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The story of St. Columba: A modern copyright battle in sixth century Ireland

By Ruth Suehle

June 9, 2011 | 7 Comments | 4 min read

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Image by: *Opensource.com*

I've long been under the impression that copyright began with the [Statute of Anne](#) in 1710, as is generally taught. But have you ever heard of Saint Columba (521-597)? If not, the story is going to sound pretty familiar compared to modern copyright battles. But fortunately, mp3 downloads rarely result in 3,000 deaths.

St. Columba (sometimes Columbkill, Columcille, Calum Cille, or other variations) was an Irish Gaelic missionary and one of the Twelve Apostles of Ireland. Those twelve were saints who studied under St. Finian at Clonary Abbey.

Columba was known for constant study and prayer--really, really constant. He is said to have written 300 books, by hand of course, continuing to transcribe up to the night before he died.

Finian and Columba got into a disagreement over a psalter. (According to one longer version of the story, it was the Vulgate, a Latin translation of the Bible and the first copy of it to reach Ireland, which would make it a pretty appealing piece of literature.) Columba borrowed the manuscript from Finian--possibly without permission--and secretly copied it with the intention of keeping it for his own use. But Finian said no, that this was theft--illegal copying! He demanded that Columba hand over the copy he had made.

Finian took the matter to King Diarmait mac Cerbhiall, the High King of Ireland, for arbitration. Believing he had done nothing wrong in his attempt to spread the word of the church, Columba agreed. (It didn't hurt his expectations that Diarmait was a relative.)

Finian's argument was simple: My book. You can't copy it. He felt that if anyone *was* going to copy it that it should be done through certain procedures and certainly not in secret under his own roof.

Columba's response was not all that different from those in favor of less restriction in digital duplication--that the book had not suffered by his copying. "It is not right," he said, "that the divine words in that book should perish, or that I or any other should be hindered from writing them or reading them or spreading them among the tribes." In his closing address, he told the court that those who owned the knowledge through books were obligated to spread the knowledge by copying and sharing them. He felt that to not share knowledge was a far greater

offense than to copy a book that lost nothing by being copied.

But the king ruled in Finian's favor, famously saying, "To every cow belongs its calf; to every book its copy." In other words, every copy of a book belonged to the owner of the original book.

Of course, the story didn't end there. After more arguing and Columba's next offense (harboring a fugitive from Diarmait), the result was the Battle of Cúl Dreimhne, the death of 3,000 people, and Columba's exile.

Ray Corrigan wrote a very interesting [version of the story (PDF)](#) in a paper for Gikii in 2007 if you'd like to read more.

Tags: LAW   LICENSING

Ruth Suehle

Ruth Suehle is the community leadership manager for Red Hat's Open Source and Standards team. She's co-author of Raspberry Pi Hacks (O'Reilly, December 2013) and a senior editor at GeekMom, a site for those who find their joy in both geekery and parenting.

More about me

7 Comments

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bug1 | June 8, 2011   No readers like this yet.

Good find, and a great read.

Mike McColm | June 11, 2011   No readers like this yet.

Having a surname derived from Saint Columba (http://www.mccolm.com/history.html), naturally I run my website with open-source software.

[Stuart Gathman](#) | June 14, 2011   No readers like this yet.

I was first introduced to Saint Columba in a novel by Nancy Farmer - the Heroes take refuge in Columba's exilic retreat.

http://www.amazon.com/Islands-Blessed-Richard-Atheneum-Hardcover/dp/1416907378/

Brendan Scott | June 14, 2011   No readers like this yet.

"Colmcille's exile was apparently a self–imposed penance, but later Irish writers have often assumed it to have been the result of judicial sentence. Furthermore an intriguing and often–repeated story was invented to account for the war as arising from a breach of copyright. According to this legend, Colmcille surreptitiously copied a Gospel or Psalter which belonged to St. Finghin, and which Finghin had forbidden him to copy. In a subsequent lawsuit the decision was awarded to Finghin, the judgment being based on the laws regarding cattle ownership: 'To each cow her calf, and to each book its son' (mac–leabhair, 'son–of–a–book,' is Irish for 'copy')."
"Colmcille refused to surrender his book, and his clansmen rallied to his defense against the king.**Such is the apocryphal tale.**"
(my emphasis): B. O'Hehir, A Gaelic Lexicon for Finnegans Wake and Glossary for Joyce's Other Works, University of California Press, Los Angeles 1967, at 375–376.

Augustine Birrell specifically references this work and concludes that the legend "has been voted unworthy of belief" (Seven Lectures on the Law and History of Copyright in Books, Cassell and Company Limited, 1899 at 42.

Brendan Scott | June 14, 2011   No readers like this yet.

Ooops "this work" in Birrell's reference, being the "Books and Their Makers in the Middle Ages" which repeats the tale in your article.

Dave Cohoe | June 15, 2011   No readers like this yet.

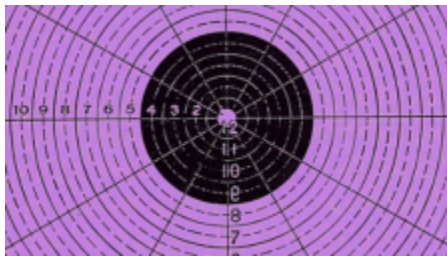Great stuff as usual, Ruth! Very interesting!

[Máirín Duffy](#) | July 11, 2011   No readers like this yet.

"To every cow belongs its calf; to every book its copy."

Surely the monks believed the owner of the book was *ahem* God so neither Colmcille nor Finian would have been the owner of the original or the copy...
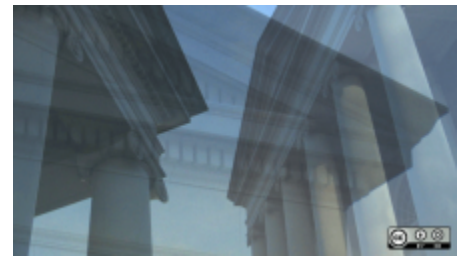
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