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Arson in Medieval Ireland: An Analysis of the sources (with particular focus on *Bretha Forloisctheo*, the medieval Irish law tract concerned with arson)

This thesis examines the issue of arson in medieval Ireland. This topic appears in written medieval literary sources and in historical sources such as the annals and is compared here with the medieval Welsh material on arson. Furthermore, a detailed review of the archaeological evidence for burning during the medieval period in Ireland is included. The main focus of this thesis is on the later medieval legal commentaries on burning which pay considerable attention to the penalties owed when a fire breaks out. Five commentaries discuss arson and two commentaries in particular, those in Rawlinson B506 and TCD H.3.17 (Commentaries A and B respectively) are based on a no-longer extant law-tract *Bretha Forloisctheo* 'Judgements on Arson'.

- Commentary A Rawlinson B506: 24vb42-25rb26 CIH 102.25-103.24
- Commentary B TCD 1336: 447.1-449.34 CIH 1945.08-1947.21
- Commentary C TCD 1336: 531.19-532.20 CIH 2013.22-2014.02
- Commentary D TCD MS 1337: 464a8-465a21 CIH 1025.03-1026.06
- Commentary E TCD 1387: 28b2-29a46 CIH 2184.15-2186.11

All five commentaries are edited semi-diplomatically with a discussion of the manuscript contexts, transmission methods for legal commentaries and the relationship of the commentaries to each other. Commentaries A and B are also translated into English for this thesis. Furthermore, the evidence for the law-tract *Bretha Forloisctheo* and its relationship to the *Senchas Már* collection of law-tracts is considered in detail in this thesis as well.

The commentaries focus on a rural agrarian society and the consequences of a fire occurring in a house, farm buildings such as barns, or industrial buildings such as kilns or mills. For example, the fine is six cows and full compensation if a house is burned deliberately. If a mill or kiln is burned, the fine is three cows and full compensation. The statuses of the victim and the perpetrator of the fire are a major concern in the commentaries, with the penalties for the act graded accordingly. The intention behind the blaze is also taken into account when fines are calculated. The penalties are highest for deliberate arson, they decrease when a fire occurs due to negligence. Occasionally, there are no fines at all when a fire is started by accident. Furthermore, how the perpetrator reacts to the fire once it breaks out is considered in this material. The triad *drochdénam, nemdénam* ₇ *malldénam* 'bad-action, inaction and slow-action' features prominently in these sources. If any of these actions contribute to a blaze being exacerbated, then the penalties rise to that of deliberate arson (even if a fire starts by accident). By utilising these legal commentaries on arson and contextualising their contents with a variety of early sources, this thesis discusses the impact of arson on the everyday lives of the people who lived in medieval Ireland.