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# Rules & Legislation on Love Charms in Early Medieval Ireland

*Jacqueline Borsje*

*Abstract.* Love magic is defined as verbal and material instruments by which erotic and affectionate feelings are believed to be aroused or destroyed in a supernatural way. This is a discussion of love magic as it is presented in early medieval Hiberno-Latin penitentials and Irish legal texts.

*Keywords.* Love magic, *maleficium*, *epaid*, Penitential of Finnian, Penitential of Columbanus, legal texts, *Senchus már*, *Cethairshlicht athgabálae*, O'Davoren's Glossary, Heptads, *Bretha crólige*, Triads, Middle Irish *Life of St Brigit*, Hincmar of Rheims, Constantinus Africanus, *Pantechne*, spells, charms, aphrodisiacs, sex, impotence, marriage, gender, dogs, bones.

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Magic has a dubious status in Greek and Roman texts as something illegal, occult, private and secret. The bible and the Church Fathers condemn magic as sinful and idolatrous. This negative view of phenomena associated with supernatural practices called magic has become part of the semantic history of the term and the concept 'magic' and, as such, this view is part of Europe's intellectual heritage.<sup>1</sup> As a concept, magic has been contrasted with religion which was given a positive value especially when the religion in question was christianity. Many examples, however, show that the dividing line between the two concepts is not so clear.<sup>2</sup> Despite this bad reputation, there are numerous textual witnesses of 'magic'. Jews and christians have left such behind them, just as adherents of

1. See, for example, J. N. Bremmer, 'The birth of the term "magic"', in J. N. Bremmer & J. R. Veenstra (ed), *The metamorphosis of magic from Late Antiquity to the early modern period* (Leuven, Paris, Dudley MA 2002) 1–11; W. J. Hanegraaff, 'Magic I: Introduction', and 'Magic V: 18th–20th centuries', in idem (ed), *Dictionary of gnosis and western esotericism* (2 vols, Leiden, Boston, & Cologne 2005) 716–19: 738–44.

2. See, for example, J. N. Bremmer, 'Appendix: magic and religion', Bremmer & Veenstra, *Metamorphosis of magic*, 267–71.

other religions.<sup>3</sup> For those cultures in which magic had or has such a dubious reputation, the study of magic is a search in the shadows and margins, and one needs a hermeneutics of suspicion. What is not said? What is absent? What is hidden? Which heterodox elements contradict the orthodox mainstream of condemnation?

Medieval Irish textual witnesses to ‘magic’ are complex and sometimes multi-layered. Given christian orthodoxy, we expect a dichotomy between saints and spells. Yet we have various Irish textual witnesses in which spells are attributed to saints.<sup>4</sup> Elsewhere,<sup>5</sup> I analyse the tradition that St Brigit is asked for a charm or spell (*epaid*).<sup>6</sup> Her gift of blessed water can thus be considered a form of ‘love magic’ and is, therefore, a good case study of the complexity present in this textual tradition. I define love magic as verbal and material instruments with which erotic and affectionate feelings are believed to be aroused or destroyed in a supernatural way. This paper deals with the views of the medieval Irish who wrote penitential and legal texts, and who make mention of religious practices and beliefs that can be clustered under the term ‘love magic’.

#### I. ECCLESIASTICAL RULES

Magic is forbidden in the bible; hence, love magic is listed among the sins in the penitentials. The oldest Irish penitential is that of Finnian, written at some time before 591.<sup>7</sup> It refers to certain beliefs and practices by the term *maleficium*, literally ‘an evil deed’, translated by Bieler as ‘magic’. Thus the word itself condemns what it describes. Interestingly, love magic is deemed less serious a transgression than magic in general (*maleficium*) in this penitential. We read this among the following rules:

*Si quis clericus uel si qua mulier malifica uel malificus si aliquem maleficio suo*

3. For example, see the collections in E. A. W. Budge, *Amulets and talismans* (New York 1961) and D. C. Skemer, *Binding words: textual amulets in the middle ages* (University Park PA 2006).

4. I am working on a monograph on this subject.

5. See my forthcoming ‘The power of words: sacred and forbidden love magic in medieval Ireland’, in Angela Berlis, Kune Biezeveld (†) & Anne-Marie Korte (ed), *Everyday life and the sacred: gendered views on religion*, Studies in Theology & Religion (Leiden 2010).

6. The English words ‘charm’ (< Latin *carmen*) and ‘spell’ (a Germanic word) refer to enchantments of a verbal character; ‘charm’ also signifies a concrete object, comparable to the concept of amulets (see OED s.v.). Similarly, Irish *epaid* may refer both to words and objects.

7. Ludwig Bieler (ed. & tr.), *The Irish penitentials*, SLH 5 (Dublin 1963, repr. Dublin 1975) 4.

*deciperat,*<sup>8</sup> *inmane peccatum est sed per penitentiam redimi potest; sex annis peniteat, tribus cum pane et aqua per mensura et in residuis .iii. annis abstineat a uino et a carnibus. Si autem non deciperat aliquem sed pro inlecebrosi amore dederat alicui, annum integrum peniteat cum pane et aqua per mensura. Si mulier maleficio suo partum alicuius perdidit, dimedium annum cum pane et aqua peniteat per mensura et duobus annis abstineat a uino et a carnibus et sex quadragissimas <ieiunet> cum pane et aqua* ‘If any cleric or woman who practises magic have led astray anyone by their magic, it is a monstrous sin, but it can be expiated by penance. (Such an offender) shall do penance for six years, three years on an allowance of bread and water, and during the remaining three years he shall abstain from wine and meat. If, however, such a person has not led astray anyone but has given [something]<sup>9</sup> for the sake of wanton love to someone, he shall do penance for an entire year on an allowance of bread and water. If a woman by her magic destroys the child she has conceived of somebody, she shall do penance for half a year with an allowance of bread and water, and abstain for two years from wine and meat and fast for the six forty-day periods with bread and water.’<sup>10</sup>

Those who practise love magic are, in this text, said to be evildoing clerics and evildoing women or sorceresses. Love magic is not deemed to be leading astray or deception and appears to be aphrodisiac. Bieler adds the words ‘a potion’ in parentheses in his translation; the Latin text does not specify the nature of the object given to obtain love. The term *maleficium* is implied but not used for this love-inducing object. A variety of things were (rightly or wrongly) believed to be aphrodisiacs: herbs, plants, roots, mushrooms, animal parts, human body hair and secretions, text on parchment, baptismal oil, a communion wafer, or mix-

8. This line reads literally: ‘If any cleric (*clericus*) or if any evildoing woman (*mulier malifica*; i.e. sorceress) or evildoing man (*malificus*; i.e. sorcerer) has led someone astray by their evil deed (*maleficium*; i.e. sorcery)’. Bieler’s translation is, however, correct. His edition is based upon Vienna, National Library, lat. 2233 (Theol. lat. 725), c.800, which reads: *clericus uel si qua mulier malificacus*. *Malificacus* is a non-existent word. The scribe wrote ʒ- (*uel* ‘or’) in the margin of the manuscript. As Anthony Harvey kindly pointed out to me, the scribe intended to write a kind of shorthand for the feminine and masculine forms. We would nowadays write this as *malefica*, *-cus*. There is another example of this shorthand in the same manuscript, where the scribe wrote *peccatrix*, with *tor* above *trix* and ʒ- in the margin, hereby meaning *peccatrix vel peccator*, ‘female or male sinner’ (Bieler, *Penitentials*, 86, line 10). I thank Ingrid Sperber, Anthony Harvey and Jane Power for discussing this passage with me. The readings of the other manuscripts are: *clericus maleficus uel si qua mulier malefica* (St Gall, Stiftsbibliothek 150, s. ix); *clericus maleficus uel si qua mulier malefica* (Paris, BN, lat. 12021, s. x); *clericus uel si qua mulier malefica* (Paris, BN, lat. 3182 (Codex Bigotianus), s. x).

9. Bieler translates ‘a potion’.

10. Bieler, *Penitentials*, 78–81 §§18–20.

tures of these, and other material.<sup>11</sup>

It is significant that the item of love magic is preceded by magic in general (*maleficium*) and followed by abortion by magic (*maleficium*). There is a similar ordering of things in the penitential of St Columbanus, which is dependent on Finnian's and was written after 591.<sup>12</sup> Destruction by magic (*maleficium*) is followed by love magic that does not involve destruction, and the paragraph ends with abortion.<sup>13</sup> It differs from Finnian in its focus on gender: Columbanus uses only masculine forms for the performers: *Si autem pro amore quis maleficus sit et neminem perdiderit*,<sup>14</sup> 'If, however, someone is an evildoer/sorcerer for love and he has destroyed no one', after which he lists the different penances for clerics, laymen, deacons and priests. Women are mentioned only in the context of abortion in the phrase concerning someone who has destroyed the birth/bringing forth by a woman (*mulieris partum*) 'through this' (*per hoc*; *maleficium* is implied). We will see below, in the context of the Irish law texts, why the literal wording is important here. We note yet another difference from Finnian who mentioned women performing an abortion on themselves with magic (*maleficium*), whereas Columbanus refers to 'whoever' (*quisque*)<sup>15</sup> *performs an abortion*. In the penitential of Columbanus, this transgression is connected with the previous one; the penance for abortion is an extra punishment added to the penance for love magic. 'Anyone' thus refers to any person from the previously mentioned four kinds of transgressor (clerics, laymen, deacons and priests).

11. See, for instance, E. Long, 'Aphrodisiacs, charms, and philtres', *Western Folklore* 32/3 (1973) 153–63. Examples from Irish narratives are blessed water, nuts transformed with *aipthi* (plural of *epaid*) and herbs from the *síde*, 'hollow hills' or Otherworld (for the first two examples, see my forthcoming 'The power of words'; for the last reference, which I owe to Józsi Nagy, see Whitley Stokes (ed. & tr.), *Acallamb na senórach*, in Whitley Stokes & Ernst Windisch (ed), *Irishche Texte*, iv.1 (Leipzig 1900) 28, lines 984–95; A. Dooley & Harry Roe (tr), *Tales of the elders of Ireland (Acallam na senórach)* (Oxford 1999) 31–32. Examples of texts that are said to induce love are the Insular Celtic Leiden *lorica* (Michael W. Herren (ed), *The Hisperica famina*, ii. *Related poems* (Toronto 1987) 90–93 and the Hiberno-Latin text 'O lux nostra' which has an Irish prescription on its use (R. I. Best, 'Some Irish charms', *Ériu* 16 (1952) 27–32: 28–29).

12. Bieler, *Penitentials*, 3–4.

13. For the text and translation, see Bieler, *Penitentials*, 100–01 §6.

14. *ibid.* 100.

15. Two Bobbio manuscripts (Turin, Biblioteca nazionale, G. VII. 16 and G. V. 38) read *quisq* which Bieler edited as *quis[que]* which appears to be correct in the light of all forms being masculine in this passage; Patrick Fleming has *quisquam*; his Vorlage, now lost, derives from the same exemplar as the two Bobbio ones. It is unclear whether the individual readings in Fleming's edition stem from the lost manuscript or are his own (Bieler, *Penitentials*, 15–16, 100).

Love magic is not explicitly mentioned in the Old Irish penitential, dated to the end of the eighth century.<sup>16</sup> If, however, the cluster ‘general magic–love magic–abortion’ has influenced this penitential, it may be included in a general reference to charms or spells, mentioned after the transgression of abortion. As in the penitential of Finnian, women are here said to be the performers of abortion, although the Old Irish penitential does not refer to supernatural means by which it is done. Various degrees of seriousness are listed for those who cause ‘miscarriage of that which she has conceived’ (v §6).<sup>17</sup> Sorcery is mentioned in the item immediately following the one on abortion (v §7):

*Nech tober eþhai nó dogni arracht nó tober tonnuath conidapail nech de .uii. anni pendit amail cach dunorcuin. Manib marb nech de tri bliadna pendite* ‘Anyone who gives *aiþhi*<sup>18</sup> or makes an apparition / a spectre<sup>19</sup> or gives a poisonous drink so that someone dies of it, seven years’ penance, as for a homicide. If no one dies of it, three years’ penance’.<sup>20</sup>

Elsewhere, I have argued that the term *epaid* (pl. *aiþhi*), translated as a charm or spell in DIL, is comparable to the Greek term *φάρμακον*; *epaid* is a supernatural instrument that can destroy, poison, create and heal and that may be accompanied by, or consist of, words of power.<sup>21</sup> The primary meaning of *tonnad* is ‘death’;<sup>22</sup> violent killings in battle are mentioned earlier in v §4 and are not so severely punished as this instance, which seems to deal with deaths brought about by obscure means and accomplished by stealth. Death by poisoning appears to be the transgression here. I mention this instance because there is a certain overlap between the concepts of poison and of spells/charms.

16. E. J. Gwynn, ‘An Irish penitential’, *Ériu* 7 (1913) 121–95: 130–31; Bieler, *Penitentials*, 258.

17. Gwynn, ‘Penitential’, 166–67, v §6: *Banscal togluasti* [read *togluaisi*] *lind comperta*, ‘A woman who causes miscarriage of that which she has conceived’.

18. Gwynn translates ‘drugs’.

19. Gwynn translates ‘a bogey’.

20. Gwynn, ‘Penitential’, 168–69, v §7.

21. ‘Miraculous magic in medieval Ireland: the *epaid* (spell), part 1’, 17 March 2006, keynote address at the 28th Annual University of California Celtic Studies Conference, held in conjunction with the annual meeting of the Celtic Studies Association of North America, UCLA.

22. *Tonnad* occurs in the phrase *deoch tonnaid*, ‘the draught of death’ (DIL s.v. *tonnad*). N. Nikolaeva (‘The drink of death’, *Studia Celtica* 35 (2001) 299–306) convincingly argues that *deoch tonnaid* is a kenning referring to death through loss of liquid, i.e. blood, brought about in a violent death, generally in battle (cp. S. Arbuthnot, ‘Glossary entries on *anart* “a shroud”, the drink of death and the conjunction *dath* “because”’, *Scott Gaelic Stud* 24 (2008) 39–51, on *deoch báis*, ‘the drink of death’).

The Old Irish penitential classifies this set of transgressions under the vice ‘anger’, which makes it reasonable to suggest that what is in question here is the use of supernatural means to harm people. When death ensues it is considered to be as serious a crime as murder. On the other hand, death is not necessarily the outcome. As we will see below, commentaries on law texts refer to experiments with love magic that may inadvertently end in death. This line of thought—causing death by inadvertence—may have played a role in the Old Irish penitential as well. We are, however, not certain whether the *aipt̃hi* in that text refers to love magic or whether such were so understood. The foregoing item on abortion seems to indicate this possibility, in that a similar set of transgressions has been grouped together, as in the penitentials of Finnian and Columbanus. In any case, we are dealing with transgressions in secret.

The final ecclesiastical text on rules of behaviour discussed here is the Old Irish Law of Adomnán.<sup>23</sup> This is not a penitential but a church legal tract that prescribes fines for transgressions (penance is mentioned only in §§33, 35). This text also connects to murder the giving of *aipt̃hi* to someone. Interestingly, the fines for secret murder should be paid for it:

*Mát ept̃hai día n-apallar dabera nech do alailiu, féich dunetáiti ind, ‘If it be charms (aipt̃hi) from which death ensues that anyone give to another, the fines of murder followed by concealment of the corpse [are to be paid] for it’.*<sup>24</sup>

This transgression is part of §46 that deals with deaths caused by unidentified perpetrators. Corpses are presumably found and any evidence pointing to the identity of the murderer is absent. Besides *aipt̃hi*, mention is made of *dubchrecha*, literally ‘dark raids’,<sup>25</sup> and *cnáimchrói*, which is difficult to translate. It might literally be ‘bone-wounds, -blood, -death’, but this remains uncertain.<sup>26</sup> Just as in the case of the Old Irish penitential, we are dealing with crimes committed in secret. Hence a method of divination is prescribed to find the culprit.

23. Kuno Meyer (ed. & tr.), *Cáin Adamnáin: an Old-Irish treatise on the Law of Adamnán* (Oxford 1905); Máirín Ní Dhonnchadha, ‘The Law of Adomnán: a translation’, in Thomas O’Loughlin, *Adomnán at Birr, AD 697: essays in commemoration of the Law of the Innocents* (Dublin 2001) 53–71. This was written in the ninth century but may contain documents from the end of the seventh century or the beginning of the eighth (Kenney, *Sources*, 246).

24. Meyer, 30–31. Ní Dhonnchadha (op. cit. 66) translates: ‘Should it be charms from which one dies that anyone give to another, fines for body-concealment for it’.

25. ‘secret plunderings’ (Meyer), ‘secret raids’ (DIL), or ‘dire mutilations’ (Ní Dhonnchadha).

26. Meyer suggests *cnáim-chró*, but offers no translation; ‘dismemberments’ is suggested by Máirín Ní Dhonnchadha.

This set of crimes is preceded by a well-known section on capital punishment for women; the law prescribes that women should be sent adrift in a boat as an alternative to the death penalty. Women deserve but should not suffer the death penalty when they kill someone, administer lethal poison (*neim*), commit arson or dig under a church (§45).

From the initial cluster of ‘magic in general–love magic–abortion’, only the first item is present in §46. Whether love magic is included in this crime is not clear. The transgression is gender neutral. Women are associated with killing through poisoning in the previous section.

Considering the textual material presented above, we see that these sources do not give a term for ‘love magic’. The Latin texts seem to use *maleficium*, a general term, meaning ‘evil deed’, and one used for beliefs and practices associated with the concept of ‘magic’. The Irish texts use *aipti*, ‘charms, spells’. The perpetrators in the Latin texts are clerics and sorceresses (Finnian), or clerics, laymen, deacons and priests (Columbanus). The Irish texts are gender neutral: anyone (*nech*) may make use of charms or spells. Concerning the outcome of the action the Latin texts refer to love and the Irish ones to death, and we note that poison (*tonnad*, *neim*) is mentioned in the immediate context in the latter case. We should be aware, however, that the Latin texts may also imply a mortal danger. Because magic is generally seen as a religious transgression in the medieval christian context, we are inclined to interpret ‘destruction’ brought about by *maleficium* as moral corruption. If we look, however, at the verbs used for abortion in these two texts, we realise that ‘destruction’ may also imply death. Finnian uses *decipio*, ‘to catch, ensnare, entrap, beguile, elude, deceive, cheat’, for ‘destruction’ in the sentences on general magic and love magic and *perdo*, ‘to make away with, destroy, ruin, to squander, dissipate, throw away, waste, lose’, in the phrase on abortion. Columbanus uses *perdo* in the first two cases (magic in general and love magic) and *decipio* for abortion. The Latin penitentials may, therefore, have been interpreted as referring to death as a result of *maleficium* as well.

Lastly, we are totally in the dark about the way the supernatural aim was thought to be accomplished. Finnian seems to refer to an object given ‘for very enticing love’ (*pro inlecebrosio amore*), whereas Columbanus refers to someone who becomes a sorcerer ‘for love’ (*pro amore*). The Irish texts seem primarily to imply the giving of an object, and this might have been influenced by the penitential of Finnian, but we should note that *do-beir* not only means ‘gives’



but also ‘utters, pronounces’. It is, therefore, possible that both the giving of charms and the uttering of spells may be meant by the Irish texts. Secrecy appears to be part of the context of the Irish texts. Both tangible visible objects and invisible words may have been part of the performance by which one tried to influence reality. We will also see this ambiguity in the language of the Irish law texts.

## II. VERNACULAR LAWS

Using ‘magic’ is equally condemned in *Senchus már*, the best-preserved collection of medieval Irish law, probably organised as a unit c.800.<sup>27</sup> Four items in a list of offences<sup>28</sup> in the Old Irish tract *Cethairshlicht athgabálae*,<sup>29</sup> are relevant to our subject. There are three manuscript versions of the list or of parts of it, which I call versions (a), (b) and (c). Version (a) in Dublin, Trinity College, 1337 (H. 3. 18) is an Old Irish fragment of the original law text, The glosses in this version are also Old Irish.<sup>30</sup> Version (b) in London, BL, Harley 432, is part of a continuous copy of the law tract.<sup>31</sup> Version (c) in Dublin, Trinity College, 1336 (H. 3. 17) occurs in longer extracts with later glosses and commentaries.<sup>32</sup>

27. Fergus Kelly, ‘Law texts’, in Seán Duffy (ed), *Medieval Ireland: an encyclopedia* (New York 2005) 264–66

28. The whole list is edited and translated in ALI i 174–77, and runs as follows (the items relevant for love magic are numbered): *Athgabail treisi i folomrad do mairb, i cosait tuilche, i cum-sana dunaíd, im ainme, im ecnadach, imm on, im ainbed, im esbuid, im marbchnai narmaíge, i folomrad catha, im chumhluth nguscandail, i fubtuid cach omnaig, i tabairt mic for muin i tech, i mir mend, im sarurrach mban fri uatne, toirched tar apud ineach in atbala, ecen mire, ben na tairic a gnimu, [I] fuba nimda, [II] collud mbrethi, [III] im archor auptha, [IV] mimir do cor do coin, dant-mir do breith o fir besa ai*, ‘Distress of three days’ [stay] for stripping the dead, for disturbing the meeting-hill, for quarrelling in a fort, for slandering, for satirizing, for a [visible] blemish, for a concealed blemish, for mutilating, for stripping the slain in battle, for circulating false reports, for scaring the timid, for carrying a boy on the back into a house, for the longed-for morsel, for the oath of a woman in childbirth, for getting a woman with child notwithstanding being forbidden when death ensues, violating a mad-woman, incapacitating a woman for her work, [I] bed witchcraft, [II] neglecting cohabitation, [III] carrying love charms, [IV] setting the charmed morsel for a dog, carrying away the hero’s morsel from the person to whom it belongs.

29. Fergus Kelly, *A guide to early Irish law* (Dublin 1988) 279 §66; Liam Breatnach, *A companion to the Corpus iuris hibernici* (Dublin 2005) 286–87.

30. For a diplomatic edition, see CIH 890.38–891.4; on the fragment, see Breatnach, *Companion*, 272.

31. For the law text, see CIH 387.30–33; and for the glosses, CIH 387.34–388.17; on the fragment, see Breatnach, *Companion*, 287.

32. CIH 1692.15–37; see Breatnach, *Companion*, 272, 287. H. 3. 17, f. 660 has ‘O lux nostra’ (see note 12 above).

Version (b), the most extensive one, is translated in ALI. It is, however, necessary to make a fresh and literal translation of the relevant items. I give the various versions in synopsis. Small capitals represents law text written in majuscule in the manuscripts; gloss and commentary written in minuscule in the manuscripts is rendered in lower case.<sup>33</sup>

The first item in the list of offences that deals with ‘supernatural arts’ is *fubae n-imda*. ALI translates this item as ‘bed witchcraft’, but it literally means ‘the [supernatural] attack of a bed’.<sup>34</sup> The meaning of this item in the law text is then explained in the glosses. There is only one gloss in version (a); versions (b) and (c) give the glosses in a different order. I list them below in the order of version (b).<sup>35</sup>

I. FUBA NIMDA (a), FUBA NIMDA (b), FUBAE NDIMDA (c)

- <sup>1</sup> .i. pisoca isin lepaid (b) .i. pisoga isin lepuidh (c)
- <sup>2</sup> .i. a ndlegar eneclann (b) .i. i ndlegur eineclann (c)
- <sup>3</sup> .i. a ben do breith uad (b) .i. a ben do breith uada (c)
- <sup>4</sup> [followed by .i. froma uptha dus crossed out (b).i. in folusc (?) lige (?) (c)
- <sup>5</sup> .i. conabi tualaing nacha setchi (a) .i. conabi tualaing lanamnus (b) .i. cunabi tualuing lanamnus (c)
- <sup>6</sup> .i. cnamcosait (b) .i. cnam cosuit (c).<sup>36</sup>

I. THE [SUPERNATURAL] ATTACK OF A BED

- <sup>1</sup> i.e. sorcery in the bed
- <sup>2</sup> i.e. for which honour-price is due
- <sup>3</sup> i.e. to take away a person’s wife from him
- <sup>4</sup> i.e. the testing of a charm/spell to find out] (b); i.e. the *folusc*-lying ? (c)
- <sup>5</sup> i.e. so that he is not able [to have sex with] any partner (a) i.e. so that he is not able to have sexual intercourse (b, c)
- <sup>6</sup> i.e. the *cosait*-bone.<sup>37</sup>

33. Kelly, *Guide*, 226, and plates 1–4. This layout is found in the case of Versions (b) and (c), but not in Version (a).

34. *Fuba* is also mentioned in *Cethairshlicht athgabálae* as a ‘[supernatural] attack’ on horses (see Fergus Kelly, *Early Irish farming: a study based mainly on the law-texts of the 7th and 8th centuries AD* (Dublin 1997) 174), but this is outside the scope of this article.

35. The correct order of the glosses in version (c) is: .i. pisoga isin lepuidh .i. cnam cosuit .i. i ndlegur eineclann .i. a ben do breith uada .i. in folusc (?) lige (?) .i. cunabi tualuing lanamnus.

36. For the law text, see CIH 891.2 (a); 387.31–32 (b); 1692.31 (c); for the glosses, see CIH 891.2 (a); 388.9–10 (b); 1692.31–32 (c).

37. My tentative translation is as literal as possible. I am deeply indebted to Fergus Kelly, who discussed my translations and interpretations of these difficult fragments with me. I am responsible for any errors.

What the glosses describe is in fact ‘negative love magic’, something we find in other European cultures as well.<sup>38</sup> Someone may try to estrange marriage partners and this is purportedly done by ‘supernatural arts’. The third party may be a person who desires one partner of the couple or a rejected lover who tries to destroy the relationship. The third party may also be a professional in supernatural matters, hired by the person who expects to gain from the disruption of the relationship. Instead of a third party, the destructive agent may be one of the marriage partners. Women were allowed to have a divorce when their husband was impotent.<sup>39</sup> One of the marriage partners might use ‘supernatural arts’ for this purpose. The third gloss appears to refer to a third party who wants to estrange the woman from the husband. Gloss <sup>4</sup> in version (b) seems to be misplaced; it has been crossed out and we will encounter it again in the context of the testing of a charm (see below, the glosses on item IV).<sup>40</sup> The fifth gloss is present in all three versions and seems to imply that sorcery was believed to incapacitate the husband, and this may refer to ‘supernaturally’ induced impotence. What *cnamcosait* (gloss <sup>6</sup>) means, is unclear. *Cnáim* means ‘bone’, and it should be noted that the long list in the Old Irish law under discussion mentions as its second item *i cosait tuilche*,<sup>41</sup> ‘for disturbing the meeting hill’ (compare footnote 29). *Cosait* signifies ‘act of setting at variance; dispute, strife’. If the glosses use the same word, it seems as if the sorcery contains some kind of ‘bone [of] contention’.<sup>42</sup> This is not certain: *cnám* means ‘gnawing’; the compound could also refer to complaining, nagging, and grumbling.<sup>43</sup> This might refer to the complaints of the couple about their sexual life. On the basis of continental

38. See, for instance, S. Golopentia, ‘Towards a typology of Romanian love charms,’ in J. Roper (ed), *Charms and charming in Europe* (Basingstoke 2004) 145–87: 153. For other examples of negative love magic, see Catherine Rider, *Magic and impotence in the middle ages* (Oxford 2006).

39. Kelly, *Guide*, 74.

40. The gloss here listed as <sup>4</sup>—*in folusc lige*—in version (c) is obscure to me.

41. CIH 386.20.

42. cp. *cnáim cocaidh*, mentioned in ACT 1315.8–9 and translated as ‘the bone of contention’ (A. M. Freeman (ed), *Annála Connacht: the Annals of Connacht (A.D. 1224–1544)* (Dublin 1944; repr. Dublin 1970) 234 n 2). An interesting instance of using bones for charms is mentioned in ALI i 200–03: bones from a churchyard are broken in order to use the marrow for charms (*do upthaib*), exemplified as *comcenn forochtorach*. These glosses mention the ‘bone about which the combat (*comrac*) is fought’. Could there be a connection with the transgression of digging under a church, attributed to women and mentioned in the above-mentioned Law of Adomnán? These passages deserve more research but are beyond the scope of this study.

43. I am indebted to Liam Breatnach for this suggestion.

references to negative love magic,<sup>44</sup> however, I suggest that primarily a bone is meant and that this bone might be an object placed in the bed, which may thus be literally the sorcery that is in the bed (gloss <sup>1</sup>). This is the implication of the order of the glosses in version (c), in which *cnam cosuit* immediately follows gloss <sup>1</sup>, and thus explains what the sorcery in the bed consists of. Therefore, this bone may represent the material form of the attack on the bed (law item I). This object is then believed to create the sexual problems in the bed, i.e. the impotence that the man suffers from (gloss<sup>5</sup>), the grounds of which the woman may demand a divorce (gloss <sup>3</sup>).

Item II, translated as ‘neglecting cohabitation’ in ALI, literally means ‘the destruction of birth’. It could very well be that this refers to abortion.<sup>45</sup> At this point, we note that the penitentials in Latin literally refer to destroying (*perdo, decipio*) a birth (*partus*) when they describe abortion. It may be that abortion was on the mind of the person who wrote the law text. However, the glosses in versions (b) and (c) explain this transgression in a sexual way and connect item II with item I. Item II and its glosses are absent from version (a). Version (b) and (c)<sup>46</sup> are given here in the order of (b):

44. For instance, Hincmar, archbishop of Rheims (845–82), discusses impotence which he believes to be caused by women who perform supernatural arts. Among things used he mentions the bones of the dead. Catherine Rider (*Magic and impotence*, 31–38, esp. 33) points out that Hincmar gives more details than the literary sources he uses. The practice of placing objects in, under, or above the bed or in the bedroom that were supposed to induce impotence is mentioned in continental European sources. Marcellus ‘Empiricus’ of Bordeaux wrote between 395 and 410: *Si quem voles per noctem cum femina coire non posse, pistillum coronatum sub lecto illius pone*, ‘If you wish someone to be unable to have intercourse with a woman at night, put a garlanded pestle under his bed’ (ibid. 23–24). See also the widely circulated tract on impotence caused by *maleficia*, ‘spells’ (lit. ‘evil deeds’), by Constantinus Africanus (†1087) in his *Pantechne* (‘The total art’), or in Latin *Liber pantegni*. Constantine, who translated Arabic and Greek medical texts into Latin, appears to have been a Muslim who studied medicine in North Africa; later he became a christian and lived as a monk in Monte Cassino. Constantine mentions several objects that were believed to cause sexual harm. They were put in, above, or under beds, above or under thresholds or were hidden elsewhere in houses, or on the sides of a road. For instance, the testicles and blood of a cock were put under a bed and needles used for the last care of the dead were stuck in a mattress or pillow. Mention is made of letters written in bat’s blood, and of nuts, acorns and beans—all these were believed to cause impotence (see G. Hoffmann, ‘Beiträge zur Lehre von der durch Zauber verursachten Krankheit und ihrer Behandlung in der Medizin des Mittelalters’, *Janus* 37 (1933) 129–44, 179–92, 211–20; H. E. Sigerist, ‘Impotence as a result of witchcraft’, in *Essays in biology in honor of Herbert M. Evans* (Berkeley & Los Angeles CA 1943) 541–46; Rider, *Magic and impotence*, 46, 215–28; see parts 1–3; and my forthcoming ‘The power of words’).

45. I am indebted to Kim McCone for this suggestion.

46. The order of version (c) is as follows: .i. nemdol chuiçe ’na imda .i. a lemad .i. is edh fhasus

## II. — (a) COLLUD MBRETHI (b) COLLUG MBREITHE (c)

- <sup>1</sup> .i. iss *ed* asas de-side (b) .i. is edh fhasus de-side (c)
- <sup>2</sup> .i. *gabail* cumaing † clainde (b) .i. *gabul* cumung no clainne (c)
- <sup>3</sup> .i. na .s.<sup>47</sup> uriata coimperta (b) .i. na .s. uairiata coimperta (c)
- <sup>4</sup> .i. a lemadh (b) .i. a lemad (c)
- <sup>5</sup> .i. *nemdul* cuice 'na imda (b) .i. *nemdol* chuide 'na imda (c).<sup>48</sup>

## II. THE DESTRUCTION OF A BIRTH

- <sup>1</sup> i.e. this results from the just-mentioned thing;
- <sup>2</sup> i.e. the taking of power<sup>49</sup> or of [the ability to have] offspring (?);
- <sup>3</sup> i.e. the fines for the barring of procreation;
- <sup>4</sup> i.e. to render him impotent;
- <sup>5</sup> i.e. not going to her in her bed.<sup>50</sup>

It is important to translate this item and its glosses literally. If we follow the published translation, we are inclined to identify the husband as the guilty party: he would be guilty of ‘neglecting cohabitation’ (the ALI translation of *collud mbrethi*) and ‘listlessness’ (the ALI translation of *a lemad*).<sup>51</sup> The text, however,

de-side .i. *gabul* cumung no clainne .i. na .s. uairiata coimperta (CIH 1692.33–34).

47. *Sét* is a unit of value; the plural form *seoit* is here abbreviated. The transgression *airiudad coimperta*, ‘the barring of procreation’, also occurs in §§38–40 of the Old Irish law tract *Bretha crólige* ‘Judgements of blood-lying’, also part of *Senchus Már* and dated to the first half of the eighth century (D. A. Binchy, ‘Bretha crólige’, *Ériu* 12 (1938) 1–77: 1). Binchy (ibid. 66–67) explains that this transgression signifies ‘the incapacitation of either husband or wife for cohabitation by the act of a third party’. In this tract, this is caused by (bloody) injuries and the fines are to be paid by the third party. The text associates supernatural arts with death and women in §44: the *baislec aupta*, ‘the basilisk of a charm/spell (*epaid*)’, is not entitled to nursing or to fines. The glosses explain the term etymologically as .i. *ben basaiges nech i lluc* ‘a woman who does to death somebody in a spot’ (ibid. 34–35), and as *in piseogac*, ‘the user of charms’ (ibid.). This item was taken over without the etymology and its death association in the Old Irish *Triads of Ireland* as *ben aupthach* (Kuno Meyer (ed. & tr.), *The triads of Ireland*, TLS 13 (Dublin & London 1906) 24), ‘a spell-[working] woman’.

48. For the law text, see CIH 387.32 (b); 1692.33 (c); for the glosses, see CIH 388.10–12 (b); 1692.33–34 (c).

49. The reading of (c) is different here: *cumung* means ‘narrow, constricted, close’, and *gabul* is ‘crotch’. The translators of ALI seem to have followed version (c) when they translate ‘a narrow passage for childbearing’ (181). This could indicate magic against women, resulting in vaginismus. This type of magic is seldom found in continental European accounts on impotence magic (see Rider, *Magic and impotence*, 164). I am not sure whether this is meant by the glossators, for the second part of the phrase does not fit with the first.

50. My translation is based on ALI.

51. ALI i 181.

seems to say something else. Item II on ‘the destruction of birth’ is explained as making it impossible for the couple to have offspring (glosses <sup>2-3</sup>). The woman cannot conceive because the man has been rendered impotent (gloss <sup>4</sup>). Because of this ailment, he does not go to her to have sex with her (gloss <sup>5</sup>). Last but not least, it is a third party who does the damage, because the glossators connect this item with the previous one (gloss <sup>1</sup>). The ‘just-mentioned thing’ that causes the harm may refer to item I, *fuba n-imda*, ‘the [supernatural] attack of a bed’, and/or to its last gloss the *cosait*-bone.

It is possible that this ‘supernatural transgression’ is also mentioned in a tract on marriage and divorce,<sup>52</sup> from which citations are found in *O’Davoren’s Glossary*. *Fuba* is explained in this glossary as follows:

*Fuba* .i. *fubthad* nó *fodiubadh*. *Feis* .i. *druis*, ut est *fuba* co *fessaib* .i. a *fubthad* co *fessaib* .i. a *leamad* nó *pisoga* do [dénúm dó], *Fuba* .i.e. terrifying or undermining. *Feis*, i.e. lust, ut est ‘*fuba* co *fessaib*’, i.e. terrifying him with charms, i.e. rendering him impotent, or to practise enchantments upon him.<sup>53</sup>

*Fuba* or ‘attack’ is here explained as ‘frightening or intimidating’ (*fubthad*) or as ‘cutting off, deprivation or diminution (?)’ (*fodiubad*). The glossator then mentions *feis* in the sense of ‘spending the night, coition’, which equals *druis*, ‘lust’. Consequently, the glossator associates *feis* with *fis* (in the dative plural), ‘knowledge; occult knowledge’, which is the instrument with which the attack (*fuba*) and the frightening (*fubthad*) are done. Finally, the glossator mentions the result: the person attacked is made impotent. The instrument, (occult) knowledge presumably pertaining to sex or lust, is then identified as ‘sorcery’. The term for this, *piséoga*, is used in gloss <sup>1</sup> of Item I for ‘sorcery in the bed’ as explanation for *fubae n-imda*, ‘the [supernatural] attack of a bed’.

Item III is only extant in version (b). In ALI it is translated as ‘carrying love charms’. Literally, however, we should translate ‘carrying charms (or spells)’. ‘Casting charms (or spells)’ is another possible translation, because ‘casting, throwing, plying, practising’ are further meanings of *immarchor*. We do not actually know whether these are in fact love charms, although the context seems to argue for it. The preceding items concern procreation, sexuality and sexual violence. Item III is glossed as follows:

52. Breatnach, *Companion*, 306. Here the offence is presumably not committed by a third party, but by a woman against her husband (cp. *ibid.* 136 n 142).

53. Whitley Stokes (ed. & tr.), ‘O’Davoren’s Glossary’, in *Archiv für celtische Lexikographie*, ii (1904) 355 §930.

## III. IMARCHOR AUPHTHA (b)

<sup>1</sup> .i. cipe dogne (b)<sup>2</sup> .i. letfiach ann o tiucfa fogal, 7 anfort sin uili (b).<sup>54</sup>

## III. CARRYING/CASTING CHARMS/SPELLS

<sup>1</sup> i.e. whoever does so<sup>2</sup> i.e. [he shall pay]<sup>55</sup> half fine for it where injury results: and all this is without evil intent.<sup>56</sup>

The glossators indicate that the carrying or casting of spells is a transgression for everybody (gloss <sup>1</sup>). They mention, however, a penalty only when the presence or the use of the charms turns out to be harmful and provided that the harm was done inadvertently or by negligence (*anfót*, gloss <sup>2</sup>). These charms or spells are thus different from the ones described in items I–II, which were believed to be used as an attack and be harmful to procreation. Items I and II represent destructive supernatural arts; item III appears to refer to neutral or positive ‘supernatural arts’, which are nevertheless forbidden. This second gloss reminds us of the Hiberno-Latin penitentials that were milder of tone and penalty on supernatural arts performed ‘for love’.

Item IV, rendered in ALI as ‘setting a charmed morsel for a dog’, literally mentions ‘a bad or dangerous morsel’, which is given to a dog.<sup>57</sup> The glosses explain why and discuss the consequences. Gloss <sup>1</sup>, the only gloss that version (a) supplies, is absent from version (c). The order of the glosses on item IV in versions (b) and (c) is the same:

## IV. MIMIR DO CHOR DO CHOIN (a), MIMIR DO COR DO COIN (b), MIMIR DO CHOR DO CHUIN (c)

<sup>1</sup> .i. *promad* auptha son dus i mbia aithi 7 a mbiat aminsi (a) i. da *promad* (b)<sup>2</sup> .i. im smacht in coin † *ineclainn* (b) .i. im smacht in coin, † in *eneclann* (c)<sup>3</sup> .i. *froma* uptha dus inbud amainsi; lethdiri ind, uair ni fo fath marbtha (b) i. *fromha* uptha inbu amhainsin, lethdire inn uair ni fo *fath* marbtha (c)<sup>4</sup> .i. *fromad* felmais (b) .i. *froma* felmuis (c)<sup>5</sup> .i. *fromad* na pisoc, 7 anfort indethbiri he (b) .i. *froma* na pisog, 7 anfort indetbire e (c).<sup>58</sup>

54. CIH 387.32 (text), 388.12–13 (glosses).

55. The phrase between brackets is added by the translators.

56. The translation of the law item is mine; the translation of the glosses is from ALI i 181.

57. Kelly, *Guide*, 146; Kelly, *Farming*, 175.

58. For the law text, see CIH 891.2 (a); 387.32 (b); 1692.35 (c); for the glosses, see CIH

## IV. PUTTING/CASTING A BAD/DANGEROUS MORSEL FOR/TO A DOG

- <sup>1</sup> i.e. to test a charm (*epaid*), namely to find out whether there is swiftness in it and if there are supernatural crafts (*amainsi*) in it (a) i.e. to test it (b);
- <sup>2</sup> i.e. concerning the smacht-fine [for] the dog or the honour-price (b, c);
- <sup>3</sup> i.e. to test a charm/spell (*epaid*) to find out whether it has supernatural craft (*amainse*); half *díre*-fine for it, because it was not intentional that he was killed (b, c);
- <sup>4</sup> i.e. to test an enchantment (*felmas*, b, c);
- <sup>5</sup> i.e. to test the sorcery (*pisóca*), and it is the inadvertence of an unnecessary act (b, c).<sup>59</sup>

The glossators appear to connect III and IV by using the term *epaid*, ‘charm, spell’, in the commentary on the bad morsel, which is part of III. Version (b) explicitly connects III and IV, by referring to *epaid* in III as ‘it’ in gloss <sup>1</sup> on IV. The edible portion is qualified as something bad or dangerous; the glosses interpret this as something supernatural, referred to as *amainse*, ‘supernatural cunning or craft’, in gloss <sup>1</sup> and gloss <sup>3</sup>; *epaid*, ‘charm, spell’, in gloss <sup>1</sup> and gloss <sup>3</sup>; *felmas*, ‘enchantment, sorcery; a spell or a charm’, in gloss <sup>4</sup>; and *pisóca*, ‘sorcery’, in gloss <sup>5</sup>. By letting a dog eat the morsel, purportedly transformed by supernatural arts, someone tries to find out whether the transformation is effective and possesses supernatural craft (glosses <sup>1, 3</sup>). Apparently, people who perform such tests do not use their own dog but someone else’s. Hence, a fine is given to compensate for the damage in gloss <sup>2</sup>. Another fine based on the absence of the intention to kill is mentioned in gloss <sup>3</sup>: the reason for the test was not to see whether the morsel was lethal but whether it worked in a different way, presumably whether the dog would be aroused to sexual acts. The last gloss concludes with the statement that people are inadvertent when they perform such an unnecessary act (gloss <sup>5</sup>).

Item III thus states clearly that carrying or casting *aipthi* is an offence. Strictly speaking, we do not know at all whether love charms are meant, but the context seems to imply this. Whether these *aipthi* are objects or words, or whether words were written or spoken on such an object to transform it into a supernatural tool is also unclear. The commentary is not quite explicit on the illegal character of this act. It names a fine that is applicable only when this act causes harm. Moreover, the intention of the performer is presumed to be innocent. In other words, the commentary is more neutral on the use of charms. If items III and IV are indeed connected, as the glossators imply, we can be sure that an object is 891.2–3 (a); 388.13–15 (b); 1692.35–37 (c).

59. My translation, based on ALI.



meant, because it is something edible in IV. We do not know whether this object was made from parchment, herbs, mushrooms or something else or whether words were spoken to make the edible portion more powerful. The commentary describes the practice of experimenting with the dog as the guinea pig. It is too bad when the dog dies, because that was not the intention.<sup>60</sup>

The second law text to be discussed here is part of the collection known as the Heptads or *na Sechtae*, ‘the Sevens’. This collection is, as the previous text, included in *Senchus Már* and consists of legal material arranged in sixty-five groups of seven. It was assembled in the Old Irish period.<sup>61</sup> Heptad 52 deals with seven kinds of woman who were entitled to a divorce because of transgressions by their husbands.<sup>62</sup> These women could leave their marriage whenever they wished<sup>63</sup> and they might take their brideprice with them. There are two versions of the text extant: version (a) CIH 47.21–48.26, part of a continuous copy of the whole tract; and version (b) CIH 1848.11–36, a long extract from the original Old Irish text with later glosses and commentary.<sup>64</sup> The law text and its commentary run as follows in version (a):

*BEAN DIA TABAIR A CEILE UPTA OCA GUIDE CO MBEIR FOR DRUIS*

*.i. in inbaid bis aca cuingi is and dobeir na upta do urail a seirci fuirre .i. coibchi 7 eirc fo aicne an cineoil uptha; re tiachtain a ndligi lanamnais tucadh di na uptha 7 a ndligi lanamnais tancatar ria, 7 smacht lanamanda uaidhe and, 7 coibchi 7 eineclann 7 coirpdiri di, 7 imscar fris, t eirc fo aicned an cineoil uptha 7 a rogha di an imscarad*

60. R. Kieckhefer, ‘Erotic magic in medieval Europe’, in J. E. Salisbury (ed), *Sex in the middle ages: a book of essays* (New York & London 1991) 30–55: 37, discusses historical cases in which love charms appear to be dangerous. One, which actually was a murder attempt, took place in 14th-century France. An uncle gave his nephew powder, which he should sprinkle on his father’s food. His parents would be reconciled because of this but it had to be done secretly; otherwise it would not work. The father, the Count of Foix, discovered the powder and fed it to one of his dogs ‘which promptly expired in painful convulsions’ (B. W. Tuchman, *The distant mirror: the calamitous 14th century* (London 1979) 344). The unfortunate boy did not live to see the end of the day either.

61. Kelly, *Guide*, 266.

62. For the translation, see ALI v 293, 295, 297; Kelly, *Guide*, 73–75 on divorce; and on impotence and divorce, Brónagh Ní Chonaill, ‘Impotence, disclosure and outcome: some medieval Irish legal comment’, [www.arts.gla.ac.uk/scottishstudies/earticles/legalconcern.pdf](http://www.arts.gla.ac.uk/scottishstudies/earticles/legalconcern.pdf), 2007, 9.

63. Ní Chonaill, ‘Impotence’, 9–10, 12, for further information on the time frame within which a woman might leave marriage.

64. Breatnach, *Companion*, 97, 291.

*dodena t<sup>65</sup> a ndligi lanamnui bias; 7 is e-sin an dara inadh isin berla a fuil smacht lanamanda o duine isin fogail dorigine ria tiachtain a ndligi lanamhnais.*<sup>66</sup>

‘A WOMAN TO WHOM HER COMPANION GIVES/UTTERS A CHARM/SPELL WHEN SOLICITING HER, SO THAT HE BRINGS HER TO LUST i.e. when he is entreating her, it is then that he gives/utters the charms/spells to press his love upon her; i.e. bride price and *éric*-fine, according to the nature of the type of charm/spell; it was before entering the law of marriage that the charms/spells were given/uttered to her and it was in the law of marriage that they came to/against her (?); and the *smacht*-fine applicable to the marriage contract from him for it, and bride price and honour-price and body-fine to her; and separation from him; or *éric*-fine, according to the nature of the type of charm/spell and her choice to her whether it is mutual separation that she will do or it is in the law of marriage that she will be; and that is the second place in the language [of the Laws] in which there is *smacht*-fine applicable to the marriage contract [demanded] from a person for the damage he did before his entering the law of marriage’.<sup>67</sup>

The law and its commentary are clear that by *epaid* a supernatural instrument is meant which was used for sexual arousal. We are not certain what kind of charm or spell is meant. Women were believed to be the victim of this supernatural art, men the ones who performed it in order to obtain sex. The commentary explains that men used these charms or spells in order to delude women into marrying

65. The editor adds here: ‘supply *in*?’.

66. CIH 48.11–20. The reading in CIH 1848.29–36 (version (b) is *BEAN DIA TABAIR A CEILI UPTHA .i. an inbuidh bis oca cuinnigid is and dobeir na uptha do fo aicned in cineoil uptha; ria toidhecht a lanumnas tucadh di na uptha 7 a ndliged lanumnui tancotar ria, 7 smacht lanamhanda uadha and, 7 coibche 7 eineclann 7 coirpdire di, 7 imscar fris, 7 eruicc fo aicniudh in cineoil uptha, 7 a rogha di an iumsgar dodena no ’n a ndliged lanumnui bias; 7 is e-sin in dara hinadh isin berladh a fuil smacht lanumnui o duine isin fodhuil [=foghail] dorindi ria tiachtain a ndliged lanumhnais.*

67. My working translation is very literal. cp. ALI v 293, 295: ‘a woman to whom her mate has administered a philtre when entreating her, so that he brings her to fornication, i.e. at the time that he was entreating her, he administered the philtres to press his love upon her, i.e. [he pays] dowry and ‘*éric*’, according to the nature of the philtre. It was before entering the law of marriage the philtres were given to her, and it is when in the law of marriage [the effect] became [apparent] upon her; and he pays the ‘*smacht*’-fine of cohabitation for it; and there are due dowry and honour-price and body-fine to her, and [liberty] to separate from him; or ‘*éric*’ according to the nature of the philtres, and she has her choice either to separate or to remain in the law of marriage. And this is the second place in the Brehon law in which there is ‘*smacht*’ fine of cohabitation paid by a person for the damage he did before coming into the law of marriage’.

them. If such a woman discovered the deception afterwards, she might leave the marriage and take her dowry and fines with her.<sup>68</sup>

These two law tracts thus forbid the use and possession of *aipt̃hi*. The second, heptad 52, refers to men as the performers and women as the ones who become ‘enchanted’. The first law tract, discussed above, is not clear on the gender of the performers. The commentaries seem more lenient on the use of these charms or spells than do the law texts. The commentaries seem to forbid abuse in order to ensure that charms or spells (*aipt̃hi*) should be safe: no injury should come from them, either to people or to dogs. Nor should they be used to lure someone into marriage. Perhaps they keep open the possibility of safe aphrodisiacs, used by consenting partners within marriage.

### III. CONCLUSION

Looking at both ecclesiastical and legal rules, I conclude that medieval Irish were familiar with positive and negative love magic. Positive love magic, referred to as *maleficium* and *epaid*, is mentioned in the penitentials of Finnian, and Columbanus, the *Heptads*, and probably in *Cethairshlicht athgabálae* as item III. This supernatural instrument believed to induce love was not without risk: the glosses on item IV of *Cethairshlicht athgabálae* discuss the fines when death ensues from experimenting with such a charm (*epaid*). The risk, or perhaps even the aim to kill, accomplished by administering an *epaid* is also found in the Old Irish penitential and in *Cáin Adomnáin*. Both texts also refer to poison (*tonnad*, *neim*) as a secret way to kill. Abortion is found in the same context as love magic in the penitentials; and that of Columbanus connects abortion with the result of successful positive love magic. The Old Irish penitential likewise mentions abortion in the same context as the use of dangerous charms/spells. *Cethairshlicht athgabálae* forbids the destruction of a birth, using an expression similar to that of the two Hiberno-Latin penitentials do when they describe abortion. This law item II is, however, explained as negative love magic by the glosses that link it up with item I (the [supernatural] attack of a bed). The glosses to these two items describe impotence magic, performed by a third party, because of which the man becomes incapable of having sex with his wife. There will be no offspring and

68. Valerie I. J. Flint, *The rise of magic in early medieval Europe* (new ed. Oxford 1993) 292 on christian marriage: ‘The original christian marriage contract depended for its validity upon the free will of both contracting parties’.

she may have a divorce. It is possible that the glosses imply that a bone put in the bed causes the man to lose his sexual potency.

Whether item III, the interdiction on carrying or uttering charms, really refers to love magic is uncertain, but we saw that the term *epaid* is used to refer to love magic in the *Heptads*. This term for love magic also occurs in the literary examples.<sup>69</sup> *Epaid* is, however, like *maleficium* and *pharmakon*, a generic term for ‘charm’ or ‘spell’. Therefore, we should always keep open the possibility that it refers to something more general than love magic *alone*.

69. See my forthcoming ‘The power of words’.