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Duties, Role and Tasks of the Shennachie

The nature of a Clan or Family

There is a much-quoted definition, usually attributed to Nisbet and his *System of Heraldry* (1722) but the actual source is Sir Thomas Innes of Learney, Lord Lyon 1945-1969, writing in the introduction to his revised edition of Frank Adam's *Clans, Septs and Regiments of the Scottish Highlands*.¹:

‘A social group consisting of an aggregate of distinct erected families actually descended, or accepting themselves as descendants of a common ancestor, and which has been received by the Sovereign through its Supreme Officer of Honour, the Lord Lyon, as an honourable community whereof all of the members on establishing right to, or receiving fresh grants of, personal hereditary nobility will be awarded arms as determinate or indeterminate cadets both as may be of the chief family of the clan.’

This definition also applies to a Family – the distinction being that Clan is a Highland and Borders phenomenon, while a Lowland Family may have a Chief, armigers etc., but typically lacked the same territorial-kinship structure of a traditional Clan. It is not the case, as often stated, that the term “clan” can be and as applied in Scotland to Lowland families too. There is an accompanying paper which explores this further (*What is a Clan?*)

A clan or family with a recognised chief or head confers noble status, a legally-recognised status and a corporate identity. A family or name group with no recognised chief has no official status under the law of Scotland.

Chiefship

Just as a Clan or Family is an ‘honourable community’ or ‘noble incorporation’, Chiefship is a title of honour and dignity within the nobility of Scotland – but is not itself a peerage nobility. Any claimant to the title must establish, to the Lord Lyon’s satisfaction, that he or she is entitled to bear undifferenced arms relevant to the community over which he or she seeks to preside. Determining matters of chiefship is central to work of the Lyon Court, and there are now some 140-150 Clan or Family Chiefs recognised by Lord Lyon.

The Shennachie

The role of *An Seanchaidh* (*Sennachie*, *Senchai*, *Seannachaidh*, and usually rendered in Scots and English as “Shennachie” or “Shenachie”) is to carry out those tasks that record, preserve and illuminate the histories, lineages, honours and archives of the surname group.

The Shennachie is part of the Chief’s household and is an ancient position, within both Pictish and Scoto-Gaelic traditions, and not to be confused with Bard. In the *Gaidhealtachd* (Gaelic-speaking Highlands) the great chiefs would keep both a *shennachie* and a *bard* in their households, as well as a piper and/or a harpist, to entertain them and the *duine-uasail* (the “gentlemen”, senior members of the clan) and their visitors.

The mission of the Shennachie is to explore, explain and extend the collective knowledge of the history, lineages, customs, traditions, language, laws and ethos of the Clan or Family and the Chief, and loyally to support the Chief in these matters. This helps foster links within the kinship group and provides continuity. The Shennachie is the keeper of the flame.

The duties are ancient and traditional, but have to be relevant to the modern day. In present-day terms, it can be seen as combining the functions of Genealogist, Historian, Orator, Banner-carrier, Herald and Heraldist and Keeper of the White Wand of Chiefship. These roles may, of course, be separated in larger Clans and Families, or re-apportioned as needs must (for reasons of geography, for example).

¹ Frank Adams, Thomas Innes. *Clans, Septs and Regiments of the Scottish Highlands*; 8th edition 1975, Johnston & Bacon Publishers, Edinburgh and London.

We have moved beyond the cultivation of memory, when it was necessary for someone to remember and recite matters of law, history and pedigree. Nowadays, the Shennachie requires a mastery of the written word, information technology and genetics, as well as heraldry and the more traditional fields.

Originally, in pre-Historic (or poorly-documented) times, these tasks fell to the tribe's "Druids", who were of three Orders – the Bardi, or Poets; the Vates, or Priests; and the highest, the *Deo-Phaistein* or dempsters ("doom-sayers"), who were both the lawgivers and the instructors in the principles and mysteries of religion. Although the Druid Priests disappeared with the coming of Christianity, sennachiedal branch survived in the form of heralds. The office of *Ri-seannachie*, with ultimate jurisdiction in matters of genealogy, heraldry, the preserving of pedigrees and so on, and evolved into the office of King of Arms – Principal Herald (now Garter) in England and Lord Lyon in Scotland, with a hierarchy of "brethren heralds", pursuivants, macers, clerks and so on. Lord Lyon, for instance, is thus Shennachie to the Royal House of the Scottish nation, and has charge over legal administration of genealogical and heraldic records.

The Shennachie of the Chief's House sat at table above the salt, among the chiefs of families, with the precedence of a doctor of medicine. He pronounced the address of ceremony at Clan and Family assemblies, delivered the orations at the chief's inauguration, birthday, celebrations and funerals, acted as Inaugurator, chaired the proceedings to choose a new Chief and invested the Chief on appointment or succession.

Helping to find a new Chief

Originally, the succession to chiefship was not automatic. The Shennachie, as the keeper of the clan or family genealogy, played a key role in identifying and confirming the claim of the new clan chief. The Celtic system of succession often meant if no *tanist* (successor) had been recognised during the previous chief's lifetime, there could be two or more candidates eligible to succeed from the *derbhfine* (all the descendants of the previous chief's grandfather). The clan itself adjudged who would be best as Chief. The Shennachie's role was to know the *fine* (the genealogies of the descendants of the clan's progenitor, who were the electors) and the *derbhfine*. The Shennachie would also preside over the proceedings and announce the selection of the *fine* to the clan

More recently the Celtic system of tanistry gave way to primogeniture and feudal inheritance under statute law. In that context, the role of the Shennachie can be:

- a.) identifying and/or confirming that a claimant or a certain individual has a proven genealogical paper trail back to the original Chief of the clan (if there was one), or a more recent Chief;
- b.) calling and managing a *derbhfine*, which would be the most likely scenario. A *derbhfine* –now called a "family conference" – is a meeting of (ideally) nine or more Scottish armigers, or persons with significant landholdings in Scotland. They initially elect or designate a Commander of the Clan or Family. After a period of time – typically five or 10 years, and in the absence of legitimate challenge – the Commander would then be considered by the Lord Lyon to be Chief of the Clan or Family.

Prefatory to a Family Meeting, it is useful to have the following prepared:

1. Appoint a Shennachie to help marshal the process
2. Determine whether there currently a candidate for Representer and subsequently Commander/Chief. If so, what is that individual's claim, and based on what information? If there has never been a Chief, does the "senior line" have a particular pedigree? In any case, it will be necessary to construct a pedigree for the candidate. It will be advantageous to lodge this (with proofs) in the Register of Pedigrees. Later, once accepted as Chief, that individual can have arms granted, matriculated or (if already granted) altered to reflect his or her status of Chief of Name and Arms.
3. Lyon considers it appropriate to hold a Family Meeting where there is no blood link to a past Chief or Head of Name, or none conclusively proven, and a particular person is to be proposed as Representer and ultimately Commander and possibly Chief. It is generally felt advantageous, but not essential, that such a Commander should live in Scotland.
There may be an issue if the recommendation of a Family Convention is later opposed.
4. The Clan or Family Society (or equivalent body) might consider a petition for arms as a corporate body. This may resolve the issue of not being allowed a tent at Highland Games, etc. in the interim.
5. Contact and keep in touch with the Standing Council of Scottish Chiefs on these matter.
6. Prepare a Charter History for the Clan or Family.

The role of the Shennachie at a Chief's Inauguration

The Shennachie took the lead in a Chief's inauguration ceremony, which closely followed the procedure and ceremony of enthroned of Kings of Scots at Scone.

The Shennachie would command a white rod of justice and a sword (the Chief's insignia of office) to be passed to the new Chief – either by his hand by a suitable *Ceann-Tighe* (“Head of House” or chieftain of a branch of the Clan). He would then delivered from memory the new Chief's pedigree back to the founder, thus demonstrating to all present that the chosen person was the rightful *Ceann-Cinnidh* (“Head of the Kindred”).

What follows is largely taken from the classic *Clans, Septs and Regiments of the Scottish Highlands* by Frank Adam and Sir Thomas Innes of Learney.

“The first step of the (Inauguration) procedure was that six members of the clan council 11 waited on the taniist, or heir-at-law (the “appearand heir” of feudalism) to put two questions : Was he lawful successor? and Was he willing to accept the Crown chiefship?”

During the inauguration of a chiefly office –

“The clan sennachie was now called in, and in the later practice “sworn” by the principal priest (the clan chaplain, say, the *coarb* of the “clan-saint” no doubt).....Clearly, the seannachie's oath was not of allegiance, but of the nature *de fidei administratione* ; for as custodian of the genealogy, it was his function to avouch the pedigree and to perform the inauguration. Sometimes the inaugurator was a sub-chief, like the Earl of Fife in Alba ; but amongst the Dalriad kings, he was the High Sennachie, the “Arch-Druid” as Lord Bute puts it.

“Here, or at the end, followed the Mass and after the Reformation, a sermon; whilst in the tribal inauguration, an oration upon the exploits of the chief's ancestors, and the grandeur of the clan – probably by one of the recorder-bards, and analogous to the Historiographer-Royal, whose province in the kingdom is rather its general history as distinct from the King of Arms/High Sennachie's sphere of legal administrator of the genealogical and chiefly records.”

“Reverting to the ceremony of the inauguration: The new chief's genealogy was declaimed by the clan *sennachie*, and the insignia of rule, the sword and a white wand were formally delivered. Such a ceremony is still appropriate, but (as in the case where the Ard-righ personally intervened to exercise his prerogative of inaugurating chiefs) if there be any doubt regarding the succession to the ‘representership’ and relative armorial insignia, the effective “inauguration” is now a matriculation of arms in the Lyon Register i.e. a constructive delivery *de Rege* by a picture on parchment, symbolizing the actual shield, crest and helmet of the former *ceann-cinnidh*, which ensigns of honour for distinguishing the group, the chief (as its representer) holds of and under the *Ard-righ* as the Fountain of Honour at the hands of his Commissioner the Lord Lyon – *Qui facit per alium facit per se* – who embodies, and has performed the duties of, the high *sennachie* and official inaugurator of the ancient Kings of Scots. Indeed, so that Lyon should be invested, to the extent of his Commission, with the full nobiliary prerogative of the King of Scots, he was summoned to dine at Holyroodhouse on the evening of his inauguration, when the Royal Crown of Scotland was set on his head 10.

“Well in front set a table, which may be covered with tartan; on the right some distance away, set the council of the clan, the “Family Council” or the Chiefly *derbfine* of nine persons... *An Marischal Tighe* (the seneschal) will marshal the proceedings according to the Law of Arms and order of the sennachie...”

“*An Sennachie* to the right, thence advancing after the chief has taken his first position” ... The chief takes his place between the chair and table, standing somewhat to the right, and *An Seannachie* advances centrewards near him, facing the table” The sennachie, as inaugurator, then commanded the insignia (i.e. the rod and sword) to be delivered to the new chief, either himself receiving them, and handing them to the chieftains entitled to make the delivery, or himself delivering them, and falling on bended knee, declaimed the genealogy in Gaelic back to the founder of the race, “Benach Dhe Ceann Cinnidh Alastair Mac Seumas Mac.....”.

“*An Marischal-tighe* now “desyres” the *sennachie* to “Show the Chief's pleasure” and the *Ard-righ's* confirmation. The *Sennachie* of the Chiefly House as Inaugurator now addresses the clan : “Clan Mac X...I here present unto you A...McX...of McX...the undoubted Chief of this Clan, inheritor thereof by the Laws of God and man, who is willing to accept the Chiefship” The clan reply, shouting, “God bless our Chief, and us for his cause”.

The *Sennachie*, Genealogist of the chiefly House, will then announce:

“There is here produced the Judgement/Diploma of the Lord Lyon King of Arms, His Majesty's Supreme Officer of Honour, confirming unto A...McX ...of McX...the ensigns armorial of the House of McX of

MacX (or avouching the addition to the Genealogies in the Public Register of All Genealogies and Birthbrievies in Scotland, of A...McX ...of McX...as now the stem, Representer and Chief, of the House of McX...of McX) and the same will now be read by An Bladier. At the conclusion of this reading the *sennachie* will cry, : “God Bless the Chief and the Clan” He then calls on the custodian of the inaugural place, or *An Marishal-tighe*, and himself on the right and the *marishal-tighe* on the left, conduct the chief to the chair. The *sennachie* now returns to the table, and hands the claymore to the “eldest cadet” (i.e. the representer of that house) who delivers the sword to the chief, who demands it 14 as of right. The *sennachie* now delivers the white wand to the latest cadet sprung from the chiefly stem, who delivers it to the chief, who now sits in the ancestral seat invested with the full insignia of chiefly authority.

The *Sennachie* now advances, and falling on one knee, hails the chief:

“Benach De A MacX, nighean y ...MacX ...de (MacX, or whatever the title may be) *Ceann Cinnidh* Clan Mac X (or *Ceann Tighe*, here the territorial title)”. (the genealogy being deduced back, in the case of a chief of a clan to its founder, and of a branch, to the eponymus of the branch). The clan chaplain, or coarb, then submits the chiefly oath: “Do you promise to be a loving Father/Mother to the Clan MacX...?” The clan *sennachie* then puts the general oath to the clan – which repeats it thus: “I swear and hold up my hand to maintain, defend and support thee, as I wish the Lord in my need to help me. Amen”. Etc.”

Durie .

Lyon Court Guidelines for the holding of a *derbhfine* or family meeting.

Historically, there was a rule of thumb that a 20 year period should elapse between the appointment of a Commander and the meeting of the *derbhfine* to consider a proposal for a Chief. The traditional function of a meeting of the *derbhfine* was a forum to discuss how to proceed rather than to consider a specific proposal of an individual. Now, the *derbhfine* is considered to have amore determinative purpose, and an opportunity for everyone – attending or not – to have their views taken into account. The 20-year waiting period is considered too long, but five years too short for a Commander to get established, form a clan/family society or organisation (if required) and for clan and family members worldwide to get to know the Commander and consider whether he or she is the appropriate person to fill the position – 10 years is now considered sufficient time, in these days of fast, global communication and travel.

If and when an application is made for a Commander to be considered for Chief, it will be important to consider what the Commander has active in, want the level of satisfaction or dissatisfaction is, and whether any other credible candidate has come forward or otherwise emerged.

It therefore seems sensible for the role of a meeting of the *derbhfine* to change to one which has a specific clear purpose and also for a means to be provided for those unable to attend to make known their views.

There are generally five circumstances in which a meeting of the *derbhfine* mightbe called.

1. Where the appointment of a Clan Commander is sought.
2. Where a blood link to a past Chief is very likely but is not conclusively proved and it is wished to propose a particular person to be confirmed as Chief.
3. Where the main line of descent from a past Chief has died out and it is wished to confirm the Representor of another line as Chief.
4. here no identifiable descendant from the last known Chief can be found and it is wished to propose a particular person to be confirmed as Chief
5. Where a ‘clan’, ‘family’ or surname group has never had a Chief but seeks the appointment and recognition of one.

In the first case, the genealogy of the applicant may not be particularly relevant, but the applicant has the support of the clan or family.

In the second and third cases, there may not be a *derbhfine*, but Lyon may be asked to confirm the applicant as Chief for aught yet seen. , However, the clan or family may wish the *derbhfine* to meet, especially as it is important that there should be no likelihood known of a competing claim. Also – and in the fourth case – it is important that the members of the clan or family in general should support the proposal, and that it can be shown that sufficient time has passed for any competing claims to emerge and to have been dealt with appropriately.

In the fifth case, there is also the question of whether the surname group should be accorded the legal status of a clan or family.

AD HOC DERBHFINE – from Lyon Office, April 1992.

1. As from 1st May 1992 where a Chiefship or Commandership is to be determined by means of an *ad hoc derbhfine* it will be necessary for any candidate selected and recommended to the Lord Lyon King of Arms to have been domiciled and habitually resident in Scotland for a period of three years before such recommendation and submission and he, or she, must be so domiciled or resident at the time recommendation and submission is made.
2. To avoid any possibility of last minute picking of an *ad hoc derbhfine* I have decided that before any person can take part in a *derbhfine* a Warrant authorising the preparation of Letters Patent of Arms, or an Interlocutor authorising Matriculation of Arms, must have been signed in favour of such a person at least a year and a day before they take part in the *derbhfine*.
3. It should be borne in mind that membership of the *derbhfine* shall consist of those who are in right of a Scottish Coat of Arms (matriculated within the last three generations to cover the holding of the Armorial Bearings on apparencey), or owning at least a small holding of land outwith a Burgh but which is not a mere building plot. The owner of the Armorial Bearings, or of the land, will not require to be domiciled/resident in Scotland.

4. It is emphasised that the Armorial Bearings must be Scottish and that those with a Scottish surname, but with Arms granted by the English Kings of Arms, or by the Heraldic Authority of any other State, will not be acceptable.
5. With regard to those with compound surnames, it is the last name of the compound surname that will determine the Family or Clan to which the owner of the compound surname belongs (see Findings in Fact (14) and (15) and Findings in Law (2) and (3) in the Petition of Sir Hugh Vere Huntly Duff Munro-Lucas-Tooth, Baronet, 1965 - Scots Law Times - Lyon Court Reports p.3).
6. Eldest sons of armigers who have a right to the Arms differenced by a label of three points may not vote. The position is frequently found where a tutor or guardian has matriculated Arms for a younger pupil/minor child and in such circumstances such tutor or guardian will not be in a position to record a vote on behalf of their child. Keeping in mind the terms and provisions of 'The Age of legal Capacity (Scotland) Act 1991' the vote of an armigerous child will be receivable on that child attaining 16 years of age. If Armorial Bearings have been matriculated for such a child for a period of a year and a day before the sixteenth birthday that child will be in a position to vote on attaining the age of 16 years.
7. Lyon will only receive a nomination following a *derbhfine* provided that *derbhfine* has been supervised by an Officer of Arms or by another person approved by Lyon who will submit to Lyon a Report on the conduct of the proceedings. (see 2. i.,below).
8. Where a person has been appointed a Commander for a period of time following a recommendation from an ad hoc *derbhfine* such a person may be re-selected under the old regulations. It would seem unreasonable for such people to have to seek re-submission under the new rules.

Procedure to be followed in future – Lyon Court, February 2002.

1. In future there will normally be a minimum period of 10 years between the appointment of a Commander and an application for a person to be considered for Chief. A Commander will normally be appointed for a 5 year period and re-appointment for a further 5 years will be considered by Lyon without any further *derbhfine* being required. Where a 20 year period has been either set down or advised in the past, this will no longer apply.
2. The following rules must be observed in the conduct of any meeting of the *derbhfine*. These are designed to ensure that members of a clan generally are aware of what is proposed and have an opportunity to make their views known.
 - i. One of HM Officers of Arms, or a person approved by Lyon, must be appointed to supervise the meeting of the *derbhfine*. This must be arranged before any notice under (iv) below. The fee charged by the supervising officer will be a matter for the clan.
 - ii. The supervising officer's role is to act as an impartial Chairman and to make an objective report to Lyon.
 - iii. The members of the *derbhfine* will be as provided for in Lyon's 1992 Rules a copy of which is annexed. However these new Rules will also provide a means whereby non-armigerous and non-landed clan members can express their views. The supervising officer and the *derbhfine* will be made aware of these views but the *derbhfine* will not be bound by them.
 - iv. Notice of any meeting of the *derbhfine*, in a form approved by the supervising officer, must be given not less than 6 months prior to the date set for the meeting, in all clan and clan association journals or newsletters and on any clan or clan association website.
 - v. The notice must state the date and place of the meeting and the purpose for which it is to be held including the name(s) of any candidate(s) to be proposed for appointment. it must give the name and address of the supervising officer to whom further enquiries are to be directed.
 - vi. A further notice must be given not less than 6 weeks prior to the meeting by public advertisement in a national newspaper circulating in Scotland and the same notice must also be posted on the clan and clan association websites.
 - vii. The notices referred to in (vi) must give details of the arrangements for views to be submitted by non-armigerous and non-landed clan members. The supervising officer will require to decide how this is to be done but it should probably involve a paper containing the name, address and signature of the sender being sent to the supervising officer. It is recognised that the collection of views of clan members is not an exact science. It is not the intention that the supervising officer should have

to decide whether a person who submits a view is or is not a member of the clan. The purpose of this mechanism is to provide a means for the rank and file to express their views. The *derbhfine* and Lyon will have to decide what weight to give to them.

- viii. At the meeting of the *derbhfine* the supervising officer will, prior to any decision being taken, inform the members of the *derbhfine* of the result of any views by non-armigerous and non-landed members which have been submitted under (vii) above.
- ix. Non-members of the *derbhfine* may attend and speak but will leave the meeting before any decisions are taken and members of the *derbhfine* itself will be the only people to take part in any decision of the *derbhfine*.
- x. The report submitted to Lyon by the supervising officer will include details of the various steps taken under the above procedure and in particular, in addition to the decision and views of the *derbhfine*, will refer to (and if need be comment on) the views of the non-members of the *derbhfine* as expressed under (vii). The report will be confidential to Lyon and should contain such information as the supervising officer regards as being of importance to Lyon in reaching a decision.