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PhD Thesis

'Second-Stage' Iorwerth: Textual Change and Development in Medieval Welsh Legal Manuscripts

Volume I

Alexander James Sigston
Corpus Christi College, Cambridge

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PREFACE

The last four years have been difficult, but immensely rewarding. The opportunity to study further at Cambridge, to participate in the Great Conversation, has been an honour. I cannot say that I have quite absorbed the *lucem et pocula sacra* of this great institution, and perhaps I have supped more readily from *pocula* than is strictly wise, but I end this time with bookshelves full of books and a mind full of ideas. To use a different metaphor, the interests sown in the last four years will provide food for a lifetime. Despite the appearance of my name on the front, so many people have contributed towards the finishing of this thesis, in ideas and discussion, and in kindness, sympathy and support. Without funding from the AHRC, and the consideration of those who distribute funds, none of this would have been possible. The staff and porters of Corpus Christi College, where I have spent the best third of my years, have formed a vital ground of rock to my studies. I found a welcoming and stimulating community, and home, at Leckhampton. The ASNC Department, full of the brightest and most passionate people I have had the distinction to meet, has been the source of my own intellectual development. Friends and family have remained a loyal source of support. Stephen Geddis, erstwhile housemate and bassoon prodigy, has had the poor luck to live with me during the two hardest periods of my life. To say that my mental health depended often on Stephen, curry and Red Dwarf sounds drastic, but is not too far from the truth. Before I ever heard the name *Cyfraith Hywel*, my mum and nan allowed this strange child to drag them around castles and cathedrals the length of the British Isles. It was a visit to Sutton Hoo in 2009 which first solidified my intention to study ASNC at Cambridge. My dad never saw me take up the PhD, let alone finish it, but his pride remains with me.

Professor Paul Russell taught me my first word of Welsh nearly ten years ago. In one of my very first supervisions at Cambridge, I was shocked to find out that a few articles and the Wikipedia page was not quite enough to manage an hour with him on the *Mabinogion*. Supervisions still feel like I have only read a few articles, but at least now I have read the source material. Numerous discussions and drafts; corrections and reframing; a quiet generosity, patience and common sense: all these things are the making of this thesis. Of course, all mistakes remain my own; without Paul, however, there would have been far more.

Finally, there remains Charlotte. If I had a tenth of your diligence, insight and creative verve, this thesis would be stronger, clearer and more penetrating – and would have been finished in half the time. I have been a prospective PhD the entire time we have known each other. We started as fresh-faced graduates planning the College pantomime, and now we have a wonderful dog, a dining table, several bookcases, and a happy home. I cannot wait to find out what we can do when we are both doctors. I am grateful for all your help and emotional support, and truly sorry that you know far more about thirteenth-century Welsh legal manuscripts than someone researching emerging technologies ever should.

This thesis is the result of my own work and includes nothing which is the outcome of work done in collaboration except as declared in the preface and specified in the text. It is not substantially the same as any work that has already been submitted before for any degree or other qualification except as declared in the preface and specified in the text. It does not exceed the prescribed word limit for the English Degree Committee.

The list of manuscript abbreviations used here are conventional in the field. I do not refer to all manuscripts in this thesis, but, for the sake of completeness, all are included in the list below. Sigla stand for the individual manuscripts, with Ior, Cyfn and Bleg referring to the three Welsh-language recensions. The latter has referred in the scholarship both to the archetypes standing behind each group of law-books and the group itself; here, I use them to refer to the tradition, pattern, or form in general. The abbreviation *CH* is used in the same manner, to refer to the *Cyfraith Hywel* tradition as a whole. I also include a few abbreviations for ease of reference to scholarly journals, collections of articles, and works to which frequent reference is made. I also, as is conventional, use *Ior* (in italics) to refer to *Llyfr Iorwerth*, ed. Wiliam. The referencing style used here follows the ASNC Style Guide.

Where possible, reference is made to the manuscripts themselves, with folio or page number where appropriate. Almost all are available freely online, either as part of the *Rhyddiaith 1* (prose manuscripts dating to the thirteenth century) or *Rhyddiaith 2* project (1300 to 1425). Many are also available to view online at the *NLWW*, or other websites of holding libraries. *S* and *Tim* are the only manuscripts frequently referred to though not available through any of these means. Reference is therefore made to the editions of Christine James and Timothy Lewis respectively.[1] Descriptions of where manuscripts can be viewed and read, alongside summaries of contents, can be found on *CHW*. Dating is taken from the Table included in Daniel Huws' *MWM*.[2]

As can be seen from my use of *Cyfraith Hywel*, where possible I tend to use the Welsh-language version of legal terminology and textual parts. This practice attempts to retain fidelity to terms used in the manuscript tradition. *Llyfr Prawf*, conventionally rendered as 'Judges' Test-book', is a term used in the Ior tradition. However, *Llyfr Prawf* translates as 'Book of Proof' rather than 'Judges' Test-book'. Although its Preface makes clear that this collection of material was clearly intended for judges, the use of *Llyfr Prawf* allows me to utilize a descriptor which would have been far more familiar to contemporaries. Where there is no term in the manuscripts, or where the item referenced is of sufficient obscurity, the English is used for ease of reference. The English translation is provided the first time a Welsh term is used; a full list can be seen in the List of Abbreviations.

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[1] James, 'Golygiad' and Lewis, *The Laws*.

[2] Huws, 'Table'. *CHW* also uses these dates. Reference should soon be made to Huws, *Repertory*, with a date of publication at the end of 2020.

Contents

Contents

Contents

LIST OF FIGURES

LIST OF ABBREVIATIONS

MANUSCRIPT SIGLA

A	NLW Peniarth MS 29	(s. XIII^{med})
B	BL Cotton MS Titus D. ii	(s. XIII^2)
C	BL Cotton MS Caligula A. iii	(s. XIII^{med})
D	NLW Peniarth MS 32	(c. 1400)
E	BL Additional MS 14,931	(s. XIII^2)
G	NLW Peniarth MS 35	(s. XIV^1)
K	NLW Peniarth MS 40	(s. XV^2)
Lew	NLW Peniarth MS 39	(s. XV^{med})
I	NLW Peniarth MS 38	(s. XIV/XV)
J	Jesus College, Oxford, MS 57	(c. 1400)
L	BL Cotton MS Titus D. ix	(s. XIV^{med})
M	NLW Peniarth MS 33	(s. XV^1)
N	NLW Peniarth MS 36B	(s. XIV^1)
O	NLW Peniarth MS 36A	(s. XIV^1)
P	NLW Peniarth MS 259A	(s. XV^2)
Q	NLW Wynnstay MS 36	(s. XV^{med})
R	NLW Peniarth MS 31	(s. XIV^1)
S	BL Additional 22,356	(s. XV^{med})
Tim	NLW Llanstephan 116	(s. XV^{med})
T	BL Harleian MS 958	(s. XIV^{med})
Tr	Trinity College, Cambridge, O.7.1	(s. XIV^1)
Llan	NLW Llanstephan 29	(s. XV/XVI)
Bost	NLW 24,029A	(s. XIV^2)
Ep	NLW Peniarth 258	(s. XV^2)
Mk	Plas Bodorgan MS	(s. XIV^1)
U	NLW Peniarth MS 37	(s. XIV^1)
V	BL Harleian MS 4353	(s. XIV^1)
W	BL Cotton MS Cleopatra A. xiv	(s. XIV^1)
X	BL Cotton MS Cleopatra B. v	(s. XIV^{med})
Y	NLW 20,143A	(s. XIV^{med})
Z	NLW Peniarth MS 259B	(s. XVI^1)
Lat A	NLW Peniarth MS 28	(s. XIII^{med})
Lat B	BL Cotton Vespasian MS E XI 1	(s. XIII^{med})
Lat C	BL Harleian MS 1796	(s. XIII^{med})
Lat D	Oxford, Bodley, Rawlinson C 821	(s. XIII/XIV)
Lat E	Corpus Christi College, Cambridge, MS 454	(s. XV^1)
Lat E^2	Merton College, Oxford, MS 323	(s. XV^1)
Col	NLW Peniarth MS 30	(s. XIII^{med})
F	NLW Peniarth MS 34	(s. XV^2)
H	NLW Peniarth MS 164	(s. XIV)
As	NLW Peniarth MS 175	(s. XV^2)
Mor	NLW Peniarth MS 36C	(s. XV^2)
An	NLW Peniarth MS 166	(s. XVI^{med})
Dd	BL Additional 31,055	(1591–6)

OTHER ABBREVIATIONS

AL	Owen, ed., *The Ancient Laws and Institutes of Wales*
AWR	Pryce, ed., *Acts of the Welsh Rulers*
BBCS	*Bulletin of the Board of Celtic Studies*
BIB 2	Morgan and Thomson, ed., *The Cambridge History of the Book in Britain: Volume II, 1100–1400*
BL	British Library
CBT	*Cyfres Beirdd y Tywysogion*
CH	*Cyfraith Hywel*
CHW	Roberts and Jones, ed., *The Cyfraith Hywel Website*
CMCS	*Cambridge Medieval Celtic Studies*, 1–25; *Cambrian Medieval Celtic Studies*, 26–
Ior	Wiliam, ed., *Llyfr Iorwerth*
LAL	Charles-Edwards, Owen and Walters, ed., *Lawyers and Laymen*
LTWL	Emanuel, ed., *The Latin Texts of the Welsh Laws*
NLW	National Library of Wales
NLWJ	*National Library of Wales Journal*
NLWW	*The National Library of Wales Website*
MS	Manuscript
MWM	Huws, D., ed., *Medieval Welsh Manuscripts*
Rhyddiaith 1	Rodway, et. al., *Rhyddiaith y 13eg Ganrif: Fersiwn 2.0*
Rhyddiaith 2	Luft, et. al., ed., *Rhyddiaith Gymraeg 1300–1425*
RMWL	Evans, J. G., *Report on Manuscripts in the Welsh Language*, 2 vols.
TCC	Charles-Edwards, et. al., ed., *Tair Colofn Cyfraith: The Three Columns of Law in Medieval Wales, Homicide, Theft and Fire*
TWL	Charles-Edwards, *The Welsh Laws*
WKC	Charles-Edwards, et. al., ed., *The Welsh King and His Court*
WLW	Jenkins and Owen, ed., *The Welsh Law of Women*
WLMA	Russell, ed. and trans., *Welsh Law in Medieval Anglesey*

WELSH-LANGUAGE TERMINOLOGY

Breiniau Gwyr Arfon	Privileges of the Men of Arfon
Cyfraith Hywel	The Law of Hywel
Cyfraith y Llys	The Law of the Court
Cyfraith y Wlad	The Law of the Country
Cynghawsedd	Model Pleadings
Damweiniau	'Happenings'
Galanas	Man-Price/Wergild
Gwerth Gwyllt a Dof	The Value of the Wild and Tame
Llyfr Prawf	The Judges' Test-book/The Book of Proof
Naw Affaith	Nine Abetments
Sarhaed	Honour Price
Tair Colofn Cyfraith	The Three Columns of Law

1 INTRODUCTION

1.1 AIMS AND STRUCTURE OF THE THESIS

1.1.1 Introduction

This thesis has its origin in work done during my MPhil dissertation.[3] There, a range of methodologies were marshalled to mount an investigation into a specific section of the Welsh laws. In examining the material pertaining to *nawdd*, 'protection, sanctuary', a combination of approaches – textual, terminological and literary – allowed for the presentation of a holistic view of a legal term and its use and development across the Middle Ages. Native Welsh law was a cultural reference point for many different classes of people in medieval Wales: *cyfarwyddiaid* (the keepers of traditional lore), *ynaid*/*brawdwyr* (lawyers), *tywysogion* (princes), *uchelwyr* (noblemen), *beirdd* (poets), and *ysgolheigion* (clerics) alike.[4] The vector through which we study this cultural meme is the hand-written manuscript book. The productive contexts for these manuscripts were diverse, as will be explored below, and their audiences equally so.[5] How the editors of these manuscripts interacted with this material, how variation entered both the tradition and the text, and how meaning, of many forms and with many intended effects, was structured and communicated: all these questions play a complex part in a nuanced narrative of change and development. The need to approach this group of evidence with an open mind, ready to interrogate theme, content and structure with a range of heuristics and critical frameworks, is vital to avoid being caught out by taking too narrow a view of what manuscripts 'mean'. Although other physical remains augment our conclusions (castles and halls; monasteries, cathedrals and other religious buildings; towns, villages and more general landscapes of settlement; the evidence of sculpture and other forms of medieval art; burial sites; coinage; etc.), the study of the medieval past remains one indebted to the evidence of hand-written books. This form of evidence presents a profound challenge to the modern scholar. Whereas analogues exist to medieval settlements, clothing, and weaponry, we have nothing quite like the hand-written book. Indeed, comparison with the printed book 'in the age of mechanical reproduction' is likely to confuse rather than elucidate.[6] A central aim of this thesis has been to argue for the uniqueness of the manuscript book, to develop an approach consonant with its peculiar nature.[7] Indeed, a critical study of the manuscript book gets to the heart of what we know of the Middle Ages, and why we think we know it. Welsh law lives and breathes through these

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[3] Sigston, '"As Far as His Horn"'.

[4] For *cyfarwyddiaid*, see n. 227.

[5] See 2.4.

[6] The sea-change in artistic form which Walter Benjamin describes in *The Work of Art* demonstrates well the differences we find between the manuscript book and the modern book. It is not the advent of the printing press which destroyed medieval notions of book culture, but the point at which individualised works of art became the mechanically reproduced items of modern capitalism. See also n. 186.

[7] For the uniqueness of the manuscript book, see 2.2.

hand-written books, each point of copying representing moments of creative re-interpretation, a moulding of tradition into forms more meaningful to the editor and the patron. It is a broad and holistic pattern of analysis which attempts to encompass these features, incorporating ideas of book culture, elite identity, economic production and textual development.

Native Welsh law was known by the name *Cyfraith Hywel* (*CH*), 'The Law of Hywel'.[8] We are, nearly 700 years in the future, unable to directly explore the life of this set of legal traditions, procedures, customs, and formal and informal arrangements in all its intricacies, eccentricities and local variations. The practice of law in the Middle Ages rarely followed in a formal, positive sense the arguments and strictures presented in documentary evidence such as treatises, law codes and statutes.[9] Arbitration and dispute settlement, deeply embedded in local power structures, provided many of the choices available to those lower down on the social scale. At the other end of society, the ethics and calculus of politics contained and described the behaviour of rulers and their aristocracy. Law-books, and other written embodiments of customary tradition, were at best a source of authority or a loose form of guidance. Indeed, as is increasingly being realised by modern scholars, these sources had a wide range of aims, and therefore put forward a diverse set of truth claims, only *including* legal practice amongst them.[10] The exercise of power in medieval Wales was held together by the accumulation of personal ties and the threat, and practice, of physical force.[11] This description stands in stark contrast to thirteenth-century England, where a centralised, bureaucratic institution was guided by a public, constitutional relationship between a landed aristocracy and a royal governing system (king, courts, household, exchequer and chancery).[12] We might imagine a fundamentally different relationship between the legal aspirations of rulers and the operation of legal procedures in these two different cultural and social contexts.[13] A central problem of the field, therefore, is the operation of *CH* on the ground.[14] To cut the Gordian Knot is to avoid conflating *CH* as the medieval legal tradition of native Wales with a written manuscript tradition from the same period. The only certainty we have as students of *CH* are the 40-odd manuscripts safely stowed away in libraries across Britain. To begin with this evidence, to establish matters of context and meaning, but also, more fundamentally, to unearth how these manuscripts were seen by contemporaries, what the value of their contents were, and what cognitive models drove their copying and use, is the aim of this thesis.

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[8] For other introductions to the scope and content of *CH*, see: *TWL*; Pryce, *Native Law*, ch. 1; the introduction to Jenkins, trans., *The Laws*; and Stacey, *Law*, pp. 9–19.

[9] For similar problems in Anglo-Saxon and Icelandic law, see n. 44 below.

[10] Chiefly Stacey, in *Law*, which receives much reference in this work.

[11] For examinations of these ties of threat and force, see Stephenson, *Medieval Wales*, *Medieval Powys*, and *Governance*.

[12] For lordship and government in Anglo-Norman England, see Bartlett, *England*, pp. 121–201.

[13] Although note the 'professionalization and curial nature of law in the thirteenth century' noted in Stacey, *Law*, p. 19 (and Stacey, 'Hywel', pp. 200–1); a picture modified and, in some places, attenuated in the Welsh Marches of the fourteenth and fifteenth centuries.

[14] Although secondary in the scholarship to the work of textual criticism. For attempts to divine genuine practice, see Smith, J., 'Judgement' and Smith, Ll., 'Tir Prid'; see also n. 44 for some comparative cases.

The test case for this argument is the Ior recension, and its 'core' and 'second-stage' representatives.[15] What 'Ior recension' actually means, and the assumptions made in reaching this descriptor, receives much comment below.[16] Suffice to say that scholarship has traditionally divided the Welsh-language *CH* manuscripts into three groups, or recensions, Cyfn, Ior and Bleg.[17] Why, then, pick the Ior group? A number of features suggest themselves: the two earliest manuscripts are two of the earliest books in Welsh (*C* and *A*); the four core manuscripts were created within a few decades of the tradition's inception; in having a far more fixed relationship to one and other (in comparison to books of other traditions), the core manuscripts present themselves cleanly as a sub-tradition within the general pattern of *CH*; and, finally, material from these manuscripts appears to have had a prolific afterlife throughout the Middle Ages, despite the complete destruction of the thirteenth-century political-legal order which first brought the tradition into fruition. Four thirteenth-century manuscripts constitute what I call here the core, six more organise themselves largely around this material, though unique in the exact expression, and twelve others contain material of Ior extraction, whether it be a few sentences or more extensive sections or tractates.[18] Although 'Iorwerth' is a label of our own making, relating in the first instance to cladistics and the development of the text, our four thirteenth-century manuscripts undoubtedly represent a coherent pattern of *CH*. Although there exists variation in source materials, structure and placement of certain sections, quality of reproduction and the size and shape of the manuscript book, certain key characteristics mark them out as of a piece. The story of this tradition's identity beyond the thirteenth century, the creation of other Ior manuscripts and the copying of Ior material into manuscripts of other traditions is the backbone of this thesis. Certain concepts emerge here as worthy of further comment, and are built on below: what are the patterns that allow us to divide up the many manuscripts containing Ior-like material into categories? Do these categories represent contemporary ideas? What is the Ior core, and how is this pattern expressed? Are later copyists aware that this material is distinct and, if so, how does this impact both their rationale for including or not including material in their manuscripts and their wider conception of types of *CH*? Can we build a general sense of the book-tradition underlying *CH*, a sense nuanced enough to account for individual taste, and changes over place and time? Using this set as a test case, alongside those manuscripts which represent its afterlife, we can learn much about these bundles of wood, cloth, ink and vellum, and their place in medieval society and culture.

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[15] For further definition of 'core' and 'second-stage', see 3.3 and 3.5 respectively.

[16] 1.2 on the manuscripts; 1.5 on the idea of the recension; 3.3 on the Ior 'book-tradition'; and 5.2 and 5.3 for textual development.

[17] 1.4 and 1.5 focus on content and textual classification respectively; n. 103 discusses the names of these groups.

[18] Respectively: *A*, *B*, *C* and *E*; *D*, *K*, *Lew*, *F*, *G* and *Col*; *J*, *Bost*, *P*, *Ep*, *Q*, *S*, *Tim*, *Mk*, *V*, *W*, *Y* and *Mor*. There is also the lost manuscript of Llanforda, for which see Jenkins, 'Llawysgrif Goll Llanforda'. For the use of 'tractate', see n. 124.

1.1.2   The Structure of the Thesis

The following arguments, like all good stemmata, split into two parts. Chapters 2 and 3 first address the idea of the Ior 'book-tradition'. Chapter 2 argues for the unique nature of the hand-written manuscript book, defined in opposition to the printed book, but also in opposition to traditional ideas of 'the text'.[19] A self-consciously syncretic methodology is developed, combining the codicological, palaeographic, textual, historical and cultural, and aiming towards a general historical-cultural phenomenology of the medieval Welsh legal manuscript. The argument makes use of two heuristics: first, the written book as a unique *material* object, whose meaning is accessed through continual use and reuse across the Middle Ages, mediated through mutable cultural norms and expectations, and whose authority, whether textual, legal, literary or other, was inherently localised to *this* book and *this* scribe;[20] and, second, a preference for book-tradition over the more traditional book-text. The text has historically been used as a general term for the commonality contained in many books (that is, one text in many books). It is shown that the unique nature of the hand-written book, and the processes of development existing in the *CH* tradition, renders this concept problematic. The book-tradition presents an alternative conceptual model for understanding how medieval copyists and readers interacted with the hand-written book and, crucially, how change was enacted. Rather than genealogical evidence of common descent drawing manuscripts into ontological groups, it is the presence of certain key characteristics, or the association of enough material around key foci, which could make a manuscript, or a section of a manuscript, a part of a given tradition. Chapter 3 applies these ideas to a series of test cases, focussing first on the core Ior manuscripts *A*, *B*, *C* and *E* (3.2). Here, the necessary structural and material characteristics of the Ior book-tradition are discussed. Analysis of the mechanical processes by which Ior may have come to be are reserved until Chapter 5 (5.2); in 3.3, focus is laid on the thematic and structural coherence of the book-tradition, locations where diversity continues to reign, and locations where uniformity and commonality carries the definition of 'Ior'. Ior was a tradition thoroughly embedded within its cultural, historical and political contexts; following the recent arguments of Robin Chapman Stacey, these manuscripts are seen as complex and many-faced mirrors of contemporary ideas of rulership, political discontent, elite anxiety and national identity.[21] The second part of Chapter 3 takes up the story of Ior's second-stage in *D*, *K*, *Lew* and *F* (3.4). Special reference is made to the codicological make-up of *Lew*, a prime example of the continual use and reuse of the hand-written book (3.4.5). The changing use of Ior material is examined, with new forms of law-book interaction placed within their proper cultural contexts. Later law-books represent much more individualised creations than the thirteenth-century manuscripts from which their Ior material is ultimately derived. Nevertheless, the Ior book-tradition continues to live through these pages, and the form and rationale behind its continued propagation is

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[19] 1.5.2 describes the idea of 'traditional' textual criticism. Further comment can be found at 2.3, 4.1.1 and 4.3.
[20] This point mirrors again the distinction between the mechanical replica of modernity and the traditional work of art made by Benjamin, *The Work of Art*; n. 6.
[21] Stacey, *Law*; see further discussion at 3.3.

examined (3.5).[22] In sum, Chapters 2 and 3 attempt to tease out what, to the medieval reader, made a manuscript a '*CH* manuscript', how different parts of this manuscript played a part in this identity, whether and how sub-forms of this *CH* manuscript existed, and how these concepts changed, and were changed, across the Middle Ages.

Following on from these discussions, a deeper analysis of textual method is conducted, and a critique is mounted of textual arguments and editions as they relate to Ior (Chapters 4 and 5). Chapter 4 presents an alternative mode of textual criticism, privileging creative variation as the essential characteristic of the editor-copyists' work.[23] Issues of framing and method are again emphasized in an exploration of textual change across the Ior tradition. Putting aside editions reconstructive in nature, or those which attempt to represent the readings of a single manuscript, the idea of an edition foregrounding the data of variation is presented. Here, the base-text represents not an existing or theoretical text, but rather a series of hooks on which to hang the evidence of variation.[24] A typology of variation is developed, aimed at reducing this data into something quantifiable. Discussion is frequently lent to the inductive value of our textual judgements, whether emendation or something more descriptive, and the extent to which scholars should present grounded, theoretically robust and textually appropriate arguments. Chapter 5 applies this data, and patterns elucidated by the editions themselves, to several research questions and test cases. These discussions take a far more textual approach than the questions raised in Chapters 2 and 3; in the case of the development of the Ior tradition and its 'second-stage' manuscripts, the narrative presented in Chapter 3 is complemented by the data-driven analysis here. 5.2 examines the problem of what material might have existed before the compilation of the Ior tradition as we have it, focussing on the status of *Llyfr Prawf*, 'The Judges' Test-book'. The Chapter then proceeds with an in-depth examination of two edited tractates, Family Law (5.3.2) and the Value of Furniture, Equipment and Weapons (5.3.3). Each present their own problems to the editor and textual critic. Family Law is a unique creation and, despite its accorded name, focusses far more on themes prominent in the Ior book-tradition: inheritance and land ownership. The Values tractate demonstrates an extreme level of variation, in terms of detail, expression and general structure, and stands in more

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[22] The 'second-stage' discussion in this thesis focusses on manuscripts from the fifteenth century. The arguments here thus provide two windows into the tradition: its thirteenth-century genesis; and its propagation two centuries later in manuscripts such as *D*, *K* and *Lew* and its inclusion in the appendices of manuscripts belonging to other textual traditions. Two key linking manuscripts between these groups, *G* and the lost *Ll*, are not discussed in any great detail. This decision is largely due to space; I aim here in Chapters 2 and 3, and Chapter 4 and 5, to put to use two distinct methodological approaches on two groups of manuscripts exhibiting distinct historical and cultural contexts though with a unity of certain textual characteristics. A full textual narrative of the development of the Ior tradition would necessarily include an examination of the journey of Ior material out of Gwynedd in the early-fourteenth century, utilising the evidence of *G*, *Ll* and *D* as our earliest examples. This enterprise does not form a part of this thesis. For more on *Ll*, see Jenkins, 'Llawysgrif Goll Llanforda'.

[23] Cerquiglini's key work was titled *Éloge de la variante*, 'in praise of the variant'; Zumthor praises *mobilité essentielle du texte medieval*, 'the essential mobility of the medieval text' in his *Essai*, p. 71. I use here Christine James' term *copïydd-golygydd*, 'editor-copyist', discussed in 'Golygiad', pp. xlviii–lxv; see n. 190 below.

[24] Many thanks to Paul Russell for this metaphor.

generally for the list-like material which often finds its way into *CH* manuscripts.[25] Concluding the chapter, 5.3.4 applies the data derived from both of these tractates, alongside Suretyship material and the Corn Damage tractate, to the problem of the textual development of the Ior book-tradition as a whole.

Throughout the thesis, reference is made to a range of edited texts and tables drawn up in Volume II. A shorthand for referring to this material can be found at 4.4.3, as well as in the introduction to the editions themselves. The rationale for choosing these texts, alongside the method of editing and data collection, can be seen at 4.4 and 4.5 respectively. Those included under the Example Editions, and the relevant Correspondence and Data Tables, are discussed directly in the main body of the thesis and form a part of the official word count. The Supplementary Editions, and their relevant tables, provide a body of data used in the thesis and are essential illustrations of arguments made here more generally. They are indirectly referenced and form a part of the extended word count.

As outlined above, it is the holistic view generated by both frameworks, the idea of the book-tradition in Chapters 2 and 3, and the textual methodology developed in Chapter 4 and applied in Chapter 5, which characterises my approach here. Arguments of framing (largely contextual and theoretical), a different kind of conceptual model in the idea of the book-tradition, a form of textual criticism more open in its method and more attuned to the nature of the manuscript texts under discussion, and the presentation of a novel set of editions and variant readings: it is in all these that the contribution of this thesis lies. The unique nature of the hand-written book unites here with the peculiarly creative and fluid culture of copying present in the *CH* tradition. Placed in its context, this set of manuscripts provide a fascinating perspective on the operation and development of a customary legal system, the interaction between elites and a complex manuscript tradition, the form and practice of editing and copying in medieval Wales and, more broadly, the study of change and the interaction between people and the objects they produce. It is hoped, therefore, that this thesis puts forward a fresh view of the evidence, one that privileges the material aspects of the manuscript, and the creative flair and autonomy of the copyist, in generating a holistic view of the *CH* tradition.

1.1.3   This Chapter

The remainder of this chapter introduces the *CH* tradition more generally, focussing on the content and form of the manuscript tradition, how scholars have gone about forming genealogical groups from the surviving law-books, and, in brief, the development of the *CH* law-book from the late-twelfth century to the early-sixteenth. All these issues are directly preparatory for the analyses embarked on later in the

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[25] Examples include the lists of triads present in Bleg tails (see n. 68 and 69), the list of court officers in *Cyfraith y Llys*, 'The Law of the Court' (see *WKC* in general), the lists of *galanas*, 'man-price/wergild', and *sarhaed*, 'honour-price' payments found in the *Tair Colofn*, 'the Three Columns' (see *TCC* for much of this) and *Gwerth Gwyllt a Dof*, 'the Value of the Wild and Tame'. The Values of Equipment, Furniture and Weapons is by far the largest.

thesis. Several concepts are important for what follows: the general structure of the *CH* manuscript, both in terms of larger textual units and how material is expressed and sentences strung together throughout the manuscript; a birds-eye view of the manuscript tradition, date, provenance and genealogical grouping; the historical and cultural contexts for *CH*, especially the influence of the twelfth century; and the methods and critical framework of the form of 'traditional' textual criticism taken up in the field of Celtic Studies. Although much will be said concerning the last point later in the thesis (especially Chapters 2 and 4), the discussion here is descriptive rather than critical. The frame of reference remains broad, encompassing all groups and forms of *CH*, preparing the ground for a more in-depth analysis of the Ior recension below. 1.2 begins with an overview of the manuscripts themselves, their occurrence across the Middle Ages, and a few brief comments on notable characteristics. 1.3 develops the cultural and literary influences standing behind *CH*, paying attention to how these manuscripts were fully embedded within medieval written culture and how the origin of *CH* as we have it is likely indebted to a twelfth-century context. 1.4 describes the structure of the law-books, noting where manuscript groups diverge, and lingering on the use of words such as 'coherent', 'focussed' and 'miscellaneous'. Finally, 1.5 serves as a general review of scholarship, touching on grouping, editing and analysis – in short, how scholars have gone about developing a formal ontology of *CH* manuscripts and texts, explicitly or otherwise, from the time of Aneurin Owen's 1861 *AL* to the present day. In many places throughout this introductory chapter, the discussion terminates to be picked up later; reference across the thesis should aid the reader.

Several features of the tradition are not here explicated in any great detail, either due to lack of space or relevance to the argument. As part of the continuing life of the manuscript book, post-medieval binding, annotation, provenance and other activities are referred to as a part of the discussion in 3.2 and 3.4. Nevertheless, the focus here remains medieval, and the copying and production of early-modern hand-written books is largely omitted. Indeed, as the interest here is the manuscript books themselves, other related studies tend, outside of this introduction, to find their way into the footnotes. The operation of *CH* 'in reality', the value of the manuscript as evidence for historical linguistics, kinship studies or onomastics: all these issues and others, in the study here of the interaction between copyist and hand-written book, take a back seat. Where relevant, footnotes point the reader towards these debates.

1.2   THE MANUSCRIPTS

Around forty manuscripts of *CH* survive from the Middle Ages.[26] All these manuscripts had written archetypes, although no two manuscripts appear to have been wholly copied from the same exemplar.[27]

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[26] This number does rely somewhat on what one considers to be 'medieval'. I follow here the manuscripts listed on *CHW* and enumerated in the Abbreviations above. See 2.4 for a picture of medieval Welsh manuscripts in general.

[27] *Crd* is a copy of *L*, but the former is not medieval. *Q* and *Ep* are very close, as are the tails of *S* and *Tim*, and, as we shall see, *A* and *E*. Given what is said below about the culture of copying, we might question how divergent,

A few lost manuscripts can be inferred to have existed from named manuscripts in other texts, namely, *Llyfr Cynog*, 'The Book of Cynog', and *Llyfr Tŷ Gwyn*, 'The Book of the White House'.[28] Some, like the lost manuscript of Llanforda, existed until the modern period before disappearing from the historical record.[29] Figure 1 overpage charts the occurrence of the surviving manuscripts across time, arranged by recension. The bar graph making up Figure 2 arranges this data more diagrammatically. Figure 3 assigns the manuscripts to more specific dates, displaying a more fine-grained view of the occurrence of law-books over time. These manuscript recensions are discussed in more detail below (1.5), but a summary is useful here. Bleg, as Figure 2 makes clear, is by far the largest (*I*, *J*, *L*, *M*, *N*, *O*, *P*, *Q*, *R*, *S*, *T*, *Tim*, *Tr*, *Llan*, *Bost*, and *Ep*), its manuscripts evenly distributed between the fourteenth and fifteenth centuries; it is thought that this recension was originally translated from a Latin text resembling *Lat D*.[30] These manuscripts are characterised by, in many cases, long 'tails' of additional material and a southern provenance.[31] Bleg manuscripts are generally closer to each other in content and structure than Cyfn, especially in the early parts of the manuscript, but not as textually close as Ior. The manuscripts have previously been thought to split into two groups, although Paul Russell has recently challenged this assumption.[32] Cyfn (*Mk*, *U*, *V*, *W*, *X*, *Y* and *Z*) is attested only in the fourteenth century and forms a large part of the spike in manuscript numbers at s. XIV^1 and XIV^{med} in Figure 3. Despite the earlier dates of Ior and the Latin manuscripts, Cyfn is often argued to be the most archaic in content.[33] Divisions within the group are difficult to support; the evidence of variation is so messy that Jenkins once commented that 'we may ask whether we ought to speak of the "Cyfnerth Redaction" at all: it may be that all we have is a few manuscripts which are superficially similar but in detail too variable to be regarded as variations on a single text'.[34] Some Cyfn manuscripts derive from the south of Wales (the 'Composite Book of Cyvnerth and Blegywryd' according to Wade-Evans, 'Deutero-Cyfn' according to Jenkins),[35] demonstrating affinities with Bleg as well as other southern features. Others seem to have links with the Welsh March. Cyfnerth ap Morgenau himself, as we shall see, was a jurist of Venedotian heritage.[36] Ior (*A*, *B*, *C*, *D*, *E*, *K* and *Lew*) and the Latin redactions (*Lat A*, *Lat B*, *Lat C*, *Lat D* and *Lat E*) share similar profiles in terms of date, that is, very early attestations followed by a much later half-life, although Ior certainly represents a later re-working of the legal tradition. The Ior tradition will receive

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on average, a direct copy of *CH* would be. No manuscript is an exact replica of another, but this observation may well misunderstand what 'copying' means in the medieval context.

[28] For the former see Wiliam, 'Restoration' and Wiliam, *Llyfr Cynog*; for the latter, see the discussion at 5.2.1.

[29] Jenkins, 'Llawysgrif Goll Llanforda'.

[30] Although it should be noted that the textual heritage of Bleg does not completely derive from that of the Latin-language redactions: the Welsh-language sections in Lat D show some similarity to Cyfn material. The standard discussion of Bleg/Lat D is Emanuel, 'The Book'.

[31] See n. 108 for references to tails.

[32] Russell, '*Canyt oes aruer*', arguing that any visible split is relatively trivial. See the introduction to Richards, ed., *Cyfreithiau Hywel dda*, and James, 'Golygiad', pp. xlii–lxii, for considerations of the traditional position. Also see the digression below at 4.6, n. 466.

[33] Jones, 'The Models', and Owen, 'The Laws'.

[34] Jenkins, *Conspectus*, p. ix

[35] *WML*, p. xiii; Jenkins' arguments are expressed in *TWL*, pp. 46–8.

[36] See n. 103 and 5.2.5.

much comment below. It was once argued that each Latin redaction was an adaptation of the previous, with *Lat A* standing as the oldest and most important archetype in the study of *CH*.[37] However, recent study has shown the relationship between these manuscripts to be more complicated than previously imagined.[38] The five medieval manuscripts do not seem to cohere into a single textual group as with Bleg, Cyfn and Ior, although connections certainly exist between them. Nevertheless, the value of these manuscripts to the study of *CH* is now clear. The remaining manuscripts (*Col*, *G*, *F*, *H*, *As*, *Mor*), referred to as 'anomalous',[39] are all mostly later in date, with two notable exceptions (the thirteenth-century *Col*, a re-working of the Ior tradition, and the early-fourteenth century *G*). There is no reason to think that manuscripts largely containing 'anomalous' texts, that is, those that do not follow the main-text pattern, were a feature only of the later Middle Ages. It may be the case that the more miscellaneous manuscripts, that is, those not conforming to the predominant pattern as we have it, were cast aside during periods of legal reform. A strong practical tradition of unbound scraps, loose quires and jurists' notebooks almost certainly stands behind many of the key moments in the history of *CH*.[40]

	XIII	XIV	XV	TOTAL
Iorwerth	4	2	2	7
Blegywryd	0	9	7	16
Cyfnerth	0	7	0	7
Latin	4	0	2	5
Other	1	1	3	6
TOTAL	9	19	14	41

Figure 1 - Manuscripts of CH*, Table*
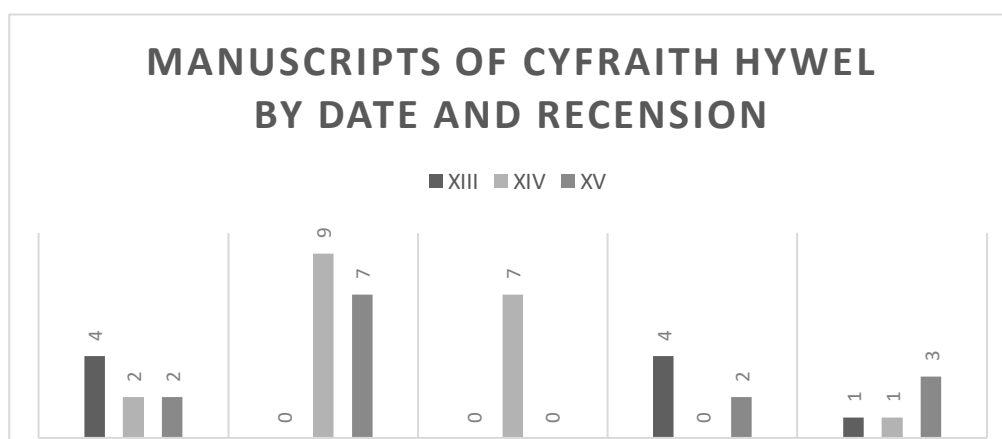
Figure 2 - Manuscripts of CH *by Date and Recension*

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[37] See Emanuel's arguments in *LTWL*, pp. 1–82.
[38] Huws, 'Descriptions'; Russell, 'The Laws'; *WLMA*, pp. xli–xliii.
[39] For more about 'anomalous' manuscripts and material, see 1.5.3 and 5.2.2. To be clear, the term 'anomalous' is applied to the anomalous texts within these manuscripts, notably the *cynghawsedd* and *damweiniau*, forming the second volume of Aneurin Owen's two-volume AL. I drop the question of whether it is more useful to apply the anomalous label to the text or the manuscript in favour of dispensing with the anomalous label all together.
[40] See the development of Ior discussed at 5.2.
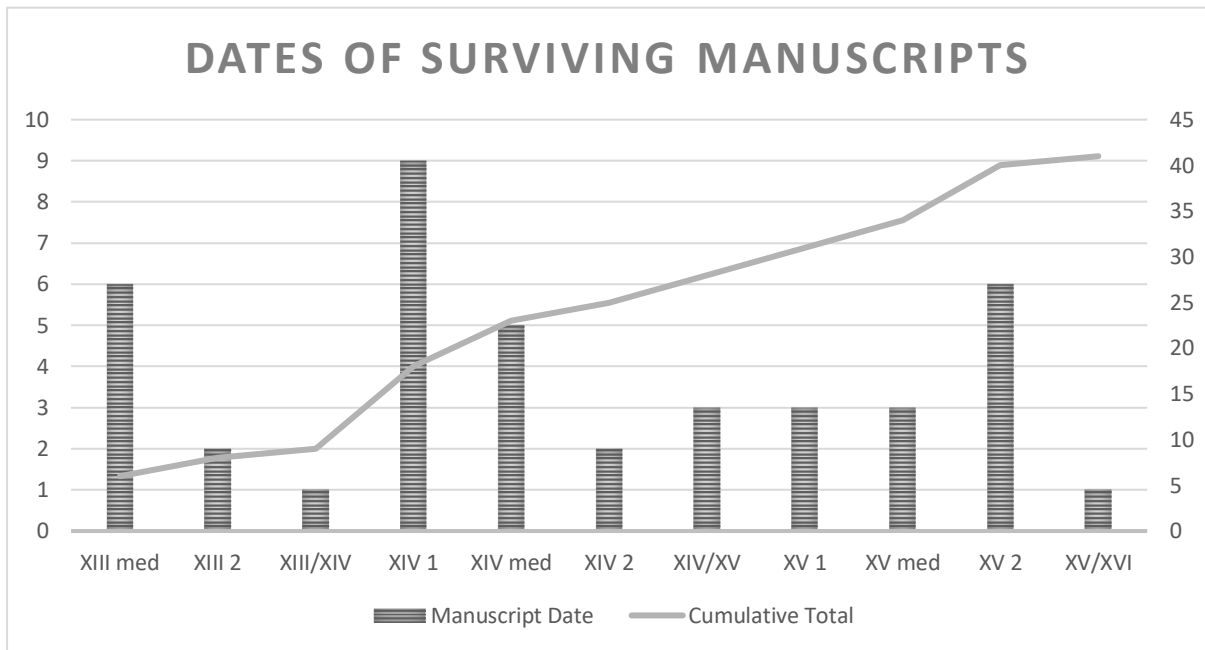
Figure 3 - Manuscript Occurrence over Time

Three further features of Figure 3 are worthy of further mention, suggesting the bones of a narrative of development across the Middle Ages. The first is the large number of manuscripts dating to the central decades of the thirteenth century. The Ior tradition and our early Latin manuscripts are largely responsible for this trend. That the thirteenth century represented the beginning of a Golden Age in Welsh native written culture is addressed below (2.4), as is the importance of developments in the late-twelfth century (1.3.3).[41] This remarkable beginning to the written attestation of *CH* represents the first major revision to the law-book visible in the surviving evidence. That this legal development formed a part of a much larger flowering of bibliographical and textual production is also clear. Much of this thesis is involved with describing the nature of this revision and the unique contribution it made to the *CH* tradition. To the beginning of the fourteenth century belongs the peak of the manuscript tradition (seen clearly in the cumulative total of Figure 3), represented elsewhere in the profusion of historical, romance and native prose. Here belong the roots of the Bleg tradition and the short-lived production of our Cyfn manuscripts. The fourteenth century represented a long period of accommodation and development in Wales following the effects of the Conquest of 1283.[42] The needs of Welsh society for both antiquarian markers of native tradition, and practical and personal guides to the law for the local land-owning gentry, define this period.[43] The unique cultural mixing-pot of the Welsh March is felt here both in the development of material within the law-books, some with a distinctly regional or local flavour, and in their provenance and textual heritage. The later-fifteenth century represents the last

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[41] Huws, 'The Medieval Manuscript', pp. 12–13, and his 'Welsh Vernacular Books'.

[42] For the period of 'peace, coexistence and change', see Davies, *The Age*, pp. 412–30, with pp. 415–19 detailing the make-up of native society in the fourteenth century.

[43] See 3.4.2 for the 'antiquarian' nature of *D*, dating to the end of the fourteenth century.

medieval innovation in the law-book tradition. Here Bleg comes into its own, with long 'tails' providing a location for the development of new forms of the law, in structure, outlook and content. In a do-it-yourself copying culture, the needs of the locality and the patron take precedent over a formal consideration of what *CH* should or should not contain.

Variety, and the consequent difficulties of subjecting these manuscripts to one model of textual development, is evident from the foregoing discussion. Despite the static outlook of the law-books, emphasizing the timeless nature of their content, rooted in the tenth-century persona of Hywel Dda, change and reform were inherent to the tradition. The remainder of this section will examine what role these manuscripts played in Welsh literary culture, their twelfth-century roots and the end of their practical life, and the form and detail of their contents.

1.3 CONTEXTS AND CULTURAL INFLUENCES

1.3.1 Introduction

CH, as already explored above, lacks much in the way of context, with little information surviving concerning the day-to-day operation of the law, especially before the date of the earliest extant manuscripts, c. 1250.[44] How do our manuscript copies represent the legal ideal present in the minds of contemporaries? Across what expanse of time and space did this system operate? How accurate are our texts concerning the actual application of the law, and how much of this material was already archaic when committed to the page? Were there other systems of law in operation in Wales? Was this legal system a product of a landed elite, or, conversely, more born out of a need for mutual dispute resolution? The only substantial evidence from outside the legal tradition gathers around two areas: the incidental information revealed by the operation of the county courts and other legal bodies following the Conquest, that is, from the early fourteenth century to the end of the Middle Ages;[45] and in the heated legal disputes between Gwynedd and Powys in the late-thirteenth century, tightly bound up with the uncomfortable over-lordship of the King of England, Edward I, over both.[46] Incidental information is also revealed by the survival of land grants, especially the *prid* formula, studied in detail by Llinos

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[44] The lack of practical context is mirrored in Anglo-Saxon and Icelandic law. The Fonthill Letter (for which see Keynes, 'Fonthill Letter' and Wormald, *The Making*, pp. 144–8) and the evidence of Asser's Life of King Alfred are two of the very few pieces of evidence for the operation of Anglo-Saxon law; in the study of Icelandic law, scholars have in many places resorted to the evidence of the saga tradition (see, in particular, Andersson and Miller, *Law*; Miller, *Bloodtaking*; and Ordower, 'Exploring'). Compare the huge array of administrative, legal and financial data surviving from Anglo-Norman England. The Pipe Roll of 31 Henry I, according to C. Warren Hollister, was 'the earliest surviving comprehensive account of royal income in European history'; Hollister, *Henry I*, p. 26 (see also the broader discussion in Bartlett, *England*, pp. 177–201). Chapter 2 discusses the productive contexts of *CH* in more detail (2.4 in particular).
[45] See, in particular, Brown, et. al., ed., *Dyffryn Clwyd Court Roll Database* (encompassing the fourteenth century); for studies, see Barrell, et. al., 'The Dyffryn Clwyd Court Roll Project', and Smith, 'Family'.
[46] For the 'Arwystli incident' and other related issues, see Prestwich, *Edward I*, pp. 184–8, Davies, 'Law and National Identity', and Davies, *The Age*, pp. 344–7.

Beverley-Smith.[47] The closest we come to an analysis of the law *within* the law, however, are the collections of model pleadings, or *cynghawsedd*, appearing at the end of a few manuscripts, and the much later *cwynion*, 'plaints'.[48] Rarely is material in *CH* this self-reflexive. The questions posed above, therefore, must largely be answered with reference to allusions within the texts themselves. Indeed, for the period before 1200, the matter is complicated by the fact that all legal material relating to Wales is ecclesiastical in context and often content.[49] That is to say, no legal manuscript survives earlier than the mid-thirteenth century and nothing resembles the tradition of our texts. References to legal terminology and concepts appear in prose and poetry thought to date long before then, yet the history of the law *as we have it* is an uncertain thing.[50] We are left to judge the functioning of the law in this period without direct secondary references and without any contemporary copies. Context, necessary for any analytical enterprise, stands therefore as a problem for the historian and textual scholar alike.

1.3.2 *CH* as a Part of Written Culture

Although the exact details are unclear, we can be certain, first and foremost, of the centrality of *CH* to the elite culture of medieval Wales. Around 40 manuscripts survive, half a dozen in Latin, representing a vibrant, authoritative, well-practiced and constantly evolving native legal tradition. Scribes were shared between manuscripts of *CH* and other great works of Welsh literary culture, such as the Red Book of Hergest and the Book of Taliesin.[51] If we take the rates of loss estimated by Daniel Huws, hundreds of manuscripts were likely to have been written, with many actively used in the practice of the law, placing *CH* second in number only to that linchpin of medieval Welsh identity, Geoffrey of Monmouth's *Historia Regum Brittaniae* and its Welsh translation *Brut y Brenhinedd*.[52] By the thirteenth century, the practice of *CH* was heavily book-based, a characteristic perhaps extending back into the twelfth century. The Model Law-book thesis, discussed in Chapter 4, alongside arguments made around the Preface to the laws, suggests that written law-books in their current form can be projected directly back to the time of the Lord Rhys.[53] It is also highly likely that the history of the Latin texts predates

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[47] Smith, 'Tir Prid'. Also, see Jenkins, 'A Lawyer', and 'A Second Look', for a legal perspective on land law.

[48] *Cynghawsedd*, 'model pleadings', appears in, *B*, *G*, *Lew*, *J*, *Ep*, *S*, *Q*, *Y*, *Z*, *F* and *Mor*, in whole or in parts. See Charles-Edwards, '*Cynghawsedd*', for a textual account of the development of this material, as well as 5.2.2 below. See Stacey, 'Learning', for *cwynion* and Stacey, 'Legal Writing', for the *damweiniau*.

[49] See the Lichfield Marginalia (Jenkins and Owen, 'The Welsh Marginalia', for discussion and an edition), examples within the Book of Llandaf (Davies, 'Braint Teilo', for an edition and discussion of one important quasi-legal text, with Charles-Edwards, *Wales*, pp. 245–58, Huws, 'The Making', and Russell, '*Priuilegium Sancti Teliaui*', for more recent treatments), and older survivals in the law-books themselves (Charles-Edwards, 'Bishop-Houses').

[50] For an analysis of a legal term in *CH* and its literary reflexes, see Sigston, '"As Far As His Horn"'. See also, more generally, Stacey, *Law*, ch. 1.

[51] *V* shares a scribe with *W* and the Book of Taliesin. *D* shares a hand with one of the three scribes of the Red Book of Hergest, whereas *J* is in the hand of Hywel Fychan, the principal scribe of the latter. See Huws, 'Table', Charles-Edwards, 'The Scribes', and Haycock, 'Llyfr Taliesin'.

[52] Huws, 'The Medieval Manuscript', p. 3. Huws suggests loss at a rate of 1 in 4 for Welsh and 1 in 100 for Latin, equalling 185 Welsh-language manuscripts and Latin-language manuscripts numbering in the mid-hundreds. This estimation is, however, highly speculative.

[53] Especially Pryce, 'The Prologues'; see 4.1.1 and n. 380–383 for the Model Law-book.

1250; *Lat A*, *Lat B* and *Lat C*, the earliest legal manuscripts, show far too much sophistication in organisation and expression, and too entwined a path of textual relations, to be the first exposition of the law in the Latin language.[54] More broadly, the use of the manuscript, and the written word, in the practice of the law must have been common across Wales from the date of the earliest manuscript to the end of the Middle Ages. Many, though not all, of our existing law-books appear dog-eared and frayed, having been rebound and reshuffled, showing signs of travel as loose quires. One of the clearest expressions of the law as written text, as well as the influence of Continental and Roman law, is the early-fourteenth-century Latin manuscript, *Lat D*. This fascinating text details the distinction in authority between written and unwritten law, and the value of each in issues of legal proof.[55] Bleg, likely translated from a manuscript not dissimilar to *Lat D*, inherited this assumption of the priority of written law, advising resort to the law-book when a judgement is in doubt. *Col*, a thirteenth-century northern manuscript thought to be a reworking of Ior, also advises resort to a Latin text at times of confusion.[56] Influence from the Common Law system of neighbouring England, a highly literate and document-bound legal tradition, should also not be ignored. Whilst this is not the place to assess properly the influence of English law on *CH*, it is nevertheless highly likely that from at least the thirteenth century lawyers and scribes would have been familiar with Anglo-Norman Common Law, whether through its operation in the Marches, or as a part of the projection of English soft power over the rest of Wales.[57] The Common Law, in its modes of proof and argument, as well as in its *written* presence, would have presented a strong form of authority to those preserving and practicing their own native law. The influence of Canon Law (*brawdd senedd*), in many jurisdictions providing a stronger model than even Roman Law, has also been well documented.[58] In sum, both the cultural and practical power of *CH* throughout our period was firmly linked to its presentation as a written text.

1.3.3 *CH* and its Twelfth-Century Context

Much has been written on both the connection between the historical person of Hywel Dda and the law-books, as well as on possible developments of the form of *CH* from that time to our earliest manuscripts.[59] I will make no attempt here to make any final pronouncement on these issues; indeed, it is the contention throughout much of this thesis that looking first towards the historical and cultural contexts coterminous with the manuscripts themselves is a far more productive starting point. Nevertheless, given the emergence of the Ior tradition, as we shall see, from a cultural and legal milieu

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[54] *WLMA*, pp. xxxiii-xliii. See also the arguments throughout *LTWL*, at pp. 1–82. Of course, as was normal across Europe, in Wales written law before 1200 may have primarily travelled in Latin.

[55] *LTWL*, pp. 394–6 for the relevant parts of the Latin text, and *LTWL*, pp. 62–7 for a discussion.

[56] See n. 517.

[57] Old English law is often compared to *CH* (e.g., Harris, 'Compensation'), although Anglo-Norman law is a more contemporary example. Davies, 'Law', 'Twilight', 'Survival', and Roberts, '"By the Authority"', all discuss this latter relationship.

[58] Pryce, *Native Law*, explores these issues fully.

[59] Examples of the debate are: Lloyd, *History*, vol. 1, pp. 339–43; Edwards, 'The Historical Study'; *TWL*; and Pryce, 'The Prologues'.

indebted to the social, bibliographical and intellectual developments of the late-twelfth century, a case needs to be made for the place of the law in that context.[60] The argument is essentially one of text and context, that is, a text whose nature suggests a written history of some length, and a context where we might easily imagine copying in operation. The fact that *CH*, despite reservations about the use of the stemmatic method made later in this thesis (Chapter 4), developed from a written tradition largely similar in form to our surviving manuscripts is largely accepted.[61] At the centre of the argument of context stands the articulation of the national character of Wales in the twelfth century, and the place of literature, both didactic and not, within it.

R. R. Davies, in his Presidential Addresses to the Royal Historical Society, describes the elite conception of a nation of Wales, what could be described as an 'imagined community'.[62] Bernard, the first Norman bishop of St Davids, when writing to the Pope in around 1140 in order to make the case for an individual and separate Welsh nation and archiepiscopal see, made reference to the language, laws, habits, modes of judgements and customs of the Welsh, all of which marked his people out as distinctive.[63] Gerald of Wales, writing a generation later, stressed these same collective attributes, adding hairstyle, humour and hospitality.[64] Although the Welsh were inconstant, violent and prone to good humour, they were nevertheless, in Gerald's eyes, a people, or *gens*. Native literature further reflects this sense of a Welsh people, detailing this elite cultural unity from a less European scholarly point of view. The *Mabinogion*, certainly much earlier than its fourteenth-century manuscripts, ranges in scope from Arberth to Aberffraw, rich in toponymical references. The poetry of the *Gogynfeirdd*, *c.*1100–1284, although often focussing on a single patron or royal dynasty, conceived of Wales as a cultural, if not political, whole (the *cylch Cymru*). Cynddelw Brydydd Mawr (fl. *c.*1155–1200), perhaps the most famous and well-copied poet from this period, addresses princes from Powys, Deheubarth and Gwynedd, 'regarding the whole of Wales as his literary stage'.[65] Pseudo-historical texts, influenced most heavily by Geoffrey of Monmouth (*c.*1100–*c.*1155), although with identifiable precedents in, for example, the early ninth-century *Historia Brittonum* and the early tenth-century *Armes Prydein Vawr*, saw the whole Island of Britain as the domain of the Welsh-speaking world, this unity in mythology pointing towards a similar sense of contemporary cultural unity. Geoffrey himself, despite derision from

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[60] I talk here of the 'twelfth-century renaissance'; for its intellectual aspect, see Haskins, *The Renaissance*, with reference to the articles and discussions in *BIB 2*, and for political and administrative developments see Bisson, *The Crisis*. The twelfth-century character of *CH* has been described most prominently by Pryce, especially in 'The Prologues' and 'The Context'.

[61] See 4.1.1 for a critical discussion of 'the original'.

[62] Anderson, *Imagined Communities*. For this section, see Davies, 'Presidential Address', Parts 1 and 3, as well as Pryce, 'British'.

[63] Davies, *The Age*, p. 15 and pp. 190–1 and Hollister, *Henry I*, pp. 394–6, for the broader political context.

[64] See Faletra, *Wales*, pp. 135–172, and, more recently and generally, Henley and McMullen, ed., *Gerald of Wales*.

[65] Davies, *The Age*, pp. 17–18. Davies also notes Lord Rhys' 1176 'eisteddfod' at Cardigan as an example of cultural unity, at least at the level of elite aristocratic literature; Davies, *The Age*, pp. 15–20. Note that the south-east, in Cynddelw's poetry, where Morgannwg does not receive mention, as well as in other evidence across the period, is frequently treated differently to the rest of Wales.

contemporaries, gave an identifiable European-style origin story to the Welsh *gens*, locating them in the cultural-historical space of Ancient Rome and the fall of Troy. Although feigning great antiquity, Geoffrey's construction was very much one of the twelfth century, combining older Welsh vaticinatory and historical lore with contemporary ideas of ethnology. Although the terms and extent of the dialogue changed over time,[66] Wales, in the twelfth century as much as in the thirteenth, possessed a strong sense of elite cultural unity and historical continuity, a sense which failed to bind its fragmented political landscape, but nevertheless made its presence felt across its literary output.

Although *CH* is never mentioned by name, there is a good case for this written tradition, or at least something resembling it, playing a part within this twelfth-century cultural community. The didactic language of the laws parallels formulae and larger organisational structures in other educational and literary works, most notably the Bardic Grammars.[67] The triadic form, to take one example, is represented not just in the sets of legal triads present in many manuscripts, but in the overall organisation of the law; *Tair Colofn Cyfraith*, being itself of triadic structure, also breaks its content into three groups of three.[68] Triads are paralleled elsewhere in Welsh literature: the three parts of the First Branch, the organisation of didactic texts, and the literary triads themselves, both in large manuscript collections and individually as encountered in prose tales and poetry.[69] Native literature of all genres is further peppered with legal vocabulary and concepts, the mouse-hanging scene at the end of the Third Branch standing as a notable example.[70] Prose characters often moved through a social space which was quasi-legal, focussing, in a similar manner to the Old Norse *Íslendinga sögur*, on dispute resolution and socio-legal restitution.[71] Hunting scenes were one such point of contact.[72] Bardic connections were even closer, a fact attested in the importance in the law of both the *Bardd Teulu*, 'Poet of the Retinue', and the *Ynad Llys*, 'Court Justice', at the king's court.[73] Cynddelw's poem *Asswynaf Nawdd Duw* contains a progression of remonstration through the court so similar to the legal operation of *nawdd* as to make some close connection highly likely.[74] Familial connections between lawyers and poets reinforces this sense of both moving through the same cultural world; Iorwerth ap Madog, of Ior recension fame, was

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[66] Notably in a change of terminology from *Brittones* and *Brython*, to *Walenses* and *Cymraeg*. See Pryce, 'British' and Charles-Edwards, 'Language and Society', pp. 710-15.

[67] Russell, 'Teaching', and 'Poetry by Numbers'.

[68] For legal triads see Roberts, *The Legal Triads*, and 'The Iorwerth Triads'. For *Tair Colofn Cyfraith*, see *TCC*; Russell, 'The Arrangement', in particular.

[69] Welsh, 'Traditional Tales'. See also Bollard, 'The Structure', for broader points. For the literary triads, see Bromwich, *Trioedd Ynys Prydein*. Note that there is no shared content between the literary and legal triads.

[70] *Pedeir Keinc*, ed. Williams, pp. 58–65, translated in *The Mabinogion*, trans., Davies, pp. 41–6. For law in other literatures, see Phillips, 'Defod', and Sigston, '"As Far as His Horn"', pp. 18–26.

[71] Discussion between high-status characters mirrors the careful laying out of pleas in the *cynghawsedd* and *cwynion*; note the opening conversation between Arawn and Pwyll in the First Branch, *Pedeir Keinc*, ed. Williams, pp. 2–4, translated in *The Mabinogion*, trans., Davies, pp. 3–5.

[72] Compare the prescriptions on the *pencynydd* and the legal text *Y Naw Helwriaeth*, edition and discussion in Linnard, 'The Nine Huntings', as against the beginning of the First Branch (for which see Fife, 'Legal Aspects').

[73] See Smith, '*Ynad Llys*', and Jenkins, '*Bardd Teulu*'.

[74] *CBT*, vol. 4, no. 10, pp. 207–19. See Sigston, '"As Far as His Horn"'.

likely related to Gruffudd ab yr Ynad Goch, the thirteenth-century poet most known for eulogising Llywelyn ap Gruffudd, whose father, as we would guess by his name, was also a professional jurist.[75] Elements of the Galfridian cultural outlook do find reference in *CH*, with the stories of Hywel Dda and Dyfnwal Moelmud forming 'a deliberately crafted narrative in which two very distinct pseudohistorical themes of the period have been consciously joined'.[76] *CH*, therefore, as a written artefact as well as a legal reality, and in terms of structure as well as content, fed and was fed by Wales' imagined community. These cultural attitudes of members of the intellectual and political elite had deep routes, as has been demonstrated, in the twelfth century. Although the literary material referenced above is notoriously difficult to date, most would firmly place these literary allusions in the twelfth century, especially with regard to the *Beirdd y Tywysogion* and the Four Branches.[77]

That the twelfth century might have been a formative period for *CH* is hardly surprising; these years represented not just a renaissance in learning and governance, but the genesis of Anglo-Norman Common Law and the civil law tradition in mainland Europe.[78] Strong native rule characterised the south, in the person of the Lord Rhys (1132–1197), finding mention in the *CH* tradition, and in the north of Wales, in the persons of Gruffudd ap Cynan (*c*.1055–1137), uniquely memorialised in a Latin life,[79] his son Owain Gwynedd (*c*.1100–1170), and, earlier, Bleddyn ap Cynfyn (d. 1073), also finding mention in *CH*. A resurgent Powys also marks this period, beginning with Bleddyn's grandson Madog ap Maredudd (d. 1160) and the latter's nephew Owain Cyfeiliog (*c*.1130–1197).[80] Davies argued that 'it was under the Lord Rhys's aegis that the texts of Welsh law, as we now have them, were first assembled in book form':

> Not only do those texts refer specifically to one of his legal rulings but their emphasis on Whitland, within the bounds of the greater Deheubarth, as the venue of the assembly at which Hywel Dda was said to have codified the laws, strongly suggests a southern provenance; and the great assembly or eisteddfod of poets and musicians held at Cardigan in 1176 paraded, to the whole of Wales, the cultural pre-eminence of Rhys's court.[81]

Both Huw Pryce and Robin Chapman Stacey have drawn attention to the cultural and socio-economic contexts of the twelfth century as foundational to the perspectives expressed in the laws.[82] Princes, such as the Lord Rhys, were stretching traditional boundaries of rule – 'for many of them, the prospect of

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[75] Noticed in Jenkins, 'A Family'.
[76] Stacey, *Law*, p. 45–8.
[77] For dating medieval Welsh prose, see Rodway, 'The Where' and a linguistic methodology in his *Dating*.
[78] See Bartlett, *England*, pp. 177–201.
[79] The Welsh translation is edited in Evans, ed., *A Mediaeval Life*; the rediscovered Latin life is edited in Russell, ed., *Vita Griffini*. Gruffudd ap Cynan was the great-grandfather of Llywelyn ap Iorwerth, under whose rule the Ior recension emerged.
[80] See Stephenson, *Medieval Powys*, chs. 1–4, for a general narrative.
[81] Davies, *The Age*, p. 221.
[82] Pryce, 'Context', and the introduction to Stacey, *Law*.

bringing Welsh custom into conformity with European norms in order to enhance their own authority was an enticing one'.[83] The muscular rule and imperial pretensions of the two Llywelyns of the thirteenth century, the Great and the Last, were natural developments of this trend.[84] It is in the output of Welsh literary culture of the late twelfth and thirteenth centuries that we see the response of the local and regional nobility.[85] For lawyers, judges and *uchelwyr*, it was 'not merely their authority, but the integrity of the tradition for which they were the primary custodians, [which] seemed suddenly to be under fire'.[86] Stacey comments more specifically on the outlook of the Ior recension:

> We are dealing here with something deeply rooted in the Welsh experience of the twelfth and thirteenth centuries… The lawbooks are not – or not merely – neutral descriptions of place or articulations of an aspired-to courtly ideal. Rather, they constitute venues through which to reflect on developments in contemporary Welsh politics: innovations occurring in princely government in the twelfth and thirteenth centuries, changes taking place in native practices regarding marriage, inheritance, and the administration of justice. Looming over everything, of course, is the sense of unease generated by the influx of foreign elements into Wales and fears about the impact of English policy and politics on native Welsh lordship… What we are seeing in the laws are meditations on contemporary Welsh culture and politics which, if not loudly condemnatory, are at least profoundly uneasy about the perils of change.[87]

It can be seen, both in its reflection of contemporary political and social concerns, and in its connections with other forms of written culture, that *CH* was very much a creature of its times. The stamp of the twelfth century is visible, not just on the Ior recension, but on the shape and perspective adopted in the laws for the remainder of the Middle Ages.

1.3.4 The End of *CH*

The break between 'active' use and 'antiquarianism' receives some comment below, especially in relation to *D* (3.4.2), but the distinction between the starring role *CH* played in Welsh elite culture of the twelfth and thirteenth centuries and the slow march to irrelevancy that led to its gradual extinction, deserves some comment. The end of the active life of *CH* was a slow thing, with our manuscripts demonstrating less a sudden break than a gradual pattern of development from reference works and items of legal and intellectual speculation to the later books of antiquarian interest. Indeed, despite the large number of copies, and the textual vitality, of the law, even by the thirteenth century some aspects

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[83] Stacey, *Law*, p. 9.
[84] For Llywelyn ap Gruffudd, see Smith, *Llywelyn*, and, for Gwynedd more generally, see Stephenson, *The Governance*.
[85] Alongside the perspective of *CH*, others have seen a narrative of the development of native rule across the stories of the *Mabinogion*: see Stacey, *Law*, pp. 21–5, and the references there.
[86] *Ibid.*, p. 9.
[87] *Ibid.*, p. 88.

were clearly undesirable. Individuals complained to the 1281 Commission of Edward I that the Welsh *galanas* system, accompanied by the native form of proof, was unfair, preferring instead the English system of inquests and juries.[88] Formally, the 1284 Statute of Rhuddlan ended the operation of *CH* in the Principality, although local custom undoubtedly continued for some time.[89] The law survived longer in the south and central areas of Wales, especially in the March, detached here from the high political drama of the final decades of the Kingdom of Gwynedd. Many unique, personal and localised manuscripts exist from these centuries, demonstrating the accommodation between native law and English practice. Several of these (*K*, *F* and *Lew*) receive extended comment below (3.4). Nevertheless, despite textual and legal development, and the importance of *CH* to the activities of those interested in the preservation of Welsh-language lore and literature, the Laws of Wales Acts, 1535 and 1542, finally ended its practice.[90] The late-thirteenth and early-sixteenth century therefore form two terminal points in the active support and development of the law. Although remnants of *CH* continued in folk memory and as an antiquarian peculiarity,[91] by the end of the Middle Ages its practice as a part of the tableau of native Welsh-speaking culture came to an end. This fact is clearest in Gwynedd, where the operation of the law, as attested in the surviving manuscripts, heavily depended on the supporting power of the native aristocracy, a fact affirmed by the short active life of Ior, effectively dying with Llywelyn ap Gruffudd (*c.*1223–1282), and its likely reliance on a group of elite, professional lawyers finding their home at the royal court.[92] In the south, where the regulation of legal activity had for centuries been regionally fragmented and in the hands of local landowners, *CH* was useful to those Welsh men and women segregated into their own ethnic communities and to those Marcher lords to whom it proved opportune.[93] Indeed, it was at the borders where a Welsh legal identity was articulated most clearly.[94] Yet, following the assimilation of administrative and legal practices between coloniser and colony, the utility of the native system eventually faded to the point of practical irrelevance.

By time of William Maurice's *Deddfgrawn*, NLW Wynnstay MSS 38 and 39, dated to 1660–3, and the activities of his contemporary Robert Vaughan (*c.*1592–1667), the copying of the law can be described as purely antiquarian.[95] The medium was paper, the hand secretary, and the object of copying was less

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[88] Davies, *The Age*, pp. 132–5, for a brief summary.

[89] Walters, 'The First Draft' and Smith, 'The Statute', for a more legal discussion.

[90] For *CH* in the Welsh March throughout the later Middle Ages, see the work of R. R. Davies, especially 'The Survival', 'The Twilight', and 'The Law'. For the efforts of a range of landowners and intellectuals in the late-fifteenth century to preserve and copy native Welsh literature and lore, with some reference to *CH*, see Matonis, 'Gutun Owain'.

[91] Note the apparent use of Welsh-law foreshore rights in the Victorian legal case discussed in Pryce and Owen, 'Medieval Welsh Law'.

[92] 3.3 for a discussion of this context.

[93] Smith, 'Judgement', for this idea of landowner-jurists in the south of Wales.

[94] Davies, 'Law', and Liebermann, *The Medieval March*.

[95] Jenkins, 'Deddfgrawn'. These seventeenth-century copies are recognisably antiquarian; however, manuscripts of similar intentions and audiences existed before this date and during the active period of the law. A clear example is NLW Peniarth MS. 32, or *Y Llyfr Teg*, written at the turn of the fifteenth century and containing the Ior text *D*, as well as other miscellaneous historical and religious material. See 3.4.2 and 3.5 below.

to facilitate practice but more the preservation of Welsh customary material and the study of important national works. However, even by the mid-seventeenth century, the copying of the law was relatively sparse in comparison to the more heavily-reproduced poetic and historical treatises.[96] A few notable scholars-cum-landowners were responsible for the dissemination of those texts now surviving: Robert Vaughan and the copyist John Jones of Gelli Lyfdy, both working in the first half of the seventeenth century; William Maurice in the mid-seventeenth; William Wotton, author of the first modern edition of the laws, in the late seventeenth- and early-eighteenth century with his collaborator Moses Williams a few decades his younger; the trio of Owen Jones, Edward Williams (otherwise known as Iolo Morgannwg), and William Owen Pughe, all responsible for the *Myvyrian Archaiology* at the turn of the nineteenth century;[97] and William Watkin Edward Wynne, the keeper of Robert Vaughan's large manuscript collection through most of the nineteenth century. Despite the early interest of men like Robert Vaughan and William Maurice, this activity was incomplete enough to render the first scholarly edition, Wotton's 1730 *Leges Wallicae*, textually deficient, largely due to important early manuscripts finding their way in to inaccessible English cathedrals and universities.[98] Indeed, interest in the following seventy years was largely moribund, leading up to the *Archaiology* and a few other editions during the first few decades of the eighteenth century.[99] The defining point in the dissemination and study of the law, what we might call the beginning of modern study, was the issue by Parliament in 1841 of Aneurin Owen's *AL*, a work whose preconceptions and conclusions still hold much sway today. The rest of the nineteenth century witnessed a slow increase in the study of the law, uniquely in the case of *Attorney General* v *Jones* (1861–64), where a copy of the law is cited as part of the defence,[100] although works such as Haddan and Stubbs' *Councils and Ecclesiastical Documents* and the second edition of the *Myrvyrian Archaiology* simply reprint Owen's text.[101] Significant mainstream study was delayed until after J. C. Fowler's plea in the *Edinburgh Review* of 1889.[102] Hubert Lewis' *The Ancient Laws of Wales*, with an introduction by J. E. Lloyd, and Frederic Seebohm's *The Tribal System in Wales*, with an important review by Frederic Maitland, finally welcomed *CH* into the modern field of legal and socio-legal study.

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[96] As a glance at *RMWL* confirms.
[97] Jones, et. al., ed., *Myvyrian Archaiology*.
[98] Wotton, *Leges Wallicae*. For a useful account of Wotton's work and life, see Stoker, 'William Wotton's Exile'.
[99] E.g., Pughe's *Cambrian Register*.
[100] See n. 91 above.
[101] Haddan and Stubbs, ed., *Councils*.
[102] Fowler, 'Some Account'.

General Prologue
Cyfraith y Llys
Shorter sections on the king, queen, and heir apparent
Material on *sarhaed*, *galanas* and *gwerth*
Llety, 'lodgings' and *nawdd* (redistributed in Ior)
The King's Officers
The Queen's Officers (in some MSS), Additional Officers (in some MSS)
Miscellaneous material (in some MSS)
Cyfraith y Wlad
Tair Colofn Cyfraith
Nine Tongued Ones
Land Law
Gwert Gwyllt a Dof, 'Value of the Wild and Tame'
Suretyship
Women (distinct tractate in Ior)
Corn Damage
The Third Section
Damweiniau ('happenings') or *cynghawsedd* (model pleadings)
Triads
Llyfr Prawf (Iorwerth)
Ecclesiastical/customary/regional material
Material from other recensions

Figure 4 - The Structure of CH

1.4 CONTENT AND ORGANISATION

1.4.1 Introduction

Putting aside issues of context and cultural contacts, we turn to the content and organisation of the manuscripts themselves. In content, *CH* acted as a holistic compilation of all that was necessary to know; its identity as *the* law of the Welsh demanded that it covered every topic. And, indeed, despite variations in content and structure, comparison between these law-books does demonstrate both their textual similarities and practical completeness. The texts cover a wide range of material, serving to delineate the varying rights of the legal population and to protect and define the creation, maintenance and dissolution of various legal arrangements. Differences in content and structure have led to the creation of three groups, or recensions, of manuscripts by scholars, discussed in more detail at 1.5, and now named after jurists mentioned in the text, namely, Iorwerth (Ior), Cyfnerth (Cyfn) and Blegywryd (Bleg).[103] Although the three groups differ, sometimes quite dramatically, most manuscripts do organise their material into three large sections, or books, with varying degrees of clarity.[104] The vast majority, following a short prologue, distinguish between *kyfreith(eu) y lys*, 'the Law(s) of the Court', and *kyfreith(eu) gwlat*, 'the Law(s) of the Country', signposting the change with a brief incipit, for example, *o hynn allan y treythir o gyfreith y wlat*.[105] The third section is more unclear, sometimes a distinct book, sometimes a more miscellaneous collection of material, and varies between manuscripts. Ior introduces into this pattern *Llyfr Prawf*, taking various parts from *Cyfraith y Wlad* and creating a distinct third part.[106] Most Ior manuscripts, however, also contain many of the types of material seen at the end of Cyfn, Bleg and some Latin manuscripts (notably, the *damweiniau* and *cynghawsedd*).[107] I term this pattern, in general, the 'main text' pattern. There is little to suggest that the more miscellaneous manuscripts were not seen by contemporaries as containing *CH* or being a version of *CH*. The variation

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[103] Iorwerth refers to Iorwerth ap Madog, a lawyer from Arfon practicing in the second quarter of the thirteenth century; see Jenkins, 'Family'. Cyfnerth, and his jurist father Morgenau, were both also a part of this family, though practising slightly earlier in the later twelfth century. Blegywryd appears in the general prologue where he is named as one of the thirteen learned men gathered by Hywel Dda to codify the law. J. E. Lloyd identified this Blegywryd with his namesake in the Book of Llandaf, a theory later disproved by Gorowny Edwards ('Studies', pp. 11–16). See the discussion in Pryce, 'The Prologues', p. 170, and 5.2.5.

[104] Traditional terminology follows reference to the physical book as 'manuscript', the law text(s) within as *CH*, Ior, *damweiniau*, *cynghaswedd*, etc. (this text receiving the sigla, not the manuscript; thus, *D* exists within the manuscript NLW Peniarth MS 32), and the sections within the text as books, *llyfrau* (e.g., *Llyfr y Wlad*). Naturally, 'book' can also refer to the entire manuscript, though I attempt to restrain that usage to the phrases 'handwritten book', 'manuscript book' or 'law-book'. It is important to mention also that neither the law text nor the books within need align with codicological boundaries; in other words, books might flow over quire boundaries and a quire might contain multiple books. Contemporaries use the word *llyfr* broadly, perhaps another indication of the modular nature of *CH* manuscripts.

[105] 'From henceforth the Law of the Country is related'; *J*, p. 45, ll. 8–9.

[106] For this textual process, see 3.3 and 5.2.

[107] For *damweiniau*, see Stacey, 'Legal Writing'; for the *cynghawsedd*, see Charles-Edwards, 'Cyghawsedd', and Stacey, 'Learning to Plead'.

in the manuscript 'tails' of later law-books have also received comment.[108] Nevertheless, there does appear to have been a recognisable structure and scope to most books of *CH*, despite the huge difference in detail and ordering. It is around the first two books, *Cyfraith y Llys* and *Cyfraith y Wlad*, alongside the core tractates which defined them and the variant terminating material which supplemented them, that *CH* found its most frequent form.[109] Figure 4 acts as a general guide to what might be expected, with no particular order in mind and with no preference to any particular manuscript or textual tradition.[110]

1.4.2   *Cyfraith y Llys*

The first of these books, *Cyfraith y Llys*, describes the rights and duties of members of the court (*de privilegiis curie et ministrorum eius*), as well as miscellaneous material concerning the king and his subordinates.[111] This book is therefore a formal representation of the make-up and behaviour of the royal household, an ideal (whether constructive or critical) rather than a purely descriptive enterprise. Nevertheless, the book does contain much material of a legal character. It must be remembered that throughout the Middle Ages, the household of most major landowners, especially in Wales, was curial; members had a legal responsibility, and pleadings and cases were heard before them. Beginning first with the king, his *sarhaed*, 'honour-price', and his *galanas*, 'man-price, wergild', most forms of this book proceed with similar information concerning the queen and the *edling*, 'heir-apparent'.[112] Bleg and Cyfn then contain lists of various privileges and duties of the *swyddogion y llys*, 'officers of the court' (their *noddau*, 'protections', and *lletyau*, 'sleeping quarters').[113] Ior distributes this material across the court officers that follow. The number of these officers varies between recensions, with Ior distinguishing between officers of the king, officers of the queen and additional officers. Extended material often makes its way into the individual discussions on the court officers, with the *pencynydd*, 'chief huntsman', a key example.[114] *Cyfraith y Llys* closes with more miscellaneous material, usually connected to the king or his household, which varies between recensions. Most manuscripts of the standard pattern include this book, although a few, notably *N*, *O* and *Tr*, all in the hand of Gwilym Wasta, do not; Paul Russell has recently suggested that this may be more due to a faulty exemplar than

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[108] See, in particular, Roberts, 'Creu Trefn' and 'Law Texts', and James, 'Golygiad', pp. xvi–xxiv, and, with particular reference to the tails of *S* and *Tim*, pp. xci–ciii.

[109] For the use of the word 'tractate', see n. 124 and the references there.

[110] Note again that Ior was engaged in a general re-organisation of many parts of the law-book; for *Cyfraith y Wlad*, the figure stands for Cyfn and Bleg rather than Ior. See also T.I.i in Vol. II for the picture as it relates to the manuscripts under examination in this thesis, and Figure 6 for the Ior pattern.

[111] 'Of the privileges of the court and its officials', *Lat B*, *LTWL*, p. 193. *Privilegium* is equivalent to Welsh *braint*. The key reference point for *Cyfraith y Llys* remains the valuable editions and discussions contained within *WKC*.

[112] The political relevance of the *sarhaed* accorded to the king, and the way regional kings in Wales were entitled to a special, almost mythical, payment, has also received much comment. See discussion in *WKC* and, most recently, Russell, 'From Plates'. *Edling* derives from Old English *æþeling*; for Anglo-Saxon influence on *CH*, especially in terms of court terminology and the *galanas/wergild* system, see Harris, 'Compensation'.

[113] For an analysis of the textual development of *nawdd*, see Sigston, '"As Far as His Horn"'.

[114] See, for example, the hunting material included after the *pencerdd* in *Mk* (pp. 29–32), whose appearance is no doubt more likely due to this officer terminating *Cyfraith y Llys*. For processes of accretion, see 5.2.3.

the contention on the part of the copyist that *peidav weithon awna6n achyfreitheu llys canyt oes aruer na chrynodeb ohonunt*.[115]

The rationale for the primary position of *Cyfraith y Llys* in *CH* is given at the end of the prologue; of all the laws, *o'r llys y kymerassant dechreu*.[116] However, we should not place too much faith in the information given in the prologue; more use might be made of the interests of contemporary kings in promoting *Cyfraith y Llys*, especially with other parts of the law showing a similar stamp of royal authority. Thomas Charles-Edwards has argued that the king's position in sharing part of the money allocated for homicide was a later development, due in part to the role of the state in enforcing what was a nascent idea of public 'crime'.[117] Although manuscripts vary in the number and identity of the court officers, *Cyfraith y Llys* does show a lower incidence of variation between manuscripts than other sections, a characteristic of texts with a short written history. Tractates on the proper constitution and functioning of the royal household, and the operation of the latter in a more formal legal sense, were commonplace in the twelfth and thirteenth centuries, with the *Constitutio domus regis*, dating to the reign of King Stephen but purporting to describe the court of Henry I, as one such example.[118] It is not implausible that the form and outlook of *Cyfraith y Llys* was the product of an innovative monarch, more recent than Hywel Dda, who would no doubt have given his new book all the appearances of antiquity, including the use of already archaic oral customs. Robin Chapman Stacey has recently analysed the deliberate construction of the social and political world of *Cyfraith y Llys*, drawing particular attention to the place of the queen, the *edling*, *penteulu*, 'head of the retinue', *rhingyll*, 'sergeant', and the animal parts given to all the officers of the court.[119] Stacey's arguments encourage caution in approaching material such as *Cyfraith y Llys* with one interpretation in mind, especially with an overriding aim to reconstruct the textual or socio-legal truth behind the material. One of the intentions of the author was, according to Stacey, 'to define the court as both a physical and social space, the stability of which is vested not only in material structures, but also in the orderly social relationships of the redactor's imagined and timeless Welsh polity'.[120] Regardless of the origin of this book, and what meaning contemporaries may have taken from its prescriptions, the weight it gave to the law-book as a whole is clear.

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[115] 'We now have nothing to do with the Laws of Court since they are not practised nor is any profit derived from them'; Russell, '*Canyt oes aruer*', p. 175 (and that of other manuscripts at pp. 180–1). See also the discussion in 4.6, n. 466.

[116] 'They began from the court'; *D*, p. 2, ll. 4-5 (Ior §1).

[117] Charles-Edwards, 'The Three Columns'.

[118] Hollister, *Henry I*, pp. 27–8. Compare the Household Ordinances of the later Middle Ages.

[119] See, respectively, Stacey, *Law*, pp. 67–71, for the queen, pp. 73–4, for the *edling* and *penteulu*, the latter described in the Ior tradition as the 'quintessential inside man', and ch. 3 for the *rhingyll* and animal body parts.

[120] Stacey, *Law*, p. 62, and, for 'truth' more generally, pp. 217–18.

1.4.3   *Cyfraith y Wlad*

Cyfraith y Wlad stands as a more diverse selection of material, showing significant divergence between recensions and manuscripts. Women, suretyship, contract, land boundaries, land sale, foreigners, murder, theft, arson, the value of animals, and corn damage all receive extensive treatment, with detail in content, organisation and scope often varying drastically. Indeed, some texts include material on judging and the practice of the law itself.[121] Significant variation exists between recensions, with Ior moving several tractates to *Llyfr Prawf*, yet a broad similarity in order and material allows us to talk of the *Cyfraith y Wlad* of our recensions as of a piece. Although structure can here be unclear, with broadly related material merging without warning into other, unrelated, sections, some organisational features bring order to *Cyfraith y Wlad*. The organisation of material, as we have seen, is paralleled in other Welsh didactic literature, especially in the organisation into three and the use of linking phrases. Indeed, it is possible that these rhetorical devices represent a point of contact between native and Classical modes of expression.[122] These groups of three, or triads, with clear parallels also in literary texts, can form strong units of organisation for legal prescriptions.[123] *Tair Colofn Cyfraith* is such a unit of three with the *Naw Affaith*, 'Nine Abetments', of each one forming three groups of three. Nevertheless, it is the formation and growth of tractates which best explains the structure and organisation of *Cyfraith y Wlad*.[124] Distinct tractates, analogous to the court officers in *Cyfraith y Llys*, emerge at different points in the law-book as areas of structural coherence, sometimes nesting smaller sub-tractates and accumulating miscellaneous material at their ends. *Tair Colofn Cyfraith*, *Gwerth Gwyllt a Dof* and Land Law are all examples of these compound tractates, themselves comprised of smaller sub-sections. The tendency here, as well as in the longer tails of the Bleg recension, is for these more coherent tractates to begin strong and fade out. Land Law in Ior begins with the full narrative of A Case for Land, leading into more miscellaneous material about testifying and testifiers. Structure and coherence return with material on the Division of Land, *Dadannudd*, Lineage and Descent, and Gaining and Losing Land before more miscellaneous material enters the tractate. Focus is brought again to sub-sections on Foreigners and the Lawful Measurements of Dyfnwal Moelmud, before the account loosens and the tractate ends with shorter and more miscellaneous material on the rights of the king's officers, food renders and land boundaries. This pattern is also true of *Cyfraith y Wlad* more generally; *Tair Colofn*,

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[121] For example, the short tractate in Ep (60r15–61r23), Tim (30r26–30v4), S (71v18–72r5) and Q (59v12a–59v4b), all later Bleg manuscripts with significant tails. Compare here the material on judging in the Preface to *Llyfr Prawf*.

[122] A possibility recently explored in connection to the Welsh Bardic Grammars; Russell, 'Poetry'.

[123] See n. 68 and 69.

[124] Tractate is used to refer to 'more or less orderly collection[s] of material on a single subject' (although some tractates, such as the Value of Equipment, could be miscellaneous in nature); Jenkins, 'The Lawbooks', p. 8. The term was first coined by Edwards, 'The Historical Study', p. 144, and translates the Latin *tractatus* and the Welsh *traeth*. The movement of these tractates was once considered a central part of the *CH* text, as argued by Powell, 'Floating Sections'. Now see James, 'Golygiad', pp. xliii–xlviii, where variation in detail rather than tractate order is presented as the essential feature of later law-books, and the alternative models of development discussed in Russell, 'The Arrangement'. 'Tractate' remains a valuable term for textual sections and sub-sections in part due to its vagueness and in part due to the actual use of *tractatus* by contemporaries.

the Nine Tongued Ones, Value of Limbs, Suretyship and Land Law, although structured differently across the *CH* tradition, nevertheless provide clear areas of coherence, with the following material, in Bleg and Cyfn, becoming more varied and unrelated.

1.4.4   The Meaning of Coherent Structure[125]

Many of these terms – 'coherence', 'focus', 'miscellaneous' and 'structure' – are, however, loaded. All point towards an expectation of argument, of the outlining of material relating to one subject in an ordered manner, and the loss of this 'focus', the descent into the presentation of random and arbitrary material, contributing to no overall purpose. Two possible models exist for the structure of a law text: proceeding by argument and explication, or by reference. Argument neatly and logically proceeds between points, each ultimately contributing towards a whole. We expect here discussion and analysis; the overriding aim is a general explication of the law, the tenor of the discussion defined by the intended audience. The modern legal textbook is a formal example, interested in explaining the law as a matter of pedagogy but, in doing so, describing and analysing the whole. Proceeding by reference leads to an encyclopaedic account more miscellaneous in nature; in attempting to present the whole picture, a list-like approach is developed. Here, again, emerges an overall aim; to represent the system coherently, to organise information usefully and logically, and to contain all knowledge necessary for the target audience. The problems we have in describing the organisation of the *CH* law-book using these two models is clear: editors might readily combine them, sometimes within the same passage; audiences and uses might be diverse, with attention being drawn to legal teaching, political comment, literary flair and intellectual speculation; and the trappings of custom and tradition might crystallize some parts of the text and open up others, an odd organisational imperative by positive standards of legal presentation, but surely ordinary and vital to the medieval editor-copyist. Most fundamentally, however, the very idea of an 'overall aim' is distinctly modern. Modern preconceptions with Aristotelian narrative structure have led in the past to unfair criticism of Welsh prose texts, with *Peredur uab Efrawg* receiving comment on its excessive length, digressions and material appearing unnecessarily after the 'natural' climax.[126] However, a decentralised continuity was far more 'natural' to the medieval writer: in the words of R. M. Jones, 'there is a whole: but it is looser from the modern point of view than the cohesive continuity that, at least until the mid-twentieth century, most readers had expected from their storytellers'.[127] Thus, terming a passage 'less focussed' or 'less structured' makes a judgement on how the text is building a form of argument expected from a modern pedagogical text. Indeed, recent work has shown that pedagogy is only one of a constellation of aims in the mind of the editor-copyist.[128]

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[125] Daube, 'Codes', is an excellent discussion of this phenomenon.

[126] In particular, Lovecy, 'Historia Peredur'. See also now Lloyd-Morgan and Poppe, ed., *Arthur*, for more recent perspectives on Arthurian material in the Celtic languages. See the wider example of *rhamantau* discussed in 2.3.

[127] Jones, 'Narrative Structure', p. 186.

[128] Stacey, *Law*, pp. 212–223, provides the metaphor of the haunted house to describe this idea.

Here, I have endeavoured to avoid a normative use of this language; focus and structure are used instead as points of comparison between parts of the text rather than judgements of value.

Material coming after *Cyfraith y Wlad*, sometimes signposted as different to what preceded, sometimes simply a part of the later quires of the manuscript, most clearly fails to abide by modern standards of narrative. This later material, often unique to the recension or manuscript, with focus remaining for a matter of phrases or sentences rather than paragraphs or pages, often fades into what might be called a third book. This third division is much less clear than the first two, with only a few texts providing an incipit (*dywededic y6 hyt hynn o gyfreith y llys a chyfreith y wlat, dy6edad6y y6 rac lla6 o'r arueroed*).[129] In some manuscripts the third section describes itself as instructions on applying the laws of the first two books, in others there are collections of material which might be treated as distinct legal genres, the *damweiniau*, or 'happenings', and the *cynghawsedd*, or model pleadings, both perhaps having an earlier life separate from the rest of the law-book.[130] Others distinguish between *cyfraith*, 'law', both of the court and land, and *arfer*, 'use' or 'custom'. Some see this material as not properly within the law as Hywel laid down. Ior, alongside the *damweiniau* and *cynghawsedd*, uniquely features a *Llyfr Prawf*, 'Judges' Test-book', reorganising some of the material found in *Cyfraith y Wlad* as a part of a larger restructuring of the law.[131] This diversity in material has led scholarship to assign much after the clear end of *Cyfraith y Wlad* as 'anomalous'.[132] Although many manuscripts do agree in having *a* third division, whatever it may be, many simply fade into additional rules, triads, and other assorted legal prescriptions. A few manuscripts, for example, *F*, *H*, and *Mor*, all from the later part of the fifteenth century or the early sixteenth, consist entirely of this mass of material, failing to follow the main-text pattern laid out above. I will discuss additional material in more detail below, as well as the formation of *Llyfr Prawf*.[133] Here it is important to note both that many parts of *CH*, especially *Cyfraith y Llys* and some tractates within *Cyfraith y Wlad*, could be clearly and deliberately structured, and that we must resist viewing the more miscellaneous and unfocussed passages as somehow strange, faulty or less important than the former. It is a feature of *CH* that there are islands of more formalised, textually fixed and highly ordered tractates in a sea of shorter, more 'miscellaneous' parts. This thesis concerns itself, to some extent, with understanding how the structure of *CH* might lead to development and change; the comparison between the more tightly organised parts of a law-book to the looser parts, and the comparison between those traditions that are more tightly organised *in general* to those that are not, both form a large part of that analysis. It is vital not to lose our scholarly objectivity in this enterprise

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[129] 'The Law of the Court and the Law of the Country is related thus far, uses shall be related henceforth'; *J*, p. 45, ll. 1–3.
[130] See n. 107.
[131] See 3.3.2 for the Appendix, and 5.2.4 for the Preface to *Llyfr Prawf*.
[132] See 1.5.3 for a brief discussion of these 'anomalous' texts.
[133] 5.2.2 and 5.2.4.

and to fall into casting aspersions about how corrupt and 'broken' the source of a scribe may have been, or how lazy and scatter-brained the editor was in allowing 'miscellaneous' material to pass their pen.[134]

1.5   THE STUDY AND GROUPING OF THE TEXT

1.5.1   Introduction

Having discussed the content and style of the *CH* tradition, as well as some of its historical and cultural contexts, this section will examine in more detail the application of textual criticism to the surviving manuscripts. The argument here will remain descriptive and largely representative of scholarship; the following chapters will develop my own critiques of the textual method as it applies to *CH*, examine the effect of adopting a cognitive methodology based so strongly on the idea of genealogical descent, and put forward some alternative ideas.[135] The first modern grouping of the *CH* manuscripts was Aneurin Owen's 1840 *AL*, a work which was to have an enduring impact on the study of the law. Although Owen was working some time before all extant manuscripts were made fully available to scholarship, the divisions he makes in the material, and the relative focus he places on certain sections – despite how incidental they may have been – have over the succeeding generations taken on the trappings of orthodoxy. Although Owen unduly foregrounds the evidence of the prologues in his introductory remarks, *AL* still exists as the most complete presentation of variation in the secondary literature.[136] The lack of accessible editions (or manuscripts) in the early nineteenth century makes this achievement even more remarkable. Nevertheless, the subsequent influence of *AL*, and its distillation in later editions, has led to a few problematic assumptions. Two, in preparation for arguments made later in the thesis, receive comment here: the place of the anomalous laws (1.5.3); and the Three-Recension Model (1.5.4). Before moving on to these two key issues, however, the perspective of 'traditional' textual criticism, and its reflex in the field of Celtic Studies, will briefly be outlined.

1.5.2   Traditional Textual Criticism

'Traditional' textual criticism here refers to a set of theoretical ideas emerging from the study of the manuscript transmission of the New Testament towards the end of the eighteenth century.[137] The aim

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[134] This comment presages the fact that Ior is far more 'coherent' and 'focussed' than the other recensions. It is 'doing more' with its law; it is in the Ior tradition that narrative tropes are more developed and 'symbolic potential usually – though not always – most fully realized' (Stacey, *Law*, pp. 42–3). This tendency attracts attention below, see 3.3 in particular.

[135] See Chapter 2 for the alternative conceptual framework of the 'book-tradition' and Chapter 4 for a more critical analysis of the textual method.

[136] For the main Prologue, its development and possible origin, see Edwards, 'Hywel Dda', Pryce, 'The Prologues', and Russell, ed., *The Prologues*.

[137] For introductions to the field of textual criticism, see: Reynolds, *Texts*; Greetham, *Textual Scholarship*; and McGann, *A Critique*; see still Maas, *Textual Criticism*. West, *Textual Criticism*, includes a discussion of 'contaminated' traditions. For further textual critiques, influenced by textual criticism which I would not describe as 'traditional', see Chapter 2 (especially 2.3), 4.1.1 and 4.3.

of this study is put well by the Classicist Paul Maas (1880–1964), a central figure in textual criticism from the early twentieth century, in his foundational work of 1927, *Textkritik*:

> We have no autograph manuscripts of the Greek and Roman classical writers and no copies which have been collated with the originals; the manuscripts we possess derive from the originals from an unknown number of intermediate copies, and are consequently of questionable trustworthiness. The business of textual criticism is to produce a text as close as possible to the original (*constitutio textus*).[138]

These Greek and Roman texts survive mostly through the hands of Carolingian scribes, where a reforming zeal occasioned much benefit as well as loss to our knowledge of the Classical world, and several Syriac and Arabic copies. Indeed, before the discovery of the Dead Sea Scrolls in the 1940s, the application of this aim, the reconstruction of the author's original, to the Hebrew and Greek Bible was even more problematic. We know our current manuscripts to be full of errors, conceived here as anything departing from the authorial original; the power of textual criticism is to turn these errors into a diagnostic tool. The methodology for accomplishing this aim is the stemmatic, or genealogical method. The name of Karl Lachmann (1793–1851) has long been associated with this method, although Lachmann was neither its founder nor its most thorough practitioner.[139] The method's name demonstrates some of the theoretical thinking standing behind its application. Stemma is Greek for 'wreath', carrying the sense of 'family tree' in Latin, likely due to the decoration of Roman wall paintings of ancestors with garlands. Indeed, 'stemma' stands here for both the model of thought which leads to the grouping of manuscripts by shared descent (hence genealogical), and the diagram of the stemma, the family tree of copies growing out from the authorial original.[140] The central core of the method is variation, scribal mistakes and errors. As Richard Tarrant puts it, 'if… two copies of a text, A and B, agree in an error not found in other copies, A and B must have some relationship to each other in addition to their common descent from the original'.[141] These readings have maximum diagnostic function if they are certainly non-original and highly unlikely to have occurred twice. Thus, through the analysis of shared errors, introduced incidentally into the tradition and incidentally copied, all manuscript copies might be 'filiated', or arranged into groups of descent. A hierarchy within those groups might be constructed and those manuscripts which bear only secondary relevance to the group archetype, that is, those manuscripts whose variant readings are on aggregate movement away from manuscripts we already possess, can be jettisoned. In our search for the original, we have no need for manuscripts proven to be copies of those we already possess. Logical reasoning, using criteria suitable for the specific text and manuscript culture, leads both from the pool of our surviving manuscripts to

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[138] Maas, *Textual Criticism*, p. 1.
[139] An argument made in Timpanaro, *La genesi*, and outlined in Tarrant, *Texts*, p. 17. Lachmann's edition of Lucretius (1850) remains his most significant contribution to the practice of the stemmatic method.
[140] For family trees, see 4.6; examples in this thesis are Figure 10 through Figure 16.
[141] Tarrant, *Texts*, p. 12.

these structured groups, and from the most significant manuscripts of these groups (i.e., those with the most faithful readings) to the group archetype. This archetype is imagined as a once existent manuscript, now lost; the most significant manuscripts of a group physically copied their text from this archetype, or through one or more faithful intermediaries. Having established the contents of these groups, the same method can be applied to the reconstruction of *the* original, the version of the text first penned by the author and sent out into the world. It is through hundreds of acts of copying, each introducing mistakes and attempts to fix these mistakes, that our surviving manuscripts emerge; the process described above allows us to roll back these changes and get at what 'stands behind' the books in our libraries.[142]

The use of the word 'traditional' in the title to this section, and frequently below, largely relates to a break in the scholarship due to recent developments in the study of manuscripts and their text(s).[143] Further discussion of these points will follow in Chapters 2 and 4. Nevertheless, two characteristics of 'traditional' textual criticism are worth pointing out here. First amongst these is the natural environment of textual criticism, that is, the transmission of Classical texts. The practice of textual criticism on Classical texts is characterised by the identification of an authorial original and a culture of copying where change was due to copyists erring in their quest to reproduce their exemplar exactly. The medieval situation is, however, far muddier. These points will receive much comment below, but, in the case of *CH*, we might ask: what an original might be, or whether it could be said to have ever existed; whether we might see creative contamination here as the norm rather than an exception, and therefore not the mechanical behaviour needed of copyists 'for the stemmatic machinery to function at peak efficiency';[144] and whether the relatively small number of manuscripts, diverse in contexts, and with a tendency to vary actively and frequently, might change our textual aims. Another feature of the 'traditional' application of textual criticism is the scientific quality given to its conclusions by early practitioners, something textual criticism shares with other fields of study in humanities and the social sciences emerging from the febrile intellectual climate at the turn of the twentieth century. Indeed, the stemmatic method described above appears to function by logical deduction. The steady elimination of readings, and the pruning of useless manuscripts, necessarily leads to something far purer and more accurate than what we started with. Nevertheless, the method is anything but scientific. Whether arguing for a particular narrative of textual development, or the general construction of an eclectic edition, the arguments of textual criticism function by rhetoric and induction. It is notable that judgements of likelihood rely heavily on our knowledge of what is possible. With our *CH* manuscripts we enter a world both where we have little data, only a handful of manuscripts attest the Ior recension in full, but

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[142] For a far more detailed description of the methodology of textual criticism, focussing on Classical Latin texts, see Tarrant, *Texts*, pp. 49–104, with p. 12 as a description of the stemmatic method. Maas, *Textual Criticism*, remains an indispensable guide.

[143] Broadly called 'New Criticism': see n. 179.

[144] Tarrant, *Texts*, p. 14.

also where far more appears to have been possible. The process of copying was neither mechanical nor scientific, but creative. This is a point to which we will return below (4.1.1).

Despite the emphasis given to its form and assumptions here, it would, however, be a mistake to characterise the textual study of *CH* as solely the exercise of the theoretical framework laid down by scholars such as Karl Lachmann and Paul Maas. Students of medieval Welsh materials face several problems unique both to the medieval manuscript and to ideas of culture and method derived from the preconceptions of early Celtic Studies. The task early scholars put before themselves did not just encompass the elucidation of the relationships between their manuscripts and the attempt to reconstruct the original, but also the need to extract something valuable and representative about Celtic social and literary institutions.[145] The purest expression of this approach does not stop just with Welsh, but aims to reconstruct further and further, with Irish to reconstruct Celtic, with Germanic to reconstruct European, and with Sanskrit to finally allow the scholar to join up all the proto-Indo-European dots.[146] This perspective focusses not on the 'original' but simply the archaic, the ancient. Textual study therefore only ever has one goal, to look deep into the past; the elucidation of the relationships between our surviving manuscripts seeks only to permit this goal. The much earlier date of the Irish law tracts encourage this tendency; the comparison between Irish and Welsh is a central plank of the Model Law-book thesis as argued by Thomas Charles-Edwards.[147] When examining the operation of a legal principle, the frame of reference becomes Celtic and diachronic; linguistic parallels come before demonstrable paths of contemporary influence from neighbouring cultures.[148] As can be seen, the problem with these views is not so much the adoption of a genealogical mindset, nor the intention to recover material now lost, nor a focus on whatever 'Celtic' law or 'Celtic' culture might mean, but rather the insularity attendant on narrowing the enterprise to *only* these points. I mean this insularity here in two ways: in the restricting of methodology to one, sometimes anachronistic, outlook, and the restriction of permissible influences on the culture of the editor-copyists. The *CH* scribe did not operate in a world of archetypes and transmission, hidden Celtic and Indo-European institutions; these are concepts of our own invention. The text was instead alive with contemporary meaning, and engagement could occur in a multitude of expressive ways.

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[145] For one fruition of this aim, see Charles-Edwards, *Early Irish and Welsh Kinship*.

[146] In respects to *CH*, see the work of Thomas Charles-Edwards and Dafydd Jenkins, in particular, Charles-Edwards, 'Welsh *diffodi*', 'Some Celtic Kinship Terms' and 'The Heir-apparent'. For a similar approach in early Irish law, see the work of Daniel Binchy, e.g., 'Linguistic and Legal Archaisms', and the work of Calvert Watkins, e.g., 'Sick-Maintenance'. For other classic examples, see Gruffydd, *Rhiannon*, with a reaction in Jones, 'Narrative Structure'. For a modern example, see Koch, *The Gododdin*. This 'Celtic' view could have a Welsh nationalist component. Goronwy Edwards called *CH* 'a national achievement' – 'dead it is now, but in its day it was one of the big things that set us apart, and thereby helped to make us the nation we are', Edwards, 'Hywel Dda', p. 160.

[147] See 4.1.1 and n. 380–383 for the Model Law-book.

[148] The assumption that the form of *CH* must derive from the book of Hywel Dda is due in part to these views; that the twelfth century might have had a profound influence on the native Welsh legal tradition, see Pryce, 'The Context' and 'Prologues', as well as 1.3.3 above.

1.5.3   The 'Anomalous' Laws

Putting aside definitions of 'traditional' textual criticism, we might turn to how these methods have been applied to *CH*. It has long been the practice in scholarship to make a division between *CH* material proper, included in the opening books of Aneurin Owen's formative edition *AL*, and 'additional' material, making up the last of Owen's books.[149] Owen, of course, did not assign the latter a mark of lesser importance, but rather reflected a division in the manuscripts themselves.[150] Nevertheless, in subsequent decades, scholarship, partly due to the targeting of attention on the reconstruction of the *CH* text and partly due to the clearly later date of much of the additional material, has focussed on the main text.[151] Although Owen does use the term 'additional', as well as 'anomalous', his own chapter headings make the situation more complex, namely, 'The Laws of Howel Dda', taking up half of the work, and 'Anomalous Laws' (in various forms and editions), 'Leges Wallicae', 'Leges Howeli Boni', 'Leges Howeli Boni' (again), and 'Statuta De Rothelan' all making up the second.[152] We might, therefore, make another division between the 'Anomalous Laws' and those in Latin (excluding, of course, the Statute of Rhuddlan, evidently included as relating to Welsh law rather than as being a part of it). These three groups, Welsh-language, Latin-language and Anomalous, have traditionally been treated as distinct in context, focus and audience, a proposition made implicitly in the *AL* and since repeated. This distinction had the effect of not just creating an enduring split between groups but also marginalising later material. Owen's aims primarily concerned the clarification of the relationship between the surviving manuscripts and the original, tenth-century law code; his preface overwhelmingly focusses on the main-text laws. As subsequent articles and editions engaged with Owen's work, and his texts, in the late-nineteenth and early-twentieth century, this focus remained and intensified.[153]

Save the pioneering work of Hywel Emanuel in the 1960s, it is only recently that the Latin manuscripts have received a significant amount of study.[154] *Lat B* and *Lat C* provide two vital points of evidence in the discussion of how the Ior tradition came to be.[155] The interplay between Latin and Welsh traditions was likely a central feature of the development and use of *CH*; we have only to look at the comments

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[149] William Maurice's Deddfgrawn (NLW Wynstay MS 38 and 39) and William Wotton's 1730 *Leges Wallicae* distinguish between standard and anomalous law, although both, likely due to the small pool of manuscripts available to them, failed to make the division into three recensions.

[150] 'The anomalous or Welsh laws constitute an important portion of the work': *AL*, vol. i, p. xx. Put more elegantly than I: 'why did Owen arrange his edition in such a way as to draw this seemingly fundamental distinction between what he called "Codes" and what he called "Anomalous Laws"? So far as one can judge from his incidental remarks, he adopted this arrangement because his interest was in fact dominated by the problem of the initial origin of these Welsh lawbooks', Edwards, 'The Historical Study', p. 153.

[151] Note the editing of *Col* into two volumes, 'main text' and 'additional', by Jenkins in his *Llyfr Colan* and *Damweiniau Colan*.

[152] *AL*, vol. I, pp. xvi–xxii.

[153] *WML* is an early example, although going into little textual detail; [referring to the three groups,] 'these Welsh medieval law books bear so strong a general resemblance to one another that it can hardly be doubted but that they are all based on some one ultimate original', *WML*, p. vii. For the manuscripts Owen used, see *CHW*.

[154] Especially the editions of Paul Russell, *WLMA*, 'Latin D', and 'The Laws of Court', and the manuscript work of Daniel Huws, 'Leges Howelda', 'Descriptions', 'The Manuscripts', (in *LAL*), 'The Manuscripts', (in *TCC*).

[155] Addressed at 5.2 below.

of *Col* to 'look to the Latin books' to see that language may well be less of a barrier in the text than previous editorial policy might suggest.[156] The so-called anomalous laws drew an even shorter straw. Until recently, the tails of most Bleg books had not been edited, in part or in whole, either due to the secondary status of their additional material or due to their dependence, as a recension, on a Latin manuscript which likely resembled *Lat D*. Early editions, such as Williams and Powell's edition of *Tr* and *O*, do not edit the miscellaneous tail.[157] Indeed, the norm when editing full manuscripts is either to truncate the text as it reaches this apparently extraneous material, or to edit it separately.[158] Only in the last few decades have scholars begun to rehabilitate later manuscript texts and distinct legal genres as part of the mainstream legal tradition.[159]

Although contemporaries did make a distinction between *cyfraith*, 'law', and *achwaneg kyfreith*, 'additional law', this additional material, of varying types and extents, sometimes clearly within the main text and sometimes clearly outside, often alongside *cynefodau* ('customs'), *arferoedd* ('usages'), and *defodau* ('practices'), appears at the end of a great many of our manuscripts.[160] The editor-copyist of the Bleg manuscript *J*, dating from the turn of the fifteenth century, goes into some length about the structure of his text, stating that *teir rann y6 a6durda6t howel da. ae gyfreitheu. nyt amgen. kyfreith y lys peunydya6l. a chyfreith y wlat. ac aruer kyfreitha6l. o bop un ohonunt*.[161] Following these *arueroed*, the editor-copyist makes clear what comes next:

> dy6ededic y6 hyt hynn o gyfreith howel da. ae arueroed ae gynneuodeu. Dy6edadwy y6 rac lla6 o achwaneg kyfreith dylyedus y chynnal. a gossodedic tr6y gyfundeb g6lat ac argl6yd.[162]

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[156] *Od amheuyr bot pob un o'r llesoet a ducpuyt uchot eu bot ekeureyth Hewel, edrecher e lleureu Lladyn ac eno y keffyr*, 'If it is doubted that any of the objections brought above are within the Law of Hywel, look to the Latin books and there it is found'; *Llyfr Colan*, ed. Jenkins, p. 34, ll. 2–4 (§565). See Russell, '"Go and Look"', for the wider context of Latin and Welsh.

[157] Williams and Powell, *Llyfr Blegywryd* (translated in Richards, *The Laws*). See Wade-Evans, 'Peniarth MS. 37', for an early edition of non-core material (the *damweiniau* in *U*).

[158] *Ior*, and Jenkins' *Llyfr Colan* and *Damweiniau Colan* respectively.

[159] See Charles-Edwards, '*Cynghawsedd*', and the work of Christine James ('Golygiad', 'Tradition and Innovation') and Sara Elin Roberts ('Creu Trefn', 'Law Texts', *Llawysgrif Pomffred*). Naturally, exceptions exist to any generalisation: here, note Wade-Evans, 'Peniarth MS. 37', for an early discussion of the *damweiniau* in *U* and Wiliam, 'Y Deddfgronau' for an early discussion of *F* and *G*.

[160] Of the 40 manuscripts on *CHW*, six are not main-text *G*, *Lew*, *F*, *H*, *As* and *Mor*: note my use of 'main-text' refers to the structure of the book, not the heritage of its parts, see 1.4.1), seven are defective where additional material might occur (*C*, *I*, *M*, *N*, *R*, *T* and *Lat C*), five have no additional material (*L*, *Tr*, *Llan*, *Lat A*, and *Lat D*) and twenty-two have additional material of some kind or another (*A*, *B*, *E*, *D* and *K* following the Ior pattern; *J*, *O*, *P*, *Q*, *S*, *Tim*, *Bost* and *Ep* following the Bleg pattern; *Mk*, *U*, *V*, *W*, *Y* and *Z* following the Cyfn pattern; *Lat B* and *Lat E* from the Latin redactions; and *Col*). In other words, 81% of those manuscripts which might have additional material do, and those that do not are mostly very late or in Latin.

[161] 'The authority of Hywel Dda and his laws are in three parts, namely, the law of the daily court, and the law of the country, and the legal usage of each of them': *J*, p. 177, ll. 18–21.

[162] 'We have discussed thus far the law of Hywel Dda, and its usages and its customs. We will discuss henceforth the additional law necessary to maintain, appointed through the union of country and prince': *J*, p. 184, ll. 8–12.

The Bleg tradition, as with Cyfn and Ior, is tripartite, with *Cyfraith y Llys*, *Cyfraith y Wlad* and *arferoedd* operating in the former two, and *Cyfraith y Llys*, *Cyfraith y Wlad* and *Llyfr Prawf* in the latter. However, all traditions encompass a tail of additional material, noted by *J* as important enough to receive the *gyfundeb g6lat ac argl6yd*, and it would be remiss of us to exclude it from our understanding of *CH*. The narrative of the development of our surviving manuscripts necessarily encompasses the continuing and persistent influence of non-*CH* material, from the introduction of *cynghawsedd* in *B* to triads and plaints in the tails of Bleg manuscripts from the late-fifteenth and early-sixteenth centuries. Although *CH* appears to have been *the* expression of legal identity in medieval Wales, legal life undoubtedly remained multi-polar and, at least partially, oral in nature. That other written material makes its way into the end of our surviving manuscripts, and that this material should find a permanent place alongside *CH* proper, is hardly surprising.

Later in our period, some manuscripts break away from the main-text tradition entirely and focus on the incorporation of miscellaneous legal material (*F* and *H* are two clear examples, *G* is the earliest). The name *Deddfgrawn* has become attached to these manuscripts, taken from the title William Maurice gave to his creations in Wynnstay MS 38 and Wynnstay MS 39.[163] Aled Rhys Wiliam sees a defined process of development from the additional material appearing in the tails of our main-text to this material developing its own *traddodiad dogfennnol* and *bodolaeth annibynnol y tu allan i lawysgrifau'r Dulliau* (here *dull* meaning more or less main-text).[164] Wiliam describes the process in more detail:

> Byddai cyfreithwyr Cymru trwy gydol y canrifoedd yn arfer dethol a chopïo pethau a farnent yn werth eu cadw, gan ychwanegu eu sylwadau a'u hesboniadau eu hunain; deuai rhai o'r gweithiau hyn wrth reswm yn fwy adnabyddus na'i gilydd, ac fe fyddid yn eu copïo hwythau yn eu tro a'u casglu at ei gilydd. O dipyn i beth, trwy eu mynych gopïo ynghyd, gallai gweithiau llawer o ddynion fagu rhyw unoliaeth ym meddyliau'r copïwr, a dod i'w hystyried yn llyfr cyfraith, ochr yn ochr â'r *Dulliau* safonol.[165]

The two examples Wiliam uses are *F* and *G*. *F* represents the culmination of this process, a tight (though once physically disordered), cohesive whole, neatly copied and cogently presented.[166] *G*, however, sits earlier in the developmental process and remains disordered and incoherent; it would take time for lawyers to see these *Deddfgronau* as an end in themselves, and to focus their skills of compilation to

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[163] See Jenkins, 'Deddfgrawn', for William Maurice; Wiliam, 'Y Deddfgronau', for *F* and *G*; and Wiliam, 'Restoration', and *Llyfr Cynog*, for more on *G*.

[164] 'Documentary tradition' and 'independent existence outside of the manuscripts of the *Dulliau*', Wiliam, 'Y Deddfgronau', p. 97. For other forms of textual development, see 5.2.3.

[165] 'The lawyers of Wales throughout the centuries used to select and copy things which they thought were worth preserving, adding their comments and their own explanations; some of these works would of course be more well-known that others, and they would in turn be copied and collected together. Gradually, through their frequent copying together, the works of many men could engender some unity in the minds of the copyists, and come to be regarded as a law book, alongside the standard *Dulliau*', Wiliam, 'Y Deddfgronau', p. 97.

[166] See 3.4.4 for *F* and 3.5.1 for a short discussion of *G*.

bring order to a legal genre essentially derived from miscellaneous appendices. This description of the genesis of the miscellaneous manuscript has much to commend it. There must have been written expressions of the *CH* tradition, whether sophisticated or more like a commonplace book, from the earliest times to the end of the Middle Ages. That the arrangement of novel material in tails (the most popular being the *damweiniau*, *cynghawsedd*, triads, and material on suretyship and theft, alongside, as we shall see, material from the Ior tradition), and the subsequent crystallization of these tails into forms of law-book convenient to the copyist and patron, and sophisticated in structure and exposition, is surely one of the central narratives of the development of *CH* across the later Middle Ages.

Despite a long and active development of the law, whether main-text or additional, all these forms played an integral part in the evolution and, undoubtedly, practice, of *CH*. Assigning the label 'anomalous' to material happening to come after the core law-book hides its diversity (from the narrative-based, tightly-organised plaints to the far more miscellaneous and varied *damweiniau*) and draws an unfortunate line in the sand, unduly separating this material from the larger context of the transmission and copying of *CH* manuscripts as a whole. The name 'anomalous' should, I would argue, be consigned to the waste-paper bin of history.

1.5.4 The Three-Recension Model

Distinctions within the first volume of *AL* have had an even greater influence on scholarship than those between the first and second, forming the genesis of the 'Three-Recension Model'. Owen edits three codes, or *dulliau*, which he terms Venedotian (pp. 1–163), Dimetian (pp. 164–302) and Gwentian (pp. 303–88), in other words, rooted locally in the medieval kingdoms of Gwynedd in North Wales, Dyfed in the south-west, and Gwent in the south-east. These were later to become Iorwerth, Blegywryd and Cyfnerth. Owen's decision seems to have come from his own impression of the judgements made by William Wotton:

> [Wotton's contradictory readings were] unexplained, and upon its being investigated it appeared that there were three distinct forms of law existing, the parts of which had been dislocated by the Editor, and so arranged as to suit the order of the manuscript which he had adopted as his text, from the conviction of its being the most ancient and uniform of the whole.[167]

In other words, Wotton made no attempt at a systematic organisation of texts, instead preferring to pick what he believed to be the oldest manuscript and presenting an arbitrary and confusing collection of variant readings. Owen had a more developed scheme which informed his editing; rather than favouring the oldest *surviving* manuscripts, he favoured the *absolute* oldest. His three codes, or manuscript groups, represent three surviving branches of the original law-book. As he explains, 'Venedotia and Powys, on

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[167] *AL*, vol. I, p. i.

account of their local customs…, required one code, the South-West and Gwent another, with suitable modifications adapted to each district… The codes which have descended to us are compilations from age to age, as the progress of the community required'.[168] The grounds for Owen's scheme is therefore two-fold: one, as an elucidation of the original book of Hywel Dda; and two, as representative of the regional customs apparently in operation across Wales. Owen's textual reasoning for splitting the Welsh-language legal manuscripts are explained in the introduction to his work as 'dialect', to which he gives little space, and 'allusions'.[169] For much of his argument, he relies on the evidence of the prefaces. A range of 'allusions' are given for each group to which each constituent member must adhere. These criteria are given below as Figure 5.[170]

1. Venedotian Code:
   a. The blurring of *Cyfraith y Llys* and *Cyfraith y Wlad*.
   b. The mention of Iorwerth ap Madog (Owen saw the Venedotian Code as a 'compilation of Iorwerth').
   c. Alterations by Bleddyn ap Cynfyn in 1080.
   d. The appearance of the *Breiniau Arfon*.
   e. The nomination of judges by princes.
   f. The perpetual state of bondage of the villains.
   g. 'Other matters which a perusal of this code in connexion with the explanations given in later laws will exemplify'.
2. Dimetian Code:
   a. Alterations by the Lord Rhys, Prince of Deheubarth, in 1180.
   b. The appearance of the seven bishop-houses of Dyfed.[171]
   c. The enumeration of the heriots of castellans.
   d. The conditional state of bondage of the villains (emancipation in the ninth descent).
   e. Every landowner has the privilege of judging cases.
   f. '&c'.
3. Gwentian Code:
   a. Omits all that is peculiar to the Dimetian Code.
   b. Said to be a compilation of Cyfnerth ap Morgenau, who is also enumerated among Hywel Dda's judges in the preface.
   c. The appearance of an account of territorial division in Gwent.
   d. Different 'arrangement of materials' – no elaboration is given to this statement.

Figure 5 - Aneurin Owen's Criteria for Grouping

Many of Owen's justifications for the grouping of our manuscripts now seem ill-judged. Regarding 1b, Iorwerth ap Madog is only mentioned as the creator of *Llyfr Prawf* in *C*, *D*, *K* and *Llan*, and as the

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[168] *AL*, vol. I, p. iii, vii.
[169] *AL*, vol. I, p. ii–vi.
[170] From *AL*, vol. I, p. vii.
[171] Charles-Edwards, 'The Seven Bishop-Houses', covers this tractate, with more recent discussion in Charles-Edwards, *Wales*, pp. 268–9 and 596–8.

creator of its Appendix in *A*, *C*, *D*, and *E*.[172] *Breiniau Arfon* (1d) only appears in *A* and *E* (the Seven Bishop-Houses, 2b, has a similar problem). The last criterion of each code is also incredibly vague; the 'other matters' of the Venedotian Code (1g) is never explained and it is difficult to know how we might take the 'arrangement of materials' in the Gwentian Code (3d). Indeed, it is even more unclear to what Owen was referring by '&c' (2f); if there were further reasons for including this group, Owen should have stated them in full. Fundamentally, these criteria read as if Owen was focussing on several substantial variations in content, especially those which fit his thesis of regional genesis, rather than a more fine-grained textual analysis.[173] The introduction to *AL* does not function as a proof of a certain genealogical grouping. Instead, Owen gained a sense of the relationship of the manuscripts through close reading and is simply here demonstrating conclusions made for the purpose of editing.

Nevertheless, despite these weaknesses in method, and what his broader conclusions incorrectly imply about the historical development of the 'Codes' and their place in Welsh history, the break into three has been seen to be broadly correct. To move from the 1840s to 2020 is to see change mostly terminological in nature. Wade-Evans made the case for renaming the 'southern' codes to Cyfnerth and Blegywyrd, after the jurists mentioned in their prefaces, with Aled Rhys Wiliam doing the same for the Venedotian Code.[174] The elucidation of relationships between manuscripts within groups has seen some advancement, especially in relation to Ior and Bleg.[175] Scholars are now generally less positive about reconstruction, and more willing to conceive of the codes, or recensions, as something much less unified and far more variant than a 'text'. To take the comments of Dafydd Jenkins:

> It is not easy to express simply what the concept of a "book" means to us, but we may start by saying that each of the five "Redactions" in Latin is usually treated as a distinct book, though the five are closely related – so closely, indeed, that they correspond to one of the three principal Welsh books, now usually referred to as the Books of Cyfnerth, Blegywryd and Iorwerth… Each of these books is represented by several manuscripts which differ, often very substantially, from one another, and there has been no serious attempt to reconstruct the ultimate common archetype of any of the three. That is why we have

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[172] Jenkins, 'A Family', p. 123–5. See 5.2.5 below; for the Appendix, see 3.3.2. Of course, it is certainly arguable, if not correct, that the Iorwerth redaction was pulled together by one Iorwerth ap Madog. The point does, however, require a greater degree of elucidation.

[173] It should be noted that Wade-Evans rehearses the same arguments in his composite edition of the Cyfnerth recensions; WML, pp. vii–xix.

[174] Wade-Evans argued that 'it seems…advisable for the time being to abandon "territorial" designations for the two Dinevwr classes of law books, and to style them after the names of the "jurists" preferred in their respective prefaces', namely, Blegywryd and Cyfnerth; *WML*, p. xii. Aled Rhys Wiliam, in *Ior*, finally changed the name of the Venedotian Code (left due to the demonstrable northern interest in the text) to the name of the jurist mentioned most prominently there: Iorwerth ap Madog.

[175] For Ior, see *Ior*, Stacey, 'Archaic Core', and Charles-Edwards, 'The Textual Tradition of *Llyfr Iorwerth*', unpublished; for Bleg, see Emanuel, 'The Book', the introduction to the second edition of Richards, *Cyfreithiau Hywel dda*, and Russell, '*Canyt oes aruer*'.

tended… to speak for instance of the Iorwerth text or tradition, rather than of the Book of Iorwerth.[176]

Nevertheless, the identification of these three groups has proved foundational to the study of *CH* and, expressed as three traditions of *CH* coming to fruition in different parts of Wales at different times, is largely representative of reality. 1.2 above has shown some of the characteristics attending these traditions; only a very small number of main-text manuscripts either do not belong to one of these three patterns (*Col* is a re-working of Ior) or mix two or more traditions into one text (*Y* has a Cyfn *Cyfraith y Llys* and a Bleg *Cyfraith y Wlad*).[177] The miscellaneous manuscripts, rather than representing a new form of *CH*, in many parts appear as a Bleg tail with no body. Aneurin Owen's groups, therefore, despite his loose methodology, provide the main frame of reference for understanding a *CH* manuscript. A few points do need modernization: the Latin groups and the 'anomalous' texts and tractates are now rightly seen as essential for understanding processes of textual development; each one of the three Welsh-language groups were copied and received in quite different contexts; and a great deal of variation and chaos might exist behind those manuscripts which are now currently extant. Nevertheless, the idea of the Three Recensions remains a useful tool for providing an overview of the form of the *CH* main-text manuscript.

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[176] *WLW*, p. 2.

[177] See the endnote to the Corn Damage tractate at S.XIII.xv.ii for a brief example of *Y*'s composite material.

2 BOOK TRADITIONS AND PRODUCTIVE CONTEXTS

2.1 INTRODUCTION

This chapter features a series of case studies linked by a self-consciously syncretic methodology. It moves from the codicological, palaeographic and textual to the historical and cultural, and, in the broadest view, towards a general historical-cultural phenomenology of the medieval Welsh legal manuscript. In doing so, I make use of two distinct heuristics: first, the written book as a unique *material* object, whose meaning is accessed through continual use and reuse across the Middle Ages, mediated through mutable cultural norms and expectations, and whose authority, whether textual, legal, literary or other, was inherently localised to *this* book and *this* scribe; and, using a distinction drawn out below, a preference for book-tradition over the more traditional book-text. This methodology compliments and contrasts with the outlook taken in Chapter 4, a set of primarily textual approaches, complete with editions in Volume II. The aim there is to target the chosen selection of manuscripts with the tools and techniques of traditional textual criticism: a typology of textual variation, stemmatics and diachronic analysis. In Chapter 3, I examine those same manuscripts horizontally rather than vertically, as cultural objects embedded in specific historical and economic contexts, connected with other objects of the same type – in other words, an examination of how handwritten books appeared to their producers and users. It is hoped that both chapters throw light, although using different lenses, on the manuscripts under discussion, bringing out tensions inherent not just in contemporary scholarship but in the very process of examining alien objects embedded in a culture 700 years distant.

2.2 THE HANDWRITTEN BOOK AS A HISTORICAL AND MATERIAL OBJECT

Although there exist significant points of overlap, the manuscript book is a fundamentally different object to the printed book.[178] This difference goes beyond the simple fact that the medieval manuscript was embedded in a pre-modern society; the materiality of the handwritten book necessitated a distinct relationship between producers, consumers and product. Indeed, what exactly that product was, or how it might be broken down into conceptual units (book, text, text-object, text-work, text-carrier), has been debated since the beginning of modern philology. A range of voices in the last quarter of the twentieth century, emerging from the wider world of poststructuralism, has made a strong case against an undue emphasis on 'the text' found in traditional, Lachmannian textual criticism.[179] Variance, as Cerquiglini noted, not authoritative reliable reproduction, sat at the heart of the copying of texts in the Middle

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[178] The clearest point of overlap is the patterns of collecting and compilation which led to the early sixteenth century *Sammelband*. See Knight, 'Organizing Manuscript'. See n. 6 and the discussion at 1.1.1 above.

[179] These voices include Zumthor, Cerquiglini, Machan and the range of viewpoints shared in the 1990 edition of the journal *Speculum* (an approach termed New Criticism). For an overview, see Driscoll, 'The Words'. See the overview of 'traditional' textual criticism in 1.5.

Ages.[180] Although Chaucer wished his scribe to 'write more true', describing his efforts of writing 'anew' as 'negligence and rape', the author was here fighting against the inevitability of his medium.[181] Although genres of literature, both imaginative and instructive, existed in the Middle Ages for which authenticity lay in exact reproduction, it is the existence of texts conforming to *l'authenticité généralisée de l'oeuvre médiévale* which mark the manuscript medium as unique.[182] Eclecticism in the presentation of texts, in the choice of readings and compilation of miscellaneous volumes, has therefore led to a championing of eclecticism in editing. Peter Robinson has suggested an open corpus approach, with the single text presented to the reader acting not as a lost original but as 'a route by which the reader may find his or her own way into the variants themselves'.[183] I will consider these ideas of text and variance in more detail below; the point here is that the identity of the manuscript book as written, as deeply embedded in communities of literary and bibliographical production, as inherently collaborative and creative, permitted the production and development of textual works through a unique mode of copying.[184]

Putting aside copying culture and textual transmission, the historicity and materiality of the manuscript book deserves further comment. The emergence of these ideas in the past few decades, cohering around the importance of the physicality of the manuscript book, has marked a shift of orientation away from the text and towards 'the interplay between the text and the text-bearing artefact', rooted in the principle that 'literary works do not exist independently of their material embodiments'.[185] These views call for a sea change in scholarly fields as well as cognitive methodologies; given that the manuscript book pulls together text, scribal networks, palaeography, codicology, woodworking, metal crafting, the preparation of leather and other animal products, and animal husbandry all into one place, the field of manuscript studies must by its nature be interdisciplinary.[186] Where these disparate fields collect is in piecing together a picture of manuscript culture, a conception 'of manuscripts as objects within the cultural world, where people interact with them in meaningful, readable ways'.[187] It is worth detailing

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[180] A point made in Cerquiglini, *Éloge*.

[181] Benson, gen. ed., *The Riverside Chaucer*, p. 634. See Mooney, 'Chaucer's Scribe'.

[182] 'The generalized authenticity of the medieval work': Cerquiglini, *Éloge*, p. 58.

[183] Robinson, 'The One Text', p. 5. For my own editions, see 4.4.

[184] In other words, 'the material particularities of manuscripts opened up and foreclosed forms of cultural exchange that were different from those facilitated by the printed book and digital text', Johnston and Dussen, 'Introduction', p. 1. See 4.1.1 for a further consideration of the copying culture of *CH*.

[185] Driscoll, 'The Words', pp. 90 and 95; also see the references in n. 179.

[186] The uniqueness of this description is naturally borne out most clearly in a comparison with the modern printed book, building on the thoughts of Walter Benjamin mentioned above (n. 6). The modern printed book does, of course, take in a range of specialist activities: typesetting, ink production and mixing, paper manufacture, marketing and sales, etc. The point here is that these specialist activities, in comparison to the manuscript book, are now thoroughly mechanized and depersonalized in pursuit of the generation of many identical versions of the same item (in the same sense as all Ikea Starpats pedal bins are instantiations of a particular productive blueprint). The market economy drives the printed book's production; profound regional particularities, individual preference and the slow process of assembling various crafts into one discrete item all drive the production of the hand-written, medieval manuscript. The latter therefore represents much more a work of art than a modern printed book.

[187] Johnston and Dussen, 'Introduction', p. 2.

here the three theses explored in the introduction to the 2015 essay collection *The Medieval Manuscript Book: Cultural Approaches*, items intended to 'point to the uniqueness of late medieval manuscript culture'.[188]

1. The manuscript is a process as much as it is a product, resulting in absolute numerical uniqueness.

It is the miscellaneity of the manuscript book, 'always with the potential to be reshaped by its current owner', that the authors credit with the uniqueness of manuscript culture:

> The medieval book world was composed of a network of handmade artifacts exemplifying myriad nodes of human contact. Under print, those forms of contact were dramatically reduced for most readers, who instead purchased a commodity that someone else had produced in a centralized location. With the move to mechanized production, decisions about what to include in the book were largely removed from readers' hands. It is to each unique codex, and its attestation of multiple forms of human agency, that we must look to understand the cultural significance of the book in late medieval Europe.[189]

It is with the idea that each manuscript tells its own story that this chapter proceeds. Our later *CH* books demonstrate the idea of miscellaneity and reader choice *par excellence*. Although adhering to the idea of a *CH* book, that is, readily identifiable by contemporaries as 'a' native law book, each manuscript is inherently localised to the specifics of patron and scribe. The inclusion of novel material, whether stemming from local secular and religious custom, English common law or native pleading procedures; the excision of out-of-date or unwanted material; and the large-scale modification of general structural paradigms: all was possible and, indeed, common in the process of copying. The influence of the scribe in this context led Christine James, in examining the manuscript *S*, to coin the phrase *copïydd-golygydd* ('copyist-editor'). Structural variation, rather than being data for examining the descent of the text, becomes here:

> canlyniad gweithgarwch copiwyr a oedd yn ddigon hyderus i olygu eu deunydd, ei symud a'i ad-drefnu er creu llyfrau cyfraith a ystyrient yn fwy trefnus, neu yn fwy rhesymegol yn natblygiad eu cynnwys, ac o'r herwydd yn fwy defnyddiol.[190]

Although a given book might contain a 'witness' to a larger textual tradition, it is as a unique object embedded in a 'network of handmade artifacts' that these books were produced and used.

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[188] Found at *ibid.*, pp. 4, 6 and 9.

[189] *Ibid.*, pp. 5–6. In this regard, a stamp album is more analogous to a manuscript book than, say, a modern novel.

[190] 'The result of the activity of copyists who were sufficiently confident to edit their material, move it and re-order it to create law books which they might consider to be more orderly, or more logical in the development of their contents, and accordingly more useful', James, 'Golygiad', vol. 1, pp. xlviii–xlix. See pp. xlviii–lxv for *copïydd-golygydd*.

2. Because the manuscript as process resulted in its continued and constant evolution, we must focus on a manuscript's entire life cycle, not just its moment of original production.

Although the productive context of the manuscript book is important in ways not shared by the printed book, they also possessed 'social lives' which extended centuries into the future.[191] Gospel books, alongside continued devotional activity, regularly received use as items of communal authority and containers of legal and administrative records. In the Welsh context, the Lichfield Gospels contain the earliest piece of native Welsh legal miscellanea.[192] In opposition to modern ideas of bibliographical relevance, 'the quality of contemporaneity in a book might actually be protracted', 'books may be *used* without being *used up*'.[193] The collections of the NLW are replete with manuscripts reorganised and rebound by private collectors. The Black Book of Chirk (*A*), as we shall see below,[194] was later bound together with NLW Peniarth MS. 164 (*H*), a mixed manuscript from a productive context vastly different to the former. *Lew* was likely copied from a composite, mis-bound book, only later to become itself mis-bound.[195] Examining these books across the length of their medieval lives, and beyond, opens up a narrative more familiar to contemporaries and more immediate to their individual experience.

3. The manuscript as process combined with the manuscript's dynamic life cycle resulted in decentralized forms of authority.

The decentralised authority of medieval book culture has already been noted above; alongside Chaucer, we might add Petrarch, Christine de Pizan and John Gower as authors anxious about textual agency defying their control.[196] The collapse of authorial control might be seen in the huge variations between copies of Geoffrey of Monmouth's *Historia Regum Brittanniae* and, even more drastically, translations of this work into Welsh (a strong counterpoint to the *auteur transcendent* identified by Cerquiglini in traditional textual criticism).[197] This decentralisation opened up participation in book culture as the Middle Ages progressed, especially as the monastic monopoly on production faded over the twelfth century, and is a vital process which led to the distinction in form between our thirteenth century law manuscripts and later fourteenth and fifteenth century copies. The *CH* manuscript was multifarious; it could be an item of authority in a law case, a representative of native custom to an Archbishop of Canterbury, a piece of literature to be enjoyed, propaganda to advance the interests of a native prince, or a part of a larger antiquarian collection showing off the native knowledge of a local nobleman. This

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[191] See Echard, 'Containing the Book', for the continued life of manuscripts collected by Archbishop Parker in the library of Corpus Christi, Cambridge.
[192] Jenkins and Owen, 'The Welsh Marginalia'.
[193] Harris, 'Patrons', p. 177 and Johnston and Dussen, 'Introduction', p. 7.
[194] 3.2.3.
[195] 3.4.5.
[196] Johnston and Dussen, 'Introduction', p. 9.
[197] 'Transcendent author', Cerquiglini, *Èloge*, p. 90. Reeve, ed., *Geoffrey*, pp. vii–lxxvi, gives some range of the groups of variant readings that developed in the transmission of Geoffrey's work; here the picture is complicated by error, scribal whim and perhaps five different revisions by Geoffrey himself.

diverse and distributed patterning of textual authority, especially regarding genres such as customary law, defines the manuscript book in the Middle Ages.

This chapter (and the next) adopts these three principles in providing a more holistic view of book culture in medieval Wales. A central narrative throughout this thesis is the use and re-use of Ior in the later Middle Ages; the social life of a specific group of medieval handwritten books is considered alongside the afterlife of their text-works. The miscellaneity and individual uniqueness of these later manuscripts, alongside connections to their cultural and productive contexts, is a central part of this story. It is to a more contemporary understanding of these text-works, as book-tradition over book-text, to which we now turn.

2.3 BOOK-TEXT/BOOK-TRADITION

Traditional textual criticism conceptualises the manuscript book and its contents as three objects: the book (here 'book' or 'manuscript'), its text (the 'manuscript/book text'), and *the* text ('the text').[198] The first two stand in opposition to the last; the physical and textual objects, the manuscript and the text 'within' it, exist as a representation of a more abstract textual object, one which is contained in many instantiations. This abstraction exists amongst the pages of manuscripts and books, as an aggregate of possibilities and representations in readers' and copyists' minds and pens, living and breathing in the process of copying and editing. The printed word and, indeed, the digital computer file, both perpetuate this book-text paradigm; the text on our hard drives can be printed any number of times, on different paper with different ink colours, font sizes and types. On my bookshelf, I have two editions of John Fowles' *The French Lieutenant's Woman*, published decades apart with different introductions and scholarly apparatuses, and both with different cover art, yet both represent the same text. When I talk with others about Sarah Woodruff's actions in 'the text' we talk of an abstraction which touches all reproductions. Traditional textual criticism was born with this kind of abstract text, operating on Classical works created by an individual at a given point in time, copied slavishly into many manuscript books. Suetonius' *De vita Caesarum* was and is a 'thing' quite apart from any written or published copy. The story of how this text was changed and edited across time complements the story of how our current copies represent an original text, in this case written by Suetonius himself. When we talk of 'the text', we are thus structuring our discussions within a certain paradigm, what I call here the 'book-text' paradigm, whether those in the medieval past thought the same way about their written books, and their contents, as we do.

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[198] Other ontologies for the physical and conceptual units of manuscript culture are discussed in Johansson, 'In Praise', who settles on 'text-work' and 'text-bearer' existing as both horizontal, i.e., relationships between texts in a manuscript, or contemporary manuscripts of the same text, and vertical, i.e., witnesses of a text-work. See the discussion of 'traditional' textual criticism at 1.5.2 and n. 104 for the use of 'book' and 'manuscript' with reference to the unique structure of *CH*.

As individual productions, whose every aspect was controlled and executed by hand, subject across their entire manufacture, from the choice of animal hide to the placement of the letter on the page, to the demands of economy, politics, culture and personal whim, manuscript books, as explored above, were quite different to the printed book.[199] When we consider certain medieval books, especially those containing prose with oral roots or those with a flexible, didactic content, we encounter a self-aware and creative modification of the 'ideal' text from copy to copy. Thomas Charles-Edwards used the terms 'fixed' and 'fluid' to describe the difference between a tradition of innovation in Welsh literature and one marked by authority and accuracy, and it is 'tradition' here which describes the relationship between our legal manuscripts far better than text.[200] The interactions of our copyist-editor with the book grow beyond simple copying of the text: additions, notations, reordering, rephrasing, deletions, constant editorial digressions, translation and transliteration – all are natural forms of the functioning and reproduction of written books and their contents within a fluid textual culture. There is a marked difference here with the printed book. Many a book found in a second-hand book shop contains marginal notes, insertions of newspaper clippings, the tearing out of pages and the highlighting and underlining of sections, yet it would be a stretch indeed to consider these an integral part of the book, let alone the text. In proposing a separation between book and text, changes to the form of the carrier object, and to 'its' text, become quite separate to any change to 'the text'. This was not the case with many medieval books, where glosses, editorial commentary, incipits and explicits were often seen by contemporaries as operating on the same level as 'the text', and were copied into other volumes, sometimes rephrased and re-embedded, with the same apparent importance.[201] What is more, copyists often took it upon themselves to pen continuations to literary works, delete scenes which they found distasteful, and include other material which they considered related – all things which support a very different relationship between the book and the text. There may be different pretexts for making these changes, often overlapping: what the copyist-editor saw to be the proper reading or arrangement of material, i.e., fitting better into their conception of the tradition; a self-conscious literary manipulation of the tradition, in other words, seeing the archetype as inspiration rather than as a model; or simply what was practically useful (especially in the case of didactic texts). Indeed, in some cases, the copyist may not have conceived of their activity as change at all.

The so-called Welsh romances (*rhamantau*) present a useful example of a fluid Welsh-language textual tradition stretching the modern definition of 'the text'. The *rhamantau* have been described by Brynley Roberts as 'the work of *literati* using and shaping traditional material for their own purposes, whatever

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[199] See also n. 186.
[200] Charles-Edwards, 'The Textual Tradition of Medieval Welsh Prose Texts'.
[201] Irish law tracts are one of the most heavily glossed texts of medieval Europe, with commentary often taking up more space than the original law; see Breatnach, 'The Glossing'. These manuscripts, alongside many scholarly compilations from the late twelfth and thirteenth century, demonstrate the playing out of a fluid and discursive textual tradition on the page. For further comment, see Teeuwen, 'Practices'.

those may have been'.[202] The ambiguity of this definition is well-founded; the romance genre has been described elsewhere as 'the shape-shifter par excellence among medieval genres, a protean form that refuses to settle into neat boundaries prescribed by modern critics'.[203] These stories have, since the nineteenth century, appeared to scholars as badly structured, bloated or without unifying theme, cast either as primitive forebearers to their French relatives in need of reconstruction,[204] or disappointing native responses to a wider European literature.[205] This problem with structure and textual identity, seen most clearly in the proliferation of accretions and digressions, questions the value of a traditional textual model; indeed, Lloyd-Morgan highlights the difficulty of identifying 'the text' of *Peredur*, relying on dubious concepts such as 'complete' and 'earlier'.[206] R. M. Jones encourages us to break away from a 'diachronic obsession' and proposes a decentralised continuity: 'there is a whole: but it is looser from the modern point of view than the cohesive continuity that, at least until the mid-twentieth century, most readers had expected from their storytellers'.[207] Excessive length, digressions and, as with *Peredur*, story material appearing after the natural 'climax', are all here seen as criticism stemming from a modern preconception with Aristotelian narrative structure and an overreliance on the framework of traditional textual criticism.[208] Ryding makes the point more generally: 'medieval man saw the lengthening process as the very heart and soul of the writer's craft. The writer's job, after all, was not to make up stories. He found them: he was a *trouvère*'.[209] Very few of these stories appear by themselves in manuscript books; *Peredur* appears amongst other native 'translation' literature in Oxford Jesus MS 111 and Peniarth 4, the romance of Charlemagne in Peniarth 7, and religious material in Peniarth 14. Taking the point of view of the editor-copyist, we might ask which part of their book they considered 'the text', whether there were many or one within the manuscript, and perhaps whether a different conceptual framework, supporting a broader abstraction than 'text', was more germane to their bibliographic expectations.

This is not to say that the idea of 'the text' does not represent in some part how people in the Middle Ages thought about manuscripts and their contents. The *pecia* system of book production, supported by a need in the emergent universities of the early-thirteenth century for authoritative texts, demonstrates

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[202] Roberts, 'From Traditional Tale', p. 215. For the terminology of *rhamant*, see Lloyd-Morgan, 'Medieval Welsh Tales'.

[203] Bruckner, 'The Shape', p. 13.

[204] Goetinck, *Peredur*, and Gruffydd, *Rhiannon*, for an earlier example, applied to 'native' Welsh prose. For the relationship between the Welsh romances and the romances of Chrétien de Troyes see Edel, 'The "Mabinogionfrage"', Bromwich, 'First Transmission' and Over, 'Transcultural Change'.

[205] *Peredur uab Efrawg* is described by Lovecy, 'Historia Peredur', as a 'microcosm of almost all the problems which can be found in early Welsh prose literature' (p. 171), a 'muddle' (p. 179), and 'a number of stories connected by the identity of the hero and little else' (p. 179).

[206] Lloyd-Morgan, 'Medieval Welsh Tales'.

[207] Jones, 'Narrative Structure', p. 186. See the earlier discussion at 1.4.4.

[208] Beowulf, until Tolkein's seminal 1936 lecture 'Beowulf: The Monster and the Critics', was also a story under the pressure of structural criticisms and reconstructive obsessions, treated more as a historic document than on its own terms.

[209] Ryding, *Medieval Narrative*, p. 62.

the existence of this concept in the minds of contemporaries.[210] The book-text paradigm is also vital in putting forward a set of methodologies for drawing up cladistic relationships between written books of a more fixed textual tradition, allowing for the development of a historical narrative of textual evolution, and of critical editions. Rather, where the paradigm falters is in providing a model for the fluid tradition, a tradition where a common textual pattern plays itself out in the hands of creative copyist-editors. The *CH* manuscript is meaningfully composed of a range of material of differing provenances and stylistic content which collectively stretches traditional conceptions of textual integrity and identity, and whose rationale tends towards the subjective, the individual and the practical. The theoretical text, unique in time, place and content, to which all subsequent copies are mere representations, is an objective abstraction useful in justifying editorial decisions, but in many places does not cohere fully with how the copyist-editor conceived of the written law-book and their relationship with it. In fluid traditions, the abstraction our copyist-editors seem to be dealing with is less text, and more 'tradition', 'scheme', 'form' or 'pattern'.[211] The presence of certain key characteristics, or the association of enough material around key foci, could make a book, or a section of a book, a part of a given tradition. This ontology provides rich ground for debate over whether any specific thing is or is not a part of a given class. This point was made clearly by Thomas Charles-Edwards, describing *CH* as:

> a contentious concept for the practising lawyers of the thirteenth century: the rule that he takes to be the right rule of native Welsh law on a given issue is the Law of Hywel, yet another lawyer may take an opposing view and for him the Law of Hywel will be different. The phrase "the Law of Hywel" (or simply "the Law") is thus a term of argument and persuasion.[212]

In a medieval manuscript, identity could cohere around the inclusion of specific textual parts,[213] physical shape and size, style of binding, or any number of meaningful textual, palaeographic and codicological attributes. It is these characteristics which placed a given manuscript, or part of a manuscript, into a tradition, referencing a coherent, shared cultural idea of a general book pattern, but acknowledging and allowing the uniquely creative nature of copying. A *CH* manuscript might be taken apart quire by quire, reconstituted with other material, scribbled over, recopied in a different order, and still, by virtue of satisfying the soft criteria of a textual 'tradition', be 'the same thing', 'a' manuscript

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[210] Rouse and Rouse, *Manuscripts*, and Pollard, 'The Pecia System'. Although the intrusion of glosses, commentary, editorial incipits and explicits, and other forms of textual adornments, were all common even in those works whose textual purity was essential to advanced study.

[211] These terms represent much more the Welsh term Aneurin Owen originally used (*AL*) to describe the Welsh-language recensions: *dull*.

[212] *TWL*, p. 8. The scribe of *J*, among others, calls attention to material which is *cyfraith*, 'law', and thus *cyfraith Hywel*, 'the law of Hywel', and material which is mere *defod*, 'custom'.

[213] Note here the necessity of Gwilym Wasta having to explain the exclusion of the Laws of Court; it was not enough to simply leave it out, as it was expected. See Russell, '*Canyt oes aruer*'.

of *CH*. This conceptual model, the book-tradition paradigm, is unique to the written book and operates on different, though related, grounds from the book-text model employed in traditional textual criticism.

Context is the vital factor in this idea of the book-tradition. Economic considerations (in structuring society and providing the basic productive context for any manufactured object), political will (in directing the energy of medieval society and setting the practical horizons for lordship, ambition and the accumulation of power), social mores and customs (in providing the lenses through which these objects were perceived and processed), and the demands of culture and nationality, however fissiparous or nascent: all these play a part in the development and form of a given book-tradition. In order, therefore, to consider what kind of book-tradition existed in respects to *CH*, and specifically in respects to Ior, something must be said concerning the contexts of production within which these manuscripts are found.

2.4 BOOK PRODUCTION IN SOCIETY: MONASTICISM AND LANDED ELITES

In building a picture of the book-tradition of *CH* we encounter a problem central to any enterprise attempting to make generalisations concerning the bibliographical history of Wales: the paucity of evidence.[214] Although a good number of manuscripts survive from the later Middle Ages,[215] alongside later administrative documents covering the operation of shire courts in the March,[216] the written evidence covering the formative period of *CH*, namely, the late twelfth- and early-thirteenth centuries, is sparse and difficult to contextualise. Putting aside the four 'core' Ior manuscripts (*A*, *B*, *C* and *E*), and the Ior revision *Col*, we know of three more manuscripts in the vernacular from the mid-thirteenth century, two containing historical material, and another poetry.[217] Three Latin-language law manuscripts also survive, *Lat A*, *Lat B* and the fragmentary *Lat C*.[218] The later thirteenth century fleshes the picture out somewhat, with eight prose manuscripts and two containing poetry.[219] Seven more

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[214] For a general survey of manuscripts in medieval Wales, the key resource remains the articles of Daniel Huws, collected in *MWM*. See in particular, 'The Medieval Manuscript', and 'Welsh Vernacular Books' accompanied by 'Table'. Huws, 'Llyfr Coch Hergest' is a more recent contribution.

[215] The fifteenth century has left us almost 100 books, in many different formats and standards of composition, and covering a wide array of subjects (see Huws, 'Table', and soon *Repertory*, for data and subject material). Often with named copyists and patrons, these books provide a detailed picture of the literary habits and bibliographic expectations of readers and owners in the later Middle Ages – a distinct contrast to the twelfth and thirteenth centuries.

[216] Note the value of the Dyffryn Clwyd Court Rolls to the study of law and landholding patterns; see n. 45.

[217] The two prose manuscripts, Peniarth 44 and Llanstephan 1 (both *Brut y Brenhinedd*), are written by the same hand as *C*, reducing our individual scribe count even further; see Russell, 'Orthography', for an analysis of this scribe's orthography. The manuscript of poetry is Peniarth 1, or the Black Book of Carmarthen, for which see Jarman, *Llyfr Du Caerfryddin*, and Williams, 'The Black Book'.

[218] *LTWL* remains the standard treatment of the Latin-language manuscripts: *Lat A* discussed pp. 2–12, *Lat B* pp. 13–45 and *Lat C* pp. 45–53. Additional comment on the last is found in *WLMA*. See also the editions and translations in: Russell, 'Latin D' and 'The Laws'; Fletcher, 'The Text'; and Davies, 'Latin Redaction E'.

[219] According to Huws, 'Table': Cardiff 2.81 (the Book of Aneirin: poetry), sharing a scribe with the first part of Peniarth 14 (religious prose) and with Peniarth 17 (historical prose), Peniarth 6 (in two parts, both *Mabinogi* narrative prose), NLW 5266 and Peniarth 16iv (*Brut y Brenhinedd*), Peniarth 3i (poetry), Peniarth 16iii (*Mabinogi*

manuscripts are dated to the turn of the fourteenth century, five containing prose, one the Latin-language law manuscript *Lat D*, and one containing poetry.[220] No vernacular manuscripts survive from before the mid-thirteenth century and, beyond a few oases in the desert, the wider evidence concerning book culture in Wales before this date is exceedingly sparse.[221] Daniel Huws has stated that perhaps only one in five manuscripts in Welsh have survived, a rate increased to fewer than one in a hundred in Latin.[222] Certainly, in relation to the legal evidence in particular, we are missing a great deal of written evidence of many different forms and arrangements, in Latin and in Welsh. Two problems therefore present themselves: how can we take these slim thirteenth-century survivals to be indicative of any general patterns of production and reading; and how can we properly contextualise the emergence of vernacular manuscripts, or law-books, in the thirteenth century without a general understanding of the picture in the later twelfth? Finer grained distinctions are difficult, if not impossible: was there a different understanding of book culture amongst monks, whether of the newer orders or the older *clasau*, as amongst lay people; how do we account for the huge differences in survival rates between north and south Wales; and what was the general level of literacy, and therefore demand for manuscripts, in elite society? These methodological problems dominate any attempt to analyse manuscripts in medieval Wales, and have wide implications on the use of manuscripts, their audiences, and their organisation and content.

A comparison with England and the Continent is here instructive.[223] Christopher De Hamel warns us against overestimating the importance of manuscripts in society at the early end of our period (*c.* 1100); used for swearing oaths, devotional activities and private studies behind the closed doors of the great Augustinian and Benedectine foundations of the early Middle Ages, manuscripts were rarely read by the non-religious.[224] He summarises the situation of manuscript ownership in England from 1200 to 1400 as such:

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narrative prose), sharing a scribe with the second part of Peniarth 14 (religious prose), and, finally, the last section of Peniarth 14 (more religious prose).

[220] *Lat D* (Rawlinson C 821), Peniarth 16i (religious prose) and Peniarth 8 (Charlemagne romances, sharing a scribe with Peniarth 16i), the first strata of NLW 6680 (*Hendregadredd*: poetry), Peniarth 7 (narrative prose, *Mabinogi* and Charlemagne romances), Peniarth 21 (religious prose and *Brut y Brenhinedd*) and Peniarth 3ii (poetry and religious prose).

[221] One of these oases being the family of Sulien writing at Llanbadarn Fawr at the turn of the eleventh century: see Rhygyfarch ap Sulien's Life of St David (Sharpe, ed., 'Rhygyfarch's Life'), written in fine Latin prose, and the Latin poetry of Sulien and Ieuan ap Sulien discussed in Lapidge, 'The Welsh-Latin Poetry'. Three 'Rhigyfarch Manuscripts' are discussed in Huws, 'A Welsh Manuscript', pp. 113–114, 120–122: the Ricemarch Psalter (Trinity College Dublin 50), the Corpus *De trinitate* (Corpus Christi College, Cambridge, MS 199), and Bede's *De natura rerum* (Peniarth 540). See also Chadwick, 'Intellectual Life', and Peden, 'Science', and, for the historical context, Davies, *The Age*, pp. 172–210, especially pp. 172–9.

[222] Huws, 'The Medieval Manuscript', p. 3.

[223] This paragraph is heavily indebted to *BIB 2*, and the discussions collected there, alongside the more recent volumes *The European Book*, ed. Kwakkel and Thomson, and *The Medieval Manuscript Book*, ed. Johnston and Dussen.

[224] De Hamel, 'Books', pp. 3–5. Although the existence of fabulous gospel books suggests that some manuscripts were produced to be *seen* rather than read.

Between about 1200 and the mid-thirteenth century there were excellent monastic libraries
in England, but these were seen by almost no one. By the fourteenth century these
collections were beginning to disintegrate… Monks and clerics owned scholastic books,
sometimes brought back from studies abroad… At their deaths their books often slipped,
invisibly to most people, into collegiate libraries. They were not usually publicly sold or
thrown into commerce. Churches and chapels had many liturgical books, probably not
commonly visible. Friars travelled with books and perhaps exhibited them, probably
closed. In the latter half of our period, the upper levels of the laity had a very few and very
splendid books, such as French romances and expensive volumes of devotion, which were
often intended for or bequeathed to churches rather than being kept within the family.
Apart from these, then, it would seem that books were not especially prominent or
noticeable in medieval society.[225]

De Hamel's comments are sobering. Although he concludes with the central importance of these objects
to the religious, and the transformative experience of a lay person encountering a bejewelled holy book,
their place in the larger cultural world of the twelfth and thirteenth century was, according to the
relatively limited number of manuscripts and reduced communities of readers, small. In the legal
context, these comments provide an important corrective: it is tempting, given that our *CH* manuscripts
are the only extant evidence of the customary affairs of medieval Wales, to grant absolute representative
power to the surviving examples. Nevertheless, many scholars, most recently Robin Chapman Stacey,
have emphasized the strong connections which existed between what we call literature, poetry and
law.[226] Cross-pollination between all forms of written evidence (law, poetry, prose, history, genealogy,
religious tales, grammars, etc) suggests a tight community of interested and educated elites – the twelfth
and thirteenth century *cyfarwyddiaid*.[227] That manuscript books provided the main conduit for this
activity is an attractive suggestion. Indeed, many parts of the Welsh experience appear to have been
unique: the role of Cistercian monasteries in the production of Welsh-language secular manuscripts, the
long history of native lore, a native legal tradition of a profoundly different form to Anglo-Norman
Common Law, and, most notably, the dominating colonialist relationship between Wales and
England.[228] Although the English and Continental context is an invaluable one for providing a better
evidenced description of literature's productive context, the evidence of production and use in medieval
Wales must be taken on its own terms.

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[225] De Hamel, 'Books', p. 18.
[226] Stacey, *Law*, ch. 1. I have written elsewhere about the use of a specific legal metaphor (*nawdd*, 'protection, sanctuary') in the poetry of Cynddelw, Sigston, '"As Far As His Horn"'.
[227] See Roberts, 'Oral Tradition', and Pryce, 'Lawbooks'. A form of the word *cyfarwyddiaid* is also seen in one of the marginalia in the Lichfield Gospels, see Jenkins and Owen, 'The Welsh Marginalia'.
[228] A tension worked out subtly and intelligently in the Ior redaction of *CH*. See 3.3 for this point.

Ownership and provenance are a good place to start. It is usual to state that the great Welsh-language manuscripts of the Middle Ages, before the development of large-scale lay book production in the later fourteenth century, were written at the Welsh Cistercian houses patronised by the native nobility, a pattern standing in contrast to the universities and towns developing in England and the Continent.[229] Their cultural and political position in Welsh society throughout the Middle Ages is essential to our understanding of the productive context of *CH*. In the later twelfth and thirteenth centuries these establishments were likely very large; the choir-monks of Whitland Abbey perhaps numbered up to 100, with its daughter foundations usually reaching 50 to 60 members, not to mention the hundreds of lay brothers, or *conversi*, essential to the running of these primarily agricultural foundations.[230] In thirteenth-century north Wales, these choir-monks were mostly local and Welsh, something also true of the Welsh foundations in mid- and west-Wales. Each foundation was also intimately linked to its secular patron(s) and, thereby, secular politics; Aberconwy, Strata Florida and Strata Marcella became the burial place of the princes of Gwynedd, Deheubarth and Powys respectively.[231] Studies have shown that the Lord Rhys gave vast tracts of land to Strata Florida, as well as to Whitland, Llanllyr Nunnery and his own Premonstratensian foundation at Talley Abbey.[232] The 1170 foundation of Strata Marcella by Owain Cyfeiliog has also recently been analysed in political terms, as has its patronage by subsequent lords of Powys.[233] In 1238, Llywelyn ab Iorwerth held a remarkable meeting at Strata Florida, compelling the other princes of Wales to swear fealty to himself and his designated heir, Dafydd; it is significant that he chose a Cistercian monastery for this highly symbolic act.[234] Abbots, important national figures both due to their spiritual responsibilities and status as powerful land owners, played an important part in the politics of the central Middle Ages. In 1248 the Abbot of Aberconwy and the Abbot of Strata Florida together pleaded with Henry III for, and escorted, the body of Gruffudd ap Llywelyn from the Tower of London to Aberconwy for burial. When, in 1275, Bishop Anian II of St Asaph censured Llywelyn ap Gruffudd for demanding hospitality from the monasteries, the abbots of Whitland, Aberconwy, Cwmhir, Cymer, Strata Florida, Strata Marcella and Valle Crucis together wrote a letter to the Pope defending the prince.[235] During our period, Cistercian monasteries played an integral part in patterns of patronage, power and piety in the native Welsh areas of medieval Wales. These

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[229] Although characterised as 'a child's answer', Huws can 'offer no new approach' to naming the Cistercian monastery: 'it is hard to discern in late medieval Wales any centres other than the monasteries that might have had the resources and skills to produce books of good quality', 'Welsh Vernacular Books', p. 52. It is not so much quality but regularity which identifies manuscripts originating from a well-trained foundation.

[230] Williams, *The Welsh Cistercians*, pp. 126–36. Though note that the period after the Conquest led to a drastic fall in the number of choir-monks and *conversi*.

[231] See Abram, 'Monastic Burial' and Stephenson, 'The Rulers' for the political connection. Williams, *The Welsh Cistercians*, pp. 1–34 provides a monastic narrative.

[232] Bezant, 'The Medieval Grants'.

[233] Stephenson, *Medieval Powys*, pp. 248–73, where the setting-up of the Bishopric of St Asaph is also discussed; also see pp. 67–9 for the foundation, and pp. 136–8 for the house's relationship with Gruffudd ap Gwenwynwyn (*d*. 1286).

[234] Davies, *The Age*, p. 249.

[235] Williams, *The Welsh Cistercians*, pp. 29–30 for these examples and others.

political currents provide a clear backdrop to the monastic context of production likely standing behind many of our early law-books.

Aside from their political clout, evidence suggests that, in Wales, the wealthy, politically influential houses of the Cistercian Order played a central role in servicing the emerging documentary and literary needs of the Welsh-language nobility.[236] Although few manuscripts can positively be identified as belonging to a Welsh Cistercian house, references throughout the Middle Ages attest to the Order's role in preserving books and keeping cultural records. 'Gerald of Wales held it against the community of Strata Florida that they had tricked him out of his books (*c*. 1200), whilst books formed part of the subject matter of a dispute between Aberconwy and Basingwerk (1215)'.[237] Strata Florida, bringing together information from houses in north and west Wales, began copying the *Brut y Tywysogion* in *c*. 1175, only ten years after its foundation. Whitland may have been responsible for the copying of the *Cronica de Wallia*, whilst the Book of Aneirin is credited to Aberconwy.[238] Abbots were important patrons of bardic verse in the fourteenth and, more regularly, in the fifteenth and early sixteenth centuries, a notable example being Guto'r Glyn (*c*. 1412–*c*.1493) and Abbot Rhys ap Dafydd of Strata Florida.[239] It has been argued that the Cistercian network was responsible for the preservation of most of the poetry of the *Beirdd y Tywysogion*; Daniel Huws reasons that the Hendregadredd Manuscript was compiled at Strata Florida in 1300, possibly obtaining copies of poems from monasteries across Gwynedd and Powys, whether Aberconwy, Valle Crucis, Cymer, Strata Marcella or Cwmhir.[240] Before the development of well-defended towns and cities, and the appearance of stone castles, first in the March in the thirteenth century and elsewhere following the Norman Conquest, monasteries were the repositories of the nobility, holding large amounts of money and luxury goods as well as manuscripts.[241] The houses naturally held their own foundations charters, as well as any charters of re-foundation or

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[236] The only single-subject study of book production at Welsh monasteries is Lloyd-Morgan, 'Manuscripts'. See references to individual manuscripts in Williams, *The Welsh Cistercians*, pp. 223–7, with general comments in Huws, 'The Medieval Manuscript', pp. 1–5, and Sims-Williams, 'The Uses'. The Cistercian Order is often undermentioned in Europe-wide treatments of book production; relative latecomers to the twelfth-century scene, narratives tend to move to the emerging universities of France and Italy after considering the Benedictine and Augustine contributions. For an analysis of a Cistercian abbey just across the border, see Sheppard, *The Buildwas Books*.

[237] Williams, *The Welsh Cistercians*., p. 134.

[238] Scribe B of the Book of Aneirin, copying the older version of the *Gododdin* in Old Welsh orthography, was recognised by Ingo Mittendorf as also writing part of Peniarth 14 and most of Peniarth 17. The latter, containing *Historia Gruffudd van Kenan*, 'The History of Gruffudd ap Cynan', a text of distinct Gwynedd interest, has led Daniel Huws to identify the scribe with Aberconwy. See Mittendorf, 'Sprachliche und Orthographische Besonderheiten', Huws, 'Five Ancient Books', p. 75, and the older identification with Strata Marcella in Huws, *Llyfr Aneirin: Ffacsimile*, pp. 41–44.

[239] Johnston, 'Monastic Patronage', especially pp. 177–9. *F* stems from this late-fifteenth century cultural milieu; see 3.4.4 below.

[240] Johnston, 'Monastic Patronage', p. 178, and Huws, 'The Hendregadredd Manuscript'. Also see Charles-Edwards and Russell, 'The Hendregadredd Manuscript', for an orthographical perspective.

[241] Williams, *The Welsh Cistercians*, p. 34, 'the suggestion has been made that Aberconwy was used by Llywelyn ap Gruffydd as a record repository, as indeed Llywelyn ab Iorwerth had used ecclesiastical centres for similar purposes, and it may be imagined that those abbeys favourable to the princes of Gwynedd proved valuable to them as safe storehouses'.

confirmation, very close indeed, likely providing scribes for these documents in the twelfth and early thirteenth centuries. David Stephenson has argued persuasively against the existence of a lay Chancery at the thirteenth-century court of the Prince of Gwynedd; although a few clerks existed outside of the ecclesiastical world, with the *cynghellor* being a prominent member of the royal household, the vast majority of administrative documents were penned by members of the clergy, and Venedotian administrative procedures were heavily dependent on monasteries.[242] There is evidence, then, for Cistercian monasteries being active in every part of written life, whether in the collection of cultural material, the keeping of narrative and administrative records, the copying of manuscripts of worship and manuscripts of elite literary use, the compilation of new material, and the preservation of manuscripts, charters and other cultural materials for posterity.

The picture of secular production, ownership and readership is far more uncertain, with limited evidence existing before the late-fourteenth century. Nevertheless, room does need to be made in our models for contexts of production alternative to the well-trained monastic scriptorium, even in the first half of the thirteenth century. In the twelfth and thirteenth centuries, elite society in Wales appears to have been interested in manuscripts. Deep connections exist between Welsh literature of the century following 1250 and a range of other written sources: contemporary Latin learning, French and Anglo-Norman literature, Classical poetry, literature and didactic texts, and, fundamentally, a long native history of written culture.[243] The predominance of secular literature in these books, including historical and narrative prose, secular poetry, bardic grammars and, of course, the many law-books, suggests a well-informed and active cultural elite. These interests are reinforced by the bibliographical and poetic evidence from fourteenth-century Wales; the range of secular patronage demonstrated in the poetry of the *Beirdd yr Uchelwyr* is complemented by manuscripts such as the Red Book of Hergest (Jesus MS 111, s. XIV/XV – a huge compendium of prose and poetry written for Hopcyn ap Thomas of Ynysforgan) and the law-books *Tr*, *O* and *N* (all written by the burgher Gwilym Wasta). Fundamentally, of course, the need for manuscripts, and the importance of manuscripts in Welsh elite society, is demonstrated by the continued evolution and copying of Welsh law, whose active use in court, whether as a symbol of authority or for the rules it contained, has been aptly demonstrated.[244] Indeed, it is the law-books which provide the strongest evidence for alternative contexts of book production. *B* and *E*, as we shall see below, may well have been written at the episcopal house of St Asaph, and *A* could conceivably have originated from the hands of royal clerks or, more likely, a secular legal school in

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[242] Stephenson, *The Governance*, pp. 26–39.
[243] For Welsh and French, see the discussion of *rhamatau* above (2.3); for Irish influences, or the lack of, see Sims-Williams, *Irish Influence*; for Classical allusions see Russell, '"Go and Look"' and *Reading Ovid*; the Book of Llandaf is greatest example of the long history of written culture in Wales, see Davies, *An Early Welsh Microcosm* and *The Llandaff Charters*, Davies, J. R., *The Book*, Huws, 'The Making', and Sims-Williams, *The Book*.
[244] See Smith, 'Judgement'.

Arfon.[245] Although evidence from the law-books points clearly to the involvement of monastic houses, where there are no obvious religious marginalia or textual comments,[246] it is only the regularity of production which marks a manuscript out as particularly 'monastic'. With no clear evidence either way, provenance remains a game of likelihoods and conjecture. Cistercian involvement must remain the most likely context, and one which certainly had a huge influence on the thirteenth-century pattern of the *CH* manuscript, but we must not be surprised when a vigorous but informal secular written tradition, tied to professions such as law, medicine and poetry, penetrates into the surviving evidence. Although it was only in the period between 1400 and 1550 when secular book production became the norm, described then by Daniel Huws as a 'do-it-yourself activity',[247] it is the multiplicity of productive contexts which emerge as essential to understanding the place of law-books, and manuscripts more generally, in the Wales of the late-twelfth and thirteenth centuries.

Two breaks in chronology, bracketing the period 1250 to 1400, summarise these thoughts, connecting our earlier manuscripts to a much older pattern of production, and signposting the change in context from which emerged the manuscripts of the later fourteenth and fifteenth centuries.[248] Book production prior to 1250 was likely characterised by the involvement of the native *clasau*, the use of Insular script, earlier patterns of orthography, and Insular models of book production. The sudden appearance of a wide variety of manuscripts after 1250, and the complete loss of Welsh-language examples from before that date, attest both to a break in this ecclesiastical continuity (brought about by the new monastic orders of the late-eleventh and early-twelfth century), and to a move away from Insular script and orthography. These new manuscripts conformed to the regular international standards of the day – *textura* script, regular ruling and decoration and, in the fourteenth century, the alternation of blue and green capitals in organising sections and content. Although no longer the production of Insular *clasau*, these were, mostly, manuscripts produced in well-ordered scriptoria, where the specialisation of labour is evidenced by the spaces left for initials in the margins of the page. It is these standards of specialisation which break down as, across the later decades of the fourteenth century, the quality of Welsh manuscripts deteriorated and lay people, often individually rather than as a part of a scriptorium, became more involved in book production. Where the commercial production of manuscripts makes rapid gains in the fifteenth century in England and the Continent, Wales suffers drastically from the impact of the uprising of Owain Glyndŵr. Manuscript books become largely antiquarian affairs,

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[245] See 3.2.4 and 3.2.5 below for discussion and references. The Black Book of Camarthen may well have been written at a house of Augustinian canons, see Huws, 'Five Ancient Books', p. 72.

[246] This evidence being the 'Book of the White House' in *Col*, likely referring to Whitland Abbey: Jenkins, ed., *Llyfr Colan*, pp. 136–7, *Tryrryv lessoet esyt eg k Heuuel herwyd lleuyr e Ty Guyn, nyt amgen…*, 'There are three kinds of profit in the Law of Hywel according to the Book of the White-house, namely…'. Hywel Emanuel has also pointed towards ecclesiastical bias in a few early Latin manuscripts (*Lat D* at *LTWL*, pp. 67–8, and *Lat E* at *LTWL*, p. 80), a thesis confirmed and expanded by Huw Pryce in his *Native Law*. We might also point to the large size, evangelist drawings and learned Latin marginalia of *C*.

[247] Huws, 'The Medieval Manuscript', p. 16, noting also, in the fifteenth century, the bards Lewys Glyn Cothi and Gutun Owain, from whom a great number of autograph books survive.

[248] I follow closely here Huws, 'The Medieval Manuscript', pp. 12–13, and his 'Welsh Vernacular Books'.

commissioned from individual scribes.[249] It is this period between 1250 and 1400 which Daniel Huws notes as the Golden Age of the Welsh manuscript book; it is with its dawning that our first law-books emerge into history, and it is with its slow decay in quality and standardisation from which our later manuscripts stem.

Tracing this history of book production is one of drastic change in the makeup of elite society. As will be explored below, new arrangements, organisational ideas and structural metaphors developed in the Iorwerth book-tradition reflected the deep concerns of a native aristocracy resistant to change that damaged their position and eager to justify, on grounds of native practice, that which benefitted them.[250] Drawn up by a class of professional jurists and written down by a privileged set of religious men, these books acted as a lens on the intense political and cultural battles of the later thirteenth century. A few names survive from this period: Iorwerth ap Madog, responsible in some part for the reorganisation of the law which the Ior manuscripts represent; the leaders of the Cistercian monasteries and secular cathedrals of northern Wales (including Anian II, whose name is written into one of our legal manuscripts); and the central political players of the period, Llywelyn ap Iorwerth, Llywelyn ap Gruffudd, King John, King Henry III and King Edward II. The centuries following the Conquest, as accommodation and assimilation took the place of outright conflict, saw an aristocracy much reduced in scope and ambition, but nevertheless eager to preserve their own privileges and protect their own sense of native identity. Responsibilities for administering justice under Welsh law, or at the very least advising conciliation under Welsh custom, was an important part of maintaining this sense of independent Welshness throughout our period. Scribes such as Hywel Fychan, Lewys Glyn Cothi and Gutun Owain, and patrons such as Hopcyn ap Tomas, emerge as major focusses for the production and collection of handwritten books. The concerns of these elite men, often invisible but emerging into history as the Middle Ages draw to a close, were what most notably helped to define and guide the context of production which stand behind our handwritten, medieval legal books.

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[249] For a narrative drawing together native tension alongside the impact of the rebellion, see Davies, *The Age*, pp. 431–59. See also Williams, *Renewal*, pp. 3–30, for whom Owen Glyndwr opens the narrative of Wales' early modern history. Daniel Huws gives Gwilym ap John ap Gwilym as an example of these clumsy scribes from the later Middle Ages, whose copy of the legend of the Holy Grail was 'telling evidence that not even the most powerful Welshman of the day could command good scribal skills', 'The Medieval Manuscript', p. 17.

[250] See 3.3.

3   THE DEVELOPMENT OF THE IORWERTH BOOK-TRADITION

3.1   INTRODUCTION

Four thirteenth-century manuscripts constitute what I call here the core of the Iorwerth recension (*A*, *B*, *C* and *E*), six more organise themselves largely around this material, though unique in the exact expression (*D*, *K*, *Lew*, *F*, *G* and *Col*), and twelve others contain material of Iorwerth extraction, whether it be a few sentences or more extensive sections or tractates (*J*, *Bost*, *P*, *Ep*, *Q*, *S*, *Tim*, *Mk*, *V*, *W*, *Y* and *Mor*). 1.2 introduced these manuscripts briefly, with 1.5 providing an account of grouping, especially the Three-Recension Model. The relevant historical, literary and cultural contexts have been addressed, both in terms of the influence of the twelfth century on the legal tradition (1.3), and as a wider view of book production across medieval Wales (2.4). Although 'Iorwerth' is a label of our own making, relating in the first instance to cladistics and the development of 'the text', our four thirteenth-century manuscripts undoubtedly represent a coherent pattern of *CH*. Although there exists variation in source materials, structure and placement of certain sections, quality of reproduction and the size and shape of the manuscript book, certain key characteristics mark them out as of a piece. This chapter will apply the discussion in Chapter 2 concerning the idea of the book-tradition to a number of these core and second-stage manuscripts. 3.2 examines each of the core manuscripts in turn, *C* (3.2.2), *A* (3.2.3), *B* (3.2.4) and *E* (3.2.5). Attention is paid to their provenance, physical characteristics, and lives across the Middle Ages. 3.3 makes several conclusions concerning the Ior book-tradition, examining issues of structure, content and style.[251] Supplemented by the textual analysis made later in the thesis (5.2), the context for Ior's emergence in the mid-thirteenth century is examined. The analysis of Huw Pryce and Robin Chapman Stacey provides firm ground here for considering the relationship between the law-book redactors and the elite, land-owning aristocracy of which they were a part.[252] 3.4 addresses four of our second-stage manuscripts, namely, *D* (3.4.2), *K* (3.4.3), *F* (3.4.4), and *Lew* (3.4.5). Each manuscript is seen as a unique example of the reception of Ior material in the fourteenth and fifteenth centuries; special reference is made to the physical make-up of *Lew*, and the rationale which may have led to its compilation. 3.5 provides some general comments on the evolution of the Ior book-tradition through these second-stage manuscripts.[253]

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[251] Supplemented by the more general comments made about content above, 1.4.

[252] Pryce, 'The Context' and Stacey, *Law*.

[253] A range of manuscripts were used in preparation for the arguments in this thesis, as well as for drawing up the edition and data tables presented in Volume II. It can be seen that *G*, *Col* and *Llan* do not receive significant comment here, nor do *Y*, *J*, *Bost*, *S*, *Tim*, *Q*, *Ep*, *Mor*, *Mk*, *V*, *W* or *Y*, all of which contain significant amounts of Ior material. The rationale for the inclusion or exclusion of manuscripts from the study here, and the editions, is discussed at 4.4.2. See also n. 22 above. The intention here was to give a general picture of the development of the book-tradition across the core manuscripts and a few representative and interesting second-stage books. Most manuscripts find their way into the editions and data tables in Volume II.

3.2 THE CORE IOR BOOKS

3.2.1 Introduction

There are four thirteenth-century Ior manuscripts: BL Cotton Caligula A III (*C*), NLW Peniarth 29 (*A*, The Black Book of Chirk), BL Cotton Titus D II (*B*) and BL Additional 14,931 (*E*). These manuscripts constitute our core group. Other than *E*, often lying in the shadow of its sister manuscript *A*, each of these books has received much scholarly attention since Gwenogvryn Evans' late nineteenth-century catalogue. Full codicological and palaeographical data is soon to be found in Daniel Huws' forthcoming *Repertory*. My remarks here are generally constrained to provenance and historical context, with conclusions concerning book-traditions and grouping saved to 3.3 and 5.3.4 respectively. Dating from the thirteenth century, the relevant contexts have already been addressed, both at 1.3 and 2.4. Footnotes should direct the reader towards the relevant debates in the literature and to other parts of the thesis.

3.2.2 *C*, BL Cotton Caligula A III: XIII^med

Where *A* previously held the title of the earliest law manuscript in Welsh, Daniel Huws, in a 1986 article, passed this status to *C*.[254] This article remains the most detailed look at the manuscript, covering preparation, foliation, collation, script, rubrication, text and history. Summarising his views on the manuscript's origin, Huws states it 'was written in an ecclesiastical milieu, not to say a monastic one, Welsh, probably Cistercian; that it remained in such a milieu at least into the fourteenth century; that its geographical associations are all with north-east Wales; that the case for Valle Crucis is strong, while Strata Marcella and Basingwerk remain possibilities'.[255] He presents strong evidence for *C*'s production in an ecclesiastical context: its size, 260x180mm before cropping, much larger than any other thirteenth-century Welsh lawbook; and a Latin explicit and some evangelist drawings derived from Insular examples. The continuing presence of this manuscript in a library rather than in the hands of lawyers is evidenced by a few Latin tags and a fourteenth-century note echoing Gratian. The Cistercian link is further strengthened by the contents of the two other manuscripts written by the same scribe, Peniarth 44 and Llanstephan 1, both containing fine copies of the native vernacular text *Brut y Brenhinedd*.

The preference for Valle Crucis is less clear. Huws revised his opinion on a number of *bidiau* stanzas close in form to those in Peniarth 27ii, previously thought to be by Gutun Owain, a bard closely linked with Valle Crucis, but now understood to be a contemporary of his.[256] The only remaining evidence

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[254] *RMWL*, vol. 2, pp. 945–6 and Huws, 'The Earliest Version'. Evidence of an early date are Insular-influenced drawings, a scribe who elsewhere wrote above the top line (Kerr, 'From "Above Top Line"' establishes 1230 as the date for this change in England), some old-fashioned punctuation, and a Latin explicit on f. 198^v in a formal chancery hand otherwise datable to the early-thirteenth century. Note that the scribe of *A* too writes above the top line; Huws' views around relative dating are informed by his argument about *Llyfr Prawf*. Huws, 'The Earliest Version', has a full treatment of this manuscript; the surety tractate is edited in *LAL* and variants are noted in *Ior*; the text is available online in *Rhyddiaith 1*.

[255] Huws, 'The Earliest Version', p. 189. For the Cistercian link, see 2.4.

[256] *Ibid.*, p. 189.

concerns a reference to Llanfor, where Strata Marcella and Basingwerk held land, and to *toredula*, or 'kilns', taken by Huws to be 'limekilns'. It is only Valle Crucis and Basingwerk that lie close to the limestone belt of north-east Wales. Although a *cywydd* in the manuscript has been shown to refer to Owen Glyndŵr rather than Thomas Pennant, abbot of Basingwerk (1481–1522),[257] the case for Basingwerk is arguably as strong as that for Valle Crucis.[258] If the Ior group is linked to Llywelyn ab Iorwerth, it may be significant that whilst Valle Crucis was founded as a daughter house of Strata Marcella by Madog ap Gruffudd Maelor, Prince of Powys (1191–1236), and confirmed by his son, who was buried there in 1269, Basingwerk received direct patronage from Llywelyn himself. Nevertheless, Huws' argument that Edward ap Rhys (*fl.* 1503–45), deputy steward of Valle Crucis, owned the manuscript following the Dissolution, passing it to the son of his son-in-law, thereby identifying the Roger Eyton mentioned in marginalia, though circumstantial, is persuasive.[259] Within half a century, the manuscript had been acquired by Sir Robert Cotton, whose collection was to form one of the foundational collections of the British Library. Ultimately, *C*'s exact provenance, like so many early Welsh manuscripts, remains unclear. The significance of Huws' description lies in the strong attribution to a Welsh Cistercian house, and the narrowing of this finding to two prominent houses of north-east Wales.

A few notes must be made here concerning *C*'s makeup. *C*, originally of 64 folios in eight regular quires of eight leaves, is now incomplete. Judging from the text, a quire is missing before the first, and another between the first and the second; a foliation from the turn of the seventeenth century demonstrates that these losses were early and that a disordered binding has now been corrected. Losses of leaves throughout the manuscript are also widespread. T.IV.i provides a diagram of the current state of the manuscript. Interestingly, *Cyfraith y Llys* and *Cyfraith y Wlad* appear to have been deliberately written within a set number of quires; what was seen by Evans as two hands in the manuscript has been reinterpreted by Huws as one becoming cramped to fit *Cyfraith y Llys* within quire 5. Quires 6 to 8 thus continue with *Llyfr Prawf*. The cramped writing at the end of quire 5 led Huws to suggest that when the scribe finished the *Cyfraith y Wlad*, 'the following three quires containing *Y Llyfr Prawf* either had already been written or else had not been conceived of by the scribe as a mere continuation of the text he was engaged on'.[260] It is potentially highly significant that a copyist considered these textual blocks of *CH* to have their proper place in two physically distinct sections of the manuscript. This organisational decision lends credence to the idea that *Llyfr Prawf* existed independently before its incorporation into the Ior book-tradition and, more widely, demonstrates that tractates, and larger sections of legal material, may well have had dynamic and useful lives before joining material

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[257] For dates of birth and death, along with some biographical information, reference has been made here to the Dictionary of Welsh Biography, available online at *Dictionary*.
[258] Burdett-Jones, 'A Note'.
[259] Huws, 'The Earliest Version', pp. 190–2.
[260] *Ibid.*, p. 179.

considered to be *CH* proper. What is more, the writing of these two sections of the manuscript separately, *Llyfr Prawf* accompanied with its own Preface, provides another plank in Huws' argument concerning the relatively older age of *C*. The role of prefaces and introduction to prefaces in this argument will be left for the detailed discussion at 5.2. Important in our current context is that the developmental model present in other places in the *CH* book-tradition receives direct and early evidence here: distinct textual parts included initially in white space at the bottom of pages, or on spare pages of quires, or here in distinct gatherings of pages, conceived initially as additional or supplementary to the main book-tradition, become subsequently merged and reordered into the 'main-text' (and therefore themselves become 'main') in the process of copying.[261]

3.2.3   *A*, Peniarth 29 (The Black Book of Chirk): XIII[med]

Peniarth 29, or the Black Book of Chirk, has received a great deal of attention from scholars, both due to its former status as the earliest manuscript in Welsh and its unique orthography.[262] Whilst theories exist for the context of its production, not much is known concerning the remainder of its medieval life. Evidence suggests that John Jones of Gellilyfdy, responsible for Llanstephan 121, written in 1619, and John Edwards of Chirk, whose library Sir Francis Tate references in copying *A* into Llanstephan 68, 1610x1620, may have both had possession of the manuscript before Robert Vaughan (1592–1667), the founder of the Hengwrt Collection. Indeed, John Jones transcribes a part of *A* into Llanstephan 121 in 1619, and Peniarth 278, another early seventeenth-century paper manuscript, is a copy of Llanstephan 121 made by Vaughan. Thomas Wiliems (1545–1622?) of Trefiw, Conwy, also annotates and marks the text on most pages, frequently amending the orthography. *A*, along with all of Vaughan's collection, was eventually passed to William Watkin Wynne of Peniarth (1801–1880), and thence into the NLW. In terms of ultimate origin, a *marwnad* by Dafydd Benfras to Llywelyn ap Iorwerth, written at the time of his death, appears as marginalia in the manuscript, suggesting a closeness to the royal house of Gwynedd.[263] Paul Russell has suggested that the multiple scribes in the text were working in a secular law-school in North Wales, possibly in Arfon, evidenced by the uncommon irregularity of script and

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[261] This developmental model is examined in detail in the context of the filling in of *Tair Colofn Cyfraith* in Russell, 'The Arrangement'. See 5.2.3 for mechanisms of additive development.

[262] Evans dated *A* to 1200, moved up to 1220 in Evans, 'Taliesin', pp. 76–7. 1240x1250 became the preferred date following Jenkins' demonstration of the *floruit* of Iorwerth ap Madog, 'A Family'. An early date was largely favoured due to certain indicators of Old Welsh orthography: Evans, *RMWL*, vol. 1, p. 359, states 'Welsh can hardly have been the native tongue of the scribe'; Lewis, *Glossary*, mentions the 'bewildering orthography'; Watkin, 'The Black Book', argues for a Welshman with a 'Franco-Norman' education; Jenkins, 'The Black Book', comments on Watkin, arguing mostly for 'dictation by a non-Welshman', to which *Ior*, p. xxvii, n. 9, agrees. Russell, 'Scribal (In)competence', pp. 164–9, argues convincingly that the manuscript was not written by a non-Welshman and was not dictated. Owen and Evans both considered the manuscript to be the earliest in Welsh: Owen edits *A* in *AL*, Evans produced a facsimile (*Facsimile*), and Timothy Lewis uses *A* for his glossary (*Glossary*) and produced a transcript ('Copy'). It should be noted that the scribe of *A* writes above the top line (see n. 254). A full modern transcript is available online in *Rhyddiaith 1*. For the Black Book of Chirk name, see Jenkins, 'The Black Book'.

[263] Edited in *CBT*, vol. VI, no. 27, pp. 424–42.

orthography, and the poor quality of production.[264] If this is so, *A* likely remained in private hands throughout the Middle Ages, seeing a burst of legal interest at the turn of the sixteenth century as a number of triads and additional legal sections are copied onto eight pages, before emerging into the historical record in the hands of the late sixteenth- and seventeenth-century antiquaries of north-east Wales. It was then, in the early seventeenth century, that *A* was bound together with NLW Peniarth 164, or *H*.[265]

Connections with other thirteenth-century legal manuscripts have been proposed: Jenkins suggested that Hand A at a more mature stage in its development was responsible for the production of *Col*, although Russell argues that 'the differences outweigh the similarities'.[266] Similar eccentricities in orthography seen in *A* also appear in a passage in its close textual relation, *E*, occurring on the last page of the manuscript, and the Welsh sections in the fragmentary Anglesey manuscript *Lat C*.[267] These manuscripts, along with *B*, whose scribe also copies a section into *E*, appear to exist within a common culture of copying, where 'similar orthographies, incorporating Old Welsh features, were prevalent'.[268] Indeed, the relatively few textual variations in these books, and the shared usage of material representing this earlier orthography, suggests a commonality of source material in addition to this common culture of copying. The scribes of *A*, six responsible for the text, and another three for a few marginal additions, provide evidence of a large team of individuals, possibly working in a non-monastic setting, perhaps within a law school, engaged in the practice of book production in north Wales.[269]

3.2.4 *B*, BL Cotton Titus D II: XIII[2]

B, as with *C*, came to the British Library with the bequest of the substantial Cotton collection, founded by Sir Robert Bruce Cotton (1571–1631), on the death of his grandson in 1702.[270] Sir Francis Tate notes that the manuscript was in the Cotton library by 1613;[271] ownership before this date is, however, uncertain. Richard ap John of Llangynhafal, Denbighshire (fl. 1578–1611), copyist and patron of the

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[264] Russell, 'Scribal (In)competency', p. 171.

[265] Containing triads and some mixed material. Copies exist in Peniarth 258 and Llanstephan 121; see Elias, 'Yr Ail Llyfr Du o'r Waun', for an edition and discussion.

[266] Jenkins, ed., *Llyfr Colan*, pp. xxi–xxxiii, and Russell, 'Scribal (In)competence', pp. 167–8.

[267] Namely, the favouring of *i* for /i/ and /i/ over *y*, the use of *gw* for internal /w/, and a difficulty with rendering dentals. See Russell, 'Scribal (In)competence', pp. 164–9, with p. 171 for a transcription of the section from *E*. For further comments on orthography, see Russell and Charles-Edwards, 'The Hendregadredd Manuscript', and Russell, 'Orthography'. See also the discussion at 5.2.5 and 5.2.6.

[268] Russell, 'Scribal (In)competence', p. 169.

[269] There were three main scribes, with which three scribes collaborated, and three more provided additions: proverbs, *Breiniau Gwyr Arfon*, and the elegy to Llywelyn ab Iorwerth. See Russell, 'Scribal (In)competence', p. 133 for a table of these scribes. Jenkins saw three hands in the manuscript, *Llyfr Colan*, p. xxxv.

[270] *B* was followed by Wotton in the *Leges Wallicae*, by Owen in *AL*, and was chosen as the base text for Wiliam's *Ior*. However, the second half of the text was edited separately by Owen (in Book 7) and untouched by Wiliam. The manuscript also received attention in *TCC*, edited alongside *E*. The full text of *B* is available online in *Rhyddiaith 1*.

[271] Robert Vaughan likely saw the manuscript close to this date, his signature appearing on f. 57^v; Vaughan entered Oriel College, Oxford, in 1612, but left without taking his degree, settling at Hengwrt. Tate's note is in BL Harleian MS. 1796.

bards, makes several notes in the manuscript, whilst several sixteenth-century pedigrees of a Wyllyam ap Rychard ap Mared, likely the heir to Porthamal in Anglesey, provide some clues. However, a range of side-notes and personal names also date from this period, including two lines of a *cywydd* by Iolo Goch, rendering the issue of ownership complex. North-east Wales seems a likely candidate for original provenance. A small note in cursive on 73ᵛ, dated to the second half of the thirteenth century, appears to represent the opening of a letter from the Bishop of St Asaph, read in the nineteenth century as Anian II (d. 1293).[272] It may be in one of the Cistercian establishments within that diocese, Basingwerk, Strata Marcella or Valle Crucis, where *B* was first put together, if not by scribes in the cathedral chapter of St Asaph itself. Evidence exists, however, for a quick move to Cymer Abbey. An *englyn* in the marginalia in a fourteenth-century hand mentions a 'Moel Llwytiarth', most likely the Llwytiarth in Meirionnydd mentioned in a 1209 Act by Llywelyn ab Iorwerth, listing a 'Moel Llywtiarth' amongst the boundaries and appurtenances of Cymer Abbey.[273] The relative obscurity of this place suggests *B* was in the library of Cymer Abbey, or at least in the hands of a local lawyer or *uchelwr*, in the fourteenth century. Indeed, the possibility exists that *B* was deliberately produced by St Asaph for a Cymer Abbey lacking in legal manuscripts; Cymer was damaged severely enough in 1241 by Henry III that the General Chapter of the Order instructed the community's temporary dispersal – the manuscript may have been sent unbound as a copying book.[274] A strong relationship between Cymer Abbey and the royal family of Gwynedd, linked too perhaps with the production of the Iorwerth recension, strengthens these links.[275] Ultimately, however, as with many of these manuscripts, the early history of their production and ownership must remain uncertain.

3.2.5   *E*, BL Additional 14,931: XIII²

E is often seen as the sister manuscript to *A*; the former has consequently received a much-reduced quota of scholarly attention in comparison to its rather more well-known relation.[276] Judging by an ownership inscription on p. 107, this manuscript was in the hands of Robert Thomas of Llanfair Talhaiarn, Denbighshire (d. 1774), in the mid-eighteenth century, before being sent to Richard Morris, founder of the Cymmrodorion Society, before 1767.[277] On Morris' death, all his books and manuscripts were given to the Welsh School on Gray's Inn Road, London, before making their way, despite Morris'

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[272] *RMWL*, vol. 2, p. 946, 'Anianus permissione divina assavensis ecclesie minister humilis. Dilecto…'

[273] *AWR*, no. 229, pp. 378–84, spelt 'llwydyarth' and 'llwytyarth'. The charter is in fact witnessed by a 'frater Madocus conversus de Llwydyarth'. Llwydyarth is also mentioned in a 1201 charter to Strata Marcella Abbey, *AWR*, no. 563, pp. 761–3, as a place on the other side of the River Einion on the border of Cyfeiliog granted to Cymer rather than Strata Marcella.

[274] Williams, *The Cistercians*, pp. 152–3. Wiliam in *Ior*, pp. xxxviii suggests that the manuscript lay unbound until the sixteenth century, evidenced by the breakup of the regular placement of catchwords in avoiding a comment in a sixteenth-century hand.

[275] Evidenced in Keith, 'Llywelyn's Charter'.

[276] Some readings are given in *Ior* and a few pages are reproduced in Evans' facsimile of *A*. The *Tair Colofn* tractate was used to provide variants and fill gaps in the *A* text edited in *TCC*. The full text is available online in *Rhyddiaith 1*.

[277] 'Robert Thomas o Lanfair Talhaiarn yn Sir Ddinbech y pieu y Llyfr hwn 1746', 'Robert Thomas from Llanfair Talhaiarn in Denbighshire owned this book 1746', *RMWL*, vol. 2, p. 944. 'R. MORRIS' is on f. 1.

wishes, to the British Library in 1844. William Owen Pughe (1759–1835) appears to have seen *E* whilst at the Welsh School, as annotation in his hand occurs on f. 23ᵛ. Two further features suggest a connection with north-east Wales, namely, notes on folios 1ᵛ and 2 in the hand of William Salesbury (1520–1584), resident for much of his life near Llanrwst, and an addition on f. 52 in the hand of *B*, associated, as we have seen, with St Asaph.[278] It is possible that *E* was produced at the same location as *B*, or another place in North Wales, and soon sent there. A second contemporary addition strengthens the case for a monastic/clerical origin: on f. 1, before the text, a scribe writes 'in nomine trino hoc opus incipio. amen. amen.' Both *E* and *B* date slightly later than *C* and *A* on palaeographic grounds and were certainly both produced in the same environment. The textual similarity between *E* and *A* has already been noted, as has a passage at the end of *E* copied with very similar orthography as that exhibited in parts of *A*. That these links do not seem to accord exactly with the development of the text is interesting; whilst *E* is very closely textually related to *A*, the codicological affinities explored here seem rather to indicate no preference for textual sub-groups on the part of the copyists. In other words, copyists of specific palaeographic/codicological schools seem to have copied whatever they were asked to copy, or whatever they could find.

3.3 THE BOOK-TRADITION OF *LLYFR IORWERTH*

3.3.1 Introduction

What unites these four manuscripts? All contain a version of *CH*, a distinct paradigm of native law promulgated in mid- to late-thirteenth century Wales, produced in a wide range of contexts. The context for this repeated textual pattern is not 'monastic', nor is it truly 'secular'; evidence exists for the involvement of secular canons, native jurists and Cistercian monks in the actual physical production of these books. There is unity in provenance, all stem broadly from the north of Wales, whether the core territories of Gwynedd (*A*), the Perfeddwlad (*B* and perhaps *E*), or Powys Fadog (*C*). That this tradition was in some sense a 'national' Gwynedd tradition, connected to other developments in politics and culture during the remarkable reign of Llywelyn ab Iorwerth, and seen within the context of a deliberate alignment with English and European political and cultural norms, will see more discussion below. Suffice to say, connections to the juridical and political elite of thirteenth-century Gwynedd are certainly present in these four manuscripts, notably *A*. More than anything, however, these manuscripts are united in their contents: the book-tradition of Ior exists as a pattern of *CH* bearing unique organisational and textual characteristics, where variation in copying on the scale of the later medieval law-books was not permitted. This Ior tradition could exist in a fairly rough physical form, pieced together by several lay scribes not familiar with the older orthography from which they were copying (*A*), or in the form of a highly organised product of a monastic scriptorium, with alternating-coloured initials, incipits and

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[278] The hand of *B* copies the list of the officers of the court in three columns, exactly as earlier in the manuscript; *RMWL*, vol. 2, p. 945.

explicits, familiar to any visitor from contemporary Paris (*C*). Yet, despite these differences in context, the similarity in expression, organisation and structure between these manuscripts, especially in comparison to, say, the Cyfn manuscripts of the early-fourteenth century, is striking. It is these four representatives of this self-conscious and innovative pattern of *CH* which I call here 'core'.

It is worth quoting in full the comments of Dafydd Jenkins on the Ior book-tradition, a form of law which he calls 'Classical', in the introduction to *The Law of Hywel Dda*, his foundational translation of *Ior*:

> The law recorded in the oldest surviving manuscripts in Welsh has features which justify our calling it classical… All these manuscripts [the Ior recension] were written before the fall of the princes of Gwynedd, and they were written in Gwynedd; but those who compiled them would certainly have said that any of their rules was law throughout Wales… Gwynedd was… the great centre of Welsh juristic learning in the thirteenth century. When that witness told the commissioners in 1281 that Iorwerth Fychan was called *ynad* because he had studied in Gwynedd, his answer was probably politically motivated, but it is evidence of the reputation of Gwynedd in popular opinion at the time… This pre-eminence of Gwynedd in legal studies in the late twelfth and early thirteenth centuries is natural enough under the political conditions of Wales at the time.

> The relative stability of the heartland of Llywelyn the Great's dominions would have given the jurists a rare freedom to think about solutions to legal problems; economic changes and developing commerce would have raised new problems for solution; and the growing power and ambitions of the ruler would have made it necessary to define his rights and to extend them as much as possible. Our classical texts show 'public law' becoming even more important than it had been, and its character is changing. The 'laws of court' still look like a description of the festive gathering of the Heroic Age, but there are additions which show that the old court had fallen into disuse and that the men who had been the ruler's companions in the chase and at the banquet were becoming parts of the administrative machine of the developing state…

> What makes the law classical, however, is not the power of the prince, nor the sophistication of his court, but the professionalism of the lawyers. Though we know very little about the training of these lawyers and about any professional organisation there may have been, we can venture to say that there were enough lawyers to form a profession capable of setting standards and of working out principles and applying them to problems of the day.[279]

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[279] Jenkins, *The Law*, pp. xxvii–xxviii.

Jenkins' words touch on three themes which will receive comment below: Gwynedd as a centre for legal learning; the specific historical and cultural context of the rule of Llywelyn the Great; and the identity of the book-tradition as a book-tradition of professional jurists. The 'official' character of the Ior manuscripts, nested as much in its rational, well-structured explication as in its association with the famous jurists of north Wales, surely accounts for its remarkable success in the thirteenth century. Our four core manuscripts stem from a diverse range of productive contexts and stick tight to the perspective and form which defines the tradition. The popularity of the Ior pattern, especially in *Llyfr Prawf* and its form of *Cyfraith y Wlad*, in other manuscripts a fairly chaotic and miscellaneous gathering of material, is well demonstrated in the second-stage manuscripts discussed below (3.4 and 3.5). The association with Gwynedd was also understood by contemporaries, where the more egregious political references were often changed when copied.[280] The emergence of the Ior book-tradition formed a substantial project of re-organisation, renovation and re-framing; doubtless from a position of fragmented diversity, a deeply innovative, but resolutely traditional, form of *CH* sprung from the peculiar circumstances of the first half of the thirteenth century. Recent research has demonstrated that the political outlook of the Ior redactors was not quite to 'define' and 'extend' Llywelyn ap Iorwerth's rights and privileges;[281] the extent to which the ruler directed the program of reform is unclear and, in many cases, unknowable. The needs and concerns of the *uchelwyr*, the landed nobility for whom traditional forms of sovereignty, inheritance and princely rule formed a powerful bulwark against any reforming prince, and who surely provided the personnel for much of the juridical class, generated the socio-political frame to Ior. *CH*, despite the royal claim to authority in its Preface, was never a text directed by the whims of Kings and Princes. Indeed, legal treatises, as distinct from the *domboc* and the statute, were often the product of jurists, reflecting the perspective of the landholding class from which they originated.[282] Drawing comparisons with the native poetic tradition and the *cyfarwyddiaid*, R. R. Davies describes Welsh law as 'carefully cultivated by a small, traditionally trained and formally sanctioned coterie of quasi-professional learned men', who assembled texts 'for reference by jurists and for the training of a future generation of jurists'.[283] The early-thirteenth century, in its bold and innovative ruler, in the high politics played out between Gwynedd and the English state, in the increasing curialization and professionalization of native law, and in the remarkable series of intellectual, religious, administrative and bibliographical innovations which mark out the long influence of the twelfth-century renaissance, was an auspicious time to bring together a new pattern of *CH*.

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[280] Note the changes made to the Preface of *Llyfr Prawf* in *F*, see 3.4.4, and Figure 18 within 5.2.5.

[281] Stacey, *Law*, p. 67–71, sees the redactors' picture of the queen as heavily influenced by the person of Joan, Lady of Wales, and her adulterous liaison with William de Braose in 1230 – not a flattering incident to find comment in a 'royal' law-book.

[282] It is the voice of the jurist we hear in *Tractatus de legibus et consuetudinibus regni Anglie* (Glanvill, 1187–89) and *De legibus et consuetudinibus Angliae* (Bracton, *c.*1235).

[283] Davies, *The Age*, p. 134.

3.3.2 Structural Coherence

The editor-copyists of the Ior book-tradition were concerned far more with the ordering of distinct, well-marked sections than the redactors of other law-book traditions. Not only was Ior defined by a lack of miscellaneous character as seen in the Cyfn and Bleg traditions (especially in the Bleg tail and in the Cyfn *Cyfraith y Wlad*), [284] but a pre-occupation with re-ordering the law formed a central plank of the project. The Law of Women was moved to the front of *Cyfraith y Wlad* (and out of it in *B*); the *noddau* of the court officers were broken down from a contiguous list and redistributed, sentence by sentence, amongst the officers referred to; incipits and explicits, prefaces and concluding sentences, occur across all these manuscripts, although most notably in *C*; and a major reorganisation of material led to the forming of *Llyfr Prawf*, accompanied in some manuscripts with its own preface. Ior, though in parts list-like and miscellaneous, appears the most focussed and structurally coherent sub-tradition of *CH*.

Aled Rhys Wiliam, following conclusions made in *AL*, identifies eight characteristics of the Ior tradition:[285]

1. References to Iorwerth ap Madog as a jurist of repute.
2. Arrangement into three books (*Cyfraith y Llys*, *Cyfraith y Wlad* and *Llyfr Prawf*).
3. Attribution of *Llyfr Prawf* to Iorwerth ap Madog.
4. References to the elevated status of the King of Aberffraw.
5. Notes on the customs of Gwynedd and Powys.
6. References to Dyfnwal Moelmud, Maelgwn Gwynedd, and changes to law by Bleddyn ap Cynfyn.
7. List of the *Breiniau Gwyr Arfon* (though only in a few cases).
8. Distinctive versions of certain laws (Suretyship, land-measurement, *galanas*, etc.) and of the preambles to *Cyfraith y Llys*.

Narrowing the focus, Wiliam notes 'one difference in arrangement that sets the Venedotian MSS. apart from the others: the division of the laws into three main parts – Laws of Court, Laws of Country, and the Test-book'.[286] Indeed, the central unique structural characteristic of the Iorwerth tradition is *Llyfr Prawf*, a reorganisation of material from the second book of the *CH* manuscript, namely, *Cyfraith y Wlad*, into a defined third book, complete with Appendix. The sub-divisions within *Llyfr Prawf* are consistent across the four manuscripts discussed above: *Tair Colofn* and *Gwerth Gwyllt a Dof* in the main *Llyfr Prawf*; and the Value of Houses, the Value of Equipment, Furniture and Weapons, the Value of Limbs, Joint Ploughing and Corn Damage in the Appendix. It is this editorial reorganisation which appears as the prime contribution of the Iorwerth ap Madog named in the prologue to *Llyfr Prawf*. Similarities in structure also exist beyond *Llyfr Prawf*; the Family Law, Land Law, Suretyship and Law

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[284] 1.4.4 addresses these ideas of 'coherence' and 'miscellaneity'. See also the discussions across 3.4 and 3.5.
[285] At *Ior*, p. xviii–xix.
[286] *Ior*, p. xxii.

of Women tractates occur in similar orders across the four core manuscripts, and the form and content of the law within appears fixed. The project which produced *Llyfr Prawf*, as we shall see, necessitated significant changes to *Cyfraith y Wlad*, and it would be wise to consider them as a part of the same process.[287] Nevertheless, it was not just those parts of the manuscript touched by *Llyfr Prawf* which benefitted from the organisational hand of the Ior redactors: *Cyfraith y Llys*, in contrast to its discarding in some second-stage Ior manuscripts, was reorganised, with the material on *noddau* and *lletyau*, appearing in short lists before the listing of the court officers in other books, instead combined into the entries of the relevant officers. These officers, too, are edited, extended beyond the number found in Cyfn and Bleg, and divided into those pertaining to the King, the Queen, and those 'other' officers. Material finding its way to the end of the sections on some court officers, notably the *pencynydd* in Cyfn, is more highly structured and not allowed to extend into miscellaneous related provisions. Unique sections appear also in Ior, presumably constituted anew or edited from whatever pre-existing tractates circulated in early-thirteenth century Gwynedd:[288] pleadings are devised for Suretyship and Land Law, and the latter receives an important appendix in the Family Law tractate. All these tractates, and their location in Cyfn and *Lat D*, our outlined in Figure 6 below. Note that locations vary within the Cyfn tradition: the table should be seen as a guide to sections in Ior and where they may have come from in whatever book or tradition preceded it. The material coming at the end of the law-books are not referred to below, but nevertheless form an integral part of the Ior book-tradition.

A word might be said about *Llyfr Prawf* and its Appendix. The Preface to *Llyfr Prawf* is absent in *E*, shortened in *B* and longer in *C* and *D* (*A* here is missing a quire).[289] Thomas Charles-Edwards argues that *E* represents the original state of Ior, that is, that the original redactors of the Iorwerth book-tradition did not place a general preface at the outset of *Llyfr Prawf*.[290] Nevertheless, *B* and *C*, early as they both are, call this book *Llyfr Prawf*. Although not presented as a distinct entity in the text here most representing the stemmatic original (*E*), it is reasonable to believe that the term existed more widely in the mid-thirteenth century. The beginning of what we call the 'Appendix' is edited at S.X. Here, *ABCDE* unite in providing a sentence linking the end of *Gwerth Gwyllt a Dof* to the Value of Buildings, the first conceived of as a part of *Llyfr Prawf* in *BCD*, and the second as the first part of something else in *ABCDE*. No name is given to this last part of the Ior book, but, according to all manuscripts, it is where 'Iorwerth ap Madog saw it to be expedient to write the worth of buildings, and furniture, and joint ploughing, and corn damage'. *B* adds to the beginning, 'and thus ends *Llyfr Prawf*' whereas a Latin explicit in *C* disagrees, implying that the Appendix was part of *Llyfr Prawf*.[291]

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[287] See the discussion at 5.2.

[288] See 5.2 for 'pre-Ior'.

[289] 4.2 and 5.2.5 examine the Preface in more detail, with Figure 18 providing an edition.

[290] Charles-Edwards, 'The *Galanas* Tractate'. By 'original redactors', I mean those behind the first redaction of the Ior book-tradition, what I call here the 'Two-Stage' Model. More on this below (5.3.4.2).

[291] S.X.i.R1(1). The makeup of *C* is discussed further at 5.2; it is relevant to note here that *C* makes no codicological break between *Llyfr Prawf* and its Appendix.

B complicates the situation by excised the name of Iorwerth ap Madog: both the shorter Preface to *Llyfr Prawf* and the introduction to the Appendix do not name Iorwerth. This introduction separates *Llyfr Prawf* from what follows, the former *teruynha*, 'terminates', but the editor of *B* credits the *doethyon*, 'wise men', rather than Iorwerth ap Madog, with the Appendix material *y gyt ar llyuer prawf*, 'together with *Llyfr Prawf*'. *C* and *D* present a slightly different model. Here, a long introduction to *Llyfr Prawf* names Iorwerth and provides a more general narrative connected with the Preface to *Cyfraith y Llys*. The introduction to the Appendix names Iorwerth, but does not provide as large a break between *Llyfr Prawf* and its Appendix as maintained in *B*. *E*, perhaps standing in for the original state of the text, provides no introduction to *Llyfr Prawf*, allowing the end of Land Law to immediately morph into *Tair Colofn Cyfraith*. The manuscript does, however, provide an introduction to the Appendix roughly similar to that in *C* and *D*.

That a Iorwerth ap Madog was involved with the material contained in the Appendix, *Llyfr Prawf* itself, and the other changes made to *Cyfraith y Wlad*, all seems highly likely. The divergence here appears to be in how contemporaries thought of the structure of their books. *E* emphasizes the Appendix, standing here more as an Appendix to the whole law text rather than just *Llyfr Prawf*. *CD* subsume this Appendix within *Llyfr Prawf*, whilst *B* shows us two separate chunks of law, though linked by the editorial hands of the *doethyon*. That *E*, *B* and *C*, all penned within a few decades of each other, could present such a wide range of structural patterns surely attests to the vibrancy of this book-tradition and the diversity with which it was copied over succeeding generations.[292]

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[292] For the sake of simplicity, I use 'Appendix' throughout this thesis, though noting here that it is only in *C* and *D* that this selection of material really is an Appendix of a named *Llyfr Prawf*. Which situation represents the original is, of course, a separate question. That all the tractates in both *Llyfr Prawf* and its Appendix moved together from the Laws of Country to this place in the text suggests that *C* and *D* may represent most explicitly how contemporaries viewed the structure of the Iorwerth law-book.

IOR BOOK	IOR TRACTATE	BOOK	CYFN (following *Mk*)	*LAT D*
Cyfraith y Llys	Prologue	*Cyfraith y Llys*	Prologue	Prologue
	Sarhaed		*Sarhaed*	*Sarhaed*
	The *edling*		The *edling*	The *edling*
	-		Tractates on the *noddau*, *sarhaedau*, and *lletyau* of the court officers	Tractates on the *noddau*, *sarhaedau*, and *lletyau* of the court officers
	The King's Officers		King's Officers	King's Officers
	The Queen's Officers		The Lower Officers	
	The Additional Officers		Other Officers	
	Some Triads		Hunting Material	
	Eight Packhorses of the King			
	King's Rights			
Cyfraith y Wlad	Nine Tongued Ones	*Cyfraith y Wlad*	Three Columns	Three Columns (expanded with triads)
	Law of Women[293]		The Nine Tongued Ones	Dirwy
	Injury to an Animal		Value of Limbs	The Value of Limbs
	Surety Pleadings		Material on *galanas* and *sarhaed*	Material on *sarhaed*, *galanas* and *gwerthau*
	Suretyship		Bondsmen	Law of Women
	Briduw		Land Law	Material on offices and judgements
	Contract		Miscellaneous Provisions	Warranty
	Warranty		*Gwerth Gwyllt a Dof*	Triads
	Church Protection		Corn Damage	Values: *Gwerth Gwyllt y Dof*, Houses, and Equipment, Furniture and Weapons
	Land Law		Suretyship	Witnesses
Llyfr Prawf	*Tair Colofn*		Contract	The Nine Tongued Ones
	Gwerth Gwyllt a Dof		The Law of Women	Suretyship
IOR BOOK	**IOR TRACTATE**	**BOOK**	**CYFN (following *Mk*)**	**LAT D**

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[293] *B* places the Law of Women between *Cyfraith y Llys* and the beginning of *Cyfraith y Wlad*.

IOR BOOK	IOR TRACTATE	BOOK	CYFN (following *Mk*)	LAT D
Appendix to *Llyfr Prawf*	Value of Houses	*Cyfraith y Wlad*	Miscellaneous Provisions	Triads
	Value of Equipment, Furniture and Weapons		Value of Houses and other values	Deposits and Bondsmen; Fire and Kilns; Hunting and Dogs
	The Value of Limbs		Joint Ploughing	Land Law
	Joint Ploughing		Miscellaneous Provisions, including *galanas*, *dirwy*, Corn Damage, triads and Land Law	Miscellaneous Provisions
	Corn Damage			Corn Damage
				Wrong Judgements
				More Miscellaneous Parts
				Customs, Unwritten Law, Practices

Figure 6 - A Comparison in Law-book Organisation

As was discussed at 1.4.4, it is important not to import modern ideas of narrative structure into an analysis of a medieval text. Despite the clear distinction in structural coherence created by the re-organisation of material in Ior as discussed above, and depicted in Figure 6, Cyfn and Bleg law-books would not have been created if they were unusable. We must ask ourselves not why such un-structured texts were allowed to exist, and what mistakes could have led to such disorder, but rather why these texts demonstrate difference in structural coherence between parts (for example, *Cyfraith y Llys* and *Cyfraith y Wlad*) and why such a diverse scheme of order pertained between different traditions (Cyfn and Ior). Ior sits at one end of a scale. Not only, as Jenkins outlines, were solutions to new legal problems being actively discussed and worked out on the page, but the expression of these ideas were profoundly *deliberate*. The Cyfn perspective encompasses the accumulation of the customary provisions which make up *CH*, the authority of a law rooted in its traditional expression. It is the socio-legal community *in general*, not the ideas of a professional class of jurists, which provided the frame for interacting with these law-books. The often archaic and crude presentation, alongside organisation by triads, lists and what, at times, seems like free association, identified these books as uniquely Welsh and uniquely *CH*. Some sections, by the nature of what they covered, more easily fitted a longer, more coherent structure; the ordering of *Cyfraith y Llys*, for example, allowed for a well-structured exposition of the court officers and their responsibilities. Other tractates, Land Law, for example, both in Cyfn and Ior manuscripts, comprised islands of order amongst the many shorter, miscellaneous provisions nevertheless necessary to include. Fundamentally, however, we must look to context and audience. Ior self-consciously nods at more modern forms of governance, law and law-book making, fashioning these changing ideas within an intellectual and literary form indebted to the increasing professionalisation of the Venedotian jurist. Conversely, Cyfn manuscripts were the well-thumbed handbooks of native Welsh landowners, exercising their traditional, customary role of *brawdwyr*. These characteristics demonstrate different kinds of sophistication; the law meant something quite different to these two groups of copyists and patrons. Structure plays a large part of this, but it is to this outlook of Ior, the patterning of theme, whether political or literary, to which we now turn.

3.3.3 Narrative Coherence: Politics, Culture and Literature

Behind clearly intentioned and executed structural choices stands a desire to foreground themes in a way not attempted in later law-books.[294] Structural patterning was certainly an enjoyable and meaningful exercise in its own right for the medieval editor-copyist; as discussed below, small, incidental changes in ordering across the text throughout the Middle Ages seems to indicate a restless preoccupation with the expression of certain legal prescriptions.[295] Nevertheless, structure is also the building block for metaphor. There may well be a textual argument for why the Law of Women appears

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[294] For two key examples, see Stacey, *Law*, pp. 162–6 for marriage and divorce law, and p. 189 for the *Naw Affaith*.
[295] See 4.1.1.

where it does in Ior, but Robin Chapman Stacey suggests this move may have occurred as a part of emphasizing a metaphorical development in psychological geography: 'what had been… a relatively simple progression from court to country became… a progression from the nucleus of the royal household… to the inner circles of the *gwlad*… to its outermost circles'.[296] Thus this structural change, amongst many others, played out 'a concept of native political identity vested in hearth and home, both royal and domestic'.[297] According to this argument, the book-tradition of Ior was an active one, interested in regularising and modernising native custom from the perspective of both native jurist, for whom tradition and privilege were the linchpins of their livelihoods, and the *uchelwyr*, for whom the law was a tool to justify modernisation and demonise foreign influence. The execution of these concerns is far more focussed (and successful) in Ior than in other law-books. There is here a consistency in tone, and development of tone, not present in the other more miscellaneous collections of native law; the tractates and books put together in the Ior manuscripts exist less as a collection of things of interest to the compiler, but rather a deliberate fashioning of traditional material into a lens through which contemporaries examined and commented on the cultural and political themes of the day.

Reflecting on the deliberate expansion and reordering of themes and textual units in the Ior law-books, Stacey argues:

> …that we are dealing here with something deeply rooted in the Welsh experience of the twelfth and thirteenth centuries. The contrast between unity and order within, and chaos and anarchy without, is one that speaks both to the needs of the moment and to the priorities of the lawbook authors as persons caught in a perilous and confusing time. The lawbooks are not – or not merely – neutral descriptions of place or articulations of an aspired-to courtly ideal. Rather, they constitute venues through which to reflect on developments in contemporary Welsh politics: innovations occurring in princely government in the twelfth and thirteenth centuries, changes taking place in native practices regarding marriage, inheritance, and the administration of justice. Looming over everything, of course, is the sense of unease generated by the influx of foreign elements into Wales and fears about the impact of English policy and politics on native Welsh lordship… What we are seeing in the laws are meditations on contemporary Welsh culture and politics which, if not loudly condemnatory, are at least profoundly uneasy about the perils of change.[298]

The core of her analysis is the identification, in an overtly literary manner, of what forms of 'truth' are accessible to us as readers of these multifaceted texts. The lack of violence in Ior, especially as compared to Cyfn; the toning down of the sexual burlesque in the discussion of marriage, divorce and infidelity; the utilisation of a progression from court to country; the symbolic play in the parts of animals

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[296] Stacey, *Law*, p. 133.
[297] *Ibid.*, p. 135.
[298] *Ibid.*, p. 88.

given to court officers; and the politically sensitive portrayal of the Queen, *edling* and *penteulu*: all these issues demonstrate how the Ior redactors were doing so much more with their material than repeating customary legal provisions.

J. E. Lloyd provides the traditional view of Ior's emergence: 'it may well be the case that the code was compiled at the bidding of Llywelyn, who desired to emphasise the supremacy of Gwynedd by the issue of the laws in a distinctively Venedotian form'.[299] There is no doubt that Ior had distinctly political undertones. Yet the tone which surfaces in *Cyfraith y Llys*, for example, the almost mocking characterisation of the King's key servant, the *rhingyll*, urges caution.[300] There is little evidence to view Ior as a legal tradition founded by the Prince of Gwynedd for his own ends, copied and disseminated across north Wales as a stamp of his own authority. Although the Conquest doubtless resulted in the destruction of many copies west of the Conwy, especially those originating from the old *clasau* and native legal schools, it is notable that our four manuscripts do not show a distinct geographical bias. *A* here, in many ways, stands as an outlier. The remaining books, as with the second-stage manuscripts, come from the border region: *B* (perhaps also *E*) from the cathedral school of St Asaph, a day's march from Chester; and *C* from Valle Crucis in Powys Fadog, a region which, at best, existed in a state of alliance with the Gwynedd of Llywelyn ab Iorwerth. Although, as will be described below, Ior had a powerful influence for the remainder of the Middle Ages, the juridical project, the line of innovation and reform beginning with texts such as *A*, and continuing with the revisions made in *Col* and *B*, was brought to an abrupt end with the Conquest. When we next view *CH* it is as a response to the unique legal and administrative context of the Welsh March.[301] Although a close interplay between jurists and prince appears evident in Ior, it is the interests of the former which frame it.

3.3.4   Concluding Comments

I opened this section with the words of Dafydd Jenkins, tying this book-tradition tightly to Gwynedd. The scope of the project was certainly broad, and at many points in the text political comment bubbles to the surface. Yet despite the novel characteristics, in structure and in content, which the book-tradition would have presented to contemporaries, and its clear place in the context of thirteenth-century north Wales, Ior was to cast a long shadow. The changes made to *Cyfraith y Wlad*, the grouping of material into *Llyfr Prawf*, and the coherent and well-expressed tractates which make up parts of the Appendix (namely, Joint Ploughing and Corn Damage) were all to find reference in law-books for the next three-hundred years.[302] The structure of the text was to find use as late as the late-fifteenth century, where manuscripts such as *K* and *F* used *Llyfr Prawf* to open their legal material, filling them with Ior prescriptions on Land Law and Suretyship. Bleg and Cyfn, from the early-fourteenth century to the end

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[299] Lloyd, *History*, p. 355.
[300] As described in Stacey, *Law*, ch. 3.
[301] See 3.4.3 and 3.4.4 for two inflections of this context (*K* and *F* respectively).
[302] For the Appendix to *Llyfr Prawf*, see 3.3.2.

of the Middle Ages, incorporated Ior material into the 'tails' of their manuscripts, forming a vital component of legal compilation and practice in the Welsh March. Jenkins supposes that 'those who compiled [the Ior books] would certainly have said that any of their rules was law throughout Wales'.[303] It would have been a small comfort to those who spent many years on the formation of Ior that their legal tradition was to shape a large part of the structure and content of law-books across Wales for many generations hence. It is to these later law-books that we now turn.

3.4   SECOND-STAGE IOR

3.4.1   Introduction

'Second-stage' Ior, as I use the term in this thesis, refers to the further life of the Ior book-tradition following the extinction of the native Welsh kingdom of Gwynedd and the end to the socio-legal milieu which led to the production of the four manuscripts described above. As native law developed over the following three-hundred years before its practical death under the Laws in Wales Acts 1535 and 1542, the incorporation of Ior-like material, whether in the long tails which adorned the end of manuscripts, or as a part of the miscellaneous collections proliferating in the later fourteenth and fifteenth centuries, was a common element in many law-books of varying lengths, qualities of production and textual groupings. Many of these manuscripts belonged to the south of Wales, an area which, along with the border areas in north-east and central Wales, provided a cultural melting pot where legal innovation thrived during the later Middle Ages.[304] Six of these manuscripts contain a law text which, in the main, consists wholly of Ior material. This pattern stands apart from the more piecemeal adoption of this material in Cyfn and Bleg manuscripts, mainly in manuscript tails. This section will discuss four of these six books, NLW Peniarth 32 (*D*, *Y Llyfr Teg*), NLW Peniarth 40 (*K*), NLW Peniarth 34 (*F*) and NLW Peniarth 39 (*Lew*).[305]

It is notable that none of these manuscripts represent the core Ior pattern seen in the mid- and later-thirteenth century: *D*'s law text forms a part of a larger literary compendium, arguably one of the first surviving antiquarian collections of Welsh literary and historical material; *Lew* and *K* reorder the core material, omitting some and including other additional material; and *F* is a unique example of a personalised compendium of Ior and additional material from the late-fifteenth century. In other words, it is only *D* which has a main-text version of *CH*. This section will attempt to draw out what independent significance, if any, Ior material had in these mixed collections, and what patterns of book-tradition governed them. Providing a distinct contrast to the four Ior core manuscripts, there is far less unity in

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[303] Jenkins, *The Law*, pp. xxvii.
[304] The central part of this story was told by R. R. Davies in the late 1960s ('The Twilight', 'The Survival' and 'The Law'), and in recent treatments by Sara Elin Roberts ('Legal Practice') and others (James, 'Golygiad'). See Davies, *The Age*, and Lieberman, *The Medieval March*, for more explicitly historical perspectives.
[305] The other two, *G* and *Col*, receive some comment at 3.5.1 below; see n. 22.

content between these four. Although the actual readings from sentence to sentence bear a certain similarity, the quantity and type of additional material, and the organisation of the whole, vary drastically. We observe here less a self-conscious reorganisation of legal material by a cultural elite into a distinct type, impression, or tradition but, rather, a fundamentally individual response to the needs of a patron and to the range of legal material available.

3.4.2 *D*, NLW Peniarth 32 (*Y Llyfr Teg*): c. 1404

D is a composite manuscript, containing religious and historical texts alongside a Ior law text.[306] William Maurice used *D* in preparation for his *Deddfgrawn*, calling it 'Liber teg', or the Beautiful Book. Notes by Siôn Dafydd Rhys (1534–1609) suggest that he also used the manuscript in preparing his Welsh Grammar, published in 1592, noting a vocabulary in Peniarth 118. Earlier evidence of ownership is suggested by a few notes by a Morgan Morris in various sixteenth-century scripts, as well as the 1578 signature of Thomas Wiliems, also annotating *A* and owning *Col*. Although often included with the 'core' manuscripts due to the apparent age of its archetype, *D*, in contrast to the thirteenth-century Ior books, has little to do with the north of Wales. Hand A, responsible for the legal portion of the manuscript, is also present in the Red Book of Hergest (Oxford, Jesus College MS. 111), written for Hopcyn ap Tomas of Ynysforgan, near Swansea, Glamorganshire.[307] This scribe wrote the whole of Llanstephan 4, Peniarth 19 and Peniarth 190, as well as those poems in the Red Book addressed to Hopcyn ap Thomas.[308] In the Red Book, our Hand A was under the supervision of Hywel Fychan, who himself wrote the whole of Oxford, Jesus College 57 (Bleg *J*), Philadelphia MS. 8680, Peniarth 11 and Llanstephan 27,[309] alongside the main part of the Red Book. This group of scribes, numbering at the most nine, represents a prodigious partnership, responsible for just over half of those manuscripts dated to the turn of the fifteenth century. Law is certainly in the minority among them; only one, *J*, written by Hywel Fychan for an unknown patron, solely contains legal material, with our Hand A mainly responsible for historical and religious prose. The presence of other material in our manuscript might also point to the secondary position of law; it is likely that the manuscript opened with religious prose and *englynion*. It is possible, therefore, that *D* may very well be one of the first instances of an antiquarian interest in *CH*; this prospect is reinforced by *nota* signs made by Hand A, showing a

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[306] Provided variants in *Ior* and *LAL*. See *Rhyddiaith 2* for transcriptions of the legal and non-legal parts of the manuscript. Five hands occur: ff. 1–112 is written by hand A, containing the legal text; 112ᵛ–116ᵛ by hand B, taking over on the same leaf (writing annals and *O oes Gwrtheyrn*); 117–120ᵛ by hand C (*Breuddwyd Pawl* and the beginning of *Ystorya Addaf*); 121–5 by hand B again (remainder of *Ystorya Addaf*); 125ᵛ–132ᵛ by hand D (*Brut y Saeson*); and 135–8ᵛ by hand E (religious *englynion* and prose), formerly at the beginning of the manuscript.

[307] Charles-Edwards, 'The Scribes', considers the hands of the Red Book of Hergest.

[308] Llanstephan 4 contains a range of narrative and religious prose. Peniarth 19 contains three historical texts, *Ystorya Dared*, *Brut y Brenhinedd* and *Brut y Tywysogion*, with *Brut y Saesson* breaking off abruptly at the end; these are all close to the texts in the Red Book. Peniarth 190 is two manuscripts bound together, the first containing *Lucidar*, the second *Ymborth yr Enaid* and *Penityas*, a confessor's manual.

[309] Philadelphia 8680 contains *Ystorya Dared* and *Brut y Brenhinedd*, though incomplete and with many lacunae, Peniarth 11 the Welsh version of the Grail legend, and Llanstephan 27 a large collection of religious prose, by Hywel Fychan and a collaborator.

historical as well as legal interest.[310] These links demonstrates not only that *D* was written in the south of Wales, perhaps remaining there until Siôn Dafydd Rhys, then based in Glamorganshire, used it in preparation for his grammar, but, more widely, that it was part of a south-Walian nexus of book production active at the turn of the fifteenth century. This group clearly demonstrates that by this period secular patrons regularly commissioned large compendiums of literature, poetry and didactic material from secular scribes. Hywel Fychan, referring to his patron as 'his master', was more than likely a member of the household of Hopcyn ap Thomas. As Gifford Charles-Edwards notes, 'only a little later Gwilym Tew and Lewis Glyn Cothi[, the scribe of *K*,] were writing for lay patrons'.[311] It was a widespread practice in the later fifteenth and early sixteenth centuries for poets, as consumers and producers of cultural material, to pen their own manuscripts.[312] *D* sits neatly within this first major blush of secular book production at the turn of the fifteenth century.

This manuscript, then, belongs more to the world of tails and composite productions than with the connections in *A*, *B*, *C* and *E* with Cistercian monasticism and the north of Wales. Two characteristics, however, mark *D* out as distinct from the books discussed below. Not only is *D* a grand compendium of history, literature, poetry and law, but it is also the only manuscript not from thirteenth-century Gwynedd to include a full copy of the Ior text. Rather than creatively incorporating sections of Ior into a lawbook largely consisting of non-Ior material, or heavily reordering sections in order to create a new whole, *D* leaves the Ior text much as it appears to us in the thirteenth century. Perhaps we can point here to the continued importance of the Ior book-tradition, even at the turn of the fifteenth century, in forming an authoritative enough pattern to be chosen for such a collection. Books of the Bleg pattern were presumably available in the south of Wales; Hywel Fychan himself commits such a text to vellum in Oxford, Jesus 57 (*J*). The previous hundred years had seen the production of a number of Bleg books, three by the layman Gwilym Wasta working out of Dinefwr, and six Cyfn books. Manuscripts of all three recensions would undoubtedly have been available to the scribe; it is therefore noteworthy that *D* presents its text in such a way.[313] Whilst *Lew*, *K* and *F* appear to have been operating in a tradition of active editor-copying by a scribe or patron heavily interested in the presentation and remaking of legal material, *D* sits within the same antiquarian compendium tradition as seen in the Red Book of Hergest and the now lost White Book of Hergest. Indeed, the latter appears to have also included a legal text, parts of which survive in the early-seventeenth century Peniarth 225.[314] This difference in presentation and tradition relates most clearly to the interests of the patron – an *uchelwr* keen both to preserve their

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[310] As suggested in Huws, 'The Medieval Codex', p. 35, n. 20.
[311] Charles-Edwards, 'The Scribes', p. 250.
[312] Note for example the three manuscripts from the late-fifteenth century by Lewys Glyn Cothi, the ten from the same period by Gutun Owain, and five from the turn of the sixteenth century by Huw Cae Llwyd; see Huws, 'Table', pp. 62–3, for detail.
[313] For a textual characterisation of the activities of the scribe, see the discussion at 5.3.3.
[314] Written by Thomas Wiliems, who also leaves a signature in *D*. The White Book of Hergest was also partly written by Lewys Glyn Cothi, the scribe of *K* (as noted in Huws, 'The Transmission', p. 96).

cultural traditions and to show off their native learning required a very different book to a Welsh jurist working in the legal and cultural mixing pot of the Marches. It seems that with the broad collection of material in *D* we have exactly that.

3.4.3 *K*, NLW Peniarth 40: XV² (>1469)

Discussing the cultural and intellectual background of the bardic grammar, Ann Matonis has drawn attention to a wide network of *uchelwyr*, scribes, poets, Cistercian abbots and collectors in the northeast Wales of the latter half of the fifteenth century.[315] These figures emerged from a Wales recently scarred by the devastating effects of the Glyndŵr Rebellion, a world of patronage and cultural horizons much changed to that of mid-thirteenth century north Wales (*A*, *B*, *C* and *E*), or even the early fifteenth century south (*D*). The political interests of the Welsh nobility in this period were distinctly oriented towards the dynastic concerns of the Kingdom of England. Wales was to provide an important battleground for the events of the Wars of the Roses. Men such as Sir William Herbert and Sir Roger Vaughan (Yorkist) and Gruffudd ap Nicolas and Jasper Tudor (Lancastrian) came from prominent Welsh families. Harlech Castle in Merionethshire was the last major stronghold under Lancastrian control, falling in 1468. Yet, despite the tendency of English concerns to structure allegiances and antagonism amongst the gentry beyond Offa's Dyke, and despite the increasing dominance of the English language and legal system in certain areas of south and central Wales, the later fifteenth century was also a period of poetic, literary and bibliographical flourishing.[316] In the preservation of the correct forms of bardic verse, encapsulated in the copying of the Bardic Grammar, and in the assiduous reproduction of genealogies and traditional texts, 'the latter half of the fifteenth century saw a concerted effort by bards and gentry families to preserve their cultural identity and the artifacts emblematic of it'.[317] The centrality of bardic verse to the cultural fabric of this period, and the personalised, 'do-it-yourself' nature of book production, have both already been acknowledged.[318] Indeed, many books from the late-fifteenth century were written by bards, now deeply interested in the preservation of Welsh native cultural material, and the dissemination of their own works in written form. Gutun Owain, the nephew of Abbot John ap Richard of Valle Crucis, is responsible for ten surviving manuscripts, with interests ranging from genealogies and lives of the saints to grammars, chronicles and proverbs. The place of *CH* within this nexus of cultural tension, tenacious though fragile lordship, and native literary creativity has received comment by, among others, Rees Davies and Sara Elin Roberts.[319] The practice of Welsh law, as with native forms of rule, was both a matter of pragmatic utility, a tool in achieving and maintaining power over others, and of genuine cultural expression. The vitality of its copying and editing is represented in the

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[315] Matonis, 'Gutun Owain'. For the Welsh bardic grammar, now see Russell, 'Teaching' and 'Poetry', and the references there.

[316] For a historical account, see Williams, *Renewal*, pp. 143–164.

[317] Matonis, 'Gutun Owain', p. 168.

[318] Williams, *Recovery*, pp. 148–9, for the cultural role of bardic verse, and Huws, 'The Medieval Manuscript', p. 16, for book production.

[319] See the references at n. 304.

unique collections of material surviving from this period and the breadth of material likely circulating in written form between landowners, copyists and jurists (if they ever were separate persons). It is these set of concerns which provide the background to *K* and *F*, the former likely from Radnorshire, up the River Wye from medieval Herefordshire, and the latter from Maelor Gymraeg, across the border from Cheshire and north Shropshire. It is to the first of these books, Peniarth 40, to which we will now turn.

Morfydd Owen's 2011 article in the Transactions of the Radnorshire Society outlines well the context of *K*'s scribe, the poet and scribe Lewys Glyn Cothi (fl. 1447–1486), and patron, Ieuan ap Phylip of Cefnllys, Radnorshire.[320] Concluding, she states:

> We have… in [K] something of which Radnorshire should be very proud: a handsome manuscript containing a text of Welsh law written for Ieuan ap Phylip, which was in all likelihood used at court sessions at Cefnllys near Llandrindod Wells. The poetry of the manuscript gives us in addition a portrait of a lawman of noble lineage who was both a Constable and Receiver and held legal sessions but at the same time maintained a home which provided hospitality for poets and others. I know of no other legal manuscript whose social and legal background can be so well created.[321]

Indeed, much of the evidence for that social background comes from Lewys' poems, a number of which occur in the opening pages of *K* and receive comment in Owen's article.[322] Ieuan is referred to as *meistr i gyfreith swydd Ieithon*, a man for whom *nit barn heb dy wyneb du*.[323] Other material in the manuscript points to a strong connection with house building, with an English stanza at the end of the manuscript (*when the fork flyte of norwynd/Ys comyn and gone/Byld thy house of lyme and stone*) complimenting a longer poem by Lewys in detailed praise of the construction of the wooden hall at Cefnllys (*Bwyall Rossier ap Ywain/Yn wyd rwym vv nadu rain/Hwnn a wnaeth neuad ar hur/Newyd wrth neuad Arthur*).[324] This architectural obsession might seem strange in the context of this mainly legal manuscript, but the place of the hall in administering justice – in an earlier period as a native Welsh landholder, a *brawdwr* – is central to this period. In the fifteenth century, the Marcher lords were absentee rentiers, entrusting the administration of their lordship to native Welsh receivers, stewards, or constables. These influential free tenants were 'power brokers mediating between their localities and

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[320] *RMWL*, vol. 1, p. 374–6. Suggett discusses Cefnllys in the context of late-medieval and early modern houses in the Marches in *Houses*, pp. 37–8. Four poems, dated between 1474 and 1483 by Dafydd Johnston (*Gwaith Lewis*, p. 373–80), are addressed to Ieuan ap Phylip on p. 5 in Lewys' hand. The manuscript has been used by Charles-Edwards to supply variants in his reconstructive edition in *LAL*. Pictures are available on the *NLWW*. Owen, 'A Fifteenth-Century Law-book', is a general discussion of the manuscript. The dating after 1469 comes from the date mentioned in the *cwyn* on p. 233.

[321] Owen, 'A Fifteenth-Century Law-book', p. 90.

[322] *Ibid*., p. 79–87.

[323] 'Master of the law of the territory of Ieithon', *ibid*., pp. 85–6; 'there is no judgement without your dark face', *ibid*., p. 84.

[324] 'The axe of Roger ap Owain,/Bound trees to be carved into these,/This man made a hall for hire./A new one comparable to the hall of Arthur'; *ibid*., p. 82 and pp. 80–1, respectively.

the Marcher lords and their senior officials', a position which confirmed their social standing and local power, as well as presenting a path to further influence.[325] The transfer in power to such local men led to the decay of the old masonry castles and the removal of authority to new timber halls, such as the one at Cefnllys. Ieuan, according to Lewys' verse, was either appointed constable of Cefnllys and receiver of Maelienydd by Richard, Duke of York, between 1432 and 1459, or succeeded the previous receiver in 1461–3. The context for the expression of Ieuan ap Phylip's legal duties is made clear in another *cywydd* occurring in the manuscript, where his prowess is compared with other notable lawyers of the March, people such as William Burley, Member of Parliament for Shropshire in 1434, and John Merbury of Hereford, Justiciar of South Wales in the 1420s.[326] In the kaleidoscope of customs, liberties and local rules which Ieuan doubtless had to navigate in his position as Constable and Receiver, a clear expression of those prescriptions of *CH* most useful to his office would be welcomed.[327] *K* therefore marks a unique gift, or commission, from one of Ieuan's key bardic supporters, artfully drawing together his personal, administrative and cultural influence in fifteenth-century Radnorshire within one compilation of poetry, calendars and legal material.[328]

The ownership of *K* between Ieuan ap Phylip and Robert Vaughan, a space of only 150 years, is, however, unclear. As with other manuscripts in the Hengwrt collection, *K* contains the annotations of William Maurice and Robert Vaughan, the former noting its incorporation (at f. iii^v) into his *Deddfgrawn*. Several hands of the early part of the sixteenth century add material on pp. 235–50, including prophecies in English, various legal tracts and matters, and a *cywydd* by Dafydd Llwyd (fl. c.1400–c.1490) thanking the parson of Llandrinio (near Welshpool) for a gift, demonstrating the continued existence of *K* in the Welsh March. The latest annotations before the time of Vaughan are three names, Henry ap David, David ap Henry and Thomas ap David, perhaps a father and two sons. Originating perhaps at Cefnllys, or another hall where Lewys Glyn Cothi may have had itinerant residence in central Wales, our manuscript then appears to have remained in the Marches, perhaps moving north from Radnorshire to Montgomeryshire, before falling into Robert Vaughan's hands in the seventeenth century at Hengwrt, near Dolgellau. From here, *K* moved with the Hengwrt-Peniarth collection to the Wynne family in Merionethshire and, finally, via Sir John Williams, into the NLW.

As Owen notes, the first quire of *K* is defective (pp. 3–8) and contains several poems from Lewys Glyn Cothi to his patron Ieuan ap Phylip.[329] The second quire (pp. 9–20), contains a calendar. The following twelve quires contain the *CH* legal material under examination here (pp. 21–234). A plaint of *galanas* was later added to the end of quire 14 (pp. 233–4) by Lewys. The last quire contains legal material by

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[325] Matonis, 'Gutun Owain', p. 37.
[326] Owen, 'A Fifteenth-Century Law-book', p. 86.
[327] See Davies, 'The Law', and 'The Twilight', for this kaleidoscope.
[328] It is the presence of the calendar, whose saints' days are discussed at Owen, 'A Fifteenth-Century Law-book', pp. 78–9, which led William Maurice to grant this manuscript the name *Kalan* (Lat. *Kalendae*), whence the sigla *K*.
[329] Owen, 'A Fifteenth-Century Law-book', p. 77.

several hands of the early sixteenth century, a poem, and some fragments of prophecies in English. The legal material opens with *Llyfr Prawf*, featuring the Preface and *Tair Colofn Cyfraith*, before proceeding with the *Gwerth Gwyllt a Dof*, the Appendix to *Llyfr Prawf*, *Cyfraith y Wlad* (minus the Nine Tongued Ones and the Law of Women) and Family Law. The form of all these tractates is Ior. The manuscript then proceeds with a tail of sorts, including triads, bearing a textual similarity to those in *S*, *Tim* and *Q*,[330] *damweiniau*, a section on the testing of judges, and the *galanas* plaint mentioned above. *K* is a well-organised manuscript, utilising rubricated initials throughout, with two-line rubricated initials used for the introduction of sections, sometimes accompanied by rubricated incipits which extend into the margins. A three-line rubricated initial commences the *CH* text, though this is not used again.[331] The text itself is organised deliberately out of order, in other words, not due to a copyist error or mis-binding. *K* omits only a few parts of the Ior text present in the 'core' manuscripts, namely, the introduction to the Appendix to *Llyfr Prawf*, and, from *Cyfraith y Wlad*, the Law of Women and the Nine Tongued Ones. Lewys, or his exemplar, simply copied *Llyfr Prawf* first, an easy task if it sat within a separate set of quires,[332] then began later in *Cyfraith y Wlad* in order to omit the Nine Tongued Ones and the Law of Women, and, reaching the end of *Cyfraith y Wlad*, copied triads and *damweiniau*. The lack of *Cyfraith y Llys* is here hardly surprising: *F* and *Lew*, both as different expressions of the Ior pattern and both from the fifteenth century, do not include this book, nor does the Bleg manuscript *I*, which we know to have been in Lewys' possession. Although the reasons for the original loss of *Cyfraith y Llys* from the Bleg tradition may have been accidental, no scribe saw the need to include this book once it had been dropped.[333]

K, in its organisation, contents and context, provides a key example of the intensely local and personal legal compilations copied and used in the later Middle Ages. Putting aside the triads, *K* represents an entirely Ior, or Ior-related, manuscript; 'core' in content, but not in order. The structure of the legal material necessarily raises some questions, addressed below (3.5), concerning what form of Ior was available to Lewys Glyn Cothi when he set about creating his manuscript. Nevertheless, given the how this manuscript appears to have been so clearly intended for a single man, a uniquely organised legal text, illustrated by poetry praising the patron's legal prowess and the hall within which he handed down judgement, it would not be surprising if much of the form of the law was occasioned by the desires of Ieuan ap Phylip or what Lewys thought appropriate.

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[330] See Huws, *Repertory*; most recently, see the reconstruction, edition and study of the *Tim* triads in Sims-Williams, 'The Legal Triads'.

[331] For a comparison of the rubricated initials of *K* in the Land Law section with *D*, *J*, *A*, *E* and the chapter breaks in *Ior*, see T.IV.vii.

[332] See 5.2.4 below.

[333] See the arguments in Russell, '*Canyt oes aruer*' and the discussion at 4.6 below.

3.4.4   *F*, NLW Peniarth 34: XV[2]

F found its way into the NLW via the Hengwrt collection of Robert Vaughan, whose signature appears on p. 37.[334] William Maurice saw and used *F* in the compilation of his *Deddfgrawn*, with notes in his hand on p. 1 and p. 63 and marginal notations throughout. Roger Morris (fl. 1590) transcribed *F* in a lost copy, copied itself by John Jones in Peniarth 224.[335] The earliest ownership mark in *F* is by Edward ap Roger ap John ap Elis Eutun. Elis Eutun's father, Siôn Eutun ap Siâmys, was steward of Maelor Gymraeg in Powys, a 'staunch Lancastrian', holding for them the fort of Denbigh.[336] Gutun Owain addresses Siôn in a *marwnad*, praising him as a grand jurist. Gutun Owain further addressed John ap Elis Eutun and John's second son William. Edward ap Roger also owned BL Add. MS. 14,947, containing, among other things, the poetry of Gutun Owain, and was married to the daughter of the deputy steward of Valle Crucis. Edward identifies himself as *o blwy Riwabon y maelor gymraeg*, 'from the parish of Ruabon in Maelor Gymraeg', less than 10 miles down the Dee from Valle Crucis, and 30 miles up the Clwyd from Denbigh. The hand of *F* also occurs in another manuscript, Cardiff 2.7, a direct copy of the Bleg manuscript *L*. The latter was written in the mid-fourteenth century, a hundred years before *F*, most likely by a scribe very similar or identical to scribe A of the White Book of Rhydderch, perhaps associated with Strata Florida Abbey. A piece of evidence within the first few pages of Cardiff 2.7 links this manuscript, too, with the parish of Ruabon: a note on folio 2 appears to be in the hand of David Powel (*c.*1540–1600), historian, lexicographer and vicar of Ruabon. In sum, the evidence above strongly links *F* and its scribe to Maelor Gymraeg, specifically to the town of Ruabon, about half-way between Wrecsam and Llangollen.

The context of the late-fifteenth century Marches bears much similarity to that of *K* discussed above; unlike *K*, however, *F* departs far more from the main-text norm. The gatherings of *F*, and the material to be found in each, is summarised by Aled Rhys Wiliam.[337] Eleven gatherings survive, with the twelfth missing, though only in the last hundred years has the manuscript been bound in the correct order. Its modern copies, according to Wiliam, appear to have seen *F* during different periods of disorder, accounting for different orderings of material in Peniarth 163 and Peniarth 224 (John Jones' manuscript mentioned above). 108 of the 132 surviving pages contain additional material, triads and *damweiniau*, as in *K*, but also pleadings and material on suretyship. Indeed, it is surety which appears to form a main

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[334] Owen used *F* to supply variants in his edition of the *damweiniau* in Books IV and V, and the base text for the *cynghawsedd* in Book VIII, chapters 1–5. Evans suggests that *F* copies *Col*, *D*, *G* and *B*, though is 'not always faithful', *RMWL*, vol. 1, p. 367. The scribe also wrote Cardiff 2.7, a direct copy of BL Cotton Titus MS. D. ix, the *Bleg* manuscript *L* (XIV^med). *F* is mentioned cursorily in *Ior*, p. xxv–xxviii, and is included in the stemma there alongside its copy Peniarth 163. It also receives mention by Charles-Edwards in his 'The *Galanas* Tractate', mainly in connection to the Three Abetments of Homicide (*naw affaith galanas*); see discussion of this article at 4.2. The discussion in Wiliam, 'Y Deddfgronau', mostly focusses on *F*. Pictures are available of the whole manuscript on the *NLWW*. See also n. 107 above.

[335] Evans believed that *F* itself was written by Roger Morris, and was the manuscript referred to by John Jones, *RMWL*, vol. 1, p. 367. See Wiliam, 'Y Deddfgronau', pp. 97–9, for a discussion of the copies of *F*.

[336] Matonis, 'Gutun Owain', pp. 165–6, for these connections.

[337] Wiliam, 'Y Deddfgronau', p. 97–8.

interest of the manuscript. Opening, like *K*, with the Preface to *Llyfr Prawf* and the *Tair Colofn*, *F* instead moves immediately to two pages of triads and a substantial collection of *damweiniau*, running to almost 70 pages. The final 40 pages of the manuscript consist of Ior suretyship, *briduw* and contract material, before cases, pleadings and *cyghawsedd* on the topic of suretyship. *F* thus retains a semblance of form structured around Ior material; it is *Llyfr Prawf* which provides the opening to both *F* and *K*, a feature we will return to later. Furthermore, following the lost list of miscellaneous *damweiniau*, it is Ior surety material which structures the final third of the manuscript. The aim of *F*, in contrast to the other books discussed above, appears to have been to structure and explicate additional material. Referring to this material as *deddfgrawn*, Wiliam summarises the contents of *F* by stating that 'gwelwyd uchod fod y deddfgrawn wedi datblygu erbyn y bymthegfed ganrif yn llyfr cryno a dosbarthus'.[338] Wiliam describes the process for this development, quoted and discussed above at 1.5.3, as the repeated copying of useful prescriptions, explained and collated, until a measure of unity is engendered in the minds of copyists, with this new pattern coming to be regarded as a law-book. There is, however, a strong argument that *F* and *K* do not represent the culmination of a tradition of the accumulation of additional material into forms more *cryno* and *dosbarthus*, but rather the gradual taking over of the Ior book by additional material, aided by the foregrounding of that uniquely useful innovation, *Llyfr Prawf*. The Bleg tradition uniquely reaches a level of miscellaneity in its tails which best represents Wiliam's pattern of development. The vast majority of material in *K* and *F*, whether main-text Ior, *cygnhawsedd* or *damweiniau*, appears to have been a part of the Ior pattern of *CH* from at least the mid-thirteenth century. These new forms of law-book, containing much of contemporary use to lawyers in the March, despite deep structural change and the inclusion of material not normally associated with Ior, appear to have developed from the reception of Ior material into the east and central areas of Wales. Although these books were only one pattern which, as Morfydd Owen argued, 'seem to have replaced the untidy Cyfnerth redaction',[339] they seem to indicate an important point of contact between different sources of *CH* in the fifteenth-century Welsh March.

3.4.5   *Lew*, NLW Peniarth 39: XV[med]

Lew is a frustrating book.[340] Although we know much about some aspects of the manuscript's production and subsequent use, with a scribal colophon making it one of the few Welsh law manuscripts with a named creator, rebinding, loss of pages and the likely state of its exemplar all make the archaeology of the text extremely difficult. Placing *Lew* within the context of its production, that is, the original ordering of quires and leaves, original purpose, original sources and bibliographical milieu,

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[338] 'It can be seen that the *deddfgrawn* had developed, by the fifteenth century, into a concise and well-arranged book', Wiliam, 'Y Deddfgronau', p. 100.

[339] Owen, 'A Fifteenth-Century Lawbook', p. 88.

[340] The suretyship tractate in *Lew* is edited as part of the Ior text in Charles-Edwards, 'The "Iorwerth" Text' with a short discussion and stemma on pp. 137–138. *Lew* was not used in *Ior*, but similarities between it and the other manuscripts are noted, pp. xxviii–xxix. Pictures of the whole manuscript are available on the *NLWW*.

requires a process of reconstruction destructive of its current physical state, as well as a good deal of codicological supposition. On technical grounds, however intractable this problem might seem, it is vital to separate disorder and loss in the current manuscript from disorder in *Lew*'s exemplar or exemplars. We thus have two separate goals: the reconstruction of what a Welsh law manuscript in the mid-fifteenth century, copied in south-west Wales by a named cleric, may have looked like; and, secondly, what kind of exemplars were available to that copyist, and thus what kind of law-books were possible and present at this time and place in Wales, and, further, how they went about incorporating them into a new production. Both problems touch on the survival and re-use of the Ior book-tradition in this period. I will first briefly address the manuscript itself, the textual parallels within it, how the manuscript might be reorganised to better match the original binding, speculations on the state of the exemplar or exemplars, and, finally, some concluding comments.

Lew was written in the mid-fifteenth century by a Lewys Ysgolhaig from (ironically given the disordered state of his exemplar) *ddethol y llyfrev gorev ac a gauas ef*.[341] Whether the plural *llyfrev*, 'books', stands as some kind of conventional motif, or actually refers to multiple exemplars, likely a disordered Ior text and a number of manuscripts or manuscript fragments containing additional material, will be addressed below. Marginal illustrations occur throughout, including a diagram of the court during a land claim common to many Ior manuscripts, likely from the time of the manuscript's production, if not by the scribe himself.[342] Annotation and additions appear soon after composition. The end of quire 10 (f. 77) has deliberately been left blank mid-sentence on the recto; the page has later been filled with a letter in English from 'Seynt leon yᵉ pope' to 'kyng charlis' and the verso later still with a sequence of pleadings in Welsh running on to an inserted leaf (f. 78).[343] The same hand adds an inserted leaf earlier in the manuscript (f. 24) and an *englyn* in the margins; another hand adds some more material on f. 52. Marginal notation, mostly names, appears throughout, dating from the fifteenth through to the sixteenth century, with annotation by William Maurice in the seventeenth. It is during this period that the manuscript appears to have become disordered, with surviving quires and fragments of quires overcast and some constituted anew, badly cropped in places, and the quire signatures 1–11 added. This process makes collation difficult. T.IV.ii summarises the foliation, gatherings and contents, with square brackets indicating the broad type of material. T.IV.iii lists the textual links between parts of *Lew* and other Welsh law manuscripts more completely. T.IV.iv features a re-ordered Lew correcting for the presently disordered binding; the disorder of the exemplar is here clear.

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[341] 'Material from the best books he found'. Colophon is on f. 74ᵛ. This phrasing mirrors that found in the Preface to *Llyfr Prawf*, the relevant part discussed and edited below (5.2.5).

[342] This diagram appears in *A* and *S* and many manuscripts in between; a complete collection of these pictures, and a cross analysis with an eye on English and Continental parallels would be useful in determining whether Ior was indeed the point of origin.

[343] For this English-language letter in the context of English-Welsh relations, see Marx, 'Middle English Texts'.

Quires III to IX, and the beginning of quire X contain, with one exception, law belonging to Ior. The exception is five pages of material on religious persons in quire IV, attested also in *Q* and *P*. As will be discussed more fully below, the strange placement of this material is due to disorder in *Lew*'s exemplar, not disorder in the current manuscript. Quires I and II, and the remainder of X and XI all contain additional material, although these two groups of quires demonstrate additional material of different types. Quires I and II contain material also found in the later Bleg manuscripts *S*, *Tim*, *Ep*, *P* and *Q*. Christine James and Sara Elin Roberts have both drawn attention to the corpus of additional material existing in south Wales during this period.[344] Though there is undoubted loss of leaves, or even quires, here in *Lew*, an interest in that corpus is clearly discernible in the surviving pages. An emphasis on the law of religious men is evident. *Cyfraith Crefyddwyr* is found elsewhere only in *S*, a manuscript which shows marked interest in local saints; *Lew* includes this tractate and an additional section on hermits which either was not in *S*'s exemplar or which the editor-copyist of *S* saw fit not to include. A textual connection with *J* during the opening triadic material of quire I, and with *Q* during the remainder, is also notable. *Cynghawsedd* and *damweiniau* are found in quires X and XI, occurring, as we have seen, in core manuscripts as well as those second-stage manuscripts already described above.[345] Note that the *damweiniau* material is muddled and the *cynghawsedd* material is written over a reduced number of lines (with the page filled in later by other hands). A small amount of material found in manuscripts of the Bleg pattern also occurs here, all but the first sentence of the tractate on *Dirwy* and a few sentences from other places in *Cyfraith y Wlad*. It is notable that these sections again touch on the matter of the law of religious persons.

As an example of a Ior manuscript, Lew both conforms to a norm and is quite unusual. The similarities of the Ior material, by far the greater portion of the manuscript, are consistently with a certain group of law-books: *D* (especially), *K* and, in parts, *G*. These manuscripts, containing majority Ior material, and large runs of tractates in the conventional order seen in the thirteenth-century manuscripts *A*, *B*, *C* and *E*, form a group of which *Lew* is a part. The inclusion of *cynghawsedd* and *damweiniau*, *B* and *G* containing the former and *D*, *K* and *G* containing the latter, also fits this norm. The material on religious persons, and the other additional material in quires I and II, is, however, unique in a mainly Ior manuscript. A case can certainly be made that quires I and II, the misplaced material in quire III, and the Bleg material coming at the end of quire XI, all come from a source distinct from the rest of the manuscript, bearing much closer textual similarity to the source materials available to *S*, *Tim*, *Ep*, *P* and *Q*. Whether this indeed was the case for *Lew*, that is, whether the scribe was copying from at least two distinct manuscripts, or whether this mixing of source material occurred at an earlier stage, is a question which may only be answered following an examination of the archaeology of the manuscript.

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[344] James, 'Golygiad', 'Tradition and Innovation'; Roberts, 'Creu Trefn', 'Law Texts', *Llawysgrif Pomffred*.
[345] See n. 107 above for *cyghawsedd* and *damweiniau*.

There are two central questions in the reconstruction of the manuscript: what the original ordering of quires in Lew was; and how much, or what kind, of material is missing. Quires I and II, V and VI, and VIII–X are in the correct position in the manuscript respective to each other: the 'Three Kinds of Bars to a Suit' triad runs across I and II; although VI begins with the diagram of the court during a land claim, the Case for Land text runs on between V and VI; and quires VIII, IX and X all directly run on to each other, with continuity between the Family Law and Joint Ploughing tractates respectively.[346] Run-ons in material between quires not currently next to each other in the manuscript provide the clearest internal evidence for a potential reorganisation. Suretyship material runs over quires IV and VII, *Briduw* between VII and V, and the Law of Women between VI and VIII. Incorporating these continuities, a central core of the original manuscript survives, running IV-VII-V-VI-VIII-IX-X.

Quire III, though only containing Iorwerth material, does not run on to any other quire, beginning at the top of the Value of Equipment tractate but finishing abruptly with the *Naw Affaith galanas*; though the *Naw Affaith* Theft and *Naw Affaith* Fire appear elsewhere in the manuscript, the remainder of this part appears to have been lost. Either at least one quire is lost between quire III and wherever it may have come in the original organisation of the manuscript, or, less likely, disorder in the exemplar lines up exactly with the present end of the quire.[347] Given that the run of material outlined is continuous, quire III must have originally come before or after this collection. The positioning of the material on the page in quire X appears to indicate the end of the manuscript, or at least the end of the Ior exemplar; perhaps quire III came before quire IV, the first quire in the reordered core of the manuscript, with some lost material in between.

Quires I and II run on to each other, but there is no textual or codicological information in the manuscript as to their original positioning. Quire I is clearly defective, with material missing between the first and second folio. Quire XI begins with a rubricated initial but is also textually unconnected to the rest of the manuscript. Despite the end of quire X looking very much like the end of the manuscript, it is tempting to put these three quires after the main run, with leaves and quires missing between them. Most *CH* manuscripts follow the main-text pattern, although exceptions to this rule are present early and multiply as the centuries pass.[348] In the main-text manuscript, additional material is often placed at the end of sections or the end of the manuscript as a whole, whether in a long, miscellaneous tail as in some Bleg manuscripts, or in a more tightly ordered book.[349] Even manuscripts that seem to follow a

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[346] *CHW*, by terming the material at the end of quire X '*damweiniau*' when it in fact belongs to the genre of *cynghawsedd* as seen in *B* and *G*, could, on a cursory glance at the table of contents for *Lew*, create a false sense of continuity between quires X and XI.

[347] I say less likely as this is clearly not the case in most of the quires; our scribe appears not to be fitting the disordered quires of his exemplar(s) into the space of his own quires. Though note f. 9, where a text ends prematurely on the recto and a new one begins on the verso.

[348] Variant ordering within the main text (*Col* and *K*); different parts deriving from different recensions (*Y*); personal collections of legal miscellanea (*G, H, As* and *Mor* – see 3.4.4 above for *F*).

[349] *B* ends its *cynghawsedd* with the phrase, *ac euelly e teruyna llyuer kyghaussed*, 'and so ends the book of *cynghawsedd*'.

different structural paradigm, for example, the foregrounding of *Llyfr Prawf* in *K*, retain the tail as an organisational device. The majority of *Lew*, as has been noted, is Ior material; even if the original ordering of the Ior material in *Lew's* exemplar was along the lines of *F* or *K*, that is, missing *Cyfraith y Llys* and foregrounding *Llyfr Prawf*, additional material, as with the thirteenth-century manuscripts *A*, *B* and *E*, commonly comes at the end. If quires I and II, as well as XI, derive from a different exemplar from the rest of the manuscript, it is likely that our scribe would have copied this material after his main Ior text.

T.IV.iv represents a reorganised manuscript along the above lines. A jagged line between quires indicates material now lost; exclamation marks in square brackets either before or after the description of contents indicates an abrupt beginning or ending respectively. Arabic numbering in the right-hand column follows the ordering of sections in the thirteenth-century Ior manuscripts, increasing by one if material is lost, and using letters after the numbers to indicate where continuous material is split by disorder in the exemplar. Using these numbers, it is possible to see just how disordered *Lew's* exemplar was and how much is currently lost from the manuscript. Inverting the depiction there, the table below (Figure 7) demonstrates the runs of material *Lew* is missing. Indicated in the third column is the number of sentences missing from the editions in Volume II, the estimated lines in the manuscript, and the estimated pages. Two samples were taken to provide these estimates, yielding 33 sentences and 118 lines, and 38 sentences and 143 lines. This provides a factor of 3.67 to convert sentences in the edition to estimated lines in *Lew*. To produce the page figure, I divided by 16, as 16 lines to a page is common in the manuscript. 8–10 in Figure 7 below were not edited for this thesis. Here, I gathered an estimate from *Ior*. Using the figures of the Law of Women, 9 pages in *Ior* covers 146 sentences in my edition. This allowed estimates for 8 and 9, where *Lew* omits the entire tractate. For 8, *Tair Colofn Cyfraith*, *Lew* attests some parts and omits others. There are 160 lines of *Tair Colofn* in the manuscript. The same material, all of *Tair Colofn*, takes up 13 pages in *Ior*. According to the ratios outlined above, we would expect those 160 lines to take up nearly 3 pages in *Ior*. This would leave 10 pages of material missing.

These figures give a maximum of 174.8 pages missing from the Ior material or, taking 16 pages to a quire as seems usual in the manuscript, 11 quires. This is, of course, a maximum; it is unlikely that *Lew* consisted of 22 quires. To calculate a minimum, we can note that the only section to end abruptly is the *Naw Affaith galanas* at the end of quire III, and Family Law at the beginning of quire IV. Taking only the remainder of the Land Law occurring before Family Law, and the missing section of Family Law, and *Naw Affaith galanas*, the missing quires are between 2 or 3. If we put this number at 3 or 4, there remains some room for other parts of sections missing as well as other 'additional' material which may have come at the end of the manuscript. A number of quires in the mid-teens seems appropriate for a manuscript of this size.

We might make a few conclusions to draw this discussion to a close. *Lew* is certainly mis-bound, the evidence of run-ons between quires demonstrates this aptly. It is also highly unlikely that *Lew* ever had a complete collection of Ior 'core' material, as with *K*, or even *D*. *Lew* is a very small manuscript, pages measuring 122 x 95mm; to fit the remainder of the material now missing would require an incredibly small and thick book. It is also likely that *Lew*, and its exemplar, were unbound for much of their lives. It has already been noted that the binding in the seventeenth century makes it difficult to identify quire boundaries in the manuscript. It may have been the case that *Lew* was in a sorry state by this period, with quires gathered in an errant order, some pages missing, some cut out, and the heavy binding represented an attempt to save the manuscript from complete destruction. Nevertheless, even if one is fairly generous with the original state of the manuscript, the exemplar must also have been in dire straits. Noting the re-ordered *Lew* in T.IV.iv, the discontinuous run of core Ior material raises an eyebrow. Either the exemplar had deliberately re-ordered, or some kind of accidental mis-binding or loss represents the current state. It seems likely that both may have occurred. Some loss of material appears deliberate; the missed sections in the Land Law material running across quires V and VI (4 and 5 in Figure 7 above) begin and end at reasonable section boundaries and are too small to represent the loss of quires or folios. It is also hard to see how all the missing tractates could fit into a manuscript without missing quires; either our copyist has omitted them, or they do not appear in the exemplar. There is no clear continuation of theme across these disordered parts.[350] Surely the scribe would have been aware that sections he was copying corresponded to other parts earlier or later in his exemplar. We have seen the influence of the Ior book-tradition in *D*, *K*, and to a lesser extent, *F*. It would be surprising if deliberate change had occasioned such an ordering of the Ior material. Nevertheless, there appears to be no easy narrative which would restore an order similar to the 'core' manuscripts or the *Llyfr Prawf* oriented structure of *K*. Lewys Ysgolhaig's contention in the colophon that the manuscript was comprised from *ddethol y llyfrev gorev ac a gauas ef* is here laughable.[351] Was this really the best book he could find? It seems unlikely that he would have been writing for a wealthy or significant patron; other manuscripts from the period demonstrate that wider bibliographical contacts were certainly possible and common. Perhaps Lewys visited another religious house and found a legal manuscript containing much religious material of interest, causing him to copy an interesting, though disordered, manuscript for his own use. Perhaps, as a cleric living in an impoverished community with no larger contacts with the libraries of influential laymen, this manuscript was the only one Lewys could find, and his efforts represent making the best out of a bad situation. Fundamentally, much of this context is unknown, hidden beneath the complicated layers of activity seen in the manuscript.[352]

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[350] Although, of course, we should be aware of using modern ideas of narrative in analysing the organisation of a medieval didactic text: see 1.4.4 above.

[351] See n. 341.

[352] If Lewys was writing for himself, why would he leave a colophon? The *llyfvrev gorev* sounds like a plea to authority. Perhaps Lewys was parroting the Preface to *Llyfr Prawf*, in other words, the tradition as a whole was compiled from the best books. Perhaps he was copying a comment made in his exemplar.

The organisation of material seen both in *Lew*, and likely in its exemplar, demonstrates many types of disorder: deliberate exclusion of textual parts in the copying; missing quires, folios and cut pages; and the copying of this disordered material and its subsequent disordering. *Lew* provides an important example of how the dissemination of legal material functioned amongst those copying for their own pleasure or with poor source material. Manuscripts of *CH* were rarely finished products as they left the scriptorium, representing a unified whole until damage made them unusable and they were cast aside. Continual re-use, whether through annotation, the copying of material into fresh quires, re-binding with other manuscripts, or the shuffling of quires, defined interaction with manuscripts throughout the Middle Ages. This activity appears, in many cases, to have taken place within unbound booklets, subject to exactly the kind of structural disorder we can see in *Lew*. This manuscript is an extreme example; nevertheless, the use of this material, the need to copy and re-copy despite a clearly disordered nature which surely would have made consultation difficult, demonstrates the value of native Welsh law to a cleric in fifteenth-century south-west Wales.

	SECTION	SENTENCES IN MY EDITION/ ESTIMATED LINES IN MS/PAGES IN MS	
1	The Nine Tongued Ones	Present in *ABDE*	
2	The end of the Law of Women	103/378/23.6	
3	Injury to an Animal, Pleadings, the beginning of Suretyship	50/183/11.4	
4	Land Law (end of Case for Land and beginning of Miscellaneous 1)	50/183/11.4	
5	Land Law (end of Miscellaneous 1, beginning of Testifiers	17/62/3.9	
6	Land Law (Division of Land and Regalities)	16/59/3.7	
7	The end of Land Law and beginning of Family Law	77/283/4.8	
8	*Tair Colofn*	*Attests, but loss unknown: perhaps 10 pages in* Ior (approx.. 162/594/37)	*Not Edited*
9	*Wild and Tame*	*All – 9 pages in* Ior(approx. 146/536/33.5)	*Not Edited*
10	*Value of Houses*	*All – 1 page in* Ior (approx.. 16/58/3.7)	*Not Edited*
11	End of Value of Equipment, Furniture and Weapons and Value of Limbs	42/154/9.6	
12	Corn Damage	83/305/19	
	TOTAL LOSS	438/1607/100	
	TOTAL LOSS INCLUDING ESTIMATES	762/2796/174.8	

Figure 7 - Missing Material in Lew

3.5 CATEGORISING IOR: LATER IOR BOOKS

3.5.1 Second-Stage Manuscripts

The discussion in 3.4 has focussed on one form of second-stage Ior, namely, those later manuscripts largely based on either Ior content or Ior structure, but departing from this form in multiple ways. *K* represents a Ior manuscript changed only in order; its content mirrors the core manuscript and its text follows the readings in *D* and other manuscripts of the southern Ior group.[353] The foregrounding of *Llyfr Prawf* is characteristic; this unique creation of the Ior book-tradition was clearly of prime interest to compilers in the fifteenth century. *K* also made use of the idea of accumulating material at the end of the manuscript. Although additional material appeared at the end of manuscripts from at least the thirteenth century (for example, the *cynghawsedd* at the end of *B*), the tail tradition of later Bleg manuscripts was something quite specific. *F* comes closer to this pattern than *K*, though still retaining a strong connection with a Ior order. Again, *Llyfr Prawf* opens the manuscript, although here the material after *Tair Colofn*, and all of *Cyfraith y Wlad*, is left out in favour of triads and *damweiniau*. Following this tail, a selection of surety material appears, of which the first ten pages represent material from *Cyfraith y Wlad* on suretyship, *briduw* and contract. *Lew* remains far more problematic to analyse due both to the current mis-binding and loss, but also to the likely errant organisation of its exemplar. Nevertheless, again, we see the same themes: no *Cyfraith y Llys*, a reduced *Cyfraith y Wlad* focussing on Suretyship and Land Law, and the use of this frame to introduce material of interest to the patron and scribe (here religious material). It is impossible to know whether *Llyfr Prawf* formed the first part of *Lew*, although it certainly seems likely. *D* provides another piece to the puzzle, that is, that full, well-presented copies of the core Ior text were available to law-book compilers in the fifteenth century. All these manuscripts make the case for a vibrant and creative reception of Ior material in the fifteenth century, focussing, first, on *Llyfr Prawf*, both as a way of providing structure to their manuscripts, but also in terms of content, and, second, on *Cyfraith y Wlad*, whose material on Land Law and Suretyship fills *K*, *F* and *Lew*.

Two important examples of Ior-like manuscripts have not been discussed in great detail: *Col*, from the mid-thirteenth century, and *G*, from the early fourteenth. *G*, as has been argued by Aled Rhys Wiliam, represents an earlier stage in the process that led to manuscripts such as *F*.[354] Although disordered and containing much additional material, mirroring, therefore, the books described above, *G* is closer in date to *Col* than *D*. Wiliam has written about the identification of parts of *G* with *Llyfr Cynog*, an earlier

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[353] See the discussion at 5.3 below. 'Southern' is used here to refer to a range of manuscripts from outside of the old kingdom of Gwynedd dating from the later Middle Ages. Most are southern but a few important examples, such as *K* and *F*, come from the north-eastern and central March. Nevertheless, for ease of reference, the term is used mostly interchangeably with second-stage.

[354] See the comparisons at Wiliam, 'Y Deddfgronau', pp. 100–3, and his *Llyfr Cynog* and 'Reconstruction'.

law-book from the twelfth century.[355] *G* appears to have been an attempt to combine parts of this *Llyfr Cynog* with parts of the Ior core text, alongside *damweiniau* and *cynghawsedd*. There is not the space here to discuss in detail the structure of *G*, nor the correspondences between its contents and the material present in other manuscripts; suffice to say that the core material borrowed from Ior is, again, Land Law and Suretyship from *Cyfraith y Wlad* (also, here, *Gwerth Gwyllt y Dof*), and the majority of *Llyfr Prawf* and its Appendix. *G* comprises two parts, bound in the fifteenth century, the first representing the composite manuscript already mentioned, the second a collection of *cynghawsedd* also dated to the early-fourteenth century. The Ior material occurs in three blocks (quires 5–7, 15–16 and 12–14), with *damweiniau* on quire 17. A re-ordering of the Ior material is depicted in T.IV.v; as with *Lew*, run ons and the ordering of Ior material in the core manuscripts allow us to put together this picture. The original order of the manuscript is suggested by the pattern of rubrication: space is clearly left throughout for large initials, but only in quire 5 are these coloured in red. This fact may well suggest that the manuscript was intended to begin with this Ior material. If this is the case, we are left with an ordering of Ior material beginning with Suretyship, continuing as usual through Land Law, though finishing early. Family Law is then omitted, and we pick back up with *Gwerth Gwyllt a Dof* and the entire Appendix to *Llyfr Prawf*, before beginning with the *Naw Affaith*. This run of material then ends with a misplaced Law of Women and a small amount of Family Law. To make matters more complicated, other Ior material appears throughout *G* (edited as *G₂* in Volume II), presumably from a different source. Again, as with *Lew*, the original order of the Ior section is unclear. It does seem as if *Llyfr Prawf* is not seen here as the natural beginning; the pattern in *G*, perhaps through a disordered intermediary, represents much more the core pattern discussed in 3.3 above, though omitting *Cyfraith y Llys*. The Suretyship tractate is not a strange place to start a law-book. The second-stage manuscripts as a whole omit *Cyfraith y Llys* and the Nine Tongued Ones. If the Law of Women is moved elsewhere, as here seems to be the case (and as was done in *B*), the remaining *Cyfraith y Wlad* mainly consists of Suretyship and Land Law, in that order. Beginning in such a way retains an emphasis on material which we know from other evidence was of great use to jurists in the fourteenth and fifteenth centuries. Indeed, the broader pattern, as with *K*, *Lew* and *F*, is that the same kind of Ior material, regardless of its order, is used to structure the presentation of additional material and to provide the bulk of the content of the law-book.[356]

Col, as with *G*, also belongs to a very different historical and bibliographical context than the fifteenth-century manuscripts discussed above, forming a part of the set of legal innovations which led to the

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[355] Wiliam, *Llyfr Cynog* and 'Restoration'. See also comments on *Llyfr Cynog* in Roberts, *Llawysgrif Pomffred*, pp. 26–46.

[356] *Llan* presents another stage in this development. Whilst *D* demonstrates a complete Ior text in a composite manuscript, and *G* demonstrates a combination of Ior material and something like a commonplace book, *Llan* features a Ior text similar to the core manuscripts, with the addition of a long list of *damweiniau* and *cynghawsedd* at the end and additions to the prologue to *Llyfr Prawf* not seen in the tradition until *D* (that is, the story of Hywel Dda going to Rome). *Llan* is not southern but is instead located within Meirionnydd. See Jenkins, 'Llawysgrif Goll Llanforda' for more detail.

emergence of core Ior. Dating to the central decades of the thirteenth century, *Col* represents a re-ordered and re-phrased form of Ior, taking a more discursive and intellectual approach, as the reference to 'Latin books' has already made clear.[357] The order of *Col* matches neither the core pattern nor the emphasis on *Llyfr Prawf* seen in *K* and *F*. Moving backwards through the manuscript, as the beginning is now lost, *Col* ends with a significant collection of *damweiniau*, with Ior Land Law coming before. Before this we see *Tair Colofn*, *Gwerth Gwyllt a Dof*, Corn Damage and Joint Ploughing. Surety material then appears in a block, preceeded by Injury to an Animal and the Law of Women. This pattern is tabulated below, at Figure 8.

SECTION	ORIGINAL PART	ORDER IN CORE IOR BOOKS
Law of Women	*Cyfraith y Wlad*	1
Injury to An Animal	*Cyfraith y Wlad*	2
Suretyship (broadly)	*Cyfraith y Wlad*	3
Joint Ploughing	Appendix to *Llyfr Prawf*	7
Corn Damage	Appendix to *Llyfr Prawf*	8
Gwerth Gwyllt y Dof	*Llyfr Prawf*	6
Tair Colofn	*Llyfr Prawf*	5
Land Law	*Cyfraith y Wlad*	4
Damweiniau	Tail	9

Figure 8 - The Order of Col

The presence of *damweiniau* at the end of *Col* mirrors what should now seem a clear structural norm in the organisation of the *CH* manuscript: additional material at the end of the main-text. The extraction of Land Law from *Cyfraith y Wlad* also draws attention to this material at the end of the manuscript. The remainder appears in the same groups as within the typical Ior manuscript, although the Appendix material is moved before that belonging to *Llyfr Prawf*. One could speculate endlessly about the reasons for ordering in such a manner; the copyist has clearly focussed on the later stages of the manuscript, re-ordering from Land Law to the end of the main-text. No direct line of influence is traceable from *Col* to our fifteenth-century manuscripts, *K*, *Lew*, *F* and *D*. Nevertheless, *Col* demonstrates another way in which structure provided the central feature for a renovation of the Ior book-tradition.[358]

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[357] The key discussions on *Col* remain Jenkins, ed., *Llyfr Colan* and *Damweiniau Colan*. See also Jenkins, 'Ail Olwg', and 5.2 and 5.3.4 below. See n. 156.

[358] Although note here the similarity in readings noted by Jenkins with respects to the *damweiniau* in *Col* and the lost manuscript *Llan*, Jenkins, 'Llawysgrif Goll Llanforda'.

3.5.2 Ior in Tails

The reception of Ior material in other book-traditions, especially later manuscripts of the Bleg pattern, draws on the same themes. *Q*, from the first half of the fifteenth century, *S* and *Tim* from the central decades, and *P* and *Ep* from the latter half, all contain significant amounts of Ior material in their tails. Christine James and Sara Elin Roberts, among others, have shown the profoundly creative enterprise which resulted in these complex collections of old and new.[359] The Bleg tails were not a simple dumping ground for interesting material, but had a textual life of their own, being copied and edited similarly to the main text. The tail provided a site for the incorporation of other material of interest to the copyist and patron, whether it be local custom, religious law, triads and pleadings, or material from other book-traditions. The use of Ior material in structuring these tails is a related though distinct story to the second-stage manuscripts explored above. Although Ior material appears in a very different context to the fifteenth-century manuscripts, that is, as a part of a tail rather than as structuring the main body of the law text, similar material occurs in both. Figure 9 shows the occurrence of Ior sections, either in part or in whole, in these five manuscripts. Surety, and material associated with it, alongside Land Law, top the list. Other material from the Appendix to *Llyfr Prawf* proves popular (Joint Ploughing), as does material from *Cyfraith y Wlad* (Law of Women, Injury to an Animal). The real difference with our second-stage manuscripts, however, is the occurrence of Theft, *Galanas* and Fire. Unlike in *K*, *F*, *Lew*, *G*, *Col* and *D* (and the core manuscripts *A*, *B*, *C* and *E*), the expression of this borrowed material in Bleg manuscripts does not focus on the *Naw Affaith* nor is it structured in the form of *Tair Colofn*. The reason may well be clear: these manuscripts already had *Tair Colofn* in the body of their main texts. Nevertheless, Ior theft material proved extremely popular in the tails of these later manuscripts, likely touching on aspects of the law not elucidated by other additional or main-text Bleg sections. Three of the key topics for the increasingly popular legal genres of *damweiniau*, *cynghawsedd* and *cwynion* were theft, land law and suretyship; it is not surprising that the law-book compilers would focus on accumulating Ior material that touches on the same subjects.

Y, from the middle of the fourteenth century, *Bost*, from the second half, and *J*, from the turn of the fifteenth, show an earlier state in the same pattern of development. *Y*, with a Cyfn *Cyfraith y Llys* and a Bleg remainder, seems to follow a pattern like that described above. The Law of Women, Suretyship, Galanas, Theft, Fire and Corn Damage all find their way into its tail.[360] *J* and *Bost* seem more restrained, both featuring the Theft material shared with *Y*, *S*, *P*, *Ep*, *Q* and *Tim*, but *J* also including Land Law and Family Law. A central distinction to the later Bleg manuscripts is, however, the centrality of the Ior material to their tails. If we take the division where Bleg manuscripts usually begin with additional material, only five folios remain of *Bost*. One page contains Ior theft material, another two pages feature

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[359] For references, see n. 159.

[360] For the composite Corn Damage material in *Y*, linking with material in *S* and combining a range of material from different book-traditions, see the endnote at S.XIII.xv.ii.

plaints and the remainder covers religious and legal material not relating to *CH*. *J* has a far longer tail, around 100 pages, but nearly half of this is Ior. Indeed, a good deal of the remainder is *damweiniau*, a form of law already shown to have long associations with Ior. The Cyfn manuscripts *Mk*, *V* and *W*, all from the early-fourteenth century, take us a further step back into the incorporation of Ior material into the tail. *Mk*, like many manuscripts already mentioned, incorporates Theft material, and *W* has some Land Law prescriptions, but all three instead focus on the Value of Trees.[361] We might see a similar aim here as explained with the Theft material above, that is, the place of these extra provisions in covering legal topics not covered by the main text. But, regardless, the focus on Land Law and Theft, and the use of Ior material, is here clear.

SECTION	MANUSCRIPTS
Suretyship; Church Protection	*Q*, *Ep*, *P*, *S* and *Tim*
Surety Pleadings	*Q*, *Ep*, *P* and *Tim*
Law of Women; Land Law; Joint Ploughing; Theft	*Q*, *Ep*, *S* and *Tim*
Injury to an Animal	*Q*, *Ep* and *Tim*
Briduw; Warranty	*Q*, *Ep* and *P*
Family Law	*Q*, *Ep* and *S*
Galanas; Fire; Value of Limbs	*Q* and *Ep*
Corn Damage	*Q* and *S*
Value of Trees	*S*

Figure 9 - Ior Material in Later Bleg Manuscripts

These examples, *Mk*, *V* and *W* in the early fourteenth century (the same date as *G*), *Y* from the mid-fourteenth, *Bost* from the second half, *J* from the turn of the fifteenth, *Q* from the beginning of the fifteenth, *S* and *Tim* from the central decades of that century, and *P* and *Ep* from the end, all put forward a narrative of the reception of Ior in manuscripts of other book-traditions, one tied to the development of tails as areas of creative accretion. The evidence shows that Ior material played a central part in populating these tails, providing a point of authority and structure in the expression of novel legal information. Beginning with a focus on Theft and Land Law, later manuscripts encompassed a wide range of material popular at the time, mirroring a similar interest on the part of the compilers of our second-stage manuscripts. Nevertheless, a line should be drawn in intent and development between the manuscripts discussed here and those discussed in 3.5.1. The culmination of the tail tradition appears in those manuscripts with exceedingly long tails (for example, *S* or *Z*), and those that appear as long tails without the body (*As* and *Mor* from the later-fifteenth century).[362] The tail tradition appears to have had its origin amongst Cyfn/Bleg books, those southern manuscripts from the early-fourteenth century.

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[361] There is perhaps a connection here with why *S* seems, so uniquely, to attest the Ior Value of Trees tractate.
[362] Here the tail wags the dog.

Although a few exceptions exist, the tails remained separate from the main body, and it was only in the former where Ior material occurred.[363] As explored above, the second-stage manuscripts structured themselves around the Ior material, either retaining a main-text Ior, or building additional prescriptions around material derived from *Llyfr Prawf* and *Cyfraith y Wlad*. The two types of law-book should be seen as quite distinct forms of *CH*, though both showing the influence of the Ior book-tradition.

3.5.3 Conclusions

Doubts are raised in this thesis over the use of 'text' in reference to *CH*; these objections cover both the damage that a stemmatic mindset might bring to an accurate understanding of textual development in this period, but also the idea of manuscripts as 'copies' rather than distinct works in their own right.[364] The manuscripts discussed here, whether second-stage or tail, cannot be understood as imprints made from a single stamp. The editor-copyist of each law-book approached a unique set of interests and requirements, providing an answer deeply related to their own legal, administrative, and cultural contexts. The response could vary. The literary and bibliographical contacts were broad: *D* was a part of a wide network of scribes servicing the cultural needs of the early-fifteenth century aristocracy; *K* demonstrates links with lawyers, landowners and poets across the region; *F* shows links again with a great family in the March, as well as Cistercian monasteries. The regional material in *S*, *Tim*, *Q* and *Ep* demonstrates a deep well of local custom which would have been of great use to a jurist in the March. A well-connected editor-copyist, or patron, would be able to acquire a wide range of legal material: written representations of local custom; Ior texts such as that in *D*; other, second-stage forms of Ior, such as *K* and *F*; earlier Cyfn manuscripts; Bleg manuscripts with long tails; Latin laws; collections of *cynghawsedd*, *damweiniau* and plaints; and doubtless everything in-between. The editor-copyists from this period worked within a *CH* tradition, one with a clear connection to the practice of native law in the March, but, in contrast to the 'official' situation pertaining in mid-thirteenth century Gwynedd, with manuscripts that represented several different forms of the law. Some were likely favoured in certain Marcher Lordships, by certain landlords, copyists and institutions. Political considerations might lead to the choosing of one form over another – note here the erasure of Iorwerth ap Madog's name from the Preface and the re-ordering of the three regions of Wales by *F*.[365] Practical considerations of legal procedure, likely the driver behind the structured accumulation of material in our tails, could also prevail.[366] Nevertheless, the production of a law-book, as the examples above demonstrate, was a unique coming-together of copyist, context and content. The presence of law, poetry, calendar, triads, *damweiniau* and plaints in *K* exist as a complete work; the contemporary meaning of the manuscript is

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[363] The exceptions are mostly Cyfn (*Y* and *Mk*, for example), demonstrating that the full flowering of the 'tail' tradition belongs to the later Bleg manuscripts.

[364] See 2.3 above, and 4.1.1 below.

[365] See the edited text, Figure 18, at 5.2.5 below.

[366] Owen, 'A Fifteenth-Century Law-book', p. 89, suggests that 'difference in procedure would be one of the most obviously distinguishing features between Welsh and English law in the administration of law in the courts. It is this emphasis which suggests that late medieval law texts had a pragmatic value in the Marcher lordships'.

in its whole, in the pattern emerging from all texts, all physical characteristics, whether form of script, rubrication, the arrangement of quires, annotation, or the types of legal material there joined as one. Whilst diversity reigned in the fourteenth and fifteenth centuries, this diversity can be reduced and analysed using the idea of the book-tradition, an analysis which demonstrates the profound individuality of these manuscripts, and the processes of development and change which drew them all together.

4 A DATA-DRIVEN APPROACH TO CHANGE IN THE IORWERTH TEXT

4.1 INTRODUCTION

In Chapter 2, a case was made for the idea of the book-tradition as a point of departure for an analysis of medieval manuscripts, especially those containing material fluid and elusive in nature. It was a form, or pattern, which stood at the forefront of contemporaries' minds when copying and working with this kind of native legal material, more flexible and dynamic than the modern idea of the text. Three theses discussed in the edited collection *The Medieval Manuscript Book: Cultural Approaches* were incorporated into the discussion: the manuscript as process as much as product, resulting in absolute numerical uniqueness; continued and constant evolution of the manuscript book, necessitating a focus on the manuscript's entire life cycle; and the dominance of decentralized forms of authority throughout the production and reading process (if they can be easily separated).[367] This approach may be described as horizontal, emphasizing codicological points. An account of the four core manuscripts of the Iorwerth recension, *A*, *B*, *C* and *E*, and several manuscripts containing, to lesser or greater extents, derived material, was presented along these methodological lines. Underlying this all was an idea of *CH* as a book-tradition, a pattern of material unique in structure, expression and content. Although other forms of traditional, oral and customary law certainly held authority across Wales (native pleading procedures, customary and administrative lore such as the Seven Bishop Houses of Dyfed or the *Breiniau Gwyr Arfon*, and English common law all present strong examples), it was the tradition of *CH* which operated as *the* premier written source of legal authority in Wales. Its prescriptions formed an axis around which notions of national identity and elite anxiety played out in the twelfth and thirteenth centuries. The *CH* tradition was multifarious and multivalent, collaborative rather than monolithic, existing as propaganda, textbook, reference, imaginative fiction and antiquarian lore – sometimes all at once.[368] Although used in different ways, appearing in manuscripts of differing shapes and sizes, and encompassing a striking range of textual variation, this form of law remained 'a thing' with recognised structure and content, tied together with a paradigmatic vocabulary of its own. It was this thing which formed the book-tradition of *CH*.

The central decades of the thirteenth century saw the emergence of a sub-type of this *CH* pattern: the Iorwerth book-tradition. Although encompassing a great deal of variety (in structural patterns, as with the distinct position of the Law of Women in *B*, and in material, as with the differing *galanas* tractates), our four thirteenth-century manuscripts carried a recognisably different and coherent form of *CH*. This reorganised, restructured and rephrased material found its way, in various ways and for various reasons,

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[367] Found at Johnston and Dussen, 'Introduction', pp. 4, 6 and 9.
[368] See the conclusion in Stacey, *Law*, pp. 216–21, and the discussion at 3.3.

into manuscripts of diverse productive origins, in a range of regional contexts, of assuredly different use, across the remaining centuries of the Middle Ages. This narrative of development and transmission, with its focus on the wholly individualised nature of reception and re-use in the world of the hand-written manuscript book, has defined my approach so far. What makes a manuscript '*CH*' or 'Ior' is a question involved far more with cultural expectations than with textual criticism. We are, as it were, exploring an idea in the minds of contemporaries rather than solving a textual puzzle of descent, family trees and lost originals. Starting from this question provided a solid ground for considering problems such as the pretext for the production of a hand-written book, the rationale for choosing source material, reasons for including particular sections and tractates, the parameters which defined the process of textual variation, and, fundamentally, the place of the *CH* book in the elite culture of medieval Wales. Chapter 3 teased out many of these problems, examining the core Ior manuscripts and their half-life in a collection of second-stage manuscripts. The chapter proceeded manuscript by manuscript, focussing on the unique context of each item whilst building a general picture of the evolution of the Ior book-tradition across the Middle Ages. Alongside answering a range of more specific research questions, this approach shed light, most broadly, on the appearance of the manuscript book to individuals in medieval Wales, and how creative engagement with these works of art and use functioned and evolved over time and across the country.

4.1.1   A Textual Critique: The Nature of Copying

Putting aside book-traditions and horizontal analysis, this chapter argues that a textual approach, focussing on variations, manuscript grouping and cladistics, continues to have value. Indeed, it is the contention here that these two approaches are not contradictory, but complementary. I hope to develop below what I am referring to as a change in viewpoint rather than the adoption of the whole heuristic baggage of Lachmannian textual criticism. However, before I do so, it is necessary first to detail some of the problems emerging from the application of the tools of traditional textual criticism to the medieval Welsh legal text.[369] It is easy to examine the vast array of textual variations listed below the example editions in Volume II and despair at the possibility of reducing this mass to order. Even amongst our thirteenth-century manuscripts, profound differences in structure and material render the application of a focussed, mechanical, sentence-by-sentence reconstructive method problematic. In a written legal culture where something like *Col* could appear mere decades after the foundation of the Ior tradition, and where books as different in form, size and audience as the monastic, titula-heavy *C* and the orthographically messy *A* could exist side-by-side as part of the same textual program, we must question the presumption made by traditional textual criticism of a single copying culture and set of editorial intentions.[370] Variation, from the selection of differing source material, the rearrangement of tractates

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[369] For a description of 'traditional textual criticism' as I use it, and a short history of its application to *CH*, see 1.5.2, 1.5.3 and 1.5.4. The term is roughly coterminous with the idea of the 'heroic' age of textual criticism developed in Tarrant, *Texts*, pp. 18–29.

[370] For *C* and *A* see 3.2.2 and 3.2.3 respectively.

and the insertion of new material, to the choice of specific prepositions and adverbial phrases, was, in the *CH* tradition, imbued with creativity.[371] It is not without good reason that Christine James titles our writers 'editor-copyists', interested first in the production of a book of use to their patron, but also in the exercise of aesthetic choice.[372]

A clear example in this regard is the reorganisation of parts of the Value of Equipment tractate (E.I) by *D*.[373] It is a sense of structural appropriateness, a difference of opinion on what looks right, which led the editor-copyist of *D*, or one of his predecessors, to change a list of items from the form of 'X farthing, Y farthing, Z farthing' to 'X, Y, Z farthing each'.[374] It was also a matter of sensibility which led to wholesale reordering throughout this tractate; E.I.ii is pulled apart and reconstituted by amounts rather than theme, and reordering throughout E.I.iv, E.I.v and E.I.vi allowed for the abbreviation of runs of material of the same amount. The aim of this activity was presumably a restructuring of a list into a form considered more convenient by the standards of the editor-copyist. For their purposes, the reference book quality of thematic ordering was less vital than the principal of space saving occasioned by numerical ordering. Nevertheless, there may have also been another interest in play, that is, good fit, an artistic sense of appropriateness, a sense of being just right. It is this motivation which must stand behind many of the inconsequential changes made in the development of *CH* and other native Welsh texts. Examples proliferate in the Values of Equipment tractate: adding 'his' or 'its' before an item, choosing a different preposition, a small adverbial rephrasing, and the dance with the words *keinniauc kyfreithiaul*, 'legal pence', sometimes *keinniauc*, sometimes *keinniauc kyfreithiaul*, sometimes 'i', and sometimes nothing. It is this pattern of copying, an embedded culture of casual and deliberate textual movement, which leads to the plethora of variations mentioned above and renders problematic the application of traditional textual methods of reasoning. When change at every point in the editorial process proliferates, for many reasons and with as many different results, reconstruction beyond the immediate exemplar becomes exceedingly difficult.

Beyond the textual chaos created by the creativity of editor-copyists, several objections to the application of traditional textual criticism to the *CH* tradition might be lodged on more fundamental grounds. Foremost is the problematic idea of 'the original'. The formal process of the stemmatic method outlined at 1.5.2 leaves us with three originals: the first, the authorial version of the text; the second, the text of the group archetype; and the third, the direct predecessor of the manuscript in question. In

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[371] This tension between variation as a context-less error to be rolled back, and variation as the lifeblood of the handwritten book, backed by historical, cultural and personal pretexts, has been picked up most recently by Robin Chapman Stacey, *Law* (and discussed at 3.3). Where some differences *can* be explained due to mistakes and the physical demands of the medium, creative (possibly imaginative) reasons can also reasonably be proposed.

[372] See n. 190.

[373] For the referencing shorthand used in this thesis, see 4.4.3. For further discussion of the Values of Equipment, see 5.3.3.

[374] E.I.iii.1–25. Similar is E.I.iii.26–46 with *damdung*, 'sworn appraisal'. For a comparative analysis of these amounts, it is worth nothing that values may be rendered obsolete by inflation occurring at the turn of the thirteenth century (Harvey, 'The English Inflation').

the case of *CH*, how many of these can be said to exist? The connection between Hywel Dda and the manuscripts we currently possess has, in recent decades, been weakened.[375] Even if King Hywel was responsible for redacting a law-book, and this law-book looked like the ones we now possess (that is, main-text), it is uncertain whether the processes of copying and editing interposing between the early-tenth century and the mid-thirteenth would make this original remotely recoverable. Several manuscripts might have been used in the preparation of a Ior text; *Lew* is a particularly muddled example.[376] More awkwardly, a combination of *CH* manuscripts, oral tradition, non-*CH* material and much creative interpretation might have all combined together to produce the manuscripts we now possess – what, then, is this direct predecessor, and how might this easily be reduced to a genealogical relationship?[377] The resolution of a textual problem between a few manuscripts dating from within a few decades of each other with an obvious narrative of development renders a conclusion highly likely; the accumulation of these problems across multiple copies, through multiple reforms, innovations and recensions, throws doubt onto the idea of the recoverable original at the top of that tree. Indeed, we may be dealing here with different kinds of groups: on the one hand, the depiction of an explicit narrative of development, grounded in reality; and, on the other hand, a more general categorisation of sub-traditions. These originals are quite distinct. Conceptually, the distinctions between the second-stage manuscripts made above might suggest not one original but many; each manuscript had its own author and was its own text.[378] Each manuscript was a task of remaking. Do the changes wrought by the Ior redactors change *CH* to such an extent as to render these changes authorial? Our group archetypes, and the individual authorial original, therefore emerge as objectives rather than actualities, conceptual placeholders for a tradition grouped on textual grounds. The α or β in a manuscript family tree thus represents the point at which a tradition has moved to another stage of evolution, whether represented by one manuscript, several, or even a common idea or pattern amongst contemporaries (that is, a book-tradition).[379]

Thomas Charles-Edwards has written most recently in his *Wales and the Britons* about the idea of the 'Model Law-book', a projected pattern for whatever original stands behind our three Welsh-language *CH* recensions.[380] It is a form of inductive reasoning that Charles-Edwards employs in setting down the method by which we are to assess what may or may not have been in this Model Law-book, that is, a range of features which makes antiquity more likely. Charles-Edwards' aim, given the date range of his work (350–1064), is establishing the value of *CH* as evidence for pre-Norman Wales. Two methods are

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[375] For a few examples of the debate, see n. 59.
[376] *Lew* is discussed in detail at 3.4.5.
[377] A more diverse range of source material makes up the tails of our later lawbooks; see James, 'Golygiad', pp. xix–xxv, for a discussion of the sources of *S* and *Tim*.
[378] *D* at 3.4.2; *F* at 3.4.4; *K* at 3.4.3; *Lew* at 3.4.5; and a general discussion at 3.5.
[379] For the examination of textual trees, see 4.6 below.
[380] Charles-Edwards, *Wales*, pp. 267–72. Also see *TWL*, pp. 25–48, especially pp. 47–8.

thus employed; first, a comparison with Irish Law to judge the antiquity of any particular textual part[381] and, second, the appearance of that part in both the northern (Ior) and southern recensions (Cyfn and Bleg) of *CH*.[382] What does 'textual part' mean here? The implication in Charles-Edwards' argument is that legal meaning, textual content and the shape (or structure) of the Model Law-book are all included.[383] Putting aside an analysis of his inductive methodology (notably not making deductive claims but rather presenting a true historian's picture of the most likely scenario), 'the original' of traditional textual criticism looms large in Charles-Edwards' argument. It is, of course, a point of near inductive certainty that material in the surviving law-books both relates directly to a pattern of law present in the twelfth century and in many parts has a heritage demonstrably far older. The argument here is rather that this idea of *the* original creates a pattern of descent which bears little relationship to contemporary ideas of copying and actual textual dissemination. Given what we know of how medieval contemporaries interacted with this legal material, I would consider it unlikely that *a* Model Law-book ever physically existed. Rather, to describe the nature of our evidence more accurately, it is an ongoing relationship in terms of ideas, texts and customary law, existing in the shape of *CH*, which stands behind our current texts. To put the objection in the form of cladistics, the large degree of horizontal contact between manuscripts and their authors must render problematic a pattern of change conceived of as solely one of characteristics derived from a common ancestor.[384] We must make room in our conceptual frameworks for different forms of textual relationships. The field has accepted that different tractates might possess different routes of development; it may well be the case that form and content could also move separately. Memetic ideas of what *CH* should look like might have travelled alongside or beyond the process of binary copying. At the very least, given the objections raised above, the burden must be on the scholar to explain exactly what they mean by 'relationship', 'original' and 'descent' and to ensure that these definitions fit the nature of the texts under discussion.

Fundamentally, however, there may well be something inappropriate, anachronistic even, about the actual cognitive model of traditional textual criticism. This argument boils down to two points: the method of reasoning employed in working through textual variations and the effect of the dominance

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[381] 'The comparison with early Irish law may indicate the nature of the development; and it would thus justify using the texts as evidence for the history of pre-Norman Wales': Charles-Edwards, *Wales*, pp. 270–1.

[382] Our recensions 'have so close a similarity in their organization as texts that both are likely to go back to a single earlier "model-lawbook"; indeed, 'if a particular "tractate" is found both in *Llyfr Iorwerth* and in the southern lawbooks, it passes the first test for supposing that an earlier form of the text may go back to a pre-Norman lawbook': Charles-Edwards, *Wales*, p. 269.

[383] Charles-Edwards distinguishes between legal content, which the example of the Seven Bishop Houses of Dyfed demonstrates may be very old indeed, and the descent of the law-books themselves (*Wales*, pp. 268–9). It is clear here, and with the table of contents on pp. 271–2 , aiming to elucidate 'some shape of the "model-lawbook" and the sections that are likely to preserve pre-Norman Welsh law', that Charles-Edwards is talking about the concept of the textual original outlined above.

[384] Indeed, the use of Ior material in later manuscripts is a key example of this horizontal transmission. A model different to that of archetype and faithful copy is likely more representative of how copyists actually thought of their material.

of cladistic thinking. The reasoning system claimed by textual criticism is deductive and mechanical, the stemma existing, in the words of Richard Tarrant, as 'both a sorting device and a calculator':

> for the stemmatic machinery to function at peak efficiency, however, the scribes themselves need to have behaved more like machines than human beings, faithfully perpetuating the errors in every fresh copy, and studiously refraining from attempts to improve the text either by their own wits or by consulting another copy. Unfortunately, few scribes and readers at any time can have adhered to such an austere code of conduct.[385]

This method therefore becomes one of eliminating 'contamination' (or what 'in another context… would be called "scholarship"').[386] Tarrant continues:

> If we assume that most owners and copyists had at least some interest in improving the quality of their manuscripts, it would seem reasonable to conclude that contamination was a common phenomenon; one might even suspect that it was the norm, and purely vertical transmission the exception.[387]

Tarrant is here commenting in the context of Latin criticism; as he notes, 'the objections raised by medievalists who question the validity of all eclectic reconstructions are of a different order'.[388] I have raised the problems of the nature of textual variation in our legal texts above in some detail, and this theme appears below: here, however, I would reflect on the quality of textual reasoning. As the language used by Charles-Edwards in the proposition of the contents of the Model Law-book shows, textual criticism does *not* proceed along the lines of deduction. To quote Tarrant once more: 'despite what some of its practitioners may seem to believe, textual criticism deals not in proofs or demonstrations, but in probabilities and persuasion'.[389] The choice between two equally suitable readings must be made on personal, subjective grounds; when, in the case of medieval examples such as *CH*, this is the case through much of the text, we might question the objectivity of the method and what, in fact, we are reconstructing.[390] This fact necessitates a culture of deliberate explication both in the emendation of manuscript readings, but also in the initial adoption, whether deliberate or unconscious, of a critical apparatus to facilitate the making of broader conclusions in respects to the development of texts in a given culture. Seeing textual criticism for what it is, that is, a set of heuristics for judging the likelihood of the form and content of lost manuscripts based on extant evidence, we might seriously question its

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[385] Tarrant, *Texts*, p. 14.

[386] This observation comes from Renaissance scholar James Haskins in *ibid.*, p. 15, n. 36.

[387] *Ibid.*, p. 15; this seems a highly likely assumption given what we know of *CH*'s copying culture and the practical use of its manuscript copies.

[388] *Ibid.*, p. 24, n. 17.

[389] *Ibid.*, p. 29; followed by a chapter on the rhetoric of textual criticism. To put it again most aptly: 'textual critics cannot prove that their choices are correct; the most they can hope to do is lead their readers to believe that those choices are the best available ones'; p. 41.

[390] Although, of course, if the entire corpus of readings is available to the editor, as with Classical editions running to the hundreds of manuscript copies, a judgement of what reading is *not* possible can reach near certainty.

application to our medieval Welsh legal texts. Given the chaotic nature of the evidence of variation, and the creative culture of copying from which it stems, the value of these tools in generating predictive results, especially in respects to Model Law-books or group archetypes, is much reduced. Indeed, these arguments may help to explain why most *CH* editions employ reconstructive methodologies and apparatus, but mostly present a best-text edition with obvious errors corrected; to do otherwise would be to go beyond the evidence.[391]

There is then, both in recent Latin criticism and in the case of *CH*, either a failure to apply the traditional form of textual criticism, or an unwillingness to do so. Nevertheless, this foundational conceptual model stands behind all thought on our manuscript texts. Recension, and its predominant depiction in family tree diagrams, touches every aspect of editing and discussions on manuscript 'relations'.[392] The focus on lost originals, the grouping of manuscripts by descent, and the idea of transmission as essentially textual all constitute a profound cladistic mindset. Difference amongst surviving manuscripts forms data points to be drawn up into a net extending into the past; hence why it seems so eminently natural that a tradition as variant as *CH* must reach back so far in time, and why something so obviously incorrect as an error in copying should be emended (or conjectured) without much comment.[393] Those textual traditions where the tools of textual criticism might prove problematic are termed 'open' or 'fluid' to fit within the same paradigm.[394] The dominance of this mindset, reinforced by the framework of early Celtic studies, has led to a side-lining of manuscripts from the later Middle Ages and textual parts in earlier manuscripts thought to be additional (pleadings, *cynghawsedd* and *damweiniau*) only redressed in the last few decades.[395] It is still the case that the form of analysis used for our earliest manuscripts, our core thirteenth-century Ior law-books, differs greatly from that applied to Bleg and miscellaneous manuscripts from the fifteenth and sixteenth centuries. Stemmatics and reconstruction dominate the discussion of our earlier manuscripts, seen as so valuable for revealing even earlier forms of the law, whereas an approach more sensitive to the expectations of contemporaries, more holistic and perhaps more 'horizontal', is prevalent in respects to later texts.[396] Modern textual criticism was born from the study of the Bible; here, the elucidation of the readings of the original was the revelation

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[391] This is especially, and most jarringly, the case for *Ior*. See 4.2 for this argument.

[392] See 4.6 for a further discussion of tree diagrams.

[393] Hywel Emanuel, in his *LTWL*, and following the practices of the Classical tradition, engages in much emendation without clear justification. Compare his edition of Lat C (*LTWL*, pp. 276–90) with the more recent edition by Paul Russell, *WLMA*: 'Emanuel adopted a more interventionist attitude to the text than might be customary nowadays… The apparatus of Emanuel's edition merges glosses and emendation, thus making it very difficult to see what is going on', pp. xv–xvi.

[394] For 'fluid' see Charles-Edwards, 'The Textual Tradition of Medieval Welsh Prose Texts', and Tarrant, *Texts*, p. 61, for 'open' traditions.

[395] The quest for the old and the pure can be seen in the highly-influential work of Daniel Binchy, a lawyer in training: 'my hopes of discovering in the Celtic law-books, and more particularly in the Old Irish tracts, a valuable source of information about primitive Western institutions have been abundantly justified', 'Linguistic and Legal Archaisms', p. 111. See also the discussion above, at 1.5.3 and n. 159. See n. 107 for the *cyghawsedd* and *damweiniau*.

[396] Compare the perspective in James, 'Golygiad', with that in Russell, 'The Arrangement'.

of the word of God. The development of these ideas in Classical studies opened the possibility of recovering texts foundational to Western culture, works of philosophy, literature and history representing the fountainhead of European civilisation. Influences in method, whether direct or by the means of metaphor, with early-twentieth century linguistics and the techniques of phylogenetic systematics, or cladistics, have retained and strengthened this fundamentally reconstructive and diachronic mindset.[397] The comparison with evolutionary biology is an instructive one, though for other reasons: our texts are not biological organisms. Always tempering biogenetical methodologies is the actual existence of the tree of life; the familial relationships said to pertain amongst languages, cultures and texts is instead a conceptual creation of a certain set of cognitive methodologies. Although in some cases bearing a closer relationship to reality, the 'original' text is nevertheless just such a creation. It is vital to be continually aware of the fictive nature of these mindsets, and to evaluate seriously whether our approach, in the generation of useful editions or in piecing together a broader picture of written culture, is doing more harm than good.[398]

4.1.2 Using Textual Criticism

The argument so far has been conceptual and disagreeable. I opened the discussion with the claim that my conception of the book-tradition and the methods and conclusions of a more textual approach are not contradictory, but complementary. I do not claim that the former supplants the latter; nor do I aim to throw the baby out with the bathwater. It is a, hopefully, self-evident point that the purest form of traditional textual criticism does not apply to a textual tradition such as *CH* (if to any medieval textual tradition);[399] it is a point requiring far more justification that the entire cognitive model is damaging to our understanding of written culture in medieval Wales. What I propose here is a shift of emphasis, a reconceptualization of textual criticism as it pertains to *CH*, rather than a project of critical destruction. The conceptual ideas discussed above, in historical linguistics, in evolutionary biology and in textual criticism, all essentially attempt to describe change. The core responsibilities of a textual approach are to provide an account of the development of 'the text' across time, however much that concept is productive, and to translate this account into a reasonable, fair and, more than anything, useful editing policy for the non-specialist. It is in the championing of variation across the whole tradition, *the* essential feature of the copying culture under examination in this thesis, where my own textual methodology lies. This variation on aggregate provides a bank of data from which we might reasonably infer trends and features, allowing a series of questions and themes to be posed and addressed. This

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[397] Although note that in both fields these ideas have come under fire. For a brief description of the problems in phylogenetic inference, see Adrain, et. al., *Fossils*, pp. 56–7. Horizontal gene transfer presents an analogous problem in biology as 'contamination' does in textual criticism. Limitations to the comparative method in linguistics have been present since the beginning of proto-Indo-European studies. New models of the transmission of language change, and the visualisation of these trends, have been proposed in recent decades, most notably the Wave Model (*Wellentheorie*) and the use of Euler diagrams of different kinds; see François, 'Trees', pp. 168–70, with an example diagram on p. 169.

[398] I will address the impact of the cladistic mindset on editing in more detail below (4.2 and 4.4).

[399] For 'traditional' textual criticism, see 1.5.2.

chapter therefore proceeds as an examination of textual movement as a phenomenon of variation in the *CH* book-tradition, and how, once this phenomenon has been foregrounded and given a weighting and meaning more recognisable to the editor-copyist of medieval Wales, we might produce a summary of this difference, and this change, in the form of a critical edition.

I begin here by first introducing my textual methodology in more detail, beginning with an overview of previous textual methodologies (4.2), before making some general conclusions (4.3) and narrowing the focus to the practice of editing (4.4), a typology of variation (4.5), and the use of diagrams in the depiction of manuscript groups (4.6). Chapter 5 applies this methodology, and the resulting data tables and editions, to a series of research questions and test cases.

4.2 OVERVIEW OF PREVIOUS TEXTUAL METHODOLOGIES

Although copies of Ior manuscripts were made by hand throughout the early modern period, sometimes combining the readings of multiple manuscripts, many of these efforts belong to the era of antiquarian study rather than modern scholarship.[400] The first proper study begins with William Wotton and Moses Williams in the eighteenth century and Aneurin Owen in the nineteenth.[401] The latter, in criticism of the former, first drew out the three-form nature of the Welsh-language law-books:

> The plan upon which Dr. Wotton proceeded with the Leges Wallicae was the adoption of one form of laws as the foundation of the text, interspersed with which were various readings, which differed widely from the text, and sometimes were contradictory of it. The cause of this anomaly was unexplained, and upon its being investigated it appeared that there were three distinct forms of laws existing, the parts of which had been dislocated by the Editor, and so arranged as to suit the order of the manuscript which he had adopted as his text, from the conviction of it being the most ancient and uniform of the whole.[402]

Owen defined Ior as a distinct redaction based on several diagnostic features: amendments made by Bleddyn ap Cynfyn; the *Breiniau Gwyr Arfon* (though only appearing in *A* and *E*); sections on the nominations of judges by a prince, the perpetual state of bondage of villeins; and, mysteriously, 'other matters'.[403] The relationship between the manuscripts is addressed only cursorily, Owen preferring to take *A*, 'the most ancient manuscript in the Welsh language', as his best-text.[404] *C* is mistakenly thought

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[400] The most important early effort being the *Deddfgrawn* of William Maurice (d. 1680), now NLW Wynnstay MS. 38 and 39. See Jenkins, 'Deddfgrawn', and Wiliam, 'Y Deddfgronau'. For a more general view of the grouping of *CH* manuscripts, see 1.5.

[401] Wotton, *Leges Wallicae*, and Stoker, 'William Wotton'; *AL* and Pryce, 'Culture', pp. 31–4, for the broader Victorian context.

[402] *AL*, p. i, not the last time an editor chose readings 'to suit the order of the manuscript which he had adopted as his text'.

[403] *AL*, p. vii. See the discussion of *AL* at 1.5 above.

[404] *AL*, p. x.

to consist of two manuscripts bound together; *E* is described as 'a transcript of A., or its prototype'; and both *B* and *A* are said to have been written in the twelfth century.

Significant progress on the textual relationship between our surviving Ior books was substantially arrested until the second half of the twentieth century. Gwenogrvyn Evans produced his *Facsimile of the Chirk Codex of the Welsh Laws* in 1909, a pictoral facsimile of *A*, then still thought to be the oldest manuscript in Welsh. In his *RMWL*, Evans holds *B* to be a 'later recension of *E* and *C* with considerable additions, *C* to be a 'direct transcript of [*A*]', *E* to be a 'direct transcript, in Dimetian orthography, of [*A*]', and *D* to be based respectively on *B*, *C*, *G* and [*Col*]'.[405] These thoughts might be summarised in the stemma below (Figure 10). Evans does not give us any reasons or method behind these relationships. If he imagined these connections to be evidence of direct copying, this picture is far from the truth. Wade-Evans' *Welsh Medieval Law* (1909), Edwards' *Hywel Dda and the Welsh Law-Books* (1929) and the copy of *A* transcribed by Timothy Lewis in 1936 all passed without much comment on the Ior group as a whole.[406]
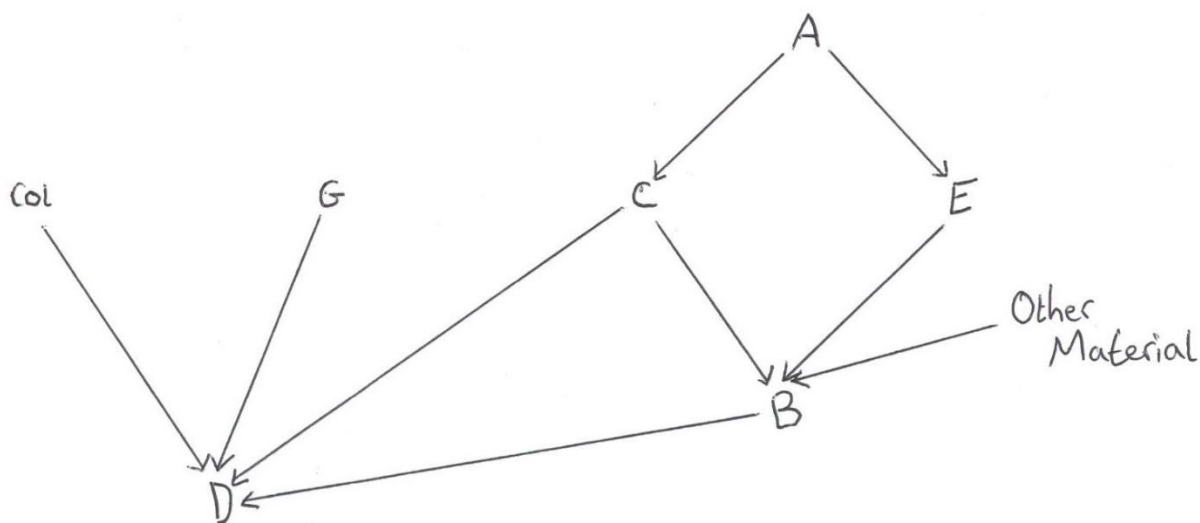
Figure 10 - Evans' Manuscript Grouping

1960 saw the publication of *Ior* – still the only whole-text attempt at a reconstructive edition of the Ior text.[407] Wiliam cites Bédier in the introduction, focuses on discrepancies and textual development, and puts forward his book as 'a reconstruction from extant MSS. of the thirteenth century lawbook of Iorwerth ap Madog, with critical apparatus and notes'.[408] A stemma with Greek-lettered archetypes illustrates the development of the Iorwerth text from its redaction to, at the latest, a number of

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[405] At, respectively: *RMWL*, vol. 2, p. 946; *RMWL*, vol. 2, p. 945; *RMWL*, vol. 2, p. 944; and *RWML*, vol. 1, p. 363. For debates over the palaeographical, orthographical and codicological features of these manuscripts, and their resulting ages, see 3.2 and 3.4.

[406] *WML*, Edwards, 'Hywel Dda', and Lewis, 'Copy'.

[407] Although without the important legal material terminating the Ior manuscripts, material thought of as 'additional' in many ways at the time of Wiliam's edition. See 5.2 for the status of 'additional' material.

[408] *Ior*, p. xxiii, n. 2 and on the fly-jacket.

eighteenth-century paper books.[409] Wiliam presents three types of evidence as valuable for this enterprise: the distribution of 'certain anomalous tracts of law' in the first place; 'the location of portions of text which occur in different places' to allow a 'more detailed classification'; and 'variant readings of certain words and phrases… to isolate still more clearly the MSS. within each sub-group'.[410] The goal of such a method is, first, to isolate those manuscripts which have nothing to contribute to the general plan of reconstruction and can thus be discarded, and, second, to develop a mechanism for identifying which variant reading lies closer to the original. In the appendices at the back of *Ior*, Wiliam shows us some of his working.[411] He identifies seven diagnostic 'floating sections' (Appendix I), presents a number of variant readings 'to allow room for great doubt that E was copied from A' (Appendix IV) and two specimen passages, one a misplaced note on robbery with violence and another on the *Naw Affaith Galanas* (Appendix III). Appendix II details those 'variant readings of certain words and phrases', more than two thousand taken from *A*, *B*, *C* and *E*, and divided into four groups. This evidence is viewed by Wiliam as essentially confirmatory; it is the discussion in the introduction and the isolation of larger diagnostic features which defines the main manuscript groups, as Wiliam sees them, and how they relate to each other. Nevertheless, the conclusions and methodology adopted in Appendix II are of close interest. Wiliam distinguishes first between 'variation in form but not in meaning' and secondly 'differences in meaning'; these two categories take up I and II in his table. Categories III and IV represent where *B* 'has more than the other MSS.' and where *B* 'has less than the others'. Wiliam concludes that 'the smallest degree of variance is between A and E; C differs from B rather more often than it does from the other two; the greatest degree of variance is found when B is compared with A and E'.[412] Note that this picture of variance does not attempt to build an overall picture of movement in the Ior manuscripts; categories III and IV, alongside the four manuscript groups chosen for study (*B* as against *ACE*, *B* as against *AE*, *BC* as against *AE*, and *C* as against *ABE*), exist purely to put to test Wiliam's hypothesis that *AE* are closely related, *B* is most distinct, and *C* belongs with *AE* rather than *B*. These variant readings thus confirm the picture drawn up by his consideration of diagnostic sections, and justify his decision to base his edition on *B*.

Wiliam's conclusions, and his stemma (reproduced in two simplified forms below, Figure 11 and Figure 12), make two sets of points. The first is a statement of textual closeness, that is, a grouping of manuscripts along the lines of similarity in form and structure. *A* and *E* are argued to be the closest of all early manuscripts, though neither is copied from the other (Appendix IV). *B* is most different to this group, sitting on the other branch of the textual tree, confirmed by the variant readings in Appendix II. The southern Ior group, represented here by *D*, *K* and Peniarth 39 (now known as *Lew*), is the next closest to *A* and *E*. *C*, though quite distinct from both *B* and the *ADE* sub-group, appears on their side

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[409] *Ior*, p. xxix.
[410] *Ior*, p. xxiii–xxviii discusses the relationship of the Ior manuscripts.
[411] *Ior,* p. 137–41.
[412] *Ior,* p. 137.

of the tree, but slightly earlier in the development of the text. This impression of familiation (1a, *B*; 2a, *C*; 2b, *D*, *K* and *Lew*; 2c, *A* and *E*) is given first by the form of Wiliam's stemma, but also by the discussion in his introduction and the presentation of variant readings in Appendix II. All other later manuscripts (excepting the rather more complicated cases of *G* and *F*) derive from these groups.

The second set of points are rather more direct, using as prime evidence the occurrence and difference in form of larger textual parts across our surviving texts. It is these diagnostic sections that Wiliam relies on most heavily for his picture of the development of the Ior tradition. As can be seen from the stemma below, these diagnostic sections include: the occurrence of the Preamble to the Judges Test-book; the form of the *galanas* abetments; the location of the Laws of Women; the occurrence of the *Breiniau Gwyr Arfon*; the occurrence of two blocks of *damweiniau*; and the occurrence of the *cynghawsedd*. It is *galanas* which for Wiliam makes the first profound split in the tradition, with what he imagines as brief notes in the original book being expanded to a short Version I (α and *B*) and a longer Version II (β and the remainder of the manuscripts).[413] The same reasoning is applied to the Preamble to *Llyfr Prawf*; originally a short sentence in the original book, this introduction was expanded in β (though later removed in *A* and *E*) and excluded in α. Both conclusions use the principle of *lectior brevior*, that the shorter reading is (more likely) the correct one. Wiliam's next break is two-stage: first, the initial block of *damweiniau* is added to the second branch of the tradition and the Laws of Women misplaced, represented in γ; secondly, δ adds the second block of *damweiniau* whilst ζ removes the Preface to *Llyfr Prawf* and adds the *Breiniau Gwyr Arfon*. *A* and *E* represent ζ, whilst *D*, *K* and *Lew* represent δ. *C* is a direct copy of β, without the subsequent innovations represented in γ, of which *A*, *E*, *D*, *K* and *Lew* all share. Wiliam's stemma therefore represents a diachronic evolution of the Ior text, beginning with the physical original, 'The Book of Iorwerth', and proceeding through several innovations in new material, reordering and rephrasing to reach the current state of our manuscripts.

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[413] See Charles-Edwards, 'The *Galanas* Tractate', and Russell, 'The Arrangement', for a more recent discussion of the *galanas* material, discussed directly below.
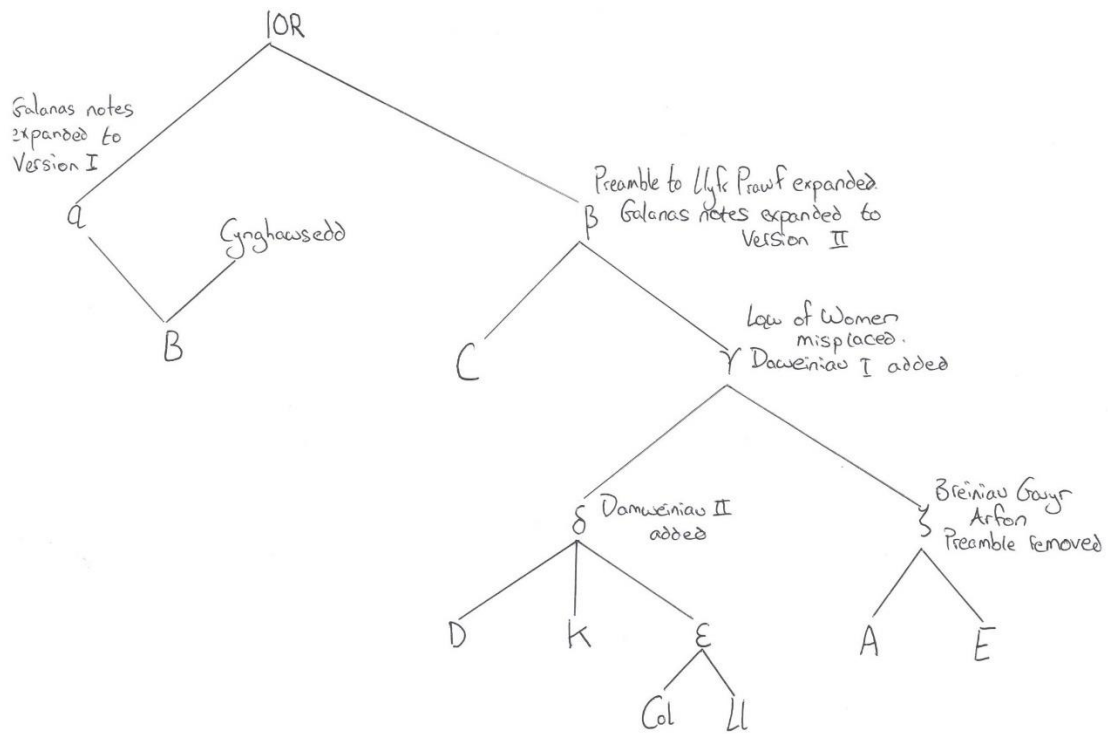
Figure 11 - A Simplified Version of Wiliam's Stemma
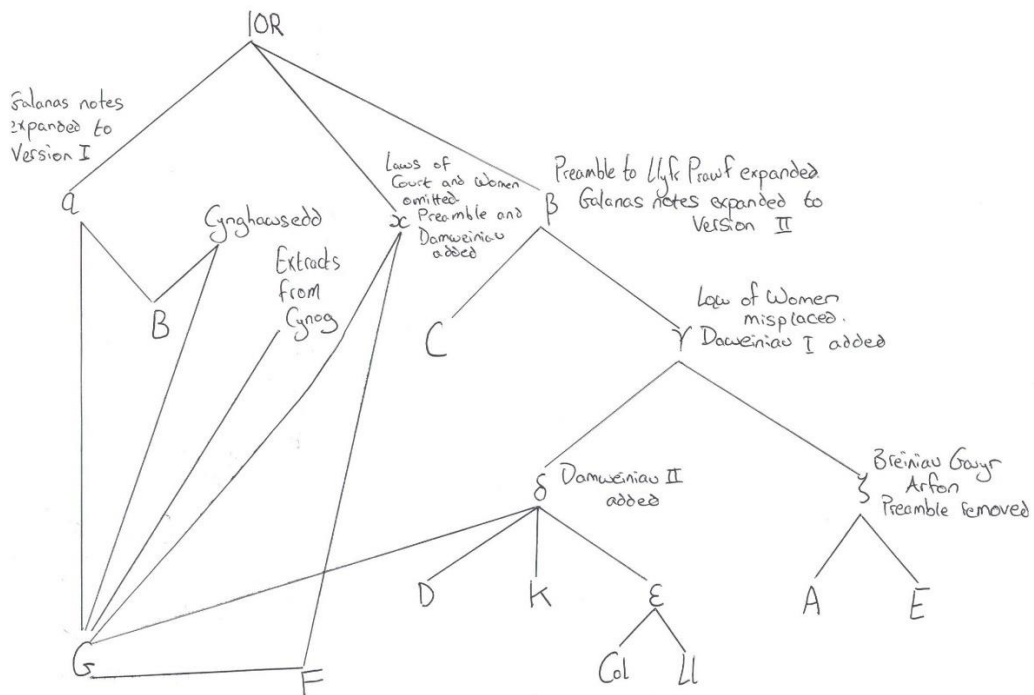
Figure 12 - A Simplified of Wiliam's Stemma, with G and F
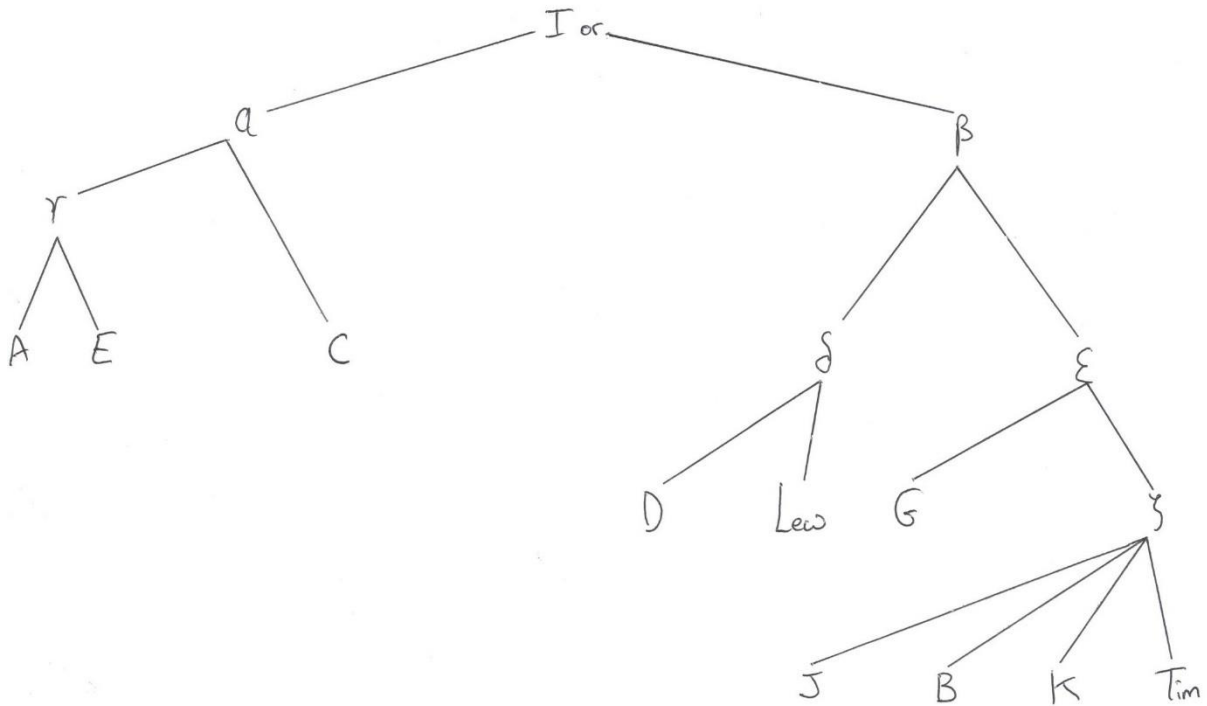
Figure 13 - The Laws of Country from Cyfreithiau Hywel dda*, ed. Richards*
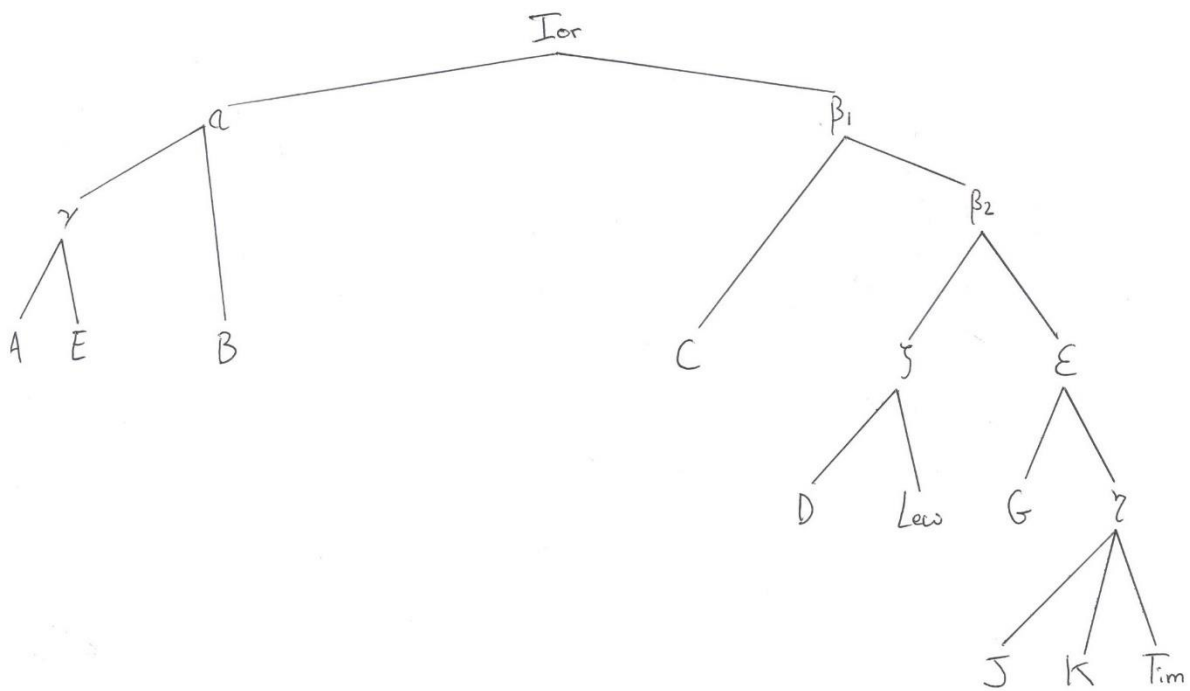
Figure 14 - The Test-book from Cyfreithiau Hywel dda*, ed. Richards*

Since Wiliam's edition, no full-manuscript edition of the Ior books has been attempted, although research has been heavily influenced by his conclusions. *Llyfr Colan* and *Llyfr Damweiniau*, both edited by Dafydd Jenkins, in 1963 and 1973 respectively, laid out a significant thirteenth-century revision of the Ior pattern. A more or less full translation of Wiliam's edition also appeared in 1986 as part of Jenkins' *The Laws of Hywel Dda*. Jenkins' work throughout the 1950s and 1960s also cemented the date of the recension in the central decades of the thirteenth century, locating Iorwerth ap Madog and Cyfnerth ap Morgenau as a part of an extensive legal family, the 'Tribe of Cilmin Droetu', holding land in Dinlle, Caernarvonshire, and Anglesey.[414] Nevertheless, it was the contributions of a range of edited collections, beginning with *WLW* in 1980 and with its most recent example in the 2007 *TCC*, contained within smaller editions, translations and discussions at the tractate level, which have moved our understanding along most significantly since Wiliams' edition.[415] Several points emerge from the work of the past few decades. The first, and perhaps most significant, is the argument by Thomas Charles-Edwards that different tractates may possess their own narrative of textual development.[416] His stemmata in *LAL* (reprinted in *Cyfreithiau Hywel dda*, ed. Richards, in Figure 13 above) makes a distinction not between *B* and the remaining manuscripts, as in Wiliam's edition, but between *AEC* on the one hand and *DBG* and the other southern manuscripts on the other. This grouping holds for suretyship and land-suits, and 'may be valid for the whole text of Ior as far as the beginning of the Test Book', at this point, *C* 'ceases to be closely related to *A* and *E* and joins a group consisting of *D*, *K*, *Lew*, the lost MS of Llanforda and probably also *G*'.[417]

This idea is repeated again with Charles-Edwards' comments on *galanas* and the Preface to *Llyfr Prawf*, picking up two central diagnostic features from Wiliam's edition. Four versions of the *galanas* material exist, three contained in only one manuscript each, namely, *B*, *F* and *Col*, and the fourth occurring in all other manuscripts, titled by Charles-Edwards *Galanas E* (as *A* here is defective). The version in *Col* is quickly assigned to the pattern of *Galanas E*, via the sub-group containing *C*, *D* and *K*. The Preface to *Llyfr Prawf* is seen by Charles-Edwards as the key to the relationship between the remaining three versions. The narrative in Wiliam's edition is of notes on *galanas* and a short note on judges being expanded in two different ways in his α and β, with the short note turned into a larger Preface to *Llyfr Prawf* in the latter, before being removed by the archetype of *AE*. He thus argues for *B* as most representative of the original. Charles-Edwards, through a close reading of the beginning of the tractate, makes it clear that the narrative was not one of repeated expansion. The stub in *B* is a preface now excised; *C* expands what this preface once was. *AE*, not *B*, here represent the original state: no preface at all. The *galanas* version in *F* is also shown to be dependent on *Galanas E*; if the versions in *Galanas*

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[414] Combined in Jenkins, 'A Family'. For further comment on Cyfnerth ap Morgenau, see 5.2.5.
[415] For Charles-Edwards' recent unpublished arguments concerning a two-stage development of the tradition see 5.3.4.2.
[416] Although noted as early as the 1950s in Jenkins, 'Llawysgrif Goll Llanforda'.
[417] Charles-Edwards, 'The "Iorwerth" Text', p. 138.

E and *Galanas B* were two independent expansions of notes left unexpanded in *F*, the latter should break off when the two diverge. Instead, it continues some way with *Galanas E*. Charles-Edwards summarises this argument as follows: two versions of the original *galanas* tractate existed as (1) the copy found in *E* and (2) a small revision accompanied by the Preface to *Llyfr Prawf* found in all other manuscripts (directly in *C*); the latter is then edited to form four further versions, that found in *D*, *K* and *Lew*, a 'relatively gentle revision' in *Col* (via the *CDKLew* parent), large-scale ommissions of that version in *F*, and 'a thorough rewriting' in *B*.[418] Rather than the impression of primacy given to *B* and *C* in Wiliam's stemma, Charles-Edwards' arguments grant that instead to *E* and *C*. Indeed, *B* is assigned to a position of maximum variation amongst our surviving early manuscripts. This fresh look at the relationship between these manuscripts at the beginning of *Tair Colofn Cyfraith* is not accompanied with a new stemma, instead focusing on the close reading of a few sentences. However, two separate stemma covering *Cyfraith y Wlad* and *Llyfr Prawf* were designed by Charles-Edwards for Melville Richards' revised edition of *J*, clearly demonstrating the view that the relationship between our manuscripts might change depending on the tractate in question (Figure 13 and Figure 14).[419]

4.3 TEXTUAL CRITICISM AS A MEASURE OF CHANGE

The broad aim of the scholarly projects sketched above is clear: the elucidation of the development of the Ior text from its original form to the time of our surviving manuscripts. Aled Rhys Wiliam and Thomas Charles-Edwards (and Aneurin Owen in the isolation of the Ior redaction as a whole) all employ a similar set of inductive arguments in the furtherance of this goal, led by several principles of early textual criticism. The focus is frequently on diagnostic sections, that is, on portions of the text with distinct and clear variant forms. Presuming an original behind all our manuscripts diverging in recognisable and recoverable stages, several narratives can be proposed for this development. Features of the surviving manuscripts, arrangements of words which are far more likely given a certain prior arrangement, shared errors, common innovations, and so on, are all employed in arguing a certain narrative as more likely. Many different narratives are indeed possible; it may only be in a few cases where both this model of development represents reality, in other words, where a single original diverged in recognisable ways, and where a specific narrative might be thought likely enough to bear supporting. Wiliam's account of the Preface to the Judges' Testbook and the *galanas* material relied on his contention, developed from the Biblical school of textual criticism, that the simplest reading must be the original.[420] As Charles-Edwards later commented, 'if one sticks through thick and thin to a story by which the texts expand, one is in trouble'.[421] Here, a close reading of the first few sentences of the

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[418] Charles-Edwards, 'The *Galanas* Tractate', p. 104.
[419] At Richards, ed., *Cyfreithiau Hywel dda*, rev. ed., pp. xxi, xxii respectively.
[420] And that *B*, forming the foundation to his edition, must be uniquely different and uniquely representative of the 'original' Iorwerth manuscript.
[421] Charles-Edwards, 'The *Galanas* Tractate', p. 103.

galanas tractate was employed in presenting a more accurate picture of textual development. Charles-Edwards makes this method of competing narratives clear, stating that 'at the outset of this investigation… two accounts seemed possible', deciding on the latter as 'the second story [seemed] especially attractive'.[422] The deeper the layers of copying, editing, creating and re-creating, the more chaotic the data becomes to which the scholar is applying their judgement of likelihood. Arguments surrounding the Model Law-book are a clear example.[423] The processes of creative copying leading from the person of Hywel Dda to our earliest manuscripts, the engagement with material, its relationship to changing modes of literacy, culture, economics and style, the individual demands and cultural horizons of hundreds of particular lawyers and noblemen, and the stability and persistence of the tradition as a whole: all this must remain practically unknowable.[424] The contention that the detail of this thing we call 'a text' can be divined, that there sits, somewhere at the distant top of the textual tree, a genuine, distinct original manuscript, is uncertain.[425] Instead, when talking about whole traditions, we must turn to the broadest brush strokes. Our methodology must turn from specific textual claims to descriptive ones about the perpetuation of a tradition. Here, we enter a different realm of inductive likelihoods.

What bears repeating here is the necessity for clarity, both in terms of methodology and in the steps of the argument itself. It cannot be the case that similar ideas about textual development can be applied in the same manner to, on the one hand, a specific set of related manuscripts a few decades apart from each other, and an original as clearly defined as *Llyfr Iorwerth*, and, on the other, to the process of establishing the contents of a manuscript three-hundred years in the past from manuscripts as diverse as Cyfn, Bleg and Ior. These two different enterprises require quite a different set of assumptions. It is this looseness with methodology which has slowed the field, despite the clear and brilliant contributions of so many. Everything gets lumped into 'the textual tree', which both equates the differences in development leading to variations between, say, *A* and *B*, and variations between *A* and *Tim*, and also introduces a range of problematic concepts from Latin criticism into a field which cannot bear their introduction. The necessity for clarifying these issues of textual development go beyond an interest in the nature of variation, its mechanisms and its change. Textual criticism, beyond the defined goal of reconstruction, also exists as a means by which a source of information might be evaluated as to its reliability and relevance for the subject under question.[426] Codicology, palaeography and evidence from already qualified sources can establish the essential contextual information of date, provenance and

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[422] Charles-Edwards, 'The *Galanas* Tractate', p. 102.
[423] See 4.1.1 and n. 380–383.
[424] Note here the likely transformative effect of the twelfth century, see 1.3.3.
[425] This is speaking of the *CH* tradition as a whole; something like the archetype of Ior is likely quite immediate to our surviving manuscripts.
[426] I am talking here of the historical method; as Charles-Edwards notes in reference to the differing *galanas* material, 'the requirements of historical method require their relationships to each other to be clarified', 'The *Galanas* Tractate', p. 92.

authorship. For the analysis of the text, in other words, its composition and source material, its 'original' form, and the fundamental value of its readings, we rely on the tools and methods of textual criticism. Study in *CH* has been guided in these latter questions by the stemmatic method. When considering the composition and 'original' form, the emphasis has been on sub-archetypes and archetypes, the former synonymous with a (sometimes ill-defined) node in the textual tree and the latter with 'the original' discussed in some detail above.[427] For the value of readings, we reach for a time sometimes many centuries prior to our manuscripts' composition. The focus is reconstructive and analytical; not *why* there are different versions of a tractate but the mechanical path of development which has led to this diversity.

Robin Chapman Stacey has made the case for change, and the huge variety of themes, structures, and legal facts and fictions which receive variant treatment throughout *CH*, as an essential feature of the tradition rather than its malfunctioning.

> Discrepancies like these seem less like regional variations in custom or individual floating passages than a different order of textual fluidity altogether. What they most closely resemble are the tropes one finds in more forthrightly literary compositions – recognized narrative structures that authors might choose to adapt or ignore depending on their larger purposes for their works… The point was often less to record who actually would get what in compensation or payment for services than it was to evoke a particular frame of reference. The frame within which items were to be interpreted mattered more than the individual objects themselves because it was within the frame that the deeper meaning of the text was carried forward… Innovation thus would have been possible at any stage in the redaction process… Such a process would explain much about what our extant texts look like; it would also broaden our understanding as to what concepts like "truth" might mean in the lawbook context… When one adds into the mix the use of the laws as a venue for political protest, questions of fact and fiction get even more complicated.[428]

I would contend that the argument developed here aims at the same conclusions, though from a different point of view. The study of 'the text' need not be one that privileges a form of textual fluidity inconsistent with the nature of variation outlined above nor one that is at odds with what Stacey describes as the imaginative features of the law-books. What I would like to propose here is a textual approach, combining with the idea of the book-tradition developed in Chapter 2, operating on different grounds to those outlined above, whose conceptual framework is aimed directly at the manuscripts under discussion in this thesis. 4.1.2 laid out an intention to develop an examination of textual movement as a phenomenon, and a focus on how we might produce a summary of this difference. In

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[427] For nodes on the textual tree, see 4.6.
[428] Stacey, *Law*, pp. 216–9.

comparison to the approach used in Chapter 2, this form of analysis provides a different, and potentially more evidence-based, answer to a central question: how might we describe change in our written sources?

The process in addressing these questions has been two-step: first, the compilation of editions from several related manuscripts (4.4); and, second, the depiction of variation between these manuscripts in several different ways (4.5 and 4.6). I have aimed throughout to have a more diverse range of research questions in mind than the arrangement of textual witnesses for the purpose of reconstructing a lost original. Although variation and textual movement bears important witness to change itself, this data also informs our understanding of how and why change occurred. The focus should therefore remain analytical, taking in problems of composition in our earliest law-books, but should also follow a narrative of change throughout the relevant parts of the written tradition. In order to remain holistic, and methodologically rigorous, our perspective should firmly be laid on the textual tradition as a whole rather than projected onto the original of traditional textual criticism. This perspective, and a broader and less dissonant view of the quality and context of our textual arguments, can ensure the production of conclusions with maximum inductive value.

4.4 THE PRACTICE OF EDITING

4.4.1 Editing Theory

Editions usually come to be drafted through two connected reasons: as a demonstration of a certain textual grouping, that is, as the result of a process of recension and emendation; and as a representative and useful presentation of several different though related manuscripts for the non-specialist. The editor can decide whether to present a hypothetical text (an eclectic edition), constructed from surviving witnesses, or a single manuscript text, augmented in footnotes and in places of obvious error with readings from other manuscripts. A 'best-text' method is one where the editor chooses an already existing manuscript to form the base, as that 'best-text' likely represents more accurately the aimed-at 'original' than any hypothetical creation. It is a feature of the field, as discussed above (4.1.1), that most eclectic reconstructive editions really sit somewhere between true eclecticism and a 'best-text' edition. In the words of O. E. Haugen, 'the spirit of Lachmann hovers over the introduction, the spirit of Bédier over the text'.[429] Two examples are *Ior*, the textual arguments of which have received some comment above (4.2), and the Ior text in *LAL*, edited by Thomas Charles-Edwards.[430] Wiliam and Charles-Edwards both decide on a single manuscript as the closest to the original, *B* and *C* respectively, and put forward conjectures when the reading of that 'best-text' appear secondary. However, where Wiliam

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[429] Haugen, 'Stitching', p. 40.
[430] 'The text of the tractate from Ior is an attempt to reconstruct, as far as possible, the archetype'; Charles-Edwards, 'The "Iorwerth" Text', p. 137.

emends infrequently, and largely only for variations on the level of the sentence, Charles-Edwards is rather more fine-grained, supporting his activity with extensive textual notes.

Another form of editing eschews the conceptual framework of originals and reconstructions and instead aims towards the transcribing and publishing of manuscripts interesting for other reasons. This type of editing is now the most productive of all forms, boosted by the accessibility and functionality of electronic transcriptions. During 1999 to 2000, Welsh prose manuscripts from the thirteenth-century were transcribed by Graham Isaac and Simon Rodway, published on CD-ROM in 2002, with a second edition published online in 2013 (*Rhyddiaith 1*). *Rhyddiaith 2* transcribed and published online those prose manuscripts dated to 1350–1425, released in 2007, with those dating to 1300–1350 published shortly after. The photography of medieval Welsh manuscripts has also proceeded apace, with hundreds visible on the respective websites of their holding libraries; the NLW, the Bodleian Library in Oxford, the British Library and the Parker Library of Corpus Christi College, Cambridge, all deserve mention. Many of these resources have been brought together on *CHW*. Putting aside the production of transcriptions and facsimiles intended for online use, the editing of single manuscripts has also been a feature of more traditional critical work. Two instructive examples are Timothy Lewis' *The Laws of Hywel Dda*, editing the Bleg manuscript *Tim*, and Hywel Emanuel's monumental edition of the five Latin redactions, *Lat A*, *Lat B*, *Lat C*, *Lat D* and *Lat E*.[431] The latter operated under the presumption that each subsequent Latin redaction was, in some form, directly based on the previous. This hypothesis, now substantially modified by the work of Paul Russell, encouraged Emanuel frequently to emend his manuscripts for errors, often without good reason or justification.[432] Lewis' edition faced resistance on its publication in the 1910s for putting scholars to work on a manuscript not useful in the practice of stemmatic reconstruction. Lewis himself states that 'as a comparatively late version of the laws, it has little legal interest but it is very valuable for students of Welsh philology as it explains some of the phraseology of the laws and preserves interesting dialectal peculiarities'.[433] Ifor Williams, in reviewing the edition, agrees with Lewis' points, adding that 'it was also a shame that an older and more correct manuscript of the laws could not have been chosen to start such a promising series'.[434] It can be seen that in the early period of editing *CH*, single-manuscript editions of our earlier manuscripts were eschewed due to the need for the latter to form a part of a reconstructive edition, and little value was seen in presenting a single-manuscript edition of a later and 'less correct' text. It is of great help to the scholar that electronic transcriptions and pictures have, in recent decades, opened up the field.

Two themes thus emerge in the practice of editing *CH*: the extreme difficulty of assembling a genuine definitive edition of the text, whether that text is Ior or *CH* or something in between; and the influence

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[431] Lewis, *The Laws*; LTWL.
[432] See principally *WLMA* and Russell, 'Latin D', 'The Laws of Court', and '*Y Naw Affaith*'.
[433] Lewis, *The Laws*, p. ix.
[434] Which is to assume that the correct reading might not appear in a later manuscript copy. Williams, 'Review', discussed in James, 'Golygiad', pp. xviii–xix.

of stemmatic thinking over even single manuscript editions. The process of unearthing the 'true' picture of the source, whether for accessing legal prescriptions, historical or linguistic data, can be destructive to the state of the manuscript as we have it. How texts such as *CH* lived in their hand-written containers, in all their imperfections and peculiarities, is of extreme interest to the student of the Middle Ages. To constrain editing to follow only the pattern of traditional textual criticism has the effect of cleansing scholarship of the essentially individual and eccentric nature of many manuscript copies of *CH*. It may also unduly elevate textual evidence, in answering all kinds of questions, beyond that of the physical book, and favour excessively an investigation diachronic and reconstructionist in nature. It may be rejoindered that an edition that does not emend, that leaves a manuscript as a manuscript, is not particularly doing anything. In this view, scholarship does not advance through the reproduction of manuscripts in transcriptions and single-manuscript editions. This kind of argument relies on an automatic preferencing of the cladistic mindset, that such a critical framework is somehow natural and essential. Textual arguments, and critical editions, are vital to our understanding of development and change in written culture, but this change need not be rooted in the central concepts of traditional textual criticism.[435] The translation of ink on parchment to a scholarly volume always requires layers of interpretation for which justification is necessary; the editing of one manuscript is an exercise in putting together a scholarly construct just as much as a lost original. In other words, 'critical' need not mean conjectural; mistakes need not be corrected, and the originals need not be consigned to the side-lines.

Much of this argument goes towards the point that there is, of course, no such thing as *the* edition of the *CH* text, no matter how specific or general we might want to define that concept. The definitive edition, as Tarrant notes, is as much a myth as the recoverable original.[436] Tarrant's reasons connect with reconstruction – 'new and convincing conjectures can never be ruled out'. However, he also notes that within any text of any length 'there will be places where different editors can reasonably make different choices'.[437] This second objection is more serious when critics are dealing with a culture of copying as diverse and creative as that pertaining to *CH*. The point here is widened if we also broaden the idea of what an edition should achieve; our core Ior manuscripts might be represented by four single manuscript editions, in whole or in part, one or more reconstructive editions, either fully eclectic or best-text or somewhere in-between, of all or part of the text, or some other formulation, looking forward in time rather than back. Each makes its own contribution to scholarship and, in many places, asks a range of different questions based on distinct theoretical frameworks. To again quote Tarrant:

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[435] For which see 1.5.2.
[436] Tarrant, *Texts*, pp. 40–1.
[437] The vast accumulation of variant readings in Classical editions, and the linking of these readings through an online corpus, can reduce the places where different editors would make different choices. The production of such an online corpus, given the style of variant readings present in *CH*, presents its own methodological problems.

> the most that an edition can aim to accomplish is to report accurately the essential manuscript evidence and faithfully to reflect the present state of understanding of the text, in order to serve as an instrument of research and as a basis for further discussion.[438]

In other words, 'a critical edition is only a working hypothesis'.[439] The only stipulation is a strong consideration of what the intended audience requires and a clear theoretical framework relating to the kind of project attempted. It is misleading indeed to give the impression that Wiliam's edition is even an attempt at reconstructing the original Ior, despite comments on the fly-jacket. Nevertheless, as a fully edited and analysed presentation of *B*, with emendations noted clearly when they occur, this volume has remained indispensable to students for the sixty years since its publication. Putting forward an account of manuscript relations and conjectured readings as they relate to an original, without first defining what 'relating' means or what kind of 'original' is intended, may have the rhetorical force to carry the day but may well introduce more problems into scholarly discourse than otherwise intended.

There are, in sum, three broad kinds of possible and useful editions for *CH*:

1. A single manuscript edition.

A single manuscript edition celebrates the unique context of an individual manuscript, with all its mistakes and inconsistencies explained in full. Errors and variation are a fundamental feature of hand-written books; where these traits are important to the questions asked (the development of the text, the editor-copyist's editing rationale, what expectations contemporaries had of manuscripts, etc.) they deserve to be presented clearly and in full to the reader. Rather than privileging the theoretical text, with the workings-out relegated to smaller type at the bottom of the page, or even to an appendix, this form of edition should present the inconsistencies and errors in the text as a matter of interest. A faithful transcription, accompanied with clearly visible descriptions of divergences, copying errors and editorial choices, would be of great value both to the textual scholar and to those of other related fields.

2. A reconstructive edition with a defined goal.

The preparation of a reconstructive, eclectic edition is two-step. First, an actual lost manuscript, whether some authorial original or a single manuscript standing behind several others (that is, a sub-archetype), must be both determined to have existed and be reachable using inductive means. Second, a process of recension and emendation is attempted, leading to one of many hundreds of possible theoretical texts. This text is not the lost manuscript, nor could it ever be, as the process is one of induction. The edition therefore stands as a useful summary of what might have appeared in the lost text, and a starting point for further discussion and analysis.

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[438] Tarrant, *Texts*, p. 41.
[439] Conte, *Ope ingenii*, p. 52, quoted in *ibid.*, p. 41.

3.   A general picture of variation within a tradition.

If an original cannot, on the balance of probabilities, be said to have existed, in other words, if another pattern of textual development could lead to the diverse material as we now have it, or if our inductive framework is simply unable to return a reasonable judgement to aid in reconstruction, an edition might turn instead towards a general picture of variation within a tradition. As with Ior, a clear sub-group of textual development might reasonably be argued to exist. The edition, rather than presenting the perspective and context behind each member of this sub-group, might instead comprehensively log variation in the tradition and prepare a base text as a useful guide. Rather than focussing on which readings are 'correct', this form of edition instead catalogues and arranges variation itself, acting as an analytical account of a tradition in general. Here, the text presented on the page is of a very different form to that of 1 (a faithful representation of one manuscript) or 2 (a theoretical manuscript text) above. The text here acts as a guide, a hook on which to hang the variant readings, and does not aim to represent archetype or manuscript.

The editing pattern in this thesis, described in some detail directly below, follows the third model, testing several research questions in the process. Due to the space and time constraints of this thesis, only a sub-set of all possible textual parts could be chosen for analysis, and fewer still incorporated into the main body of the discussion.[440] The remainder of this chapter will further examine the drawing up of these editions, before moving on to an examination of variation (4.5), and its representation (4.6), in more detail.

4.4.2   The Example and Supplementary Editions

All main-text forms of *CH*, excepting a few Bleg manuscripts penned by Gwilym Wasta,[441] feature their own version of *Cyfraith y Llys*. Given the traditional (even antiquarian) nature of this material, and the appearance of related material in the *Cyfraith y Llys* of most standard books, very little of this Ior material makes its way into later manuscripts of other recensions. T.I.i details the remainder, depicting the occurrence of Ior-like material in all the full-book length expositions of the recension, *A*, *B*, *C*, *D*, *E* and *K*, in the mostly Ior manuscripts of *G* and *Lew*, the Bleg manuscripts *J*, *P*, *Q*, *S*, *Tim*, *Bost*, and *Ep*, the Cyfn manuscripts *Mk*, *V* and *W*, and the mixed and miscellaneous manuscripts *Y*, *F* and *Mor*. The influence is wide-ranging and variant in content and context. Most of *Cyfraith y Wlad* (the Law of Women, Injury to an Animal and the material broadly dealing with Suretyship and Land Law), *Tair Colofn Cyfraith* in *Llyfr Prawf* (especially theft), and the material coming at the end of the Appendix to *Llyfr Prawf* (namely, the Value of Limbs, Joint Ploughing and Corn Damage)[442] all feature throughout these manuscripts, in different forms and arrangements, in varying quantity and, undoubtedly, with a

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[440] See n. 22 above for the reasons for the exclusion of *G* and *Llan*.
[441] Russell, '*Canyt oes aruer*'.
[442] For the Appendix to *Llyfr Prawf*, see 3.3.2.

diverse range of reasons. The Nine Tongued Ones, *Breiniau Gwyr Arfon* and most of the list-like material present in *Llyfr Prawf* and its Appendix (*Gwerth Gwyllt a Dof* and the Value of Equipment, Furniture and Weapons respectively – though the Value of Trees does provide an outlier) do not. The occurrence of this material is largely confined to *A*, *B*, *C*, *D*, *E*, *K* and *G*. Given the attention lent to *galanas* material by both Thomas Charles-Edwards and Paul Russell in *TCC*, *Tair Colofn Cyfraith* is left out of the editions here.[443] Considerations of space led to the exclusion of the Land Law material. It was thought most informative to edit the remainder. Tractates from *Cyfraith y Wlad* make up half of the supplementary editions: The Law of Women (S.I), Surety material (S.II–S.VI), Church Protection (S.VII) and Injury to an Animal (S.VIII). Family Law makes up the second half of the Example Editions (E.II). The Value of Trees represents the only example from the Test Book (S.IX), with the entire Test Book Appendix edited across the supplementary (Introduction, S.X, The Value of Limbs, S.XI, Joint Ploughing S.XII and Corn Damage, S.XIII) and example editions (The Value of Equipment, Furniture and Weapons, E.I). Tables of correspondences exist for all editions, presented across T.II (Example Edition Correspondences) and T.III (Supplementary Edition Correspondences). The largest number of manuscripts were incorporated into these tables and editions as was practical and reasonable given the scope of this project. Focus was paid first and foremost to those manuscripts containing mostly Ior-like material: *A*, *B*, *C*, *D*, *E*, *K*, *G* and *Lew*.

Cyfn variants, in *Bost*, *Mk*, *V* and *W* were also included in full across these editions, most notably in the Value of Trees and Joint Ploughing. Bleg manuscripts, due to the extreme late date of many of their examples (fifteenth century and later) and the difficulty in access, appear in a reduced capacity throughout the editions. *Q*, its related book *Ep*, *P* and *Mor* are not edited in Volume II, but their contents are noted in the tables. In the editions, *S* and *Tim* stand as witnesses to this incredibly fluid and personalized pattern of the later Bleg manuscript.[444] *Col* is profoundly interesting in providing additional texture to what forms and patterns of legal text were possible in the thirteenth-century *CH* manuscript; it is mentioned here in passing only due to limitations of space. The miscellaneous manuscript *F* is noted where it attests (mostly suretyship), whereas other miscellaneous manuscripts are not included amongst the variant readings. A limited number of editions could be presented here for further discussion. The Value of Equipment, Furniture and Weapons tractate (E.I), included in some part in *A*, *B*, *C*, *D*, *E*, *K*, *G* and *Lew*, presents an interesting study of mostly Ior-containing manuscripts ranging across the Middle Ages. The tractate also puts forward a series of fundamental difficulties for the methodology developed here. Family Law, as a unique creation of the Ior book-tradition is edited in full at E.II. It is hoped that this combination of editions, variants and tables provides a fair picture of

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[443] Russell, 'Arrangement' and Charles-Edwards, 'The *Galanas* Tractate'.
[444] For *Q*, *Ep* and *P*, see Roberts, 'Creu Trefn', and a number of variant readings in *AL*.

the Ior tradition across the Middle Ages and a valuable set of test cases for the methodology developed in this thesis.[445]

B was initially chosen as the base text for this edition.[446] This was not a decision based on the idea of 'best-text'; under the editing pattern described under the third point above (in 4.4.1), the base text here acts as a guide to the collection of variant readings. The main text is therefore completely imagined and is not intended to represent manuscript nor archetype. Changes to the base text have been made where necessary in order that the variant readings take up less space and read easier (with changes appearing in italics). In many cases, this has involved making a decision like that of emendation, in other words, placing the reading of the majority of manuscripts into the main text. However, the aim was not to create a reconstructed text, but rather to aid the comprehension of the variations themselves.[447] All variations present in those tractates and manuscripts mentioned above (and outlined in the correspondence tables in T.II and T.III) were collected and noted below the base text. The critical apparatus employed aims, where possible, for clarity and a maximal approach to communicating textual change. Where manuscripts diverge, the apparatus notes the number of the sentence in superscript below the base text in smaller type. The text diverged from appears behind a square bracket, followed by the manuscript sigla in italics and the variation recorded, each separated by a comma. Multiple variations in the sentence are separated by several spaces and appear in order of the readings in the base text. Thus, if two 'en yaunhaf' appear in one sentence and in the apparatus, the order in which they appear in the base text. Several symbols are used for ease of space: '–' indicates the omission of the material behind the square bracket; '↔' indicates a swapping in the text behind the square brackets (most frequently a phrase of the kind 'X and Y'); '←' or '→' indicates the moving of the text behind the square bracket either before or after the text following; '<' or '>' refers to where a manuscript either stops or resumes attesting the paragraph in question until the next occurrence of the symbol; and '+' or '*before +*' indicates the addition of the material after the symbol either after or before the text behind the square brackets. The occurrence of no symbol naturally indicates the replacement of the text behind the square bracket with the text after the manuscript sigla. In some cases, multiple manuscripts attest the same variation, though with small additional variations. Here, brackets are used within the variant reading. See three examples below for further illustration.[448]

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[445] A full text edition of the 'core' Ior material, encompassing the whole Test Book as well as the *cynghawsedd* and *damweiniau* material seen as the 'tail' of the Ior manuscripts, following the methodology explicated in this chapter and encompassing the readings of all medieval manuscripts containing Ior-like material, is far beyond the scope of this thesis. It remains an ambition of the author, especially if presented in electronic form.

[446] See 3.2.4 for *B*.

[447] It would be a bad idea to choose *B* as the base text for an eclectic, reconstructive edition of Ior. Wiliam's arguments in *Ior* have not stood up to the tests of time. This thesis is not, however, in the business of putting together an eclectic, reconstructive edition. The choice of which peg to use to hang our variations is mostly inconsequential; *B* as the most complete manuscript therefore carries the day.

[448] E.II.i.R7(1), E.II.i.R12(1), and E.II.vi.R2(4) respectively.

bot en] *K* pany6, *D* y mae, *KJ* +ia6nach (*K*:bot) galanas g6r arna6 kanys

K and *D* have their own version of the text behind the square bracket. *K* and *J* also add text after, with *K* additionally introducing 'bot' after 'ia6nach'.

hagen dyeyssywau] *D* ↔

D reads 'dyeyssywau hagen', swapping the order of the two words.

y uot en uab y ur] *KJ* –, *C* >

K and *J* do not attest the phrase, and with this phrase *C* stops attesting the text as a whole.[449]

A summary of the attestation of sentences within a text can be found in the correspondence tables accompanying each edition. This information is also carried paragraph by paragraph in the editions themselves. An example:[450]

B <41v24–42r2> [Ior <102.1–102.8>; A <missing>; C <179vb23–179vb26, 1–2>; D <108:9–108:20>; E <67:13–67:20>; K <124:7–124:15>; Lew <68r10–68v6>; J <253:21–254:9>; S <1976–1980, 2–4>

Here *B*, appearing outside the square brackets, is taken as the base text, the default for most of these editions. All manuscripts attest fully except for *A*, missing this entire paragraph, *C*, attesting only sentences 1–2, and *S*, attesting only sentences 2–4. Ior refers to Wiliam's edition and is included where cross-over exists. Reference mostly is made to page numbers or folio numbers in the manuscript. The appearance of pages over folios is essentially arbitrary, reflecting both what numbering has been applied to the book and what has most commonly been used in transcriptions and editions by other scholars. *S*, as I was unable to consult the original manuscript, appears according to its sentence numbering in Christine James' edition.[451]

Wiliam mostly presents the text in much larger units than used here, numbering continually throughout his edition with the addition of the section sign §.[452] It is rarely the case here that paragraphs or sections break across sections as numbered by Wiliam; this edition, for the sake of convenience, does, however, sub-divide more frequently. Guidance on where to break paragraphs, in other words, on sub-division within clearly defined manuscript units, was taken first from the manuscript evidence itself. Whereas all manuscripts record major divisions, for example, the break between *Cyfraith y Llys* and *Cyfraith y Wlad*, or *Llyfr Prawf* and its Appendix, and some sub-divisions, for example, the beginning of the Laws of Women and Land Law, it is only a few manuscripts that mark finer divisions with comments in text.

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[449] Other textual series adopt the variant first, then the siglum/-a. The pattern used here had advantages for the collection of data; hence the deviation from the conventional arrangement.

[450] E.II.vi.

[451] James, 'Golygiad'.

[452] A correspondence of his numbering with *A*, *B*, *C*, *D*, *E*, *Col*, Evans' facsimile of *A* and Aneurin Owen's Venedotian Code is found at *Ior*, p. xliii–xliv. Wiliam's numbering is followed in the Ior texts edited by Charles-Edwards in *LAL* and *TCC*, and also appears in the paragraph-by-paragraph summaries in my editions.

C, likely our earliest manuscript paleographically speaking,[453] uses many titula to introduce new sections. Outside of this evidence, the rubrication of sections was examined in *D* and *J*, the former of which uses a system of capitals and rubrication to indicate sections and sub-sections. Of course, divisions not marked by titula, rubrication or the setting of the text on the page might nevertheless by present in the tradition, marked in the minds of contemporaries from previous contact with other, more visually organised manuscripts, or obvious from the flow of the text. Although space does not allow extended analysis here, T.IV.vi and T.IV.vii depict, respectively, section breaks made across *Ior*, Jenkins' translation in *The Law of Hywel Dda* and *CHW*, and a comparison of rubricated initials in *D*, *J*, *K*, *A* and *E* as against the numbering in *Ior*. This and related evidence led the process of dividing up these texts into more easily discussed parts. In sum, whilst the level of sub-division, and especially naming, of sections in the Supplementary and Example Editions is somewhat artificial, these decisions are nevertheless grounded in the natural arrangement of the text in the extant manuscripts.

Translations are given for all edited texts, though not of the variant readings. Heavy use was made throughout of the work of previous scholars, and only where no direct translation has been made is the rendering solely my own. Dafydd Jenkins' *The Law of Hywel Dda* was used most prominently. Some attempt has been made to modernize the legal vocabulary and grammatic archaisms; nevertheless, given that the purpose of the translation is an aid to understanding the Welsh text, it is in some parts phrased oddly to the English ear. Orthography has not been regularised or modernised for any manuscript; the base text directly follows the transcript of *B* prepared in *Rhyddiaith 1*. Shared variants take the spelling of the first manuscript recorded, either taken from *Rhyddiaith 1* or *Rhyddiaith 2*, or from a direct reading of the manuscript itself.

4.4.3   Referencing Shorthand

Although only two tractates are studied here in great depth, a whole range of texts have been edited in the preparation of this chapter. Although these texts receive no direct reference and discussion in the body of the argument, the textual data and variant readings inform my approach and conclusions here (especially 4.5 and 4.6), and references appear in footnotes. A suitable shorthand was necessary for referring to the editions and representative tables. E and S represent the Example Editions and Supplementary Editions respectively; T refers to the collection of tables. Following this capital initial, a capital roman numeral stands for the number of the edited text in the case of E or S, and the specific class of table in the case of T. A lower-case Roman numeral stands for the individual section in the case of E or S, or the specific table in the case of T. Further lower-case Roman numerals specify individual sub-sections of editions or tables in the case of further nesting. An Arabic number stands for the specific sentence in the edition; a 'T' preceding the Arabic number points the reader towards the translation of

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[453] Huws, 'The Earliest Version'; see also 3.2.2 and 5.2.5.

that sentence; an 'R' refers the reader to the variant readings for that sentence, with an Arabic number in brackets specifying which variant reading is intended.

For example, E.II.xi.2 refers to the second sentence in the eleventh paragraph ('Mixed Denial') of the second edition (Family Law) in the Example Editions and is synonymous with the words 'yaunhaf yu credu e rey esyd en e gemryt. canys gnotaf yu guadu mab er tref y tat'. E.I.ii.R1(2) refers to the second variant reading of the first sentence of the second paragraph (Containers and Tools) of the first text (Values) of the Example editions, and is synonymous, as can be seen, with the words 'cxx] *K* i ϭerth, *ADEGLew* +a tal, *C* +ew y werth kyϭreyth'. S.XII.vii.T4 refers to the fourth translated sentence of the seventh paragraph (Ploughing material from Latin C) of the twelfth edition (Joint Ploughing) of the Supplementary Editions and is synonymous with 'thus should ploughmen plough'. T.III.x.ii refers to the second table (Other Manuscripts) of the tenth sub-section (Appendix to *Llyfr Prawf*: The Value of Trees) of the third group of tables (Supplementary Edition Correspondences). Where extensive reference is made to several sentences, these are reproduced for ease of reading on the page itself.

4.5 TRACKING TEXTUAL CHANGE

It is a maddening task to apply categories and types to processes of change: as a Welsh lawyer would say, it is a process much like trying to hold on to the greased tail of a bullock. Analysis requires the disassembling of a concept into its constituent parts, and the evaluation of how these parts combine to make the whole. The analysis of textual change, therefore, encompasses the breaking apart of the process of variation into one of copying, conjecture and creation on the part of the medieval editor-copyist, the development of an account, typological or otherwise, of each of these parts, both in and of themselves and in as much as they contribute towards the tradition as a whole, and their recombination into a more general picture. Given the wide range of reasons for why an editor-copyist might make a change to their text, either consciously or not, for themselves or others, for readers or for listeners, and the layers of such activity which might sit behind our divergent manuscript readings, the task of analysing this process is by its nature complex and unsatisfactory. Even when looking from our extant manuscripts forward, that is, at the picture of development during a period of surviving manuscript texts, so much is lost, both in terms of context and actual manuscripts, as to render conclusions loose and speculative. Indeed, it is a fact of the field that no two medieval *CH* manuscripts can be said to have been directly copied one from the other.[454] The application of the textual method to well-defined problems, such as the development of the Ior *galanas* material outlined above (4.2), rewards the specificity of the enterprise. Structural change, more than any other variation, allows for the tracking of changing intentions and conceptions of textual unity from manuscript to manuscript. More general questions, unfortunately, receive more general answers. As explored above, the problems attending a

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[454] See n. 27 for this observation.

question as general as the descent patterns of an entire textual group, or *CH* itself, can render the answer, if the questioner is not methodologically rigorous, misleading or problematic. Pushing the evidence too far, by, for example, demanding the contents of distinct, recoverable originals distant in time and uncertain in form, has its own set of problems. Theoretical issues attend each step: what is and is not variation; how might we render an essentially individual and creative process into parts amenable to translation into data; what can we do with that data that is both coherent and useful; what questions bear asking; and, fundamentally, how are we to account for the interpretation of the editor throughout the entire process. It is the understanding of variation, throughout the development of the textual tradition, which is essential to building these enquiries on solid ground. I therefore divide my comments here between the process of gathering textual readings (4.5.1) and the classification and interpretation of those variants (4.5.2).

4.5.1 Gathering Variation

The first decision in gathering textual variants involves a judgement over what 'counts' as variation and what does not. One side of the sliding scale is clear. The removal of a tractate, the reordering of sentences, the clear change of legal meaning, the insertion of new material: all these activities are most certainly of use to us in answering the questions introduced above.[455] The other side of the scale is less obvious, and necessarily relates to what kind of questions we wish to ask. Non-textual evidence, discussed in some detail in Chapter 3, was excluded from the analysis here. The variant readings thus do not take account of rubrication, foliation or pagination, the size or style of script, or the layout of the text on the page.[456] Differences in orthography, including the marking of lenition, are also not noted. Footnotes throughout this thesis, especially in 3.2 and 0, should direct the reader towards key debates on medieval Welsh orthography, as well as details about specific manuscripts. Spelling systems remain vital evidence for the transmission of texts, especially between those systems of Old and Middle Welsh, but have been excluded here both for reasons of space, but also as they form a reasonably well-defined and separate set of data. Where orthography interferes with variant readings, in other words, where spelling makes the occurrence of a variant reading ambiguous, I have followed the most reasonable path. Putting aside rubrication, layout, palaeography, codicology and orthography, features which we might reasonably call meta-textual, all variants, from the use of a definite article or conjugated preposition to the removal of sentences, have been recorded. This maximal approach is not necessary for the purposes of textual reconstruction, leading to some tractates carrying a complicated and dense

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[455] In a reconstructive edition, or in an edition prepared for the purposes of stemmatic study, one would also be heavily concerned with whether a specific variation belonged to the manuscript in question or some sub-group or sub-archetype. This classification does, however, presuppose an arrangement of texts prior to the collection of data; the work here attempts to see what trends appear when the data collector is blind to these arrangements.

[456] Titula, as we shall see, make their way into my data. Given that there is little value in this type of data for examining the development of the text (incipits, excipits and the like are more like rubrication than actual variations), these sentences remain separated from other data as long as they remain outside the main tradition (that is, the titula are not copied by other manuscripts).

apparatus. However, the aim here is to present a picture of variation across all manuscripts and all tractates.[457] That the apparatus to the Value of Equipment tractate at times appears unreadable demonstrates the vast array of variation possible with a list-like text. The change in length of apparatus between sub-sections of the Suretyship tractate is likewise informative. This pattern of editing allows much to be gleaned from a brief look at the base text and its apparatus.

Recording these variations led to its own problems. In many cases decisions had to be made which necessarily involve a creative, subjective effort on the part of the editor, in other words, an act of interpretation. For example: the removal of a certain phrase may make its introduction later in the sentence more likely; the removal of a conjugated preposition wholesale in a sentence might be one editorial act or several; the change to the tense of a verb in one sentence might force a change elsewhere; an eye skip might occur in several manuscripts but be worked out further in later copies. There are several ways to represent these changes in the variant readings, some of which require, or at least imply, a judgement of textual priority. There are also several ways to turn these variant readings into the data points outlined below. Particularly difficult cases are reproduced in full rather than being broken up into several variations based on the editor's idea of the development of the text, whether in variant readings, separate paragraphs or in endnotes. In this manner, the editor's choices are at least signposted. Naturally, this renders the data anything but 'objective'. The implications of breaking a fluid text into numbered sentences, deciding on one data point to represent a variant reading rather than several, or vice versa, and of grouping variations into a set number of qualitative categories necessarily introduces the biases of the editor. The reader should be under no illusion that anything scientific is meant by the rhetoric of 'data', categorisation, and percentage values. It is the contention here that the collected data demonstrates and summarises trends that exist in reality, not as a result of the process of collection, arrangement and interpretation. Nevertheless, the editions, tables and variations presented here are and should not be final, but rather function as a point of discussion for the thesis as a whole.

For the most part, the variations recorded here are binary.[458] In other words, in a paragraph where *ABCDE* are present, and where *CD* take a certain reading, the base reading is therefore taken by *ABE*. Thus, agreement by *CD* is also agreement by *ABE*. No judgement of priority is made by the base-text taking the readings of *ABE*. There are many cases where three or more variant readings appear in the apparatus. The data tables do attempt to break these variants down to binary choices, necessarily making decisions of development. It was determined that the value of binary data in terms of sentence-level variations was greater than that of avoiding introducing prior interpretation. It is certainly the case that manuscripts were copied by more than one scribe, and that any particular sentence might contain more

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[457] The most elegant presentation of a full-variation edition would be electronic and dynamic.

[458] I stress again here the aims of this analysis. In engaging in a stemmatic study, recording all readings as binary would hide the reasons for why variation occurred in the first place. However, I attempt here to take the data *en masse*, to apply a system of criticism as blind to previous preconceptions as possible. Accommodations had to made to further this goal.

than two possible innovations. A reconstructionist might contend that structuring variation in such a way inevitably leads to bipartite stemmata, a recurrent problem in 'traditional' textual criticism.[459] Nevertheless, this analytical decision is not made to mimic reality, but rather to make the quantitative analysis of variation plausible. Indeed, given that the aim here is not to reconstruct the original, but to present and analyse variations in general, this simplification is a worthwhile one. Larger variations, at the level of the paragraph and tractate, are kept unchanged or uninterpreted and do not make their way into the tables of data. The elegance of representing variations as binary choices allows, in a pseudo-scientific manner, for hypotheses to be tested. Given a text attested by *ABCDE*, if *AE* vs others has more variant readings than A vs others or E vs others, the relationship between these two manuscripts is particularly strong. Examining the independence of each manuscript, that is, the number of variations it solely registers against the remainder, allows for a judgement of how coherent the group is as a whole, and the identification of any outliers. A low level of independence for a particular manuscript either indicates that it bears more similarities with another manuscript than differences with the group as a whole, or that there exists a group with a low level of variation in general. A high level of independence registers not just that, say, *D* varies frequently from the rest, but that *ABCE* exists as a tight group when compared with *D*. Further analysis is possible by looking for joint variations between manuscripts. Taking *AE* as an example: if, say, *ACE* features far more variations than any other combination, we might say that *C* relates more closely to this group. By a matter of deduction, *BD* forms a group of the same type. If placing each manuscript with *AE* leads in all cases to a large reduction in the number of variations, no other manuscript forms a distinct group with *AE* and, by deduction, *BCD* forms a strong unit by itself. This method need not always yield binary results: if both *AE* and *D* register a high level of independence and *C* aligns slightly more with the former than the latter, we are left with four groups: *D* positioned far from *AE*, with *B* and *C* taking up a position between them. The introduction of later manuscripts to the analysis, such as *K*, *Lew* and *G*, proceeds by attaching them to already known groups. This method allows for an inductive analysis of grouping, and a hypothesis of textual closeness, to be proposed without recourse to stemmatic reconstruction – in other words, a judgement of 'relationship' that is not cladistic.

A central problem with this method is what to do when a manuscript does not attest. There are two types of 'not attesting': when a manuscript varies a sentence or phrase as a whole which contains a smaller variation; and when a manuscript is missing pages or fails to attest a larger section. In the latter case, the reading of the manuscript is unknown and lost, and I have recorded separate data tables with a sub-set of the manuscripts for that text. In other words, where *ABCDE* attests a text and *C* drops a folio, there exists a table of data for *ABDE* and another for *ABCDE*. The first type of non-attesting is a result of the binary perspective of the variation. Take these three readings:

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[459] Tarrant, *Texts*, p. 57, and the references there in n. 21 and n. 22. See also 1.5.2 and 4.1.1 above.

132

B: For the first time in their relationship, Sarah smiled at Mrs Poulteney: a very small but a knowing, and a telling smile.

C: For the first time she smiled.

D: For the first time in their relationship, Sarah smiled at Mrs Poulteney: a very small smile.

A: The first time in their relationship, Sarah smiled at Mrs Poulteney: a very small smile.

Taking *B* as our base text, our variations might be as follows:

For the first time in their relationship, Sarah smiled at Mrs Poulteney: a very small but a knowing, and a telling smile.

in their relationship…smile] *C* she smiled   For] *A* –   but a knowing, and a] *DA* –

Distilling this to data points, we might say that *A* varies once, *DA* vary a large phrase together, and *C* varies an even larger phrase by itself. *A*'s variation works out as *BCD*'s; where *A* does not record 'For', *BCD* do. However, *DA*'s variation is not binary – as *C* misses the entire phrase, *DA* does not have one binary reading against *BC*, but rather just *B*. The most general way of describing the situation is that the entire phrase after 'in their relationship' has four possible variants for the four manuscripts, but this obfuscates what was likely the developmental pattern of the text. To record *DA* as a variation also muddies the water, as the implication is that *DA* is here agreeing against *BC*, creating a false group by including *C*. This kind of non-attestation requires a decision when assembling the data points as outlined below as to correct representation. In some cases, the decision was taken to create another table to maintain cleanliness of data, as with the other form of non-attestation discussed above. In others, the sentence was broken down in a certain way to allow the representation of a less clear set of variations in a more systematic form. The remaining choices are either to discount the variation, or to record it anyway. These are the decisions and problems faced when attempting to reduce variant readings into quantitative data; Wiliam undoubtedly faced the same issues when counting his variants based on form and meaning. The typology discussed below hopes to ameliorate some of these problems, but it is nevertheless a feature of such an analytical review of variation, and the reader should bear this fact in mind when approaching the conclusions and discussions broached later in this chapter.

Putting aside this low level of variation, the analysis here is also supplemented by larger patterns of change less amenable to quantitative analysis. Variation in large-scale structure is common in *CH*, both in terms of tractates in the looser traditions of Cyfn and Bleg, and in terms of sentence ordering here. The correspondence tables outline from a visual perspective the variant ordering of the manuscripts (T.II and T.III). Some of the later manuscripts have embedded Ior material in other contexts, and in some texts variant ordering of sentences is more the norm than the exception; I have attempted to represent both trends in the tables. Sentence ordering is less reducible to the kind of analysis described

above for more fine-grained variation; the same can be said for the attestation of tractates and the inclusion of novel material. In these cases, these more structurally oriented variants are brought to bear qualitatively on the trends discovered in the tracking of more general variation in the discussion portion of this chapter. In this category of variation, we might also include those differences in structure, content and meaning that textual criticism would deem diagnostic. The typology below, and comments in the corresponding discussion, draws attention to changes such as shared eye-skips, shared inclusion of novel material and clearly shared errors. Whilst important for an enterprise of reconstruction, these variations are also vital for a developing a full picture of change in a textual tradition.

4.5.2 A Typology of Variation

The previous sub-section addressed the problems of gathering variation from *CH* texts, and how useable data might be extracted from this measure of change. I have already suggested distinctions in kind between variations at the sentence level and those beyond the paragraph. It is also vital for the cleanness of our sentence-level data, as well as for pushing the analysis a step further, to distinguish between different types of variation. Various systems were considered with different levels of specificity. It would, for example, be of clear interest to track very particular types of variation, such as the tendency to use or exclude conjugated prepositions, or whether the general tendency in a manuscript was additive or subtractive. Wiliam makes a distinction between changes in form and changes in content.[460] This typology was not followed here both due to the difficult overlap between form and content in the medieval mindset, but also as, in many ways, changes in form are far more significant in the law-book tradition than changes in content. A preoccupation with structure is especially notable in Ior; 3.3 above and 5.2 below discuss the formation of *Llyfr Prawf* and several other structural changes. For the sake of simplicity, and for achieving a more general set of conclusions, a distinction was instead made here between different magnitudes of variation.

1. Class I: Smaller Variations

This class broadly includes smaller variations which occur frequently, sometimes deliberate changes but often incidental. Variations in this class include: the occurrence of different verbal forms without changes of meaning; the use of the definite article; the use of possessive pronouns instead of the definite article; the occurrence of 'a(c)' without change of meaning; different forms of conjugated prepositions, interrogative pronouns (for example, 'py' for 'pa') and other incidental grammatical variations.

2. Class II: General

A broad range of variations is contained with Class II. Although a few examples are listed here, this class, as explained below, is very much an 'other' class. Here lie the standard variations which might find usual comment in an edited text, minus the significant changes finding their way into Class III.

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[460] See 4.2 above.

Most variations fall within this class. Examples include: differences in meaning (for example, *brenhin* for *tywysog*); the introduction of clarificatory words; different phrasings; structural reordering; and introducing or deleting adverbial phrases.

3.   Class III: Larger Variations

Class III essentially contains the top end of Class II, those changes which appear particularly significant; in purely colloquial terms, the variations here are of such a magnitude that it would be hard, for the editor-copyist and the scholar, to miss them. Here can be found: larger changes in structure, such as the reordering of phrases, or a state of organisation which likely indicates several steps of reordering; significant changes of meaning or legal content; and many smaller changes which together account for a significant single act (for example, the changes made by *D* to the Value of Equipment tractate noted in 4.1.1). The insertion of new material, eye skips and the omission of significant phrases all form the core of this group.

The prime aim of this typology was to maintain Class II as useful mass data. Class I therefore soaks up many of the smaller grammatical or repetitive variations, whereas Class III contains those changes which are of a magnitude that their interpretation might require a qualitative rather than a quantitative eye. [461] Accordingly, all Class III variations, as significant changes to the text, also receive a reference in the data tables to where these changes might be found. This categorisation necessarily involves forming an idea on what mattered or did not matter to an editor-copyist, what changes were unconsciously and repeatedly made, those unconsciously and rarely made, and those made for deliberate and critical reasons. It also presupposes an idea of what criteria are relevant for grouping, for example, that a different verbal form is less relevant than a change in sentence structure. The flexibility of this typology, and its interpretative nature, is, however, a benefit as well as a burden. The lines can be moved slightly in different texts: the exclusion of repeated variations from Class II in the Value of Equipment allows for usable quantitative data in an otherwise messy tractate. The aim of this categorisation of variation was not to make claims about the actual existence of three groups of change, but to make the data amenable to a certain kind of analysis. It is hoped that the interpretative process involved in bringing the evidence to this point does not overly muddy the waters.

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[461] It is necessary to explain further here the inclusion of *tituli* in Class III (also see n. 456 above). Variations such as incipits and explicits are not usually good indicators in producing a stemmatic analysis. These sentences, as with those in *C*, exist as adornment to the text made by a specific copyist, more like rubrication than other types of variation. The reader should understand Class III to be those changes 'which are of a magnitude that their interpretation might require a qualitative rather than a quantitative eye', not changes relevant for the reconstruction of the original Ior text. As the incipits in *C* receive comment throughout this thesis for other reasons, they find their way into this class to be excluded from the quantitative work done to those variations that fall into Class II.

4.6 Stemmata Quid Faciunt? Representing Textual Variation[462]

Since the birth of textual criticism in the late-nineteenth century two representations of textual variation have been key to the discipline: the critical edition and the stemma. 4.4 has addressed the place of the edition in putting forward a rigorous and useful picture of textual variation. Whilst some issues are shared, namely the problem of the original and the predominance of a cladistic mindset, the focus here will be on the stemma, or the textual tree. In this chapter, we have already seen several stemmata from the work of other scholars. Two more examples are Figure 15 are Figure 16. In the simplest and purest form, stemmata are used to represent the recension model of manuscripts as they relate to the original copy.[463] The root at the top of the tree is the manuscript as penned by the author, or a distinct version produced under their aegis, while the branches at the bottom represent our extant copies. The branches in-between represent existing manuscripts on the journey of copying between the original and the surviving manuscripts. Divisions on the tree therefore represent points of divergence in the development of the tradition, moments where key diagnostic features innovate and present a recognisable and recoverable split from the root. Referring to the root as 'the archetype', these divisions become 'sub-archetypes'. Given the usefulness of sub-archetypes in diagnosing where a particular manuscript sits in the tradition, that is, on which earlier witnesses its readings solely depend, the faithful and effective arrangement of manuscripts under correctly identified sub-archetypes is key both to the stemmatic method and to the rationality of what is presented in a stemma. As a representation of grouping and development, the stemma acts as both a diagram, a graphic demonstrating the relationship between the parts of a whole, and a tool. Given a certain order and form of textual development, we can prune branches subordinate to existing manuscripts, and identify those that contribute little to the readings of the original. Using sub-archetypes, and the correct grouping of manuscript under them, we can build a strategy of isolating the readings and form of the original manuscript amongst the extant diversity of text.

The problems in the application of this method to a tradition as fluid and creative as *CH* has been addressed above (4.1.1). The stemma makes the same assumptions about how hand-written books were copied, both in the Classical period and the Middle Ages, as the stemmatic method itself. The process of drawing up a tree-like relationship between manuscripts, diagrammatic or otherwise, is the core of traditional textual criticism, and is often called recension, or genealogical analysis.[464] What a genealogical approach can provide to our understanding of textual development, and what exactly is

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[462] Tarrant, *Texts*, p. 13, mentions Juvenal's comment 'what's the point of family trees?', 'a tag that has led a second life in discussions of text-critical method'.

[463] For an overview of the stemmatic method, see 1.5.2.

[464] Recension as an editorial process (*recensio ope codicum* and *recensio ope ingenii*) is distinct from the use of the word as a distinct, influential form of the text, that is, 'the Iorwerth recension'. I use recension in other places to refer to the Ior group and other *CH* sub-groups. For the avoidance of confusion, I use here 'sub-archetype' to refer to these groups and recension to refer to the grouping of manuscripts along textual grounds (*recensio ope codicum*). For a further discussion of this terminology, see Tarrant, *Texts*, pp. 49–84, especially pp. 49–52.

meant in a given context by recension (that is, what form our sub-archetypes take and what kind of relationships are envisaged between sub-archetypes, manuscripts and the original) can both be justified and discussed in the outlining of a particular framework. The stemma, however, introduces a layer of ambiguity not present in a thorough outlining of a textual method. Many of these ambiguities centre around the problem of the ambiguous node.[465] Figure 15 presents a good example. Several different kinds of node exist in this stemma: the manuscripts themselves, with only *L* directly feeding into another (*Crd*), and with two possible forms of relationship, that is, *R* and *T* stemming from the same source but sitting on different lines, and *O* and *Tr* sharing the same source but sitting on the same line; the family groups (*Teulu I* and *Teulu II*); the additional material, including the Court Roll of Dafydd Llwyd (*Rhol Dafydd Llwyd Llun o'r Llys*) and 'Material from Other Sources' (*DEFNYDD O FFYNONELLAU ERAILL*); the original, described here as 'Material of the Form of Blegywryd (tractates, triads)' (*DEFNYDD DULL BLEGYWRYD (traethodau, trioedd)*); and, finally, points of divergence on the tree itself. There are several further types of the latter node: where the line from *Teulu I* to *I* branches to lead to *S*; where the line from 'Material from Other Sources' diverges from *J* to *QEpP*; and where the line from *Teulu II* carries on through *L* to *J*. It is uncertain which of these nodes exist as manuscripts, and which as a more general placeholder for a moment in the textual tradition. The difference in capital type and lower-case type presumably refers to this distinction, with the Court Roll of Dafydd Llwyd envisaged as an actual book and 'Material from Other Sources' a more general pool of source material. Presumably the same is meant by 'Material of the Form of Blegywyrd', in other words, that there is no claimed original in the traditional sense. By the same logic, *Teulu I* and *Teulu II* represent two actual manuscript copies deriving from the Bleg tradition; however, the ten manuscripts all apparently copied directly from *Teulu II* make this picture unlikely. Other inconsistencies render the stemma unclear. Are *J* and *Crd* both directly copied from *L*? What does *QEpP*'s divergence from 'Material of Other Sources' so much later down the line imply? Is the appearance of *QEpP* and *OTr* on the same line indicative of a particularly close relationship in terms of variant readings, or is there something structurally different about their relationship than the relationship between other manuscripts stemming from the same source? Figure 15 is methodologically non-rigorous. There appears to be a range of textual points being made: the tradition has a vague origin; the tradition splits into two in terms of tractates and triads, with additional material appearing in manuscripts not in line with that split; some manuscripts are particularly close to one and other, whereas most are broadly related; and *Crd* is a direct copy of *L*. The diverse range of development clearly evident in the tradition, sometimes very general, sometimes very

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[465] Clear comparison exists here with the nodes in language trees depicting the application of the comparative method in historical linguistics. The problem over the uniformity of the proto-language, and the increasing popularity of isoglosses and dialectology, mirrors the confusion in textual criticism between sub-archetypes representing either an actual once-existent manuscript or a conceptual group. Practitioners of the comparative method also worry about the subjectivity of reconstruction, another parallel to the subjective decision made by the editor of a text when presented with two equally plausible though distinct readings, and contact between languages, mirrored by horizontal transmission, or 'contamination', in stemmata.

specific, sometimes combining a range of sources, sometimes loyal to one, is here telescoped into one form of presentation. As a result, the diagram both becomes a misleading representation of the textual tradition, but also a potentially dangerous one if relied on for editing purposes.[466]

The point underlying these arguments is that there exist many kinds of textual relationships and groupings, dependent on factors such as copying culture, the physical transmission of the bound folio, the changing status of material deemed 'inside' and 'outside' the tradition proper, and the structural arrangement of the text itself. These unique and differing relationships between manuscripts might be obscured in an unclear stemma or, more drastically, some traditions might not be usefully represented by stemmata at all. Different types of representation may privilege certain manuscript features. The ambiguity in the nodes of Figure 15 might suggest that to be the case with the Bleg tradition. In the representation of the Ior tradition, the movement from general (Figure 11 and Figure 12) to specific stemmata (Figure 13, Figure 14 and Figure 16), from representing 'the text' to representing the transmission of a specific tractate through several stages of diagnostic innovation, might suggest a steady concurrence in the scholarship with the creative nature of copying in *CH*. The inability of Figure 16 to stand on its own feet, that is, to be useful without a full reading of its corresponding discussion, speaks to how dense and complex these apparent illustrations can become.

Fundamentally, all tree-type diagrams, and other representations used in other fields, such as Venn and Euler diagrams, are essentially the representation of categories (groups, sets, forms, etc.) and the relationship between these categories. If there is no clear indication for why certain categories should exist, what those categories represent, and what should be in them, these diagrams become misleading. Likewise, there is a need to clarify what kinds of relationships are being depicted between these categories, and how these relationships are measured. Many problems in the stemmatic method come from conceptualizing the stemma as a ladder, as a series of chronological steps from the top to the

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[466] Recent work by Russell, '*Canyt oes aruer*', adds to this discussion and touches on the sometimes-precarious use of diagnostic sections in developing a recension model. *Teulu I* and *Teulu II* in the stemma present in the reprinted *Cyfreithiau Hywel dda* exist due to two features: the inclusion or omission of *Cyfraith y Llys*, and the place of a collection of triads either after *Cyfraith y Llys* or with the other triads later in the manuscript. Russell considers in detail these two features, arguing convincingly for the dependence of one on the other (that the triads would move *as a result of Cyfraith y Llys* being omitted) and for a different narrative of the omission of *Cyfraith y Llys*. Rather than laying the responsibility for this omission squarely on the shoulders of Gwilym Wasta, interpreting a joining sentence as indicating a deliberate omission of lesser-used law on his part, Russell demonstrates that the loss of this material earlier in the tradition is more likely. Turning his conclusions to editing, Russell notes that 'a final consequence of this re-analysis is that the distinction between [*Teulu I*] and [*Teulu II*] versions of the Blegywryd redaction becomes less significant if, in part, at least, it is the result of damage to a manuscript and not the set of deliberate choices. In other words, [*Teulu I*] may simply be a faulty offshoot of the main tradition, and any full edition of the Blegywryd redaction should be based on Latin D and the manuscripts on the other side of the tradition rather than primarily on *O* and *Tr* (as in [*Llyfr Blegywryd*])' (p. 186). That Gwilym Wasta simply had no other Bleg manuscripts to correct this error in the tradition seems unlikely; we should take Russell's second hypothesis that 'if the Laws of Court were really not in use, he may have chosen not to seek other copies' (p. 186). The stemmata Russell presents (on p. 177 and 185) mirror the more exact argument in relation to the *galanas* material earlier in this chapter; where representing a specific textual development, these diagrams, and the attendant textual method, have great inductive power.

bottom; just as one might go down the ladder, so can one go up. In most cases, despite the stated aims of the critic, the stemma represents a much more general picture of the development of the textual tradition. The root of the tree, as well as all the leaves on the way to our existing manuscripts, are conceptual rather than actual. In many places, these conceptual units may be different in kind despite their form on the tree. As a depiction of the application of the stemmatic method in its purest form, despite all the problems of that method, the stemma is true to its intentions. Nevertheless, the further the framework moves towards accepting the essentially fluid and creative nature of certain copying cultures, the more general the recension and more diverse the range of influences and textual sources, the greater the need there is for clarity in its diagrams, and the less representative the stemma becomes. In this case, we might wonder, quite appropriately, what exactly the stemma is depicting.

Figure 15 - The Relationship of the Bleg Manuscripts, from Cyfreithiau Hywel dda*, ed. Richards*

Unidentified Sources   Iorwerth text or sources

Cyfnerth text or sources

Unidentified Sources

Unidentified Sources

α

Cyfnerth text or sources

Unidentified Sources

A (mid-13th century)

On denial of mach and mechni

Unidentified Sources

β

B (third quarter of 13th century)

Iorwerth text

Cyfnerth text   Unidentified Sources

Unidentified Sources

Early version of Latin D?

(Early 14th century MSS)
D

E (early 15th century)

Cyfnerth text

Blegywryd (MSS first half of 14th century)

Figure 16 - The Archaic Core of Ior's Surety Material, from Stacey, 'Archaic Core'

4.7   CONCLUDING COMMENTS

A central theme throughout the discussion here is the interpretative nature of all models of textual criticism. Aside from particularly mechanical problems with well-defined contexts, the example used above being the Ior *galanas* material, it is hard to construct an inductive framework that avoids tying itself in knots. Compromises are inevitably made. The methods of analysis put forward here do not claim objectivity nor the final word. No form of stemmatic diagram is 'correct'; due to the essentially subjective process of textual criticism, many arrangements of groups, relationships and textual archetypes are possible. This idea carries through to the method itself. Change is not something that bends itself to any one methodology and the original state of play is not always recoverable in quite as much detail as one thinks. Several principles have led me through the process of drawing up my own theoretical framework: clarity in the conceptual framework which defines the questions I ask; clarity in the decision process leading from manuscript to data to discussion; and a sceptical attitude towards the methods and aims of traditional textual criticism. Nevertheless, in many ways, the discussion above is far less revisionist than it might seem. The analysis of textual data is, I believe, the most effective way of measuring change in the cultural, legal and literary ideas which stand behind our written evidence. It is hoped that the following test cases demonstrate the positivity and constructiveness of this approach.

5 RESEARCH QUESTIONS AND TEST CASES

5.1 INTRODUCTION

Chapter 4 saw a development of a textual methodology for examining variation as a whole in our Ior manuscripts. A proposed model of editing was discussed in detail, as was a method for the analysis of variation, aimed at the reduction of this essentially creative and subjective category of evidence into quantitative data. This data is collected in the Correspondence Tables (T.II and T.III) and the Data Tables (T.V) in the second volume to this thesis. Two Example Editions were produced for detailed discussion (E.I–E.II), whilst a large range of Supplementary Editions provide additional variation data and further demonstrate the editing pattern introduced in 4.4 (S.I–S.XIII). These editions were edited not along the lines of traditional textual reconstructionism, but rather aim to produce a general view of variation in the Ior tradition. Accordingly, the base text throughout is fully imagined and makes no claims to reality; although based on *B*, this text is not reconstructive, but features rather as a hook on which to hang textual variations. 5.2 discusses the issue of what came before Ior. *Llyfr Prawf*, alongside the Latin laws, play an important role in picking apart this problem. Family Law, as a unique creation of the Ior book-tradition, is addressed in 5.3.2. The place of Family Law as an extension of Land Law rather than a uniquely family-oriented tractate is analysed, as well as the text's appearance in later manuscripts. 5.3.3 addresses the issues in editing and analysing a list-like text. The Value of Equipment, Furniture and Weapons, making up a large proportion of *Llyfr Prawf*, demonstrates the preoccupation of the editor-copyist with structure, with all manuscripts varying significantly in sentence order and attestation. It is shown that a quantitative analysis, if attention is paid to the cleaning of the data, can be carried out on such a text. 5.3.4 examines the development of the tradition as a whole, discussing the two-stage model of development recently proposed by Thomas Charles-Edwards and probing the organisation of the core manuscripts in the light of the variation evidence.

5.2 PRE-IOR AND *LLYFR PRAWF*

5.2.1 Introduction: Pre-Existing Material and the Ior Project

How did the Ior tradition come to be?[467] In order to answer this question, we must first define the parameters in a bit more detail. A central problem in providing an account of the development of Ior is our uncertainty about what existed 'before'. That there were main-text law-books circulating in north Wales in the decades before the emergence of the Ior tradition is highly likely. The Model Law-book thesis draws on the seemingly more archaic material in the later Cyfn manuscripts to make the case for

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[467] For a broad discussion of *CH* manuscripts, see 1.2; for the 'core' manuscripts, see 3.2 and 3.3; for the 'second-stage' manuscripts, see 3.4 and 3.5; for the 'nature' of the text, see 4.1.1; and for previous scholarship, see 1.5 more generally, and 4.2 for Ior.

a *CH*-type law-book existing deep into the twelfth century.[468] Indeed, the twelfth century, as has been argued in 1.3.3, appears to have been the formative period for the production of *CH* as we know it. However, it is the Latin law-books, especially *Lat B* and *Lat C*, the latter of which is known to have come from Anglesey,[469] which demonstrate the case most fully. Daniel Huws commented on *Lat B*'s status as 'a Gwynedd manuscript' (highlighting Bangor or Aberconwy as likely places of origin), with 'south-west Wales elements [as] a substratum'.[470] These 'south-west Wales elements' might relate to the lost Whitland abbey manuscript *Llyfr y Tŷ Gwyn*, known to the redactor of *Col* and, therefore, presumably, the greater north Welsh legal establishment.[471] Stratum II of *Lat B* is described as 'Iorwerth-oriented', both in its political outlook and in many of the archaic phrasings and material shared with what we now see in our surviving Ior manuscripts.[472] This is not to say that *Lat B* was influenced by a Ior manuscript, or vice-versa, but rather that both were operating in the same legal milieu. *Lat C*, as 'it seems not to reflect the changes in structure which Iorwerth ap Madog brought to the Iorwerth redaction of the laws', 'may represent the earliest version of medieval Welsh law surviving from north Wales'.[473] Furthermore, due to its earlier date and lack of reworking, *Lat C* 'may be the closest we can get to *Llyfr y Tŷ Gwyn*'.[474] Both *Lat B* and *Lat C* demonstrate the interplay of Welsh and Latin in the textual development of *CH*; *Lat B* 'was copied from another Latin version…[though] there may have been a Welsh text lying behind the original' whilst *Lat C* 'is effectively a bilingual law text'.[475]

To summarise this evidence, then, it is clear that there was a great deal of legal material, in Latin and in Welsh, main-text and otherwise, circulating in early-thirteenth century north Wales. *Lat B* and *Lat C* both represent different points of interaction between a strong Latin tradition associated with *Llyfr y Tŷ Gwyn* and the older tradition in operation in Gwynedd. It is thus highly likely that the main source material for Ior was an Ur-Ior, a form of *CH* not strikingly different in content and exposition from what we now have in our surviving manuscripts. To put it another way, the sources available to the Ior redactors were not a confusing mess of loose tractates, localized customary prescriptions and commonplace books. Already by the early-thirteenth century Gwynedd was a place of legal expertise, training, and textual innovation. The emergence of the Ior tradition seems to have been an integral part of this movement.

Another central problem links to this issue of pre-existing material: what do we mean by Ior's 'redaction'? Ior, as seen in 3.3, was a uniquely 'developed' sub-tradition of *CH*; in terms of structure,

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[468] See 4.1.1 and n. 380–383.
[469] Mentioned in *LTWL*, p. 49; confirmed in *WLMA*, pp. xxxvi–xli.
[470] Huws, 'Descriptions', p. 418.
[471] See the comments of Jenkins in his *Llyfr Colan*, at pp. xxxi–xxxii and pp. 136–7.
[472] *WLMA*, p. xli, Russell, 'The Laws', p. 479.
[473] *WLMA*, p. xv. Note here that I use the less specific 'redactors of Ior' rather than the person of Iorwerth ap Madog himself. The evidence of the Preface to *Llyfr Prawf* is, I would suggest, far too vague to make any definite and nuanced conclusions about Iorwerth's involvement with the redaction of the sub-tradition. See also 3.3.2.
[474] *WLMA*, p. xli.
[475] Russell, 'The Laws', p. 480 and *WLMA*, p. xix.

viewpoint and legal sophistication, the surviving manuscripts evidence a very different kind of text to that encountered in Bleg and, especially, Cyfn. *Col*, presumably operating as a part of the same legal renaissance in thirteenth-century Gwynedd, frequently attempts an exposition of *CH* fringing on the jurisprudential.[476] Did the coming together of Ior involve a simple re-organisation of what came before? In other words, was there an identifiable pre-Ior text, of a similar level of sophistication and with a similar outlook, which provided the basis for this new form of *CH*? Here the innovation is largely one of structure, focussing on the moving of material into *Llyfr Prawf* and its Appendix and the consequent changes this process wrought in the main body of the text.[477] On the other hand, was the picture more diverse, with the redactors working on a range of legal materials? Here, the tradition might be messy and undeveloped, representing far more the manuscripts of Cyfn than those Ior manuscripts currently surviving. The identification of an accurate and well-supported developmental model has deep ramifications for how we view our surviving manuscripts, their sources, and what a Ior 'original' might have looked like.[478] The generation of 'a' Ior book, disseminated and copied across north Wales as it steadily became the orthodox representation of *CH* is a very different Ior original to, say, a pre-existing and popular *Llyfr Prawf* occasioning changes as it was copied into other main-text books. The discussion encompasses what material may have influenced the redactors outside of the main-text tradition, what evidence *Llyfr Prawf* itself might provide, and how the data of variation might aid us in making these conclusions.

The remainder of this section will examine these issues in more detail. 5.2.2 will address the additional material which we find so often terminating our books; 5.2.3 will outline a number of processes of additive development; 5.2.4 will focus on *Llyfr Prawf*, the central distinguishing feature of the Ior tradition, with 5.2.5 examining the evidence of *C*'s preface in detail; lastly, 5.2.6 will suggest some conclusions. There is, unfortunately, no definite answer as to what processes led from a certain group of material to the blossoming of the Ior tradition. Rather than suggesting a detailed narrative of development, I present here instead a model for thinking about Ior's emergence, its integrity as a manuscript book, and the likely sources which may have been used by its redactors.

5.2.2 Additional Material

A range of additional material appears in our earliest Ior manuscripts. *Damweiniau* occur in *A* and *E*, and *cynghawsedd* in *B*, with the end of *C* not surviving. *D* includes more *damweiniau*, as do *K* and *Lew* (the latter also *cynghawsedd*). These two collections of legal material might therefore be described as a central part of the Ior tradition. *A* and *E* also contain *Breiniau Gwyr Arfon*, a tractate not appearing in any other manuscript. That particularly regional legal tracts were in circulation in the thirteenth century is clear both from the inclusion of the *Breiniau*, but also from the various points in the lawbooks where

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[476] See the copious textual notes in Jenkins, ed., *Llyfr Colan*, pp. 43–179.

[477] For the Appendix to *Llyfr Prawf*, see 3.3.2.

[478] See 4.1.1 for a discussion of the idea of the 'original'.

consideration is given to local custom. Most notably, the form of *Naw Affaith Galanas* in *Lat B* preserves a distinct use of the word *affaith* in a variant of the provisions accorded to the men of Powys (*secundum Powissienses*).[479] Both the material in *Lat B*, and the *Breiniau Gwyr Arfon* in *A* and *E*, are mirrored in a twelfth-century poem sung by Cynddelw, 'The Privileges of the Men of Powys', and in the much later *Defodau Powys*, a tract 'which purports to record the demands of an assembly of gentry… in the first half of the fifteenth century for the privileges and laws which their ancestors had enjoyed'.[480] The voice of local noblemen often stood together with that of the kingdom or those from other parts of Wales; the anxiety of *uchelwyr* around land inheritance and the introduction of more modern (and English) forms of princely rule are reflected throughout *CH*.[481] However, *CH*, frequently in response to patron and context, was a flexible text and could incorporate concerns of a more regional character. Later manuscripts, existing much more as the creations of individual noblemen in a 'do-it-yourself' productive context, include much material of local and regional interest. Christine James has written on the use of the Court Roll of Dafydd Llwyd in *S*, alongside a loyalty to certain regional saints, and Sara Elin Roberts has localised another group of later manuscripts.[482] *Lew* contains much material relating to religious matters, surely a feature of its compilation by a member of the clergy.[483] In short, the inclusion of additional material was a natural and common part of the life of the *CH* manuscript, and a wide range of legal material, some of regional affiliations but some also of more innovative genres such as the *cynghawsedd* and *damweiniau*,[484] was available to the redactors of the Ior book-tradition.

Although *Llyfr Prawf* was the largest structural innovation of Ior, and occasioned much change to *Cyfraith y Wlad*, other differences throughout the text mark Ior out as distinct from other *CH* book-traditions. Pre-Ior was most likely not in the surviving form of any existing Cyfn or Bleg book, but rather, as discussed above, represented a northern form of the law which may have had an independent life stretching back into the twelfth century. Although we can surmise that additional material, such as the *cynghawsedd*, *damweiniau* and other regional tracts such as the *Breiniau Gwyr Arfon*, perhaps had a separate life from the tradition itself, it is uncertain whether they formed a part of pre-Ior. Indeed, given the remarkable legal activity which characterises the mid-thirteenth century, seen in *Col* as well as the Ior tradition, it would be unsurprising if the *cynghawsedd* and *damweiniau* reached their extant forms as part of the same process. Thomas Charles-Edwards suggests that both genres were already well-established by the early-thirteenth century, basing this view on the occurrence of both in a range of thirteenth-century manuscripts (*Col* in addition to *ABE* mentioned above), the mentioning of the

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[479] *LTWL* 250.35–251.11. See Russell, '*Y Naw Affaith*, pp. 151–5, with an edition at pp. 166–7.
[480] The poem by Cynddelw is edited in *CBT*, vol. 3, and discussed in Stephenson, *Medieval Powys*, pp. 196–8. The *Defodau Powys* are discussed in Stephenson, 'The Middle Ages, as well as in *Medieval Powys*, pp. 206–7. Both receive comment in Charles-Edwards and Jones, '*Breiniau*'.
[481] Discussed at 1.3.3 and 3.3.
[482] See James, 'Golygiad', pp. ciii–cviii, on *S*, and Roberts, 'Law Texts' for *H* and 'Creu Trefn' for others.
[483] 3.4.5.
[484] See n. 107.

cynghawsedd in the *damweiniau*, and the appearance of fragments of *cynghawsedd* in those parts of *G* allegedly derived from the lost *Llyfr Cynog*.[485] The first two points are really moot if all manuscripts and material formed a part of the same process; there would undoubtedly be cross-communication despite the different textual choices made. The heritage of *G* is rather more complex. Aled Rhys Wiliam has made the point clear that the *cynghawsedd* present in *G* are independent of those in *B*.[486] Given that the original *Llyfr Cynog* may have dated to the early-twelfth century, these fragments might be very old indeed. Nevertheless, several points here urge caution. Just as manuscripts of *CH* 'proper' might attract different additional material as they pass through the pens of different editor-copyists, so a more recent version of *Llyfr Cynog* might have found a collection of *cynghawsedd* attached to it.[487] Indeed, the extent to which the books mentioned in our surviving manuscripts might change over time is hinted at by the apparent use of *Llyfr Cyfnerth* as a source to Ior, discussed below. Indeed, what exactly the *Llyfr Cynog* refers to in *G*, as well as in the later manuscript *Z*, remains unexplained.[488] Regardless of the exact relationship between pre-Ior and the additional material discussed here, both undoubtedly had a northern origin and were fully available to the compiler(s) of Ior itself.

5.2.3 Mechanisms of Additive Development

A brief note might be made here concerning the mechanisms by which additional material was copied into main-text manuscripts. The most difficult to detect is simple interpolation, where reaching a point half-way down a page, the copyist switches sources for the intended passage and switches back when finished. If the scribe is consistent with their orthographic regularisation,[489] and copies over no other diagnostic features of the interpolative process, we have only the tools of textual criticism, and the evidence of related manuscripts, to identify the additional material. This kind of multi-source assimilation represents an attitude both purposeful and interventionist; the process by which pre-Ior became Ior (and Ior became *Col*) no doubt involved much of this kind of development, operating more along the lines of compilation than editing. Extensive re-ordering could happen in a similar manner. Copying from a manuscript which contained sentences split across tractates that a compiler wished to bring together, they might mark their beginnings and ends with a symbol. On reaching the intended place of insertion in the new manuscript, the copyist runs through his exemplar, copying those sentences previously marked. Multiple symbols allow for more complex re-ordering. Practices such as this, as well as the use of scrap vellum and wax tablets, undoubtedly aided the task of editing and compilation in the medieval period. The process by which *Llyfr Prawf* came into being, as explored directly below (5.2.4), undoubtedly combined subtractive methods with the additive techniques described here. In

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[485] Charles-Edwards, '*Cynghawsedd*', p. 197.
[486] Wiliam, 'Llyfr Cynghawsedd'. See also his 'Restoration' and *Llyfr Cynog*.
[487] The case of *S* and *Tim* is instructive: two Bleg manuscripts of two different textual families sharing a tail of material of much the same form. See James, 'Golygiad', pp. ciii–cviii.
[488] Roberts, *Llawysgrif Pomffred*, discusses these points.
[489] Unlike the scribes of *A*; see Russell, 'Scribal (In)consistency' and 3.2.3.

other words, material was deliberately not copied, marked, and then found its way into a later section of the manuscript. This form of additive development can be called compilation.

The most common form of additive development, however, appears to have been the in-filling of quires, or accretion. *CH* does appear to have been, to some extent, modular: there was an effort on the part of copyists, from our earliest manuscripts to our latest, to, whenever possible, begin a new module either with significant rubrication, textual comment, or a fresh quire. What those modules were, and how significant the break should be, changed over time. The scribe of *C*, as we shall see, copied their *Llyfr Prawf* into its own set of quires, and is loose with the use of incipits and explicits. The Law of Women in *A* finishes before the end of the quire, with the remainder of the *Cyfraith y Wlad* starting a fresh gathering. This action is, of course, understandable – as natural as a new chapter in this thesis starting on a new page. However, it is in the space at the end of these quires that additional material found its way into the manuscript. The space in *A* was filled with *Breiniau Gwyr Arfon*, and another break in the same book sees proverbs and a poem by Dafydd Benfras on the death of Llywelyn ab Iorwerth.[490] Indeed, it was not always legal material which filled these holes, nor was the filler always penned by the original scribe. Room on the page in *Lew*, as we have seen, was filled with a copy of a letter in Middle English from the Pope. Triads and additional legal material were copied into *A* in the sixteenth century. Additions were also made at the end of a page in *E* by the scribe of *B*.[491] This form of additive development clearly demonstrates the continuation of the hand-written book as an active object, as explored in the idea of the book-tradition in Chapter 2.

The final method by which additional material might make its way into our law-books is more drastic and appears more frequently in our later manuscripts. The original scribe of the manuscript, or a later owner, might bind another gathering, or sheet, if the material was considered related, into the manuscript (termed 'addition' here). Something like this may have happened in *Lew* and becomes more common as less manuscripts are written and more collected.[492] The Bleg manuscript *Bost* provides a good example for this form of additive development. Much of the manuscript (the first 181 folios) was written by one hand, Hand A, with Hand B adding text to the bottom of folio 93, clearly left blank by Hand A.[493] Hand C, now writing with a cursive hand, continues to add Bleg material. Inserted into this final quire 11 is a quire of six leaves by a fourth scribe, Hand D, evidently taken from another manuscript, perhaps damaged or destroyed, and inserted here due to a perceived relation between the two texts. Much corrosion has been caused in this manuscript by green pigment, many leaves have been removed, decorated initials cut out, and one whole quire is missing. The continuing life of this manuscript through the Middle Ages, for better or worse, is a demonstration of the dynamic change which these hand-

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[490] For an edition and discussion of this poem, see *CBT*, vol. 6, no. 27, pp. 424–42.
[491] See 3.4.5, 3.2.3 and 3.2.5 respectively.
[492] *A*, for example, was bound with *H* (3.2.3). Many of these early modern, antiquarian bindings have since been reversed.
[493] The codicological structure of *Bost* is taken from Huws, *Repertory*; see also the discussion in *Rhyddiaith 2*.

written books underwent. It is often clear, from the binding of the manuscript as well as through changes in ruling, orthography and, sometimes, palaeography, when these kinds of interpolation occur; however, as with all additions of material discussed above, once another scribe copies all material into another manuscript, much of this evidence disappears.

TCC has most recently dealt with these ideas of additive development, especially accretion.[494] There appears to have been loci of development, whether at quire boundaries or the ends of other textual units, which encouraged the accumulation of material. Russell, comparing the *Tair Colofn* with its Latin counterparts, notes the process by which a list of items might accrue related material at the end.[495] A comparison is drawn here with the miscellaneous material at the end of *Cyfraith y Llys*. More than just an extension to the items in the list, this material often features miscellaneous provisions of some length, sometimes reflecting modern developments in legal theory and procedure, presumably befitting the thematic intentions of the manuscript, or of practical or antiquarian use to the reader.[496] It is the same process which leads to the development of tails in some of our later Bleg manuscripts, though in a more systematic and wholesale form.[497] Development, whether the planned interpolation or merging of distinct sources, or the natural re-ordering or re-phrasing of material occasioned as the editor-copyist progressed through their task, appears to have been inherent to the tradition. That this development tended to occur through distinct codicological means, and at certain points in the text, is of prime interest for the development of the Ior tradition. Indeed, the *CH* 'main-text' manuscript appears to have been a frequent and willing carrier of a wide range of material, a feature of its hand-written identity as well as its modular composition. This characteristic was as much a part of the tradition as the ascription of the name of Hywel Dda.

5.2.4 *Llyfr Prawf*

Recent studies of the make-up of *C* have encouraged scholars to conclude that *Llyfr Prawf*, the defining innovation of the Ior tradition, may also have had a separate textual life.[498] *C*, unusually amongst our thirteenth-century manuscripts, begins its *Llyfr Prawf* in a fresh quire. Although previous scholars have seen changes of hands throughout the manuscript, Daniel Huws made the case for the sometimes generously-spaced and sometimes-cramped handwriting of the manuscript as the product of one scribe

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[494] See, most notably, Russell, 'The Arrangement' and Charles-Edwards, 'The *Galanas* Tractate', alongside the editions presented there.

[495] Russell, 'The Arrangement'.

[496] See the discussion in Stacey, *Law*, pp. 193–4, on *B*'s distinct *galanas* material.

[497] For discussions of tales, see James, 'Golygiad', pp. xv–xxv, for *S*, Roberts, *Llawysgrif Pomffred* for *Z*, and Roberts, 'Law Texts', for *H*.

[498] It is important here to distinguish between the history and transmission of *Llyfr Prawf*, a book of structure and content largely settled in our surviving Ior manuscripts, and of a range of tractates intended for the testing of judges. None of the following dismisses the idea that there existed at a point prior to the redaction of Ior a collection of this material. Ior's unique contribution was to bring these all into one place; the arrangements of material in all our Ior manuscripts, and the evidence of their prefaces, incipits and other signposting sentences, all suggest this earlier material to be the key impetus behind these changes.

fitting certain sections within the physical boundary of the folio.[499] The scribe's 'aim evidently was to complete his text of *Cyfreithiau gwlad* within the quire. When the scribe completed quire 5, the following three quires containing *Llyfr Prawf* either had already been written or else had not been conceived of by the scribe as a mere continuation of the text he was engaged on'.[500] Reflecting on the textual differences in the Preface to *Llyfr Prawf* discussed above (Chapter 4), Huws makes some concluding comments:

> A number of questions have in the past been raised about these textual differences and their bearing on the 'original' *Llyfr Iorwerth*. They bear looking at again in the light of two observations. Firstly, that C, to judge by its script, and other features, might be a generation earlier than B. Secondly, and more significantly, that whereas in B *Llyfr Prawf* is an integral part of the lawbook, with merely a brief incipit in mid-page to announce its beginning, in C *Llyfr Prawf* is physically separate, in three quires which in the number of lines and other respects differ from the earlier quires. There is on these limited grounds a prima-facie case for considering that C may offer the more primitive form of *Llyfr Iorwerth*… What… perhaps now needs to be considered is the possibility that *Llyfr Prawf* may originally have had an independent existence, circulating on its own, a possibility suggested by the make-up of C, and that the need for a status-giving preface might then be greater than when the text of *Llyfr Prawf* had been subsumed in what we now know as *Llyfr Iorwerth*.[501]

For Huws, then, the cramped writing at the end of quire 5 and the beginning of quire 6 represents the scribe attempting to fit all his *Cyfraith y Wlad* in one quire, first maintaining this pattern for consistency's sake before relaxing later. This narrative maintains the order of writing as the order in which the manuscript currently survives.

Paul Russell makes a stronger case for the independent existence of *Llyfr Prawf* in a consideration of the orthography of the scribe of *C* and two other manuscripts he penned, namely, Llanstephan 1 and Peniarth 44.[502] Russell makes the observation that the scribe was developing from the heavy use of *v* for /ü/ to experimenting more with *w*. Peniarth 44, based on the diagnostic feature of writing above the top ruled line,[503] is reasoned to have been written first, and it is Llanstephan 1 that shows a higher incidence of *w* for /ü/ than the former. *C* demonstrates mixed orthographical features. Quires 1–5 and 8 appear to represent a situation more like that in Llanstephan 1; indeed, these quires show the greatest incidence of *w* for /ü/. Quires 6–7 demonstrate the *v*-heavy orthography of Peniarth 44. Two narratives

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[499] Huws, 'The Earliest Version', pp. 179, 182, 184–6; see p. 180 for a depiction of these two arrangements. For an older view, see *RMWL*, vol. 2, p. 945.
[500] Huws, 'The Earliest Version', p. 179.
[501] *Ibid.*, p. 185.
[502] Russell, 'Orthography'.
[503] See n. 248.

therefore present themselves: the scribe either varied his orthography to match his ink, or that the arrangement of the quires as we have them does not represent the order in which they were written. Following the latter narrative, the cramped handwriting at the beginning of quire 6 does not represent an attempt to match that of quire 5, but rather exists as a feature of the narrow ruling, following the intention of the scribe, quickly abandoned, to fit *Llyfr Prawf* into two quires. Bringing in the evidence of the Prefaces to *Llyfr Prawf* and *Cyfraith y Llys*, Russell judges the scribe to be using two sources, an individual copy of *Llyfr Prawf* with a longer preface, and a full *CH* manuscript for the remainder:

> [*C*] is unique in having a long preface to *Llyfr Prawf*… The orthographical evidence… adds support to the idea that the scribe of [*C*] was intending to produce a copy of *Llyfr Prawf* for independent use; as such, he may have felt it needed a fuller preface than it would have had as an integral part of a full lawbook… If his copy of *Llyfr Prawf* was intended for independent use, then it seems that his commission fell through and his text was subsequently incorporated into a full copy of *Llyfr Iorwerth*.[504]

Summarising these thoughts, Russell comments that:

> It seems, then, that there were complete lawbooks in existence and also separate booklets which were excerpted and copied from the lawbooks themselves. To what extent the full lawbooks were bound as opposed to being kept in a wrapper is uncertain. But it is quite likely that they remained in an unbound state for a considerable period, thus facilitating the copying of a single quire or a group of quires for independent use.[505]

The idea that all our extant manuscripts derive from a process of textual development solely consisting of bound manuscripts containing all of *CH* as we now know it is most certainly incorrect. It was likely both the case that parts of our 'main-text' manuscripts existed in booklet form, as it were, on the cutting room floor, and that full law-books not following the main *CH* pattern were available to lawyers and copyists alike. That a separate *Llyfr Prawf* was possible, or even desirable for the surely stop-start process of manuscript production, seems, on the evidence outlaid above, highly probable. The question of how *normal* it was to see a separate *Llyfr Prawf*, whether always as a booklet on its way to eventual union with other parts of *CH*, or as a distinct manuscript in its own right, goes straight to the heart of the process of textual development behind the Ior book-tradition. The picture presented by our surviving manuscripts strongly suggests that the Ior pattern was one that encompassed all parts of *CH*, though with some variation: T.I.i shows the consistency in attestation and ordering of tractates throughout our 'core' manuscripts. Was there a *Llyfr Prawf* in existence before the Ior manuscripts as we have them came together?[506] Did the process that led to our Ior manuscripts also generate a stand-alone *Llyfr Prawf*

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[504] Russell, 'Orthography', p. 83.
[505] *Ibid.*, p. 85.
[506] In other words, does Iorwerth ap Madog's claim to authorship over *Llyfr Prawf* indicate a reorganisation/re-composition rather than a genesis?

whose survival rate has perhaps been squeezed by the completer and more conventional 'main-text' manuscripts? The modularity of *CH* has received comment above (5.2.3). The case for pushing this characterisation further, to argue not only that *CH* broke down into smaller parts, and that the unbound working copies existed in the scriptorium or lawyer's office, but that these modules had a fully, *CH*-like independent use, is another matter.

Nevertheless, it seems unlikely that *Llyfr Prawf* had a separate origin to Ior. As explored in 3.3.2, the compilation of *Llyfr Prawf* involved moving significant tractates from *Cyfraith y Wlad* still found there in manuscripts of other recensions, namely, *Tair Colofn Cyfraith* and *Gwerth Gwyllt a Dof*, into *Llyfr Prawf* itself, and other lists of values, and the tractate on Corn Damage, into the Appendix.[507] The remaining *Cyfraith y Wlad* material in Ior is highly organised and coherent, with a structuring of theme and order which has even drawn literary analysis.[508] The process of forming *Llyfr Prawf* was therefore of a piece with other changes in the law-book necessitated by this reorganisation. Whilst it is plausible that other changes to *Cyfraith y Llys*, and the compilation of Family Law and surety pleadings, amongst other material, were a feature of pre-Ior, it seems more likely that the process of redaction responsible for our extant manuscripts encompassed all these changes. Furthermore, given that the innovation giving way to Ior was one that included the whole law-book, it might be reasonable to assume that the most common medium for this new Ior material was the main-text law-book. In other words, *Llyfr Prawf*, when it did travel alone, was never considered of a piece in the same way as *CH* itself.

Naturally, the strongest piece of evidence against this argument is *C*. Here, we have a manuscript made of two parts written at a space of maybe a decade or two apart: the first from one source, featuring *Llyfr Prawf*, the second from another, encompassing the rest of the manuscript. What is more, a long preface at the beginning of *C*'s *Llyfr Prawf* seems to indicate that here the source was a copy of *Llyfr Prawf* intended for independent use. However, neither the order of copying, nor the time left between the two sections, need imply that *C* was intended as an independent copy of *Llyfr Prawf*. Indeed, Russell's orthographical evidence most clearly supports the narrative that the scribe simply stopped in their tracks, later having to finish the remainder of *Llyfr Prawf* as well as *Cyfraith y Llys* and *Cyfraith y Wlad*. There are many reasons why they might have begun *Llyfr Prawf* first. We know the scribe to be writing in an organised scriptorium; it may have been that another scribe was to pen the beginning of the manuscript and our scribe, realising that this might never happen, stopped their copying of *Llyfr Prawf* half-way through. It may be that they were given a loose *Llyfr Prawf* as the first booklet to hand; it may be that they had found a particularly good copy and decided to commit it to writing first; it may be that the *Cyfraith y Llys* and *Cyfraith y Wlad* had already been written and found their way into another manuscript; it may be that the scribe's exemplar, like *K*, began with *Llyfr Prawf*. None of these narratives rely on a source of *Llyfr Prawf* intended for independent use. The longer Preface, however,

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[507] For the Appendix to *Llyfr Prawf*, see 3.3.2.
[508] See Stacey, *Law*, ch. 2, for the progression of physical space from court to country.

needs further explanation. It might first be said that there is nothing about repetition in the law-books that must be unnatural. As Robin Chapman Stacey makes clear, the repetition of motifs and themes, alongside larger sections and tractates, played a central part in organising and structuring the various meanings of the text: the *sarhaed* material appearing in *Tair Colofn Cyfraith* repeats that found in *Cyfraith y Llys* in *B*; the narrative of Dyfnwal Moelmud appears thrice, in *Cyfraith y Llys*, *Llyfr Prawf* and in the land measurement tractate.[509] It is a modern preconception of how law-books should look, and how texts should function, to think that the repetition of material such as the Preface should be evidence of an error or mixed sources. Indeed, the re-use of the Hywel Dda narrative might just as well impart authority to *Llyfr Prawf* and, for this reason, come more naturally to the medieval editor-copyist than an entirely textually unique introduction.

Fundamentally, however, we should first trust the editor-copyist to behave in a rational manner. Whether *Llyfr Prawf*, in the words of Huws, 'may originally have had an independent existence, circulating on its own' or, in the words of Russell, the 'scribe of [*C*] was intending to produce a copy of *Llyfr Prawf* for independent use… subsequently incorporated into a full copy of *Llyfr Iorwerth*', appears on these grounds unproved.[510] The independence of the constituent parts of Ior, *Llyfr Prawf* as well as the *Llyfr Cynghawsedd* and *Llyfr Damweiniau*, must remain a moot point. Nevertheless, I do err here on the side of unity – due to the value that a whole *CH* text must have had to judges, the role that the whole law-book appears to have played in the compilation of Ior, and the make-up of our surviving manuscripts. How additional material travelled in medieval Wales, whether always tacked on to *CH* manuscripts, as booklets rarely meant for finished consumption, or as textual units produced and consumed independent from the main text manuscripts, will remain open to analysis. Nonetheless, as editors and textual scholars, we must remain open to the chaotic form of copying evidenced by the modular nature of the *CH* text.

5.2.5   *C*'s Preface and Pre-Ior

As a final thought on *Llyfr Prawf* and the emergence of Ior, it might be wise here to seek the evidence of the manuscripts themselves. *C*, in its Preface, claims that *llevyr hvn*, 'this book, presumably *Llyfr Prawf* rather than the entire manuscript, was compiled from three named books, that of Cyfnerth ap Morgenau, Gweyr ap Ruawn and Goronwy ap Moriddig, and *o'r llyvrev gorev a kavas hevyt eg Gwyned a Phowys a Dehevparth*, 'from the best books he found in Gwynedd, Powys and Deheubarth'.[511] Before proceeding with an analysis of this statement, there is a need to provide some textual context to *C*, especially in the light of arguments made by Charles-Edwards' concerning the whole Ior tradition (addressed in detail at 5.3.4.2).[512] The Preface to *Llyfr Prawf* in each of our Ior manuscripts is

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[509] Stacey, *Law*, p. 194 and 44 for these examples.
[510] At Huws, 'Earliest Version', p. 185, and Russell, 'Orthography', p. 83.
[511] See Russell, *The Prologues*, p. 40–1, for edition and translation.
[512] Charles-Edwards, 'The Textual Tradition of *Llyfr Iorwerth*', unpublished. Arguments concerning the Preface to *Llyfr Prawf* have also been rehearsed above (4.2).

reproduced in the table below (Figure 17), and a brief edition of the few sentences quoted above is presented below, taking *C* as the base text (Figure 18).

MSS	Content	Translation
A	Defective	
E	No introduction	
B (42v, 18–21)	*Llyma e dechreu e llyuer prauf sef yu henne teyr colouen keureyth a guerth guyllt a dof ac a perthyn arnadunt kyntaf yu. Nau affeyth galanas…*	Thus begins *Llyfr Prawf*, that is, the *Tair Colofn Cyfraith*, *Gwerth Gwyllt a Dof* and that which pertains to them. The first of these is the Nine Abetments of *Galanas…*
C (180r–180v)	Lengthy – reproduced in Russell, ed. and trans., *The Prologues*, pp. 40–1.	
D (p. 110–3)	Of the form of *C*. See *Rhyddiaith 2* for the text.	
K (p. 21–23) and *Lew* (14r–14v)	Both also of the form of *C*. *Lew* is missing the passage referenced above. See *NLWW* for pictures of the text.	
F (p. 1)	A shortened version of *C*, including just the passage referenced above. See *NLWW* for pictures of the text.	

Figure 17 - Attestation of the Preface to Llyfr Prawf

[1]A'r llevyr hvn a gynvllvs Yorwerth vap Madavc o lyvyr Kyvnerth vap Morgenev ac o lyvyr Gweyr vap Rvuavn ac o lyvyr Goronwy vap Morydyc [2]ac y gyt a henny, o'r llyvrev gorev a kavas hevyt eg Gwyned a Phowys a Dehevparth. A'r llyvyr hvn a elwyr e Llyvyr Prav.

[1]gynvllvs] *DK* gynulla6d, *F* gynnvllwyt   Yorwerth vap Madavc] *F* – o lyvyr] *F* or petheu goreu a oedd yn llyf   Kyvnerth vap] *D* kyfreith   ac o lyvyr Gweyr] *F before* +a hen llyfr y ty gwyn   ac o lyvyr Goronwy vap Morydyc] *F* ←ac o lyvyr Gweyr   [2]a kavas hevyt] *D* –   Gwyned a Phowys a Dehevparth] *F* neuheuparth a phowys a Gwynedd   Prav] *F* +yneit

[1]And Iorwerth ap Madog compiled this book from the book of Cyfnerth ap Morgenau and from the book of Gweyr ap Rhufon and from the book of Goronwy ap Moriddig, [2]and together with those from the best books he also found in Gwynedd and Powys and Deheubarth.

Figure 18 - An Edition of the Preface to Llyfr Prawf

A is here defective, and likely would have agreed with the lack of an introduction in *E*, the latter of which leads immediately on from the end of Family Law to *Naw Affaith galanas*. As Charles-Edwards argues, the connecting phrase between the beginning of the *Naw Affaith galanas* and the Preface to *Llyfr Prawf* in *B*, *C* and the other manuscripts, suggests that the latter was an accretion; the few sentences as they stand in *B* demonstrate where a previous Preface was excised.[513] Thus, *E*, and likely *A*, represent the original reading. Nevertheless, a Preface does seem to have been the most popular way

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[513] That is, a counterpart to the one in *C* existing in one of *B*'s archetypes. Charles-Edwards, 'The *Galanas* Tractate', pp. 100–1, and 4.2 above.

of leading from *Cyfraith y Wlad* into *Llyfr Prawf*; though removed in *B*, it was not removed completely. This discussion has two relevant conclusions for the following discussion. The first concerns what *A* might tell us about the perspective of the original redactors of Ior; this is a point to which I will return later. Secondly, the description of medieval compilation provided by *C*, though undoubtedly early and likely from the few decades within which Ior was redacted, was not original. The authority we grant this Preface depends on how we imagine this second group of manuscripts (*AE* versus the others) developing. If the Preface was attached as Ior travelled to the north-east of Wales (*B* in the Perfeddwlad and *C* in Powys Fadog), then this development occurred in a context very different to that pertaining in the legal school of Arfon where *A* may have been compiled. On the other hand, the pattern of survival may well be biased. There may have been dozens of manuscripts with this Preface emanating from the north-west of Wales, all destroyed or lost in the wake of the 1282 Conquest. Fundamentally, of course, the Preface in *C*, and that reproduced in manuscripts from later in the Middle Ages, is still an account by a redactor of a Ior law-book from the mid-thirteenth century. It is in this spirit that I will take this passage throughout this Chapter.[514]

Despite the claims made in *C*'s Preface, there is room for significant interpretation. Scholarship has for decades, if not centuries, cast a suspicious eye on the claims of law-books to a certain textual heritage. Goronwy Edwards first drew a comparison between the *Leges Edwardi Confessoris*, compiled a hundred years after its eponymous creator in the reign of King Stephen, and the Laws of Hywel Dda.[515] Huw Pryce has since argued forcefully for the twelfth century as the most reasonable context for the political world-view present in the general preface.[516] Accordingly, we should remain cautious of the sources mentioned in *C*'s preface. There is no mention here of Latin laws; although, of course, the geographical groups mentioned by no means preclude the use of material in Latin. That Latin books were an intrinsic part of the law-book tradition is certain. *Lat A*, *Lat B* and *Lat C* all date from the same few decades as Ior, with *Lat C* coming from Anglesey. *Lat B* and *Lat C* both, as we have seen (5.1), contained Ior-like elements. What is more, *Col*, derived from the Ior group and dating to the central decades of the thirteenth century, advises us that *od amheuyr bot pob un o'r llessoet a ducpuyt uchot eu bot ekeureyth Hewel, edrecher e lleureu Lladyn ac eno y keffyr*.[517] Continued annotation in *Lat C* presents clear evidence that forms of *CH* other than Ior were in use throughout the thirteenth century. The books of Gweyr ap Rhufon and Goronwy ap Moriddig are unknown, although Goronwy ap

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[514] The readings of *F* and *D*, collected under the edition in Figure 18, are of some interest. *D*, or its exemplar, appears to have mis-copied *Kyvnerth vap Morgenev* as *lyfyr kyfreith Morgeneu*; one would expect the copyist to recognise the name of Cyfnerth. *F*, perhaps demonstrating a sensibility to geographical politics, re-organises the three parts of Wales to drop Gwynedd into last position, omits Iorwerth's name, introduces *Llyfr y Tŷ Gwyn* as a possible source, and moves the book of Gorowny ap Moriddig to before that of Gweyr ap Ruawn.

[515] Edwards, 'Hywel Dda'. One might also mention the 'very old book in the British tongue' which has so exercised scholarship in Geoffrey of Monmouth's *Historia regum brittaniae*.

[516] Pryce, 'The Prologues'; see also 1.3.3.

[517] 'If it is doubted that any of the objections brought above are within the Law of Hywel, look to the Latin books and there it is found'; *Llyfr Colan*, ed. Jenkins, p. 34, ll. 2–4 (§565). See Russell, '"Go and Look"', for the wider context of Latin and Welsh.

Moriddig is quoted in Bleg and *Lat D*, with his word given, as Jenkins states, in the manner 'in which an English common lawyer would record… something that had been said over dinner'.[518] That this Goronwy ap Moriddig might be identified as a man giving evidence at St Asaph in 1274 concerning legal practice in the 1230s suggests that he may well have been a contemporary advisor to the compilation of the Ior tradition, or simply someone whose name attracted authority or who was known to *C*'s patron.[519] Given his naming in the Latin tradition, it is possible that his manuscript, if it existed, may have been in Latin. Indeed, there is no reason to think that the books of Cyfnerth, Gweyr and Goronwy would have been in Welsh. *C* does not mention the language of the books visited by Iorwerth ap Madog; it may well have been irrelevant. In the central decades of the thirteenth century, it may have been entirely usual to consult both Latin and Welsh books, and for material frequently to cross the language barrier. The three great Welsh-language recensions are a scholarly construct;[520] although the prefaces to Lat D, and its Bleg cousins, mention three regional law-books, and although the representatives of these traditions are *now* in Welsh, there is no reason to think that they should always have been so. Indeed, in the case of Bleg, we know this not to be the case.[521] Statements like the Preface to the *Llyfr Prawf* above are therefore doubly difficult to the scholar: both due to the uncertainty over what level of 'truth' we are experiencing in its factual claims (that is, the wink the editor may have been making to their audience), and due to the preconceptions we bring to the text.[522]

The reference to the book of Cyfnerth ap Morgenau is more interesting. Jenkins has drawn attention to the presence of this Cyfnerth amongst the kin of Iorwerth ap Madog (dating him and his father to 1170/80) and the attaching of his name to what is in many places a southern group of lawbooks from the fourteenth century.[523] Nevertheless, northern features certainly attend three of these books, *U*, *X* and *Z*, with *U* being written by the scribe of *G*, *X* and *Z* both featuring 'northern-style orthography and vocabulary', and all also mentioning Cyfnerth.[524] Morfydd Owen suggests two narratives for how the name of a northern lawyer could find itself attached to a tradition located geographically with south Wales and the Marches: either a book belonging to Cyfnerth and his father Morgenau passed from Gwynedd into mid-central Wales; or, as Owen favours, the two legal experts were called upon by the

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[518] 'Goronwy ap Moridyc dicebat quod vir alterius uxore ipsa volente abutens nichil habet reddere dum mulier sui facti laudat auctorem; sed si factum notum fuerit, mulier habet viro suo *saraed* reddere, vel vir eam libere repudiet et ab eo divertat', *LTWL*, p. 345. See Emanuel's caution of the equation of the Goronwy ap Moriddig of *Lat D*, Ior and *Llyfr Coch Asaph*, *LTWL*, p. 61. See also Jenkins, 'The Lawbooks', p. 9.
[519] A connection made in Jones, 'Llyfr Coch Asaph', pp. 72–3; referenced in Jenkins, 'The Lawbooks', p. 9, n. 15.
[520] See 1.5.4.
[521] Bleg is known to have been translated from a text related to Lat D; the thesis was first put forward in Emanuel, 'The Book of Blegywryd'.
[522] For 'truth', see Stacey, *Law*, p. 218–19.
[523] See Jenkins, 'A Family'; and see 'The "Cyfnerth" Text', 'Excursus', pp. 11–13, and *Conspectus* for his comments on the relationship of the Cyfn manuscripts. Also see Owen, 'The Laws of Court', p. 428 for the date.
[524] Jenkins, 'Excursus', p. 13. *Z* is lacking were Cyfnerth would be mentioned, Jenkins arguing that this sentence would have been in *Z*'s exemplar.

regional nobility to reform and codify their local customs.[525] That this reference in *C*'s preface could mean the form of Cyfn as we now have it seems unlikely. Perhaps the *lyvyr Kyvnerth vap Morgenev C* cites was not the reformed tradition from the Marches which now attracts the name, but rather a north Walian law-book used by Cyfnerth and his father in Gwynedd? Regardless, given the diverse sources, *C*'s list might suggest a legal tradition in north Wales without centre, with no distinct, dominant *CH* tradition, but a range of more personalised law-books credited to specific important jurists.

Nevertheless, it may be that in attempting to identify these names with genuine jurists, and in pinning down links to surviving manuscripts, we are chasing ghosts. Regardless of whether this part of the Preface to *Llyfr Prawf* was in Iorwerth's original law-book, *C*'s comments present us with the view of someone almost contemporaneous with the redaction of Ior on how one might go about redacting a law-book tradition. Despite the unknowable ways in which the author of that Preface might, for reasons of politics, tradition or otherwise, present one narrative over another, these few sentences nevertheless remain vital pieces of evidence. According to the Preface, there were two forms of *llyfrau* which Iorwerth ap Madog allegedly used: *llyfrau* of named jurists and those *a kavas hevyt eg Gwynedd a Phowys a Dehevparth*, 'which he also found in Gwynedd and Powys and Deheubarth'. It is tempting to see this distinction as one between source materials (consonant with *llyfrau* mentioned in other sources, that is, *lleureu Lladyn* in *Col* and *llyfr Cynog* in *G*) and more general traditions. All copyists and practitioners of *CH* would know the story of Hywel Dda sending three copies of his laws to *deir ran Kymry, Gwyned, Deheubarth, Powys*, 'the three parts of Wales, Gwynedd, Deheubarth and Powys'.[526] The mention of these regions again in *C* might represent both a want to authenticate this new pattern of the law by linking it to the general Preface, but also a genuine nod towards regional deviation. *Lat B*, as we have seen, records *galanas* prescriptions *secundum Powissienses*, and the customs of the men of Gwynedd is mentioned frequently in Ior manuscripts.[527] These customs may have been recorded in local versions of main-text manuscripts (such as those possibly reformed by Cyfnerth ap Morgenau in the March), as a more diverse collection of written materials, or as oral lore. It is notable here that *C* does use the word *llyfreu*. Indeed, what the use of 'llyfr' might mean, both for the *llyvrev gorev* of the Welsh regions, and those of Cyfnerth, Gweyr and Goronwy, is of central importance to interpreting this passage. 'The Book of Gweyr' might mean a distinct version of the law, a standard copy owned by an eminent jurist, perhaps with emendations and additions, or simply a commonplace book. As explored above, *Llyfr y Tŷ Gwyn* was likely a main-text law-book. If the Latin manuscripts mentioned by *Col*

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[525] Owen, 'The Laws of Court', pp. 428–30.

[526] The quote is from Russell, ed. and trans., *The Prologues*, pp. 12–13, where *J, L, O* and *Tr* agree on this reading. That these three parts were a traditional part of the *CH* origin story is suggested by the use of this motif in *Lat D* (pp. 16–17: *de tribus partibus Kambrie, scilicet, Gwenet et Powys et Deheubarth*), *Lat A* (pp. 20–1: establishing the laws of his people, *scilicet Gwynedotorum, Powyssorum, atque Dextralium*), *Lat C* (pp. 28–9: scrutinised by *Gwendosium, Pouisorum, atque Dextralium ducibus*) and, with some modification, in Cyfn (pp. 4–5: Hywel Dda's kingdom consists of the *pedwar cantref a thrugein in Deheubarth, a deunaw cantref Gwyned, a thri vgein tref tra Chyrchell, a thrugein tref Buellt*). The motif is notably absent from the Ior general Prologue.

[527] Interjections by the use of *herwydd* is a motif common in the law-book tradition.

also represented something like our surviving thirteenth-century redactions, as seems likely, this source might also be a 'main-text' law-book. Indeed, Cyfnerth ap Morgenau, as we have seen, gave his name to one of the three main-text recensions. The books referred to by *C* might, therefore, on the balance of the evidence, represent versions of 'main-text' books, although likely far more variant in form and expression than our surviving Ior manuscripts. These comments may represent a pattern, if only from the point of view of *C*'s editor, for what source material stood behind the Ior redaction: a collection of authoritative books, of strong standing, clear textual heritage and attributed to famous jurists, supplemented by a range of other books and customs available to the redactors.

5.2.6 Conclusion

The late-twelfth and early-thirteenth century seems to have been a time of reflection and development in the written exposition of *CH*; the processes which led to Ior were neither the first of these innovations (the composite *Lat B*, perhaps the original Cyfn) nor the last (*Col*). Nevertheless, Ior does appear to have been a significant effort, engaging in a full re-working and modernisation of all parts of the *CH* text, one of the aims of which was the creation of *Llyfr Prawf*. The Prologue takes a perspective not of a simple reworking or personal re-phrasing of the laws, but rather puts forward *e llyvyr hvn* as the only book which it is proper to know to *kymryt egneydyaeth*.[528] The goal of the Ior recension seems to have been to produce an intelligent, well-structured, 'official' law-book, attentive to European ideas of justice, responsive to the socio-economic concerns of the native *uchelwyr* and aimed towards the juridical class of mid-thirteenth century Gwynedd.[529] Although other parts of the text were novel, it was *Llyfr Prawf* which formed the core of this project. The question remains, then, as to whether *Llyfr Prawf* was the motor and destination of this journey, or a feature of a general restructuring. The answer may lie in the arguments above as to the nature of pre-Ior. Assume that this older legal tradition looked like Cyfn, though with northern peculiarities. It was messy, prone to archaic phrasings, digressions and miscellaneity, and, like *Lat C*, had no real jurisprudential direction. A range of different *llyfrau* represented this situation, some, doubtless, more influential than others and providing models for expression and structure. Given this model, the compilation of Ior as we have it was an incredibly complex affair, involving far more than simply moving sections out of the main-text into a separate book. Here, the removal of material to form *Llyfr Prawf* could not have happened a stage before or after other changes, but rather all changes were an integral part of generating the thing that was 'Ior'. On the other hand, if we do not credit the assumption that pre-Ior looked like Cyfn, but rather that it looked much the same as our current Ior manuscripts, but in a different order, we might imagine separate *Llyfrau Prawf* as a common occurrence. The process of compilation described above (5.2.3) would have led directly and easily from a pre-Ior text(s), pulling sentences and tractates out as and when they were

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[528] 'Pwy bynnac a vynho kymryt egneydyaeth, val hyn e mae yavn ydav gwybot e llyvyr hvn val e bo teylvng ydav kymryt egneydyaet', 'Whoever wants to take up justiceship, it is proper for him to know this book so that it is right for him to take up justiceship'; Russell, ed., *The Prologues*, pp. 40–1.
[529] See 3.3 for a broader discussion of this point.

needed, to *Llyfr Prawf*. Indeed, given that Gwynedd was known as a haven for legal learning, it is not unreasonable to think of pre-Ior texts as being like the highly ordered, structured and politically wise manuscripts we now have.

Nevertheless, a few observations point towards the first model. Putting aside *Lat C* and *Lat B*, there are no pre-Ior manuscripts in existence. Either no pre-Ior manuscripts were copied later in the thirteenth century, all may have been discarded when Ior came to the fore, or none are extant due to chance survival. If the first two hold true, we might say that texts that fail to find copyists, or that become discarded when another recension emerges, may well have been more messy and imprecise and therefore more likely not to have been copied or discarded in the first place.[530] Secondly, other manuscripts do seem to suggest a more diverse landscape than that pertaining after 1250: *C*'s preface cites numerous sources; *Llyfr Cynog*, if twelfth century, was also miscellaneous; *Lat C*, in Emanuel's words, 'is rough and uneven and lacks elegance, finish and technical quality';[531] the Ior manuscripts themselves seem to suggest different source material for *Cyfraith y Wlad* and *Llyfr Prawf*; and the variant nature of Cyfn is unlikely to have developed between the thirteenth century and the early fourteenth – this tradition must, in part, represent an earlier form in operation during the period under examination here. Lastly, why change a tradition to such a degree if it was not, in some senses, broken? It is a problem in method to see one change being made (the compilation of *Llyfr Prawf*) and assume that all changes must therefore be made at the same point. This argument tends towards circularity. However, I think it most likely that real judicial practice was the realm of texts like *Lat C*, unbound collections of relevant prescriptions, heavily annotated and well-thumbed. If we imagine Ior to be a project to create something cleaner, something of better use to judges and jurists and thus less open to abuse, as well as playing a key part of an intellectual movement with heavy political undertones, pre-Ior may have represented a far more diverse picture than our surviving manuscripts might suggest.

The evidence of orthography also points in the same direction. Three of our earliest north-Walian manuscripts, *A*, *Lat C* and *Col*, either apply an older form of orthography, or, at the very least, have difficulty with modernisation.[532] Indeed, these features are consistent enough to have led Russell to conclude that 'similar orthographies, incorporating Old Welsh features, were prevalent in thirteenth-century North Wales'.[533] *A*, therefore, in the likely lack of a Preface to *Llyfr Prawf* (5.2.5, and Figure 17 and Figure 18 above), and in its reflection of an older form of orthography, may well grant us a window into the early stages of the compilation of Ior. Itself written by many hands with varying rates

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[530] The belated change from Old Welsh to Middle Welsh orthography in the north of Wales undoubtedly had an influence (as evidenced in *A*, 3.2.3; see Russell, 'Scribal (In)competence', pp. 169–71). Nevertheless, the fact that these older law-books were transformed only into Ior, not updated and copied in other forms, is significant.

[531] *LTWL*, p. 269. See also *WLMA*, pp. xix–xxii.

[532] See Russell, 'Scribal (In)competence', pp. 164–9, for *A* (see 3.2.3 and n. 262) and references to *Col*; and *WLMA*, pp. xxvi – xxvii, for *Lat C*. For further comment on Middle Welsh orthography, see Watkin, 'The Orthography' and Russell, 'Orthography'.

[533] Russell, 'Scribal (In)competence', p. 169.

of success in modernisation, Russell fills out the picture by stating that 'the orthography of [*A*'s] exemplar may itself have varied from section to section'.[534] It is tempting to draw a textual line between Old and Middle Welsh orthography, to associate the redaction of Ior with a modernization of the spelling system. *A* might represent a rough copy of Ior, produced by jurists for their own use and for the furtherance of their new pattern of *CH*, the first stage in the transition to manuscripts such as *B* and *C*. Nevertheless, we must tread carefully. The decades around 1250 appear to have been a period of transition; certain institutions and individuals would have held on to older systems whilst others eagerly innovated. If the native *clasau* were involved with this new pattern of north Walian law, as would seem likely, the materials they produced were highly likely to have been in Old Welsh orthography. *A* may have emanated from Iorwerth ap Madog's workshop, but it seems unlikely that it was the first such product. I would make no conclusions here about whether the Ior 'original', if a single 'original' ever existed, was in Old Welsh orthography, Middle Welsh, or a mixture of both. The relevant point here is that a diverse range of source materials, some composite, some very old, some likely quite new, were used in the compilation of Ior. Indeed, there seems to have been as many potential sources for compilation in early- and mid-thirteenth century north Wales as there were ideas of what to do with them.

It might be said, fundamentally, that it is a hopeless task of speculation to judge fully what written sources were available to the compilers of the Ior book-tradition, and how Ior might have come about. The variant forms of law, and other literatures, poetic, didactic and historical, which all formed an influence on the *CH* tradition demonstrate the need, as editors and scholars, to remain open and aware of the sometimes chaotic, but always deeply personal, nature of textual compilation and transmission in medieval Wales. Indeed, the difficulty we have in outlining source material shows how careful we should be when reconstructing the contents and contexts of missing law-books. It is easy to take the textual core of our manuscripts, that part which contemporaries would most easily assign the name *CH* and follow the development of this part solely and doggedly. However, this perspective risks ignoring the evidence of the manuscripts themselves. The legal tradition of medieval Wales was dynamic, creative and served many masters; it might befit scholarship to do the same.

5.3 THREE SAMPLES

5.3.1 Introduction

The remainder of this chapter will focus on the utilisation of the editions and gathered variations to answer several research questions. The aim of this section is not completeness; a full view of the Ior book-tradition would require the editing of all manuscripts containing Ior-like material, alongside the collation and analysis of all attendant variation data. Although this task would have much to contribute

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[534] Russell, 'Scribal (In)competence', p. 165.

to the textual study of *CH*, it lies beyond the scope and size of this thesis. Instead, the study here is rather more focussed. As has been outlined above (1.1), two Sample Editions were examined in more detail in Volume II. The Family Law tractate (E.II) and the Value of Equipment, Furniture and Weapons tractate (E.I) are both analysed below (5.3.2 and 5.3.3). Each provide unique issues for the editing guidelines discussed in Chapter 4, especially the list-like nature of the Value of Equipment. Both also provide an interesting overview of the relationship between the core manuscripts and those second-stage manuscripts discussed above (3.4 and 3.5). The last sub-section addresses some broader questions concerning the relationship of the Ior manuscripts, examining the two-stage model recently introduced by Thomas Charles-Edwards. Here (5.3.4), two further sections are subjected to analysis to further elucidate the relationship of the core manuscripts, Surety Pleadings and Suretyship from *Cyfraith y Wlad* (S.II and S.III) and Corn Damage from *Llyfr Prawf* (S.XIII).

5.3.2   *Cyfraith y Wlad*: Family Law

The tractate referred to originally by Aled Rhys Wiliam as Family Law, a unique innovation of the Ior book-tradition, ends *Cyfraith y Wlad*. The position of this tractate might initially seem strange, leading on from a discussion of the various rights of the king and his men to liquor, food, accommodation and other renders. Surely 'family' law would fit more comfortably following the Law of Women, especially given that the opening paragraph concerns the rights of the unborn foetus. However, what the Family Law tractate really concerns is not the functioning of the family in general, but one specific issue: inheritance. The material of the first few paragraphs discusses the legal status of the unborn child, sons and daughters, therefore bringing our subjects up to a point of legal responsibility (E.II.i, E.II.ii and E.II.iii). Henceforth, Family Law mostly contains prescriptions on the denial of children from the inheritance of their patrimony; E.II.iv concerns the denying and laying of sons, both of patrimonial Welshmen and aliens (*alltud*), and the procedure by which the father accepts or denies the son, his oath and the relics on which he is obliged to swear. E.II.v coheres around an expanded version of the triad 'The Three Dire Losses of Kindred'.[535] We are introduced to the material by the outlining of the first part of the triad, that is, the strange resolution of the homicide of a son who has status set according to his mother's kin. This status derives from being laid by his mother to his father, with the father subsequently denying, linking the discussion to the material immediately preceding (E.II.iv). The other two parts of the triad also concern killing by sons laid and denied in unusual ways. The remainder of the tractate is more miscellaneous, with theme changing regularly.[536] E.II.vi describes the place of sons by 'clamour and sufferance' (*deolef a dyodef*), a few sentences then follow on the denying of foreigners (E.II.vii), when a father might deny (E.II.viii), how a son might be denied if the father is dead (E.II.ix), those who cannot deny (E.II.x), the outlining of a situation where a son might be denied by several

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[535] See Roberts, '*Tri Dygyngoll Cenedl*', for a more general picture of the development of this triad (along with editions and translations of all versions). See n. 68 and 69 for the wider scholarship on triads.
[536] See 1.4.4 for the idea of 'miscellaneous' and 'coherent' structure.

members of his alleged kin (E.II.xi), and, finally, how brothers or sisters might be denied. The tractate ends with the acceptance of sons (E.II.xiii), a longer section outlining how a son might be accepted, whether his father lives or not, and the ritual by which this was achieved.

That the Ior compilers would end *Cyfraith y Wlad* with a statement of the coherence of the family unit which stood behind native Welsh inheritance customs is significant. What is more, the end of the Family Law tractate itself appears to emphasize both the rational resolution of disputes of familial inheritance, outlining procedure if either the father or the head of kindred is absent, but also the strong role of the community in that process. The place of the lord is here played down; it is the traditional roles of the *penkenedl* and the older men of the community who welcome the child into the kindred. A final reference to the custom of the men of Powys, where a band of fifty men rather than the twenty-one best or eldest accept the child, emphasizes both the force of this procedure across Wales and the communal origin of inheritance custom, here not reliant on the whims of the monarch. In typical Ior style, technical problems occupy much of the tractate: what status does a foetus possess, when does a child become a man, what happens when a child denied by his father incurs the payment of *galanas*, when can children be denied, and what happens if the mother, father or lord are foreigners. Dispute, the often-violent trauma attendant on the resolution of problems of inheritance, seen clearly at an elite level in the chronicle evidence, here takes a backseat.[537] It is the unity of society, its correct functioning through rational and traditional customary law, and the bringing of all individuals, whether accepted into the kindred or not, whether born or unborn, within its compass which defines this tractate and provides the end to *Cyfraith y Wlad.*

The attestation of the Family Law tractate is depicted in T.II.i.i (*B*, *C*, *D*, *E* and *K*) and T.II.i.ii (*Lew*, *G*, *J* and *S*). *A* is here defective. As *G* attests only 7 sentences in the whole tractate, whether in error or as a matter of editorial policy, it is here left out of the discussion due to the relatively small size of the sample. *C* breaks off two sentences into E.II.vi, and *Lew* has a gap between E.II.ix.2 and E.II.xiii.3 caused by loss in the manuscript itself. Otherwise, all omissions appear to have been either a conscious choice or as a part of the copyist's exemplar. To distinguish between these two types of loss, loss in the manuscript and omission in copying, • and – are used respectively. *C* (before breaking off) and *E* attest the tractate completely, with *B* missing only E.II.i.8 (the only manuscript to do so). *D* omits E.II.ii.8, and orders E.II.xiii.1 before the whole of E.II.xii; both structural variations are, again, unique. *K* omits E.II.iv.7, sharing this omission with *J*, but otherwise attests all the tractate. *Lew* omits the first seven sentences and, as mentioned above, is missing material near the end. Due to the complicated arrangement of *Lew* and its exemplar, it is possible that *Lew* may have attested all the tractate, though now lost.[538] *S* does not copy the first four paragraphs of Family Law, beginning with the Three Dire

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[537] For the lack of violence in Ior, especially with reference to *B*'s account of *galanas*, see Stacey, *Law*, pp. 189–209.

[538] See the detailed discussed of *Lew* at 3.4.5 above.

Losses of Kindred (E.II.v), and only omits E.II.vi.1 from its text. *J* does the most to its version of the tractate, omitting E.II.ii.18–E.II.ii.19, E.II.iii.8–E.II.iii.10, E.II.iv.7, all of E.II.ix, and E.II.xii.3. All the manuscripts, with the one exception of *D* mentioned above, and in deep contrast to the Value of Equipment tractate discussed below (5.3.3), do not change the order of any sentences or paragraphs. There also appears no obvious connection between the manuscripts based on the attestation and ordering of sections. Unique patterns of loss mean that no manuscript could be copied from any other manuscript (aside from the complete *E*), a conclusion already known from other data. *K* and *J* are the only two manuscripts which share an omission, E.II.iv.7, although *J* demonstrates the hand of an editor far more interested in shortening their material than the editor of *K*.

Place in Edition	Text in *C*	Text in *K*
E.II.i.R1(1)	*Am veychyogy gwreyc o llygryr traetha hynn.* The pregnancy of a woman, if it is spoiled, is related henceforth.	*beichigi g6raic.* The pregnancy of a woman.
E.II.iii.R1(1)	*Am kyvreyth merch ay dylyet ew hynn.* This is the law of women and their rights.	-
E.II.iv.R1(1)	*Gwadv map ay kymryt ew hyn* This is denying a son and accepting him.	*k' am 6adu map bellach* The law of denying a son henceforth

Figure 19 - Splits in Family Law made by C *and* K

Some features of how these manuscripts treat the Family Law tractate are here indicative of a larger outlook on the part of the editor-copyist. *C* divides the text into several parts with rubricated incipits, a characteristic of this manuscript throughout its presentation of *CH*.[539] In some places, *C* is joined by *K*. Interestingly, both manuscripts only make divisions in the opening sections of the tractate, that is, those that most represent coherent sub-sections, leaving the remainder of the tractate under the last heading. The splits are depicted in Figure 19 directly above.[540] For *C* and *K*, therefore, the first three paragraphs of the tractate really concern women, despite E.II.ii largely consisting of material on the status of sons; perhaps the editor-copyists saw the rearing of all children as topically related to women. It is with E.II.iv that Denial and Acceptance, *gwadu* and *kymryt*, the theme of much of the Family Law tractate, is signposted by these manuscripts. For the scribes of *C* and *K*, therefore, it appears that there was no such

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[539] See T.IV.vi and T.IV.vii for a comparison between the rubrication of manuscripts and the paragraphing of editions in the Land Law tractate. It is important to note that these incipits do not act as modern titles would, that is, they do not govern all that follows until the next incipit but rather hold for some part of the following material. Nevertheless, the use of them can still be commented on, as I do so here. See n. 461 for a discussion of *tituli* in this data.

[540] There is reason for caution in interpreting the evidence of rubrication. Titles might be in place before the writing of the main text, might be added by a different hand, or could be applied unevenly across the text. Nevertheless, *C* and *K* here counterbalance each other.

thing as a 'Family Law' tractate, but rather a series of provisions around children and the part they play in native inheritance customs.

A cursory look at the variations under the Family Law tractate attest to a further point, that is, the tendency for some manuscripts to vary quite considerably (*C*, *D*, *J* and *K*), whilst others do not (*E* and *B*). *K* and *J* frequently re-order and rephrase parts of the law, although acting more conservatively than *D*. E.II.ii.R3(2) sees *JK* changing the phrasing of the explanation for why men cannot be called to *galanas* until baptism. The original states that 'and this is why: every person whose *galanas* is claimed, is entitled to be called by their name, whether they be man or woman, and no one can be called by their name until baptised'; the version in *JK* reads 'since every person who may be sued must be sued by his name, and his name is not known until baptised', a much more general statement. II.ii.R11(4) also demonstrates a need to shorten, with 'and it is for him himself to answer on his own behalf to every claim that is made against him, and it is for him to control his goods', shortened to 'and he must sue on his own behalf to everything which is sued for by him'. *D* instead approaches the text with an expansionist aim, with a few sentences on alternative provisions copied at E.II.ii.R15(1), further explication at E.II.v.R13(1), and further information on aliens at E.II.v.R14(5).[541] Variation also appears to be more significant and more frequent later in the tractate, especially during the section consisting of more miscellaneous parts (E.II.vi to E.II.xii). Here, large variations occur both in *S* and *E*.[542]

Before turning to the variation data, it is worth stating again what, exactly, these tables imply. In T.V.i.i, we can see three classes of variation, where the variations noted as Class III can be found, and an aggregate Independence score. The Independence score is reached by weighting Class II as four times more significant than Class I, and Class III as twice as significant than Class II. Class III therefore works out as eight times more significant than Class I. Taking T.V.i.i again as an example, we can see that *D* has by far the highest Independence score, equalling *C* in Class III variations, but featuring more Class I variations than the remaining manuscripts put together. This fact becomes all the clearer when we observe that most of *C*'s Class III variations are rubrics. This is not, however, an objective judgement concerning *D*, but rather a judgement of the variations of its text within the context of the other manuscripts here studied (*E*, *C* and *B*). Given the binary nature of the data, an Independence score of 133 for *D* also accords an identical score to the manuscripts *E*, *C* and *B* as a group. This figure therefore not only shows how variant *D* is as a version of the Ior book-tradition, but also how *ECB* cohere in the context of a group including *D*. Conversely, a low Independence score does not just mean that a manuscript follows the general readings of the group more closely, being less inclined to strike out with independent variations. As we shall see in the Value of Equipment tractate, *A* and *E* both have very low

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[541] *D* also features a large eye-skip at E.II.ii.R3(3): several unique eye-skips can be seen throughout this manuscript.

[542] E.II.xi.R2(4) and E.II.xi.R2(3) respectively.

Independence scores when they occur together due to their close textual relationship. *J* and *K* also feature a relatively low Independence score, but, as will be seen, form a very close group with each other. Bearing these points in mind, I will briefly examine the variation data before making some conclusions.

The first notable characteristic of the data is the very low Independence score for *B*, made most clear in the section of the tractate where *C* stops attesting (T.V.i.ii). Rarely is *B* doing something different whilst the other manuscripts remain the same. A part of this tendency can be explained by *B*'s relatively close relationship with *D* during this tractate; T.V.i.iii demonstrates that little is shared between *B* and *E* or *B* and *C*. The core manuscripts seem to group overwhelmingly as *CE* and *BD*. *B*'s low Independence score might also point towards another fact, that is, that *D*, *E* and *C* present quite distinct versions of the tractate. The relationships depicted in the first three tables (T.V.i.i to T.V.i.iii) might therefore be summarised thus: despite a clear tendency to vary uniquely, *D* shares much material with *B*; the removal of *C* from the group causes *E*'s Independence score to increase dramatically, suggesting that these two manuscripts also share much material (as variations shared between *E* and *C* cause their respective Independence scores to lower); and, finally, all manuscripts engage in a fair amount of unique variation. The remaining manuscripts were studied first as an independent group. T.V.i.iv and T.V.i.v (where *Lew* is not present) show the Independence scores of the individual manuscripts, with T.V.i.vi detailing the group. The magnitude of *D*'s variance is seen again in T.V.i.iv, appearing particularly dramatic when *Lew* is removed. T.V.i.vi shows a similar story to the core manuscripts; *KJ* form a profoundly strong group, with *Lew* and *D* opposing them. Indeed, the material shared between *Lew* and *D*, and the distinction between *JK* and *D*, explains why *Lew* has such a low Independence score. Bringing *C* and *D* into this southern manuscript group does, unfortunately, not prove particularly enlightening. Again, we are reminded of the variance of *CD*, although the score is far more modest than when seen as part of a smaller group. Only one grouping seems statistically relevant: *KJ* agrees against *BCDLew* far more than any other combination. This tendency clearly stems from the unique path that *KJ* appears to have followed, a path not approached by any other manuscript here. There appears to be no clear group of which *B* or *C* form a part. The place of *S* is clearer. T.V.i.viii shows the uniqueness of *D* and *S* and points strongly towards *S* forming a part of the same group as represented by *J* and *K*.

This fine-grained approach to variation has many advantages. Some textual points are illustrated clearly. *J*, *K* and *S* form a clear group, as do *DB* against *CE*; the former, however, seems to derive from a copy or tradition which looked to modify the text in significant ways. The addition of *B* and *C* into the southern group does not lead to a large drop in the coherence of the *JKS* group, suggesting more is shared between *BC* and *DLew* than between *BC* and *JK*. This fact may be significant given the distinction between *DB* and *CE* when viewed as a part of the core group. Nevertheless, the unique identity of the *JK* group may cloud any further conclusions concerning the position of *C* and *B*.

The Family Law tractate thus provides a key example in the development of the Ior book-tradition. Its tone and theme are indicative of perspectives seen elsewhere in the law.[543] Some editor-copyists approached the tractate with ideas of revision, centring around the introduction of explicatory material and the summarising of sentences likely considered otiose. Adherence to specific textual sub-traditions is clear; *JKS* emerges as a particularly innovative and distinctive tradition. Two characteristics of the textual transmission of the Family Law tractate are here clear; that its propagation was essentially stable, and that only with a certain collection of southern manuscripts (*JKS*) do we see a distinct sub-tradition. These groups, however, and the stability of the text, that is, its tendency to remain structurally similar in manuscripts removed by many occasions of copying, are both challenged by material in the Ior tradition of a very different form. The Value of Equipment tractate, to which we will now turn, presents a much different picture.

5.3.3 The Value of Equipment, Furniture and Weapons

A significant amount of list-like material was reorganised from other parts of the law-book to form the *Llyfr Prawf* as we now have it. Excepting the *Tair Colofn* at the beginning (itself based on three lists of nine, now pegs for a larger discussion of the principal wrongs), and the two agriculture tractates Joint Ploughing and Corn Damage at the end of the Appendix,[544] the central body of the defining structural and textual innovation of the Ior book-tradition consists of a list of values: a list of animals ending the main portion of *Llyfr Prawf* in *Gwerth Gwyllt a Dof*, with discussion further organized around the animal's life-cycle; a short list of the value of houses opening the Appendix; a much longer list of the values of equipment, furniture and weapons; and, finally, a list of the values of limbs. The position of these lists in Cyfn and *Lat D*, likely representative of pre-Ior (see 5.2), can be seen at Figure 6 above. An urge to move list-like material into *Llyfr Prawf* and its Appendix in Ior appears to have been a key structural imperative standing behind the re-organisation of *Cyfraith y Wlad*. According to the order of Cyfn and *Lat D*, the *Cyfraith y Wlad* of the usual *CH* manuscript opened with a series of lists following on from *Tair Colofn*. It is only the Nine Tongued Ones in Ior which retains its original position,[545] followed immediately by an expanded and re-positioned Law of Women. The movement of the Law of Women to a position almost proximate with *Cyfraith y Llys* has been seen by Robin Chapman Stacey as possibly an intentional move to bring the royal and domestic households together.[546] Indeed, *B* places the Law of Women before the Nine Tongued Ones, outside of *Cyfraith y Wlad* altogether. Given the movement of so much list-like material into *Llyfr Prawf* and its Appendix, and the need to foreground the Law of Women, why does the Nine Tongued Ones remain in pole position? The reason may well be practical: the tractate may have been of little value to the thirteenth-century jurist, and thus not deserving of a place in *Llyfr Prawf*. Alternatively, the law-book redactors may have wished to retain

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[543] See 3.3 for a discussion of Ior's key themes.
[544] For the Appendix to *Llyfr Prawf*, see 3.3.2.
[545] For the position of the Nine Tongued Ones with reference to *Tair Colofn*, see Russell, 'Arrangement'.
[546] Stacey, *Law*, p. 131–3; see also 3.3 above for the broader context.

something of the traditional beginning of *Cyfraith y Wlad*, lending a sense of rootedness to the reformed law-book. Indeed, it is likely to be a combination of several intentions.

The collection of lists in *Llyfr Prawf* and its Appendix brings together material which, in Cyfn and *Lat D*, appears across the *CH* manuscript. *Tair Colofn* opens *Cyfraith y Wlad* in the other book-traditions and, accordingly, opens *Llyfr Prawf* in Ior. *Gwerth Gwyllt a Dof* appears in *Lat D* in a collection of values also including Houses and Equipment, Furniture and Weapons, and, in Cyfn, after Land Law. In both cases, other material related to animals, their value, and how exceptions might arise concerning their place in the law, is distributed throughout the law-book, sometimes arbitrarily. Ior brings all this material together at the end of *Llyfr Prawf*. These two tractates, the *Tair Colofn* and the *Gwerth Gwyllt a Dof*, seem, given their position, to be some of the most significant material in the new Ior order, and much must have depended on their reorganisation as a part of *Llyfr Prawf*. The Value of Limbs, appearing in the centre of the Appendix, appears to have been a more archaic set of provisions and is much less list-like than the other tractates mentioned here. This tractate appears at the head of *Cyfraith y Wlad* in both Cyfn and *Lat D*. Following some brief material on the Value of Houses, the Appendix commences with the Value of Equipment, Furniture and Weapons. The expansion of this material in Ior provides a link between the *Gwerth Gwyllt a Dof* at the end of *Llyfr Prawf* and emphasizes the domestic character of much of this part of the text. It is this last tractate, the Value of Equipment, which is studied in more detail here.

Despite consisting essentially of lists of items and their values, with next to no explication, a strong sense of order defines the Value of Equipment. Repeating again the essentially domestic outlook of the text, *ACE* describe this material as *werth e dyodre6yn*, 'the value of furniture'. This is, however, not furniture in the modern sense, that is, tables, beds and chairs, but rather furniture used in the broader sense of equipment or objects installed and utilised in a given context.[547] Stacey has drawn attention to the lack of violence in this list. An axe is not a violent weapon, but a tool to be used for cutting wood; 'weapons are passive rather than active, things to be valued rather than used'.[548] The focus here, as with the Family Law tractate discussed above, is on the community and the household as a place of unity and peace. Intellectually, the list here values every item possible; having progressed through cauldrons, blankets, saws, locks, mirrors, leashes, bags and plough-heads, we are told that 'everything else in the world for which there is no legal value is subject to sworn appraisal'.[549] The Value of Equipment thus represents an attempt by the law-book redactors to bring the world within their compass but also, more

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[547] 'Effects' is an old-fashioned but accurate representation of this sense. The semantic range of *dodrefn* covers equipment, tools, baggage, goods and accoutrements; interestingly, its base *trefn* begins as 'room, furniture' before encompassing 'tidiness, harmony, order and list'.

[548] Stacey, *Law*, p. 206.

[549] E.I.vi.45.

significantly, to order it in a manner consonant with their political and social objectives, however explicit and deliberate we imagine these to be.

We open with what I have broadly termed 'aristocratic items', items valued not according to their intrinsic value, but rather due to the status of their owner: the king's blanket, the *pencerdd*'s harp, and the *uchelwr*'s robe. The Value of Equipment thus begins as the law-book in general, with the prince's rights and responsibilities. In further comparison to *Cyfraith y Llys*, the items listed match the domestic setting of the court rather than its military function: items to cook with, to eat with, to play with and to sleep on. A link with the next section is provided with the last item, the aristocratic vat, belonging either to the king, to an *uchelwr*, or to a freeman. The second section I have termed 'Containers and Tools', following on from the vat to sacks, churns, jars, pans and pails, before finishing with a range of tools needed in the realisation of aristocratic living, hoes, reaping-hooks, croppers, saws, and locks to keep them all safe. E.I.iii takes a different tack to E.I.i and E.I.ii, organising its material by price rather than theme. E.I.iii.1–E.I.iii.25 lists all items valued at a farthing, with E.I.iii.26–E.I.iii.46 listing all those valued by *damdug*, 'sworn appraisal'. The remaining items form groups sometimes miscellaneous, sometimes large and sometimes small. Often the rationale for grouping seems to run more along the lines of free association. E.I.iv opens with dishes and some miscellaneous items before finding coherence around the theme of greyhounds. The focus then shifts to manure and things one might put on one's hands before a longer list of what I have called 'Professional Equipment'. We see items for catching fish, weaving-frames, smith's implements, items for nail making, and items for crushing grain. E.I.v features the only items which are given a martial character, beginning with spears, swords and shields, and continuing with armour and clothing in general. E.I.vi finishes the Value of Equipment by returning to the theme of agriculture, mirroring the end of the whole book in the Joint Ploughing and Corn Damage tractates. Items related to corn follow on to a reprise of clothing from the last section before a list of ploughing items finishes the tractate.

There is, therefore, a clear sense of order. Connections might be made between sub-sections in ways strange to the modern sense of theme, for example, using the aristocratic vat to link with vats in general, but intense thought has clearly been applied to where items appear. A practical desire might stand behind this activity; it is far easier to find items if they are grouped by theme than simply randomly distributed across the tractate. Nevertheless, theme does not always prevail, clothing of different kinds is found in varying places, items by status are not all grouped together, and sometimes strange changes in subject mark the text. Part of this miscellaneity is undoubtedly due to the complexity of ordering this kind of material using quill and vellum; part is also surely due to varying ordering rationales pulling the text in different directions. Nevertheless, there is a case for the organisation of this material fitting the demands of narrative, in other words, as following an outlaying of theme and progression more imaginative than practical. These lists were certainly used: the Value of Equipment section in *Lat C*, roughly contemporary with our earliest manuscripts and acting outside of the Ior book-tradition, is

heavily annotated.[550] Yet we should remain open to how texts like these might be used or 'read' in a more general sense. A desire on the part of contemporaries to constantly re-order this material emerges from its editing. T.II.i.i and, in particular, T.II.i.ii, both demonstrate the flexibility present in the copying of list-like material, even in the core manuscripts. Where in Family Law omission was unusual and re-ordering absent, here sentences are regularly missed out, parts inverted and sometimes placed elsewhere in the tractate. Indeed, given the nature of the material it would hardly be surprising if items were added that were not in the original 'Book of Iorwerth', whatever that might have been. Identifying the rationale for these changes is complicated, not least as these changes may represent several stages of editorial activity. Nevertheless, two examples stand for the whole: the changes in the order present in *AE* (many of which may be original); and the significant editing made by *D*.

AE agree with the other manuscripts at the beginning of the tractate, though *AE* has no E.I.i.6 (a king's crane), and *E* no E.I.i.7 and E.I.i.8 (the king's cauldron and meat fork).[551] There appears to be no obvious reason behind these omissions; they are the only manuscripts to omit these items, although *K* reorders them. It seems more likely that they were added in the archetype behind the other manuscripts. Both *A* and *E* also attest most of E.I.ii, although do not feature the two sentences on locks (34–35); these items do not quite follow the theme of the passage and may have been removed for this reason (this seems more likely than added due to the thematic dissonance). *A* and *E* also feature a different order of the white pail and the willow bucket (E.I.ii.14 and E.I.ii.15); they are followed in this respect by *C*, *K* and *Lew*. The Items by Farthing and Sworn Appraisal are more distinct in *AE*. The first twenty-three items are identical to the other manuscripts, although E.I.iii.24, the wooden fetter, is not present, mirroring in *D* and *K* (*Lew* has here broken off; perhaps this item was added in *C*). Items E.I.iii.25 to E.I.iii.34 are also identical, with E.I.iii.35 to E.I.iii.37 not present. There is unique re-ordering and omission at this point in the text by all manuscripts, though with only *B* choosing to include E.I.iii.36, the barrel. Although the remainder of E.I.iii is mostly attested by *A* and *E*, it appears in three different parts later in the tractate. *AE* then continue to pass through E.I.iv, with 1, 24 and 45 not present in *AE*, and 46 additionally missing in *E*. The first five items of E.I.v then follow (spear, bow, battle-axe, sword and shield), before three items missed earlier are included – the breastplate, cap of mail and crest. There is a clear thematic reason for their appearance here, both martial and items of clothing. Perhaps it is *AE* here that have re-ordered the text to be more thematically clear, with our other manuscripts keeping a more archaic order. The remaining clothing of E.I.v is related, though with the order of the bridles changed.[552] Now appears the second chunk of material omitted earlier, with a ring and a buckle following from shoes and belts, another thematic inclusion. The whetstone (E.I.vi.4) is not present in

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[550] See the discussion at 5.2.1.

[551] It may help the reader to have T.II.i.i open at this point, as well as a thumb in the edition itself.

[552] Also in all manuscripts other than *B*: rather than gilt bridle, other bridles and silvered bridles, they run gilt bridle, silvered bridles and other bridles. The latter does seem like a more sensible order; presumably *B* or its exemplar wanted to single out the silvered bridle.

either *A* and *E* at the beginning of the next section, perhaps added in the archetype behind our other manuscripts as another knife-related object, and, after E.I.vi.6, the last section of omitted material is included, the bracelet and the chess board. The bracelet makes some sense, following from a breeches-belt, but the chess board is more confusing. Perhaps it was moved as it occurred at the end of the section from which it came. Some re-ordering then occurs, with the two fold-hurdles deleted and the thrave of oats moved before the thrave of mixed corn, and the corn-measure coming before the distaff. Finally, *A* and *E* omit one type of cloak (E.I.vi.19), an omission shared with *B*.

Analysing these changes is difficult: reasons may have been personal, related to the physical form of the manuscript book, or simply arbitrary. What is more, they might represent a deliberate change by those manuscripts which omit them, identified by their occurrence in other books, or an insertion by the latter and never appearing in the former. Regardless, reasons can be discerned for much of the editorial activity in *AE* in relation to the Value of Equipment, especially with respects to the chunk of material taken from E.I.iii and re-distributed throughout the rest of the text (or, alternatively, brought into one place by the other manuscript). Here, ordering by *fyrdlyg* and *damdung* was clearly considered to be unacceptable, and those items relating to others by theme, though occurring later in the list, were moved. We might also note the increased level of variation as the text progresses, becoming less focussed and therefore more susceptible to change. In these later parts, after E.I.v in particular, each manuscript often varies in their own way, and to quite a large extent.

Where *AE* present an example of the tractate being bent to a thematic shape, *D* suggests that editors might aim in the other direction. Amongst a range of variation across the text, *D*, following E.I.iii, re-orders the items in E.I.ii by price rather than theme. There are six entries there for fourpence, seven for two-pence, fourteen for a penny, one entry again for fourpence, one for a curt penny and five for halfpence. The editor appears to have gone through E.I.ii noting every item within each price category and listing them all separately. This process is therefore reversible, and a reconstructed version of *D*'s exemplar is included under the endnote at E.I.vii.iii in Volume II. This reconstructed version is included in E.I.ii as D_0, also appearing as Roman numerals in T.II.i.ii. E.I.ii.10 appears out of order with the other fourpence items in *D*; this may well be due to the editor missing the item in his initial pass. If this assumption is true, either the copyist of *D* was incredibly faithful in not correcting this mistake, or it was the copyist themselves who made these changes to the text. Other variations in ordering later in the tractate appear to point towards the same intention. Where items occur sequentially with the same value, *D* often omits the values of all but the last, adding 'pence for each', or 'pence for each one of them' as required. In many places this process appears to change the values of items quite regularly; perhaps the editor was so keen to compress their text that a few shortcuts were taken. It is tempting to imagine the scribe of *Llyfr Teg*, already mentioned to have been an antiquarian collection,[553] less interested in the

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[553] Of course, *D*'s exemplar may have made the editorial decisions discussed in this paragraph. My reasons for crediting it to the scribe are the other antiquarian characteristics of the manuscript discussed at 3.4.2 alongside the

thematic ordering which might make the Value of Equipment in *A* and *E* more usable, and more interested in the copying process taking less time and resources. Either way, the intention on the part of editor-copyists, from the mid-thirteenth century through to the end of the Middle Ages, to modify and re-order texts such as the Value of Equipment, for many different reasons, is here clear.

It is sentence ordering which might provide a window into the grouping of the manuscripts.[554] T.V.ii.vii depicts the number of sentences attested by different manuscripts, from 113 in *C* to 96 in *K*, with an average of 106. T.V.ii.viii attempts to define these relationships in more detail. The items in the edition were laid out and it was noted whether a specific manuscript attested that item. Each manuscript was then compared with another: if both did not include that item, or both did, then a value of 'TRUE' was recorded. The similarity of manuscripts, in terms of the attestation of items, could therefore be compared. T.V.ii.viii thus shows the proportion by which an individual manuscript shares the inclusion or exclusion of items with another. The average numbers at the bottom of the table act in a very similar way to the Independence figure used in the discussion of the Family Law tractate. *A* and *E* here have the highest value of correspondence, with *K* and *E* the least. Indeed, *K* has by far the lowest correspondence to any other manuscript; the figure of 87% shared with *Lew* is *K*'s highest, but *Lew*'s lowest. An examination of the numbers demonstrates a small manuscript group of *Lew*, *B* and *C*, with *A* and *E* less closely related. Figure 20 simplifies this information somewhat; here appears the top two and bottom two manuscripts in terms of similarity in sentence attestation. Notable is the appearance of *E* in the bottom two of *G*, *K* and *Lew*; although *DGKLew* appear quite individually variant in this data, distinctions with *A* and *E*, and not *B* and *C*, give some form to this group. If *K* is closest to anything, it is *Lew*, although *Lew* firmly belongs to the *BC* group.

Manuscripts	Top 2	Bottom 2
A	*E, C*	*K, G*
B	*C, Lew*	*K, D*
C	*B, Lew*	*K, G*
D	*C, Lew*	*K*, 4 tied
E	*A, C*	*K, D*
G	*B, C*	*D, E*
K	*Lew, C*	*E, G*
Lew	*B, C*	*K, E*

Figure 20 - Sentence Attestations in the Value of Equipment

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uncorrected error in re-organisation here referred to. If these changes were not made by the scribe of *D*, the point moves from characterising the actions of the scribe as antiquarian to their working within an antiquarian textual tradition.

[554] The data here does not include items where *C* or *Lew* are missing parts of the manuscript.

Larger conclusions were drawn from this data by the comparison of two groups of two (where, say, both *A* and *E* agree, and where *B* and *C* agree) and by constructing groups of three (where, say, *D* and *G* agree, and where *G* and *Lew* agree). The first column of T.V.ii.ix outlines the core manuscripts. Using the *AE* figure (98%) and the *BCD* figure (88%) as a high and low baseline respectively, we can see that comparing *AE* and either *BCD* or *BD* reduces the agreement (both to 87%), whilst comparison between *AE* and *CD* slightly increases it (to 89% – only one point above the *BCD* baseline). Comparing *AE* and *BC*, however, only drops the *AE* baseline by two points, from 98% to 96%. The place of *Lew* in this group is again confirmed: *BCLew* has a figure of 96%, and a comparison between *AE* and *BCLew* yields 94%. Drawing out the relationships between the remaining manuscripts (*DGK*) is more difficult, partly due to the huge variance of *K* disturbing the figures. These manuscripts are examined in the second column of T.V.ii.ix. *Lew* appears to share more in common with both *G* and *D* than either do with each other. It may well be that this style of data fails to maintain coherence as variation in sentence ordering becomes more frequent and extreme.

With the data of sentence ordering behind us, what of the variations themselves? T.V.ii.i to T.V.ii.vi outline the variation data collected from the edition of the Value of Equipment; I have included sentence ordering within these statistics due to the small size of many of these sentences (largely just each individual item and its value). Similar themes arise from the discussion of Family Law above, as well as the evidence of sentence ordering in the present tractate. *D* emerges as profoundly variant followed here, in distinction to Family Law, by *B*. *A* and *E* both have a very low level of Independence due to their much greater level of Independence together. The grouping of *A* and *E* can be seen further in T.V.ii.iv, where *AE* provide the only statistically significant group. The addition of *C* into *AE* reduces the Independence figure less than the addition of *B* or *D*, but the evidence does seem to suggest that *AE* are a strongly independent group. Little can be made from T.V.ii.v and T.V.ii.vi, where the southern manuscripts are described: although *G* has the highest Independence number, there is not a great deal of difference between the manuscripts.

The Family Law tractate and the Value of Equipment, Furniture and Weapons are both very different types of material and, as has been seen, behave in very different ways when copied. Editing the former is a relatively straightforward task. Any significant variation that does occur is largely understandable and reducible into variant readings. Further, these readings provide good data for grouping our manuscripts. The Value of Equipment, however, is a place of relative chaos. Even displaying the amount of variant readings on the page is a challenge; bringing some order is an even more difficult matter. The discussion here has attempted to use a range of data – sentence attestations, variations and more subjective analyses – to pull together a larger picture of change in the tradition. Although list-like texts have their own methodological problems, the tendency for copyists to intervene readily in the ordering and detail of this kind of material allows for a unique examination of rationale and intention. Both Family Law and the Value of Equipment tractates therefore present interesting test cases for the textual

study of *CH*; the following section will draw together this data, along with variation in the Surety Pleadings and Corn Damage tractates, to answer more directly several questions concerning the development of the Ior book-tradition.

5.3.4   The Textual Development of the Ior Tradition

5.3.4.1   Introduction

Despite the closeness in textual readings between our thirteenth-century Ior manuscripts, and the few decades between our earliest (*C*) and latest (*B*), distinct sub-groups exist within these four manuscripts (with *D* often included as a fifth). On the one hand, *A* and *E* demonstrate a profound similarity in structure and variation, with the orthography of *A* pointing, as Paul Russell has argued, towards much earlier material.[555] On the other hand, *D*, although from the succeeding century, stands in a long line of southern Ior manuscripts and material, represented at an earlier date by the complex material in *G*. *B* and *C* waver between these groups in different treatments, sometimes adhering to the north-western line and other times to the southern. Three of these manuscripts have at one point or another been lauded as uniquely close to the original Ior text; *A* by Gwenogvryn Evans, *B* by Aled Rhys Wiliam, *C* by Daniel Huws, and now *A* again by Thomas Charles-Edwards.[556] The relationships pertaining between other Ior material, whether in miscellaneous manuscripts such as *F*, manuscripts of other recensions such as *Mk*, or manuscripts late in date such as *S* or *Q*, are often not included in textual studies.[557] This section reviews a recent key, though unpublished, contribution by Thomas Charles-Edwards, putting these ideas to the editions and variation data collected in Volume II of this thesis.

Before proceeding, a point of method is, however, briefly worthy of mention. As outlined above (4.2), previous textual treatments of Ior are superseded somewhat by the realisation, made first by Daniel Huws and later confirmed by Paul Russell and Thomas Charles-Edwards, that different textual relationships might pertain at different points in the manuscript.[558] Indeed, Dafydd Jenkins' examination of the *floruit* of Iorwerth ap Madog renders even older analyses, such as that of Gwenogrvyn Evans in his *RMWL*, out of date.[559] Nevertheless, there is a similarity in method between the arguments of Charles-Edwards and, for example, those in *Ior*. I have already described the reliance of Wiliam on certain maxims of traditional textual criticism to the detriment of his argument, namely, *lectio brevior* in his discussion of the Preface to *Llyfr Prawf*.[560] Charles-Edwards, with a closer reading of the passage in question, has developed a narrative much more in keeping with the manuscript

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[555] See 3.2.3 and the references there.
[556] See, respectively: *RMWL*, vol. 1, p. 359; *Ior*; Huws, 'The Earliest Version'; and Charles-Edwards, 'The Textual Tradition of *Llyfr Iorwerth*', unpublished.
[557] *F* was discussed in Charles-Edwards, 'The *Galanas* Tractate'; the miscellaneous manuscript *G* and the Bleg manuscripts *J* and *Tim* are often included in stemmata.
[558] Huws, 'The Earliest Version'. See *TCC* for the contributions by Charles-Edwards and Russell.
[559] Jenkins, 'The Family'. See also 4.2 above.
[560] 4.2.

evidence. Both, however, base their judgements on the use of specimen passages. Wiliam sees the *damweiniau*, *galanas* material and the Preface to *Llyfr Prawf* as diagnostic; Charles-Edwards, most recently, examines the listing of the court officers, an eye-skip in the Case for Land, another eye-skip in the Measurements of Britain, revisions in the *Naw Affaith* of theft, and, finally, the material on bees in the Values of the Wild and Tame.[561] For all those scholars who give us their reasons, from Aneurin Owen through to Thomas Charles-Edwards, it is these diagnostic sections which form the meat of their arguments. The method might be likened to a crime scene. Here, a certain series of events leads to the physical evidence being arranged in a certain manner. There is only one 'real' answer as only one series of events could have happened at any one time. Putting aside the fact that several narratives might equally satisfy the existing physical evidence, any piece of data, no matter how small, from the tiniest blood splatter to the smallest shard of glass, if it clearly supports one narrative, and one narrative only, solves the case. It is a matter of logical deduction. If the remaining evidence falls in line, that one piece of glass carries the entire argument – if the glass is on the inside of the building, someone broke into the house and not out.

The use of this method in textual criticism is more complex. Naturally, several narratives might support a given arrangement of readings. Furthermore, an arrangement which might seem most likely given one set of readings might become the second most likely on the discovery of another manuscript or the identification of another diagnostic section later in the same set of manuscripts. What is more, especially considering what we know of the copying culture of *CH* (4.1 and 4.3), and the processes by which Ior likely emerged (5.2), different relationships might exist between different parts of the text; in other words, we may be conflating several crime scenes into one. We know this to be the case with the larger 'books' (that is, *Cyfraith y Llys*, *Cyfraith y Wlad* and *Llyfr Prawf*); there is no reason to think that this might not be the case between tractates or, in certain cases, between paragraphs and sentences. The argument with our manuscripts is therefore not solved in the same way as the crime scene. The more pieces of physical evidence which subscribe to a certain narrative, the more likely that narrative becomes, but rarely does any one piece of evidence 'solve' the whole.[562] In order to reach some degree of certainty, for these diagnostic sections to have the maximum argumentative power, they must be matched to an account of the nature of the text, that is, its internal structure, the process of compilation and copying which makes up its reproduction, the available sources, and the historical means which led to the need for copies in the first place. Unfortunately, in many places, especially in the mid-thirteenth century, the 'nature' of the text is largely unknowable. Thomas Charles-Edwards, in his most recent unpublished contribution, puts forward a hypothesis supported by several specimen passages, examined in more detail below. It is important to remember that, despite how logically firm these conclusions

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[561] Charles-Edwards, 'The Textual Tradition of *Llyfr Iorwerth*', unpublished, pp. 10–19.
[562] Even in the case of smashed glass on the inside of the building; perhaps the unwanted visitor wanted it to seem as if they had broken in from the outside – perhaps the room had a high level of ambient shattered glass.

seem, the argument is still one of induction. By bringing the quantitative evidence of variant readings into play, a clear aim of this thesis, these relationships might have the support of another class of data. We must be aware what these conclusions elucidate and resist the temptation to draw out larger narratives, encompassing the entire tradition, where the evidence does not allow.

5.3.4.2   The 'Two-Stage' Model

Thomas Charles-Edwards, in a recent unpublished contribution, has argued for a two-stage model in the development of the Ior text, with *A* and *E* standing as the only two representatives of 'Recension I', *C* as a fairly close copy of 'Recension II', and *B* as a somewhat re-worked version of the latter. Different relationships pertain here in different parts of the text: in *Cyfraith y Wlad*, there are two witnesses to 'Redaction II', that is, *C* on the one hand, and, more developed, *B* and the southern group on the other; in *Llyfr Prawf*, *B* detaches from the southern group, copying here an independent manuscript, thus resulting in *B* and *C* (with the southern manuscripts depending on a more diverged copy of *C*'s archetype) as two independent witnesses to 'Recension II'. In this model, there are, in total, four imagined archetypes: the archetype standing behind *A* and *E*, very close, if not identical, with 'Recension I'; the archetype that *C* is dependent on for both *Cyfraith y Wlad* and *Llyfr Prawf*, reasonably close to 'Redaction II'; the independent archetype which copies the archetype to *C*, copied in turn by the southern manuscripts and *B* in *Cyfraith y Wlad*; and, finally, an archetype used just by *B* in *Llyfr Prawf*, an independent witness to 'Redaction II', not related to *C*'s archetype or the archetype used by *B* and the southern manuscripts in *Cyfraith y Wlad*. These relationships are summarised in the stemma below in Figure 21.
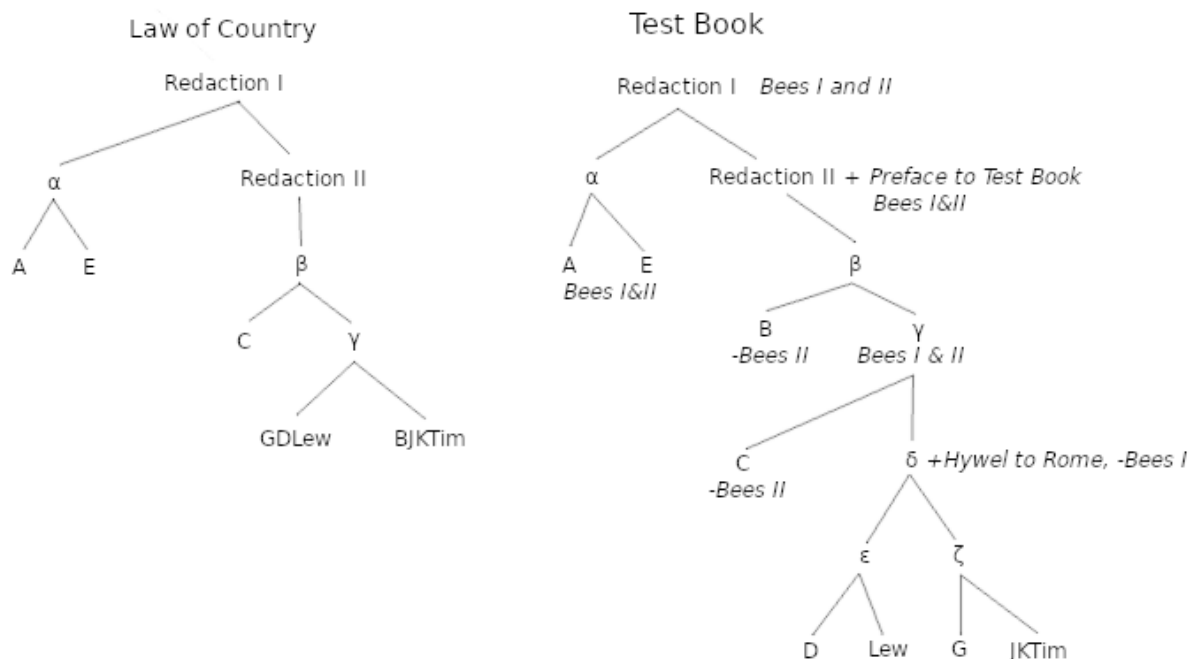

Figure 21 - The Ior Tradition according to Thomas Charles-Edwards

The differing relationships between *Cyfraith y Wlad* and *Llyfr Prawf* have already been noted by Charles-Edwards in a revised edition of Melville Richards' *Cyfreithiau Hywel dda* (see Figure 13 and Figure 14).[563] There are two important distinctions between these two stemmata and Charles-Edwards' most recent comments. In the stemmata, there is a greater degree of stratification in the southern manuscripts, partly due to the place of *G*. Two independent groups exist amongst these later law-books, *D* and *Lew* on the one hand, and *GJKTim* on the other. Furthermore, *G* copies a manuscript earlier on the textual tree than *JKTim*. In *Cyfraith y Wlad*, as in the most recent treatment, *B* is included in the *JKTim* group. However, in Charles-Edwards' recent lecture, *G*, rather than copying an independent witness of the southern manuscript group, belongs to the *DLew* group. The second distinction relates to copying at the top of the tree. In the stemmata, an archetype prior to that copied by *AE* is copied in turn by *C* in *Cyfraith y Wlad* and by *B* in *Llyfr Prawf*. Otherwise, *B* belongs to the *JKTim* group and *C* copies an archetype prior to that copied by the southern group. In Charles-Edwards' most recent contribution, *C* does not change its place on the textual tree, copying from an archetype prior to that copied by the southern manuscripts in both *Cyfraith y Wlad* and *Llyfr Prawf*. *B*, when not attesting with *JKTim*, attests a sister archetype to that attested by *C*. The outcome to these changes is the isolation of *AE* on the one side of the tree and the identification of *C* and *B* on the other. Although *B* changes sources, no manuscripts other than *A* and *E* had access to their archetype. Charles-Edwards' comments, of course, take the argument one step further; not only is the tradition split in this manner, but 'Redaction II' is dependent on 'Redaction I'. Thus, it is *A* and *E* that give us something close to the original version of Ior, taking 'us back right into the legal workshop of Iorwerth ap Madog ap Rhahawd'.[564]

5.3.4.3 Textual Issues in the Core Manuscripts

My intention here is not directly to examine any one stemma or arrangement of manuscripts. The textual study of Ior is comprised of a range of more specific issues (how close are *A* and *E*, does *B* use different source material, etc.) which can reasonably be examined given the methodology outlined above (Chapter 4). Conclusions on these points do not require building a general picture of how the tradition evolved and was transmitted across the thirteenth century and beyond. Joining these conclusions up into a general hypothesis is more complex. Focus will therefore be laid on a range of more fine-grained points sitting behind the arguments laid out above; the hope is to provide another view on the textual crime scene. I use here data collected from the Family Law and the Value of Equipment, Furniture and Weapons tractates, both discussed above (5.3.2 and 5.3.3), augmented by the Surety Pleadings and

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[563] The idea that different tractates might have different textual histories was suggested in Huws, 'The Earliest Version' and noted in Jenkins, 'Llawysgrif Goll Llanforda'.

[564] Charles-Edwards, 'The Textual Tradition of *Llyfr Iorwerth*', unpublished, p. 21. Since this draft paper, Charles-Edwards, based on more granular textual variation, considers it more likely that *B* and *C* dropped Bees II independently. γ thus retained both Bees I and Bees II. This is reflected in the stemma presented above. Charles-Edwards has also noted that there is far less certainty with the manuscripts lower down the tree than with the larger groupings at the head.

Suretyship tractates and the Corn Damage tractate. The table below (Figure 22) summarises the relevant places for reference in Volume II.

A full study of all textual variation across the text, from *Cyfraith y Llys* through to the *cynghawsedd* and *damweiniau*, placed alongside a more traditional examination of diagnostic passages, would provide a much firmer answer to many of these questions. Indeed, a fuller analysis of the data would address more than just the core manuscripts. I have left the exact position of the second-stage manuscripts, alongside the Ior material appearing in Cyfn and later Bleg manuscripts, largely out of the discussion. Space has defined the approach here, and the reader should be directed to 3.4 and 3.5 where attention is paid to manuscripts outside of the thirteenth-century core. Other areas of the law, especially Land Law and Ior theft material, would benefit from an edition incorporating all related medieval manuscripts. It is the contention here that the approach of the variation edition, and the quantitative analysis of data, both introduced in Chapter 4, have much to contribute both to the more particular problems which have concerned previous scholars, but also to a more general picture of variation within the tradition. For now, the remainder of this chapter will focus the attention somewhat and, hopefully, demonstrate the benefit of this approach.

Tractate	Book	Edition	Correspondence Tables	Variation Tables
Surety Pleadings and Suretyship	*Cyfraith y Wlad*	S.II and S.III	T.III.ii and T.III.iii	T.V.i
Family Law	*Cyfraith y Wlad*	E.II	T.II.ii	T.V.ii
Value of Equipment, Furniture and Weapons	Appendix to *Llyfr Prawf*	E.I	T.II.i	T.V.iii
Corn Damage	Appendix to *Llyfr Prawf*	S.XIII	T.III.xii	T.V.iv

Figure 22 - Editions and Tables for 5.3.4

How divergent are *A* and *E* from each other? It is now understood that *E*, although later in date, is not a copy of *A*.[565] It has also been seen that *A* and *E* are quite different in context; where *A* seems to plug directly into the early stages of the Ior book-tradition, dated to the central decades of the thirteenth-century and showing the editorial hands of what looks like professional jurists operating out of north-west Wales, *E*, based on palaeographical data and what appears to be a paragraph copied into the manuscript by the scribe of *B*, stems from a clerical background in the late-thirteenth century north-east.[566] Nevertheless, the close textual relationship between the manuscripts is profound. The Value of Equipment tractate shows this relationship well. In T.V.iii.i, *A* and *E* both sport an extremely low level of Independence, largely due to the number of variations they share: together they are the third most independent in the context of single manuscripts and, as T.V.iii.iv shows, by far the most independent

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[565] See references at 3.2.3 and 3.2.5.
[566] Again, see the references and discussion at 3.2.3 and 3.2.5.

in the context of manuscript groups. Only one of the manuscript groups that attests shared variations in T.V.iii.iv does not contain *A* and *E* together. This picture in the Value of Equipment tractate is reinforced by the evidence of sentence attestation, seen in T.V.iii.viii and T.V.iii.ix. This tendency is reinforced in other parts of the *CH* text: *AE* are the most independent amongst individual manuscripts in the Corn Damage tractate (T.V.iv.i); and the variation evidence in the Surety Pleadings and Suretyship tractates (T.V.i.i) points in the same direction. All these manuscripts have strong independent characteristics: *D*'s reorganisation of the Value of Equipment tractate discussed above stands as a clear example.[567] *D*, *C* and *B* all contain many significant variations (eye-skips, changes in legal meaning, significant re-phrasing, the introduction of new material or the use of distinct sources, etc.), with *C* and *D* also carrying large numbers of Class I variations. In the context of this unique individuality, *AE* almost behave as a single manuscript. Given their difference in date, geographical location, and productive context, the significance of this point cannot be overestimated.

If *A* does stem from a school of professional jurists, and if the origin of the Ior book-tradition was in the hands of those same men, as both seem likely, *E*'s exemplar must almost certainly have stemmed from much the same context.[568] What is more, it must have been one of the first migrants from the law schools of Arfon to the clerical and monastic houses of Wales. The sources available to law-book compilers in the cathedral school of St Asaph, if we can credit *E*'s connection with that school, must have been broad. *B*, containing the hand of Anian II of St Asaph (1268–1293), used two separate sources for its *Cyfraith y Wlad* and its *Llyfr Prawf*, as we shall see below: both are of the second recension of Ior as argued by Charles-Edwards.[569] *E* demonstrates that older forms of the text were also available and copied. The widespread dissemination of the Ior law-book must therefore have been a key objective of the project from its outset. The availability of a text so like *A* to the editor-copyist of *E* is a strong piece of evidence. Furthermore, it also seems likely that *E*'s exemplar must have been relatively close in the textual tree to *A*, perhaps even a tidier copy of its archetype. We have here, then, a part of a narrative for the beginnings of the Ior book-tradition.

The textual closeness of *A* and *E* does, however, point towards an additional conclusion. Given the binary nature of this data, such a profound sharing of variation between *A* and *E* demonstrates an equally profound sharing between *B*, *C* and *D*. Although the manuscripts of this group do not relate to each other on equal terms, with uncertainty surrounding sub-groups and the exact position of *B*, *C* and *D* in respects to each other, a bipartite division in the tradition, following the recent comments of Charles-Edwards, does seem to hold truth. How the other manuscripts fit into this picture, however, remains to be seen.

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[567] 5.3.3.
[568] See 3.2.3 for references to *A*.
[569] Charles-Edwards, 'The Textual Tradition of *Llyfr Iorwerth*'. See 3.2.4 for *B*.

In many places of the Ior text, *B* introduces major variation into the tradition. The Law of Women is moved out of *Cyfraith y Wlad*; a different form of the *naw affaith galanas* is put forward and, according to Stacey, 'deliberately structured in a way designed to downplay the problem of violence and showcase the unity and order of Welsh society';[570] and the Preface to *Llyfr Prawf* is excised. Foremost amongst these concerns, however, is the apparent use of differing source material by *B* in *Cyfraith y Wlad* and *Llyfr Prawf*, attesting, according to Charles-Edwards, with the southern manuscripts in the former (led by *D*) and as an independent witness of Recension II in the latter.[571] The variation data arranged in Volume II largely supports this distinction. The Surety Pleadings and Suretyship tractate (T.V.i) and the Family Law tractate (T.V.ii) both occur in *Cyfraith y Wlad*, whilst the Value of Equipment tractate (T.V.iii) and the Corn Damage tractate (T.V.iv) both appear in the Appendix to *Llyfr Prawf*. The first two demonstrate a close connection between *B* and *D*. T.V.i.ii shows this trend clearly, with *B* and *D* featuring the only major variations of any manuscript group (excepting always *A* and *E*). One of the two Class III variations, present in S.III.ii.5, is outlaid below:

> *B*: 'If it happens that the surety seeks to take a gage without the principal debtor, he is not entitled to take it unless there has been refusal in his presence'.

> *D*: 'If it happens that the surety seeks to take a gage without the claimant in moving the suit, he is not entitled to it unless there has been legal refusal in his presence'.

> *AE*: 'If it happens that the surety seeks to take a gage without moving the claim on the principal debtor, he is not entitled to take a gage. The surety is not entitled to take the gage of the principal debtor if there has been refusal in his presence'.

> *C*: 'If it happens that the surety seeks to take a gage without the principal debtor, he is not entitled to take a gage without the principal debtor. The surety is not entitled to take the gage without the principal debtor if there has been refusal in his presence'.

Clearly two legal rules, that a surety might not take a gage without the principal debtor, and that the surety might not take the gage if the principal debtor has refused, have, in *B* and *D*, been merged into one. This change may have been deliberate, *B* and *D* do not lose a large amount of legal information in their shortened form, but the repetition of *ny dele*, 'is not entitled', suggests eye-skip. The second Class III variation in the Suretyship tractate also involves the shortening of legal provisions. Following on from S.III.v.5 ('from the hand of a Lord or from the hand of a surety no surety is needed for the validity of a gage, for they do not deny that it was given, and it is right for them to be sureties for the validity of that gage for ever'), *ACE* attest the sentence *er arglwyd essyd* (*AE:uach*) *ar pob da ade6edyc or ny 6o mach arnaw*, 'since the Lord is (*AE:*surety) for all admitted property which has no surety'.[572] Given that

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[570] Stacey, *Law*, p. 194.
[571] Charles-Edwards, 'The Textual Tradition of *Llyfr Iorwerth*'.
[572] S.III.v.R5(10).

something very similar explains the legal rule stated at S.III.v.2, the editor-copyist may have considered it surplus to requirement.[573] Although no major variations occur in the Family Law tractate, both Family Law and Suretyship demonstrate a clear concordance between *B* and *D* in Class I and, particularly, Class II variations (an Independence score of 73 over the nearest 6). The relationship between these two manuscripts seems to be particularly close.

The Appendix to *Llyfr Prawf* shows a different story. Although *B* and *D* share more variations in the Value of Equipment tractate than any group outside of *AE*, the relationship is far less close than in *Cyfraith y Wlad*. In terms of sentence attestation (T.V.iii.viii), *B* and *D* are quite low on each other's lists. *BCLew* here form a group which appears quite distinct to *D* and the other southern manuscripts.[574] The variation shown in the Corn Damage tractate solidifies this positioning. *C* and *D* here appear as the closest group, with 21 Class I variations over the distant second place of 4. What is more, *C* and *D*, alongside the second-stage manuscripts *K* and *G*, share a distinct eye-skip not attested by *B*. S.XIII.vii.T2–3 reads:

> [2]If it happens that corn is damaged and that the livestock are not overtaken on the corn, let it be for the owner's oath to clear them, since there can be no testimony against an animal; though everyone says that they were seen, it is of no effect. [3]There is no right to a fore-oath about corn, since it is of no effect even if it is allowed, if the owner of the animal denies it.

CDKG, however, omit the material between the two appearances of the words 'no effect', deleting the distinct rule about fore-oaths about corn. *B* therefore emerges as representative of an earlier version of the text, joined by *A* and *E*. Another eye-skip, however, suggests that rather than *B* belonging to the tradition exemplified by *AE*, *BCD* all exist as separate witnesses of Charles-Edwards' second Recension of Ior. At S.XIII.x.T2, *ACEG* read:

> [2]And if there be two persons' stock, let them not be mixed; and if they be of various kinds, let them not be mixed; and if they are put together, let all of them be tied.

B and *D* omit material between the two 'and if', missing the phrase 'and if they be of various kinds, let them not be mixed'; *K* makes a similar eye-skip, though acting on the repetition of the word 'mixed' rather than the phrase 'if they be'.[575] Here, it is *ACEG* that represent the original reading. These two eye-skips appear to be contradictory. In both cases, *AE* appear to carry the original reading. If, however,

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[573] At S.III.v.3, *BD* read 'a Lord will be surety for all admitted property for which there is no surety', whilst *ACE* read 'a Lord will be surety for all admitted property' (S.III.v.R3(4)). Perhaps the addition of the 'for which there is no surety' from the later form of this sentence (S.III.v.5) to the end of this phrase in an earlier copy led to two very similar sentences one of which was later removed by the archetype of *BD*.

[574] See T.V.iii.ix and the discussion above at 5.3.3.

[575] I am grateful to Thomas Charles-Edwards here for the identification of two eye-skips rather than one shared between *B*, *D* and *K*.

we consider *B* to be prior to the archetype shared by *C* and *D* in *Llyfr Prawf*, a shared eye-skip between *D* and *B* at this point must only be explained by one of two reasons: that *B* here uses a separate source, highly unlikely in the middle of the Corn Damage material and given the uniformity of the other Class I and II variations, or that *B* and *D* make the eye-skip twice and separately. This would not appear as unlikely as it seems: *D* is prone to making mistakes such as these, and it has already been noted that *B* makes larger changes to its material. Putting aside an explanation for how both eye-skips could occur in the same tradition, these two points of evidence do tie *B* and *C* into the same tradition as that shared by *D*; *AE* consistently maintain the original, *D* innovates, and *B* and *C* match the latter.

B's exact relationship to the other manuscripts under discussion here is complex. Nevertheless, it is clear that different source material is used by *B* in *Cyfraith y Wlad*, where *B* is taking part in a textual tradition very similar to that of *D*, and in *Llyfr Prawf*, where *B* appears to be copying a manuscript prior to *D*'s exemplar. *C*, in contrast to *B*, maintains consistency across all areas of the *CH* text. In *Cyfraith y Wlad*, evidence points towards its inclusion within the *BD* group. Although, as seen above, *B* shares much with *D*, the following groups in terms of significant shared material in the Suretyship tractate (T.V.i.ii) are *CD* and *CB*. The distinct relationship between *J* and *K* in the Family Law tractate (see 5.3.2 above), also suggests a grouping of *C*, *D*, *B* and the other remaining southern manuscripts. The evidence from *Llyfr Prawf* strengthens these conclusions. In T.V.iii.viii, *C* maintains its link with *D*, registering as the joint first in terms of shared attestations with *D*. Although *AE* and *BC* form a much closer group than *AE* and *BCD*, suggesting that *D* has a large degree of individual variation (supported by all tables in which it appears), it is *AE* and *CD* which form a stronger group than *AE* and *BC* or *AE* and *BD*.[576] Clearly no core manuscript has a close relationship with *D* in *Llyfr Prawf*, but the evidence seems to suggest that here *C* has a closer relationship than *B*.

In sum, several aspects of the relationship between the core manuscripts are clear: *AE* have a profoundly close relationship; *B* changes its source material between *Cyfraith y Wlad* and *Llyfr Prawf*; *BD* have a very close relationship in *Cyfraith y Wlad*; and *B*, in *Llyfr Prawf*, and *C*, throughout the text, use an archetype of a less determinable relationship. The evidence suggests, however, that *C* and *B* have more in common with *D* overall than with *A* and *E*. This conclusion rests on two points, the strength of the relationship between *A* and *E*, and the far more frequent sharing in variation between groups containing one of *C*, *B* or *D* and not one of *A* and *E*. Although this conclusion seems weak, it is important to remember the contextual nature of the data. *A* and *E* seem largely faithful copies of the tradition from which they derive; this is likely due to the closeness of their archetypes. *D*, however, almost at every point in the text, innovates in several ways. Material is shortened and summarised, new provisions from outside of the tradition are introduced, sections are significantly re-ordered, and copying errors introduce many eye-skips into the text. Given these traits, the shared variations between *D* and *B* in

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[576] See T.V.iii.ix.

Cyfraith y Wlad, and the less firm connection between *C* and *D* across the text, must be more significant than they seem. All evidence, putting aside the two eye-skips in the Corn Damage tractate, seem to point towards the conclusions made in Thomas Charles-Edwards most recent description of the Ior tradition.[577]

5.3.4.4 Conclusions

Relationships between the second-stage manuscripts present a starting point for further research. The close relationship between *J* and *K* in the Family Law tractate has already been mentioned (5.3.2). Here, as with *B* and *D*, shortening material seems to be the rationale behind many changes. 'He is not entitled to enjoy a single penny of his goods in that period, save what his father controls' is changed to 'he is not entitled to enjoy a single penny which his father controls' and 'it is for him himself to answer on his own behalf to every claim that is made against him, and it is for him to control his goods' is changed to 'it is he himself who is entitled to answer on his own behalf for each thing which is claimed from him'.[578] *S* frequently joins *J* and *K* in these variations, confirming, given what Christine James has demonstrated of the relationship between *S* and *Tim*,[579] the place of the latter in Thomas Charles-Edwards' recent picture of the tradition (Figure 21). The only other significant group in the Family Law tractate combines *J*, *K* and *D*: given Charles-Edwards' arguments, we would expect instead *B* to join this group. Rather, the association of *B*, *C* and *Lew* resembles here the much closer relationship between these manuscripts in the Value of Equipment tractate. It would appear that *Lew* belongs higher up Charles-Edwards' tree, and, in *Cyfraith y Wlad*, *B* belongs with the *D* side of the southern manuscript group rather than with *J* and *K*. In many ways, the use of source material in these manuscripts remains to be discovered; if the case of *B* is anything to judge by, these relationships may be rather complex.

The approach introduced above was largely seen as confirmatory. Although weaknesses exist in an over-reliance on the evidence of diagnostic sections, it is only something such as the perpetuation of an eye-skip which might cut through the large amount of incidental variation otherwise clouding a full-variation approach. Class I is full of shared variations resulting from confounding variables. *C* regularly uses rubricated incipits and *D* changes verbal forms throughout the text; both have little to do with the textual heritage of their source material. The Independence of these manuscripts is, therefore, in some places illusory. Part of this weakness might be mitigated by the splitting of variation into the three categories envisaged here, yet, ultimately, treating the evidence of variation as mass evidence inevitably introduces problems of correlation and causation. Nevertheless, this approach does allow for two aspects of the textual picture to be strengthened. By taking a different tack, by examining sentence attestation in the manner of the Value of Equipment tractate, and by taking variation as a whole, judgements based on diagnostic sections may be put to the test. The narrative of development which

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[577] Charles-Edwards, 'The Textual Tradition of *Llyfr Iorwerth*'.
[578] E.II.ii.T3 and E.II.ii.T11.
[579] James, 'Golygiad', p. lxxxvii–cviii.

emerges from a comparison between certain textual features therefore forms a hypothesis which might be tested with this broader class of data: if *AE* are truly so separate from the other manuscripts, we would expect the data to show this; if *B* changes source material, this fact should be confirmed from a changing pattern of shared variations. Secondly, this focus on variation for its own sake allows for the generation of a more general picture of textual change, an examination of its 'nature'. Rather than focussing on what editor-copyists might be doing as a feature of change away from the archetype, this perspective instead presents a picture of the editor-copyists' activities across their manuscript. Thus, the editor-copyist of *D* emerges as particularly innovative, interested in rephrasing and summarising material with an eye on the antiquarian collection of which the *CH* text forms a part. As with other places in this thesis, it is a holistic approach which I champion. Understanding the elucidation of textual relationships as essentially a task of inductive persuasion, it makes eminent sense to address as many parts of the text as possible. It may be that the crime scene is unknowable; by taking a more statistical and quantitative approach, it is hoped that our answers might be rendered far more likely.

CONCLUSION

The contention of this thesis is that framing really does matter. The past, as L. P. Hartley put it, is a foreign country. We are intellectually captured by modernity; the medieval person lived hundreds of years before anything that might remotely be termed 'modern'. Freedom, progress, rationality, democracy, science, technology and art: it is hard to imagine what frame of reference a thirteenth-century lawyer would have to adopt to understand these ideas. Cosmology, ideas of the self, sexuality, personhood, individuality, the body, politics, culture, nationhood and society: we approach the medieval inflection of these ideas with the same difficulty, as if walking into a foreign country. Nothing demonstrates this fact as clearly as the hand-written manuscript book. I opened this thesis by, parenthetically, referring to Walter Benjamin's *The Work of Art in the World of Mechanical Reproduction*, primarily as a way of throwing light on the manuscript through a comparison with the mass-produced printed book.[580] I quote him here at a bit more length:

> The uniqueness of the work of art is identical with its embeddedness in the context of tradition. Tradition itself is of course something very much alive, something extraordinarily changeable. A classical statue of Venus, for example, occupied a different traditional context for the Greeks, who made of it an object of worship, than for medieval clerics, who saw it as a threatening idol. But what both were equally struck by was its singularity or, to use another word, its aura… The 'one-of-a-kind' value of the 'genuine' work of art has its underpinnings in the ritual in which it had its original, initial utility value… Its being reproducible by technological means frees the work of art, for the first time in history, from its existence as a parasite upon ritual. The reproduced work of art is to an ever-increasing extent the reproduction of a work of art designed for reproducibility.[581]

Part of my aim here has been to approach the 'uniqueness', the 'aura' of each of the manuscripts under discussion here, to evaluate 'its embeddedness in the context of tradition' and to examine in what ways that tradition changed. There was nothing technological, mechanical or reproducible about the hand-written book. Christopher de Hamel's contextualisation of the manuscript in society was discussed briefly above.[582] Manuscripts were rare in the Middle Ages, and most people went their lives without seeing one. To encounter a manuscript, whether the Gospel or native Welsh law, was to engage with a unique cultural object. Its utility went beyond its existence as a 'copy'. The manuscript book was mutable, inhabiting a pattern of agency profoundly distinct to the printed book. The author and the publisher control the latter; the medieval manuscript was modified instead by all those that read it,

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[580] See n. 6.
[581] Benjamin, *The Work*, pp. 11–12.
[582] See 2.4.

rendering it not a product but a process.[583] With *CH*, this mutability appears clear. The endless creative movement of the text matched the physical modularity of the book. This textual and codicological pattern could appear as a bundle of unbound quires, a beautifully bound monastic product with rubrication and pictures, or a messy, well-thumbed collection of legal miscellanea. As a copy of a text, an instantiation of a book-tradition, expectations and norms governed what was *CH*; as a hand-written book this authority was decentralised and fragmented. All this gets at the 'nature' of the *CH* manuscript: the constant potential to be reshaped and a deep embeddedness in the context of tradition.

'The honest historian', as Michael Prestwich states, 'affirms what is true, avoids what is false, and respects the uncertain'.[584] It is this uncertainty which makes framing so important. The medieval manuscript is an unusual object, originating from a range of contexts which can seem even more strange. By asking any question of these collections of wood, ink, string and vellum we bring a set of assumptions. This is not, in itself, objectionable, nor particularly avoidable. Yet we must remain aware of these assumptions, direct them to those areas of the past for which they have most relevance, and discard them when we tend towards anachronism. The central assumption that runs through this thesis is a split between book and text. The two concepts are, of course, two sides of the same coin; contemporaries, unlike the modern scholar, could not encounter one without the other. Yet the medieval idea of a 'text', referred to here as a 'book-tradition', lived through the manuscript; it was the written form of what copyists and jurists meant when they said '*Cyfraith Hywel*'. The manuscript was a discrete object, but the book-tradition was continuous, evolving and changing as it inhabited further manuscripts. Hand-written books changed by being re-bound, annotated and worn; book-traditions changed by the shifting of the foci around which they maintained coherence. As an idea living in the minds of contemporaries, only really seen occasionally in the manuscript evidence, these foci are hard to grasp. Yet there is a perceptible change between the structure, content and outlook which made a Ior book a Ior book, and what ideas of book-tradition governed the diverse representatives of what I call here 'second-stage'. In order to study this change, our methods must mirror the multivalence of the subject we study, hence the focus here on a holistic set of critical assumptions and theoretical frameworks. The examination of structure, of the ways in which these texts conveyed meaning through form and perspective, of how this related to cultural and political contexts, and the movement of these ideas across time and space: this perspective formed the first column of the thesis. The second column picks up the conceptual models of textual criticism, analysing diachronically the transmission of texts through a genealogical pattern. Here, variation takes the front seat, with an 'open corpus' edition providing a bank of data for further analysis.[585] The use of both these columns builds a broader edifice of what *CH* manuscripts, particularly Ior manuscripts and those influenced by them, meant to

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[583] See the theses referred to in 2.2.
[584] Prestwich, *Henry I*, p. 30.
[585] Robinson, 'The One Text', p. 5. See 2.2.

contemporaries, how they interacted with them in a range of ways, and how traditions evolved and developed in reaction to changing contexts.

Despite a great deal of triangulation in parts, I do not claim here, whether in putting forward a composite approach nor in the critical evaluation of previous efforts above, that textual criticism fails in an application to *CH*. I would contend that many of my theoretical points in Chapters 4 and 5 follow a path already trodden in the scholarship. My championing of certain textual arguments, namely the development of the *galanas* material laid out by Thomas Charles-Edwards, and the criticism of what I call here 'traditional' textual criticism, mirrors a movement from the bold textual claims of the late-nineteenth and early-twentieth century to an increasing realisation of what kinds of questions are best asked of our evidence. The fascinating thing about the study of *CH* is the variety of brilliant scholars who approach these manuscripts from a range of disciplines: the astute historical work of R. R. Davies and Huw Pryce; the keen, practical perspective of the lawyer in Dafydd Jenkins; the profoundly logical minds of textual critics such as Thomas Charles-Edwards and Paul Russell; and the recent literary approach of Robin Chapman Stacey (or 'imaginative' as she puts it). My intention here has not been to show that any of these perspectives are 'right' or 'wrong', but that the manuscripts examined here are best understood through a holistic, interdisciplinary approach. This might appear to be an obvious point, but frequently in the last two-hundred years insularity has plagued the study of *CH*. The strictures of Celtic studies led to an overwhelming focus on manuscripts and manuscript texts which might be ancient, those pieces of evidence which might shine most light on Celtic institutions. Analyses of later manuscripts, especially those operating within the complex world of the Welsh Marches, broke into the field in the 1980s; however, it was not until Robin Chapman Stacey's 2018 *Law and the Imagination in Medieval Wales*, that a comparable examination of the Ior tradition was attempted.

The study here has attempted to take these bold contributions, combined with an understanding of the medieval manuscript largely as outlined above, and a defined idea of 'book-tradition' and 'textual criticism', and apply all these ideas to 'core' and 'second-stage' Ior. The characterisation of both book-traditions, outlined at 3.2 and 3.3, and 3.4 and 3.5 respectively, was the first stage in addressing these concerns. Ior emerged at a remarkable time in the development of intellectual culture in medieval Europe, with roots in what has been termed the twelfth-century renaissance (discussed at 1.3.3). With the reforming reign of Llywelyn ab Iorwerth, eager to impress his authority over other Welsh princes and against the King of the English, this was also an auspicious time for Welsh politics. The participation of a semi-professionalized juridical class allowed for the production of a *CH* tradition unique in its structural coherence and with clear contemporary reference. Putting the study of this tradition alongside those 'second-stage' manuscripts studied in 3.4 (*D*, *K*, *F* and *Lew*), each its own matrix of competing legal and contextual influences, allows for a fuller view of how *CH* changed over time. These perspectives were supplemented by a more traditional textual approach in Chapters 4 and 5. Here, an edition was prepared, and data gathered. Several issues in the scholarship, alongside two

test cases, were analysed. The origin of the tradition amongst the legal situation in early-thirteenth century north Wales was analysed, and the complexity of the textual development of the tradition across the Middle Ages was affirmed. Far more might be done with this textual framework. A full study of the whole text, encompassing all medieval manuscripts, bringing in the testimony of *Col* and the Latin texts in a more wholesale manner, whilst beyond the scope of this thesis would nevertheless have much to contribute to scholarship. A more critical statistical eye might be brought to the data to characterise in more detail how copyist-editors framed change in their traditions. The data-focussed editions which take up a large part of Volume II could also be expanded to form the core of an electronic database of variation. The 'nature' of *CH*, an idea developed in many parts above, requires an analysis of all textual and codicological changes across the corpus combined with the individual context of each manuscript: the perpetuation of the Ior pattern provides ample material for further study.

The future of *CH* is a bright one. Students of the Welsh manuscript can look forward both to the publishing of Daniel Huws' *A Repertory of Welsh Manuscripts and Scribes*, the most important work on medieval Welsh manuscripts for more than a century, and the continued uploading of manuscript images to the *NLWW* and other websites of holding libraries. With these two resources, combined with the transcriptions available at *Rhyddiaith 1* and *Rhyddiaith 2*, research can proceed on a foundation sounder than surely any scholar could have imagined only half a century ago. However, with greater printed and electronic access to manuscripts, new problems emerge. An attendant, physical engagement with the manuscript book is vital to understand its place in medieval society. Size, colour, binding, neatness, cropping, etc.: all these codicological features of the hand-written book define contemporary engagements and should remain aspects of future study. A feature of the medieval manuscript discussed above was the protracted nature of its contemporaneity, that 'books may be *used* without being *used up*'.[586] It would be unfortunate if, after their photographing and transcription, these books finally do become used up, consigned forever to the display case. Conversely, the need to outline the textual relationships between manuscripts should not be superseded by the ease by which bibliographical analysis might now proceed. Much can and remains to be done with the study of textual change in *CH*. Statistical approaches, as well as other, electronic forms of editing, provide an interesting and theoretically complex future for a manuscript tradition so creatively transmitted. The *CH* manuscript tradition, as a cultural phenomenon, in all the ways that it might 'mean', and in all the ways one can reduce its characteristics to analysis, remains of vital interest not just to the student of medieval Wales, but to those interested more generally in how the medieval person interacted with a cultural object so multivalent, so immersed in tradition but embodying change, so able to reflect contemporary concerns. It is hoped that the perspectives adopted here, and some of the conclusions, might make some contribution to this small but fascinating part of the Great Conversation.

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[586] Johnston and Dussen, 'Introduction', p. 7.

WORKS CITED

Abram, A., 'Monastic Burial in Medieval Wales', in J. Burton and K. Stöber, ed., *Monastic Wales: New Approaches* (Cardiff, 2013), pp. 103–116

Adrain, J. M., Edgecombe, G. D., and Lieberman, B. S., ed., *Fossils, Phylogeny, and Form: An Analytical Approach* (2001)

Anderson, B., *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London, 1983)

Andersson, T. M., and Miller, W. I., *Law and Literature in Medieval Iceland:* Ljósvetninga saga *and* Valla-Ljóts saga (Stanford, 1989)

Bartlett, R., *England under the Norman and Angevin Kings, 1075–1225*, The New Oxford History of England (Oxford, 2000)

Barrell, A. D. M., Davies, R. R., Padel, O. J., and Smith, Ll. B., 'The Dyffryn Clwyd Court Roll Project, 1340 – 1352 and 1389 – 1399: A Methodology and Some Preliminary Findings', in Z. Razi and R. Smith, ed., *Medieval Society and the Manor Court* (Oxford, 1996)

Benjamin, W., *The Work of Art in the Age of Mechanical Reproduction*, trans., J. A. Underwood (Bury St Edmunds, 2008)

Benson, L. D., gen. ed., *The Riverside Chaucer*, 3rd ed. (Boston, 1987)

Bezant, J., 'The Medieval Grants to Strata Florida Abbey: Mapping the Agency of Lordship', in J. Burton and K. Stöber, ed., *Monastic Wales: New Approaches* (Cardiff, 2013), pp. 73–88

Binchy, D. A., 'Linguistic and Legal Archaisms in the Celtic Law-books', in *Celtic Law Papers* (Brussels, 1973), pp. 109–20, repr. from Binchy, D. A., 'Sir John Rhys Lecture of the British Academy', *Proceedings of the British Academy* 29 (1943), 195–227

Bisson, T. N., *The Crisis of the Twelfth Century: Power, Lordship, and the Origins of European Government* (Princeton, 2008)

Bollard, J. K., 'The Structure of the *Four Branches of the Mabinogi*', *Transactions of the Honourable Society of the Cymmrodorion* (1974–5), 250–76

Breatnach, L., 'The Glossing of Early Irish Law Tracts', in D. Hayden and P. Russell, ed., *Grammatica, Gramadach and Gramadeg: Vernacular Grammar and Grammarians in Medieval Ireland and Wales* (London, 2016), pp. 113–132

Bromwich, R., 'First Transmission to England and France', in R. Bromwich, A. O. H. Jarman and B. F. Roberts, ed., *The Arthur of the Welsh: The Arthurian Legend in Medieval Welsh Literature* (Cardiff, 1991), pp. 273–98

Bromwich, R., *Trioedd Ynys Prydein: The Welsh Triads*, 2nd ed. (Cardiff, 1978)

Bruckner, M., 'The Shape of Romance in Medieval France', in R. L. Krueger, ed., *The Cambridge Companion to Medieval Romance* (Cambridge, 2006), pp. 13–28

Burdett-Jones, M. T., 'A Note on a Welsh Legal Manuscript, British Library, Cotton Caligula Aiii', *NLWJ* 25 (1988), 249–51

Cerquiglini, B., *Éloge de la variante* (Paris, 1989)

Chadwick, N., 'Intellectual Life in West Wales in the Last Days of the Celtic Church', in N. Chadwick, K. Hughes, C. Brooke, and K. Jackson, ed., *Studies in the Early British Church* (Cambridge, 1958), pp. 121–182

Charles-Edwards, G., 'The Scribes of the Red Book of Hergest', *NLWJ* 21 (1979–80), 246–56

Charles-Edwards, T. M., '*Cynghawsedd*: Counting and Pleading in Medieval Welsh Law', *BBCS* 33 (1986), 188–98

Charles-Edwards, T. M., 'The Heir-apparent in Irish and Welsh Law', *Celtica* 9 (1971), 180–90

Charles-Edwards, T. M., *Early Irish and Welsh Kinship* (Oxford, 1993)

Charles-Edwards, T. M., 'The Galanas Tractate in Iorwerth: Texts and the Legal Development', in *TCC*, pp. 92–107

Charles-Edwards, T. M., ed. and trans., 'The "Iorwerth" Text' in *WLW*, pp. 161–85

Charles-Edwards, T. M., 'The Seven Bishop-Houses of Dyfed', *BBCS* 24 (1970–72), 247–62

Charles-Edwards, T. M., 'Some Celtic Kinship Terms', *BBCS* 24 (1970–72), 105–22

Charles-Edwards, T. M., 'The Textual Tradition of Medieval Welsh Prose Tales and the Problem of Dating', in B. Maier, et. al., ed., *150 Jahre Mabinogion – deutsche-walisische Kulturbeziehungen* (Tübingen, 2001), pp. 23–40

Charles-Edwards, T. M., 'The Textual Tradition of *Llyfr Iorwerth* Revisited, Or Why Both J. Gwenogvryn Evans and Daniel Huws May Be Right', unpublished (2019)

Charles-Edwards, T. M., 'The Three Columns: A Comparative Perspective', in *TCC*, pp. 26–59

Charles-Edwards, T. M., 'Welsh *diffodi*, *difa* and Irish *do-bádi* and *do-ba*', *BBCS* 23 (1968–70), 210–13

Charles-Edwards, T. M., *The Welsh Laws* (Cardiff, 1989)

Charles-Edwards, T. M., 'Language and Society among the Insular Celts 400–1000', in M. J. Green, ed., *The Celtic World* (London, 1995), pp. 703–36

Charles-Edwards, T. M., *Wales and the Britons, 350–1064* (Oxford, 2014)

Charles-Edwards, T. M., and Jones, N. A., '*Breintiau Gwyr Powys*: The Liberties of the Men of Powys', in *WKC*, pp. 191–223

Charles-Edwards, T. M., Owen, M., and Russell, P., ed., *The Welsh King and His Court* (Cardiff, 2000)

Charles-Edwards, T. M. and Russell, P., 'The Hendregadredd Manuscript and the Orthography and Phonology of Welsh in the Early Fourteenth Century', *NLWJ* 28 (1993), 419–62

Charles-Edwards, T. M., and Russell, P., ed., *Tair Colofn Cyfraith: The Three Columns of Law in Medieval Wales, Homicide, Theft and Fire* (Bangor, 2007)

Conte, G. B., *Ope Ingenii: Experiences of Textual Criticism* (Boston, 2013)

Costigan, N. G., Gruffydd, R. G., Jones, N. A., Lynch, P. I., McKenna, C., Owen, M. E., and Williams, G. A., ed., *Cyfres Beirdd y Tywysogion, Volume VI: Gwaith Dafydd Benfras ac Eraill o Feirdd Hanner Cyntaf y Drydedd Ganrif ar Ddeg* (Cardiff, 1995)

Daube, D., 'Codes and Codas', in his *Studies in Biblical Law* (Cambridge, 1947), pp. 75–101

Davies, H., ed. and trans., 'Latin Redaction E', in *LAL*, pp. 202–9

Davies, J. R., *The Book of Llandaff and the Norman Church in Wales* (London, 2003)

Davies, R. R., *The Age of Conquest: Wales 1063–1415* (Oxford, 2000)

Davies, R. R., 'Law and National Identity in Thirteenth-Century Wales', in R. R. Davies, ed., *Welsh Society and Nationhood: Historical Essays Presented to Glanmor Williams* (Cardiff, 1984), pp. 51–69

Davies, R. R., 'The Law of the March', *Welsh History Review* 5 (1970), 1–30

Davies, R. R., 'Presidential Address: The Peoples of Britain and Ireland, 1100–1400: I Identities', *Transactions of the Royal Historical Society* 4 (1994), 1–20

Davies, R. R., 'Presidential Address: The Peoples of Britain and Ireland, 1100–1400: III Laws and Customs', *Transactions of the Royal Historical Society* 6 (1996), 1–23

Davies, R. R., 'The Survival of the Blood Feud in Medieval Wales', *History* 54 (1969), 338–57

Davies, R. R., 'The Twilight of Welsh Law 1284–1536', *History* 51 (1966), 143–64

Davies, S., trans., *The Mabinogion* (Oxford, 2008)

Davies, W., 'Braint Teilo', *BBCS* 26 (1974–6), 123–37

Davies, W., *An Early Welsh Microcosm: Studies in the Llandaff Charters* (London, 1978)

Davies, W., *The Llandaff Charters* (Aberystwyth, 1980)

Driscoll, M. J., 'The Words on the Page: Thoughts on Philology, Old and New', in J. Quinn and E. Lethbridge, ed., *Creating the Medieval Saga: Versions, Variability and Editorial Interpretations of Old Norse Saga Literature* (Copenhagen, 2010), pp. 87–104

Echard, S., 'Containing the Book: the Institutional Afterlives of Medieval Manuscripts', in Johnston, M., and Dussen, M. van, ed., *The Medieval Manuscript Book: Cultural Approaches* (Cambridge, 2015), pp. 96–118

Edel, D., 'The "Mabinogionfrage": Arthurian Literature between Orality and Literacy', in H. L. C. Tristram, ed., *(Re)Oralisierung* (Tübingen, 1996), pp. 311–333

Edwards, J. G., 'The Historical Study of the Welsh Lawbooks', *Transactions of the Royal Historical Society* 12 (1962), 141–55

Edwards, J. G., 'Hywel Dda and the Welsh Law-books', in *Celtic Law Papers* (Brussels, 1973), 135–60, repr. from Edwards, J. G., *Hywel Dda and the Welsh Law-Books*, The Hywel Dda Millenary Lecture (Bangor, 1929)

Works Cited

Edwards, J. G., 'Studies in the Welsh Laws since 1928', *Welsh History Review Special Number: The Welsh Laws* (1963), 1–17

Elias, G. A., *Yr ail Lyfr Du o'r Waun: Golygiad Beirniadol ac Eglurhaol o Lsgr. Peniarth 164 (H)*, Texts and Studies in Medieval Law 5 (Cambridge, 2018)

Emanuel, H. D., 'The Book of Blegywryd and MS. Rawlinson 821', in *Celtic Law Papers* (Brussels, 1973), pp. 161–70, trans. from Emanuel, H. D., 'Llyfr Blegywryd a Llawysgrif Rawlinson 821', *BBCS* 19 (1960), 23–8

Emanuel, H. D., ed., *The Latin Texts of the Welsh Laws* (Cardiff, 1967)

Evans, G. J., ed., *Facsimile of the Chirk Codex of the Welsh Laws* (Llanbedrog, 1909)

Evans, G. J., *Report on Manuscripts in the Welsh Language*, 2 vols. (London, 1899)

Evans, G. J., 'Taliesin', *Y Cymmrodor* 34 (1924), 76–7

Evans, D. S., ed. and trans., *A Mediaeval Prince of Wales: The Life of Gruffudd ap Cynan* (Llanerch, 1990)

Faletra, M., *Wales and the Medieval Colonial Imagination: The Matters of Britain in the Twelfth Century* (London, 2014)

Fife, J., 'Legal Aspects of the Hunting Scene in *Pwyll*', *BBCS* 39 (1992), 71–9

Fletcher, I. F., ed. and trans., 'The Text of Latin Redaction A', in *WLW*, pp. 147–59

Fowler, J. C., 'Some Account of the Ancient Laws and Institutes of Wales Attributed to Hywel Dda', *Edinburgh Review* 165 (1887)

François, A., 'Trees, Waves and Linkages: Models of Language Diversification', in Bowern, C., and Evans, B., ed., *The Routledge Handbook of Historical Linguistics* (Derby, 2019), pp. 161–189

Goetinck, G., *Peredur: A Study of Welsh Tradition in the Grail Legends* (Cardiff, 1975)

Greetham, D., *Textual Scholarship: An Introduction* (New York, 1992)

Gruffydd, W. J., *Rhiannon: An Inquiry into the Origins of the First and Third Branches of the Mabinogi* (Cardiff, 1953)

Haddan, A. W., and Stubbs, W., ed., *Councils and Ecclesiastical Documents relating to Great Britain and Ireland* (Oxford, 1869–1878)

Hamel, C. de, 'Books and Society', in *BIB 2*, pp. 1–21

Harris, K., 'Patrons, Buyers and Owners: the Evidence for Ownership, and the Role of Book Owners in Book Production and the Book Trade" in J. Griffiths and D. Pearsall, ed., *Book Production and Publishing in Britain, 1375–1475* (Cambridge, 1989), pp. 163–99

Harris, M., 'Compensation for Injury: A Point of Contact between Early Welsh and Germanic Law?', in *The Trial of Dic Penderyn and Other Essays*, ed. T. G. Watkin (Cardiff, 2002), pp. 39–76

Harvey, P. D. A., 'The English Inflation of 1180–1220', *Past & Present* 61 (1973), 3–30

Haskins, C. H., *The Renaissance of the Twelfth Century* (Harvard, 1971)

Haugen, O. E., 'Stitching the Text Together: Documentary and Eclectic Editions in Old Norse Philology', in *Creating the Medieval Saga: Versions, Variability and Editorial Interpretations of Old Norse Saga Literature*, ed. J. Quinn and E. Lethbridge (Copenhagen, 2010), pp. 39–65

Haycock, M. E., 'Llyfr Taliesin', *NLWJ* 25 (1987–8), 357–86

Henley, G., and McMullen, A. J., ed., *Gerald of Wales: New Perspectives on a Medieval Writer and Critic* (Cardiff, 2018)

Hollister, C. W., *Henry I* (Yale, 2003)

Huws, D., 'Descriptions of the Welsh Manuscripts', in *WKC*, pp. 415–24

Huws, D., 'The Earliest Version of *Llyfr Iorwerth*', in *MWM*, pp. 177–192

Huws, D., 'Five Ancient Books of Wales', in *MWM*, pp. 65–83

Huws, D., 'The Hendregadredd Manuscript', in *MWM*, pp. 193–226

Huws, D., '*Leges Howelda* at Canterbury', *NLWJ* 19 (1975), 340–3

Huws, D., ed., *Llyfr Aneirin: Ffacsimile* (Cardiff, 1989)

Huws, D., 'Llyfr Coch Hergest', in I. Daniel, M. Haycock, D. Johnston and J. Rowland, ed., *Cyfoeth y Testun: Ysgrifau ar Lenyddiaeth Gymraeg yr Oesoedd Canol* (Cardiff, 2003), pp. 1–30

Huws, D., 'The Making of the *Liber Landauensis*', in *MWM*, pp. 123–157

Huws, D., 'The Manuscripts', in *LAL*, pp. 119–36

Huws, D., 'The Manuscripts', in *TCC*, pp. 196–212

Huws, D., 'The Medieval Codex: with reference to the Welsh Lawbooks', in *MWM*, pp. 24–35

Huws, D., 'The Medieval Manuscript in Wales', in *MWM*, pp. 1–23, repr. from Huws, D., 'Chapter 2' in P. H. Jones and E. Rees, ed., *A Nation and its Books: A History of the Book in Wales* (Aberystwyth, 1998)

Huws, D., *Medieval Welsh Manuscripts* (Cardiff, 2000)

Huws, D., *A Repertory of Welsh Manuscripts and Scribes* (unpublished)

Huws, D., 'Robert Vaughan', in *MWM*, pp. 287–302

Huws, D., 'Table of Medieval Welsh Vernacular Manuscripts', in *MWM*, pp. 57–64

Huws, D., 'The Transmission of a Welsh Classic: Dafydd ap Gwilym', in *MWM*, pp. 84–103, repr. from C. Richmond and I. Harvey, ed., *Recognitions: Essays Presented to Edmund Fryde* (Aberystwyth, 1996), pp. 179–202

Huws, D., 'A Welsh Manuscript of Bede's *De natura rerum*', in *MWM*, pp. 104–22, repr. from *BBCS* 27 (1976–8), 491–504

Huws, D., 'Welsh Vernacular Books, 1250–1400', in *MWM*, pp. 36–56, repr. from Huws, D., *Llyfrau Cymraeg 1250–1400* (Aberystwyth, 1993), also published in *NLWJ* 28 (1993–4)

James, C., ed., 'Golygiad o BL Add. 22,356 o Gyfraith Hywel Ynghyd Ag Astudiaeth Gymharol Ohono â Llanstephan 116', 2 vols., (PhD, Aberystwyth, 1984)

James, C., 'Tradition and Innovation in some Later Medieval Welsh Lawbooks', *BBCS* 40 (1993), 148–56

Jarman, A. O. H., ed., *Llyfr Du Caerfryddin* (Cardiff, 1982)

Jenkins, D., 'Ail Olwg ar Lawysgrif Colan', in T. Jones and E. B. Fryde, ed., *Ysgrifau a Cherddi Cyflwynedig i Daniel Huws* (Aberystwyth, 1994), pp. 63–78

Jenkins, D., '*Bardd Teulu* and *Pencerdd*', in *WKC*, pp. 142–66

Jenkins, D., 'The Black Book of Chirk: A Note', *NLWJ* 15 (1967–8), 104–7

Jenkins, D., *Conspectus of the Manuscripts of the Cyfnerth Redaction*, Texts and Studies in Medieval Welsh Law I (Cambridge, 2010)

Jenkins, D., 'The "Cyfnerth" Text', in *WLW*, pp. 132–45

Jenkins, D., ed., *Damweiniau Colan* (Aberystwyth, 1973)

Jenkins, D., 'Deddfgrawn William Maurice', *NLWJ* 2 (1941), 33–6

Jenkins, D., 'Excursus: The Lawbooks and their Relation', in *WKC*, pp. 10–14

Jenkins, D., 'A Family of Medieval Welsh lawyers', in *Celtic Law Papers*, ed., D. Jenkins (Brussels, 1973), pp. 121–33, based on Jenkins, D., 'Iorwerth ap Madog', *NLWJ* 8 (1953), 164–70 and Jenkins, D., 'Yr Ynad Coch', *BBCS* 22 (1968), 345–6

Jenkins, D., 'The Lawbooks of Medieval Wales', in R. Eales and D. Sullivan, ed., *The Political Context of Law* (Canterbury, 1985), 1–15

Jenkins, D., trans., *The Laws of Hywel Dda: Law Texts from Medieval Wales* (Llandysul, 1986)

Jenkins, D., 'A Lawyer Looks at Welsh Land Law', *Transactions of the Honourable Society of the Cymmrodorion* (1967), 220–46

Jenkins, D., 'Llawysgrif Goll Llanforda o Gyfreithiau Hywel Dda', *BBCS* 14 (1951–2), 89–104

Jenkins, D., ed., *Llyfr Colan* (Cardiff, 1963)

Jenkins, D., 'A Second Look at Welsh Land Law', *Transactions of the Honourable Society of the Cymmrodorion* (2001), 13–93

Jenkins, D., and Owen, M., ed., *The Welsh Law of Women* (Cardiff, 1980)

Jenkins, D., and Owen, M., 'The Welsh Marginalia in the Lichfield Gospels, Part I', *CMCS* 5 (1983), 37–66

Johansson, K. G., 'In Praise of Manuscript Culture: Texts and Editions in the Computer Age', in J. Quinn and E. Lethbridge, ed., *Creating the Medieval Saga: Versions, Variability and Editorial Interpretations of Old Norse Saga Literature* (Copenhagen, 2010), pp. 67–85

Johnston, D., *Gwaith Lewis Glyn Cothi* (Cardiff, 1995)

Johnston, D., 'Monastic Patronage of Welsh Poetry', in J. Burton and K. Stöber, ed., *Monastic Wales: New Approaches* (Cardiff, 2013), pp. 177–190

Johnston, M., and Dussen, M. van, 'Introduction: Manuscripts and Cultural History', in M. Johnston and M. Dussen, ed., *The Medieval Manuscript Book: Cultural Approaches* (Cambridge, 2015), pp. 1–16

Johnston, M., and Dussen, M. van, ed., *The Medieval Manuscript Book: Cultural Approaches* (Cambridge, 2015)

Works Cited

Jones, G. R. J., 'The Models for Organisation in Llyfr Iorwerth and Llyfr Cyfnerth', *BBCS* 39 (1992), 95–118

Jones, N. A., and Owen, A. P., ed., *Cyfres Beirdd y Tywysogion, Volume III: Gwaith Cynddelw Brydydd Mawr I* (Cardiff, 1991)

Jones, N. A., and Owen, A. P., ed., *Cyfres Beirdd y Tywysogion, Volume IV: Gwaith Cynddelw Brydydd Mawr II* (Cardiff, 1995)

Jones, O., Williams, E., and Pughe, W. O., ed., *The Myrvyrian Archaiology of Wales* (Denbigh, 1870)

Jones, O. E., 'Llyfr Coch Asaph: A Textual and Historical Study', MA Thesis (University of Wales, 1968)

Jones, R. M., 'Narrative Structure in Medieval Welsh Prose Tales', in D. E. Evans, ed., *Proceedings of the Seventh International Congress of Celtic Studies, Oxford 1983* (Oxford, 1986), pp. 171–98

Keith, W-J., 'Llywelyn's Charter to Cymer Abbey in 1209', *Journal of the Merioneth Historical and Record Society* 3 (1957), 60

Ker, N. R., 'From "Above Top Line" to "Below Top Line": A Change in Scribal Practice', *Celtica* 5 (1960), 13–16

Keynes, S., 'The Fonthill Letter', in M. Korhammer, ed., *Words, Texts and Manuscripts: Studies in Anglo-Saxon Culture presented to Helmut Gneuss* (1992), pp. 53–97

Knight, J. T., 'Organizing Manuscript and Print: From *Compilatio* to Compilation', in Johnston, M., and Dussen, M. van, ed., *The Medieval Manuscript Book: Cultural Approaches* (Cambridge, 2015), pp. 77–95

Koch, J. T., ed., *The Gododdin of Aneirin: Text and Context from Dark-Age North Britain* (1997)

Kwakkel, E., and Thomson, R., ed., *The European Book in the Twelfth Century* (Cambridge, 2018)

Lapidge, M., 'The Welsh-Latin Poetry of Sulien's Family', *Studia Celtica* 8/9 (1973/4), 68–106

Lewis, H., *The Ancient Laws of Wales*, ed., J. E. Lloyd (London, 1889)

Lewis, T., 'Copy of the Black Book of Chirk Peniarth MS 29 National Library of Wales Aberystwyth', *Zeitschrift für celtische Philologie* 20 (1936), 30–96

Lewis, T., *Glossary of Medieval Welsh Law* (Manchester, 1913)

Lewis, T., ed., *The Laws of Hywel Dda: A Facsimile Reprint of Llanstephan MS 116 in the National Library of Wales* (London, 1912)

Lieberman, M., *The Medieval March of Wales: The Creation and Perception of a Frontier, 1066–1283* (Cambridge, 2001)

Linnard, W., 'The Nine Huntings: A Re-Examination of *Y Naw Helwriaeth*', *BBCS* 31 (1984), 119–32

Lloyd, J. E., *A History of Wales to the Edwardian Conquest*, 2 vols. (London, 1912)

Lloyd-Morgan, C., 'Manuscripts and the Monasteries', in J. Burton and K. Stöber, ed., *Monastic Wales: New Approaches* (Cardiff, 2013), pp. 209–228

Lloyd-Morgan, C., 'Medieval Welsh Tales or Romances? Problems of Genre and Terminology', *CMCS* 47 (2004), 41–58

Lloyd-Morgan, C., and Poppe, E., ed., *Arthur in the Celtic Languages* (Cardiff, 2019)

Lovecy, I., 'Historia Peredur uab Efrawg', in R. Bromwich, A. O. H. Jarman and B. F. Roberts, ed., *The Arthur of the Welsh: The Arthurian Legend in Medieval Welsh Literature* (Cardiff, 1991), pp. 171–182

Maas, P., *Textual Criticism*, trans. B. Flower (Oxford, 1958)

Maitland, F., 'The Tribal System in Wales', in H. A. L. Fisher, ed., *The Collected Papers of F. W. Maitland* (Cambridge, 1911), 1–10

Marx, W., 'Middle English Texts and Welsh Contexts', in R. Kennedy and S. Meecham-Jones, ed., *Authority and Subjugation in Writing of Medieval Wales* (New York, 2008), pp. 13–26

Matonis, A. T. E., 'Gutun Owain and his Orbit: the Welsh Bardic Grammar and its Cultural Context in Northeast Wales', *Zeitschrift für celtische Philologie* 54 (2004), 154–169

McGann, J. J., *A Critique of Modern Textual Criticism* (Chicago, 1983)

Miller, W. I., *Bloodtaking and Peacemaking: Feud, Law, and Society in Saga Iceland* (Chicago, 1997)

Mittendorf, I., 'Sprachliche und orthographische Besonderheiten eines mittelkymrischen Textes aus dem 13. Jahrhundert (Gwyrthyeu e Wynvydedic Veir)', in A. Wigger, ed., *Akten des zweiten deutschen Keltologen-Symposiums: (Bonn, 2.-4. April 1997)* (1999), pp. 127–48

Mooney, L., 'Chaucer's Scribe', *Speculum* 81 (2006), 97–138

Morgan, N. J., and Thomson, R. M., ed., *The Cambridge History of the Book in Britain, Volume II: 1100–1400* (Cambridge, 2008)

Ordower, H., 'Exploring the Literary Function of Law and Litigation in "Njal's Saga"', *Cardozo Studies in Law and Literature* 3 (1991), 41–61

Over, K. L., 'Transcultural Change: Romance to *rhamant*', in H. Fulton, ed., *Medieval Celtic Literature and Society* (Dublin, 2005), pp. 183–204

Owen, A., ed. and trans., *Ancient Laws and Institutes of Wales*, 2 vols. (London, 1841)

Owen, M. E., 'A Fifteenth-Century Law-book from Cefnllys', *Transactions of the Radnorshire Society* 81 (2011), 77–93

Owen, M. E., ed. and trans., 'The Laws of Court from Cyfnerth', in *WKC*, pp. 425–77

Owen, M. E., Charles-Edwards, T. M., and Walters, D. B., ed., *Lawyers and Laymen: Studies in the History of Law Presented to Professor Dafydd Jenkins* (Cardiff, 1986)

Peden, A., 'Science and Philosophy in Wales at the Time of the Norman Conquest: A Macrobius Manuscript from Llanbadarn', *CMCS* 2 (1981), 21–45

Phillips, M., '*Defod a Moes y Llys*', in *WKC*, pp. 347–61

Pollard, G., 'The *Pecia* System in the Medieval Universities', in M. B. Parkes and A. Watson, ed., *Medieval Scribes, Manuscripts and Libraries: Essays presented to N. R. Ker* (London, 1978), pp. 145–161

Powell, E., 'Floating Sections in the Law of Hywel', *BBCS* 9 (1937–9), 27–34

Prestwich, M., *Edward I*, rev. ed. (Yale, 1997)

Pryce, H., ed., *The Acts of the Welsh Rulers: 1120–1283* (Cardiff, 2010)

Pryce, H., 'British or Welsh? National Identity in Twelfth-Century Wales', *English Historical Review* 116 (2001), 775–801

Pryce, H., 'The Context and Purpose of the Earliest Welsh Lawbooks', *CMCS* 39 (2000), 39–63

Pryce, H., 'Culture, Identity, and the Medieval Revival in Victorian Wales', *Proceedings of the Harvard Celtic Colloquium*, 31 (2011), 1–40

Pryce, H., 'Lawbooks and Literacy in Medieval Wales', *Speculum* 75 (2000), 29–67

Pryce, H., *Native Law and the Church in Medieval Wales* (Oxford, 1993)

Pryce, H., 'The Prologues to the Welsh Lawbooks', *BBCS* 33 (1986), 151–82

Pryce, H., and Owen, G., 'Medieval Welsh Law and the Mid-Victorian Foreshore', *The Journal of Legal History* 35 (2014), 172–99

Pughe, W. O., ed., *The Cambrian Register* (1799)

Reeve, M. D., ed., and Wright, N., trans., *Geoffrey of Monmouth: The History of the Kings of Britain*, Arthurian Studies LXIX (Woodbridge, 2007)

Reynolds, L. D., *Texts and Transmission: a Survey of the Latin Classics* (Oxford, 1983)

Richards, M., ed., *Cyfreithiau Hywel dda yn ôl Llawysgrif Coleg Yr Iesu LVII*, 2nd ed. (Cardiff, 1990)

Richards, M., trans., *The Laws of Hywel Dda* (Lerpwl, 1954)

Roberts, B. F., 'Oral Tradition and Welsh Literature: A Description and Survey', *Oral Tradition* 3 (1988), 62–77

Roberts, B. F., 'From Traditional Tale to Literary Story: Medieval Welsh Prose Narratives' in L. A. Arrathoon, ed., *The Craft of Fiction: Essays in Medieval Poetics* (Rochester, 1984), pp. 211–30

Roberts, S. E., '"By the Authority of the Devil": The Operation of Welsh and English Law in Medieval Wales', in S. Meecham-Jones and R. Kennedy, ed., *Authority and Subjugation in the Writing of Medieval Wales* (New York, 2008), pp. 85–97

Roberts, S. E., 'Creu Trefn o Anhrefn: Gwaith copïydd Testun Cyfreithiol', *NLWJ* 32 (2002), 397–420

Roberts, S. E., 'The Iorwerth Triads', in *TOME: Studies in Medieval Celtic History and Law in Honour of Thomas Charles-Edwards*, ed., F. Edmunds and P. Russell (London, 2011), pp. 155–74

Roberts, S. E., 'Law Texts and their Sources in Medieval Wales: The Case of H and Tails of Other Legal Manuscripts', *Welsh History Review* 24 (2008), 41–59

Roberts, S. E., 'Legal Practice in Fifteenth-Century Brycheiniog', *Studia Celtica* 35 (2001), 307–23

Roberts, S. E., *The Legal Triads of Medieval Wales* (Cardiff, 2007)

Roberts, S. E., ed., *Llawysgrif Pomffred: An Edition and Study of Peniarth MS 259B* (Leiden, 2011)

Roberts, S. E., '*Tri Dygyngoll Cenedl*: The Development of a Triad', *Studia Celtica* 37 (2003), 163–82

Robinson, P., 'The One Text and the Many Texts', *Literary and Linguistic Computing* 15 (2000), 5–14

Rodway, S., *Dating Medieval Welsh Literature: Evidence from the Verbal System* (Aberystwyth, 2013)

Rodway, S., 'The Where, Who, When and Why of Medieval Welsh Prose Tales: Some Methodological Considerations', *Studia Celtica* 49 (2007), 47–89

Rouse, R. H., and Rouse, M. A., *Manuscripts and their Makers: Commercial Book Producers in Medieval Paris 1200–1500* (Turnhout, 1999)

Russell, P., 'The Arrangement and Development of the Three Columns Tractate', in *TCC*, pp. 60–91

Russell, P., '*Canyt oes aruer*: Gwilym Wasta and the Laws of the Court in Welsh Law', *North American Journal of Celtic Studies* 1 (2017), 173–188

Russell, P., '"Go and Look in the Latin Books": Latin and the Vernacular in Medieval Wales', in R. Ashdowne and C. White, ed., *Latin in Medieval Britain*, Proceedings of the British Academy 206 (London, 2017), pp. 213–46

Russell, P., ed. and trans., 'Latin D', in *TCC*, pp. 213–37

Russell, P., 'The Laws of Court from Latin B', in *WKC*, pp. 478–526

Russell, P., '*Y Naw Affaith*: Aiding and Abetting in Welsh Law', in *TCC*, pp. 146–70

Russell, P., 'Orthography as a Key to Codicology: Innovation in the Work of a Thirteenth-Century Welsh Scribe', *CMCS* 25 (1993), 77–85

Russell, P., 'From Plates and Rods to Royal Drink-Stands in *Branwen* and Medieval Welsh Law', *North American Journal of Celtic Studies* 1 (2017), 1–26

Russell, P., 'Poetry by Numbers: The Poetic Triads in *Gramadegau Penceirddiaid*', in D. Hayden and P. Russell, ed., Grammatica, Gramadach *and* Gramadeg*: Vernacular Grammar and Grammarians in Medieval Ireland and Wales* (London, 2016), pp. 161–80

Russell, P., '*Priuilegium Sancti Teliaui* and *Breint Teilo*', *Studia Celtica* 50 (2016), 41–68

Russell, P., ed. and trans., *The Prologues to the Medieval Welsh Lawbooks*, Basic Texts for Brittonic History 3 (Cambridge, 2004)

Russell, P., *Reading Ovid in Medieval Wales* (Columbus, 2017)

Russell, P., 'Scribal (In)competence in 13th Century North Wales: The Orthography of the Black Book of Chirk (Peniarth MS 29)', *NLWJ* 29 (1995–6), 129–76

Russell, P., 'Teaching between the Lines: Grammar and *Grammatica* in the Classroom in Early Medieval Wales', in D. Hayden and P. Russell, ed., Grammatica, Gramadach *and* Gramadeg*: Vernacular Grammar and Grammarians in Medieval Ireland and Wales* (London, 2016), pp. 133–48

Russell, P., ed. and trans., *Vita Griffini filii Conani: The Medieval Latin Life of Gruffudd ap Cynan* (Cardiff, 2005)

Russell, P., ed. and trans., *Welsh Law in Medieval Anglesey: British Library Harleian MS 1796 (Latin C)*, Texts and Studies in Medieval Welsh Law II (Cambridge, 2011)

Ryding, W., *Structure in Medieval Narrative* (The Hague, 1971)

Seebohm, F., *The Tribal System in Wales* (London, 1895)

Sigston, A., '"As Far as His Horn May Be Heard": A Terminological Analysis of *Nawdd* in Early Medieval Welsh Law', MPhil thesis, unpublished (Cambridge, 2016)

Sims-Williams, P., *Irish Influence on Medieval Welsh Literature* (Oxford, 2011)

Sims-Williams, P., 'The Legal Triads in Llanstephan MS 116, folios 1–2', *Studia Celtica* 53 (2019), 73–81

Sims-Williams, P., 'The Uses of Writing in Early Medieval Wales', in H. Pryce, ed., *Literacy in Medieval Celtic Societies* (Cambridge, 1998), pp. 15–38

Sims-Williams, P., *The Book of Llandaf as an Historical Source* (Woodbridge, 2019)

Sharpe, R., ed., 'Rhygyfarch's Life of St David', in *St David of Wales: Cult, Church and Nation* (London, 2007), pp. 107–55

Sheppard, J. M., *The Buildwas Books: Book Production, Acquisition and Use at an English Cistercian Monastery, 1165 – c.1400* (Oxford, 1997)

Smith, J. B., 'Judgement under the Law of Wales', *Studia Celtica* 39 (2005), 63–103

Smith, J. B., *Llywelyn ap Gruffudd: Prince of Wales* (Cardiff, 1998)

Smith, J. B., '*Ynad Llys, Brawdwr Llys, Iudex Curie*', in *WKC*, pp. 94–115

Smith, Ll. B., 'Family, Land and Inheritance in Late Medieval Wales: A Case Study of Llanerch in the Lordship of Dyffryn Clwyd', *Welsh Historical Review* 27 (2015), 417–58

Smith, Ll. B., 'The Statute of Wales, 1284', *Welsh History Review* 10 (1980), 127–54

Smith, Ll. B., 'Tir Prid: Deeds of Gage of Land in Late-Medieval Wales', *BBCS* 27 (1976–8), 263–77

Stacey, R. C., 'The Archaic Core of *Llyfr Iorwerth*', in *LAL*, pp. 15–46

Stacey, R. C., 'Hywel in the World', *Haskins Society Journal* 20 (2008), 175–203

Stacey, R. C., 'Legal Writing in Medieval Wales: Damweiniau I' in T. M. Charles-Edwards and R. J. W. Evans, ed., *Wales and the Wider World: Welsh History in an International Context* (Donington, 2010), pp. 57–85

Stacey, R. C., *Law and the Imagination in Medieval Wales* (Philadelphia, 2018)

Stacey, R. C., 'Learning to Plead in Medieval Welsh Law', *Studia Celtica* 38 (2004), 107–24

Stephenson, D., *The Governance of Gwynedd* (Cardiff, 1984)

Stephenson, D., *Medieval Powys: Kingdom, Principality and Lordships, 1132–1293* (Rochester, 2016)

Stephenson, D., *Medieval Wales c. 1050–1332: Centuries of Ambiguity* (Cardiff, 2019)

Stephenson, D., 'The Middle Ages in the Pages of the *Montgomeryshire Collections*: Some Re-Considerations', *Montgomeryshire Collections* 100 (2012), 67–86

Stephenson, D., 'The Rulers of Gwynedd and Powys', in J. Burton and K. Stöber, ed., *Monastic Wales: New Approaches* (Cardiff, 2013), pp. 89–102

Stoker, D., 'William Wotton's Exile and Redemption: an Account of the Genesis and Publication of *Leges Wallicae*', *Welsh Book Studies* 7 (2006), 7–106

Suggett, R., *Houses & History in the March of Wales: Radnorshire, 1400–1800* (Aberystwyth, 2005)

Tarrant, R., *Texts, Editors, and Readers: Methods and Problems in Latin Textual Criticism*, Roman Literature and its Contexts (Cambridge, 2016)

Teeuwen, M., 'Practices of Appropriation: Writing in the Margin', in E. Kwakkel, and R. Thomson, ed., *The European Book in the Twelfth Century* (Cambridge, 2018), pp. 139–156

Timpanaro, S., *La genesi del metodo del Lachmann* (Padua, 1981, repr. with addenda 1985), trans., G. W. Most in *The Genesis of Lachmann's Method* (Chicago, 2005)

Tolkien, J. R. R., 'Beowulf: The Monsters and the Critics', *Proceedings of the British Academy*, 22 (1936), 245–95

Wade-Evans, A. W., ed., 'Peniarth MS. 37, fol. 61a–fol. 76b', *Y Cymmrodor* 17 (1904), 129–63

Wade-Evans, A. W., ed., *Welsh Medieval Law* (Oxford, 1909)

Walters, W. H., 'The First Draft of the Statute of Rhuddlan', *BBCS* 4 (1929) 345–8

Watkin, M., 'The Black Book of Chirk and the Orthographia Gallica Anglicana', *NLWJ* 14 (1965–6), 351–60

Watkins, C., 'Sick-maintenance in Indo-European', *Ériu* 27 (1976), 21–5

Welsh, A., 'Traditional Tales and the Harmonizing of Story in *Pwyll Pendeuic Dyuet*', *CMCS* 17 (1989), 15–41

West, M. L., *Textual Criticism and Editorial Technique: Applicable to Greek and Latin Texts* (Stuttgart, 1973)

Wiliam, A. Rh., 'Y Deddfgronau Cymraeg', *NLWJ* 8 (1953), 97–103

Wiliam, A. Rh., 'Llyfr Cynghawsedd', *BBCS* 35 (1988), 73–85

Wiliam, A. Rh., ed., *Llyfr Cynog*, Pamphlets on Welsh Law (Aberystwyth, 1990)

Wiliam, A. Rh., ed., *Llyfr Iorwerth* (Cardiff, 1960)

Wiliam, A. Rh., 'Restoration of the Book of Cynog', *NLWJ* 25 (1988), 245–56

Williams, D. H., *The Welsh Cistercians* (Tenby, 1984)

Williams, G., *Renewal and Reformation: Wales c. 1415–1642* (Oxford, 1993)

Williams, I., ed., *Pedeir Keinc Y Mabinogi: Allan o Lyfr Gwyn Rhydderch* (Cardiff, 1964)

Williams, M., 'The Black Book of Carmarthen: Minding the Gaps', *NLWJ* (2017), 357–410

Williams, S. J., and Powell, J. E., ed., *Llyfr Blegywryd* (Cardiff, 1942)

Wormald, P., *The Making of English Law: King Alfred to the Twelfth Century, I: Legislation and its Limits* (1999)

Wotton, W., and Williams, M., ed. and trans., *Cyfreithjeu Hywel Dda Ac Ereill Seu Leges Wallicae Ecclesiasticae & Civiles Hoeli Boni Et Alconium Wallicae Principium* (London, 1730)

Zumthor, P., *Essai de poétique médiévale* (Paris, 2000)

ONLINE RESOURCES

Roberts, S. E., and Jones, B., *The Cyfraith Hywel Website*, http://cyfraith-hywel.cymru.ac.uk/ (accessed 11/12/2019)

Dictionary of Welsh Biography, https://biography.wales/ (accessed 30/12/2019)

Brown, M. H., Davies, R. R., Barrell, A. D. M., Smith, L. B., and Padel, O. J., ed., *Dyffryd Clwyd Court Roll Database, 1294–1422*, UK Data Service. SN: 3679, http://doi.org/10.5255/UKDA-SN-3679-1 (1997)

National Library of Wales Website, Peniarth MSS, https://www.library.wales/collections/learn-more/introduction0/llawysgrifaupeniarth/ (accessed 11/12/2019)

Luft, D., Thomas, P. W., and Smith, D. M., ed., *Rhyddiaith Gymraeg 1300–1425* (2013), http://www.rhyddiaithganoloesol.caerdydd.ac.uk (accessed 11/12/2019)

Isaac, G. R., and Rodway, S., ed., *Rhyddiaith Gymraeg o Lawysgrifau'r Drydedd Ganrif ar Ddeg Fersiwn 2* (2013), doi.org/10.20391/3abf4ef1-e364-4cce-859d-92bf4035b303, (accessed 11/12/2019)