COPPER PARCHMENT & STONE

Edited by John Reuben Davies
& Swapna Bhattacharya

Copper, Parchment, and Stone

Studies in the sources for landholding and lordship in early medieval Bengal and medieval Scotland

edited by

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and
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University of Glasgow
Ionad Eòlas na h-Alba is na Ceiltis|
Centre for Scottish and Celtic Studies

GLASGOW 2019

ISBN-10: 085261957X
ISBN-13: 9780852619575

Published by
Centre for Scottish and Celtic Studies, University of Glasgow,
1 University Gardens, Glasgow, G12 8QQ

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Foreword

> When I was at sea last August, on my voyage to this country ... on inspecting the observations of the day, that India lay before us, and Persia on our left, whilst a breeze from Arabia blew nearly on our stern ... It gave me inexpressible pleasure to find myself in the midst of so noble an amphitheatre, almost encircled by the vast regions of Asia … I could not help remarking how important and extensive a field was yet unexplored … and when I considered with pain that … such inquiries and improvements could only be made by the united efforts of many who are not easily brought ... to converge in a common point, I consoled myself with a hope founded on opinions, which it might have the appearance of flattery to mention, that if in any country or community such an union could be effected, it was ... in Bengal.
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> Sir William Jones, *First Discourse to the Asiatic Society*
> Asiatic Society, Calcutta, 15 February 1784

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A little under five months after his marriage to Anna Maria Shipley, a daughter of the bishop of St Asaph, Sir William Jones and his new bride made landfall in India on 2 September 1783. They were carried ashore at Madras in the arms of strapping Tamil boatmen from the small frigate HMS *Crocodile*.[1] The Joneses were in India for Sir William to take up office as a judge of His Majesty's supreme court of judicature at Fort William, Calcutta, in Bengal Presidency. And so, a couple of days later they set sail again on the final leg of the journey, up the coast

[1] Michael J. Franklin, *Orientalist Jones: Sir William Jones, Poet, Lawyer, and Linguist, 1746–1794* (Oxford, 2011), 8; John Keay, *India Discovered: The Revocery of a Lost Civilization* (London, 1988; first published as *India Discovered: The Achievement of the British Raj*, Leicester: Windward, 1981), 19. HMS *Crocodile* was a 24-gun, sixth-rate frigate which, having set sail from Bombay in January 1784, sank off the South Devon coast at Prawle Point on 9 May, eight months after delivering Sir William and Lady Jones to Madras; see 'Marine Archaeology and Shipwreck Research', database on line at http://www.marinearchaeology.org/Crocodile.htm (accessed 23 July 2016).

from Madras to the 'city of Palaces'. During the five-month voyage, Sir William had been furthering his studies in Persian law: he was already conversant with Roman, Greek, and Arabian legal history, and his friend, Edward Gibbon, considered him a genius.

Before Jones arrived in Calcutta, Warren Hastings, the governor-general of Bengal, had been encouraging accomplished British linguists to make translations from Indian texts; most notable of these was the translation of the *Bhagavad Gita* by Charles Wilkins.[2] With a small circle of men like Wilkins already in place, on 15 January 1784, less than sixteen weeks after his arrival in Calcutta, Jones founded the Asiatic Society with the aim of enquiring into the history, civil and natural, the antiquities, arts, sciences and literature of Asia.

From here, in a way, the story of this book begins. In 2011, I (like Sir William Jones's wife, offspring of a bishop of St Asaph) made my first visit to the museum of the Asiatic Society on Park Street in the heart of Kolkata. There I viewed a few the inscribed copper-plates that embody gifts of land by rulers of Bengal to brahmanical communities.

Records of the gift of land are the major source both for the historian of early Bengal and of medieval Scotland alike. By contrast with many other countries, this type of evidence, in copper, parchment, or stone, is central to debates about the growth of royal authority, the development of government, and its relation to people on the land. For Scotland between the eleventh and thirteenth centuries, charters, in the broadest sense of that term, are the largest category of historical source, and Bengal's early medieval history relies heavily on its copper-plate 'charters' too. Both regions have in addition epigraphic, genealogical, and panegyric evidence. The Asiatic Society along with the Indian Museum in Kolkata, as well as the West Bengal State Archaeological Museum in Behala, hold many of the copper-plate donative inscriptions of early medieval Bengal. And so it was that my first visit to the Asiatic Society produced the

[2] *The Bhăgvăt-gēētā, or Dialogues of Krĕĕshnă and Ărjŏŏn* (London, 1785).

initial inspiration for the project – funded by the British Academy – which gave rise to this book.[3]

This same Asiatic Society also fostered and promoted the notion of an Indo-European family of languages; and it is the Indo-European linguistic theory which in some way illustrates the theme of this collection of studies.[4] In Sanskrit the word for the method of giving as a 'gift' is *dāna*; and in Latin, the same Indo-European root, *deh$_3$- provides the noun *dōnum*, 'gift', and verb *dōno* 'I give'.[5] It is the concept of transferring ownership of property by giving as a gift that is at the heart of the property records, whether from Bengal or Scotland, which are considered in this book.

In 2013 Susan Reynolds delivered a plea to an audience in Delhi for historians of early medieval India to make comparisons with early medieval Europe.[6] The comparison of medieval European charters (Latin written on parchment) and contemporaneous records of property-transfer from early medieval India (Sanskrit inscribed on copper or stone), as I have already mentioned, reveals significant similarities of form and content. Recognition of these parallels in inscriptions from Pāla-Sena Bengal (8th–12th centuries CE) led to foundational works in the 1980s by Swapna Bhattacharya, the only historian previously to have published a comparative textual studies of the diplomatic of Latin and Sanskrit records based on analysis of original texts.[7] The British Academy project began by revisiting

[3] British Academy, International Partnership Mobility scheme, grant of £9968 awarded for the period September 2014–August 2015.

[4] Sir William Jones, *Third Anniversary Discourse*, 2 February 1786, The Asiatic Society, Calcutta, printed in *Man and Nature. Discourses of Sir William Jones* (Kolkata, 2010), 15–28; see also Keay, *India Discovered*, 19–38; Edward W. Said, *Orientalism* (London, 2003; first published New York, 1979), 135–7.

[5] Michiel de Vaan, *Etymological Dictionary of Latin and the other Italic Languages* (Leiden, 2008); *Encyclopaedia of Indo-European Culture*, ed. J. P. Mallory and Douglas Q. Adams (London, 1997), 185.

[6] Susan Reynolds, 'Early medieval law in India and Europe: a plea for comparisons', *The Medieval History Journal* 16:1 (April 2013), 1–20.

[7] Swapna Bhattacharya, 'A comparative analysis of land grant documents from early medieval Bengal and Germany', in *Proceedings of All India Oriental Conference: thirtieth session, Visva Bharati University, Santiniketan October*

Bhattacharya's earlier initiative as a model for comparing inscriptions from Bengal with charters and inscribed stones from Scotland.

In the first chapter of this book, Bhattacharya has provided an overview of her initial thesis, including the subject of the Ottonian-Salian imperial state-church system (*Reichskirchen-system*), engaging with the work of Timothy Reuter and other, German, scholars. The Ottonian empire in particular and Ottonian-Salian rule (919–1125) as a whole has been the focus in her contribution, where parallels have been shown between the structure of charters and Sanskrit donative inscriptions, as well as important similarities in the nature of the immunity granted to monasteries in Germany with those conceded to temples, Buddhist monasteries, and learned brāhmaṇas in Bengal. While addressing the increasing centralisation of royal influence and control through property transfer to religious institutions, whether to churches, temples, monasteries (Christian or Buddhist) as well as sacerdotal elites (bishops or brāhmaṇas), performed through symbolic rituals in Europe and India, Bhattacharya has demonstrated her continuing interest in drawing parallels in the two otherwise geographically distantly situated worlds of Europe and Asia.

Having taken Bhattacharya's original comparisons with Ottonian-Salian Germany as initial inspiration, it became clear that the area of my own specialism, the Scottish kingdom from the ninth to the thirteenth centuries (contemporary with the later Indian early middle ages), would be another especially apt

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1980 (Poona, 1982), 343–50; *eadem*, *Landschenkungen und staatliche Entwicklung im Frühmittelalterlichen Bengalen 5. bis 13. Jh. n. Chr.* (*Land Grants and State Formation in Early Medieval Bengal from 5th to 13th c. A.D.*) Beitraege zur Suedasienforschung 99 (Stuttgart, 1985); *eadem*, 'Landschenkungen and Politische Entwicklung unter den Palas in Bengalen und Bihar c.750–1152 n. Chr.', in *Ancient Indian History Philosophy and Culture: Essays in memory of Professor Radha Govinda Basak Vidya-Vacaspati*, ed. Pratap Bandyopadhyay and Manabendu Banerjee (Calcutta, 1987), 107–23. John S. Critchley had made some important points of comparison, based on the secondary literature, in his monograph, *Feudalism* (London, 1978), 60–2, 92–3; see below, p. 49.

comparator because it has charters and (later on) panegyric poetry (although surviving in different contexts) to compare with the copper-plate inscriptions and their integral *praśastis* (praise-poems, often with a genealogical element) from early medieval Bengal. Wales and Ireland would be the only other places to offer something similar; but in Scotland alone do we have a well-developed charter tradition, and that is our chief point of interest and comparison.

As well as offering new ways of thinking about the relationship between charters, panegyric and genealogy, the copper-plate inscriptions of Bengal have the potential to add a fresh understanding of parchment charters as artefacts. Epigraphy, being a significant source for Bengal, is also important in a Scottish context, with a large corpus of early medieval inscribed stones, including potential evidence for property-transfer and genealogy directly associated with land. Because land-transfer in both regions was closely related to royal prerogative and royal legitimacy, understanding the records leads to questions about the evolution of royal authority and formation of kingdoms.

This volume is intended to be instrumental in developing new thinking, practices, paradigms, and audiences for work on records of property-transfer in South Asia, by viewing the sources as legal, political, and literary texts, in a field once dominated by Marxist models of feudalism.[8] Historians of Scotland wish to learn about the interplay of dynastic propaganda and written instruments of government: panegyric is always separate from charters in Scotland, but the two are combined in the Bengal context. The role of fragile parchment as a permanent record of property-transfer compared with the durable copper-plates and epigraphy of Bengal is another point of potentially informative contrast. In this way we can take the copper-plate inscriptions of Bengal as a means of bringing together things that are in Scotland chronologically and culturally disparate. In both cases we are aiming to understand the rights and powers a ruler

[8] The most influential work in this school is R. S. Sharma, *Indian Feudalism, c. 300–1200* (Calcutta, 1965).

had over a subject's lands, and how possession of land related to administration of the law.

Scholars with a combined knowledge of Sanskrit, Latin, and a developed understanding of diplomatic, are scarce, so we decided to merge specialist knowledge. Swapna Bhattacharya with Suchandra Ghosh, Sayantani Pal and Rajat Sanyal at the University of Calcutta worked with me, Dauvit Broun, Katherine Forsyth, Sìm Innes, and Joanna Tucker, from the University of Glasgow's Centre for Scottish and Celtic Studies in the School of Humanities. Through two colloquia, one in Glasgow (September 2014) the other in Kolkata (April 2015), we discussed papers comparing our respective sources and methods. The following studies represent the initial results of our collaboration.

The work, presented here, has confirmed that genuinely close parallels exist between records of property-transfer in both contexts. Early Bengal and Scotland are two societies without any immediate contacts or shared influence; nevertheless, both have a markedly similar range of textual ways of expressing rulership and landholding. Each has written records of gifts of land, boundary descriptions, genealogy, and praise poetry. The copper-plate inscriptions of Bengal were many-faceted texts used in a specific setting: to support hereditary religious castes and institutions. In Scotland, charters and inscriptions secured landholding generally, while genealogies and praise-poems were separately associated with kin-based power. In Bengal, the chief sources for studying the development of statehood – copper-plate inscriptions – include gift of land, boundary clause, genealogy, and panegyric in one text; in Scotland only charters – the records of property transfer – are studied in this light. We therefore began to ask whether a new understanding of landholding and growing royal authority could be fashioned that might be applicable in both contexts.

As the output of written records in Scotland grew in number and diversity, Joanna Tucker shows us that the content of a charter as a written instrument was relatively flexible. This meant, for instance, that the boundary clause was not a routine feature of all charter texts. The length and detail of a boundary clause, moreover, could vary significantly from charter to

charter, both reflecting the different types and sizes of land being given, as well as the needs of the specific beneficiary. The charters of Melrose Abbey, for instance, were especially detailed.

The different types of record allow us to see the function of written boundary clauses in their various documentary contexts: it was both the documentary culture of the time as well as the nature of the transaction itself that ultimately shaped the form of the written boundary in the Scottish scenario.

In the light of the significant contribution to Bengal boundary studies made here by Rajat Sanyal and Suchandra Ghosh, Joanna Tucker has gone on to draw out points of similarity and contrast with the boundary clauses in the copper-plate inscriptions. Although the Scottish material does not begin until the twelfth century, comparisons can be drawn with boundary clauses from the Bengal copper-plates from the sixth to twelfth centuries CE. (We also note that the rest of Britain shows evidence of boundary clauses beginning in the ninth century.) While the boundary clauses are similar in a general sense, a key difference is their form. In the Bengal texts, for example, the descriptions are structured by compass points: at first only in a limited way but later in much more detail. In Scotland, the form is 'linear', describing the boundary as though it is being walked. It is interesting that in early medieval England there was a change from compass points to a linear description. But it is striking that it is in charters from Scotland, rather than England, that boundary clauses appear more frequently in the twelfth century.

Another theme of interest in the Bengal material appears to be the extent to which the brāhmaṇas were increasingly the recipients of land as donations. Sayantani Pal argues here that after the ninth century, the brāhmaṇas were exclusively the recipients of gifts of land by the ruling authority. Boundary clauses reveal that the lands the brāhmaṇas were given would often be bounded by lands of non-brāhmaṇas. In Scotland, by comparison, interaction between the church and laypeople may have been one factor which fuelled the writing of charters in the twelfth century.

A further parallel is the increasing detail given in charters across time. Suchandra Ghosh has demonstrated this in the

boundary clauses of Kāmarūpa charters from the sixth to twelfth centuries. As different ruling dynasties came to the fore in this area, descriptions of boundaries in copper-plate inscriptions began to become more complex and detailed. This general pattern is mirrored to some extent in twelfth- and thirteenth-century Scottish charters, where the language and some aspects of the transaction were becoming more detailed over time, as well as increasingly standardised in their form. But an interesting contrast between the two bodies of material – that from Bengal and that from Scotland – is in the nature of the donors: Sayantani Pal has argued that kings exclusively emerged as donors in all sub-regions, and that this tradition continued throughout the rest of the period of study. But in Scotland, the donors were taking the opposite course: from the twelfth century onwards the types of donor were diversifying as the use of charters was being adopted by a widening range of landholders beyond the kings themselves. This reminds us that we should keep in the foreground of our analysis the us-*ers*, as much as the us-*es*, of the written word.

More generally, the role of the *pustapāla* (the record-keepers) in the Bengal inscriptions might be like that played by certain officials in medieval Scotland. We could think of the *judex* (judge) or the sheriff in Scotland, each a local representative who might be involved in record keeping and in presiding over or validating local acts. But it seems that the *pustapāla* could be a donor in a gift of land, whereas in Scotland there are no examples of a *judex* as the donor of a charter. Further investigation is needed to see whether this comparison can be taken any further.

The inclusion of genealogical and panegyric elements in the copper-plates of Bengal has no parallel among medieval Scottish (or British) documents. But Dauvit Broun argues here that, in the case of the genealogy of the king of Scots, a panegyric dimension to the text was introduced by 1005, and that as a piece of parchment read out when lawful possession of the kingdom had been established by any king, the official genealogy also had some similarities with a charter. The chief significance of the genealogy in the inauguration ceremony of a king of the Scots

was to highlight the pivotal role of traditional literate learning in authenticating kingship – a role enhanced by the panegyric element as well as by reading from a scroll. In general terms it was the special function of the learned orders to legitimise the social order. In Scotland this source of authority was associated particularly with the king of Scots, perhaps from as early as the tenth century; the same may have been true of other major kings in lands where the Gaelic language was spoken. Returning to the point that there is a contrast between kings becoming exclusively the donors of land in the Bengal copper-plates on the one hand and, on the other hand, the widening range of donors in twelfth- and thirteenth-century Scotland, it is possible that the intensifying link between kingship and traditional literate learning suggested by reading out the royal genealogy from a scroll at a king's inauguration has similarities with the intimate ties between brāhmaṇas and kings that were immortalised in stone and copper-plate inscriptions from ancient and early medieval Bengal. Perhaps, therefore, it is the genealogy of the king of Scots, rather than Scottish charters, that offers the closest parallel with the Bengal copper-plates in terms of the relationship between specialist practitioners and the social authority which they represented – a relationship in which distinctions between genealogy, panegyric, and charter could become less significant as ways of reinforcing the exercise of royal authority in particular contexts.

Finally, let us consider one further concept arising from these studies. In both contexts, we may view the centrality of the ruler's legitimacy to his position as the supreme authenticating authority, fount of justice, and land-holding. In the period when there was no king of Scots in the last decade of the thirteenth century, and Scotland was ruled by Guardians, no perpetuities (dispositions of property that created a future interest in it in such a way as to restrict its subsequent alienation or devolution into the distant future) were issued. Similarly, in England in the late thirteenth century, Edward I succeeded to the English throne while on crusade. No perpetuities were issued until he had returned to England and been crowned as the legitimate king. Meanwhile in Bengal, the *praśasti* legitimised the royal donor

and guaranteed a gift for ever. In Scotland the genealogy read out at the inauguration might have acted in a similar way, guaranteeing all donations made in perpetuity by the king, or confirmed by the king.

There is evidently a meeting of interests of scholars working on medieval Bengal and Scotland in what written records of property transfer can offer the study of medieval societies and landscapes. After these essential preliminary steps, establishing the nature of these records, not only as text, but also as physical artefacts, whether parchment, copper, or stone – codices or single sheets – we hope that even more fruitful work can be pursued in the future. In looking from an entirely different perspective on the relationship between writing, government, and society we hope to have prepared the ground for an approach that is applicable in different societies with similar kinds of sources, which can be pursued more widely, not only in Europe and India, but beyond. The studies presented in this book are intended as an initial step in that direction.

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Acknowledgements – John Reuben Davies

The first debt of gratitude is to the British Academy, who provided the funding for the work behind this book through their International Partnership Mobility scheme in 2014–15. This grant was facilitated by an award from the University of Glasgow's International Partnership Development Fund in 2013, with funding matched by the Centre for Scottish and Celtic Studies.

At a more personal level, Professor Swapna Bhattachraya, my close co-worker in Kolkata, has become a dear friend, whose warmth and generosity of spirit allowed this collaboration not just to take place but to flourish; and she, together with her husband, Dr Deboprasad Chakraborti, have welcomed me into their lives and their home like a younger brother. My appreciation and gratitude are profound.

The impetus for this project, meanwhile, was a late-night discussion with Dauvit Broun during the Leeds International Medieval Congress of 2012. I am therefore more than thankful to him, not only for encouraging me to pursue and develop the inital concept, but also for providing intellectual and moral support over many years, for accompanying me to Kolkata on three occasions, and for commenting on the typescript of this volume.

In addition, Elaine Wilson (of the Arts Research Office), together with Isabel Jones and Annemarie Low (of the Humanities Office) were vital in making things happen when it has come to budgeting and travel arrangements.

The original vision could not have been put into practice, however, without the help of my friends in Kolkata, Dr Indranil Saha, Dr Nandita Saha, and Evangeli Saha, who first put me in touch with members of the senior management at the University of Calcutta, and have then provided me with a home-from-home, delicious food, and the comforts of family life whenever I have visited. Mr Parimal Saha and Mrs Anita Saha have also fed me from their kitchen too many times to be counted. I record in addition the warm friendship and hospitatlity of Dr Dilip Kumar Saha and his wife over the years. I acknowledge too the generosity of William Wong, thanking him for refuge in his shop from the hot and dusty streets of the city, and for mango ice-creams. I also record my affectionate memory of his late parents.

Karu Yadav has been another stable presence during my Kolkata trips, driving me across the city, seeing that I come to no harm, and generally looking after me. I also express my thanks to Shahnawaz Alam of SBI, both for acting as a translator and intermediary and for advice during the demonitisation crisis.

The crucial introduction to Professor Swapna Bhattacharya came through the kindness of Professor Suranjan Das, then Vice-Chancellor of the University of Calcutta, who was willing to receive an unsolicited telephone call and then meet me in person and take me seriously. He went out of his way several times to help me. A subsequent Vice-Chancellor, Professor Sugata Marjit, also assisted in providing crucial documentation.

And it was through Professor Bhattacharya that we came to work with Professor Suchandra Ghosh, Dr Sayantani Pal, and Dr

Rajat Sanyal. Their friendship, hard work, companionship, hospitality, good humour, and scholarship has made my trips to Kolkata a special pleasure. I am grateful to them for accepting my invitation to work together, and for all that they have done to make me feel that Kolkata is a second home for me both intellectually as well as emotionally.

Professor Suchitra Ray Acharya, from the Department of Sanskrit, graciously accepted our invitation to introduce a Sanskrit praśasti during our workshop in April 2015.

Finally, I acknoweldge the kind assistance of the staff of the Asiatic Society, whose museum provided the inspiration for this project and who have always given me a friendly reception.

John Reuben Davies
University of Glasgow, March 2019

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Acknowledgements – Swapna Bhattacharya

Words are not enough to express my deep sense of gratitude to my colleague Dr John Reuben Davies for providing the necessary help to me and my colleagues from the University of Calcutta over the last four years, which has led to the successful completion of the project. The keen interest that Dr Davies and Professor Dauvit Broun showed in my doctoral work on land grants from Bengal and Germany (see note 7 above) deeply impressed me and gave me the confidence to collaborate in this project sponsored by the British Academy.

We have aimed at exploring new ground in the study of comparative diplomatic, taking a larger canvas than ever before. During the years (1981–1985) when I was engaged in such a challenging academic venture of comparisons, I received help from my two doctoral supervisors, Professor Hermann Kulke and Professor Dietmar Rothermund of the Südasien-Institut, Heidelberg University. They most kindly extended all the necessary support and guidance, and joined by their families, gave me a home away from home in Heidelberg.

A liberally funded doctoral scholarship received from the Friedrich Ebert Stiftung (Bonn, Germany) led not only to the completion of my PhD in 1985, but also to the completion of my manuscript for publication. Thanks to to the kind cooperation of my well-wishers at the Südasien-Institut, the book could be published also in 1985 with chapter-by-chapter English summaries at the end. And so, I should like to record my gratitude not only to the British Academy, but also to the Friedrich Ebert Stiftung which played a crucial role in the formation of this work.

I gratefully cherish the memory also of my conversations with Professor Dinesh Chandra Sircar (1907–1985), Carmichael Professor of Ancient Indian History and Culture in the University of Calcutta, the most widely known historian and epigraphist in post-colonial India; and Professor Werner Conze (1910–1986), another most outstanding historian from modern Germany (and Europe as a whole). To Dr Hans Werner Langbrandtner, Scientific Archivist for the Public Archive Consultation for Municipal, Private and Nobility Archives of Rheinland, State of North-Rhein Westphalia, Germany, with whom I studied German History during the early years of the 1980s at the Ruprecht-Karls Universität, Heidelberg, I remain indebted for making me aware of some important publications on the Ottonian-Salian period. Professor Stefan Weinfurter, Professor Volker Sellin (Heidelberg University) and Professor Folker Reichert (currently at Stuttgart University) extended valuable academic help which I still remember with much indebtedness. The memory of my classes in the medieval and modern history of Europe, at the Historisches Seminar, and Latin, at the Alt-Philologische Fakultät, in Heidelberg University remains as fresh as my classes at Visva Bharati University, Santiniketan, in the early 1970s, where I, as a student of Sanskrit literature, had the privilege to learn the basics of Indo-European linguistics, besides Buddhism, Pali and Prakrit. While exploring new areas of research in comparative diplomatic, connecting it with the classical Indological school, based on linguistic kinship, migration of Indo-European people of Hindu-Buddhist and Christian faiths, absorbing similar cultural experiences, I was paying homage to my guru from

Visva Bharati University, the late Professor Biswanath Banerjee, who was also the President of the Asiatic Society of Bengal. Having his PhD from Munich University he carried the legacy of the great European tradition of Indology in modern India.

To all my colleagues from the universities of Glasgow and Calcutta, whose names have already been mentioned by Dr Davies, I express my sincere gratitude for their kind cooperation. It has indeed been an extremely enriching experience as a collaborator with Dr Davies and as co-ordinator from the University of Calcutta side. Professor Suchandra Ghose, Dr Sayantani Pal, and Dr Rajat Sanyal, however, deserve a special mention. Last, but not the least I gratefully acknowledge the kind help extended to me (and us) by two vice-chancellors of our University, Professor Suranjan Das and Professor Sugata Marjit.

The warm hospitality we – Professor Suchandra Ghosh, Dr Sayantani Pal and I – enjoyed as guests of the Centre for Scottish and Celtic studies at the University of Glasgow remains unforgettable. In April 2015, during the follow-up workshop-cum-colloquium held at our university, colleagues from the Department of Ancient Indian History and Culture warmly extended their valuable support. They took time to be present along with several other colleagues from the Alipore campus as well as from various academic institutions in Kolkata. I noticed great enthusiasm among the participants, no less than what I witnessed in Glasgow in 2014. Such enthusiasm remains the guiding force for us, and for the posterity.

Swapna Bhattacharya
University of Calcutta, March 2019

I

Comparative diplomatic in the Latin West and early medieval Bengal: a brief overview

Swapna Bhattacharya

Bringing comparative diplomatic within the domain of Indology and Indo-European studies

The minds of Europe and India were brought together in the nineteenth and early twentieth centuries through works of Indologists, among whom German, French, and British scholars were in the forefront. The Oxford-based German Indologist, F. Max Müller (1823–1900), calling upon the British administrators to learn more about the country that they were destined to rule, edited a series of English translations of Indian, Arabic, Chinese, and Iranian religious texts, *The Sacred Books of the East*.[1] Two centuries earlier, the German Indologist, Heinrich Roth (1620–1668), wrote a Sanskrit Grammar which could not, however, be published. The translation of *Abhijñānaśākuntalam* of the poet Kalidas by the British Indologist Sir William Jones (1746–1794) really opened the vista.[2] Two major achievements in Indology were made towards the end of the eighteenth century and early in the nineteenth: first, the foundation of the Asiatic Society in Calcutta in 1784, and secondly, the creation of a chair in Sanskrit at the University of Bonn in 1819. After accepting the chair at Bonn, August Wilhelm von Schlegel (1767–1845) started a printing press which published the *Bhagavad Gītā* in Devanāgari

[1] *The Sacred Books of the East*, translated by various Oriental scholars, ed. F. Max Müller, 50 vols (Oxford, 1879–1910).
[2] *Sacontalá; or, The Fatal Ring: An Indian Drama. By Cálidás. Translated from the original Sanscrit and Pracrit* (first published in Calcutta 1789, then in London 1790, 1792, and Edinburgh, 1796).

script.[3] German missionaries (such as Bartholomäus Ziegenbalg, 1682–1719), who came to the South of India to spread the Christian gospel, learned Tamil and Malayalam, while in Bengal the name of William Carey (1761–1834) and his mission to spread the knowledge about Bengal and the Bengali language (*Bangla*) is respectfully remembered.[4] Looking purely from the linguistic viewpoint, we should above all remember the contribution of Franz Bopp (1791–1867), who laid the foundation of Indo-European linguistics by studying Sanskrit, Latin and Greek in a comparative paradigm.[5] He wrote about the common lineage of the Indians, Persians, and Europeans. Today, students from Indian universities studying Sanskrit may not know much about the *Zend Avesta* of old Iran or Persia; but earlier, the *Ṛgveda* and the *Avesta* had to be studied in parallel by those who opted for Sanskrit at both undergraduate and postgraduate level. It is no wonder therefore that one comes across learned essays on *Veda* and *Avesta* (Old Persian) appearing in the *Journal of the Greater India Society* by learned scholars like Batakrishna Ghosh in the 1930s.[6] Indeed, Old Persian was of fundamental significance to now-lost civilisations, like the one built by the Sogdians, acting as the glue connecting the Buddhism, Zoroastrianism, and Hinduism of Asia with the

[3] *Bhagavad-gita, id est Thespesion Melos sive Almi Krishnae de Rebus Divinis, Bharateae Episodium* (Bonn, 1823); see, in general, Rosane Rocher and Ludo Rocher, *The Making of Western Indology. Henry Thomas Colebrooke and the East India Company* (Abingdon, 2012).

[4] Carey oversaw the translation of the Bible into six Indian languages: Bengali, Oriya, Sanskrit, Hindi, Marathi, and Assamese; he also produced grammars of Bengali (1801), Marathi (1805), Sanskrit (1806), Punjabi (1812), Telinga (1814), and Bhotia (1826), and compiled dictionaries of Marathi (1810), Bengali (1815), and Bhotia (1826); see Brian Stanley, 'Carey, William (1761–1834)', *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison, 60 vols (Oxford, 2004).

[5] Franz Bopp, *Vergleichende Grammatik des Sanskrit, Zend, Griechischen, Lateinischen, Litthauischen, Gothischen und Deutschen* (Berlin, 1833); in English as *A Comparative Grammar of the Sanskrit, Zend, Greek, Latin, Lithuanian, Gothic, German, and Sclavonic Languages*, transl. Edward B. Eastwick, 3 vols (London, 1854–50).

[6] Batakrishna Ghosh, 'Veda and Avesta', *Journal of the Greater India Society* 3 (1936), 178–87.

Christianity of Europe, as Peter Frankopan has argued in *The Silk Roads*.[7]

Placing Indian epigraphy within this linguistic-historical discourse appears only too natural. Thus we see D. C. Sircar (1907–1985) dedicating his *Indian Epigraphy* (Delhi, 1965) to the memory of four Europeans, G. Bühler, F. Kielhorn, J. F. Fleet and E. Hultzsch, 'and other savants to whose writings the author owes his little knowledge of Indian Epigraphy'.[8] The nineteenth and early twentieth centuries coincided with an age of archaeological discoveries across the Indian subcontinent, bringing into the light the rich heritage of Hindu-Buddhist civilisation. Here too colonial patronage remained vital, be it in the excavation of sites across the Indian sub-continent, the editing of texts, or the promotion of Pāli (the language in which Buddhist scriptures – *Tripiṭaka* – were written) and Buddhist studies in general. On the other hand, on the linguistic front, the *Ṛgveda* and the *Avesta* became subjects for comparative studies. Thus, India of the nineteenth and twentieth centuries could be placed in an age characterised by the discovery and interpretation of texts, archaeological discoveries, and scientific and technological invention. In the background, meanwhile, the most decisive factor was at play: the quest for knowledge about the common ancestry of the people of India (which included today's Pakistan and Bangladesh) and Europe.

Records of property transfer from early medieval Bengal and the Latin West

In all societies based on land and driven by a spiritual motivation of achieving merit (Sanskrit *punya*) leading to ultimate salvation, certain features are bound to be common. The practice of kings in ancient India, who made gifts of tax-free land, must be seen in the context of the growing importance of brāhmaṇas as a social group. Brāhmaṇas were the agents or carriers of know-ledge and, at the same time, also the practitioners of knowledge. No less

[7] Peter Frankopan, *The Silk Roads: A New History of the World* (London, 2015), 57.
[8] D. C. Sircar, *Indian Epigraphy* (Delhi, 1965), v.

important, they became necessary to perform the rituals needed in social events for Hindus, from birth to death. The caste system in Hindu society prescribes the world of knowledge for the Brāhmaṇas, war for the *Khṣatriyas*, trade and commerce for the *Vaiśyas*, and all other works for the *Sudras*. All three needed the brāhmaṇas, while brāhmaṇas apparently needed none of the others. Brāhmaṇas were also in great demand to write eulogies (*praśastis*) which were perhaps read out at the royal court. The poet Bāṇabhaṭṭa, who adorned the court of Harṣavardhana of Kanauj (606–647 CE), composed *Harṣacarita* ('The Life of Harsa'), the eulogistic biography of his patron, Harṣavardhana, of the Puṣyabhuti dynasty of Thaneswar.[9] It may be important to note that Banabhatta himself too hailed from Kānyakubja (Kanauj: modern Kanpur in Uttar Pradesh), which was famous for villages with a high concentration of learned brāhmaṇas, most favoured recipients of gifts of land. The highly ornamental literary style that was followed by Banabhaṭṭa in his *Harṣacarita* and *Kadambari* make a distinct chapter in the history of Sanskrit literature. For Bengal, we have *Rāmacaritam*, a eulogistic biography of the king, Rāmpala, by his court poet, Sandhyākar Nandi. Although the caste system was practised with various degrees of intensity or rigidity in various parts of India, it nevertheless became a practice followed along the length and breadth of the country. The social role of brāhmaṇas became so central that the giving of land to them increasingly developed as an institution, which ultimately led to the practice of issuing the record of such gifts as inscriptions on copper-plates, the text of which included reference to all related conditions of the gift (*dāna*) itself. There is an interesting episode, cited by Bahadur Chand Chhabra in his *Diplomatic of Sanskrit Copper-Plate Grants*; this offers an insight into the wide use of copper-plates for the giving of land to brāhmaṇas. Bhoja, a king from the Paramara dynasty, once saw a brāhmaṇa carrying a leather vessel for a water jar; Bhoja was surprised to see this and asked the brāhmaṇa the reason; the brāhmaṇa gave a reply which says that

[9] Hermann Kulke and Dietmar Rothermund, *A History of India* (4th edn, London, 2004), 109–112.

iron became rare as it was used to make chains for capturing enemies, and copper became equally rare since it was constantly used for making plates for registering donations of land.[10] If we cast a glance towards D. C. Sircar's *Indian Epigraphy*, we may be equally impressed by the description of how the concept of *dāna* to brāhmaṇas formed a large dimension, and was widely accepted as an act of merit across India.

A key word in all this is *śāsana*, which can simply mean 'charter'. The issuing authority is mostly the king. Thus, *rājaśāsana* (royal charter) almost equals *śāsana* in general. Sircar distinguished three categories of *śāsana*: (i) *dāna-śāsana*, (ii) *prasāda-śāsana*, and (iii) *jayapattra.*[11] The first is the record of gifts; possibly he meant gift in general. The second indicates any kind of favour. And the third relates to the victory of any party in any dispute; whoever wins the dispute issues a 'victory-deed'. Against this background, Sircar further described how 'revenue-free gifts, granted by ancient Indian rulers in favour of persons, deities, or religious establishments were usually endowed with a deed engraved on durable *tāmra-paṭṭa*'.[12] Copper-plate records are often called *tāmra-śāsana* or *tāmra-paṭṭa*. Though lands on a massive scale were given to brāhmaṇas in various parts of India, it is in Orissa that several villages are named with the suffix *śāsana*.[13] To designate those villages given rent-free to gods and brāhmaṇas, the words *deva-deya* or *brāhmadeya* were used. In South India the word *agrahāra* was widely used for rent-free lands to be enjoyed by the brāhmaṇas. Referring to Viṣṇu and Yājñavalkya, Sircar further elaborated on the aspect of the perpetuity of the grant and knowledge of the public about the grant.[14] Yājñavalkya says that it is the duty of the king to do the needful so that the future generation respects

[10] Bahadur Chand Chhabra, *Diplomatic of Sanskrit Copper-Plate Grants* (Delhi [1961]), 3.
[11] Sircar, *Indian Epigraphy*, 103.
[12] D. C. Sircar, 'Some Kara–Śasanas of Ancient Orissa', *Journal of the Royal Asiatic Society* 84 (1952), 4–10, at 4.
[13] Upinder Singh, *Kings Brāhmaṇas and Temples in Orissa: An Epigraphic Study AD 300–1147* (New Delhi, 1994), 66.
[14] Sircar, *Indian Epigraphy*, 104.

the terms and conditions of the deed. Richard Soloman has equally stressed the antiquity of the practice of issuing a copper plate for the registering of *dāna*, no matter whether it is called *tāmra-śāsana, tāmra-paṭṭa*, *tāmra-phali* or *dāna-śāsana.*[15] D. C. Sircar took the existence of the practice of issuing copper-plate inscriptions back to the third century BCE, for which he cited an inscription from Sohgaura (Gorakhpur district of Uttar Pradesh). Two further examples have been drawn from and around Taxila, the famous Buddhist centre and capital of the king, Kaniṣka, which is situated in modern Pakistan. The inscription is engraved on a copper-plate. Against this old type of copper-plate, Sircar as well as Saloman brought a newer group, the earliest specimen of which is found from the Pallava dynasty of Kañchi; the Maydavolu and Hirahadagalli plates of Śivaskandavarman from the middle of the fourth century CE.[16] Coming to Bengal, the oldest specimen of such a plate is assigned to 432/33 CE. This is the Dhanaidaha copper-plate inscription of the Gupta Emperor Kumāragupta. The place Dhanaidaha is situated in the district of Rajshahi of modern Bangladesh.

In the case of Bengal, and for that matter other parts of India, most donations were made in favour of brāhmaṇas. The early medieval kings of Bengal had a special liking for the learned brāhmaṇas from Kānyakubja. The brāhmaṇas from that area enjoyed a special reputation for their scholarship and skill in performing rituals.

The land rights and fiscal privileges that are mentioned in the inscriptions of the Pāla-Sena period were already well known in northern and central India in the Gupta period. It is quite probable that the brāhmaṇas who came from those parts into Bengal were already familiar with such privileges. They probably used their personal influence for promoting the issuing of copper-plates, containing the same idioms and expressions, in order that these privileges be legally sanctioned in Bengal.

[15] Richard Salomon, *Indian Epigraphy: A Guide to the Study of Inscriptions in Sanskrit, Prakrit, and the other Indo-Aryan Languages* (Oxford, 1998), 114.
[16] Sircar, *Indian Epigraphy*, 107.

Bengal, as I have already mentioned, experienced the prevalence of the practice of issuing copper-plates from quite an early period**.** There is, however, a difference between the Gupta-Śaśānka period (5th–7th century CE) and the royal grants of the Pāla-Sena period (8th–13th century CE). In the Gupta-Śaśānka period the local elites of different occupational groups, who had organised themselves into territorial assemblies (*adhikaraṇa*), were the decision-makers in the distribution of lands which were often uncultivated (*khilakhṣetra*) and waiting to be disposed. In the Pāla-Sena period the matter of land donation was increasingly considered to be the duty of a king, and thus royal influence is reflected in the text of the the inscriptions. Instead of *khilakṣetra* (fallow land), cultivated lands in the densely populated areas were donated to brāhmaṇas as well as to Buddhist monasteries and brahmanical shrines. In the copper-plate inscriptions subsequent to the eighth century, the term *bhūmicchidranyāya* was always used, whether the land was already under cultivation or not.

In the period between the fifth and the thirteenth centuries, several centres of power emerged in Vaṅga (eastern Bengal), Gauḍa (northern Bengal), Magadha (southern Bihar), Rādha (southern Bengal), Samataṭa and Harikela (Comilla-Noakhali, Chittagong, Bangladesh). Barrie Morrison divided Bengal into three broad category divisions: the Bhagirathi-Hugli basin, the Dhaka-Faridpur area, and the Samataṭa-Harikela area.[17] Generally speaking, all these local 'nuclear areas' can be consolidated into three large subregions: Pauṇḍra/Pauṇḍra-vardhana (northern Bengal), Vaṅga (central Bengal) and Samataṭa (south-eastern Bengal). In the sixth century, Vaṅga came under the rule of regional rulers like Gopacandra, Dharmāditya Vijayasena and Samāchāradeva. In the seventh century, Gauḍa, with Karṇasuvarṇa (Murshidabad) as its centre, emerged as an important locus of power under Śaśānka's suzerainty. With the advent of the Pālas in Magadha and western Pauṇḍravardhana in the eighth century, the dynastic history of

[17] Barrie M. Morrison, *Political Centres and Cultural Regions in Early Bengal* (Tucson, AZ [1970]; Jaipur-Delhi, 1980).

early medieval Bengal took a new turn; the royal dynasties and not the local rulers exercised their authority in different parts of the delta. Whereas the Pāla dynasty tried to stabilise its power in the western part of the Delta (Pātaliputra, Kapila, Mudgiri, Vilāspura), the Candras (10th–11th century), Varmans (11th–12th century) and Senas (11th–13th centuries) throughout the centuries adhered to the centre called Vikramapura (Dhaka district). On the other hand, three Deva dynasties concentrated their political authority in Samataṭa in the South-East, with centres such as Devaparvata and Jayakarmanta (Comilla district). The issuing of donative charters by the Candra, Varman and Deva dynasties as well as by other local rulers, such as Īśvaraghoṣa, Kamboja Nayapāla and Dommanapāla in the Pāla-Sena period, shows how the Pālas especially remained a regional power with unstable centres, but with an imperial claim.

The charters were issued from the the 'victory camps' or royal centres (*jayaskandhāvāra*). The ornamentation of language and legal precision in the form of idioms and expressions characterise these royal charters. Perhaps this linguistic ornamentation was an expression of a defensive posture for gaining the legitimation of a universal ruler. Such development indicates that the legal value of a document, issued under the auspices of the king, increased from the eighth century CE onwards. Territorial units such as *bhukti*, *viṣaya*, *maṇḍala vīthī*, etc. have been considered to be dynamic rather than static. This is clarified by the example of *Puṇḍra/Pauṇḍravardhana Bhukti*. Scholars such as B. C. Sen and A. M. Chowdhury have paid due attention to the 'wide territorial connotation' in the case of *Puṇḍra/Pauṇḍravardhana Bhukti*, which stretched from Sylhet to Rajmahal, from the mountain region of northern Bengal to the sea shore, and from Comilla to the Twenty-Four Parganas.[18] One can understand the term *Pauṇḍravardhana Bhukti* as an indicator of continuing tribal movement in early medieval eastern India. As an adjectival

[18] See Abdul Momin Chowdhury, 'Pundra/Paundra-vardhana Bhukti in early Bengal epigraphs', in *History and Society: Essays in Honour of Professor Niharranjan Ray*, ed. Debiprasad Chattopadhyaya (Calcutta, 1978), 295–310, at 296–7.

form of *Pauṇḍravardhana Bhukti*, it relates to the central and south-eastern part of the Delta. The word *vardhana* means 'to prosper', 'to grow large', thus the term *Pauṇḍravardhana Bhukti* means a territory (*bhukti*) in which the *Puṇḍra* tribes grew and prospered. In the light of this understanding one should realise that *Pauṇḍravardhana Bhukti* overlapped the geographical boundaries of the other *bhuktis* of Bengal. The long list of officers found in the inscriptions of the Pālas, Candras, Varmans and Senas show a stratification of society which is quite in contrast to the organization of *kula*s (lineage) described in the fifth-century Gupta inscriptions from Bengal. In the Pāla-Sena period the following developments became evident: the stratification of society, the specialization of governmental activities, and the ritualization of land donations to brāhmaṇas.

By means of land donations, three Pāla kings, Gopāla II, Mahīpāla I and Vigrahapāla III, succeeded in asserting their imperial claims over Varenḍra, the most fertile area. The revolt by the Kaivartas, described in *Rāmacaritam* by Sandhyākar Nandi, which I have already mentioned, has been interpreted by a section of Indian historians as a peasant revolt. I have argued elsewhere, however, that it was a conflict between the outsider, the Pālas and the indigenous Kaivartas over Varenḍra.[19] Certainly Rāmapāla claimed Varenḍra as his *janakabhū* (father-land). Yet studies in the past have proved the existence of a defensive rampart (*bhīmer jāngāl*) built by Kaivarta Bhīma along the Karotaya river, stretching from Bogra to Dinajpur. The discovery of three pillars of the Pālas, Kambojas and Kaivartas respectively in the district of Dinajpur (Bangladesh), confirms the importance of the region of Varenḍra. The pillar of Divya and the rampart of Bhīma undoubtedly proves that the Kaivartas were the original inhabitants of Varenḍra. In *Rāmacaritam* the Kaivartas are described as *bhrtya* (servant) of the Pālas. It is quite understandable since Sandhyākar Nandi was the court poet

[19] Swapna Bhattacharya, *Landschenkungen und staatliche Entwicklung im Frühmittelalterlichen Bengalen 5. bis 13. Jh. n. Chr.* (Land Grants and State Formation in Early Medieval Bengal from 5th to 13th c. A.D.) Beitraege zur Suedasienforschung 99 (Stuttgart, 1985).

of Rāmapāla and had to eulogise bypassing the truth. When Rāmapāla came to power (1072 CE) the financial situation of the Pālas was very poor. Rāmapāla's first task was to revive the state finances. Only after Rāmapāla had won the war against Bhīma did he build the *jayaskandhāvāra* in Rāmāvatī (Malda district) beyond the river Ganges. Up to that time, all the *jayaskandhāvāra*s of the Pālas were to be found on the Western part of the Ganges. The purpose of writing *Rāmacaritam* by the court poet Sandhyākara Nandin was to justify the act of conquest as an act of *dharma*. For him the Kaivartas, being flesh-eaters and non-Buddhist *Rakṣasas*, had no right to rule over Varenḍra. Only the Pālas, being Buddhists and followers of Brahmanical ideals had the legitimation to rule over Varenḍra.

When I wrote my doctoral thesis in the early 1980s, I saw the legitimation of power and authority in the name of *dharma* (cf. *dharmaviplava* in *Rāmacaritam*) as exclusively an Indian social phenomenon and *Rāmacaritam* as written in order to satisfy the requirements of *dharma.* But after three decades, I see that in the the concept of *Gerechtigkeit* (justice or righteousness) the same spirit is echoed. During the 1980s I was concentrating on finding parallels between the Romano-Germanic world and India (eastern India in particular) so far as the legal and economic aspects of the transfer of property was concerned. In the course of further studies, I found that the rites, rituals, manifestation of symbols, etc. – by which the Church was made worldly, acquiring the power to rule the state, and conversely the secular world was made spiritual through mass conversion – have their parallels in Asia, especially in the Hindu-Buddhist world. In one of my recent works, parallels have been drawn between the Holy Lance (German *Heilige Lanze*) and the famous Maḥāmuni cult of ancient Rakhine State (Arakan) of Myanmar.[20] Such royal symbols filled the gap between the claim to be the ruler of the world and the degree of actual power that the respective rulers

[20] Swapna Bhattacharya, *The Rakhine (Arakan) State of Myanmar: Interrogating History, Culture and Conflict* (Delhi, 2015), 23–24. On the Holy Lance as *Herrschaftszeichnen*, see Timothy Reuter, *Medieval Polities and Modern Mentalities*, ed. Janet L. Nelson (Cambridge, 2006), 290–1.

exercised. In other words, such symbols had tremendous power of legitimising the claim of the rulers to rule over people, a considerable majority of whom were still adhering to their pre-Christian faiths. Whoever could gain possession of the Holy Lance could declare himself the true representative of the Holy Roman Empire, so massively a deciding factor did the Holy Lance become in the ecclesiastico-political history of medieval Europe, especially under the Saxons and the Salians.

Moving the focus to Myanmar, and the Mahāmuni Pagoda in the city of Mandalay, a legend says that Lord Buddha, while visiting the Dhānyavatī kingdom in Arakan in the company of 500 disciples, landed on a hill called 'Selagiri'. At the request of the king, Chadrasurya, an image of the Buddha was made in which life was infused by the Buddha himself. Since then, until Arakan was annexed (in 1784) by the Burman (also called Bamar) king, Bodawpaya, this image and the cult around it became the state symbol of the Buddhist kings, who were liberally exposed to the Hindu-Buddhist civilisation of India, and Bengal in particular. This great image was carried away by King Bodawpaya when he annexed Arakan. The possession of this Buddhist Image (*Mahāmuni*) by Bodawpaya meant not only the end of an era for Arakan, but also the beginning of a new era altogether dominated by the Burman rulers. They desperately needed such symbols for establishing themselves as the true Buddhist rulers.[21]

Coming back to the subject of Pāla rule, the fifteen *sāmantas* of Rāmapāla, without whose military support he could hardly have defeated the Kaivartas, had varying status: there were autonomous *sāmantas*, tribute-paying, semi-independent *sāmantas*, *sāmantas* in the army, and *ātavikasāmantas* (tribal chiefs). The

[21] To share a personal memory with my readers, let me state that such narratives of state symbols during the Ottonian-Salian period impressed me so much that during the early 1980s, after delivering my semester paper on the 'Holy Lance and its constitutional importance' in the *Hauptseminar* (led by Professor Stefan Weinfurter), I immediately rushed to Vienna to see the original *Heilige Lanze*, kept in the Weltliche Schatzkammer at the Hofburg Palace in that city. Driven by equal enthusiasm in 2012 I made a trip to the Mahāmuni Pagoda in the city of Mandalay in Myanmar to see the Mahāmuni image.

localisation of the territories of these *sāmantas* shows that not only in South Bihar and south-western Bengal but even in North Bengal itself, the *sāmantas* were semi-independent. It is even more interesting to note that Rāmapāla had to prove his overlordship by the ritual act of official generosity described in *Rāmacaritam* as 'exhausting the golden pitchers'.[22]

Rulers and religious elites in Ottonian Germany and early medieval Bengal

Let me now come to the European part of the narrative, which in my original work focused on Ottonian Germany. We are aware that medieval Germany was a highly decentralised, even politically unstable polity.[23] For the post-Carolingian rulers of East Franconia the Carolingian legacy remained a rather symbolic legitimising force; the East Frankish empire had to fight hard to save itself from various challenges coming even from within their own families. The line of German Carolingians ended with the death of Louis II. During the time of King Conrad I (911–918) strong stem-ducal power (*Stammesherzogtum*) emerged in Bavaria, Swabia, Saxony and other parts. After Conrad's death the kingdom that originated from the dukes of Saxony laid the foundation of the German Empire. Henry I (919–936), the first king of this German Saxon line, formally designated Otto (936–973), as his successor in a court assembly in Erfurt. The coronation took place in Aachen, the place where Charlemagne had been crowned in 800. The description of Otto's coronation has found a place in what we might call the *praśasti*, composed by Widukind of Corvey, an eminent monk of aristocratic lineage. The way Widukind describes Otto is astonishingly 'Indian' in its spirit. Hagen Keller, quoting

[22] *Rāmacaritam*, II, 43; ed. Haraprasad Sastri, rev. and transl. Radhagovinda Basak (Calcutta, 1969).

[23] The idea of royal rule without a state is explicit in the title of Gerd Althoff's fundamental work, *Die Ottonen: Königsherrschaft ohne Staat* (2nd edn, Stuttgart, 2005); but see the critique by Hans-Werner Goetz, 'Die Wahrnehmung von Staat und Herrschaft im frühen Mittelalter', in *Staat im frühen Mittelalter*, ed. Stuart Airlie, Walter Pohl, Helmut Reimitz (Vienna, 2006), 39–58, esp. 55.

Widukind, praises Otto's appearance on the political platform as 'Wie die leuchtendste Sonne nach der Dunkelheit' ('like the bright sun after the darkness').[24] And much in the same way as in India, the coronation of Otto had three distinct rituals: (i) climbing to the throne and homage of the secular vassals; (ii) the lifting of the king, anointing, handing over the insignia, and coronation Mass; (iii) the feast to celebrate the coronation.[25] It may be relevant to mention in this connection that, in the case of ancient India and South-East Asia, the brāhmaṇas played an immensely significant role in the coronation of the kings. One of the reasons or occasions for the migration of brāhmaṇas to South-East Asia was this role of performing rituals in the royal courts. The brāhmaṇas enjoyed a special status in various countries of South-East Asia on account of their scholarship in religious scriptures (*śāstras*). The urban elites of India and South-East Asia held largely similar religious values and followed equally similar rituals, as reflected in the art and architecture of the Hindu-Buddhist world.[26]

In the case of early medieval Germany, a social transformation took place through the mass conversion of pagan peoples; the Slavs, the Saracens, and the Magyars in particular. The Saxon-Ottonians and Salians established episcopal centres in various parts of their own land as well beyond their borders; such an enterprise strengthened their political network within Europe. The systematic settlement of Germanic people in Eastern Europe through the establishment of extensive bishoprics under German bishops makes a unique historical narrative which has no parallel

[24] Hagen Keller, *Die Ottonen* (Munich, 2001), 47.
[25] Althoff, *Die Ottonen*, 79.
[26] Herrmann Kulke, 'The early and the imperial kingdom in Southeast Asian history', in his *Kings and Cults* (Delhi, 1993), 262–93. See further Hermann Kulke, '*Srivijaya* revisited: reflections on state formation of a Southeast Asian thalassocracy', *Bulletin de l'École française d'Extrême-Orient* 102 (2016), 45–95; *Lost Kingdoms: Hindu-Buddhist Sculpture of Early Southeast Asia*, ed. John Guy (New York, 2014).

elsewhere in Europe.[27] And these powerful bishoprics were founded on extensive royal gifts of land by charter.

In the case of Bengal, we find only in the Samataṭa-Harikela (Comilla-Noakhali-Chittagong) region such grants in favour of groups of brāhmaṇas or Buddhist monasteries.[28] From the earlier period (7th to 9th century CE) we can cite examples from the Khaḍga and Deva dynasties of Salvan Vihar, Mainamati in the modern Comilla District of Bangladesh. From the later period, such examples of the mass settlement of brāhmaṇas and Buddhist monasteries make the oft-referenced Paśchimbhāg copper-plate inscription one of the examples for such a grant.[29] The Paśchimbhāg copper-plate of the Candra king, Śrīcandra (*c*. 925–975) reports a gift comprising three *viṣayas* and a few *paṭakas* (around 100 square miles) to 8 monasteries and 8000 brāhmaṇas. The location of the land was in Srihaṭṭa Maṇḍala in Pauṇḍravardhana Bhukti. This Maṇḍala corresponds to the modern district of Sylhet, which is famous as a centre for scholarly brāhmaṇas. The area of Sylhet is also widely known for its rich regional identity, well maintained through the script, cult, cultural assets, precisely of a polymorphous tradition accommodating Buddhism, Hinduism, and Islam.[30] Such gifts to groups of individuals and institutions are in sharp contrast to gifts

[27] Gerd Tellenbach, *The Church in Western Europe from the Tenth to the Early Twelfth Century*, transl. Timothy Reuter (Cambridge, 1993), 6–21, 50–60.

[28] For archaeological remains from Buddhist Bengal see Barrie M. Morrison, *Lalmai, A Cultural Center of Early Bengal: An Archaeological Report and Historical Analysis* (Seattle, WA, 1974); for the culture and connectivity of the Comilla-Noakhali plains and coastal Chittagong, see Suchandra Ghosh, *Exploring Connectivity: Southeastern Bengal and Beyond* (Kolkata, 2015).

[29] See Syed Murtaza Ali, 'Chandra kings of Pattikera and Arakan', *Journal of the Asiatic Society of Pakistan* 6 (1961), 267–74, at 271; Kamalakanta Gupta Chowdhury, 'Paśchimbhāg Copper Plate of Mahārāja Srichandradeva (10th Century A.D.)', in *Nalini Kanta Bhattasali Commemoration Volume: Essays on Archaeology, Art, History, Literature and Philosophy of the Orient, Dedicated to the Memory of Dr. Nalini Kanta Bhattasali*, ed. A. B. M. Habibullah (Dacca, 1966), 166–98; D. C. Sircar, *Epigraphic Discoveries in East Pakistan* (Calcutta, 1973), 19–40, and 'Pashimbhag plate of Śrichandra, year 5', *Epigraphia Indica* 37 (1967–68), 289–304.

[30] See Anuradha Chanda, *Script, Identity, Region: A Study in Sylhet Nagri* (Kolkata, 2013).

made in favour of individual brāhmaṇas in northern Bengal and Bihar (the modern areas of Muṅgir and Patna). Such individual beneficiaries were given small pieces of land, or one or a few villages. The villagers were then called upon to pay their taxes in cash and in kind to the new owner, instead of to their former owners, the kings, as kings in general were believed to be the owners of all lands.

Comparison of Latin charters with Sanskrit inscriptions

Before going into the comparison of the structure of charters and donative inscriptions, we shall see how similar the content of the Latin charters from the Ottonian-Salian period in Germany was with the Sanskrit inscriptions from Bengal. I shall attempt to show the striking parallels with one of the copper-plate charters from Pāla Bengal. Before we go to the actual comparison, let me state that in both the cases, Europe and India, the charters record public works of a private nature.

I have selected a copper-plate issued by the Pāla king, Devapāla (*c*.834 CE) for comparison, since this text carries typical features so common in donative inscriptions from early medieval Bengal. For the same reason I have taken a Latin diploma issued by Conrad II (1024–1039).[31]

Before we go into the text, a few remarks are needed, in order to understand the *Ostsiedlung* (the eastward expansion) of the German churches and bishoprics, and their role in the Christianisation of the pagan Slavs and the consolidation of the authority of Ottonian and the Salian kings. It systematically started with Otto I, who not only claimed himself as the Emperor of the Holy Roman Empire of the German Nation, but also systematically used the Church and ecclesiastical partners (bishops and abbots) to establish this legitimacy. The immediate need was to contain and counter the ducal power (*Stammesherzogtum*, 'tribal duchy'), but also to establish Saxon power in regenerating the Carolingian legacy. The presence of

[31] See below, pp. 31–2.

the dukes of Lorraine, Franconia, Swabia and Bavaria at his crowning in Aachen indicates the position he achieved in the heart of Europe. He proclaimed himself the true successor of Charlemagne. As Johannes Fried, in *Das Mittelalter: Geschichte und Kultur*, rightly states, for the Ottonian kings the most formidable task was to strengthen religion and fight non-believers.[32] With the orb in one hand and sceptre in the other, Otto started this mission. Some of the most formidable non-Christians who challenged Otto along the Danube, coming close to his empire, were the Magyars. Otto successfully stopped their further intrusion; the fierce battle of Lechfeld (near Augsburg in southern Germany) was fought in 955, by which the Magyars were stopped from further advance. This act of pacification of the unbelievers impressed the papacy immensely.[33] It may be mentioned here that Bishop Udalric played a significant role in this battle. Otto's struggle started with his first mission to Italy in 951, when in Pavia he declared himself king of the Franks and the Langobards. The long struggle ended when Otto was ceremonially crowned by Pope John XII in 962 at St Peter's basilica, and thus became Emperor of the Holy Roman Empire of the German Nation. That Otto needed Rome and the Pope as much as Rome needed him does not need to be explained further.

The bishopric of Passau took the task of conversion of the areas dominated by the Magyars. This mission was carried forward by Otto's successors, Otto II and Otto III. The latter completed it. As a result of conversion to Christianity, Hungary became culturally closer to western Europe. After subduing the Hungarians, Otto aspired for German dominance over the Bohemians and the Slavs. Following an initial defeat at the hand of the Bohemians, Otto eventually brought them under his sword. As far as the Slavs are concerned, Otto set the boundary up to the River Oder. The trans-Elbian March covering today's Holstein and Mecklenburg, was conquered by Hermann Billung, who was one of Otto's most trusted lieutenants. Bishoprics were founded in Brandenburg, Havelberg and Oldenburg to supervise

[32] Johannes Fried, *Das Mittelalter: Geschichte und Kultur* (Munich, 2013), 121.
[33] Peter Hilsch, *Das Mittelaleter: die Epoche* (Vienne, 2012), 92–3.

missionary activities. To the North, the Danes were also converted to Christianity. German bishoprics were founded in Aarhus, Ripen, and Schleswig. Magdeburg, mentioned earlier, was elevated to an archbishopric. Missionary activities centered around Magdeburg played an extremely important role in the East. The stone statue in Magdeburg cathedral of Otto I with his wife, the English princess, Eadgyth, shows him holding in either hand an orb and a sceptre – important symbols of power and legitimacy as a Christian ruler. How important Magdeburg became as a symbol for the Christianising mission is reflected in an ivory carving (*c*. 962–68) from northern Italy. This work of art projects Otto presenting Christ with a replica of Magdeburg cathedral. Otto is accompanied by Saint Mauritius and an angel and is being observed by Saint Peter.[34] In Bohemia after Duke Boleslav I surrendered to Otto in 950, the bishopric of Prague was placed under the jurisdiction of the archbishopric of Mainz. It is in this context of the missionary spirit of the Ottonian-Salian kings that we must read the following document issued by the Salian king, Conrad II.

King Conrad II donates to Count Wilhelm in his county at Sann thirty hides of royal land and other estates in the locality between the rivers Kopreinitz, Kotting and Woglejna as well as between the rivers Gurk and Save. 1025.[35]

> In the name of the holy and indivisible Trinity. Conrad, king by the mercy of God's favour. Let the entirety of all who are faithful to Christ and to us know in what manner we, through the mediation and request of our beloved wife, Gisela, that is to say the queen, and also Aribo, archbishop of Mainz, have transferred as property to Wilhelm the count, thirty royal hides of land in his own county, which is called Sann, situated between the rivers Kopreinitz, Kötting and Woglejna, as well as between the rivers

[34] New York, Metropolitan Museum of Art, accession no. 41.100.157.

[35] Translation based on the Latin text, edited from an original diploma, in *Die Urkunden Konrads II: mit Nachträgen zu den Urkunden Heinrichs II*, Monumenta Germaniae Historica: Diplomata regum et imperatorum Germaniae 4 (Hannover, 1909), 35 (no. 32).

> Gurk and Sava, which he is to chose in the localities of the same county, wherever it pleases him, till the full number is reached; with homesteads, buildings, land cultivated and uncultivated, meadows, fields, pastures, woods, hunting-grounds with ways and impassable tracts, with proceeds in cash and in kind, with waters and waterways, fisheries, mills and milling places, with custom duties already exacted or which may still be exacted in the future, with all profits which can in any way be derived from there, and in addition perpetually to have whatever mountains, valleys and woods we have between the rivers mentioned herein before, namely for the reason that he shall have the free authority to do with the estate, named herein before, whatever pleases him.
>
> And so that this textual authority of our donation remain secure and undisputed for all time, we have ordered this charter, written concerning that matter, to be sealed by our own hand, certifying it with the impression of our seal.
>
> The sign of the irrefutable king, the lord Conrad.
>
> I, Udalrich, chancellor, deputy of Aribo the chief chaplain, have certified.
>
> Given on the fifth day before the Ides of May [11 May], in the eighth indiction, in the 1025th year of the incarnation of the Lord, in the first year of the reign of the lord Conrad II; enacted at Bamberg**.**

Such an example of regional expansion beyond the jurisdiction of the core area of dynastic rule has its parallels in Indian history as well. The rise of the Pālas in the post-Gupta period in the same manner laid the foundation of a regional power in the Bengal-Bihar region. The period of the seventh and eight centuries was significant for the continuation of Hindu-Buddhist rule amid the rising socio-political force of Islam. The Buddhist *sangha* (religious community) as an institution had already declined in Bengal much earlier, although not altogether; for scholarship in various directions continued in and around monastic establishments (Nālandā, Odantapurī, Vikramaśilā etc.).[36] At the

[36] See further, Puspa Niyogi, *Buddhism in Ancient Bengal* (Calcutta, 1980).

grass-roots level people were adhering to a mixed faith, not necessarily to pure Theravada orthodoxy. The Buddha was worshipped as one of the gods of the larger Hindu-Buddhist pantheon. That the Mahāyāna, even Tantric influence, became increasingly stronger, finds its expression in the Pāla art where gods and goddesses from this mixed Hindu-Buddhist world find their most natural place.[37] The kings, no matter how large their sphere of influence was, were fond of using the Buddhist title *Paramsaugata Paramabhaṭṭāraka Mahārājādhirāja.* That Buddhism in its most complex and mixed form (with various Mahayana-Tantric influences) remained powerful in Bengal-Bihar, accommodating peacefully with a kind of liberal Brahmanism, cannot be questioned. One of the reasons for such a high status of the brāhmaṇas had certainly to do with the fact that they dominated the world of knowledge in general. The brāhmaṇas who originated in Kānyakubja (Kanauj) and Lāṭa (Gujarat) enjoyed a special position in early medieval Bengali society and were considered a privileged group of recipients so far as donations of land by dynastic rulers were concerned.[38]

If we look over the text of the Muṅgir grant of Devapāla (see below, pp. 36–40), we see that the verse numbers 1–10 constitute genealogy and panegyric, called in Sanskrit, *praśasti*. The great achievements of the kings Gopāla and Dharmapāla, grandfather and father of Devapāla, find description in those verses. We learn from verse 11 that Dharmapāla (775–810) married Roṇṇadevī, the princess from the Rāṣṭrakuṭa dynasty: 'Like oysters producing pearls and gems, Roṇṇadevī, a praiseworthy and devoted wife, gave birth to a son Devapāladeva of pleasing countenance'.[39] Devapāla (*c.* 810–845/847) was compared with the Buddha, and was praised for his restrained speech. He is described as having inherited the peaceful kingdom that he so

[37] Susan L. Huntington, *The "Pāla-Sena" Schools of Sculpture*, Studies in South Asian Culture 10 (Leiden, 1984).
[38] Sayantani Pal, 'Religious patronage in the land grant charters of early medieval Bengal (fifth–thirteenth century)', *Indian Historical Review* 41(2) (2014), 185–205.
[39] *Corpus of Bengal Inscriptions bearing on History and Civilization of Bengal*, ed. Ramaranjan Mukherji and Sachindra Kumar Maity (Calcutta, 1967), 122.

brilliantly ruled. It deserves to be mentioned here that during the reign of Devapāla, Bengal indeed experienced a renaissance in Buddhism. The Nālandā copper-plate indicates the degree of international fame that Nālandā, the renowned Buddhist centre in Bihar, achieved.[40] The Indonesian king Balaputradeva (9th century) of the Sailendra dynasty convinced Devapāla to make a gift of five villages for the benefit of the Buddhist monastery at Nālandā. Since Nālandā is emerging today to regain its lost glory as a centre of Buddhist scholarship, this reference may help especially western scholars to understand the importance of the Pāla dynasty of Bengal-Bihar.

Coming back to the discussion of the Muṅgir grant of the same king Devapāla, it was issued (verse 15) from Mudagiri (modern Muṅgir itself), one of the military camps (*jayaskandhāvāra*) of the Pālas. This copper-plate happens to be the first Sanskrit inscription that came to the notice of European scholars. The text of the Muṅgir inscription with English translation was first published in the initial volume of *Asiatick Researches* by Charles Wilkins in 1788.[41] Later, several European and Indian scholars edited the inscription in their own ways.[42] There is a long list of officials of various ranks mentioned in this copper-plate as witnesses to the transfer of the landed property. The granting of the village, Meṣika, situated in the *visaya* named Krimila, within the Srinagara Bhukti, appears to be quite an important event, for we read the reference to several office-bearers, drawn from various departments. They include an officer in charge of religion, judicial and executive

[40] Hirananda Shastri, 'The Nālanda copper-plate of Devapāladeva', *Epigraphia Indica* 17 (1923–24), 310–27.

[41] Charles Wilkins, 'A royal grant of land, engraved on a copper plate, bearing date twenty-three years before Christ, and discovered among the ruins at Mongueer. Translated from the original Sanskrit, by Charles Wilkins Esq. in the year 1781', *Asiatick Researches* 1 (1788), 123–30.

[42] Besides Charles Wilkins, the inscription has been edited by F. Kielhorn, 'The Muṅgir copper-pkate grant of Devapāladeva', *Indian Antiquary* 21 (1892), 253–8; Lionel D. Barnett, 'The Mungir plate of Devapaladeva: Samvat 33', *Epigraphia Indica* 18 (1925–26), 304–7; *Corpus of Bengal Inscriptions*, ed. Mukherji and Maity, 114–132; Radhakrishna Choudhary, *Select Inscriptions of Bihar* (Madhipura, 1958) [36–42].

officers, a minister in charge of princes, advisors, superintendents for units of elephants, horses and camels. Officers responsible for looking after the arrival and departure of the king and his associates were also addressed. Like the Saxon kings of Germany, the kings of early medieval Bengal were also constantly on the move. The charter also mentions the 'servants' coming from Gauḍa, Mālava, Karṇāta, Khas and Laṭa countries, as well as people from Huṇa and Kulika stock. The brāhmaṇas as well as *chaṇḍālas* were called upon to take note of this transfer of property, as a result of which the village of Meṣika has been made render-free. The charter has been properly sealed. Including the profits accruing to royal estate, and excluding the dues payable to gods and brāhmaṇas granted by the king on a previous occasion, it is mentioned that the beneficiary will henceforth enjoy the benefit of the gift for ever. Devapāla is declaring that the merit may accrue to his parents and himself according to *Bhūmichhidranyāya.* The beneficiary brāhmaṇa, with the name Bihekarātamiśra, is described as well-versed in the *Veda*s, grammar, and logic. His father and grandfather, named Varāharāta and Viśvarāta, are also praised as good scholars. In the penultimate part, as always, we find the statement that one must obey the order and maintain the grant in perpetuity. Otherwise one would risk the chance of going to hell. The tillers of the donated land are instructed to pay the customary taxes, payable in gold and like and all other kinds of revenue.[43] At the end of the charter the very act of donating land has been praised as something which was always known and practised in the past. The most revered king, Rāma, requested all rulers to give land. Whoever became the ruler of the earth should give and would enjoy the fruit or merit of this act of giving. Further it is stated in a warning tone that, if a man takes back land donated by him or by others, he should suffer 'along with his forefathers (in hell) assuming the form of worms'.[44]

In the background of the above explanation, the English translation of the original Sanskrit inscription of the Pāla king,

[43] *Corpus of Bengal Inscriptions*, ed. Mukherji and Maity, 126.
[44] *Ibid.*

Devapāla, may appear interesting. I have done the translation based on my own understanding, but taking help from other existing readings and translations, such as those by Barnett, and Mukherji and Maity.[45]

Lines 1–3. Prosperity! May the attainment of the ultimate goal of the Supreme Lord Sidhhārta – who was always engaged in thoughts of doing good to others and followed the path of true religion – Siddhārta, who attained enlightenment by conquering the road to success, adopted by ordinary people, denizens of the three regions, and who is the Lord of all truth and the universe, confer on his devotees highest success.

4–5. Gopāla, the king of the whole world, was extremely fortunate; this king, being an ideal ruler, Lord of two brides, protected the earth and by following the examples of kings like Pṛthu and Sagara, he (Gopāla) too won the same respect from his people, that Prthu and Sagara won.

6. After conquering the earth up to the sea he set free his elephants, considering them as superfluous, and these tuskers with tears in their eyes met their relations in the forest tracts.

7. He won the Ocean and the Earth. When his innumerable army marched forward, the heavens were filled with the dust of their feet in such a way as for the birds to find a place to traverse on foot.

8. By his son Dharmapāla, scrupulously following śastric injunctions and obliging the different castes in their respective duties by commands, he (Gopāla) became free from debt payable to his departed forefathers.

9. The mother-earth of Dharmapāla felt disturbed by the mountain-like elephants moving around and seeking refuge in the peaceful heaven, in which they assumed the form of dusts.

10–11. The servants of this king, engaged in rendering the regions peaceful by extirpating the wicked, duly used the waters in Kedāra and confluence of the Ganges and the Ocean, and performed

[45] See note 42, above.

religious norms in such places of pilgrimage as Gokarṇa and the like, and (thus) they derived success in the form of the merit for the next birth.

12–13. After having completed his conquests, he released all the rebellious princes he had made captive, and each returning to his own country laden with presents, reflected upon this generosity of Dharmapāla, and longed to see him again, in the similar way as mortals remember their pre-existence.

14. This king (Dharmapāla), while entering family-life, took the hand of the daughter of Parabala, best among the kings of Raṣṭrakuṭa, whose name was Roṇṇadevī.

15. Highly impressed by qualities of her (Roṇṇadevī), the people consider her as direct embodiment of Goddess Lakṣmī or person holding the earth in herself, or embedment of king's glory (achievement) or household Lakṣmī, and who by her own merit surpassed other householders in the palace.

16–18. She (Roṇṇadevī) was praiseworthy and devoted to her husband. She gave birth to a child, namely Devapāla, who was as beautiful as pearl, coming out of the shell from the ocean. Like the Buddha who sought enlightenment he (Devapāla) was free of any impurity in respect of speech and mind. Physically, and in his action, he was restrained, and was gentle in all manners.

19–20. Devapāla, who was free of any impurity, restrained in speech and gentle in manner, peacefully inherited the kingdom of his father like Boddhisattva succeeded Saugata. He, who marching through many countries making conquests with his elephants, which took away the glory of the vanquished kings, arrived in the forests of mountains of Vindhya, and where elephants, seeing again their long lost families, exchanged their mutual tears; and the young steeds gazed at the mares of Kamboja origin, and they mutually neighed for joy.

21–22. That path of self-denial which was first achieved in the Kṛta era through Bali, taken up in the Tretā era through Paraśurāma, and further constructed in the Dvāpara period by loving Karṇa, but was

wiped away in the Kali age after the death of Vikramāditya (enemy of the śakas), was again clearly brought into the light by him (Devapāla).

23. He enjoyed ruling over the earth which was free of enemies. It was extended in the North from the Himalayas to the South into the Ocean, where the sea bridge, founded by the killer of Rāvana (Rāma). In the West it was extended up to the Ocean of the West, the abode of God Varuṇa, up to the East Sea, the abode of Goddess Lakṣmī.

24. At the river bank of Bhagīrathī in Mudagiri, where he (Devapāla) made his victory camp; across the river a kind of bridge is made with a series of boats placed one after another; this makes an impression of a chain of mountains.

25–27. When immense herds of elephants, like thick black clouds, darken the face of day, and in such a way that it looks like the rainy season, where the princes of the North send so many troops of horse, that the dust of their hoofs spreads on all sides; where so many mighty chiefs of Jumboodvīpa resort to pay their respects that the earth sinks beneath the weight of the feet of their attendants.

28–30. His revered Highness, Supreme Lord, staunch Buddhist Mahārājādhirāja, Devapāladeva, ever remembering (the feet) of devout Buddhist, paramount monarch, right honourable Mahārājadhirāja Dharmapāladeva, being in good health commands all employees depending on royal favour present in the village of Meṣika, endowed with groves and enjoying continued special prosperity, situated in the viṣaya named Krimilā, within the Bhukti of śrinagara.

31–37. To those present (samupagatān sarvvān eva), such as king, prince, minister, inspector-general of intelligence, commander-in-chief (aide de camp), tributary chief, principal gate keeper, member in charge of the store, minister in charge of princes, advisors/royal lawyer, royal representatives, governor at the level of Bhukti, head of the Viṣayas, police officer in charge of catching thieves, police personnel in charge of judicial duties, executive officers, officer in charge of border areas, officer in charge of forts, officer in charge of

land to be tilled, officer in charge of forest, special officers, supervisor of the units of elephants, horses and camels, keeper of the mares, colts, cows, buffaloes, sheep and goats, members in charge of the office of despatch of messengers, officer in charge of observations over departure and arrival of visitors, persons in charge of envoys, head of Viṣaya and Tara, members in charge of fleet and various tribes, like Gauḍa, Mālava, Khasa, Huṇa, Kulika, Karnāṭa, Lāṭa, and servants, like Chāṭa and Bhāṭa, and all other subjects who are not specified here, and to the inhabitants of the neighbouring villages, from Brāhmaṇas and fathers of large families, to the tribes of Meda,

Second side

on to Caṇḍalas; be it known to you, that I have given the above-mentioned village of Meṣika, above and below the surface, extending up to the fields where the cattle graze, with all the lands belonging to it; together with the mango and madhuka trees; all its waters and land, fish, grass, with the right to draw all its rents from the temporary tenants, with proceeds drawn from fines for ten crimes, from the proceeds drawn as reward on catching thieves, free of all obligations, with the right to forbid the entry of regular and irregular troops, without least obligations according to Bhūmichhidranyāya as long as the sun and the moon shall last, except, however, such lands as has been given to God and Brāhmanas in the past. And, so that the glory of my father and mother, and my own fame may be increased I have caused this śāsana to be engraved, and granted to great Vihekarātamiśra, who is affiliated to Aupamanyava gotra and Bhaṭṭa Pravara, studying the Aśvalāyana branch of the Vedas, proficient in Grammar and Logic, son of śri Varāharāta, who has purified his soul through learning, grandson of Bhaṭṭaviśvarata, who has performed many Vedic sacrifices, and is proficient in Vedic laws.

It is the duty of all of you to take note of this grant and act accordingly, taking into consideration the massive fruit (merit) accruing from the gift of land and through fear of going to hell by usurping it. The neighbouring tillers of the soil hearing and following the proclamation should hand over the customary taxes, payable in gold and in the form of all other income, to the donees.

This was proclaimed on the 21st day of the month of Māgha in the year sambat 33.

Now follows the dharmānuśasanaśloka: The request was repeatedly made by Rāma to all future kings, that land grants as a common bridge to piety has got to be maintained in every age. Land has been donated by a number of kings beginning from Sāgara; whenever whoever becomes the Lord of Earth, the fruit of the gift accrues to him.

A man who takes back land donated by him or by others, suffers along with his forefathers in hell assuming the form of worms.

Thus, considering that fortune and human life are as unsteady as drops of water on lotus petals, and understanding all that has been said before, men should not tarnish the reputation of others (spring from gift of land).

The king, an appreciator of merits, engaged as announcer of this auspicious proclamation his own son, crown prince Rājyapāla, endowed with purity of both the families and possessing qualities and conduct equal to those of his own self.

Scotland, Bengal, and Germany: a brief overview of diplomatic

In his introduction to *The Reality behind Charter Diplomatic in Anglo-Norman Britain*, Dauvit Broun has argued that charter diplomatic 'is more than a dry technical counterpart to the rich information about social relationships, identity, law and politics that can be gained from reading charters. It can lead to fresh insights about language and identity, land law and kingship.'[46] In his chapter, below, John Reuben Davies has given various examples of royal donations to monastic institutions in Scotland: in the same way as the Sanskrit inscriptions, the king makes an act of almsgiving to God and to the monastic community, and does so in return for the welfare of the the souls of his father and mother, and for the (spiritual) welfare of his brothers and sisters.

[46] *The Reality behind Charter Diplomatic in Anglo-Norman Britain: Studies by Dauvit Broun, John Reuben Davies, Richard Sharpe and Alice Taylor*, ed. Dauvit Broun (Glasgow, 2011), xv.

Further, as in the case of the donative inscriptions from Bengal (as well as *acta* from Germany), a gift can be made with 'all lands, woods, waters, tolls', and so on, and can be freely disposed according to the will of the monks in perpetuity.

The protocol comprises three subordinate parts: *inuocatio* ('invocaton'), *intitulatio* ('title'), and *inscriptio* ('address'). The opening portion of the copper-plate texts, namely the benediction and invocation, is like the introductory clauses of the Latin documents from Germany. The next part of the protocol, the *intitulatio*, gives the name of the donor with his formal title. In almost all the copper-plate inscriptions of the Pāla dynasty of Bengal-Bihar, the concerned donor-king is introduced with a long *praśasti* (panegyric verses); such *praśastis* contain the genealogy of the royal families and their exploits in a highly stylised fashion. This feature is absent in the Latin documents (although Broun draws some interesting parallels from Scotland, below).[47] *Praśasti* as literature in medieval Germany flourished and precisely served the same purpose as in India or in Scotland: to praise the king as the messenger of God, sent to the earth to bring the rule of law, which in the German language is expressed as *gerecht regieren* ('just rule'), or in the Indian way, simply as the concept of *dharma*. I have already cited an example from the *Rāmacaritam* of Sadhyakarnandi – how he praised Rāmapala for defeating the Kaivartas and establishing the rule of law or *dhārma* in the Varendra region.[48]

The next part of the Latin documents is the *context*. It has six portions within it.

(i) *Arenga* – a general introduction with a stereotyped motivation. In the Sanskrit texts such a stereotyped motivation contains a general statement that the donation of land has been made in order to increase the religious merit of donor's parents. In both the cases these parts do not carry much judicial value.

(ii) *Promulgatio* – a formal declaration of the official act of donation. The clause, *Nouerit omnium Christi nostrique fidelium universitas* ('Let the entirety of all who are faithful to Christ and

[47] See Chapter VII, below.
[48] Above, p. 23.

to us know …') is comparable to the Sanskrit sentence *Viditam astu bhavatām yathoparilikhita meṣikagramaḥ* ('Let it be understood by you that the village called Mesika …'). The expressions *noverit … universitas* and *viditam astu bhavatām* stresses the public nature of the donation.

(iii) *Narratio* – a narration of the actual or alleged individual circumstances for issuing the grant. This contains different elements. In the given Latin document, the *narratio* contains a form called *interuentio*.[49] The request of the queen and the archbishop seems to have motivated King Conrad II to initiate the grant. In other situations in Germany, any kind of favourable service to the king motivated the donor to issue a grant in return. In any case, the *narratio* is hardly missing in Latin documents since there has always been a reason behind issuing a certain grant, no matter in favour of a person or institution. In the case of donative inscriptions from Bengal, and for that matter in India as a whole, the act of *dāna* to brāhmaṇas was meritorious enough to be justified by any reason or ground. Yet, we have interesting cases in Bengal where a comparable clause of the *narratio* may be found. In the Manhali plate of Madanapāla (*c*. 1152 CE), a Brahmin, Vaṭeswarmiśra Śarma, has become a beneficiary for the pious work of reading *Mahābhārata* for the queen Chitramatrika.[50] A village (revenue and other profits) was granted in his favour.

(iv) *Dispositio* – the corresponding portion is present too in the Sanskrit inscription. Thus, the charter of Conrad II and Devapāla are comparable; here we find names of beneficaries, the exact location of donated land, mention of privileges, making the respective beneficiaries absolute owners of the transferred lands. The nature of privileges listed in the documents from medieval Germany (*Pertinenzformel*) shows close similarities with the comparable privileges which empowered the beneficiary to administer the areas concerned.

[49] See *Clavis mediaevalis: kleines Wörterbuch der Mittelalterforschung*, ed. Otto Meyer (Wiesbaden, 1962), 171; also see 'interuentio', *Dictionary of Medieval Latin from British Sources Online*, Brepols 2015, on line at http://clt.brepolis.net/dmlbs/Default.aspx (accessed 29 November 2016).
[50] *Corpus of Bengal Inscriptions*, ed. Mukherji and Maity, 213.

(v) *Sanctio* – a prescription of punishment for violation of the terms of the donation. This is again strikingly like the admonitory (*dharmanusasana śloka*) statement of the Sanskrit inscriptions.

(vi) *Corroboratio* – gives the necessary legal validity to the act of granting. This is followed by information regarding details of the seals used for attesting the charter. In Bengal, different kinds of seals have been used to authenticate the grant.

The concluding part of the Latin charters from medieval Germany is the eschatocol. It is made up of two subordinate portions: (i) *Attestatio* – a list of donors, witnesses, *signa*; and (ii) *Datum* – date and place of issue. For example, the charter of Conrad II has the king's *signum*, whereas the *signum* of the donor does not occur in the inscriptions from Bengal. On the other hand, a long list of witnesses is present in either case; they include ranks of persons from royalty down to mercenaries. The difference is that the presence of witnesses mentioned in the Bengal inscriptions is often symbolic, while in the case of the German charters, the witnesses were physically present as part of the transaction.[51] Nevertheless, in Bengal charters, the mention of witnesses is significant; for, it was declared that after the transfer was made, soldiers (*chāṭa bhaṭa*) were not allowed to trespass upon the beneficiary's domain. As regards dates of the grant, the style is remarkably same: in both the cases the year is the regnal year. For example, in the case of Devapāla, the gift was issued in the thirty-third year, while in the case of Conrad II, it was in the very first year of his reign.

The concluding part of the Bengal charters often provides the name of the *dūtaka* (the king's messenger or envoy), *śilpin* (the engraver) and *lekhaka* (writer or clerk). This part, besides indicating the position of *dūtaka*s, goes into the subject of his relationship with the donor-king. *Dūtakas* were often persons with high official status, who played a significant role in the

[51] On witnesses in Scottish charters, see Dauvit Broun, 'The presence of witnesses and the writing of charters', in *The Reality Behind Charter Diplomatic*, ed. Broun, 233–79; witnesses could, in fact, be recorded at different stages, which suggests that 'the charter and the transaction it represented were regarded as parts of a single process' (*ibid*., 273).

royal administration. The *dūtaka*'s role can easily be compared with the role of the interveners (*intervenientes*) of medieval Germany.

The function of interveners was to advise a king who wished to make the transfer of property. In the Latin document the corresponding role was played by Queen Giesela and Archbishop Aribo, for they suggested to Conrad II that he make the donation in favour of Wilhelm. In the case of the Sanskrit document, Prince Rājyapāla acted as a *dūtaka* for his father's pious act.

In conclusion, if we try to compare the texts, what comes up is the following difference: in the case of Bengal, a considerable part of the inscription deals with the donor's ancestry, and the *jayaskandhāvāra* (military camp) whence the charter was issued. By contrast, in the case of the Latin documents, the charters are more factual and judicial in nature.

Immunity in the Imperial Church System (Reichskirchensystem): parallels in the Pāla inscriptions

The Carolingian and Ottonian kings and emperors relied so heavily on the support of bishops to administer their kingdoms, and such a strong co-dependency between bishop and monarch grew up, that German historians developed the term *Reichskirchensystem* ('Imperial Church System').[52]

Reichskirchensystem became shorthand for indicating the dominant aspect of Carolingian and Ottonian churches. A very significant feature of the early German polity was the sanction of royal immunity for churches and ecclesiastical persons. It was this which helped give rise to the *Reichskirchensystem*, a function of which was to stabilise the king's power and to counterbalance the power of the tribal duchies (*Stammesherzogstümer*). We may compare the status of the tribal dukes of Germany with the *Sāmantas* of early medieval India: after all, the state in early medieval Germany was nothing but the

[52] Timothy Reuter, 'The "Imperial Church System" of the Ottonian and Salian rulers: a reconsideration', in his *Medieval Polities and Modern Mentalities*, ed. Janet L. Nelson (Cambridge, 2006), 325–54 (originally published in *Journal of Ecclesiastical History* 33 (1982), 347–74).

amalgamation of duchies dominated by the Franks, Swabians, Saxons, Bavarians, Thuringians, etc. The formidable unification policy followed by the Saxons, especially Otto the Great (962–973), contributed to the integration process between the centre, headed by the king, and the regional power-blocs, represented by the tribal duchies. As Werner Conze has pointed out in *The Shaping of the German Nation*, the idea of the Roman Christian Universal Empire in the medieval period gave a strong impetus to the emergence of the German nation (or state).[53]

Another strong factor in the consolidation of the German state was the linguistic identity of the German people. This is evident in the existence of the concept of a *regnum teutonicum*. The old languages of the tribal duchies were replaced by standardised Middle High German, while at the same time German law (*ius teutonicum*), neutralising the regional differences within several dialects, gave a unified (or standardised) form to the language. Throughout the length and breadth of German history, if we consider the military strength of the individual monarchs as an important factor for shaping the nature of the state, no less important were the religio-cultural, linguistic, and legal factors. Strong bases of ecclesiastical fiefdoms, in the form of sees in various places like Mainz, Worms, Cologne, Ausburg, Fulda, Reichenau, became active bases for the consolidation of such political identity. That the relation between the papacy and the German Reich was not always so comfortable, yet remained within the expected mutual respect, is shown in the Concordat of Worms in 1122.[54]

[53] Werner Conze, 'Holy Roman Empire of the German Nation', in his book, *The Shaping of the German Nation: A Historical Analysis*, transl. Neville Mellon (London, 1979), 8–23.

[54] The Concordat of Worms (1122) was made between Henry V and the pope, Calixtus II, through which it was agreed that the bishops would henceforth be elected, and not appointed by the German emperor. But the bishops had to pay homage to the emperor as feudal overlord for their temporal possessions. The making of such an agreement brought an end to the Investiture Controversy (1075–1122). See Bruce Bueno de Mesquita, 'Popes, kings, and endogenous institutions: the Concordat of Worms and the origins of sovereignty', *International Studies Review* 2 (2000), 93–118.

To understand properly the logic of power adjustment between the temporal and spiritual worlds in the early German polity, a few words should be written about how the Roman Church played its role in the legitimisation process of the title, 'Holy Roman Emperor of the German Nation', used by Otto I. Indeed, after defeating the Magyars in the war of Lechfeld, Otto looked to Rome, seeking due acknowledgement. We know that the great migration (*Völkerwanderung*) had posed a challenge to middle Europe (the Romano-Germanic heartland) during the period from the fifth century to the seventh. Otto thus became a figure who could stop the wave of 'outsiders' or migrants. The timely defeat of the Magyars through his victory in the battle of Lechfeld (near Ausburg) made Otto indeed a 'hero'. Here the river Danube was made a boundary that was not to be crossed by the non-believers.

Otto I was crowned emperor by Pope John II in 962 and became practically the emperor of Germany and Italy. The Roman popes were equally in need of support in order to hold on to their authority: it was a challenging time as the popes fell prey to local Italian politics. Otto stayed in Rome for three years, as his presence was needed to bring stability which the pope desired. Otto's two immediate successors, Otto II and Otto III, also engaged with Rome, though not so successfully as Otto I. Otto's 'look-east policy' drove him to engage with the eastern Roman empire in Byzantium as well, choosing for his son's marriage the Byzantine princess Theophanu.[55]

Returning to the subject of the *Reichskirchensystem*, one of the most striking features was the granting of lordly immunity, which developed from the exclusion of public officials from the exercise of jurisdiction by, or on behalf of, the immunist.[56] And such immunity applied to churches.

In the discussion of comparative feudalism, European scholars and scholars from Japan have stressed the necessity of

[55] See the collected essays in *The Empress Theophano: Byzantium and the West at the Turn of the First Millennium*, ed. Adelbert Davids (Cambridge, 1995).
[56] Reuter, 'The "Imperial Church System"', 346.

immunity.[57] Remarkable, however, is the observation of the British historian, J. S. Critchley, in writing of the existence of such immunity in the case of early medieval India as documented in the copper-plate inscriptions. Critchley wrote of the tradition of donation to brāhmaṇas in classical Indian literature. Besides *Mahābhārata*, he referred to *Pañchatantra* (fables) and the chronicle *Rājatarnagini* of Kalhana from Kashmir.[58] But most striking is his reference to taxes like *udraṅga* and *uparikara* from which an immunist was exempted; or when we are pointed to the prohibition of c*hāṭa*s and *bhāṭa*s (royal soldiers), the entry of whom was forbidden in the transferred zone. Critchley, besides drawing examples from India, wrote about Anglo-Norman, Persian, and Merovingian-Frankish traditions, where the concept of immunity was very clear.

In the case of the Devapāla charter issued at Muṅgir, the content of which has been described in detail above, the grant of immunity was in favour of a *brāhmaṇa*, Vihekarātamiśra. While discussing that charter of Devapāla, I restricted myself to showing the similarity between the structure of the texts. Let me take another example from Germany where readers can follow the striking similarity between immunity enjoyed in medieval Germany and early medieval Bengal by beneficiaries, whether institutional or individual.[59]

Otto confirms to the monastery at Werden its immunity and other rights

> In the name of the holy and indivisible Trinity. Otto, king by the mercy of God's favour. If we graciously grant the requests of the servants of God, we believe it will be clearly beneficial to us for winning the prize of eternal happiness. Wherefore we wish it to

[57] For a detailed discussion on 'feudalism' and the emergence of proprietary rights over land in India and Europe, see my *Landschenkungen und staatliche Entwicklung*, chapters 7–9. As I have argued, medievalists in Germany have developed a strong school based on legal traditions; thus, words such as *Rechtsgeschichte*, *Lehenswesen*, etc., are often used instead of 'feudalism'.

[58] J. S. Critchley, *Feudalism* (London, 1978), 61.

[59] Translated from the Latin text edited in *Die Urkunden Konrad I, Heinrich I, und Otto I*, Monumenta Germaniae Historica: Diplomata Regum et Imperatorum Germaniae I (Hannover, 1879), 93–4 (no. 5).

be known to all our faithful men of the holy Church of God both present as well as to come, that our faithful man Wigger, abbot of the monastery that is called Werden, has made known to our highness how the monastery of these same monks was entrusted to them by Saint Ludger, the bishop of blessed memory, as their own heritage, and was built and wholly transferred to the monks both for the eternal memory of the most glorious kings, Ludwig son of King Charles the Great and his successors, and all of their most glorious progeny was preserved to the present day by their defence and protection.

For this reason, he has besought our good will to take the same monastery under our protection and affirm by our authoritative injunction all the grants conferred on it by our ancestors. Giving assent to his reasonable and just petition, we decree and order, first of all, that the same monastery together with everything belonging to it should fully enjoy the guarantee of immunity, either from public taxes or whatsoever means their slaves, bondmen, or freemen be constrained by any judicial authority. If there be anything for investigation or correction, let it be investigated and corrected in front of their advocate. The brethren of the aforementioned monastery and their men should continue free from every investigation of taxes or toll. In addition, what has been conceded to other communities of monks also remains firm, so that wherever they have demesne estates, out of the properties which are acquired there, let them give the tithes at the gate of the monastery, and let them not be constrained to give them elsewhere, so that from that source, in return for our own and our entire progeny's everlasting reward, the pilgrims and sojourners who come may be served.

We have moreover also granted to the same college of brethren the power of regular election, for the election of an abbot from among themselves, so that it may please them well to entreat God's majesty continually for our own salvation and that of our sworn men and of our whole empire.

So that this grant of our authority should have stronger endurance in the name of God, we have validated it with our own hand, and sealed it with the impression of our ring.

The sign of the lord Otto, most invincible king.

> I, Poppo the chancellor, have authenticated in the place of Hildebert.
>
> Given on the third day from the kalends of January [30 December], in the tenth indiction, in the 936th year of the Lord's incarnation, in the first year of King Otto. Enacted at Taleheim. In the name of God, Amen.

The Benedictine abbey of Werden, situated in the Ruhr area of Essen-Werden, Germany, was given immunity from taxes and any external judicial authority, as well as the right to elect its own abbot. The land donated in the Muṅgir charter was likewise exempted from public tax (*akiñcitpragrājhya*). In both cases the rights of jurisdiction regarding criminal law went in favour of donees and immunists. In short, as a result of the grant of immunity in early medieval Bengal and in the Ottonian empire, there emerged an individual proprietary right (German *Grundherrschaft*, Latin *dominium*) over the land and its inhabitants. Although the analogies between the immunities prove the possibility of a comparison between India and Europe, the process of state formation and the socio-economic formation in early medieval India should be explained in its own context.

The meeting of India and Europe in the Indo-European historical-linguistic context

Our joint project has been an exceptional one, as Indian and European scholars have worked together to explore commonalities between two regions as distant from one another – in many senses – as early medieval Bengal and medieval Scotland. Both belong to the same great ethno-linguistic family of Indo-Europeans. This being the largest family of languages, it brings within its scope not only the Romance, Germanic (Teutonic), Celtic, and Slavonic languages, but many Asian languages spoken today in the Arab world, Turkey, parts of Russia, and so on. Bengal is the home of Middle Indo-Aryan language speakers who live in West Bengal (India) and Bangladesh; and, as in most parts of India, the cultic and ruling castes understood and probably spoke also Sanskrit. This is why the copper-plate, and other dedicatory inscriptions engraved on stone, were also

written in Sanskrit. After the end of the Hindu-Buddhist period in the thirteenth century, Bengal started experiencing a rapid process of Islamisation. A large portion of the rural populace embraced Islam. Although, at the grass-roots, many popular cults remained of a mixed Hindu-Buddhist-Islamic nature, Islam yet became the dominant political and social force in Bengal from the thirteenth century onwards. After the thirteenth century we do not see any more land donations favouring brāhmaṇas, nor the reciting and writing of eulogies in Sanskrit by the court poets. Patronisation of literary talents who wrote in the Bengali language at the court level, however, did not stop; and so even Islamic Bengal opened a new chapter in *praśasti* literature.[60]

Taking various aspects of diplomatic, I have tried to highlight many commonalities, in the structure of charters as well as in the spirit of the matter. Whether in India or in Europe (in this case in Germany and Scotland) any donation, large or small, should be treated as an act of permanent effect. Once land is made rent free and been transferred, it cannot be taken back. Nearly four decades ago when I discovered the astonishing analogies between donative charters of land from medieval Germany and early medieval Bengal, I was so much under constraint to complete my doctoral work that I hardly found time to ponder the question, let alone find any answer. Instead I used the opportunity to learn Latin so that I could study the charters from the aspect of *Rechtsgeschichte* (legal history) and *Grundherrschaft* (individual proprietary right). German historians do not talk much about 'feudalism'; the most important element of medieval society and state was the law, the practice of administration, and bureaucracy. That in every pre-modern and pre-industrial society patron-client relations existed at various levels, in which land and income from landed property played the major role, does not need to be mentioned. In medieval Germany, in contrast to France and England, the

[60] Enthusiasts can refer to my essay, 'Myth and history of Bengali identity in Arakan', in *The Maritime Frontier of Burma: Exploring Political, Cultural and Commercial Interaction in the Indian Ocean World, 1200–1800*, ed. Jos Gommans and Jacques Leider (Leiden, 2002), 199–212.

system of 'advocacy' or *Vogtei* (French *avouerie*) became extremely important. The *Vogts* often monopolised 'almost completely the exercise of high justice within the monastic lordships'.[61] There emerged in Germany a unique convergence of interests which gave rise to a system, unique when compared with other European countries. On the other hand, for the Indian counterparts of the project, Reuter's chapter 'The making of England and Germany 850–1050: points of comparison and difference', deserves special attention.[62]

History does not give any 'last word'. Looking at various common symbols of power and legitimacy as traceable in various objects of art, there is no way to deny the fact that the Hindu-Buddhist idea of justice and governance impressed the Romano-Germanic people of continental Europe. I am convinced that the elites of those societies which spoke the Indo-Aryan family of languages were active agents of transmission of knowledge from Asia to Europe. Just think about the lost empire of the Mittanis and Hittites, the northern part of Iraq, Syria and south-eastern Turkey, which made the heartland of this lost Indo-Aryan civilisation. Have we asked ourselves what made the eastern Roman Empire so strong and so attractive for the rulers of Italy and Germany? Greece and Turkey today may have lost their past glory or significance for Indian historical research; but great Indologists – no matter where they sat – Paris, Oxford, Bonn, Berlin, or Prague – looked to the East, studied comparative philology, learning not only Greek, Sanskrit, and Latin, but a host of other languages of the Indo-European family. Rulers of Germany and Italy, as I have outlined above, were well aware of the importance of Byzantium. The interest with which Liutprand – the famous monk-scholar, bishop of Cremona, and diplomat – helped Otto the Great to marry his son, Otto II, to a Byzantine princess, Theophanu, speaks for the quest to 'look East'.

[61] Marc Bloch, *Feudal Society Volume II: Social Classes and Political Organization*, transl. L. A. Manyon (London, 1975), 129.
[62] Timothy Reuter, 'The making of England and Germany, 850–1050: points of comparison and difference', in *Medieval Polities and Modern Mentalities*, ed. Janet L. Nelson (Cambridge, 2006), 284–99.

A second conclusion that I could draw has something to do with a larger canvas of cultural renaissance. The Pālas and the Saxons in their respective empires not only strengthened regional identity, but their eras also experienced a creative phase in cultural life, especially in art and architecture. The Pāla school of art became a model which found its followers beyond the border – in Myanmar, for example. So also became the case with the Ottonian-Salian school of art: witness the famous cathedral in Speyer, with its unique architectural style, copied in Lund.[63] It is interesting that with the consolidation of ecclesiastical fiefdoms as a system, the building of cathedrals in the Romanesque style found popular enthusiasm and support.

That the people of western Europe, of England, Wales, Scotland, and Ireland, were connected with their Asian (in our case Indian) counterparts at some level is worth arguing. In this apparent linguistic-cultural intercourse, Buddhism – or rather the Hindu-Buddhist world – plays a major role. On the basis of what I have tried to explain, perhaps I may be allowed to suggest an alternative expression to the 'Silk Road', namely, the 'Route of Dharma' or the 'Path of Righteousness', so very common in the Hindu-Buddhist and the Christian world of Asia and Europe alike.

[63] Eric Fernie *et al.*, 'Romanesque', in *Grove Art Online* (OUP: 1 January 2003 (accessed 14 November 2018), on line at www.oxfordartonline.com/groveart/view/10.1093/gao/9781884446054.001.0001/oao-9781884446054-e-7000072835

II

The forms and format of the copper-plate inscriptions of early Bengal

Sayantani Pal

Introduction

The earliest epigraphic records for the transfer of land in India are found in peripheral areas like the eastern Deccan, western Deccan (Maharashtra) and central India in the fourth century CE. Donations of land have for a long time been considered an important agent in the formation of states (particularly in the Indian early middle ages – sixth to ninth centuries CE), in the establishment of the Brahmanical *jati-varna* society (as perceived by the brāhmaṇas as an ideal model of the structure of society and recorded in the scriptures written by them in the core region), and religious appropriation in peripheral areas. The role of donative inscriptions in the shaping of regional societies must therefore be a central consideration for the historian.

The format of the copper-plate inscriptions drew its inspiration from normative texts like the *dharmaśāstra*s, which began to be composed from the second century BCE. They discuss the donation of land, its merit compared to other kinds of donation, the format, and what the record should contain. For instance, Yajnavalkya I. 318–20 (*c.* 100–300 CE) prescribes the following rules.[1]

> When a king makes a gift of land . . . he should execute a writing (about the gift) for the information of future good kings. He (the king) should issue a permanent edict bearing his signature and the date on a piece of cloth or on a copper-plate marked at the top with his seal and write down thereon the names of his

[1] P. V. Kane, *History of Dharmaśāstra: Ancient and Medieval Religious and Civil Law*, vol. II, part 2 (Poona, 1941), 860–61.

> ancestors and of himself, the extent (or measurements) of what is gifted and set out the passages (from Smrtis) that condemn the resumption of gifts.

In the early period, Bengal (that is, the undivided Bengal of the pre-independence era, comprising present West Bengal in India and the independent country of Bangladesh) was not a homogenous unit. Neither did it constitute a single administrative unit, nor did its cultural identity take shape. The Bengal Delta was located at the periphery of the core region of North India centring on the mid-Ganga valley, embracing the present provinces of Uttar Pradesh and Bihar to the south of the Ganga. Therefore, it developed a distinct course of major historical developments taking place in the core region, be it the issue of state formation, urbanization, or monetisation, and so on. In the matter of the donation of land the same is true. Here the series of copper-plate inscriptions begins with some combined deeds of sale and subsequent donations of land that are unique in character.

The emergence of copper-plate inscriptions: fifth to sixth centuries CE

From the northern part of the Bengal Delta, embracing the present Dinajpur districts of West Bengal and the Rajshahi Division of Bangladesh, including the districts of present Dinajpur, Bogra, Naogaon, Natore etc., we have twelve records. They were issued under the Imperial Guptas (319 to 550 CE) who had their core territory in present Bihar, to the south of the Ganga and Uttar Pradesh. These documents are combined deeds recording the sale and donation of the same land and are dated from the fifth to the mid sixth century CE. They bear seals which are lost or illegible in most cases. The earliest of them is the Dhanaidaha copper plate of 432/33 CE. The Damodarpur plate of Visnugupta bears a seal with the legend which indicates that it belonged to the office of Kotivarsha, which appears to be the

headquarters of the province.[2] The content of the plates begins with reference to the date; next there is the description of authorities, which includes the emperor, the governor of the province, the district magistrate and his office, also generally including members from occupational communities, such as the president of the city guild, the caravan trader, the chief artisan and the chief scribe. The applications for such purchases of land were usually made to offices (*adhikaraṇa*s) at a local level: the village/*vīthi*, or a unit of a group of villages, a city, or a district. In this manner a hierarchy of *adhikaraṇa*s (offices) appears in the inscriptions. Each had a different nature in the matter of its composition or area of control. The intending purchaser and/or donor of land used to submit his application to these bodies, stating the type, amount, and current price of the land required by him, as well as the purpose of purchase. Next, mention is made of the *pustapāla* (record-keeper), an official entrusted with verification of the applications. After a favourable report by the *pustapāla*, land would be handed over to the purchaser on payment of the price. Afterwards, the purchaser would donate the same plot of land to a brāhmaṇa (the highest rank in the society according to the *varna-jati* structure) or a religious institution. The inscriptions end by quoting the imprecatory verses from the *dharmaśāstra*s, referring to the religious merit and demerit resulting from the preservation and confiscation of the donated land. This pattern has been maintained in all the charters, with variation in the description of authorities.

Local rulers in the sixth century

Five copper-plate inscriptions from the Faridpur area of present Bangladesh have been ascribed to the sixth century, based on palaeographic considerations.[3] They belong to four kings who ruled subsequently, as would appear from the names of the

[2] R. G. Basak, 'The five Damodarpur copper plate inscriptions of the Gupta period', *Epigraphia Indica* 15 (1919), 113–45.
[3] F. E. Pargiter, 'Three copper plate grants from East Bengal', *Indian Antiquary* 39 (1910), 193–216; Ryosuke Furui, 'The Kotalipada copper plate inscription of the time of Dvādaśāditya, year 14', *Pratnasamiksha*, n.s. 4 (2013), 89–98.

members of the committees handling land donation. In some cases, the same person appears under two rulers. Their seals refer to the district administrative office of Varakamandala, indicating its authority in transactions of land in the area concerned. The pattern noticed in the Gupta inscriptions (already discussed) has been maintained in them. They refer to the authorities in a hierarchical order, beginning from the *mahārājādhirāja* (king of kings) at the top, and ending at the locality level. The manner of stating the type, price and amount of land, the purpose for its purchase, the tenure, the sending out of the *pustapālas* for verification and their approval, the final handing over of the plot on payment of the price, and its subsequent donation, have all been arranged in the same manner as in the North Bengal inscriptions. So, in the matter of courtly culture, the Guptas served as the model in this area, which was in the process of integrating itself into the Brahmanical culture of North India.

The western Bengal Delta: sixth and seventh centuries

Some copper-plates from the western part of the Bengal Delta (to the west of the Bhagirathi-Hugli channel) of the sixth and seventh centuries, indicate the gradual decline in the role of the local administrative body (*adhikaraṇa*) in the conveyance of land. They are the Jayarampore (Balasore District, Odisha) and the Mallasarul (Burdwan District, West Bengal) plates of Gopacandra (believed to be the same as Gopacandra of the Faridpur plate), three copper-plates of Śaśāṅka and one of Jayanaga. Among them, two copper-plates of Gopacandra and one of Śaśāṅka are similar in format and terminology. In all of them the local notables play a decisive role in the transfer of land. They were mostly the landed magnates of the localities.

The other two copper-plates of Śaśāṅka, from Antla (West Midnapore District), issued after an interval of eleven years, are rather brief in nature and do not refer to the group of local notables in elaborate manner like the other plates.[4] Both bear the seal of the *adhikaraṇa* of Tavira, the locality. The first copper-

[4] Ramesa Chandra Majumdar, 'Two copper plates of Śaśāṅka from Midnapore', *Journal of the Royal Asiatic Society of Bengal, Letters*, 11 (1945), 1–9.

plate is in the form of a notification issued by the local office, giving notice that Śaśāṅka's *mahapratihara* (chief chamberlain) had purchased land from them and had given it to a *brāhmaṇa*. Through the second copper-plate, the same office of Tavira again issued the notification that a subordinate ruler (*samanta maharaja*), Somadatta, the administrator of two provinces, Dandabhkti and Utkaladesa, had granted a village to a *brāhmaṇa*. This information was communicated to the said office by a minister of Somadatta. In both the copper-plates, the role of Tavirakarana is rather formal, that is, only to issue the notification. They did not play any active role in deciding the matter of land transfer.

In the next stage, the importance of local government is further reduced. In the Malliadanga/Vappaghosavata copper-plate of Jayanaga, again from the western part of the Delta, we have a hierarchical order of administrators with the king, Jayanaga, at the top, *samanta* (subordinate) Narayanabhadra, the donor under him, and *mahapratihara* (chief chamberlain) Suryasena under the latter.[5] Narayanabhadra simply gave a command to Suryasena that he had given the village of Vappaghosavata to a *brāhmaṇa*, and the *mahapratihara* was left with the duty of the formal execution of the charter.

Taken together these six charters from West Bengal issued in the period between the sixth and seventh centuries mark the transitional phases in the format of copper-plate charters of this area. The most important issue is the gradual decline in the role of the local offices (*adhikarana*). In the first stage the charters issued during the Gupta rule in North Bengal bring out the importance of the local *adhikaraṇa* and its active role in deciding land-related matters. The copper-plates from Faridpur, being based on a Gupta model, also imply the same importance of the local *adhikaraṇa* in the Faridpur area. Next the six charters of Gopacandra, Śaśāṅka, and Jayanaga, from West Bengal, indicate the gradual decline in the role of the local *adhikaraṇa*. In the Jayarampore, Mallasarul and Egra copper-plates, the importance

[5] L. D. Barnett, 'Vappaghosavata Grant of Jayanaga', *Epigraphia Indica* 18 (1925–6), 60–4.

of the local notables as decision-makers is obvious. But the two Midnapore plates show a declining phase in this importance as they did not play any role in the transfer of land and were only left with the formal duty of issuing the notification with their official seal. In the plate of Jayanaga, there is no reference at all to any *adhikaraṇa*, although the existence of the district office (*visaya adhikaraṇa*) is indicated by the command of Narayanabhadra to Suryasena, his subordinate, that the charter should bear its seal.

Different format in the south-eastern Bengal Delta: early sixth century

Another class of inscriptions has a more-or-less uniform pattern. In them *adhikaraṇa*-like bodies are completely absent. They consist of an order issued by the king directly from his *jayaskandhāvāra* (camp of victory) to the inhabitants of the locality concerned, regarding the donation of land. In such texts we often have reference to a *dūtaka* (messenger) who used to make the communication with the king regarding the wish of the donor to donate land for a religious purpose, and the king's decision on this. Sometimes the inscriptions refer to a subordinate of the king as donor, or sometimes the kings themselves were the donors. Two copper-plates of Vainyagupta, a local ruler of South-east Bengal (presently the Kumilla and Noakhali districts of Bangladesh) belong to this type. They were issued directly by Vainyagupta from his camp at Krīpura. The first copper-plate copies and thereby approves an earlier donation of land to a monastery, made by a king called Nāthacandra ninety-three years earlier. Interestingly it says that the earlier record has been copied 'character by character' (line 5), suggesting that the earlier text had been written in the same format. Thus, the copper-plate actually consists of two records of donation. Both the records begin with the same sentence mentioning the military camp, and so indicate the existence of a fixed format for writing charters under this king, Vainyagupta. In the first copper-plate he says that he approves all the earlier donations made by kings of the place to brāhmaṇas and Buddhist

viharas as preservation of earlier royal donations accrues religious merit. Then he copies the earlier donation of Nāthacandra, which he approves. This is followed by quotation of benedictive verses regarding the religious merit obtained from preservation of land donations. Next the messenger and the writer are mentioned together with the date of the copper-plate. The donation of Nāthacandra follows; it is succeeded by a list of donated plots and movables. The latter is unique in Bengal, since in no other records of land donation do we have such an instance of the donation of movables.

The second copper-plate of Vainyagupta contains in addition reference to the addressees as *svapadopajivins* (dependants) of the king and probably also the brāhmaṇas and *kuṭumbin*s (peasant householders).[6] After the end of the formal portion, with a reference to the writer of the charter, an elaborate description of the boundaries of the donated plots is narrated. The first charter mentions the quantity of land purchased from each individual but the second charter is silent on this point. It is not known whether Rudradatta, the donor paid any price for the land. Neither of the copper-plates refers to any office under the authority of which the transaction was effected. Such inscriptions recording independent gifts of land by the rulers or at the 'request' of some high officials or subordinate rulers – as in the case of the second copper-plate of Vainyagupta – became regular from the end of the eighth century, with the rise of the Pāla dynasty.

Semi-independent rulers: later seventh century

Another pattern is noticed in the copper-plates of some semi-independent rulers of south-eastern Bengal in the seventh century. They do not conform to the above pattern of Vainyagupta's inscription. To this category we can place the Tipperah/Kumilla copper-plate of Lokanatha (*c.* 650 × 670 CE), the Kalapur plate of Marundanatha, and the Kailan and Udiswar

[6] D. C. Bhattacharya, 'A newly discovered copperplate from Tippera', *Indian Historical Quarterly* 6 (1930), 45–60.

plates of Sridharanarata (665 × 675 CE).[7] In all these charters the applicant had to give notice through a *dūtaka* (messenger) of his intention to give land to the king. After the consent was given by the ruler the role of the office of the *kumārāmātya* is nothing more than to issue a formal notification, while the local inhabitants – or at least the landed magnates or brāhmaṇas among them – do not appear to have played any role in the whole transaction. In fact, all these rulers were local and semi-independent. Thus, they did not have the elaborate bureaucratic staffs like those of the Guptas or the Faridpur rulers for the comparatively small area under their control.

In the next phase copper-plates were issued without reference to any office. This phase begins in Eastern part of Bengal with the copper-plates of the Khadga family. Two copper-plates of Devakhadga from Ashrafpur are formal and brief in nature.[8] They do not contain any long eulogy. The order for the donation was issued by the king directly addressing the superintendents of districts and peasant householders (*visayapatis, kutumbins)* etc. The seal contains a couchant bull – the royal emblem and the legend in the name of the king. The Khadgas were succeeded by the Devas (eighth century). They variously address the superintendents of districts (*visayapatis*), officials (*adhikaranas*), and others, suggesting the existence of the *adhikaranas* of these divisions. But they did not have any role in the transaction.

We should also note that, so far, the copper-plate inscriptions of the ruling dynasties did not become stereotyped in the matter of composition and phraseology. Thus, neither the plate of the Khadgas nor those of the Devas are stereotyped. The people addressed are different in the inscriptions of Devakhadga and Balabhatta. Even the two copper-plates of Bhavadeva do not use the same phraseology. The pattern of charters and phrases only becomes conventional and stereotyped when they are issued in a large number. That was not the case with these local rulers.

[7] D. C. Sircar, 'The Kalian copper-plate inscription of King Sridharana Rata of Samatata,' *Indian Historical Quarterly* 23 (1947), 221–41.
[8] G. M. Laskar, 'Ashrafpur copper-plate grants of Devakhadga', *Memoirs of the Asiatic Society of Bengal* 1 (1905–7), 85–94.

Regional powers: Pālas, Candras, Senas

With the establishment of the regional powers like the Palas and Candras from the eighth century onwards, the textual pattern of the copper-plate insciptions became stereo-typed mainly because of the increase in number and regularity of religious gifts of land. Each of these dynasties had specific preferences in choosing the design of the seal, and the shape and structure of the content of their copper-plate inscription.

The pattern adopted for writing the donative copper-plate inscriptions of the Pālas remained unchanged throughout the period of their lengthy ascendancy of four centuries, and the basic composition of the text may be divided into two parts. The first part usually describes the genealogy followed by a eulogy of the issuing ruler. The second part contains the donative portion, beginning with a stereotyped description of the victory camp from which the order of the donation is issued. In the donative portion are mentioned the location of the village or land being given, and the order of the donation made known to the people assembled to hear it. This is generally followed by the customary benedictive and imprecatory verses quoted from the Sastric texts. Among the people to whom the order of the gift was announced, we find mention of various groups of people like dependants at the feet of the king (*rajopadopajivins*), soldiers, the district officers and the residents of the gifted land. Apart from minor variations in the names of some of the officials, no significant change can be noticed in this list. The same is the case for the portion containing reference to the privileges attached to the donation and the tenure of the gift. The purpose of making donations is always the same, namely, attainment of religious merit for the donor and his parents. At the end, the instruction given to the resident cultivators of the donated area is the same in all the inscriptions.

The seals of all these copper-plates are also of the same type. They contain the Buddhist *dharmacakra* (wheel of Law) symbol with a couchant deer on either side. Below this device is found the name of the king who issued the order, in bold relief.

The donative portion of the Pāla inscriptions contain the following data.[9]

1. Description of the royal camp from where the order was issued.
2. Reference to the name of the reigning king at whose order the donation was made.
3. Reference to the location of the donated plot. The records do not go to the same length in this matter. Whereas the Murshidabad, Khalimpur and the Jagjivanpur plates minutely described the boundaries of the donated villages and plots of lands respectively, in general the majority of the Pāla charters do not specify the boundary demarcations of the donated plots.
4. References to the 'people' who assembled (*samupagatan*) in the donated areas to hear the order of the grant. It begins with references to the dependants at the king's feet, royal agents, various ranks of subordinate rulers like *rāja*, *rājanaka*; high officials, like the superintendent of districts, the commander-in-chief; soldiers and district officers, like the chief scribe or foreman of the *kāyastha* class, the chairman of the council of the *mahattaras* or elders; the residents, including the cultivators, the brāhmaṇas who are the leading members of the rural society, and last of all, those belonging to the lowest stratum of society, like the *chandalas*, who are considered to be untouchables. It is evident from a study of this list of persons that almost every official of the gift area – the rural notables as well as other members of the rural society – all were informed

[9] Based on the Murshidabad Plate of Dharmapala (*c.* 775–810 CE). Ryosuke Furui, 'Indian Museum copper plate inscription of Dharmapala, year 26, tentative reading and study', *South Asian Studies* 27 (2011), 145–56. The same lines are repeated in the other charters of the dynasty.

about the royal order regarding the donation. This feature is also present in the charters of the Candras as well as in those of the later dynasties like the Senas and others. Reference to such comprehensive lists of 'assembled people' in Pāla charters tallies with the fact that these were royal orders of land donation and were concerned with the attainment of religious merit by the king.

5. Next the actual order begins with the phrase *matamastu bhavatām*, 'be it known to you all'. In this part, some charters state the purpose of making the grant and refer to a person at whose 'request' the grant was made. Some other records, like the Munger plate, record the gift of land directly by the king to a *brāhmaṇa*, and in such cases there is no reference to anybody as one who 'requested' to make the gift. It may be pointed out that all the later donations are of this type.
6. Next a list of the privileges attached to the donations has been given. This list remained the same almost throughout the period. Together with this, there is reference to the tenure: the gifts were made in perpetuity. It is also mentioned that the gifts were made by excluding the previous gifts to gods and the brāhmaṇas lying within the donated land, and that henceforth all the dues from it, earlier payable to the king, were to be transferred to the recipient. The donations were always made for the attainment of religious merit by the king and his parents.
7. Next, there is reference to the recipient embodying either a religious establishment or a *brāhmaṇa*.
8. The resident cultivators were asked to transfer to the recipient all the customary taxes and dues.
9. This is followed by the benedictive and imprecatory verses quoted from *dharmaśāstra*s.

10. At the end of the charter there may be reference to the messenger (*dūtaka*), the writer and the engraver of the charter along with the date.

The stereotyped pattern of writing charters of religious donations of land appearing from the time of the Pālas was adopted by the Candras ruling further east (now the eastern part of Bangladesh) in the tenth and eleventh centuries.[10] They, however, do not give the ornate description of the camp of victory like those of the Palas.

The practice of granting land was continued by the Senas who ruled throughout all the subregions of the Bengal Delta in the eleventh to the thirteenth centuries, covering its northern, central, western and eastern part. The pattern of the charters of the Senas also corresponds to those of the Pālas and Candras, suggesting the adoption of the same *dharmaśāstra* models for writing copper plate charters by the Senas like the other royal families ruling from the eighth century onwards.

The donative portion of the charters begins with reference to the camp of victory from which they were issued. Next the name of the king who is issuing copper-plate, and his father, are given along with their titles. Then occurs a long list of people who 'assembled' at the donated area to hear the order. In this long list, which is similar to those noticed in the charters of the Palas and the Candras, reference has been made to the following categories of peoples:

1. the dependants at the king's feet (*rajopadopajivins*)
2. people belonging to the category of soldiers
3. the *jānapadas* or the rural folk consisting of the peasants, the brāhmaṇas and the chief brāhmaṇas.

After paying respect to them the king informed and ordered them by the words *matam astu bhavatam* (Be it agreed by you). Next

[10] E. M. Mills, 'A copper plate from the reign of Sricandra', *South Asian Studies* 9 (1993), 77–86. The same lines occur in the other charters of the dynasty.

the location of the land donated, its boundaries, the system of its measurement, the amount of land granted, and the yield of the donated land are mentioned. It is followed by reference to the privileges, the name of the donee brāhmaṇa and to his predecessors and sometimes also to the place of their origin. Thus, here we have a much more elaborate identity of the recipient brāhmaṇa than the earlier charters. Next the purpose of making the grant is stated and reference is made to its tenure and the imprecatory and benedictive verses quoted from the *dharmaśāstra*s. The inscriptions end with reference to the messenger, the date and the person or persons who registered and examined them.

Local rulers of Bangladesh: eleventh to thirteenth centuries

The charters of the Varmans, a family of local rulers in central Bangladesh at the same period follow the conventional pattern already adopted by the Palas, Candras and Senas for writing charters. The charters of other thirteenth-century local rulers, however, do not follow the stereotyped pattern. Indeed, these local rulers developed their own ways of writing charters which were suitable for their status. In this context Barrie Morrison observed that these local rulers lacked extensive contacts and did not participate as fully in the cultural community as did the longer-lived dynasties with wider territorial claims. Being local dynasties, they were relatively isolated and their cultures were more varied and individualistic. Use of conventional terms in some cases nevertheless shows that these rulers were not altogether unfamiliar with the Sastric texts.[11]

Conclusions

[11] Barrie M. Morrison, *Political Centres and Cultural Regions in Early Bengal* (Tucson, AZ [1970]; Jaipur-Delhi, 1980), 82–3.

To summarise we may group the copper-plate inscriptions of Bengal based on their forms and formats in the following manner.

1. *The Gupta model*

Refers to the king and his subordinates in hierarchical order, one being appointed by the other, ending at the locality level; mostly sale deeds; *pustapālas* as verifiers; approval of local official; seal important for the transaction.

2. *Sixth- to seventh-century plates: western/south-western Bengal Delta*

Local notables formed a coherent group and had a say in the transfer of land in their locality. All of them are sale deeds. They do not refer to *pustapāla* as verifying the application. Probably the function of the *pustapāla* used to be done by the local notables. This indicates the passive role of the state official like *pustapāla* and power of the local leaders.

3. *Two plates of Śaśāṅka from Medinipur, south-western Bengal Delta*

The text is rather brief and in the form of notification after the transaction. The local office was only informed, and its role was only to issue the notification. The first transaction refers to the purchase of land.

4. *Malliadanga plate of Jayanaga*

Again, from the western part of the Bengal Delta. Does not refer to any office. The notification of the grant was to be issued by an officer. The plates of Śaśāṅka and this charter do not contain the elaborate list of officials or the inhabitants of the locality.

5. *Copper-plates of Vainyagupta*

From the south-eastern part of the Bengal Delta. They have a completely different format, with reference to the military camp and the messenger of the grant and without any reference to an official body.

6. *Copper-plates of semi-independent rulers of south-eastern Bengal*

Another pattern is noticed in the charters of some semi-independent rulers of south-eastern Bengal in the seventh century. In all these charters the applicant had to notify his intention to give land to the king through a messenger (*dūtaka*). After the consent was given by the ruler, the office of the *kumārāmātya* issued a formal notification while the local inhabitants do not appear to have played any role in the whole transaction.

7. *Copper-plates of the semi-independent Khadgas and Devas*

In the next phase charters were issued without reference to any office. In the charters of these local rulers we still have reference to the superintendents of the districts and sometimes to their offices, indicating their existence. So far, the charters of the ruling dynasties did not become stereotyped in the matter of composition and phraseology.

8. *Two donations of land recorded on vases from Chittagong*

These are unusual; they are separated from each other by two centuries and their pattern is also different. The charter of Devatideva (*c*. 715 CE) records the purchase and donation of land by an officer. The vase of Attakaradeva records a donation by another official but it is written in the conventional manner, noticed in the record of Vainyagupta. It contains reference to the place of issue, the boundaries of the donated plots, the verses of benediction and the name of the writer and engraver but no reference to any office.

9. *The Pālas*

Undoubtedly the most prominent and stable regional power of Eastern India, the Pālas adopted a stereotypical format which continued through the four centuries of their rule. The shape, seal, the grand description of the military camp, the impressive host of officials addressed, the regular reference to messenger, everything regularly occurs in the Pāla inscriptions, indicating their authority and strict supervision over the appearance and organisation of the content of their donative records. The contemporary rulers like the Candras, Senas and Varmans also

adopted such a stereotypical format, which they maintained throughout their rule.

10. *Local rulers of the twelfth and thiteenth centuries*

They did not have the fixed format of writing copper-plates like the regional rulers mentioned above. Thus, each of their inscriptions has an individual pattern. Nevertheless, a general acquaintance with the required format of donative inscriptions as prescribed in the normative texts can be noticed in all the records.

III

The development of the charter in Scotland

John Reuben Davies

The charter tradition in the kingdom of the Scots

The earliest written act of a king of Scots to survive in its original form was issued in the name of Duncan son of Malcolm, who reigned during 1094.[1] Written in Latin with ink on parchment, the document was produced by the act's beneficiary, Durham cathedral priory. The texts of 1264 Scottish royal acts survive from the period down to 1314, with 366 still existing as originals; 474 acts of Scottish earls survive from the same time, 162 as originals. The Church has provided the locus for a very large proportion of surviving texts and original documents, including 730 acts of bishops, 160 of which survive as originals.[2]

These are the numbers of acts that survive. The total number of documents originally produced would have been much higher. The quantity of parchment originals that has endured intact seems good, given the relative fragility of their medium of production, especially by comparison with the near-indestructible copper-plates of Bengal. Where the original Scottish documents are lost, moreover, their texts often survive because they have been copied into a codex, a cartulary, compiled in a monastery or cathedral as some kind of record of its muniments.[3] Churches

[1] See pp. 73–5, below.

[2] Figures derived from the online database of these charters: Amanda Beam, John Bradley, Dauvit Broun, John Reuben Davies, Matthew Hammond, Michele Pasin (with others), *The People of Medieval Scotland, 1093–1314* (Glasgow and London, 2012), www.poms.ac.uk (accessed 12 April 2019).

[3] The motivation for producing cartularies is far more varied that previously understood: for the latest work on this subject, Joanna Tucker, *Reading and Shaping Medieval Cartularies. Multi-Scribe Manuscripts and their Patterns of Growth: A Study of the Earliest Cartularies of Glasgow Cathedral and Lindores Abbey*, Studies in Celtic History (Woodbridge, 2020).

were the beneficiary of the largest part of the written acts that survive from the twelfth and thirteenth centuries, and cartularies survive from twenty Scottish ecclesiastical communities.[4]

This period also witnessed the foundation of many new monastic houses in Scotland, which came with substantial endowments by the original patron and smaller gifts by successors and followers of the primary benefactor. Dauvit Broun has shown how, of the seventy-six charters of Malcolm IV (1153–1165) that relate specifically to his kingdom's heartlands north of the Forth and south of the Mounth, all but six were issued to ecclesiastical beneficiaries. Sixty-four of these charters were for the benefit of monasteries founded, re-founded, or raised to the rank of abbey by King Malcolm or his immediate predecessor, David I (1124–1153).[5] By contrast, the number of extant written acts to laymen is small, with only eleven of Malcolm's 161 surviving charters having been issued to laymen.[6] Matthew Hammond, setting out the evidence that kings of Scots did not routinely issue charters to lay beneficiaries until late in the reign of Malcolm IV, if not William the Lion (1165–1214), has reinforced Broun's view that the adoption of charters by the laity was a late development.[7]

Broun has argued that, if we consider the usage of the Latin charter in England, where rates of production and survival were

[4] Medieval Scottish cartularies are listed on the online resource, *Scottish Medieval Charters*, where the *Syllabus of Scottish Charters*, edited by Matthew Hammond, can be found, at scottishmedievalcharters.wordpress.com (accessed 12 April 2019); but alse see see Joanna Tucker, 'Understanding Scotland's medieval cartularies', *Innes Review* 70:2 (2019).

[5] Dauvit Broun, *The Charters of Gaelic Scotland and Ireland in the Early and Central Middle Ages*, Quiggin pamphlets on the sources of mediaeval Gaelic history 2 (Cambridge, 1995), 6–7.

[6] *Ibid.*, 7.

[7] Matthew Hammond, 'The adoption and routinization of Scottish royal charter production for lay beneficiaries, 1124–1195', in *Proceedings of the Battle Conference 2013*, ed. David Bates, Anglo-Norman Studies 36 (Woodbridge, 2014), 91–115; Dauvit Broun, 'The adoption of brieves in Scotland', in *Charters and Charter Scholarship in Britain and Ireland*, ed. Marie Therese Flanagan and Judith A. Green (Basingstoke, 2005), 164–83.

higher, the impression is that it looks even more like the concern of the ecclesiastical world, and of monasteries above all.[8]

Arguing against the concept, proposed by Wendy Davies, of a 'Celtic Charter' in Scotland, Broun has pointed to the adoption of the brieve during the reigns of Alexander I (1107–1124) and David I, kings of the Scots, to send written commands to their officers and to make gifts to (religious) beneficiaries.[9] In England, observed Michael Clanchy, 'laymen used documents among themselves as a matter of habit only when they became sufficiently familiar with literate modes to trust them', and this did not happen in England until the thirteenth century.[10] The doctrine of the livery of seisin (Scots *sasine*) persisted, so that the recipient of a transfer of property had to have the property delivered to him in due order, and physically enter into possession of it, for which a document recording the conveyance was not necessary.[11] Written words were not enough unless accompanied by physical symbols. Bracton's *Laws and Customs of England*, a long treatise describing the English law, and written in the thirteenth century, explained that 'a gift may be valid though no charter has been made', and conversely, 'the charter may be genuine and valid and the gift incomplete.'[12] A convention in the drafting of written instruments also became universal, that the past tense was to be used in charters of gift, so

[8] Broun, *The Charters of Gaelic Scotland*, 12–13.

[9] For the view that pre-twelfth-century Scotland was without charters, see Broun, *The Charters of Gaelic Scotland*, 29–44, and *id*., 'The writing of charters in Scotland and Ireland in the twelfth century', in *Charters and the Use of the Written Word in Medieval Society*, ed. Karl Heidecker (Turnhout, 2000), 113–31, at 114–20. Wendy Davies, 'The Latin charter-tradition in western Britain, Brittany and Ireland in the early mediaeval period', in *Ireland in Early Mediaeval Europe: Studies in Memory of Kathleen Hughes*, ed. Dorothy Whitelock, Rosamond McKitterick, and David N. Dumville (Cambridge, 1982), 258–80.

[10] Michael T. Clanchy, *From Memory to Written Record: England 1066–1307* (3rd edn, Oxfrord, 2013), 50.

[11] Henry de Bracton, *De Legibus et Consuetudinibus Angliae*, ed. G. E. Woodbine, rev. and transl. S. E. Thorne, 4 vols (Cambridge MA, 1968–77), II, 124–5.

[12] *Ibid*., 50.

that the donor would say, 'Know me to have given' (*Sciatis me dedisse*) rather than 'I give' (*Ego, N., dono*). In this way, the charter reflected the reality that the ceremonial conveyance of the property was the decisive element of the transaction. We should therefore not understand that every gift of land made in the twelfth century was recorded in a charter.[13]

Latin charters in twelfth- and thirteenth-century Scotland were not, however, mere rhetorical or historical instruments, but were written for the aid of the beneficiaries, expressing their rights in relation to the donor.[14] Broun has made the point that their appeal and authority also lay beyond the bounds of a kingdom: the language of charters, their form, and the script in which they were written meant that they could be read and understood anywhere in Latin Christendom.[15] They could, therefore, be used as the basis for appeals to the papal courts.[16] Broun has concluded that,[17]

> It should not be a surprise that kings also would be especially receptive to this new international awareness, if perhaps only to relish the exercise of kingship and the platform for wider recognition offered by such an active role as the Church's guardians . . . The conditions were right, therefore, for a document to gain currency which could formally encapsulate the power of kings and the authority of the rejuvenated Church. In these conditions [the charter] had the potential to be an effective instrument for safeguarding rights and property. Where both Church-reform initially and royal power subsequently became well established and gathered strength, the charter could eventually evolve into a stereotyped and standardised official document produced exclusively by a writing office, a stage which began to be

[13] See Broun, *The Charters of Gaelic Scotland*, 13–16.
[14] See Davies, 'The donor', 165.
[15] Broun, *Charters of Gaelic Scotland*, 25–6.
[16] For the rise of this phenomenon, see John Reuben Davies, *The Book of Llandaf and the Norman Church in Wales* (Woodbridge, 2003), especially 32–45.
[17] *Ibid*., 26, 47.

reached by the Scottish kingship only in the very last years of the twelfth century.

The Diploma

The earliest extant Scottish charter is properly a royal instrument in the form of a diploma rather than a charter proper.[18] The diploma concerns the disposition of land and rights but is not in the form of a letter. In the Scottish context, all the surviving diplomas are in favour of ecclesiastical beneficiaries. There is no clause of address, but instead the document begins with a solemn invocation of God (in Scotland, all surviving invocations are of the Holy Trinity, either as 'the Holy Trinity' or as 'Father, Son and Holy Spirit'). The grantor refers to himself in the first person, with the pronoun *Ego*, 'I'; the dispositive clause is in the present tense (*do, dono, concedo*, 'I give', 'I bestow', 'I grant', etc.); there is usually a solemn sanction at the end, invoking divine punishment and ecclesiastical penalties upon those who would infringe the terms of the act. A diploma is usually subscribed by signatories, and any witnesses have their names recorded in the nominative case rather than the ablative case. There are some departures from this form, especially in the Scottish context: most notably, there is not always a clause of sanction, the disposition is not always in the present tense, there are not always signatories, and witnesses are sometimes given in the ablative case. The essential diagnostic feature, then, is the use of *Ego* and the lack of an address. The earliest extant original royal act issued in the name of a Scottish king is therefore given below.

[18] See pp. 86–89, below for a definition of the charter as a category in diplomatics.

KING DUNCAN FOR DURHAM CATHEDRAL PRIORY (1094)

Durham University Library, Archives and Special Collections, Durham Cathedral Muniments [DCD], Misc. Ch. 554 (contemporary authentic duplicate). Edited by Archibald A. M. Duncan, 'The Earliest Scottish Charters', *Scottish Historical Review* 37 (1958), 103–35, at 119.[19]

[INTITULATIO] Ego Dunecanus filius regis Malcolumb constans hereditarie rex Scotię ⁘ [DISPOSITIO] dedi in elemosinam Sancto Cuthberto et suis seruitoribus Tiningeham . Aldeham . Scuchale . Cnolle . Hatheruuich . et de Broccesmuthe omne seruitium quod inde habuit Fodanus episcopus . et hęc dedi in tali quitantia cum saca et soca. qualem unquam meliorem habuit sanctus Cuthbertus . ab illis de quibus tenet suas elemosinas . Et hoc dedi pro me ipso . et pro infantnibus meis . et pro fratribus meis. et pro uxore mea . et pro infantibus meis . Et quoniam uolui quod istud donum stabile esset . sancto Cuthberto ⁘ feci quod fratres mei concessereunt . [SANCTIO] Qui autem istud uoluerit destruere . uel ministris sancti Cuthberti aliquid inde auferre ⁘ maledictionem Dei . et sancti Cuthberti . et meam : habeat . amen .

[ATTESTATIO] Crux Dun✠ecani regis | scribtoris Gr✠entonis
Ace✠ard | Ul✠f | Eadgari ✠ | Malcolumb ✠
Her✠mer | Hem✠ming | Ælf✠ric | Teo✠dbold | Vui✠get Ea✠rnulf

[TITLE] I Duncan, son of King Malcolm, by inheritance undoubted king of Scotland [DISPOSITION] have given in alms to Saint Cuthbert and to his servants, Tyninghame, Auldhame, Scoughall, Knowes, Hedderwick, and at Broxmouth every service that Bishop Fothad had from that place; and I have given these in such quittance, with sake and soke, as Saint Cuthbert ever the better had from those from whom he holds his alms. And I have given it for myself, and for the soul of my father, and for my brothers, and for my

[19] See the *Models of Authority* web resource for images of the manuscript and analysis of the text and palaeography; on line at www.modelsofauthority.ac.uk

> wife, and for my children. And since I have willed that this gift should permanently belong to Saint Cuthbert, I have done what my brothers have allowed. [SANCTION] But let the one who would destroy this thing or take anything of it away from the servants of Saint Cuthbert, have God's curse, and Saint Cuthbert's, and mine. Amen.
>
> [ATTESTATION] The cross of King ✠ Duncan | Of the scribe, ✠Grens
>
> ✠Achard | ✠Ulf | ✠Edgar | ✠Malcolm
>
> ✠Hermer | ✠Hemming | ✠Ælfric | ✠Uviet | ✠Theobald | ✠Ernulf

A second diploma, from the following year and the reign of King Edgar (1095–1107), survives only in a late medieval copy, but it is confirmed in two original *acta* of William II (Rufus), king of the English (1087–1100). A. A. M. Duncan has shown that the text, as it survives in DCD Misc. Ch. 559, is authentic.[20]

KING EDGAR FOR THE CHURCH AND BISHOP OF DURHAM (29 August 1095)
DCD Misc. Ch. 559 (fifteenth-century copy of lost original). Edited by A. A. M. Duncan, 'Yes, the earliest Scottish charters', *Scottish Historical Review* 78 (1999), 1–38, at 16, 22–3.

> [INVOCATIO] In nomine Patris et Filii et Spiritus Sancti Amen. [NOTIFICATIO] Notum sit omnibus Christi fidelibus presentibus et futuris quod ego [INTITULATIO] Edgarus filius Malcolmi regis Scottorum totam terram de Lodeneio et regnum Scotie dono domini mei Willelmi Anglorum regis et paterna hereditate possidens [DISPOSITIO] consilio predicti domini mei Regis Willelmi et fidelium meorum pro animabus patris mei et matris mee necnon et fratrum meorum Dunecani et Edwardi et pro salute corporis mei et anime mee et pro omnibus antecessoribus siue successoribus meis do Deo omnipotenti et ecclesie Dunelmensi et sancto Cuthberto glorioso pontifici et Willelmo episcopo et monachis in eadem ecclesia Deo seruientibus et imperpetuum seruituris mansionem de Berwic et cum ista mansione has subscriptas

[20] A. A. M. Duncan, 'Yes, the earliest Scottish charters', *Scottish Historical Review* 78 (1999), 1–38.

mansiones scilicet [twenty place-names follow] et mansionem de Collingham et cum ista mansione has subscriptas mansiones scilicet [ten place-names follow]. Has superscriptas mansiones do Deo et sancto Cuthberto cum omnibus terris et siluis et aquis et theloniis et fracturis nauium et cum omnibus consuetudinibus que pertinent ad predictas mansiones et quas pater meus in eis habuit quietas et solidas secundum voluntatem Dunelmensis episcopi libere disponendas.

[ATTESTATIO – signatores]
Signum ✠ Edgari Regis | Signum Alexandri fratris eius | S ✠ Menyanium Agulfi | S filii Doncani Eyluerti | S ✠ filii Eghe Omani | S ✠ Edgari aederling | Vhtredi | S filii Magdufe Constantini | S ✠ Roberti de Humet | S ✠ Aetele | A✠gulfi | S Alimoldi filii sui | ×Dauid |

[DATUM – dies et locus] Hec carta firmata est iiii^{to} kal. Septembris in cimiterio sancti Cuthberti apud Norham attestatio [ATTESTATIO – testes] presente Willelmo episcopo et Durgoto priore et Ansketillo preposito de Norham et Ilgero de Corneford et Waltero de Ualonis et Galfrido de Aldreio et Willelmo filio Alimodi et Johanne de Amundiuilla et Rachone Lotharingo et Gilberto et Wilfrido et Alimodo filio Makodi et Anulfo fratre suo. Et presente maxima multitudine Francorum et Anglorum quorum nomina longum est inscribere. [DATUM – annus] Hoc autem factum est eo anno quo Rex Willelmus filius magni Regis Willelmi fecit nouum castellum ante Bebbanburgh' super Robertum comitem Northanhymbrorum.

[INVOCATION] In the name of the Father and of the Son and of the Holy Spirit Amen. [NOTIFICATION] Let it be known to all Christ's faithful, present and future, that I [TITLE] Edgar son of Malcolm the king of the Scots, possessing the whole land of Lothian and the kingdom of Scotland by the gift of my lord William, king of the English, and by paternal inheritance [DISPOSITION] Give with the advice of my aforesaid lord, King William, and of my sworn men, for the souls of my father and my mother, as well as of my brothers, Duncan and Edward, and for the salvation of my body and of my soul, and for all my ancestors and successors, to

Almighty God and to the church of Durham, and to Saint Cuthbert the glorious bishop, and to William the bishop, and to the monks serving God in the same church now and in perpetuity, the toun of Berwick, and with that toun these touns written below, that is [twenty place-names follow], and the toun of Coldingham, and with that toun these touns written below, that is [ten place-names follow]. These touns written above I give to God and to Saint Cuthbert with all the lands and woods and waters and tolls and wrecked ships and with all the customs which belong to the aforesaid touns and which our father had in them, quit and firm, freely disposed according to the will of the bishop of Durham.

[ATTESTATION – signatories]
The sign of ✠ Edgar the king | The sign of Alexander his brother | The s(ign of) ✠ Agulf son of Ingemar | The s(ign of) Kilvert son of Duncan | The s(ign of) ✠ Olaf son of Oggu | The s(ign of) ✠ Edgar Ætheling | of Uhtred | The s(ign of) Constantine son of Macduff | The s(ign of) ✠ Robert of Le Hommet | The s(ign of) Agulf son of Ætalus | The s(ign of) Ælfwald his son | ✕ David.

[DATE – day and place] This charter was made firm on the fourth kalends of September [29 August] in St Cuthbert's churchyard at Norham [ATTESTATION – witnesses] in the presence of William the bishop and Turgot the prior and Ansketill the reeve of Norham, and Ilger of Cornforth, Walter de Valognes, and Geoffrey de Aldrie, and William son of Ælfwald, and John de Amundeville, and Lorrainer the Racho, and Gilbert, and Wilfred, and Ælfwald son of Makod, and Aiulf, his brother. And in the presence of a large gathering of Frenchmen and Englishmen whose names would take too long to write. date [DATE – year] This was done in the year in which King William son of the great King William built a new castle in front of Bamburgh against Robert earl of the Northumbrians [i.e. 1095].

Some features of early royal diplomatic

A feature which made a brief appearance in Scottish royal *acta*, if only in cartulary copies, was the *arenga*, an introductory portion of text which expresses in general terms the motive for the issue of the document. The putatively earliest (and only) examples appear in cartulary copies of diplomas. The first, a diploma for the founding of Scone Abbey by King Alexander I and his queen, Sybilla, reads,[21]

> Quia sicut rex et propheta Dauid testatur domum Dei semper decet sanctitudo … ('For as David the king and prophet testifies that sanctity always becomes the house of God …').

In the second example, King David I confirms jointly with his son and heir Henry, king designate, all that has been granted by Bishop Robert of St Andrews to the newly-formed cathedral priory of St Andrews in 1144.[22]

> Ad hoc nos diuina prouidentia in populo suo principes esse uoluit et debeamus et uelimus ipsi tanquam Domino et Creatori omnium subesse et subditis nostris magis prodesse quam preesse mala penitus extirpare bonum non solum ipsi facere uerum etiam benefacientes adiuare.
>
> *For this, Divine Providence has willed us to be princes among his people; and we ought to be, and also wish to be, subject to them as much as to the Lord and Creator of all, and rather to benefit our subjects than to rule them, thoroughly to root out those things that are evil, not only to do good for them, but also to aid those who act well.*

The development and standardisation of diplomatic in Scottish royal acta of the twelfth and thirteenth centuries

Three principal categories of royal act developed in Scotland in the twelfth and thirteenth centuries: brieves, letters of

[21] King Alexander and Queen Sybilla found Scone Priory, 1114 × July 1122; printed from the cartulary in *Liber Ecclesie de Scon*, Bannatyne Club (Edinburgh, 1843), 1 (no. 1), and in *Early Scottish Charters Prior to A.D. 1153*, ed. Archibald C. Lawrie (Glasgow, 1905), 28 (no. XXXVI).

[22] Edited from the thirteenth-century cartulary of St Andrews Priory in *Charters of King David*, ed. Barrow, 114 (no. 126).

notification, and the charter. (There were proclamations, treaties, letters of correspondence, and others too, but they were not produced or did not survive in large enough quantities to be significant here.)[23]

Brieves

Dauvit Broun has argued that it was kings, and probably Alexander I most of all, who promoted the adoption of brieves in the first half of the twelfth century.[24] The brieve derives its name from Latin *breue*; in England it is known as a writ.[25] Brieves were addressed to a specific person or group of persons, for example, a sheriff or sheriffs, burgh officers, earls or ecclesiastics, and would have been deliverable. In its simplest form a brieve allowed the king to enjoin those to whom it was addressed to do something or to refrain from doing something. An instruction followed immediately after the address and there was no notification clause. The text contained a specific command issued in the first person and directed in the second person: *mando tibi* ('I command thee') or later, *mandamus uobis* ('we command you'). The earliest surviving contemporary original brieve is from the reign of King Alexander I (1107–1124).[26]

> A(lexander) Dei gratia rex Scottorum, priori A(lgaro) et totius conuentui ęcclesię sancti Cuthberti salutem. Mando et precipio uobis ut nullo modo intretis placitum neque in

[23] For a more detailed account of the development of Scottish royal diplomatic, see John Reuben Davies, 'Royal government in Scotland and the development of diplomatic forms, 1094–1249', in *Identifying Governmental Forms in Europe, 1100–1350: Palaeography, Diplomatics and History*, ed. Alice Taylor (Cambridge, forthcoming).

[24] Broun, 'The adoption of brieves'.

[25] Pierre Chaplais, *English Royal Documents: John to Henry VI, 1199–1461* (Oxford 1971); Richard Sharpe, 'The use of writs in the eleventh century', *Anglo-Saxon England* 32 (2003), 247–91; Richard Sharpe, 'Address and delivery in Anglo-Norman royal charters', in *Charters and Charter Scholarship*, ed. Flanagan and Green, pp. 32–52; Broun, 'The adoption of brieves'.

[26] DCD Misc. Ch. 563 (8 January 1107×23 April 1124). See the *Models of Authority* web resource for this and the other contemporary original DCD charters cited in this chapter (note 19, above).

> aliquam diratiocinatione de terra de Suintune ante quam ueniat ante me. Tibi etiam domine prior notum facio quia de multis rebus multa uobis habeo secrete loqui, quam citius fieri poterit. Valete.
>
> *Alexander by the grace of God King of the Scots sends greeting to Prior Ælfgar and the whole community of the church of St Cuthbert. I command and enjoin you that you by no means enter a plea neither any vindication of rights concerning the land of Swinton before you come before me. I make known to you also, lord Prior, that I have many things to tell you secretly as soon as possible about many matters. Farewell.*

The epistolary farewell, *ualete*, was soon lost, and a witness clause was added. In the reign of Alexander I's successor, David I, the place of date became a standard feature in royal acts, and it became normal for brieves to have a short witness clause. By the end of the reign of King Alexander II (1214–1249), the form of the simple brieve had become standardised.[27]

> A. Dei gratia rex Scott(orum) R. de Bernham' maiori et prepositis suis de Berwic' salutem . Mandamus uobis et precipimus, quatinus extraneos mercatores qui uenient usque prioratum de Coldingham' ad lanam et alias mercaturas prioris et conuentus de Coldingham emendas . nullo modo inpediatis : quin dictas mercaturas emere et abducere possint . saluis nobis antiquis consuetudinibus nostris . Test(ibus) P . Comite de Dunbar' . Walter(o) Olif(ard) Iustic' Laodon(ie) . Apud Edinburc . x^{o}ii die Aprilis . anno regni domini regis vicesimo quarto .
>
> *A(lexander) by the grace of God king of the Scots to R(alph) de Bernham, the mayor, and his provosts of Berwick, greeting. We command and enjoin you that you by no means impede foreign merchants who come to Coldingham Priory to buy wool and other merchandise from the prior and convent of Coldingham, but that they be able to buy and take away the said merchandise, reserving to ourselves our ancient customs. As witnesses P(atrick), earl of Dunbar; Walter Oliphant, justiciar of Lothian. At Edinburgh on the*

[27] DCD Misc. Ch. 619 (Edinburgh, 12 April a.r. 24 [1238]).

> *12th day of April, in the twenty-fourth year of the reign of the lord king.*

During Alexander II's reign a novel development in a small number of brieves occurred. We find in a few *acta* a corroboration clause in which the document is described as *litterae patentes*, 'letters patent'. The earliest example of such a corroboration clause is from 1227.[28] The practice continued into the reign of Alexander III.[29] Examples of written instruments describing themselves as *litterae patentes* were being produced in the English royal chancery from at least 1166 onwards; at that time the term simply signified documents that were sealed open.[30] The kind of corroboration clause found in the brieves of Alexander II was often inserted in the texts of royal letters.

A brieve of Alexander II from 1236, commanding Thomas (of Melsonby), prior of Durham, to deliver to Hugolinus, envoy and servant of Cardinal Rainer, the £40 which the king had sent to

[28] (1) Brieve commanding the sheriff of Fife to pay the abbot of Dunfermline the eighth part of the king's profits of justice accruing from the sheriff's jurisdiction. Clackmannan, 17 August a.r. 13 [1227] (NLS, Dunfermline Cartulary, MS. Advocates 34.1.3A, fol. 50r (new pencil foliation), column 2 [mid-xiii cent. copy]); (2) Brieve commanding Thomas, prior of Durham, to deliver to Hugolinus, messenger and *famulus* of Cardinal Rainer, the £40 which the king had sent to Durham by the hands of the monks of Coldingham in the previous year. Edinburgh, 29 May a.r. 22 [1236] (DCD Misc. Ch. 625); (3) Brieve commanding provosts of Perth to pay yearly to the house of Dominican friars of Perth one wey of wax from the king's ferme of Perth, Forfar, 31 October a.r. 27 [1241] (NLS, Advocates Charters A. 4); (4) Brieve to provosts of Roxburgh commanding them to pay Kelso Abbey, out of the king's burgh ferme of Roxburgh, 100s. each year at Whitsun (possibly *c*. 1230 × 1234) (NLS, Kelso Cartulary, MS. Advocates 34.5.1, fo. 15v [xiv cent. copy]); in Keith Stringer's forthcoming edition, *The Acts of Alexander II, King of Scots, 1214–1249*, Regesta Regum Scottorum 3, these are nos 134, 244, 282, 341.

[29] *The Acts of Alexander III, King of Scots, 1249–1286*, ed. Cynthia J. Neville and Grant G. Simpson, Regesta Regum Scottorum 4, pt 1 (Edinburgh, 2010), nos 15, 46, 82.

[30] Chaplais, *English Royal Documents*, 7.

Durham via the monks of Coldingham in the previous year, has such a corroboration clause.[31]

> . A . dei gratia Rex scott(orum) . Th(ome) . Priori Dunelm(ensi) . dilecto amico suo . salutem . Mandamus vobis . precantes quatinus quadraginta Libras quas per monachos de Coldingham' anno preterito misimus vsque Dunelm(um) . Hugolin(o) nuntio et famulo domini Reiner(i) Cardinal(is) . habere faciatis . In cuius rei testimonium : has Litteras nostras patentes vobis transmittimus . Test(ibus) . E . Abbate de sancta Cruce . W . Olif(ard) . Iust(iciario) Laod(onie) . apud castr(um) puellar(um) . xxix . die Maii . Anno regni domini regis vicesimo secundo .
>
> *A(lexander) by the grace of God King of the Scots to his esteemed friend Thomas, Prior of Durham, greeting. We command you, entreating that you would see to it that Hugolin, the messenger and servant of the lord Cardinal Reiner, has the forty pounds which I sent to Durham last year via the monks of Coldingham. In testimony of this matter we dispatch these our open letters to you. As witnesses E(lias), abbot of Holyrood, and W(alter) Oliphant, justiciar of Lothian. At Maidens' Castle [Edinburgh], on the 29th day of May, in the twenty-second year of the reign of the lord King.*

In the Scottish context at least, this type of brieve appears to be used when the subject of the act is the disposal of cash or property.

Two variations on the simple form of brieve were also produced. The principal difference in the first was the more general character of its mandate, instruction or prohibition. The formula would be, for instance, *mando et firmiter precipio quatinus* ('I command and firmly enjoin that'), losing the personal object. The other variation was the brieve addressed generally *omnibus (probis) hominibus totius terre* ('to all (law-worthy) men throughout the land'), as well as collectively to

[31] DCD Misc. Ch. 625 (*Acts of Alexander II*, ed. Stringer, no. 244); probably written by a royal scribe, who also wrote 622, and 624 (I am grateful to Professor M. T. J. Webber for this opinion).

regional or local officers corresponding to types of court – justiciar, shrieval, or burghal. Again, the verbs of instruction lack a personal object, 'I command that', rather than 'I command you that'; and again, they are forms of notification, designed to be read out in the appropriate court.

In such a simple form there was little room for variation. Once a change in diplomatic practice had been made it was more-or-less consistently applied.

Letters with notification

The first category of letters with notification can still be categorised as a type of brieve: it has a special address plus a personal instruction introduced by a notification.

Alexander I gave notice to Ælfgar, prior of Durham, and the monks of St Cuthbert at Durham, that he had made a donation to them of Swinton, but that he had forbidden them to bring any suit concerning the land without his instruction, since he would grant them immunity in respect of all royal gifts made in alms.[32]

> A . dei gratia rex scottorum . A . priori omnique congregationem S . Cuthberti . salutem . Sciatis quod ego dono et concedo ex mea parte Deo et Sancto Cuthberto et uobis suis monachis Swintunam totam liberam et quietam tenendam et om[n]ino habendam sicut fratris mei Eadgari regis uobis testatur . Et preterea precipio et defendo ne aliquis uestrum ullo de modo de eadem Swintuna placitet aut respondeat ulli homini nisi ego ipse ore ad os uel meis litteris precepero . Quia ego et frater meus Dauid elemosinam fratris nostri Eadgari . et nostram similiter . S . predicto et uobis Monachis acquietabimus .
>
> *A(lexander) by the grace of God king of the Scots to Ælfgar the prior and all the community of Saint Cuthbert greeting. Know that I donate and concede for my part to God and Saint Cuthbert and to you his monks Swinton, entire, free and quit, to be held and entirely had just as my brother King Edgar bore witness to you. In addition, I instruct and forbid that any of you by any means bring suit or answer any man unless I myself have given instruction in person or by my*

[32] DCD Misc. Ch. 562.

> *letters, since I and my brother David shall acquiet the alms of our brother, and ours likewise, to the aforesaid saint and to you monks.*

The king's subjects also required him to issue more general notifications, either new or supplementary to an existing charter of his predecessor, by which he could communicate and enforce or reinforce a right newly granted to or already held by one of his subjects; or more commonly they needed him to issue a prohibition based on the right or liberty granted. This was done in the form of a class of document addressed generally to men of the land holding legal status, the *probi homines*, giving notice of the transfer of rights to a beneficiary and usually issuing an injunction or prohibition. Such letters were not deliverable and were rather like charters in that they were meant to be a record of the transfer of rights.

This category of letters with notification was a modification of the first category, away from the brieve in the direction of the charter. A general address ('Alexander Dei gratia rex Scottorum omnibus probis hominibus tocius terre sue salutem') replaced the special address, but the text still lacked the confirmation clause of a charter (*hac carta confirmo*) and employed the form of notification which begins, *sciatis me/nos* ('know me/us [to have done such and such]') or *sciatis quod* ('know that'). The instructions and injunctions lack a personal object.

This was the form of instrument used when the king found occasion to improve the tenure of landholders already in possession of their land by conceding certain additional liberties or privileges, for example, tenure in free forest or tenure in free warren. Such grants were made with enough frequency that a standardised formula of wording became established during the reign of Alexander II.

The standard pattern of these *acta* was the address plus *omnibus probis hominibus*; notification plus operative verb; *quare* (or *et* or *unde*) plus injunction. This act of David I forms

the basic model for the Letters which became standardised during the reign of Alexander II:[33]

> . D . Rex Scott' . Omnibus probis hominibus totius terre sue francis . et anglicis . et Galweiensibus ⁊ salutem . Sciatis me dedisse et Concessisse Roberto de Brus in feudo et hereditate illi et heredi suo in foresto uallum de Anant ex utraque parte aque de Anant sicut diuise sunt a foresto de Seleschirche quantum terra sui protenditur uersus stradnut . et uersus Clud libere et quiete sicut aliud forestum suum tenet melius et liberius . Quare defendo ne ullus uenatur in predicto foresto nisi per ipsum super forisfactu . x . librarum . et ne ullus eat per predictum forestum nisi recta uia nominata . T . Waltero cancellario . et Hugone de Moreuilla . et Waltero filio Alani et Odenello de Vmframuilla . et Waltero de Lindeseia . et Ricardo de Moreuilla . Apud . Stapilgortune .
>
> [TITLE] *D(avid) king of the Scots* [ADDRESS] *to all worthy men of all his land, French and English and Galwegian* [GREETING] *greeting.* [NOTIFICATION] *Know me to have given and conceded to Robert de Brus in feu and heritage to him and his heir under forest law Annandale on both sides of the Water of Annan just as the boundaries are from the forest of Selkirk as far as his land extends towards Nithsdale and towards the Clyde, freely and with immunity, just as well and freely as he holds his other forest.* [INJUNCTION] *Wherefore I forbid that anyone may hunt in the aforesaid forest unless with his permission, on pain of the forfeiture of ten pounds, and that anyone may go through the aforesaid forest unless by the proper named ways.* [ATTESTATION] *As witness Walter the chancellor, and Hugh de Morville, and Walter son of Alan, and Odenel d'Umfraville, and Walter of Lindsay, and Richard de Moreville.* [PLACE] *At Staplegordon.*

This second major class of letters with notification is closer in form to the charter proper, for it gives notice of a disposition which has given rise to the consequent instruction or injunction that the notification serves to relate. The notification of the type *Sciatis quod* or *Sciatis me/nos* is not diagnostic but it is usually a

[33] TNA, DL 25/78 (1150×24 May 1153); *Charters of David I*, ed. Barrow, 156 (no. 210).

signal that we are dealing with letters with notification rather than a charter. Previous scholarship has not recognised this distinction.

Charters

The charter proper was a development from letters with notification and can be identified from its confirmation clause. In other words, charters were a type of written instrument that identified themselves in a clause which runs (in its standard form) thus: *et hac carta mea/nostra confirmasse* ('and have made firm by this my/our charter').

The verb *confirmo*, used here, has nothing to do with 'confirming', in the sense of approving or re-affirming a previous *actum*, but signifies the making firm of the transaction that is the subject of the present instrument by embodying it in the form of a charter; that is, by writing it down in a more-or-less regular format and form, recording it on a discrete sheet of parchment in a judicially recognised pattern of phrases, sealed with a wax seal. In the settled practice of the late twelfth century onwards, where *confirmare* is used, it is really expressing what the document itself does in respect of the transaction. In the standard formulation, *hac presenti carta mea confirmasse* ('[know me] to have made firm by this my present charter'), the document is the means of 'establishing', 'strengthening', 'confirming' the action, and is to be found in all categories of transaction.

The first possible instance of a charter identifying itself might be David I's gift of lands in Lothian (including Coldingham) to the monks of Durham, dateable 23 April 1126 × 24 March 1127. The confirmation clause comes at the end as part of the dating clause.

> Hec carta firmata est anno ab incarnatione domini .m.c.xxvi tercio anno regni mei aput Pebles ('This charter was made firm in the 1126th year after the incarnation of the Lord, in the third year of my reign, at Peebles').[34]

[34] DCD Misc. Ch. 567, 568.

The palaeography, the diplomatic and the witness list, however, are under suspicion.[35] The phrase nevertheless probably came into use towards the end of David I's reign.

Charters, then, were instruments of disposition in epistolary form; they begin with a collective address (in royal charters, often to archbishops, bishops abbots, priors, earls, barons, justiciars, etc.) or a general address and notification; they are described as a 'charter' in the dispositive clause (*hac presenti carta mea*); they effected a disposition defined in the body of the text, usually the donation or gift of property or the granting of legal rights; and they list witnesses, whose names are given in the ablative case.

Richard Sharpe identified five types of transaction embodied in charters in the Anglo-Norman context. The categories, as I have shown elsewhere, apply also to the Scottish situation, and can be expressed in the following way. (1) The gift of land. (2) The gift of rights or the licensing of another action. (3) The licensing by a lord of a gift of land made by a tenant. (4) The reaffirmation to a tenant of his holding land as under the lord's predecessor. (5) The gift to a tenant's heir, by his lord, of succession to land as held by the *antecessor*.

The most crucial verb is *dare*, 'to give', which signifies that the giver desires that the thing given should become the property of the recipient; *concedere*, 'to grant, to concede', can be understood on the basis that the subject has shown his consent.

When one gives (*dare*) or bestows (*donare*), one is identifying oneself as the donor of a gift or donation (*donum* or *donatio*); this is exact legal terminology stated for the benefit of the donee, expressing his right in relation to the donor. As donor, the one giving opens himself to the obligations of warrandice (the guarantee of the tenant's possession of the land) attached to lordship.[36]

[35] See for example, *Charters of King David*, 69.

[36] Warrandice was an obligation owed to the tenant of land, by the donor, to defend him in his possession of that land against all claims; it was therefore, in practice, an obligation to come to court if 'vouched' (called) by the tenant, in order to defend an action brought against him for the possession of that land.

In Sanskrit donative inscriptions the word for the method of giving as a 'gift' is *dāna*, with *dānam* being a 'donation'; in Latin the same Indo-European root provides the noun *dōnum*, 'gift', and verb *dōno*, 'I give'.[37] In this way, the concept of transferring the ownership of property by giving as a gift is at the heart of property records, whether from Scotland or Bengal.

The significance of *dōno/dōnātio* in the Scottish material may usefully be illustrated in a charter of Alexander III (1249–1286) for Melrose Abbey of 1266.[38]

> Sciatis nos concessisse et hac carta nostra confirmasse concessionem et confirmacionem illam quam Alexander senescallus Scocie fecit Deo et ecclesie sancte Marie de Melros … super donacione illa quam Ricardus le Waleys tenens ipsius Alexandri fecit eisdem monachis
>
> *Know us to have granted and made firm by this our charter the grant and confirmation that Alexander, Steward of Scotland, made to God and the church of Saint Mary at Melrose … concerning the donation that Richard Wallace, Alexander's own tenant, made to the same monks.*

Here is laid out an exposition of the full hierarchy of lordship and terminology of giving and granting. The king, as chief lord, has allowed or licensed the 'grant and confirmation' made by Alexander Stewart; Alexander Stewart in turn has 'granted' or allowed the donation of the land of Barmuir (Tarbolton, Ayrshire) and *Godenech* that has been made by Richard Wallace, who is explicitly described as Alexander Stewart's tenant. We

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See S. J. Bailey, 'Warranties of land in the thirteenth century', *Cambridge Law Journal* 8 (1942–4), 274–99, at 274.

[37] See p. 3, above. For example, the Bharat Kala Bhavan copper-plate of Rājyapāla, year 2 (10th century CE), line 48 (ed. Ryosuke Furui, 'Bharat Kala Bhavan copper plate inscription of Rājyapāla, year 2: re-edition and reinterpretation', *Puravritta* 1 (2016), 41–56, at 48); Rajibpur copper-plate of Gopala IV, Year 2 and Madanapala, Year 2 (2th century CE), lines 52–53 (ed. Ryosuke Furui, 'Rajibpur copperplate inscriptions of Gopala IV and Madanapāla', *Pratna Samiksha*, new ser. 6 (2015), 39–61, at 45); Rajibpur copper-plate of Madanapāla, year 22 (12th century CE), lines 50–1 (*ibid*., 53).

[38] Cosmo Innes, *Liber S. Marie de Melros*, 2 vols (Edinburgh, 1837), I, 288 (no. 326).

also witness the use of *confirmatio* ('confimation') to describe Alexander Stewart's action in relation to Richard Wallace's gift: the conjunction of the term *confirmatio* with *concessio* suggests that the *confirmatio* is the embodiment of the *concessio* in a charter.

The royal name and title

Like all royal instruments – beyond treaties, letters of correspondence or acts in the strict diploma form – royal *acta* began with a protocol, made up of (a) the king's name and title, (b) address, (c) salutation. Parts (a) and (b) quickly became standardised across all brieves, letters with notification and charters.

It is in the title that we come closest to any concept stating the genealogical legitimacy of the king. This occurs only twice in our material, and both times in the earliest royals *acta*, of Duncan and of Edgar, that we have already encountered.

> Ego Dunecanus, filius regis Malcolumb, constans hereditarie rex Scotiae ('I Duncan, son of King Malcolm, undoubted king of Scotia by hereditary right').
>
> Edgarus filius Malcolmi regis Scottorum ('Edgar, son of Malcolm king of the Scots').

The four extant contemporary original acts of King Edgar all survive in the archive of Durham cathedral and are types of notification. In Edgar's acts the title is more-or-less uniform: *Eadgarus rex Scottorum*.[39]

One of Edgar's acts, however – probably the latest – includes the phrase, *Dei gratia* ('by the grace of God') in the royal style.[40] Given that the three surviving original acts of Alexander I are consistent in the royal style, *A. dei gratia rex scottorum Dei gratia*, the practice of adding *Dei gratia* to the royal title could perhaps have been adopted at the end of Edgar's reign.[41] From this point onwards, moreover, until the reign of Alexander II, the royal name (as in English chancery practice) was represented by

[39] DCD Misc. Ch. 555–558.
[40] DCD Misc. Ch. 558.
[41] DCD Misc. Ch. 561, 562, 563.

the initial letter alone. As in England, one may start to be suspicious of any purported original that does not follow this convention. The evidence of original single sheets indicates that *Dei gratia* remained in the title during the first half of the reign of David (1124–1153) but was dropped in the 1140s. There is nevertheless reason to be suspicious, both on diplomatic as well as palaeographical grounds, of several originals in the corpus where *Dei gratia* occurs.[42] Geoffrey Barrow put this variation in practice down to a change of chancellor in 1135, from Herbert (bishop of Glasgow) to William Comyn, who was experienced in English chancery practice where *Dei gratia* had not yet entered the royal *intitulatio*.[43] We might also consider the possibility that production of charters by beneficiaries was also causing inconsistencies at this point. The pious formula did legitimately reappear, however, during the reign of William the Lion (1165–1214), becoming standard from 1173×1174, following English chancery practice, and continuing through all subsequent reigns.[44]

Whereas the king's name was uniformly abbreviated to its initial letter from the reign of Alexander I onwards, Alexander II's name, by contrast, is not consistently abbreviated in the originals and is either spelled out in full or shortened to *Alex'*., probably to distinguish him from his predecessor of the same name.[45]

[42] DCD Misc. Ch. 567, 568, 571, 572; BL, LFC Charters, xxx.1; National Records of Scotland, GD 90/1/1. (I am again grateful to Dr M. T. J. Webber for her opinion on this.)

[43] Barrow, *Charters of David I*, pp. 11–12; Barrow also pointed to the sporadic continued practice until 1150, especially in solemn privileges; all the examples, however, are cartulary copies or have anachronistic palaeographical features.

[44] *Dei gratia* was introduced into the royal style in the protocol of English chancery documents around May 1172; Chaplais, *English Royal Documents*, p. 13.

[45] There are five extant contemporary originals, from early in the reign, where 'Alexander' is spelled out; three are charters with the full general address, 'to bishops, abbots, earls, barons, sheriffs': NRS, Register House Charters, RH6/25 (1215); GD55/174 (1215); DCD Misc. Ch. 622 (1219). Two other contemporary originals, from the end of the reign, have the short universal address: GD55/239 (1246); NLS, Charter B 1357 (1248).

The final part of the protocol, (c) the salutation or greeting, was always the same, *salutem*.

The general or universal address

By far the most common form of the general address at the end of the period, in the charters of Alexander II, was *omnibus probis hominibus totius terre sue, clericis et laicis, salutem* ('to all worthy men of the whole of his land, clerk and lay, greeting'); a simpler variant, without *clericis et laicis*, is found in Letters of Notification granting privileges.

The first secure contemporary instances of the exact formula occur in originals produced for Holyrood Abbey late in the reign of Malcolm IV.[46] From this time onwards *omnibus probis hominibus totius terre sue (clericis et laicis) salutem* becomes more frequent in the address clause of surviving original royal *acta*.

From the beginning of William the Lion's reign (in 1165) down to the early 1170s the short form of the general address, beginning *omnibus probis hominibus*, predominates in originals.[47] From about 1172×1173, however, the longer address beginning with prelates and the nobility is prevalent, but 'omnibus probis hominibus totius terre sue clericis et laicis

[46] (1) NRS, GD 24/13/231 (charter of confirmation for Holyrood Abbey, 1161×1164): *The Acts of Malcolm IV, 1153–65*, ed. G. W. S. Barrow, Regesta Regum Scottorum 1 (Edinburgh, 1960), no. 231. (2) NRS, GD 24/13/232 (charter of gift for Holyrood Abbey, 1161×1164): *Acts of Malcolm IV*, ed. Barrow, no. 232.

[47] The originals are (1) charter of gift for Henry son of Gregory the clerk, 1165×1174, 'Omnibus probis hominibus tocius terre sue salutem' (original now lost): *The Acts of William I, King of Scots, 1165–1214*, ed. G. W. S. Barrow, Regesta Regum Scottorum 2 (Edinburgh, 1971), no. 43. (2) NRS, GD 1/4/2 (charter of gift to Gregory de Melville, 1166×1171): 'Omnibus probis hominibus tocius terre sue clericis et laicis salutem', *Acts of William I*, ed. Barrow, no. 45. (3) NRS, GD 28/1 (charter of confirmation for Hugh Giffard, 1166×1171): 'Omnibus probis hominibus tocius terre sue, clericis et laicis, Francis et Anglis, Scottis et Galweiensibus, salutem', *Acts of William I*, ed. Barrow, no. 48.

salutem' is the standard secondary component in the clause.[48] (I have been able to discern no pattern to this phenomenon – it occurs across beneficiary archives and is not peculiar to any particular type of *actum*.) From 1198 onwards practice had become firmly established, and 'omnibus probis hominibus totius terre sue clericis et laicis salutem' was the standard address for charters, more often on its own, but also as the set conclusion to the longer general address.[49] By the reign of Alexander II, practice had become fixed.

The development of government and the standardisation of diplomatic forms

By the reign of Alexander II, the repertoire of royal instruments had developed a standardised pattern that hardly varied. The cause of this standardisation and the preponderant use of letters of general notification, I have argued elsewhere, can be linked to specific developments in Scottish law and royal policy.[50]

Four specific developments happened after David I's brieves. (i) A date of time, by day of the month, was introduced in the last two decades of William's reign.[51] (ii) The year was introduced in the seventh year of Alexander II, the year of grace at first being employed, the regnal year with day of the month taking over. (One sees in Scotland a correspondence with English practice.)[52]

[48] For example, NRS, GD 48/1 (a charter of gift, 1172×1174, for Ralph Ruffus), is addressed, 'Episcopis, abbatibus, comitibus, baronibus, iusticiis, ministris, et omnibus probis hominibus tocius terre sue, clericis et laicis, salutem' ('to bishops, abbots, earls, barons, justices, officials, and all worthy men of his whole land, clerk and lay, greeting'): *Acts of William I*, ed. Barrow, no. 135; see also nos 136, 141, 146, for further originals with the same full general address; nos 143 and 145 are examples of originals from the mid 1170s with the short general address.

[49] NRS, GD 24/13/242 (charter of confirmation for Holyrood Abbey, 1198): *Acts of William I*, ed. Barrow, no. 401; see also nos 402, 403, 410, 414, for further originals with the same short general address.

[50] See Davies, 'Royal government'.

[51] Chaplais, *English Royal Documents*, 13; see also Dauvit Broun, 'The absence of regnal years from the dating clause of charters of kings of Scots, 1195–1222', *Anglo-Norman Studies* 25 (2003), 47–63.

[52] See Chaplais' examples of writs, *English Royal Documents*, 54–5.

(iii) Early in the reign of Alexander II the plural of majesty was introduced: personal pronouns and verbs changed from first person singular (*me*, *mando*) to first person plural (*nos*, *mandamus*). This had been happening in England since the reign of Henry II. (iv) In apparent imitation of the English Writ Patent, a form of Brieve Patent was introduced, but rarely used. In the significant parts of *acta* which define a royal instrument, that is, the protocol, the notification, and the eschatocol – especially the form of the date – there was no variation from beneficiary archive to beneficiary archive. Most particularly, in royal grants – that is, the granting of rights for the improvement of tenure – the whole form was exactly standardised by the reign of Alexander II. So, no matter the beneficiary, a grant – say – of free forest would always have been formulated in the same way.

First, kings maintained their power in Scotia during the twelfth century in part by giving away substantial gifts of land.[53] In particular, William the Lion appears as the most significant giver of gifts – indeed, it has been commented that he was 'rather profligate' in giving away large, extensive estates, normally to be held for the service of a single knight. William's reign (1165–1214) saw gifts for knight service to the value of nearly twenty-eight knights. But the supply of land, particularly in the heartlands of Scotia, appears to have dried up in the thirteenth century. The policy of 'land patronage' had its limits, and Alexander II was unable to sustain the pace of William's gifts in Scotia, and his reign saw a significant curtailment of the alienation of the royal demesne in return for knight service. During Alexander's reign there was only one new gift of land made in return for the service of a whole knight and, even then, it was an exchange.[54] A further eleven gifts were made for the service of a fraction of a knight: these amounted to the service of an additional three-and-a-half knights only. The subsequent reign of Alexander III saw one gift of land for knight service, and that for only half a knight.

[53] See Taylor, *Shape of the State*, 82.
[54] NRS, GD 86/1; *Acts of Alexander II*, ed. Stringer, no. 194.

Second, the tailing-off of new gifts from the royal demesne coincided with a considerable increase in the granting of improvement of tenure: that is, the augmentation of rights, liberties, and protections in lands already held of the king. As an illustration of a wider phenomenon, we can see that King David I made just one grant of tenure under forest law; during the reign of Malcolm IV (1153–1165) there was again just one grant amounting to tenure in free forest; King William the Lion (1165–1214) made seven grants amounting to tenure in free forest or free warren; and by contrast, Alexander II (1214–1249) made at least 27 grants of tenure in free forest and free warren.[55]

These grants of rights, liberties and protections are the kinds of *acta* that would have tended to increase the perception of lordship, avoid further alienation of the royal demesne, and increase business in the royal and regional courts. The granting of these rights and protections would have produced more opportunities to bring actions in the king's court.

This leads to the third phenomenon. Opportunities to bring actions in the king's court were further increased from 1230 when two new actions were allowed. In the first place, a tenant was enabled to sue the lord who put him out of his property without cause or due process by bringing an action of novel dissasine (recent dispossession). The statute of novel dissasine, the procedure whereby somebody could accuse another of unlawfully dispossessing them of land and/or chattels, states explicitly that the case would be initiated by a brieve from either the king or the justiciar, and the justiciar or sheriff would then conduct the inquest to see whether the claimant was telling the truth.[56] Secondly, perhaps in 1230 or sometime in the following decade, a lord whose tenant died had to put that tenant's heir in

[55] *Charters of David I*, no. 210; *Acts of Malcolm IV*, ed. Barrow, no. 311 (text does not survive); *Acts of William I*, ed. Barrow, nos 314, 340, 346, 463, 565 (forest); no. 46, 335 (warren); *Acts of Alexander II*, ed. Stringer, nos 54, 57, 89, 201, 206, 213, 214, 220, 226, 238, 242, 243, 253, 260, 269, 275, 277, 288, 289, 310, 321 (free forest); nos 158, 327, 328, 331, 337, 343 (free warren).

[56] *Statuta Regis Alexandri* (MS. version), c. 7, ed. & transl. by Alice Taylor, 'The assizes of David I, king of Scots, 1124–53', *Scottish Historical Review* 91 (2012), 197–238, at 217–8; see also Taylor, *Shape of the State*, 162–3.

possession or else be liable to an action of mortancestry and an inquiry by a jury into the title under which the possessors of a property held it.[57]

Already Alice Taylor has shown that from the 1170s onwards royal *acta* were emphasising individuals' jurisdiction over their own land. The king's authority granted specific jurisdictional rights to individuals to be held in the land given or confirmed by the king, particularly jurisdiction over punishment. Royal charters show that the king received a forfeiture when privileges over land, such as retention of neyfs and forest rights, were infringed.[58] Taylor would even see charters as leading the development of the law.[59] The number of legal brieves increased substantially during the thirteenth century and allowed royal justice to be available in a far more regular and standard way than before.[60]

We have seen how kings from Alexander I onwards used the Brieve to command their officials and magnates. By the end of the period Alexander II was using Latin letters extensively to grant rights and privileges and to initiate legal processes in courts. Government through the written word, as Alice Taylor has told us, meant not only command and notification but now also anticipation of and provision for the needs of the people. Writing had become the way by which such provision could be accomplished in standard ways. The same format was used for time-limited orders as much as for authoritative legal corroboration of property ownership.

We have seen how the standardisation of diplomatic was most apparent in the set parts of *acta* – the protocol and eschatocol. The structure of *acta* followed a set pattern too, according to their nature. Royal models were closely adhered to in these instances, especially in grants of rights. When it came to royal charters, however, especially those concerned with the

[57] Alice Taylor, *The Shape of the State in Medieval Scotland* (Oxford, 2016), 272; Hector L. MacQueen argued for 1230×1237 (*Common Law and Feudal Society in Medieval Scotland* [Edinburgh, 1993], 169–70).
[58] Taylor, *The Shape of the State*, 173.
[59] *Ibid*., 174.
[60] *Ibid*., 298.

conveyance of property, the influence of certain beneficiary institutions can also be observed.[61] The most striking development was the self-contained and distinctive nature of Cistercian diplomatic, embodied most notably in the archive of Melrose Abbey. Here one encounters the long and detailed boundary clause; the dispositive form of holding clause linked to the boundary clause, which made explicit what had been included in the gift; and the distinctive warrandice clause, which not only explicitly guaranteed the gift, but also explicitly guaranteed exemption from services. Both the evidence from Melrose and the earlier evidence from Durham show how it was the beneficiaries themselves rather than the donors, even when the donor was the king, who were influencing the content of charters, and the development of diplomatic.

Conclusion

Diplomatic forms and patterns of royal *acta* in Scotland became standardised by the beginning of the thirteenth century and tended to follow contemporary English developments. Textual models of royal authority were dominant. Beneficiaries knew how to write a royal charter, and rather like the products of the papal chancery, royal *acta* could be recognised and their form diagnosed and authenticated by their diplomatic features.

By the end of King Alexander II's reign, an intensifying administrative structure and an increasingly uniform legal system were developing in Scotland. This administrative intensification and uniformity was also coincident with a sharp rise in grants of rights, improvements in tenure, and a more prominent role for royal courts in matters of property.

Sayantani Pal's analysis (above) of the copper-plates of Bengal shows how the form and format of the plates and their inscriptions tended to be most regular in the context of stable, regional, dynastic rulership, especially that of the Pāla dynasty (from the mid-eighth century to the mid-twelfth). Among the local rulers of the twelfth and thirteenth centuries, too, even though there was not a fixed form for the writing of copper-

[61] See Davies, 'Royal government'.

plates, a general acquaintance with the required features of donative inscriptions, as prescribed in the normative texts, can be observed in all the records. We are therefore led to conclude that the insights from early medieval Bengal, combined with a more detailed understanding of the development of diplomatic in twelfth- and thirteenth-century Scotland, tend to corroborate Dauvit Broun's view about the adoption of charters outlined in the first part of this chapter. In other words, where there was an appeal to wider authority, or where there was a centralising authority, it made sense to adopt written records – records that developed a standardised form and format.

IV

Boundary clauses in Bengal inscriptions: revisiting sources

Rajat Sanyal and Suchandra Ghosh

Introduction

The observation made by Joanna Tucker (below) in the context of the boundary clauses of Scottish charters, that these are 'underused and understudied' sources, is equally true for such documents from other areas of the globe, mostly datable to the early medieval and medieval periods.[1] In the case of India, the pioneering work of Brajadulal Chattopadhyaya on the copper-plate inscriptions of Bengal provided the first clue to the understanding of different strata of networks between rural settlements, primarily demonstrating the spatial characteristics of rural settlements and their interactions with natural resources, especially waterbodies.[2] The only study that has so far focused on this set of sources after Chattopadhyaya's seminal work is a recent study on the charters of early medieval Kāmarūpa, i.e. modern Assam.[3]

Barrie M. Morrison was the first to undertake a quantitative study of the copper-plate inscriptions of early Bengal in order to understand the spatial ramifications of 'cultural regions' and the

[1] For a recent analytical study of the socio-political ramifications of boundary clauses in the medieval Mediterranean, see Alex Metcalfe, 'Orientation in three spheres: medieval Mediterranean boundary clauses in Latin, Greek and Arabic', *Transactions of the Royal Historical Society* 22 (2012), 37–55. The importance of the study of these boundary clauses or 'marches' in the context of landscape studies and onomastics in medieval Scotland is underlined in Simon Taylor and Michael Henderson, 'The Medieval marches of Western Kinnier, Kilmany Parish, Fife', *Tayside and Fife Archaeological Journal* 4 (1998), 232–47.

[2] Brajadulal Chattopadhyaya, *Rural Settlements and Rural Society in Early Medieval India* (Calcutta, 1990).

[3] Suchandra Ghosh, 'Understanding boundary representations in the copper-plate charters of early Kāmarūpa', *Indian Historical Review* 41 (2014), 207–22.

distribution and functioning of 'political centres' of the region in the early and early medieval periods.[4] These copper-plates are dated between the fifth and the thirteenth century CE and were issued by a number of ruling lineages from four different sub-regions of the Delta, as Morrison envisaged it (Figure 1).[5]

Any discussion on the nature of boundary clauses in the copper-plate inscriptions of Bengal should therefore be prefixed with a note on the broad geochronological orientation under which these property transactions occur. Whereas the copper-plates were issued from the administrative centres (often called *jayaskandhāvāra* in the inscriptions) of different dynasties located in northern, eastern, western, south-eastern, and south-western Bengal, the chorological boundaries nevertheless regularly overlap this spatial configuration. Thus, in the fifth- and sixth-century horizon, inscriptions come from both northern and south-eastern Bengal; the seventh century copper-plates are issued from western, south-western, and south-eastern Bengal; in the eighth century, most inscriptions continue to hail form south-eastern Bengal, but the Pāla copper-plates begin to appear, again, from northern Bengal. Throughout the ninth to eleventh centuries, the Pāla texts witness land alienation in the broader alluvial tract of northern Bengal, although the Candra and

[4] Barrie M. Morrison, *Political Centers and Cultural Regions in Early Bengal* (Tucson, AZ [1970]; Jaipur-Delhi, 1980). B. C. Sen, *Some Historical Aspects of Inscriptions of Bengal* (Calcutta, 1942), had previously carried out the pioneering study on the historical geographical significance of the Bengal inscriptions in his thorough analyses of the corpus of material then available.

[5] Morrison's concept of sub-regions was first criticised by Dilip K. Chakrabarti (*Archaeological Geography of the Ganga Plains: The Lower and Middle Ganga* (New Delhi, 2001), 18) who argued that the strict and rigid geographical frame of the political centres, as envisaged by Morrison, did not exist in Bengal throughout the early medieval period. A more categorical critique of the notion of political centres for sub-regions of Bengal has recently been made by Sayantani Pal in 'Revisiting B. M. Morrison's concept of "Political Centers and Cultural Regions" in early Bengal', unpublished paper presented at the International Symposium, *Inscribing the Pasts: India and Beyond* (Kolkata, 13–14 March 2014); see also Rajat Sanyal, 'The Pāla-Sena and others', in *History of Ancient India: Political History and Administration (c. AD 750–1300: Regional Powers and their Interactions*), vol. 5, ed. Dilip K Chakrabarti and Makkhan Lal (Delhi, 2014), 165–213, at 166–7.

Varman copper-plates now begin to surface from eastern Bengal. And while the twelfth-century inscriptions of the Sena kings come from almost all the geographical niches of the Delta, those of the thirteenth century are unexceptionally confined to eastern Bengal, although several charters of their subordinate lineages have surfaced from south-eastern Bengal (Figure 2).[6]

The pattern outlined above indicates a major limitation of the early medieval inscriptions of Bengal as historical sources: namely, a conspicuous geochronological disparity of distribution. One does not have inscriptions from the fifth to the thirteenth century from one geographical sector, or inscriptions from different geopolitical divisions with a given chronological span of a century or two. The only exception is probably the northern Bengal sector, from where one regularly finds inscriptions from the fifth to the twelfth centuries, excepting the seventh century orbit.[7] But this unavoidable limitation of geochronology notwithstanding, one may put on record that the boundary clauses of these copper-plate inscriptions may be used to underline a number of issues involving spatial organization of rural settlements, the nature of distribution of early medieval archaeological settlements and, most importantly, the variegated layers of human–environmental interaction within a given space and within a particular timespan. The attempt in this discourse will be to explore, in outline, the possibilities and limitations of this exercise with select specimens.

[6] For a general account of the distribution of charters, see Sanyal, 'The Pāla-Sena and others'; and for details of the Sena and their contemporaries, Rajat Sanyal, 'Geo-polity in early mediaeval Bengal under the Sena rule: rereading epigraphic sources', *Journal of Ancient Indian History* 25 (2009), 94–113.

[7] The recent discovery of a copper-plate dated in the reign of one Pradyumnabandhu, recording land transfer in the Puṇḍravardhana province, might be the first example of a seventh-century donative inscription from northern Bengal, since the editor of the plate does not exclude this possibility on the basis of palaeography; see Arlo Griffiths, 'New documents for the early history of Puṇḍravardhana: copper-plate inscriptions from the late Gupta and early post-Gupta periods', *Pratna Samiksha: A Journal of Archaeology*, new series 6 (2015), 15–38, at 33.

Northern Bengal: the fifth century to the twelfth

The published corpus of inscriptions from Bengal, according to the latest estimates, would number just over one hundred. Unlike the Scottish situation, where boundary descriptions appeared in a range of different contexts, the boundary statements of the Bengal inscriptions, like those of the other parts of the subcontinent, are unexceptionally parts of settlement records that are issued to effect permanent registration of the alienation of land in favour of individual or institutional beneficiaries.[8] The boundary statements of Bengal inscriptions are exclusively parts of what is often called the 'grant segment' of these charters. This segment consists of the proclamation of property transfer in the presence of royal officers and local landed magnates. After specifying the location of a sold and/or granted land in the broader administrative set up of a given polity, in most of the inscriptions, the boundary markers of the granted plot is recorded.

The earliest set of Bengal donative inscriptions comes from the northern alluvial tracts and can be dated to the time of Gupta rule in the fifth and sixth centuries. But most of the Gupta inscriptions from Bengal do not contain any detailed boundary description (*maryādā* or *sīmā*) of the granted plots. Of six copper-plates dated in the reign of Kumāragupta I, the two that provide some details of the boundary clause are the Kalaikuri (present Naogaon district) plate, dated in the Gupta Era (GE hereafter) 120 (440/1 CE), and the Jagadishpur (Rajshahi district) plate, dated GE 128 (448/9 CE), both being issued from the office of a *vīthī* (an administrative division at the district level) called Śṛṅgavera, stationed at a place called Pūrṇṇakauśikā. For an understanding of the context in which the earliest boundary descriptions occur in Bengal, one may consider the phrases representing boundaries in the Kalaikuri and Jagadishpur plates. The Kalaikuri plate records the donation of land plots of specific

[8] For an updated classified account of the beneficiaries recorded in the Bengal copper-plates, Sayantani Pal, 'Religious Patronage in the Land Grant Charters of Early Bengal (Fifth-Thirteenth Century)', *Indian Historical Review* 41/2 (2014), 185–205, at 195–204.

measure in four villages, viz. Hastiśīrṣa-Vībhitakī, Gulmagandhikā, Dhānyapāṭalikā and Saṁgohālī in the Śṛṅgavera *vīthī* of the Puṇḍravarddhana *bhukti* or province. The Jagadishpur plate, on the other hand, records transfer of some plots of land after nearly three decades, in two of the four villages mentioned in the Kalaikuri plate, viz. Gulmagandhika and Saṁgohālika, located in the same region. One may begin by attempting a comparative account of how the boundary clause is represented in these two charters, thereby attempting to trace the pattern in which the boundary clause in the north-Bengal inscriptions begins to evolve from an imprecise to a more precise model in the Gupta period.

The phrase representing the boundary of the Kalaikuri plate reads:[9]

> hastīśīrṣa-vibhītakyāṁ(kī)-dhānyapāṭalikā-
> [gulmagandhikā]grāmeṣu . . . dyaṁ dakṣinoddeśeṣu aṣṭau
> kulyavāpāḥ dhānyapāṭlikāgrāmasyapaścimottaraddeśe
> [ādyakhāta] parikhāveṣṭitamottareṇa vāṭānadīpaścimena
> gulmagandhikāgrāmasīmānami(śce)ti kulyavāpa[me]ko
> gulmagandhikāyāṁ pūrvveṇādyapathaḥ paścimapradeśe
> droṇavāpadvayaṁ hastīśīrṣaprāveśyatāpa[sapottke]
> dāyitapottake ca vibhītakaprāveśya citravātaṅgare [ca]
> kulyavāpasaptadroṇavāpāḥ ṣaṭ (lines 20–4).

The passage has been translated by D.C. Sircar:[10]

> eight kulyavāpa of land in the … southern part of Hastīśīrṣa, Vibhītakī, Dhānyapāṭalikā (and Gulmagandhikā) villages (*grāma*), and one *kulyavāpa* of land bounded by the Ādyakhāta moat (*parikhā*) to the east of the boundary (*sīmā*) of Gulmagandhikā *grāma* and to the south of the Vāṭā river (*nadī*) in the north-western part of the Dhānyapāṭlikā village; [the plot

[9] *Select Inscriptions bearing on Indian History and Civilization (From the Sixth Century B.C. to the Sixth Century A.D.)*, vol. 1, ed. D[ines] C[handra] Sircar (2nd edn, Calcutta 1965), 354; see also, D. C. Sircar, 'Kalaikuri Copper-Plate Inscription of the Gupta Year 120 (= AD 439)', *The Indian Historical Quarterly* 19 (1943), 12–26.

[10] Dines Chandra Sircar, *Silalekha-Tamrasasanadir Prasanga* [*On Copper-plate and Stone Inscriptions*, in Bengali] (Calcutta, 1982), 28.

> consisting of] two *droṇavāpa* out of the aforementioned eight *kulyavāpa* is located to the west of the *ādyapatha* in the western part (*pradeśa*) of Gulmagandhikā; and [the plot consisting of the] rest seven *kulyavāpa* six *droṇavāpa* is located at Tāpasapottaka and Dāyitapottaka within the jurisdiction (*prāveśya*) of Hastiśīrṣa as well as at Citravātaṅgara within the jurisdiction of Vibhītaka

The Jagadishpur plate records the boundaries of one of the granted plots in the following terms:[11]

> likhyamatra sīmā pūrvvaṇa puṣki(ṣka)riṇyā[ḥ]kandarasīmā ca dakṣiṇena dhanaviṣṇu puṣki(ṣka)riṇyā devakandarasīmā ca paścimenāpi nābhrakasatakasīmā uttareṇāpi mā . . . takuṇḍasīmā ityeta catussīmā niyamitakṣetraṁ (lines 20–21)

Sircar translated the passage in the following way:[12]

> The boundaries of the gift land are described as – (1) the *kandara* of a tank in the east; (2) the *devakandara* of the tank (*puṣkariṇī*) of Dhanaviṣṇu . . . in the south; (3) 'Nabhraka's property in the west; (4) *kuṇḍa* or pond in the north.

Even a cursory review of the two passages extracted from these inscriptinos from Puṇḍravardhana, drafted within a span of less than three decades, shows that the Kalaikuri plate locates the donated plots with a proper description of the boundary markers, recording only the major landmarks in some of the directions of the donated plots.[13] The Jagadishpur plate, on the other hand, provides the earliest reference within the orbit of Puṇḍravardhana to the delineation of a boundary clause *per se*, delineating the confines of the alienated land in terms of its boundaries in all the

[11] D. C. Sircar, 'Jagadishpur Plate of the Gupta Year 128', *Epigraphia Indica* 38:6 (April 1970), 247–52.

[12] D. C. Sircar, *Epigraphic Discoveries in East Pakistan*, Calcutta Sanskrit College Research Series (Calcutta, 1973), 12.

[13] All the other Gupta charters of north Bengal refer only to the location of the grant-plot without any specific reference to the boundaries; for example, the Damodarpur plate of Kumāragupta I, dated to Gupta Era 124, only records that the donation was made at the northwestern part of Ḍoṅgā *grāma* in the Koṭīvarṣa *viṣaya* of the Puṇḍravardhana *bhukti*.

four cardinal directions. Remarkably, out of the three boundary markers, narrated in east–south–west–north order, three are waterbodies or parts thereof, and only the western boundary is a personal property (*sataka*). While no other evidence of detailed boundary markers of land plots are available in the Gupta-period inscriptions from Bengal, one of the two recently published charters recording land transactions within the Puṇḍravardhana province shows evidence of a proper boundary description in course of the official proclamation of a land-sale.[14] This charter was issued in the fifth regnal year of a hitherto unknown local ruler of Puṇḍravardhana named Pradyumnabandhu, now dated on palaeographical grounds to the sixth or early seventh century CE. The charter records the purchase and subsequent donation of some land in a village called Mastakaśvabhra. The boundaries of this village are detailed in this charter in the following manner:

> ya pratipādito sya ca mastakaśvabhragrāmasya sīmāliṅgāni bhavanti yattra pūrvvasyāṁ diśi srotikā °uttarasyām iyam (e)va tṛghaṭṭikāṁ praviśya śmaśānena paścimasyāṁ diśy o(ptr)akh(ā)taḥ dakṣiṇasyāṁm apy (e)tadanulagnena śṛṅgātakavillikānusāreṇa vṛhacchāṅkajoṭā tadan(u)sāreṇa kāṇālatīyaśālmalīsamīpena punaḥ srotikā yāvad iti (lines 16–18)

The editor of the plate translated the passage as what follows:

> And the boundary markers of this village Mastakaśvabhra are, in this connection (*yatra*): in the East, the stream; in the North, the same, after it has entered the Trighaṭṭikā (river) by the cremation ground; in the West, the Optra (?) canal; in the South, too, along the latter, after the Śṛṅgāṭaka ('Crossroad') pond, the Bṛhacchaṅkajoṭā ('Great-Conch-Jota'); after the latter, down again to the stream near the silk-cotton tree of Kāṇālatī.

After a gap of more than a century, Puṇḍravardhana in its larger spatial orbit again starts figuring regularly in the charters of the well-known Pāla rulers of Bengal-Bihar. The nature and composition of the boundary clause in the Pāla inscriptions is

[14] For the boundary of the Pradyumnabandhu's plate, see Griffiths, 'New documents', 27–33.

represented here with select specimens from inscriptions datable between the eighth and the twelfth century CE.

The earliest of the Pāla copper-plates, dated in regnal year 26 of the first independent Pāla king, Dharmapāla, falling at about the end of the eighth century, is one of the most recently published epigraphic documents issued by this lineage.[15] Originally hailing from somewhere in or around the Bogra area of northern Bangladesh, as revealed from the contents of the inscription, this plate found its place in the collection of the Indian Museum, Kolkata. The plate records a donation of land at a village called Antarāvanikā belonging to the Snānīṭā *maṇḍala* in Koṭīvarṣa *viṣaya* of Puṇḍravardhana *bhukti*. The boundaries of the granted plot were, according to the text:

> pūrvveṇa cīrikābhidhānanadyarddhaśrotaḥ paryante dakṣiṇena rahayyādityapuṣkariṇyuttarayāgasīmni paścimena pravaranadyarddhaśrota[ḥ] paricchinne uttareṇa bhadraṇāgavihārikā[ta]lapāṭakadakṣiṇasīmā (lines 30–32).

The landmarks demarcating its borders are described as follows:

> to the east, a half stream (*ardhaśrota*) of the river named Cīrikā; to the south, the border of the northern side (*uttarayāga*) of the pond (*puṣkariṇī*) of Rahayyāditya; to the west, a half stream of the river Pravara; to the north, the southern border of a flat land tract of Bhadraṇāga's *vihārikā*.

But before getting into the details of northern Bengal charters of other Pāla and Sena kings, dating to the eleventh–twelfth-century bracket, it would be worthwhile to re-examine the details recorded in a second dated inscription of the same ruler – the Khalimpur copper-plate, recovered from the district of Malda. This plate gives an extensive account of the boundaries of four

[15] For the most recent edition of the inscription, see Ryosuke Furui, 'Indian Museum copper plate of Dharmapala, year 26: tentative reading and study', *South Asian Studies* 27:2 (2011), 145–56; an earlier reading of the reverse of the plate is also available in S. C. Bhattacharya, 'The Murshidabad (Indian Museum) copper-plate grant of Dharmapāla and the Somapura Mahāvihāra', *Journal of Bengal Art* 11–12 (2008), 237–49.

plots in two subdivisions of the Puṇḍravardhana province in the late eighth century CE. The text of the inscription reads:[16]

śrīpuṇḍravarddhanabhuktyantaḥpātī
vyāghrataṭīmaṇḍalasambaddhamahantāprākāśaviṣaye
krauñcaśvabhranāmagrāmo sya ca sīmā paścimena gaṅginikā |
uttareṇa kādambarīdevakulikā kharjjūravṛikṣaś ca |
pūrvvottareṇa rājaputtradevaṭakṛt āliḥ | vījapūrakaṅgatvā
praviṣṭā | pūrvveṇa viṭak āliḥ khātakayānikāṃgatvā praviṣṭā |
jambūyānikām ākramya jambūyānakaṃ gata | tato nisṛtya
puṇyārāmabilv ārddhasrotikā | tato pi nisṛtya nalacarmmaṭ
ottarāntaṃ gatā nalacarmmaṭād dakṣiṇena nāmuṇḍikapi
hesadūmmi(?)kāyāṁ | khaṇḍamuṇḍamuṇḍamukhaṃ
khaṇḍamukhād vedasabilvikā vedabilvikāto | rohitavāṭiḥ
piṇḍāraviṭijoṭikāsīmā | uktārajoṭasyadakṣiṇāntaṁ grāmavilvasya
ca dakṣiṇātaḥ | devikāsīmāviṭi | dharmmāyojoṭikā | evam
māḍhāśāmmalī nāma grāmaḥ asya c ottareṇa gaṅginikāsīmā
tataḥ pūrvveṇ ārddhasrotikay āmrayānakolarddhayānikaṅgataḥ
tato pi dakṣiṇena kālikāśvabhraḥ | ato pi nisṛtya
śrīphalabhiṣukaṁ yāvatpaścimena tato pi vilvaṅgordhasrotikayā
gaṅginikāpraviṣṭaḥ | pālitakesīmā dakṣiṇena kāṇādvīpikā |
pūrvveṇa koṇṭhiyñmjāsrotaḥ | uttareṇa gaṅginikā | paścimena
jenandāyikā | etadgrāmasaṁpārīṇaparakarmmakṛdvīpaḥ |
sthālīkkaṭaviṣayasambaddh āmraṣaṇḍikāmaṇḍalāntaḥpāti
gopippalīgrāmasya sīmāḥ | pūrvveṇa
udragrāmamaṇḍalapaścimasīmā | dakṣiṇena jolakaḥ | paścimena
vesānikākhyākhāṭikā | uttareṇ
odragrāmamaṇḍalasīmāvyavasthito gomārgaḥ (lines 30–43)

U. C. Batavyal, the first editor of the plate, could not provide a complete translation of the intricately composed passage quoted above. Later, detailed translations were attempted by F. Keilhorn and A. K. Maitreya. The following translation is based on

[16] U. C. Batavyal, 'On a new copper-plate grant of Dharmapala', *Journal of the Asiatic Society of Bengal* 63 (1895), 39–62; see also, F. Keilhorn, 'Khalimpur plate of Dharmapaladeva', *Epigraphia Indica* 4 (1896–97; 1979 reprint), 243–54; Akshay Kumar Maitreya, *Gaudalekhamama* (i.e., *Inscriptions of Gauḍa*, in Bengali) (1912), 9–28.

Maitreya's reading, occasionally modified on the basis of contexts in which the boundary markers occur in the charter.[17]

> In the Mahantāprakāśa *viṣaya*, which belong to the Vyāghrataṭī *maṇḍala* within the prosperous Puṇḍravardhana *bhukti*, is the village named Krauñcaśvabhra. Its boundary on the west is the dried channel (*gaṅginikā*); on the north it is the small temple (*devakulikā*) of Kādambarī and a date (*kharjjura*) tree; on the north-east, the dike (*āli*) made by the Rājaputra Devaṭa; it goes to and enters a citron (*vījapūraka*) grove; on the east is the dike of Viṭaka, entering into the small canal (*yānikā*) called Khāṭaka; [then] attacking [i.e. approaching] the small canal called Jambūyānikā [the boundary] has moved to the Jambū canal (*yānaka*); coming out from there, it moves up to *vilvārdhasrotikā* of Puṇyārāma (or, 'half stream of the canal called Puṇyārāma'?); from there [it comes to] the northern border (*sīmā*) of Nalacarmmaṭa; to the south of Nalacarmmaṭā [the boundary extends up to] Nāmuṇḍika, from there to Hesadummika (?), from there to Khaṇḍmuṇḍamukha, from there to Vedasavilvikā, from there to the border of the canal (*joṭikā*) of Rohitavāṭi-Piṇḍāraviṭi, [from there] to the southern end of the Uktāra canal (*joṭa*) and the southern end of Grāmavilva, [up to] the Devikāsīmāviṭi [and] the small canal (*joṭikā*) called Dharmma. [For] the village named Māḍhāśālmalī, the north its boundary is also [the same] the dried channel; to the east of this (i.e. the dried channel, till the) half stream of Āmra canal (*yānaka*); from there again, on the south, [the boundary is the village] Kālikāśvabhra, proceeding thence as far as the wood apple (*śrīphala*) orchard belonging to the *bhiṣuka* (physician?) on the west, from there again through half stream of the upper course of vilvaṅga, it enters Gaṅginikā. At Pālitaka the boundary on the south is the small island (*dvīpika*) called Kāṇā; on the east the river Koṇṭhiyā; on the north Gaṅginikā; on the west Jenadāyikā. On the island the funeral rites of this village are performed (?). Of the village of Gopippalī, which is within the Āmraṣaṇḍikā *maṇḍala* belonging to the Sthālīkkaṭa *viṣaya*, the boundaries are, on the east the western boundary of the Udra

[17] Maitreya, *Gaudalekhamama*, 24–26.

> *grāma-maṇḍala*, on the south of the canal (*jolaka*); on the west the pool (*khāṭikā*) named Vesanikā; on the north the cattle-path (*gomārga*) running on the borders of the Udra *grāma-maṇḍala*.

The passage would readily reveal the bewildering degree of precision with which each of the four plots were demarcated in terms of their connection with many contiguous natural and artificial landmarks. Three of these villages were in the *viṣaya* of Mahantāprakāśa within the Vyāghrataṭi *maṇḍala*. The fourth plot in the village of Gopippalī, on the other hand, was in the Āmraṣaṇḍikā *maṇḍala* within the orbit of Sthālīkkaṭa *viṣaya*. The most striking feature of the boundary clause of this charter is the order in which the boundary proviso of each of the villages is recorded. It may be noted here that in most of the charters of Bengal, the clause records only the four cardinal markers of a granted plot. But here even the signs of the boundary for corner directions are also occasionally mentioned. Secondly, the boundary narrative in most of the charters moves in E-S-W-N order, as it will be illustrated with many other examples; but this charter demonstrates a prominent deviation from this convention. Among the three villages within the Mahantāprakāśa *viṣaya*, the order of delineation for Krauñcaśvabhra is W-N-NE-E-S with several boundary elements forming a segment of each of the cardinal directions; for Māḍhāśālmalī the order is N-E-S-W and for Pālitaka it comes to S-E-N-W. However, for the single plot at Gopippalī, which was in a different administrative division (in the Āmraṣaṇḍikā *maṇḍala*), the conventional order of E-S-W-N is maintained. Why then do the boundary specifications for the first three plots deviate from the common practice? The explanation is possibly hidden partly in the sequence of the order and partly in the boundary statement itself. For Krauñcaśvabhra and Māḍhāśālmalī, the boundary description moves from west and north respectively, in a clockwise sequence. For the third village named Pālitaka, however, the narrative shifts to an anti-clockwise scheme – starting from the south and ending in the west. Now, if one examines the actual clause, one notices that for all the three villages, one of the boundaries was formed by the same *gaṅginikā* that ran along the western border of the plot at

Krauñcaśvabhra, and the northern border of those in Māḍhāśālmalī and Pālitaka. Thus, one may argue that this specific orientation of the sequence was envisaged in order to provide boundaries of three contiguous plots, driven sweepingly by one dominant marker, viz. the *ganginikā*. The argument is further supported by the clause recorded for the fourth village, Gopippalī, where the conventional order of E-S-W-N is maintained and the boundary clause moves in a circular (or proper square) order, starting and ending at one of the landmarks of the settlement called Udra *grāma-maṇdala.* So, the boundary clause of the Khalimpur plate furnishes remarkably elaborate details of how the physical characteristics of rural settlements of a given micro-region were governed by an element of proxemics and interacted with each other within a larger spatial network.

A little more than half-a-century later, in the middle of the ninth century, somewhat similar details are again provided in the boundary clause of the Tulabhita (Jagjibanpur) plate of the time of Mahendrapāla, recovered from the same region in the Malda district. The boundaries of the donated plot at Nanda-dīrghīkodraṅga were (Figure 3):[18]

> the half stream of the river *Taṅgila* marks the boundary on the east and (partly) on the south too, which is (further) demarcated by the half stream of *Kubja-ghaṭikā*, *Kāśiggaḍa-bandhāka*, in the middle, stretching up to the eastern boundary of *Nārāyaṇa-vāsa*. The western boundary is marked by *Golayi nirjjhara*, the low land (*avakhāta*) of Ajagara-*vāsaka* (python habitat), termite mound, *aśvattha* tree (the holy fig tree, *Ficus reigiosa*), the western bank (*paścima pāṭa*) of *Svalpanandādhāra*, the Vilva tree (*Aegle marmelos*, bel) west of Bijjaga-bandh, the *āmalaki* tree (*Emblic myrobalam*) six reeds away (*ṣaṇṇalāntara*). Next, the northern boundary consists of the east-facing northern water-holes and (the area) from Nandasurāli on the south up to the half stream of (the river) *Taṅgila*…

[18] S. C. Bhattacharya, 'The Jagjibanpur plate of Mahendrapāla comprehensively re-edited', *Journal of Ancient Indian History* 23 (2007), 61–125.

Here also we find that many natural and human landmarks in a highly complicated scheme, even though they are in the conventional E-S-W-N orientation, form the boundary of the granted plot. The striking feature of this boundary clause is the reference to various floral and faunal species as well as different types of waterbodies and landforms that abounded the region.

This convoluted pattern, however, disappears from Pāla records immediately succeeding this charter, and what almost regularly characterises the description of the grants in northern Bengal is a stereotyped description of the granted plot – without specificities of its boundary – beginning with the phrase, *svasīmāvacchinna* ('as far as its own boundaries'), or *svasambaddhāvacchinna* ('with uninterrupted [land] attached to [i.e. belonging to] itself'), and followed by a generalised narrative of the granted plot, showing an essentially conventionalised imagery of a rural landscape irrespective of any element of individuality in it. The Mohipur copper-plate (Bogra district, Bangladesh) of the third regnal year of Gopāla II, datable to the late ninth century CE, may be taken as a representative example of this stereotypical version. This copper-plate records a transaction at the village of Kaṅkāvāsaka accompanied with the Gomuṇḍakabhūmi and Pravarabhūmi in the Sthālīkaṭa *viṣaya* of the Puṇḍravardhana province. The Sthālīkaṭa *viṣaya* of this plate should be identified with the Sthālīkkaṭa *viṣaya* of the Khalimpur grant, thereby implying that lands in both inscriptions were donated inside the same administrative division within less than a century.

The passage of the text proclaiming the grant reads,

> śrīpuṇḍravarddhanabhuktau sthālīkaṭaviṣaye uccavṛkṣamaṇḍalāntaḥ-pātiparavarabhūmisametakaṅkāvāsake gomuṇḍakādibhūmisamete (lines 39–41)

And then the extent of the land is recorded, translated by the editor of the charter in the following way.[19]

[19] Ryosuke Furui, 'A new copper plate inscription of Gopala II', *South Asian Studies* 24:1 (2010), 67–75, at 70–71.

> Then it is declared that the village, as far as its own boundaries, its grass-field (*tṛṇa-yūti*), and its pasture ground (*gocara*), should be given according to the rule after making the grant with the following conditions: with low-land (*satala*), with raised ground (*s-oddeśa*), with trees (*sapādapa*), with a water place (*sajalasthala*), with pits and saline spots (*sagartoṣara*), with additional taxes (*soparikara*), with fines of ten offences (*sadaśāpacāra*), with the right to catch thieves (*sacauroddharaṇa*), exempted from every burden (*parihṛtasarvvapīḍa*), without entrance of *cāṭas* and *bhaṭas* (*acāṭa-bhaṭapraveśa*), without anything taken (*akiñcitpragrāhya*), accompanied by the contribution of all the royal revenues and offerings (*samastarājabhāgabhogapratyāyasameta*), by the rule of land reclamation (*bhūmicchidranyāyena*), and eternally (lines 51–5).

The same pattern continues almost uninterruptedly in the tenth- and the eleventh-century inscriptions of the Pāla rulers until, in the mid-twelfth century, two copper-plates of the same lineage, hailing from the village of Rajibpur in the South Dinajpur district, furnish data on the locational context of a cluster of land plots within a given locality, although the elements of the boundary *per se* do not reappear here. The second Rajibpur plate thus records that donations were made,[20]

> at the land of thirty-five *āḍhavāpa*s in a plot of cultivated land named Vāthuṇḍavallī (a plot of cultivated land named) Kusumuṇḍā (a plot of cultivated land named) Piśācakuleya and (a plot of cultivated land named) Vivudhapallī, and also at the land attached to Vaṅgaḍī, demarcated by the border of Vāṭṭaḍavallī and watered by a river, (all of) which belong to the southern neighbourhood attached to the granary of Devīkoṭa, in Halavarta *maṇḍala* of Kotivarṣa *viṣaya* in illustrious Puṇḍravardhana *bhuki* (lines 31–41).

[20] Ryosuke Furui, 'Rajibpur copper-plate inscriptions of Gopāla IV and Madanapāla', *Pratna Samiksha: A Journal of Archaeology*, new series 6 (2015), 39–61, at 55.

The practice of delineating detailed boundary charters in northern Bengal reappears with the advent of a new ruling lineage, viz. the Sena dynasty that ruled the entire Bengal Delta, as judged from the spatial distribution of their copper-plate charters and stone inscriptions from all the geographical niches of the region, from the mid-twelfth to the early thirteenth century CE. The boundary clause of the Sena rulers, in northern Bengal, may be illustrated with a couple of specimens from the reign of Lakṣmaṇasena. The Tarpandighi (South Dinajpur district, West Bengal) copper-plate of Lakṣmaṇasena records a donation at the Velahiṣṭī *grāma* in Varendrī within the Pauṇḍravarddhana *bhukti* within the following boundary.

> To the east, the eastern boundary wall of (one) *āḍhavāpa* of rent-free plain land (?) belonging to the deity of the Buddhist monastery; to the south, the Nichadahāra tank (or 'the tank belonging to Nichadahāra'); to the west, the Nandiharipākuṇḍā (or 'the tank belonging to Nandiharipā'); to the north, Mollānakhāḍī (or 'the ditch belonging to Mollāna')

The Madahinagar copper-plate of the same king records alienation of land consisting of a village called Dāpaṇiyā *pāṭaka* in the direction of Kāntāpura, on the Rāvaṇa lake in Varendrī, within the Pauṇḍrabardhana *bhukti*. The four boundaries of Dāpaṇiyā *pāṭaka* are described as follows.

> the eastern boundary being the land abutting the western side of Caḍaspasā *pāṭaka*; the southern boundary being the land abutting the northern side of Gayanagara; the western boundary being the land abutting the eastern side of Guṇṇīsthirā *pātaka*; the northern boundary on the south side of Guṇḍīdāpaṇiyā … mesuring 100 *bhūkhāḍī* and 91 *khāḍikā* along with forest and branches, land and water, pits and barren tracts, betel nut and coconut trees, with *pūti* plant and pasture.

What is crucially significant here is the simultaneous presence of a pronounced boundary following the conventional format of E-S-W-N sequence and the stereotypical description of the donated landscape, a signature of the Pāla grants from the tenth century. Does it imply that Sena charters consciously followed the

prevalent custom established under the rule of their precursors, besides precisely marking the locations of newly created rent-free endowments in terms of the conventional representation of the boundary clause?

Western and south-western Bengal: sixth century to twelfth

Unlike northern Bengal, showing evidence almost uninterruptedly from the fifth to the twelfth century, the inscriptions discovered around the basin of the Bhagirathi river and from the alluvial tract of the Damodar river in western Bengal, as well as those found from the extreme south-western Delta, can be divided into two broad chronological sets datable to the sixth–seventh and the twelfth centuries. The copper-plates of western and south-western Bengal bespeak donations of land to the west of the Ganga within two provincial divisions, viz. the Vardhamāna *bhukti* and the Daṇḍa *bhukti*. The twelfth-century Sena inscription from Barrackpur, in southern Bengal, on the eastern bank of the Ganga, records on the other hand alienation of land in the Puṇḍravardhana *bhukti*. We may begin the discussion by taking examples from the first chronological set, that is, from the the sixth–seventh century inscriptions.

Of the three copper-plates of these regions that refer to alienation of land within the Vardhamāna province, the earliest one, datable to the sixth century, hails from western Bengal; it was issued under the seal of one *mahārāja* Vijayasena, ruling under the suzerainty of Gopacandra.[21] Found in the village

[21] A number of independent rulers are known to have ruled different parts of eastern Bengal immediately after the Gupta rule; for a general discussion, see Sanyal, 'The Pāla-Sena and others', 167–71. For a critical discussion on the chronology of the four east Bengal rulers, Sayantani Pal, 'Reconsidering the chronology of the rulers of Faridpur (6th Century)', *Journal of Bengal Art* 18 (2013), 115–21. Sayantani Pal ('Jayrampur plate of Gopacandra: some reconsideration', in *Studies on Odishan Epigraphy*, ed. Subrata Kumar Acharya (New Delhi, 2015), 65–71), has more recently argued convincingly that the king Gopacandra mentioned in copper-plates from different geographical sectors of Bengal were different rulers, contrary to the earlier view that they were the same and identical person holding sway over a vast tract of Bengal in the sixth century.

Mallasarul/Malla Sarul, the boundary clause of this inscription reads (Figure 4):[22]

> chaturṣu dikṣu sīmā bhavanti (pūrvvasyāḥ di)śi Godhagrāma-sīmā dakṣiṇyāḥ(ṇasyāḥ) Godhagrāmā(ma) [ē]va uttarasyāḥ vaṭavallak-āgrahāra-sīmā paśchimasyāḥ(māyāḥ) diśi arddhena āmragarttikā-sīmā kīlakāś=ch=āttara kama[l-ā]kṣa-mālāṁkitā(tāś=)chatursu dikshu

Thus, the boundary marked with 'pegs' (*kīlaka*) follows the conventional E-S-W-N pattern. What is interesting in this phrase is the statement that the boundary pegs are marked with a chain of what seems to be lotus seeds (*kamalākṣamālāṁkita*), although the implication of this specification is hardly discernible.

The near-contemporary Jayrampur plate of the time of Gopacandra, forming part of the set of south-western Bengal plates, was discovered from northern Odisha, contiguous to the West Medinipur region, on the east bank of the Subarnarekha river. The inscription records the sale and subsequent donation of land at the Śvetavālikā village within Daṇḍa *bhukti*.

The editor of the plate summarises the lengthy boundary clause of the charter in the following way:[23]

> There was the Utkira-khāṭikā in the east; Bhagavān jalanidhiḥ (i.e. ocean), described in beautiful *kāvya* style, in the south (here the reverential description of the ocean is noteworthy); the house-site [*vāstu* i.e. 'homestead land'] of Daṁga-grāma Guṇadeva-maṇḍala in the west; the area (*uddeśa*) called Śṛigāla-padrikā in the north west; then in the north upto the gift-field of the *gṛihādhishṭhaka* Ādityadāsa; then there was the *maṇḍala-kshetra* of Bhagavān Goveśvara; there were a banyan tree and a couple of Chchharapeta in the north-east; and again in the east there were some tanks.

Here for the first time in the corpus of Bengal charters we have a boundary clause that goes beyond the conventional E-S-W-N

[22] N. G. Majumdar, 'Mallasarul copper-plate of Vijayasena', *Epigraphia Indica* 23 (1935–36), 155–61, at 160.
[23] P. R Srinivasan, 'Jayarampur plate of Gopachandra', *Epigraphia Indica* 39:5 (January 1972), 141–8, at 143.

order, including the boundary markers also of the two corners to the north, thereby implying an E-S-W-NW-N-NE-E sequence terminating in the direction of initiation, i.e. in the east (Figure 5).[24] Further, the boundary clause contains some curious expressions that might be interrogated: firstly, *daṁgagrāmīya-guṇadevamaṇḍalavāstu* is marked as the western boundary of the plot. Although the editor does not clearly explain the phrase, it appears that Guṇadevamaṇḍala is a personal name, whose *vāstu* or homestead land is in the Daṁga *grāma*. We shall encounter examples of a varying connotation of this onomastic expression in another plate from the same geochronological context; secondly, the phrase *gṛhādhiṣṭakādityadāsasya vṛttikṣetraṁ* is interesting. Srinivasan did not translate the first part of the phrase and uses the phrase 'gift-land' for the second part. D. C. Sircar also explained the term *vṛtti* as 'grant of land for one's livelihood' with evidence from temple inscriptions of south India,[25] but the form remains unrepresented in Bengal inscriptions. Although the term *gṛhādhiṣṭaka* is perhaps not known from any inscription of early Bengal, both Monier-Williams and Sircar alluded to *adhiṣṭhāyaka* in the sense of *adhyakṣa*, meaning the 'head of a department' or 'superintendent of a department'.[26] May we therefore argue that this term is essentially the regional version of *adhiṣṭhāyaka*, and further suggest that *Ādityadāsa* was an official of the rank of 'superintendent of the (rural?) housing department'?

Of the rural settlements mentioned in the boundary clause, we may propose an identification of Sṛgālapadrikā with the modern village of Sialia (20°44'53.39"N/ 86°43'12.94"E), situated to the east of the find-spot of the copper-plate. A study of the other identifiable localities recorded in the copper-plate might be useful in understanding the nature of the spread of early medieval settlement in this sector of the eastern coast.

[24] Ghosh, 'Understanding boundary representations', has underlined the significance of a boundary clause specifying the landmarks of the eight directions in the case of Kāmarūpa copper-plates.
[25] D. C. Sircar, *Indian Epigraphical Glossary* (Delhi, 1966), 381.
[26] Monier Monier-Williams, *A Sanskrit-English Dictionary* (new edn, Delhi, 2002 reprint), 22; Sircar, *Indian Epigraphical Glossary*, 8.

Coming to the seventh century, the Maliadanga (Mallia) plate of King Jayanāga, coming from the eastern bank of the river Gambhira in the Murshidabad district, records a donation at a village called Vappaghoṣavāṭa. The relevant passage of the charter reads (Figure 6),[27]

> The signs of the boundary therein are: on the west, the boundary of the grant belonging to the Brāhmaṇas of the Kuṭkuṭa *grāma*; on the north, the river-bed; on the east the same river-bed; issuing thence and running along the western boundary of Amalapautika-*grāma*, (the boundary) is the Sarṣapa *yāṇaka*; it is limited by the same [boundary], as far as Bhaṭṭa Unmīlanasvāmin's grant (*śāsana*); from the south thereof, (the boundary), turning along further by the same boundary to the north, proceeds as far as the boundary of Bharaṇīsvāmin's grant, thence in a straight line enters the pond of Vakhaṭasūmālikā on the boundary of Bhaṭṭa Unmīlanasvāmin's grant and goes as far as the same boundary of Brāhmaṇas of Kuṭkuṭa *grāma*.

Thus, the boundary description of the granted plot in this inscription marks not only a departure from the conventional pattern by delineating the boundary in just the reverse order, i.e. W-N-E-S, but also makes precise reference to the landmarks within given directions.

We may now juxtapose this somewhat curious representation against what we encounter in one of the contemporary charters from the south-western coastal tract. Conventionally named the Panchrol (or 'Egra') copper-plate, after its place of origin, it is one of the three records of the reign of Śaśāṅka found from the East and West Medinipurs districts. The boundary clause of the Panchrol plate reads,[28]

> (The border landmarks are) a peg at the southwest corner of the ditch Kaṇṭikārikā (*kaṇṭikārikāgarttā*). Then as for the south, a peg

[27] L. D. Barnett, 'Vappaghoshavata grant of Jayanaga', *Epigraphia Indica* 18 (1925–26), 60–4, at 63.

[28] Ryosuke Furui, 'Panchrol (Egra) copper-plate inscription of the time of Śaśāṅka', *Pranta Samiksha: A Journal of Archaeology*, new Series 2 (2011), 119–30, at 125.

> to the south of the western wider side (*mahāpadaka*) of Tāla lake. Then as for the northwest, a peg to the east at the water filled lake of Vahidaka. Then as for the north, a peg at the border of Bhaktisvāmī maṇḍala. Then as for the east, a peg at the southern wider side of the lake of Caṇḍāla. Then as for the south, a peg to the east at Vedamattasvāmī maṇḍala. Then as for the west, a peg at the northwest corner of the dried-up lake. Then as for the south, until the mark 10 at the ditch Kaṇṭikārikā.

While here we again find the practice of marking a boundary with pegs (*kīlaka*), the significant point is that the boundary of the granted plot initiates and terminates with the same landmark – a ditch called Kaṇṭikārikā (*kaṇṭikārikāgarttā*) – suggesting a 'field-walk' in delineating the boundary with the minutiae of its surrounding human environ. And since these minutiae seem to have driven the precise boundary of the plot, the directional elements appear to be highly complicated here. Interestingly, there is no reference to the direction for which the first boundary peg 'at the southwest corner of the ditch' is inserted, because here the ditch of Kaṇṭikārikā itself forms the point of reference. Therefore, finally, the sequence of directions envisaged here assumes a highly complicated, and at times confusing, configuration: firstly, the first segment of the clause suggests a sequence in SW-S-NW-N order, though the element of discrepancy for the first peg prevails; secondly, the final segment refers to four pegs in E-S-W-S order, probably suggesting an error on the part of the scribe in writing the final direction which should have been 'north' instead of south. If this element of scribal error is accepted, a reconstructed diagram for the second section of the boundary clause – with the 'mark 10 at the ditch Kaṇṭikārikā' being conceived as the northern boundary – can be visualised (Figure 7), although the first part remains problematic.

The next set of copper-plates from western-south-western Bengal are dated to the twelfth century, and all of these were issued during the reigns of three Sena kings named Vijayasena, Vallālasena and Lakṣmaṇasena, who ruled in succession. The earliest in the list from the region is the Sitahati plate (or more commonly known as 'Naihati' plate, named, by the first editor of

the charter, after the contiguous and more popular village of this name) of the eleventh ruling year of king Vallālasena. The plate records a land transfer in the Vāllahiṭṭhā village in the Svalptadakṣiṇa *vīthī* of the Uttararāḍhā *maṇḍala* of the Vardhamāna province (*bhukti*). The boundary reads,[29]

> śrīvarddhanamānabhukty antaḥpātiny uttrarāḍhāmaṇḍale svalpadakṣiṇavīthyāṁ khaṇḍayillāśāsan ottarasthita siṅgaṭiānady uttarataḥ nāḍīcāśāsan ottarastha siṅgaṭiānadīpaścim ottarataḥ amvayillāśāsanapaścimasthita siṅgaṭiāpaścimataḥ kuḍumvamādakṣiṇa sīm ālidakṣiṇataḥ | kuḍumvamāpaścima paścimagati sīm ālidakṣiṇataḥ | āūhāgaḍḍiādakṣiṇagopathadakṣiṇataḥ tathā āūhāgaḍḍiy ottaragopathaniḥs移tapaścimagati surakoṇāgaḍḍiakīy ottar āliparyyantagata sīm ālidakṣiṇataḥ naḍḍināśāsanapūrvvasīm ālipūrvvataḥ jalasothīśāsanapūrvvasthagopath ārdhapūrvvataḥ molāḍandīśāsanapūrvvasthitaḥ siṅgaṭiāparyyanta gopathārthapūrvvataḥ | evaṁ catuḥsīmāvicchinnaḥ vāllahiṭṭhāgrāmaḥ

According to R. D. Banerji, the village Vāllahiṭṭhā was thus

> situated to the north of the river Siṅgaṭiā, which lay to the north of the *Śāsana* of Khāṇḍayillā, to the north west of the river Siṅgaṭiā, which lay to the north of the *Śāsana* of Nāḍichā, to the west of the river Siṅgaṭiā, which lay to the west of the *Śāsana* of Āmvayillā, to the south of the southern boundary-wall (*Sīmāli*) of Kuḍumvamā, to the south of the boundary-wall on the west of Kuḍumvamā which runs to the west (*Paśchima-gati*), to the west of the southern cattle track (*gopatha*) on the south of the Āuhāgaḍḍiā, to the south of the boundary-wall which issues from the northern cattle track of Āuhāgaḍḍiā, runs to the west and reaches to the southern boundary-wall of the Surakoṇāgaḍḍiā, to the east of the eastern boundary-wall of Nāḍḍinā, to the east of half, of the cattle track to the east of the *Śāsana* of Jalasothī, and to the east of half of the cattle track to the

[29] R. D. Banerji, 'The Naihati grant of Vallala-Sena; the 11th year', *Epigraphia Indica* 14 (1917–18), 156–63.

> east of the *Śāsana* of Molāḍandā (which runs) up to the (river of) Siṅgaṭiā.[30]

The passage suggests that the *sīmā* of the village Vāllahiṭṭhā revolved round the course of the river Siṅgaṭiā and a number of contiguous *śāsanas* (rent-free villages) and/or other rural localities. Interesting to note in this passage, however, is the language, emphasising the location of the granted plot with reference to the contiguous localities, diverging from the stereotyped expression, 'to the east . . . to the south . . .', and so on, to be found in most of the charters of eastern India in general.

Issued in the fourth regnal year of Vallāla's son, Lakṣmaṇasena, the Saktipur copper-plate, discovered in the Birbhum district of western Bengal, records land donation in parts of the Nimā *pāṭaka*, Vārahakoṇā, Vāllihitā, Vijahārapura and Ḍāmaravaḍā *pāṭaka* in Kumārapura *caturaka* in the Madhugiri *maṇḍala*, attached (*sambaddha*) to Kumbhīnagara in Dakṣiṇa *vīthī*, in Uttara Rāḍha in Kaṅkagrāma *bhukti*, having their boundaries specified as in the following.[31]

> The lands comprising Vārahakoṇā, Vāllihitā, Rāghavahaṭṭa and part of Nimā were contiguous, and were bounded in the east by the extensive lands of Mālikuṇḍā along with Aparājolī; in the south by Bhāgaḍikhaṇḍakshetra, in the west by the cow-track of Achchhamā and in the north by the Mora river. The two *pāṭakas* of Vijahārapura and Ḍāmaravaḍā which were off from the above lands, were again contiguous. They were bounded on the east by Chākaliyājolī; on the south by Vipravarddajolī, on the west by Lāṅgalājolī and on the north by the cow-track of Parajāna.

A detailed note on the probable locations of identifiable settlements was also provided by Ganguly, though no subsequent archaeological study has so far been made towards extension of the data provided by him.[32] It is interesting to note that a series of

[30] *Ibid*., 158.
[31] D. C. Ganguly, 'The Saktipur copper-plate of Lakshmanasena', *Epigraphia Indica* 21 (1931–32), 211–19, at 213.
[32] *Ibid*., 214.

jolī or canals, inter alia, acted as the most distinctive markers of the boundary of the second set of land-plots.

Coming to the contemporary grants in the south-west, donations were made on two occasions, two years prior to the issuance of the Saktipur copper-plate, by the Bakultala (or 'Sundarban') and the Govindapur copper-plates, both dated in the second year of Lakṣmaṇa's reign. The Govindapur plate records donations at Viḍḍāra *śāsana* in Vetaḍḍa *caturaka* within Paścima Khāṭikā of Varddhamāna province (*bhukti*); the Bakultala plate, on the other hand, records land transaction at Maṇḍala *grāma* in the Kāntallapura *caturaka* of Khāḍi *maṇḍala* in the Pauṇḍravarddhana province. We may cite the passages that record the locations and boundaries of the grant in these two charters, before attempting introspection into the historical geographical implications underlying them.

The Govindapur plate reads,[33]

> śrivarddhamānabhukty antaḥpātipaścimakhāṭikāyāṁ
> vetaḍḍacaturake pūrvve jāhṇavīsravantī arddhasīmā | dakṣiṇe
> leṅghadevamaṇḍapīsīmā | paścime ḍālimbakṣetrasīmā | uttare
> dharmmanagarasīmā | (lines 33–36)

The Bakultala plate, on the other hand, records,[34]

> pauṇḍravarddhanabhukty antaḥpātikhāḍimaṇḍale
> kantallapuracaturake purvve śāntyāgārikaprabhāsaśāsanaṁsīmā
> dakṣiṇe citāḍikhātārdhasīmā paścime
> śantyāgārikarāmadevaśāsanapūrvvapārśvaḥsīmā uttare
> śāntyāgārikaviṣṇupāṇigāḍolīkeśavagāḍolībhūmisīmā

It is curious to find that the granted plots in both charters are located within *caturaka*-level administrative centres, which are in turn included within two hydrographically defined landscapes: a Khāṭikā in the case of the Govindapur plate, and a Khāḍi (which forms a separate administrative unit of the level of *maṇḍala*) in

[33] N. G. Majumdar, *Inscriptions of Bengal Containing Inscriptions of the Chandras, the Varmans and the Senas, and of Isvaraghosha and Damodara*, vol. 3 (Rajshahi, 1929), 96.

[34] Majumdar, *Inscriptions of Bengal*, 171. (Majumdar did not specify the line-numbers of the text of this now-lost copper-plate.)

the case of the Bakultala plate. D. C. Sircar rightly suggests that a *khāṭikā* is 'the mouth of a river', synonymous to 'Bengali Khāḍi', i.e. an estuarine bank.[35] The contexts of their representation in the relevant texts, however, suggests that, even though both grants were located within the geographical frame of the broader coastal tidal lowlands, a distinction is nevertheless intended in the geographical delineation of an administrative division under Khāḍi, and a smaller geographical locality centring round a Khāṭikā. This distinction possibly finds manifestation in the boundary clause of these charters. While the village of Viḍḍāra is bounded by varying ranges of natural and artificial landmarks, such as an orchard (*ḍālimbakṣetra*), a temple (*leṅghadevamaṇḍapī*), a contiguous rural settlement (*dharmmanagara*), and the river Ganges (*jāhṇavī*), the village Maṇḍala *grāma* of the Bakultala plate has three of its four boundaries formed by what seems to be a cluster rent-free, owned by a particular category of Brāhmaṇa landholders who, as we know from recent studies,[36] had assumed a prominent position in the local administrative machinery in different parts of Bengal during the early medieval period.

Two more contemporary charters, with which we may close this section, record a land transfer to the east of the Ganges. The Anulia copper-plate found in the Nadia district, and the Barrackpur copper-plate hailing from the present North 24-Pargans district. While the Anulia plate delineates the boundary in the conventional E-S-W-N order with landmarks formed by contiguous villages and major vegetational features,[37] the representation attested in the Barrackpur plate appears unprecedented in the corpus of Bengal charters. The relevant passage reads,[38]

> śrīpauṇḍravarddhanabhukty antaḥpātikhāḍiviṣaye
> ghāsasambhogabhāṭṭavaḍāgrāme

[35] Sircar, *Indian Epigraphical Glossary*, 157.
[36] Sayantani Pal, 'The Śāntyāgārika Brāhmaṇas in the land grant charters of early Bengal', *Journal of Ancient Indian History* 26 (2010), 148–51.
[37] Majumdar, *Inscriptions of Bengal*, 87.
[38] *Ibid*., 63.

tikṣahaṇḍajalārddhasīmādakṣiṇapaścm ottarataḥ
yathāprasiddhacatuḥsīmāvacchinā (lines 34–36)

We therefore have, first, no boundary specified for the eastern side; and secondly, the 'marshy land' called Tikṣahaṇḍa forms the boundary on all three remaining sides. The phrase *yathāprasiddhacatuḥsīmā* ('the four well-known boundaries') appears to represent a stereotyped version – a unique example – of the directional elements of a boundary clause.

Eastern Bengal: the sixth century to the eleventh

We previously had occasion to consider the reigns of four independent rulers in eastern Bengal in the sixth century, immediately after the decline of the Gupta supremacy in Bengal. The inscriptional materials of the period from this region are found from the present Gopalganj district of Bangladesh and all of them record land alienation in the district (*viṣaya*) level administrative centre at Vārakamaṇḍala. In studying the boundary clauses of east-Bengal inscriptions, we may begin with a specimen taken from one of these charters, viz. the Kotalipara copper-plate of Dvādaśāditya, the most recently published charter from eastern India. This inscription furnishes the following detail of the boundary of the granted plot,[39]

sīmā-līṅgāni c=āttra purvveṇa vaṇḍakhāṭaka-grāma-[sī]mā
dakṣiṇena ghāghaṭṭa-sīmā paścimena suṣka-puṣkariṇī-purvv-ālī-
praviṣṭaka-sīmā uttareṇa śragdhākaśoṭi-sīmā (lines 32–34).

The editor of the plate has translated the passage,[40]

> Then the border marks are: to the east, the border of Vaṇḍakhāṭaka *grāma*; to the south, the border of Ghā-ghaṭṭa; to the west, the border entering the eastern embankment of the dried tank; and to the north, the border of Sragdhākaśoṭi.

[39] Ryosuke Furui, 'The Kotalipada copper-plate inscription of the time of Dvādaśāditya, year 14', *Pratna Samiksha: A Journal of Archaeology*, new series 4 (2013), 89–98, at 91.
[40] *Ibid*., 93.

If we compare this clause with what is noticed in one of the contemporary Faridpur plates dated in the reign of Dharmāditya, found in the same Kotalipara region, some further probing into boundary delineation in eastern Bengal might be attempted. D. C. Sircar gave the following emended reading of the relevant segment of the text:[41]

> sīmā-liṅgāni cāttra pūrvveṇa himasena-pāṭako dakṣiṇena trighaṭṭikā apara-tāmrapaṭṭaśca paścimena trighaṭṭikāyāḥ śīlakuṇḍaśca uttareṇa nāvāṭā kṣeṇī himasena-pāṭakaśca

Prima facie, we have here another case of field-walking, beginning and ending at Himasenapāṭaka, as previously seen in the case of the Panchrol/Egra copper-plate. Secondly, the names of the boundary markers are interesting. The eastern and part of the northern boundary of the plot are marked by Himasenapāṭaka; Sircar thought that here the suffix *pāṭaka* means a unit of land measurement.[42] But we now know that *pāṭaka* simultaneously had the connotation of a land-measuring unit as well as a rural settlement unit in early Bengal in varying spatio-temporal contexts from the sixth to the twelfth century CE.[43] Therefore, the term suffixed with a personal name, as in the present case, would suggest that this was an onomastic micro-toponym rather than a specific measure of land. Further, this is possibly the earliest reference to *pāṭaka* being used as a settlement term in early Bengal. The term *trighaṭṭikā*, appearing as the southern and western boundary of the plot has been taken by both F. E. Pargiter and D. C. Sircar to mean 'possibly a locality having three *ghāṭs* (landing places) of a river',[44] while Arlo Griffiths argued on the basis of the occurrence of the term in the Pradyumnabandhu's plate that it 'must be a hydronym', taking it in the sense of a river.[45] But the phrase *paścimena*

[41] Sircar, *Select Inscriptions*, I, 366–7.
[42] *Ibid*., 366, note 17.
[43] Sanyal, 'Geo-polity in early mediaeval Bengal', 99–100.
[44] Sircar, *Select Inscriptions*, I, 366, note 19; see also, F. E. Pargiter, 'Three copper plate grants from East Bengal', *Indian Antiquary* 39 (1910), 193–216, at 196.
[45] Griffiths, 'New documents', 32, 33.

trighaṭṭikāyāḥ śīlakuṇḍaśca possibly allows some more insight into its probable connotation. The term Śīlakuṇḍa in this phrase is the name of a village, since it clearly appears as Śīlākuṇḍa *grāma* as one of the boundaries in the Faridpur plate of Gopacandra.[46] Thus, the evidence first shows that lands were donated by the two Faridpur plates under the reigns of two local rulers within the same locality. But what is significant for our purpose is that both this village and a *trighaṭṭikā* are simultaneously recorded as the western boundary of the granted plot. So, it is possible that this *trighaṭṭikā* is a water-body, located at the south-western corner of the granted plot between Śīlakuṇḍa to the south and another village/land plot already donated as a permanent endowment to the west, as indicated by *aparatāmrapaṭṭaśca*, i.e. '[donated through] another copper-plate'.

After a gap of about four centuries, this segment of eastern Bengal reappears in inscriptional records of two ruling lineages, viz. the Candra and the Varman, in the tenth and eleventh centuries CE, their inscriptions being distributed in what is the modern Dhaka-Manikganj-Munshiganj-Shariatpur-Narshingdi cluster of districts of present Bangladesh. But by now the region forms part of the Pauṇḍra *bhukti*, a nomenclature that initiates the process of the Puṇḍravardhana province extending from the geographical confines of the northern Bengal plains to the larger landscape covering the whole geographical sector of Bengal to the east of the Ganges. The final manifestation of this process is seen in the Anulia and Barrackpur copper-plates of twelfth century, discussed earlier, hailing from the western part of Bengal, yet from regions to the east of the Ganges – referring to land transactions within what is then called the Pauṇḍravardhana *bhukti*, obviously underlining the second and the final stage of geopolitical extension of Puṇḍravardhana.[47] The same region, however, figures in the Sena copper-plates of twelfth century

[46] Sircar, *Select Inscriptions*, I, 371.
[47] Rajat Sanyal (forthcoming), 'From the province to the hamlet: some aspects of administrative polity in early Bengal'.

under the provincial name of Pauṇḍravardhana, but there it almost unexceptionally forms part of 'Vaṅga in Vaikramapura'.[48]

The entire published corpus of Candra and Varman inscriptions, recording donations in the newly established Pauṇḍra *bhukti*, lacks any evidence of boundary markers. The grant segment of these plates only mentions the name of the grant-village, followed by the stereotyped phrase that characterises the contemporary Pāla plates dealt with above. This lack of evidence might be put down to two factors: either, influence on the format from the Pāla records or, more plausibly, the simple lack of any need to demarcate the precise boundaries of grant-plots in a region that had just witnessed the formation of a new province. We might therefore infer that pressure on land in the region was less than in south-eastern Bengal, where the charters of the same Candra lineage are regularly found to record the specifics of boundaries.

Coming to the twelfth-thirteenth century, however, boundary evidence reappears in the eastern Bengal inscriptions of the Sena kings and their contemporary local lineages. The Rajabari/ Bhawal (present Gazipur district forming part of the erstwhile 'Dacca' district) copper-plate dated in the twenty-seventh year of Lakṣmaṇasena's reign, refers to the donation of two clusters of plots consisting of Rāpaśvakoṭa-majagaharttarāka with parts of Cuñcalī, Kavilkī, Gaṇḍolī and Dehiyā; parts of Mādisahaṁsā; parts of Vasumaṇḍana *grāma*s in Vasuśrī c*aturaka* of Bāṇḍana *āvṛtti* in the Pauṇḍravarddhana *bhukti*. The long boundary perambulation is both complicated and at the same time interesting, as it refers to several toponyms and their spacial characteristics.[49]

śrīpauṇḍravarddhanabhuktyanataḥpāti
bāṇḍanāvṛtyanarggatavasuśrīcaturake pūrvve poñceṣādāṇḍisīmā
dakṣiṇe jaladāṇḍisīmā paścime majandīsīmā uttare'pi tathā sīmā

[48] For a critical study of the historical geography of the Vaṅga region in the early historic period, B. N. Mukherjee, 'The earliest limits of Vaṅga', *Indian Museum Bulletin* 25 (1990), 65–8.

[49] N. K. Bhattasali, 'The Rājāvāḍī (Bhāwāl) plate of Lakṣmaṇa Sena Deva', *Journal of the Asiatic Society of Bengal, Letters* 7 (1942), 1–39, at 35–6.

ityaṁ catuḥsīmāvacchinaṁ kavilkī cuñcalī
gāṇḍolīdehiyākhaṇḍakṣetrasameta rāpaśvakoṭamajagaharttarāka
pūrrve guḍāhāsasambandhibhūsūttradvayaṁ siṁhajāvilkī tathā
kematagrāvāṭipaścimakāṇḍistathā
jaladāṇḍisambandhīyacatuḥsūttrabhraṣṭajalanirggamajāṇaḥ sīmā
dakṣiṇe jaladāṇḍisīmā paścimāyāñca jaladāṇḍisīmā uttare
vātahāranadaḥ sīmā ytyaścatuḥsīāvacchinno
mādisāhaṁsakiyadekadeśaḥ
ityametavuparilikhitābhūsīmāvacchinnau (lines 34–39)

Bhattasli's translation of the passage reads:[50]

Whereas in the Bhukti (Division) of Pauṇḍravarddhana, in the Āvṛtti (Circle or Enclosure) of Bāṇḍana, in the Caturaka (Quadrangle) of Vasu-śrī, (the village) Rāpaśvakoṭā-majagaharttarāka (?) with detached plots of (the villages of) Kavilkī, Cuñcalī, Gaṇḍolī and Dehiyā, bounded as follows: –
To the East, the boundary of Poñceṣādāṇḍi;
To the South, the boundary of Jaladāṇḍi;
To the West, the boundary of the dried-up river;
To the North, the same (and)
a part of the village Mādisāhaṁsa, bounded as follows: –
To the East, the canal (outlet) for the flow of spill-water skirting two sides of the (village of) Guḍahāsa and slipping off the four sides of (the village of) Siṁhajāvilkī, Kametagrāvāṭi, Paścimakāṇḍi and Jaladāṇḍi;
To the South, the boundary of Jaladāṇḍi;
To the West, also the boundary of Jaladāṇḍi;
To the North, the boundary of the river Bānahāra.[51]

Thus, in the whole gamut of epigraphic material from eastern Bengal, the Rajabari plate is the only source where one has not only the separate clusters of plots bounded with specific rural landmarks, but is also represents the sole evidence of a boundary clause being practically driven by one specific village, viz. Jaladāṇḍi that Bhattasali argued to identify with the village 'Khodādia' and aptly justified the dissimilarity in the phonetics

[50] *Ibid*., 37–8.
[51] *Ibid*., 17.

of the two names in the light of political historical developments of the region.

Boundary specifications continue to occur in the inscriptions of the succeeding Sena kings. For instance, the Madanpara and the so-called Madhyapara copper-plates of the time of Viśvarūpa-sena (and Sūryasena) furnish details of the boundary in the conventional manner, with contiguous village settlements forming the boundary of the grant plots.[52] Among the thirteenth-century inscriptions of the local ruling lineages of south-southeast Bengal, the Adabari/Adavadi copper-plate of Daśarathadeva was issued some time soon after 1243 CE, the last known date of his father Dāmodaradeva. The plate was discovered from what is now part of the Munshiganj district to the southeast of modern Dhaka. N. G. Majumdar gave the following account of its boundary clause with a proposed identification of the villages mentioned therein.[53]

> The boundaries of the land are: to the north, Nayanāva and Mūlādāva (modern Nayanā and Māl respectively); to the south Vaḍāilā and Bhāṅganiyā (corresponding respectively to the present villages of the same name); and to the west, Gaṇāgrāma (probably modern Ganāisār) and Māntahaṭā.

South-eastern Bengal: the sixth century to the thirteenth

The large spatial segment to the east of Meghna was largely divided into two kingdoms known in historical sources as Samataṭa and Harikela. Although these two units had their core territories – the Comilla-Noakhali plains for Samataṭa, and the Chittagong coastal tract for Harikela – their contours often overlapped, and one territory sometimes subsumed the other.[54] Besides these two kingdoms, in the Samataṭa-Harikela orbit we

[52] For the Madanpara plate, see D. C. Sircar, 'Madanpada plate of Visvarupasena', *Epigraphia Indica* 33 (1959–60), 315–26; for the Madhyapara plate, D. C. Sircar, 'Calcutta Sahitya Parishat copper-plate of Visvarupasena', *Journal of Asiatic Society of Bengal, Letters* 20 (1954), 201–8.

[53] Majumdar, *Inscriptions of Bengal*, 182.

[54] Suchandra Ghosh and Sayantani Pal, 'Political geography and locational importance of Samataṭa-Harikela region, in *History, Culture and Coinage of Samataṭa and Harikela*, ed. Jahar Acharjee (Agartala, 2006), 78–96.

have to take into account another geo-political space called Śrīhaṭṭa, which is known as present-day Sylhet, located on the Surma river, an offshoot of the Meghna. As with earlier examples, an important feature of the copper-plate inscriptions from this region was their boundary specifications, which give us an idea of the nature of rural settlements in the region. For our study, we have taken representative examples from different periods as well as different areas – Samataṭa and Śrīhaṭṭa. As for Harikela, we are limited by our sources. We have two vase inscriptions of Devatideva (715 CE) and Attākaradeva of around tenth century CE which refer to donations of lands, but here the boundary markers are not very pronounced, although in the grant of Devatideva, a Mahāyāna *vihārakṣetra* is mentioned as its eastern boundary. This is a pointer to the practice of Mahāyāna Buddhism in the area.

The chronological frame for the earliest polity in south-eastern Bengal can now be safely dated to the early fifth century, with the recent publication of a charter dated in the reign of Vainyagupta in 504/05 CE, referring to an earlier grant dated 411 CE.[55] Although the inscription refers to the donation of a large number of land plots, it does not contain any evidence of boundary specifications. But the evidence of an elaborate boundary clause in clear terms is witnessed by the Gunaighar plate of of the same king, found from the present Brahmanberia district (former Comilla district) of southeastern Bengal and dated in GE 188, i.e. 508/09 CE. Here the composer describes with every *minutia* the boundary markers of all the seven plots in which the grant took place.[56]

> Boundary of Plot 1: to the east, the border of Guṇikāgrahāra village and the field [*kṣettra*] of carpenter [*vardhaki*] Viṣṇu; to the south, the field of Miduvilāla (?) and the field belonging to

[55] Ryosuke Furui, 'Ājīvikas, Maṇibhadra and early history of Eastern Bengal: a new copper-plate inscription of Vainyagupta and its implications', *Journal of the Royal Asiatic Society*, series 3, 26/4 (2016), 657–81.

[56] Here we have followed the translation given by B. D. Chattopadhyaya, *Aspects of Rural Settlements and Rural Society in Early Medieval India* (Calcutta, 1990), 62–3.

the royal monastery [*rājavihāra*]; to the west, the Sūrī-Nāśī-Rampuraṇeka-Kṣetram; to the north, the tank [*puṣkariṇī*] in the enjoyment [*bhoga*] of Doṣī…and the boundaries of the fields of Piyāka and Ādityabandhu.

Boundary of Plot 2: to the east, border of Guṇikāgrahāra village; to the south, the field of Pakkavlāla; to the west, the field of royal monastery; to the north, the field of Vaidya

Boundary of Plot 3: to the east, the field of …; to the south, the boundary limit of the field of Makhadvāracharika; to the west, the field of Jolārī; to the north, the field of Nāgī Joḍāka

Boundary of Plot 4: to the east, the boundary limit of the field of Buddhāka; to the south, the field of Kālāka; to the west, the boundary limit of the field of Sūryya; to the north, the field of Mahīpāla.

Boundary of Plot 5: to the east, the *kaṇḍaviḍuggurikakṣetra*; to the south, the field of Maṇibhadra; to the west, the boundary limit of the field of Yajñarāta; to the north, the boundary limit of the village Nādaudaka.

Boundary of Plot 6 (*talabhūmi*, i.e. lowland belonging to the vihāra): to the east, the ditch [jolā] between the (two) landing places of boats at Cuḍāmaṇi and Nagaraśrī [*cuḍāmaṇinagaraśrīnauyogāyo rmadhye*]; to the south, the channel open to boats connected to the tank of Gaṇeśvara-vilāla; to the west, the end of the field belonging to the temple of Pradyumneśvara; to the north, the channel leading to the landing place of boats at Praḍāmāra [*praḍāmāranauyogakhātaḥ*].

Boundary of Plot 7 (*hijjakakhilabhūmi* at the entrance of the *vihāra*): to the east, the boundary limit of the field belonging to the temple of Pradyumneśvara; to the south, the boundary of the field belonging to the *vihāra* of the Buddhist monk *ācārya* Jitasena; to the west, the stream [*gaṁga*] Hacāta; to the north, the tank [*puṣkariṇī*] of Daṇḍa (Figure 8).

Now we shall focus on the Kailan copper-plate of Śrīdhāraṇarāta (*c*. 665–75CE) of the local ruling house of the Rātas from Samataṭa. In the Kailan copper-plate of Śrīdhāraṇarāta the

donees were a Buddhist *saṅgha* and thirteen brāhmaṇas. The boundary description of this plate finds the following expression.[57]

> guptīnāṭne khaḍobbālikā tratuvāpāṭakorakhallāṣṭadaṇḍānām prāpiṇām aṣṭādaśānām pāṭānāṁ sīmaliṅgāni yatra pūrveṇa daśagrāme nāyaviḍḍikavillabhaṅgena naupṛthvī śrīkṣetraṁ niṣkrantaka prāviṣṭakabhaṅgena naupṛthvī śrīḍaṅkella nausthiravegākṣetrāṇi dakṣiṇena nausthiravegā paścimenadviṣkhalikā nadī uttarenāpi dviṣkalikā nadī nayavaḍḍīkavillaśca || nidhānikāḍobba raṅkupottake vappayaśaḥprāpiṇā pañcānampāṭakānāṁ prathamakhaṇḍe pūrvveṇa tīradeśīya-tāmra dakṣiṇena nauśivabhogā paścimena svatāmram uttarenārrdhatrika-śata-kulaputrakānāṁ kṣetram dvitīye pūrvvesvatāmra dakṣiṇena daṇḍa-jayasena-kṣetram paśimenāḍvāgaṅgā svatāmram uttarenārrdhatrika-śata-kulaputrakānāṁ kṣetram || (lines 28–34).

The donated land plots were located in well-settled marshy land, according to the border landmarks, which contain water-bodies such as a lake (*villa*), rivers and embankments (*āli*) with facilities related to water-borne traffic. Along with the reference to *naudaṇḍaka*s (boat-parking stations), we have terms like *naupṛthvī, nausthiravegā*, *nauśivabhoga* in the context of markers for the boundary.[58] If we take the term *naupṛthvī* in the literal sense, it means a land of *nau* (boats). It is possible that in the context of a riverine port, we can think of a boatscape. We might now say that *nauprṛthvī* refers to the innumerable number of boats that were present around Devaparvata.

The term *kṣetra* is attached to *nausthiravegā.* This is a difficult term to explain. But since one of the boundaries of the donated plot had *villabhaṅga* (*bil* is a common Bengali word meaning 'moss covered with water' or 'watery low-lying land') then perhaps *nausthiravegā* could be a space where the water tended to become stagnant – a sort of watery lowland – and this

[57] D. C. Sircar, *Select Inscriptions bearing on Indian History and Civilization (From the Sixth to the Eighteenth Century A.D.)* vol. 2 (Delhi, 1983), 38–9.
[58] D. C. Sircar, 'The Kailan copper plate inscription of Śrīdhāraṇa Rāta of Samataṭa', *Indian Historical Quarterly* 23 (1947), 221–41.

helped the boat to wait there before it could be parked. It is interesting that in the case of boundary markers this inscription uses terms relating only to boats. We know that Bangladesh being a land of rivers, streams, and canals, boatmen formed a significant part of society there.

Next we shall study the boundaries of a Brāhmaṇa settlement (*brahmapura*) in Śrīhaṭṭa (modern Sylhet, Bangladesh) in the early tenth century from the Paschimbhag copper-plate of Śrīcandra (*c*. 925–75CE), the most powerful ruler of the Candra dynasty of eastern/south-eastern Bengal.[59] According to the record, six thousand brāhmaṇas were settled by royal order on a very large area which was exempted from all taxes. The said *brahmapura* was named Chandrapura (*chandrapurābhidhānam*) after the reigning king Śrīcandra. The boundary demarcations on all four sides of the granted area are precisely recorded: on the east a large embankment (*bṛhatkoṭṭālisīmā*); on the south the Mani river (*maninadisīmā*), identified with the present Manu river which rises in the Tippera hills and runs through the Maulavi Bazar district); on the west two channels (*khātaka*), Jujju (identified with Jujnachhara) and Kaṣṭhāparṇi and the Vetraghaṅghi river (modern Ghunghi river) and on the north the Kosiyara river (identified with Kusiyara running through Sylhet). Thus, the large area comprising three *viṣayas* which formed the gift-land was situated to the south of that river. This is an interesting example of water-bodies surrounding a granted area. Adjacent to the Brahmapura, but outside its limit, stood a station where boats would be tied (*naubandhāka*); put differently, a place where boats were stationed. The said *naubandhāka* possibly belonged to one Indreśvara, who was perhaps the owner of the area. In some other land grants from Bengal, noted for its many rivers (*nadīmatṛka*), such boat-parking areas (*naudaṇḍakas*, *naubandhākas*) do occur as landmarks in rural spaces. But in this case Ranabir Chakravarti has drawn our attention to the very large area of the *naubandhāka*, measuring

[59] For a discussion on the inscription see D. C. Sircar, 'Paschimbhag plate of Śrīcandra, regnal year 5', *Epigraphic Discoveries in East Pakistan* (Calcutta, 1973), 19–40.

52 *pāṭakas* or nearly 2600 *bighas* of land. This is, significantly enough, the largest size of a single area around the Brahmapura, associated with the name of an individual.[60] Its large size, according to Chakravarti, suggests that the area close to the Brahmapura had become an important landmark for inland riverine navigation and communication.

The charters of the Candras begin with '*sva-sīmāvacchinna*' ('with its boundaries demarcated'). It indicates that however small an amount of land was given, it was transferred to the recipient as a separate unit within which all the privileges granted were to be applied.

Here we may cite the two Mainamati plates of Laḍahacandra (first quarter of the eleventh century). They were found at the mound called Charpatra Mura on the Mainamati-Lalmai range near Comilla. In the first plate of year 6 of Laḍahachandra, land was given in three plots of which the boundaries of two plots are specified.[61] Sircar gives the following details of the boundary of the second plot, measuring 8 *pāṭaka*s, 4¾ *droṇa*s, 5 *yaṣṭi*s, 3 *kāka*s and 2 *bindu*s located in the Vappasiṁhavoraka *grāma*:[62]

> (1) in the east, the posts (*kīlaka*) planted in the western extremity of the land belonging to Sūpakaravoraka and Buddhanandigrāma, in the western half of a tank; (2) in the south, the northern demarcating border (*āli*) of a plot of land belonging to Baleśvara-vardhakivoraka, and also the southern bank (*pāḍā*; cf. Bengali *pāḍ*) of Govindoñcama; (3) in the west, the eastern demarcating border of a plot of land belonging to Oḍagodhānikā; the post planted on the demarcating border which is the southern boundary of a plot of land pertaining to the *godhānī* (*godhānikā*); and the demarcating borders which are the southern and eastern boundaries of a plot of land belonging to

[60] Ranabir Chakravarti, 'A tenth century Brahmapura in Srihatta and related issues', in *The Complex Heritage of Early India: Essays in memory of R. S. Sharma*, ed. D. N. Jha (Delhi, 2014), 607–625.
[61] Sircar, *Epigraphic Discoveries*, 69–75; see also, D. C. Sircar, 'Mainamati plates of the Chandra kings', *Epigraphia Indica* 38:5 (January 1970), 197–214.
[62] Sircar, *Epigraphic Discoveries*, 47.

> Ghaṇṭārava; and (4) in the north, the southern demarcating border of Jayalambhagrāma.

The boundaries of the third plot were:[63]

> (1) in the east, the Buḍḍhīgaṅginī (Buḍīgaṅgā); (2) in the south, the northern demarcating border of Karavattīvoraka; (3) in the west, the western border-road (*daṇḍ-āli*) of the land called Vaggurabhoga; and (4) in the north, half of the southern *vaḍḍikā* of the land under the enjoyment of the deity Śaṅkara-bhaṭṭāraka (Śiva). This plot called, Mahādevagrāma, including Vaggurabhoga and the haṭṭikā (market place) of Dhṛtipura, measured 3 *pāṭaka*s, 9 *droṇa*s and 1 kāka.

What stands out in the boundary descriptions of these plates from Mainamati is the presence of the term *voraka* attached either to geographical or personal names. In both the grants, we have the expressions *voraka* or *vorakagrāma* attached to the name of a person or village. D. C. Sircar suggested that the word *voraka*, which occurs in the names of some of the villages in the two plates, relates to Bengali and Assamese *boro*, a species of rice sown in low swampy grounds and near riverbanks. The area being near the Meghna floodplain, the identification is perfect, since *boro* rice was always cultivated in floodplains.[64] The flooded fields in the monsoon became rich in minerals and were very fertile. B. D. Chattopadhyaya observed that recurrence of the suffix *voraka* in the villages named after individuals (e.g. Vappasiṁhavoraka *grāma*) suggests small, dispersed settlements, adapted to a certain type of terrain and form of cultivation.[65]

The next and the last set of copper-plates from the Samataṭa-Harikela geopolitical orbit were issued by four local rulers, viz. Dāmodaradeva and Daśarathadeva of the Deva family of Samataṭa, and two other rulers of the Deva family of Paṭṭikerā, viz. Raṇāvaṅkamalla-Harikāladeva and Vīradharadeva. The copper-plates are distributed, in terms of their area of origin, in the present Comilla-Chandpur-Maulavibazar districts of

[63] *Ibid*.
[64] *Ibid*., 57.
[65] Chattpadhyaya, *Aspects of Rural Settlements*, 27.

southeastern Bengal.[66] We may conclude this discourse with a boundary clause of one of the inscriptions from this cluster: the Nasirabad or the 'Chittagong' copper-plate of Dāmodara, dated in Śaka 1165 (i.e. 1243 CE).[67]

> yatra ḍāmvāḍa(ḍā)maṁ kāmanapiṇḍīyāgrāme pūrvve rājapathasīmā dakṣiṇe lavaṇotsavāśramasambādhāvāṭī sīmā paścime navrāpālyabhūsīmā uttare mṛtaccaḍāsīmā evaṁ catuḥsīmāvacchinna 3 tathā ketaṅgapālāgrāme pūrvve lambaśāsanabhūsīmā dakṣiṇe navrāpālyabhūsīmā paścime gopathasīmā uttare mṛtaccaḍāsīmā evaṁ catuḥsīmāvacchinna sa vā lā bhūdro 1 tathā grāme vāghapokhirā dakṣiṇa-paścima-uttre sa vā nā bhūdro 1… (lines 26–32)

N. G. Majumdar translated the phrase,[68]

> Wherein, in Ḍāmbāḍaḍāma, in the Kāmanapīṇḍiyā:
> On the east, bounded by the public road; on the south, bounded by the edifice attached to Lavaṇotsvāśrama; on the west, bounded by the land (known) as) Navrāpālya; and on the north, bounded by Mṛitachchaḍā – the land having these four boundaries, measuring 3 *droṇas* and consisting of homestead and arable plots. And the village of Ketaṅgapālā – on the east, bounded by the land (known as) Lambaśāsana; on the south, bounded by the land (known as) Navrāpālya; on the west, bounded by the cattle-track; and on the north, bounded by Mṛitachachaḍā – the land having these four boundaries and consisting of homestead and arable land measuring 1 *droṇa*. Again in (that) village, homestead and arable land measuring 1 *droṇa* situated to the south, west and north of Bāghapokhirā

It is difficult to comprehend how the boundaries of the three plots are stitched to form part of a composite clause. A close examination of this clause, however, might throw some welcome

[66] For the general outline of the political history of the region in the concerned period, D. C. Sircar, *Pal-Sen Juger Vamsanucharit* (i.e. *Genealogy of the Pāla-Sena Era*, in Bengali) (Calcutta, 1982), 122–25.
[67] Majumdar, *Inscriptions of Bengal*, 161.
[68] *Ibid*., 162–63.

light on the intricacies involved in delineating the boundaries of small tracts of individual plots within a given rural space. First we have here the boundary markers for three separate plots at two contiguous *grāma*s, showing a complex spatial configuration of a cluster of rural settlements and landmarks located therein (Figure 9). Thus, while Mṛtacchaḍā forms the northern boundary of the first and the second plots, the eastern boundary of the third plot is completely omitted, and this does not seem to be a simple inadvertent mistake of the composer. In fact, the physical connection of the three plots illustrated in Figure 9 shows that the eastern boundary of the third plot is either Lambaśāsana, the eastern boundary of the second plot, or the Kāmanapīṇḍiyā village, the first plot, itself. This fairly underscores how the notion of proxemics played a dominant role in the administrative mechanism underlying the norms of demarcating boundaries. Furthermore, it is important to note that a *rājapatha* is used here as the boundary marker in an essentially rural milieu of settlements. Equally interesting is the occurrence of the term Lavaṇotsavāśrama, *āśrama* being used in the sense of a *maṭha*, having its own separate temple (translated by Majumdar as 'edifice') establishment.

Observations

We have attempted here a systematic survey of the boundary records of Bengal inscriptions. We have taken representative examples from all periods and regions, underlining the peculiarities of individual cases. The exercise underlines the wide array of eventualities extracted from varying layers of information on different aspect of rural landscape in early medieval Bengal. It may be reiterated that the principal constraint in dealing with the inscriptional corpus of Bengal is its sparse distribution over a considerably wide geographical horizon. There is substantial internal variation in the character of 'subregional' and local cultural landscapes, coupled with the chronological span of nearly seven centuries, producing a small gamut of source material. And this is the principal reason that the boundary clauses of Bengal copper-plates do not allow us to see any general pattern by looking at the rural landscape over a

certain period or across a given geographical region. This inevitable limitation of the primary sources notwithstanding, the boundary specifications of Bengal charters nevertheless provide useful insights into different facets of the region's early history.

Before commenting on the wider implications of the boundary clauses of Bengal inscriptions for studying the early medieval period, some general features of these perambulations may be pointed out. First, with a few exceptions, the boundary clauses in Bengal are found to be conceived regularly in an E-S-W-N orientation. Beginning the boundary description at the eastern limit probably resulted from the fact that the East obviously acts as the most easily recognised solar marker for delineating a directional configuration. Second, shades of considerable difference existed in marking the boundary in the context of the grant's location – sometimes the boundary clause precedes the actual location of the plots to be alienated, while it succeeds the locational detail in some other cases. Third, it is important to note that, of all the features surfacing in the boundary clause, waterbodies of substantial variation and several types of rural settlements predominate, across time and space. Fourth, there are examples, as illustrated above with case studies, of boundaries of specific plots being demarcated with the aid of field-walking, thus clearly suggesting the existence of irregularly shaped plots, contrary to the notion of 'quadrilateral' tracts of land being transferred.[69] Finally, several examples show that religious establishments in the form of temples and monasteries regularly featured as landmarks within an otherwise essentially non-religious milieu of rural spaces (cf. Figures 3, 5, 8, 9).

Foremost, these boundary clauses act as invaluable clues to understanding the structural ramifications of different categories of rural settlements. Secondly, the natural landmarks frequently referred to in almost all the charters – particularly in the form of varying categories of natural and artificial water resources – if subjected to an intensive study, are expected to throw welcome light on the nature of interaction between rural settlements and

[69] For a critical account of the notion of quadrangular land plot in the Italian peninsula, see Metcalfe, 'Orientation in three spheres', 38–9.

their surrounding aquatic space.[70] It is amply clear from the above examples that recurrent feature of the boundary specifications of a rural space was reference to waterbodies, isolating one rural space from another. The ponds/tanks are named after their owners indicating their special status as owners of water bodies. Likewise, the numerous references to floral, faunal and topographical features are components in understanding the complex network of interactions between rural social groups and the different layers of a given rural space. The same elements may also act as sources in reconstructing the environmental and ecological set up of a given locality.

Another noticeable fact is that, although lands were given to the brāhmaṇas or *vihāra*s, yet their lands bordered on the lands of people who were non-Brāhmaṇas, as suggested by their names and occupations which were mentioned in a few cases. In the example of the Gunaighar copper-plate, we have individual owners of land, and tanks belonging to different occupational groups, such as carpenter (*varddhaki*) and mechanic (*vilāla*), and the presence of a cloth-merchant community (*doṣī*), along with the *vaidya*s and Buddhist monks belonging to the Mahāyāna faith. An important temple was also in the vicinity. The boundaries also suggest that there was a continuous presence of agricultural land and, as Chattopadhyaya pointed out, a spatial distinction between the *vāstu* and the *kṣetra*. Thus, it was a compact, nucleated settlement which bordered on other villages and *agrahāra*s.[71] A kind of social and economic status was gained by persons belonging to occupational groups. Great care is taken to make sure that the gift-land could not be violated either by ignorance or by pleading ignorance of its actual boundaries. The detailed descriptions of the boundaries thus

[70] The recent study by Suchandra Ghosh, 'Water, water bodies and waterscapes in early medieval south-eastern Bengal and Assam', in *Living with Water: People, Lives and Livelihood in Asia and Beyond*, ed. Rila Mukherjee (Delhi, 2017), 66–78, shows how the utilization strategies of natural water resources and a complex network of varying layers of hydrographic elements in terrains of southeast Bengal and Assam played a pivotal role in the making of trading and agrarian economies of the southern Delta.

[71] Chattopadhyaya, *Aspects of Rural Settlements*, 20–21.

suggest a conscious attempt by the ruler to specify the land donated by him lest it should create any confusion. It gives us an idea of the composition of the rural society.

The substantial number of villages regularly mentioned in these charters, if they can be identified with their modern counterparts, may open new dimensions in the arena of place-name studies. Since the rural landscape in Bengal is characterised by elements of bewildering continuity over more than a millennium, studies based on place-names may also lead to studies focusing on the nature of archaeological settlements of the region in the early medieval period. Case studies based on evidences gathered from inscriptions of western and northern Bengal have shown that most of the villages mentioned in these grants can be identified with their modern counterparts and exploratory studies on the distribution of archaeological sites in these micro-regions may be useful in discerning the archaeological parameters of early medieval sites within a precise geographical context. For example, the study based on the Rajibpur plates of the time of Madanapāla has demonstrated how the location of an ancient village settlement can be recovered by combining epigraphic and archaeological data.[72] The study has further shown how a cluster of early medieval settlements had their genesis in the region centred on the identifiable donated village (Figure 10). Similar studies have also been carried out with evidence from western Bengal.[73] Apart from their significance in the study of place-names, evidence of

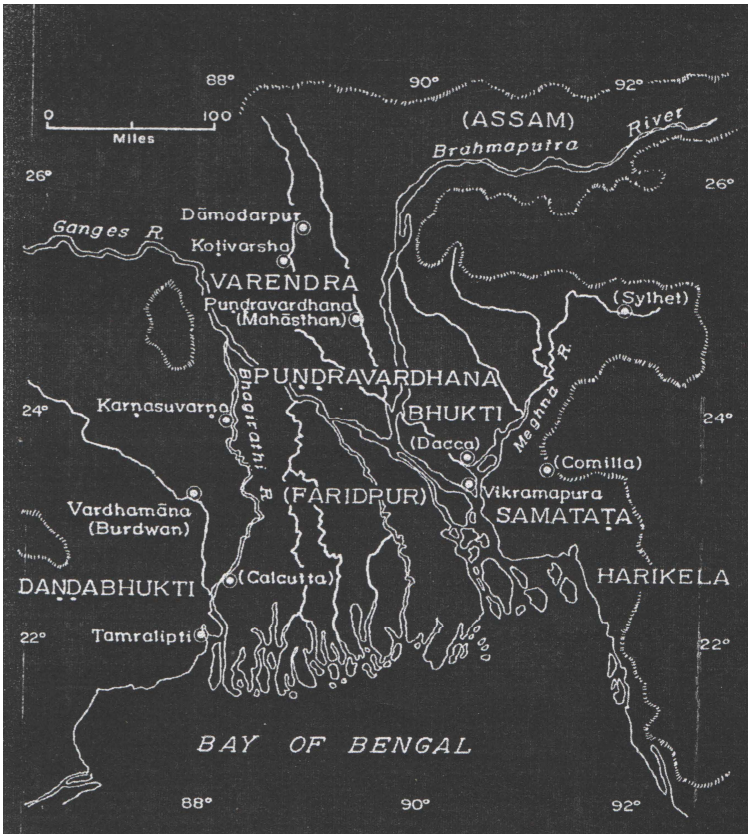
[72] Rajat Sanyal, 'Beyond explorations: a case study on early medieval archaeology from epigraphic perspective', *Pratna Samiksha: Journal of Archaeology*, new series 4 (2013), 33–51. It is relevant to note here that recent work based on a similar methodological approach is also available in the context of Deccan, see Vardha Khaladkar, Manjiri Bhalerao, Anand Kanitkar and Kalpana Rayarikar, 'Revisiting the Chikurde copper-plate: an archaeological reconnaissance', *Pratna Samiksha: Journal of Archaeology*, new series 6 (2015), 7–14.

[73] Rajat Sanyal, 'Archaeology of early medieval rural settlements in western Bengal: the case of the Malla Sarul copperplate', in *Early Indian History and Beyond: Essays in Honour of B. D. Chattopadhyaya*, ed. Osmund Bopearachchi and Suchandra Ghosh (New Delhi, 2019).

village settlements mentioned in copper-plates is also of special bearing in the study of local historical geographies, one of the much-neglected areas of Indian historical studies in general.

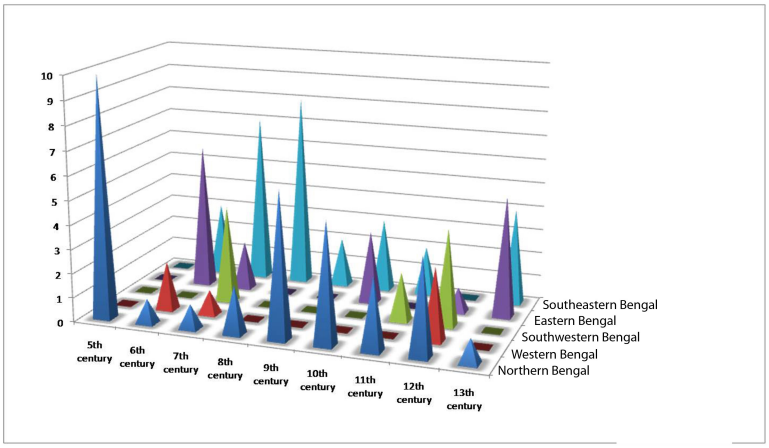
FIGURES

FIGURE 1



‘Subregional’ political centres of early Bengal as envisaged by Barrie M. Morrison (after Morrison, *Political Centres*).

FIGURE 2



Geo-chronological distribution of ealy Bengal copper-plates.

FIGURE 3

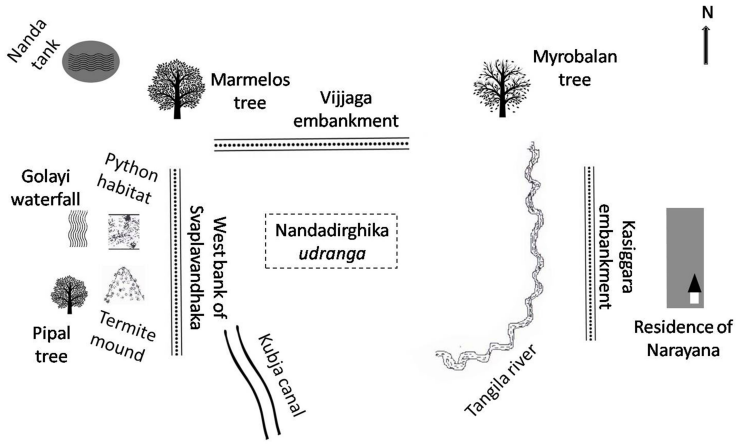


Diagram showing boundary clause of the Tulabhita/Jagjibanpur copper-plate.

FIGURE 4

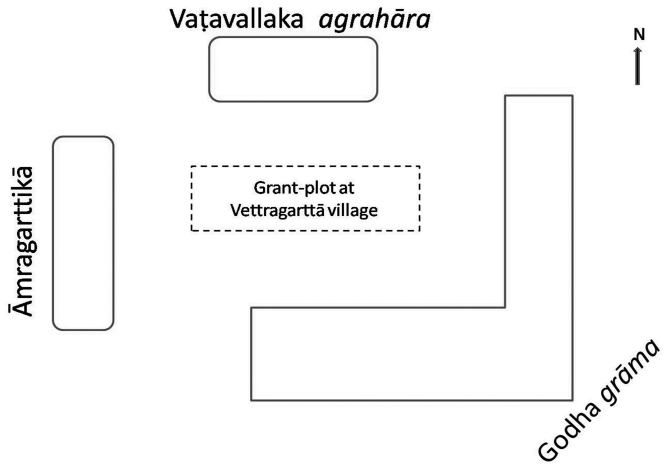
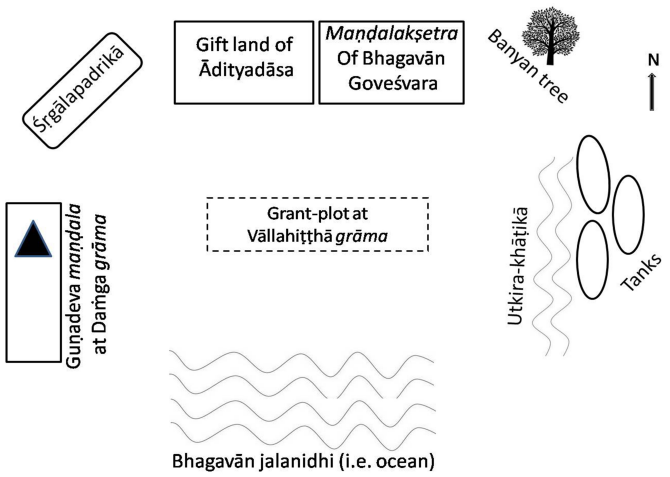


Diagram showing boundary clause of the Malla Sarul copper-plate.

FIGURE 5



Diagrammatic represtation of the boundary clause of the Jayrampur copper-plate.

FIGURE 6

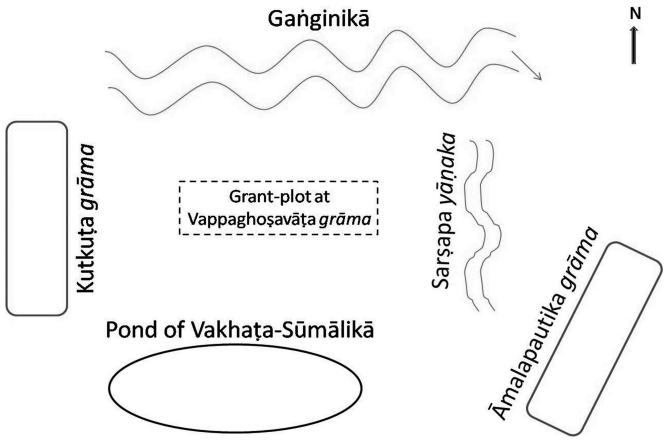


Diagram showing boundary landmarks of the Maliadanga copper-plate.

FIGURE 7

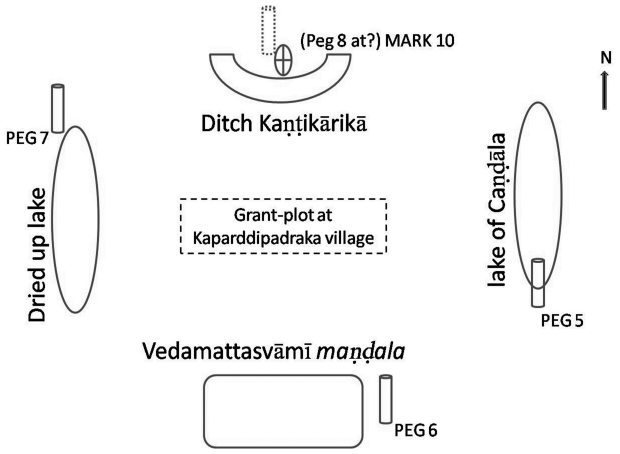
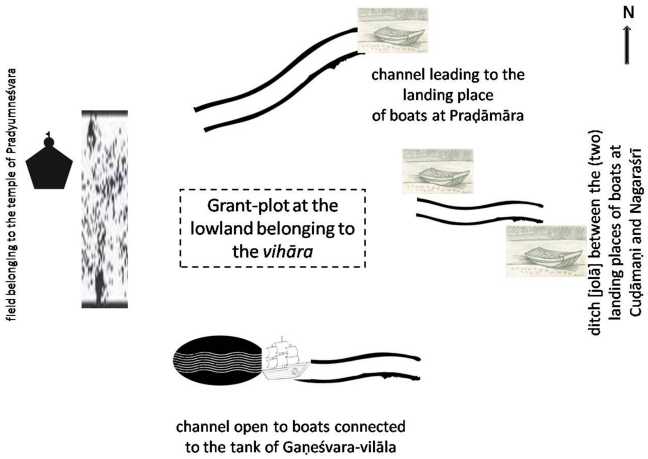


Diagram showing partially reconstructed boundary clause of the Panchrol/Egra copper-plate.

FIGURE 8



Reconstructed diagram of the boundary of Plot 7 of the Gunaighar copper-plate of Vainyagupta, year 188.

FIGURE 9

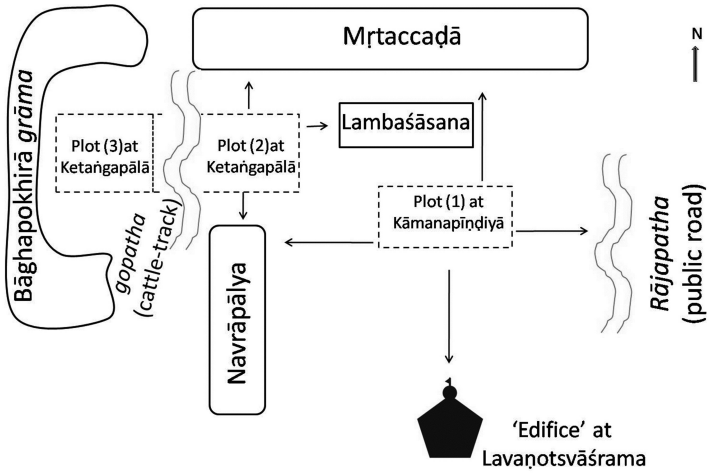
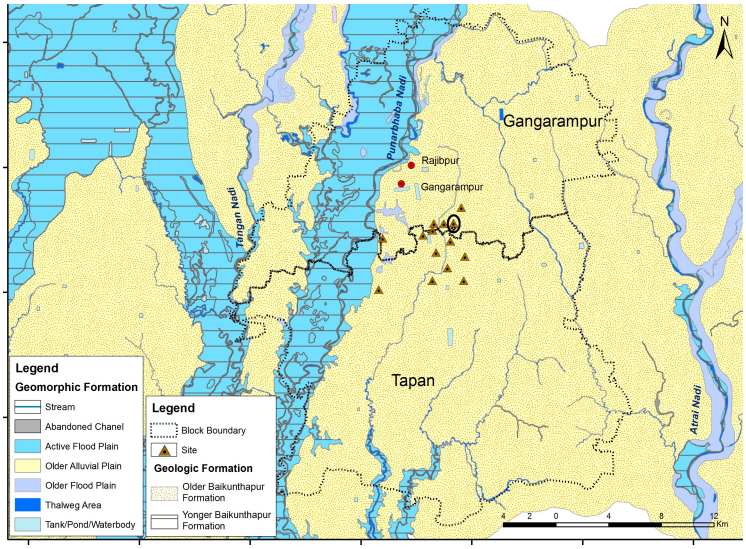


Diagram showing boundary clause of the Nasirabad/ Chittagong copper-plate.

FIGURE 10



Map showing distribution of early medieval sites around Budhura (shown in circle), one of the granted villages mentioned in the Rajibpur copper-plates.

V

Recording boundaries in Scottish charters in the twelfth and thirteenth centuries

Joanna Tucker

Parchment documents were widely adopted in Scotland in the twelfth and thirteenth centuries as a means of recording gifts of property and privileges.[1] A number of these 'charters' contain a description of a geographical boundary, generally referred to as a 'boundary clause'. This is not simply a general reference to the bounds of the land in question, or a plain statement that the land lies next to another land, but provides some specific detail that can be envisaged on the ground. These descriptions obviously offer valuable insights into the physical and social landscape of the time, but they can also reveal much about the transactions embodied in the documents and the process of recording them in writing.

While boundaries are not usually the main focal point of charter diplomatic studies, this project provides an opportunity to study them individually, and from a comparative perspective. It might be imagined that a description of a boundary was one of the elements of written donations that was the most circumstantial, being contingent on the nature of the land itself (whether large or small) and therefore of little value beyond each individual document. But looking in detail at these descriptions across the Scottish corpus, to an extent that has not been done before, reveals patterns which reflect a shared understanding of how property might be defined in writing, as well as an element

[1] I am grateful to Dauvit Broun for reading various drafts of this piece, and for offering some pivotal insights. Thanks are also due to Alice Taylor and Simon Taylor, both of whom suggested improvements. All errors are my own. I am also very grateful to John Reuben Davies for inviting me to be included in this project.

of flexibility in how this was expressed. Remarkable parallels can also be found when comparing the form of these clauses with those in the Bengali copper-plate inscriptions, which represent a distinct and unrelated corpus of records of donations.

This chapter will begin by considering the scholarly context for studying boundaries from medieval Britain and Ireland generally as well as Scotland specifically. It will then define the main source in this study – the 'charter of donation' – and set this against the backdrop of boundary descriptions in other extant sources from twelfth- and thirteenth-century Scotland. The majority of the chapter will concern itself with the form of boundaries in charters of donation, and how these compare with those found in the Bengali inscriptions elucidated by Rajat Sanyal and Suchandra Ghosh in the previous chapter. The Appendix offers three examples of charters of donation including a boundary, translated from their original Latin. The chapter will conclude by drawing together some broad observations on the value of a comparative approach in this context, and what historians working with Scotland's charter texts might gain from a renewed awareness of the materials with which they work.

Recording boundaries in medieval Britain and Ireland

The act of recording a boundary in writing was not, of course, unique to medieval Scotland.[2] In Britain and Ireland, boundaries appear in documents and codices from the early middle ages onwards. Two main aspects have piqued scholarly interest. One is the fact that very often these early boundaries are recorded in the vernacular. Old Welsh boundary descriptions can be found, for example, in some of the 'Chad' memoranda written into spaces in the Lichfield Gospels in the ninth and tenth centuries.[3] Old Welsh boundaries also appear in some of the Latin charters

[2] For boundary descriptions in Latin charters from medieval Spain, for example, see Wendy Davies, *Acts of Giving: Individual, Community, and Church in Tenth-Century Christian Spain* (Oxford, 2007), in particular 8–9.

[3] D. Jenkins and M. E. Owen, 'The Welsh marginalia in the Lichfield Gospels', *Cambridge Medieval Celtic Studies* 5 (Summer 1983), 37–66; and 7 (Summer 1984), 91–120. Old Welsh boundary clauses appear in Chad 4 (late ninth century) and Chad 6 (late ninth or early tenth century).

in *Liber Landauensis* ('The Book of Llandaf'), a twelfth-century manuscript containing copies of charters datable to the tenth and eleventh centuries.[4] Similarly, descriptions of boundaries in Irish appear in property records added in the late eleventh and twelfth centuries to spaces in the Book of Kells, an early Gospel book written at the major monastery of Kells (County Meath).[5] Old English boundary clauses can be found in the context of gift-giving in Anglo-Saxon charter material, with the earliest fully vernacular boundary appearing in a charter of AD 846.[6]

[4] *The Text of the Book of Llan Dâv reproduced from the Gwysaney Manuscript*, ed. J. Gwenogvryn Evans and J. Rhys (Oxford, 1893; rev. imp., Aberystwyth, 1979), with translations of the Welsh boundary clauses at 363–84. For an overview of the 159 charters in the Book of Llandaf, see John Reuben Davies, *The Book of Llandaf and the Norman Church in Wales* (Woodbridge, 2003), 70–5. For the dates of the boundary clauses (only some of which are in Welsh), see Jon Coe, 'Dating the boundary clauses in the Book of Llandaf', *Cambrian Medieval Celtic Studies* 48 (Winter 2004), 1–43, at 40. The most recent study of the charters is Patrick Sims-Williams, *The Book of Llandaf as a Historical Source* (Woodbridge, 2019).

[5] For two modern editions of the texts in the Book of Kells (each of which has a different numbering system), see *Notitiæ as Leabhar Cheanannais 1033–1161*, ed. Gearóid Mac Niocaill (Dublin, 1961), 10–37, and G. Mac Niocaill, 'The Irish "charters"', in *The Book of Kells, MS 58, Trinity College Library, Dublin: Commentary*, ed. Peter Fox (Luzern, 1990), 153–65. Examples of the vernacular boundary clauses in the Book of Kells are *N* III (in *Notitiæ*) and 'C' 3 (in 'The Irish "charters"'). For further discussion of the Kells records, see Máire Herbert, 'Before charters? Property records in pre-Anglo-Norman Ireland', in *Charters and Charter Scholarship in Britain and Ireland*, ed. Marie Therese Flanagan and Judith A. Green (Basingstoke, 2005), 107–19, in particular 111–12; and Dauvit Broun, *The Charters of Gaelic Scotland and Ireland in the Early and Central Middle Ages*, Quiggin pamphlets on the sources of mediaeval Gaelic history 2 (Cambridge, 1995), in particular 29–37.

[6] Kathryn A. Lowe, 'The development of the Anglo-Saxon boundary clause', *Nomina: Journal of the Society for Name Studies in Britain and Ireland* 21 (1998), 63–100. The charter of AD 846 is Sawyer, no. 298 (London, BL Cotton Ch. viii. 36). Prior to this, boundary descriptions were given in Latin or a mixture of Latin and Old English. Lowe goes on to show that the tenth century saw a shift in favour of recording the full boundary clause in Old English. She suggests that this might relate to the fact that, by then, Anglo-Saxon diplomas were 'produced in some sense centrally', meaning that the boundary clauses would have been written locally and then brought to the scribe of the diploma to

The only extant record from medieval Scotland of a boundary written in Gaelic is also found in the context of a Gospel book.[7] The codex in question is a small, portable manuscript belonging to the clerics of Deer in Aberdeenshire, known to scholars as 'the Book of Deer' (Cambridge University Library MS Ii.6.32). The book includes a number of property records mostly in Gaelic added into margins and blank spaces in the manuscript.[8] The Gospel book itself is datable to the late ninth or early tenth century (and is written in Latin); the Gaelic property records relate to various eleventh- and early twelfth-century transactions and are thought to have been added during the reign of King David I (1124–1153).[9] There is one other example where a vernacular boundary was originally written down, this time from the monastery of St Serf's Isle in Loch Leven (Fife) although the record now only survives as a summary in Latin in the thirteenth-century cartulary of St Andrews Cathedral Priory.[10] It is said in

incorporate into his text: Lowe, 'The development of the Anglo-Saxon boundary clause', 64–5.

[7] The other main vernacular language of the medieval period, Scots, only became used in charters from the later-medieval period, which is beyond the chronological scope of this chapter.

[8] The manuscript of the Book of Deer can be viewed on line via the University of Cambridge's Digital Library: https://cudl.lib.cam.ac.uk/view/MS-II-00006-00032/1. The Gaelic property records can be found on fols 3r–5r, and a Latin property record can be found on fol. 40r. For various studies and for the texts of the records themselves, see *Studies on the Book of Deer*, ed. Katherine Forsyth (Dublin, 2008).

[9] For the dating of the Gospel book itself, see Isabel Henderson, 'Understanding the figurative style and decorative programme of the Book of Deer', in *Studies on the Book of Deer*, ed. Forsyth, 32–66, at 63. For the dating of the property records, see Dauvit Broun, 'The property-records in the Book of Deer as a source for early Scottish society', in *Studies on the Book of Deer*, ed. Forsyth, 313–60, at 347–9. For texts and translations of the records, see Katherine Forsyth, Dauvit Broun and Thomas Clancy, 'The property records: text and translation', in *Studies on the Book of Deer*, ed. Forsyth, 131–44. References to a boundary of lands that had been given to the community can be found in Texts I, II.1, II.12, V.2, and V.3.

[10] The Loch Leven records are printed in *Liber Cartarum Prioratus Sancti Andree in Scotia*, ed. T. Thomson (Edinburgh, 1841) [*St A. Lib.*], 113–18. The cartulary manuscript in which the abridged version now survives is Edinburgh, NRS GD45/27/8, at fols 50v–52r. For a more recent edition of the record and

the cartulary that the Loch Leven records – which narrated various gifts and grants to the monastery that are datable to the second half of the eleventh and early twelfth centuries – were originally 'written in an old volume in the ancient vernacular of the Scots' (*ueteris uoluminis antiquo Scotorum idiomate conscripti*), which can be taken to be Gaelic. Vernacular records were therefore not unknown in medieval Scotland, but they were evidently not the norm.

A second point of interest has been the form that the boundary description took in different contexts. Jon Coe has categorised those in the Book of Llandaf in the following ways: 'dimensional' (those which are 'defined in terms of opposing points', but not necessarily compass points); 'perambulatory' (those with a 'circular route'); 'semi-perambulatory' (two points being defined lineally one way, and then the other way); and 'mixed' (land defined dimensionally and then by a perambulatory or semi-perambulatory description).[11] His analysis suggests that there was a gradual move from the dimensional to the perambulatory form. Anglo-Saxon diplomas in England are also thought to have developed this way, from boundaries based on compass points in the eighth and ninth centuries to 'linear' forms of descriptions from the tenth century.[12]

All this work relates to the period before the mid-twelfth century, before a new form of document – the single sheet of parchment written in Latin with a seal attached – began to proliferate. It has been noted by John Hudson that, whereas in England boundary clauses began to drop out of usage in these documents, in Scotland they continued to be deployed.[13] Despite

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with a translation, see Simon Taylor, 'The rock of the Irishmen: an early place-name tale from Fife and Kinross', in *West Over Sea*: *Studies in Scandinavian Sea-Borne Expansion and Settlement Before 1300, ed.* Beverley Ballin Smith, Simon Taylor and Gareth Williams (Leiden, 2007), 497–514; updated and reprinted in Simon Taylor with Peter McNiven and Eila Williamson, *The Place-names of Kinross-shire* (Donington, 2017), 552–64.

[11] Coe, 'Dating the boundary clauses', 19–21.

[12] Lowe, 'The development of the Anglo-Saxon boundary clause', 69, 73.

[13] J. Hudson, 'Legal aspects of Scottish charter diplomatic in the twelfth century: a comparative approach', in *Anglo-Norman Studies XXV*, ed. John

being a notable feature of the Scottish charter corpus from the twelfth century, historically boundary clauses have been a relatively underused and understudied aspect of surviving documents, especially in relation to charter diplomatic.[14] There are two main contexts in which they have been studied. Firstly, much attention has been awarded to the process of establishing boundaries, namely the 'perambulation', and in particular how this might relate to the development of the law, royal authority and government.[15] A perambulation was a process by which a group of people walked around a piece of land (or part of it) in order to officially delineate its bounds. A second area of research involving boundaries is in place-name studies, particularly the work of Simon Taylor with Gilbert Márkus on the place-names of Fife.[16] Their work draws heavily upon surviving charter material, especially descriptions of boundaries since these represent a rich source of references to place-names as well as local topography, monuments, route-ways, and religious dedications. By understanding that written boundary clauses must represent locally recognisable ways of referring to particular places or landscape features, Taylor and Márkus have

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Gillingham (Woodbridge, 2003), 121–38, at 129–30. Hudson suggested that one possible reason for Scotland's distinctive use of the perambulation might be that its settlements were generally more dispersed than in most areas of England, though he acknowledges this cannot entirely explain the divergence in practice.

[14] This has begun to change in recent years. Work on Scotland's charter diplomatic generally, featuring some commentary on boundary clauses, has been undertaken by John Reuben Davies as part of the project *Models of Authority: Scottish Charters and the Emergence of Government* (see below, note 20; also p. 95, above; and Davies's forthcoming essay, 'Royal government in Scotland and the development of diplomatic forms, 1094–1249', in *Identifying Governmental Forms in Europe, 1100–1350: Palaeography, Diplomatics and History*, ed. Alice Taylor (Cambridge).

[15] The most recent studies are Alice Taylor, *The Shape of the State in Medieval Scotland, 1124–1290* (Oxford, 2016), esp. chapter 5; and Cynthia J. Neville, *Land, Law and People in Medieval Scotland* (Edinburgh, 2010), chapter 2.

[16] Simon Taylor with Gilbert Márkus, *The Place-names of Fife* [*PNF*], 5 vols (Donington, 2006–12).

been able to use the place-names in boundary clauses to map language change from Gaelic to Scots in localised settings.[17]

Written descriptions of boundaries in the landscape therefore appear over a long period and in a range of contexts. They have featured as key historical sources in areas such as mapping vernacular languages and language change, and understanding judicial processes. In what follows, the boundary description will instead be examined not so much for evidence of the local environment and society but as a source for how contemporaries expressed their actions and defined units of land in writing in a particular context – a context shared by those communities recording boundaries in medieval Bengal.

The corpus of Scotland's boundary descriptions

Many thousands of document texts have survived from medieval Scotland. Before seeking examples of boundary clauses across this corpus, it is important to be aware that the Bengali copper-plate inscriptions record one particular kind of transaction: donations. The equivalent form of document in a Scottish context might be referred to as a 'charter of donation'. This, however, is only one of many contexts in which boundary descriptions might appear in writing in twelfth- and thirteenth-century Scotland. While charters of donation will be the focus of this chapter, it will be useful first to sketch this wider picture of recording boundaries in medieval Scotland in order to situate those descriptions found in donation charters within the broader landscape of surviving written sources.

Single-sheet, parchment documents are broadly referred to by historians as 'charters'. This term can also be applied more specifically, however, to a particular subset of this corpus: a precise kind of written instrument that contains textual components such as an address clause, a disposition, and witnesses, and with a donor's seal attached to it. John Reuben

[17] See in particular the discussions of the boundaries of the forest of Outh and of Dunduff in *PNF*, v, 247–55. See also Gilbert Márkus, 'Gaelic under pressure: a 13th-century charter from East Fife', *Journal of Scottish Name Studies* 1 (2007), 77–98, esp. 92–5.

Davies has shown that the form of the main verb used in these charters directly relates to the kind of transaction it embodied: whether a 'gift' (using the Latin verb *dare*), or a 'grant' (using *concedere*).[18] It is these particular kinds of charters, especially those which deal with gifts ('charters of donation'), which are the most comparable to the Bengali copper-plate inscriptions.

Because of selective archiving and losses over the years, only a proportion of these documents have survived in their original form as single sheets. Sometimes, a later medieval copy of the text was made, often in books known as 'cartularies' (manuscript books containing predominantly copies of documents produced by the holder of the archive for their own uses). Charter scholars are therefore accustomed to distinguishing between 'originals' (the text written on a single-sheet document, assumed to be the authentic instrument) and 'copies' (the text reproduced in another format, usually a book, sometimes with conscious or unconscious changes to the text, such as the cropping of the witnesses or variations in the spelling of place-names).

In the twenty-first century, the study of medieval Scottish charters has been put on a new footing as a result of two major online research tools. The first is the *People of Medieval Scotland* ('PoMS'), which is essentially a database of information from all surviving charter texts produced in Scotland (surviving in any form) between 1093 and 1314 and also extending the royal charters up to 1371, which collectively amounts to over 10,000 texts.[19] The other is *Models of Authority*, a database of transcriptions, translations and images of over 700 original charters produced between 1100 and 1250 surviving

[18] Both versions might also employ the verb *confirmare* ('to make firm'). See chapter 3 in this volume, John Reuben Davies, 'The development of the charter in Scotland', at 86–7; and also for further detail, see John Reuben Davies, 'The donor and the duty of warrandice: giving and granting in Scottish charters', in *The Reality Behind Charter Diplomatic in Anglo-Norman Britain*, ed. Dauvit Broun (Glasgow, 2011), 120–165.

[19] Amanda Beam, John Bradley, Dauvit Broun, John Reuben Davies, Matthew Hammond, Neil Jakeman, Michele Pasin and Alice Taylor (with others), *People of Medieval Scotland: 1093–1371* (Glasgow and London, 2019), http://www.poms.ac.uk/.

from particular medieval archives.[20] Both resources are still in development but their raw figures do provide an overall impression of the extent of the losses of original documents in Scotland. PoMS's corpus is so much larger because, as well as having a larger chronological range than *Models of Authority*, it encompasses all of the various medieval and early modern copies of these document texts. PoMS also takes in a broad range of charter-related material, though it is possible to search for more specific kinds of texts, such as gifts or commands or agreements.[21]

Single-sheet documents were therefore used for a range of functions, not just to record donations. A number of these other contexts might relate to land boundaries, especially where they concerned a dispute between neighbours. Settlements of disputes become increasingly visible in the surviving written records across the twelfth and thirteenth centuries as landholders, particularly major churches, began to obtain and store records of how such disputes were resolved.[22] Chirographs and other forms of agreement survive, for example, detailing the dispute and its resolution (which might involve a perambulation of a particular boundary), with all parties promising to abide by the outcome of the case.[23] Such records often provide valuable insights into the

[20] Stewart J. Brookes, Dauvit Broun, John Reuben Davies, Geoffroy Noël, Peter A. Stokes, Alice Taylor, Joanna Tucker and Teresa Webber, *Models of Authority: Scottish Charters and the Emergence of Government* (Glasgow and London, 2019), http://www.modelsofauthority.ac.uk/.

[21] To find the various kinds of texts included in PoMS, search by 'sources' and look under 'transaction types'. The data can also be filtered by originals (under 'source features') and by charters strictly defined (under 'document type').

[22] Currently, PoMS contains records of 275 'agreements' and 127 'settlements' (accessed 20 September 2019). Most are datable to the thirteenth century. These figures can be found under 'document type'.

[23] An example of an agreement in the form of a chirograph with a detailed boundary clause is *Liber Sancte Marie de Melros*, ed. C. Innes, 2 vols (Edinburgh, 1837), I, no. 54 (Edinburgh, NRS GD55/54: a transcription, translation and image will soon be available on line via *Models of Authority*). This is only Melrose Abbey's 'half' of the document; the other half (now lost) would have been kept by the other party, Robert of Stenton. An example where the agreement took the form of a notification, and included a new boundary resulting from a perambulation, is the dispute between Scone Abbey and

narrative that led up to the dispute itself and the process of resolution – precisely the kind of background detail that is often lacking in a charter of donation.[24]

These records of disputes are essentially documents drawn up on site by and for the respective parties. A different context is 'official' records of settlements, produced by and for the relevant courts and officials. For Scotland's royal courts in the twelfth and thirteenth centuries, unfortunately nearly all of the records that were kept as part of the central royal archive have been lost.[25] Our knowledge of what this archive contained is mainly derived from an inventory dated 30 December 1292.[26] Significantly, this inventory contains a reference to something which looks like official records of perambulations stored in the royal archive: 'in the fourth sack, 93 small rolls and schedules and memoranda concerning various inquests, perambulations and extents of lands, wardships, and other things of this kind relating

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Coupar Angus Abbey over the boundaries between Cambusmichael (belonging to Scone) and Campsie (belonging to Coupar Angus). The text can be found in copies derived from both archives, although with minor variants between the two texts: *Liber Ecclesie de Scon*, [ed. C. Innes] (Edinburgh, 1843), no. 57; *Charters of the Abbey of Coupar Angus*, ed. D. E. Easson, 2 vols (Edinburgh, 1847), I, no. 24.

[24] See, for example, a charter of Christian, bishop of Whithorn (datable to 9 December 1165 × 7 October 1186) which details a case in which a dispute over lordship led the king to command Uhtred to 'summon those from the elders of that land who of old knew the correct bounds of the said land of Kirkgunzeon' (*ut vocatis ad se de senioribus terre illius qui ex antiquo novissent rectas divisas predicte terre de Kirkewinni*): *Scottish Episcopal Acta, Volume I: The Twelfth Century*, ed. Norman F. Shead (Woodbridge, 2016), no. 59. This provides the significant insight that, for the resolution, local knowledge and memory was appealed to, not a written record.

[25] Alice Taylor, 'Auditing and enrolment in thirteenth-century Scotland', in *The Growth of Royal Government under Henry III*, ed. David Crook and Louise Wilkinson (Woodbridge, 2015), 85–103; Taylor, *Shape of the State*, chapter 7.

[26] *The Acts of the Parliaments of Scotland*, vol. 1, *1124–1423* [*APS*, I], ed. T. Thomson and C. Innes (Edinburgh, 1844), 113–17 (1292, no. vi). All references to *APS* are to the red foliation. The inventory itself survives as a single sheet of parchment in the form of a chirograph: Edinburgh, NRS SP13/1.

to the aforesaid'.[27] Because these original central records are mostly lost, however, the only means of accessing their contents is to comb the surviving 'private' archives and cartularies (mainly those of monasteries, cathedrals and important lay families) for instances where a party has obtained a copy for their own private reference. An example can be found in the cartulary of Lindores Abbey, where the record describes the bounds and perambulators involved in the case and then states that this was a record drawn up by the local sheriff and sent to the justiciar (one of the chief judges in the kingdom).[28] Another example can be found in which a party in the case, Arbroath Abbey, had taken a copy of a statement about a perambulation produced by a royal judge.[29] In this instance, the dispute and consequent perambulation of the land, Balfeith, in the 1190s resulted in a fresh charter of donation, given as Text A in the Appendix.

We are therefore only offered glimpses of 'official' judicial records. Too few examples have survived to know what their original format would have been, though the 1292 inventory makes a distinction between rolls, schedules and memoranda (*rotuli*, *cedule* and *memoranda*).[30] Unlike charters, they were not written in the voice of one of the parties but rather give the impression of being descriptive records of the event itself, with

[27] *APS*, I, 114 (*In quarto sacculo iiij*^{xx} *xiij rotuli parui et cedule et memoranda de diuersis inquisicionibus perambulacionibus et extentis terrarum custodiis et aliis huiusmodi predicta tangentibus*).

[28] *Chartulary of the Abbey of Lindores, 1195–1479*, ed. John Dowden (Edinburgh, 1903), no. 23. The copy in the manuscript is Ayrshire, Caprington Castle, Fergusson-Cuninghame Muniments, fol. 37v. The relevant statement which gives away the status of the record comes at the end: 'In testimony of this matter, by the command of the lord justiciar A[lan] Durward by his letters patent, he [John de Hay, sheriff of Perth] has affixed his seal to this writing' (*In cuius rei testimonio ex precepto Domini Justiciarii A. hostiarii per litteras suas patentes huic scripto sigillum suum apposuit*).

[29] This record has been reproduced in translation in Dauvit Broun, 'The king's *brithem* (Gaelic for judge) and the recording of dispute-resolutions', *Feature of the Month: no. 11 (April 2010)*, *The Paradox of Medieval Scotland, 1093–1286*, http://paradox.poms.ac.uk/feature/april10.html (accessed 20 September 2019).

[30] *APS*, I, 114. We might hazard a guess that the schedules were sealed documents, while the memoranda were unsealed and the rolls were collections of memoranda all stitched together in a row.

particular attention afforded to the names of those involved and the description of the boundaries.[31] Rather than being written by a scribe from one of the parties, these records would likely have been written by the clerk of the royal officer in charge.

An entirely different written and physical context is the Gospel book. In medieval Britain and Ireland, property records were sometimes added to the margins or spare spaces in these books or other liturgical manuscripts since it was thought that this was a way of sanctifying and protecting the lands and privileges that were the subject of the records.[32] Evidence for this activity in a Scottish context is rare, but there is one notable example, discussed already. The Book of Deer contains twelfth-century notes of historic donations to the community at Deer, with references to boundaries mostly in the form of 'from X to Y' or 'as far as Z'.[33]

Other kinds of text altogether distinct from property records might also contain a description of a boundary, such as chronicles or other kinds of narrative histories. In this period, the most remarkable surviving chronicle from Scotland is that produced at Melrose Abbey.[34] It contains an account of a dispute (*controuersia*) in 1184 between the abbey and the men of Wedale, concerning the boundary of a royal forest which twelve 'faithful men' (*fideles homines*) swore was situated: 'as far as the road which runs on the west side of the church of the Blessed Mary of Wedale, and it is pasture of the church of Melrose as far

[31] Compare, for example, the number of perambulators noted and the amount of detail given in the boundary description in the judge's record of the Balfeith dispute (see Broun, 'The king's *brithem*') versus the resulting donation charter (see Text A in the Appendix).

[32] For a list of some of these, see David N. Dumville, *Liturgy and the Ecclesiastical History of Late Anglo-Saxon England* (Woodbridge, 1992), 119–27.

[33] Those records containing mentions of boundaries are Texts I, II.1, II.12, V.2, and V.3 in Forsyth, Broun and Clancy, 'The property records', 131–44.

[34] The chronicle now survives as two manuscripts: London, BL Cotton MS Julius B. XIII (fols 2–47) and Cotton MS Faustina B. IX (fols 2–75). For an in-depth study of the manuscript, see Dauvit Broun and Julian Harrison, *The Chronicle of Melrose Abbey: A Stratigraphic Edition*, vol. i, *Introduction and Facsimile* (Woodbridge, 2007).

as the marches of Wedale and as far as the burn which is called *Fasseburne*'.[35] This dispute, and the resulting boundary description, was also embodied in a non-contemporary royal charter to Melrose Abbey.[36] A boundary description can also be found within the text of a Pictish king list surviving in a fourteenth-century manuscript (known as the 'Poppleton manuscript'), in which the boundaries of Abernethy church are described as being established 'from the stone in *Apurfeirc* to the stone beside *Cairfuill* that is *Lethfoss*, and from there extending upwards as far as *Athan*'.[37]

The flexibility of parchment as a format for hosting text – which allowed for sealed documents, rolls, loose sheets, booklets, and bound codices – undoubtedly played a significant role in shaping the form of writings produced across much of medieval Europe. While donation charters were not the only physical or written context in which contemporaries would encounter or record the bounds of land, they do represent a distinct context, a moment in which the limits of a specific area

[35] Joseph Stevenson (ed.), *Chronica de Mailros, e codice unico in Bibliotheca Cottoniana servato* (Edinburgh, 1835), 93 (*usque ad viam que vadit ad occidentem partem ecclesie beate Marie de Wedhale, et est pastura ecclesie de Melros usque ad terminos de Wedhale et usque ad rivulum qui vocatur Fasseburne*). For the translation, see *The Acts of William I, King of Scots, 1165–1214*, ed. G. W. S. Barrow with W. W. Scott, Regesta Regum Scottorum 2 (Edinburgh, 1971), 289 (no. 253).

[36] The charter is London, BL Cotton Ch. xviii.18 (a transcription, translation and image will soon be available on line via *Models of Authority*: http://www.modelsofauthority.ac.uk/digipal/manuscripts/716/). It is published as *Acts of William I*, ed. Barrow, no. 253.The palaeography of this royal charter is suspect for the 1180s, and is likely to have been produced much later (the document has a seal tag, but no evidence that a seal was ever attached). I am grateful to Teresa Webber for offering her thoughts on the handwriting of this document.

[37] The Poppleton manuscript is Paris, Bibliothèque Nationale de France MS latin 4126. For an edition of the Latin text, see Marjorie Ogilvie Anderson, *Kings and Kingship in Early Medieval Scotland*, 2nd edn (Edinburgh 1980), 247 (*a lapide in Apurfeirc usque ad lapidem iuxta Cairfuill id est Lethfoss et inde in altum usque ad Athan*). I am grateful to Dauvit Broun for alerting me to this example.

or property, and the most beneficial way to record this in a document, were collectively agreed.

Boundaries in charters of donation

The most abundant written context for boundaries in twelfth- and thirteenth-century Scotland was the charter of donation. This form of record was adopted from the early twelfth century.[38] A great many of these documents involved members of the elite (including not only kings, bishops and earls but also more local landholders) giving property and privileges to major monasteries or cathedrals in return for spiritual benefits. Where the donation concerned property, the parties involved might have chosen to have the bounds of the land specified within the charter itself. Charters of donation therefore offer an assorted collection of examples of boundaries expressed in writing. Three examples of these charter texts can be found in the Appendix.

The earliest occurrence of a 'boundary clause' in a surviving charter – in the sense of the text consciously delineating the bounds of the land in question, rather than any general reference to a boundary – is probably one of King David I datable to '23 April 1124 × 1139' in which David gave to St Cuthbert's church (Edinburgh) land near Edinburgh Castle.[39] Here, the land was described (in Latin) as: 'namely, from the spring which rises beside the corner of the king's garden, along the road which goes to the same church, and from the other side beneath the castle until a road is reached which is beneath the same castle towards the east'.[40] In this example, as in many other charters of donation

[38] Dauvit Broun, 'The adoption of brieves in Scotland', in *Charters and Charter Scholarship in Britain and Ireland*, ed. Marie Therese Flanagan and Judith A. Green (Basingstoke, 2005), 164–83.

[39] *The Charters of David I: The Written Acts of David I King of Scots, 1124–53, and of his son Henry, Earl of Northumberland, 1139–52*, ed. G. W. S. Barrow (Edinburgh, 1999), no. 71 (Edinburgh, NRS GD13/45/216: a transcription, translation and image will soon be available on line via *Models of Authority*, http://www.modelsofauthority.ac.uk/digipal/manuscripts/607/).

[40] The Latin is: *uidelicet a fonte qui oritur iuxta angulum gardini regis per uiam qua itur ad eandem ecclesiam et ex altera parte sub castellum usque peruenitur ad unam uiam que est sub eodem castello uersus orientem* (*Charters of David I*, ed. Barrow, no. 71).

as well, there was no explicit reference to a 'perambulation'. Perambulations were sometimes referred to, however, the earliest examples again dating to the reign of David I (1124–1153).[41] It is important to emphasise that first appearance in writing does not mean, of course, that the early twelfth century was the birth of boundary lines in Scotland. It is possible to imagine that the process of walking boundaries to establish units of land had a long history in Scotland. All that was necessarily new in the early twelfth century was this particular medium for recording the outcome – single-sheets of parchment with wax seals.

It is not too difficult to imagine why those involved in a donation of land (both the donor and the recipient) would want a description of the boundary to be included, given that the drafting of the charter was a key moment in establishing the main details of the gift. This makes it even more striking, therefore, that boundary clauses were not a regular feature of charters of donation. To give an indication of the frequency of their appearance as a proportion of the whole corpus, we can consult the two online resources relating to Scottish charters, *Models of Authority* and 'PoMS'. In *Models of Authority* (as it currently stands), only 66 of the total 407 charters (16%) include a boundary clause; a perambulation, on the other hand, is explicitly mentioned only 30 times (in 7% of the current corpus).[42] Boundary clauses have not been tracked systematically in PoMS, but it is possible to filter the corpus by those donations which relate to a perambulation: 283 out of 4,286 'gifts' refer to a

[41] See *Charters of David I*, ed. Barrow, nos 86–87.

[42] *Models of Authority* is still in development and so a beta version of the website has been used for these calculations. At the time of writing, the database contained 485 transcriptions of texts (the final total will be over 700). For 'charters' strictly defined under 'document type' (as opposed to brieves, agreements, inquests, etc.), there are currently 407 texts. The figure for boundary clauses can be found by searching by 'clauses' (under result type) and then selecting 'charter' (under document type), 'transcription' (under text type), and 'boundaries' (under clause type). Eight charters contain more than one boundary clause, and so the total figure of 74 clauses has been reduced to 66 actual charters. For mentions of perambulations, search by 'texts' (under result type) and select 'charters' (under document type), 'transcription' (under text type), and type 'peramb*' into the text box.

perambulation in the text (7%).[43] This is an exaggerated figure, however, since not all of these 'gifts' will relate to land (such as gifts of money). The mention of a perambulation in the text also does not necessarily correlate with whether a boundary description was included. What these rough figures do suggest, however, is that the boundary clause was a relatively uncommon feature in charters generally and donation charters specifically. This is not to say that the absence of a description means the bounds themselves were not known, of course, but that recording them within the charter itself was optional. Any description of a boundary does, therefore, suggest that a conscious choice had been made to include it.

Boundary clauses in donation charters vary in their form, from extensive and detailed accounts of the entire boundary to simple descriptions of a few features. An example of the former, more detailed description is set out below in a charter of Robert de Brus, lord of Annandale, to his knight Roger Crispin giving the whole land of *Cnoculeran* (in Dumfriesshire), datable to sometime between 16 July 1211 and 26 August 1233.[44] It is an example of a 'circular' boundary description which begins and ends at a place called *Blakebec*, given here in translation from the Latin:[45]

[43] Like *Models of Authority*, PoMS is still developing and so the corpus' size might change in future. The relevant figures can be found by looking under 'sources' and filtering by 'gift' (under transaction type) and 'perambulation' (under transaction feature).

[44] W. Fraser, *The Annandale Family Book*, 2 vols (Edinburgh, 1894), I, no 7.

[45] For the editorial principles for all the translations in this chapter, see the Appendix. The name is italicised where the place is unidentified, but sometimes a name can include a recognisable element. This example reveals a particularly rich mixture of language elements. For example, *bec* is from Northern English 'beck' (a stream, burn, or brook): see Brian Aitken, Dàibhidh Grannd, Carole Hough, Simon Taylor and Eila Williamson, *The Berwickshire Place-name Resource*, 'Element Glossary' (*s. v.* 'burn'): https://berwickshire-placenames.glasgow.ac.uk/place-names/?p=element-glossary (accessed 26 September 2019). The element *thuayt* is from Old Norse 'thveit' or Old Danish 'thwēt' ('a clearing, a meadow, a paddock'): see Victor Watts with John Insley and Margaret Gelling (eds), *The Cambridge Dictionary of English Place-names* (Cambridge, 2004), p. xlviii. *Pol* is a British word particularly common in south-western Scotland ('stream', 'flowing water'): see

> …from *Blakebec* under *Thornthuayt* as far as the moss which is above *Blakebec*, and so beside that moss as far as *Blindethuayt*, and so from *Blindethuayt* as far as *Malroser*, and so by the burn of *Malroser* as far as into *Polraban*, and so from *Polraban* along the green road as far as the hedge of *Holthuayt*, and so by that hedge as far as *Threpland*, and so along to the bounds of the land of Hugh Hendeman, and just as these bounds fall into *Blakebec*…

This example is somewhat atypical in its length and detail. In most cases, the bounds are far more brief, and potentially also quite vague. In a charter of William of Brechin to Lindores Abbey in 1245, the land being given was to be held as it had been perambulated 'from the highway that goes from the ford of the Urie towards Leslie'.[46] Unlike Robert de Brus' charter, statements such as these appear to be more of a prompt than a precise 'record' of the bounds themselves.

A spectrum of detail is also on display in the Appendix. Text B, for example, contains a particularly long description, which also happens to be in the name of a Brus lord, William de Brus, the father of the abovementioned Robert de Brus. William's charter is conspicuously detailed in many respects. In addition to giving Adam of Carlisle the land of Kinmount (Dumfriesshire), William set aside a portion of land with an extensive boundary description. This extra portion was probably added to allow Adam to rear animals and access wood, being described as 'the whole land with wood and pasture'. The impression is that what was being given was in fact a new 'package' of lands and rights, including a freshly created unit of land that needed to be defined

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G. W. S. Barrow, 'The uses of place-names and Scottish history: pointers and pitfalls', in *The Uses of Place-Names*, ed. Simon Taylor (Edinburgh, 1998), 54–74, at 59–61. *Threpland* means 'disputed land' in Scots: see *Dictionary of the Scots Language* (*s. v.* 'Threp(e), Threip'): https://www.dsl.ac.uk/entry/dost/threpe_n (accessed 26 September 2019).

[46] *Chartulary of the Abbey of Lindores*, ed. Dowden, no. 55 (*per altam uiam que uadit de uado de Vry uersus Lascelyn*).

in writing. Charters like Text B are therefore particularly rich sources for what a fuller version of a donation might look like.

It will now be obvious that boundaries in Scottish charters took a 'linear' or 'circular' form (or, to use Jon Coe's terminology, 'semi-perambulatory' or 'perambulatory'). It is as though the route is being walked from X to Y to Z, and then sometimes back to X. Compass points are only referred to in a general way, such as in the example above ('beneath the same castle towards the east').[47] As was demonstrated in the previous chapter, the Bengali inscriptions generally took the following form: 'the boundary in the east is A, in the south B, in the west C, and in the north D'. Some variation can be found in the order of the cardinal points, but the sequence appears to be always circular. 'Compass point clauses' need not indicate an entirely different procedure for establishing the boundary; indeed, it has been argued that the Bengali material reveals evidence of 'field-walking', much like a perambulation.[48] The difference, in other words, is in how the boundary was expressed in writing rather than necessarily how it was established. Full circular bounds are far less frequent than linear versions in Scottish charters, however. This might suggest a deeper contrast with the Bengali inscriptions, with Scottish charters displaying greater flexibility in whether the full perimeter was specified or just part of it.

What makes boundary clauses one of the most vivid parts of the charter are the markers themselves that are mentioned. Much work has been done on the landscape features described in Bengali boundary clauses, notably Suchandra Ghosh's study of copper-plate inscriptions from Kāmarūpa (identifiable with present day Assam) which demonstrates how boundary markers

[47] *Charters of David I*, ed. Barrow, no. 71. There are occasional examples where the length and/or breadth of an area are also used in the description: see, for example, *Scone Lib.*, no. 21 (London, BL Add. Ch. 66568); and J. Raine, *The History and Antiquities of North Durham* (London, 1852), App. no. 173 (Durham, DCA DCD Misc. Ch. 714). For a length and breadth description in another context, see the description of the land of Kirkness and *Pethmokanne* in the abridged Loch Leven Priory records (see above, note 10).

[48] See chapter 4 in this volume, Rajat Sanyal and Suchandra Ghosh, 'Boundary clauses in Bengal inscriptions: revisiting sources', 118, 124.

can reveal important aspects of local landscapes, including the people and occupations that made up rural society.[49] She and others have also stressed the prevalence of bodies of water as boundaries between rural spaces in this area.[50] In a Scottish context, as already mentioned, the main emphasis to date has been on the place-names preserved in boundary clauses. The bounds themselves are often difficult to reconstruct – either on maps or on the ground – due to place-name changes and agricultural 'improvements' to the landscape in the eighteenth century in particular. The most common markers mentioned in the descriptions can be grouped into different types:[51] water (e.g., lochs, burns, fords, springs, sikes, torrents); other natural landscape features (e.g., marshes, peateries, woodland, meadows, moors, mosses, hills, valleys); manmade structures (e.g., castles, plough furrows, mills, churches, crosses, standing stones); route ways (e.g., paths, roads); and identifiable settlements or properties (e.g., the land called X, the land belonging to such-and-such a person).

Occasionally, boundaries had to be physically created in some way. In Text C in the Appendix, for example, Roger Burnard gave Melrose Abbey part of his peatery 'namely by the large stones which I placed along the bounds while perambulating'. Similarly, Ness son of Ness gave a meadow to Newbattle Abbey, with the boundary established 'as I [Ness] caused a plough to be drawn as far as the Peffer and stones to be placed as testimony'.[52] In the early thirteenth century, King Alexander II gave land to Kinloss Abbey that was defined as beginning 'from the great oak tree in *Malevin* which the said Earl Mael Coluim [one of the

[49] Suchandra Ghosh, 'Understanding boundary representations in the copper-plate charters of early Kāmarūpa', *Indian Historical Review* 41 (2014), 207–22, at 217–19.
[50] *Ibid.*, 217–20.
[51] See also *PNF*, v, 265–6; and Neville, *Land, Law and People in Medieval Scotland*, 60–2.
[52] *Registrum Sancte Marie de Neubotle*, ed. C. Innes (Edinburgh, 1849), no. 111 (*et sicut ego carucam trahere feci usque in Pefre et petras in testimonium ponere*).

named perambulators] caused to be marked with a cross first'.[53] The perambulation itself could, therefore, act as a key part of physically marking as well as agreeing where the boundary lay. Makeshift markers can also be found in the Bengali copper-plate inscriptions, notably the use of 'pegs' to signify the limits of a boundary.[54]

While the charters themselves are in Latin, something of the local language of the area can sometimes be revealed through the boundary markers. Simon Taylor has pointed to examples where within the Latin text a landscape feature is given its equivalent in one or two vernacular languages, either Gaelic or Scots.[55] An example he cites is this phrase from a charter to Arbroath Abbey on 17 April 1256 describing the boundary of Kingoldrum in Angus: 'going up as far as the west part of *Hachethimethoner* which in Scots is called *Midefeld*'.[56] The place itself was known to contemporaries as both *Hachethimethoner* (Gaelic) and *Midefeld* (Scots), both of which mean 'middle field' or 'midfield'.[57] Simon Taylor has suggested that, in some cases, these so-called 'double names' can be used as evidence for bilingualism in a particular area at a particular time.[58]

[53] *The Acts of Alexander II*, ed. Keith J. Stringer, Regesta Regum Scottorum 3 (Edinburgh, forthcoming), no. 66 (*a magna quercu in Malevin quam predictus comes Malcolmus primo fecit cruce signari*). For similar examples, see *Acts of Alexander* II, ed. Stringer, no. 71, which demarcates the land 'from a certain oak tree marked with a cross' (*a quadam quercu cruce signata*); and *Charters of the Abbey of Coupar Angus*, ed. Easson, I, no. 34, which takes the boundary 'until the distinct trees which the justiciar caused to be marked with axes there' (*usque ad claras arbores quas iusticiarius fecit ibi securibus signari*). I am grateful to Keith Stringer for providing me with pre-publication versions of the acts of Alexander II.

[54] Sanyal and Ghosh, 'Boundary clauses in Bengal inscriptions', 115, 118.

[55] *PNF*, V, 243–4.

[56] *Liber S. Thome de Aberbrothoc*, ed. C. Innes and P. Chalmers, 2 vols (Edinburgh, 1848–56), I, no. 295 (*ascendendo usque ad partem occidentalem hachethunethouer quod anglice dicitur midefeld*).

[57] The modern Gaelic is *achadh meadhanach* ('middle field'): *PNF*, V, 244 note 7.

[58] *PNF*, V, 244.

The land itself being perambulated might be a named place (such as 'Moorfoot', 'Burgie', 'Balfeith'),[59] or it might be a portion of land with no named identity (such as 'four acres of arable land in the territory of Old Roxburgh', or 'a certain part of his land in his territory of Cadzow', or 'the land which belongs to their church of Kirkbride').[60] With this latter type of 'unnamed land', it is possible in some cases that the area was being isolated in this way for the first time as part of the donation. In terms of lordship, it was in a sense a 'new' unit of land, and so its boundaries needed to be acknowledged to establish its physical identity. Such creations need not be small plots: the unnamed portion of land given and delineated in William de Brus's charter (Text B), for example, appears to have been a relatively substantial size.

Suchandra Ghosh has shown how boundary markers can reveal that the lands given to the brāhmaṇas (the ecclesiastical and intellectual elite in medieval Bengal) would often be bounded by lands of non-brāhmaṇas.[61] In Scotland, evidence can be found of churches being given lands bounded by those of laypeople, and also of other churches.[62] Often, this would have been a harmonious arrangement, but disputes between

[59] See *Acts of William I*, ed. Barrow, no. 252 (Moorfoot); *Acts of Alexander* II, ed. Stringer, no. 66 (Burgie); and Text A in the Appendix (Balfeith).
[60] See *Melr. Lib.*, I, no. 256 (arable land in Old Roxburgh); *Acts of Alexander II*, ed. Stringer, no. 71 (land in Cadzow); and *Liber Cartarum Sancte Crucis*, ed. C. Innes (Edinburgh, 1840), no. 70 (the church of Kirkbride's land).
[61] Ghosh, 'Understanding boundary representations', 217.
[62] See, for example, Patrick of Ryedale's gift to Melrose Abbey which describes the boundary as being 'as far as the land that William of Ryedale gave as a dower to his wife, Matilda Corbet' (*usque ad terram quam Willelmus de Ridale dedit Matildi Corb' uxori sue in dotem*): *Melr. Lib.*, I, no. 300 (NRS GD55/300: a transcription, translation and image will soon be available on line via *Models of Authority*, http://www.modelsofauthority.ac.uk/digipal/manuscripts/195/). Another example is William de Vaux's gift of land in Gullane to Coldingham Priory, 'that is the perch of land which lies nearest the croft of William Smallware towards the north' (*illam percatam terre que iacet propinquius crofto Willelmi Smalware erga septemtrionem*): Raine, *North Durham*, App., no. 173 (Durham, DCA DCD Misc. Ch. 714: a transcription, translation and image will soon be available on line via *Models of Authority*, http://www.modelsofauthority.ac.uk/digipal/manuscripts/324/).

neighbours can be found in the surviving documentary record. It has, in fact, been suggested interaction between the church and laypeople was a factor which fuelled charter production itself in the twelfth century.[63] Boundary markers can, therefore, offer an insight into relations as they existed 'on the ground'.

As has been emphasised, the inclusion of a boundary clause in a charter of donation was not a requirement; it remained an optional feature. In those cases where the bounds of the land in question were not explicitly described in the charter text, they may still be alluded to in two main ways. Firstly, instead of including the boundary description in the text itself, the scribe might refer back to a previous charter where the bounds could be found, for example: 'by the right bounds as is contained in the charter of the same Donnchad'.[64] It was not deemed necessary in these cases to repeat the full boundary description in the body of the text. Such references would only be relevant where a previous donation was being re-given or confirmed, perhaps by a higher authority (such as the king) or by the next generation of donor. For these clauses to make sense, it can be assumed that the original donation charter must have still been in existence in the archive and available for reference at the time. This phrase can be compared with the term *aparatāmrapaṭṭaśca*, '[donated through] another copper-plate', in an inscription from eastern Bengal.[65]

Secondly, instead of describing the bounds the charter scribe might include an alternative phrase declaring that the land was given 'by its right bounds' (*per rectas diuisas suas*), or sometimes 'by its right bounds and with all of its lawful pertinents' (*per rectas diuisas suas et cum omnibus iustis pertinenciis suis*). It is not usually clear what these 'lawful pertinents' were, though they may have included much of what is

[63] Matthew Hammond, 'The adoption and routinization of Scottish royal charter production for lay beneficiaries, 1124–1195', in *Anglo-Norman Studies XXXVI*, ed. David Bates (Woodbridge, 2014), 91–116, at 109.

[64] *Acts of Alexander II*, ed. Stringer, no. 46 (*per rectas diuisas contentas in carta ipsius Dunecani*). In this charter, King Alexander II confirmed the gift of Donnchad son of Gilbert, earl of Carrick, to Melrose Abbey.

[65] Sanyal and Ghosh, 'Boundary clauses in Bengal inscriptions', 125.

described in William de Brus's long charter (Text B), such as rights of access, milling, building, and common pasture.[66] The use of this phrase 'by its right bounds' in Scottish charters of donation appears to have been an optional extra rather than holding any particular legal weight.[67] It is also remarkably similar to the generic phrase found in northern-Bengli Pāla charters (tenth to twelfth centuries): *svasīmāvacchinna* ('as far as its own boundaries') or *svasambaddhāvacchinna* ('with uninterrupted [land] attached to itself').[68] The introduction of this phrase in the Pāla charters was accompanied by another generalised statement about what was to be included in the grant, which also has significant parallels in the Scottish material. Compare, for example, the following two statements:

> …with forest and branches, land and water, pits and barren tracts, betel nut and coconut trees, with pūti plant and pasture…[69]

> …with hermitage and mill, with wood and plain, with fields and meadows, with roads and paths, with moors and marshes, with pools and fishponds…[70]

[66] This phrase (*cum pertinenciis*) had taken on a more specific meaning by the early fifteenth century to mean all the land that went with an estate, as described in a treatise known as 'On the drafting of charters': see J. J. Robertson, '*De Composicione Cartarum*', in *Miscellany I*, Stair Society 26 (Edinburgh, 1971), 78–93, at 86–7 (section 1) and 89–90 (section 6).

[67] A similar kind of optional phrase was the 'Scottish regnal *sicut* clause', recently studied by Dauvit Broun (for example, a donation of land ought to be held 'as freely and undisturbed as they hold and possess any land in the whole kingdom of Scotland'; *sicut aliquam terram liberius et quietius tenent et possident in toto regno Scocie*): Dauvit Broun, 'Kingdom and identity: a Scottish perspective', in *Northern England and Southern Scotland in the Central Middle Ages*, ed. Keith J. Stringer and Angus J. L. Winchester (Woodbridge, 2017), 31–86 (the example quoted is F5 in the appendix, at p. 81).

[68] Sanyal and Ghosh, 'Boundary clauses in Bengal inscriptions', 111.

[69] *Ibid.*, 113 (Madahinagar copper-plate of the Sena king, Lakṣmaṇasena [c. 1179–1206] to a *śāntyāgārika brāhmaṇa*). See also Sayantani Pal, 'Religious patronage in the land grant charters of early Bengal (fifth–thirteenth century)', *Indian Historical Review* 41 (2014), 185–205, at 202 (Table 13, no. 11).

[70] See Text B in the Appendix (charter of William de Brus to Adam of Carlisle, 1194 × 29 October 1198).

These statements have a remarkably similar feel to their pattern and their contents.[71] It might be worth contemplating that, in a Scottish context, it is assumed that charters were read out at public gatherings. This particular textual formula could, therefore, be as much about the sound of the phraseology as the technicalities of the donation.

As well as the boundaries themselves, the charter might also record the names of the perambulators – those who had done the actual walking. These people were usually distinct from the witnesses to the charter itself, and to those 'in whose presence' the perambulation was said to have been conducted.[72] Text A is a good example of this: the perambulation was done 'in front of' the bishop of Aberdeen and the earl of Strathearn (the latter of whom was the royal 'justice', one of the chief judges in the kingdom at the time); the perambulation itself was said to have been done by seven named men along with 'other worthy men of the lord king in Angus and the Mearns'. The 26 witnesses to this charter were mainly prominent laymen. In Text C, by contrast, the perambulator was the donor himself: Roger Burnard gave part of his peatery 'which I perambulated with many other worthy men'. Another example is in a charter of Ysenda, wife of the earl of Strathearn, who gave Inchaffray Abbey five acres in Abercairney (Perthshire) 'which I perambulated for the same abbot and canons in the presence of worthy men, namely Sir Richard the knight and Geoffrey of Gask, my brothers, Henry

[71] See also the longer boundary description given in Sanyal and Ghosh, 'Boundary clauses in Bengal inscriptions', 112, from the late-ninth-century Mohipur copper-plate from Bangladesh. There are striking similarities with Scottish charters in terms of the exemptions from royal revenues, the legal rights in relation to punishing thieves, as well as the emphasis on holding the land for 'eternity'.

[72] In the cases where both perambulators and those 'in whose presence' it had been done were mentioned, the impression is that the former were often those of local standing who therefore had a more intimate knowledge of the land in question, whereas the latter were usually of higher status within the kingdom. The witnesses, on the other hand, were typically associated with the donor or the recipient. This point is developed in Neville, *Land, Law and People in Medieval Scotland*, 54–9.

and Tristram, sons of Tristram, William the earl's clerk, and many others'.[73]

The Latin verb used in these phrases to describe the perambulating was usually *perambulare*, but occasionally others were used such as *circuire*, *mensurare*, *peragrare*, or *perire*. Greater variety can be found in the earlier charters, reflecting the steady routinisation of charter terminology across the twelfth and thirteenth centuries. Another phrase that might also be found is one that reveals the perambulation was done 'on my [the donor's] command' or 'on the command of the king'. An example is King William's gift to Dryburgh Abbey of land in Pettinain (Lanarkshire) 'which Robert son of Warnebald, my sheriff of Lanark, for my benefit perambulated and gave sasine on my command'.[74]

There is one pattern in all of this that is particularly striking: in cases where the perambulators were named in the charter itself, sometimes the actual boundaries were not. In other words, the record stated that certain named individuals had conducted a perambulation of the land, but without noting the resulting bounds. What this suggests is that, for those involved in the composition of these charter texts (which presumably included both parties to a greater or lesser extent), the names of the perambulators were sometimes more important than the description of the bounds themselves. While patterns can be difficult to ascertain, there are indications that it was not uncommon for the bounds to be omitted when the perambulators were named, especially in royal charters.[75] It is important not to

[73] C. J. Neville, 'The Earls of Strathearn from the Twelfth to the Mid-Fourteenth Century, with an Edition of their Written Acts', Unpublished PhD Thesis, 2 vols (University of Aberdeen, 1983), II, Add. Chrs., no. 1 (*terram quam eisdem Abbati et Canonicis Probis hominibus presentibus perambulaui, uidelicet domino Ricardo milite et Gaifrido de Gasc fratribus meis, Henrico et Tristrem filiis [Trest]rem, Willelmo clerico Comitis et multis aliis*).

[74] *Acts of William I*, ed. Barrow, no. 262 (*quam Robertus filius Werenberti uicecomes meus de Lanark ad opus meum perambulauit et syesiuit precepto meo*).

[75] Royal charters (including gifts, grants and confirmations) up to the reign of Alexander II (died 1249) that list the names of perambulators include the following, with an asterisk indicating those that also contain a description of the

push this observation too far though, since there are also plenty of examples of charters containing boundary descriptions without the names of any perambulators (as in Text B, for example), and also cases where both the names and the bounds are given (as in Text A and Text C, for example). It may also be recalled that some boundaries are so brief that they may have acted more as a prompt than as an attempt at a complete description. A detailed survey would be required to understand this aspect of the documents more fully.

Those charters that did omit the actual boundaries but included the perambulators offer a glimpse into a world where it was assumed that, if the gift itself were contested, it was the people who would be called upon (the perambulators and those present), not the text. The word of individuals could be regarded as having as much, if not more, authority as the written word. This brings to mind Michael Clanchy's influential work which argued that this period – the twelfth and thirteenth centuries in particular – was a time when society was moving further along the spectrum 'from memory to written record', as both a way of operating and a way of thinking.[76]

Boundary clauses in Scottish charters of donation therefore reveal a clear element of choice: in whether the boundaries were given at all, in how much detail and in what form, and whether any individuals were named. Recording boundaries was, in other words, an optional element in the context of drafting donation

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boundaries: *Charters of David I*, ed. Barrow, nos 87, 98, 120, 164, 165, 174, 197, 216*; *The Acts of Malcolm IV, King of Scots, 1153–1165*, ed. G. W. S. Barrow, Regesta Regum Scottorum 1 (Edinburgh, 1960), nos 123, 138, 168, 198, 199, 259; *Acts of William I*, ed. Barrow, nos 48, 75, 130*, 170, 184, 215*, 233, 262, 286, 291, 292, 342, 344, 345, 377, 469*, 524; *Acts of Alexander II*, ed. Stringer, nos 2, 66*, 71*, 113*, 208, 209*, 284*. This list reveals the infrequency of occasions where the perambulators were named and the boundaries also described. There might be a chronological trend with boundaries more likely to be described in addition in the thirteenth century, but this would need to be tested further. This phenomenon is also found in non-royal charters, though the precise proportions of how many included perambulators but not bounds (and vice versa) would need to be investigated.

[76] M. T. Clanchy, *From Memory to Written Record: England 1066–1307*, 3rd edn (Chichester, 2013).

charters. Some variety also appears to exist in the Bengali copper-plate inscriptions, in both their inclusion and to an extent in their form. Those produced, for example, in eastern Bengal (in the newly established Pauṇḍra bhukti) recording donations under the Candra and Varman lineages in the tenth and eleventh centuries seem to omit boundary descriptions; they then reappear in inscriptions from the region under the Sena rulers in the twelfth and thirteenth centuries.[77] Where they do appear, the descriptions themselves also vary in how many compass points are mention – whether just the cardinal four, or some of the intercardinal ones in between as well.

In twelfth- and thirteenth-century Scotland, written records were becoming more abundant and more diversified, and as such boundary descriptions can be found in a range of contexts. Ultimately, the boundary clause would have been shaped by a range of factors, including most obviously the nature of the transaction itself – whether gifting a new plot of land, settling a dispute, narrating historic donations, or keeping private records of properties. Of all these contexts, the donation charter is perhaps the most clearly defined and formulaic in its textual structure and format. It therefore makes for a consistent group of texts with which to draw comparisons with other corpora.

Comparing boundary descriptions

The method of looking at previous societies and their written records in a comparative way, especially globally, has recently been gaining pace.[78] In this chapter, the focus has been not an entire society but one particular textual element: the boundary description.[79] Working comparatively is, in a basic sense, a familiar experience for any charter scholar since charters are

[77] Sanyal and Ghosh, 'Boundary clauses in Bengal inscriptions', 126.

[78] A special issue of *Past and Present* recently focused on the methods and sources of the 'Global Middle Ages'. For a summary of this field, see the introduction: Catherine Holmes and Naomi Standen, 'Introduction: Towards a Global Middle Ages', in *Past and Present*, Supplement 13 (2018), 1–44.

[79] For a more general survey of source material across the 'Global Middle Ages', see Mark Whittow, 'Sources of knowledge; cultures of recording', in *Past and Present*, Supplement 13 (2018), 45–87.

always viewed within the context of a particular corpus – whether from a single archive, or from a certain region or kingdom, or even from a particular modern repository. The nature of the charter text, with its formalised structure of clauses and repetitive terminology, naturally encourages comparisons within and between these corpora, to spot patterns as well as nuances. For Scotland's medieval charter texts, the main comparative corpus has typically been those that were produced in neighbouring countries, particularly England. This is not unnatural, given the shared documentary culture of 'Anglo-Norman' Britain.[80] The inscriptions from early medieval Bengal offer a radically different point of reference, in the context of two societies with no known contemporary connections. Comparisons in this case therefore serve a different purpose. Where there is no question of direct influence, what is shared becomes particularly significant, especially for thinking about the production of the texts and the social conditions that gave rise to them. It will therefore be useful to take stock of the similarities and differences between these two distinct corpora and their boundary descriptions before drawing together some conclusions about the implications of this comparison.

In terms of the boundary descriptions themselves, specific similarities have been highlighted throughout this chapter, including the occasional use of makeshift boundary markers (such as pegs or stones or crosses on trees), the similar generic statements about the extent of the boundaries, the inclusion of long lists of rights expressed in pairs, and the references to boundaries expressed in previous donations. The most readily identifiable contrast is to be found in the structure of the descriptions themselves. Those from Bengal were fundamentally conceptualised as compass points, and, with few exceptions, followed the same circular order: east, south, west, and north. In Scottish donation charters, the preference was for 'linear' descriptions. The distinction here, however, is primarily one of expression in writing. A similar act of walking the bounds in

[80] See, for example, the various essays concerning charter use and charter diplomatic in Scotland in *The Reality Behind Charter Diplomatic*, ed. Broun.

order to delineate them may have underpinned both forms of record. In Scotland, this process was more visible in the written record, with perambulations and perambulators being explicitly referred to on occasion. The difference was therefore more to do with textual conventions than it was about mental conceptions of property or the process of establishing a boundary.[81]

The circular compass-point structure of the Bengali boundaries inevitably means that on the whole they appear to be longer and more detailed than those in Scottish donation charters, which often included only two or three markers and might be notably vague. This may reflect a deeper contrast in the use of these respective records. While both suggest a formal ceremony accompanied the donation, the nature of the Bengali inscriptions perhaps points to a grander occasion, and one that was less frequent than the drawing up of a charter in Scotland. It is worth remembering that the copper-plate inscriptions also included lengthy praśastis (praise poetry for the donor).[82] It might also be assumed that the copper-plate inscriptions took greater time and effort to create than parchment documents, which became used not only for recording donations but also for routine correspondence and administration.

In both contexts relatively little is known about the production of the records, though there are potential similarities. In the Bengali inscriptions the *pustapāla* are said to have been involved in the verification of the grants and also as local record keepers, though they largely appear in the earlier period under the Gupta dynasty (northern Bengal in the fifth to sixth centuries).[83] This might be similar to the emerging role played by the *judex* (judge) or the sheriff in medieval Scotland.[84] These were all local representatives who could be involved in presiding over, as well as recording, donations or disputes that fell within their sphere of

[81] There examples in Scotland of bounds being expressed by their diameter (length and breadth): see above, note 47.
[82] See the discussions which follow in the next two chapters in this volume.
[83] Pal, 'Religious patronage', 189.
[84] For the role of the *judex*, see G. W. S. Barrow, *Kingdom of the Scots*, 2nd edn (Edinburgh, 2003), 57–67. For the role of local judges in establishing boundaries, see Broun, 'The king's *brithem*'.

influence. The closest comparator in Scotland to the Bengali 'normative texts' – which prescribed what form the inscriptions should take – is a treatise known as *De Composicione Cartarum* ('On the drafting of charters').[85] Unlike the normative texts which appear in Bengal very early in the period of production, from as early as the second century, the treatise in Scotland appears much later, in manuscripts from the fifteenth century. It has been said that this might have been an attempt to 'introduce uniformity', and so it is important not to read this treatise backwards into the earlier evidence as though the same conventions applied then.[86]

The respective corpora from medieval Scotland and medieval Bengal differ significantly in one key respect: the latest estimates put the published corpus of donative inscriptions from Bengal across the fifth to thirteenth centuries at just over one hundred; for Scotland the figure for donation charters from the late eleventh to fourteenth centuries is almost 4,000.[87] The identity of the donors and recipients in these records of gifts can be contrasted. In terms of the donors, Sayantani Pal has argued that from the late seventh century in Bengal, 'kings exclusively emerged as donors in all sub-regions and this tradition continued throughout the rest of the period of study' (fifth to thirteenth centuries).[88] In Scotland, however, the donors were taking the opposite trajectory: from their initial use by the kingdom's elite in the early twelfth century, donors were diversifying as charters were adopted by an increasingly wide range of landholders.[89] As for the recipients, Sayantani Pal has noted that after the ninth

[85] For the normative texts, see chapter 2 in this volume, Sayantani Pal, 'The forms and format of the copper-plate inscriptions of early Bengal', 53. For the treatise, see Robertson, '*De Composicione Cartarum*', with an edition and translation at 86–91.
[86] Robertson, '*De Composicione Cartarum*', 84.
[87] For Bengal, see Pal, 'Religious patronage', 185–205, esp. the Appendix at 195–204; for Scotland, PoMS (accessed 21 September 2019) currently reveals 3,813 texts when searching by 'sources' for 'charter' (under document type) and 'gift' (under transaction type).
[88] Pal, 'Religious patronage', 193.
[89] See, for example, Hammond, 'The adoption and routinization of Scottish royal charter production', 91–116.

century the brāhmaṇas were exclusively the recipients of grants by the local ruling authority.[90] In Scotland, the surviving records would suggest that the church was by far the main beneficiary of charters, though laypeople certainly produced and received these documents as well. It is important to recognise, however, the extent to which this view of the recipients is a reflection of the extant material, most of which only survives from the archives of major churches. Indeed, the nature of survival patterns in early medieval Bengal must also be a significant factor in shaping the corpus itself and our view of it.[91]

The nature of the surviving corpus therefore fundamentally influences how we characterise the records and recording practices in the period in question. Our own embedded approaches can be brought to light more clearly when set against a separate corpus of material. The larger corpus in Scotland is usually categorised by donor (those in whose name the documents were written) or by medieval archive (those who received and kept these documents); the copper-plate inscriptions are more naturally grouped according to geographic region across Bengal. The distribution of the inscriptions perhaps encourages more geographical and chronological comparisons than in a Scottish context, where the differentials in time and place are arguably less stark within the defined corpus. In fact, the wider spread of a smaller corpus in Bengal means that the key dynamic is the rise and fall in usage across time and space; in Scotland, by contrast, the historiographical narrative is one of 'adoption' in the early twelfth century and then 'development', moving in a single, continuous direction as charter usage proliferated throughout society. The notion of society moving 'from memory to written record' may not, therefore, be so readily appropriate in the Bengali context. It is a reminder to all

[90] Pal, 'Religious patronage', 187.

[91] The second- or third-century 'normative text' quoted by Sayantani Pal in her chapter in this volume ('The forms and format of the copper-plate inscriptions', at 53) describes how the king 'should issue a permanent edict bearing his signature and the date on a piece of cloth or on a copper-plate'. Presumably any cloth records were far less likely to survive today than the copper-plate inscriptions. I am grateful to Dauvit Broun for pointing this out.

medieval historians that the distinction between literacy-based and non-literacy-based societies was not always one-directional.

Any approach which embraces comparable but unconnected material is therefore useful for honing our understanding of what is significant and distinctive about the corpus with which we work. Aspects of the sources that might otherwise be taken for granted become all the more vivid from this comparative viewpoint. One such perspective, for example, is a heightened appreciation for the charter's basic materiality. The versatility and also fragility of parchment, in comparison to copper sheets, takes on added significance as a particular feature of the corpus.[92] Wider perspectives can also be gained in relation to how historians have tended to interpret the material from a particular time and place, and how its survival and proliferation is typically analysed and characterised.

By looking through a comparative lens, the boundaries in Scottish charters have been cast in a new light. One of the key insights is a sharper sense of the 'donation charter' itself, and the flexibility that might be involved in using this as a medium for recording gifts of property. It might be expected, for example, that a written description of a land boundary ought to be as precise as possible, recording the entire circumference of the plot in order to avoid any future misunderstandings or challenges. Evidently, the scribes in medieval Scotland had a different, more open view of the role of the charter and what it recorded. Often, it was the people themselves as opposed to the bounds on the ground that were the focal point of the text. Our understanding of a 'record' of any such event and the act of 'recording' must, therefore, remain open to scrutiny. The description of a boundary in writing was not just about the lines on the ground; it was also about forming new and enduring relationships, between the donor and recipient but also embracing other neighbours and local landholders, the perambulators, and even the witnesses to the act.

[92] For the significance of different material forms of records and different patterns of archiving across the Global Middle Ages, see Whittow, 'Sources of knowledge; cultures of recording', 45–87.

Conclusion

This chapter has looked at how contemporaries in medieval Bengal and Scotland were recording the landscape in the context of gift-giving. Where they can be found, descriptions of land boundaries provide a window of sorts into the landscape of the time and the control of local land and resources. But they also represent how land units were conceptualised in writing in different contexts. It is not so significant that both Bengali and Scottish property records included descriptions of land boundaries; what is striking is the scope of the resemblances in their texts across vast geographical space and from different chronological periods. While donations of land were likely happening in some form across the globe in the medieval period, it was not inevitable that they would be recorded in writing, let alone on single sheets and composed in the formulaic ways found in the Bengali inscriptions and Scottish charters. The similarity of the texts in these two particular cases has presented an opportunity for a detailed and meaningful comparative study.

It is not only the format and style of the text that is significant. Records of donations can also be seen as representing a particular social context that had shared features in medieval Scotland and medieval Bengal, one that included the act of giving land and privileges sometimes for spiritual returns, the process of perambulating the bounds of a property, and the drawing up of a text to record these actions for the future. This raises the deeper question of how far these parallels also reflect a similar mindset and common ideas about how societies might interact with the physical world around them. These observations can act as the basis for an even broader look at the ways in which land boundaries might be conceptualised in writing in the middle ages, and what kind of realities this might represent in different times and places.

There are virtues in taking something as specific as boundary descriptions as the starting point of a comparative study. In this case, it responds to the observable similarities in the surviving material itself from medieval Scotland and medieval Bengal, and it allows our understanding of the broader patterns and themes to be built outwards from there. This study therefore contributes to

the recent interest in approaches to the 'global middle ages', offering a new form of 'combinative' study that is fundamentally based on directly comparable source material.[93] By working alongside experts in the field, and learning from their material and from their approaches to it, this need not be an overwhelming nor unachievable task.

[93] The 'combinative' approached, as distinct from methods based on 'connection and comparison', is discussed in Holmes and Standen, 'Introduction: Towards a Global Middle Ages', 23. They continue: 'Our chapters are not concerned with the usual dialogue between theory and evidence over a period of change, so much as with the juxtaposition of evidence from diverse locations and centuries which speaks to the chapter theme in question'.

Appendix: Translations of three charters of donation from Scotland containing a boundary clause.

Editorial principles

Text B and Text C both survive as 'original' charters; they have been translated from their respective published editions. Text A survives only as a copy in two cartularies, only one of which was known to the editors; it has therefore been translated from the two manuscripts. Significant variant readings between these manuscript versions have been noted in curly brackets { } or in footnotes.

All capitalisation, punctuation and paragraphing is editorial. Where equivalent modern place-names are not known, the name form (as it appears in the manuscript or printed edition) has been rendered in italics. Following the conventions of the PoMS database, 'toponymic surnames are given with "of" if the place-name is in Britain or Ireland, and "de" if the eponymous place is on the Continent' (e.g., Adam of Carlisle, but William de Brus).[94] Gaelic personal names have been given their medieval equivalents (e.g., Mael Coluim, Oengus). 'Mac' in personal names is rendered as a separate word but with a small capital 'M' to reflect uncertainty about whether this was regarded as an established surname (e.g., MacDonald) or a description in the vernacular (e.g., 'son of Donald').[95]

[94] 'Editorial information on surnames', *People of Medieval Scotland*: http://www.poms.ac.uk/information/editorial-information/editorial-information-on-surnames/ (accessed 20 September 2019).

[95] I am grateful to Dauvit Broun for supplying medieval Gaelic forms for the less common Gaelic names.

Text A

Charter of Humphrey of Berkeley to Arbroath Abbey. 24 August 1198 × 16 October 1198.

PoMS (H 3/83/6) http://db.poms.ac.uk/record/source/4479/#

CARTULARY COPIES: Edinburgh, NLS Adv. MS 34.4.2 (Arbroath Abbey cartulary), fol. 59r–v; London, BL Add. MS 33245 (Arbroath Abbey cartulary), fols 145v–146r. The charter does not appear in the abbey's earliest, incomplete cartulary (Dundee City Archives GD130/25/17).

PRINTED: *Liber S. Thome de Aberbrothoc*, ed. C. Innes and Patrick Chalmers, 2 vols (Edinburgh, 1848–56), I, no. 89 (based only on the NLS manuscript since the BL manuscript was not known to the editors).

NOTES: A similar translation of this charter is available but is based on the printed edition (it therefore does not reflect the version in the BL cartulary): Dauvit Broun, 'The king's *brithem* (Gaelic for judge) and the recording of dispute-resolutions', *Feature of the Month: no. 11 (April 2010)*, *The Paradox of Medieval Scotland, 1093–1286*: http://paradox.poms.ac.uk/feature/april10.html (accessed 20 September 2019).

PLACES: Balfeith is now in Aberdeenshire, north-east Scotland (before 1975 it was part of Kincardineshire). See Ordnance Survey six-inch map, Kincardineshire, Sheet XX (surveyed 1863–4, published 1868); available on line via the National Library of Scotland 'Map Images', National Grid Reference NO757769: https://maps.nls.uk/geo/explore/#zoom=15&lat=56.8840&lon=-2.4068&layers=1&b=1 (accessed 20 September 2019).

NLS cartulary rubric: Charter of Humphrey of Berkeley concerning the land of Balfeith.

BL cartulary rubric: Balfeith, charter of the grant of Humphrey of Berkeley, with the bounds of same land, with common pasture and peatery in his feu of Kinkell and Conveth, with other easements and liberties, as can be seen more fully in the charter.

TEXT

Humphrey of Berkeley to all his men and friends, and to all who will see or hear this charter: greeting.

Let those present and future know that I, for the souls of Kings David and Mael Coluim, and of Earl Henry, father of my lord King William, and for the soul of my lord, and those of E[rmengarde], my lady, queen of Scots, and Alexander their son, and their other children, and for my soul and the soul of my wife and my heirs after me, have given and granted and by this charter made firm to God and the church of the blessed Thomas the martyr at Arbroath, and to the monks there who are serving and will be serving God:

the whole land of Balfeith which was perambulated for me according to the assize of the realm, in front of the lord Matthew, bishop of Aberdeen, and Earl Gilbert, {earl}[96] of Strathearn, by:

Oengus Mac Donnchada and Mael Brigte Mac Leóit and Dubscolóc of Fetteresso and Murchad and Mael Muire Mac Gilla Mícheil and Gilla Críst Mac Flaithbertaig and Cormac of Nigg and other worthy men of the lord king in Angus and the Mearns, and sworn by the same men as pertaining to the land which the lord king gave to me for my homage and service:

that is, between the burn of Monboddo and the water of Bervie, the Bervie running on one side and the burn of *Fewth* on the other side as it flows into the Bervie, and the bounds of the land of {Walter}[97] the son of Sibbald;

with common pasture, as much from my wood (as much as may be needed from there by them for their buildings and the

[96] Only in the NLS cartulary.
[97] Only in the BL cartulary.

buildings of those who may live on that land) as by all other means of access to the peat and pasture of my feu of Kinkell and Conveth, so that they and their men can have at pasture a hundred beasts and their young and as many pigs as may be appropriate for them to have in the aforesaid land, and horses likewise; also they and their men are permitted to have a shieling from Easter to All Saints for the rearing of their aforesaid beasts where they see fit either in Tipperty or in Corsebauld or in Glenfarquhar; and with the freedom to construct and possess a mill in that land so that they may have their milling freely and peacefully, and their men likewise;

to be held in free and pure and undisturbed {and perpetual}[98] alms, freely and undisturbed by army-service and hosting and from all aids and gelds and all labour-services and guard-duty and from all pleas and complaints, from all customs and from all services and secular exactions, so that I and my heirs after me shall release them for all time and answer for all services and incidental demands which pertain or could pertain to the aforementioned land or the beasts which are on it, so that the aforesaid monks or their men living on that land shall perform no service for the aforesaid land to me or to my heirs or any other living person, except divine mass to intercede on our behalf.

With these witnesses: William and Walter chaplains of the lord king; William Comyn; William Giffard; Philip de Moubray; Mael Coluim son of Earl Donnchad and Donnchad his brother; Adam son of Abraham; Walter the Scot and Walter his son; Richard son of William Comyn; William del Bois and Gilbert of Stirling, clerks of the lord king; Agatha my wife; Mael Brigte the judge; David the doorward; Mael Coluim the butler; Humphrey the young; Robert of Inverkeilour; Robert Mansell; Philip de Melville; Donnchad of Arbuthnott; John de Montfort; Simon of Inverbervie; Hugh son of Hugh of Benvie; Adam the white.

[98] Only in the BL cartulary.

Text B

Charter of William de Brus to Adam of Carlisle. 1194 × 29 October 1198.

PoMS (H 3/106/9) http://db.poms.ac.uk/record/source/3887/#

ORIGINAL: Buccleuch Archives, Drumlanrig Castle, bundle 1323 [NRA(S) 1275].

PRINTED: W. Fraser, *The Annandale Family Book*, 2 vols (Edinburgh, 1894), I, no. 2 (with a facsimile facing p. xiv).

PLACES: Kinmount is in Dumfriesshire, south-west Scotland. See Ordnance Survey six-inch map, Dumfriesshire, Sheet LXII (surveyed 1898, published 1900); available on line via the National Library of Scotland 'Map Images', National Grid Reference NY139686: https://maps.nls.uk/geo/explore/#zoom=16&lat=55.0055&lon=-3.3476&layers=6&b=1 (accessed 20 September 2019).

TEXT

William de Brus to all his men and friends, French and English, present and future: greeting.

Know that I have given and granted and by this present charter made firm to Adam of Carlisle, son of Robert, and his heirs, Kinmount by its right boundaries with all pertinents, and adding the whole land with wood and pasture as far as Stenries beck, and so following the burn by the middle of the marsh, which is from the west and north of *Wrennehoc* against the *blanche lande* as far as the next bridge except one along from the *blanche lande*, and so going along from that bridge as far as the spring from which comes the burn which is called *Houticroftebech*, and so following that burn going down as far as the ditch into *Winterbech Scok* which goes across by *Walter brigge*, and so following that ditch as far as *Blabech*, and so following *Blabech* going down as far as where it falls into *Gillemartinebech*, and beyond *Gillemartinebech* the common pasture with those of

Milleby, and with the said *Brakanepheit*, and one mill with a pool and a reasonable site [for the mill], and with reasonable roads to the mill and to the water leading to the mill on the *Polraban* in the territory of Cummertrees.

And within these boundaries named above, he [Adam] and his heirs will be able to cultivate and break new ground and erect buildings wherever they wish except for in *Brakanephet* where they are not to erect houses unless with my permission. They and their men will also have rights of way to the market via the forest at Lochmaben via Dalton, and to Dumfries via *Rochela*.

All these lands and these holdings, with all pertinents, he [Adam] and his heirs will have and hold of me and my heirs in feu and heritage, freely and undisturbed, honourably and completely, with hermitage and mill, with wood and plain, with fields and meadows, with roads and paths, with moors and marshes, with pools and fishponds, with all the places and freedoms and easements pertaining to these same lands, undisturbed by all services and customary dues.

He [Adam] is to perform to me and my heirs the service of a quarter part of one knight in place of all services saving, however, to me and my heirs my hunting, namely stag and hind, swine and goat.

Moreover, these lands with the aforementioned mill and pertinents and easements pertaining to these lands, I have given to him [Adam] and his heirs to be held of me and my heirs for their homage and service, and in exchange for Lockerbie which Robert de Brus, my father, gave to Robert, his [Adam's] father, for his homage and service.

And I and my heirs shall warrant to him [Adam] and his heirs these lands and holdings with all the freedoms and easements pertaining to them against all men in peacetime. And at such a time as we might not be able to warrant them, we shall give to them from our land of Hartness the same value of land in exchange, with the same freedoms, and for the same service.

With witnesses: William de Heriz; Adam son of Adam; Udard of Hoddom; Hugh de Brus; Hugh of Corrie; Henry Murdoch; Gilbert son of John; William de Heriz the younger; Hugh Mauleverer; William de Heineville; Adam Dunwoodie; Richard Fleming; Richard del Bois; Roger son of Udard; Simon the chaplain; and many others.

Text C

Charter of Roger Burnard to Melrose Abbey. 1202 × 1219 (probably × 4 December 1214).

PoMS (H 3/109/1) http://db.poms.ac.uk/record/source/4526/

Models of Authority: http://www.modelsofauthority.ac.uk/digipal/manuscripts/51/

ORIGINAL: Edinburgh, NRS GD55/87.

PRINTED: *Liber Sancte Marie de Melros*, ed. C. Innes, 2 vols (Edinburgh, 1837), I, no. 87.

PLACES: Fairnington is in Roxburghshire, south-east Scotland. See Ordnance Survey six-inch map, Kelso, Sheet XXV (surveyed 1895, published 1896); available on line via the National Library of Scotland 'Map Images', National Grid Reference NT648279: https://maps.nls.uk/geo/explore/#zoom=14&lat=55.5482&lon=-2.5704&layers=1&b=1 (accessed 20 September 2019).

Endorsement: Charter of Roger Burnard concerning a peatery.

TEXT

Roger Burnard, to all sons of holy Mother Church, present and future: greeting.

Know that I have given and granted and by this my charter made firm to God and the church of Saint Mary at Melrose and the monks serving God there, for the health of the souls of my lords,

the kings of Scotland, namely of King David and King Mael Coluim and King William, and for the health of my soul and for the souls of all of my ancestors and successors, in free, pure and perpetual alms:

a certain part of my peatery in the territory of Fairnington which I perambulated with many other worthy men by the same bounds and limits, namely by the large stones which I placed along the circumference while perambulating.

I have also granted that the same monks may make a ditch six feet wide beyond these bounds along the circumference, and I have given and granted to them as much of my land – and land alongside the moor – where they might be able to dry their peats sufficiently, and go and return with free passage without disturbance to carry off the same peats. The monks should hold and have all this of me and my heirs, free and undisturbed, fully and honourably, as freely, undisturbed, fully and honourably as they hold and possess any other alms. And I and my heirs shall maintain and warrant the whole said peatary to the same monks against all men.

With these witnesses: Richard, dean; Walter Olifard; Thomas de Colville; Bernard of Hadden; Gregory of Rutherford; Alexander of Synton; Robert son of Maccus; and many others.[99]

[99] The final line of writing in the original charter is obscured by the folded flap (Alexander of Synton is the last name on the penultimate line). The editor of the printed version, Cosmo Innes, may have been able to look underneath the flap, though the small amounts of visible writing in the image suggest that there were more names on this final line than just Robert son of Maccus. In both the cartulary copies, the scribes have only recorded as witnesses 'Richard, dean, etc.' (NLS Adv. MS 34.4.11, fol. 16r; BL Harley MS 3960, fol. 23v).

VI

Praśastis or panegyrics in early India: case studies from Bengal

Suchandra Ghosh and Sayantani Pal

Introduction

Praśasti as a genre of epigraphy made a visible presence in India during the post-Mauryan period. With the decline and disintegration of the Maurya Empire (*c.* 322–185 BCE), the political map of the subcontinent began to be dotted with new ruling dynasties who were contesting with each other and proclaiming their superiority through the mode of inscriptions, which were public orders. Most of the early praśastis were inscribed on rocks, stone tablets, or pillars; later, they were incorporated in royal charters engraved on copper-plates. These public orders came to be preceded by eulogistic descriptions in poetic style of the king's attainments. Thus, praśastis were political texts which were most of the time marked by unqualified exaggeration. Such exaggeration often considerably mars the value of the praśastis as a source of history.[1] The courtly milieu of the post-Mauryan period was instrumental in the beginning of the writing of praśastis for rulers. Many of these praśastis composed at the courts were written in kavya style. The close connection between literary texts and inscriptional eulogies was noticed first by Georg Bühler who concluded that by the second century 'it was the custom at Indian courts to occupy oneself with kavya'.[2] Bühler emphasised the fact that many inscriptions in J. F. Fleet's *Corpus Inscriptionum Indicarum*, volume 3, composed between 350 and 550 CE, were written in

[1] D. C. Sircar, *Indian Epigraphy* (Delhi, 1965), 25.

[2] Georg Bühler, 'The Indian inscriptions and the antiquity of Indian artificial poetry', transl. V. S. Ghate, *Indian Antiquary* 42 (1913), 29–32, 137–48, 172–9, 188–93, 230–4, 243–9, at 192.

the kavya style and did not differ significantly from its literary forms.[3]

Early praśastis

The eulogistic portions in some of the significant inscriptions of the period between the first century BCE to the second century CE, like the Hāthīgumphā inscription of Khāravela (1st cent. BCE),[4] the Nasik Praśasti of Gautami Balasri (early 2nd cent. CE)[5] and the Junagadh inscription of Rudradaman (mid-2nd cent. CE)[6] are some of the first clearly datable specimens of praśastis, the first two written in Prakrit and the third in Sanskrit. In the opinion of Daud Ali, 'the co-appearance of inscriptions and literary texts between the second and fourth centuries of the common era is significant, representing not a "revival" or continuation of a long-standing tradition, but, as Sheldon Pollock has argued, "the inauguration of a new cultural formation".'[7]

Thus, early praśastis were composed in a period when the category of praśasti was fluid and not fully defined. Gradually the praśasti became a highly stereotyped genre and many of them were written in *gadya* and *kavya*. Each of these texts engaged in the exaltation of a ruler and their primary function was praise. The eulogies composed in the pre-300 CE time-bracket were different from the format followed in the period from *c.* 300 CE onwards. We have panegyrics written both in Prakrit and Sanskrit which were varied and original in their literary qualities and content. Three well-known praśastis of the period, the Hāthīgumphā inscription of Khāravela, the Nasik Praśasti of

[3] *Corpus Inscriptionum Indicarum. Vol. 3. Inscriptions of the early Gupta Kings and their Successors*, ed. and transl. J. F. Fleet (Calcutta, 1888; 2nd edn, Varanasi, 1963).
[4] Shashi Kant, *The Hāthīgumphā inscription of Khāravela and the Bhabru Edict of Aśoka: A Critical Study* (2nd edn, New Delhi, 2000).
[5] E. Senart, 'The inscriptions in the caves at Nasik', *Epigraphia Indica* 8 (1905–6), 59–96.
[6] F. Kielhorn, 'Junagadh Rock Inscription of Rudradaman: the year 72', *Epigraphia Indica* 8 (1905–6), 36–49.
[7] Daud Ali, *Courtly Culture and Political Life in Early Medieval India* (Cambridge, 2004), 79.

Gautami Balasri and the Junagad Praśasti of Rudradaman were completely different in their form and content. But they had some shared ideas and concerns and drew from certain common traditions. They all focus on the person of the king describing his bodily splendour in various ways. They also talk about the fact that these kings wielded sovereignty over lesser rulers. The kings were compassionate. The beginning of a stereotype could be seen, since most of these refer to gifts to brāhmaṇas and exemption from taxes. Reference also is made to *trivarga* (*dharma*, *artha* and *kāma*). Meera Viswanathan rightly suggests that they drew from common tradition.[8] These praśastis reflect the competition and contestation of the period. Thus Gotamiputa is described as 'the destroyer of the Sakas, Yavanas and Pahlavas', and 'the extinguisher of the Khakharata line'. Rudradaman's praśasti states that although he defeated Satakarni twice, in fair fight, he did not destroy him on account of the closeness of their relationship. Taken together these two praśastis make interesting reading of the political scenario of the time.

Into the early medieval: a format defined

The early medieval period (*c.* 600–1300 CE) in India saw a burgeoning of local and regional powers, many of which experienced royalty for the first time.[9] It was necessary for these powers to construct a genealogy which would give them legitimacy to rule. They were invariably linked to famous dynasties of yore or to legendary figures, and writing eulogies for a king during some specific occasion became common. Even copper-plate charters of the period had a section for praśasti. Innumerable praśastis were written in this period and gradually the need for a format was felt by the composers. Thus there came a change in the writing of praśastis. Format and style became

[8] For an excellent study on this see Meera Viswanathan, 'The Inscribed Presence: Scribes, Scripts and Contexts of Communications in the Early Historic Period (*c.* 300BCE–300CE)', unpublished Ph.D thesis, Jawaharlal Nehru University, Delhi, 2014, 267–312.

[9] For an understanding of the Early Medieval period, see B. D. Chattopadhyaya, *The Making of Early Medieval India* (2nd edn, Delhi, 2012).

highly stylised and stereotyped. According to Richard Salomon, a classic praśasti should begin with an auspicious sign or invocation such as *svasti* followed by one or more invocatory verses. The next section is an account of the ruling king's lineage, description of the king's and his ancestors' physical power and beauty, moral qualities and reputation, conquest, learning and artistic skills, just rules etc. The actual purpose of the inscription is mentioned at or near the end of the text. This was often followed by concluding and/or signature verses giving the composer's name.[10]

A classic example from early Bengal, following the stereotyped format of a praśasti, is the Deopara praśasti of the Sena ruler Vijaysena (*c.* 1096–1159 CE).[11] The Senas were originally from Karnataka, and established their hold in about all the sub-regions of Bengal and in Bihar from the early eleventh to the thirteenth century CE.

Format of Deopara praśasti

The Deopara praśasti begins with an invocation to Śiva, which is followed by three invocatory verses. An account of the king's ruling lineage, prowess of their arms, and conquests are described in verses 4–14. For example, in verse 4 it is stated:

> In the race of witness of the continuous amorous pastime of the nymphs of heaven, were born the southern rulers, Virasena and the rest, famous on both (their parents') sides: the record of whose deeds has purified the streams of honied verse which the son of Parasara has made to flow to please the ears of all mankind.

The subsequent verse then goes on:

> In the Sena family was born that head – garland of the clans of Brāhmaṇas and Kshatriyas, Samantasena, a very magician in

[10] Richard Salomon, *Indian epigraphy: a guide to the study of inscriptions in Sanskrit, Prakrit, and the other Indo-Aryan languages* (Oxford, 1998), 112.
[11] *Inscriptions of Bengal, Vol. 3. Containing inscriptions of the Chandras, the Varmans and the Senas, and of Īśvaraghosha and Dāmodara*, ed. and transl. Nani Gopal Majumdar (Rajshahi, 1929), 42–56.

> exterminating hundreds of opposing champions; whose wars, in rivalry of the son of Dasaratha, carried on near the border of the dam which is cooled by the surging waves of the ocean, are celebrated in song by the nymphs of heaven

Then comes the eulogy of the king, his wonderful deeds and the battles he fought, in verses 15–25. Verses 15 and 16 inform us:

> And from the royal lady there was born to that ruler of the three worlds (a son), who made illustrious the course of his youthful amusements by destroying hosts of enemies; King Vijaysena, properly so named because he completely conquered the whole earth, enchanted by the girdle of the four oceans. Who could count the crowds of kings that were either conquered or slain by him, every day engaged in battle? In this whole world, he suffered only the moon to retain his title of king, because the moon was the progenitor of his own family.

The purpose of the inscription, which is to record the building of the temple of Pradyumnesvara along with a lake and the ruler's charity is narrated in verses 26–34. Thus verse 26 narrates,

> That ruler of the earth built a high temple of Pradyumnesvara, the ground part of which takes up the several quarters, while its middle is clad by the great sea of heaven: (a temple which is) the midday mountain of the sun, who at his rising and setting touches the eastern and western mountains, (which is) the one column of support of the house of the three worlds, (and) the unique representative of all mountains.

Verses 35–36 refer to the poet and engraver of the inscription.

Description of the content

The Deopara praśasti traces the genealogy of the Sena rulers of Bengal from the lunar race in which was born Virasena, the southern ruler (Dakshinatya). In that family was born Samantasena who destroyed the enemies of the Lakshmi of Karnata. They were known as *Brahma-Kshatriyas*. It is said that in his last days Samantasena was in a forest on the bank of the Ganges. His son was Hemantasena who has been said to be

decorated not by jewels but by true speech, sacred precepts, marked by the scars and the hairs of enemies at his feet. There is an interesting comparison between him and his sword. It is said that while his sword brought affliction to enemies, he brought favour to his friends; he gave pearl strings to his allies, the other blows to opponents. He was engaged in sacrifices. Actually, the Senas are said to have revived the Vedic Brahmanical tradition in Bengal. He was a great builder. He constructed lofty temples and dug extensive lakes. It is said that the Sena family knew well how to support the poor. Thus, the inscription speaks of poor brāhmaṇas becoming rich after receiving donations from the ruler. Verse 23 shows how objects which are a part of our daily existence could be used to introduce simple village women to the glitters of the urban world.[12]

> Through his favour the brāhmaṇas versed in the Vedas enjoy so much wealth that their wives are taught by the wives of the townspeople (the knowledge of) pearls with cotton-seed (of) emeralds with grass-leaves (of) silver – pieces with the blooming flowers of *kushmandi* creepers.

When the brāhmaṇas became wealthy with grants of lands their simple wives who lived in villages had to be trained by the city bred women how to recognise pearls, emeralds, silver coins, jewels and gold from their similarity respectively with seeds of cotton, leaves of saka, bottle gourd flowers, the developed seeds of pomegranates and the blooming flowers of the pumpkin gourd creeper. To the wives of the townspeople, precious items like pearls, emerald, silver coins, jewels and gold were familiar and not a fancy. But to the wives of the rural brāhmaṇas, these things were largely presented as exotic. Thus the former had to teach the latter the differences between a pearl and a cotton seed, a piece of emerald and a leaf of śāka, a silver coin and a bottle-gourd flower, a jewel and a pomegranate seed and gold and a blooming flower of the creeper of pumpkin-gourd. The passage

[12] F. Kielhorn, 'Deopara stone inscription of Vijayasena', *Epigraphia Indica* 1 (1892), 305–15.

may speak of the aspirations of the rural residents for the urbane lifestyle.

Finally the poet praises himself by saying that this eulogy is a smooth string without knots of the spotless pearls of the princes of the Sena family and it was composed by the poet Umapatidhara, whose understanding is purified by the study of words and their meanings. It was engraved by Ranaka Sulapani, who was the crest jewel of the guild of Varendra artists.

This inscription from early Bengal is one of the foremost of the praśastis with respect to poetic excellence. Written in verse form, the use of variety of metres here is noteworthy and is a fine example of ornate poetry. The fact that Umapatidhara described himself as pada-padartha-vichara-baddha-buddhi, i.e. one whose knowledge is made accurate by the study of words and their meanings shows that he did not refrain from praising himself. Umapatidhara's own judgement about himself finds an echo in Jayadeva's Gita Govinda where Jayadeva says that Umapati makes his words sprout (vachah pallavayaty=Umapatidharah).[13] Thus Umapatidhara, is known also from references in other compositions. The Sena rulers are said to have belonged to the Brahma Kshatriya caste. This caste name is also found in the records of the Guhilas and Chahamanas from Rajasthan who were more or less of the contemporary period. B. D. Chattopadhyaya opines that 'for the majority of the newly emerging royal lines 'Brahma Kshatra' was a transitional status, which once acquired was not, however, entirely given up for the supposedly authentic transition from the Brahmana to the kshatriya status'.[14] This status was being projected in order to legitimise their new kshatriya role.

Other genres of praśasti: a case study of the Badal pillar inscription

Apart from royal praśastis there were other genres of praśasti in Bengal, for example, the Badal pillar inscription, which was a

[13] *Inscriptions of Bengal*, ed. Majumdar, 45.
[14] Chattopadhyaya, *The Making of Early Medieval India*, 74.

praśasti of a ministerial family.[15] This praśasti contains a eulogy of five generations of a family of learned brāhmaṇas, viz. a) Garga, b) Darbhapani, c) Somesvara, d) Kedaramisra, and e) Guravamisra. Guravamisra was a contemporary of Narayanapala (*c.* 874–930 CE). All the members of the family served as ministers or priests under the contemporary Pāla rulers. The praśasti, while praising the ancestors of Guravamisra, also acquaints us with the history of the Pālas. The celebrated Pāla ruler Dharmapāla (*c.* 765–800 CE) is mentioned in the context that his priest Garga was instrumental in the spread of power and influence of Dharmapāla, the regent of the East. Darbhapani, the son of Garga was minister of Devapāla (*c.* 800–840 CE), son of Dharmapāla. Verse 5 of the praśasti says that,

> By Darbhapani's policy, the illustrious king Devapāla made tributary the earth as far as the Reva's parent (Vindhya mountains), whose pile of rocks are moist with the rutting secretion of the elephants, as far as Gauri's father (the Himalayas), the mountain which is whitened by the rays of Īśvara's (Śiva's) moon, and as far as the two oceans whose waters are red with the rising and setting of the sun.

The inscription also records the great esteem in which the king held his minister.

Darbhapani continued to hold an important position of state under Mahendrapāla, son of Devapāla and was held in as much awe and reverence by the son as by the father. Somesvara, the son of Darbhapani is described as *Paramesvara Vallabha*, i.e. favourite of the king. According to Suresh Chandra Bhattacharya, the king was most probably Mahendrapāla. Somesvara's son was Kedaramishra. Verse 13 of the praśasti states,

> Attending to his wise counsel the lord of Gauda long ruled the sea-girt earth, having eradicated the race of the Utkalas, humbled the pride of the Hunas and scattered the conceit of the rulers of Dravida and Gurjara.

[15] F. Kielhorn, 'Badal pillar inscription', *Epigraphia Indica* 2 (1894), 160–7.

The ruler of Gauda was Mahendrapāla. Thus, three members of the ministerial family served Mahendrapāla.

The Pāla power under Mahendrapāla was not only in undisputed possession of Bihar and North Bengal but was also credited with making new conquests including those against the Utkalas, the Hunas and the lords of Dravida and Gurjara.

The more specific claims of success against the Utkalas (Orissa) and the Hunas might have had a substratum of truth behind them while the rhetoric of humbling the pride of the Dravida and Gurjara lords may convey the lingering of the embers of the tripartite conflict during Mahendrapāla's reign about which, however, specific information is lacking.

Kedaramisra continued to receive royal patronage during the rule of the next king Surapāla (I) about whom verse 15 of the Badal praśasti has this to say,

> At the sacrifices of him [Kedaramisra], the image of Brihaspati, the illustrious king Surapāla, having destroyed the forces of his enemies, often attended of his own accord, like Indra himself, the destroyer of the demon Bala, and ever desirous of the welfare of the earth, girt by the several oceans, he, there with bent head, received the sacred water [*literally*, 'the water of peace'], his heart being bathed in the water of devotion.

Kedaramisra's son was Guravamisra who has been described as 'Gopāla-priyakaraka' in the Badal praśasti (verse 17).

There can be no doubt that it is the name of this Gopāla II which is embedded in the expression *Gopala-priyakaraka*, beloved of Gopāla in the verse 17 of the Badal praśasti and Guravamisra apparently caused pleasure to him by being in his services as a minister/priest.[16] The use of a phrase such as *priyakaraka* in relation to the ruler indicates that the relative status of the ministers was determined by the level of proximity to the king.

Guravamisra, who caused pleasure to Gopāla II continued to be favourite of the next king during whose reign he set up the

[16] Suresh Chandra Bhattacharyya, 'Badal pillar inscription: a stock taking', *Journal of Ancient Indian History* 24 (2008), 73–82.

Badal pillar with the figure of Tarksya (i.e. Garuda) on its top and with the inscription under discussion. It has been claimed that Narayanapāla was a connoisseur of his qualities and admired him for his manifold virtues, e.g. verse 19 of the Badal praśasti states,

> Since the illustrious king Narayanapala, desirous of victory, skillful in discerning excellent qualities, held him [Guravamisra] in high esteem, what need is there of further eulogy?

And so, in this case, the ministerial family is highlighted, although we also get an idea of the political exploits of the Pāla rulers of Bengal.

Praśastis in copper-plate charters

As mentioned earlier, royal panegyrics or praśastis form a part of the introductory part of the copper-plate charters from the very beginning. Gradually they increased in size. Powerful dynasties used to appoint skilful poets to compose the panegyrics of their families. They used to endow the ruling family with a respectable background, often connecting them with the kings and heroes mentioned in the epics or the *Puranas*. A familiar pattern used by the brahmanical authors was to represent their royal family as the descendants of the solar or lunar dynasties, believed to have originated from the sun and the moon respectively. This pattern may be noticed in the panegyrics of the *Rajput* dynasties of the early medieval ages. Attempts were made to represent the reigning king as well as his one or two earlier generations as a great conqueror, preferably as a *cakravarti* king. The concept of *cakravarti-kṣetra* (Domain of the sovereign) is that it covers the whole world which, to the Puranic authors was bounded by the Himalayas in the north and sea on the other three sides, i.e., the present boundary of the Indian subcontinent. There was also a conception of a smaller *cakravarti-kṣetra* bounded by the Himalayas in the north and the Vindhyas in the south, thereby excluding south India about which the author had less knowledge.

As a case study we can consider the Murshidabad copper-plate of Dharmapāla's 28th regnal year.[17] Dharmapāla was the first important king of the Pāla dynasty and established the fortune of his family. The Pāla dynasty had the longest period of rule in eastern India, from the fourth to the twelfth century. Their core territory lay in the northern part of Bengal and south Bihar. It is the Murshidabad plate where the Pālas first represent themselves as rulers (the Khalimpur copper-plate was previously considered to be the earliest). It has thirteen verses eulogising the Pāla kings. Verse 1 invokes the power of *Vajrasana*, that is, the Buddha and at the same time, Dharmapala. Then it records their genealogy describing their progenitor, Dayitavisnu, as *sarvavidyavadata* ('proficient in all branches of learning') and 'the best among kings' (v. 2), and his son, Vapyata, as one who destroyed his enemies. There is no clue about their ancestry given, indicating that their lineage was not of any dignified status. His son was Gopāla. In verse 4 it is stated that in order to put an end to *matsyanyaya*, the *prakritis* assisted Gopāla, the crest jewel of the heads of kings, to take the hands of fortune. As a matter of fact, this statement is exclusive to the two copper-plates of Dharmapāla – Murshidabad and Khalimpur. It does not reappear in any other of their inscriptions. This probably indicates that Gopāla gained the throne after subduing other claimants. The concept of *matsyanyaya* is known from the early literary sources, like the *Arthaśāstra* of Kautilya, the epics, and the *Puranas*. It refers to a state of lawlessness caused by the absence of the *danda* (the law of punishment) in which the weaker people are exploited by the stronger people, just as a big fish swallows a small one. As for example the *Arthaśāstra* maintains that *matsyanyaya* – the law of the fishes – arises in the absence of the wielder of the rod (1.4.7), and that people (*praja*), overwhelmed by such a state selected Manu as their king

[17] Ryosuke Furui, 'Indian Museum copper plate inscription of Dharmapala, year 26: tentative reading and study', *South Asian Studies* 27 (2011), 145–156; S. C. Bhattacharya, 'Murshidabad copper plate of Dharmapala', *Revisiting Early India, Essays in honour of D. C. Sircar*, ed. Suchandra Ghosh *et al.* (Kolkata, 2013), 117–134.

(1.13.5). Thus, the origin of kingship has been traced from such a state also.[18]

It appears that the composer of the first *praśasti* of the Pālas wanted to trace the rise of the predecessor of his king in the context of anarchical circumstances in which a king was much sought after. It was perhaps an attempt to legitimise the rule of this new dynasty of obscure origin, showing their acceptance by the people (*prakritis*).[19]

Gopāla's queen has been compared to a host of celebrated divine consorts like Lakṣmī (consort of Viṣṇu), Śarvāṇī (consort of Śiva) and so on.

Dharmapāla, the son of Gopāla and the reigning king has been described as one 'whose achievements are sung by the good, a master of kings who alone is ruling the entire orb of the earth'. Several verses have been devoted to highlight the awe-inspiring might of Dharmapāla's vast army as was reflected from their marches of conquests, as well as the varied qualities personified by Dharmapāla.

Comparisons are often drawn from Puranic personages and episodes. Though tinged with rich poetical imagination, these verses do not convey any specific (contemporary) historical information (verses 7–11). Verse 12 which refers to an event of considerable historical importance, has been rendered as follows.

> With a sign of his gracefully moved eye-brows he installed the illustrious king of Kanyakubja, who readily was accepted by the Bhoja, Matsya, Madra, Kuru, Yadu, Yavana, Avanti, Gandhara and Kira kings, bowing down respectfully with their diadems trembling, and for whom his own golden coronation pitcher was lifted up by the delighted elders of Panchala.

This verse assumes significance in the context of the tripartite conflict that arose among three outlying regional powers, that is, the Gurjara-Pratiharas of the west, Rastrakutas of Deccan, and Pālas of Bengal and Bihar, for domination over North India, at

[18] *The Kauṭilīya Arthaśāstra Part 1: Sanskrit Text with a Glossary*, ed. R. P. Kangle (Delhi, 1969), 6, 16.

[19] Sayantani Pal, 'Matsyanyaya of Khalimpur inscription: revisiting its geo-historical significance', *Journal of the Asiatic Society* 50 (2008), 21–36.

the apex of which was the control of the premiere city of Kanauj (Kanyakubja) in the Gangetic delta. In this battle of attrition, Cakrayudha of the Ayudha dynasty, which was ruling Kanauj, was installed by Dharmapāla as his protégé at Kanauj, while the Gurjara-Pratiharas espoused the cause of Indrarāja (Indrayudha, presumably another scion of the same Ayudha family). The verse under consideration probably contains an allusion to the installation ceremony of Chakrayudha conducted by Dharmapāla at Kanauj.

The eulogy part comes to an end with verse 13, which stresses the great popularity of Dharmapāla among people of all walks of life. It is said that those who sang his praises included even shop-keepers in every shop and parrots in cages in pleasure houses, among others, and it was with a sense of humility that Dharmapāla accepted such praises.

It is thus clear that the emerging rulers took great care to compose their eulogies, appointing accomplished poets. The copy of such records used to be kept by royal officials, and with the change of rulers it used to be modified or written afresh. Another copy went to the recipient of the land being given by the king, and remained with his family for generations, often buried underground. So, the name and achievements of the dynasty used to be transmitted from generation to generation for a long time.

Together with this we can consider the praśasti of a subordinate ruler of south-eastern Bengal in the second half of the seventh century. This charter has been found from the village of Kailan in the Kumilla district of Bangladesh.[20] It was issued by Śrīdhāraṇa Rāta. The dynasty thus has been named as the Rāta dynasty. The composer of this record was not a first-rate poet. Considering the resources of this local ruling family this is not unexpected. The eulogy part is brief and contains two verses followed by a sentence in prose. The record begins with adoration of the god Hari (Viṣṇu) and the next verse is in adoration to King Śrīdhāraṇa Rāta, who was a Vaiṣṇava. Next Devaparvata, the headquarter of the family has been introduced.

[20] D. C. Sircar, 'The Kalian copper-plate inscription of King Sridharana Rata of Samatata,' *Indian Historical Quarterly* 23 (1947), 221–41.

It has been described as encircled by the river Kṣīrodā as if by a moat. Interestingly it has been described as a *sarvatobhadra*, a term usually used to describe a fort with four gates on four sides. Devaparvata was thus probably a hill fort.[21] It is said that elephants played in the waters of the river, both banks of which were adorned by a cluster of boats. Those may be merchant vessels or watercraft for warfare. Śrīdhāraṇa Rāta has been called Samataṭeśvara (lord of Samatata, i.e. south-eastern Bengal), but is not endowed with any royal title like *maharajadhiraja*, *Paramesvara* etc. His epithet is *prapta-pancha-mahasabda* ('one who has obtained five sounds') which is significant since it is the title of a subordinate, indicating the enjoyment of a combination of five official designations, or alternatively the right granted by the overlord to enjoy the sounds of five kinds of musical instruments. There is no reference, however, to his overlord in the charter; and so, he could have been a subordinate only in name, ruling almost independently. His father, Jivadharana, is represented as the lord of Samatata, and a *samanta* (i.e. a subordinate), but again without any imperial title. Thus, he was also a subordinate like his son.

In comparing these two eulogies, which were composed as introductions to donative copper-plates, it is evident that they reflect the power and ability of their patrons. For the Pāla dynasty the text is lengthy, legitimising their claim to the throne, highlighting their achievements; and it also conforms to the usual pattern of praśastis. But the second example is also important. Though brief in nature, it sufficiently brings out the power and ability of this family of subordinate rulers. Apart from a clear statement of their almost independent rule of the kingdom of Samatata, it sufficiently outlines the importance the hill fort of Devaparvata in the contemporary polity of south-eastern Bengal.

Thus, it is apparent that eulogy became an integral part in the copper-plate charters of the early medieval dynasties. From one or two lines, referring briefly to the issuing king and introducing

[21] For a detailed description of Devaparvata, see *Mainamati-Devaparvata: A Survey of Historical Monuments and Sites in Bangladesh*, ed. A. B. M. Husain (Dhaka, 1997).

his family in the charters of the fourth–seventh centuries, they gradually became elaborate and lengthy in the dynasties of the post-eighth century period.

Concluding remarks

A reading of the praśastis in general suggests that irrespective of the poetic embellishments and exaggerations typical of these praśastis, they provide us with the kernel of political narratives. We have seen that the eulogies became more elaborate by the early medieval period and began to include descriptions of the donor's ancestors thereby making them invaluable as a source of political history. Royal praśastis, according to Daud Ali, 'even if not fully comprehensible to all, still formed a spectacular communicative idiom'.[22] Though the genre of the poetic eulogy or praśasti was not taken up extensively in the aesthetic treatises which appear from the Gupta period, it is clear that many of these panegyrists participated in the same literary culture, as is the case of Umapatidhara of Deopara inscription.

The kings are often described in praśastis in a conventional manner. One of these conventions is the representation of an imperial ruler either as the conqueror or as the ruler of the entire 'earth', meaning the *cakravarti-kṣetra* or 'the sphere of influence of a paramount ruler'.[23] To cite an example, the Pāla king, Devapāla (*c*. 810–847 CE), who ruled over Bengal and Bihar, is sometimes described in inscriptions as the ruler of the entire land bounded by the Himalayas in the north, Setubandha-Ramesvara in the south, the Bay of Bengal in the east and the Arabian sea in the west; although sometimes the southern boundary is given as the Vindhyas instead of Setubandha. Moreover, since the praśastis were largely written by court poets, there was some reticence in taking notice of the defeat and discomfiture of their patrons. Thus, a kind of bias engulfed the composers of this genre of inscriptions.

[22] Ali, *Courtly Culture*, 80.
[23] Sircar, *Indian Epigrapghy*, 28.

VII

The genealogy of the king of Scots as charter and panegyric

Dauvit Broun

When we think of genealogies in medieval Scotland our minds might turn at once to Gaelic, the Celtic language that was spoken in the Middle Ages from the southern tip of Ireland to the northernmost coast of Scotland.[1] This is not unnatural. Texts that trace the ancestry of a notable individual step by step through many generations survive in their hundreds from the medieval Gaelic world. They are found today almost exclusively in late-medieval Irish manuscripts. Some genealogies originated in collections made as early as the tenth century.[2] Presumably there were once many Scottish manuscripts containing genealogies, too. A reason why they would not have survived is that, in the Scottish kingdom during the twelfth and thirteenth centuries, the Gaelic learned orders who would have had a primary interest in writing and copying this material declined in significance and ceased to participate in Gaelic literate culture.[3] This chapter will

[1] I am extremely grateful to Joanna Tucker for her comments and discussion, and for numerous key points and improvements. I am also very grateful to Geraldine Parsons for commenting on the section on genealogy as panegyric, and to John Davies for his editorial patience and perspicacity. All errors are my own.

[2] See below, 228–9.

[3] Dauvit Broun, 'Gaelic literacy in eastern Scotland between 1124 and 1249', in *Literacy in Medieval Celtic Societies*, ed. Huw Pryce (Cambridge, 1998), 183–201. For the judicial role of the learned orders in the twelfth and thirteenth centuries, and their declining significance, see Alice Taylor, *The Shape of the State in Medieval Scotland, 1124–1290* (Oxford, 2016), 121–32; G. W. S Barrow, 'The *judex*', in G. W. S. Barrow, *The Kingdom of the Scots. Government, Church and Society from the Eleventh to the Fourteenth Century* (2nd edn, Edinburgh, 2003), 57–67.

open with a brief survey of medieval genealogical texts relating to the Scottish kingdom, followed by a closer discussion of the limited number that are known to have existed between about 995 and 1250. Thanks to some recent insights about the physicality of texts, and the example of Bengal copper-plates, a new approach to this material will be developed that offers a fresh perspective on the role of genealogy as a written expression of kingship and lordship.

What are genealogies?

Gaelic genealogies in the central and later Middle Ages typically trace the descent of an individual through a number of significant figures who serve to establish his identity. If, for example, the genealogy is of the ruler of Cenél nGabráin ('Kindred of Gabrán'), then Gabrán, from whom Cenél nGabráin are named, will feature in his genealogy, along with all Gabrán's supposed ancestors. The Gaelic learned orders who wrote and preserved these texts developed a sophisticated fictional scheme which was designed to show how every major kindred in the Gaelic world related to each other. This scheme, in turn, was rooted in the genealogical framework provided for humankind in the Bible. This meant that it was notionally possible for an individual's genealogy to be taken generation by generation back to 'Adam son of the living God'. One example of this (noted below) runs to over 140 generations.[4] In practice it appears that only those who held a position of authority had their genealogy written out or recited in public.[5] This could be at the level of local landholding.[6]

[4] The genealogy of William the Lion noted under (3) at 213 (below).

[5] Studies of genealogies focus chiefly on understanding changes involving significant ancestors rather than on the conventions governing the choice of individuals at the head of a pedigree. For an exception (limited to the study of a single tract) see Dauvit Broun, '*Cethri prímchenéla Dáil Riata* revisited', in *Sacred Histories: a Festschrift for Máire Herbert*, ed. J. Carey, K. Murray and C. Ó Dochartaigh (Dublin, 2015), 63–72.

[6] Donnchadh Ó Corráin, 'Creating the past: the early Irish genealogical tradition' (Carroll Lecture 1992), *Peritia* 12 (1998), 177–208, at 180–1; also 182–3 (summarising Donnchadh Ó Corráin, 'Uí Chobthaigh and their pedigrees', *Ériu* 30 (1979), 168–73).

Only the most important would have had their pedigree traced deep into the past. The only texts of Scottish genealogies that survive from about 750 to about 1350 are those of kings.[7]

All Scottish genealogies (with one exception) take the form 'A son of B son of C' and so on.[8] This means that, when the genealogy was first composed, 'A' was head of his kindred (and, in the case of the royal genealogy, was king at that time). Every link in the chain is male. There was, however, a lone woman in the line of descent of the kings of Scots. Her fate in copies of the Scottish royal genealogy is instructive. For example, in medieval Gaelic, the ancestry of David I (1124–1153) should have read:

> *Dabíth mac Maíl Choluim meic Donnchada meic Bethóice ingen Maíl Choluim meic Chinaeda …*
>
> 'David son of Mael Coluim (Malcolm III, ruled 1058–1093) son of Donnchad (Duncan I, 1034–1040) son of Bethóc daughter of Mael Coluim (Malcolm II, 1005–1034) son of Cinaed (Kenneth II, 971–995) …'.

You will look for Bethóc in vain, however, in all versions of the genealogy but one. It was so unusual to have a woman as one of the generations in a genealogy that her naming was avoided by saying either 'Donnchad (Duncan I) grandson of Mael Coluim (Malcolm II)', or 'Donnchad son of the daughter of Mael Coluim'. The next step was to deny the possibility of her existence by saying 'Donnchad (Duncan I) *son* of Mael Coluim (Malcolm II)' (as in the text edited and translated in the Appendix below), or by converting her into a male by reading *meic ingen*, 'of the son of the daughter' as *meic Fingen*, 'son of Fingen'.[9] These changes were evidently made by scribes who

[7] There are earlier, more extensive genealogies relating to Dál Riata (a kingdom roughly equivalent to modern Argyll in the west of Scotland and the north of Antrim in Ireland). See below, 228–30.

[8] The exception is *Míniugud senchusa fher nAlban*: see below, 228.

[9] NLS, Adv. MS 72.1.1 (known as 'MS. 1467') fol. 1ra4, transcribed by Máire and Ronnie Black on line at http://www.1467manuscript.co.uk/ (accessed 10 July 2017); *The Great Book of Irish Genealogies, Leabhar Mór na nGenealach, compiled (1645–66) by Dubhaltach Mac Fhirbhisigh*, ed. Nollaig Ó Muraíle, 5 vols (Dublin, 2003–4), II, 142; III, 486.

were so used to writing an undisturbed sequence of male names that they were moved to 'correct' the text in this way.

Summary of medieval genealogical texts relating to the Scottish kingdom

Genealogies have in the past tended to be regarded as primarily an oral form which was occasionally committed to writing. Donnchadh Ó Corráin, however, in his seminal work on the vast genealogical corpus in Irish manuscripts, has compellingly argued that these should be understood as accumulations of written material transmitted over many centuries.[10] In this chapter my ultimate concern will be to think about genealogies as something written on parchment, focusing on the genealogy of the king of Scots in particular.

The genealogical texts relating to the Scottish kingdom in the Middle Ages can be grouped as follows:

(1) The earliest texts: two tracts on Dál Riata, one datable to around 730 or 733, the other with possibly seventh-century material.[11]

(2) Genealogies of kings of Scots in Gaelic found in Irish manuscripts. These all derive in the end from a collection that also included the two early tracts on Dál Riata (which I shall discuss in more detail later on).[12] This collection eventually included two versions of the royal genealogy: one headed by Causantín mac Cuiléin (Constantine III) (995–997), and another headed originally by Mael Coluim mac Cinaeda (Malcolm II) (1005–1034), updated to Mael Coluim's descendant, David I

[10] Ó Corráin, 'Creating the past', esp. 187–94; see also Donnchadh Ó Corráin, 'Irish origin legends and genealogy: recurrent aetiologies, in *History and Heroic Tale: a Symposium*, ed. Tore Nyberg, Piø Iørn and P. M. Sørenen (Odense, 1985), 51–96, at 52–85. Another important discussion is David E. Thornton, 'Orality, literacy and genealogy in early medieval Ireland and Wales', in *Literacy in Medieval Celtic Societies*, ed. Huw Pryce (Cambridge, 1998), 83–98. See also Thomas Charles-Edwards, *Early Welsh and Irish Kinship* (Oxford, 1993), 111–25.

[11] See below, 230, 228.

[12] See 228–9, below.

(1124–1153). An edition and translation of this updated version is given in the Appendix.

(3) A copy of the genealogy of William the Lion (1165–1214) back to Adam 'son of the living God'.[13] This formed part of a collection of miscellaneous historical pieces relating to the Scottish kingdom compiled during the reign of William the Lion.[14] Although the genealogy is ostensibly in Latin, the names are spelt according to medieval Gaelic conventions from Mael Coluim mac Donnchada (Malcolm III) onwards (1058–1093). The rendering of Mael Coluim's son David I (1124–1153) as 'Dauid', however, is perfectly plausible as a medieval Gaelic spelling.[15] It is possible, therefore, that this was originally a Gaelic text headed by David I.

(4) A version related to this, but with names often badly garbled.[16] This is found (i) from Fergus son of Erc to Noah in the *Original Chronicle* written in Scots verse by Andrew of Wyntoun sometime between 1408 and 1424;[17] (ii) in Latin, from Fergus son of Erc to Adam, in the commonplace book of James

[13] A critical edition of the first 97 generations is in Dauvit Broun, *The Irish Identity of the Kingdom of the Scots in the Twelfth and Thirteenth Centuries* (Woodbridge, 1999), 176–180; for the whole text see Marjorie O. Anderson, *Kings and Kingship in Early Scotland* (2nd edn, Edinburgh, 1980), 256–8.

[14] The collection is edited in Anderson, *Kings and Kingship*, 240–60: see 236 for its date. It survives uniquely in a manuscript from near York datable to about 1360: Paris, Bibliothèque nationale, MS latin 4126, fols 26va–32ra. For the manuscript, see Julia C. Crick, *The Historia Regum Britannie of Geoffrey of Monmouth*, vol. III, *A Summary Catalogue of the Manuscripts* (Cambridge, 1989), 256–61.

[15] eDIL s.v. *Dauíth*, at dil.ie/14769.

[16] Broun, *The Irish Identity of the Kingdom of the Scots*, 181–2; Broun, 'Gaelic literacy', 191–2. See Dauvit Broun, 'The most important textual representation of royal authority on parchment 1100–1250?', *Feature Article no.3: September 2015. Models of Authority: Scottish Charters and the Emergence of Government 1100–1250*: http://www.modelsofauthority.ac.uk/blog/royal-authority-on-parchment/ (accessed 14 February 2016) for the garbling.

[17] Broun, *The Irish Identity of the Kingdom of the Scots*, 96 and note 40. For Wyntoun's version of the genealogy see *The Original Chronicle of Andrew of Wyntoun*, ed. F. J. Amours, Scottish Text Society, 6 vols (Edinburgh, 1903–1914), vol. II, 114–17, 210–13, 349, 351.

Gray, secretary of two archbishops of St Andrews in the late fifteenth and the beginning of the sixteenth century.[18]

(5) A Latin genealogy headed originally by David I with names rendered so that they could be pronounced by someone unfamiliar with medieval Gaelic spelling conventions.[19] It survives because it was incorporated into a number of historical works: (i) the *Imagines Historiarum* of Ralph of Diss (died *c*. 1200), where it is updated to William the Lion, and runs back to Noah;[20] (ii) as an addition to the account of Alexander III's inauguration in a history of Scotland referred to by scholars as *Gesta Annalia* I, where it runs from Alexander back to the legendary first king of Scots in Scotland;[21] and (iii) in book V chapter 50 of Fordun's *Chronica Gentis Scotorum*, running from David I to Noah. It is said there to have been taken from a copy that belonged to Cardinal Walter Wardlaw, bishop of Glasgow (died 1387).[22]

(6) Finally, there are several genealogies of Highland kindreds, in the Gaelic language, of the late fourteenth and fifteenth centuries. Some are found among the great corpus of genealogies in Irish manuscripts.[23] The most important extant

[18] NLS, Adv. MS 34.7.3, fols 17v–19r. For Gray, see Anderson, *Kings and Kingship*, 64.

[19] Broun, *The Irish Identity of the Kingdom of the Scots*, 180–1; Broun, 'Gaelic literacy', 190–1.

[20] Edited in Broun, 'The most important textual representation'.

[21] Edited in Broun, *The Irish Identity of the Kingdom of the Scots*, 183–7. On *Gesta Annalia* I, see Dauvit Broun, 'A new look at *Gesta Annalia* attributed to John of Fordun', in *Church, Chronicle and Learning in Medieval and Early Renaissance Scotland*, ed. B. E. Crawford (Edinburgh, 1999), 9–30.

[22] *Johannis de Fordun Chronica Gentis Scotorum*, ed. William F. Skene (Edinburgh, 1871), 251–2. Both *Gesta Annalia* I and Fordun's *Chronica Gentis Scotorum* were incorporated, along with their copies of the royal genealogy, into Bower's *Scotichronicon*: D. E. R. Watt (gen. ed.), *Scotichronicon by Walter Bower in Latin and English*, vol. v, *Books IX and X*, ed. Simon Taylor and D. E. R. Watt with Brian Scott (Aberdeen, 1990), 294–5; vol. III, *Books V and VI*, ed. John and Winifred MacQueen and D. E. R. Watt (Edinburgh, 1995), 170–3.

[23] W. D. H. Sellar, 'MacDonald and MacRuari pedigrees in MS. 1467', *Notes and Queries of the Society of West Highland Island Historical Research*, Series 1, 28 (March 1986), 3–15; id., 'MacDougall pedigrees in MS. 1467', *Notes and*

copy is a discrete collection found on the first folio of Edinburgh, National Library of Scotland, Advocates' MS. 72.1.1,[24] a manuscript written by Dubhghall Albanach mac mhic Cathail in Ormond (in the south of Ireland) in 1467 (hence its designation as 'MS. 1467').[25] Martin MacGregor has shown that a significant part of this collection can be dated to about 1400, and that it had passed through the hands of a MacLachlan historian before reaching Dubhghall Albanach.[26] In 'MS. 1467' the first item is the genealogy of the king of Scots, headed by David I (1124–1153), derived ultimately from a collection of Scottish genealogies in Ireland (discussed below). This acts as a stem which most of the other genealogies join as branches.

New perspectives

Donnchadh Ó Corráin has characterised genealogies as 'socio-cultural instruments devised to serve social ends: title, inheritance, status in church and in secular society'.[27] There is here a potential overlap with charters as records of landholding and lordship, and with panegyric poetry praising a patron's position, power and prestige. Genealogy, charter, and praise poetry, however, were distinct types of text. The inclusion of genealogical and panegyric elements within the record of a donation in the copper-plates of Bengal has no clear parallel among medieval Scottish (or British) documents. But was there potential for genealogies to perform functions similar to charters and panegyric? These are new questions which arise directly out

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Queries of the Society of West Highland Island Historical Research, Series 1, 29 (August 1986), 3–18. There is also important genealogical material in later manuscripts, such as NLS, Adv. MS. 72.1.50, written by Niall MacMhuirich about 1658: this also includes (fol. 12r) a copy of the genealogy of David I.

[24] See Máire and Ronnie Black's description and transcription at http://www.1467manuscript.co.uk/index.html (accessed 16 February 2016), at 131–2.

[25] Colm Ó Baoill, 'Scotticisms in a manuscript of 1467', *Scottish Gaelic Studies* 15 (1988), 122–39.

[26] Martin MacGregor, 'Genealogies of the clans: contributions to the study of MS. 1467', *Innes Review* 51 (2000), 131–46, at 137–43.

[27] Ó Corráin, 'Creating the past', 189.

of comparison with the Bengali copper-plates. This has the potential to offer a novel perspective on material familiar to historians of the medieval Gaelic world.

My main task in this chapter will be to identify genealogical texts originating in Scotland, focussing of necessity on the genealogy of the king of Scots. This will suffice for considering the potential for crossover from panegyric to genealogy. The idea that genealogy might share aspects of a charter, however, will hinge on seeing them not only as primarily written rather than oral, but also as a form of writing with a physical dimension that no longer survives. This is the most fundamental and challenging new viewpoint to develop from the comparison with Bengali copper-plates. Its roots lie not only in recognising the potential importance of studying texts as objects, but also in recent work where the physical evidence has become an inherent element of our approach to text.[28]

The physical context of charters can readily be appreciated. The copper-plates of Bengal are manifestly artefacts as well as texts. Scottish (and British) charters were artefacts too. The authenticity of charters was indeed enhanced by their existence as individual sheets of parchment with seals attached; by the thirteenth century this was essential if they were to have legal force.[29] There was no requirement, of course, for genealogies to be on single sheets of parchment, or for them to be sealed. It

[28] Elena Pierazzo and Peter Stokes, 'Putting the text back into context: a codicological approach to manuscript transmission', *Codicology and Palaeography in the Digital Age 2,* ed. F. Fischer, C. Fritze and G. Vogeler (Norderstedt, 2011), 397–430, at 401–20, summarise a range of work which shows that, 'in order to say "what a text really is", one must deal with the physical embodiment of that text' (p. 420). Pierazzo and Stokes highlight the need for an editorial or analytical methodology that integrates the physical evidence as an inherent feature of the text. Although their focus is on digital representations of text, the need is general. This integration has been achieved more recently by Joanna Tucker in her methodology for analysing manuscript growth in cartularies: see n. 30, below.

[29] For an awareness of this aspect of charters I have benefitted specifically from Joanna Tucker's insights on the relationship between cartularies and archives of originals arising from her research on two medieval Scottish cartularies (see next note). I am very grateful to her for discussions about this.

seems natural therefore to discuss them simply as texts – all the more so given that they only survive in collections within manuscript-books. How might it be useful, therefore, to think of genealogies as having a physical dimension? Joanna Tucker in her work on piecemeal growth in cartularies has shown the value of keeping in the foreground the fact that writing had simultaneously a physical and textual presence.[30] As a result, it is not only individual charters on their original sheet of parchment which have a physical dimension that needs to be taken into account; she has shown that charters in the fundamentally different context of a manuscript book also benefit from being understood within the dynamic of their physical setting. Joanna Tucker's method will not be used directly in this chapter to investigate the nearest genealogical equivalent of cartularies – namely the manuscripts that include collections of genealogies. Instead her insights into the value of keeping the physicality of text constantly in mind will be applied to think afresh about the smallest constituent elements of the corpus of genealogies, reaching beyond the level of earlier collections of material to the genealogy of the king of Scots in particular.

The genealogy of the king of Scots in practice

In records of donations of land in medieval Scotland the donor's identity was given with little fuss. Their name plus a simple

[30] Joanna Tucker, *Reading and Shaping Medieval Cartularies. Multi-Scribe Manuscripts and their Patterns of Growth: A Study of the Earliest Cartularies of Glasgow Cathedral and Lindores Abbey*, Studies in Celtic History (Woodbridge, 2020). Her methodology takes us beyond the current limits of codicology and textual criticism. J. Peter Gumbert, 'Codicological units: towards a terminology for the stratigraphy of the non-homogeneous codex', *Segno e Testo* 2 (2004), 17–42, is an important discussion of the significance of combining an awareness of text and manuscript, but focuses on codicology; compare also Dauvit Broun, 'Editing the Chronicle of Melrose', and 'Charting the chronicle's physical development', in Dauvit Broun and Julian Harrison, *The Chronicle of Melrose Abbey: a Stratigraphic Edition*, vol. I, *Introduction and Facsimile Edition* (Woodbridge, 2007), 29–39, 125–73, where the focus is on what this offers for editing a text. Joanna Tucker's methodology in analysing manuscript growth in cartularies is the first where both dimensions are fully integrated and given equal weight.

designation, such as a title or patronymic, was sufficient. In the case of royal charters between 1107 and 1214 written by the king's scribes, the king's name was even reduced to its initial letter, as in, *D. rex Scot'*, Latin *Dauid rex Scottorum*, 'David king of Scots' (David I, 1124–1153).[31] Yet all secular persons of high status would have been acutely aware of their ancestry. In some cases this is apparent in the surname. That of Robert de Brus, lord of Annandale, for example, drew attention to the family's origin in *Bruis* (now Brix) on the Cotentin peninsula in western Normandy.[32] From the thirteenth century onwards ancestry could be displayed in heraldic designs. So far as records of landholding were concerned, however, the donor's and beneficiary's pedigrees were typically invisible. Once lordship came to be defined primarily as holding 'land' rather than leading a kindred, genealogy ceased to be the principal written form of explaining and upholding the highest authority in local and regional society. It remained important, but was not part of the ceremony establishing a person's lordship, which now focused on being put in possession of 'land' on the instructions of a superior authority.[33]

Kingship was different. The king's genealogy was no mere statement of family prestige. It served to define royal authority itself when the king was enthroned. The most detailed account of an inauguration is a largely contemporary account of Alexander III's that took place in the cemetery at Scone Abbey on 13 July 1249. There it is said that, once he had been enthroned, consecrated, and all the lords had spread their cloaks at his feet,

[31] John Reuben Davies, 'The standardisation of diplomatic in Scottish royal acts down to 1249. Part 1, brieves', *Feature Article no.6: December 2015. Models of Authority: Scottish Charters and the Emergence of Government 1100–1250*: http://www.modelsofauthority.ac.uk/blog/standardisation-brieves/ (accessed 22 August 2017).

[32] Ruth M. Blakely, *The Brus Family in England and Scotland 1100–1295* (Woodbridge, 2005), 5–6. Blakely explains (p. 7) that by the late twelfth century the descendants of the first of the family, Robert de Brus (died 1142), to arrive in Britain had ceased to have a practical connection with Brix.

[33] On this see Dauvit Broun, 'The presence of witnesses and writing of charters', in *The Reality Behind Charter Diplomatic in Anglo-Norman Britain*, ed. Dauvit Broun (Glasgow, 2011), 235–90, at 254–7, and sources cited there.

> … a certain highland Scot, kneeling suddenly before the throne, greeted the king in the mother tongue, bowing his head, saying: *Bennachd Dé rí Albanach Alexanndar mac Alexanndair meic Uilleim meic Énri meic Dabíth* ('Blessings of God, oh king of Scots, Alexander son of Alexander son of William son of Henry son of David'), and by proclaiming in this way read the genealogy of the kings of Scots to the end.[34]

The 'mother tongue' was Gaelic; the person who read the genealogy can therefore be identified as a member of the established learned orders with expertise in historical knowledge – either the king's *senchaid* ('historian') or *ollam* ('poet').[35] It was not enough simply to hail the new king by his name.[36] Each generation of his ancestry, father to son, had to be announced 'to the end'. In this way he was recognised as the living embodiment of the ancient royal line not simply because of his ancestry (which, before primogeniture, would have been a quality shared by other potential kings), but because he was now enthroned and

[34] *… quidam Scotus montanus ante thronum subito genuflectens materna lingua regem inclinato capite salutauit dicens: Benach de Re Albanne Alexander mac Alexander mac Uleyham mac Henri mac Dauid, et sic pronunciando regum Scottorum genealogiam usque in finem legebat.* (In the translation the indiscriminate use of nominative forms in the genealogy has been emended.) For a discussion of the sources, see Dauvit Broun, *Scottish Independence and the Idea of Britain from the Picts to Alexander III* (Edinburgh, 2007), 170–9, and esp. 177–8 for a reconstruction of the account quoted here. See also A. A. M. Duncan, *The Kingship of the Scots 842–1292. Succession and Independence* (Edinburgh, 2002), 133–50, esp. 147–9. See also John Bannerman, 'The king's poet and the inauguration of Alexander III', *Scottish Historical Review* 68 (1989), 120–49.

[35] This text is the earliest example of 'highland Scot' as a label for Gaelic speaker; it is probably an addition by the scholar who compiled the history in which this account was incorporated, completing his work probably in 1285: see Dauvit Broun, 'Attitudes of Gall to Gaedhel in Scotland before John of Fordun' in *Mìorun Mòr nan Gall, 'The Great Ill-Will of the Lowlander'? Lowland Perceptions of the Highlands, Medieval and Modern*, ed. Dauvit Broun and Martin MacGregor (Glasgow, 2009), 49–82, at 73–7.

[36] In later medieval Ireland, hailing the ruler's surname served essentially the same function as reading the genealogy in Alexander III's inauguration: see Katharine Simms, *From Kings to Warlords. The Changing Political Structure of Gaelic Ireland in the Later Middle Ages* (Woodbridge, 1987), 32–5.

in full possession of the kingdom.[37] The royal genealogy, with Alexander III at its head, was a written record of his kingship.

There is no account of any previous royal inauguration with a similar degree of detail, and therefore no simple way to say how many (if any) before 1249 featured the reading out of the king's genealogy. The only other indication that this occurred is the seal of Scone Abbey. This depicts a royal enthronement – almost certainly Alexander III's, which took place in the cemetery of Scone Abbey; if so, it is evidently independent of the written account.[38] Among the figures portrayed around the king is someone with what could be a scroll of parchment, and another person crouching behind cradling a triangular object.[39] John Bannerman identified these as the king's poet (*ollam ríg*) holding the scroll and a harper behind him with his *clàrsach* (a Scottish

[37] Primogeniture (at its simplest) meant that succession was by the eldest son of the previous king; this was not firmly established until 1201 (or 1205, when David earl of Huntingdon, King William the Lion's younger brother, recognised William's underage son, Alexander, as heir to the throne). See Dauvit Broun, 'Contemporary perspectives on Alexander II's succession: the evidence of king-lists', in *The Reign of Alexander II, 1214–49*, ed. Richard D. Oram (Leiden, 2005), 79–98. Although primogeniture usually meant that there was no doubt about succession to the throne, there were difficulties where female descent was involved: see Duncan, *The Kingship of the Scots 842–1292*, 165–71. For an understanding of how succession to kingship operated previously, see Charles-Edwards, *Early Welsh and Irish Kinship*, 89–111.

[38] Broun, *Scottish Independence and the Idea of Britain*, 172–3. The seal survives attached to a document of 1296, but its matrix could be significantly earlier. It has been argued that the shields under the figures placing Alexander III on the throne identify them as the earls of Strathearn and Atholl, and that the scene is therefore a depiction of John Balliol's inauguration of 1292: G. W. S. Barrow, 'Observations on the coronation stone of Scotland', *Scottish Historical Review* 76 (1997), 115–21, at 116–17. The shield attributed by Barrow to the earl of Atholl, however, corresponds with an extant representation of the arms of Colbán, earl of Fife (1266–*c.*1270): Duncan, *The Kingship of the Scots 842–1292*, 136–7 and 137 note 40. Barrow's further observation that the seal's design seems later in date than 1249 may be met by supposing that its matrix was created sometime later (perhaps based on a written account?).

[39] Duncan, *The Kingship of the Scots 842–1292*, plate 3; Broun, *Scottish Independence and the Idea of Britain*, 172; Bannerman, 'The king's poet', 121, 133–4; A. A. M. Duncan, *Scotland. The Making of the Kingdom* (Edinburgh, 1975), 555–6.

harp). He suggested that the scroll was the royal genealogy, and that the harpist would have accompanied the poet when he sang a panegyric ode for the new king at the end of the inauguration ceremony.[40] Unfortunately it is not unknown for scrolls to be used pictorially to represent speech; the fact that someone is depicted holding a scroll, therefore, is not on its own clear evidence that the genealogy was read out (as opposed to being recited poetically, for example).[41] For that we depend on the prose account of Alexander III's inauguration.

It seems natural to suppose that a eulogy would be performed at an inauguration; it also might be expected that some statement of the new king's ancestry – perhaps in summary form – would be made in the ode, or announced separately. The reading out of the genealogy as a plain list of over a-hundred male names, however, has no direct parallels.[42] It has been argued that the ceremony in 1249 included new elements that, in the face of the pope's denial of coronation and anointment, served to emphasise the novel idea of sovereign kingship.[43] If the detail of Alexander III's inauguration was unusual, then this could help to explain why it was depicted so vividly in prose and on Scone Abbey's seal. It is difficult, however, to see how reading out the king's genealogy would have been one of the new elements that made up for the lack of coronation and anointing.

The reference to reading out Alexander III's pedigree at his inauguration is central for the discussion of genealogy in this chapter. There are texts of extensive pedigrees of kings of Scots that can, without too much difficulty, be envisaged as originating on single sheets of parchment. Some, headed by David I (1124–1153) and William the Lion (1165–1214), have been mentioned

[40] Bannerman, 'The king's poet', 123, 134–5.
[41] M. T. Clanchy, *From Memory to Written Record. England 1066–1307* (3rd edn, Chichester, 2013), 269.
[42] Bannerman, 'The king's poet', 132, refers to Martin Martin's account of the inauguration of the Lord of the Isles in which the poet 'rehearsed a catalogue of his [the Lord's] ancestors'. They are not, however, said to have been read out; in any event, Martin Martin was writing a couple of centuries after there had ceased to be a Lord of the Isles (albeit he had access to lost written material).
[43] Broun, *Scottish Independence and the Idea of Britain*, 179–82.

already. Others, headed by Causantín mac Cuiléin (Constantine III), who ruled between 995 and 997, and by Mael Coluim mac Cinaeda (Malcolm II), who became king in 1005, will be discussed in due course. On the face of it there is no apparent reason for assuming that any of these texts could have been derived ultimately from a scroll read out during these kings' inaugurations. Indeed, given that Gaelic versified genealogies (and king-lists, too) existed, the recitation of a long list of names without any embellishment is hardly likely to have had much impact as a performance.[44] It will be argued, however, that the genealogy itself was partly rewritten to introduce a panegyric element; this, in turn, suggests that it was, indeed, recited in a public forum. It might be surmised that this is unlikely to have been at an ordinary public occasion, moreover, where a poetic version might be expected – unless it was in a specific context, such as an inauguration, where it was not simply the genealogy itself, but the nature of the occasion which gave it particular significance. All this would be no more than delicate speculation, however, were it not for the account of the reading of the king's pedigree at Alexander III's inauguration. There can be little doubt that the genealogy was read from a single sheet of parchment on that occasion. The rewriting of the text apparently to introduce a specifically panegyric element, for its part, is the only specific indication that reading out the royal genealogy was a long established feature of the ceremony.

In search of copies of the inaugural genealogy

No single sheet of parchment with only the royal genealogy survives, of course. If the reading out of the genealogy was a long established feature of the ceremony, then it is more than likely that copies were made. Here we should make a distinction

[44] See, for example, John Carey, 'Early Irish dynastic poetry', in *The Celtic Heroic Age: Literary Sources for Ancient Celtic Europe and Early Medieval Ireland and Wales*, ed. John T. Koch in collaboration with John Carey (Malden Mass., 1995), 41–7. For versified king-lists, see briefly Broun, *Scottish Independence and the Idea of Britain*, 44–5, and works cited there; a similar versified Scottish king-list, except in Latin, is edited in *Chronicles of the Picts, Chronicles of the Scots*, ed. William F. Skene (Edinburgh, 1867), 177–82.

between the genealogy when it appears as part of a collection of pedigrees (as in Irish manuscripts), and the genealogy as a standalone text that has been incorporated into a more general historical work. In our hunt for potential copies of the inaugural scroll, the most promising are a couple of texts from the late twelfth century, both of which appear to be updated versions of genealogies that were probably originally headed by David I.[45] These are (3) and (5) in the summary of Scottish genealogical texts given above.[46] It may be recalled that in one the proper names were written according to Gaelic spelling conventions, while in the other the orthography was adapted so that the names could be pronounced by readers unfamiliar with Gaelic.[47] Perhaps the first was derived from a copy of what was read out at David I's inauguration in 1124. It is unlikely, however, that the 'adapted' version was created in order to be read out when David's successor, Mael Coluim IV (1153–1165), was enthroned. It will be recalled that the version of this text in Book V chapter 50 of Fordun's *Chronica Gentis Scotorum* is headed by David I.[48]

The earliest surviving witness of this 'adapted' version of the royal genealogy is in Ralph of Diss's own manuscript of his historical works (London, Lambeth Palace MS 8), whose original core (including the genealogy of the king of Scots) can be dated to sometime in late 1185 or early 1186.[49] Ralph of Diss was dean of St Paul's Cathedral, London (1180–*ca* 1200), and had no apparent links with Scotland or any particular interest in Scottish history. Could Ralph have found it in the archive of St Paul's? It is conceivable that it reached there through Robert de Sigillo, bishop of London (1141–1150), who had close links with David I. They were both prominent supporters of Matilda, daughter of Henry I, and her son Henry II, in the struggle for the English

[45] Broun, *The Irish Identity of the Kingdom of the Scots*, 175–87.
[46] At 213–14.
[47] Broun, 'The most important textual representation of royal authority'.
[48] See 214, above.
[49] The genealogy is on fol. 107va32–b28. According to my unpublished analysis of the manuscript, the earliest section was written 1 December 1185 × 10 March 1186.

throne following Henry I's death in 1135. Robert is known to have been on a diplomatic mission to David I in Scotland in 1140.[50] It is not too fanciful, therefore, to suppose that Robert was given a copy of David I's genealogy at some point while on official business. Whatever the case may have been, the chief point of interest is that the names have been adapted at some stage during David I's reign so that they could be read aloud by someone ignorant of Gaelic spelling conventions.[51] Perhaps there were formal occasions when someone without literacy in Gaelic would have read out the genealogy in a public forum. It is conceivable that, in a context where a Gaelic versified genealogy would not have been understood, a public reading out of the prose pedigree would have had to suffice.

This adaptation for a non-Gaelic context was the principal text known in Scotland after 1249, surviving in two versions (mentioned in (5) in the summary of texts given above).[52] It was also used to provide the chronological backbone of the history of the Scots from their ancient origins to the (then) present day, datable to 1285, that was Fordun's principal source.[53] The text in Gaelic orthography, by contrast, can only be traced in Scotland in two garbled versions that were probably derived from an exemplar kept at St Andrews;[54] its survival in more recognisable form is thanks entirely to a manuscript produced in northern England around 1360.[55] It is possible, therefore, that when the king's *senchaid* or *ollam* read the genealogy in Gaelic in 1249, the names on the scroll were in the new orthography.[56]

[50] G. W. S. Barrow, 'Witnesses and the attestation of formal documents in Scotland, twelfth thirteenth centuries', *Journal of Legal History* 16 (1995), 1–20, at 12–13.
[51] Broun, 'The most important textual representation of royal authority'.
[52] One in Book V chapter 50 of Fordun's *Chronica Gentis Scotorum* (datable to 1384×1387), and the other added to the account of Alexander III's inauguration itself in *Gesta Annalia*. See 214, above.
[53] Broun, *Scottish Independence and the Idea of Britain*, 215–34.
[54] See (4) in the summary of texts: 213–14, above.
[55] See above, note 14.
[56] All copies of this version use Latin *filius* for Gaelic *mac*, but it would have been simple for a Gaelic speaker to make the translation, either when writing the copy on the scroll, or when reading it out.

The corpus of genealogies in Irish manuscripts

How unusual was the genealogy of the king of Scots as an individual pedigree on a single sheet of parchment? The main context where genealogies survive today is when they were written down in their hundreds in a few major Irish manuscripts.[57] These contain much more than pedigrees of the type 'A son of B son of C' (and so on); for example, some include tracts on whole kingdoms as well as a few king-lists and genealogical poems. The earliest extant manuscript with an impressive collection of genealogical material is Oxford, Bodleian MS Rawlinson B. 502, produced in Leinster in the second quarter of the twelfth century.[58] A little later is another Leinster manuscript (known appropriately as 'The Book of Leinster') – Dublin, Trinity College, MS. 1339 (H.2.18), plus Killiney, Franciscan House of Studies, MS. A.3[59] – written in various stages during the second half of the twelfth century.[60] Later manuscripts have even more extensive genealogical collections, including some earlier material omitted from the twelfth-century manuscripts. The most impressive are the 'Book of Lecan' (Dublin, Royal Irish Academy, MS. 23.P.2 (535) plus Dublin, Trinity College, MS. 1319/2/6 (H.2.17)), written in northern Connacht in the early fifteenth century,[61] and the 'Book

[57] Ó Corráin, 'Creating the past', 178–9.

[58] The genealogies are edited in *Corpus Genealogiarum Hiberniae*, vol. I, ed. M. A. O'Brien, with intro. by J. V. Kelleher (Dublin, 1976) (hereafter *CGH*, I). It is sometimes dated to 1130 (Ó Corráin, 'Creating the past', 178). Digital images are available at https://digital.bodleian.ox.ac.uk/inquire/p/ef3d5b49-c77b-4602-bc12-7a217b2d977d (accessed 4 October 2019).

[59] Edited in *CGH*, I, as supplementary to the genealogies of Rawlinson B. 502, and in *The Book of Leinster formerly Lebor na Núachongbála*, vol. VI, ed. Anne O'Sullivan (Dublin, 1983).

[60] W. O'Sullivan, 'Notes on the scripts and make-up of the Book of Leinster', *Celtica* 7 (1966), 1–31. (For a website with digital images of Dublin, Trinity College, MS. 1339, see next note.)

[61] *The Book of Lecan, Leabhar Mór Mhic Fhir Bhisigh Leacain*, ed. Kathleen Mulchrone, Facsimiles in Collotype of Irish Manuscripts 2 (Dublin, 1937). Digital images of this and other medieval Irish manuscripts in (chiefly) Irish libraries and archives are available on the *Irish Script on Screen / Meamram*

of Ballymote' (Dublin, Royal Irish Academy, MS. 23.P.12 (536)), written sometime in or between 1383 and 1397, also in northern Connacht.[62] Other late-medieval manuscripts with notable genealogical collections are Dublin, Trinity College, MS. 1298 (previously H.2.7) of the second quarter of the fourteenth century, and Oxford, Bodleian MS. Laud Misc. 610, written chiefly in 1453 and 1454. The latter has been shown to be largely a copy of a compilation made originally in Armagh in the eleventh century, which was in turn a source for material in Rawlinson B. 502.[63] Only the genealogical material in Rawlinson B. 502 and the Book of Leinster has been published in a modern edition. This amounts to 440 pages.[64] It has been estimated that the remaining medieval Irish corpus would fill another four or five volumes of similar proportions.[65] There is also the likelihood that material from lost manuscripts (or lost parts of surviving manuscripts) is preserved in later compilations.[66]

Páipéar Ríomhaire (ISOS) website (School of Celtic Studies, Dublin Institute for Advanced Studies): https://www.isos.dias.ie/english/index.html (accessed 4 October 2019).

[62] *The Book of Ballymote*, ed. Robert Atkinson, facsimile edition (Dublin, 1887); Tómás Ó Concheanainn, 'The Book of Ballymote', *Celtica* 14 (1981), 15–25. (See previous note for website with digital images of this manuscript.)

[63] Kuno Meyer, 'The Laud genealogies and tribal histories', *Zeitschrift für celtische Philologie* 8 (1911 = 1912), 292–338, 418–19; John [Eoin] Mac Neill, 'Notes on the Laud genealogies', *Zeitschrift für celtische Philologie* 8 (1911 = 1912), 411–18; R. I. Best, 'Bodleian MS. Laud 610', *Celtica* 3 (1956), 328–9; Myles Dillon, 'Laud Misc. 610', *Celtica* 5 (1960), 64–76. Digital images of Laud Misc. 610 are at https://digital.bodleian.ox.ac.uk/inquire/p/f14978b7-527a-4e9b-9e86-99b5a5037b5f (accessed 4 October 2019).

[64] *CGH*, I (see note 58 above).

[65] *CGH*, I, ix. The final example of a version of the corpus is the magnum opus of Dubhaltach Mac Fhirbhisigh (died 1671), the last of the historians who belonged to the medieval learned orders. The edited text runs to over 1,000 pages in its modern edition, *The Great Book of Irish Genealogies*, ed. Ó Muraíle, vols. I–III.

[66] For example, Nollaig Ó Muraíle has shown that Mac Fhirbhisigh's version of the collection of Scottish genealogies was based partly on a lost section of the Book of Uí Mhaine: Nollaig Ó Muraíle, 'Leabhar Ua Maine alias Leabhar Uí Dhubhagáin', *Éigse* 23 (1989), 167–95.

Scholars working on this corpus have observed how there are many instances of outright contradiction, even within the same genealogical tract. It is not uncommon for these differences to be highlighted in the text itself. This reinforces a fundamental facet of genealogy in a society where kinship is the predominant metaphor for rulership and lordship at any level. They are not primarily statements of biological reality; one of their chief functions was to articulate and explain the relative status of kindreds and kingdoms.[67] Genealogy painted a precise picture of the place of kindreds within a polity (such as a local kingdom), and of the relationships between polities. The propensity for contradiction within the same text has been termed 'genealogical schizophrenia', especially where the same family is given alternative ancestries.[68] It should be emphasised, however, that this is primarily a phenomenon of the written tracts rather than reflecting a ruler or lord's split personality. The professional kindreds who occupied the roles of cleric, poet and lawman (sometimes in combination) formed a literate elite who, through their learning, sanctioned those who held positions of preeminent social authority within a locality (and beyond).[69] It was not unnatural for some of them – perhaps those who were specifically designated as a historian (*senchaid*)[70] – to keep a meticulous record of the genealogical variants thrown up by the ebb and flow of relationships between kindreds and kingdoms over the centuries. It is in this light that we should read the collection of Scottish genealogical material found in Irish manuscripts. Only once it is understood as a collection will it be

[67] See the works referred to in note 10 above. This is not to say that most are not 'prosaic and basically historical accounts of the descent of kings and aristocrats', merely that this was not the primary concern: see Ó Corráin, 'Irish origin legends and genealogy', 83–5 (quotation at 83).
[68] Thornton, 'Orality, literacy and genealogy', 87–8.
[69] Thomas Charles-Edwards, 'The context and uses of literacy in early Christian Ireland', in *Literacy in Medieval Celtic Societies*, ed. Huw Pryce (Cambridge, 1998), 62–82, at 70–4, emphasises that in the early middle ages high status kindreds included lords and also poets, judges or clerics. Ó Corráin, 'Creating the past', 188–9, emphasises that, in the central middle ages, clerics could also be poets and historians.
[70] Ó Corráin, 'Creating the past', 188–9.

possible to consider how some of this material originated, thinking about its earliest elements not simply as text, but as pieces of parchment.

Scottish genealogies in Irish medieval manuscripts

At its greatest extent the collection of Scottish genealogies consisted of the following.[71] (**Bold** indicates items that were definitely part of the original collection, datable to no earlier than the reign of Causantín mac Cuiléin (Constantine III) (995–997).[72])

1. *Míniugud senchusa fher nAlban* ('Explanation of the history of the men of *Alba*').

A particularly contradictory account of the genealogies of Dál Riata (an early medieval kingdom roughly equivalent to Argyll in western Scotland and part of Antrim in northern Ireland). It focused on three *cenéla* ('kindreds'): Cenél nGabráin ('kindred of Gabrán'), Cenél Loairn ('kindred of Loarn') and Cenél nOengusa ('kindred of Óengus').[73] The text also contains surveys of military strength and 'houses'. It seems to include material from as early as the seventh century; but its title (signalled by the Latin word *incipit*) helps to confirm a suspicion that it assumed its current form no earlier than the tenth century, when the Scottish kingdom began to be referred to regularly in Gaelic as *Alba*.[74]

[71] For a more detailed textual analysis, see Dauvit Broun, 'The genealogical 'tractates' associated with *Míniugud senchusa fher nAlban*', *Northern Scotland*, 26. This volume (nominally for 2006) has yet to be published. This includes material from NLS Adv. MS. 72.1.1 ('MS. 1467'), fol. 1a1–b28, as well as in medieval Irish manuscripts.

[72] See below, 235–6.

[73] John Bannerman, *Studies in the History of Dalriada* (Edinburgh, 1974), 27–68; see now David N. Dumville, 'Ireland and north Britain in the earlier Middle Ages: contexts for *Míniugud Senchasa Fher nAlban*', in *Rannsachadh na Gàidhlig 2000*, ed. Colm Ó Baoill and Nancy R. McGuire (Aberdeen, 2002), 185–211.

[74] On this, see now Dauvit Broun, 'Britain and the beginning of Scotland', *Journal of the British Academy* 3 (2015), 107–37, at 119–30.

2. **Genealogy of Causantín mac Cúiléin (King Constantine III) (995–997)**

This is in the standard 'A son of B son of C' form. Causantín was descended from Aed (died 878), son of Cinaed mac Ailpín (died 858); the text also included the branch of the royal dynasty descended from Cinaed mac Ailpín's son, Causantín (King Constantine I, died 876). Fourteen generations down from Causantín the genealogy arrives at Gabrán, eponym of Cenél nGabráin. It then proceeds for a further thirty-four generations.

3. Genealogy of Mael Coluim mac Cinaeda (1005–1034) (Malcolm II), later updated to King David I (1124–1153).[75]

An edition and translation is given in the Appendix. This is the same below Cinaed mac Ailpín as in the genealogy of Causantín mac Cúiléin (Constantine III), except for three differences. One is that the eponym of Dál Riata is given as Eochaid Riata rather than as Cairpre Rí-fota (Cairpre 'Tall-king'), as in Causantín's genealogy.[76] Another is that the section between Eochaid (or Eochu) Muin-remar (Gabrán's great-great-grandfather) and the eponym of Dál Riata (Eochaid Riata) has been rewritten. (This will be examined closely in due course.) Finally, there are statements about where a few other major kindreds in the Scottish kingdom join the royal genealogy. For example, after twelve generations of Mael Coluim's pedigree, we find:

> son of Eochu Buide
>
> > The Clan of One-eyed Fergus son of Eochu Buide (i.e., the people of Gowrie) and the Clan of Maimed Conall son of Eochu Buide (i.e., the men of Fife) at this point meet the royal line (i.e., the Clan of Cinaed son of Ailpín).
>
> son of Aedán

This will be discussed shortly.

[75] The place of Mael Coluim mac Cinaeda (Malcolm II) originally at the head of the genealogy is established by the earliest manuscript, Rawlinson B. 502 (on which see 225 above): *CGH*, I, 328 (fol. 162c44), It was not originally part of the collection: see below, 237.

[76] *Ríg-fotai* (genitive of *Rí-fota*) would have sounded like *Riata* because the *F* was silent.

4. *Cethri prímchenéla Dáil Riata*, 'the four chief kindreds of Dál Riata'

Datable to either around 730 or 733.[77] This consisted of

(a) An introductory couple of sentences;
(b) A branch of Cenél nGabráin. The tract presumably originally contained a stem genealogy of Cenél nGabráin – almost certainly a pedigree of Eochaid son of Eochu, king of Dál Riata, died 733 – but this would have repeated what had just been given in (2) and (3), the genealogies of Causantín mac Cúiléin (Constantine III) (995–997) and (originally) Mael Coluim mac Cinaeda (1005–1034) (Malcolm II), who were descendants of Eochaid son of Eochu; it would have been natural, therefore, for a scribe to omit it.[78]
(c) A stem genealogy of Cenel Loairn (headed by Ainbcellach, died 719, and king of Dál Riata 697–698).
(d) A branch genealogy of Cenel Loairn (headed by Morgán, who is otherwise unknown).
(e) A genealogy of Cenél Comgaill.
(f) A genealogy of Cenél nOengusa.

5. (a) A genealogy of Mael Snechta (died 1085), son of Lulach (king of Scots, 1057–1058) (see Table, below).
(b) A branch headed by Mac Bethad (Macbeth, king of Scots, 1040–1057), a cousin of Lulach.

No manuscript has all these items; all except for the branch headed by Mac Bethad (5b), however, are found together in this order in the Book of Ballymote and the Book of Lecan.[79]

The original core of the collection (no earlier than 995) was (2) the genealogy of Causantín mac Cúiléin (Constantine III) (995–997) and (4) *Cethri prímchenéla Dáil Riata*, 'the four chief kindreds of Dál Riata', datable to either around 730 or 733. The

[77] David N. Dumville, '*Cethri prímchenéla Dáil Riata*', *Scottish Gaelic Studies* 20 (2000), 170–91; Broun, '*Cethri prímchenéla Dáil Riata* revisited'.
[78] Broun, '*Cethri prímchenéla Dáil Riata* revisited', 66–8.
[79] The branch headed by Mac Bethad is found in highly reduced versions of the collection in Rawl. B. 502 and the Book of Leinster (*CGH*, I, 330), as well as in 'MS. 1467': http://www.1467manuscript.co.uk/transcript%20all%20recto.html (accessed 16 February 2016).

reason for combining these was presumably because the kings of Scots traced their ancestry to the most prominent of the four chief kindreds: Cenél nGabráin. It is conceivable that the collection also originally contained (1) *Míniugud senchusa fher nAlban* ('Explanation of the history of the men of *Alba*'), although this is not a necessary speculation and is inherently uncertain. The genealogy headed originally by Mael Coluim mac Cinaeda (Malcolm II) (1005–1034), but later with his great-great-grandson, David I – (3) above – was inserted at some point between 1005 and about 1130 (the date of the earliest manuscript: Rawl. B. 502). Another addition before about 1130 was (5), the genealogy of Mael Snechta (died 1085) with a branch headed by his cousin Mac Bethad (Macbeth, king of Scots, 1040–1057).

The collection is, first-and-foremost, a witness to the scholarship of Irish historians. Although none of the manuscripts include the collection in its entirety, the scribes who wrote and supervised the copying and editing of this material saw it as part of the huge corpus of genealogies which they assembled for future reference. The Scottish material, however, formed only an exceptionally tiny part of the overall corpus that they curated. An important insight into the nature of the collection is revealed by the genealogy headed by Mael Snechta (see Table, below) with a branch headed by Mac Bethad (Macbeth). The accession of Mac Bethad as king of Scots in 1040 brought a new family to power in Scotland, albeit for only a short period: Mac Bethad was succeeded in 1057 by his cousin, Lulach, who was Mael Snechta's father. Lulach was killed a few months later by Mael Coluim (Malcolm) III (1058–1093), son of Donnchad (Duncan I); Donnchad had reigned between 1034 and 1040. In order to include this new royal kindred in the collection, however, a genealogy has been constructed by splicing together a couple of pedigrees in the tract on the four chief kindreds of Dál Riata datable to about 730 or 733.[80]

TABLE

[80] This was first noted in H. M. Chadwick, *Early Scotland: The Picts, the Scots and the Welsh of Southern Scotland* (Cambridge, 1949), 96 note 1.

The pedigree of Mael Snechta in the Irish collection of Scottish genealogies

Text in Book of Ballymote (facsimile 149c9–17) with major variants noted from the Book of Lecan (facsimile 110rc20–30) and Rawlinson B. 502 (fol. 162e1–11) in *CGH*, i, 329.[81] Underlining indicates names shared by Mael Snechta's genealogy and Cenél Loairn pedigrees in the tract of the 'four chief kindreds of Dál Riata'. Item numbers relate to the summary on p. 230.

ITEM 5a	ITEM 4c	ITEM 4d
Maelsnechta mac[82] Lulaig meic Gilli Comgain meic Maelbrigde meic Ruaidri <meic Domnaill>[83]		
	Cethri prímchenéla Dáil Riata ('Four chief kindreds of Dál Riata') Cenél Loairn pedigrees[84]	
meic Morgaind meic Domnaill[86] meic Cathmal		Mo<r>gan[85] mac Domnaill meic Cathmai<l>[87]

[81] It is also found in the Book of Leinster, but the first six names are illegible: *CGH*, I, 329. Legibility is also an issue for the copy in NLS, Adv. MS. 72.1.1 ('MS. 1467'), fol.1a2–23: see the transcription by Máire and Ronnie Black at http://www.1467manuscript.co.uk/ (accessed 10 July 2017). For the facsimile of the Book of Lecan and Book of Ballymote, see notes 61 and 62, above.

[82] *mac*, 'son' (genitive *meic*).

[83] Omitted in the Books of Ballymote and Lecan, but present in Rawl. B. 502 fol. 162e6 and in the branch headed by Mac Bethad (fol. 162e23–27; also in the Book of Leinster: *CGH*, I, 329–30), and in 'MS. 1467' (apparently as 'mornaill'): http://www.1467manuscript.co.uk/ (accessed 10 July 2017).

[84] See note 77 for edition and commentary.

[85] Most MSS have either 'Mongan' or 'Mogan' (the Book of Ballymote has 'r' added): Dumville, '*Cethri prímchenéla*', 179–80. Insular 'r' can readily be misread as 'n'.

[86] Omitted in Rawl B. 502, but present in the Book of Leinster (*CGH*, I, 329) as well as in 'MS. 1467', http://www.1467manuscript.co.uk/ (accessed 10 July 2017).

meic Ruaidri meic Airchellaich[89] meic Ferc<h>air Fhoda	Ainbcellach mac Ferchair Fhoda ↓ 4 names ↓ meic Bædain meic Echach meic Muredaig meic Loairn Máir (eponym of Cenél Loairn)	meic Ruadrach[88] meic Ferchair meic Muredaig meic Bædain (joins Item 4c here)

This suggests that whoever sought to update the Scottish collection did not have access to the text of Mac Bethad's genealogy that belonged to the king's *senchaid* or *ollam* (and which may have been read out at his inauguration). The simplest explanation is that the collection was already in Ireland, and that the genealogy was concocted by an Irish historian in order to show where he thought the new royal kindred fitted into the overall scheme represented by the other Scottish pedigrees. He decided to make the connection as remote as possible by identifying Mac Bethad and Mael Snechta as descendants of Loarn, eponym of Cenél Loairn, one of the four chief kindreds of Dál Riata. The only information he seems to have had from Scotland was Mael Snechta's and Mac Bethad's line of descent from a certain Ruaidrí mac Domnaill, Mac Bethad's grandfather. The rest of the genealogy before Ruaidrí's father, Domnall, has

[87] There is no reason to doubt that the final 'l' was originally present. Some manuscripts also render the minims of 'm' as 'ni': Dumville, '*Cethri prímchenéla*', 179–80.
[88] An alternative form of *Ruaidrí* (genitive).
[89] Evidently a variant of *Ainbcellaich*, with 'n' mistaken for insular 'r'. Ainbcellach son of Ferchar Fota (died 719) was king of Dál Riata (697–698).

been created by adding the branch pedigree of Cenél Loairn in the tract on the four chief kindreds of Dál Riata on top of the stem pedigree (as shown in the underlined names in the Table, above). The fact that this constructed genealogy begins with Mael Snechta, son of the last king of this short-lived dynasty (Lulach, 1057–1058), and was tacked onto the end of the collection, also suggests that this attempt at updating was made rather late in the day, and more with the intention of making sense of the family's success in the past rather than as a reflection of current political reality. Although it is tempting to read Mael Snechta's genealogy as evidence that he may have been regarded as king of Scots, this is not a necessary inference, given the academic nature of the genealogical collection – all the more so if the genealogy was added to the collection after Mael Snechta's death.[90] Mael Snechta and Mac Bethad were included because they represented the past, and what this might mean for the future, not because either of them was regarded as king of Scots at the time when an Irish scholar created these genealogies.

The genealogy of Causantín mac Cuiléin (Constantine III)

This raises the pressing question of how far the collection relates to anything written or copied by anyone in the Scottish kingdom in the tenth or eleventh centuries. As it stands it would appear to be essentially an academic exercise by Irish scholars. In order to grapple with the problem of identifying material that may have been written in the Scottish kingdom, it is useful to think of the

[90] In Rawl. B. 502 (fol. 162e1) Mael Snechta's genealogy is titled *Item ríg Alban*, 'Likewise, of the king of Scotland' (it follows the genealogy headed by Mael Coluim mac Cinaeda which has the rubric *Genelach ríg Alban*, 'Genealogy of the king of Scotland'): *CGH*, I, 329. In the Book of Leinster Mael Snechta's genealogy is titled *Genelach Clainde Lulaig*, 'Genealogy of the kindred of Lulach'. Clann Lulaig (i.e., descendants of Mael Snechta's father) must refer to a generation or two after Mael Snechta himself: for branch pedigrees in a collection headed by someone deceased who represents an unnamed living descendant, see Broun, '*Cethri prímchenéla Dáil Riata* revisited', 68–72. It is possible that Mael Snechta's genealogy (with the branch headed by Mac Bethad) was added to the collection during the lifetime of Oengus son of the daughter of Mael Snechta who, like Mael Snechta, was king of Moray. He was killed at the Battle of Stracathro in 1130.

history of these texts in their physical form. As it stands, they are found in manuscript books; a codex or booklet can readily be envisaged as the original habitat of texts which were created in a purely academic context. This would include *Míniugud senchusa fher nAlban*, whose contradictions and statements of alternative descents reveal the scholarly origin of the text as it survives today. Also, by the time *Cethri prímchenéla Dáil Riata*, 'the four chief kindreds of Dál Riata', was combined with the genealogy headed by Causantín mac Cúiléin (Constantine III), it was over two and a half centuries old, and is likely therefore to have survived in a scholarly setting. The fact that two fairly minimal texts with such a gulf in age have been joined together fairly crudely, with only one line of descent from Dál Riata, bespeaks a lack of interest in Scottish genealogy that would be hard to attribute to a *senchaid* or *ollam* associated with the Scottish kingship. There is no difficulty in seeing this as the work of a *senchaid* or *ollam* in Ireland. Furthermore, it may be recalled that a careful examination of the pedigrees headed by Mael Snechta and Mac Bethad has shown that they, too, are likely to have been created in Ireland in an academic context; they would also therefore appear to have originated in a scholar's codex or booklet. This leaves Causantín's pedigree and the genealogy headed originally by Mael Coluim mac Cinaeda (Malcolm II).

The pedigree headed by Causantín mac Cúiléin (Constantine III) traces a simple male-to-male line of descent, extending deep into prehistory, with more than two-thirds devoted to the ancestry of Gabrán, eponym of Cenél nGabráin, one of the four chief kindreds of Dál Riata. Judging by what we are told in the account of Alexander III's enthronement, this is exactly the kind of text that would have been read out in the royal inauguration. It would appear to have originated as a standalone text that has been joined with the tract on the four chief kindreds of Dál Riata in a codex or booklet.[91] With Causantín at the head of the pedigree, it

[91] There is a formal possibility that most of Gabrán's ancestors in the text as we have it were copied from the stem pedigree for Cenél nGabráin in the tract of about 730 or 733 on the four chief kindreds of Dál Riata, rather than from the text of Causantín's pedigree transmitted from Scotland. There is no independent evidence, of course, for what Causantín's pedigree looked like before it was

is a statement of his kingship, and could only have assumed this form during his reign – that is, between 995 and 997. It could, however, have been acquired later as a copy by the scholar who added it to the tract on the four chief kindreds of Dál Riata. If we ask what physical form the genealogy headed by Causantín would have taken when it was acquired by that scholar, presumably in Ireland, it can only – as a standalone text – be envisaged as a single sheet of parchment. The only plausible alternative is that it was transmitted orally. Although remarkable feats of memory are likely to have been part of any historian's or poet's training, Causantín's genealogy would only presumably have been familiar to those historians and poets closest to the Scottish kingship who needed to know it. Feats of memory, moreover, were easier to accomplish when material was packaged in poetic form.[92] If, as seems likely, Causantín's genealogy was transmitted to a scholar who was some distance from the Scottish realm, then it would be natural for him, as a *literatus*, to have acquired it as a single sheet of parchment. If it was acquired as a single-sheet copy of a text that originated as a statement of Causantín's kingship, then it is not too difficult to envisage that the original text could itself have been a scroll read out at Causantín's inauguration in 995. There is, however, no specific link between the text and the inauguration. Without the reading out of Alexander III's pedigree at his enthronement in

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combined with the tract of the chief kindreds of Dál Riata. If (for the sake of argument) it ran no further than a couple of generations beyond Gabrán, eponym of Cenél nGabráin, but by contrast the pedigree of Eochaid son of Eochu (died 733) – omitted because it repeated Causantín's – gave Gabrán's descent deep into prehistory, then the scholar who put these texts together might naturally have transferred the descent of Gabrán from Eochaid's pedigree to Causantín's. It is conceivable, therefore, that some of Gabrán's ancestry in Causantín's pedigree may in fact be a text written about 730, not 995.

[92] It has been suggested, for example, that the extended versified Irish king-lists written in the eleventh century were composed for students to memorise: John Carey, *The Irish National Origin-Legend: Synthetic Pseudohistory*, Quiggin pamphlets on the sources of mediaeval Gaelic history 1 (Cambridge, 1994), 20; see also Peter J. Smith, 'Early Irish historical verse: the evolution of a genre', in *Ireland and Europe in the Early Middle Ages: Texts and Transmission*, ed. Próinséas Ní Chatháin and Michael Richter (Dublin, 2002), 326–41, at 326–7.

1249, there would be no reason to suppose that an earlier single-sheet copy of the royal genealogy would have been used for this purpose.

The genealogy of Mael Coluim mac Cinaeda (Malcolm II)

The second version of the royal genealogy in the collection, headed originally by Mael Coluim mac Cinaeda (Malcolm II) (but updated to David I), also traces his ancestry male-to-male into prehistory. Although the nodal points of this ancestry are the same as in Causantín's pedigree, there is (as we will see in due course) a significant difference in detail in one section. There can be little doubt that this genealogy, in its earlier form headed by Mael Coluim mac Cinaeda, is a later insertion into the combination of Causantín's genealogy and the tract on the four chief kindreds of Dál Riata. Mael Coluim was more recent than Causantín, and so would be expected to have stood at the beginning if his pedigree had originally been part of the overall text, rather than being treated as a branch. Again, if we imagine what its original physical form is likely to have been, it is easy to see it as a single sheet of parchment.

In the later medieval manuscripts which give the fullest account of the collection of Scottish genealogical texts (as outlined above in Irish manuscripts) there are a few brief statements in this genealogy about where some leading kindreds joined the royal line of descent.[93] The text is given below in the

[93] The pedigree was almost certainly longer originally: as it stands it stops where it would have become identical with the first royal pedigree headed by Causantín mac Cuiléin (Constantine III). There is a formal possibility that it was abbreviated in other ways when added to the collection (probably) in Ireland. Perhaps the other kindreds had pedigrees of their own (as in the tract on the 'four chief kindreds of Dál Riata') rather than merely mentioning where they joined the main stem. Whoever added the text to the collection, however, presumably did so when copying out the other items, in which case they would have been happy to leave the 'four chief kindreds' as a series of pedigrees rather than merely stating where they joined the royal genealogy. Overall, it is likely that, apart from the truncation of the pedigree itself to avoid overlap with the one headed by Causantín mac Cuiléin (Constantine III), the text of the genealogy originally headed by Mael Coluim mac Cinaeda (Malcolm II) arrived

Appendix. Perhaps these brief statements were glosses added to the genealogy at some stage before it was acquired by the scholar who added Mael Coluim's genealogy to the collection. If a scholar had added them after the genealogy was included in the collection, then it is difficult to see why he chose to gloss this genealogy rather than the one in primary position headed by Causantín. These glosses stating where the descent of some kindreds joined that of the king might make this seem less likely to have originated ultimately as Mael Coluim's inaugural scroll-genealogy. Let us look at this in more detail.

It will be recalled that genealogies were not so much records of biological reality as statements about the relative standing of leading kindreds. Seen in this light, this text can be read as a snapshot of the balance of power within the Scottish kingdom at some point during Mael Coluim's reign (1005–1034). Rather than being written as an academic record of the past, it is a portrayal of current political reality, with fictional interconnections to the fore. The 'royal line' (*in rígrad*) is itself identified in the text as *Clann Chinaeda meic Ailpín*, 'descendants of Cinaed mac Ailpín' (died 858), who is portrayed in the genealogy as a descendant of Gabrán (and therefore of the Cenél nGabráin). The closer a family's relationship to the royal kindred, the more powerful it is likely to have been.

Seen in this light, Cenél Comgaill, who join the main stem at Domangart (king of Dál Riata, died 673), are represented as nearest to the kingship. (All other sources place Comgall as son of a more distant Domangart.)[94] Cenél Comgaill here probably stands for the men of Strathearn, referred to on one occasion as the *Comgellaig*.[95] Not far behind – two generations away – are *Clann Fergusa Guill* ('the descendants of one-eyed Fergus'),

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from Scotland in the form in which it is found in the manuscripts (with the updating to David I a later addition in Ireland).

[94] For Comgall as brother of Gabrán (eponym of Cenél nGabráin), see Bannerman, *Studies in the History of Dalriada*, 76–7.

[95] The evidence for identifying Strathearn with descendants of Comgall (i.e., Cenél Comgaill) is a tract on the mothers of saints where Culross is described as 'in Strathearn in Comgellaig': Pádraig Ó Riain, *Corpus Genealogiarum Sanctorum Hiberniae* (Dublin, 1985), §722.106.

who appear to be the leading kindred of Gowrie,[96] and *Clann Chonaill Chirr* ('the descendants of Maimed Conall'), the leading kindred of Fife. Neither Fergus nor Conall appear in other texts as sons of Eochu Buide, even though eight are named elsewhere.[97] Again, their place in the genealogy is almost certainly ahistorical. A further generation away brings us to *léithrind Conaing*, perhaps the 'apical link of Conaing', with Conaing as a common ancestor for unnamed kindreds which (in one manuscript) are identified with the 'northern half'; this may be a reference to the region north of the Mounth, a range of mountains that ran through the middle of the kingdom, but this is uncertain.[98] The final branches to be mentioned are the four chief kindreds of Dál Riata, who join together at Erc son of Eochaid/Eochu Muin-remar. This contradicts the placing of Cenél Comgaill higher up the pedigree, however. It agrees with the genealogical scheme of the tract on the four chief kindred of Dál Riata (datable to about 730 or 733), and so could simply have been added at some stage once the genealogy headed originally by Mael Coluim mac Cinaeda (Malcolm II) (1005–1034) had become part of the collection.

Through this genealogy we can glimpse how the highest levels of social authority were conceptualised by the learned orders. The kingship is identified with a particular leading kindred: *Clann Chinaeda meic Ailpín* (the descendants of Cinaed mac Ailpín, died 858). Fife is identified with its leading kindred, and Gowrie probably likewise. It may be assumed that this was true of every province, although *Comgellaig*/Strathearn might be an exception in the text.[99] Only Fife, Gowrie and Strathearn,

[96] If we follow W. J. Watson in taking *Gabranaig* to be Gowrie: W. J. Watson, *The History of the Celtic Place-Names of Scotland* (Edinburgh, 1926), 112.

[97] Bannerman, *Studies in the History of Dalriada*, 41, 48. The epithets 'One-eyed' and 'Maimed' are the opposite of kingly qualities (see below, 245), and may therefore be signalling that these kindreds were portrayed as being excluded from the kingship.

[98] See note 203, below (Appendix). Conaing appears elsewhere as a son of Aedán: Bannerman, *Studies in the History of Dalriada*, 41, 48.

[99] It has been argued that the head of a province's leading kindred held the position of *mormaer*, who led the province when there was a threat to its peace

however, are linked directly to the royal line in the genealogy. These form a cluster in the southern third of what was regarded as the kingdom 'proper'.[100] The remainder (or perhaps only those provinces in the 'northern half') are generalised as being related to the royal line a little more distantly. All in all, each level of leadership is represented as a kindred, allowing a distinction to be made between an inner core of named provinces and the rest. As such, the genealogy gave written expression not only to provincial authority, but to a favoured relationship between the king and the heads of some provinces. This could potentially have had practical consequences through offering preferential treatment (for example, in arrangements for the levying of common obligations or compulsory hospitality, *coinnmed*).[101]

If we return to the question of whether this text could ultimately have originated as an inaugural scroll, it is notable that it is only the leading kindreds of provinces nearest to Scone (the earliest attested site of royal inaugurations) – Fife and Gowrie, as well as (implicitly) Strathearn – whose descent is singled out individually. It is not inconceivable, therefore, that this text was read out at Mael Coluim mac Cinaeda's inauguration in 1005. It is, however, all too easy to suppose that the brief comments on where leading kindreds joined the royal genealogy originated as glosses that were added when a single-sheet copy of Mael Coluim's pedigree was produced – especially, perhaps, if the copy was made at the request of a scholar in Ireland, who would naturally be interested in such information. There is, however, one other aspect of this text that points potentially to a clearer association with the ceremony of royal inauguration. It is possible that it was partly rewritten in order to introduce an element of panegyric. This would at least suggest that its original context may have been a public occasion. A very long list of

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and security: Dauvit Broun, 'Statehood and lordship in 'Scotland' before the mid-twelfth century', *Innes Review* 66 (2015), 1–71, at 19–32, 59–67.

[100] For the 'kingdom proper', see now Dauvit Broun, 'Kingdom and identity. A Scottish perspective', in *Northern England and Southern Scotland in the Central Middle Ages*, ed. Keith J. Stringer and Angus Winchester (Woodbridge, 2017), 31–85, at 32–5.

[101] Broun, 'Statehood and lordship', 31 and note 117.

names would, on the face of it, seem a rather prosaic text for a public celebration of the genealogy; a poetic recitation would seem more in order (even if that was largely a sequence of names).[102] If we need to think of an occasion when a plain prose genealogy might have been required, our minds turn at once to the reading of the king's pedigree at his inauguration, as witnessed at Alexander III's enthronement in 1249.

Genealogy as panegyric?

One obvious way that kings and lords are likely to have been aware of genealogy is through the poems sung in their honour. Their descent from significant ancestors could have been highlighted, especially those who were celebrated in literature. In this minimal sense genealogy overlapped with panegyric textually as well as (potentially) in being produced for a patron. There was also an opportunity for an element of panegyric to appear in the generations between these significant ancestors. In literature it was not necessary, of course, to use known personal names when creating a character: for example, Fróech mac Idaith, 'Heather son of (?)Wild Cherry Tree', who is the central figure in the tale *Táin Bó Fraích* ('The Cattle-raid of Fróech'), is plainly an invention.[103] There was an opportunity for similar freedom when creating a series of names in a genealogy. It was possible, therefore, for an ancestor to be fashioned who, through their patently manufactured name, highlighted a particularly praiseworthy quality. For example, *meic Tréin meic Rothréin*, 'son of Strong son of Very Strong', appears in the remoter parts of the pedigree of the kings of Ulster in Oxford, Bodleian Library, MS. Laud Misc. 610.[104]

The section of the royal genealogy between Eochaid/Eochu Muin-remar and the imagined eponym of Dál Riata (known as

[102] See above, 222 and note 44.

[103] As suggested by David Greene, cited in Fergus Kelly, 'The Old Irish tree-list', *Celtica* 11 (1976), 107–24, at 115, note 3.

[104] *CGH*, I, 322, note w, where it is also noted that in the Book of Leinster this is *meic Trír meic Rothrír*, with *tríar* ('trio') replacing *trén* ('strong'). This may be translated (rather awkwardly) as 'son of Trio son of Very Trio'.

either Eochaid Riata or Cairpre Rí-fota) provided an opportunity to compile a series of fictional ancestors that related exclusively to the Scottish kingship. Beyond Eochaid Riata/Cairpre Rí-fota the ancestry was shared with other Gaelic polities. In the pedigree of Causantín mac Cúiléin (Constantine III) the names in this section are fairly unremarkable. In the earliest manuscript with Causantín's genealogy deep into prehistory, this reads,[105]

mc Echach Muinremar
mc Ōengusa
mc Fergusa Ulaig
mc Fiachach Tathmail
mc Fedlimid Lamdoit
mc Cingi
mc Guaire
mc Cindtai
mc Corpri Rigfotai

The only noteworthy feature is that three after Eochu Muinremar are given epithets: Fergus Ulach ('Bearded Fergus'), Fiachu Táth-mál ('Fiachu Annexing-prince'), and Fedlimid Lámdóit ('Fedlimid Fist-hand').[106] This section has been heavily rewritten at some point with some striking epithets and invented names, as reflected in all the copies found in Latin and Scots,[107] including the standalone genealogy with names in Gaelic orthography (possibly headed originally by David I).[108] Once some simple errors have been corrected (signalled by angled brackets), the latter reads,[109]

[105] Dublin, Trinity College, MS. 1298 (previously H.2.7): see above, 226. The genealogy is edited in Bannerman, *Studies in the History of Dalriada*, 65–6, which is quoted here, with capitalisation added.
[106] For *lámdóit* as 'fist-hand' see William Gillies, 'The invention of tradition, Highland-style', in *The Renaissance in Scotland. Studies in Literature, Religion, History and Culture Offered to John Durkan*, ed. A. A. MacDonald, Michael Lynch and Ian B. Cowan (Leiden, 1994), 144–56, at 154 (referring to a name in a Campbell genealogy: see 150 for the reconstructed text).
[107] See the summary above, 213–14, (3), (4) and (5).
[108] (3) in the summary at 213, above.
[109] Broun, *The Irish Identity of the Kingdom of the Scots*, 177.

filii[110] Echach Muinremuir 25
filii Oengusa Phir[111]
filii Fedil<m>the[112] Aislingig
filii Oengusa Buid<ni>g[113]
filii Fedil<m>the Ruamnaich[114]
filii Senchormaic 30
filii Cruitluide[115]
filii Find Fece
filii Achir Cir[116]
filii Achach Antoit[117]
filii Fia<c>rach Cathmail[118] 35
filii Echdach Riada

It has to be admitted that not all of this is immediately intelligible. Occasional help is offered by the version adapted to be read out by someone unfamiliar with Gaelic orthography, as well as by the version in Irish manuscripts (including the one edited and translated in the Appendix). Most reconstructed forms (below) present no significant difficulties. Two ('Buidnig' as *Búaidgnige*, and 'Antoit' as *Án-dóit*) require some emendation in order to be convincing; the detail is given in the footnotes to the text, and signalled by ? in front of each word. Only 'Cruitluide' is especially problematic: it is discussed in due course. Taking all this on board, the rewritten section between Eochu Muin-remar and Eochaid Riata can be understood as follows (with medieval Gaelic names in normalised spelling in the nominative):

[110] The only Latin in the text after David I is *filii*, genitive of *filius*, 'son'.
[111] 'Oengusaphir' MS.
[112] 'Fedilinthe' MS.
[113] 'Oengusabuiding' MS.
[114] 'Fedilintheruamnaich' MS. (Anderson has 'Fedilinther Uamnach', *Kings and Kingship*, 257).
[115] Anderson read 'Cruithinde', *Kings and Kingship*, 257.
[116] 'Achircir' MS.
[117] 'Achachantoit' MS.
[118] 'Fiaerachcathmail' MS (Anderson has 'Fiacrachcathmail' in *Kings and Kingship*, 257).

son of True Óengus (*Óengus Fír*)
son of Visions Feidlimid (*Feidlimid Aislingid*)[119]
son of Beautiful Óengus (*Óengus ?Búaidgnige*)[120]
son of Feidlimid Long-hair (*Feidlimid Ruaimnech*)[121]
son of Ancient Cormac (*Sen Chormaic*) 30
son of Edgy-mover (?*Cruith-lúithe*)[122]
son of Bright Highest-point (*Find Féice*)[123]
son of Fierce Crooked (*Aicher Cerr*)[124]
son of Eochu Glorious Upper-arm (*Eochu ?Án-dóit*)[125]

[119] eDIL s.v. *aislingid* at dil.ie/2498; related to *aislinge* ('vision', 'dream'). The appearance of the final *d* as *g* has a parallel in the Gaelic property records in the Book of Deer (on which see Joanna Tucker's chapter above, 154, 162): see Roibeard Ó Maolalaigh, 'The Scotticisation of Gaelic: a reassessment of the language and orthography of the Gaelic Notes in the Book of Deer', in *Studies on the Book of Deer*, ed. Katherine Forsyth (Dublin, 2008), 179–274, at 227.

[120] eDIL s.v. ?*búaignige* at dil.ie/7235 gives *búaidgnige* is a variant of *búaignige*, 'beautiful (?)'. The final syllable, however, is absent in 'Buidnig' and in the text in the Appendix ('Buaidnich' or 'Buaidind'). It may be detected, however, in 'Butini' or 'Buthini' in the earliest manuscripts of the genealogy adapted into a non-Gaelic orthography (see Broun, 'The most important textual representation'), assuming that '-t(h)in-' represents *dgn* (with palatalised *g*).

[121] I am grateful to Thomas Owen Clancy for suggesting *ruaimnech* in eDIL s.v. *rúaimnech* at dil.ie/35623.

[122] See below, 245–6. O'Brien regarded the nominative form as uncertain (*CGH*, I, 571).

[123] 'Fece' would seem to be *féice*: see dil.ie/21457, 'highest point', 'summit'. As applied to individuals, see the death-notice for Aodh Buidhe Ó Néill in *Annala Rioghachta Eireann, Annals of the Kingdom of Ireland by the Four Masters*, III, ed. John O'Donovan (Dublin, 1856), 438 (1283.1), and the death-notice of Brian mac Matha Meg Tigernáin in *Annala Uladh, Annals of Ulster, otherwise, Annala Senait, Annals of Senat*, II, ed. B. Mac Carthy (Dublin, 1893), 518 (1365.7); note also Osborn Bergin, 'A dialogue between Donnchad son of Brian and Mac Cosse', *Ériu* 9 (1921/1923), 175–80, at 178 §13 line 4.

[124] I am grateful to Thomas Clancy for pointing out that a person called Acher Cerr is mentioned in the *Dindshenchas* ('place-name lore') poem on *Liamuin* (stanza 11), on line at http://celt.ucc.ie/published/T106500C/text007.html (accessed 10 July 2017). *Cír* (genitive *círe*) 'teeth', rather than *Cerr* might be suggested by 'Akirkirre' in the version adapted to be read by someone ignorant of Gaelic orthography; see Broun, 'The most important textual representation'.

[125] 'Echach Antoit' in the Appendix. *Dóit* involves emending the text; note, however, 'Andoth' in the version adapted to be read by someone ignorant of Gaelic spelling conventions. *Dóit* is a variant of *doé*, 'upper arm', 'hand': see

son of Fiachra Battle-prince (*Fiachra Cath-mál*)

Many of these epithets and invented names can readily be recognised as referring to kingly attributes: 'truth', battle-worthiness, beauty, and manly physique.[126] If 'visions' and longevity are associated with wisdom, then the key personal qualities of a king found in medieval Irish literature – form, martial prowess and wisdom – can readily be recognised in this section of the genealogy.[127] Admittedly *cerr* ('crooked') seems to cut across this; it was, however, applied to actual kings.[128] The most problematic 'name', however, is 'Cruitluide'. In Rawl. B. 502 and the Book of Leinster this name is 'Croithluithe' and 'Cruithluithe' respectively;[129] in the version edited in the Appendix it has been changed to 'Laith Luaithi' (which may be recognised as genitive of *láth luáithe*, 'warrior swiftness').[130] It may be guessed that 'Cruithluithe' (or 'Cruithluide') was replaced by the similar sounding *láth luáithe* because a medieval Irish scholar found it unintelligible; if so, the chances of understanding what someone highly literate in the language and steeped in this material found impenetrable seems remote. In

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eDIL s.v. 1 *doé* or dil.ie/17513. *Antoit* is attested in Rawl. B. 502 as the epithet of a son of Niall Noígiallach: see *CGH*, I, 133 (139b52).

[126] See, for example, Kim McCone, *Pagan Past and Christian Present in Early Irish Literature* (Maynooth, 1990), 121–4. Long hair was an attribute of kingship in Merovingian France; see J. M. Wallace-Hadrill, *The Long-Haired Kings and Other Studies in Frankish History* (London, 1962). *Rúaimnech*, however, refers to a single long hair.

[127] McCone, *Pagan Past and Christian Present*, 121–2; at 122 he comments that 'The ideal king in ancient Ireland was supposed to excel in the three basic areas of military prowess, mental discernment and physical beauty'.

[128] A notable example is Aed Cerr (died 595), progenitor of Uí Máil kings of Leinster: T. M. Charles-Edwards, *Early Christian Ireland* (Oxford, 2000), 622. Another is Connad Cerr, probably a joint-king, who led Dál Riata to victory in 627 and was killed in battle in 629: *The Chronicle of Ireland*, transl. T. M. Charles-Edwards, 2 vols (Liverpool, 2006), II, 134 (627.1) and 135 (629.1).

[129] *CGH*, I, 328 (162d12 and note f); in the oldest manuscript of the version adapted to non-Gaelic spelling conventions it is 'Cruithlinthe' (the exemplar therefore probably had 'Cruithluithe'): Broun, 'The most important textual representation' (line 30 of the genealogy).

[130] See eDIL at dil.ie/29625 and dil.ie/30813.

order to make progress, it is necessary to move to the fringes of the known lexicon. 'Cruith-' brings to mind the adjective *cruith*, referred to in the text known as *Sanas Cormaic* or 'Cormac's Glossary'.[131] There it is equated with *cailg* ('anything pointed'), *glicc* ('acute'), and *cródae* ('fierce').[132] Perhaps *cruith* might therefore be translated as 'edgy'. The second element, '-luithe' or '-luide', suggests a link with the verb *luïd*, 'moves': *lúithe* as a noun of agency is attested as a name for an engine of war;[133] if this also had a more abstract usage as 'mover', then this 'invented name' could be analysed as *cruith-lúithe*, and translated rather literally as 'edgy-mover'.[134] Perhaps this was meant to bring to mind a highly strung, energetic individual, capable of vigorous and spontaneous action, with perhaps a tendency to violence.

It is possible, therefore, to read this section of the genealogy as highlighting physical and personal qualities that served as a form of panegyric to the king whose pedigree was being recited. Although the exact interpretation of some of the names and epithets poses difficulties, it is clear that this section has been comprehensively rewritten so that every individual either has an epithet or a name created from nouns or adjectives. By contrast, the earlier version represented by the genealogy of Causantín mac Cuiléin (Constantine III) has seven names in this section, three with epithets, and two regular names without epithets; the remaining two names, Cinge and Cindtae, are obscure, but seem not to be nouns or adjectives (or, at least, are unrecognisable as such in the manuscripts).[135] There can be little doubt, therefore,

[131] For the text with links to images of its earliest manuscript, see http://www.asnc.cam.ac.uk/irishglossaries/texts.php?versionID=9&readingID=17361#17361.

[132] For the full range of the meaning of these words, see or dil.ie/7728 and dil.ie/10494 (for *cailg*), dil.ie/26087 (for *glicc*), and dil.ie/13060 (for *cródae*).

[133] To quote from eDIL at dil.ie/31055 for *lúaithe*.

[134] I am extremely grateful to Roibeard Ó Maolalaigh for suggesting that I might consider *cruith* and *lúithe*; I am responsible for any lack of awareness of difficulties that might arise, or lack of nuance in my discussion.

[135] Perhaps Cindtae might be related to *cinnte*, which can mean 'certainty': see eDIL at dil.ie/9154. Cinge brings *cing* ('champion, warrior') to mind (see eDIL at dil.ie/9128), but the genitive of *cing* is *cinged*, not *cingi*.

that a deliberate attempt has been made to recreate this section of the genealogy into an unbroken series of nouns or adjectives plus names with epithets, almost all of which can be interpreted as appropriate for a king. In short, it has been rewritten to enhance the impact of the genealogy as a statement of kingship. It is difficult to see how this could have occurred in a purely academic context. On the other hand, it is hard to envisage when the genealogy might have been recited in public in its plainest form as a list of names, without even minimal versification.[136] This did, however, occur as a key moment in inaugurating the king of Scots in 1249. If this was already a regular part of the ceremony, then it would readily provide a context for introducing a new panegyric element into the text.

When did this occur? This fresh panegyric section is part of the genealogy headed originally by Mael Coluim mac Cinaeda (Malcolm II) (1005–1034) that is found in the collection of Scottish material in Irish manuscripts. This means that both versions appeared in the collection: the older unremarkable version in the genealogy of Causantín mac Cúiléin (Constantine III) (995–997), followed by the more panegyric version in the genealogy headed by Mael Coluim (and subsequently updated to David I, edited and translated below). Given the likelihood that the genealogy headed by Causantín mac Cúiléin was known in the Scottish kingdom, then it would seem likely that the rewritten panegyric section was created sometime between the beginning of Causantín's reign in 995 and the end of Mael Coluim's in 1034. It could therefore have been written for either the inauguration of Mael Coluim in 1005 or his predecessor, Cinaed mac Duib, in 997.

Genealogy as charter?

On the face of it a genealogy and a charter have nothing in common. This is only true, however, if we think of them as texts without taking account of their physical context. The genealogy of the king of Scots was a text written on a piece of parchment that was read out once the king had been placed in full

[136] For versified king-lists and genealogies, see note 44, above.

possession of the kingdom. This is what happened at the inauguration of Alexander III in 1249; as we have seen, the rewriting of a section probably as a form of panegyric suggests that reading the genealogy could have been a feature of inaugurations before at least 1005. Charters were also produced as a single sheet of parchment designed to be read out in a public setting. Presumably they were usually read out before witnesses when they were produced; it was certainly anticipated that they might be read in a legal forum if there was a dispute. Although charters were used for verifying other matters than the fact that someone had been put into possession of land and lordship, it is in this context that a similarity with the royal genealogy can be discerned – albeit with a crucial difference in timing. The charter was written as a consequence of the ceremony placing the lord or landholder in possession of their holding, and was intended to fully 'establish' (*confirmare*) the legitimate exercise of their authority.[137] The genealogy was read out once the king had been placed in symbolic possession of the kingdom, and also served to fully establish his legitimacy as king through the *senchaid* or *ollam* proclaiming him at the head of the royal pedigree. Both, therefore, were public documents affirming the act of being placed in authority. The difference in timing was that, whereas the genealogy was read out immediately after the king was enthroned, the charter might be produced months later.[138]

This contrast in timing between the ceremonial possession of authority and the production or reading out of the document points to deeper functional differences between charter and

[137] A standard expression in charters was that the donor let it be known that *me dedisse concessisse et hac carta confirmasse*, 'I have given, granted, and by this charter established' the land of X to the beneficiary.

[138] For an example of a charter produced at least eight months and possibly as much as two years later, see Broun, 'The presence of witnesses', 266–70. It is also argued (258–65) that in some cases it appears that the witness-list has been added later by the charter scribe in the presence of the named witnesses (and therefore potentially 'on site' at the time of the transaction). The evidence for this will, however, need to be reconsidered in light of Joanna Tucker's discovery of similar differences in handwriting between witness-list and the rest of the text in copies of charters in cartularies. I am very grateful to Joanna Tucker for sharing her unpublished findings with me.

genealogy. To appreciate this we should start with how a charter was treated as a unique physical object in a way that the genealogy would not have been. A charter's authenticity depended on its seal, which was attached to the original single sheet. It could also be verified by the witnesses who were named in the text. The genealogy, by contrast, would not have had to be sealed or witnessed. It will be recalled that those who held positions of preeminent social authority in the Gaelic world before the mid-twelfth century were legitimated by the learning of professional kindreds who occupied the roles of cleric, poet and lawman. The scroll-genealogy would have been regarded as authoritative from the mere fact that it would have been read out as part of the ceremony of inauguration by a pre-eminent member of the learned orders. It is important to stress, however, that the genealogy was not recited from memory (either as prose or verse). Although authenticity did not rest chiefly with the scroll as a physical object, it may be suspected that it served to emphasise the authority of the person reading it out. It may, indeed, have highlighted the genealogy's basis in the overall scheme of historical learning that was sustained and nurtured in manuscripts. This, in turn, would have drawn attention to the specialist knowledge on which the legitimacy of the political order depended, expressed through genealogies.

All in all, in both the genealogy of the king of Scots and a charter relating to lordship over land, a sheet of parchment was produced for reading out in a public forum. Both involved a degree of specialised literate knowledge – the scribe familiar with the structure and phraseology of charters, and the historian (*senchaid*) at home in the corpus of genealogies. In the charter, however, its authenticity focused on the physical object; in the genealogy the display of specialised learning was the key. The novelty of charters as the primary way of expressing lordship was not because single sheets of parchment had hitherto played no role at all in legitimising social authority; it was because the artefact itself was now paramount, rather than the specialist knowledge of the person who read it out. As such, the use of single sheets of parchment to validate the exercise of social power could become much more widely used, extending far

beyond the domain of kingship itself. The potential of writing in recording property-rights was already evident in the notes of transactions written into whatever spaces were available in gospel books. Some (if not all) were written straight into the codex; their potency as records depended on their presence in a sacred book, not as a piece of parchment – the antithesis of a charter.[139] With the increasing use of charters in Scotland in the twelfth and thirteenth centuries, a wider range of property and privileges were safeguarded by single sheets of parchment.

This, in turn, brought a fundamental change in the broader framework of legitimising social authority through literate specialist knowledge. Neither genealogies nor charters existed in isolation. A genealogy gained significance from the fact that, in the hands of a historian (*senchaid*), it showed where a head of kindred belonged in a nexus of relationships that embraced the entire Gaelic world. Because kinship was a central principle in the regulation of society, genealogy was regarded as part of a single body of written traditional knowledge – *senchas* – that embraced both history and law.[140] Charters as individual texts

[139] Dauvit Broun, *The Charters of Gaelic Scotland and Ireland in the Early and Central Middle Ages*, Quiggin pamphlets on the sources of mediaeval Gaelic history 2 (Cambridge, 1995), 29–42; Máire Herbert, 'Charter material from Kells', in *The Book of Kells*, ed. Felicity O'Mahony (Aldershot, 1994), 60–77, at 61–2. For an explicit instance of a record written directly into a gospel book, see Elaine Treharne, 'Textual communities (vernacular)', in *A Social History of England, 900–1200*, ed. Julia Crick and Elisabeth van Houts (Cambridge, 2011), 341–51, at 347–8. The contemporary value of charters as single sheets of parchment authenticated in some way (by a seal or signa) provides a key for unlocking the debate about whether earlier property records should usefully be regarded as charters or not: see Dauvit Broun, 'Introducing the Models of Authority project: Scottish charters c. 1100–c. 1250', *Feature Article no.1, Models of Authority, July 2015*: http://www.modelsofauthority.ac.uk/blog/intro/ (accessed 14 November 2017), esp. note 8.

[140] For discussion of the *senchaid* in a legal context, see Fergus Kelly, 'An Old-Irish text on court procedure', *Peritia* 5 (1986), 74–106, at 93–4, where he observes that 'custodian of tradition' is a more appropriate translation of the term. The main corpus of written legal material in Gaelic (Old Irish) from the early middle ages was known as *Senchas Már*, the 'great *senchas*'; *senchas* (later, *senchus*) could also refer to genealogies, as in *Míniugud senchusa fher nAlban* (see above, 228).

had no capacity to call to mind a similar source of authority. As a single sheet of parchment, however, it could be taken for confirmation or verification by a higher authority such as the king or the pope. In this way, legitimising the exercise of social power moved away from the domain of the learned orders and began to form a hierarchy of its own in which king and pope stood at the apex of increasingly distinct spheres of authority – each with its own body of law.

Rethinking genealogies?

The corpus of Gaelic genealogies in Irish manuscripts can readily be recognised as comprising a myriad of brief texts that have been, to a greater or lesser extent, adapted and edited by the medieval scholars who incorporated them into their collections. In this chapter a novel approach to these original items relating to the Scottish kingdom has been developed, inspired by Joanna Tucker's insight into the value of thinking about texts in their physical context whatever that may be, and not only when this gave them legal force (as in the case of sealed charters). The obvious difficulty is that, whereas piecemeal growth in cartularies takes the form of material added by generations of scribes, and is therefore open to being studied in a way that combines their textual and physical facets, not one medieval Gaelic genealogy survives as a single sheet of parchment. Another problem is that not all genealogies would have started life on their own individual sheet of parchment. The genealogy of Mael Snechta (died 1085) with a branch headed by Mac Bethad (1040–1057), for example, would appear to have been created by the scholarly compilers of this material in the process of updating their collection. Its physical setting from the outset was a manuscript booklet or codex. The genealogy of the king of Scots, however, certainly existed as a separate piece of parchment in 1249. The rewriting of a section potentially in order to give it a panegyric quality can be taken to suggest that reading out the genealogy as part of the ceremony of inaugurating a king was already established practice no later than 1005. Could the

production of individual genealogies on single sheets have been more widespread as part of royal inaugurations?

Looking at the corpus as a whole, it has been observed by Donnchadh Ó Corráin that the range of genealogies narrows dramatically after the ninth century.[141] This suggests that only the pedigrees of those who were potentially or actually kings were chiefly of interest. Ó Corráin compellingly argued that this was associated with what he termed 'the emergence of a narrower, more powerful, and more exclusive lordly class' between the tenth and twelfth centuries who took on surnames as a way of distinguishing themselves from the wider group to which they belonged.[142] Scottish examples of these narrower kindreds at the highest level include *Clann Chinaeda meic Ailpín*, the descendants of Cinaed mac Ailpín (d.858) who monopolised the kingship from 900 to 1034, and *Clann Lulaig*, the descendants of Lulach (king of Scots 1057–1058), a lineage that may have been destroyed when it was only two generations deep – its leader falling in battle in an attempt to oust David I in 1130.[143] In this context the significance of genealogies would have changed from articulating a dense network of relationships to becoming chiefly a way of identifying rulers with the key remote ancestors who served to define the kingship. The genealogy headed originally by Mael Coluim mac Cinaeda (Malcolm II) with linkages to a few leading kindreds could be seen in this light.

An even more dramatic example is the genealogy of Domnall son of Ardgar son of Lochlann in Rawl. B. 502 and that of his grandson, Muirchertach, in the Book of Leinster.[144] Domnall (died 1121) and Muirchertach (died 1166) were rulers of Cenél nEogáin in northern Ireland and kings of Ireland. They were also heads of a narrow lineage, *Meic Lochlainn*, 'sons of Lochlann', descended from Domnall's grandfather, Lochlann. Their genealogies survive in near-contemporary copies: it may be

[141] Donnchadh Ó Corráin, 'Nationality and kingship in pre-Norman Ireland', in *Nationality and the Pursuit of National Independence*, Irish Historical Studies XI, ed. T. W. Moody (Belfast, 1978), 1–35, at 33.
[142] Ó Corráin, 'Nationality and kingship in pre-Norman Ireland', 33.
[143] See note 90, above.
[144] *CGH*, I, 175.

recalled that Rawl. B. 502 was produced only a few years after Domnall's death, and that the Book of Leinster can be dated to about the time of Muirchertach's death.[145] Both genealogies trace the ancestry of *Meic Lochlainn* back to Aed Findliath (d.879), ruler of Cenél nEogáin and king of Ireland. The four generations between the eponymous Lochlann and Aed Findliath are, however, different in each. It seems that the only family relationships that mattered were within the dynasty itself descended from Lochlann. Their ancestry, traced in different ways, established their identity as rulers of Cenél nEogáin, which in turn sanctioned their claim to be kings of Ireland and pre-eminent in the Gaelic world. Both genealogies, therefore, served only as a potent display of kingship legitimised by specialist historical knowledge. As such, their function can be regarded as similar to that of the genealogy of the king of Scots read out at the royal inauguration.

There is, of course, no evidence that either or both the Mac Lochlainn genealogies were created on single sheets of parchment to be read out at their inaugurations. Both survive only in the academic context of manuscripts containing the corpus of genealogies. In that sense they are no different from the genealogy of Mael Snechta (d.1085) with a branch headed by Mac Bethad (1040–1057); it may be recalled that, after three generations below Mac Bethad, it too was a scholarly construct. In that instance its place in the collection of Scottish material – tacked on at the end – suggests that it was created for the sake of maintaining the collection itself, not for Mael Snechta or Mac Bethad; indeed, they may well both have been dead by then.[146] The genealogies of Domnall and Muirchertach Mac Lochlainn, however, are more akin to the genealogy read at the inauguration of the king of Scots. It may be recalled that the genealogies headed by Causantín mac Cuiléin (Constantine III) (995–997) and (originally) by Mael Coluim mac Cinaeda (Malcolm II) (1005–1034) are likely to have been copied into the collection of Scottish genealogies from single sheets of parchment. They are

[145] See above, 225.
[146] See above, 234.

unlikely to be the only one to have arrived into the corpus of genealogies in this way. Although there is no way to tell how many (if any) of the genealogies of the tenth, eleventh or twelfth centuries originated as standalone texts on single sheets of parchment, or circulated as single-sheet copies, the possibility should be kept open that reading out the king's genealogy at their inauguration may not have been unique to the king of Scots.

At the end of the day, we are left with only a tantalising proposition. The identification of kingship explicitly with the specialist literate knowledge of the historian could be seen as establishing a special relationship between kingship and the authority invested in *senchas* – i.e., the totality of traditional learning, including law as well as history. If reading out the genealogy was a feature of other royal inaugurations, then this development could be seen as representing an important aspect of the consolidation and expansion of royal power in this period that has been noted by Donnchadh Ó Corráin.[147]

At the outset of this chapter it was noted that the inclusion of genealogical and panegyric elements in the Bengali copper-plate records of donations has no exact parallel among medieval Scottish (or British) documents. In this chapter it has been argued that, in the case of the genealogy of the king of Scots, a panegyric dimension to the text was potentially introduced by 1005; it was also suggested that, as a piece of parchment read out when lawful possession had been established, the genealogy also had some similarities to a charter. The chief significance of the genealogy in the ceremony, however, was to highlight the pivotal role of traditional literate learning in authenticating kingship – a role enhanced by the panegyric element as well as by reading from a scroll. In general terms it was the special function of the learned orders to legitimise the social order. In Scotland this source of authority was associated particularly with the king of Scots, perhaps from as early as the tenth century; the same may have been true of other major kings in the Gaelic world in this period. In her chapter in this book Joanna Tucker has drawn attention to the contrast between kings becoming exclusively the

[147] Ó Corráin, 'Nationality and kingship in pre-Norman Ireland', 22–32.

donors of Bengali copper-plates on the one hand and, on the other hand, the widening range of charter-donors in twelfth- and thirteenth-century Scotland.[148] It is possible, therefore, that the intensifying link between kingship and traditional literate learning suggested by reading out the royal genealogy from a scroll at a king's inauguration has similarities with the intimate ties between brāhmaṇas and kings that were immortalised in the copper charters. Perhaps, therefore, it is the genealogy of the king of Scots, rather than Scottish charters, that offers the closest parallel with Bengali copper-plate inscriptions in terms of the relationship between specialist practitioners and the social authority which they represented – a relationship in which distinctions between genealogy, panegyric and charter could become less significant as ways of reinforcing the exercise of power in particular contexts.

[148] Above, 180–1.

Appendix: Genealogy of David I (1124–1153) in the Scottish collection in Irish manuscripts

The base text is from the Book of Lecan (fol. 110ra19–b13) (*Lec*. in the notes) collated with the Book of Ballymote (fol. 85ra7–b3) (*BB* in the notes), using digital images of each manuscript.[149] Capitalisation, accents and line division are editorial; all expansions are in italics. Angled brackets < > signify additions to the base text that could have been in the archetype; round brackets ( ) are used to indicate letters in the base text that are unlikely to have been in the archetype.

Dauith[150]
m*ac* Mailcholui*m*[151]
m*eic* Dondchaid
m*eic* Mailc*h*olai*m*
m*eic* Cinaet*h*a
m*eic* Mailc*h*oluim[152]
m*eic* Domnaill
m*eic* Cunsantín[153]
m*eic* Cinaeda[154]
m*eic* Ailpí*n*
m*eic* Echach[155]
m*eic* Aeda Fi*n*d
m*eic* Echach[156]
m*eic* Domangoirt
<I sun*n* *con*dr*ecaid* Cen*é*l nGabráin 7 Cen*é*l Co*m*gaill
m*eic* Do*m*naill B*ri*cc
m*eic* Ech*ach* Buid*h*e>[157]

[149] For detail on the manuscripts and digitised images, see 225–6, above.
[150] *Lec*; Dauid *BB*.
[151] *Lec*; Coluim *BB*.
[152] *Lec*; *omitted from BB.*
[153] Cunsantín *BB, with common abbreviation marks above first and second* n.
[154] Cinaetha *BB*.
[155] Eac*h*ach *BB*.
[156] Eacach *BB*.

<I>[158] sun*n* condrecaid Cland Fearg*us*a Guill m*ei*c Echach[159] Buidi[160] .i. Gabranaich[161] 7 Cland(a)[162] *Cona*ill Chirr[163] m*ei*c Echach Buidi[164] .i. Fir Ibe[165] fris in rígraid .i. Clan*n* Chinaeda[166] m*eic* Ailpín

m*eic* Aeda<n>[167]

<I>[168] sund condreacaid Cland Echac*h*[169] Buidi[170] fri léithri*n*d Conai*n*g don let*h* tuaid[171] m*eic* Aedan[172]

m*eic* Gabrai*n*

m*eic* Domangoirt

m*eic* Fearg*us*a Moir

m*eic* Erc[173]

<I>[174] sund condr*ecaid* Cenél Loairn(*n*)[175] meic <Eirc>[176] 7 Cenél nAeng*us*a 7 Cenél nGabrán 7 Cenél Comgaill

m*eic* Echach Munreamair

m*eic* Aeng*us*a

m*eic* Feidlimid Aislingthi

m*eic* Aeng*us*a Buaidnich[177]

m*eic* Feidlimid

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[157] I sun*n* … Buid*h*e *BB*; omitted from *Lec*.
[158] *BB*; *omitted from Lec*.
[159] Each*ach BB*.
[160] E*ch*a*ch* Buide *BB*.
[161] Gabr*a*naig *BB*.
[162] Clanda *Lec*; Cl*ann BB*.
[163] Cirr *BB*.
[164] Buide *BB*.
[165] Ibe *is the reading in both BB and Lec. It stands for* Fíbe *(the* F *is silent)*.
[166] Cinaeda *BB*.
[167] Aeda*n BB*; Aeda *Lec*.
[168] *BB*; *omitted from Lec.*
[169] Each*ach BB*.
[170] Buide *BB*.
[171] don leth tuaid *Lec*; *omitted from BB*.
[172] Aedai*n BB*.
[173] Eirc *BB*.
[174] *BB*; *omitted from Lec*.
[175] *Lec gives a common abbreviation stroke above the* n; Lo*ai*rn *BB*.
[176] Eirc *BB*; Echach *Lec*.
[177] *Lec*; Buaid[ind] *BB*.

m*eic* Senchorm*aic*[178]
m*eic* Laith Luaithi
m*eic* Aithir
m*eic* Echach[179] Antoit
m*eic* Fiachach[180] Tát*h*máil[181] 7 re*liqui*[182]

TRANSLATION

David[183]
son of Mael Coluim[184]
son of Donnchad[185]
son of Mael Coluim[186]
son of Cinaed[187]
son of Mael Coluim[188]
son of Domnall[189]
son of Cunsantín[190]
son of Cinaeda[191]
son of Ailpín[192]
son of Eochu[193]
son of Aed Find[194]

[178] Sen Cor*maic BB*.
[179] Echa*ch BB*.
[180] *Lec*; Fiach *BB*.
[181] Tát*h*mael *BB*.
[182] 7 re*liqui omitted from BB.*
[183] David I, king of Scots / *rí Alban*, 1124–1153.
[184] Malcolm III, king of Scots / *rí Alban*, 1058–1093.
[185] Duncan I, king of Scots / *rí Alban*, 1034–1040. His mother Bethóc daughter of Mael Coluim (Malcolm II), has been omitted. Donnchad (Duncan I) was son of Crinán, *ab* ('abbot') of Dunkeld.
[186] Malcolm II, king of Scots / *rí Alban*, 1005–1034.
[187] Kenneth II, king of Scots / *rí Alban*, 971–995.
[188] Malcolm I, king of Scots / *rí Alban*, 943(?)–954.
[189] Donald II, king of Scots / *rí Alban*, 889(?)–900.
[190] Constantine I, king of Scots / *rex Pictorum* ('king of the Picts'), 862–876.
[191] Kenneth I, king of Scots / *rex Pictorum* ('king of the Picts'), 842(?)–858.
[192] There are no contemporary references to Ailpín.
[193] There are no contemporary references to Eochu (or Eochaid).
[194] Died as 'king of Dál Riata' in 778; Charles-Edwards, *The Chronicle of Ireland*, II, 243 (778.7).

son of Eochu[195]
son of Domangart[196]
<The Kindred of Gabrán and Kindred of Comgall meet at this point.
son of Domnall Brecc[197]
son of Eochu Buide>[198]
The Clan of One-eyed Fergus son of Eochu Buide (i.e., the *Gabranaig*[199]) and Clan of Maimed Conall son of Eochu Buide (i.e., the men of Fife) at this point meet the royal line (i.e., the Clan of Cinaed son of Ailpín)[200]
son of Aedán[201]
The Clan of Eochu Buide meet at this point with the apical-link[202] of Conaing, of the northern half,[203] son of Aedán

[195] Died (probably as king of Dál Riata) in 697; Charles-Edwards, *The Chronicle of Ireland*, II, 173 (697.4). Eochaid son of Eochu, who died as 'king of Dál Riata' in 733, has been omitted; Charles-Edwards, *The Chronicle of Ireland*, II, 206 (733.5).
[196] Died as 'king of Dál Riata' in 673; Charles-Edwards, *The Chronicle of Ireland*, II, 159 (673.4).
[197] 'Freckled Donald'. Died in 642 (probably) as king of Dál Riata; Charles-Edwards, *The Chronicle of Ireland*, II, 143 (642.1). The earliest king whose death is likely to have been recorded contemporaneously in the lost 'Chronicle of Iona' (whose text was incorporated into the 'Chronicle of Ireland').
[198] Eochaid Buide ('Yellow-[haired] Eochaid') said to have died as king in 629; Charles-Edwards, *The Chronicle of Ireland*, II, 135 and note 4 (629.4). Eochaid and Eochu became interchangeable in extant manuscripts.
[199] Possibly meaning 'Gowriefolk', i.e. people of Gowrie, one of the provinces north of the Forth.
[200] 'Children of Cinaed son of Ailpín' (Kenneth I, 842(?)–858).
[201] Said to have died as king in 606; Charles-Edwards, *The Chronicle of Ireland*, 124 (606.2).
[202] *Leithrind* has been taken to mean 'half-share' (e.g., in Anderson, *Kings and Kingship*, 163). A possible example is *ar ba lethrand do Dál Chéte 7 do Dál Bardéni*: *CGH*, I, 377. It has been pointed out, however, by Donnchadh Ó Corráin (in his review of J. Bannerman, *Studies in the History of Dalriada*, in *Celtica* 13 (1980), 168–82, at 179) that it is found as *léithrind* (nominative) in a genealogical text relating to the Airgialla in *CGH*, I, 140: *Is ón Chonall dano atát Léithrind Conaill for Dobla. Ónd Ailill Léithrind Ailella. Ón Lócán Léithrind Lócáin. Ón Damán Láech Húi Damáin 7 Húi Guassai*. This rules out *leth*, 'half', as the first syllable. Ó Corráin regards it as a term for a division of a kindred. I take *léithrind* to be a form of *leithriu*/*léthrend* (I am very grateful to

son of Gabrán[204]
son of Domangart[205]
son of Fergus Mór[206]
son of Erc
The Kindred of Loarn son of Erc and Kindred of Oengus and Kindred of Gabrán and Kindred of Comgall meet at this point
son of Eochu Muinremar
son of Oengus
son of Feidlimid Aislingthech
son of Oengus Buidnech
son of Feidlimid
son of Sen Chormac
son of 'Lath Luaithe'[207]
son of Aichir[208]
son of Eochu Antoit
son of Fiachu Tathmál, and the rest.

Roibeard Ó Maolalaigh for this suggestion). It could have the sense of a fixed point for an attachment; see eDIL s.v. *leithriu* at dil.ie/29854. It is used of the part of the harp from which the strings are drawn, a horse's fetter, and perhaps the line to which the hangings of a horse's trappings are attached. A fixed point for an attachment could be an appropriate metaphor for a genealogical link.

[203] This brings to mind the division into halves north and south of the Mounth; but it is likely to have been a medieval editor's attempt to explain *léithrind* as *leth rann*, 'half-share'.

[204] Eponym of Cenél nGabráin, who is said to have died in 560; Charles-Edwards, *The Chronicle of Ireland*, II, 103 (560.1).

[205] Appears as Domangart son of Ness in the 'Chronicle of Ireland', whose death is noted in 505 with an alternative given of 507; Charles-Edwards, *The Chronicle of Ireland*, II, 85 (505.2, 507.3). Domangart is 'son of Mac Nisse' in the earliest genealogical tract relating to Dál Riata, datable to either about 730 or 733; see Broun, '*Cethri prímchenéla Dáil Riata* revisited'.

[206] Fergus has probably been intruded into the genealogy instead of Mac Nisse; if he was originally Fergus son of Erc, reputed to have given Armoy in northern Ireland to St Patrick (see Dumville, 'Ireland and north Britain', 189–90), then he was perhaps intruded in the early tenth century when the new royal dynasty descended from Cinaed mac Ailpín had close ties with the kings of the northern Uí Néill, patrons of Armagh (the chief church of St Patrick).

[207] See above, 245–6, for a discussion of this name.

[208] See above, 244 and note 124: it appears that 'c' has been misread as 't'.

COPPER, PARCHMENT & STONE

Studies in the Sources for Landholding and Lordship in Early Medieval Bengal and Medieval Scotland

Edited by John Reuben Davies *&* Swapna Bhattacharya

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