

Fíthal: A Judge in Early Irish Literature

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30th July 2011

Fíthal is an under-appreciated character in early Irish law and literature. Even though he has a law tract named after him and is referred to in various places within legal texts and works of literature, yet scholars have not given him significant attention. This article's aims are two-fold: to remedy the scholarly dearth of attention to Fíthal, and to establish Fíthal more firmly in the literary tradition than he has hitherto attained.

Having said this, it is necessary to acknowledge the previous contributions of many scholars – Roland Smith, Colin Ireland, and Liam Breatnach – to the historiography of Fíthal. These are some of the few scholars to study Fíthal in terms of early Irish law as well as literature. On the legal side, Smith demonstrated the formulaic nature of Fíthal's earliest appearance in his eponymous law tract: *Finnsruth Fíthail* which appears in the *Corpus Iuris Hibernici* (hereafter, CIH; CIH 786–789.17 and CIH 2131.1–2143.40). Breatnach covers the appearance of Fíthal in the CIH (BREATNACH 2005: 364–365). On the literature side, Colin Ireland has done admirable work in tracing Fíthal; however, there are gaps in his evidence because Fíthal was not the main concern of his thesis (IRELAND 1999: 48–53). A more comprehensive list is available in an appendix to this article.

This analysis is hampered by the scantness of primary source material as evidenced in the appendix. As with early Irish literature in general, only fragments of a larger amount of source material appear to have survived. In Fíthal's case, there are two reasons for this. Fíthal was a very specific character, with only a few restricted roles in the literature in which he appears. Unlike Cormac mac Airt or Cú Chulainn, Fíthal's power to inspire literature was always rather limited. Indeed, given the low survival rate of early texts in the modern era, it is perhaps

fortunate that we have as much as we do. Second, even after the expansion of his role by later authors, Fíthal was always primarily a judge. The law was often used by authors as a device to move the plot forward or to extricate their characters from threatening legal predicaments. The usefulness of Fíthal to authors was hence rather limited, and he was consigned, in effect, to supporting roles. He was thus unable to develop like other characters. This, in its turn, would have negative effects on his popularity within the literature.

The surviving material nevertheless contains much scope for analysis. A general methodological framework has yet to be constructed which can resolve all of the problems facing the scholar of early Irish literature. In this article, some of the theoretical and integrative approaches of other scholars are presented and a limited theory to explain the standing of Fíthal within early Irish literature is proposed. The reason why this article could not have proceeded from a theoretical starting point is instructive. The primary evidence needed to be painstakingly collected and analysed before we could legitimately turn to theoretical connections (see appendix). This is not an isolated problem, but one which affects all areas of early Irish studies. The limited theory presented below is thus based on an empirical plotting of the trajectory of Fíthal in Early Irish literature. The time has not yet come when we could proceed from a soundly based general theory to draw conclusions about the status of a character like Fíthal in early Irish literature.

1 Aspects of Fíthal's Character

The remainder of this article attempts to correlate the several aspect of Fíthal's character. This, of course, involves looking diachronically at a character who assimilated the traits of several sub-groups within the early Irish 'mandarin class' over time. In this way, his character became more undifferentiated, while not losing his fundamental quality as a judge of traditional Irish law.

It should be emphasised that the material discussed in the following sections existed solely within the realm of literature. At this time, there is not enough evidence to prove or suggest that it had any correlation with the realities of early Irish history or law (See PATTERSON 1989; PATTERSON 1991; SIMMS 2004). While this disjunction is interesting and important in general terms, it is explored here

only insofar as it sheds light on the development of the character of Fíthal. The following analysis refers only to literary aspects of early Irish culture.

1.1 Fíthal as Wisdom Figure

Fíthal is a quintessential wisdom figure and as such occupies a place which caters for one of the fundamental needs of a society. In this basic role, he brings order out of chaos through formulating rules and regulations for a socially cohesive group of people. He also embodies in his teaching an orderly, if not always safe, society. This aspect, of course, brought him up against the exercise of regulatory power by the king. The conflict is implicit in his poetic dialogue with Cormac mac Airt. In that poetic dialogue, Fíthal leans upon his traditional relationship with Cormac, threatening to leave him if he does not honour that relationship. Fíthal does this even though he is named as a hireling (*amus*) of Cormac. The confrontation presupposes that Fíthal's abandonment of Cormac would harm Cormac, so that it behoved Cormac to placate his indignant counsellor (YOCUM 2008: 137–150).

The international wisdom figures have universal themes and perceptions about human nature to convey to their charges (YOCUM 2011). By contrast, Fíthal has a narrow focus upon the law and the legal aspects of his native culture. Despite this restricted range of subject matter in the way in which Fíthal is presented as a teacher instructing a student, later identified as his son represents the primary function of almost every wisdom figure throughout history. There could be various reasons for this early specialisation of wisdom and for presenting Fíthal in this way. It would seem that unusually, Fíthal did not start out as a teacher of universal wisdom, but developed a broader remit through time, proceeding from specialisation to the universal. However, without more direct and clear evidence for the very earliest phases of Fíthal's existence as a wisdom figure, no final judgement can be ventured in regard to his wisdom trajectory.

Determining that trajectory is complicated by the question of the authorship of *Senbríathra Fíthail*. If it was composed by Flann Fína, and if Fíthal's authority as a wisdom figure was sufficiently powerful, those circumstances may have created the environment within which a redactor of the text felt that he could change its ascription. This would, of course, have been easier if the text that he was

copying lacked a title or ascription. Changing or supplying a title in this way is in keeping with conditions which prevailed for the redactor of this text. First, the typical redactor was not a mere stenographer in the early Irish tradition, but an active force within it. Second, the redactor of this text would have known of Fíthal and regarded the text as suitable to attach to Fíthal. Third, at the time of the compilation of the Book of Leinster there could have been an anti-English bias; the Anglo-Norman invasion was in the air, and attaching the text to Fíthal could have constituted a nationalistic literary protest. If this were the case, it played its part in expanding the range of the wisdom attributed to Fíthal.

Although the details of the process remain obscure, Fíthal became a wisdom figure in the widest sense. In the texts presented in the appendix Fíthal is shown in a variety of situations in which his special knowledge was available to those who asked for it. For instance, his attendance upon Cormac was forthcoming when the latter needed expert advice in regard to his dream; yet he gave this advice while maintaining his main function as judge and legal adviser to Cormac (YOCUM 2008: 85–87).

1.2 Fíthal as Literary Figure

If we may take a legal text as a work of literature (R. C. STACEY 2007: 67–74), then our earliest literary reference to Fíthal is his eponymous work, *Finnśruth Fíthail*. This text establishes two literary facts: it introduces Fíthal as a judge and instructor in the wisdom figure style; and second, it associates him with the method of legal instruction envisioned by the author as normative for the mythical jurists of early Irish law. This text contains the prime constituents of Fíthal's later literary character. In nearly all later references to him, though not yet in *Finnśruth Fíthail*, one further basic ingredient is added: he is associated with the reign of Cormac mac Airt.

The conjunction with Cormac first becomes apparent in the poetic dialogue featuring Fíthal and Cormac, which dates to the Middle Irish period (ninth to twelfth century). As the *Finnśruth Fíthail* appears to be an Old Irish text, it must have been produced first and the poetic dialogue later. If we assume that Fíthal's connection with the *Finnśruth Fíthail* is genuinely early, then we can postulate an

early stage in which, Fíthal was little noticed outside the legal community. This degree of compartmentalisation would have implications for our understanding of early Irish education, though this need not concern the present discussion. By the time the poetic dialogue was produced, Fíthal had come to the attention of the *literati* more generally and the connection between Fíthal and Cormac gelled – perhaps simultaneously – in the minds of the early Irish scholastic community. From this moment, at the latest, Fíthal became a literary character. Interestingly, the poetic dialogue in its oldest form appears without a prologue or explanatory material of any sort, even though there is no explanation in the dialogue itself of the position of Fíthal in relation to Cormac. Presumably, some knowledge of Fíthal, outside the legal community, was assumed by the scribe of the Book of Leinster. In any event, the poetic dialogue brought Fíthal to a wider audience and gave him a new locus, in which juristic eminence was expanded into a wisdom role, but the wisdom was delimited by Fíthal's co-existence with Cormac, the paradigmatic wise king.

After the writing of the poetic dialogue and the establishment of Fíthal as a judge, authors deployed him for a variety of purposes. In the Fenian tradition, he was used to restore order when the heroes of the story broken the law. Dramatically, he allowed the author to extricate the Fenian heroes from legal impasses, so as to move the plot forward or to conclude the story. Elsewhere, he was used variously: to explain the mysteries of dreams, to write down history and law, to instruct his son on choosing a wife, or to tell his son four actions not to take. Colin Ireland has stated that these literary functions outside the Fenian tradition are passive in comparison with the more active roles of other characters in the same stories (IRELAND 1999: 48). While this is true, it must be remembered that it is not the role of a wisdom figure to take action. The wisdom figure's role is to pass on wisdom to others, who then act (or do not act) on his advice, in accordance with the needs of the plot of the story in which he appears. Thus, it is not Fíthal's function to take the initiative, except as an enabling figure, who helps the main character to achieve his goals. The most instructive tale from this point of view is the *Decision as to Cormac's Sword*, where Fíthal is an accomplice to Socht's plan to regain his father's sword. While the plot of this narrative raises other considerations, such as conflict of interest, we can see that in strategic terms Fíthal fulfilled

roles both as a character – as Socht’s father – and as a wisdom figure who helps the plot to move toward its conclusion by advising the main character as to what course to take. Other more ‘active’ roles for Fíthal were shown in connection with the story of the loss of Cormac’s eye (YOCUM 2008: 107-111). These complement the more passive roles played by Fíthal in some other texts where he is more of a cipher.

A few of the references to Fíthal speak obliquely about his role in the court of Cormac. The focus of most of these references is on Cormac’s role as the High King of Ireland during the golden age of his reign. For instance, in *Forbuis Droma Damhghaire* Fíthal is mentioned just once, and this is in reference to his role as Cormac’s helper in establishing good rule in Ireland. The reference has more significance for Cormac’s role as an ideal king than for Fíthal’s role as a wisdom figure. These references use Fíthal’s authority as judge and jurist to certify Cormac’s role as king and wisdom figure. It seems that in these circumstances Cormac himself is not thought of as the author of these texts, but he clearly supplies a favourable context within which wisdom figures like Fíthal can do their work. Typically, they act in conjunction with the nobles of Ireland to determine of what the law and other traditional subjects should consist.

All of these references testify to an essential vision of Fíthal developed by the authors of the later period. His character, once created, was adapted over time from the important but humble jurist and wisdom figure of the early legal tradition to the judge of the High King Cormac mac Airt. From that point onward Fíthal would remain an important but elusive figure, in the background of the action whenever Cormac mac Airt appeared in a story. This vision of Fíthal is remarkably stable over time. Only three major modifications of the character of Fíthal were introduced over the centuries. First, *Acallam na Senórach* and the *Dunanair Finn* revision added a little to Fíthal’s character, while linking him with Finn and a druidess. Second, the story by Keating about Fíthal’s deathbed advice to his son casts Fíthal as a generic wisdom figure, blurring the more specialised juristic aspect of his wisdom. Third, it looks as though Fíthal had changed from a judge to a poet in the source of MacPherson’s Ossianic reference to him.

1.3 Fíthal as Judge

By any standard, Fíthal was one of the preeminent judges in the mythology of early Irish law. According to tradition, he personally compiled one of the more important law tracts, *Aí Emnach*, which promulgated the rules of procedure within the early Irish court system as understood by the historic early Irish jurists. Unfortunately for modern scholars, only two fragments of this potentially valuable legal explanation of procedure survive today, and their contents and relation to actual procedure are largely unknown. The other text that directly concerns Fíthal was a text purportedly dictated by him to his son, i. e. *Finnśruth Fíthail*. While the wisdom aspects of this text have already been discussed, the *Finnśruth Fíthail* itself is a legal text concerned wholly with legal topics whose interest and challenges lie within the domain of students of the law. Scholars are fortunate that parts of the text of *Finnśruth Fíthail* have survived the ravages of time. Hopefully, a new and fuller edition of the text will be forthcoming in the future to solve the textual problems and supply a modern commentary upon the text. Hopefully, this in its turn will help illuminate Fíthal's role in the legal mythology.

Two texts provided complementary testimony to Fíthal's role as a judge and jurist. The first, *Aí Emnach*, presents Fíthal as the tradition-bearer and codifier of early Irish law. The second, *Finnśruth Fíthail*, commemorates an act of wisdom and education but is primarily concerned with the interpretation of early Irish law. We may justly envision him as a preeminent early Irish jurist and theoretician of early Irish law. We have texts attributed to, and recorded sayings of Fíthal, yet there is still a large gap between the legal figure and his literary manifestations. Early Irish legal texts tend, with only a few exceptions, to be tightly constrained texts which explain the law and precious little else (BREATNACH 2005: 370–372).

In the literary references to Fíthal, we have seen how he plays the role of judge to High King Cormac mac Airt during the golden age of Cormac's rule. In this capacity, he sometimes uses his legal expertise to make peace when disputes arise in the contexts within which he appears. This shows Fíthal as a peace maker. He is not beyond a bit of duplicity in his dealings but he always seems to have the interests of peace at heart. As indicated above, the nature of early Irish law may have played a part in shaping this aspect of Fíthal. According to Robin Stacey,

one of the goals of early Irish law was to maintain correct and harmonious social relations (R. C. STACEY 1991). This was a difficult task, since disputes as envisioned by early Irish law and its jurists were resolved by hiring a judge to settle the dispute (KELLY 1988: 53). Viewed in this light, judges were hired arbitrators who could not enjoin disputants to settle by reference to a more powerful third party. Even if the judge had been hired by the disputants, there was no way for the judge to enforce his judgement. The law envisions that the judge who was hired would have to place a valuable possession in jeopardy, over and above his payment. This was supposed to pressurise him to come to the correct legal conclusion; but this might not stop a disgruntled party in a dispute from attempting to enforce his own judgement perforce. These circumstances could cause judges to pursue a policy of appeasement or to attempt to find middle ground, so that both parties to a conflict could feel that they had been heard and had obtained satisfaction from the proceedings. In an earlier formulation of the law, the powerful third party could have been a magico-religious figure (PATTERSON 1994: 43–48). For instance, a few of the law tracts have the names of mythological figures or pre-Christian deities attached to them (e.g. *Bretha Déin Chécht*). While this may have been the case, the way in which Fíthal is presented in his role as judge in the literature is as a peace-maker, attempting to occupy a middle ground and promote conciliation. But whether this view of a judge had any applicability outside the literary context is still extremely unclear.

While there is a dearth of evidence with which to fill in the details, a general outline of Fíthal as a judge emerges from this discussion of the factors which help define him. Conceivably, further aspects of Fíthal's contribution to early Irish law will become clear through more detailed understanding of the texts which surround him, especially *Finn'sruth Fíthail*. The hints of his role as a peacemaker could contribute to debate about the actual role of jurists in early Irish society.

1.4 Fíthal Compared to Other Mythological Figures

There are few other mythological wisdom figures in the early Irish tradition to compare with Fíthal. The most obvious comparison is with the famous early Irish judge, Morann. In fact, when James MacPherson paired the two characters in his

Temora, he was asserting a tie that might have occurred to anyone with knowledge of early Irish literature. However, two other characters also show points of comparison: Fintan, who appears beside Fíthal on two occasions; and Sencha, the page adviser to Conchobar, King of Ulster, in the *Táin Bó Cúailnge*.

Morann, who is also described as a judge of early Irish law, is most famous for his *audacht* 'bequest' in which he instructs a young king on kingship from his deathbed (See KELLY 1976. For commentary, see also HENRY 1982). In another text about him, he has a special collar which tightens when he speaks a false judgement and loosens when he speaks a true judgement (STOKES and WINDISCH 1900: vol. 3, pp. 189–191, 206–209). He also appears in several sections of *Bretha Nemed Dédenach* and *Bretha Nemed Toísech*, in which he gives legal instruction to his pupil Neire (BREATNACH 2005: 366).

These texts show Morann as a comparable figure when placed alongside Fíthal. They both appear in a teacher/student relation with an interlocutor. They both have stories which place them in relation to mythological personages. They both appear in late sources, namely Geoffrey Keating and James MacPherson, albeit in forms which distance them from their traditional roles. Given their points of similarity, one might be tempted to analyse the two figures as reflections of one prototypical mythological Irish judge. Certainly, the similarity of the two characters is suggestive. Additionally, both characters often play a supporting role to another, more active characters in the tales which mention them. This supports the idea that there may have been a view among the authors of early Irish literature that judges were 'bit players' to be deployed to support and expedite the actions of the main characters. However, a more extensive study of the ways in which the legal world was portrayed in the literature of early Ireland would need to be completed before any more could be deduced from this idea.

Morann and Fíthal are the only two judges who have more than a fleeting presence in early Irish literature. As to their status, they are literary depictions of judges or, perhaps, manifestations of the law in early Irish literature. At this level, judges are first and foremost wise men, knowledgeable jurists, and peacemakers. If Robin Stacey's theory of early Irish law as a reflection of the need for social harmony and orderly social relations is correct, this could be a literary expression of this position (R. C. STACEY 1991). However, co-ordinating legal, lit-

erary and historical information available for early Irish society, while interesting in theory is not a practical proposition. Finally, when James MacPherson made an association between Fíthal and Morann, he may, unwittingly, have been onto something; these two characters seem to mirror each other in some ways in the literature.

Comparing Fíthal with Fintan is less productive than comparing him with Morann. Both Fíthal and Fintan appear together only once, in the context of the writing of the *Saltair Cormaic*. Fintan is a better-known character than Fíthal and appears in various stories, especially as a symbol for the continuity of Irish tradition, since he was supposed to have lived from before the Biblical Flood until the conversion to Christianity (NAGY 1997: 4–7). Fintan was not a wise man as such, merely a long-lived one. However, it seems from the story which introduces Fíthal and Fintan together that he was well acquainted with Irish law as well as Irish history. This story is also the one in which Fíthal added historical knowledge to his portfolio. It is interesting to speculate that Fíthal and Fintan may have been brought together thus for the purpose of giving Fíthal this attribute. For in essence, Fintan taught Fíthal about Irish history.

The last character to merit examination beside Fíthal in an analytical or comparative sense is Conchobar's adviser, Sencha (HOLLO 2007). This comparison is also less productive than the one with Morann, but it usefully highlights Fíthal's role as a peacemaker, and his eloquence. One of Fíthal's descriptive epithets is *féigbriathrach*, 'keen-worded', which duly emphasises Fíthal's power with words. The other relevant aspect of Fíthal is the fact that he pacifies hosts. Sencha demonstrates both qualities. But while Fíthal's authority is based on knowledge of the law, Sencha's seems to stem from his skill at analysing social and personal issues and steering people to practical solutions. While eloquence in a general sense is an integral part of the wisdom figure's image, the ways in which the two characters use words do not bear close comparison. Legal eloquence is very different from other forms of eloquence. However, there is one point of correspondence: the public performance of a man of letters declaiming and the public performance of a judge giving judgement. In both cases eloquence, in the sense of speaking well, would be expected as part of the performance, and would help to bring about a stage of order in society, whether the existing disorder took the form of a person-

ality clash or a legal issue.

This functional relationship may point to a reason for Fíthal's accumulation of different traits. The connection of eloquence with peace and peacemakers is a common theme in early Irish literature (see, for example, Fergus Truelips; YOCUM 2008: 76–79). It is not the warriors who make fine speeches, but those who counsel against violence. While eloquence does not stop violence from occurring in early Irish literature, the power to advise peace and harmony is a prized attribute. We may also cite the story of how the poets abused their verbal powers in a court case and lost their privilege of keeping the laws of Ireland. While this story may be a retrospective explanation of why poets were not also judges of Irish law, it highlights the main point of contact of poets and judges, namely speech. In the speech act, both judge and poet fulfil their prime function differing only in their modes of communication. Although the earliest texts show Fíthal only as a legal figure, his reliance on verbal, public skills to deliver judgements meant that he shared a great deal with the poet. If current thinking on the subject is correct, the education of lawyers, especially in the early medieval period, was essentially what could be considered, in modern terminology, 'interdisciplinary'; those who were studying the law were also studying poetic composition (Ó CRÓINÍN 1995: 189–195). So while the dialogue between Cormac and Fíthal has meaning at a literal and at a mytho-poetic level, it also casually exemplifies a truth about the cultural set-up in early Irish literature and life: both king and judge use verse when matters of importance are required to be said.

No literary character lives in a vacuum. While Fíthal's historical background lies in an international wisdom-figure context, comparing and contrasting him with certain other figures in early Irish literature is a productive activity. In this, Fíthal's similarity to Morann is the most striking. As we have seen, they share traits in both legal and literary contexts. Both were law-givers and both were literary-mythical personalities, and their traits and attributes were effectively the same. Fíthal's other characteristics built up through a slow aggregation of traits assigned to him by early Irish authors who seemed to want to make those wise and learned custodians of tradition look increasingly homogeneous, and simultaneously more like either themselves or an idealised version of themselves. The connections explored in this section help to reveal this tendency in early Irish

authors.

2 Fíthal in a Theoretical Context

The foundation is now present for a discussion of the differing theoretical frameworks which may help to explain the character of Fíthal in a broader sense. This particular discussion was deferred until all the relevant pieces of information could be collected, arranged, and described. On this basis we may hope to approach the fundamental question of what the significance of Fíthal in the early Irish tradition may be, beyond his particular manifestations in the literature.

Within early Irish studies, there are two main explanatory models: the ‘nativist’ and the ‘Eurocentrist’. These two groups grew out of the sense that early Irish literature had connections deeper and wider than might initially appear. The earlier of the two approaches, the ‘nativist’, attempted to identify a symbological structure which could be explained in terms of an Indo-European heritage. The second approach grew out of a sense that the literature was rooted in a common European Latin culture of the Middle Ages.

A caveat is necessary here before continuing. As explained in the introduction, we take no particular theoretical position. Each of the two models to be presented has insights to commend it and contains a measure of ‘truth’. As a consequence, we shall proceed by incorporating those portions of each theory which most readily explain the issue under discussion. The resulting picture is ours, and we should not be labelled as a proponent of one theory over the other.

2.1 Ireland’s Indo-European Heritage

Before examining the nativists’ theoretical position in detail, it is useful to explain the super-structure which forms a critical part of their point of view. Whatever the total linguistic make-up may have been in early Ireland of the fifth to ninth century, the literary language of the island was Old Irish, which derives from an unrepresented Insular-Celtic stage of language, which gives rise also to Welsh, Cornish, Breton, Manx, and Scots Gaelic (McCONE 2005: 1–4). Further back, it shares a common ancestor with Gaulish, termed Proto-Celtic. Proto-Celtic shares

with almost all the European languages a common ancestor called Proto-Indo-European. In recent linguistic research using computer technology, Old Irish has tentatively been identified as the language close to Proto-Indo-European in character and word usage (TRASK 1996: 361–370).

In the early twentieth century, nativists argued that the densely symbol-rich quality of early Irish literature was due to its essentially pre-Christian nature. This view was combined with the linguistic research of the time to construct the argument that the early Irish preserved a consummately conservative culture which naturally resisted change in any form. The postulated conservatism of early Irish literature was used to argue that any Christian symbolism contained in it was a light coating over the substantial (and more interesting) pre-Christian strata of literary remains.

A major breakthrough came about through the dissemination of the theories of Georges Dumézil, who argued that for there to be a language, there must also be a culture (LITTLETON 1966: 131). This basic premise became an axiom that determined the direction of his later thoughts on the reconstruction of Proto-Indo-European religion, which he sought to recover from the mythology of those cultures which gave rise to Indo-European languages. Another basic premise which is apparent in this argument and became axiomatic in Dumézil's thought is that religion is inherently conservative. The significance of this is that it allows one to postulate that there should be traces of the original religious thought-world, sufficiently coherent for reconstruction to be possible in the extant religious and non-religious texts of pre-Christian Europe. Working with these two axioms, Dumézil studied the literatures of the early historical cultures of Europe in an attempt to reconstruct the mytho-religious thought-world of the Proto-Indo-Europeans. The most famous result of these researches is the tripartite theory of Indo-European culture (LITTLETON 1966: 99–139).

The tripartite theory postulates that there were three social groups, known as functions, in Indo-European society. The first function comprised the guardians of the religious mysteries and encompassed all cognitive activity. The second function comprised the warriors or vitally active ones. The third function encompassed fecundity and also included food producers. These three functions were reflected in the gods and goddesses (reserved for special consideration below) of

the pagan cultures of Europe, Iran, and India.

After Dumézil postulated (or recognised) the tri-partite nature of Indo-European society, a few problems arose. At first, he placed goddesses entirely within the third function, which restricted the places in which they could appear in resultant cultures. However, other scholars began to find goddesses in more varied roles than the theory allowed. This caused Dumézil to re-evaluate the position of goddesses in the tripartite scheme. He finally decided that they did not fit in any one function but were trans-functional. For example, Athena burst from Zeus' head, fully formed and was dressed in full warrior's equipment. In a myth about the founding of Athens, Athena planted an olive tree there during a contest with Poseidon to determine who should be the patron deity of Athens. These accounts show Athena representing all three functions. An additional problem concerned the position of kings within the tripartite structure. Early in the evolution of Dumézil's theory, kings occupied the first function role as religious figures, the men between Heaven and Earth. However, numerous examples of mythical kings performing second and third function activities in addition to their first function role were pointed out. Again, a compromise was made: kings were recast as trans-functional figures (BELIER 1991: 217–227).

As with kings and goddesses, Dumézil continually changed and revised other details of his theory as his thinking progressed. His books exist in multiple editions, and one has to have the latest editions in order to understand the theory as it stood at the end of his life. This continual revisionist activity was partly a response to other scholars, who saw that this theory could be of value in their own work, and who expanded and developed it further. This process in its turn has helped the properly linguistic term Proto-Indo-European be extended to the study of Indo-European culture.

As indicated, the tripartite theory has had its critics, and has not been given serious consideration by disciplines such as Ancient History, the Classics, and Scandinavian Studies. John Brough mounted a major challenge to the theory when he claimed that the number three was so universal a motif that a specifically Indo-European tripartite ideology was incapable of being proved or disproved. He used the Biblical references to support his claims (BROUGH 1959). This attack was taken by the Dumézilians as inconclusive and did not deter them from their theorising

(LITTLETON 1966: 188–191). Other serious challenges to the theory have been or could yet be mounted, but the silence on the part of other disciplines in regard to this theory suggests a degree of scepticism on the part of some scholars. Recently, it may be added, some scholars have criticised Dumézil, not for his scholarship but for his alleged ultra-right-wing politics (LINCOLN 1998).

This has not stopped other theorists from expanding on the tripartite theory. A fourth function, which focuses on an ‘Otherness’, has been proposed (ALLEN 1996). An Indo-European calendrical system has been worked out, under the heading of traditional cosmology (LYLE 1990). The idea of taking the *Männerbund* as an age-graded division within the tripartite ideology has also been proposed (McCONE 1990: 205–214). Other scholars have added a refinement to the theory by stating that the third function was subordinate to the other two (BELIER 1991: 177–197).

The foregoing summary does not do full justice to the breadth of study and the linguistic reach of the scholars who are involved in the continuation of Dumézil’s theory. Ireland is not particularly prominent in their discussions of the reconstruction of the Indo-European thought-world. Celtic evidence was considered by Dumézil in his early research. In the Gaulish record, he was able to identify a set of gods to fit his system, but he felt that the Irish evidence was unhelpful (SAYERS 1996: 156–157). Subsequent research and the publication of fuller information regarding early Irish literature has firmed the Celtic contribution to the tripartite theory. However, the Irish evidence still contains problems for Dumézilian scholars who seek to interpret it (BELIER 1991: 50).

To return to the ‘nativist’ stance in early Irish scholarship, while there are difficulties in interpreting the Irish evidence in this light ‘nativists’ tend to utilise the tripartite theory of Dumézil as a justification for considering early Irish literature as a manifestation of the Indo-European thought-world, and viewing the Christian influence as a thin overlay on top of a bedrock of pre-Christian symbolism. Outside the realm of literature, evidence has been adduced from early Irish law to demonstrate the strict conservatism of the early Irish jurists in the face of the changes that the adoption of Christianity brought to the island (BINCHY 1959).

2.2 Ireland's European Connection

While the 'nativist' conception of early Irish literature was in vogue from the turn of the twentieth century until the mid-twentieth century, an alternative view of early Irish literature was also beginning to develop. On this view, developments in continental Europe and connections brought by Christianity to Ireland were the major sources of influence; in short, this was a 'Eurocentrist' point of view. James Carney, surveying the analogues for motifs found in early Irish literature theorised a recent or contemporary continental European origin for these motifs (CARNEY 1955: 276–323). He did not accept the 'nativist' view of the archaic nature of early Irish literature (CARNEY 1955: 1–65). The 'nativist' conception, however, remained as the leading interpretative framework for the study of early Irish literature, despite Carney's strictures.

Eventually, it was early Irish law that gave rise to the development of fresh thinking about early Irish literature. The 'Eurocentric' model was given a fresh impetus by the seminal article, 'The Laws of the Irish', in which Donnchadh Ó Corráin, Liam Breatnach, and Aidan Breen demonstrated that the supposedly conservative early Irish jurists had translated entire sentences of Latin into Old Irish and embedded them in centrally important law tracts (Ó CORRÁIN, BREATNACH, and BREEN 1984). This identification of Christian ideas in the allegedly archaic law tracts gave incontrovertible evidence for the European connection to Irish culture. Subsequent research has shown more importations and influences of Canon Law in early Irish law (Ó CORRÁIN 2002; BREATNACH 1986; BREATNACH 1984). For instance, the law tract *Bretha im Gatta* shows strong biblical influence, especially from the Old Testament (KELLY 1988: 147–149).

While a comprehensive account has not yet been enunciated, it is clear that this dimension was seriously underplayed by the 'nativists'. A brief outline of the 'Eurocentric' train of thought underline this fact. The discovery of strong Christian influences on native law and literature in Ireland points to a considerable flow of information into Ireland from continental Europe. Given the fact that Irish scholars were sent to the Continent to study the new religion and returned home with the fruits of Latin Christendom, such influence was unsurprising, indeed unavoidable (Ó CRÓINÍN 1995: 171–181). Another factor to be considered is

the fact that the skill of writing was only available in the churches and monasteries in medieval Ireland, as indeed was the case across Europe. The production of manuscripts and literary artifacts in Ireland was thus subject to the filter of Christian interpretation, and open to influence or change in accordance with Christian ideology.

The 'nativist' interpretation did not expressly deny the existence of Christian interpretation, of course, but it certainly tended to minimise its impact upon the literature. In the 'Eurocentric' model, on the other hand, the Christian influence is pervasive and subtle. On this view, the dense symbological structure of early Irish literature was a direct reflection of the Christian world-view. The gods and heroes of the past had been recycled to answer the needs of the newly converted. This 'recycling' activity was the conscious policy of the Roman church in the Middle Ages. It allowed for the faster spread of Christianity on the fringes of the Roman Empire because it allowed converts to feel more comfortable with their conversion (For Pope Gregory's change in conversion policy among the English, see RICHARDS 1980: 245–250 and MARKUS 1997: 177–187). In the implementation of this conversion strategy in Europe, Irish churchmen played a full part, and it would be odd if they had not applied the same teachings in their own country, before using them in other parts of Europe, in missions into the European hinterland. As it happened, the policy itself had mixed results, for paganism remained a stubborn problem that required the use of force to eradicate it. For instance, Charlemagne's systematic forced conversions of the Saxons illustrates the continuing influence of paganism in the face of Church policy (BROWN 1996: 6, 267–268, 290). Even in Ireland, all the indications are that full conversion took over a century to complete (CHARLES-EDWARDS 2000: 182–202. See also Ó CRÓINÍN 1995: 14–40). Such a prolonged period of ideological imperialism and resistance is by no means incompatible with the emergence of early Irish literature as we find it, and as explained by the 'Eurocentrist' model.

The 'Eurocentric' model ultimately seeks to align Ireland with the rest of Europe by identifying changes that were happening on the continent as the cause of similar changes in Ireland. One may make the observation at this point that that was also the goal of the synchronists of medieval Ireland, when they constructed an artificial history to bring Ireland's distant past into line with the known his-

tory of the ancient world (For a concrete example, see the Irish World Chronicle, MILLER 1991). While those modern scholars who present evidence in terms of the 'Eurocentric' model use careful textual and argumentative techniques to achieve their goals, the early Irish synchronists were not so constrained. But the synchronists' aim of 'europeanising' prehistoric Ireland is easier to understand if it emanated from minds that experience the present, and envisioned the more recent past, in similar ways.

Ireland's connection to the rest of Europe is not in doubt. When seen from a Mediterranean perspective, Ireland looks as if it is on the fringes of Europe. However, archaeological evidence demonstrates that Ireland has always been connected to Europe through trade. These connections, dating back to the Neolithic and Bronze Ages, would not have been terminated by a change in societal structure or religion. In the 'Eurocentric' model, the connections between Ireland and the rest of Europe were a driving force for societal change in early Ireland, in the early Middle Ages no less than previously and in subsequent times.

2.3 Other Theoretical Positions

While the 'nativist' and the 'Eurocentric' models of early Ireland have dominated the scholarly landscape within the discipline for much of the twentieth century, there have been other, less well-known theories about the origins and function of early Irish literature. Many of these are not worth scholarly attention, but there are two, associated with well-known scholars, which have merit and are worth discussing in the present context. One was proposed by the French scholar, M.-L. Sjoestedt (M.-L. SJOESTEDT 1994), and the other by H. R. Ellis Davidson (DAVIDSON 1993).

The theory of early Irish mythology set out by Sjoestedt was founded on the continual insistence of the authors of the myths upon the skills of the Tuatha Dé Danann (M.-L. SJOESTEDT 1994). The major characters in the founding myths of Ireland are all associated, not with natural phenomena but with various skills which are specific to each. What made them gods was not, strictly, a form of supernatural activity but the fact that they were supernaturally endowed in a certain skill or skills. Sjoestedt's theory did not deny that Ireland had an Indo-European

linguistic inheritance, but attempted to discern the principles of prehistoric Irish mythology by working back from such texts as *Cath Maige Tuired* rather than starting from the reconstructions of Indo-European or universal theories of religion.

This theory of early Irish myth did not seem to gain support at the time of publication (Paris, 1940) though the enthusiastic support of Irish Indo-Europeanist Myles Dillon led to an English translation appearing (London, 1949). At that time, the late Victorian grand theories of mythology were still influential – e. g. ‘king as sacrifice’ theory, as proposed by James Frazer in *The Golden Bough*, was still prevalent in popular and even scholarly discourse (FRAZER 1890). After its initial proposal, Sjoestedt’s theory of the Irish gods was not expanded upon by other scholars, but her recognition that the focus of early Irish myths about gods emphasised the supernatural skill level of the main protagonists is important and deserves to be remembered.

The theory of H. R. Ellis Davidson is based on a painstaking study of Celtic and Germanic material (DAVIDSON 1993: 1–10). She determines that in these cultures there was a common superstructure of heavenly gods who were mediated through the person of the king. This involved a ritual year with feasts in honour of the gods, in which the king played a pivotal role. The former presence of those gods is echoed by dispersed traditions of land spirits and local deities having a relationship with the Otherworld (DAVIDSON 1993: 142–143). The explanatory power of this theory is rather limited, which could be a reason for its limited adoption in the scholarly literature. It is mentioned here because it offers an explanatory framework for Irish mythology that is reconstructed on historical-comparative principles, but with a relatively localised Celtic-Germanic starting-point.

In keeping with the general tone of Davidson’s theory, she downplays the importance of the known Indo-European deity names. These reconstructions do indeed connect the Indo-Europeans and their descendants, but Davidson downplays this fact to focus on the intermediate Celto-Germanic stage. The explanation for this emphasis is her recognition that the inherited gods of the Indo-Europeans may have lived on in name only, while their personalities and functions changed over time to meet the needs of the people who worshipped them (DAVIDSON 1993:

152-155).

2.4 Discussion of Theoretical Positions

The differing theoretical positions described above attempt to understand and explain the semiotics and symbology of early Irish literature. The ‘nativists’ seem to believe that this literature reflects the autochthonous theology and mythopoeia of the early Irish, handed down in recognisable form from the pre-Christian past and carried forward into the Christian era by a conservative class of professional *literati*. The ‘Eurocentrists’ seem to believe that the pre-Christian past became inaccessible because of the massive and systemic changes in early Irish society brought by the introduction of Christianity. According to this view, these changes entailed an irreversible recasting of vernacular literature and the importation of a strong Christian filter. One contributory cause of this may have been the Roman church’s policy of appropriating elements of a pagan system to ease the conversion of pagan peoples. Other accounts of the status of early Irish literature tend to assume a greater or lesser degree of continuity for pre-Christian ideas within the Christianised culture of early medieval Ireland.

Ultimately, the ‘nativist’ and ‘Eurocentric’ theories disagree over the level of survival of pre-Christian thought and the degree of impact of that thought upon the Christian monks who wrote the bulk of early Irish literature. While evidence for both survival and replacement can be adduced by modern scholars, determining the importance of pre-Christian survivals within the literature of early medieval Ireland is a matter of personal judgement and, to some extent, of scholarly temperament. The polarised arguments of ‘nativists’ and their opponents have settled down recently. Fresh evidence can still be brought into play and, our opinion, this will tend to create scholarly consensus. As things are, however, both ‘nativist’ and ‘Eurocentric’ positions have serious weaknesses that need to be discussed before we can turn to a discussion at the theoretical level of how Fíthal fits.

H. R. Ellis Davidson does not take issue with the ‘nativist’ position as such, but she does find fault with Dumézil’s version of it. Because her theory foregrounds Germanic and Celtic sources, she is less concerned with Indo-European connec-

tions. Her main argument concerns the shifting functions of individual gods. For instance, in regard to Odin and Thor, while Odin was undeniably a god of kings, he also presents some of the aspects of the warrior. Thor, on the other hand, who as the guardian of Asgard was predominantly affiliated with warriors, was also the protector of law and order. These two gods mix Dumézil's first and second functions in an inextricable way (DAVIDSON 1993: 153–155).

Ellis Davidson's critique highlights the uncertainties of linguistic reconstruction when one attempts to move from form to meaning in a metaphorically charged word-field (TRASK 1996: 228–231). Whereas phonological and morphological prehistory can be reconstructed to a certain degree, when this type of analysis is attempted in a religious context, in both theory and practice, the semantic range of words shifts in less predictable ways; and etymologically based reconstruction in a religious context is not as valuable an activity as it may seem at first (TRASK 1996: 345–350). Additionally, philological analysis of the etymology of gods' names is constrained by the high degree of variability in the functions of individual gods in different locations. One of the two axioms of Dumézil's theory is the inherently conservative nature of religion. But this purported axiom assumes a degree of institutionalisation in early peoples that may be a modern fiction. Moreover, such interpretations of the soul of early gods are likely to trivialise the emotional and metaphorical nature of religion when attempting to reconstruct the religious life of early peoples and their relationship with their deities.

Another approach which runs into similar difficulties is that which 'explains' religion purely in terms of control and power. This is implicit in 'nativist' accounts which draw on the theories of Dumézil who drew early inspiration, as he himself acknowledges, from the work of Emile Durkheim. One of the tenets of Durkheim, which has become an unremarked axiom of the social sciences today, was that religion is a system of symbols which correlates to the use of power in the secular world (GREGORY 2006: 139–143). In essence, according to Durkheim, religion had no connection with any supernatural world and operated only within the emotional and superstitious world of man. He explicitly denied the ability of a priest of a religion to believe in supernatural aspects of that religion. To him, a priest or elite religious leader manipulates the symbols of religion only to control his followers. In the final analysis, according to Durkheim, power and control are

the only ends of religion. In Dumézil's early writings he claimed to have reconstructed Proto-Indo-European society using Durkheim's methods, creating what Brad S. Gregory calls a 'secular confessional history' (GREGORY 2006: 136). Later, he moderated some of his claims, but continued to maintain that the Proto-Indo-Europeans projected their society on their gods, the study of whom thus gives us a direct link to their religion and their society (BELIER 1991: 230–231). But this position claims to reach what is unreachable, namely the experience of the Proto-Indo-Europeans. And by imposing modern terms on their religion – creating a 'secular confessional history' for the speakers of Proto-Indo-European – it inevitably devalues that religion. This limitation in the theorising of Dumézil and his followers needs to be kept in mind when discussing early Irish literature as a possible reflection of prehistoric religious understanding since there are no Proto-Indo-European speakers around to testify to their experience of the metaphysical world.

It may be an intellectually stimulating activity to bring social theories to bear on Indo-European society and religion. In fact this may reveal important aspects of the Indo-European thought-world. However, the theories themselves need to be seen for what they are and treated with caution by anyone who approaches the mythological dimension in early Irish literature, for fear of logical circularity or impoverishment of understanding.

At the same time, a caution should be voiced against over-enthusiastic or doctrinaire use of the 'Eurocentric' model. For instance, the early Irish emphasis on the Bible may reflect not just attempts to be more Christian than anyone else, or a search for a purer form of Christianity than anyone else's; and the special emphasis on the Old Testament may have been because the Irish *literati* felt themselves more fully at home within the movements of the tribes of the ancient Hebrews than in the more cosmopolitan world of the New Testament. (This would have been especially true before the Viking incursions into Ireland and the construction of trading ports along the coast.) But the Irish wisdom literature, while indubitably influenced by Old Testament literature, had, at its core, an Irish content that does not find expression elsewhere in Europe. This evident fact argues against a simple interpretation of early Irish literature as merely a reflection of Old Testament thought and conditions (McCONE 1990: 82–83).

The pattern of interaction between Ireland and Europe is still a developing field, and more will definitely come to light in the future. The danger is that what is distinctive about Ireland in the early Middle Ages may become lost in enthusiasm for new connections discovered, and the climate of scholarly opinion may shift as a result. This natural tendency needs to be tempered by the realisation that, while Irish ties to Europe were pervasive and strong (e. g. with networks of monks in most of Western Europe by the high Middle Ages), exotic innovations were filtered through a native understanding of Christianity (O'LOUGHLIN 2002; O'LOUGHLIN 2000). European influence in Ireland was at its height during the reforms of the twelfth century (BRACKEN 2006). At that time the filter provided in the early Middle Ages by native learned classes who resided in the monasteries was overthrown. This ended what, by that time, had become an ancient compromise between the native learned classes and Christian missionaries; now the learned classes returned to their roots as direct clients of kings and nobility. The removal of this native filtration system allowed orthodoxy within the Irish Church to grow. This is not to suggest that those within the early Medieval monasteries were crypto-pagans, as there is no evidence of that and much to contradict it (BYRNE 1973: 13). However, it would seem that distinctive Irish content commingled with those parts of Christianity that resonated most with their sense of reality. As indicated above, the movements of the tribes of the ancient Hebrews would have fitted very naturally onto the tribal, yet integrated, world-view of the early Irish. In many ways, they may have seen themselves as reflections of those ancient people. In the life of Christ, they may have seen their ultimate salvation; and such notions as the one that Patrick would judge the Irish on Doomsday, suggest that they aspired, like the Jews to have their own saviour. This parallelism can also be seen in the way that Irish *literati* were stimulated by the World Chronicle to the writing of their own history (MILLER 1991) and to integrate the resulting synthetic history into their poetry and literature (CHARLES-EDWARDS 2006). The synchronists attempted to place prehistoric Ireland within ancient European and Near Eastern history and link themselves to these wider traditions. But at the same time native Irish narrative themes, motivating patterns and mythological characters were integrated within the synthetic history, which in its turn became part of the 'given' background for early Irish literature. This complex, two-way

activity demonstrates that the Irish *literati* were deeply in touch with their native literary tradition and inspired to interweave it with learning of the Church as they entered the community of faith.

Recognising the different intellectual and disciplinary starting points and objections of the several theoretical approaches which attempt to explain the place of early Irish literature in its wider context allows us to understand that one does not have to follow any one theory exclusively. Each of the theories presented above, whether its perspective is diachronic or synchronic, has its merits and its own explanatory power. To evaluate the standing of a given section of the literature, as we have to do now, we are entitled to be eclectic if necessary, and to apply the pragmatic criterion of practical applicability. The complex native-exotic consistency of the material demands no less open-minded an approach.

2.5 Fíthal's Theoretical Position

Which of the theoretical approaches described above is best able to find a place for Fíthal? It is helpful to proceed by scrutinising Fíthal through the lens of each of the differing theories described and critiqued above. We may then describe how Fíthal fits within each of the theories and with what results (Fíthal may be assessed in modern scholarly terms) before presenting our own assessment based on the eclectic principle enumerated above.

To begin with the 'nativist' theoretical construct, Fíthal is definitely a first function figure according to the Dumézil's reconstruction of the Indo-European thought-world. Fíthal is a keeper of the traditional laws and is often shown giving advice and assistance to other first function figures. He is connected with a trans-functional figure, Cormac mac Airt, at least in the later literature. The only apparent exception to this is in the *fanaiagecht* texts which make him Finn mac Cumail's half-brother. Even here, however, Fíthal is connected with a first function religious figure, a druidess; and it can be argued that Finn himself is here being regarded as a first function figure – say as the source of inspirational wisdom, sibling to codified or institutional wisdom as personified by Fíthal. In these terms, Fíthal's function is clear and unambiguous.

While his Dumézilian function is clear, Fíthal – unlike Finn – does not have

etymologically related cognates in other languages through which we could confirm his existence as an established figure within the wider family of Indo-European deities. It could be argued that he once had this status, but that the narratives which testified to it have been lost. A possible explanation for this loss could be the esoteric side of the law, and the fact that much of it must have been modified or replaced as part of the Christianisation of the learned class in Ireland (BINCHY 1959). So it remains possible, in theory at least, that Fíthal was an obscured reflex of an Indo-European wisdom deity, and that this accounts for his persistently first function character.

For it to fit within the first function as conceived by Dumézil, the law had to be sacred law or to have a sacral character. Those who created the law were gods who were later seen as human figures who established the law within their respective communities (BELIER 1991: 114–144; LITTLETON 1966: 83–89).¹ As it happens, several early Irish law tracts are named after characters who may originally have been deities. For instance, *Bretha Déin Chécht* and the now-lost *Bretha Crédine* show that former gods and the law could be connected in early Ireland. Three judges are given their own law texts: Morann, Caratnia, and Fíthal. Each of these three, especially Morann and Fíthal, are first function figures; but since they are not given extraordinary attributes or abilities, scholars do not identify them as gods. However, in Morann's collar of truth and Fíthal's mention that he came from a faraway place (as stated to Cormac in their poetic dialogue), we may have some slight indications of an other-worldly dimension. In the case of Caratnia, we could point to the way he gained his scars by being burned alive within a house (R. STACEY 2002). These mysterious circumstances mark them as special, and could perhaps be interpreted as having mythopoeic significance and a possible mythological past. Moreover, Morann and Fíthal have such similar circumstances that it could be argued that these two were one and the same figure in origin. Admittedly, Caratnia is more difficult to incorporate into this scheme; but his shamanic qualities could point to an earlier existence more in keeping with earlier manifestations of Morann and Fíthal in a tripartite grouping with law at the centre of its portfolio of concerns. As a Welsh or other Celtic cognate is not visible, one might conclude finally that this divine or mythical figure was an Irish

¹For Dumézil's original analysis see, DUMÉZIL 1990.

innovation.

But this is pure speculation. While the correlations between Morann and Fíthal are undoubtedly suggestive, they do not provide enough evidence to let us postulate, say, a divine judge. Nor is it clear how such a figure would correlate with other divine figures who have been postulated, e. g. by such scholars as T. F. O’Rahilly in his *Early Irish History and Mythology* (O’RAHILLY 1946). Moreover, Dumézil’s theory was concerned with the sacred, whereas this quality seems to be notably absent from the attributes and associations of our judge-figures. In many ways, early Irish law was ancient; but as it stands it is not a repository of pre-Christian religion. The early Irish legal system was concerned with the differing classes of society and the ways and means of organising society. The religious involvement of early Irish law is confined to the regulation of Christian churches. There are a few well-known references to archaic mytho-religious rituals surviving into historical times, such as the final sanction of fasting as a way of bringing a superior to account. These, however, are not enough to let us peer into the past of early Irish law (PATTERSON 1994: 36–61). In none of these instances, do Morann or Fíthal appear. The most that can be said for Fíthal is that he is credited with setting down court procedure in *Aí Emnach*. While a divine origin could in theory be postulated for Fíthal, in the absence of more extensive literature concerning him, either legal or saga, it is difficult to sustain such an argument.

In terms of the ‘Eurocentric’ view of early Irish literature and society, Fíthal’s past is of less concern. A ‘Eurocentrist’ might maintain that Fíthal is a reflex of a universal human need, that he was created in a wisdom-figure mould taken from other literatures, especially the Old Testament, then given a student to teach and some legal texts to stabilise his character. This invention of a character would be tied in with the purpose of instruction; for much of the legal literature of early Ireland was in textbook format (KELLY 1988: 242–248). From this point, Fíthal’s character would be presented to students of the law in a standardised and familiar medium. The law itself was not immutable, but reflected changes in thinking and practice that were brought from Europe to Ireland by the missionaries and churchmen who travelled abroad.² At a certain point, Fíthal was exported from the legal-educational field through his appearance in the poetic dialogue with

²For an example of this in the case of marriage law, see JASKI 1996.

Cormac mac Airt. This enabled Fíthal to become part of the literary tradition.

An interesting theological point of concern to the 'Eurocentric' model, involves Fíthal and Morann. In *Aimirgein Glúngel Tuir Tend*, Fíthal is described as a judge who drew on Natural Law before giving judgement. As we have pointed out, the author of *Aimirgein Glúngel Tuir Tend* borrowed heavily from the Pseudo-Historical Prologue of the *Senchas Már*, where the concept of the Law of Nature was used to explain how human actions in pre-Christian times could be in keeping with God's covenant. Fíthal's role in the training of lawyers and judges has theological 'cover' by describing him as inspired by the truth of Natural Law, in line with the compromise communicated in PHP (P. SMITH 1994: 136). By contrast, Morann is described by the synthetic historians as having converted and believed in God (P. SMITH 1994: 136). In the 'Eurocentric' model, theological concerns are clearly felt about the pagan faith of these mythical judges and these texts provide evidence for the rehabilitation of such characters to accommodate them to the Christian faith. In the case of Fíthal, they attributed the Natural Law of Christian theology to him. In the case of Morann, they made him one of those who 'believed before Christ'. It is not clear whether we should regard the differing treatment of Fíthal and Morann as serious or as unreal alternatives. Was Morann's Christianisation a 'fuller' rehabilitation than Fíthal's? And, if so, was this because his texts and character had a higher profile than Fíthal's? This may be so; but the two cases could also be regarded as divergent but ultimately converging paths to the same destination – the reclaiming of pre-Christian figures from the fate that awaited pagans in Christian teaching.

In literary terms, the 'Eurocentric' model does not completely satisfy. An insistence on an outside source for ideas, themes and motifs can strain the evidence, just as over-reliance on presumed native antecedents can have the same effect. McCone's efforts to establish a pervasive Christian background for *Echtrae Chonnlai* constitute a majority of a book that is meant to be a textual edition (McCONE 2000: 47–119). This is not to downplay the importance of the influence of the Old Testament and the Classical literatures on early Irish literature. However, the comparative method used by both 'nativist' and 'Eurocentric' scholars works more naturally for the 'nativist', who compares myth to myth, than for the 'Eurocentric' who tends to like biblical or classical material out of context when

presenting it as evidence for external inspiration in Irish texts. The search for Christian theology can thus deflect attention away from comparison with other Irish texts in the same cultural milieu, and with comparable texts which appear in other cultures due to universal considerations.

What is the place of Fíthal in terms of the two major theoretical positions above? The 'nativist' instinct would be to combine characters – in this case, Morann, Fíthal, and Caratnia – to see whether they can be taken as reflexes of a deity with legal connotations. Fíthal would be followed backwards as far as the evidence for him could be taken, which would mean to the Old Irish period. If one could come up with a Welsh cognate of one of these characters, this would encourage us to see him as a Celtic figure, as with Irish *Goibniu*, Welsh *Gofannon*, and *Gofynyon* in the case of the smith deity. Since the evidence for a Celtic or Indo-European past, is lacking, one might look to locate Fíthal in the emergence in a more recent phase – say, at the time when Christianisation caused the suppression of the sacral aspects of the law. Fíthal and others may, in other words, have been created to supply founder figures for wisdom when wisdom became a secular concern.

The 'Eurocentric' position would focus on the universal aspects of Fíthal's character and the Old Testament giving particular weight to the latter. His position as an exponent of Natural Law would be duly noted, as would the way this related to the Christian elements now known to be embedded in early Irish law. Like the 'nativist' position, this too has persuasive arguments and evidence supporting them.

As we have seen however, there are significant problems with both theoretical positions. Without more information, especially from the legal traditions, the position of Fíthal prior to his appearance in the poetic dialogue is difficult to elaborate. The literary record hints at a broad, but not a deep understanding of early Irish law among the authors of these tales. Thus, the literary accounts of the actions and character of Fíthal are divided off from the persona and teachings of Fíthal the Wisdom Figure, delivered in the first instance for the instruction of lawyers and judges. This divide is not easily bridged, and calculating its extent involves the not yet well-understood nature of education in the monasteries. The legal material associated with Fíthal seems linguistically and in its style and con-

tent to belong fully with the early legal tradition. We have argued that the poetic dialogue is the pivotal point at which Fíthal entered the literary world. If that argument is to stand, there must have been some common ground shared by those who created formal poetry and those who created formal law. This conclusion is also suggested by the literary references to the law. For taken collectively, they show an easy familiarity with the procedures of pleading and judgement. It is on that basis that scholars have argued – correctly, in our view – that the Irish schooling could be conceived as ‘interdisciplinary’, with poets and lawyers being educated together up to a certain point, when the interests and possibly the class of the individual student would lead to specialisation in the chosen profession, poetic or legal. Even after the reforms of the twelfth century when the legal profession fell into the hands of families who specialised in law, while other families taught poetry and verse-craft, the branches of the intelligentsia were never completely out of touch with each other, and the outlines of the law and the basics of poetic verse-craft would have been known to aspiring poets and lawyers alike (KELLY 1988: 250–263).

We argued too that the poetic dialogue defined the position of Fíthal for later authors. Some additional ideas were introduced in the Fenian context, in *Acallam na Senórach* and *Duanaire Finn*; these were relatively minor. The basic association of Fíthal with Cormac mac Airt was accepted as built by later authors, firming up Fíthal’s place as a minor ‘star’ in the firmament of early Irish tradition.

In the early legal context Fíthal like Morann was one of a group of figures who occupied a particular place in the mythology of the profession. These exemplary teachers of law were projects of the active side of the teacher-student relationship that is inherent in the make-up of any profession. They were the primordial sources of the chain of instruction which led down to the learning experience of student lawyers. Whether Fíthal is a reflex of some Celtic or Indo-European figure, or whether he owes more to Biblical/Classical models, he was a paradigmatic figure, both as a provider of wise judgements and as a teacher of those who were to succeed him. His example was practical rather than theoretical. In a sense, he was a ‘teaching aid’ to those who wrote and taught early Irish law in the monasteries and later within the legal families.

In the literary context Fíthal’s place is clear. He is the personification of early

Irish law in the golden age of Cormac mac Airt's mythical reign. As such, he held a position complementary to that of the Wise Ruler, which is why he is portrayed as helping Cormac in the writing of law and history. In essence, he helped Cormac to establish order in Ireland. Even in those later texts where he seems to function merely as a device to extract plot characters from legal impasses, he is restoring order and we can sense a vestige of his original mythic role a contributor to the establishment of ideal order in Ireland.

These two conceptions of Fíthal are not exclusive of one another, but compatible and complementary. They both have mythic content: in the legal texts we find a didactic myth about the law and how to practise it, whereas in the literary texts the myth is informative about the nature of society and the place of the law within it. The former speaks in the first instance to lawyers, while the latter's primary audience was wider. The goals of the early Irish jurist and literary author were one and the same: to use the past to instruct and guide readers in the present.

3 Conclusion

This article presents facets of the character of Fíthal which help to place him within a theoretical context. We constructed as complete a picture of Fíthal as the available evidence allows. Each of the facets is scrutinised in the light of the other facets. The upshot of these explorations is to confirm that Fíthal has essentially two major personae: one legal and the other literary. This distinction is crucial, but, it is not the only plane on which to examine him. This article shows him in several ways: as a wisdom figure, as a judge, comparatively and theoretically.

At a more general level, the universal side of Fíthal was explored in the light of his other aspects. The relationship between Wisdom Figure and Rule, personified by law givers and kings is an ancient division of the 'first function'. It acknowledges the role of those who attempt by words to temper the more precipitate and headstrong actions of kings in their practical, political dealings. In the case of Fíthal, we saw how the more universal qualities of the wisdom figure were suppressed, and his particular place in early Irish literature as a judge and learned jurist was foregrounded. Simultaneously, the presence of a wisdom literature at

the head of the legal tradition was used to instruct and enlighten students of the law in a personalised mode.

Fíthal was primarily a judge and jurist of early Irish law. This office adhered to him throughout the centuries down to Keating's *Foras Feasa ar Éirinn*. As a judge, Fíthal appears in the literature as an agent for peaceful resolution of social issues, e. g. he could soothe the animosity generated by a slight to a warrior's honour. Earlier in the poetic dialogue with Cormac, he himself was the belligerent and disruptive character, and it was the king who fulfilled the role of peacemaker. Earlier still, in the legal tradition, Fíthal was an eminent judge and jurist who wrote important legal texts. At the same time, he served as an exemplary teacher and wisdom figure for the early Irish jurists.

A few characters who appear in early Irish literature are comparable with Fíthal. The most fruitful comparison is with Morann who shares a number of points of contact with Fíthal. Conceivably, they were both reflexes of one and the same paradigmatic figure in a time previous to the recording of Irish literature and law. Whatever the case may be, the similarities of the two characters are striking and suggestive. The other two comparable characters, Fintan and Sencha, do not share the same level of correspondence as Fíthal and Morann. For Fintan and Sencha, the main comparison is a 'negative' one: namely, that their intellectual endeavours stand in opposition to the martial characteristics of the other characters in the literature in which they appear.

To complete the picture of Fíthal's place in early Irish literature, it proved necessary to explore certain theoretical conceptions of the nature of early Irish literature. Within the theory of the tripartite structure of the Indo-European thought-world constructed by Dumézil, Fíthal's connection comes to the fore and he is characterised as a first function figure. This categorisation links him with religious observance and theoretical endeavour in Indo-European myth. Within the 'Eurocentric' conception of early Irish literature, the filter of the Biblical and Classical world-view dominated the recording of the early literature. In this perspective Fíthal's possession of the knowledge of Natural Law helped legitimise his continuing presence, as a pre-Christian character, within the Christianised legal tradition.

These two conceptions were complemented by two less well known theor-

ies as to the place of mythology in early Irish literature. The first, that of M.-L. Sjoestedt, eschews the Indo-European framework for analysing purely Irish material. Sjoestedt's conclusion is that early Irish literature does contain embedded information about pre-Christian Irish deities, but that the gods we glimpse are more helpfully seen as possessors of specific skills than as 'departmental' gods in the normal Indo-European sense. From this perspective, Fíthal does not look like an old deity because he is not associated with any of those characters traditionally seen as Irish gods and goddesses. His undoubted mythic attributes would therefore have originated in a more recent exemplary figure in an origin legend of the legal profession – i. e. as a hero rather than a god, if we may put it thus. Fíthal's association with Rudraige may hence be seen as following from his establishment in this role, rather than preceding it. The second conception of early Irish literature was constructed by Hilda Ellis Davidson. She is critical of the Dumézilian stance though she follows Dumézil in believing that position, the religious overtones in early Irish and Germanic literature correspond to a form of religion which provided a framework to hold a community together. This form of religion was focused on a ritual year in which the king played a large role, officiating at feasts and other rituals (DAVIDSON 1993: 142–143). It is hard to relate Fíthal to these conceptions as we know of no rituals or feasts which were associated with him.

To conclude this discussion, our own theory of the place of Fíthal in early Irish literature is brought forward. This theory focused upon the dynamic evolution of Fíthal's character rather than seeking to find a niche for him in a theoretical past time. This approach to Fíthal avoids the problems of the previously mentioned theoretical positions and motivates that dynamic through the activities of the historical authors of early Irish law and literature. As we see it, Fíthal was used by jurists and later authors to explain their world. From the point of view of the jurists, Fíthal was their founding father, one of them and one of the wisdom figures whom they used to teach their own students early Irish law. Later, in his 'literary' phase, Fíthal became a pre-eminent judge and jurist in the synthetic prehistory created by the early Irish *literati*. This literary conception of Fíthal outlasted the legally based Fíthal by a long way.

This article attempted to produce an integrated view of the literary appear-

ances of Fíthal in early Irish literature and in the legal tradition. Each facet of his character was brought forth and examined. The theoretical considerations surrounding his character were also brought forward for discussion and analysis. The outcome has been to place Fíthal within a new theoretical framework and, within it, to delineate his trajectory within early Irish literature. This shows that Fíthal, while a minor character in the literature as a whole, was important to scholars with specialised knowledge of the traditional law of Ireland, and had a secure if limited place in the wider literary tradition.

4 Appendix

This appendix catalogues the literary manifestations of Fíthal in both prose and poetry. While distinction of forms, types, and styles of literature is largely an artificial modern phenomenon, the prose-poetry distinction is useful in this instance as it allows for a cleaner presentation of the material.³ Chapter 4 contains all references to Fíthal in poetry.

4.1 Prose

- ‘Decision as to Cormac’s Sword’ – STOKES and WINDISCH 1900: vol. 3, pp. 185–202, 203–229.
- Extract from the Book of Fermoy – NÍ C. DOBS 1936: 174–7.
- *Forbuis Droma Damhghaire* – M. L. SJOESTEDT 1926: 8–11
- *Bruiden na hAlmaine* – O’GRADY 1892: vol. 1, pp. 336–342 and O’GRADY 1892: vol. 2, pp. 378–385.
- ‘Advice for Finding a Good Wife’ – R. M. SMITH 1928: 53. For criticism see E. J. GWYNN (1929: 268–271).
- Cormac’s Glossary – The entry for Fíthal is the 583rd and he appears appears in the entry for *Ong* which is the 1014th entry in the Yellow Book of Lecan version. RUSSELL, ARBUTHNOT, and MORAN 2011.

³For traditional categorisation of the material, see MAC CANA 1980: 20–32.

- ‘Cormac’s Dream’ – CARNEY 1940-1
- Pseudo-Historical Prologue to the Senchas Már – CIH 1652.15–1652.27.
- *Finnsruth Fíthail* – CIH 786–789.17 and CIH 2131.1–2143.40; BREATNACH 2005: 253–257
- *Acallam na Senórach* – STOKES and WINDISCH 1900: vol. 4, p. 16
- *Cambrensis Eversus* – LYNCH 1662: 157
- *Foras Feasa ar Éirinn* – Keating, *History of Ireland*, ed. and trans. P. S. Dinneen, vol. 2, pp. 339-343 and vol. 3, p. 35

4.2 Poetry

- ‘*Roscad* Judgement in Favour of Cormac’ – CIH 1144.7–17
- ‘An Address to a Student of Law’ – Ní DHONNCHADHA 1989: 169
- *Aimirgein Glúngel Tuir Tend* – P. SMITH 1994
- *Duanaire Finn* VI – *Duanaire Finn*, part I, ed. and trans. by Gerard Murphy (London: Irish Texts Society), pp. 17–19 and trans. pp. 114–116.
- *Duanaire Finn* XLIII – *Duanaire Finn*, part II, pp. 100–13.
- *Duanaire Finn* XLVII – *Duanaire Finn*, part II, pp. 124–141.
- *Ag so chugad, a Chormaic* – Ó CAITHNIA 1984: 100–1
- *Metrical Dindsenchas* – E. GWYNN 1913: vol. 3, pp. 19–21
- MacPherson’s *Ossian* – MACPHERSON 1996: 28, 54–55, 68, 75, 256, 498

References

- ALLEN, N. J. (1996). "Romulus and the Fourth Function". In: *Indo-European Religion after Dumézil*. Ed. by Edgar C. POLOMÉ. Washington, D.C.: Institute for the Study of Man, pp. 13–36.
- BELIER, Wouter W. (1991). *Decayed Gods: Origin and Development of Georges Dumézil's "Idéologie Tripartite"*. Leiden: E. J. Brill.
- BINCHY, D. A. (1959). "Linguistic and Legal Archaisms in the Celtic Law Books". In: *The Transactions of the Philological Society*, pp. 14–24. DOI: 10.1111/j.1467-968X.1959.tb00298.x.
- BRACKEN, Damian (2006). *Ireland and Europe in the Twelfth Century*. Dublin: Four Courts Press.
- BREATNACH, Liam (1984). "Canon Law and Secular Law in Early Ireland: the Significance of *Bretha Nemed*". In: *Peritia: Journal of the Medieval Academy of Ireland* 3, pp. 439–59. DOI: 10.1484/J.Peri.3.78.
- (1986). "The Ecclesiastical Element in the Old-Irish Legal Tract *Cáin Fhuithirbe*". In: *Peritia: Journal of the Medieval Academy of Ireland* 5, pp. 36–52. DOI: 10.1484/J.Peri.3.493.
- (2005). *A Companion to the Corpus Iuris Hibernici*. Dublin: Dublin Institute for Advanced Studies.
- BROUGH, John (1959). "The Tripartite Ideology of the Indo-Europeans: an Experiment in Method". In: *Bulletin of the School of Oriental and African Studies* 22, pp. 68–86. URL: <http://www.jstor.org/stable/609358>.
- BROWN, Peter (1996). *The Rise of Western Christendom: Triumph and Diversity AD 200–1000*. 2nd ed. Oxford: Blackwell Publishers.
- BYRNE, Francis John (1973). *Irish Kings and High-Kings*. London: B. T. Batsford Ltd.
- CARNEY, James (1940-1). "Nia Son of Lugna Fer Trí". In: *Éigse: a Journal of Irish Studies* 2, pp. 187–197.
- (1955). *Studies in Irish Literature and History*. Dublin: Dublin Institute for Advanced Studies.
- CHARLES-EDWARDS, T. M. (2000). *Early Christian Ireland*. Cambridge: Cambridge University Press.
- ed. (2006). *The Chronicle of Ireland*. Vol. 2. Liverpool: Liverpool University Press.
- DAVIDSON, Hilda Ellis (1993). *The Lost Beliefs of Northern Europe*. London: Routledge.
- DUMÉZIL, Georges (1990). *Mitra-Varuna: An Essay on Two Indo-European Representations of Sovereignty*. Ed. by Derek COLTMAN. New York: Zone Books.
- FRAZER, James George (1890). *The Golden Bough: a Study in Comparative Religion*. London: Macmillan and Co.

- GREGORY, Brad S. (2006). "The Other Confessional History: On Secular Bias in the Study of Religion". In: *History and Theory: Studies in the Philosophy of History* Theme Issue 45, pp. 132–149. DOI: 10.1111/j.1468-2303.2006.00388.x.
- GWYNN, Edward, ed. (1913). *Metrical Dindsenchas*. Trans. by Edward GWYNN. Vol. 4. Todd Lecture Series 10. Dublin: Hodges, Figgis, & Co.
- GWYNN, E. J. (1929). "Senbriathra Fithail". In: *Revue Celtique* 46, pp. 268–271.
- HENRY, P. L. (1982). "The Cruces of Audacht Morainn". In: *Zeitschrift für celtische Philologie* 39, pp. 33–53. DOI: 10.1515/zcph.1982.39.1.33.
- HOLLO, Kaarina (2007). "The Ulster Cycle, the Law-tracts, and the Medieval Court: The Depiction of Senchae mac Ailella, *Aurlabraid Ulad*". In: *Aiste* 1, pp. 170–180.
- IRELAND, Colin (1999). *Old Irish Wisdom Attributed to Aldfrith of Northumbria: An Edition of Bríathra Flainn Fhína maic Ossu*. Tempe: Arizona Center for Medieval and Renaissance Studies.
- JASKI, Bart (1996). "Marriage Laws in Ireland and on the Continent in the Early Middle Ages". In: *'The Fragility of Her Sex'?: Medieval Irishwomen in Their European Context*. Ed. by Christine MEEK and Katharine SIMMS. Dublin: Four Courts Press, pp. 16–42.
- KELLY, Fergus (1976). *Audacht Morainn*. Dublin: Dublin Institute for Advanced Studies.
- (1988). *A Guide to Early Irish Law*. Dublin: Dublin Institute for Advanced Studies.
- LINCOLN, Bruce (Feb. 1998). "Rewriting the German War God: Georges Dumézil, Politics, and Scholarship in the Late 1930s". In: *History of Religions* 37.3, pp. 187–208. URL: <http://www.jstor.org/stable/3176605>.
- LITTLETON, C. Scott (1966). *The New Comparative Mythology: An Anthropological Assessment of the Theories of Georges Dumézil*. 2nd ed. London: University of California Press.
- LYLE, Emily (1990). *Archaic Cosmos: Polarity, Space, and Time*. Edinburgh: Polygon.
- LYNCH, John (1662). *Cambrensis Eversus*. Trans. by Matthew KELLY. Vol. 2. Saint Malo.
- MAC CANA, Proinsias (1980). *The Learned Tales of Medieval Ireland*. Dublin: Dublin Institute for Advanced Studies.
- MACPHERSON, James (1996). *The Poems of Ossian and Related Works*. Ed. by Howard GASKILL. Edinburgh: Edinburgh University Press.
- MARKUS, R. A. (1997). *Gregory the Great and His World*. Cambridge: Cambridge University Press.
- MCCONE, Kim (1990). *Pagan Past and Christian Present in Early Irish Literature*. Maynooth: National University of Ireland.

- McCONE, Kim, ed. (2000). *Echtrae Chonnlai and the Beginnings of Vernacular Narrative Writing in Ireland: A Critical Edition with Introduction, Notes, and Bibliography and Vocabulary*. Maynooth: Kim McCone.
- (2005). *A First Old Irish Grammar and Reader: Including an Introduction to Middle Irish*. Maynooth: Department of Old and Middle Irish, National University of Ireland, Maynooth.
- MILLER, Molly (1991). “The Chronological Structure of the Sixth Age in the Rawlinson Fragment of the “Irish World-Chronicle””. In: *Celtica* 22, pp. 79–111.
- NAGY, Joseph Falaky (1997). *Conversing with Angels and Ancients: Literary Myths of Medieval Ireland*. Dublin: Four Courts Press.
- NÍ C. DOBS, Máighréad (1936). “From the Book of Fermoy”. In: *Zeitschrift für celtische Philologie* 20, pp. 161–184. DOI: 10.1515/zcph.1936.20.1.161.
- NÍ DHONNCHADHA, Máirín (1989). “An Address to a Student of Law”. In: *Sages, Saints, and Storytellers: Celtic Studies in Honour of Professor James Carney*. Ed. by Donnchadh Ó CORRÁIN, Liam BREATNACH, and Kim McCONE. Maynooth: An Sagart, pp. 159–177.
- Ó CAITHNIA, Liam (1984). *Apalóga na bhfilí, 1200–1650*. Baile Átha Cliath: An Clóchomhar Tta.
- Ó CORRÁIN, Donnchadh (2002). “Synodus II Patricii and Vernacular Law”. In: *Peritia: Journal of the Medieval Academy of Ireland* 16, pp. 335–343. DOI: 10.1484/J.Peri.3.493.
- Ó CORRÁIN, Donnchadh, Liam BREATNACH, and Aidan BREEN (1984). “The Laws of the Irish”. In: *Peritia: Journal of the Medieval Academy of Ireland* 3, pp. 382–438.
- Ó CRÓINÍN, Dáibhí (1995). *Early Medieval Ireland 400–1200*. New York: Addison Wesley Longman.
- O’GRADY, Standish Hayes (1892). *Silva Gadelica*. Vol. 2. London: Williams and Norgate.
- O’LOUGHLIN, Thomas (2000). *Celtic Theology: Humanity, World and God in Early Irish Writings*. New York: Continuum.
- (2002). ““A Celtic Theology’: Some Awkward Questions and Observations”. In: *Identifying the ‘Celtic’*. Ed. by Joseph Falaky NAGY. Dublin: Four Courts Press, pp. 49–65.
- O’RAHILLY, T. F. (1946). *Early Irish History and Mythology*. Dublin: Dublin Institute for Advanced Studies.
- PATTERSON, Nerys (1989). “Brehon Law in Late Medieval Ireland: “Antiquarian and Obsolete” or “Traditional and Functional”?” In: *Cambrian Medieval Celtic Studies* 17, pp. 43–63.
- (1991). “Gaelic Law and the Tudor Conquest of Ireland: The Social Background of the Sixteenth-Century Recensions of the Pseudo-Historical Prologue to the

- Senchas Már*". In: *Irish Historical Studies* 27, pp. 193–215. URL: <http://www.jstor.org/stable/30006537>.
- PATTERSON, Nerys (1994). *Cattle Lords & Clansmen: The Social Structure of Early Ireland*. London: University of Notre Dame.
- RICHARDS, Jeffery (1980). *Consul of God: the Life and Times of Gregory the Great*. London: Routledge and Kegan Paul.
- RUSSELL, Paul, Sharon ARBUTHNOT, and Pádraic MORAN, eds. *Early Irish Glossaries Database*. URL: <http://www.asnc.cam.ac.uk/irishglossaries/> (visited on 06/25/2011).
- SAYERS, William (1996). "Tripartition in Early Ireland: Cosmic or Social Structure?" In: *Indo-European Religion after Dumézil*. Ed. by Edgar C. POLOMÉ. Washington: Institute for the Study of Man, pp. 156–183.
- SIMMS, Katharine (2004). "Gaelic Military History and the Later Brehon Law Commentaries". In: *Unity in Diversity: Studies in Irish and Scottish Gaelic Language, Literature and History*. Ed. by Cathal G. Ó HÁINLE and Donald E. MEEK. Dublin: School of Irish, Trinity College, pp. 51–67.
- SJOESTEDT, M. L. (1926). "Forbuis Droma Damhgaire". In: *Revue Celtique* 43, pp. 1–123.
- SJOESTEDT, M.-L. (1994). *Gods and Heroes of the Celts*. Ed. by M. DILLON. Dublin: Four Courts Press.
- SMITH, Peter (1994). "Aimirgein Glúngel Tuir Tend: A Middle-Irish Poem on the Authors and Laws of Ireland". In: *Peritia: Journal of the Medieval Academy of Ireland* 8, pp. 120–150. DOI: 10.1484/J.Peri.3.208.
- SMITH, Roland M. (1928). "The *Senbriathra Fithail* and Related Texts". In: *Revue Celtique* 45, pp. 1–92.
- STACEY, Robin (2002). "Speaking in Riddles". In: *Ireland and Europe in the Early Middle Ages: Texts and Transmission*. Ed. by Próinséas Ní CHATHÁIN. Dublin: Four Courts Press, pp. 243–248.
- STACEY, Robin Chapman (1991). "Law and Order in the Very Old West: England and Ireland in the Early Middle Ages". In: *Crossed Paths: Methodological Approaches to the Celtic Aspect of the European Middle Ages*. Ed. by Benjamin T. HUDSON and Vickie ZIEGLER. London: University Press of America, pp. 39–60.
- (2007). *Dark Speech: The Performance of Law in Early Ireland*. Philadelphia: University of Pennsylvania Press.
- STOKES, Whitley and Ernst WINDISCH, eds. (1900). *Irische Texte*. Vol. 4. Leipzig: S. Hirzel.
- TRASK, R. L. (1996). *Historical Linguistics*. London: Arnold.
- YOCUM, Christopher Guy (2008). "The Literary Figure of Fithail". PhD thesis. Edinburgh: University of Edinburgh. URL: <http://hdl.handle.net/1842/3320>.

YOCUM, Christopher Guy (2011). "Wisdom Literature in Early Ireland". In: *Studia Celtica* 45. Forthcoming.