Aspects of the Breton Transmission of the Hibernensis

Nowhere is the continental reception of the *Hibernensis* better attested than in Brittany, a region in which Irish (and British) religious practices persisted long after they had been abandoned in Ireland. The Irish form of tonsure and Easter table, as well as an Irish monastic Rule, prevailed in Brittany (albeit not throughout) at least until 818, when Louis the Pious proudly announced that Landévennec, in the west of Brittany, had finally joined the *uniuersalis aeclesia* “universal church” by adopting the Roman liturgy, the Roman tonsure, and the Benedictine Rule. In a letter to the bishops of Brittany, he urges them to follow Landévennec’s example and abandon the religious practices that the Bretons received *ab Scotis* “from the Irish”.

Brittany was also one of the principal gateways through which Insular texts entered the continent. Among the Insular texts that were transmitted through Brittany are Gildas’s *De excidio Britanniae*, the *Hisperica Famma*, extracts from the penitential of Vinnian, *Synodus episcoporum*, six seventh-century Irish canonical collections, the *Canones Adomnani*, *Liber questionum in evangeliis*, a collection of Theodoran canonical and penitential material known as *Capitula Dacheriana*, the *Proverbia Grecorum* and the late seventh – or early eighth-century Irish *Collectio canonum Hibernensis (Hib)*. Brittany played a major role in *Hib*’s early transmission. In total, seven copies of *Hib* and a fragment were written in Brittany or copied from Breton exemplars, and all but two of the seven surviving complete copies of *Hib* have Breton connexions.

1 Abbreviations: *AL* = *Ancient Laws of Ireland*, ed. J. O’DONOVAN et al., 6 vols, Dublin, 1865-1901; *BCLL* = *A Bibliography of Celtic Latin Literature* 400-1200, by M. LAPIIDGE and R. SHARPE, Dublin, 1985; *CIH* = *Corpus iuiris Hibernici*, ed. D. A. BINCHEY, 6 vols, Dublin, 1979; *Hib* = *Collectio canonum Hibernensis*, ed. F. W. H. Wasserschleben, *Die irische Kanonensammlung*, Giessen, 1874; 2nd ed., Leipzig, 1885, repr. Aalen, 1966. All references here are to the second edition. I am grateful to Professor Richard Sharpe for reading a draft of this paper and offering ways to improve it.


4 The five copies are ABHOP in the list below. The other two are Roma, Biblioteca Vallicelliana, T.XVIII (V) and Sankt Gallen Stiftsbibliothek 243 (S), which served as the main text for Wasserschleben’s 1874 and 1885 editions of *Hib*. 
The Breton transmission of *Hib* has been subject to investigation since the 1870s, when the Cambridge Librarian, Henry Bradshaw, “invented the study of both early Breton palaeography and Old Breton philology”⁵. Breton glosses which he found in copies of *Hib* were subsequently analysed by the comparative philologist Whitley Stokes (who was at the time working for the British government in India), and provided the corner-stone for Old Breton lexicography⁶. In the introduction to his edition of *Hib*, Hermann Wasserschleben remarked that a couple of proper names in Paris, BnF Lat. 12021 (f. 139r) were Breton⁷, and in an appendix to that introduction he published a letter from Bradshaw which asserted a Breton origin for five of *Hib’s* manuscripts⁸. Since then, two more manuscripts have been added to that list (E, Lm), both of which contain not complete copies, but selections of canons from *Hib*. A third derivative – in a manuscript copied at Tours from a Breton exemplar (W) – was already known to Bradshaw. These derivatives testify to the fact that *Hib* was not transmitted statically through Brittany. Rather, it should be assumed that copyists reproduced canons selectively, in response to particular demands. In theory, such revisions have the potential to reveal something about the local circumstances that prevailed in places at which *Hib* was copied. In practice, however, the evidence has proved to be – more often than not – inconclusive, and despite some recent advances in the study of *Hib’s* Breton transmission, we are still in the dark about the purposes for which *Hib* was copied or modified and our knowledge of the relationship between the various complete and incomplete copies is patchy.

In what follows, *Hib’s* Breton transmission is explored from three distinct angles. First, I provide introductory notes on manuscripts of *Hib* with Breton connexions and present a few new findings which enable – for the first time – to draw a stemma of manuscripts of *Hib* with Breton associations. I then review a document which may offer a historical context for *Hib’s* reception in Brittany, namely: a letter by Pope Leo IV to Breton bishops which appears to allude to *Hib*. The final section examines modified copies of *Hib* with Breton connexions and discusses the circumstances in which they were modified.

**Manuscripts of *Hib* with breton connexions**

Five complete copies of *Hib*, an abridgement, a collection of excerpts, and a fragment, are believed to be either Breton or copied from Breton exemplars. These copies

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⁵ As described by D. N. Dumville, Ireland, Brittany, and England: transmission and use of *Collectio canonum hibernensis*, in *Irlande et Bretagne: Vingt siècles d’histoire*, Rennes, 1994, 84-95: 88 [citation].

⁶ W. Stokes, Old-Breton Glosses, Calcutta, 1879.

⁷ Wasserschleben, Kanonensammlung, xxxi.

⁸ The letter, dated 28 May 1885, is printed in Wasserschleben, Kanonensammlung, bxiii-bxv.
represent both text-types of Hib, which I shall refer to as Hib.A and Hib.B. Manuscripts ABOP are complete copies of Hib.A and H is a complete copy of Hib.B. Recently, Luned Davies argued on the evidence of concurrent readings that all five complete copies of Hib with Breton connexions, ABHOP, attest the existence of “a distinct Breton textual tradition” of Hib. In fact, it is possible to take this observation even further and show that four of those manuscripts, ABOP, derive from a common archetype.

Let us examine the evidence for this. The latest complete copy of Hib.A, B, was shown by Bradshaw to derive from the same exemplar as the earliest Breton copy (saec. VIII or IX), A, a copy written at the behest of a synod. This link was reinforced by Bieler, who performed a more thorough analysis of these manuscripts. He concluded that A and B are, “for all practical purposes, identical”.

“B is a compilation of three different collections of texts. Its first section (pp. 1-164 [Hib spans pp. 19-160]) is, for all practical purposes, identical with A; section II (pp. 164-83) is closely parallel to the last part of P (foll. 127v–139r); section III (pp. 184-356) is almost identical with C [Cambrai 625 (576)] (which has some minor omissions). Textually, B is not a copy of either A or P or C [Cambrai 625 (576)]; in all its three sections, B and its companion derive from a common exemplar”.

To Bieler’s observation one may add that three of the above manuscripts, A, B and P, contain an identical scribal subscription (A p. 22, B p. 18, P fol. 139r). In both A and B this subscription comes in addition to other scribal colophons on p. 212 of A and on p. 356 of B. The subscription in AB is shorter than the one in P, and reads:

Pro me frater oraueris picture parui codicis [codices B] Deum ut mea debita largiatur innumera

“Brother, pray for me, the painter of this small book, so that God may release me from my countless debts”.

But in P, the subscription is longer, and contains the names of the scribe Arbedoc and his abbot Haelhucar (the identity of the latter is discussed at length later on). The recurrence of the subscription suggests either that all three manuscripts are derived from the same exemplar, or (hypothetically) that A and B are copies of P, the only manuscript to contain a full version of the subscription. However, it is impossible that P was the common exemplar for A and B, since A is the earliest of the three and, as Bieler’s textual analysis has already shown, B is not a copy of P. Hence it is likely that the

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9 On the recensions see WASSERSCHLEBEN, Kanonensammlung, xxvi. H. BRADSHAW, Letter to Wässerschleben (28 May, 1885), printed in WASSERSCHLEBEN, Kanonensammlung, lxiii-lxxv: lxx.
10 L. M. DAVIES, The Collectio canonum hibernensis and its sources, unpublished D. Phil. dissertation, Oxford, 1995, 316. Note that Davies’s method does not always lead to compelling conclusions. For instance, in The Collectio, 178-179, she shows that readings from a selection of manuscripts of Hib which includes Breton manuscripts, and from Gregory’s Dialogues, agree with each other against Sankt Gallen, Stiftsbibliothek, 243 (siglum S). This merely illustrates that S, rather than the group with which it is compared, is uniquely different (incidentally, siglum S in The Collectio, 179 is a typo: the manuscript does not contain the reading that appears underneath the siglum).
11 H. BRADSHAW apud W. STOKES, ed., The Breton glosses at Orleans, Calcutta, 1880, iv. For the date accepted here see W. M. LINDSAY, Breton scriptoria: their Latin abbreviation-symbols, in Zentralblatt für Bibliothekswesen 29, 1912, 264-272: 265; LINDSAY, Notae Latinae. An account of abbreviation in Latin ms. of the early minuscule period (c. 700-850), Cambridge, 1915, 469-470; L. BIELER, The Irish Penitentials, Dublin, 1963, 12. D. DUMVILLE, Ireland, Brittany, 94 nn 41, 44, reviews the debate on the dating of this manuscript.
12 L. BIELER, Penitentials, 21-22[4ations].
13 The first to record this subscription in A was BRADSHAW apud STOKES, Glosses at Orleans, iv.
14 For the full text, see WASSERSCHLEBEN, Kanonensammlung, xxxi.
subscription and the names it contains belong to a common textual ancestor which predated all three manuscripts, ABP.

It is possible to fit MS O into this picture as well. Two identical explanatory glosses which the text of Hib.A in A shares with O at Hib 10q (‘thia glossed .i. soror matri’) and at 11.4a (‘angelo glossed .i. sacerdoti’) suggest that AO are witnesses to the same exemplar. Manuscript O, the later of the two, could not have been a copy of A since it (and, for that matter, also B) contains material which A omits.

It cannot be confirmed that the ABOP derive directly from the same exemplar. Possibly, they all had a common Breton archetype – whose scribal colophon only P preserved in full – which generated one or more intermediate exemplars from which A, B, and O were copied. The stemmata below illustrate three possible models for the relationship between A, B, O, P and their common textual ancestor. The models attempt to accommodate the following set of arguments: (i) ABP derive from a common exemplar, as attested by the fact that the same scribal subscription occurs in all. However, (ii) P is probably the most faithful to the archetype since it retains the full text of the subscription, whereas (iii) A and B have an identical shortened version of it. In addition, (iv) the same glosses occur in A and O (as described above). It is possible (but not assumed for the purpose of the models below) that O cited the scribal subscription as well, but the damage it incurred in the Cotton fire of 1731 destroyed it. In the stemmata below, Γ is a common ancestor, and γ and δ are intermediate exemplars.

The remaining Breton copies of Hib cannot be linked to either of these stemmata. These are E, which is an abridgement of Hib.A; Lm, which contains fragments from books 2, 8, 9, 10 (all of which deal with ecclesiastical grades) copied from a corrupt version that differs from Hermann Wasserschleben’s edition and from Hib.B and W, which contains a collection of excerpts from Hib as well as a florilegium which served as a source for Hib’s compilers. The copy O belongs to the A-recension.

Three models for ABOP relationship

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15 For the contents of this manuscript I rely chiefly on a transcript by S. AMBROSE in her The Codicology and Palaeography of London, BL, Royal 5 E. xiii and its Abridgement of the Collectio Canonum Hibernensis, forthcoming in Codices Manuscripti. I owe thanks to Dr Ambrose for sharing her work with me before publication.


17 As described by R. SHARPE, Gildas as a Father of the Church, in Gildas: new approaches, ed. M. LAPIDGE and D. N. DUMVILLE, Woodbridge, 1984, 191–206. The manuscript’s physical features, contents and glosses are described in H. SIMPSON, Ireland, Tours and Brittany: the case of Cambridge, Corpus Christi College, MS. 279, in Irlande et Bretagne, vingt siècles d’histoire, Rennes, 1993, 108–123.

18 However, Wasserschleben thought he noticed some minor affinities with Hib.B, but these are meaningless: Hib 22.3(f) [two missing passages, both of which are peculiar to S], 36.10(i) [an added sentence], 41.10(c) [non for me]. Note that Wasserschleben’s apparatus does not always distinguish between
However, it has been collated in a single codex together with fragments from the B-recension. These fragments occur in a *florilegium* found between fols. 128r and 179v (final written page). Among these fragments there can be found a copy of the preface to *Hib* on fol. 136r.

The origin of all but one of the manuscripts in the list above has been ascribed to Brittany on the evidence of Breton glosses, Breton proper names, or both. Thus, three complete copies of *Hib*, ABP, have Breton glosses and scribal colophons containing Breton names: Iunobrus (A), Maeloc (B), and Arbedoc (P). Manuscript H contains Breton glosses and a Breton proper name of a figure whose relation to the manuscript is unknown (Matguoret), and O, as well as the *florilegium* within it, contain Breton glosses. Bieler thought that H and O might not be Breton themselves, but merely copied from Breton exemplars.

Of the three incomplete copies of *Hib* with Breton connexions (E, W, and Lm) E has Breton glosses, W (which has a single Breton gloss) is believed to have been copied in Tours from a Breton exemplar, and Lm appears to have been ascribed to Brittany on palaeographical grounds. To my knowledge, its putative Breton connexions has not yet been scrutinised.

In a list of manuscripts of Breton and presumed-Breton origin, Jean-Luc Deuffic considers glosses as one of the least secure markers of Breton origin. For instance, the Breton glosses in manuscripts EHOW, which were eventually transported to England, could (hypothetically) have been inserted to the manuscripts on their way to England. Furthermore, Breton monks lived in monasteries outside Brittany and might have glossed manuscripts.

Unlike glosses, some scribal colophons may prove to be more reliable pointers to the origin of a manuscript or its exemplar. For instance, the colophon on fol. 139r in P mentions a scribe Arbedoc who worked *Haehlocar abbate dispensante* “at the charge of abbot Haelhucar”. The names of both a Breton abbot (suggesting a Breton monastery) and a Breton scribe, add up to form solid evidence for the Breton origin for the exemplar of the manuscript from which the colophon was copied (as discussed above). I know of no occurrences of the name Arbedoc in other texts that can be cross-referenced with the colophon. However, two abbots by the name Haehluar are known to have lived in Brittany in the ninth century. Deuffic already drew attention to an abbot “Heelocar” who is mentioned in a letter by Pope John VIII (872–882) dated 874/5 to Bishop Mahen of [variants found in the main text in O and in the *florilegium* at the end of the manuscript. For example, the book *De tribu* mentioned at 43.32(ce) does not occur in the main text in O (Wasserschleben's MS no. 7).]


21 For a list of glosses in each manuscript, see Stokes, *Old Breton Glosses*; Stokes, *Glosses at Orléans*.


24 J.-L. Deuffic, *La production manuscrite des scriptoria bretons (VIIIe–Xle siècle)*, in *Landévennec et le monachisme breton dans le haut moyen âge*, Landévennec, 1986, 289–321: 321. His list is not exhaustive and the author claims he intended for it to serve as a working aid. Interestingly, of the eighty-eight manuscripts in Deuffic’s list that are believed to date before the eleventh century, only six contain names of Breton scribes, of which three, ABP, are manuscripts of *Hib*. The remaining three are: Douai, bibl. municipale 13 [Gospel book]; Paris, BN lat. 13386 [contains Eriugena’s *Liber de praedestinatione* on fols. 103r–158v]; Tongres, Collégiale Notre-Dame de la Nativité [Gospel book].

Dol. The orthographic variants are not an obstacle in identifying this abbot with the Haelhucar of the scribal colophon since, as Deuffic realised, “Heclocar” – a hapax legomenon in documents relating to Brittany – is a scribal misrendering of “Haelhucar”.

John’s letter upholds the ordination of a few Breton monks despite the fact that “Heclocar”, who ordained them, is said to have usurped his abbacy.

Another possible candidate for identification with Haelhucar is “Helogar”, bishop of Alet and abbot of Saint-Méen (Helogar episcopus Aletensis et abbas Sancti Meuenni) at Gäel in north-eastern Brittany. To modern scholarship he is better known by the French spelling of his name, Hélocar. With the exception of Vannes, Alet is the only place in early ninth-century Brittany over which Charlemagne is known to have exercised direct lordship, albeit as a one-off incident. This happened after Saint-Méen’s treasury and archives were attacked during a revolt and the monastery’s title deeds were destroyed. In the aftermath, Charlemagne gave “Helogar” a charter confirming that the monastery possessed all the lands described in the original title deeds. The charter, now lost, was reenacted in a diploma which Louis the Pious issued to Saint-Méen on 26 March 816, in which he granted the monastery immunity from lay intervention. If we had to decide between the two abbots, the earlier one would fare better with other evidence which has already been considered; this is to say that if A and P are copies of the same exemplar and A, our earliest Breton copy, is dateable on palaeographical grounds to saec. VIII or IX, then an earlier ninth-century exemplar from which A was copied would be more likely.

Sadly, the present state of the evidence does not support a positive identification of Haelhucar of the scribal colophon with either “Heclocar” the usurper or “Helogar” abbot of Saint-Méen. We must also allow for the possibility that the name in the colophon refers to an altogether different abbot, who is unattested in the surviving records. Hence, in the absence of a compelling identification of the abbot (and scribe) mentioned in the colophon, we are left with no secure historical criteria for dating the manuscript or its exemplar. The dates that have been assigned to the manuscript on palaeographical grounds vary considerably: Jean Mabillon dated it to the eighth or ninth century, Arthur Haddan to the eighth century, Friedrich Maassen to the tenth or eleventh century, and Ludwig Bieler to the tenth century.

A political dimension

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27 DEUFFIC, La production, 311, considers Heclocar to be a “cacographie”. Note that the name “Haelhocar” occurs only in two charters of the Redon Cartulary (Cartulaire de l’abbaye de Redon en Bretagne, ed. A. DE COURSON, Paris, 1863, §§ 8, 29) but the figures they refer to were either serfs or free tenants. The name in § 8 is wrongly transcribed in the edition as “Haelocar”. The facsimile of the charter clearly reads “Haelhocar”. See H. GUILLOTEL et al., Cartulaire de l’abbaye Saint-Sauveur de Redon, Rennes, 1998, fol. 5r. For background on the Redon Cartulary, see W. DAVIES, The composition of the Redon cartulary, Francis 17/1, 1990, 69-90.
29 J. MABILLON, De re diplomatica, Paris, 1681, supplement 1704, 360 [the manuscript appears under its former Corbie shelfmark, no. 424]. A. W. HADDAN and W. STUBBS, Councils and Ecclesiastical Documents Relating to Great Britain and Ireland, 3 vols, Oxford, 1869-1878, I 127. F. MAASSEN, Geschichte der Quellen und der Literatur des canonischen Rechts im Abendlande bis zum Ausgang des Mittelalters, Graz, 1870, 786. BIELER, Penitentials, 14.
Louis the Pious’s appointment of Nominoe, a native Breton, as his missus to Brittany marked a turning point in the relationship between the Carolingian empire and the province that refused to accept imperial rule since it was conquered in 799. The appointment took place in 831, a year after Louis launched a massive campaign against Brittany with the aim of tightening imperial control over the obstinate province.30 The extent of Nominoe’s powers as missus is unknown. It has been suggested however that he was no more than a “figurehead of imperial authority”, who owed only personal loyalty to a particular emperor, but there is no evidence that he ever acted on the emperor’s behalf31. The arrangement between the two rulers lasted while Louis was alive, but upon his death in 840 it became apparent how vulnerable the status quo between Brittany and the empire actually was. Soon, Nominoe grew increasingly hostile towards Louis’s successor, Charles the Bald. He allied himself with Count Lambert against Charles in 843, defeated him in battle at Ballon in 845, and participated in an attack on Angers in 84932. Nominoe appears to have been determined to loosen the empire’s grip on Brittany and consolidate his own rule as an independent sovereign. In his efforts to achieve this goal he did not spare the church, over which he sought to exert direct influence. In an unprecedented move, Nominoe replaced five bishops whom he accused of simony at the synod of Caëilhoub in 848 or 84933. This was a defining event for the medieval Breton church, since it resulted in the severing of ties with the metropolitan see of Tours, and set the stage for Salomon’s attempts to elevate Dol to archiepiscopal status in the 860s34.

Nominoe’s actions were denounced by Pope Leo IV (847–855), whose reaction to the bishops’ dismissal is preserved in a letter he delivered to a delegation of Breton bishops35. The letter contains his comments on matters raised by the delegation, among them a query on simony. Leo sought to undermine the legitimacy of Nominoe’s decision to remove the bishops by invoking canons that belong to the Pseudo-Isidorian Forgeries (also known as the False Decretals)36. One of these canons, which Leo attributed to Pope Sylvester (314-335), can be sourced to the so-called Constitutio Sylvestri37. Another traceable source for his letter, the Capitula Angilramni – allegedly sent by Pope Hadrian I (772-795) to Bishop Angilram of Metz (768-791)38 – is a text concerned with the process of bringing accusation against bishops and other clergymen39. Both these texts render it nearly impossible to remove a bishop from office on grounds of misconduct, since they doubt.

30 Smith, Province and Empire, 78-82. Chédeville and Guillotell, La Bretagne des saints, 223-229. Nominoe styled himself missus imperatoris in the only surviving charter that he issued, dated 18 June 834, for which see ed. de Courson, Cartulaire § 2. A facsimile of the cartulary is Guillotell et al., Cartulaire. In other charters he appears as missus, princeps, and missus imperialis. See H. Pettitau, A prosopography of Breton rulership, Journal of Celtic Studies 4, 2004, 171-189: 179 n 75.
31 Smith, Province and Empire, 83-84 [citation].
32 Pettitau, Prosopography, 179-180.
33 Documents relating to this event are collated in W. Hartmann, Die Konzilien des karolingischen Teilreiches, 843–859, MGH Concilia, III, Hannover, 1984, 185-193. Smith, Province and Empire, 154 n 22, argues against Hartmann that five rather than four bishops were deposed. Nominoe’s involvement and the accusations of simony are discussed below. For a hagiographical account of the events leading up to this incident, see Gesta Sanctorum Rotonensium, II 10, ed. and tr. C. Brett, The Monks of Redon. Gesta sanctorum Rotonensium and Vita Conuuoionis, Woodbridge, 1989, 106-219: 174-183.
34 On which see Smith, Province and Empire, 158–159.
35 Leo IV, ep. 16, MGH Epist., V, 593-596. repr. MGH Concilia, III, 187-189.
39 Hinschius, Decretales, 757-769.
decree that a testimony against bishops is admissible only if it be made by no fewer than seventy-two witnesses. The Capitula Angilramni go one step further and give the accused the right to halt the proceedings against him if he asks to be judged directly by the pope. Leo cited precisely these restricting canons in his letter:

Nam nullam damnationem episcoporum esse unquam censemus, nisi aut ante legitimum numerum episcoporum, qui fit per duodecim episcopos, aut certe probata sententia per LXXII idoneos testes ... sicut nobis beatus Silvester tradidit et Romana sancta tenere uidetur ecclesia. Et si inter eos, quos damnandos esse dicerint homines, fuerit episcopus, qui sanam causam in presentia Romæ sedis episcopi petierit audiri, nullus super illum finitiam presumat dare sentenciam, sed omnino eum audiri decidimus.

“For we decree that no condemnation of bishops is ever possible, unless [it be made] before the lawful number of bishops, which is twelve bishops or by a sentence tested for certainty by seventy-two trustworthy witnesses ... as the holy Sylvester has taught us and as the holy Roman church is seen to uphold. And if among those whom the people wish to condemn there is a bishop who asks for his case to be heard before the bishop of the Roman see, we decree that no one shall presume to pass a final sentence on him, but let him be heard through and through”.

Other matters that the Breton delegation raised related to the promulgation of canonical sentences, the governing of a parochia, offering gifts (eulogia) to church councils, divination, marriage within the kin, divorce, alienation of church property, ecclesiastical land holding, tithes, and twice weekly fasts. Leo’s letter concludes with a comment on the authority of libelli et commentarii aliorum ‘little books and commentaries of others’ which circulated in Brittany and appear to have offered their own injunctions on the issues just mentioned, injunctions which sometimes conflicted with the teachings of Rome. The context (below) confirms that by the expression libelli et commentarii, Leo had in mind books of legal flavour. In Leo’s view, these libelli et commentarii were only to be consulted in exceptional cases:


40 HINSCHIUS, Decretales, 449: constitutionem est, ut nullos laicos crimen clerico audietur, et ut presbyteri non adversus episcopum... et non damnatur presul nisi in septuaginta duobus testimonii; 762: Placuit ut si episcopus accusatum appellaverit Romanum pontificem, id statuendum quod ipsi censuerit; 768: Et non damnabitur praesul nisi LXXII testibus. The claim that such prescriptions are unique to the False Decretals is made by FUHRMANN, The Pseudo-Isidorean Forgeries, 142.

41 MGH Concilia, III, 187–188.

42 MGH Concilia, III, 189. Note that my punctuation varies slightly from that of MGH. Here follows a corrupt sentence: quam ob causam luculentus est magis nunc pronunciare non pone quia illa que dictum sanctorum patrum statuta que apud nos canones pertinuitur sine sive illa episcopus sine clericos ne laicos non indiffereau receperit ipsa communiter nec catholicam et apostolicam fidem nec sancta vera Christi evangelia quasnam usum utile eft efficaciter ad effectum suum retinere ne credere.
“Concerning the little books and commentaries of others. It is inappropriate that some should judge and forsake the judgments (iudicia) of the holy canons or the rules of the decretals, namely, the ones that we keep together with those [i.e. the iudicia] in the canon, and which we employ in all ecclesiastical judgments – namely: [the iudicia] of the apostles, of Nicaea, of Anıcyra, of Neocaesarea, of Gangra, of Antioch, of Laodicea, of Chalcedon, of Sardica, of Carthage, of Africa, and alongside these the rules (regulae) of the Roman pontiffs Sylvester, Siricius, Innocent, Zosimus, Celestine, Leo, Gelasius, Hilarius, Symbmachus, Simplicius, Hormisdas, and Gregory the younger. These are the ones without exception; and bishops judge by them, and bishops and likewise clerics are judged by them. For if such an extraordinary case has emerged or presented itself which can by no means be settled by these [authorities], then, if the sayings of those whom you mentioned – Jerome, Augustine, Isidore, and similarly other saints [and] similar doctors – should be available, they [i.e. Jerome et al.] are to be readily accepted and promulgated; or [alternatively] let it be referred to the apostolic see”.

The authorities that Leo spoke approvingly of are the sources of a canonical collection which Pope Hadrian presented to Charlemagne in 774. Promulgated at the council of Aix-la-Chapelle in 802, it was to serve as an instrument for securing a universal christian tradition with Rome at its centre, and for the promotion of the imperial ideal of uniformity in religious practice at the expense of other (usually local) canonical collections. Modern scholarship refers to this as the “Collectio Dionysio-Hadriana”, but in the middle ages the text had no formed title and could have been referred to in different ways. Leo referred to it in his letter as the sum of iudicia sanctorum canonum and regulae decretalium found in canone.

Likewise, the expression libelli et commentarii aliorum “little books and commentaries of others” may also designate a specific work. We can attempt to identify this work in the same manner that the Dionysio-Hadriana has just been identified, namely, through its sources. According to Leo, among the sources of the libelli et commentarii were Jerome, Augustine, Isidore, et ceteri similiter sancti, doctores “and similarly other saints, doctors”. The only major canonical collection that circulated in the Carolingian empire which cited Jerome, Augustine, Isidore and several other sancti and doctores extensively, was Hib. In fact, a systematic use of the Fathers (and the bible) in a canonical collection was an innovation that Hib introduced to continental canon law, which had previously been based almost exclusively on synodal proceedings. Hib cites Augustine by name at least one hundred and forty-nine times, Jerome two hundred and thirty-eight times, and Isidore sixty-five times. Unlike Hib, other major canonical collections that circulated on the continent in the ninth century, such as the Dionysio-Hadriana, the Vetus Gallica and the Hispana, were essentially compilations of synodal constitutions and papal decretals. In


46 The figures, based on a new edition in progress, vary slightly between manuscripts of each recension. The count is exclusive of numerous citations from the works of Augustine, Jerome, and Isidore that are not attributed to these authors nominatim.
comparison with Hib, the Vetus Gallica – dubbed by Roger Reynolds the “quasi-official Frankish systematic collection of the Carolingians”\(^{47}\) – cites Augustine by name only twice (one of the two citations was excerpted directly from Hib 39.4), Jerome once, and Isidore four times\(^{48}\). Hence the Fathers were not an essential part of this collection, but a minor consequential addition. The Hispana, the earliest version of which is believed by its modern editor, Gonzalo Martínez Díez, to have been compiled by Isidore, does not appear to cite Augustine or Jerome by name (or at all)\(^{49}\). The Dionysio-Hadriana does not make any use of the Fathers either.

Let us suppose by way of hypothesis that the expression libelli et commentarii was Leo’s way of alluding to Hib. This possible identification is supported by the fact that at least two copies (or exemplars) of Hib.A (AP) and a copy (or an exemplar) of Hib.B (H) were extant in Brittany in the ninth century\(^{50}\). Moreover, ten out of the eleven matters that Leo commented on in his letter are dealt with by Hib\(^{51}\). This is not to say that all ten matters were derived from Hib, but that some of them could have been. For instance, the query on simony was evidently prompted by Nominoe’s actions and not by Hib’s rulings on simony. As for the matter that does not occur in Hib – gifts to church councils – the question concerning it might have been inspired by local Breton practices or by other prescriptive texts which circulated in Brittany. Incidentally, Reynolds recently suggested that abbot Conuuioin of Redon might have had a copy of Hib when, according to the Gesta sanctorum Rotonensium, he attended a Roman synod which condemned simony in Brittany\(^{52}\). Notwithstanding the obvious shortcomings of hagiographical narrative, this scenario must not be ruled out. However, since Conuuioin’s presence in Rome cannot be confirmed, the theory remains speculative.

Three of the matters that Leo commented on do not occur in Hib.A, but only in Hib.B. The first, marriage within the kin, was settled at a Roman synod in 721 presided over by Gregory II, which forbade marriage within six degrees of consanguinity\(^{53}\). Leo referred the bishops to that synod’s acta, which he designated beati iunioris Gregorii decreta.

The issue of consanguinity is addressed in Hib.B in an Isidorian citation from Etymologiae\(^{54}\), in which Isidore asserts that the term “consanguinity” applies to relatives


\(^{50}\) The manuscripts of Hib.A AP and the manuscript of Hib.B is H.

\(^{51}\) Simony: e.g. Hib 18c; promulgation of canonical sentences: e.g. 8.2, book 19, 20,3, 20.5; Parochiae e.g. 1.22, book 37 (in Hib.B only: De eo quod non debet princeps rapere parochium alterius), 42.19; divination: 64.1, 64.3, 64.5; divorce: 46.7, 46.8, 46.27; alienation of church property: e.g. 1.21, 41.1; ecclesiastical land holding: e.g. 42.8, 42.19, 42.20, 42.21. Marriage within the kin (on which Hib cites Isidore), twice weekly fasts and tithes, will be discussed anon.


\(^{53}\) CPL § 1714 (p. 558 § vi).

\(^{54}\) The correlation between the position on consanguinity propagated by Irish native law and between Irish canonical prescriptions on women’s right to inherit property, has been examined by D. Ó CORRÁIN, Irish law and canon law, in Irland und Europa. Die Kirche im Frühmittelalter, ed. P. NI CHATHAIN and M. RICHTER, Stuggart, 1984, 157-166: esp. 157-160.
who are separated by six degrees or fewer (usque ad sextum generis gradum consanguinitas constituta est)\textsuperscript{55}.

The remaining two matters, which are peculiar to \textit{Hib.B}, were introduced by Leo as \textit{de decimis} “concerning tithes” and \textit{de esu carnium} “concerning the eating of meats”, a title which Leo prefixed to instructions on the twice-weekly fast. I take the combination formed by the preposition \textit{de} and the description of the topics which Leo proceeded to discuss, to be “introductory headings” that capture the essence of the bishops’ queries. The heading \textit{de decimis} in Leo’s letter may echo a couple of consecutive chapters in \textit{Hib.B} which are devoted to the topic of tithes. They are titled \textit{De decimis} and \textit{De eo quod panperes recipere decimas tertio anno oportet}. Their canons are attributed to Deuteronomy, Augustine, and to certain \textit{auctores} that can be identified as the seventh-century \textit{Synodus sapientium de decimis} § 1.\textsuperscript{56}

\textit{Hib} asserts that \textit{panperes recipere decimas tertio anno oportet} “the poor should receive tithes every third year”. Leo took a different view on the matter, and his response to the Breton bishops’ query on tithes (a query which could have been framed with \textit{Hib} in mind) qualifies the type of people who may receive support from the church:

\begin{quote}
\textit{De decimis. Iusto ordine non tantum nobis sed et maioribus uisum est plebibus tantum, ubi sacrosancta dantur baptisma, deberi} \textsuperscript{57}
\end{quote}

“Concerning tithes. It has seemed not only to us, but also to our predecessors, that, by just command, [income from tithes] is due only to the \textit{plebes} that receive sacred baptism”.

The second matter which is peculiar to \textit{Hib.B}, the twice-weekly abstinence from meat, is dealt with in \textit{Hib} in a chapter titled \textit{De eo quod ieiunandum in quarta et in sexta feria} “Why it is necessary to fast on Wednesdays and Fridays”. This chapter occurs in a book \textit{De ieiunio}, which cites Jerome and Isidore extensively\textsuperscript{58}. Whereas the chapter \textit{De eo quod ieiunandum} is unique to \textit{Hib.B}, the book is found in both recensions. The authority quoted in this chapter is \textit{Vita sanctorum}, but I have been unable to trace the actual source\textsuperscript{59}.

That the early Irish church observed a twice-weekly fast on Wednesdays and Fridays during which one was forbidden to eat meat, is evident from the Irish names for these days: \textit{cétain} ‘first fast’ and \textit{ain} or \textit{ain dídine} “last fast”\textsuperscript{60}. We also know that Aidan’s mission to the English placed particular emphasis on the twice-weekly fast\textsuperscript{61}. Leo approved of the twice-weekly fast and specified how it was to be observed:\textsuperscript{62}

\begin{quote}
\textit{De esu carnium. Est aput nos uetustissima et non improbanda tradicio semper tenenda, ut a cene termino, que in principio noctis quartę ferie ... usque in diluculum quinte ferie, et simuliter a cena}
\end{quote}

\begin{footnotes}

\textsuperscript{55} For the original citation see W. M. LINDSAY, ed., \textit{Isidori Hispalensis episcopi etymologiarum sine originum}, 2 vols, Oxford, 1911, IX 6 § 29.

\textsuperscript{56} \textit{BCLL} § 604.

\textsuperscript{57} \textit{MGH Concilia}, III, 189.

\textsuperscript{58} Jerome: \textit{Hib} 12.2b, c, f; 12.3b; 12.4b; 12.7; 12.8b; 12.9a, c; 12.13; 12.16. Isidore: 12.3a; 12.4d; 12.8a.

\textsuperscript{59} The earliest text to prescribe a twice-weekly fast on Mondays and Fridays appears to have been the \textit{Didache} § 8, ed. T. KLAUSER, \textit{Doctrina Apostolorum}, Florilegium Patristicum 1, Born, 1940, 14-30; 22. See also a recent commentary by K. NIEDERWINNER, L. M. MALONEY, tr., and H. W. Attridge, ed., \textit{The Didache. A commentary}, Minneapolis, 1998, 131-133.

\textsuperscript{60} F. KELLY, \textit{Early Irish Farming}, Early Irish Law Series iv, Dublin, 2000, 346-347. KELLY’s example is taken from \textit{CH} ii 523.12 = \textit{AL} iii 14.20.


\textsuperscript{62} \textit{MGH Concilia}, III, 189.
\end{footnotes}
“Concerning the eating of meats. There is among us a most ancient tradition that must always be observed rather than deplored, according to which one may or must fast from the end of the meal on Wednesday evening ... until Thursday at dawn, and similarly, from the evening meal on Friday ... until Saturday at dawn or [moreover for] any part of the day”.

At this stage we may sum up the evidence in support of the hypothesis that the *libelli et commentarii aliorum* which Leo mentioned were, in fact, an allusion to a copy of *Hib* which the Breton bishops brought with them to their meeting with him. First – and most importantly – Leo’s letter mentions a combination of authorities which is peculiar to *Hib*. *Hib* (and its derivatives) was the only canonical collection in the Carolingian empire that cited these authorities extensively. Secondly (and secondarily), ten of Leo’s answers could have been framed in response to matters that *Hib* dealt with. All the authorities that the Breton bishops are said to have revered – *Hieronymus, Augustinus, Isidorus, nel ceteri* – are cited in books of *Hib* that deal with the matters which Leo commented on in response to the bishops’ queries. Finally, the pronoun *aliaorum* “of others” implies that the *libelli et commentarii* were foreign, i.e. non-Roman or non-continental. In sum, the evidence supports (but does not compel) an identification of *Hib* with *libelli et commentarii aliorum*.

Leo’s letter is a good example of the tension between local/foreign and Roman-sanctioned canonical collections. Leo urged his recipients to invoke the authorities found in the foreign little books and commentaries, namely *dicta Hieronimi, Augustini, Isidori nel ceterorum similiter sanctorum, doctorum*, only as a last resort in case all other authorities in *canone* failed to provide a fitting response. As a substitute for the foreign precepts which, perhaps, gained currency among Breton ecclesiastics, Leo offered the Roman-sanctioned *Dionysio-Hadriana*. The clash between the foreign books and the *Dionysio-Hadriana* illustrates nicely how Rome promoted the *Dionysio-Hadriana* as the standard imperial reference work of canonical discipline and encouraged bishops to forsake other collections which were used locally, such as *Hib*. Leo’s wish to endorse Roman discipline in Brittany appears to have had little or no success, as evidenced by Brittany’s continuous defiance of Roman authority, and by the fact that *Hib* continued to be copied in Brittany throughout the ninth and tenth centuries. *Hib*’s endurance in this instance is characteristic of its resistance to Carolingian and Roman attempts to abolish non-Roman canonical practices. As Reynolds concluded in his landmark study of the continental reception of *Hib* “Despite the promotion by the Carolingian rulers of Roman canonical texts and their apparent disapproval of the Irish, the *Hibernensis* continued to flourish and luxuriate in a variety of contexts both canonical and literary as well as geographical”.

Besides the *Dionysio-Hadriana* Leo’s letter drew upon another set of canonical rulings, namely the False Decretals, which were invoked in order to contest the lawfulness of Nominoe’s decision to remove the bishops. But these failed to impress Nominoe who ignored Leo’s directives, and, as a consequence, saw his newly-appointed bishops excommunicated by the Frankish church. In c. 850 a Frankish synod even accused him that *cupiditate tuae nastata est terra christiani* “the land of the christians has been devastated by your greed”. This triggered a violent response from Nominoe who sacked the cities of Rennes and Nantes, and replaced the bishop of the latter. Through

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63 See n 51 above.
64 REYNOLDS, Unity and diversity, 133.
65 MGH Concilia, III, 203-206: 204.
66 SMITH, Province and Empire, 155.
his actions, Nominoe brought about the separation of the Breton church from the ecclesiastical power-structure in Francia, and prepared the ground for Salomon’s later move to disengage from Tours formally by attempting to establish an independent metropolitan province. Perhaps, in those unstable times, Hib’s comprehensive programme for church organisation provided the Breton church with a blueprint for church organisation to rival the existing regional hierarchy from which it was trying to break away. The fact that Hib does not explicitly propagate Roman supremacy or stress metropolitan authority but takes an ambiguous stand on these issues in a manner which is open to interpretation, would (hypothetically) have increased its appeal to the clergy in Brittany, where “episcopal politics in the middle of the ninth century constitute a dramatic saga of the rejection of both metropolitan and papal authority”67. For example, book 20 of Hib expounds two distinct views on metropolitan and Roman authority68 and nothing is said of either Rome or metropolitans in Book 19, De ordine inquisitionis causarum “On the order of invoking causae”, which is the only book devoted exclusively to

\[
\text{his ergo causis, in quibus soluendi ligandique auctoritas est}
\]

“the things (causae) which have authority to bind and loosen”.

In fact, the only source mentioned therein which is not a written text (e.g. bible, papal decretals) is an assembly of seniores provincae “elders of a prouincia”, a category into which a synod might fall. Hence, Hib would have allowed the Breton church a great deal of discretion and manoeuvrability with respect to accepting or rejecting metropolitan and Roman authority.

A scribal colophon in the earliest of Hib’s Breton copies, A, attests that Hib’s Breton readership was not confined to a limited number of individual clergy who consulted it out of mere intellectual curiosity. The colophon, which states that that particular copy of Hib was copied at the behest of a synod, suggests that Hib came to the attention of a wider Breton ecclesiastical audience. The colophon, on p. 212 of the manuscript, reads:

\[
\text{Iunobrus scripsit haec sancta sinoda dicite animam eius in requiem erit et habitaret in paradiso sine fine.}
\]

Not only is the grammar of this phrase corrupt, but the original intention of its author is further obscured by the fact that the combination sancta sinoda (abbreviated “sc a sinoda”) is written slightly higher than the rest of the text, and occupies a space from which another word might have been deleted. The first clause of this colophon can be amended as follows:

\[
\text{Iunobrus scripsit haec, sancta sinodo dicente [or dictante]}
\]

“Iunobrus has written these things at the behest of the synod”.

However, the second clause appears not to be independent since animam (abbreviated anima) – in the accusative – is an unlikely subject, nor can it be the direct

67 SMITH, Province and Empire, 154.
68 See CHARLES-EDWARDS, Early Christian Ireland, Cambridge, 2000, 423-425. On Hib’s programme for church organisation, see C. Etchingham, Church Organisation in Ireland 650-1000, Maynooth, 1999, 47-63. The fact that Hib 20.5 advocates an appeal to Rome when quaestiones in hac insola oriantur which cannot be settled within a prouincia, does not conflict with Leo’s suspicious approach towards the foreign libelli. Even if Leo had been aware of this canon, he may nevertheless have regarded Hib as an alien work which rivalled Rome’s corpus of canonical literature, a corpus which, as we have already seen, Leo was keen to promote.
object of either of the verbs that follow – erit and habitaret. Likewise, animam cannot be the subject of a clause of reported speech (e.g. “Iunobrus has written these things since/after the synod said that his soul will rest in peace ...”) since the following verbs are not in the infinitive. The second clause can only be independent if we emend animam to anima (nominative). At any rate, all interpretations support the notion that a synod instigated the production of the manuscript. This is, of course, only true if we assume that the deleted word that was replaced by scē a sinoda is an organic part of the colophon.

The unnamed synod as well as the reasons for which it commissioned this copy, remain as obscure as the grammar of the colophon. Did the synod take place during the ecclesiastical upheaval of the ninth century? Was it a “national” Breton synod (perhaps Coitlouh)? Was it a local diocesan synod? Did the synod sanction Hib? These questions remain unanswered. However, it seems only fair to assume that the synod commissioned the manuscript – which also contains the Canones Adomnani and the Excerpta de libris Romanorum et Francorum – with a view to its canons being applied in one way or another. Perhaps the synod intended the copy to serve as nothing more than a handy source of biblical and patristic citations for instructing the clergy. But – and this is highly speculative – it might have been copied for the use of a Breton episcopal delegation preparing to leave for Rome where it was due to debate canonical matters before Pope Leo. At any rate, its heavy glossing with Old Breton words suggests at least that its contents were studied.

Modified copies of the Hibernensis

Hib was not merely copied in Brittany, but also modified there. One revised Breton copy of Hib is E, an abridgement of Hib.A containing two hundred and twenty chapters. Its purpose is unknown, and on the face of it, there appears to be no particular theme linking its canons. It contains two sections on fols. 66v-67r which have no parallels in other copies of Hib, and can therefore be assumed to have been inserted into the text in Brittany. The first deals with the observance of special days in honor of saints. The second tells of the miraculous healing power of water which was used to wash the feet of thieves. The stories are attributed to Vita monachorum, an unidentified text cited eleven times in Hib.A and sixteen times in Hib.B. The abridgment omits a significant number of canons attributed to Hibernenses and Synodus Hibernensis which occur in Hib.A: out of approximately seventy-two canons attributed to them in Hib.A (the number varies between manuscripts), the abridgment preserves ten. Canons attributed to Synodus Romana and Romani have also been omitted to the extent that their number was reduced from approximately forty-one in Hib.A (their number also varies) to three in the abridgment. Against the possibility that the omissions reflect the abridgers’ disinterest in authorities which are, ostensibly, uniquely Irish, it can be argued that canons attributed to Augustine have also decreased from approximately one hundred and ten in Hib.A to sixteen, canons attributed to Jerome from one hundred and eighty to fifty-one, and to Isidore from fifty-four to ten. Other authorities cited include Patrick, who is mentioned eleven times, Gregory the Great (eleven times), and Gregory of Nazianzus (six times).

A copy of Hib that was heavily augmented in Brittany is O. In a study of the Breton transmission of Hib, David Dumville asserted that O represents a third recension of Hib, which “seems to be an adaptation of an A to a B text, with a supplement

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69 For a transcript of E, see n 15 above.
70 The figures are based on a new edition in progress.
containing the matter distinctive to B". I counted at least sixty-four cases where O was augmented interlinearly or in the margin by material from Hib.B. The copy used for these augmentations was not H. Interlinear augmentations are also found in the supplement which contains excerpts from Hib.B in O. It is possible to show that at least some of these augmentations were already extant in the exemplar from which the supplement in O was copied. This can be deduced from a short text attributed to Vita sanctorum which was accidentally copied twice in the supplement in O: on fol. 150r and on fol. 152r. It has a couple of explanatory glosses which, curiously, occur in both copies of the text. This suggests that the glosses were not created by the scribe of the supplement, but were present in his exemplar. Since the other copies of Hib.B – H, Roma, Biblioteca Vallicelliana (hereafter V), T.XVIII and Monte Cassino, Archivio e Biblioteca dell’Abbazia, 297 – do not contain these glosses in their versions of the text from Vita sanctorum, it follows that neither could have been the exemplar for the supplement in O.

In fact, other glosses provide evidence that the store of Hib.B material on fols. 150r–179v of the supplement in O, written by a distinct hand, is textually related to H (a copy of Hib.B with Breton connexions). The glosses in question are found on fol. 159r, in a short text on units of measurement, titled De divisione orbis terrarum. The text itself is also found in both H and the Vallicelliana copy of Hib.B (V), but in the latter it is free of glosses. However, the same words that were used to gloss the text in O occur in the main text in H (fol. 32r), sometimes preceded by “i.” (for id est), suggesting that they are embedded glosses. I reproduce five of the parallel glosses:

- climata is glossed .i. CXX pedes
- actus is glossed LX pedes
- perticas is glossed .i. X pedes
- passus is glossed .i. V pedes
- palmas is glossed transversus.

The store of Hib.B material on fols. 150r–179v could not have been the direct source for H since it contains a mere selection of material from Hib.B, whereas H contains a complete text. What follows is that H and fols. 150r–179v in O derive from a single textual ancestor, although it cannot be established how many intermediate copies (if any) intervened between the common ancestor and either H or fols. 150r–179v in O. Manuscript H fused the ancestor’s glosses with the main text of Hib, whereas the section on fols. 150r–179v of the supplement in O kept them separate.

The process of augmenting one recension with material from another worked in both ways: not only was the copy of Hib.A in O augmented by passages from Hib.B, but the copy of Hib.B in H was augmented by material from Hib.A. At least four attributions of canons in H were replaced by attributions from Hib.A, and at least fifteen canons in H which were formerly unattributed, were given attributions that concur with Hib.A. There is no certainty however that the augmentations to H were made in Brittany. They could just as well have been made later in the manuscript’s transmission, at a centre that possessed copies of both recensions, such as Corbie or Worcester.

In a few cases the main text of H differs substantially from that of V. This suggests that either H or V, both copies of Hib.B, departed from their common ancestor.

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71 Dumville, Ireland, Brittany, 85. He designated it recension ‘C’. The first to record the store of material from Hib.B in the manuscript was Wasserschleben, Kanonensammlung, xxxiii.

72 The words are: accusauit gloss .i. peccauit presbiter; cupiebat gloss .i. senex.

73 Flechner, Paschasius, 416, 421 n 44.

74 For manuscripts of Hib at Corbie, see Flechner, Paschasius, 413, 416. To the list given there, add Paris BnF Lat. 12444, a manuscript whose contents are described by A. J. Nürnberg, Über eine ungedruckte Kanonensammlung aus dem 8 Jahrhundert, in Bericht der wissenschaftlichen Gesellschaft Philomathie in Neisse 25, 1888-1890, 118-197. For manuscripts of Hib at Worcester see Flechner, Paschasius, 415, 420 n 37.
Theoretically, H or its exemplar could have been modified in Brittany or elsewhere on the continent. However, one might expect such continental “contaminations” to feature non-Irish material. But H contains three Irish texts which are absent from V. This begs the question: did H introduce them to Hib.B or did V omit them?

The first of these Irish texts – first noticed by Bradshaw and pronounced as unique to H by Wasserschleben75 – is a canon on fol. 106v, excerpted from a collection of canons attributed to Adomnán (d. 704), ninth abbot of Iona76. The canon, De muliere meretrice ‘Concerning the harlot wife’, was placed in H in the book De ratione matrimonii “Concerning the guiding principles of marriage’. It is possible to argue that this canon was inserted into H or its exemplar in Brittany since it is unique to copies of the Canones Adomnani with Breton connexions77. However, it cannot be ruled out that the canon was already present in an Irish textual ancestor of H. The second example, at the equivalent of Hib.A’s 1.22, is a citation from recension G of the Canons of Theodore which is peculiar to H78. The passage in question says that killers of bishops or presbyters must be judged by a king. The third of these texts occurs on fol. 117r, in a book entitled De carnibus edendis (book 54 in Wasserschleben’s edition), which deals with restrictions on the eating of meats. The text, attributed “XLV titulos” (sic), is clearly an interpolation since its topic – regulations concerning the use of weirs for trapping fish – is blatantly out of context. A transcript of the text and a translation are provided below79.

De fluminibus piscium. Item XLV titulos: Et discernunt quod distruenda gurgitia piscium, que correte dicitur, in fluminibus retibus aptatis, ne semen discordiae pro eosa in fraternitate sit, et corda eorum rancore possessa tristentur, secundum illud exemplum evangeliwm: Si offeres munus tuum ad altare et reliqua. In alio loco nemo flumine, retibus inaepo, ita conponuntur gurgitia piscium, ut sint supra aquas mensura aequalis. Et condatur piscibus maris tractus natandi [read: ad usum80] communiter omnibus hominibus flumine ab imo usque ad superiorem eius partem, quo proficiunt in ibus omnibus, quibus a creator in commune dictum est: Et dominamini piscibus maris. Tamen est proptea aptauerint neri indices quanto spatio inexta corromptam in transverso natanti tractus sit, etenim dicitur: Vae tibi qui predaris quia et ipse predaueris “Concerning rivers with fish. Likewise XLV tituli. And they lay down that fish-weirs – which are called correte – shall be destroyed in rivers suitable for nets, so that there may be no seed of discord in the brotherhood for the sake of food, and so that their rancour-possessed hearts may not be saddened; in accordance with the example of the gospels: If thou offer thy gift at the altar, etc. [Matt., 5:23]. But in another place, in a river unsuitable for nets, fish-weirs should be constructed in such a way that they are of the same measurement above the water. And a passage for swimming should be built for the fish of the sea for the benefit of all men right along the river, from its lowest to its highest part, so that they [the sea-fish] may provide food for all, to whom it was said in common by the creator: Rule over the fishes of the sea [Gen., 1:28]. Yet it shall be as true judges adjudicate by how much space the swimming passage next to the weir shall stretch across [the river]. For it is said: Woe to thee that spoilest, for thou thyself also will be spoiled [Is., 33:1]”.

75 Bradshaw in WASSERSCHLEBEN, Kanonensammlung, lxx–lxxi, and note ** for Wasserschleben’s comment.
77 These are BHOP. The non-Breton copy of Canones Adomnani, which does not contain this canon, is Cambrai 625 (576), fol. 54v. See also Flechner, Paschasius, 415, 420 n 36.
78 Canones Theodori, G 108 (cf. U i.4.5).
79 I owe thanks to Professor Michael Winterbottom for his interpretation of challenging terms and phrases in the text.
80 Restored by Winterbottom.
The words used in the text to render “fish-weirs” are gurgitia piscium, correte, and correptam [read corretam]. Whereas gurgitia is derived from the Latin masculine noun gurges (gen. gurgitis) which the text treats as a neuter, the forms correte and correptam are not of Latin origin. An ablative, coreris, in the combination cum coretis, is found in the Cornish Carta Maenchi comitis\(^81\), and charters from the Welsh Book of Llandaff contain references to cases where land was granted cum coretibus suis to the bishopric of Llandaff\(^82\). According to John Gwenogvryn Evans and John Rhŷs, the charters used coretibus to render Old Welsh coret “weir”\(^83\). The Book of Llandaff is unique in its treatment of this word as a noun of the third declension.

A similar form, cora, is attested in Old Irish\(^84\). Given the fact that three Celtic languages, Old Irish, Old Cornish and Old Welsh, constructed the word for “fish-weir” using the same root, it may well be the case that a cognate existed in Old Breton as well. The attestations of the root in three Celtic languages and the possibility that it also existed in a fourth, make it all the more difficult to establish the origin of our text, and determine whether it was interpolated in Brittany or elsewhere. Like the canon from the Canones Adomnnani discussed above, the text on fish-weirs could have been copied into a textual ancestor of H already in Ireland.

An Irish origin for the text on weirs is supported by the fact that weirs were frequently mentioned in the laws as a common method of fishing in medieval Ireland. Like H, some law tracts discuss in detail the manner in which weirs should be positioned, as well as other technical aspects\(^85\). Take for example the following passage:

\[aired. i. ime ní fad. . . adeir sé: Ní teachta ní be [m] ní triaín inn uisce do aire
“aired, i.e. a dam or a fence. . . he says: it is not lawful to dam more than a third of the water”\(^86\).

This and other passages in Irish law indicate that fishing by means of weirs came under strict regulation. For instance, in another case it is stated that a landlord who builds a weir beyond the limits to which he is entitled, must share his catch with others who fish in the same river\(^87\). The chapter De fluminibus piscium is reminiscent of this type

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81 Also known as the Lanlawren Charter. A transcript and translation is O. J. Padel, The text of the Lanlawren charter, Cornish Studies 7, 1979, 43-44. A commentary is Padel, The new pre-conquest charters from Cornwall, Cornish Studies 6, 1978, 20-27: 20-26. I am grateful to Dr Anthony Harvey for drawing my attention to this charter.


83 Gwenogvryn Evans and Rhŷs, Book of Land Dâv, 394.

84 See cora(b), corr\(^a\) in Contributions to a Dictionary of the Irish Language, ed. E. G. Quin et al., Dublin, 1913-1976.

85 Kelly, Farming, 287–290. Kelly provides the following references: CIH iii 1018.6, vi 2163.6; CIH iv 1468.8-9 = O’Davoren’s Glossary, ed. W. Stokes, Archiv für celtische Lexikographie, 3 vols, Halle, 1900-1907, ii 197-504: 206 § 60 [discussed anon]; CIH ii 369.15 = AL i 130.4 [ownership of weir by kin-group]; CIH ii 395.18-21; v 1699.11-14 = AL i 204.27-206.2 [fishing in excess at the expense of neighbours who have a claim to the same river]; CIH iii 1018.6-10; vi 2163.6-9; CIH i 261.13, iii 928.12-13 = AL iii 148.19-21 [theft from weir]; CIH iv 1189.36; CIH v 1874.20; CIH ii 369.9 = AL i 122.15 [mention of situs in regulation of nets]; CIH ii 592.11 = R. Thurneysen, tr., Die Bürgschaft im irischen Recht, Berlin, 1928, 8 § 13 = R. Stacey, tr., Berrad airechta: An Old Irish tract on suretyship, in T. M. Charles-Edwards et al. ed., Lawyers and Laymen, Cardiff, 1986, 212 § 13 [earnings from net casting are entirely immune from claim].

86 Stokes, ed. and tr., O’Davoren’s Glossary, 206 § 60.

87 Kelly, Farming, 289. His sources: CIH ii 395.18-21; v 1699.11-14 = AL i 204.27-206.2; CIH iii 1018.6-10; vi 2163.6-9.
of legislation in that it seeks to safeguard the rights of landowners to a fair distribution of the catch by specifying how and under what conditions weirs should be constructed. But it is unique in that it buttresses its stipulations with biblical passages.

**Hib and the Breton church: a recapitulation**

Whether or not the text on fish-weirs was interpolated into *Hib* in Brittany, it can certainly be pronounced as peculiar to a copy of *Hib* with Breton connexions which, as we have seen, was contaminated by material from other Insular sources. Other copies of *Hib* with Breton connexions, E, the *florilegium* in O, and W, exhibit revision on a much larger scale, to the extent that their texts are best described as derivatives of *Hib*. Brittany thus presents itself as a zone which was particularly receptive to Insular canonical texts, and which appears to have adapted these texts to suit particular local needs. The sources used to augment H, the *Canones Adomnani* and the Canons of Theodore, were transmitted in Brittany as satellite texts of *Hib*, as were a few other minor texts of canonical flavour.

The scribal colophon in A, which claims that a Breton synod (perhaps in the ninth century) commissioned a copy of *Hib*, shows that *Hib* was received as a document of potential practical value. *Hib* was not copied by individual clergymen for private purposes, but – as we learn from the same colophon – it was deliberately brought to the attention of a wider Breton audience. The question of whether or not *Hib* played a role in contemporary Breton church politics, remains open. Nevertheless, evidence discussed here supports the notion that prescriptions from *Hib* were debated at the meeting between Pope Leo IV and the delegation of Breton bishops.

It is clear that the events leading up to the meeting, the meeting itself and its consequences, were quite unlike their portrayal in Redon’s tendentious hagiographical accounts. This is to say that Nominoe (and perhaps abbot Conuoioion) was not such a “positive” force as he is depicted in hagiography, who – in good faith and with no ulterior motive – led a papally-sanctioned campaign to stamp out simony from Brittany. The hagiography is counter-balanced by a single surviving historical document – Leo’s letter to the Breton bishops – which shows that the pope made it tremendously difficult (if not utterly impossible) for Nominoe to depose the bishops. Furthermore, Rome’s harsh reaction to Nominoe’s defiance of Leo leaves no room for doubt that the Bretons had no support whatsoever for removing bishops accused of simony.

The conflict between the Breton church and Rome is of particular concern to us since canonical texts played a part in it. The Breton delegates and the pope debated the matter of simony with recourse to canonical literature. The Bretons used the opportunity to ask Leo for his opinion on a particular set of canons they had been using, which differed from Roman-sanctioned canons. We have seen that the issues dealt with by the Bretons’ canonical text concur with issues dealt with by *Hib*. Leo objected to the use of the Bretons’ canonical text, which he urged the bishops to replace with prescriptions from the so-called False Decretals and the *Dionysio-Hadriana*. This episode is a good illustration of the ninth-century clash between Roman and non-Roman canonical teachings. What is remarkable about this case, is that the origin of the non-Roman teachings appear to have been Irish.

Thanks to Leo’s responses, we know which canonical matters other than simony the Bretons raised at their meeting with the pope. But, sadly, we only have Leo’s views on these matters, and not the Bretons’. In theory, if we knew for certain that the Bretons had employed *Hib*, it would have been possible to deduce how their views differed from

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88 Penitential of Vinnian, *Sinodus Hibernenis*, *Synodus sapientium de decimis*, *De arreis*, *De iectione eclesie graduum ab ospito*, *De canibus sinodus sapientium*, and *Synodus episcoporum*. For editions, see Bieler, *Penitentials*. 
Leo’s. Indeed, earlier we have explored the possibility that Leo gave two of his injunctions in response to Hib.B’s canons on tithes and twice-weekly fasts. However, as regards the more important and contentious canonical issue that might have been relevant to ninth-century Breton church organisation – namely, the governing of a parochia – it is impossible to establish (i) which of Hib’s canons concerning this issue attracted the Bretons’ attention, and (ii) how the Bretons interpreted them. In theory, the Breton church could also have relied on Hib for inspiration or guidance in the aftermath of the deposition of the Breton bishops, as it was struggling to take its first steps of independence from the see of Tours. But without any complementary evidence, it would be impossible to know exactly how Hib served the Bretons, since its programme for church organisation is not only complex, but often ostensibly inconsistent.

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Abstract

Brittany played a major role in the early transmission of the Collectio canonum hibernensis. In total, seven copies of the Hibernensis (and a fragment) were written in Brittany or copied from Breton exemplars, and all complete copies of the Hibernensis but two have Breton connexions. The present paper examines how the Hibernensis figured in ninth-century Breton ecclesiastical politics, and introduces new evidence pertaining to individual Breton copies of the Hibernensis and their relationship.

La Bretagne a, au départ, joué un rôle crucial dans la diffusion de la Collectio canonum hibernensis. Au total, sept manuscrits de l’Hibernensis (et un fragment) ont été rédigés en Bretagne, ou alors copiés à partir d’exemplaires bretons. Seules deux copies complètes de l’Hibernensis n’ont aucune filiation avec la Bretagne. Cet article se propose d’examiner comment l’Hibernensis a pu figurer dans la politique ecclésiastique bretonne du neuvième siècle. Ce faisant, il fournit de nouveaux éléments concernant l’étude des manuscrits bretons de l’Hibernensis et de leurs relations réciproques.