

IF THE BREHON LAWS WERE IN FORCE TO-DAY

Dr. EOIN MacNEILL'S LECTURE TO CELTIC CONGRESS.

THE ARTHURIAN LEGENDS AS A SOURCE OF INSPIRATION.

THE Brehon laws were discussed by Dr. Eoin MacNeill, Professor of Irish History at the University College, Dublin, in an address which he delivered yesterday to delegates to the Celtic Congress in Dublin.

Mr. John Cameron (Scotland), who presided, said that Professor MacNeill was recognised in Scotland as the best-known writer on Irish history, and added that one found more histories of Ireland written by "outsiders" than by Irish people. After reading many of these, he said, the reader arrived at a state of great confusion.

Professor MacNeill, opening his lecture, stressed the necessity of the study of history of a "liberating" imagination, to detach the student from the circumstances of his own time. The Brehon laws, he continued, were committed to writing between the years A.D. 650 and 750, and belonged to the earliest period of Irish manuscript writing, while the language was highly technical. As in our statutes nowadays, some of the words were antiquated even when they were written down, and these had to be interpreted under great difficulties, with the aid of ancient "glosses." Taking that into consideration, it had to be agreed that the work of O'Curris and O'Donovan, the translators, was stupendous.

INACCURACIES.

It was utterly impossible, however, that their work should be accurate. Even if the inaccuracies were very serious, and had misled those who came after. Not one of the editors who followed them was competent to revise their translations.

The laws were adapted by jurists of the different periods to suit the conditions of their times, by glosses and commentaries, written on the manuscripts, so that there was a sort of continuous legislation. A curious aspect of this was that those jurists all seemed to be able to reach agreement.

Before A.D. 650 there was no Irish writing. Professor MacNeill proceeded, adding that, although that statement might be challenged, he made it with a full sense of responsibility. The Druids avoided all writing; their teachings being conveyed in innumerable verses. This mnemonic method was to be found in these laws, which had poetry in every line.

Remarking that only the other day he read a statement by someone—who was evidently an enthusiastic young man—hoping that the Brehon laws would be put into operation again to-day, Dr. MacNeill said that if that young man were to wake up and find the Brehon laws in force throughout the length and breadth of Ireland he would get the surprise of his life. These were the laws of an aristocratic community, of a limited class, the freemen of the land. One section dealt with offences against property. Restitution for the damage done was, of course, an element of the legal remedy, but the law demanded also restitution for the dis honour done to the dignity of property, just as a man who struck another now had to pay not only for the damage done to the person,

but for the damage done to his honour. For this payment, they placed a universal minimum of two milch cows.

"I think no other body of ancient laws in Europe—I know nothing about those of China—gives you an insight in such extraordinary detail into the life of the people they concerned," said the lecturer. He went on to point out that they did not picture a golden age or a perfect human society, and that they contained many things that nobody would like to see revived to-day. On the other hand, they did show a highly advanced and developed culture.

Dr. Binchy, he added—"our coming greatest authority on these laws"—agreed with him that the technical language of them was extraordinarily careful and accurate to a degree which had not been equalled since the Greek philosophers.

At the time of the Norse invasions, he thought, there began a decadence in the treatment not only of these laws by the jurists, but in the social framework to which the laws applied, and this possibly continued until the violent extinction of Irish law about the year 1600.

DISCUSSION.

In the discussion which followed, Mr. F. Llewellyn Jones, M.P. (Wales) stressed the fact that research revealed that their Celtic ancestors lived very differently from Europeans. They had complicated institutions, highly-developed legal codes, and jurists who cultivated the laws which had been handed down traditionally and orally. Mr. Jones suggested that the Free State Government might publish a compilation of the old Irish laws, which might be made by Dr. MacNeill and other authorities, in English, so that it would be available to all who were trying by a study of comparative law to form a just estimate of the value and importance of the ancient codes.

The Rev. Dr. Neill Ross (Scotland) said that the laws showed the long, long trail that the Celts had behind them.

Professor Hughes (Wales) suggested that research work must be done with a view to discovering if there were any common basis of the ancient laws of Ireland and Wales.

Professor T. O. Maile (Ireland) said that the framers of these laws were shown to have the "legal mind" of present-day jurists.

Dr. Douglas Hyde endorsed the lecturer's praise for O'Curris and O'Donovan, and spoke of the bad treatment these men received at the Royal Irish Academy, where they were not permitted to work together.

The Chairman said that there was plenty of evidence that in ancient Ireland legislative assemblies existed, and denied that the laws were made by magistrates. While there were no policemen or sheriff's officers to enforce them, they knew that any person who disobeyed them was outlawed.

ARTHURIAN LEGENDS.

Professor Mary Williams, D.Ph., read a paper dealing with Arthurian legends under the title of "Gersaint and Eoid," in reference to the wanderings of missionaries between Cardiganshire, Ireland, Cornwall and Brittany, and the effects of them on the stories which ultimately were incorporated in the Arthurian legends.

All these missionaries were following the old trade routes of pre-historic times between Ireland, Wales, Brittany and Cornwall.

Gersaint, she said, is the Dumnonian hero, one of three at least of that name, and whose fame in South Wales had been intro-

duced first of all by the missionaries who were closely connected with South Cardiganshire, and had christianised Dumnonia, and, later, Brittany.

Having given details of the different versions—French, Welsh, German and Norse—of the story of Gersaint and Eoid, the lecturer said we were much indebted to the old saints (named, not because they were saints, as the term was understood to-day, but because they were regarded as good and holy) for many reasons.

Many an interesting piece of folklore had been preserved in their "Lives," which would otherwise have been forgotten. To their wanderings we owe a great deal of our Arthurian literature, or what goes by that name. Much of this was localised in Cornwall, and it was a matter of very deep regret that so little of the literature of both Cornwall and of Brittany has been preserved, for it so greatly enriched, not only our own country, but also so many countries on the Continent.

It should be the aim, said Miss Williams, of the Celtic Congress to bring to light as much of the literature as is still unpublished. Ireland had a very rich store in its many libraries, and in the hearts of its people. The world needed fresh inspiration, now perhaps more than ever.

"It is," said Miss Williams, "a great contribution which Celtic countries, united as we are to-day, can make for the welfare of mankind. We need a second story of the Grail for a spiritualising of the world as in the Middle Ages. Only the Celtic countries can do this."

On the motion of Professor Ernest Hughes (Wales), seconded by Professor Georges O'Farrelly, a vote of thanks was given to Miss Williams.

Dr. Douglas Hyde presided.

In the afternoon the visitors were taken on a tour of the city under the guidance of Professor Macalister.

OLD DUBLIN.

Before the delegates started on their tour Professor Macalister delivered a lecture, in which he said that the oldest mention of any place that could possibly be identified with Dublin was on the map of the Alexandrian geographer, Ptolemy, who lived in the second century A.D. He mentioned a number of towns among them Eblana, which, roughly speaking, occupied the position on which Dublin now stood.

The present city was, however, of much later origin. It was one of the cities founded by the Scandinavians during their raids into this country. Waterford, Limerick and one or two smaller cities were also founded by the Scandinavians as bases for their raids. Around Dublin were a great many places with Norse names, such as Dalkey and Lambay. The Norse kings of Dublin were the first in Ireland to stamp a coinage. Norse Dublin was a very small affair compared with the present-day city.

Detailing the itinerary of the tour, Professor Macalister said that it included visits to the old Parliament House, Christ Church Cathedral, the old city walls, Chapelizod, the premises of the Royal Society of Antiquaries in Merrion square, and Trinity College.

Professor Macalister adds that Rome was built on seven hills, but Dublin was built on seven rivers.

A report of the evening proceedings will be found in Page 8.



Dr. E. MacNEILL.