used in the production of a commoner's cloak.

**Social distinction through embellishment**

Materials such as leather cloaks or silken *léini* were used as status symbols, but there were a number of other visual indicators that could be utilised to distinguish social groups in early medieval Ireland. Natural dyes, embellishments and accessories were all exploited to help differentiate members of society during occasions when small or large numbers of individuals from various social groups interacted. Early literary and legal material indicates that garments for special social gatherings were distinct from an individual's normal every-day apparel, as can be seen from Cú Chulainn's desire to don his 'festive apparel' before he paraded himself in front of a group of women in a twelfth-century version of the *Táin Bó Cúailgne*.[103] Similarly, a notice in the eighth-century *Bretha im Ḟuillema Gell*, 'judgements about pledge-interests', lists a different fine for the refusal to return a person's regular clothes from that incurred for refusing to return festival garments.[104] These three qualifiers, colour, embellishment and accessories, therefore, will be investigated in order to determine what, if anything, differentiated a commoner from a noble in terms of clothing in early medieval Ireland.

**Colour**

The pseudo-historical text known as *Lebor Gabála Érenn*, 'The book of the taking of Ireland', likely compiled in the second half of the eleventh-century from earlier

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[103] *Táin Bó Cuailnge: recension I*, ed. O'Rahilly, p. 71, l. 2354, trans. p. 190. This notion of festival apparel can also be found in *Cethairślicht Athgabálae*, in which quick recovery is required for various items including 'raiment for a festive occasion': 'IS and roairled etach fri lith', where the phrase *fri lith* is glossed '.i. aenaig isin errach .i. ł lith sollomuin, is and atait na .iiii. nesam air', *CIH*, ii, p. 368.1, gloss, p. 368.4; trans. in *ALI*, i, pp 122-7: 'It is in it (the rule of one day's stay) were included distress for raiment for the festival day, i.e. the dress for a fair in the Spring, i.e. or for a solemn festival; it is then the four necessities attach to it'. See also, Binchy, 'Distraint in Irish law', p. 39.

[104] 'T.f.g. etach fognoma occairech no boairech domelar cach dia direnar teora dairtib hi fuillem a dire la etach besid fiu ina muin araile. T.f.g. etach lithlaithe boairech no occairech ailed etach ina muin besid fiu otha suidiu ma teccmai lithlaithe no thocomracc tuaithe dosli lethlog doib a tothachtaib inda teccmai ferthair dia cuicthe iar ninbuidib dligid', *CIH*, ii, p. 469.27-32; trans. in *ALI*, v, p. 401: 'the lawful pledge-interests of the working clothes of an *ócaire* or *bóaire*, which are worn every day three *dairt*s are paid as the interest of their 'dire', with a dress of the same value in addition. The lawful pledge-interests of the holiday clothes of a *bóaire* or *ócaire* merit a dress of the same value; after this, if a festival day or an assembly of the country takes place, they are entitled to half price out of the property which they happen to have. The price is paid after five days, after the lawful periods'.

compositions,[105] records that one of Ireland's earliest mythical kings used the amount of colours visible on an individual's clothing to distinguish social groups, as it states:

> 'By Tigernmas were purple and blue and green first put upon garments in Ireland. By Tigernmas were first made checkerings [*brechtrad*] upon garments in Ireland – one colour in the (single) garment of slaves, two colours in the garb of peasants [*aithech*, read instead, commoners], three in the garments of heirlings and fighting men, four in those of lordings, five in those of chieftains, six in those of men of learning, seven in those of kings and queens'.[106]

While the author(s) of this section of *Lebor Gabála Érenn* were motivated to include this colourful division of prehistoric society due to contemporary concerns over the amount of colours in the garments worn by bishops and poets, the text does highlight the idea that clothing, specifically the amount of colours on a garment, could be used to distinguish social or religious groups in early medieval Ireland.[107] Similarly, Mairead Dunlevy's survey of Irish literature found that 'variegated and striped' garments were commonly referred to and signified an individual's high-status in early medieval Ireland.[108]

Earlier law tracts further specified the range of colours to which different lay groups should have been limited. The eighth-century law tract *Cáin Íarraith* states that the sons of kings were supposed to be attired, by their foster-families, in garments of purple (*corcra*) and blue (*gorm*);[109] one section of commentary added that scarlet (*sgarloit*) was also considered appropriate.[110] In a separate manuscript sons of kings were to be given clothes in 'every

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[105] Text and trans. in *Lebor Gabála Érenn*: *the book of the taking of Ireland*, ed. R.A. Stewart Macalister, Ir. Texts Soc., xxxiv, xxxv, xxxix, xli, xliv, (Dublin, 1938-56). On the dating of the compilation see Paul Russell, ''What was best of every language': the early history of the Irish language' in Ó Cróinín (ed.), *N.H.I.* i, pp 405-50: 405 and Carney, 'Language and literature to 1169', p. 462.

[106] Text and trans. in *Lebor Gabála Érenn*, ed. Macalister, xliv, part v, pp 206-9. This division of society is reinforced in the following section of the text, discussing the reign of Eochu Édgathach, Ibid, pp 208-11.

[107] Ibid.

[108] Dunlevy, *Dress in Ireland*, p. 18. There are a number of texts that discuss multi-coloured garments as the appropriate attire for individuals of high status, including warriors, poets and kings. In the twelfth-century *Táin Bó Cuailnge: recension I* for example, Fer Diad demands that Medb bring him 'satin richly variegated' (*sról santbrecc*) (*Táin Bó Cuailnge: recension I*, ed. O'Rahilly, p. 81, l. 2659, trans. p. 197) and Menn mac Sálchada from Coranna is described as wearing a 'vari-coloured mantle around him' (*brat brec imbi*), *Táin Bó Cuailnge: recension I*, ed. O'Rahilly, p. 114, l. 3783, trans. p. 227.

[109] Text and trans. in Ó hInnse, 'Fosterage in early and medieval Ireland', p. 11, §14.

[110] Ibid. This textile was considered to be high quality and was made with the kermes dye which was a 'rich, brilliant red dye extracted from the desiccated eggs of a species of pregnant shield-lice' and as such firmly place the colour in a high-status category, Munro, 'Medieval woollens', p. 214. Scarlet itself is an interesting term since there are two possibly etymological origins of the English word: one hypothesis has the term originally referring to a textile not a colour and the word itself derived from the Arabic *siḳlātūn* from about the ninth century in which the particular textile was a form of silk. The second possible etymological root is from the Old High German *scharlachen* which originally referred to a 'fine luxurious woollen' which 'transformed into the more specific meaning as the very finest and most costly of all such woollens'. The Irish term *sgarloit* is originally from the Latin *scarlatum* or Old

colour'.[111] The children of nobles were to be attired in similar clothes of red, green or brown.[112] These colours, particularly blue/green, red, and yellow, were also prominent in early medieval insular manuscript illuminations, such as those from the Lindisfarne Gospels (*c.* 698), the Book of Durrow (*c.* 650) and the Book of Kells (*c.* 800).[113] Maria Fitzgerald found that colours, such as purple, crimson, and green, dominated the contemporary literature.[114] In the twelfth-century version of *Táin Bó Cúalgne* from the *Lebor na hUidre*, for example, the colours most often used to describe clothing were purple, blue, red, yellow and green.[115] A different recension of the *Táin Bó Cúalgne*, from the Book of Leinster (*c.* 1160), highlights the importance of colour as a status symbol in early medieval Ireland, as it records that the status of warriors, seen from afar, could 'only be determined by the quality and color [*sic*] of their costumes'.[116]

At the other end of the spectrum the clothes of peasants and commoners were not nearly as vibrant or as variegated as their aristocratic counterparts. *Cáin Íarraith* notes that children of commoners were to be supplied with clothes in a palette of muted colours, including plain white, light yellow, black and dun coloured.[117] Interestingly, each of these

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French *escarlate* which is also ultimately derived from the Latin and before that Arabic, thus concluding that the 'scarlet', here used to define clothing of the kings, should be considered to be of silken cloth. However, there is a sixteenth-century manuscript, TCD MS 1315, in which the Latin term *gausape* which is defined by *Lewis and Shorts'* Latin dictionary as a 'rough woollen cloth' is glossed by the Irish *scaraid*, *Irish glosses. A medieval tract on Latin declension, with examples explained in Irish*, ed. Whitley Stokes, (Dublin, 1860), p. 27, l. 864.

[111] Text and trans. in Ó hInnse, 'Fosterage in early and medieval Ireland', p. 14, §15.

[112] Ibid, p. 11, §14.

[113] See for example, John Carey, 'The three sails, the twelve winds, and the question of early Irish colour theory' in *Journal of Warburg and Courtauld Institutes*, lxxii (2009), pp 221-32; Michelle Brown, *The Lindisfarne Gospels and the early medieval world* (London, 2011); Bernard Meehan, *The Book of Durrow: a medieval masterpiece at Trinity College Dublin* (Dublin, 1996); Susie Bioletti, 'A fresh look at the pigments used on the Book of Kells' in W.E.. Vaughn (ed.), *The Old Library Trinity College Dublin 1712-2012* (Dublin, 2013), pp 28-32; Robert Fuchs and Doris Oltrogge, 'Colour material and painting technique in the Book of Kells' in Felicity O'Mahoney (ed.), *The Book of Kells: proceedings of a conference at Trinity College Dublin, 6-9 September 1992* (Aldershot, 1994), pp 133-71.

[114] Fitzgerald, 'Insular dress in early medieval Ireland', p. 252.

[115] All of these colours were also used to illustrate the colour in the cheeks of Cú Chulainn, *Táin Bó Cuailnge: recension I*, ed. O'Rahilly, p. 71, ll. 2349-50, trans. p. 190.

[116] Williams, 'Dressing the part', p. 48. In her discussion Williams uses the descriptions from the *Táin Bó Cúalnge from the Book of Leinster* not *Táin Bó Cuailnge: recension I* from *Lebor na hUidre*, an earlier text. The terse descriptions in TBC1 are fleshed out more in the version from the Book of Leinster. So the 'vari-coloured cloaks' accompanied by tunics 'falling to the knee' in *Táin Bó Cuailnge: recension I*, became 'green cloaks about them with silver brooches in them' and 'next to their skin they wore shirts of gold thread with red insertions of red gold' in the Book of Leinster version, *Táin Bó Cuailnge: recension I*, ed. O'Rahilly, p. 1, ll. 10-11, trans. p. 125; *Táin Bó Cúalnge: from the Book of Leinster*, ed. O'Rahilly, p. 5, ll. 157-9, trans. p. 142.

[117] Text and trans. in Ó hInnse, 'Fosterage in early and medieval Ireland', p. 11, §14. In a commentary on this tract gray is also an appropriate colour for sons of the freeman grades, Ó hInnse, 'Fosterage in early and medieval Ireland', p. 12, §14.

colours corresponds to known sheep types from early medieval Ireland, and thus an actual dyeing agent would not have been necessary to achieve these hues. One particular law tract, the eighth-century *Bretha Nemed tóisech*, records the high-value placed on wool which could accept dyes as it valued the relatively rare white sheep higher than either dun-coloured or black sheep.[118] This high value placed on white sheep is particularly interesting, as later legal commentary omitted white from the list of appropriate coloured clothing for commoners, suggesting that white became increasingly associated with high status.[119] The associations between light yellow, black, gray, and dun-coloured and commoners were not just made in this law tract, but throughout early Irish literature, particularly in satires. Additionally, the natural elements used to obtain the dyes for these colours, if used, further solidifies a link between these muted colours and commoners.

A dull yellow colour was considered undesirable by the nobility in early medieval Ireland, as can be seen from the repetitive use of yellow (*buide*) in a selection of Middle Irish satires. In one recitation a man was scorned for being the 'descendant of five yellow-furred leverets' (*uí chúic patán pellbuide*).[120] In another, a man was referred to as 'a yellow patch on a calfskin cloak' (*úrad buide ar brat gamna*).[121] The dye used to produce the yellow most historians associated with the Irish was the saffron of the later middle ages and early modern period. There is no evidence, however, that saffron was being used as a dye in the early middle ages.[122] According to Brid Mahon, in her discussion on traditional dyestuffs, there were about 'thirty-six different species of native plants as well as various lichens' which could have produced the yellow dyes, but the most widely used was weld.[123] Weld could grow wild or be sown with barley, and once set it could yield a strong yellow colour.[124] Some yellow garments dyed with weld have been found in a tenth to thirteenth-century organic layer from the

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[118] Text in *CIH*, vi, p. 2227.34-5; Kelly argues that the high value is directly related to their rarity and greater ability of their wool to accept dyes, Kelly, *Early Irish farming*, p. 70.
[119] Text and trans. in Ó hInnse, 'fosterage in early and medieval Ireland', pp 10-13, §14.
[120] Text and trans. in *Early Irish satire*, ed. McLaughlin, pp 154-5, §52.
[121] Text and trans. in ibid, pp 164-5, §76.
[122] Brid Mahon, 'Traditional dyestuffs in Ireland' in Alan Gailey and Dáithí Ó hÓgáin (eds), *Gold under the furze: studies in folk tradition presented to Caoimhín Ó Danachair* (Dublin, 1982), pp 115-28: 118. The earliest sumptuary law connecting saffron to the Irish is not until 1446; Sparky Booker, 'Gaelicisation and identity in the 'four obedient shires' of Ireland, 1399-1534' (unpublished PhD thesis, Trinity College, Dublin, 2011), pp 267-8.
[123] Mahon, 'Traditional dyestuffs', p. 118.
[124] Mordant was an addition to the dyeing process which made the dye permanent. Mahon described many mordants which could have been used: alum, wood ash, human urine, sheep manure, oak galls, the sediment of certain pools which contained alumina or iron, filtered smoke and chips of the oak or alder tree, Mahon, 'Traditional dyestuffs', pp 115, 118.

excavations in Waterford City.[125] The link with barley is particularly noteworthy, as this grain was associated with the diet of high-ranking commoners and lower-ranking nobles as discussed in Chapter 5 above.[126] Other items such as heather, sorrel and onion could also have been used.[127] A vegetable called *sep* was included with other dyes, such as madder and woad in *Cáin Adamnán*.[128] Kuno Meyer originally translated *sep* as 'bean' (*seib*), but in his *Early Irish farming,* Fergus Kelly doubted this translation and offered an alternative.[129] Kelly argued that *sep* was possibly a variant of *cép* from the Latin *cepa*, 'onion', and Máirín Ní Dhonnchadha agreed in her more recent translation of the text.[130] These vegetative plants, sorrel and onion in particular, were also associated with the diet of commoners in the early Irish law tracts.[131]

The correlation between various substances used to produce dyes and commoners was also evident in the characterisation of black (*dub*) and gray (*glas*) in literary texts. In the late ninth-century narrative *Fled Bricrenn*, 'The feast of Bricriu', Loígaire is described as a 'base outlaw, black and false' (*fartbi ecland la borg dub aithech*), for lying about the death of Cú Chulainn.[132] A sample of Middle Irish satires similarly disparaged the colour grey, as in one example where a 'cold, grey, short fleece' (*gerrolainn nglasḟúaróte*) was listed alongside a similarly inadequate 'knob of a crooked mill' (*cnap cammuilind*).[133] The items used to dye garments black were also suggestive of a correlation with commoners. Gerald of Wales, in his twelfth-century *Topography*, asserted that the black colour on wool came from black sheep,[134] but since not all of the sheep in Ireland were black, other dye sources were utilised. Joseph C. Walker, in his description of the 'ancient' Irish from 1818, stated that 'the other colour, in general use, especially among the lower orders, was black', and described an alternate source to obtain it.[135] Walker noted that 'the materials used for this colour were a kind of bog-mire,

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[125] Penelope Walton Rogers, 'Tests for dyes in textile samples' in M.F. Hurley, and O.M.B. Scully, *Late Viking Age and medieval Waterford: excavations 1986-1992* (Waterfrod, 1997), pp 760-1.
[126] See Chapter 5 above on diet.
[127] Mahon, 'Traditional dyestuffs', p. 118.
[128] Text and trans. in *Cáin Adamnáin*, ed. Meyer, pp 32-3, §52.
[129] Kelly, *Early Irish farming*, p. 264.
[130] 'Cáin Adomnán', ed. Máirín Ní Dhonnchadha, in Donnchadh Ó Corráin (ed.), 'Early medieval law, c. 700-1200' in Angela Bourke, Siobhán Kifeather, Maria Luddy, Margaret Mac Curtain, Geraldine Meaney, Máirín Ní Dhonnchadha, Mary O'Dowd and Clair Wills (eds), *The field day anthology of Irish writing* (5 vols, Cork, 2002), iv, pp 18-22: 22, §25.
[131] See Chapter 5 above on diet.
[132] Text and trans. in *Fled Bricrend*, ed. Henderson, pp 90-1, §71.
[133] Text and trans. in *Early Irish satire*, ed. McLaughlin, pp 168-9, §83.
[134] Gerald of Wales, *The history and topography of Ireland*, ed. O'Meara, p. 101, §93, 'The nature, customs and characteristics of the people'.
[135] Joseph C. Walker 'On the materials used by the ancient Irish in dying their garments' in *Historical memoirs of the Irish bards* (2 vols, Dublin, 1818), ii, pp 261-6: 263.

consisting of decayed vegetables of an astringent nature, and set with urine'.[136] This colour was a 'perfect black' that 'neither time or weather would tarnish'.[137] Brid Mahon has described various other sources for black dye in early medieval Ireland: alder bark, elder bark, oak bark, acorns, and blackberry shoots.[138] The association with alder reinforced the notion that this was the colour of commoners since the alder (*fern*), was one of the 'commoners of the wood' (*aithig fedo*), as described in the Old Irish tree list from the eighth-century legal tract *Bretha Comaithchesa*.[139] This list classified trees in a similar schema as people, where some were considered 'noble', some 'common', etc. The elder was noted even further down this list as a member of the 'lower divisions of the wood' (*fodla fedo*).[140] Furthermore, bog-myrtle and blackberry were described as 'bushes of the wood' (*losa fedo*).[141] Thus both the literary descriptions and the associations of the various materials used to obtain the black dyes suggest a strong correlation between commoners and the colour black.

Dun-coloured garments were by far the most frequently associated with low status in early Irish literature. In the twelfth-century *Aislinge Meic Conglinne*, for example, an individual who consumed a paltry diet of 'small breads' (*minarāin*) was associated with a 'dun-coloured soft cloak' (*bratt bóinni odarda*).[142] A collection of Middle-Irish satires also utilised dun-coloured clothing to mock their intended targets. One recitation specifically equated a ploughman with this garment:

> 'A-tá ar merugud:/ nocho mebal./ Ro gab senugud/ sleman solam./ glaca gataige/ ... imar/ airem apaide,/ inar odar',
>
> 'He is confused: it is no shame./He has begun to age calmly (and) quickly./The hands of a thief ... ,/a sallow ploughman, a dun-coloured tunic'.[143]

Similarly, another satirical rant alluded to a variety of undesirable items which included a dun-coloured tunic:

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[136] Walker, 'On the materials', p. 263.
[137] Ibid.
[138] Mahon, 'Traditional dyestuffs', p. 124.
[139] Kelly, 'The Old Irish tree-list', p. 114.
[140] Ibid, p. 117.
[141] Ibid, p. 121.
[142] *Aislinge Meic Conglinne*, ed. Meyer, p. 53, ll. 17-18, trans. p. 52, ll. 21-2. See also, *Aislinge Meic Con Glinne*, ed. Jackson, p. 21, l. 645, §43.
[143] This satire and the one following come from a tract edited by Thurneysen as *Mittelirische Verslehren* III, which is a composite text, cautiously dated by Thurneysen to *c.* 1060 and by Róisín McLaughlin to the broader Middle-Irish period, 'Mittelirische Verslehren', ed. Rudolf Thurneysen, in Whitley Stokes and E. Windisch (eds), *Irische Texte*, 3rd Series, i (Leipzig, 1891), pp 86-9; *Early Irish satire*, ed. McLaughlin, pp 140-1, §20, for the discussion of the date of the text see Ibid, p. 119.

'A mír do duine,/ a delb in demain,/ a chír i cuile,/ a chrebair chuilig,/ a athbró ichtair,/ a airbe ibair,/ a ól íar n-ítaid,/ a inair uidir',

'You bit of a man, you form of the Devil,/you comb in a larder, you flea-ridden woodcock,/you worn-out lower quern, you fence of yew,/you drink after thirst, you dun-coloured tunic'.[144]

Mahon, in her treatise, noted that this gray-brown colour could have been obtained from a variety of wild trees and bushes: sloe bushes, the bark of a cherry tree, and the roots of bramble or blackberry.[145] Mahon emphasised, however, that, if the dye was being used to colour cloth or wool, it generally came from alder branches; a tree designated one of the 'commoners of the wood', according to the eighth-century *Bretha Comaithchesa*.[146]

As has already been discussed, two colours appropriate to nobles and kings in early medieval Ireland were red and blue respectively. The *Rule of Ailbe of Emly* highlights the associated status of these colours when it cautions its monks to be 'without blue, without red, without finery' (*cen gorm, cen derg, cen maissi*), as these were indicators of wealth, not poverty.[147] Yet the main dye-plants, woad, used to produce a blue colour,[148] and madder, which could produce a reddish hue,[149] were widely planted in early medieval Ireland. Many of these crops would have been associated with the nobility and wealth. In the eighth-century tale of *Scéla Éogain ₇Cormaic,* for example, woad was associated with a queen's garden.[150] Furthermore, woad was also used to create some of the blue pigments found in early medieval

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[144] Text and trans. *Early Irish satire*, ed. McLaughlin, pp 154-5, §51.
[145] Mahon, 'Traditional dyestuffs', p. 120.
[146] Ibid
[147] Text and trans. in 'The rule of Ailbe of Emly', ed. O'Neill, pp 96-7, §5.
[148] The term for woad, *glaisen*, is a derivative of the adjective *glas* meaning grey, green or blue. However, the Saint Gall glosses on Priscian use 'sandyx' or vermillion as a gloss for *glasen*. According to Kelly, this simply refers to the idea that after woad is used to dye a garment blue, the same vat can then be re-used to obtain a pinkish colour. As such, the colour associated with *glaisen* is most often *gorm* in the Irish sources, indicating blue, as evidenced by Amargen's blue legs in 'The caldron of Poesy', Kelly, *Early Irish farming*, pp 266-7; 'Glosses on Priscian St. Gall' in *Thesaurus Palaeohibernicus*, ed. Stokes and Strachan, ii, p. 125, gloss 28; 'The caldron of Poesy', ed. Liam Breathnach, in *Ériu*, xxxii (1981), pp 45-93: 63, §1. Woad is not native to Ireland, but was known in Britain in pre-Roman times and as such most likely made its way to Ireland relatively early, Munro, 'Medieval woollens', p. 211; Mahon, 'Traditional dyestuffs', p. 120
[149] Mahon, 'Traditional dyestuffs', p. 118. A dye utilising madder was found on some textiles from Viking-Age Dublin, George W. Taylor, 'Reds and purples: from the classical world to pre-Conquest Britain' in Penelope Walton and John-Peter Wild (eds), *Textiles in northern archaeology; NESAT III: textile symposium in York, 6-9 May 1987* (London, 1990), pp 37-46: 42.
[150] *Cath Maige Mucrama: the battle of Mag Mucrama*, ed. Máirín O Daly, (Dublin, 1975), p. 71, §§17-18. See also *The heroic biography of Cormac mac Airt*, ed. Tomás Ó Cathasaigh (Dublin, 1977), pp 122, 126.

Irish manuscript illumination, such as in the Book of Kells (*c.* 800).[151] Yet, the seventh-century *Cáin Lánamna* entitles a woman (of no defined grade or status), when separating from her husband, to a portion of the fleece and flax, as well as 'one-third of containers of woad' (*trian a cruib glaisne*).[152] The eighth-century law tract on land, *Tír cumaile*, lists woad and madder among the components that designated land as 'best arable'.[153] Madder was likewise noted in the legal discussions on animal trespass, since hens had a tendency to dig up this crop.[154] The pervasiveness of these dye-plants may indicate a certain amount of flexibility in the status associated with coloured garments, or simply that commoners were the individuals who grew and sold these dye plants. Thus the dividing line between lower noble and higher common farmer may not have been a solid social border, but instead more of a semi-permeable division, in which items such as coloured dyes for garments may have crossed the divide. The more forceful expression of status was then the mixture of colours. As noted at the beginning of this section, in *Lebor Gabála Érenn*, social groups were said to be divided not by individual colours, i.e. red, blue or brown, but by the amount of colours used in their garments.[155]

As a result, there were ways of visually distinguishing between the social groups in early medieval Ireland through the use of colour. What cannot be determined, however, is whether or not there were colour distinctions amongst the lower classes as well. Those texts that do speak of the lower classes outside of the law tracts generally tend to consolidate peasants and common farmers into a similar 'poor' category. Thus, given what can be gleaned from the surviving documentation, the possibility of visually differentiating between a peasant and a commoner based on colour may have been virtually impossible.

**Embellishments and accessories**

Embellishments and accessories, such as head-coverings, jewellery and shoes, would have aided the visual recognition of status in early medieval Ireland. There were various clothing embellishments that have been described in medieval literature, or found in

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[151] See, for example, Susan Bioletti, Rory Leahy, John Fields, Bernard Meehan and Werner Blau, 'The examination of the Book of Kells using micro-Raman spectroscopy' in the *Journal of Raman Spectroscopy*, xl (2009), pp 1043-9; Fuchs and Oltrogge, 'Colour material and painting technique in the Book of Kells', p. 139.

[152] Text and trans. in *Cáin Lánamna*, ed. Eska, pp 166-7, §16.

[153] 'Tír cumaile', ed. Mac Niocaill, p. 83.

[154] See Chapter 5 above for a discussion of hens.

[155] There were at least two ways of achieving a dyed garment: one could either dye the fabric once it had been woven together or dye the thread prior to weaving. To achieve the striped or variegated colours mentioned in the early tales it was most likely the case that a skilled craftsperson would take two previously dyed yarns and weave them together to form a variegated or patterned cloth, Munro, 'Medieval woollens', p. 211.

archaeological samples, which projected affluence; tassels, fringe, a decorative border, an appliqué or a tablet-woven braid could all indicate wealth.[156] One of the textiles found in the early medieval layers of the excavations at Ballinderry crannog number 2 had tassels.[157] The process of creating a tassel on a garment did not require great skill, but did require additional material. Fringe was described on the garments of warriors, such as Conchobar, son of Fachtna Fathach, king of Ulaid in the twelfth-century tale *Mesca Ulad*, 'The intoxication of the Ulaid'.[158] Cú Chulainn also donned a fringed cloak, according to the Book of Leinster (*c.* 1160) version of the *Táin Bó Cúalgne.*[159] Furthermore, at Lagore crannog, a settlement dating between the seventh and tenth centuries, and generally assumed to have been connected with the kings of Brega,[160] a textile was found with its 'warp ends forming a fringe'.[161] In addition to fringes on warriors and other nobles, the decorative border on ecclesiastical garments was a symbol of status. This ornamental border can be seen on the cloak of a cleric on the tenth-century Cross of the Scriptures at Clonmacnois[162] as well as on an image of Mary from the tenth-century High Cross of Durrow, Co. Offaly.[163]

These embellishments could have been made with wool or linen, or even gold, silver or bronze threads.[164] Embroidery was a marker of status in early medieval Ireland, as is clearly

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[156] Dunlevy, *Dress in Ireland*, p. 18.

[157] At Ballinderry crannog number 2 in County Offaly a textile was found dating between the late seventh and early ninth century which has a border made with 'fringes of four threads in small tassels', Fitzgerald, 'Insular dress in early medieval Ireland', p. 257; Hencken, 'Ballinderry crannog no 2', pp 57-8.

[158] Fitzgerald, 'Insular dress in early medieval Ireland', p. 252. Conchobar wore 'a fringed, scarlet cloak round him; a brooch inlaid with gold fastening the mantle over his white shoulders; a tunic of kingly satin next to his white skin' (*lend ċorcra ċorṫaraċ immi; mileċ óir ecair ina brutt uas a gelgualaind; leni de sról ríg ra grian a gelċnis*), text in *Mesca Ulad or the intoxication of the Ultonians*, ed. W.M. Hennessy, Todd Lect. Ser., 1 (Dublin, 1889), pp 28-9; trans. in 'The intoxication of the Ulaid' in *Early Irish myths and sagas*, trans. Jeffrey Gantz (London, 1981), pp 188-218: 204. Hennessy's own translation varies from Gantz's: 'a purple-bordered garment encircled him, a pin of wrought gold being in the garment over his white shoulder. To the surface of his white skin was a shirt of kingly satin', *Mesca Ulad*, ed. Hennessy, pp 28-9. The *Lebor na hUidre* version does not have the beginning of the text-description of Conchobar, son of Fachtna Fathach, king of Ulad, *Mesca Ulad*, ed. J. Carmichael Watson, (Dublin, 1983), pp 23-4. According to *DIL* the term *corrtharach* could refer to either fringe or a border, *DIL*, s.v., *corrtharach*.

[159] Although the term for a fringed garment is the same as in the above section of *Mesca Ulad*: *corrtharach*, *Táin Bó Cuailnge: recension I*, ed. O'Rahilly, p. 71, l. 2355; trans. p. 190, so it could also be rendered 'bordered'.

[160] R.B. Warner, 'The date of the start of Lagore', *Ir. Arch. Jn.*, iii (1985-6), pp 75-7: 75.

[161] Fiztgerald, 'Insular dress in early medieval Ireland', p. 257; Start, 'Textiles', pp 203-24.

[162] Fitzgerald, 'Insular dress in early medieval Ireland', p. 256.

[163] Ibid, p. 257.

[164] Dunlevy, *Dress in Ireland*, p. 18. One particular example of this luxury is in the ninth- or tenth-century *Tochmarc Becfhola*, in which the wealthy Becfhola's tunic is embellished with 'red-gold embroidery' (*léne fo dergindlaith óir*), text and trans. in 'A new edition of Tochmarc Becfhola', ed. Bhreathnach, pp 72, 77, §1. According to Whitfield, red-gold was the 'most valuable' form of gold, and probably refers to gold with a high copper content. It is possible that gold itself was woven into the garment. The

evident from the pronouncement in the early Irish law tract *Bretha im Ḟuillema Gell*, which states that 'the woman who embroiders earns more profit even than queens'.[165] A story about a nun, Cummen, in the *Addimentia* from the (*c.* 807) Book of Armagh similarly describes the high price a woman could earn through needlework.[166] However, the description of the unfortunate garments worn by Munna's foster-son included 'a tunic, short and white, with a black border'.[167] Even poor garments, therefore, could be embroidered, the colour of which would seem to remain consistent with characteristically 'common' colours, i.e. black, brown or gray. It is also possible that the type of fibres used in these embellishments, would not have been horse hair, but may have been made from vegetable fibres, like flax or nettles. If a metal was interwoven, it would likely have been copper or iron-based, as opposed to the much more valuable silver and gold, as can be seen from the discussion below on the types of metals used to produce jewellery in early medieval Ireland.

**Jewellery**

Jewellery, particularly brooches, has long been thought to belong to the upper echelons of early medieval society, both male and female; the opulence and high-status association of the Tara brooch is a case in point. According to Niamh Whitfield, early Irish sagas suggested that 'a precious brooch...was part of royal regalia'.[168] The medieval Irish law tracts also supported this distinction. The Middle Irish commentary to *Cáin Íarraith*, written between the tenth and twelfth centuries, stated that the sons of kings of provinces were to wear gold brooches, while the sons of lesser kings were supposed to wear silver ones.[169]

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procedure would have involved making very thin slices of the gold and then weaving it amongst the other fibres, Whitfield, 'Dress and accessories', p. 8.

[165] *Bretha im Ḟuillema Gell*: 'air is mo do thorbu dosli cach ben bes druinech olldaite cid rigna', text in *CIH*, ii, p. 464.2-3; trans. in Kelly, *A guide to early Irish law*, p. 78. See also Kelly, *Early Irish farming*, p. 451.

[166] A mantle, constructed by Cummen, is traded for a brown horse, which is eventually sold for a *cumal* of silver, *The Patrician texts in the Book of Armagh*, ed. Bieler, pp 174-5, §11. The term *cetach* used here is included in Michael O'Clery's seventeenth-century glossary, and glossed as *brat cédach*, in possible referrence to a decorated mantle, explaining the high-price, 'O'Clery's Irish glossary', ed. Arthur W.-K Miller, esq, in *Rev. Celt.* iv (1879-80), pp 349-478: 381, *s.v. ceadach*. I would like to thank Dáibhí Ó Cróinín for directing me to this reference.

[167] Heist, *Vita prior S. Fintani*, p. 204; Charles-Edwards, *Early Christian Ireland*, p. 117.

[168] The use of brooches as emblems of status derived from, according to Whitfield, the late Roman or early Byzantine world, Whitfield, 'Dress and accessories', pp 12-13.

[169] '$_7$ na nechi indisus leabur do beth 'na fiadhnuisi gurub gairdi leo, $_7$ delge oir $_7$ glaini do beth indte ac macuibh righ erenn $_7$ righ cuicidh, $_7$ delge airgit do macuibh righ tuaithe $_7$ morthuaithe; no comu inund dealg do mac cach rig $_7$ in eacor sin uile isin dealg sin', 'And the things which the book mentions should be before them that they be amused and the sons of the king of Ireland and of a provincial king are to have gold brooches with inset crystal, and the sons of the king of a *túath* or a *mór-thúath* are to have silver brooches or the brooch for the son of each king is similar, and all that ornamentation is to be in

However, some more recent studies have questioned the assumption that brooches and jewellery were *only* for the higher classes. For example, two distinct brooch types have been found in early Ireland: the kite-shaped brooch and the penannular brooch. According to Williams, 'the kite-shaped brooch was a cheaper and more common alternative to the large, decorated (pen)annular brooches, such as that worn by the central figure in this scene [tenth-century Monasterboice cross] and they were consequently an obvious visual indicator of lower social rank'.[170] Yet, 'lower' social rank did not necessitate *low* social rank. Dress pins were also available, as an alternative to brooches, for fastening garments in early medieval Ireland. Susan Youngs has referred to these pins as the 'universal metal dress-fastener' due to their frequency in the archaeological record.[171] Though pins could exhibit high-quality craftsmanship, the majority were generally smaller and less decorative than brooches. Furthermore, they could be made out of a wide range of materials, including various metal alloys, bones, antlers and even wood.[172] Other objects of personal adornment that have been found archaeologically and in contemporary literature were bracelets and rings. Bracelets have been found on a number of early medieval archaeological sites, and were made of varying elements, including jet, lignite, shale, stone, antler, boar tusk, glass, copper alloy, gold and silver.[173] Rings were likewise noted in archaeological excavations, although it can be difficult to separate rings that were worn on fingers from ring pins or ring brooches. These adornments were also made of assorted materials including copper alloy, iron, silver and tin, as well as amber, lignite/shale, glass and stone.[174]

In his search for the lower classes in archaeology, James Boyle has argued that brooches alone were not identifiers of high status in early medieval Ireland. For, he noted, common farmers could have received brooches and other objects of personal adornment, such as bone pins, from 'wealthier individuals through the client-lord system'.[175] Marion Dowd also believed jewellery would have been part of a common farmer's possessions from the

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that brooch', text and trans. in Ó hInnse, 'Fosterage in early and medieval Ireland', p. 10, §14, trans. p. 12.

[170] Williams, 'Dressing the part', p. 55.

[171] Susan Youngs (ed.), *'The work of Angels'. Masterpieces of Celtic metalwork, 6th-9th centuries AD.* (London, 1989), p. 22.

[172] Thomas Kerr, Maureen Doyle, Matt Seaver, Finbar McCormick and Aidan O'Sullivan, 'Industrial activity on rural secular sites in Ireland, A.D. 400-1100', EMAP Report 6.1 (December, 2012), p. 113. See also O'Sullivan, *et al., Early medieval Ireland, AD 400-1100,* pp 215-47 for a general discussion on craftwork on early medieval archaeological sites.

[173] Kerr *et al.*, 'Industrial activity on rural secular sites in Ireland', p. 118.

[174] Ibid, p. 119.

[175] James W. Boyle, 'Lest the lowliest be forgotten: locating the impoverished in early medieval Ireland', *International Journal of Historical Archaeology,* viii, no. 2 (2004), pp 85-99: 91.

evidence found at a cave in Kilgreany, County Waterford, dated to between the fifth and the tenth century.[176] The main difference between personal adornments of the nobility and of the commoners would have been the type of metal alloys used in production.

Marilyn Gerriets presumed, in her article on money in early medieval Ireland, that 'only the wealthy possessed silver'.[177] Yet, in the eighth-century *Bretha im Ḟuillema Gell*, one of the appropriate pledge-interests for an *ócaire* and a *bóaire* was 'a manufactured object of silver' (*aicde argit*), which one later glossator specified as 'a brooch or (arm)-ring' (*dealg no ḟail*).[178] The most common metal by far, however, used to produce personal adornments, which have been found on early medieval archaeological sites, was a copper alloy. Most brooches which have been found on early medieval excavations to date were crafted from copper alloy.[179] Similarly, out of the surviving samples, copper alloys were the most numerous amongst the metallic pins.[180] Metal rings were also frequently produced from copper alloy.[181] The excavations at Deer Park Farms in County Antrim, an extensive enclosed settlement likely inhabited by a *bóaire* or *mruigḟer*, for example, turned up four copper alloy rings.[182] This predominance of copper alloy in the archaeological record led some archaeologists to conclude that 'at lower levels the production and wearing of copper alloy pins and brooches and other objects was a widespread and important practice'.[183] The association between commoners and copper was also evident in the list of a *mruigḟer*'s household equipment outlined by *Críth Gablach*, in which he was supposed to have 'a bronze cauldron in which a

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[176] Marion Dowd believes that the adjacent farmland and artefacts recovered from the cave point to a lower class farmer's temporary residence, Dowd, 'Kilgreany, Co. Waterford', p. 90.

[177] Gerriets, 'Money in early Christian Ireland', pp 335-6.

[178] Catherine Swift and Colmán Etchingham, 'English and Pictish terms for brooch in an eighth-century Irish law-text', in *Medieval Archaeology*, xlviii (2004), pp 31-49: 47. For the Irish text, see *CIH*, ii, p. 468.19. The gloss can be found on the discussion of the same silver object described for an *ócaire*, Ibid, ii, p. 468.16. Another option for this metallic object might be a 'looking glass/mirror' (*scadarc/scáthán*), which was generally made from polished metal. There is a reference to this object amongst the accoutrement of women in the legal text *Cethairślicht Athgabálae*, upon which a penalty was enforced if one woman stole it from another, text in *CIH*, ii, p. 379.10, gloss, p. 379.30-1.

[179] Twenty-eight of the sites investigated by the EMAP group had brooches of copper alloy, only four had iron and five sites had brooches of both materials, Kerr *et al.*, 'Industrial activity on rural secular sites in Ireland', p. 112.

[180] There were 128 early medieval sites that had pins made from copper alloy as well as other materials. Of these, 66 sites had copper alloy pins only, Kerr *et al.*, 'Industrial activity on rural secular sites in Ireland', p. 113.

[181] Ibid, p. 119.

[182] Ibid. See also J.A. McDowell, 'Part 2: objects of copper alloy' in D.P. Hurl, J.A. McDowell, C. Bourke, and E. Okasha, 'Objects of bone, copper alloy, lignite and decorated pieces' in Lynn and McDowell, *Deer park farms*, pp 258-70: 263-4.

[183] Kerr, *et al.*, 'Industrial activity on rural secular sites in Ireland', p. 54.

hog fits' (*caire umai hi talla(i) torcc*), bronze being another permutation of copper.[184] Furthermore, an *aire coisring*, the highest ranked commoner according to *Críth Gablach*, was required to give a pledge indicating that the members of his *fine* would obey the laws of the territory in the form of '(the value of) five chattels of whatever he has, of silver or bronze or yew' (*cóic sét di neoch rodmbí, di arggut nó umu nó ibur*).[185] After the tenth century it is possible that the usual form of copper alloy was not bronze, but brass, which was introduced by Hiberno-Norse metalworkers.[186]

The question of whether these metallic objects were produced domestically or acquired by trade is a difficult one. Historical and archaeological evidence suggests that most high-ranking commoners would have had a small ironworking site within their settlement in order to complete small repairs on required tools.[187] Michelle Comber has argued that 'non-ferrous metalworking was a carefully organised activity, a manifestation of power and social standing, closely controlled by the most powerful in society'.[188] However, some early medieval sites evidenced both ferrous and non-ferrous metalworking.[189] Thomas Kerr *et al.* have suggested that the minimal evidence for non-ferrous metalworking on some small secular sites may indicate that there were seasonal or itinerant metalworkers, rather than domestic production.[190] Evidence of a small workshop from Deer Park farms may signify that the inhabitants had an 'intermediate level of non-ferrous metallurgy'.[191] Archaeological evidence also indicates that metal-working was usually undertaken away from the household, possibly 'reflecting concerns about the toxic and flammable character of the activity'.[192] While the law tracts do not specifically mention the toxicity of the fumes, some later legal commentary to *Bretha Éitgid* recognized the hazards of stray sparks:

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[184] Text in *Críth Gablach*, ed. Binchy, p. 8, l. 197, §5; trans. in MacNeill, 'Ancient Irish law', p. 291, §90.
[185] Text in *Críth Gablach*, ed. Binchy, p. 11, ll. 282-3, §20; trans. in MacNeill, 'Ancient Irish law', p. 295, §96.
[186] P.T. Craddock, J.M. Wallis and J.F. Merkel, 'The rapid qualitative analysis of groups of metalwork: making a dream come true' in Mark Redknap, Nancy Edwards, Susan Youngs, Alan Lane and J. Knight (eds), *Pattern and purpose in insular art* (Oxford, 2001), pp 117-24. Thus, the term *crédumae* could be either brass or bronze in Middle Irish.
[187] For example, *Críth Gablach* notes that a *mruigfer* should always have 'a sack of charcoal for irons' (*míach gúaile fri herna*) in his house, text in *Críth Gablach*, ed. Binchy, p. 8, l. 191, §15; trans. in MacNeill, 'Ancient Irish law', p. 291, §90.
[188] Michelle Comber, 'Lagore crannog and non-ferrous metalworking in early historic Ireland' in *Ir. Arch. Jn.*, viii (1997), pp 101-14: 102.
[189] Kerr, *et al.*, 'Industrial activity on rural secular sites in Ireland', p. 49. See also O'Sullivan, *et al.*, *Early medieval Ireland, AD 400-1100*, pp 215-46.
[190] Ibid, p. 52.
[191] Ibid.
[192] Ibid, p. 49.

> 'Mas iat crithri in iaraind rofogail ann, acht masa combrostad iter gobaind 7 lucht bolgairechta, is a comic doib etaru; munu uil, is a ic d'aes bolgairechta a naenur',
>
> 'If it be the sparks of the iron that have caused the injury in that case, and if there has been urging on by the smith and the bellows-blowers, they pay for it equally between them; if there has not been, the bellows-blowers alone pay'.[193]

In this case, the commentator to the tract clearly indicated that the work was undertaken by a smith, not a farmer.

After metal objects were produced, any further embellishments with either gem stones or glass would have increased their value. There is limited evidence for glass-working in early medieval Ireland, and most glass therefore probably reached settlements as 'complete "luxury item" glass vessels'.[194] At this point the glass could have been recycled into beads, but both the historical and archaeological evidence for these luxury goods amongst commoners is extremely limited. Jewellery should, therefore, be included in a list of potential possessions of common farmers in early medieval Ireland, but these items were simpler and less extravagant than those owned by their noble counterparts. The possession of jewellery by peasants is much harder to comment on, since no concrete evidence on the subject survives.

**Head coverings or veils**

Another accessory found in early medieval Ireland was head coverings. Some cloth head coverings have been found in the archaeological record in Viking-Age Dublin.[195] Although it must be remembered that Viking-Age Dublin was not necessarily representative of Irish fashions generally, some references do crop up in the historical sources outside of the medieval town. Niamh Whitfield has determined that the Virgin on folio 7v of the Book of Kells 'seems' to be wearing a veil, which is 'barely visible' but is distinguished from her yellow hood by its purplish tint.[196] Also, the later commentary to the eighth-century *Bretha im Ḟuillema Gell* considered 'a veil of one colour' (*caille aenfinna*), as part of the 'lawful contents' (*thothgusaib techtaib*) of a queen's bag.[197] These two women, the Virgin and a queen, were both eminent figures in early medieval Ireland, and as such their fashions were not necessarily

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[193] Text in *CIH*, i, p. 268.1-3; trans. in *ALI*, iii, p. 191.
[194] Kerr, *et al.*, 'Industrial activity on rural secular sites in Ireland', p. 55. See also, O'Sullivan, *et al.*, *Early medieval Ireland, AD 400-1100*, p. 231.
[195] Heckett 'Some silk and wool head-coverings from Viking Dublin', pp 85-96; Heckett, *Viking Age headcoverings from Dublin*, p. xv.
[196] Whitfield, 'Dress and accessories', p. 22.
[197] The original text is in *CIH*, ii, p. 464.9-10; commentary is at Ibid, ii, p. 464.17.

representative of wider society. In the excavations of Viking-Age Dublin, however, a variety of styles in headgear were found, including caps, possible headbands, scarves, kerchiefs or rectangular pieces of cloth that were long enough to be used either on the head and knotted under the chin or worn around the shoulders. These head coverings were made out of both silk and wool, and their construction appeared to have fluctuated between the simple rectangular cloth and the more complex caps and headbands.[198] Elizabeth Wincott Heckett has argued that the difference of material may represent a difference in status for the women who wore them.[199]

Since very little information survives on the dress of peasants and commoners, it is possible that, if there was a distinction, it was within the ranks of the nobility, not between the nobility and the peasantry. Thomas Charles-Edwards has argued, however, that the Old Irish term for a 'veiled woman' (*caillech*) was also used occasionally to designate a female spouse, a nun or an older woman (some texts also indicate that a clerical concubine may also have been referred to as a *caillech*).[200] The broad reach of this term can also be seen from the term used to describe a person 'wearing long tresses' (*trillsech*) applied to a young maiden, occasionally used in contrast to *caillech*.[201] Thus, once a woman was married, 'she acknowledged passing from the status of virgin to that of a woman', and so 'she put her hair up and began using a veil'.[202] The simplicity of some of the head-coverings found in the Viking-Age Dublin

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[198] Heckett, 'Some silk and wool head-coverings from Viking Dublin', pp 85, 92; Heckett, *Viking Age headcoverings from Dublin*, p. 111.

[199] Heckett, 'Some silk and wool head-coverings from Viking Dublin', p. 94.

[200] Thomas Charles-Edwards, 'Social structure', in Pauline Stafford (ed.), *A companion to the early middle ages: Britain and Ireland c. 500-1100* (Oxford, 2009), pp 107-25: 110; *DIL*, *s.v. caillech*. For the use of the term as clerical concubine see the eighth-century legal text *Berrad Airechta*, which notes that the 'fee for a baptism or for communion is entirely immune from claim, i.e. for a priest, provided that he has not given it to his old woman or to a son born to him after he entered the priesthood', '*Berrad Airechta*', ed. Stacey, pp 210-33: 211, §8; p. 228, no. 8. Robin Chapman Stacey has noted that the use of *caillech*, here translated as old woman, could be an early reference to a clerical concubine, as she compares it to the *focaria*, Latin for prostitute, wife, concubine or slave, of the twelfth-century reform. In later medieval Ireland, in the fifteenth-century, this term seems to have only retained its meaning as 'hag'. This can be seen from a defamation case recorded in the register of the Archbishop of Armagh, John Mey, from 1441, which noted that Elena Oweyn insulted her neighbour, Agnes Rogan, by calling her a 'foule oold caylagh, trate, and heigge', Booker, 'Gaelicisation and identity in the 'four obedient shires' of Ireland', p. 206.

[201] In the legal text *Ántéchtae Breth*, 'impropriety of judgements', the Irish phrase 'na trillseach re toga' is glossed '.i. resiu ti aes codhnaidh, ar daig conach millter a hoigi', which has been translated by Binchy as 'nor maiden before (the age of) choice', 'i.e. before she reaches the age of legal capacity, lest her virginity be destroyed', text in *CIH*, iv, p. 1242.16, gloss, p. 1242.20; trans. in Binchy, 'Sick-maintenance in Irish law', p. 88, §6.

[202] Charles-Edwards, 'Social structure', p. 110.

excavations suggest that there may have been an opportunity for any woman, regardless of wealth, to fashion a head covering from a scrap piece of cloth to signal her marital status.[203]

**Shoes**

There is one other item that has been found in the historical, archaeological and artistic record of early medieval Ireland which may have been part of a common farmer's possessions: shoes. Shaw definitively stated that both sandals and shoes were worn, based on a variety of Irish sources, such as the late ninth-early tenth-century *Tochmarc Becfhola*[204], the twelfth-century *Aislinge Meic Conglinne*[205], the ninth-century *Triads*[206] and imagery from the Book of Kells (*c.* 800).[207] In these particular examples, however, the shoes are worn either by wealthy women or clerics, not commoners or peasants. The ninth-century monastic rule of Ailbe of Emly states that a cleric 'must never go without sandals' (*ní té dogrés cen assu*).[208] Joseph O'Neill interprets this dictate as a separation between shoes and sandals, while Mairead Dunlevy believes it is a restriction against going barefoot.[209] Both the Book of Durrow (*c.* 650) and the Book of Kells (*c.* 800) include depictions of figures wearing shoes, but the artists in the Book of Kells also include many other barefooted figures.[210] This is particularly interesting, since Gale Owen-Crocker has shown that Anglo-Saxon manuscript illumination shows both classical Roman attire of long gowns and bare feet which would 'instantly identify' prophets or other biblical figures, while simultaneous displaying agricultural workers ploughing and sowing barefoot.[211]

It is clear, then, that the illustrated record of feet in Ireland and the surrounding areas presents a diverse picture of barefooted individuals. As Owen-Crocker advocated, there may

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[203] Heckett, 'Some silk and wool head-coverings from Viking Dublin', pp 88-9.

[204] Shaw, 'Irish dress', p. 12. Becfhola was described as wearing two 'rounded sandals of white bronze'. According to Whitfield in her discussion of the text the term, translated as 'round' (*mael*), could refer to round, 'blunt', shorn (as in low-cut) or bald (as in the skin side as opposed to the hair side of the leather is facing out), text and trans. in 'A new edition of Tochmarc Becfhola', ed. Bhreathnach, p. 77, §1; Whitfield, 'Dress and accessories', p. 6; *DIL*, *s.v. mael* (1).

[205] *Aislinge Meic Conglinne*, ed. Meyer, p. 9, ll. 21-3, trans. p. 8, ll. 24-6. See also, *Aislinge Meic Con Glinne*, ed. Jackson, p. 4, ll. 101-3, §11.

[206] This triad which discussed tunics also allowed for a hand-breadth 'between shoes and trews', text and trans. in Meyer, *Triads of Ireland*, pp 28-9, §222.

[207] TCD MS 58, folio 200r.

[208] Text and trans. in 'The rule of Ailbe of Emly', ed. O Neill, pp 96-7, §5.

[209] Dunlevy, *Dress in Ireland*, p. 20.

[210] For standing figures, see, St Matthew in the Book of Durrow (*c.* 650), TCD MS 57, folio 21v and a figure in Book of Kells, TCD MS 58, folio 29r; for figures with bare feet, see Book of Kells, TCD MS 58, folio 130r. See also, A.T. Lucas, 'Footwear in Ireland', in *Louth Arch. Soc. Jn*, xiii, no. 4 (1956), pp 309-94: 357.

[211] Owen-Crocker, *Dress in Anglo-Saxon England*, pp 31, 123.

have been some jobs that were easier to accomplish with bare feet, and it may have been 'more convenient or more agreeable' to go without shoes; while in other cases the more active pursuits, such as battle, raiding or daily work may have required a pair of shoes.[212] Throughout the early middle ages in various regions, a primitive type of shoe could be made and was typically worn by the lower classes. These basic shoes became so associated with the lower classes that the Old Norse term *hriflingr*, originally a term for the type of shoe, came to signify a person of that class; the Old English and Scottish cognates, *rifeling* and *rivlin,* developed in a similar manner.[213] Despite the fact that in some Classical Irish texts (of a mainly late medieval date) a number of Celticists have noted that the phrase 'the man with one sandal' (*fear an énais*) came to represent a claimant to the chieftaincy or was actually used in an inauguration ceremony, no native or foreign term developed in reference to shod members of the lower classes in early medieval Ireland.[214]

A.T. Lucas examined the evidence for medieval Ireland in his 1956 article and determined that a need to protect feet led to the development of two styles: soleless stockings (which offered protection for the leg as well as the upper part of the foot) and shoes.[215] There is, however, no evidence for soleless stockings in the early middle ages in Ireland, although some images from the Book of Kells (*c.* 800) might show figures in stockings, some soleless.[216] In fact, the majority of the written evidence for soleless stockings did not appear until the nineteenth century.[217] Gerald of Wales, in the twelfth century, did describe 'breeches and hose of one piece, or hose and breeches joined together, which are usually dyed of some colour' as part of the attire of the Irish.[218] These stockings could have been worn

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[212] Ibid, p. 123; Lucas, 'Footwear in Ireland', p. 364.

[213] Owen-Crocker, *Dress in Anglo-Saxon England*, p. 124, n. 76; Margrethe Hald, *Primitive shoes: an archaeological-ethnographical study based upon shoe finds from the Jutland peninsula* (Copenhagen, 1972), p. 176; Mairi Robinson, *Concise Scots Dictionary* (Edinburgh, 2005), p. 566.

[214] For a discussion on the inauguration sandal see M.A. O'Brien, 'Short notes' in *Celtica*, ii (1919), pp 350-3: 351-3; J.F. Killeen, 'Fear an énais' in *Celtica*, ix (1919), pp 202-4; and Proinsias Mac Cana, 'The *topos* of the single sandal in Irish tradition', in *Celtica*, x (1919), pp 160-6. Mac Cana notes that one particular incident involving an individual wearing one sandal in the fifteenth-century *Betha Cholaim Chille*, composed by Maghnus Ó Domhnaill, though absent from the surviving Old Irish text, may actually have been part of the original story, Mac Cana, 'The *topos* of the single sandal in Irish tradition', p. 163.

[215] Lucas, 'Footwear in Ireland', pp 309-94.

[216] See, for example, fol. 40v where humanistic figures are depicted with purple or green leg coverings, which may be stockings, and shoes.

[217] Lucas, 'Footwear in Ireland', pp 309-10.

[218] Gerald of Wales, *The topography of Ireland*, ed. Thomas Forester and Thomas Write, Medieval Latin Series (Cambridge, Ontario, 2000), p. 69, Yet, also see O'Meara's translation in which 'woollen trousers' and 'boots' are described instead of breeches and hose: 'woollen trousers that are at the same time boots, or boots that are at the same time trousers, and these are for the most part dyed' in Gerald of Wales, *The history and topography of Ireland*, ed. O'Meara, p. 101, §93 'The nature, customs and characteristics of the people'.

by individuals who wore a *brat* and *léine*, but desired added warmth and dryness during the cold months, or protection from harmful shrubbery.[219] Lucas posited, however, the purpose of stockings would have been nullified if the individual in question also wore trews. The anecdotal evidence for these stockings cannot be substantiated by Old or Middle Irish historical sources, and therefore a connection cannot be made between these stockings and either high or low status individuals in early medieval Ireland.

There is, on the other hand, plenty of evidence for shoes in early medieval Ireland. From the surviving evidence, Lucas identified five different styles, some of which were obviously of a lower calibre than others. Of the five styles of shoes, one can be dated to the sixteenth or seventeenth century and another cannot be accurately dated.[220] The remaining three types of shoes can all be dated prior to the tenth century.[221] Lucas proposed that there was a certain level of sophistication and craftsmanship involved in the creation of this footwear. Both Lucas' Types 1 and 2, for example, were, he posited, 'beyond the capacity of an amateur'.[222] Yet, Margrethe Hald notes that the 'gradation, in the qualities of primitive shoes is ... not inconsiderable' and 'the very simplest' could be made 'even by people at a very primitive level'.[223] Though cattle were the main source for leather shoes in early medieval Ireland, other animal skins were used, which could signify local production. A number of seventh-century leather shoes remains, found during excavations at the ecclesiastical centre of Iona, were fabricated from a variety of animal hides, including calf, adult cattle, goat, sheep, red deer and seal, indicating that the leather used to produce shoes most likely came from the 'the hides and skins of animals slaughtered locally'.[224] Similarly, although most leather shoes

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[219] In this case, the soleless stockings could help prevent chilblains, a condition in which there is constriction of arterioles and dilation of capillaries, that produces 'cracks and splits' and could cause bleeding and infection, as well as 'scrapes and tears from brambles, briars and furze', Lucas 'Footwear in Ireland', pp 332, 391.

[220] Lucas, 'Footwear in Ireland', p. 381.

[221] Lucas noted that of the fifteen surviving examples of shoes of Type 1 eight of them can be placed 'well within the period' of early medieval Ireland. Three shoes were found in Ballinderry Crannog no. 2, County Offaly and dated to around the eighth century while three others from crannog 61 at Lough Gara in County Roscommon might be dated to the sixth century or earlier, Lucas, 'Footwear in Ireland', p. 380.

[222] Lucas, 'Footwear in Ireland', p. 385. Lucas noted that the most typical shoe, Type 1, was 'astonishingly sophisticated' and that they were single-piece shoes with a 'complex pattern', Lucas, 'Footwear in Ireland', p. 366.

[223] Hald, *Primitive shoes*, p. 203.

[224] W. Groenman-van Waateringe, 'The leather from ditch 1' in John W. Barber's 'Excavations on Iona, 1979', in *Proceedings of the Society of Antiquaries of Scotland*, cxi (1981), pp 318-28: 319. For a slightly earlier publication on these artefacts and early Christian footwear in general, see John W. Barber, 'Some observations on early Christian footwear', *Cork Hist. Soc. Jn.*, lxxxvi, no. 244 (1981), pp 103-6: 103. The use of red deer skins in shoe production is particularly interesting, as the previous chapter of this thesis has linked hunting and the consumption of red deer as part of the diet of early medieval commoners.

from the late Viking-Age and medieval Waterford City excavations were made from cowhides, the skins of goat and sheep were also utilised by medieval leather-workers.[225] The surviving historical evidence for the possession, by commoners, of either leather or rawhide shoes is, unfortunately, quite limited, but that which does survive signifies that shoes were a common possession amongst many social groups, including commoners.

Common farmers were sometimes directly and indirectly connected to shoes in the Old Irish law tracts. *Críth Gablach* (*c.* 700) notes that taking a small bundle of rushes from a *mruigfer*'s bed incurred a penalty fine to be paid in terms of shoes. Thus, if the bundle was taken from the foot of the bed, its *díre* was to be paid in 'good shoes' (*dagassaib*).[226] Another eighth-century law tract, *Cethairślicht Athgabálae*, also drew a connection between rushes/wisps and shoes, but in an altogether different manner. This law tract regulated that an individual had to give notice before a case of distraint, except in certain cases. One of these exemptions was 'changing the wisp of his shoe' (*aitherorch dluí nassa*). A later glossator narrowed this exemption to only include a time when

> '.i. in airet(?) bes in clerech ag atharrach dlui 'na asa no curan .i. ag dul arin gort, is derbaid dó .i. bis etarru ⁊ a brog, in tan bis do curan agid lot',
>
> 'changing the wisp of his shoe, [i.e. when going to the corn field in the harvest-time, it is a proof to him,] i.e. a wisp of straw which is between his foot and his shoe, when his shoe is cutting him'.[227]

The glossator assumes that the reference to shoes applied specifically to clerics, yet the Old Irish passage itself seems to have been quite secular in nature with a discussion of both arms and clothing, in addition to shoes.[228] Furthermore, a triad from the ninth-century *Triads of*

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[225] Dáire O'Rourke, 'Leather artefacts' in M.F. Hurley and O.M.B. Scully, *Late Viking Age and medieval Waterford: excavations 1986-1992* (Waterford, 1997), pp 703-36: 735-6. In the sixteenth-century O'Davoren's glossary the term *corrgubhul* was glossed 'i.e. goatskin, ut est 'a slender shoe of goatskin she put down about her little foot' (*.i. craicann gabair, [ut est] broc choel do chorrgubul gabair tis im a traigh mbic*), 'O'Davoren's glossary', ed. Stokes, p. 255, §366.

[226] Text in *Críth Gablach*, ed. Binchy, p. 9, ll. 231-2, §17; trans. in MacNeill, 'Ancient Irish law', p. 292, §90.

[227] Text in *CIH*, ii, p. 420.33, gloss, p. 421.14-16; trans. in *ALI*, i, p. 301. The text in the *ALI* edition is arranged in a different order to that in the *CIH*. Thus, the translation noted here has been re-arranged to conform to Binchy's edition of the text in *CIH*. Also, the section that reads 'in harvest time' (*is in foġmar*) was added by the editors of *ALI* and does not appear in the *CIH* version. The Old Irish term *cúarán* (shoe, slipper) was also used as an epithet for the tenth-century king of Dublin, Amlaíb Cuarán (also known as Óláfr Sigtriggson Kváran), father of Sitric Silkenbeard. On Amlaib Cuarán see Donnchadh Ó Corráin, 'Vikings in Ireland and Scotland in the ninth century' in *Peritia*, xii (1998), pp 296-339: especially pp 20-1.

[228] 'aitheroch fadi claechló airm no etaidh', *CIH*, ii, p. 420.32; trans. in *ALI*, i, p. 269: 'changing twice: exchanging arms or raiment'.

*Ireland* allowed for a legal hand's-breadth between an individual's leggings and his shoes.[229] These few examples indicate that commoners did own shoes, but that they were more generally found amongst high-ranking commoners, such as the *mruigfer*. The relative prestige of shoes was more likely, therefore, based not on ownership, but on the material and method used to produce them.

The evidence for shoe-production in early medieval Ireland has been discussed at length by Lucas in his article, and many examples of his three main shoe types have been found in archaeological excavations, including the pre-tenth-century Type 1 shoes found at the Craigywarren crannog in Co. Antrim, or the Type 2 shoe found at Lagore crannog in Co. Meath, that could possibly be as early as the seventh century.[230] Both tanned and rawhide versions have been unearthed, and Lucas noted that every man who wore rawhide shoes, which would have lasted about a month,[231] 'could, probably, make his own'.[232] In order to make leather, the hides of various animals were soaked in an alkaline solution during which time they would soften and the hair and fat would be loosened so as to enable scraping them away with a knife. At this point hides could be used for either parchment or they could be tanned for leather.[233] To tan the leather, the hides were then submerged in a 'succession of tanks filled with a progressively stronger solution of oak bark'.[234] After this submersion, oil and stones were used to dress and polish the hides. One of the problems with attempting to determine the prevalence of tanned leather in society is the lack of archaeological evidence for tanning-pits in early medieval Ireland.[235] The process of construction is briefly alluded to in the twelfth-century *Aislinge Meic Conglinne*, in which a character was described as having 'shaped for himself' shoes out of 'seven-folded dun leather'.[236]

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[229] 'bass etir a assa ⁊ a ochrai', 'a hands-breath between shoes and hose', text and trans. in Meyer, *Triads of Ireland,* pp 28-9, §222.

[230] Lucas, 'Footwear in Ireland', pp 380-1. See also, W.J. Knowles and George Coffey, 'Craigywarren Crannog' in *R.I.A. Proc.*, xxvi, (1906-7), sect. C, pp 109-18: 116.

[231] Ibid, p. 376.

[232] Lucas made this comment in regard to the shoes he designated Type 3, Ibid, p. 385.

[233] If the hide was going to be used for parchment, it was stretched onto a frame and then scraped again. Under tension, the hide was then left to dry. For a discussion on how parchment was treated in early medieval Ireland see Ryan, 'Holes and flaws in medieval Irish manuscrips', p. 245. See also, Roy Thomson, 'Leather working processes' in Esther Cameron (ed.) *Leather and fur: aspects of early medieval trade and technology* (London, 1998), pp 1-10.

[234] Edwards, *The archaeology of early medieval Ireland*, p. 79.

[235] Ibid.

[236] 'Ocus cummais dī chūarán corra coidlide do dondlethar sechtfhillte dó in adaig sin', 'and on that night two pointed shoes of hide, of seven-folded dun leather, he shaped for himself', text and trans. in *Aislinge Meic Conglinne*, ed. Meyer, p. 9, ll. 21-3, trans. p. 8, ll. 24-6. See also, *Aislinge Meic Con Glinne*, ed. Jackson, p. 4, ll. 101-3, §11.

Rawhide, on the other hand, was cleaned through a simpler process, which involved removing the hair, skin and excess fat from the hide by the use of aqueous solutions and then a skilful scraping with a dull knife to remove the remnants. The more involved process of tanning skins to produce leather shoes most likely restricted their usage to wealthier members of society, not excluding high-ranking commoners. Unfortunately untanned or rawhide skins often decay in the earth, leaving little evidence of social variation and distinction behind;[237] although 'two shoes of horse-hide with the hair outside' was included in a list of unsightly attributes of Dagda in the eleventh- or twelfth-century composite text *Cath Maige Tuired,* 'The battle of Mag Tuired'.[238]

The production of shoes on a local level led Lucas to believe that there was 'considerable fluidity of practice' which was 'dictated by common sense and uninhibited by any very strict social conventions'.[239] According to the vast number of leather shoe finds dating to the late-seventh and the mid-to-late-eighth century at Deer Park Farms in County Antrim, the likely homestead of a high-ranking commoner, commoners owned and repaired not only basic rawhide shoes, but these composite leather shoes as well.[240] In the section on leather as a textile for cloaks, discussed above, Kathleen Ryan's article on the amount of hides needed to produce a manuscript was used as an indication that leather cloaks were atypical amongst commoners. According to Ryan, the leaves were cut from either side of the spine in various sizes, leaving little remnants for cloaks. Shoes, on the other hand, are much smaller and could derive either from excess pieces of hides trimmed away from folio leaves or a different part of the cow entirely, such as the legs.[241]

Due to the fact that both the less expensive and easier to produce rawhide shoes and leather shoes needed constant repair or replacement, it is possible that these shoes were only worn on special occasions, such as during ploughing and harvesting, or perhaps travelling to a market or festival in the winter. Thus, although Lucas believed that, 'it can be accepted as certain, both on literary and pictorial evidence, that from ancient times shoes were a normal

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[237] Quita Mould, Ian Carlisle and Esther Cameron, *Craft, industry and everyday life: leather and leatherworking in Anglo-Scandinavian and medieval York*, The archaeology of York: the small finds 17/16 (York, 2003), p. 2354.

[238] Text and trans. in *Cath Maige Tuired*, ed. Gray, p. 46, ll. 398-9, trans. p. 47.

[239] Lucas 'Footwear in Ireland', p. 364.

[240] M.E. Neill, 'The leather objects' in Lynn and McDowell, *Deer Park Farms*, pp 368-83.

[241] Ryan, 'Holes and flaws', pp 248-50 and p. 263, figures 4 and 5. One medieval Welsh law code, *The law of Hywel Dda*, notes that a serjeant was 'entitled to the legs of the oxen and cows which are got by his accusation, to make brogues [note here the Welsh cognate *cuaranau*, of Old Irish *cúarán*, 'shoe, slipper'] reaching to his ankles', in Andrew Breeze, 'The Anglo-Saxon Chronicle for 949 and Olaf Cuaran' in *Notes and Queries*, xliv, no. 2 (1997), pp 160-1: 161. See also, Hald, *Primitive shoes*, pp 175-81 for a Norwegian practice of using the legs (and other areas) of cattle in shoe production.

article of dress for all the upper ranks of society and for all those whose vocations conferred an equivalent dignity on them',[242] the aforementioned evidence shows that commoners should also be included in this assessment.

**Conclusion**

Thus shoes, jewellery, embroidery, colourful dyes and various textiles were all available in early medieval Ireland to promote one's status. The extent to which these luxuries played a role in the life of a commoner or a peasant, however, differed according to the grade of commoner. A commoner in early medieval Ireland owned at least one complete new or worn outfit of a *brat* and *léine*, which would have been made from wool and linen respectively. If these garments were dyed, muted colours such as light yellow and dun-coloured would have been applicable to their grade and status. Many of the vegetables and plant matter used to produce these dyed garments grew wildly and did not require cultivation, further indicating simplicity in the construction of these garments. Those dye-plants that were widely cultivated in early medieval Ireland by various levels of society, such as woad and madder, may suggest that the colour scheme denoted in the law tracts was, in actuality, flexible. These garments may have been embroidered, and although the surviving evidence is inconclusive, may have been paired with trews. Wealthy commoners, such as the *bóaire*, or even the *mruigfer*, listed in *Críth Gablach* (*c.* 700), probably owned some precious objects, including copper alloy brooches and bone pins. Furthermore, despite reservations in the historiography, a commoner of *mruigfer* grade probably owned at least one pair of leather or rawhide shoes.

The need to distinguish oneself in early medieval Ireland perhaps stemmed from the fact that, economically, a *fer fothlai* and an *aire déso* were not that different; *Críth Gablach* distinguished the wealth between these individuals by only a few *séoit*.[243] The same could be true of an *ócaire* and a peasant. When it is possible that a commoner could have spent all day working alongside peasants and slaves on his farm, the difference between the ranks, and the clothing of the individuals, may not have been that significant. But when individuals entered a court proceeding, or a church, or took part in a festival, social status became much more important, and it was imperative to make the distinction not only between nobles and

[242] Lucas 'Footwear in Ireland', p. 364.

[243] The honour-price for an *aire coisring*, considered to be the highest ranked commoner was 9 *séoit*, whereas the honour-price for the *aire déso*, the lowest ranked noble, was only one *sét* more. *Aire coisring*: text in *Críth Gablach*, ed. Binchy, p. 12, l. 295, §20; trans. in MacNeill, 'Ancient Irish law', p. 295, §99. *Aire desso*: text in *Críth Gablach*, ed. Binchy, p. 14, ll. 347-8, §24; trans. in MacNeill, 'Ancient Irish law', p. 297, §107. Refer to Chapter 3 above for more detail.

commoners, but also between commoners and peasants and commoners and slaves. Clothing was just one of the ways an individual publicized his or her status.

## Chapter 7

## Settlement and housing

### Introduction

According to the early Irish law tracts, housing was another indicator of social status in early medieval Ireland. The main surviving text on early medieval housing is the status-text *Críth Gablach* (*c.* 700). The often stylized list of the varying sizes of houses, as well as the amount of other buildings found on a typical settlement as described in this text, suggested to a number of scholars that *Críth Gablach* may simply have been an exemplar, not an accurate representation of contemporary settlements. Recent archaeological studies, however, particularly at a succession of early medieval houses at a settlement in Deer Park farms in County Antrim, have revealed that, in some limited cases, there is a consistency between the historical and archaeological records.[1] This chapter will, therefore, focus on the historical record for the housing of peasants and commoners, but also be informed by current archaeological research.

Early medieval Irish peasants and commoners could have lived in a variety of dwellings, including but not limited to crannogs, unenclosed settlements, or enclosed settlements, including cashels and ringforts. Crannogs, artificially constructed island homes, appeared throughout the early medieval archaeological landscape. There is, however, an ongoing debate in modern scholarship as to the status and purpose of these dwellings.[2] Larger constructions, such as the crannog at Lagore in County Meath, have been historically connected to important dynasties, like the kings of Brega; thus archaeologists, such as Hugh Hencken, recorded these island homes as high-status dwellings.[3] More recently, however, Cristina Fredengren and Aidan O'Sullivan have argued that smaller crannogs, such as that at Sroove in County Sligo, could be evidence of a 'poor person's crannog'.[4] The exact determination of who these 'poor' people would have been is a difficult question to try and answer. Fredengren, in particular, posited that a lack of material culture, including weapons

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[1] Lynn and McDowell, *Deer Park farms*, especially chaper 34, pp 604-10.

[2] See, for example, Michael Duignan, 'Irish agriculture in early historic times', in *R.S.A.I. Jn.*, iii (1944), pp 124-45, especially pp 128-9. See also, John Soderberg, 'Clientage and social stratification in early medieval Ireland: an archaeological perspective' in *Harvard Celt. Coll. Proc.*, xviii-xix (1998-9), pp 396-433.

[3] Hugh Hencken, 'Lagore crannog: an Irish royal residence of the 7th to 10th centuries AD' in *R.I.A. Proc.*, liii (1950-51), sect. C., pp 1-248: 3, 34.

[4] Christina Fredengren, 'Poor people's crannogs' in *Arch. Ir.*, xv, no. 4 (2001), pp 24-5; Aidan O'Sullivan and Tríona Nicholl, 'Early medieval settlement enclosures in Ireland: dwellings, daily life and social identity' in *R.I.A. Proc.,* cxi (2010), sect. C., pp 59-90: 76.

and jewellery, as well as any associated craftworking and limited faunal and archaeobotanical remains, indicated a non-royal, potentially commoner settlement type.

**Unenclosed settlement**

A similar problem has arisen in the designation of unenclosed settlements. Since very few of them have been found archaeologically, due to the lack of a prominent enclosing boundary, much of the current scholarship is still debating the exact nature of these settlements. The view that has dominated the historiography, however, is that the fenced houses described in law tracts such as *Críth Gablach* were 'an expression of free status', while these unenclosed settlements would have been relegated to the 'servile or semi-servile classes'.[5] Thomas Kerr, furthermore, has recently argued that unenclosed souterrains in the north-west of Ulster could also be representative of this low-class site type.[6] The most commonly discussed early medieval unenclosed settlement site is an area known as 'The Spectacles' in County Limerick, so called due to its shape on the Ordnance Survey map.[7] Within this settlement, two early medieval round houses were found alongside four small rectangular fields, which may have been gardens. Nearby was a larger series of fields and a semi-circular enclosure. One of the dwellings would have been a substantial structure and was built with stone walls, a paved doorway and a porch feature. While there has been no historical connection between this settlement and local magnates, these additional features certainly do not indicate a 'servile' habitation site. Thus, it would appear that it was not the type of site that indicated low or high status in early medieval Ireland, but the associated material culture.

**Enclosed settlements**

There is limited historical evidence for both unenclosed settlements and crannogs in the early middle ages. The historical sources instead focused on enclosed habitation, which included either cashels or ringforts. This class of habitation site when enclosed with an earthen boundary yielded the early misnomer of 'ringfort', suggesting a now discredited early scholarly theory that these settlements were originally defensive in nature.[8] Some modern archaeologists have argued that continued use of the term 'ringfort' overlooks the

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[5] O'Sullivan, *et al.*, 'Early medieval dwellings and settlements in Ireland, AD 400-1100', i, p. 26. See also, O'Sullivan, *et al.*, *Early medieval Ireland, AD 400-1100*, pp 112-13.
[6] Thomas R. Kerr, *Early Christian settlement in north-Ulster,* BAR, vol. 430 (Oxford, 2007), pp 118-19.
[7] Seán P. Ó Ríordáin, 'Lough Gur excavations: Carraig Aille and the 'Spectacles'' in *R.I.A. Proc.*, lii (1948-1950), sect. C., pp 39-111.
[8] Stout, *The Irish ringfort*, p. 19.

individuality of these early medieval sites, some of which are not even circular.[9] Thus, a variety of terms, such as, Old Irish *ráth*, 'earthen rampart', or the wider-ranging 'enclosed settlement' have been recently proposed as alternatives.[10] Many of the archaeological reports used in this thesis, however, employ the term ringfort. For the sake of consistency, the term ringfort will, therefore, be utilised in the discussion of settlements in this thesis.

Matthew Stout, in his study on the early medieval ringfort, found over 45,000 of these settlements extant in the current Irish landscape.[11] In order to separate the domestic living spaces from the surrounding fields, a circular rampart and accompanying ditch were constructed as boundary markers. Some of these boundaries could have been constructed out of stone, although stone walls are mainly associated with stone dwellings in the early medieval landscape. These buildings are most often found in the west and rocky areas of the country, and most likely represented not a deliberate expression of status, but a change in available materials; the height and width of these walls, however, have been used by archaeologists to indicate high status. The cliff-fort at Cahercommaun in County Clare, for example, was surrounded by a wall up to eight and a half metres in width whereas smaller dwellings, such as at Ballyegan in County Kerry, only had walls around two and a half metres thick.[12]

Many enclosed settlements were also surrounded by earthen boundaries, some of which even had multiple ramparts. These multiple ramparts have often been used by archaeologists to indicate a high-status dwelling. The eighth-century *Life* of Áed mac Bricc, for example, notes that a skilled worker, expert in building ramparts or 'walls' around settlements, constructed a triple-wall around the household of a wealthy friend (*dives*) of St Áed's, thereby linking wealth with multiple ramparts.[13] *Críth Gablach*, however, clearly states that a king's house was surrounded by a rampart, most likely constructed by his clients; but there was no strict stipulation that multiple ramparts equated to regal or noble status.[14]

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[9] O'Sullivan *et al.*, 'Early medieval dwellings and settlements in Ireland, AD 400-1100', p. 150. See also, O'Sullivan, *et al., Early medieval Ireland, AD 400-1100*, pp 48-50.

[10] Elizabeth FitzPatrick, 'Native enclosed settlement and the problem of the Irish 'ring-fort'' in *Medieval Archaeology*, liii (2009), pp 271-307: 271-2; Thomas Kerr, 'The height of fashion: raised raths in the landscape of north-west Ulster', *Ir. Arch. Jn.*, xviii (2009), pp 63-75.

[11] Stout, *The Irish ringfort*, p. 53.

[12] Hugh Hencken, *Cahercommaun: a stone fort in County Clare* (Dublin, 1938), p. 12; M.E. Byrne, 'Report on the excavation of a cashel at Ballyegan, near Castleisland, Co. Kerry' in *Kerry Arch. Soc. Jn.*, xxiv (1991), pp 5-31.

[13] Charles-Edwards, *Early Christian Ireland*, p. 150; *'Vita S. Aidi episcope Killariensis'* in *Vita sanctorum Hiberniae,* ed. Heist, pp 167-84: 171, §13.

[14] The text notes, 'It is then that he is a king, when ramparts of vassalage surround him. What is the rampart of vassalage? Twelve feet are the breadth of its opening and its depth and its measure towards the stockade. Thirty feet are its measure outwardly' (*Is and is rí(g) in tan dodnimmchellat dréchta[i] gíalna[i]. Cati in drécht gíalnai? Dá thraigid .x. lethet a bél ₇ a domnae ₇ a fot fri dún; tricho traiged a fot*

**Farmyard**

The farmyard or courtyard (*les*) was enclosed by the rampart(s) and was generally between 100 and 150 feet in diameter.[15] The domestic dwellings, along with the farm animals and their associated pens, were located within this rampart.[16] Sometimes the interior of the settlement was raised, which could have been a result of naturally occurring hills, extended reuse of a site, which after decades or centuries of use would become naturally raised, or deliberate construction.[17] Thomas Kerr has argued that many of these 'platform' sites in north-west Ulster may have been high-status settlements.[18]

The amount of buildings and or internal structures may also have been indicative of the status of the inhabitants. According to *Críth Gablach*, the *bóaire febsa* was entitled to 'a share in a mill, so that he grinds for his family and his companies of guests; a kiln, a barn, a sheep-fold, a calf-fold, a pigsty' (*cuit i mmuiliunn co n-airmil a muintir ⁊ a dáma; áith, saball, lías caírech, lías lóeg, mucḟoil*).[19] The most prosperous peasant farmer, the *mruigfer*, had rights to a kiln, a barn and a mill, and he would also have had a pigsty, a calf-fold and a sheep-fold on his property.[20] The corn-drying kilns, barns and mills would have been located outside the *les*. Donnchadh Ó Corráin noted some legal commentary to *Bretha Comaithchesa*, which outlines the appropriate fines for hens when they were outside the *les* and near other buildings, such as 'in kilns and mills and stacks of corn, or in a barn and in kilns and in fields' (*re hathaib ⁊ muillib ⁊ re daisib arba, ł fri sabull ⁊ fri hathuib ⁊ fri gortuib*).[21] John Bradley has also remarked that the reason relatively few examples of cow-houses, barns or outhouses have been found archaeologically is due to the fact that these structures may have been located outside the enclosures.[22] Some archaeological excavations, however, have turned up what appear to be grain-drying kilns inside structures that were contained within the *les*, such as at Ballymacash in County Antrim.[23]

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*anechtair*), *Críth Gablach*, ed. Binchy, p. 22, ll. 569-72, §45, notes to l. 570, p. 38; trans. in MacNeill, 'Ancient Irish law', p. 305, §133.

[15] E.R. Norman and J.K. St Joseph *The early development of Irish society: the evidence of aerial photography* (Cambridge, 1969), p. 41.

[16] Most gardens would have been located outside of the *les* in order to prevent damage by livestock, Kelly, *Early Irish farming*, p. 368.

[17] O'Sullivan *et al.*, 'Early medieval dwellings and settlements in Ireland', i, p. 53. See also, O'Sullivan, *et al.*, *Early medieval Ireland, AD 400-1100*, p. 50.

[18] Kerr, *Early Christian settlement in north-west Ulster*, pp 118-19.

[19] *Críth Gablach*, ed. Binchy, p. 6, ll. 155-6, §13; trans. in MacNeill, 'Ancient Irish law', p. 290, §87.

[20] *Críth Gablach*, ed. Binchy, p. 8, ll. 191-6, §15; trans. in MacNeill, 'Ancient Irish law', p. 291, §90.

[21] Ó Corráin, 'Ireland *c.* 800: aspects of society', p. 552; *CIH*, i, p. 74.10-11.

[22] John Bradley, 'The rural house in medieval Ireland' in Jan Klápšte (ed.), *Ruralia IV: the rural house from the migration period to the oldest still standing buildings* (Prague, 2002), pp 211-15: 212.

[23] O'Sullivan and Nicholl, 'Early medieval settlement', p. 80.

Fergus Kelly has argued that the pigsty, calf-fold and sheep-fold, on the other hand, would all have been contained within the settlement.[24] The fences of these folds or pens would most likely have been constructed of post and wattle, with blackthorn bushes placed around the top to prevent animals from jumping over it.[25] These structures were most likely circular in nature, although A.T. Lucas noted, in his book *Cattle in ancient Ireland*, that there is a reference in the seventh-century *Hisperica famina* to a sheep-fold being square in shape: 'Innumerable flocks of cattle/wander along sandy paths,/and the kine press into their enclosures./Throngs of sheep ascend the square folds,/and hairy swine go to their familiar swineherds/'.[26]

One animal structure not mentioned in *Críth Gablach* was an enclosure for the grown cattle within the *les*. The *Annals of Inisfallen* record that in 1028 there was a 'great snow in the Lent of the above year for three days and three nights so that neither people nor cattle left their houses' (*snechta mór isin Chorgus na bliadna sin, trí lathe ₇ tri aidche conna tegtís doene ná hinnile asa tigib*).[27] Other annalistic records focused on the importance of cattle enclosures as a necessary impediment to raiding. The *Annals of Inisfallen* also recorded in 1040 that Donnchad mac Briain proclaimed that 'none should dare to fetch cattle within doors' (*dano na laimthe míl innille do thabairt hi tech*).[28] It was only as a result of another law, promulgated this time by Tairdelbach Ua Briain in 1068, that managed to contain raiding, so that 'neither cow nor horse was housed (at night) but allowed to wander at will' (*bó na hech dochum tige acht a llécud dia réir*).[29] In all three examples, the term used to describe this enclosure was the generic term for housing (*tech*), not a 'cow-house' (*bóthech*), which appeared in the list of houses owned by a peasant (*fuidir*). As noted in Chapter 3 above, the early Irish law tract known as the *Fuidir*-text identifies two types of peasants, one with five houses and one without.[30] Later Middle Irish commentary to the seventh-century legal tract *Cáin Ḟuithirbe*, 'Law of Fuithirbe', describes these five houses as 'a great house, a cow-house, a pig-sty, a calf-

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[24] Kelly, *Early Irish farming*, p. 364.

[25] One early law tract describes the post and wattle (*nochtaile*) fence as being effective against full-grown (*damscuithit*) and small animals; 'ni dichet sguithi ar dluithe | ni dichet dam ar airde ₇ daingne', *CIH*, i, p. 73.11-12; trans. in Donnchadh Ó Corráin, 'Some legal references to fences and fencing in early historic Ireland' in T. Reeves-Smyth and F. Hammond (eds), *Landscape archaeology in Ireland* (Oxford, 1983), pp 247-51: 248-9: 'a small animal cannot go through it because of its closeness, an ox cannot go through it because of its height and its firmness'.

[26] Lucas, *Cattle in ancient Ireland,* p. 28; *Hisperica famina*, ed. Michael Herren (2 vols, Tronoto, 1974-87), i, pp 87-9, ll. 310-14.

[27] *AI, s.a.* 1028, pp 194-5.

[28] *AI, s.a.* 1040, pp 204-5.

[29] *AI, s.a.* 1068, pp 224-5.

[30] 'Irisches Recht' [II. Zu den unteren Ständen in Irland], ed. Thurneysen, p. 235, §§1-2.

pen and a sheep-pen' (*tegh mor ₇ botegh ₇ foil muc ₇ lias laegh ₇ lias caerach*).[31] This 'cow house' was not the same as the 'cow-fortress' (*bódún*), which was where all the cows of a neighbourhood were taken in order to escape raiders.[32] Fergus Kelly posited that the 'cow house' was of a sturdier nature than the wickerwork pen (*lías*) that was constructed for the smaller animals and may have even had a roof to protect the cattle from adverse weather conditions.[33]

Another structure absent from the list in *Críth Gablach* was the milking-enclosure (*indes*). The size of the structure would have varied, depending on the number of animals it was supposed to accommodate. For an *ócaire,* who characteristically owned seven cows, a large enclosure was not required. According to the *Life* of Patrick from the Book of Lismore, some milking-enclosures were large enough to fit at least six cows at one time.[34] None of the documentary sources describe a specific location for this enclosure, except that it would most likely have been near the cowhouse (*bóthech*) or the kitchen/larder, i.e. close to either the source or the consumer. An indication that the milking-enclosure may have been near the kitchen can be seen from a list of complaints recited in the Middle Irish tale *Erchoitmed ingine Gulidi*, 'The excuse of Gulide's daughter', in which Gulide's daughter was unhappy with 'the first milk of the first cow that first came to the milking-place of the kitchen-yard in the early morning the day before' (*ba don cétas inna cétbó cetna conrainic ind inis inna cuicne maiten moch indé*).[35] Yet, in the same section from the abovementioned *Life* of Patrick from the Book of Lismore, a cow went mad, killed others in the milking shed, and 'afterwards went into the wilderness' (*luidh iarsin isin ndithreibh*).[36] Thus, it is also possible that these cows may have been milked outside the enclosed farmyard or that the farmyard had no earthen or stone boundary.

One animal yet to be mentioned is the horse. Most adult commoners, such as the *ócaire*, the *bóaire febsa* and the *mruigfer*, characteristically owned at least one horse.[37] As noted above, in the record for 1068 in the *Annals of Inisfallen*, both cattle and horses were

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[31] *CIH*, iii, p. 760.21; translation my own.
[32] Kelly, *Early Irish farming*, pp 365-6.
[33] Ibid, p. 365.
[34] 'Life of Patrick', *LismL*, p. 3, ll. 95-101, trans. pp 151-2.
[35] 'Erchoitmed ingine Gulidi', ed. Kuno Meyer, in *Hibernica minora*, ed. idem (Oxford, 1894), pp 65-9: 66, §9; trans. p. 69.
[36] 'Life of Patrick', *LismL*, p. 3, l. 98, trans. p. 152.
[37] *Ócaire*: 'capal[l] iter fognum ₇ imrim', *Críth Gablach*, ed. Binchy, p. 4, l. 91, §10; trans. in MacNeill, 'Ancient Irish law', p. 286, §77: 'a horse both for working and for riding'. *Bóaire febsa*: 'capal[l] fognama ₇ ech immrimme', *Críth Gablach*, ed. Binchy, p. 6, l. 158, §13; trans. in MacNeill, 'Ancient Irish law', p. 290, §87: 'a horse for working and a steed for riding'. *Mruigfer*: 'ech slíasta[e]', *Críth Gablach*, ed. Binchy, p. 8, l. 196, §15; trans. in MacNeill, 'Ancient Irish law', p. 291, §90: 'a saddle-horse'.

housed in some form of structure. The term *inde* commonly found in the legal tracts and their later commentaries referred to a stable or an enclosure, most often for horses. The Heptads allow for seven 'drivings' which could not incur fines, and the final three were listed as 'driving cattle into their shed; driving pigs into their styes; driving horses into their stable' (*ain .c. 'na lias; ain mucc 'na falaig; ain ech fri ninde*).[38] Again, the location of this stable is not discussed, but the intensity of raiding, particularly in the tenth and eleventh centuries, would have necessitated that horses, along with cows and pigs, were kept within the boundaries of a settlement.

Another construction that could have been, and most likely was, part of an early medieval peasant or commoner's farmyard was a souterrain (at least in certain parts of the country). These underground repositories were constructed by digging a trench the appropriate width and height, reinforcing the walls with a dry-stone lining or possibly wood and installing a roof of stone lintels. This lined passageway ended at one or more chambers, usually circular or beehive in shape, with a similar stone lining.[39] Mark Clinton, in his book on souterrains, noted that most of these structures flourished between the eighth and thirteenth centuries.[40] Evidence from these souterrains suggested a variety of uses for these structures. Animal remains in the souterrains from Marshes Upper in Dundalk, for example, were identified by Finbar McCormick as evidence of a farrowing pen for pigs.[41] Botanical remains also suggest that these spaces could have been used for grain storage.[42]

These underground constructions were not only appropriate for storing or hiding goods and animals, but could be used for hiding the farmer and his family from Irish and/or Viking raiders. Poul Holm has recently proposed that in a tenth- or eleventh-century *Life* of St Fintan of Rheinau, the 'door' (*ostium*) Fintan hides behind in order to escape Viking raiders

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[38] *CIH*, i, pp 5.35-6.1; trans. in *ALI*, v, p. 137.

[39] A.T. Lucas, 'Souterrains: the literary evidence' in *Béaloideas*, xxxix - xl (1971-1973), pp 165-91: 165-6.

[40] On some sites, such as at Deer Park Farms, which show continual settlement for long periods, the souterrains do not show up until the later phases of occupation, Mark Clinton, *The souterrains of Ireland* (Bray, 2001), pp 92, 94, 95. See also, J. A. McDowell and Chris Lynn, 'The souterrain period and later activity' in idem, *Deer Park Farms*, pp 215-22.

[41] Finbar McCormick, 'The animal bones' in Margaret Gowen, Finbar McCormick and Siobhán Geraghty's (eds), 'Excavation of two souterrain complexes at Marshes Upper, Dundalk, Co. Louth' in *R.I.A. Proc.*, xcii (1992), sect. C, pp 113-19: 118.

[42] Michael Monk, 'Plant remains' in Jerry O'Sullivan, Martha Hannon and John Tierney (eds), 'Excavations of Lisnagun ringfort, Darrara, Co. Cork' in *Cork Hist. Soc. Jn.*, ciii (1998), p. 55; Geraghty, 'The macrofossil plant remains', p. 121; Tara Doyle, 'Hair of the dog: evidence of early medieval food production and feasting at Ballyvass, Co. Kildare' in Michael Stanley, Ed Danaher and James Eogan (eds), *Dining and dwelling: proceedings of a public seminar on archaeological discoveries on national road schemes, August 2008* (Dublin, 2009), pp 55-64: 58.

may have actually been a souterrain.[43] A.T. Lucas has also noted a reference in the *Annals of Inisfallen*, which records a raid in the year 873 by Bárid, along with a fleet of soldiers from Dublin, who plundered Ciarraige Luachra in County Kerry 'under ground, i.e. the raiding of the caves' (*fo thalmuin, .i. crec na nhuam*).[44] Lucas argued that *uamh* in this case (as in many others) referred not to natural caves, but to souterrains.[45] Fergus Kelly has posited that the term 'pit' (*corróc*) mentioned in the later commentary to Heptad 64 could also be a reference to a souterrain; as Heptad 64 explains, within a house there were two likely places to find a lost item, the bright, easily accessible places and the unlikely areas, including 'its kitchen, and its *corróc*; or its corners and its beds and its stables and its dark places' (*a cuile ₇ a corrogi, ł a cula ₇ a leptha ₇ a hachlasga ₇ a inada dorcha*).[46] Though not listed in *Críth Gablach*, these souterrains have been found in a variety of excavated enclosed settlements, some of which, like Deer Park Farms, are thought to have been inhabited by commoners.[47]

Some of the less savoury features of a settlement, including the cesspit and animal dung heaps, can offer a wealth of information regarding the diet and, potentially, status of the inhabitants. The cesspit was a necessary part of a habitation site and is generally found in archaeological excavations near the entrance to a settlement or the rampart; some inhabitants may have used screens to add an element of privacy to these personal areas.[48] Animal dung was also collected within a settlement and then removed to the farm for use as fertilizer. One reference in the twelfth-century *Aislinge Meic Conglinne*, 'The vision of Mac Conglinne', suggests that a dung-heap may have been located near the dwelling space as it

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[43] Poul Holm, 'The slave's tale' in Sparky Booker and Cherie N. Peters (eds), *Tales of Medieval Dublin* (Dublin, 2014). For the *Life* of St Fintan, see *Vita S. Findani*, ed. Oswald Holder-Egger, idem (ed.), *Monumenta Germaniae Historica, Scriptores*, xv (Hanover, 1887, repr. 1992), pp 502-6: 502; trans. in *Vita Findani*, ed. Reidar Th. Christiansen, 'The people of the North', in Alf Sommerfelt (ed.), *Lochlann*, ii (Oslo, 1962), ii, pp 137-64: 155-64.

[44] Lucas, 'Souterrains', p. 169; *AI, s.a.* 873, pp 134-5.

[45] Lucas also referenced the *Life* of St. Ruadhán in which Áed Guaire the King of Connacht escaped his rival's wrath by hiding in a 'dwelling in the ground', which was made by the saint under his church and may also have been a souterrain, 'Life of Ruadan', *BNÉ*, i, pp 317-29, trans. ii, pp 308-20: i, p. 322; trans. ii, p. 313, §31; Lucas, 'Souterrains', pp 171-2.

[46] Discussion in Kelly, *Early Irish farming*, p. 367; text in *CIH*, i, p. 56.32-3; trans. in *ALI*, v, p. 327.

[47] Souterrains have been found at the settlement sites of Marshes Upper in Dundalk, and Killanully, Ballyegan and Ballyvass, Co. Kildare, O'Sullivan *et al.*, 'Early medieval dwellings and settlements in Ireland', pp. 30-1; McDowell and Lynn, 'The souterrain period and later activity', pp 216-22. See also, O'Sullivan, *et al., Early medieval Ireland, AD 400-1100*, pp 106-12.

[48] O'Sullivan *et al.*, 'Early medieval dwellings and settlements in Ireland', pp 64-6. See also, O'Sullivan, *et al., Early medieval Ireland, AD 400-1100*, p. 106. Rebecca Boyd has postulated that a row of houses in Viking-Age Dublin may have had a communal refuse pit, but in rural areas each settlement would have had enough space for their own, Rebecca Boyd, 'Norse houses in Ireland and western Britain AD 800-1100: a social archaeology of dwellings, ethnicity and culture' in *Proceedings of the Association of Young Irish Archaeologists, annual conference 2007* (Dublin, 2008), pp 57-68: 63.

describes the process of shovelling a pile of manure from the dwelling to the edge of the settlement.[49] An interesting reference in the *Triads of Ireland* to comb-makers who chant 'upon a dunghill so that all the antlers and bones and horns that are below come to the top' (*for ochtraig co rathochra a mbí ina íchtur for a úachtar do chońgna ⁊ cnámaib ⁊ adarcaib*) suggests that these dung piles may have provided the raw materials for onsite craftwork.[50]

**Dwelling structures**

*Críth Gablach* describes in great detail the varying sizes of both the domestic structures and any outhouses within a settlement based on an individual's grade in society, as can be seen from Table 7.1:

| | **Table 7.1 Dimensions of domestic buildings in *Crith Gablach*** | |
|---|---|---|
| | ***tech*, 'house'** | ***airchae*, 'outhouse'** |
| ***Aire coisring*** | 30 feet | 19 feet |
| ***Fer fothlai*** | 27 feet | 17 feet |
| ***mruigfer*** | 27 feet | 17 feet |
| ***Bóaire febsa*** | 27 feet | 15 feet |
| ***Aithech ara threba a deich*** | 20 feet | 14 feet |
| ***Ócaire*** | 19 feet | 13 feet |
| ***Fer midboth*** | ? | ? |

One important point to note from this table is that the appropriate dimensions for a *fer midboth*'s house are missing. As noted in Chapter 3 on status, the *fer midboth* was distinct from an individual in society known as the 'son of a living father' (*mac béoathar*). In the case of the *mac béoathar* no housing structure is described, because it was assumed by the jurists that he was maintained in the same household as his father. Daniel Binchy has argued, in his edition of *Críth Gablach*, that the *fer midboth* had vacated his father's house, but lived 'in a separate 'hut' on his father's land'.[51] The name of the *fer midboth* may help to reveal his place in the landscape.

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[49] 'cona slūastib turarāin ina lámu ic fochartad in ottraig ingerta bōi forsin loch-drochat brechtāin ōtha immdorus in tige mōir co himdorus in dúine inechtair', 'with their shovels of dry bread in their hands, carrying the tallow offal that was on the lake-bridge of custard, from the porch of the great house to the outer porch of the fortress', text and trans. in *Aislinge Meic Conglinne*, ed. Meyer, p. 91, ll. 9-12, trans. p. 90, ll 11-14. See also *Aislinge Meic Con Glinne*, ed. Jackson, p. 35, ll. 1095-8, §64.

[50] Text and trans. in *The triads of Ireland*, ed. Meyer, pp 16-17, §117.

[51] *Críth Gablach*, ed. Binchy, p. 90, glossary, s.v., *fer midboth*.

Scholars have proffered two possible translations for *midboth*: 'of/between two huts' or more recently 'of mead huts'. The usage of *both* as opposed to *tech* may suggest a departure from the typical structure of a commoner. This term, *both*, is used throughout medieval Irish literature to describe temporary structures: monastic cells,[52] cooking-tents,[53] a tent and even an arbour.[54] The term was also extended to a grade in society known as the *bothach*, a semi-free tenant similar to a peasant (*fuidir*). In terms of his name and living space, however, the *bothach* had more in common with a serf (*senchléithe*, the literal translation of which is an old wickerwork hut). These housing epithets may suggest a domestic connection between the grades, despite their legal differences.

Kim McCone, in his most recent article, has suggested an alternative derivation of *midboth* as 'of mead huts'. With no linguistic problems to his interpretation, McCone sought a possible connection with anthropological patterns elsewhere, in which unmarried youthful warriors centred their war-bands and possible temporary housing structures on drinking-halls located outside the settled community. A hut for a female slave was described in *Cáin Adamnáin* as being located near the king's hall, but outside the actual enclosure, perhaps existing in a type of liminal space between settlement and wilderness. If the same was true of the *fer midboth* he may also have been seen as liminal, i.e. between a child just out of fosterage and an adult property-owner. Although no description was given in *Críth Gablach* for the type of housing of a *fer midboth*, Donnchadh Ó Corráin has suggested that the structures for many of the *fir midboth* as well as peasants and serfs may have been 'unenclosed and stood unprotected in the fields'.[55] If true, then Aidan O'Sullivan's argument that unenclosed settlements would have been occupied by members of the servile or semi-servile class must be revised to include free individuals, since the *fer midboth* was clearly a free member of society.[56]

The dimensions for the various buildings of all of the other free commoners are specifically noted in *Críth Gablach.* The outhouse (*airchae*), for example, generally increased sequentially from thirteen to nineteen 'feet' (*traigid*). At first glance the dimensions of houses given in the law tract may appear to be stylized, merely demonstrating that there was a

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[52] *Aislinge Meic Conglinne*, ed. Meyer, p. 53, ll. 19-20, trans. p. 52, ll. 23-4. See also, *Aislinge Meic Con Glinne*, ed. Jackson, p. 21, l. 647, §43.

[53] In the commentary to the eighth-century legal text *Cethairślicht Athgabálae* 'a hunter's cooking-pit' (*fulacht fiann*) is glossed *both folachta*, *CIH*, ii, p. 395.23, gloss p. 395.25; *DIL*, *s.v. fulacht* (1).

[54] In an eighth- or ninth-century Latin gloss on Psalm seventy-seven, the term 'arbor' (*umbraculo*) was glossed yet again in Irish as 'i.e. a little hut in which men are wont to be a-guarding apples' (*.i. both bec imbither ocomét ubúll*), *Thesaurus Palaeohibernicus*, ed. Stokes and Strachan, i, p. 340, l. 13, gloss, l. 28.

[55] Ó Corráin, 'Ireland *c.* 800: aspects of society', p. 553.

[56] See Chapter 3 above for the status of the *fer midboth*.

difference between the houses of a commoner and a noble. Archaeologists, such as Chris Lynn, however, have done an extensive amount of analysis on early medieval housing structures and found the dimensions to be relatively accurate for many surviving residences.[57] In 1994, for example, Lynn compiled a chart comparing the dimensions from *Críth Gablach* to surviving ringforts, in an effort to determine the efficacy and validity of these dimensions. His study determined that those sites reviewed for the paper roughly corresponded to the dimensions described in *Críth Gablach*. Yet, these calculations only worked if the 'foot' (*traigid*) was roughly equal to about nine inches (Lynn noted that he had to realign and stretch the scale in order to correspond roughly with the distribution of houses found in the archaeological record).[58] Fergus Kelly, on the other hand, has determined, through a careful examination of the legal texts, that the Old Irish 'foot' was roughly equal to a 'twelve-inch foot' and cited later commentary on the eighth-century legal tract *Bretha Étgid*, which allowed for three *basa* (roughly equivalent to four-inches) in one 'foot'.[59] The exact measurement of a *traigid* does not change the fact that the houses of higher-ranking individuals were described as living in successively larger houses and that a number of domestic buildings of varying sizes have been found archaeologically that roughly correspond to the dimensions laid out in *Críth Gablach*.

The outhouses acted as multi-purpose facilities for early medieval commoners. The outhouse of an *ócaire,* for example, was, according to *Críth Gablach*, where the food-render was divided up for his lord.[60] Likewise, a status-text related to the commentary on *Uraicecht Becc* describes this outhouse as a larder (*airecail*).[61] Aidan O'Sullivan has noted that one of the

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[57] Chris Lynn, 'Houses in rural Ireland, A.D. 500-1000' in *U.J.A.*, 3rd Series, lvii (1994), pp 81-94: 90-1.

[58] Lynn, 'Houses in rural Ireland, A.D. 500-1000', p. 91. See also, the recently published study on the completed excavations of Deer Park farms that do not include Kelly's legally determined measurements, but maintain Lynn's nine inch foot, Chris Lynn and J.A. McDowell, '*Críth Gablach* and the status of the rath occupants' in idem, *Deer Park Farms*, pp 604-5.

[59] '.i. tri grainde in norlach, .iiii.ri orlaighi i mbais, teora basa i troighid', *CIH*, i, p. 299.29-30; translation my own: 'three grains in an inch, four inches in a *bas,* three *basa* in a foot', see also Kelly's discussion of the early Irish measurements *gráinne*, *bas*, and *traig* in Kelly, *Early Irish farming*, pp 560, 562, 565. Kelly noted that a shorter measurement was also possible, as *Bretha Comaithchesa* notes 'the length of a foot as far as the joint of a big toe' (*traigh co ruige deil nordan*), which he equated to approximately eight inches, text in *CIH*, i, p. 195.32; trans. and discussion in Kelly, *Early Irish farming*, p. 565.

[60] Discussion in Kelly, *Early Irish farming*, p. 362; text in *Críth Gablach*, ed. Binchy, p. 4, l. 104, §10; trans. in MacNeill, 'Ancient Irish law', p. 288, §80.

[61] Discussion in Kelly, *Early Irish farming*, p. 361; text in *CIH*, iii, p. 1058.15-16. P.W. Joyce drew a connection between these dimensions laid out in *Críth Gablach* with those found in the ninth-century *Tripartite Life of Patrick* in which Patrick measured out a house to have 'seven score feet in the *tig mor* and seventeen feet in the *chuli*, seven feet in the oratory' (*secht fichit traiged isindlis ocus secht traigid fichet isintig mor ocus secht traigid deac isinchuli; secht traigid isind aregal*), *The tripartite Life of Patrick*, ed. Whitley Stokes (2 vols., London, 1887), i, p. 236, ll. 20-23, trans. p. 237; P.W. Joyce, *A social history of ancient Ireland* (2 vols, Dublin, 1920; third edition) ii, p. 39. The connection between the two

smaller house structures from Deer Park Farms may have been used for storage, as a cattle byre or a pig sty based on the associated remains.[62] Furthermore, two structures found in addition to a dwelling-space at the enclosed settlement of Killickaweeny, Co. Kildare, may have been used as an iron workshop and animal-pen or storage hut.[63] Thus, while the main purpose of an outhouse was probably food storage, it could also act as a more permanent animal enclosure, or a place for onsite craftworking or tool repair.

The domestic structures, on the other hand, as described in *Críth Gablach*, 'strongly' emphasise 'social status, gender and the organisation of social space'.[64] In addition to the fact that the houses seem to have increased sequentially, the fact that the dimensions for the houses of the *bóaire febsa*, the *mruigfer* and the *fer fothlai* were all the same suggests that it was more important to the jurists to distinguish a difference between a small farmer, i.e. the *ócaire*, and commoners with slightly larger farms, such as the *mruigfer*, than it was to distinguish each grade separately.

**Shape**

In addition to the size of a house being relative to its inhabitants' status, some secondary sources have argued that shape may also have been a factor in distinguishing social groups. Extensive archaeological excavations on many enclosed settlements have suggested that, between the seventh and the ninth centuries, the majority of the domestic structures inhabited by laymen would have been circular in shape. By the ninth and tenth centuries, however, a series of rectangular buildings were also constructed.[65] Arguments have been made that this alternative building style could have been due to Anglo-Saxon influence,[66] Viking (or urban) influence,[67] a heightened desire for personal space,[68]or, perhaps more

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renderings is interesting, since the generic term *airchae* or *cuile* in the *Críth Gablach* was given a more specific purpose as a pantry, larder or 'out-office' in the ecclesiastical record, *DIL*, *s.v. cuile*, *airecal*.

[62] O'Sullivan, 'Early medieval houses in Ireland: social identity and dwelling spaces', p. 251.

[63] O'Sullivan *et al.*, 'Early medieval dwellings and settlement in Ireland', i, p. 23.

[64] Ibid, p. 18.

[65] Archaeologically, this modification can be seen through multiphase occupation of a handful of sites, like Rathmullan in County Down. The first phase of occupation, usually beginning in the seventh or eighth centuries, contains a circular-shaped dwelling, whereas in the later phases, in the ninth or tenth centuries, newer rectangular buildings were built, O'Sullivan *et al.*, 'Early medieval dwellings and settlement in Ireland', i, p. 22; Chris Lynn, 'Early Christian period domestic structures: a change from round to rectangular' in *Irish Archaeological Research Forum*, v (1978), pp 29-45: 32.

[66] Lynn, 'Early Christian period domestic structures', p. 38.

[67] O'Sullivan *et al.*, 'Early medieval dwellings and settlement in Ireland', i, pp 21-2.

[68] Some archaeologists interpret this as a possible shift in society towards a growing need for personal space, which was reflected in house architecture. Nancy Edwards, however, has noted that, in the excavations of the cashels of Cahergall and Cathair Fionnúrach in County Kerry, wattle partitions may have existed to allow for any separation of space, O'Sullivan, 'Early medieval houses in Ireland: social

importantly, ecclesiastical influence.[69] Many church buildings, as outlined in the historical record, were built in a rectangular shape. Ecclesiastical influence is particularly important, due to the prevalence of churches in the early medieval rural landscape.

This construction pattern led some archaeologists and historians to propose that the singular dimensions in *Críth Gablach* equated to these singular dimensions in ecclesiastical sources and that, therefore, lay dwellings would also have been rectangular. Hilary Murray, for example, noted a quote in Irish law that described the proportions of rectangular churches as fifteen feet, but then expanded that definition to include their length and width in an accompanying gloss: 'If it be an oratory of fifteen feet or it is less than that, fifteen feet its length and ten feet its breadth' (*Masa durthach .u. troiged ndec ł is lugha inas, .i. cuic traigid .x., ina ḟat ⁊ .x. traiged ina lethi*).[70] She then plotted the ratio of this length to width alongside her measurements of surviving rectangular buildings from the early medieval landscape. Murray determined that, if the dimensions from an *ócaire*'s house as described in *Críth Gablach* were calculated following the rectangular ratio, some of the surviving rectangular structures could have been appropriately sized for the dwelling of an *ócaire*.

The single dimensions noted in *Críth Gablach*, however, most likely referred to diameters, not lengths or widths, in accordance with the prevalence of circular housing in the seventh and eighth centuries.[71] There are some later indications in the law tracts, however, that rectangular houses were being constructed by various groups in society after the ninth century. The same Middle Irish status-text which describes the larder also describes the house of an *ócaire* as rectangular, but did not follow the pattern set out by Murray: 'sixteen feet the length of his great house; twelve feet his larder, i.e. a house for the food' (*.6. troighthi .x. fod a thighe mhōir; .2. troigh .x. fod a airecail .i. tech a bhidh*).[72] The eleventh-century tale *Baile in Scáil*, 'The phantom's frenzy', also depicts rectangular housing, but in this case it was a king's house being described: 'thirty feet its length' (*deich traigid fichit a fod*).[73]

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identity and dwelling spaces', p. 232; O'Sullivan *et al.*, 'Early medieval dwellings and settlement in Ireland', p. 22; James Lyttleton and Michael Monk, 'Sites, social change and warfare in the second half of the first millennium AD: a reappraisal' in Conleth Manning (ed.) *From ringforts to fortified houses: studies on castles and other monuments in honour of David Sweetman* (Bray, 2007), pp 9-19; Nancy Edwards, 'The archaeology of early medieval Ireland, *c.* 400-1169' in Ó Cróinín (ed.), *N.H.I,* i, pp 235-300: 248.

[69] Lynn, 'Early Christian period domestic structures', p. 38; Lynn 'Houses in rural Ireland', pp 86-8.

[70] Text in *CIH*, vi, p. 2099.23-4; trans. in Hilary Murray, 'Documentary evidence for domestic buildings in Ireland *c.* 400-1200 in light of archaeology' in *Medieval Archaeology*, xxiii (1979), pp 81-97: 83.

[71] Stout, *The Irish ringfort*, p. 113; Kelly, *Early Irish farming*, p. 361.

[72] Kelly *Early Irish farming*, p. 361, citing *CIH*, iii, p. 1058.15-16; translation is based on Kelly's summary.

[73] Text in 'Baile in Scáil', ed. Kuno Meyer, in *ZCP*, iii (1901), pp 457-66: 459, ll. 20-1, §6, translation my own, see also *DIL*, *s.v. fot* (a). See also *Baile in Scáil: the phantom's frenzy*, ed. Kevin Murray, Ir. Texts

The fact that archaeologists have been able to show that some of these rectangular buildings were being used contemporaneously with circular housing has led some scholars to argue that these varying construction patterns represented not a chronological shift in domestic dwellings, but a geographical and structural division of status in early medieval Ireland.[74] Jonathan Kinsella, in his article on non-circular settlements, suggested that a house which was originally rectangular but in later constructions approached circularity may be evidence of a small farmer who tried to physically construct a higher status for himself.[75] It is clear, however, that there was no dramatic shift in construction style, and whatever change there was from circular construction to rectangular buildings in the ninth or tenth centuries affected multiple levels of society not just common farmers. Thus the status of a settlement was not dependent on the shape of its domestic structure, nor was the shape of the domestic structure evidence of an individual's place in society.[76] The fact that the measurements in *Críth Gablach* were devoid of any explanatory material would seem to indicate that size, instead of shape, was a major distinguishing factor in status differentials.

**Construction**

There were two common methods of construction for these domestic dwellings in early medieval Ireland: stone or wooden posts affixed with wattle. The difference between the two materials was probably mainly due to location within the landscape. In the northern parts of mountains or rocky outcroppings houses were often constructed out of surrounding rocky materials, whereas in low-lying areas with good soil post-and-wattle structures were more common. In County Laois, for example, out of a total of 150 known circular enclosures, only one was constructed in stone, whereas in County Donegal, 46 per cent of the known circular

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Soc., lviii (Dublin, 2004), p. 51, where Murray translates *fot* as 'size' not length. Máire Herbert has dated the text to around the ninth century, with revisions and updates from the early eleventh century, Máire Herbert, 'Goddess and king: the sacred marriage in early Ireland' in L. O. Fradenburg (ed.), *Women and sovereignty* (Edinburgh, 1992), pp 264-75; Gerald Manning, 'Review of *Baile in Scáil* The phantom's frenzy' in *Studia Hib.* no. 34 (2006-7), p. 201.

[74] Jonathan Kinsella, 'A new Irish early medieval site type? Exploring the 'recent' archaeological evidence for non-circular enclosed settlement and burial sites' in *R.I.A. Proc.*, cx (2010), sect C, pp 89-132: 120.

[75] Kinsella noted an enclosure at Lusk in County Dublin which appeared circular, if approached from the south, was originally built in a rectangular shape with a wooden bridge and banks used to make it appear more 'impressive'. The lack of material culture suggested to Kinsella that the residents were probably of lower status aspiring for more, Kinsella, 'A new Irish early medieval site type?', p. 121. See also, Antoine Giacometti, 'Living in the landscape' in *Arch. Ir.*, xx, no. 2 (2006), pp 36-7, 39.

[76] Kinsella, 'A new Irish early medieval site type?', p. 126

enclosures are stone.[77] Occasionally, the two methods of construction existed within the same environment, which led some scholars to propose that the use of different materials may be evidence of social status. Elizabeth Fitzpatrick, for example, has noted two substantial earthen enclosures of Ballyallaban and Rathbone near several smaller stone enclosures in the Ballyvaughan valley in the north Burren, County Clare, and suggested that there may have been a social element to their construction.[78]

The construction of stone buildings required a different skill set than the process of building a post-and-wattle house, but that alone did not exclude commoners from constructing and using these dwellings. Stone had to be gathered in large quantities and brought to the building site, presupposing both a network of individuals and transportation costs, such as the cart to load the stones and the time away from the farm. Yet, the wood for the posts of an earthen house also needed to be obtained from woodland, which could be a lengthy distance from the intended settlement. The walls of the stone structure generally had a wider base, but this was simply a necessary aspect of construction, rather than a symbol of social difference. Turves may also have been stacked onto the facings to keep the wind out of the interior, similar to the use of a double layer of wattle on an earthen structure.[79] More importantly, however, the construction of the inner and outer facings in stone houses would have required 'experienced and capable workers'.[80] The amount of time it would have taken to construct a cashel would have been partly dependent on the efficiency with which these facings were constructed.[81] This need for experienced and capable workers necessitated either the possession of a particular skill set or the hiring of skilled labour. Neither of these requirements indicates a distinction based on social status, but on wealth; commoners may have possessed the required skill set or the acquired wealth to pay for the construction of a stone house. Thus, although some houses were built of stone and some of post-and-wattle within the same vicinity, the difference in construction was not necessarily class, but wealth, a

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[77] Fitzpatrick, 'Native enclosed settlement', p. 275; Eamon Cody, 'A brief look at aspects of ringfort morphology and distribution' in Conleth Manning (ed.) *From ringforts to fortified houses: studies on castles and other monuments in honour of David Sweetman* (Bray, 2007), pp 1-8: 2.

[78] Fitzpatrick 'Native enclosed settlement', p. 275.

[79] The use of turf was not restricted to the walls, either on a stone enclosure or a post-and-wattle home. For a cashel the roof could have been constructed of either turf or the more complicated corbelled stone. If the former was used wooden poles would have been situated on the top of the stone walls and then wattle would have been woven around it. The roof would most likely have been finished off with a covering of either thatch or more turf. If stone was chosen instead of wattle and turf for the ceiling then the process of corbelling would have been used to create a vaulted ceiling, Edwards, 'The archaeology of early medieval Ireland, *c.* 400-1169', p. 248. See also, Edwards, *The archaeology of early medieval Ireland*, pp 25-6.

[80] Cody, 'A brief look at aspects of ringfort morphology and distribution', p. 4.

[81] Ibid.

very important distinction, particularly when the position of the *aire coisring*, who acted both as a commoner and a lord, is taken into account.

Another difference seen in the stone dwellings as opposed to the post-and-wattle structures, which has also been associated with status, is size. In the previous section on shape it was noted that the size of a dwelling can be a key indication of the status of its inhabitants. A comparison across structural materials reveals, however, that it is not possible to equate dimensions. The interiors of many stone dwellings are smaller than some of their earthen counterparts; Matthew Stout, for example, has noted that, in south Donegal, stone dwellings had an average internal diameter of twenty metres, while earthen ones in the same area were, on average, twenty-two metres. Likewise, on the Dingle peninsula, earthen ringforts had internal diameters of thirty metres while stone enclosures had an average of twenty-three metres.[82] The intensive building scheme and need for skilled labour in order to construct a stone dwelling may explain the size differences between the two structures. It would be misleading, therefore, to focus solely on the size of a dwelling in assigning social status to its inhabitants.

**Post-and-wattle houses**

The post-and-wattle house was, however, described by *Críth Gablach* as the typical domestic structure of early medieval commoners. The house of an *ócaire*, for instance, was related to that of the *tech nincis*, the house of a foster-son who took on the responsibility of caring for an elderly landowner whose own relatives could not or would not help.[83] *Críth Gablach* offers a concise, yet complex description of this house as follows:

> 'fí(d)thi co fordorus; ete iter cach dá fíthe ó ṡuidiu co cléithe; dá [n]dorus [n-]and–comla[e] ar ala n-aí, clíath ar alailiu; os hé cen chlíatha cen tulggu; udnocht coíl imbi; clár ndara iter cach dí chóemdai',[84]
>
> 'wickerwork to the lintel. From this to the roof-tree, a *dit* between every two weavings (?).Two doorways in it. A door for one of them, a hurdle for the other, and this (the hurdle) without (projecting) wattles, without protuberances (?). A bare fence of boards around it. An oaken plank between every two beds'.[85]

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[82] Stout, *The Irish ringfort,* p. 16.
[83] Kelly *Early Irish farming*, p. 362; *Críth Gablach*, ed. Binchy, p. 27-8, notes to ll. 98-100.
[84] *Críth Gablach*, ed. Binchy, p. 4, ll. 99-102.
[85] MacNeill, 'Ancient Irish law', pp 287-8, §79.

Daniel Binchy, in his edition of *Críth Gablach*, argued that *dit* was a corruption in the original manuscript and replaced it with 'wing' (*eite*) possibly referring to the use of birds' feathers as thatching material.[86] The association between birds and commoner housing may be significant considering the use of birds in the diet of commoners as well.[87] The obscurity of this description has not been lost on modern scholars, but Fergus Kelly has noted that what can be interpreted from the quote bears a striking resemblance to a seventh-century house excavated by Chris Lynn *et al.* at Deer Park farms in County Antrim.[88] As a result, the construction of the walls, doors and roof of the house from Deer Park farms, as well as other early medieval ringforts, can enhance the sometimes difficult legal descriptions.

**Walls**

This seventh-century house at Deer Park farms is geometrically circular and the walls were likely constructed with oak posts and a 'double layer of wattling' made from hazel-rods.[89] As was noted in the previous chapter, the hazel tree was specifically celebrated in *Bretha Comaithchesa* for 'its nuts and its rods' (*a mes ⁊ a c[h]áel*).[90] The 'rough side of each layer was turned inwards so that both the outside and inside walls had a smooth surface'.[91] John Bradley has suggested that one of the advantages of having a double layer of wattling would have been the easier replacement of the outside wall, since it was not a load-bearing wall and, due to weathering, may have needed replacement every few years.[92] Between the two layers, insulating material, such as straw, moss, grass, heather, or, if Binchy was correct about the emendation of *eite*, bird feathers, may have been used to retain heat within the dwelling.[93] To create an average sized house, over five miles of hazel-rods would have been used by way of a 'spiralling 'basketry' technique.[94] M.E. Neill has argued that since it would have taken roughly

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[86] *Críth Gablach*, ed. Binchy, p. 28, notes to ll. 98-100.
[87] See Chapters 5 and 6.
[88] Kelly, *Early Irish farming*, p. 363.
[89] Oak was the typical source of wood for house construction, as it is noted in the list of *aireg fedo* or noble trees for 'its acorns and its dignity' (*a mes ⁊ a saire*), deriving from 'the excellence of its timber', Kelly, 'The Old Irish tree-list', p. 109. See also, Kelly, *Early Irish farming*, p. 363.
[90] Kelly, 'The Old Irish tree-list', p. 109.
[91] Kelly, *Early Irish farming*, p. 363.
[92] Bradley, 'The rural house in medieval Ireland', p. 211; See also Chris Lynn, 'Reconstruction of an 8th-century house based on the evidence from Deer Park Farms' in Lynn and McDowell, *Deer Park Farms*, pp 594-602: 600.
[93] O'Sullivan, 'Early medieval houses in Ireland: social identity and dwelling spaces', p. 251; Chris Lynn, 'Deer Park farms, Glenarm, Co. Antrim' in *Arch. Ir.*, i, no. 1 (1987) pp 11-15: 14; Lynn, 'Reconstruction of an 8th-century house based on the evidence from Deer Park Farms', pp 599-600.
[94] Lynn, 'Deer Park farms', p. 14. See also, M.E. Neill, 'The use of woodland in the construction of the houses' in Lynn and McDowell, *Deer Park farms*, pp 448-68.

between five and ten years for the necessary amount of woodland to re-grow this crop of a hazel-rods the surrounding woodland was most likely 'divided into small compartments which were cut on a semi-regular basis to provide a steady crop of rods for the needs of the inhabitants'.[95] The excavations of successive houses at the early medieval settlement at Deer Park Farms suggested to Chris Lynn that these post-and-wattle houses 'could have been used for only 10 to 15 years before needing to be replaced'.[96]

**Doorways**

Within these wickerwork walls, *Críth Gablach* notes that there would have been at least two entrances. Both of these openings would have had doorposts and possibly doorjambs, as can be seen from a penalty-fine of a yearling heifer (*dairt*) fixed in *Críth Gablach* for the breaking or removing of a doorpost from the front of the house of a *mruigfer* and a slightly lesser fine of a yearling bullock (*dartaid*) for the removal of a doorpost at the rear of the house.[97] This lesser fine for the back entrance was likely a result of the difference in closures; the front of the house would have had an attached door, and the back would have been left open with a hurdle. Three door structures were mentioned in *Críth Gablach*'s description of the *tech nincis*: a doorway (*dorus*), likely made out of timber, or wattle, and possibly fitted with a lock, a 'door valve' (*comlae*), more akin to a shutter, and a *clíath*, a generic term, which could refer to a variety of items, such as hurdles, wattle panels of walls, doors or gates.[98] One small way to differentiate status in these early medieval homes may have been the use of locks. In the Middle Irish tale *Mesca Ulad*, 'The intoxication of the Ulstermen', from the (*c.* 1100) *Lebor na hUidre,* for example, Cú Chulainn and his Ulidian cohorts were trapped in a house made of oak with a 'door of yew three feet thick and two iron hooks and an iron bolt', referring to some form of locking mechanism.[99] Similarly, one of the miracles that Columba performed in Adomnán's *Life* of Columba was to free some trapped

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[95] Neill, 'The use of woodland in the construction of the houses', p. 464.

[96] Chris Lynn, 'Retrospect' in Lynn and McDowell, *Deer Park farms*, pp 612-27: 615.

[97] Text in *Críth Gablach*, ed. Binchy, p. 8-9, ll. 213-17, §16; trans. in MacNeill, 'Ancient Irish law', p. 292, §90. A yearling heifer was worth roughly 4-6 scruples and a yearling bullock, roughly 3-4, Kelly, *Early Irish farming*, p. 588.

[98] Text in *Críth Gablach*, ed. Binchy, p. 4, ll. 100-101, §10; trans. in MacNeill, 'Ancient Irish law', p. 287, §79; O'Sullivan *et al.*, 'Early Medieval dwellings and settlements in Ireland', i, p. 41. See also, O'Sullivan, *et al.*, *Early medieval Ireland, AD 400-1100*, pp 95-6.

[99] The idea of a door made out of yew is remarkable, since the reason for its inclusion in the list of 'nobles of the wood' is 'its noble artefacts', many domestic vessels being made out of this material, unlike the oak as discussed above, Kelly, 'The Old Irish tree-list', 109-10. It is also interesting to note that, in the Book of Leinster version of *Mesca Ulaid*, the house in which the Ulidians were trapped was made of iron, trans. in *Early Irish myths and sagas,* trans. Gantz, p. 214; text and trans. in *Mesca Ulad*, ed. Hennessy, p. 47.

monks and unlock the church doors without the aid of a key.[100] Yet, while *Críth Gablach* affixed a penalty for opening the house of a *mruigfer* without permission, there was no mention of 'unlocking' the door.[101]

Though the term *dorus* was used to introduce the section on doors in *Críth Gablach*, these two closures were then explained more specifically as a *comlae* and a *cliath*. This particular legal text seems to indicate that there was a clear distinction between the two forms of closures; however, the terms *comlae* and *cliath* were occasionally used as synonyms in contemporary literature, complicating a single definitive translation of either structure. In the twelfth-century *Aislinge Meic Conglinne*, for example, the term *cliath* was translated by Kuno Meyer as a door-valve, made of wickerwork, akin to the *comlae*.[102] Yet, the term *clíath* was used multiple times within this text, and Meyer translated it in four separate and distinct ways: as a screen,[103] a rafter,[104] a hurdle,[105] and a door.[106] In the twelfth-century *Cogadh Gaedhel re Gallaib* the term *clíath* was clearly distinguished from *comlae*, but in this case it was the former that described a hurdle and the latter, a gate.[107] The term *cliath* has even been used in reference to a seat or a litter, as in *Togail Bruidne Da Derga*.[108] Essentially, *clíath*, as a secondary closure, most likely referred to a framed construction which was basket woven with wickerwork that would have been portable and could have been used for various purposes, including blocking a doorway, or screening a bed for privacy.

Due to the clear distinction made in the law tracts between the closures it would be easy to assume that a separate purpose may have been afforded to each by the jurists. Unfortunately, those purposes were not advanced. Thus many scholars have proposed various interpretations for these differences, including protection from the wind,[109] orientation

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[100] Rolf Baumgarten, 'Creative medieval etymology and Irish hagiography (Lasair, Columba, Senán)' in *Ériu*, liv (2004), pp 49-78: 68-72.

[101] There was a five *séoit* penalty for 'opening' (*oslucud*) the house, with no specific reference to a lock, text in *Críth Gablach*, ed. Binchy, p. 8, ll. 210-211, §16; trans. in MacNeill, 'Ancient Irish law', p. 292, §90; *DIL*, *s.v. olsucud*.

[102] This reference is from an additional text appended by Meyer to his edition, *Aislinge Meic Conglinne*, ed. Meyer, p. 123, l. 18, p. 166, *s.v. clíath*. Kenneth Jackson offers multiple translations in his glossary of the text, including 'partition, panel; a hurdle; the rib-cage', *Aislinge Meic Con Glinne*, ed. Jackson, p. 155, *s.v. cliath*.

[103] *Aislinge Meic Conglinne*, ed. Meyer, p. 11, l. 17, trans. p. 10, l. 19.

[104] Ibid, p. 53, l. 3, trans. p. 52, l. 3.

[105] Ibid, p. 71, l. 25, trans. p. 70, l. 27.

[106] Ibid, p. 152. See also, *Aislinge Meic Con Glinne*, ed. Jackson, p. 155, *s.v. cliath*.

[107] *Cogadh Gaedhel re Gallaibh*, ed. Todd, pp 188-9, §107.

[108] Twelve men were seen 'on silvery hurdles' (*for clíathaib airgdidib*), trans. in *Togail Bruidne Dá Derga*, ed. Stokes, pp 101, §103; text in *Togail Bruidne Da Derga*, ed. Knott, p. 33, ll. 1107-8.

[109] Aidan O'Sullivan, for example, has noted that this orientation could protect the house from the 'wet, south-westerly winds', O'Sullivan 'Early medieval houses in Ireland: social identity and dwelling spaces',

towards the location of the outhouse,[110] or orientation towards the south-east, i.e. towards the rising sun. Aidan O'Sullivan has proposed that the fact that many doorways on early medieval dwellings faced either the south or east could represent a prior cultural norm of having a door face the rising sun.[111] Not all of the surviving enclosures, however, were orientated in a south-east direction.[112] These specifically non-south or non-east facing enclosures are described by their interpreters as either transient habitations or lower-class dwellings.[113] The impetus for the classification of these sites as 'lower-class', however, is unclear, thus leading to the implication that housing which did not conform to the norm was automatically lower-class. This sweeping generalisation does not take into account the extensive historical record, which described the houses of commoners as typical contemporary structures.

Another theory has also been espoused for the directional orientation of the entrances, and it focuses not just on the house itself, but its relationship to surrounding settlements. Matthew Stout, amongst others, has noted that, on the modern landscape, many smaller enclosures appear in close proximity to larger enclosures.[114] In some cases, the doors of these smaller dwellings may have been orientated towards their larger neighbours. This clustering has been explained as a visual representation of the economic relationship between

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p. 238. Hilary Murray has also suggested that the door or door-valve would have confronted the windward side and the other entrance would not have required a solid door, since it faced the sheltered side, Murray, 'Documentary evidence for domestic buildings in Ireland', pp 81-97. There is also a reference in *Togail Bruidne Da Derga* which complemented this theory. The doorways of a hostel were thus described: 'there are seven doorways into the house, and seven bedrooms between every two doorways; but there is only one door-valve [*comlae*] on it, and that valve is turned to every doorway to which the wind blows', *Togail Bruidne Dá Derga*, ed. Stokes, pp 27-8, §29.

[110] Chris Lynn, on the other hand, hypothesised that the opening with the attached door would have led to the outside while the opening with the hurdle would have led to a shed or larder, Lynn, 'Deer Park farms', p. 14. See also, C. Earwood, 'Structural timbers' in Lynn and McDowell, *Deer Park farms*, pp 418-32: 418-21.

[111] O'Sullivan 'Early medieval houses in Ireland: social identity and dwelling spaces', p. 238; O'Sullivan *et al.*, 'Early medieval dwellings and settlement in Ireland', i, p. 50.

[112] The stone hut at Barrees, in County Cork, and the hut on the summit of Dunnyneil Island in County Down were both north-facing enclosures. The latter structure preceded a fort, which may have been 'an early medieval emporium overlooking the Quoile estuary in Strangford Lough'. Though these examples are stone huts, there are also examples of earthen houses oriented to the west and south-west, such as the circular house at 'the Spectacles' and the dwelling on the Sroove crannog, O'Sullivan *et al.*, 'Early medieval dwellings and settlement in Ireland', i, p. 50.

[113] The denotation of certain sites as transient can be determined by a lack of consistently large finds for a sustained period of time, such as the early medieval enclosure at Ballyutoag in County Antrim, which faced south-west and may have been a possible booleying location, O'Sullivan *et al.*, 'Early medieval dwellings and settlement in Ireland', i, p. 50.

[114] Stout described a popular theory that each early medieval enclosure, throughout Ireland, had at least five others within its line of sight, thus suggesting some form of relationship between them, Stout, *The Irish ringfort*, p. 123-4.

clients and lords, or between dependent neighbouring farmers.[115] This particular alignment of smaller and larger ringforts, however, was not consistent, and when it is present in the landscape, alignment between enclosures does not necessarily indicate either social superiority or inferiority. It is more likely that, as Aidan O'Sullivan noted, the orientation of the doorway, and most often the entrance to the enclosure, was a matter that should be considered on a local level, not a cultural one, and that visibility of the landscape may have been one of the most important factors.[116]

**Roof**

The roofs on many of these early medieval structures, though they do not often survive in the archaeological record, would have been slanted, possibly at a 45-degree angle, and made of thatch from reed, grass, turf or straw.[117] Literary sources do not indicate the use of a chimney in order to remove dangerous smoke from the interior. According to John Bradley, and some recent experimental archaeology, however, circular houses did not necessarily require vents. Instead the smoke was said to have gathered at around head height and then permeated out through the thatch,[118] although some of the dangers of smoke inhalation may have remained. The historical sources do mention an alternative to a chimney: a 'smoke-hole' (*forles*). This smoke-hole was sometimes constructed at the apex of the roof to allow for smoke to escape the confines of the house. Many of the historical sources which discussed the use of a smoke-hole place it amongst the luxuries of noble houses.[119] The use of such openings amongst commoners was rare in the literary record, but one example of a

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[115] Stout argued that *ócairig* did not always farm their own land, but may have taken land as well as stock as a grant. Therefore, he proposed, if a cluster of small enclosures surrounded one larger one, the larger one may have belonged to a lord and the others his clients. As was discussed in Chapter 4, however, although the *ócaire* may have accepted land from a lord as part of a grant, it was not the norm and he most likely had his own inherited land, separate from anything he received from his lord, Stout, *The Irish ringfort*, p. 123-4; see also, Chapter 4 above.

[116] O'Sullivan, 'Early medieval houses in Ireland: social identity and dwelling spaces', p. 239.

[117] In the *Life* of Columba by Adomnán, for example, a stake was placed 'in a high place on the outside of the roof', *Adomnán's Life of Columba*, ed. Anderson and Anderson, p. 151, book ii, ch. 37; also trans. in Adomnán of Iona, *Life of St Columba*, ed. Sharpe, p. 186. John Bradley proffered the suggestion of a 45-degree pitch to allow for the runoff of rainwater, Bradley, 'The rural house in medieval Ireland', p. 211. Shingles are mentioned as well in some sagas, such as *Fled Bricrenn*, but they do not appear in any context relatable to commoners, *Fled Bricrend*, ed. Henderson, pp 68-71, §55. See also O'Sullivan *et al.*, 'Early medieval dwellings and settlement in Ireland', p. 20 and A.T. Lucas 'Contributions to the study of the Irish house: smokehole and chimney' in *Gold under the furze: studies in folk tradition presented to Caoimhín Ó Danachair* (Dublin, 1982), p. 50.

[118] Bradley, 'The rural house', p. 211.

[119] Lucas, 'Contributions to the study of the Irish house', p. 55.

smoke-hole in a cowherd's house does survive in the eleventh-century *Togail Bruidne Da Derga*.[120]

**Interior**

All of the abovementioned attributes of an enclosure, the animal sties, outhouses and the construction of the dwelling-place, would have been a way for peasants, commoners and nobles to recognise the status of their neighbours and boast of their own. The interior of the house would have been important for many of the same reasons, as it was regularly viewed by both guests and lords, due to various socio-economic relationships, such as clientship, and hospitality.[121] These social, economic and legal contracts suggest that the inside of a domestic structure was just as important as the exterior for the display of grade and wealth.

**Beds**

The interior of the house would have been small and cramped, most of the space being dominated by the two main activities of sleeping and eating.[122] A Middle Irish version of the description of the *tech nincis* found in the commentary to the eighth-century legal tract *Cethairślicht Athgabálae* notes that half of the interior space was designated for bed cubicles.[123] In a *mruigfer*'s house these beds are described as only being supported by two posts, presupposing that the other side was somehow affixed to a wall.[124] A rectangular arrangement of post-holes located against a wall opposite the door in a stone round house at Church Island may be an example of this type of structure. Michael O'Kelly has interpreted this

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[120] In this tale Cormac ordered the death of his daughter, only to be surprised later when it is revealed that she is still alive, after some of his men spied her through the smoke-hole of a cowherd's house, *Togail Bruidne Dá Derga*, ed. Stokes, pp 10-11, §6.

[121] If a free law-abiding individual knocked on the door and requested food or lodging, the concept of hospitality demanded that anyone entertain the guest under penalty of fine. This fine of 'refusal' (*etach*) was equivalent to the offended party's honour-price, O'Sullivan, *Hospitality in medieval Ireland, 900-1500*, p. 63.

[122] In regard to the interior of a dwelling, the cashels were arranged similarly to those of the earthen structures. The hearth, for example, would have been in the centre, and bed platforms would have been placed around the edges. Excavations at Cahergall and Cathair Fionnúrach suggest both of these features, Edwards, 'The archaeology of early medieval Ireland *c.* 400-1169', p. 248.

[123] Kelly, *Early Irish farming*, p. 362, citing *CIH*, iii, p. 894.12-13. Kelly posited that the description in the legal commentary of 'seven fists in width at the bottom, six fists at the middle and four fists at the top' may be the dimensions of this paved area within the house, ibid, no. 19, citing *CIH*, iii, p. 894.17-18. A paved interior can also be found in some of the houses from Viking-Age Dublin, O'Sullivan, 'Early medieval houses in Ireland: social identity and dwelling spaces', p. 233.

[124] MacNeill, 'Ancient Irish law', p. 293, note 2.

as the support structure of a bed; but in this case, flooding conditions necessitated a raised bed.[125]

The appropriate number of these beds was not discussed in the law tracts, yet the description of the *tech nincis* did assert that that there should be an 'oaken plank' between every two 'large beds', presupposing at least two, and that privacy may have been a concern.[126] On the other hand, 'eight beds with their furnishing in it' (*ocht n-imdai cona tinchur and*), was explicitly listed as part of the possessions of an *aire déso*.[127] Whether this allowance of eight beds suggests that an *aire déso*'s family may have been larger, or that the number of beds in a house increased sequentially with an individual's grade in society, was left unexplained. *Críth Gablach* did, however, continue its description and explained that, of the eight beds customarily found in an *aire désso*'s household, six of them were designated for specific members of the family: '(he has) a bed for his foster-son, his foster-brother, for man, for wife, for son, for daughter' (*lepaid daltu, comaltu, fiur, mnaí, macc, ingin*).[128] For newborns and infants, cradles may also have been used in the household. In the eighth-century law tract on distraint, *Cethairślicht Athgabálae*, a child in fosterage was supposed to be equipped with 'the clothes which by law he should have in the cradle; it is according to the grade of his father and of his mother that this is due' (*.i. int etach dlegar aice isin cliaban; fo aicned graid a athar 7 a mathar dlegar sin leis*).[129] Thus, although the clothes differed, the use of the cradle would seem to have been consistent throughout multiple levels of society.

Various materials would have been used as bedding. *Críth Gablach*, for example, lists specific penalties if a guest damages or removes rushes from different parts of a *mruigfer*'s bed.[130] Other organic material that was used in bedding was brushwood, meadow grass, grassland sods and rowan bushes all of which could and most often did bring insects inside the house.[131] As a result of these organic materials, some common, but unwelcome houseguests in early medieval Irish society would have been human lice and fleas, which were particularly prevalent in the excavations of the seventh-century house at Deer Park Farms.[132]

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[125] O'Sullivan *et al.*, 'Early medieval dwellings and settlement in Ireland', p. 41; Michael J. O'Kelly, 'Church Island near Valencia, Co. Kerry' in the *R.I.A. Proc.*, lix (1957-1959), sect. C, pp 57-136: 68. See also, a discussion of the bed-ends of Structure X at Deer Park Farms in Earwood, 'Structural timbers', pp 422-3.

[126] *Críth Gablach*, ed. Binchy, p. 4, l. 102, §10; trans. in MacNeill, 'Ancient Irish law', pp 287-8, §79.

[127] *Críth Gablach*, ed. Binchy, p. 14, ll. 337-8, §24; trans. in MacNeill, 'Ancient Irish law', p. 297, §107.

[128] *Críth Gablach*, ed. Binchy, p. 14, ll. 340-1, §24; trans. in MacNeill, 'Ancient Irish law', p. 297, §107.

[129] *CIH*, ii, pp 385.38-386.1; trans. in *ALI*, i, pp 173-5.

[130] *Críth Gablach*, ed. Binchy, p. 9, ll. 229-33, §17; trans. in MacNeill, 'Ancient Irish law', p. 292, §90.

[131] O'Sullivan *et al.*, 'Early medieval dwellings and settlement in Ireland', i, p. 41.

[132] O'Sullivan *et al.*, 'Early medieval dwellings and settlement in Ireland', i, p. 41; Harry K. Kenward and Enid P. Allison, 'A preliminary view of the insect assemblages from the early Christian ráth site at Deer

**Hearth**

The other half of the interior would have been encompassed by the hearth. According to A. T. Lucas, the hearth would have been located in the centre of the structure and would have been bordered by a kerb of stones.[133] The reason for placing the hearth in the centre of the house, Lucas argued, was twofold: to prevent damage to the flammable walls, and so that each part of the circular structure retained equal amounts of heat.[134] Some stake-holes found in early medieval excavations on either side of the defined hearth-space possibly indicate the hanging of pots or cauldrons for cooking purposes.[135] Recent experimental archaeology has determined that the amount of light radiated from a hearth could have provided sufficient illumination for craft production.[136] Thus, status was not inherent in the possession of a hearth, but in the activities that would have surrounded it. Some of the detritus from food and craft production centred on the hearth would have ended up on the floor. Shells, animal bones and burnt grains, in particular, offer a wealth of information regarding the dietary practice of the inhabitants, and can aid in the determination of the status of a settlement.[137] Floors were, however, also occasionally intentionally strewn with heather, bracken, brushwood, fallen leaves, peat, ash, clay and charcoal, in order to cushion or pave the floors.[138]

**Material Contents**

The material objects found within a dwelling space reiterated a commoner's place in society as a farmer, but it would also have been a venue to display any luxury goods. Thus the contents of a home may help to allocate a particular status to a settlement and its inhabitants. Those tools and decorative objects appropriate to a commoner's household were discussed in detail in the law tracts, particularly in *Críth Gablach*. The items characteristically found within the *mruigfer*'s house can be divided into seven categories: lighting, washing, farming, metal-working, wood-working, cloth-production and food-production. As clothing and food have

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Park farms, Northern Ireland' in J. Rackham (ed.), *Environment and Economy in Anglo-Saxon England* (York, 1994), pp 89-107: 95. Fleas and lice were also mentioned in *Aislinge Meic Conglinne* as the result of not airing out blankets, *Aislinge Meic Conglinne*, ed. Meyer, p. 11, ll. 18-19, trans. p. 10, ll. 20-21. See also, *Aislinge Meic Con Glinne*, ed. Jackson, p. 5, ll. 122-4, §14.

[133] Lucas, 'Contributions to the study of the Irish house', pp 50-1.

[134] Ibid.

[135] O'Sullivan *et al.*, 'Early medieval dwellings and settlement in Ireland', i, p. 40.

[136] Ibid.

[137] The longer a house was in use the more detritus would have built up on the floor, raising the interior over a long enough period of time, ibid, p. 42.

[138] Ibid.

already been discussed in previous chapters, this section will focus mainly on the material objects associated with the remaining categories.

**Lighting and Washing**

The items listed under the first two categories, lighting and washing, were both required for domestic use and the communication of social conventions. Both a candelabrum and its associated candles were considered by the jurists to be a normal part of a *mruigfer*'s household, and candles/rushlights were one of the provisions that a base client owed his lord in base clientship.[139] Washing troughs and tubs, on the other hand, were not some of the required items a client had to give to his lord, but they were supposed to be within his possession. Washing was a customary habit in early medieval Ireland as evidenced by the inclusion of a bucket (*ambur*), a washing trough (*indlait*), a washing tub (*long foilcthe[o]*), and a tub (*drochta*), in the itemised list of the contents of a *mruigfer*'s house, according to *Críth Gablach*.[140] In his article on washing and bathing in early medieval Ireland, A.T. Lucas argued that there were three distinct bathing rituals, which corresponded to the types of washing equipment found in the abovementioned list: one was the washing of hands and/or feet (*indlat*); the second was the washing of the hair, or more generally the head (*long foilcthe*), and third, the bathing of the entire body (*fothrucud*).[141] Rules did exist as to how, when and in front of whom one could take a bath, particularly in religious circles.[142] Yet, citing hagiographical sources, Lucas noted that the 'bath' was a 'commonplace experience', possibly even an enjoyable one.[143] Many social conventions dictated the custom of washing and bathing; offering to wash a guest's feet or hands first, for example, was an integral part of hospitality.[144] The insistence on the first washing may have had a simple hygienic reasoning, since water may have often been re-used in these situations, and thus the first washing had the cleanest water.[145] Similarly, a higher-ranking member of society also had the right to insist

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[139] 'Aus dem irischen Recht I' [1. Das Unfrei-Lehen], ed. Thurneysen, p. 355, §13; Kelly, *Early Irish farming*, pp 55, 114.
[140] *Críth Gablach*, ed. Binchy, p. 7, ll. 176-7, §14; trans. in MacNeill, 'Ancient Irish law', p. 291, §89.
[141] A.T. Lucas, 'Washing and bathing in Ancient Ireland' in the *R.S.A.I. Jn.*, xcv, no. 1/2 (1965), pp 65-114: 68.
[142] *The Irish penitentials*, ed. Bieler, p. 107, §27.
[143] Lucas, 'Washing and bathing in Ancient Ireland', p. 68.
[144] The first ever Irish satire was explained in TCD MS 1336 as the result of no fire, no bed and no bath for the poet Cairpre Mac Edaine upon his arrival at the king's house. Interestingly, in another version of this tale from the fifteenth-century manuscript TCD MS 1318, the list of grievances was the same except for the bath; in this version furniture was absent, 'Cairpre mac Edaine's satire upon Bres mac Eladain', ed. Vernam Hull in *ZCP*, xviii (1930), pp 63-9: 68-9; 'The second battle of Moytura', ed. Stokes, p. 71.
[145] Lucas, 'Washing and bathing', pp 68-71.

upon the first bath.[146] Therefore, the ownership of these items was not a signifier of noble status, but their employment in early medieval etiquette was.

**Farming Equipment**

Numerous types of tools were required for farming in early medieval Ireland, and these tools were listed in *Críth Gablach* as part of the holdings of various grades of commoners. The tools appropriate to the different grades were described as such: both an *ócaire* and an *aithech ara threba deich* had a: 'fourth (share of) a plough; an ox, a plough-share, a goad, a halter'.[147] Yet, the *aithech ara threba a deich* was also entitled to 'proper furniture, both irons and vessels'.[148] The tools for a *bóaire febsa* were simply noted as 'a half-share in a plough'.[149] The fact that these grades were described as sharing ploughing equipment is generally interpreted as evidence of communal farming amongst many of these lower grades of commoners.[150] A detailed list of the *mruigfer*'s tools, however, reckoned in *Críth Gablach*, includes a wide range of tools that would have been part of a high-ranking commoner's possessions in early medieval Ireland:

> 'scena búana aíne, lomna, tál, tarathar, tuiresc, dias ḟidchrann, eipit; aicced ḟognama cach(a) ráithi – cach ndeilm de cen íasacht – lia forcaid, fidba[e], biáil, gaí gona cethra[e] ... óg n-arathair cona uili chomopair',
>
> 'knives for cutting rushes, ropes, an adze, an auger, a saw, a pair of shears, a trestle(?), an axe; the tools for use in every season, every implement thereof unborrowed; a grindstone, mallets, a billhook, a hatchet, spears for killing cattle...full ownership of a plough with all its outfit'.[151]

The phrase *dias fidchrann* is particularly difficult to define. In the above translation, Eoin MacNeill believed they were two separate tools: shears and a wooden trestle, while Binchy in his edition of *Críth Gablach* translated it as a phrase representing a pair of wooden shears in his glossary.[152] Fergus Kelly found fault with both translations and left the two words un-

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[146] Ibid, p. 71.
[147] *ócaire*: *Críth Gablach*, ed. Binchy, p. 4, ll. 95-6, §10; trans. in MacNeill, 'Ancient Irish law', p. 287, §78. For the *aithech ara threba a deich*: *Críth Gablach*, ed. Binchy, p. 5-6, ll. 133-4, §12; trans. in MacNeill, 'Ancient Irish law', p. 289, §84.
[148] *Críth Gablach*, ed. Binchy, p. 6, ll. 140-41, §12; trans. in MacNeill, 'Ancient Irish law', p. 289, §84.
[149] *Críth Gablach*, ed. Binchy, p. 6, l. 158, §13; trans. in MacNeill, 'Ancient Irish law', p. 290, §87.
[150] MacNeill, 'Ancient Irish law', p. 287, no. 1; Kelly, *A guide to early Irish law*, p. 101; Kelly, *Early Irish farming*, pp 445-8.
[151] *Críth Gablach*, ed. Binchy, p. 7, ll. 177-82, §14; trans. in MacNeill, 'Ancient Irish law', p. 291, §89.
[152] *Críth Gablach*, ed. Binchy, p. 53, *s.v. fidchrann*; trans. in MacNeill, 'Ancient Irish law', p. 291, §89.

translated, to be defined simply as a wooden tool the exact purpose of which is unknown.[153] Many of these tools, however, were not the sole remit of a *mruigfer*, as they were also discussed as generic tools of husbandry in additional law tracts. The amount of tools named in early medieval sources is extensive, and Fergus Kelly has published an extremely well researched history of the use of these tools in Ireland.[154] The following table provides a list of the common tools mainly derived from Kelly's work, given in Table 7.2, and discussion is confined to those tools that suggest particular social commentary.

| Table 7.2 Tools in use in early medieval Ireland | | | |
|---|---|---|---|
| **English** | **Irish** | **English** | **Irish** |
| **Adze** | *tál* | **Pack saddle** | *srathar* |
| **Auger** | *tarathar* | **Plough share** | *socc* |
| **Axe** | *biall/eipit* | **Rake** | *rastal* |
| **Billhook** | *fidbae* | **Restraints for hens; goats** | *cochall; bróc* |
| **Bridle** | *srían* | **Restraints for horses and calves** | *airchomal* |
| **Cart** | *sarr/fén* | **Restraints for pigs; dogs** | *srathar; slabrad* |
| **Coulter** | *coltar* | **Saw** | *tuiresc* |
| **Cow-spancel** | *búarach* | **Scutching rod (for flax)** | *flesc lín* |
| **Flail** | *súst* | **Shovel** | *slúasat* |
| **Goad** | *brot* | **Sickle** | *serr/corrán* |
| **Grindstone/Wetstone** | *lia forcaid* | **Spade** | *ramie/fecc* |
| **Halter for an ox** | *cennos* | **Spear for killing cattle** | *gaí gona cethrae* |
| **Hook for hanging meat** | *crocc* | **Threshing stick** | *súst/flesc* |
| **Knives for cutting rushes** | *scena búana aíne* | **Ties; ropes** | *nasc; lomna* |
| **Mallet** | *forchae* | **Wooden tool?** | *dias fidchrann* |
| **Mattock** | *bacc* | **Yoke** | *cuing* |

[153] Kelly, *Early Irish farming*, pp 500-1.
[154] Ibid, pp 463-502.

The use of many of these tools was a way for literary and legal authors to distinguish commoners from nobles. Spades, axes and mallets were specifically denoted as 'hafts of a vassal' (*lorggaib a[i]thich*) in the list of activities that would reduce a king's honourprice to one of commoner: 'his stooping over the three hafts of a [commoner], the haft of a mallet, the haft of an axe, the haft of a spade, for while he is upon them, he is a [commoner]' (*a thóraic for teora[ib] lorggaib a[i]thich – lorgg ḟorcha, lorgg ṡamthaige, lorgg rám(m)ai – ar cé[i]n mbís foraib is aithech*).[155] A shovel (*slúasat*) was similarly used in the twelfth-century tale *Aislinge Meic Conglinne* to transfer manure from outside a house to the edges of a settlement.[156] Additional tools that were necessary for farming were curiously omitted from *Crith Gablach*, but were listed in other legal and literary texts. Both the axe and the billhook were described as the two main 'irons of husbandry' (*erna trebtha*), according to a gloss on the eighth-century legal text *Bretha im Ḟuillema Gell*.[157] Similarly, another legal gloss in *Bretha im Ḟuillema Gell*, noted that the mattock and the spade were the 'two valuables of the field' (*do setaib faithchi*).[158] While ploughing was occasionally used in ecclesiastical texts as a metaphor for worship, ploughs and the men who used them were often mocked in much of the vernacular literature, particularly in satire;[159] one Middle Irish satire exclaims: 'you grandson of a ploughman (who is) filthy like a badger, of unregulated wailing and blotchy like a stone pillar' (*A uí airim brocṡalaig amarmíchánaig aladlíacánaig*).[160]

The derisive attitude towards these tools or the farmers who used them was a common motif in literary texts utilised to distinguish nobles from commoners. Yet, differences between grades of commoners were also highlighted in the apportionment of these tools. The distinction that appeared most often in the legal texts was between ownership and being granted a right of access. Many of the tools listed above were necessary farming equipment, but, like having shared access to a mill or a barn, the lower ranked commoners would not have owned all of these, only some of them. As a collective, a joint-ploughing team of *ócairig*

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[155] *Críth Gablach*, ed. Binchy, p. 21, ll. 531-3, §40; trans. in MacNeill, 'Ancient Irish law', p. 303, §126, with the minor emendation of the term *aithech*, which MacNeill translated as vassal, being changed by me to commoner. There were, however, different types of axes: the large axe (*biáil*) and the smaller axe (*eipit* or *samthach*), *Críth Gablach*, ed. Binchy, p. 7, ll. 178, 180; trans. in MacNeill, 'Ancient Irish law', p. 291, §. See also, Kelly, *Early Irish farming*, pp 486-9 and *DIL*, *s.v. biáil*, *eipit*, and *samthach*.

[156] See no. 46, this chapter.

[157] *CIH*, ii, p. 467.8, commentary, p. 467.18. See also, Kelly, *Early Irish farming*, p. 489.

[158] *CIH*, ii, p. 473.4-5, gloss, p. 473.7, minor emendation of *faichthi* to *faithchi*, based on Kelly, *Early Irish farming*, p. 467, no. 20.

[159] Columbanus for example, frequently referred to tilling the soil in his sermons, text and trans. in *Sancti Columbani Opera*, ed. Walker, pp 68-9, sermon ii, §2.

[160] Text and trans. in *Early Irish satire*, ed. McLaughlin, pp 148-9, §40.

utilised ploughs, yokes, harnesses, etc., but they would most likely have been dependent on one another for a complete set of tools. Prosperous farmers, such as a *mruigfer*, would have had sole possession of all of these tools, as well as additional tools that may be considered luxury goods, such as enamelled bridles.[161]

A further variation amongst the grades could have been observed through the introduction of newer farming technology, like the flail or the coulter. Both of these tools were later introductions to Irish farming. For instance, the threshing rod (Old Irish *súst* or *flesc*) was common in early legal and literary sources, but the double-sided flail was the main implement of threshing in many eleventh or twelfth-century legal commentaries.[162] As a result, the single rod became inadequate. Likewise, both Fergus Kelly and Niall Brady have argued that the coulter did not enter Irish society until the tenth century.[163] *Críth Gablach* described a plough as one of the three 'snouts' which defined a *mruigfer*, but the *c.* twelfth-century legal commentary to *Uraicecht Becc* transformed the plough into a coulter (*coltar*).[164] This invention may have had a greater impact on the visual landscape than the flail. The coulter-less plough required cross-ploughing, which often left the field in a square-like shape. However, with the introduction of the coulter, the plough could dig deeper into the soil, less cross-ploughing was necessary, and as a result fields became elongated.[165] Thus, divergence in the tools used by farmers could also have been seen in the continued use of out-dated machinery after the introduction of the newer technology.

**Location within the settlement**

It is clear that a variety of tools existed within the household possessions of common farmers, but they were not all kept within the house. The text of *Críth Gablach* located these tools within the *tech* with everything 'in their proper places' (*inna áttaib córaib*).[166] Tubs, washing basins, kitchen utensils and crockery, fit well within the remit of a personal dwelling space, but the axes, sickles and other ploughing equipment did not. In Adomnán's *Life* of

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[161] *Críth Gablach*, ed. Binchy, p. 8, l. 196, §15; trans. in MacNeill, 'Ancient Irish law', p. 291, §90.
[162] Kelly, *Early Irish farming*, p. 481.
[163] Kelly, *Early Irish farming*, p. 470; Niall Brady, 'Reconstructing a medieval Irish plough' in *Primeras jornadas Sobre Technologia Agraria Tradicional* (Madrid, 1993), pp 31-44. See also, Muiris Ó Raghallaigh, 'Milling and grain-drying: two aspects of cereal processing in early medieval Ireland, a study of archaeological evidence and Old-Irish documentary sources' (M.Phil Thesis, University of Dublin, Trinity College, 2005).
[164] *Críth Gablach*, ed. Binchy, pp 7-8, ll. 185-8, §15; trans. in MacNeill, 'Ancient Irish law', p. 291, §90. The commentary to *Uraicecht Becc* refers to 'the snout of a coulter under the ground' (*srúb cuiltir fo thuinn*), text and trans. in Kelly, *Early Irish farming*, p. 470, citing *CIH*, v, p. 1612.2.
[165] Kelly, *Early Irish farming*, p. 470.
[166] *Críth Gablach*, ed. Binchy, p. 7, l. 173, §14; trans. in MacNeill, 'Ancient Irish law', p. 291, §89.

Columba a stake was removed from the inside of a layman's house, due to the untimely death of a household pet; this removal highlights an awareness of the danger simple tools inside a house could pose to the family and their pets.[167] As a result, it is likely that many of the dangerous tools were kept elsewhere. The same notion of locating unlikely objects inside the house is noted in the *Triads of Ireland*, which lists the three best things in a house: 'oxen, men, axes' (*daim, fir, béla*).[168] Fergus Kelly noted that *i tig* here most likely means 'among the resources of a household', not specifically within the dwelling space.[169] Furthermore, none of these farm tools were mentioned in a short discussion on the fines appropriate to a house guest for breaking items on the floor of a *mruigfer*'s house.[170] Either these tools were hung on pegs in the walls, on structural beams, or they were kept elsewhere. In a story from the law tracts, for example, edited and translated by Myles Dillon, a wealthy female land-holder had thirty-five female cooks to milk her vast number of milch cows, each of whom had their own spancel, which was hung on a beam in the *tech*, which in this case likely referred to the cattle enclosure.[171] Thus tools kept within the farmyard were most likely located according to their intended use, i.e. milking tools were kept in the milking shed.

**Metalworking**

Iron was a common metal used to produce the tools outlined above in early medieval Ireland. Until recently scholarship had presumed that metalworking on a settlement was a sign of high status.[172] While intricate metalworking was most likely done by experts either on high-status sites or possibly in small smith villages,[173] the production and maintenance of farming

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[167] *Adomnán's Life of Columba*, ed. Anderson and Anderson, p. 149, book ii, ch. 37; also trans. in Adomnán of Iona, *Life of St Columba*, ed. Sharpe, p. 186.

[168] Kuno Meyer, *Triads of Ireland*, Todd Lect. Ser., xiii (Dublin, 1906), pp 28-9, §227.

[169] Kelly, *Early Irish farming*, p. 486, n. 151.

[170] *Críth Gablach*, ed. Binchy, pp 8-9, ll. 209-37, §§16-17; trans. in MacNeill, 'Ancient Irish law', pp 292-3, §90.

[171] 'No bídh iarom crand tarsna tarsin tech ocus secht n-inbhi and ocus cúic buairghi im cach inbhi ocus eadh eturru, ocus atgni[n]ed cach banchoic díbh a buaraigh', 'Then there used to be a beam across through the house, and seven pegs (?) in it, and five spancels on each peg, and a space between them, and each woman-cook used to recognise her spancel', text and trans. in 'Stories from the law-tracts', ed. Myles Dillon, in *Ériu*, xi (1932), pp 42-65: 51, §14, trans. p. 63.

[172] Richard Warner, for example, used metalworking as one of the criteria for determining high-status archaeological sites, Richard B. Warner, 'The archaeology of early historic Irish kingship' in Stephen T. Driscoll and Margaret R. Nieke (eds), *Power and politics in early medieval Britain and Ireland* (Edinburgh, 1988), pp 47-68.

[173] Such as the royal crannogs at Lagore or Moynagh Lough, Hencken, 'Lagore crannog', p. 11; John Bradley, 'Excavations at Moynagh Lough, County Meath' in the *R.S.A.I. Jn.*, cxxi (1991), pp 5-26: 23. O'Sullivan *et al.* have noted that excavations near the early monastic site of Brigtown, a monastic settlement, which is historically noted as being Brí Gobann, the 'hill of the smith', has unearthed evidence of a group of early medieval smiths living together possibly as their own community. It is also

tools was performed, albeit on a much smaller scale, on numerous early medieval settlements of varying social statuses.[174] This small-scale production is clearly evidenced in *Críth Gablach*, where one of the many objects a *mruigfer* was supposed to have in his house at all times was a 'sack of charcoal for irons' (*míach gúaile fri herna*).[175] Items such as the adze and auger, commonly made from iron, were also listed amongst the farming tools appropriate to a farmer of the *mruigfer* grade.[176] One item not found in the agricultural tool list expressed in *Críth Gablach* was an anvil, upon which iron was generally struck. It was, however, included in the Old Irish *In Lebor Ogaim*, 'The book of Ogam', as a common agricultural tool: group A of the 'agricultural ogham' contained a list of farming equipment, including a plough, a hammer, a heather-brush, a billhook/axe (?) (*eipit*), a billhook (*fidba*), and an anvil (*indeóin*).[177] With the exception of the anvil, many of these items were reiterated in *Críth Gablach*.[178] These tools were generally maintained through the use of a whetstone, which was also mentioned as one of the objects a *mruigfer* characteristically had on his farm, and has been found on a variety of early medieval settlements, signifying its prolific use.[179]

**Woodworking**

Besides a basic knowledge of metalworking, the laws of fosterage legally required that 'woodcutting' (*cinnad*) was taught to all male children whose fathers were of commoner

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possible that smith villages grew from the fact that producing iron billet was most likely carried out in close proximity to the sources needed for such craftwork. These areas were 'unsuitable for habitation', offering another piece of evidence for smiths sometimes living in groups independent from the settlements they supplied, O'Sullivan *et al.*, 'Early medieval dwellings and settlement in Ireland', p. 111, p. 115; 'The life of Findchua of Brí-Gobann', *LismL*, pp 84-98; trans. pp 231-46: 88, ll. 2931-6, trans. p. 235.

[174] O'Sullivan *et al.*, 'Early medieval dwellings and settlement in Ireland', p. 114. In Michelle Comber's recent study of early medieval settlement she argued that metalworking was carried out by multiple levels of society, Michelle Comber *The economy of the ringfort and contemporary settlement in early medieval Ireland*, BAR, International Series, no. 1773 (Oxford, 2008), particularly pp 120-4.

[175] *Críth Gablach*, ed. Binchy, p. 8, l. 191, §15; trans. in MacNeill, 'Ancient Irish law', p. 291, §90.

[176] *Críth Gablach*, ed. Binchy, p. 7, ll. 171-82, §14; trans. in MacNeill, 'Ancient Irish law', p. 291, §89.

[177] Text and trans. in *Auraicept na n-Eces: the scholar's primer*, ed. George Calder (Edinburgh, 1917), pp 292-3, l. 5728; Damian McManus, 'Irish letter-names and their kennings' in *Ériu*, xxxix (1988), pp 127-68: 131-2; Damian McManus, *A guide to Ogam* (Maynooth, 1991), p. 150.

[178] It is possible that an obscure reference at the end of an archaic legal poem appended to *Críth Gablach* in the manuscript may suggest that a farmstead (*treb*) might contain a forge. The poem asks, 'What are the larcenies from houses/which do not entail a penalty' (*Cis díthle di threbaib/nad tuillet díre?*), 'An archaic legal poem', ed. Binchy, p. 159. In his notes to these lines, Binchy links this settlement associated with farming (*treb*) with another Old Irish law tract, *Di Astud Chirt ⁊ Dligid*, which discusses the liabilities for sharpening (a tool) on someone else's whetstone and the product of an anvil, 'An archaic legal poem', ed. Binchy, p. 168. See also Breen, 'Toward an edition of *Di Astud Chirt ⁊ Dligid*', pp 241-3.

[179] O'Sullivan *et al.*, 'Early medieval dwellings and settlement in Ireland', i, p. 114.

grade.[180] These basic skills would have allowed peasants to create many of the basic vessels required for the domestic settlement, as well as various pieces of ploughing equipment, such as a beam (*cécht*), a yoke, and a peg (?) (*piscatal)*.[181] Woodworking tools, such as an auger, an adze, a saw, a mallet, a hatchet, a billhook and an axe were all listed as tools common to the household goods of a *mruigḟer*, as is evident from Table 7.1.[182] Furthermore, the law tracts allowed that, instead of solely being taught the normal pastoral or agricultural skills in fosterage, a child could have been fostered by a specialist craft-worker. The house-carpenter (*ailtiri*), for example, was said to be equal in honour-price to a *bóaire tánisi*, according to *Uraicecht Becc*, and may have been an option for fosterage.[183] As children, the sons of commoners would have been taught to use wood-working tools and be able to construct some of the basic elements of farming equipment and housing, but their parents may also have been wealthy enough to foster them into a specific wood-working skill that would have been advantageous for themselves, their families and perhaps even their communities.[184]

**Conclusion**

This survey of the typical elements of early medieval peasant and commoner settlements has shown that ramparts, walls, construction materials, animal enclosures, tools, technology, and different sized dwellings all had elements which could have been evidence of an individual's status, but did not specifically denote social groups: i.e. peasants, commoners or nobles. The housing epithets which were used to classify young members of the commoner grades, such as the *fer midboth*, as well as *fuidri* and *senchléithi*, may denote a similarity in settlement type. Thus the term servile or semi-servile should be avoided as a blanket term for any early medieval settlement, as there was never any question of the free status of the *fer midboth*. Similarly, the size of a dwelling has often been a key factor used in the historiography to classify settlements as high- or low-status. While large dwellings and the associated artefacts, like those found on the crannogs at Lagore in County Meath, are clearly a sign of high status, the law tracts only differentiated between the houses of high-ranking commoners and the houses of low-ranking nobles by a few feet. Presumably, jurists did not travel the Irish

[180] The term *cinniud* usually has a more abstract meaning, such as fixing defining or deciding; it is only in this one section of the laws that it appears to mean woodcutting, and is translated as such by Ó hInnse in his translation, Ó hInnse, 'Fosterage in early and medieval Ireland', p. 14, §15, p. 19, §20; *DIL*, *s.v. cinniud*.
[181] Kelly, *Early Irish farming*, p. 471
[182] *Críth Gablach*, ed. Binchy, p. 7, ll. 171-82, §14; trans. in MacNeill, 'Ancient Irish law', p. 291, §89.
[183] *CIH*, v, p. 1616.17-21; trans. in MacNeill, 'Ancient Irish law', p. 280, §50.
[184] Ó hInnse 'Fosterage in early and medieval Ireland', pp 47-8.

countryside with a measuring device to ensure compliance to a structured plan, and thus it is quite possible that houses of commoners may be slightly larger or smaller than those dimensions indicated by the law tracts.

Other factors, such as multiple ramparts, could have been evidence of a high-status settlement, but the amount of wealthy early medieval settlements without ramparts extant in the current landscape needs to be factored into consideration of any status designation. Furthermore, the amount and type of animal enclosures would also have been a mark of status, since part of a commoner's grade in society depended on the number of his livestock. Whether these animals were maintained in a wickerwork enclosure, a house, or were allowed to roam free, may also aid an economic and potentially a social classification. A farmer's tools, and evidence of any use of new technologies, were also apportioned to specific grades of individuals in the law tracts. It is difficult, however, to correlate this with the current archaeological record, since tools as well as personal artefacts could be and often were passed down from parent to child, and could thus move from one settlement to another, changing the way historians and archaeologists view the current state of an archaeological site. These factors, though complex for determining the status of a settlement, can, however, aid in the economic classification of surviving settlements from early medieval Ireland.

One recent analysis compiled by Michelle Comber utilised a numerical grading system to determine the economic status of archaeological domestic settlements based on these types of material remains.[185] Many of the conditions upon which she based her economic model, however, can and have been challenged by ideas in this thesis. Comber, for example, labelled cashels and crannogs as the 'upper levels of early medieval economy', while ringforts and others formed 'the bulk of the lower classes'.[186] This chapter has shown that current research argues to the contrary, and highlights that there was great variability in site type amongst social groups. Comber also noted that 'economic wealth need not necessarily be equated with increasing social class'.[187] This perfectly viable theory, considering the accumulated wealth of an *aire coisring*, who did not have the necessary hereditary qualifications to be considered noble, is ignored, when her economic model then used these grades of society as laid out in *Críth Gablach* as a way to distinguish one archaeological site from another. The actual distinction between the settlement of an *aire coisring*, the highest

[185] Comber, *The economy of the ringfort*, particularly pp 187-203.
[186] Ibid, p. 199.
[187] Ibid.

grade of commoner, and that of an *aire déso*, the lowest grade of noble, may not have been that different and are probably often mistaken for one another in the landscape.

Despite these drawbacks, Comber combined extensive research and analysis to produce a wealth of information regarding the economy of early medieval Ireland. She furthermore helped to show that many settlements in early medieval Ireland were self-reliant, having their own small metalworking, clothworking and woodworking areas as well as maintaining livestock and cereal cultivation. Comber herself proposed that more analysis of site type, of material remains and even of the historical record was needed in order to gain a clear picture of settlement in early medieval Ireland. Studies like these, though still relatively rare, show that, in time, it may be possible, with a better understanding of the legal and social differences (and perhaps similarities) between nobles and commoners, within the commoner grades and between commoners and peasants, to be able to offer a more well-rounded classification system for early medieval settlements.

## Chapter 8

## Conclusion

The lives of peasants and commoners in early medieval Ireland were often overshadowed by their noble counterparts, who were the focus of the secular law tracts, the ecclesiastical canons and the contemporary literature. Many characteristics of peasants and commoners, including the basis for their legal status, the foods they ate, and the clothes they wore, were often underrepresented. In spite of this, this thesis has demonstrated that it is possible to pull back the veil which obscured these individuals through a careful dissection of the surviving sources, in order to reveal the legal and social position of peasants and commoners in early medieval Ireland.

Many arguments proposed in this thesis have been based on the Old and Middle Irish secular law tracts. While many problems still exist in using these law tracts as a source, including the obscure legal language of some of the tracts, many of which still have not been edited or translated, and the divergence sometimes found between the Old Irish text and the later glosses and commentaries, abundant information regarding the legal status of peasants and commoners can still be uncovered. These law tracts clearly distinguished two status-grades – peasants and commoners – based on an assortment of legal freedoms, including the possession of property and the ability to make contracts independently. The legal and social distinctions between the *fuidri* and the *bóairig* are often overlooked in the historiography by the use of an umbrella term 'peasant' applied to all medieval rural cultivators. This thesis has stressed that any legal comparisons made between 'peasants' in contemporary societies, such as the *colonus* in ninth-century Francia or the *vilein* in Anglo-Saxon England, need to be made with the *fuidir* and not the Irish *bóaire*. Yet, the status-texts subdivided these categories into numerous further segments, creating social sub-groups; commoners were most often divided into seven grades, based on an ecclesiastical model, and the *fuidri* were divided into two groups, the more common landless *fuidir* and the fortunate *fuidir* who held land in common with his kindred.

Many of the divisions within the commoner class were created by jurists in order to conform to this seven-grade ecclesiastical model. Yet, just because those particular grades probably had no real social or legal standing did not mean that the type of people they represented were invented. A thorough investigation of the extensive grades of peasants and commoners in Chapter 3 has revealed that, while some grades did not represent an actual category of person in early medieval Ireland, they may have represented various socio-

economic concepts. The various grades of youths listed in the law tracts, such as the *flescach, gairid* and *inol* from *Uraicecht Becc*, all represent a group of young people transitioning between fosterage and the receipt of their inheritance, which will determine their social status and position within settled society. Yet, since these boys were not over the age of 14 and did not own property they had no independent honour-price or status in society; their grades then were created by the jurists to conform to a seven-grade model. Similarly, the *aithech ara threba a deich*, a grade only recorded in *Críth Gablach,* was described in highly stylistic language and was barely discernable from the grade of the *ócaire*. Yet, the justification given by the jurist in *Críth Gablach* for the grade of the *aithech ara threba a deich* highlights a growing concern over partible inheritance and its effect on freedom. As discussed in Chapter 3, sons of the *bóairig* who received an insufficient inheritance to maintain the status of a *bóaire* were at risk of losing not only their status, but also their freedom by falling into semi-free *fuidir*-ship. While the grade of the *aithech ara threba a deich* likely never had any real legal standing, the description of the grade provided by *Críth Gablach* and the suggestion that a family could be only one generation away from having its children fall into semi-freedom is an important feature in understanding how ephemeral free status could be in early medieval Ireland.

The ease with which one could fall into semi-freedom was a real concern for most commoners and their children, but the grades of the *fer fothlai* and the *aire coisring*, also outlined in *Críth Gablach*, indicate that, although it was difficult, commoners could also climb the social ladder. While most law tracts, outside of the status-texts, maintained that the highest grade of commoner was the *bóaire*, *Críth Gablach* included two more – the *fer fothlai* and the *aire coisring*. Both of these grades exemplified a genuine group of commoners in early medieval Ireland who managed to increase their wealth beyond the normal bounds of commoners; the *fer fothlai* had begun to lend capital to clients and the *aire coisring* had become responsible for his kin as a *cenn fine*. Thus, based on these two qualifications – wealth and the acquisition of clients – they had many of the same characteristics as the lowest ranked noble, the *aire déso*. Yet, the text states that these individuals were not noble unless they acquired double the qualifications of an *aire déso* or were the third generation of a family of fortunate commoners. If a *fer fothlai*'s grandson managed to maintain the same elevated status (with the accompanying property qualifications and acquisition of clients) he, not his father or grandfather, would be considered noble. Thus, the descriptions of these grades highlight the importance of hereditary nobility in early medieval Ireland; property and wealth were not enough to cross the boundary between the commoner and noble classes, as to be

truly noble one had to be born noble. Daniel Binchy, therefore, was right to question the veracity of the numerous grades of commoners in the Old Irish law tracts; but, as this thesis has demonstrated, those that did not necessarily equate to grades with actual legal standing were representative of real socio-economic phenomena.

Although some of the grades of commoners mentioned above were created by jurists, a number of others identified genuine status-groups, whose grade in society and their accompanying honour-price (*lóg n-enech*) determined the amount of their legal abilities. A person's grade, for example, was a determining factor of the reciprocal duties in the fundamental socio-economic agreement known as clientship in early medieval Ireland. Chapter 4 of this thesis argued that many features of this legally binding contract between a lord and a client were used by early medieval authors to explain parallel relationships between a full legal member of a *túath* and its king, and a Christian and his local church. While all members of a *túath* owed dues and services to their king, and good Christians were supposed to pay tithes to their local church, commoners were not socially or legally forced to enter into a clientship agreement with a lord. Legal evidence has shown that some commoners managed to avoid this type of contract. The majority of commoners, however, were not able to maintain an economically viable household without agreeing to a clientship contract.

Commoners who agreed to a clientship contract were known as base clients, and received a grant (usually in the form of livestock) and a payment equal to their honour-price, known as the *seoit turchluide*. This payment did not transform commoners from free members of society into legal dependants (like *fuidri* or *senchléithi*), but it did add additional restrictions to their legal capacity. The dues and services a commoner owed were based on his grade in society, and although the renders could be substantial, they were not completely unmanageable. These dues consisted of various foodstuffs, including meat, grains, malt and milk, as well as personal services comprising public works and protecting farms and people from wolves and raiding parties. Chapter 4 has shown that commoners who became base clients in early medieval Ireland had various legal means of separating from their lord (although, in some cases they were subject to penalty payments for this separation). Even some semi-free *fuidri* had the ability to separate from their lord, although they paid a higher price for it. Furthermore, this thesis has shown that commoners were not always the subordinate partner in a clientship agreement; they could act as lord and acquire clients of their own, hence the term 'commoner lord' (*flaith aithig*).

The existence of a group of wealthy commoners who had begun to acquire clients narrowed the legal and social divide that separated nobles from commoners. Various

elements of social interaction were thus employed by nobles to reiterate a commoner's inferior status outside of law schools and the status-texts. Chapter 5 of this thesis has argued that food was one resource used by the nobility to construct this social hierarchy. Unfortunately, many of the surviving texts rarely discuss the diet of peasants, and therefore any comments about their diet must be generalised on those foods considered to be appropriate for low-status individuals. The sources do, however, offer an abundance of information regarding the diet of commoners.

According to the Old Irish law tracts, while visiting in another person's home, commoners were entitled to request food consisting of various grains and milk, the quality of which was dependent on their grade in society. The law tract *Bretha Déin Chécht* associated *bóairig* with oats and *ócairig* and *fir midboth* with pulse crops, while nobles were entitled to higher quality grains, like wheat and rye. Other luxury entitlements included butter; only the ranks of the *ócairig* or higher could request this dairy product. Some vegetables and fruits were also mentioned as part of the foods a commoner could request, but these too were divided based on grade; for example, an *aithech ara threba a deich* was entitled to request onions or *dulse*, while an *ócaire* was not. Furthermore, the types of fruits and vegetables commoners could request were mainly wild varieties that were gathered rather than cultivated, like wild sour apples. One of the main signifiers of status in terms of food was the consumption of meat. An *aithech ara threba a deich* and a *mruigfer* were the only commoners entitled to request salted meat while visiting another person's home. None of the main law tracts discuss the consumption of beef by commoners. Yet, beef was regularly eaten by nobles, as can be seen from the fact that it was a normal part of the renders commoners owed in clientship.

This regulation of the foods commoners were entitled to request created a visual demarcation of status during these types of social gatherings. Feasts are another example where multiple social groups were present and food was divided according to status, although as discussed in Chapter 5 on 'Diet' some relaxations were allowed on feast days.[1] In fact, during feasts not only was the consumption of meat indicative of status, but the particular cut of meat one was offered suggested how high a person's status was; a king was generally afforded the tenderest piece of steak, while a doorkeeper could be left with the coccyx. Similarly, when a client entertained his lord during a coshering visit in the winter, the disparate

[1] The cowherd who was in fetters for failure to pay a debt, for example, was only entitled to 'the fill of a poor man's cup' (*lán eini in boicht*), but was allowed to consume the bread of the noble feast with its condiment on Sundays, at Easter and at Christmas, according to the commentary, trans. in *ALI*, i, p. 107.

foods they consumed symbolically reinforced the client's (temporary) subordination to his lord.

Yet, it is unlikely that commoners adhered to the limited foods to which they were entitled as visitors, when within the confines of their own homes, where hierarchical dynamics were not in force. Contemporary literary sources suggest that chicken, sheep and goats were also part of a commoner's livestock, and were consumed. Yet, legal tracts discount the quality of their meat in preference for other commodities that were considered more valuable, such as eggs, wool and milk. Ecclesiastical rules, hagiographical texts and the secular law tracts on sick-maintenance also indicate that commoners may have hunted for and consumed wild boars, deer and birds from local woodlands. Furthermore, ample evidence survives for the almost ubiquitous practice of fishing in early medieval Ireland. While direct references to fish consumption by commoners are limited, and new scientific research questions the role marine resources played in the diet, this thesis has argued that the remains of shellfish, pelagic, and demersal fish on early medieval archaeological sites suggest an exploitation of this widely available food resource by a broad spectrum of social groups. Food, therefore, acted as a 'recurrent sensory symbol of status' in early medieval Ireland,[2] but, on a day-to-day basis and within their own homes the diet of commoners and peasants would not have been restricted to what another person had in the storeroom. Instead, a peasant's or commoner's own resourcefulness would have been a better determinant of the foods they and their families were likely to consume.

Another way to visually demarcate a person's social status in early medieval Ireland was through a person's clothing and jewellery. As with foodstuffs, the exact type of clothing a peasant would have worn is not mentioned in the surviving sources, but it is probable that those clothes appropriate to farmers were indicative of multiple status-groups with similar vocations. Chapter 6 of this thesis showed that the *brat* ('cloak') and *léine* ('tunic') were the typical garments worn in early medieval Ireland. Previous scholarship has associated commoners with trews and a shorter *léine* or jacket, but the surviving manuscript illuminations and high-crosses show that some form of trews were also worn by warriors and scribes. These garments, therefore, were not reserved to one particular social group. Shoes have been commonly thought to be a high-status item in early medieval Ireland, but the research

[2] Elizabeth Keating, 'Moments of hierarchy: constructing social stratification by means of language, food, space, and the body in Pohnpei, Micronesia' in *American Anthropologist*, New Series, cii, no. 2 (2000), pp 303-20: 310.

conducted by A.T. Lucas, a number of other scholars, and references gathered in this thesis indicate wider usage, including commoners, such as the *mruigfer*.

As the typical garments of early medieval Ireland cross social divides, the status of an individual was not necessarily visible by the type of garment, but more the particular textile used to produce a garment and its colour or decoration. Flax was a common material used to produce linen garments, such as *léini*, but some historical sources also noted the availability of silk (although mainly in literary representations of high-status warriors). This textile, furthermore, had to be imported and was clearly expensive. Another common textile in early medieval Ireland was wool; this material was valued by all levels of society. Yet, not all wool was valued equally. Wool could be different colours (based on the particular sheep it came from), including light yellow, dun-coloured or white. White wool was highly valued in the law tracts, potentially due to its capacity to take on a brighter hue after dyeing. Chapter 6 argued that the colour(s) found on an individual's garment formed a key indicator of status. One early Irish law tract specifically records that the colours a person wore in early medieval Ireland depended on their grade in society. Nobles were entitled to wear garments in vibrant colours of red, green or brown. They were also often depicted in literary sources as having garments with multiple colours in a variegated or striped pattern. Commoners, on the other hand, were confined, generally, to one colour in a more muted palate of light yellow, dun-coloured, black or gray. Dyed garments, furthermore, were valued more highly than undyed garments that retained their natural hue. Further reinforcing the association between these colours and different classes in society was the vegetable matter from which many of the dyes were obtained. The use of various barks and berries to create browns and blacks reinforced an association noted in the diet chapter between commoners and woodlands. Woad and madder, crops that were used to create brilliant blues and reds respectively, were cultivated along with food crops in early medieval Ireland and this need for cultivation increased their value.

Adornments, such as bone pins or various metallic accessories, could also act as signifiers of wealth and status. *Cáin Íarraith* maintains that the amount and type of adornments a person owned was also dependent on a person's grade in society. Silver and gold objects were considered the perquisite of nobles, according to this text, but it was silent on the adornment of commoners, leading some historians to conclude that commoners, most likely, did not possess any jewellery. Recent studies have shown conversely that jewellery was worn by multiple levels of society, not just nobles. Additional law tracts, for example, note silver objects, which may have been in the form of jewellery, as the property of commoners.

The majority of commoners who owned jewellery, however, most likely had objects constructed from bone, wood or copper alloys, as opposed to silver and gold.

Another way to visually demarcate status in early medieval Ireland was through the arrangement and size of a domestic settlement. While little evidence survives for peasants, in terms of diet and clothing, Chapter 7 has argued that the designations given to various grades of youths and semi-free individuals may signify their domestic spaces. The evidence compiled in this thesis illustrates that the temporary nature of a *both* structure present in the names of both the *fer midboth* and the *bothach* represented both their transitional place in the landscape and the social hierarchy. A *fer midboth* lived outside of his father's household, yet probably maintained a dwelling on his father's land and Charles-Edwards has proposed that the lord may have provided the *both* for a *bothach* on the lord's land representing his dependent relationship to the lord.

On the other hand, *Críth Gablach* (*c.* 700) specifies that, in terms of commoners and nobles, the grade of an inhabitant could clearly be inferred from the size of his house, such as the description of a nineteen-foot house for an *ócaire* and a twenty-seven-foot house for a *fer fothlai*. Yet, the actual physical remains of these structures in the modern landscape presents a more complex image of society. Evidence has been compiled to show that some modern excavated settlements do correlate to the dimensions enumerated in the Old Irish law tracts. The measurements taken from the domestic structures at the early medieval settlement at Deer Park farms in County Antrim is one well-preserved example. Yet, not all settlements correspond so conveniently. Furthermore, a debate has arisen in the archaeological scholarship as to whether shape was also a mark of status in early medieval Ireland. It has been argued in this thesis that it was not. The historical record indicates that commoners could have lived in either round or rectangular houses. This thesis has also shown that the process of applying status or grades described in the Old Irish law tracts to the surviving archaeological record is inadvisable at this juncture. The discussion of grades and status in Chapter 3 has shown that the differences that separated a *fer fothlai* from an *aire déso* were mainly intangible, and cannot be definitively distinguished on the current archaeological landscape.

The possibility that the settlement of a *fer fothlai* may be confused for one of an *aire déso*, despite the legal descriptions as to the size of their houses, indicates that, in terms of material culture, the line between commoner and noble in early medieval Ireland was not a solid boundary. Instead, the border between commoner and noble was a semi-permeable division, where some luxury goods, such as jewellery and clothing, would have crossed the

divide. Luxury items, therefore, did not always neatly equate to a specific grade and status in early medieval Ireland.

This thesis set out to illuminate the lives of peasants and commoners in early medieval Ireland. A modern historiographical trend to classify all non-noble rural cultivators as peasants diminishes the important social and legal distinctions between peasants and commoners in early medieval Ireland. Commoners in Ireland were not restricted to the same extent that peasants in contemporary continental societies were. One of the key factors which separated commoners from these peasants was the ownership of land and their ability to fully participate in legal activities. While some of their legal abilities may have been restricted, if they agreed to a clientship contract, they were not considered 'dependants' in the eyes of the law. Everyone in early medieval Ireland was dependent in some form or another on their kin-head, their king, and sometimes also their local church. The theory that commoners were thus legally oppressed through clientship is unsustainable.

Furthermore, the legal reaction to economic and political tensions that characterised some continental societies in the ninth and tenth centuries, and led to the devolution of commoners into peasants in areas of Saxony, parts of France and parts of Catalonia, did not develop to such a powerful extent in contemporary Ireland. The disastrous peasant rebellion in Stellinga in Saxony from 841-2, for example, was described by its chronicler as a result of a growing aristocracy, increased political tensions between the Holy Roman Emperor and his brother over control of Saxony, and the loss of small landowners' legal and economic rights.[3] The internecine political struggles that characterised the tenth through the twelfth centuries in Ireland did not result in a loss of legal status for small landowners. The Middle Irish glosses and commentary consistently reinforce the place of free commoners in society and maintain many of their legal freedoms, such as their ability to separate from a clientship contract.

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[3] Wickham, *Framing the early middle ages*, pp 585-7; Nithard, 'Histories', ed. Bernhard Walter Scholz and Barbara Rogers (eds), *Carolingian chronicles* (Ann Arbor, 1970), pp 127-74: 173. Similar stressors led to revolts and rebellions by the 'Bacaudae' in the later Roman Empire as well. Although this group of rebels are often labelled 'peasants' by scholars and medieval chroniclers, E.A. Thompson has argued that the armies likely consisted of a number of former soldiers and possibly even a physician as well as multitudes of peasants. Thompson further argues that the term peasant is used by modern scholars 'only for want of a better term', E.A. Thompson, 'Peasant revolts in late Roman Gaul and Spain' in *Past & Present*, ii (1952), pp 11-23: 11. See also, Chris Wickham, 'The other transition: from the ancient world to feudalism' in *Past & Present*, ciii (1984), pp 3-36, especially p. 16 and Clifford E. Minor 'Bacaudae: a reconsideration' in *Traditio*, li (1996), pp 297-307. Most of the earliest sources for this rebellion come from the fourth and fifth centuries, but later chronicles also referred to these events, including Marianus Scottus' *Chronicon* (*c.* 1076), which describes the Bacaudae as *rusticorum*, Marianus Scottus, *Chronicon*, ed. D.G. Waitz, in idem (ed.), *Monumenta Germaniae Historica*, *Scriptorum*, v (Hannover, 1844), *s.a.* 302, p. 522. I would like to thank Dáibhí Ó Cróinín for suggesting this comparison with the Bacaudae.

Commoners were also not subject to complete economic oppression in early medieval Ireland. The evidence detailed in this thesis suggests that, as long as there was favourable weather and an absence of murrains, clientship acted as a viable way to increase a commoner's property, and potentially his grade (although it is noted that the annalistic records are rife with disastrous weather, plagues and animal murrains in the seventh and eighth centuries). According to some later legal commentary, there may have been an increase in clients who absconded from their lords as they could not afford to pay their dues. Yet, this does not appear to have had any concomitant effect on the legal status of commoners in general.

The only real and sustained economic and political change that forced peasants and commoners to lose the status granted to them in the Old and Middle Irish law tracts came after the establishment of the English colony in the twelfth century. The term *bíatach* ('provider of food [-rent]') was originally used to refer to base clients or hospitallers in the non-legal sources of early medieval Ireland.[4] Yet, the Anglicised form *betagh* acquired a more servile connotation in later sources as it was repurposed to categorise the 'great bulk of the native Irish' as serfs. In those areas that became subject to English rule and law, the differences so important to early medieval society between a *bóaire* and an *ócaire*, as well as between a *bóaire* and a *fuidir*, appear to have been eliminated. In Gaelic areas of the country, however, the differences remained, and later legal commentaries still define a separate and distinct group of free commoners.[5]

[4] Kelly, *A guide to early Irish law*, p. 30.
[5] Simms, 'The contents of later commentaries on the brehon law tracts', pp 23-40.

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| Site Name | County | Type | SMR # | Grid Reference | Dates and Phases | Finds | Reports |
|---|---|---|---|---|---|---|---|
| **Craigywarren** | Antrim | Crannog | ANT 032:043 | D1180009300 | Single-occupation site, dated to 10th century based on penannular brooch. | Animal remains: deer, horse, ox, sheep, goat and pig. | Coffey (1906-7) and O'Sullivan (1998) |
| **Deer Park farms** | Antrim | Raised ringfort and souterrain; | ANT 034:005 | D28660878 (32866/40878) | Dendrochronological date from door jamb suggests tree was felled in *c.*648; Radio carbon ($^{14}C$) dates from house wattle indicates early 8th century, suggesting reuse of old timber. | Animal remains: cattle, pig, sheep; insects: lice. | Lynn and McDowell (2011) Murray in Comber (2002); Lynn (1987); Kenward and Allison (1994) |
| **Larrybane** | Antrim | Fort | ANT 004:005 | D04824512 (30482/44512) | Multi-phase settlement: dated to *c.* 8th century by Childe. Artefactual finds congruent with Lagore crannog. | Animal remains: cattle, sheep, pig, horse, cat, dog, deer, fish (mostly cod) and domestic fowl. | Proudfoot and Wilson (1961-2); Jope in Proudfoot and Wilson; Childe (1936) |
| **Moyle Big** | Carlow | Pits and ditches | CW007-140 | 276797/173190 | Early medieval. | Souterrain ware, food put into vessel and then whole vessel placed into fire. | Kyle, Stewart and Tourunen (2009) |

| Site Name | County | Type | SMR # | Grid Reference | Dates and Phases | Finds | Reports |
|---|---|---|---|---|---|---|---|
| **Killanully** | Cork | Souterrain and univallate ringfort | CO086-047 | 169240/063628 | $^{14}C$ analysis of sourterrain suggests 1155 A.D. ± 38, layer formation between the 9th and 10th centuries A.D. | A single hazelnut shell; barley, oats and a possible, but not probable, strand of wheat found. | Mount (1995), Tierney in Mount (1995) |
| **Lisleagh I** | Cork | Ringfort | CO027-029 | 178752/106497 | Multi-phase settlement: $^{14}C$ and artefactual evidence suggest occupation between 7th and 9th centuries. | Botanical remains: charred grains of barley and oats, low levels of wheat and rye, flax seeds; quern stones; iron slag. | Monk (1995); Monk, Tierney and Hannon (1998) |
| **Lisleagh II** | Cork | Ringfort and souterrain | CO027-03001 | 178827/106444 | Contemporaneous with Lisleagh I: between 7th and 9th centuries. | Botanical remains: charred grains of barley and oats (mainly oats), low levels of wheat and rye. | Monk (1995); Monk, Tierney and Hannon (1998) |

| Site Name | County | Type | SMR # | Grid Reference | Dates and Phases | Finds | Reports |
|---|---|---|---|---|---|---|---|
| **Lisnagun** | Cork | Ringfort | CO135-031001 | 141819/042115 | Round house and souterrain dated *c.* 9th century. | Botanical remains: barley and oats (mainly oats); wheat found in pits that pre-date the ringfort; animal remains: cattle, sheep/goat, pig and one red deer antler. | O'Sullivan, Hannon and Tierney (1998); Monk in O'Sullivan, Hannon and Tierney; MacCarthy in O'Sullivan, Hannon and Tierney; Monk, Tierney and Hannon (1998) |
| **Oughtymore** | Derry | Shell midden | LDY 001-002 | C6616036380/ 266160/436380 | Early medieval. | Pottery (mainly souterrain ware); jewellery: glass and lignite bracelets, bone combs, antler rings, and a spindle-whorl; animal remains: cattle, goat/sheep, pig and horse; fish: eel, cod, plaice or flounder, haddock, salmon or sea trout; birds: a possible starling; shell fish: winkle, cockle, mussel, oyster, welk, limpet and scallops; snails. | Mallory, Woodman, Voss, van Wijngaarden-Bakker, Ross and Monk (1984) |

| Site Name | County | Type | SMR # | Grid Reference | Dates and Phases | Finds | Reports |
|---|---|---|---|---|---|---|---|
| **Rinnaraw** | Donegal | Ringfort, cashel | DG016-016 | 203911/436818 | Early medieval enclosure, rectangular stone house and shell middens. | Grey seal skull and cod; shellfish: winkles, cockles and barnacles; iron slag; iron objects; pot sherds; additional middens had winkles and limpets with pot sherds; stone artifacts: polishing stones, serpentine rings, loom weights, possible gaming pieces and quern fragments. | Comber (2006); Murray and Hamilton-Dyer (2006) |
| **Lough Faughan** | Down | Crannog | DOW 037:050 | 34464/34114 | Multi-phase settlement: between 7th and 10th centuries. | Animal remains: ox, pig, sheep and red deer, 5 bones from a large domestic fowl (enlarged spurs on the tarsometatarsals suggest fighting cock); botanical remains: oats and barley; quern stones; evidence of metalworking. | Collins (1955); Jope in Collins; Morrison in Collins |

| Site Name | County | Type | SMR # | Grid Reference | Dates and Phases | Finds | Reports |
|---|---|---|---|---|---|---|---|
| **Ballyfounder** | Down | Raised ringfort | DOW 032:014 | J62074954 (36207/34954) | Multi-phase settlement: possibly as early as 7th century. Main occupation between *c.* 900-*c.* 1200 for first phase. Ringfort was raised in the 13th century. | Animal remains: ox, pig, sheep, one rabbit tibia, red deer teeth (suggest hunting as well as craftwork); shellfish apparent in first phase. | Waterman (1958); Jope in Waterman |
| **Chapel Island near Greyabbey Bay in Strangford Lough** | Down | Fish traps | DOW 011:012 | J5549067200 | Chapel Island East 711-889 A.D. (earliest dated fish trap in the lough), Chapel Island West 783-979 A.D. and another Chapel Island West 1220-1279 A.D., $^{14}C$ dates for wooden fish traps. | Evidence for fish collecting. Types of fish in lough include salmon, sea trout, plaice flounder, mackerel, cod, grey mullet and skate. | McErlean and O'Sullivan (2002) |
| **Fishamble Street** | Dublin | Viking urban Settlement | DU018-020933 | 015003400 (31500/23400) | Viking Age: between 917-1030 A.D. | Report specifically focused on archaeobotanical remains: various fruits, vegetables and grains. | Geraghty (1996) |

| Site Name | County | Type | SMR # | Grid Reference | Dates and Phases | Finds | Reports |
|---|---|---|---|---|---|---|---|
| **Dublin City; Wood Quay** | Dublin | Skeletons just outside city walls, southern bank of river Liffey | DU018-020611 | 315208/234037 | 12th and 13th centuries. | Skeleton, specifically dental remains | Power (1985-6) |
| **Lisdoo, Castle Balfour Demesne, Lisnaskea** | Fermanagh | Ringfort, bivallate | FER 246:015 | H36273313 (23627/33313) | Pre-11th century. | Emphasis on pigs being killed offsite and travelling on the bone | Brannon (1981-2) |
| **Rathgurreen** | Galway | Ringfort, bivallate | GA095-009 | F37872002 (13787/22002) | Multi-phase settlement (Phase I: 364-601 A.D., Phase II: 601-851 A.D. based on $^{14}C$ dating); pottery (E-ware) dates between 550 and 650 A.D. | Animal remains: cattle, sheep/goat, horse, pig and red deer; fowl: small passerines, geese, Manx shearwater and domestic fowl (one hen in lay) - most bones come from Phase II - fish: scad, hake and angler, periwinkle, cockle, oyster and limpet. | Comber (2002); Murray in Comber; Hamilton-Dyer in Comber |
| **Kilcloghans** | Galway | Ringfort, univallate | N/A | 142990/253830 | Charred grains and wood produced a variety of dates, earliest 657-855 A.D. from oak, but most of grains range from 8th-10th century. | Botanical remains: charred grains (mainly barley and oat); animal remains: cattle, sheep/goat, pig; domestic knives used for butchering, horse bones with cutting on pelvis. | Kyle, Stewart and Tourunen (2009) |

| Site Name | County | Type | SMR # | Grid Reference | Dates and Phases | Finds | Reports |
|---|---|---|---|---|---|---|---|
| **Carrowkeel** | Galway | Cemetery, settlement | GA097-068001 | (158990/224159) | Date range based on mouse bones from ditch fills: 680-820 A.D., 670-890 A.D.; 890-975 A.D.; 860-1020 A.D. | Lack of fish bones; some hazel nut shells. | Kyle, Stewart and Tourunen (2009) |
| **Ballyconneely** | Galway | Shell middens | N/A | | Mesolithic to medieval shell middens. | Crab claws and various shellfish. | McCormick, Gibbons, McCormac, Moore, Weir and Sheridan (1996) |
| **Owenbristy** | Galway | Ringfort, cashel and graveyard | GA 113-121 | 143180/211380 | Two phase burial: 1. early medieval, 2. c.13$^{th}$ century. | 75 individual skeletons from early medieval phase | Geber in Delaney and Tierney (2011) |
| **Ballyegan** | Kerry | Cashel and souterrain | KE039-023 | 09660/11100 | Probably 10$^{th}$ century based on finds. | Botanical remains: oat and barley; animal remains: cattle, pig, sheep/goat, horse, dog and deer. | Byrne (1991); Monk, Tierney and Hannon (1998) |
| **Loher** | Kerry | Cashel and souterrain; settlement enclosure | KE106-003001 or KE 106-015 | 50352/61744 or 50617/61460 | Early medieval. | Botanical remains: charred grains (barley and oats, mainly barley), low levels of rye and wheat, flax seed. | Monk, Tierney and Hannon (1998) |

| Site Name | County | Type | SMR # | Grid Reference | Dates and Phases | Finds | Reports |
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| **Church Island** | Kerry | Ecclesiastical | KE079-032 | 043050/078550 | Multi-phase settlement; early medieval. | Animal remains: ox, pig, sheep, goat, small horse or pony; fish: cod and wrasse; birds: (mainly sea birds) gannet, shag, cormorant, whitefronted goose, ducks, sparrows, finches; seal; otter; botanical remains: oat and possible barley. | O'Kelly (1957-9); Roche in O'Kelly; Scannell in O'Kelly |
| **Illaunloughan** | Kerry | Island hermitage | KE087-036 | 03620/07330 | Multi-phase settlement: oratory built between late 7th - late 8th century; $^{14}C$ dating indicates this was the most active period. | Animal remains: sheep, pig, cattle, horse and cetacean; bird and fish bones also present; abundant marine shell; botanical remains: wheat, oat and barley, imported from farm possibly on south slope of Bray Head. | White Marshall and Walsh (1998); White Marshall and Walsh (2005) |
| **Ballyvass** | Kildare | Ringfort and souterrain | KD038-013 | 276980/189380 | $^{14}C$ dates of cattle bones suggest between 660-810 A.D. and horn dates to 770-980 A.D.; four phases of occupation. | Botanical remains: corn drying kiln contained barley and drinking horn; animal remains: cattle, sheep/goat and pig. | Doyle (2009); Kyle, Stewart and Tourunen (2009) |

| Site Name | County | Type | SMR # | Grid Reference | Dates and Phases | Finds | Reports |
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| **Prumpelstown Lower** | Kildare | Hunting traps | KD040-063 | 276673/183657 | Potentially dated between Middle Bronze Age and 680 A.D. | Tread-trap caught the legs of animals, mainly red deer. | Long and McCarthy (2009) |
| **Ballymount** | Kildare | Hunting traps | possibly near an enclosure KD032-052 | 282345/201236 | Undated, but near burnt mound and therefore possibly prehistoric. | Pit-trap: men would drive animals towards the pit full of stakes, both deer and pig bones recovered from site. | Long and McCarthy (2009) |
| **Scart** | Kilkenny | Kilns | N/A | 256788/122394 | $^{14}$C dates of two kilns suggest the 8$^{th}$ to 10$^{th}$ centuries and 9$^{th}$ to 12$^{th}$ centuries respectively. | Three early medieval dumbbell-shaped drying kilns filled with cereal grain including oat, barley, possibly naked wheat, arable weeds and locally grown plants. | Monteith (2010), McClatchie in Monteith (2010)-unpublished excavation report, summarised in McCormick, *et al.* (2011); Monteith and Wren (2008) |
| **Talbot's Tower** | Kilkenny | Tower | N/A | 250628/155417 | Mulit-phase settlement: first phase - $^{14}$C dates suggest 710-890 A.D., second phase - between 9$^{th}$ and 11$^{th}$ centuries. | Botanical remains. | Gilligan (2012) |

| Site Name | County | Type | SMR # | Grid Reference | Dates and Phases | Finds | Reports |
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| **Ballynagallagh** | Limerick | Originally unenclosed and then enclosed settlement | N/A | 16440/13920 | Early medieval: two phases of animal bone deposits: 98% came from a 7th and 8th century level while the rest came from the 10th century. | Animal remains; botanical remains: barley, oat, and occasional wheat (consistent with other early medieval Munster sites). | Cleary (2006); McCarthy in Cleary; McClatchie in Cleary |
| **Millockstown** | Louth | Settlement | LH017-054 | N997875 (29770/28750) | Multi-phase settlement, between 4th and 9th century. First phase contained brooch dated to *c.* 3rd century and $^{14}C$ dates suggest 4th or 5th century; third phase: charcoal pits dated between 660-960 A.D. and 400-590 A.D. | Animal remains: cattle in all phases, sheep/goat (most likely sheep); botanical remains: barley, oat and wheat; skeletal remains found in third phase of occupation in cemetery, cribra orbitalia may point to widespread nutritional distress. | Manning (1986); McCormick in Manning; Ó Donnabháin in Manning; Monk in Manning; Kinsella (2010) |

| Site Name | County | Type | SMR # | Grid Reference | Dates and Phases | Finds | Reports |
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| **Marshes Upper** | Louth | Souterrain; unenclosed Settlement | LH007-080;-081;-092;-107 | J066049 (30660/30490) (loads of different numbers for different excavations) | Multi-phase settlement; from the 7th to the 12th century; artefacts suggest occupation during the 7th century, then the late 9th century and bone combs show evidence of later activity possibly reaching into the 13th century. | Animal remains: cattle, pig, sheep, horse; fish: underrepresented for a site so close to shore; birds too small to be eaten likely nested in the souterrain; pig bones found in high numbers on floor suggest souterrain used as farrowing pen; botanical remains: wheat, barley, oat and rye. | Gowen (1992); McCormick in Gowen; Geraghty in Gowen |
| **Moyne** | Mayo | Graveyard (pit F5 and F12) | MA123-060002 | M255674949 (125678/249491) | Early medieval. | Animal remains: cattle, red deer, pig, sheep/goat and horse; fowl: chicken, raven and goose. | Manning (1987); McCormick in Manning; Maliepaard in Manning |
| **Boyerstown (site 3)** | Meath | Early medieval farmscape | N/A | 283319/266223 | Multi-phase settlement: early medieval activity dated between 5th and 10th centuries. | Botanical remains: oat, barley, wheat, rye, flax, legumes, nuts, fruits, weeds: nettles, cabbage, wild radish, and peas. | Clarke (2009) |

| Site Name | County | Type | SMR # | Grid Reference | Dates and Phases | Finds | Reports |
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| **Moynagh Lough** | Meath | Crannog | ME005-099 | N81988555 (281980/285559) | Multi-phase settlement (4 early medieval phases, Phase W-*c.*685-715 A.D., Phase X-*c.*715-748 A.D., Phase Y-*c.*748-780 A.D., Phase Z-(mostly destroyed by bulldozing). | Animal remains: cattle, pig, horse, red deer, cat and dog (absence of metapodia and phalanges suggests cattle were killed offsite); quern stones suggest onsite tillage. | Bradley (1991); McCormick (2002) |
| **Lagore (great)** | Meath | Crannog | ME038-027 | N98615284 (298619/252846) | Multi-phase settlement: *c.* 7th-8th centuries. | Animal remains: cattle, pig, sheep, horse, dog, cat, deer and other wild animals; birds: raven, geese, duck, swan and fowl; only three fish bones. | Hencken (1949-50); Stelfox (1938); O'Sullivan (1998); Warner 1985-6); Lynn (1985-6) |
| **Knowth** | Meath | Burial and settlement complex | ME019-030 | N99677343 (299674/273437) | Multi-phase settlement: Neolithic to post-medieval. Two early medieval phases: a bivallate raised enclosure (*c.* 8th century) and an unenclosed settlement (*c.* 10th century). | Animal remains: cattle, sheep, pig, horse, dog, cat, deer, fox, otter and hare. | McCormick and Murray (2007) |

| Site Name | County | Type | SMR # | Grid Reference | Dates and Phases | Finds | Reports |
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| **Raystown** | Meath | Complex: multiple enclosures, a cemetery, kilns, furnaces and at least 8 water mills and their watercourses | N/A | 304976/251474 | Multi-phase settlement: between 7th and 12th centuries. Site was abandoned in the 12th century. | Human remains: pathologies indicate manual labour, osteoarthritis and spinal problems; dietary deficiencies including scurvy and rickets; systematic infections including tuberculosis; botanical remains: five figure-of-eight drying kilns containing wheat, oats and barley. | Seaver (2005); Brady (2006) |
| **Trim Castle** | Meath | Castle | ME036-048004 | 280256/256704 | Multi-phase settlement. | Fish remains: cod, ling, hake and haddock, conger, herring, salmon, pike, seabreams, wrasse and flatfish; birds: domestic fowl, geese; the 12th century samples contain geese, duck, fowl and buzzard; animal remains: mainly cattle; botanical remains: oat, wheat, barley and rye. | Trim Castle, site report-vol. 2; Hamilton-Dyer in Hayden (1999); McCormick, Murry and Murphy in Hayden (1999); Collins in Hayden (1999) |

| Site Name | County | Type | SMR # | Grid Reference | Dates and Phases | Finds | Reports |
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| **Ballinderry Crannog 2** | Offaly | Crannog | OF001-001 | N21663886 (221665/238869) | Multi-phase: first settlement akin to lakeside settlement in Late Bronze Age. The crannog was constructed later during 7th or 8th century. | Two querns suggest unimportance of tillage and crops, associated with Late Bronze Age material; beads; crucibles; moulds; animal remains: cow, pig, occasional red deer and horse; birds; one fish. | Hencken (1941-2); Stelfox in Hencken and O'Sullivan (1998) |
| **Adjacent to Bunratty West** | Shannon Estuary, Co. Clare | Fish traps | CL061-013003 | 144566/159384 | Bunratty 1 early historic or medieval; Bunratty 3, undated, but most likely medieval; Bunratty 4, $^{14}C$ dates suggest 1018-1159 A.D.; Bunratty 6, $^{14}C$ dates suggest 1164-1279 A.D. | Types of fish in lough include salmon, sea trout, plaice flounder, mackerel, cod, grey mullet and skate. | O'Sullivan (2001); McErlean and O'Sullivan (2002) |
| **Killederdadrum** | Tipperary | Enclosure with three houses, graveyards and annex of unknown use | TN027-100 | 194800/172110 | Early medieval occupation and later burial phase; E-ware pottery suggests 6th or 7th century and charred grains suggest c.1000. | Limited animal remains, all in bad shape: cattle, pig, sheep/goat, horse and red deer antler; slag; mainly charred cereal remains. | Manning (1984); McCormick in Manning; Monk in Manning |

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| **Camlin 3** | Tipperary | Cemetery, settlement | TN017-031001 | 213805/185704 | Early medieval, some graves possibly earlier. | Red deer antlers and decorated animal bone; metal-working; smelting; dress pins. | Flynn (2009) |
| **High Street/Peter Street, Waterford City** | Waterford | Viking/Hiberno-Norse, urban settlement | Peter Street: WA009-005045 | 260841/112373 | Multi-phase settlement. | Animal remains: sheep, cattle, pig and horse; botanical remains: grape, fig, walnut, fruit, berries, weed plants, hazelnut, barley, oat, spelt wheat, rye, peas and possibly flax. | Hurley and Scully (1997); McCormick in Hurley and Scully; Tierney and Hannon in Hurley and Scully |
| **Kilgreany** | Waterford | Cave | WA030-018 | 217620/94393 | Multi-phase settlement: from Neolithic-17$^{th}$ century. Early medieval phase between 5$^{th}$ and 10$^{th}$ centuries. As the cave floods during wet months occupation was likely seasonal. | Early medieval phase: three hearth areas; shellfish: periwinkle, cockle, mussel, oyster and scallop; whetstones, spindle whorls bone 'points', worked antler, fragments of two separate rotary querns; personal items: lignite bracelet and bone comb fragments. | Dowd (2002) |

| Site Name | County | Type | SMR # | Grid Reference | Dates and Phases | Finds | Reports |
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| **Ballinderry Crannog 1** | Westmeath | Crannog | WM030-118 | N19884262 (219884/ 242620) | Multi-phase settlement: intermittent occupation from *c.* 10th-11th centuries to *c.* 17th century. | Animal remains: mainly cow, pig, sheep/goat, horse and one red deer (skulls of most animals split open for brain and marrow). | Hencken (1935-7); Roche and Stelfox in Hencken (1935-7); O'Sullivan (1998) |
| **Newtownlow** | Westmeath | Crannog | WM038-011 | 23790/ 23690 | Multi-phase settlement: between 10th and 13th centuries. | Animal remains: cattle, pig, sheep, goat, horse, red deer, hare and fox. | Unpublished excavation reports (Bourke, 1986-7); summarised in O'Sullivan (1998) |

**Legal position and living conditions of peasants and commoners in early medieval Ireland, *c.* 680-*c.* 1170**

Cherie N. Peters

## Abstract

As in most medieval societies, peasants and commoners made up the majority of the population in early medieval Ireland, but much about their daily lives and social interactions is still unknown. This thesis discusses the non-noble classes of early medieval Ireland under the categories of 'commoner' – a hereditary landowning freeman of non-noble status, most typically termed in Irish *bóaire*; 'peasant' – a semi-free tenant-at-will, most commonly termed in Irish *fuidir* (also *bothach*); and 'serf' – a semi-free cultivator bound to the soil, most commonly termed in Irish *senchléithe*. In order to gain a more complete picture of these status-groups, this thesis is divided into three parts. Part one is divided into two chapters and sets early medieval Irish peasants and commoners into a broader medieval context, while also introducing the broad range of sources that will be used in this thesis. Part two focuses mainly on the Old and Middle Irish secular law tracts. Chapter 3 highlights the importance of status in the extremely hierarchical society of early medieval Ireland and investigates the differences between these status-groups, according to the law tracts. One of the ways in which these differences manifested is in the reciprocal dues and responsibilities between these status-groups and their lords, local churches and kings; this is discussed in Chapter 4. The third part of this thesis explores the living conditions of peasants and commoners in early medieval Ireland, including diet (Chapter 5), clothing (Chapter 6) and housing (Chapter 7). By Chapter 8 (the conclusion), it is clear that a range of sources, including early Irish literature, monastic rules, hagiographical texts, poetry and archaeological artefacts, suggest that everyday visuals, such as the colours in a person's garments or the foods they were entitled to request while visiting another person's home, were supposed to be representative of a person's status and were used in the literature to reinforce this status. In reality, many items given a 'luxury' status in the literature could have been distributed amongst a variety of status-groups and are not, in and of themselves, evidence of an individual's status.