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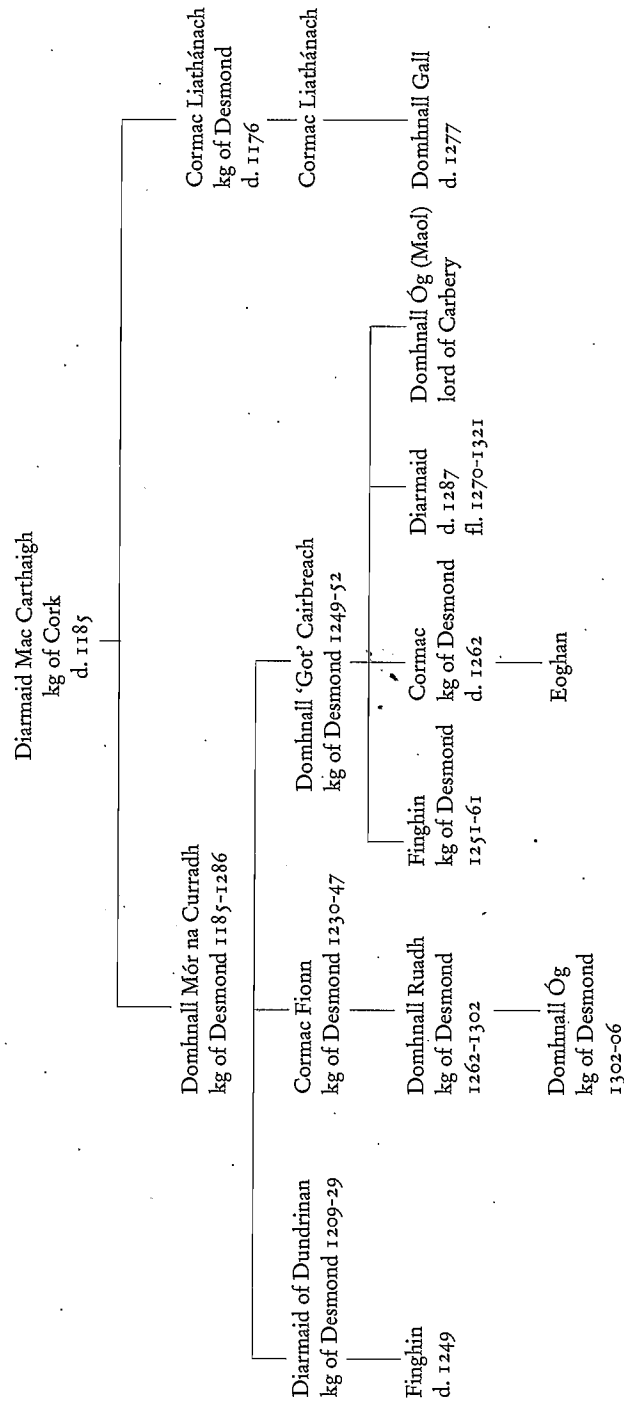


TABLE OF MAC CARTHY DYNASTY c. 1297

The Problem of Degeneracy

Seán Duffy

In 1627 the Westmeath antiquarian Conell Mageoghagan produced an English translation of an Irish chronicle, a work which has become known as the 'Annals of Clonmacnoise'. Unlike earlier Irish annalistic compilers and transcribers, who often prove remarkably faithful to their sources, Mageoghagan could not resist the temptation to add here and there curious nuggets of information, and misinformation, and personal observations of his own. In dealing with the events of the year 1311, he found himself translating from his source-text an account of a military contest in Thomond between rival members of the Uí Briain (the O'Briens), but in which the principal opposing parts were in fact played by private armies led by the Anglo-Irish lord of Thomond, Richard de Clare, and William Liath de Burgh, first-cousin of the earl of Ulster.¹ Of this Mageoghagan felt compelled to comment that 'this much I gather out of this history, whome I take to be an authentick author and worthy prelate of the Church, that would tell nothing but truth, that there raigned more Discentions, strifes, warres, and Debates betweene the Englishmen themselves in the beginning of the Conquest of this kingdome than betweene the Irishmen, as by perusing the warres betweene the Lasies of Meath, John Coursy earl of Ulster, William Marshall and the English of Meath and Mounster: mac Gerrald, the Burkes, Buttlers and Cogann may appear'.²

Few modern historians would go that far, though most would accept Mageoghagan's general point that, within a generation or so of the English invasion of Ireland, factional rivalry and indeed, what is perhaps more revealing, inter-familial strife had begun to emerge among the colonists in Ireland. Furthermore, in the course of time, it did so in a manner that increasingly came to resemble, and is therefore difficult if not misleading to distinguish from, the jaded picture of clan warfare among the native Irish with which we are so familiar. Political factionalism, and the feuding that it provokes, is one thing, and by no means unique to Ireland; but what appears to be happening here, among, it must be stressed, *sections* of the English community in medieval Ireland, is that there was a breakdown in the sense of belonging to this broader political community, and refuge taken in the more urgent bond of blood and kin.

¹ See Otway-Ruthven, *Med. Ire.*, pp 221-2. ² *Ann. Clon.*, pp 266-7.

It is hard to say whether this is simply an inevitable product of frontier life, to be expected in any similar environment in any age, or whether it was due to the particular set of circumstances that pertained in the lordship of Ireland. But the ties of kinship were precisely the mortar that held Gaelic society together and therefore, in falling back on such a form of social organisation and cohesion, the Anglo-Irish were conforming to a basic convention of the host society, and, in this vital respect, coming to live their lives by rules that closely resembled those by which the indigenous population lived.³

If such a profound change or realignment was taking place in the very structure of Anglo-Irish society (or sections thereof), how much more obvious must change have been at a superficial level. One piece of legislation passed at the 1297 parliament provides an excellent illustration of both. Having dealt with some weighty matters, and some perhaps not quite so weighty, the penultimate of the twelve enactments addressed what at first sight appears the most trivial item of all. 'Englishmen', it declared, 'as if degenerate, wear Irish clothing and, having their heads half-shaved, grow their hair long at the back of the head and call it a *cúlán*, conforming to the Irish both in dress and appearance'.⁴ This could not be tolerated, and the parliament decreed that 'all Englishmen in this land shall wear, at least on the head, which they display the most to view, the custom and tonsure of the English, and shall no longer dare to turn their hair in a *cúlán*'. This is an indication of English assimilation of Irish custom at a very functional level (assuming, that is, that the *cúlán* is a common enough style, which is by no means certain), and one can well understand why a colonial community that was beginning to feel vulnerable and defensive might seek to nip it in the bud. But the prohibition on the adoption of Irish hairstyle and dress was introduced for a more practical reason. Apparently, Englishmen sporting such a hairstyle were being mistaken for Irish, and being killed, and, parliament declared, 'by such killings, a cause of enmity and rancour is generated among many people'. The consequence was that 'the kindred (*affines*) of both the killer and the person killed are often by turns struck down as enemies'.

³ For important studies of English political and cultural identity in medieval Ireland, see James Lydon, 'The middle nation', in *idem* (ed.), *The English in medieval Ireland* (Dublin, 1984), pp 1-26; *idem*, 'Nation and race in medieval Ireland', in S. Forde, L. Johnson and A.V. Murray (ed.), *Concepts of national identity in the middle ages* (Leeds, 1995), pp 103-24; Robin Frame, '“Les Engleys néés en Irlande”: the English political identity in medieval Ireland', *R. Hist. Soc. Trans.*, 6th ser., 3 (1993), pp 83-103.

⁴ On the significance of the *cúlán*, see Katharine Simms, 'Gaelic warfare in the middle ages', in Thomas Bartlett and Keith Jeffery (ed.), *A military history of Ireland* (Cambridge, 1996), p. 101.

Thus, not alone, by 1297, were some Anglo-Irishmen becoming indistinguishable from the native Irish in their very appearance, but families or, perhaps, more extended kin-groups, were seeking revenge for the killing of one of their number by making war on the slayer's kin. The latter is an illustration of the textbook definition of degeneracy: these Englishmen were killing others of their own nation, having lost, somewhere along the line, a sense of belonging to a *gens* that extended beyond their own blood relatives. But for those present at the parliament of 1297, the term 'degeneracy' had a looser definition. The text specifically states that 'Englishmen, as if degenerate (*quasi degeneres*), wear Irish clothing', and so forth. In other words, to be regarded as degenerate one simply had to display some outward sign of conformity to Irish practice and custom. And if this was the yardstick by which the extent of the problem was to be measured, then quite clearly by 1297 the phenomenon was widespread indeed.

However, before examining the evidence for the extent of the problem of degeneracy, it is worth commenting on its origins. For how long had it been a problem? Was it legislated against in 1297 because the government had only then begun to get alarmed by its proliferation? The evidence would seem to suggest that the latter is the case. The text of the parliament prefaces its criticism of degenerate Englishmen wearing Irish clothing and hairstyle with the phrase 'in modern times' (*modernis temporibus*), and a study of the evidence suggests that, while there were traces of the phenomenon in place from an early date, things did suddenly seem to worsen in, let us say, the last twenty years of the thirteenth century (though one has to be careful not to be misled by what may be a greater availability of insightful source-material). Prior to that point the evidence is quite scattered.

Marriage is one area which is likely to lead to degeneracy: if the mother of one's children is an Irishwoman one can perhaps expect that something of her culture will rub off on them. But early evidence of inter-marriage is limited, and occasionally had quite the reverse of a Gaelicising effect. At the time of the English invasion the lords of Cualu in south county Dublin and north county Wicklow bore the surname Mac Gilla Mo-Cholmóc, and favoured forenames like Muirchertach, Domnall, Diarmait, Ruaidrí and Dúnchad. A generation or two later they were still clinging on to at least part of their lands, but only by conforming to the new dispensation. The cumbersome 'Mac Gilla Mo-Cholmóc' had given way to 'fitz Dermot', ancestral family forenames had lost out to plain old John and Ralph, and marriage to Claricia, daughter of Gilbert fitz Griffin of Knocktopher in county Kilkenny, surely only helped to accelerate the pace of Anglicisation.⁵ In the best-known instance of inter-marriage, the

⁵ John T. Gilbert, *A history of the city of Dublin*, i (Dublin, 1854), 230-5.

conqueror of Leinster, Strongbow (Richard de Clare), married Aife, daughter of King Diarmait Mac Murchada. Far from this giving Strongbow an Irish tinge, Aife spent most of her later life and widowhood living in England and the Welsh marches, enjoyed the profits of the dower-estates granted her at the time of her marriage, and was styled 'countess of Ireland', and the half-Irish offspring of the marriage, their daughter Isabel, rarely set foot in the country and married one of the greatest Anglo-French nobles of the age, William Marshal.⁶

Yet, if marriage to an Irish princess did not have a degenerative effect on Strongbow, it did nevertheless count for something. It provided him with an Irish locus. It is noticeable, for instance, that one of the leading sources for the English invasion, *The song of Dermot and the earl*, makes much of the fact that in marrying Diarmait's daughter Strongbow became related to some of the most powerful men in native Ireland, principally Domnall Mór Ó Briain (O'Brien) of Thomond:

For the king of Limerick had
A daughter of the rich King Dermot;
A daughter of Dermot on the other hand
Earl Richard had to wife;
So that they had to wife two sisters
King O'Brien and the Earl.⁷

The consequence of association by marriage was, according to the author, that Ó Briain joined forces with Strongbow in a campaign against the Irish of Osraige (Ossory).

Another well-known example of a marriage that had at least political implications is that of Hugh de Lacy, lord of Meath, to Rose, daughter of the high-king, Ruaidrí Ó Conchobair. The comment of Roger of Howden, one of the best and most influential of contemporary English chroniclers, that the marriage took place 'secundum morem patriae illius'⁸ clearly implies that there was something improper about the arrangement, and perhaps it would not be going too far to see in it the first faltering step on the degeneracy path. We know that Hugh mixed well with the Irish. Gerald of Wales says that he 'went to great trouble to conciliate those who had been conquered by others and forcibly ejected from their lands',

⁶ There is an excellent discussion of Aife's later years in Marie Therese Flanagan, 'Strongbow, Henry II and the Anglo-Norman intervention in Ireland', in John Gillingham and J.C. Holt (ed.), *War and government in the middle ages: essays in honour of J.O. Prestwich* (Woodbridge, 1984), pp 62-77. ⁷ *Song of Dermot*, ii, 2041-6. ⁸ William Stubbs (ed.), *Gesta Regis Henrici Secundi Benedicti Abbatis* (RS, London, 1887-9), i, 270.

and adds that, 'winning the support of the Irish by generous treatment and flattering them with his friendship, he made the more important of them his allies'. The net effect of this was, of course, that doubt was cast on de Lacy's loyalty, and 'he was strongly suspected of wanting to throw off his allegiance and usurp the government of the kingdom, and with it the crown and sceptre'.⁹ There is an unspoken belief among contemporary commentators that it was Hugh's marriage to the high-king's daughter that fanned his ambition to rule,¹⁰ and indeed after King Ruaidrí's abdication, and during the Lord John's 1185 expedition to Ireland, one set of Irish annals specifically states that 'it was Hugh de Lacy who was king of Ireland when the son of the king of the Saxons came'.¹¹

Hugh's marriage to Rose produced at least one son. He was named William, in line with the settlers' almost absolute insistence on giving Anglo-French or biblical names to their children (to which there were very few exceptions, though in the case of daughters who were the products of mixed marriages some slight flexibility was allowed). William was a younger son and bore no claim to the lordship of Meath or, later, the earldom of Ulster, but he remained a powerful figure nonetheless, principally in the north midlands and Bréifne. He bore the Irish nickname *Gorm* ('swarthy'), occupied and re-fortified the Ó Ragallaig (O'Reilly) crannóg site on Lough Oughter, and married a native Welsh princess, the daughter of Llywelyn ab Iorwerth of Gwynedd.¹² When he died, in 1233, he received what may be the first real complimentary obit given by an Irish annalist to an Anglo-Irish baron:

William Delacy, chiefest champion in these parts of Europe, and the hardest and strongest hand of any Englishman from the Nicene seas to this place, or Irishman, was hurt in a skirmish in the Brenie [Bréifne], came to his house, and there died of the wound.¹³

This notice is something of a watershed, in that such laudatory obituaries gradually thereafter became commonplace, but that they began with William Gorm de Lacy is a measure of the man's status among the native Irish and an indication of the extent to which he was part of that society.

⁹ Giraldus, *Expugnatio*, p. 191. See Orpen, *Normans*, ii, 54-5. ¹⁰ See W.L. Warren, 'John in Ireland, 1185', in John Bossy and Peter Jupp (ed.), *Essays presented to Michael Roberts* (Belfast, 1976), pp 14, 22-3. ¹¹ *A.L.C.*, s.a. 1185. ¹² See J.E. Lloyd, 'Who was Gwenllian de Lacy?', *Archaeologia Cambrensis*, 6th ser., 19 (1919), pp 292-8; and the important discussion in Robin Frame, 'Aristocracies and the political configuration of the British Isles', in R.R. Davies (ed.) *The British Isles 1100-1500. Comparisons, contrasts and connections* (Edinburgh, 1988), pp 144-50. ¹³ *Ann. Clon.*, p. 234.

There were a small number of other high-status marriages in the early stages of the conquest. Among those who came to Ireland with the Lord John in 1185 was William de Burgh, younger brother of Hubert, who held the justiciarship of England from 1215 to 1232, and who acquired the earldom of Kent at the peak of his career in 1227. William was initially given a modest enough grant in county Tipperary, and some years later married a daughter of Domnall Mór Ó Briain, the king of neighbouring Thomond. No doubt it was a politically expedient arrangement, but it had major consequences for the de Burgh pedigree, since the later de Burghs in Ireland appear to be products of that marriage.¹⁴ William's son Richard conquered Connacht for the English, and an Irish bardic poem exists, ascribed to the prolific Muiredach Albanach Ó Dálaigh (O Daly), which ostensibly addresses this Richard de Burgh, as 'O youth of foreign beauty, O ye who are become Gaelic, yet foreign'.¹⁵ Whether the poem is, in fact, contemporaneous is open to considerable doubt,¹⁶ but it does nicely sum up the situation; by such word-games a place was found in the Irish world for families such as the de Burghs. Here was a man who has earned a place in history as the English conqueror of Connacht, and yet he was himself half Irish, a grandson of Domnall Ó Briain, direct descendant of Brian Bóruma.¹⁷ The reigning king of Thomond at the time of the conquest of Connacht was Donnchad Cairprech Ó Briain. If he was alarmed at this latest display of English expansionism, were his misgivings assuaged by the fact that it was spearheaded by his own nephew? When John made his second expedition to Ireland, in 1210, this time as king of England, it is said that he knighted Donnchad Cairprech and we know that he gave him a grant of some lands.¹⁸ By such means was a way found for some Irish in the English world. It comes as no great surprise to find, two generations on, that Richard de Burgh's grandson, William, was married to the daughter of Donnchad Cairprech's grandson, Brian Ruad.¹⁹ The lady in question was named Mór; from there it was but one small, if significant, step for de Burgh to give that same Gaelic name to one of his own daughters.²⁰

¹⁴ M.J. Blake, 'William de Burgh, progenitor of the Burkes in Ireland', *Galway Arch. Soc. Jn.*, 7 (1911-12), pp 99-101. ¹⁵ Osborn Bergin, *Irish bardic poetry*, ed. D. Greene and F. Kelly (Dublin, 1970), no. 20, pp 88-92, 252-4. ¹⁶ See Katharine Simms, 'Bards and barons: the Anglo-Irish aristocracy and the native culture', in Robert Bartlett and Angus Mackay (ed.), *Medieval frontier societies* (Oxford, 1989), pp 178-9. ¹⁷ G.H. Orpen, 'Richard de Burgh', *Galway Arch. Soc. Jn.*, 7 (1911-12), pp 129-30. ¹⁸ *Misc. Ir. Annals*, s.a. 1210; Seán Duffy, 'King John's expedition to Ireland, 1210: the evidence reconsidered', *I.H.S.*, xxx (1996-7), pp 5, 15-16. ¹⁹ E.J. Gwynn, 'Fragmentary annals from the west of Ireland', *R.I.A. Proc.*, 37 C 8 (1925-7), p. 151. ²⁰ John O'Donovan (ed.), *The tribes and customs of Hy-Many* (Dublin, 1843), p. 53.

Arch-rivals of the Uí Briain, the Meic Carthaig (Mac Carthys) of Desmond obviously saw similar advantages in marriage with the newcomers. The Carews were prominent in the English penetration of Munster, their importance underestimated by the fact that one of their number, Raymond, stands disguised behind his well-known nickname, 'le Gros'. In 1307 a Cork jury was asked to investigate the background to some rent outstanding from a carucate of land, involving a certain Maurice de Carew. The jury found that the latter was the great-great grandson of Richard de Carew, and that Richard had indeed possessed the carucate in question, though after his death it had passed temporarily in dower to his widow, called 'Raghanild. inyn Mc Carthy'.²¹ This lady is evidently Ragnailt, a daughter, presumably, of the reigning king of Desmond, Diarmait Cille Badúna Mac Carthaig (d. 1185), a man who cooperated with the invaders from an early date, though to no great visible advantage. Nevertheless, some gain must have arisen from the fact that his daughter acquired through the arrangement possession of her own dower-lands; this was something the Irish evidently coveted, since the non-receipt of dower was one of the legal disabilities of which the Irish complained in their 'Remonstrance' sent to the pope in 1317.²² Diarmait was eventually succeeded by his grandson, Diarmait Dúna Draignéin (1207-29) who married a lady called Petronella, daughter of Thomas Bluet, the sheriff of Cork and Waterford.²³ For these settler families and their successors, some of whom we can perhaps take to have been products of these marriages, association with the ruling family of Desmond no doubt helped to copperfasten their grip on their new estates, but it must surely also have contributed to giving them a greater sense of place – like it or not, they were linked by descent to the great Eóganachta dynasts of Cashel – and it can only have hastened the process of assimilation.

To modern eyes, one of the more intriguing entries in the Irish annals of the thirteenth century concerns an encounter in 1262 between the future earl of Ulster, Walter de Burgh, son of the Richard who conquered Connacht, and Áed, son of Feidlim Ó Conchobair who claimed kingship of the same province. Walter, who was the grandson of William de Burgh, is consistently called by the Irish annals 'Mac Uilliam', and while it is obvious that he himself would never have employed such a usage, the insistence of Irish writers on foisting a Gaelic surname upon him is per-

²¹ *Cal. justic. rolls Ire.*, 1303-7, pp 372-3. ²² Walter Bower, *Scotichronicon*, ed. D.E.R. Watt et al., vi (Aberdeen, 1991), p. 393; see also, G.J. Hand, *English law in Ireland, 1290-1324* (Cambridge, 1967), pp 204-5. ²³ See W.L. Warren, 'King John and Ireland', in James Lydon (ed.), *England and Ireland in the later middle ages* (Dublin, 1981), p. 29.

haps indicative of mixed contemporary attitudes to an English family which had been immersed in the Irish scene now for three-quarters of a century. Áed Ó Conchobair, on the other hand, bore the nickname 'na nGall' which, though it can be translated 'of the Foreigners' (meaning the English of Ireland), implying that he held them in favour, does not seem to be the case here (as the reverse was closer to the truth), and most likely refers to his political and marital links with the ruling families of the 'Innse Gall', the Hebrides. In 1262, after several years of topsy-turvy warfare between them, Áed and Walter agreed to meet and resolve their differences, an occasion which the annals describe in these terms:

The foreigners sent envoys to [Feidlim] Ó Conchobair and his son [Áed] with an offer of peace. After this Áed came to a meeting with them at Derryquirk and they made peace afterwards. That night he went to the foreigners' house, though no surety or hostage [of theirs] had been left [in his camp], and lay in one room and one bed with Mac William Burke, happy and cheerful. Next day the foreigners departed, having concluded this peace.²⁴

It is difficult to know what to make of this, but no matter how one views the incident it is surely not behaviour which the government would encourage, and seems to represent some accommodation by de Burgh to the conventions of Ó Conchobair's society, rather than the reverse. And in this regard it may be worth pointing out that, for all their differences, Áed and Walter were also closely related, Áed being the grandson of the famous Cathal Crobderg Ó Conchobair, and Walter his great-grandson.

Marriage-alliances with the de Burghs were evidently much sought after. Previously lord of Connacht, in 1263 the earldom of Ulster was revived and granted to Walter, partly no doubt because, in the aftermath of Brian Ó Néill's rebellion, it was felt that the north of Ireland needed the presence of a strong resident magnate. In the same year the Irish annals record a marriage, which for them is a rare digression (and perhaps an indication of the event's perceived newsworthiness): 'Áed Buidhe Ó Néill took the daughter of Mac Gosdealbaigh to wife.'²⁵ The rather more compliant Áed Buidhe (ancestor of the Clandeboy O Neills) succeeded his cousin, the rebellious Brian, after his death at the battle of Down in 1260, and openly courted English favour. The lady he married was Eleanor de Angulo (or Nangle), by no means from the top rank, in fact, her family were originally tenants of the de Lacys based at Navan, though they had prospered from the de Burgh movement into Connacht and fared quite well there. She was hardly a great catch for a man with pre-

²⁴ *Ann. Conn.*, s.a. 1262. ²⁵ *A.U.*, s.a. 1263.

tensions to rule in mid-Ulster, but what attracted Áed Buidhe to her was undoubtedly the fact that she was related, if somewhat distantly so, to Walter de Burgh; indeed, in his correspondence he specifically refers to her as 'my wife and kinswoman of the lord earl'.²⁶

This marriage might be thought to have had an anglicising effect on Ó Néill's household, rather than representing signs of degeneracy among the Anglo-Irish, were it not for the fact that what little we know of the de Angulos is enough to suggest that Eleanor would have fitted in quite comfortably in her new surroundings. When expansion across the Connacht frontier was still for most a distant hope, the de Angulos were there, and they were there as guests of its king, Cathal Crobderg Ó Conchobair. He granted Gilbert de Angulo the cantred of Máenmag (the Loughrea district in county Galway) in return for military service in Ó Conchobair's army, against both English and Irish, which Gilbert performed in 1195 when together they raided as far south as Emly and Cashel, and 'burned' down four large castles and some small ones'.²⁷ Gilbert's father was Jocelin, and he, therefore, to the Irish was 'Mac Oisdealbaig', and hence (Mac) Costello. There is always a difficulty, when Anglo-Irishmen crop up in Irish-language sources bearing Irish names, in determining whether they themselves would ever have called themselves such. However, the example of the de Angulo shift to Mac Costello seems to be one of the earliest and most clear-cut instances of this most revealing process: the presence in county Tipperary, in a Latin source dated 1306 emanating from the justiciar's court, of a 'Philip Mc Costalu' seems to be evidence that some members of the de Angulo family had not simply begun using the Irish language, but had gone that very considerable and symbolic step further and adopted a Gaelic patronymic.²⁸

Few would be surprised that a family like the de Angulos would find themselves being absorbed into Irish society in such a manner after rubbing shoulders with the native population since the earliest days of the conquest, and having, no doubt, divested themselves of, or lost, a landed stake in their homeland: indeed, it is hardly sensible to refer to the island of Britain as 'home' since, by the late thirteenth century, this family of Continental origin had been associated with Ireland longer than they had previously had a foothold in England. What would be surprising, though, in the same period, when the 1297 parliament was expressing its anxiety about the drift

²⁶ *Report on the manuscripts of Lord de L'Isle and Dudley*, 1 (Hist. MSS Comm., London, 1925), pp 32-2. ²⁷ *A.F.M.*, s.a. 1195. See Helen Perros, 'Crossing the Shannon frontier: Connacht and the Anglo-Normans, 1170-1224', in T.B. Barry, R. Frame and K. Simms (ed.), *Colony and frontier in medieval Ireland* (London, 1995), p. 129. ²⁸ *Cal. justic. rolls, Ire.*, 1303-7, p. 352.

into degeneracy, would be to find a family who, unlike the de Angulos, were new to Ireland, and also considerably higher up the social scale, and yet showed signs of becoming even more speedily absorbed into the native scene. Evidence of such a phenomenon has recently come to light.²⁹ One of the enactments of the 1297 parliament was the erection of Kildare, one of the Leinster liberties, into a royal shire, since it had recently been obtained by the king from its lord, William de Vescy.³⁰ The de Vescy association with Ireland was of limited duration, William's mother Agnes having been one of the many heiresses to the Marshal lordship of Leinster which was partitioned in the late 1240s, and William's interests tended to lie elsewhere, although he did enjoy a rather turbulent period as chief governor of Ireland from 1290 to 1294. William de Vescy is perhaps the last person one would expect to find having intimate connections with the native Irish, certainly those outside his own bailiwick of Kildare and Offaly, but, as it happens, he was survived by an illegitimate son known as William of Kildare (later killed at Bannockburn), and a genealogy of the patrons of the English priory of Watton states that this William was born in Kildare 'de quadam Dervorgule filia cujusdam regine [sic] Hibernie nomine Dovenald Rochmaccarti'.³¹ The latter is unmistakably the Domnall Ruad Mac Carthaig, who died as king of Desmond in 1302 after a very lengthy reign, and it seems more than plausible that he had a daughter Derbforgaill. How the Anglo-Irish lord of Kildare and the daughter of the Irish king of South Munster came to be married or, as it seems, united in concubinage, remains something of a mystery, and certainly stands in stark contrast to the picture of de Vescy that has hitherto been painted, but it is an important reminder of the deceptiveness of appearances.

From the same period we find other instances of association between members of the Anglo-Irish community and the native establishment, a further step lower down the scale from marriage perhaps, but indicative nonetheless of a fusion of cultures and races. Isabella Cadel appeared before the justiciar's court in 1302, along with her Irish maid, Fynewell (Finnguala?) Seynyn, both having been 'taken coming from the felons of the mountains', and it was charged against them that 'they had art and part with said felons and are spies of the country for them'. The charge was a serious one, but Isabella's defence was that 'she dwells with Dermot Odymsi, at whose command ... she went to the mountains to speak with certain friends and confederates of her said lord, when the sergeants of Kildare arrested them'. Diarmait Ó Díomasaig (O Dempsey) was the middle-

²⁹ For this I am most grateful to the kindness of Dr Keith Stringer. ³⁰ See Otway-Ruthven, *Med. Ire.*, pp 209-14. ³¹ William Dugdale (ed.), *Monasticon Anglicanum*, ed. J. Caley et al. (London, 1817-30), vi (ii), 957.

ranking Irish lord of Clann Máel Ugra in modern county Laois in the south midlands, while Isabella was the daughter of William Cadel, a respectable Anglo-Irish resident of what contemporaries would have called the 'land of peace', formerly seneschal of the liberties of Kildare and Carlow (in fact, she was acquitted on account of 'the service to the King often done by William Cadel deceased, father of the said Isabella').³² Yet 'she dwells with' Ó Díomasaig and is sent on missions to speak with his 'friends and confederates'. What is the nature of the relationship? At the very least Isabella has abandoned the land of peace, preferring to make her home among the Irish, and living with them as a member of their community; there is no hint in the documentation relating to the case that the practice is regarded as, of its nature, taboo or that Isabella has opted to spend her life in a manner that is viewed by the chief court of the land as particularly distasteful. Is it that such complex relationships have by now become commonplace?

Another case in the justiciary rolls, referring to an individual who may be Isabella's brother, is similarly instructive. In 1302, a man called Adam le Blunt was accused of attacking and beating a certain Richard le Blake, 'and wounding an Irish servingman of Richard, coming to his assistance', but Adam's defence was that he did not have to answer the charge since Richard was, in fact, an Irishman 'of the family of Okegle of the parts of Adhmacart'. Richard denied this, claiming that he was not Irish, but English 'of the family of William Cadel, born at Fyrmayl in that liberty [Kilkenny]', with which the jury agreed.³³ The basic point here is that Adam seems either to have genuinely thought that Richard le Blake was an Irishman or, more likely, believed that he could convince a jury of this, even if he himself knew otherwise. Assuming that Adam was not a complete fool, this must mean that it was not immediately apparent from either seeing or hearing Richard that he was an Anglo-Irishman. In Drogheda nine years later a man called Adam Rauf was killed by two Anglo-Irishmen 'who say that it was commonly held by the commons of the town that he was an Irishman and from the first time when he came to the town was had for an Irishman'. However, he too was an Anglo-Irishman, and his killers were found guilty.³⁴ We find an example of the phenomenon in reverse in that same year. An individual charged with the murder of an Anglo-Irishman called Roger de Caunteton, was acquitted because he managed to prove that Roger was actually an Ó hEitirseóil (O Driscoll).³⁵ All three cases are surely revealing insights into the state of assimilation between the two nations at the turn of the thirteenth and fourteenth centuries.

³² *Cal. justic. rolls, Ire., 1295-1303*, p. 368. ³³ *Cal. justic. rolls, Ire., 1295-1303*, pp 452-3. ³⁴ *Cal. justic. rolls, Ire., 1308-1314*, p. 168. ³⁵ *Cal. justic. rolls, Ire., 1308-1314*, pp 203-4.

The evidence for marriage and cohabitation indicates that the bulwark between both nations was not watertight, but it is apparent nonetheless that the seepage flowed both ways: it is high time, indeed, that Kenneth Nicholls's valuable study of *Gaelic and Gaelicised Ireland* was complemented by an examination of 'English and Anglicised Ireland'. That said, there are other forms of social intercourse in medieval Ireland which necessarily involved one-way traffic, in that they represented an adaptation by the English of Ireland to the mores of the host culture. Gerald of Wales, in his *Topographia Hiberniae*, has a detailed and disapproving account of the practice of gossipred as it existed amongst the Irish, which he elevated to a ritual akin to blood-brotherhood.³⁶ In essence, this was the conventional Christian tradition of sponsoring another's child at baptism, but *cairdes Crist* (lit., 'the friendship, kinship of Christ') was certainly imbued with considerably greater significance in Gaelic culture, and established a bond and a lifelong commitment that was far in excess of that of a godparent in other societies.³⁷ It is likely that Anglo-Irishmen entered into bonds of gossipred with the Irish on a considerable scale – this would be one possible explanation for the widespread adoption of Anglo-French forenames by Irish royal families (Henry, for instance, among the Uí Néill as a result of gossipred with the de Mandevilles, or Gearalt among the Meic Murchada (MacMurrroughs, after gossipred with the Kildare Geraldines?) – but we tend to hear about it only when the relationship turned sour.

In the late thirteenth and early fourteenth centuries, the leading member of the Geraldine family in Ireland, and second only in prominence to the earl of Ulster himself, was John fitz Thomas, lord of Offaly, who was created first earl of Kildare just prior to his death in 1316. A year later, the Irish kings sent their Remonstrance to the pope, in which they list what they allege are despicable acts committed by Anglo-Irishmen against members of the native population. Included among those crimes is one to the effect that 'three days after an Irish nobleman, his godfather, had been accidentally killed, not by him but by others, John fitz Thomas, earl of Kildare, had his head cut off in order to sell it shamefully'.³⁸ We have no corroborating evidence for this, but if it is true (and the other accusations made in the document tend to have some basis in fact), then, whatever his later behaviour, John had been sponsored at baptism by a native Irish nobleman, whom his family patently considered to be a worthy godparent.

³⁶ Giraldus, *Topographia*, p. 108. ³⁷ See, for example, J.C. Hodges, 'The blood covenant among the Celts', *Revue Celtique*, 44 (1927), pp 109-56. ³⁸ Bower, *Scotichronicon*, vi, 395.

A better-known instance of this kind was the outrage expressed by Irish sources when Brian Ruad Ó Briain of Thomond was murdered, 'and drawn between horses afterwards', by Thomas de Clare in 1277, 'after they had made gossipred (*iar ndenam cardisa Crist doib*) and mixed their blood in one vessel and bound themselves to each other upon the relics of Munster and bells and croziers'.³⁹ This too was condemned in the Remonstrance, but it pales into insignificance compared to the condemnation of the infamous massacre of the leading men, and boys, of the Uí Chonchobair Failge (O Conor Falys) by Piers de Bermingham of Tethmoy in 1305:

Muirchertach Ó Conchobair Failge and An Calbach his brother, were slain by Sir Piers de Bermingham, after he had deceitfully and shamefully invited them and acted as godfather (*denoim cairdiusa Crist*) to [the child of] the latter and as co-sponsor with the other. Maisir, the little child who was a son of the latter, and whom Piers himself had sponsored at confirmation (*ro cuir Piarus fein fae lamimb easpuig*), was thrown over [the battlements of] the castle, and it was thus he died. And twenty-three or twenty-four of the followers of those men mentioned above, were slain.⁴⁰

In each of these instances, which the Irish counted as among the most notorious atrocities ever committed against them, what makes the victims' death and mistreatment afterwards so grievous is the bond of trust which the perpetrator is deemed to have broken; the Irish have accepted him, they have allowed him to enter into their world as one of their own, but he has betrayed that trust and proved that he is not yet worthy of it or willing to abide by it. This, of course, earned him honours from within his own community – hence the hefty reward received by Piers de Bermingham for bringing in the heads of so many of the Uí Chonchobair Failge,⁴¹ or the encomium in both verse and prose extended to him at his own death⁴² – for he had proved that he was not, as some of his contemporaries might have suspected, degenerate.

The odd thing is that the de Berminghams in general have a far from blemish-free record in the field of degeneracy. Like the de Angulos, who were given the Gaelic patronymic Mac Costello at an early date, there are many descendants of the early de Bermingham settlers in Ireland today hidden beneath the surname Corish (*Mac Feorais*, 'son of Piers'). Of

³⁹ *Ann. Conn.*, s.a. 1277. ⁴⁰ *Ann. Inisf.*, s.a. 1305. ⁴¹ *Cal. justic. rolls, Ire.*, 1305-07, p. 82; *P.R.O.*, E101/233/23, no.30; E101/234/7 m.2. ⁴² Angela M. Lucas (ed.), *Anglo-Irish poems of the middle ages* (Maynooth, 1995), pp 150-57, 207-9; *Chartul. St Mary's, Dublin*, ii, 336.

course, the de Berminghams continued to use their English toponymic, at least in official documentation, but not only do Irish sources insist on Mac Feorais, but they frequently refer to the family in a way that gives the impression that they are distancing them somewhat from 'the foreigners', the English. For instance, the Annals of the Four Masters record for 1289 'a great hosting by Mac Feorais and by the foreigners into Leinster'; the Inisfallen annalist notes that in 1306 'a defeat was inflicted by Ó Maíl Shechnaill (O Melaghlin) on the foreigners and on Mac Feorais'; while the Annals of Ulster have for 1316: 'A great host was mustered by Feidlim Ó Conchobair and by Mac Feorais and by the foreigners of West Connacht'. By the mid-fourteenth century the Irish seem almost to have forgotten that the de Berminghams *were* settlers, to judge from the statement in the Annals of Connacht for 1356 that 'Mac Feorais was killed by foreigners in this year'.

One or two of these references show that the de Berminghams were not free from association with the Irish in the early fourteenth century: this was especially true of members of the Connacht branch, the de Berminghams of Athenry, especially in the case of Richard, whom we know to have had an Irish wife, named Finnguala,⁴³ and William, for whom an Irish bardic panegyric was composed.⁴⁴ But, of course, the Leinster branch, the de Berminghams of Tethmoy, cannot have been free of Irish ties since Piers did, after all, sponsor the child of Ó Conchobair Failge, even if the association ended tragically, while the account in the annals of the death in 1329 of Piers's son John makes instructive reading:

Sir Seon Mac Feorais, Earl of Louth, the most active and vigorous, generous and bountiful baron in Ireland, was treacherously killed by his own people, the Galls of Oriel, and many noble Galls and Gaels were killed along with him. And with him was killed Maelruanaid Mac Cerbaill, the king of music-making, called Gilla Caech, and a brother of his; and none knows if there ever was or ever will be son good a player on the timpe.⁴⁵

Here is an Anglo-Irish earl whose murder along with 'many noble Galls and Gaels' is condemned by a Gaelic annalist, and in his company at the time of the massacre is a famous Irish tympanist. Friar Clyn waxes even more lyrical on the loss:

And on the same day, in this slaughter, Cam O'Kayrwill, that famous tympanist and harpist, fell dead, a man supreme in his art,

⁴³ Ambrose Coleman (ed.), 'Regestrum monasterii fratrum praedicatorum de Athenry', *Archiv. Hib.*, i (1912), p. 212. ⁴⁴ See *B.M. cat. Ir. MSS*, i, 338-9. ⁴⁵ *Ann. Conn.*, s.a. 1329.

mighty with special claim and strength, along with twenty of his student tympanists in the same place. He was called Cam O'Kayrwill because he was one-eyed, missing the right one and looking back squintily. He was not the inventor of the art of stringed music, but nonetheless he was the improver, teacher and director of all his predecessors, contemporaries, and successors.⁴⁶

This is an Anglo-Irish annalist commenting on the infamous Braganstown massacre,⁴⁷ and yet the bulk of his effort goes into praising the musical skills of this member of the Irish learned classes – surely an important indication of the extent to which the Anglo-Irish gentry, even those of Leinster, had taken Gaelic culture to their hearts.

We may take it, therefore, that for every recorded instance of spurned acceptance, such as Piers de Bermingham's treatment of the Uí Chonchobair Failge, many cases of peaceable collaboration and conjunction went unrecorded. In Gaelic society, fosterage was one of the principal ways in which inter-familial, inter-dynastic, and even inter-provincial friendships were enhanced. Children were separated from their nuclear family at an early age and handed over to the care of more distant relatives or, from what we can tell, total strangers, often for no apparent reason other than as a means of courting the latter's friendship. The result, it has become almost a truism to note, was that boys (and, presumably, girls) developed ties and loyalties to the foster-families with whom they spent some of their most formative years that were closer than the bonds they shared with their own blood relatives or with the spouses whom they later acquired.⁴⁸ If Anglo-Irishmen, for whatever reason, deliberately plucked their sons or daughters from the environment of Englishness into which they were born, and sent them to be fostered in the households of Irishmen, to be nurtured and educated there from childhood, it is difficult to imagine anything more likely to contribute to their Gaelicisation, their degeneracy.

Fosterage, of course, is not easy to prove, unless we get an outright statement of it. In the 1317 Remonstrance to the pope, one of the crimes alleged against the earl of Kildare, John fitz Thomas, was that after the massacre of the Uí Chonchobair Failge in 1305, he 'thrust into a filthy prison John, the son of the above mentioned most renowned Calvagh [Ó

⁴⁶ Clyn, *Annals*, p. 20. ⁴⁷ For which, see J.F. Lydon, 'The Braganstown massacre', *Louth Arch. Soc. Jn.*, 29 (1977), 5-17; Brendan Smith, 'A county community in fourteenth-century Ireland: the case of Louth', *E.H.R.*, cviii (1993), pp 581-6. ⁴⁸ See Bronagh Ní Chonaill, 'Fosterage: child-rearing in medieval Ireland', *History Ireland*, Vol. 5, no. 1 (Spring, 1997), pp 28-31; Séamus Ó hInnse, 'Fosterage in early and medieval Ireland', (unpublished M.A. thesis, National University of Ireland, 1940).

Conchobair], a handsome young man, reared with Earl John continuously from the time when he [fitz Thomas] had lifted John up from the baptismal font; and a few days later he had him, innocent as he was, murdered in no innocent way'.⁴⁹ This does not seem to say much for the effect of the ties of fosterage on fitz Thomas, but it is an important piece of evidence nonetheless. One must remember that the deed is only condemned here because it is regarded as extraordinary and quite the exception to the rule: presumably, therefore, most such relationships turned out otherwise. Secondly, John fitz Thomas was one of the most important men in the lordship of Ireland; yet this proves that he had resident within his own hall the son of a local Irish lord. Even if the youthful John (as his very name suggests) was likely to end up the more affected by the relationship, and even if something happened to turn the alliance sour, it does prove the intimacy of societal bonds within the two communities.

One of the basic pointers to the existence of ties of fosterage is the incorporation into a person's name of a toponymic epithet. Donnchad Cairprech Ó Briain, for instance, can reasonably be assumed to have acquired his by-name as a result of having been fostered with the Uí Chairpre, a people whose territory bordered modern counties Limerick and Cork. Domnall Connachtach Ó Briain must have spent some time in Connacht, presumably with the Uí Chonchobair kings, while Muirchertach Muimnech Ó Conchobair, on the other hand, was reared in Munster, as his by-name indicates: these examples from among the native Irish could be multiplied many times over. But what do we make of a member of the Cork-based Anglo-Irish family of de Caunteton, who turns up in the justiciary rolls in 1306 as 'John de Caunteton Connaghtagh', or 'Philip Falyagh Keating' who is certainly a member of the Anglo-Irish family of that name who were (and are) quite thick on the ground in south Leinster and county Tipperary, but whose nickname surely indicates that he was fostered with the neighbouring Uí Chonchobair Failge? Did Henry Leynath of Connacht spend some time in Leinster, and had John Miagh of Louth been fostered in Meath?⁵⁰

Whether or not fosterage can be assumed in any of these cases, the usage in a non-Irish language source of what are unmistakably Gaelic epithets is instructive indeed. It is worth noting that (whether by quirk of the sources or otherwise) such occurrences are rare before the late thirteenth century, but become commonplace after the 1297 parliamentary complaint about the descent into degeneracy 'in modern times'. The de Cauntetons evidently were on the slippery slope, as the reference to one

⁴⁹ Bower, *Scotichronicon*, vi, 395. ⁵⁰ These are just some examples taken from the many which occur in *Cal. justic. rolls Ire., passim*.

of their number as David Duff (*Dubh*, 'black') in 1300 indicates; a de Bermingham called Peter Ballagh (*Ballach*, 'spotted', 'speckled'), in 1309, tells a similar story; while a John Carragh Kelyng who turns up in County Kildare a couple of years later seems also to have been of English origin, though his nickname (*Carrach*, 'rough-skinned', 'scabby') again reveals him as an Irish-speaker.⁵¹ Thereafter the examples become legion, and there is little to be gained from recounting them. One only has to flick through any contemporary documentation that involves listing large numbers of Anglo-Irishmen, especially, it seems, from Connacht and Munster, and the hybrid names, indicating a thriving hybrid society, jump out from the page, a good example being the legal proceedings brought against the first earl of Desmond, which record members of the de Barri family with names like William Pussagh (*Pusach*, 'big-lipped', 'pouting', 'surly'), Russells like Philip Boy (*Buidhe*, 'yellow') or Thomas Dun (*Dond*, 'brown'), and many more besides.⁵²

In this part of the country at least, degeneracy seems all the rage. And it is in circumstances such as these that we can expect to find Anglo-Irishmen slipping into modes of behaviour and patterns of social organisation akin to those of the communities surrounding them whose language and very appearance they have already begun to adopt. Assuming that Friar Clyn's reference to the killing of Richard Marshal in 1234 'in bello per Geraldinos' is anachronistic, there is no clear evidence that the Anglo-Irish had begun to organise themselves into clan-like lineages, whose primary loyalty lay to that kin-group rather than to a purely territorial community, until one enters the last two decades of the thirteenth century. It seems a reasonable assumption that the more isolated and vulnerable the community, the greater the need to have recourse to this safety-valve. When Richard de Burgh conquered Connacht he apportioned estates there to men who followed him from Leinster and Munster. Among the latter was a William Barrett who, with his family and tenants and servants, and, needless to say, an armed retinue, turned a parchment claim to part of the Irish territory of Tír nAmalgaid (Tirawley), in the far north-west of county Mayo, into a real and lasting presence on the ground. With their backs to the sea and surrounded by the local Irish, including the area's traditional kings, the Uí Dubda (O Dowdas), the English of Tirawley had quite an adjustment to make to their new surroundings. In the course of time, that meant some level of abandonment of faith in the efficacy of English justice, law, order and methods of peace-keeping, and the emer-

⁵¹ These and numerous other examples can be found in *Cal. justic. rolls, Ire., passim*.

⁵² G.O. Sayles, 'The legal proceedings against the first earl of Desmond', *Anal. Hib.*, 23 (1966), pp 3-47.

gence of a form of communal solidarity based around adherence to the community's natural leaders, the Barretts. Tirawley became, in practice, not an English barony, but 'Barrett Country'. And when, in 1281, the Irish annals record what they describe as 'another battle this year between the Barretts and the Cusacks', their English rivals for power in the area,⁵³ how helpful is it to draw a distinction between this and a similar campaign that might be waged by, say, a branch of the O Connors?

It is not that every Anglo-Irishman in Tirawley was a Barrett, no more so than everyone in Tír nEógain was an Ó Néill, merely that – in the absence of an external source – the Barretts were the centre from which power radiated. They, and others like them elsewhere in Ireland, appear to have latched onto something in Gaelic society that seemed to them to work, possibly concluding that the best way to beat them was to join them.⁵⁴ We can see this phenomenon in action in other communities. The le Poer family were prominent in county Waterford from an early date, but even with the emergence of cadet lines, by the time of the 1297 parliament there were still only a very small number of individuals with the surname le Poer who could be described as extensive landholders there. However, after perhaps five generations of ramification, and of allegiance-gathering, each was a man with an extensive following of blood relatives and of general hangers-on who had pinned their colours to his mast.⁵⁵ Hence, in 1305, it was claimed that 'many evils are done in this county by divers malefactors running up and down through the country, of whom some are of the race of the Poers, and others under their avowry'.⁵⁶ Waterford; it seems, had become a society dominated by lineages; and the government recognised this. In the previous year they had passed an ordinance to the effect that 'chescun cheveteyn de lignage empreist a chastier les felons de lor lignage'.⁵⁷ Thus, their solution to the problem of these roving mobs of le Poers was to approach the leading le Poer landholder in Waterford, John, baron of Dunoil, and appoint him sheriff of the county, quite simply because he was the only man capable of exercising control over these 'malefactors', his kinsmen.⁵⁸ The government, it could be argued, was here accepting the possible benefit, in circumstances such as these, of a principal of native Irish law: the responsibility of kin-groups for the actions of their members.⁵⁹ In 1296, when Henry de Burgh and

⁵³ *A.L.C.*, s.a. 1281. ⁵⁴ The most important discussions of the subject are those by Robin Frame, 'Power and society in the lordship of Ireland, 1272-1377', *Past and Present*, 76 (1977), pp 3-33; idem, *English lordship in Ireland 1318-1361* (Oxford, 1982), pp 27-38. ⁵⁵ See Ciarán Parker, 'Paterfamilias and parentela: the Le Poer lineage in fourteenth-century Waterford', *R.I.A. Proc.*, 95 C 2 (1995), pp 93-117. ⁵⁶ *Cal. justic. rolls, Ire.*, 1305-07, p. 119. ⁵⁷ Sayles, *Affairs of Ire.*, no. 136. ⁵⁸ *Cal. justic. rolls, Ire.*, 1305-07, p. 119. ⁵⁹ Here see Gearóid Mac Niocaill, 'The interaction of laws', in

Walter son of John de Burgh, 'and certain other Englishmen of the affinity (*de affinitate*) of Richard de Burgh, earl of Ulster' were required to answer for their activities before the justiciar, it was the earl himself who was charged with the task of apprehending them.⁶⁰

Perhaps as a result of this open acknowledgement by government of the equivalence of individual and kindred, as least as far as their misdemeanours were concerned, from this point onwards one finds what can only be described as a surge in the use of plural surnames. Latin annals like those of the Dublin chronicler refer several times to the actions during the Bruce invasion of 'les Lascys', to Edward Bruce killing 'les Logans', to Ó Conchobair killing many English, including 'plures de Barrys et de Lawles', or to 'Otothiles et Obrynnes, Archibauldes et Haroldes' together attacking Wicklow, as if the latter two non-Irish kindreds are in no sense different from their partners in crime, the prominent Irish septs of Uí Tuathail and Uí Broin.⁶¹ One gets a similar feeling from reading in the same source for 1333 that 'les Bermyngehames de Carberia' took a great prey of 2000 cows from the O Connors of Offaly: since the race of neither sept is spelt out, and evidently septs are what the author intends by his use of the plural, the uninitiated could be forgiven for wondering which is the loyal English and which the Irish enemy.⁶² Friar Clyn has the same habit. His annals, with no apparent sense of irony, castigate the Anglo-Irish 'Cantitonenses' for burning the relics of the native Irish St Moling in 1323, and he reports, coincidentally, that it was on the feast of St Moling in 1349 that Fulk de la Frenè died, who is praised for having 'rooted from the land Rupenses (the Roches) and Cantonences (the Cauntetons), those oppressors of the faithful'. These septs or lineages are of English origin, but their race does not appear to be an issue.⁶³

It is quite extraordinary how closely the 1297 parliament coincides with what appears to be a watershed in terms of a conversion of attitudes within the English community in medieval Ireland. Prior to that point, a man is perceived as an individual; he will of course, no matter how high or low his status, be bound in a relationship to someone, whether as a lord or a tenant, a master or a servant, but if he is a free man he acts as an individual, and is assumed to act of his own accord. Subsequent to that point, there seems to be a real shift in attitudes. In the eyes of the law the situation may have changed little, though we have seen that here too there are occasional attempts at spreading the onus of responsibility.⁶⁴ But there is a shift, and it is a shift away from thinking in terms of individuals, and think-

Lydon (ed.), *The English in medieval Ireland*, pp 110-14. ⁶⁰ Richardson & Sayles, *Parl. & councils med. Ire.*, I, Appendix B, pp 200-01. ⁶¹ *Chartul. St Mary's, Dublin*, ii, 296, 298, 348, 349, 355. ⁶² *Chartul. St Mary's, Dublin*, ii, 378. ⁶³ Clyn, *Annals*, pp 15, 37-8. ⁶⁴ See also Hand, *English law in Ireland*, p. 203.

ing instead in terms of groups, and generally groups linked by blood. With it comes a whole new explosion in terminology. The reference in the 1297 parliamentary legislation itself to *affines* ('kindred') is an early signpost, as is that in the previous year to those described as being 'de affinitate' of the earl of Ulster. His proliferating kindred continued to cause problems, and during the Bruce invasion, the citizens of Dublin complained to the king of the damage that they had suffered at the hands of 'les cosyns et les allies le dit Counte'.⁶⁵ In the light of this it comes as no great surprise, expect perhaps to those who would view the Red Earl, because of his English upbringing, as an English aristocrat through and through, to find a Gaelic poet lamenting his death in 1326, calling the earl his friend, and claiming that he himself has abandoned his bed for grief, to lie henceforth on his dead hero's grave.⁶⁶ In 1308-9, Maurice de Caunteton is cited along with others 'de parentela sua',⁶⁷ and no doubt he is a classic example of a 'cheveteyn de lignage' envisaged by the 1304 ordinance.⁶⁸ How ironic it is to find that when Maurice and his followers 'openly put themselves at war against the King's standard' a year or so later, eighteen native Irishmen, all members of the Uí Nualláin (O Nólans), were thanked for their service to the king and his justiciar in fighting them.⁶⁹ When Roger Mortimer took action against Edward Bruce's supporters in 1317, he expelled from Ireland 'omnes de nacione et cognomine de Lacy',⁷⁰ while John de Cusack soon afterwards sought compensation for losses sustained against Bruce by him and 60 or more others 'de son surnoun et de son lignage'.⁷¹ Clyn and the so-called 'Kilkenny chronicle' tell us of the death in 1328 of William son of John Roche with 'consanguineis suis', and of Peter le Poer 'cum aliis de nacione suo'; while the latter reports the murder of John de Bermingham, earl of Louth, in the following year with about 160 'tam de nacione quam familia', and the former the killing by the le Poers in 1338 of Walter de Valle along with thirteen others 'de sanguine et familia sua'.⁷² These examples could, of course, be multiplied many times over and increase with the passing of each year, but they point to a society where bonds of family and blood are what matter, and where a great lord can no longer be considered great if he does not lead a great lineage. It is a society which has become, but only recently so, degenerate.

65 Sayles, *Affairs of Ire.*, no. 111. 66 Simms, 'Bards and barons', p. 183. 67 J.F. Lydon, 'The enrolled account of Alexander Bicknor, treasurer of Ireland, 1308-14', *Anal. Hib.*, 30 (1982), p. 31. 68 Sayles, *Affairs of Ire.*, no. 136. 69 *Cal. justic. rolls, Ire.*, 1308-14, p. 146. 70 Clyn, *Annals*, p. 13. 71 Philomena Connolly, 'Irish material in the class of Ancient Petitions (SC 8) in the Public Records Office, London', *Anal. Hib.*, 34 (1987), p. 34. I am very grateful to Dr Connolly for providing me with a copy of her own transcript of the petition (P.R.O., SC 8/99/4933). 72 Clyn, *Annals*, pp 19, 29; Robin Flower (ed.), 'The Kilkenny chronicle in Cotton MS. Vespasian B XI', *Anal. Hib.*, 2 (1931), p. 338.

The Shiring of Ireland and the 1297 Parliament

Gerard McGrath

The first act of the 1297 parliament, concerning the county of Dublin, marked the high-point in the development of a shire administration in Ireland. Kildare and Meath were the last new Irish counties to be created in the middle ages. And yet 1297 also signified the end of the expansion of a shire system in the lordship and what followed was a period of contraction. Though contemporaries would not have viewed it as such, the establishment of counties Meath and Kildare was indicative of the decline of the system of local government, a system that had functioned successfully for over a century. The period up until the mid-thirteenth century saw the extension of royal government in Ireland and the shires were the clearest representation of this. The shire was the basic unit of government, its head, the sheriff, the government's chief agent in the provinces. Without a shire administration, the government could not hope to function throughout the land of Ireland. Though new counties were established in 1297, this act did not indicate the health of the system. In fact, the reasons for their creation reveal more about the system and the beginning of its decline. But before examining this, it would be well to understand the background first.

The basis of a shire administration in Ireland was established during the reign of Henry II. In May 1177, during a council held at Oxford, Henry decided on a new scheme for the government of the lordship. His youngest son, John (then a ten-year-old boy), was given the lordship of Ireland as part of the policy Henry had applied to his other dominions. He had made arrangements for his other sons when he assigned Brittany to Geoffrey, Aquitaine to Richard, and his original patrimony of England, Normandy and Anjou to the young king Henry.¹ At the council the extent of Ireland intended to be under royal government was greatly increased.² The king confirmed previous grants of territories in Ireland and dispensed new lands in parts of the country over which he had not

1 Warren, *Henry II*, pp 108-9, 229-30. 2 Roger of Hoveden, *Chronica Rogeri de Houedene* (Rolls series, 1868), ii, 133-5. Hoveden recorded Henry II as having given Ireland to John in 1176 (*ibid.*, p. 100). He said that Henry made John king of Ireland in 1177 and that this was granted and confirmed by Pope Alexander III (*ibid.*, p. 133).