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Differences between Being a Woman in Celtic and Medieval Society

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Differences between Being a Woman in Celtic and Medieval Society

Rozdíly mezi životem ženy v keltské a středověké společnosti

Bakalářská práce

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Abstract

The aim of this paper is to analyse the differences in various life aspects of women in two different societies and in two different periods in Britain.

This bachelor paper deals with the differences between being a woman in Celtic and Medieval society.

It mainly focuses on the analysis of the differences in the status and position of a woman in both societies.

Apart from that, the paper also deals with the possibility of women in both societies to choose their future partner and marry, inherit property and the possibility to divorce which is all closely connected to the status and position they had in the society.

Abstrakt

Cílem této práce je analyzovat rozdíly v různých aspektech života žen ve dvou odlišných společnostech žijících ve dvou odlišných obdobích v Británii.

Tato práce se zabývá rozdíly mezi životem ženy v keltské a středověké společnosti.

V této práci jde především o analýzu rozdílů ve společenském statutu a postavení žen v obou společnostech.

Kromě toho se tato práce dále zabývá možnostmi žen v obou společnostech vybrat si svého budoucího partnera a vdát se, zdědit majetek a také možnosti se rozvést. Vše úzce souvisí s jejich společenským statutem a postavením, které měly v dané společnosti.

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Introduction

Men and women have always lived together in a society. In some societies, they were equal and had the equal social status. In others, one was made superior and the other was just obeying his orders. All this has been changing through centuries. The aim of this paper is to analyse and compare the situation in the Celtic and Medieval society. The differences between various aspects of life of the Celtic and Medieval women as well as their status and their position in the society will be analysed.

Generally said, no matter in which society a woman lived or what the actual status and the position of a woman in that society was, there was always hope for improvement, as it can be seen in the quote of Susan B. Anthony.

The day will come when men will recognize woman as his peer, not only at the fireside, but in councils of the nation. Then, and not until then, will there be the perfect comradeship, the ideal union between the sexes that shall result in the highest development of the race.

Susan B. Anthony (feminist.com)

Unfortunately, even now in the twenty-first century, women in some societies have similar status and position as women had some centuries ago which is confirmed by what Peter Berresford Ellis states in his book about Celtic women:

“In the area of women’s rights much of the long struggle is only to regain what was once enjoyed by Celtic women fifteen hundred years ago.”

Peter Berresford Ellis (Celtic Women, 15)

This quote indicated that the position and the status of the Celtic women was quite high and in a way similar to the one present women have.

As it was written above, this paper will analyse the possible differences in the various aspects of life of women in the Celtic and Medieval society.

In the first chapter, both societies in general are going to be analysed and compared in order to have better understanding of the status and the position a woman could gain in them.

The following chapter will deal with the status and the position of women in both societies in more detail than the previous chapter. In this chapter, job possibilities and participation in warfare will also be examined.

In the third chapter of this paper the subject matter of marriage is going to be analysed. The whole chapter is divided into three parts. The first one deals with the development of the marriage laws and the perception of marriage in both societies. In the second part the possibility of choosing a partner and the age required for marriage in each society is analysed. Finally, the last part provides the analysis of the status and the position of a wife and examines possible changes in the status in the case a woman became a widow. The fourth chapter is closely related to the third chapter for it deals with the divorce and other possible ways of the marriage termination in both societies. It mainly focuses on the accessibility of the divorce in each society as well as on the grounds of the divorce in both societies.

The last part of this paper is dedicated to family and children in both the Celtic and Medieval society. At the beginning of the chapter the shape and conception of the family in both societies is analysed. The analysis further continues with the perception of the family, bearing of children as well as the looking after them.

1. Celtic and Medieval society

In this part of the paper, prior to the comparison of the position and the status of a woman in the Celtic and Medieval society, general features of both societies will be examined and compared in order to better understand to the position women had in them.

Before both societies will be compared it is necessary to define the main term – society. Two definitions will be provided in order to obtain the broadest meaning of the term.

The first provided definition is from the Compact Oxford English Dictionary and is as follows:

Society is the aggregate of people living together in a more or less ordered community. It is a particular community of people living in a country or region, and having shared customs, laws, and organizations.

(Compact Oxford English Dictionary)

The following definition is from The Free Dictionary:

“A group of humans broadly distinguished from other groups by mutual interests, participation in characteristic relationships, shared institutions, and a common culture.”

(The Free Dictionary)

It is apparent from both definitions that typical features of society are a group of people with mutual interests, customs, laws and organizations, who are living in the same region. The following analysis will examine some of these features in both Celtic and Medieval societies.

As John Weston writes, considering the Celts and their society, there is not much evidence and information that survived except for what Julius Caesar wrote about them in his books (John Weston). Simon James claims, that it is mainly due to that most of the Celtic societies and people were non-literate. Instead, they had excellent oratory skills and it is believed that their large oral literature that is considered to be very sophisticated equalled to the one of Homeric Greece (James, 52).

Lyn Webster Wilde believes, that people now known as the Celts appeared around the year 500 BC when they were spreading out East, West and South from their homelands in Central Europe. They were considered as a vigorous, warlike race, with skills in metal working, horsemanship and as a race that was always keen to trade (Wilde, 12). As Lyn Webster Wilde further reveals, the Celts were seen as a savage and barbarous people by the Romans. On the other hand, the Romans admired their courage, aggression and were often intrigued by their alien traditions (Wilde, 13). As Simon James adds, the classical writers also admired the mental agility and eloquence of the Celts. Caesar himself was surprised by the wit of the Celts and their adaptability and quickness to learn especially their speed of copying aspects of Roman military tactics which caused him troubles in the 50s BC (James, 52). According to Richard Hooker, typical Celtic warfare tactic was to stand in front of the opposing army, scream and beat their spears and swords against their shields. Then, they ran towards the opposing army and screamed the whole way which often had the effect of scaring the opposing army (Richard Hooker). Others, according to Lyn Webster Wilde, were put out of countenance by the Celtic military habit of hacking off the heads of enemies who they defeated in battle and which they were proudly taking home as keepsakes (Wilde, 13). Defining and analysing the Celtic society and the Celtic social structure is not as easy as defining and analysing of the Medieval society and Medieval social system. It is due to that not much evidence from that time survived, as it was said earlier, and also because the sources, which were consulted for the purpose of this paper, that are writing about the Celtic society and social system do not agree with one assent on the shape of the Celtic society. Some of the sources claim the society was tribal, kinship-based, some claim it was class-based and some of the sources are not even sure whether it was somehow hierarchical at all.

Despite this might be seen as impasse, Miranda Green comes with a good solution to this situation by saying that no matter what social groups existed in the Celtic society at any time and place, it was a hierarchical and inegalitarian society where individuals were by no means equal before the law. It was a society based on variations of status and honour and preservation of this honour. Each grade of society was in accordance with the Irish law, given so called “honour-price” which established the amount of the legal rights an individual had (Green, 90).

According to Jennifer Tumanda, the Celtic social system was important for maintaining law and order among the people. It was a part of the Celtic legal system. The whole social system had been changed and modified due to different circumstances that influenced the Celts (Jennifer Tumanda).

As Simon James writes, the most basic division of each society is between men and women and in the Celtic society, women, especially the noblewomen enjoyed much better role than in any other society (James, 52).

Lyn Webster Wilde suggests that the Celtic society was divided into three basic groups or classes. The first group was called the spiritual and intellectual elite which included bards, prophets and druids (Wilde, 13). Druids, according to John Michell, were the unifying bond between the Celtic tribes. They were superior to every tribal chief. They preserved culture, religion, history, laws, scholarship and science. The Druids were also managing the higher legal system and the Court of appeal as well as their colleges. As it was mentioned above, the Celtic society was mostly non-literate, therefore, everything was preserved orally. The Druids also preserved their knowledge orally in verse. As Caesar notes there were so many of the verses that it could take twenty years to learn them (John Michell).

The second group of the Celtic society was, as Lyn Webster Wilde reveals, an aristocratic warrior class from which the kings were elected. Farmers who looked after the animals and who tilled the land, were the last group of the Celtic society (Wilde, 13).

Simon James adds to this subject matter, that except for these distinct classes and ranks, Celtic society might have various other social subdivisions, such as age-sets which were something as social club nowadays. Young man in the Celtic society could enter them when they reached manhood (James, 53).

According to Richard Hooker the Celtic society was tribal, kinship-based and one's identity was defined from the larger tribal group (Richard Hooker). The tribes, in the opinion of Simon James, were governed by kings or chiefs (James, 53).

As Kathryn Pierce writes, there were two tribal groups: the smaller one was so called Fine which was equivalent to extended family and it was what defined the individual before the law. Another, bigger group which was equivalent to the tribe was called the

Truath and was usually made up of one or more Fines (Kathryn Pierce). The Truath was then divided into the three classes, which were mentioned above.

In order to conclude the analysis of the Celtic society, findings of John Richardson will be provided. As he reveals, the Celtic society was as follows.

A social pattern in which a tribe or village is governed by the assembled free citizens and a council, and the office of a king or chieftain, at least in the simpler societies, is elective. It was a stratified society, its component levels bound to one another by a system of obligations and privileges, with a ruler of greater or lesser power, and aristocracy which often also embodied a warrior corps elite, a priesthood, and a basic population of agricultural workers and craftsmen.

(John Richardson)

The above provided quotation is a good conclusion of the discussed shape of the Celtic society, which was hierarchical, consisting of smaller parts that were mutually bounded. The position of individual depended on the privileges not on the birth status.

It was mentioned above, that to define and analyse the Medieval society and social structure will be much easier than to define the Celtic one. It is so, because much more information and written evidence from that time were preserved and survived.

Unlike the Celtic society, society in the Middle Ages was definitely a class based society. It was also called feudal. The reason for that, will be explained in the following part.

According to David Ross, the social structure of the Medieval society was organized round the system of Feudalism which in practice meant that the country was not governed by the king but by individual lords or barons, who administered their own estates, dispensed their own justice, minted their own money, collected taxes, tolls and demanded military service from vassals (Ross).

Steven Kreis claims, that the Medieval society was divided into three main groups-those who pray, those who fight and those who work. In other words it was the peasants, nobility and clergy (Kreis).

As Albert Nofi and James Dunninghan write, everybody had their place in the Medieval society. In their opinion, the nobility made about three percent of the population. The clergy were another five to ten percent and remaining almost ninety percent, were the commoners who are sometimes referred to as peasants. About ten to fifteen percent of

the commoners lived in towns and cities, while the rest of them lived on and worked the land. About a quarter of the commoners were the serfs , one step up from the slaves. The rest were free to one degree or another and many owned the land they worked on. As they further reveal, there was not much social mobility in the Medieval society but there was a chance to improve one's status by entering a service in the aristocratic household, as the nobles were always looking for young commoners to enter the service. Thus many young men and women started their successful careers. Another possibility of improving the status, especially for diligent commoner children, was the church (Nofi, Dunninghan).

It was written earlier, that the most basic division of each society is between men and women. As Jacques Le Goff says, due to this triple scheme organization of the society in the Middle Ages, women had no special position, which is apparent from what he later notes in his book.

Still the Medieval men considered a woman as a category. Only after a long period they started to use the social differences and vocational activities for distinguishing various models of behaviour, which were attached to women. Whether being a countrywoman, noble or saint, a woman was firstly defined by her body, sex and her family relationship. Legal status and the everyday morality of wives, widows and virgins depended on their relationship with men or a group of men.

Le Goff (Středověký člověk a jeho svět, 241)

This clearly demonstrates the position a woman had in the Medieval society. It could be said she was of no importance and was considered rather as a thing and category than as an intelligent human being.

The status and the position of a woman in the society will be analysed in greater detail in the following chapter.

2. The position and the status of a woman in the society

In the previous chapter considering the shape of the Celtic and Medieval societies the position and the status a woman could acquire was only foreshadowed. In this chapter, it will be examined and analysed in greater detail.

In some of the aspects of life, there were great differences between the two societies and in some, the differences were not that apparent and big.

As it was mentioned earlier, unlike women in other societies, including the Medieval society, women in the Celtic society, especially the noblewomen enjoyed much better role. According to Heather Savino, Celtic women were allowed much freedom of activity and enjoyed better protection under the law (Heather Savino). The freedom of the Celtic women might arise from what Eva Prášková writes in her article about the Celtic society. She reveals that women in the Celtic society enjoyed such freedom mainly due to the fact that, unlike in the Medieval society, for the Celts the actual abilities, qualities and skills of the people were much more important than their sex or their body (Eva Prášková).

Pride and honour were the most valuable personal qualities in the Celtic society and according to Simon James, Celtic women had a very high sense of personal honour and every insult or injury which happened to them, required an appropriate revenge which is evident from the story of Chiomara, the wife of the Galatian noble Ortiagon.

Chiomara was once captured by the Romans and fell into the hands of a Roman centurion, who tried to seduce her. Failing to do so, he raped her. In the end, Chiomara managed to convince the centurion that her people would ransom her. The centurion, pleased by the deal and the prospect of wealth agreed to Chiomara's plan. As it was arranged, Chiomara's people brought the required money to a secret place and when the centurion came to collect it, they killed him. Chiomara then returned back home to her husband showing him the head of her attacker and saying: "Only one man should be alive who had intercourse with me." (James, 66-67).

The phrase Celtic women itself, elicits various kinds of images which can be found in various kinds of literary sources. In order to keep the original atmosphere, the feelings of the ancient writers and authenticity of the utterances, mostly quotations of the sources will be provided.

Peter Berresford Ellis in his book about the history of the Celts quotes a classical Roman writer Ammianus Marcellinus when talking about Celtic women:

A whole troop of foreigners would not be able to withstand a single Celt if he called his wife to his assistance. The wife is even more formidable. She is usually very strong, and has blue eyes; in rage her neck veins swell, she gnashes her teeth, and brandishes her snow-white robust arms. She begins to strike blows mingled with kicks, as if they were so many missiles sent from the string of a catapult.

Peter Berresford Ellis (Brief history of the Celts, 82)

Marcellinus then described their voices which were formidable and threatening as well as the appearance of the women. He also remarked, that Celtic women were keen to keep themselves neat and clean and it would be a big shame for them to appear in soiled or ragged clothes. (Ellis, Brief history of the Celts, 82)

According to the several quotes of the various Roman people Pete Pizza recorded in his article, Celtic women had a fearsome and admiring effect on them which is apparent from what one unknown Roman soldier wrote about Celtic women:

A Celtic woman is often the equal of any Roman man in hand-to-hand combat. She is as beautiful as she is strong. Her body is comely but fierce.

The physiques of our Roman women pale in comparison.

(Pete Pizza)

Another comment on Celtic women Pete Pizza mentioned in his article comes from a Roman historian Marcus Borealis. As Marcus Borealis wrote, the Celtic women were bigger than the Roman women, which as he thought, was due to the fondness of the Celtic women for everything martial and robust. Also, as he remarks, unlike the Roman women Celtic women were trained in sports and war. (Pete Pizza)

Probably the most famous and the most significant Celtic female warrior and leader was queen Boudicca of Iceni.

In the opinion of Peter Berresford Ellis, the name Boudicca means victorious. She was the wife of Prasotagus, the king of Iceni and had two daughters who often fought by her side in the battle. As Dio Cassius claims, Boudicca, among her other offices was a priestess of the goddess Andrasta, a goddess of battle and victory. It is also possible that Boudicca was a Druidess (Ellis, Celtic Women, 85, 93).

From the previous quotes about the appearance of the Celtic women, it could be said that Boudicca was kind of an archetype of the Celtic woman which can be seen in the Dio Cassius' description of Boudicca. On her physical appearance Dio Cassidus wrote following. She was very tall and of terrifying appearance. Her eyes were fierce and her voice was harsh. She had a mass of thick tawny hair which fell to her hips and large golden neck-ring around her neck (Ellis, Celtic Women, 85).

According to the Tri Spiral journal, women of the Celts, equally to men, could apply for all offices and professions. They could be political leaders, command their people in battle as warriors, serve as physicians, local magistrates, poets, artisans, lawyer and judges. They were protected by law against sexual harassment, discrimination and rape. Also, they could inherit personal property and land (Tri Spiral journal, 3).

J.A Maudit writes that Celtic girls, compared to the Medieval girls, were even free to choose their future partner and came into marriage with equal part of property (Maudit, 115).

As Peter Berresford Ellis adds to this that unlike Medieval women, the women of the Celts remained the owners of everything they brought into marriage (Ellis, Brief history of the Celts, 92). More information about the choice of partner, marriage and inheritance will be provided in the following chapter.

It was written earlier in this chapter, that the situation considering the position and the status of a woman in the Medieval society was quite significantly different than in the Celtic society and that Medieval men considered a woman as a category rather than a human being.

As camelotintl.com remarked, Medieval women in general were seen as subordinate and according to the Church their main duty was to be obedient and submissive to their fathers, brothers and husbands (camelotintl.com).

Also, as learner.org claims, women whether they were noble or peasant, had a difficult position in the society. They were largely bounded to household tasks such as cooking, baking bread, sewing, weaving and spinning. They also hunted for food and fought in battles, learning to use weapons to defend their homes and castles (learner.org).

Christiane Klapisch-Zuber adds, that before the woman was seen as peasant, noble or anything else, she was defined by her body, her gender and most importantly by her

relations with family groups. The style of her daily life as well as her status in front of the law always depended on her relation to a man or a group of man.

Henrietta Leyser joins Zuber's opinion by saying that Medieval women, on the contrary to the Celtic women, were categorised according to their sexual status. Thus they were only considered as virgins, wives or widows having no special place in the society (Leyser, 93).

The only respect or appreciation they enjoyed, was maybe due to what Earl Gerald (Gearóid Iarla) said in the fourteenth century:

“It is a truism that there has never been born bishop, king nor saintly prophet but from the womb of a woman; therefore, woe to him who speaks ill of women”

Peter Berresford Ellis (Celtic women, 14)

Having finally recognized that everybody comes from a woman, Medieval men and the society in general showed at least a little bit of respect and gratefulness to women.

This might seem as a good thing for the Medieval women but in the opinion of Jacques LeGoff it was not that good as women except for being considered as a category were considered as a kind of a mechanism subordinated to the reproduction of the family.

(LeGoff, Medieval World, 23)

Camelotintl.com claims that all women be they married or not, had to work for living. As they were paid less than men, they often had to combine several jobs. Most of them had to work for a living in the fields with their husbands and fathers as well as feeding and clothing their families at the same time. In the towns, women could work in quite a broad variety of occupations. They might be shopkeepers, spinners, bakers or alewives.

A lot of single women earned their living by spinning cotton. Moreover, a lot of unmarried women entered convents and nunneries which offered religious life to them. They could even be educated there and take on responsibilities which they did not have in the world outside the nunnery (camelotintl.com).

By no means, as channel4 writes, could the Medieval women take part in the government or the law and could not attend university. (channel4)

In the opinion of Werner Rösener, from the twelfth and thirteenth centuries the position of both peasant and noble women improved. The public image of the woman obtained

new dimensions which gradually increased the reputation of the woman in the society in general as well as in the family (Rösener, 185).

The position and the status a woman generally has in the society is closely connected with the status and the position she has or she can obtain after she gets married. Therefore the analysis of the marriage perception, marriage laws, the status of a wife and a widow will be the subject of the following chapter.

3. Marriage

This chapter will be dealing with the marriage in the Celtic and Medieval society.

At first, the term marriage is going to be defined, then the laws regulating marriage will be mentioned, later the choice of a partner and the required age for marriage in both societies will be examined and finally the status of a married woman and a widow will be discussed.

First of all, the definition of the main term that will be mentioned throughout the whole chapter.

MARRIAGE - A contract made in due form of law, by which a free man and a free woman reciprocally engage to live with each other during their joint lives, in the union which ought to exist between husband and wife. By the terms freeman and freewoman in this definition are meant, not only that they are free and not slaves, but also that they are clear of all bars to a lawful marriage. It is a contract intended in its origin to endure till the death of one of the contracting parties. It is dissolved by death or divorce.

The 'Lectric Law Library's Lexicon

3.1. Marriage laws and perception of marriage in the society

Now, that the main term is defined, we can focus on the perception of marriage and the marriage laws in the Celtic and Medieval society.

First, marriage laws and their development will be mentioned as well as the role of the Church. This will help us to understand to the various practices and general attitude towards marriage of the time in the societies that will be mentioned later on.

According to Peter Berresford Ellis, the marriage in the Celtic society if it was somehow regulated, it was regulated by several law texts such as the Cáin Lánama¹, Bretha Crólige and Welsh Laws of Hywel Dda (Ellis, 122-123). Even though Peter Berresford Ellis states, that in the Irish system the marriage was considered as unification of finance and property, as an institution, a legal contract about finances,

¹ an Irish law text dealing with the subject of marriage

Simon James adds to the perception, the status of the marriage in the Celtic society, that it was still considered a kind of partnership rather than a pure contract (Ellis, Celtic Women, 123), (James, 66).

As Peter Berresford Ellis states, from the early Celtic times the Celtic marriage was a polygamous institution. This was based on the fact that men and women could have various sexual relationships, which was criticised mainly by the Church but justified by *Bretha Crólige* which propped upon the Old Testament especially this part:

“the chosen people of God lived in plurality of unions, so that it is not easier to condemn it than to praise it.” (Ellis, Celtic Women, 122).

This also illustrates the role and the power of the Church in the Celtic times. The Church in the Celtic society was not that powerful as in other societies. Though its power was increasing in the Celtic society, there were more respected authorities like druids or the law texts which were mentioned above.

The polygamous principle of the Celtic marriage and the sexual freedom are evident from what Peter Berresford Ellis writes in his book. Considering the polygamous marriage Ellis mentions what Caesar recorded and that is: “Wives are shared between groups of ten or twelve men, especially between brothers and between fathers and sons...” Ellis (A brief history of the Celts, 90).

On the sexual freedom Simon James says following in Exploring the world of Celts “It seems clear that in sexual relations Celtic women were much more open and independent than Roman women.” This attitude and behaviour was frequently criticized not only by the Church but also by the Romans (James, 66).

One of such cases is recorded in the book of Peter Berresford Ellis. The incident happened in the early third century AD between the Roman empress Julia Augusta and the wife of a north British chieftain Argentocoxos. After the wife of Argentocoxos received the criticism from the Roman empress it is said that she turned to her and replied with nobility:

We Celtic women obey the demands of Nature in a more moral way than the women of Rome. We consort openly with the best men but you, of Rome, allow yourselves to be debauched in secret by the vilest.

Ellis (A brief history of the Celts, 92)

This quote clearly demonstrates the difference in the attitude towards polygamy in the Celtic society and other cultures and shows a kind of liberalism and different values of the Celts.

Lyn Webster Wilde believes, that two main factors contributed to this liberalism. The first one is the fact that the Celtic women were much more sensitive considering their own bodies. Also, they lived in a close contact with other bodies therefore desire could be considered as immediate sensation for them which was easier to experience and satisfy in such community. The second factor was the fact that since their early teenage the women were either pregnant or breast-feeding therefore the interval when they felt desire and enjoyed intercourse was limited (Wilde, 34).

According to Peter Berresford Ellis, the fact that was different to the marriage in other societies can be seen in the *Cáin Lánama* law text, which defines nine specific types of union between a man and a woman (Ellis, *Celtic women*, 122).

In some types of the marriage unions, futuristic elements can be found. By the futuristic elements similarity with present day practices or present day attitude towards marriage are meant in this case.

In order to show and emphasize the diversity of the Celtic marriage, all nine types of union are going to be mentioned and explained.

As the *Tri Spiral* journal points out the types of marriage unions were following: the first type of the marriage union was called *lánamnas comthinchuir* or also a marriage of the first degree. This marriage took place between partners of equal rank and property. In this type of union thus both partners contributed moveable goods into the union. The woman in such union was called a wife of joint authority.

The second type was *lánamnas mna ferthinchur* or in other words a marriage of the second degree, in which the woman had less property than the man and was supported by him. The third type was *Lánamnas fir bantichur* – the marriage of the third degree. Here the man had less property than the woman and had to agree to management of the woman's cattle and fields. Fourth type of marriage union was *Lánamnas fir thathigthe*, marriage of the fourth degree which was the marriage of the loved one in which no property rights changed hands, though children's rights were safeguarded. Another type was *Lánamnas foxail* or the marriage of the fifth degree which was the mutual consent of the man and woman to share their bodies, but live under separate roofs (*Tri Spiral*

journal, 6-7). The sixth and seventh type was called *Lánamnas foxail agus lánamnas táide* when a woman allows herself to be abducted without her kin's consent. This marriage was valid only as long as the man could keep the woman with him. It was also seen as temporal and primary sexual union Peter Berresford Ellis (Ellis, *Celtic women*, 122). *The eight type*, *Lánamnas éicne no sláithe* arose when the man seduced a woman through lying, deception or taking advantage of her intoxication. Also, it was considered as the marriage by rape. (Tri Spiral journal, 7). The last type of marriage, *Lánamnas genaige* was the marriage of two insane people (Ellis, *Celtic women*, 122).

As we could see above, there are various types of the Celtic marriage which was not found in any other society.

The text proceeds to the analysis of the development of the marriage laws, the role of the Church in the Medieval society are going to be described and compared with the situation in the Celtic society.

According to H. R. Loyn, the Church at the end of the twelfth century was an institution that owned a significant portion of land, financial and legal rights over the people in the parish (Loyn, 270). As H.R. Loyn writes, throughout the years the Church gained more power as an institution responsible for the making and maintaining the records in the matter of transferring of land at marriage agreement (Loyn, 273).

Also, as Henrietta Leyser describes, another matter where the Church showed its power was, when the Church attempted to make the church the right place in which the couple should be married for it was quite a common thing during the Middle Ages, that couples married all over the place like under trees, in fields, kitchens and inns (Leyser, 110). Werner Rösener reports that it was not until the mid sixteenth century, when the church wedding was established by the Council of Trent as the only legal form of marriage (Rösener, 180).

It is now apparent that the Church in Medieval society enjoyed bigger power compared to the Church in the Celtic times. The power thus enabled the Church to intervene more in the customs of the society especially in the marriage customs where the Church played a significant role.

Unlike in the Celtic society, the marriage in the Medieval society was not at the beginning of the period clearly regulated by any law. As Henrietta Leyser says, it was so, until the twelfth century. A lot of non-Christian sexual practices such as

concubinage, adultery and incest had been practised in that time which was a thorn in the Church's side. In order to stop this and make the union of a man and a woman socially and mainly religiously recognized, the church had to create and introduce a constant theory of marriage and wedding liturgy.

The theory that was then introduced by the Church was not a completely new one. It just returned to the idea that it was the agreement of the couple what made the marriage, no more, no less. This attitude of the Church caused a debate whether it is really just the agreement of the couple that makes the marriage. According to a Bolognese lawyer of the mid-twelfth century, a sexual intercourse was necessary in order to strengthen the alliance. On the contrary, Peter Lombard, an Italian theologian, and his school claimed, that the intercourse was not necessary. For them, the words "I take you as my wife... I take you as my husband" had the necessary force to establish such alliance. The strongest argument to support Lombard's theory was the alliance of Mary and Joseph in the sense that if intercourse was really necessary, how could they be regarded as married when Mary was said to keep her virginity throughout her life. This was strong enough argument for the Church and the Lombard's theory was thus accepted into the law by Pope Alexander III (Leyser, 106-109).

Now, that the development of the marriage laws and the power of the Church have been explained, the analysis will focus on the perception of marriage in the Medieval society. As it was mentioned above, the marriage in the Celtic society even though considered as unification of finance and property, as an institution, a legal contract about finances, was still seen as a kind of partnership rather than a pure contract. In the Medieval society it was mainly considered as the contract. As Werner Rösener writes:

Especially, in areas which had been influenced by Germanic law, marriage had in the early Middle Ages been primarily a legal contract between two peasant kinships of families...

W. Rösener (Peasants in the Middle Ages, 178-179)

David McDowall agrees with Rösener when he says:

"Marriage was usually the single most important event in the lives of men and women. But the decision itself was made by the family, not the couple themselves."

This is another proof of what has been said earlier about the nature of the marriage in the Middle Ages (McDowall, 62).

Marriage, as H. R. Loyn states, was also perceived as an important diplomatic weapon where the Church and the churchmen played a prominent part.

This attitude towards marriage in that time, gave rise to a significant number of arranged marriages all over the social scale of the society (Loyn, 274). It is evident from what Werner Rösener writes in his book about peasants in the Middle Ages:

Peasant marriages in the Middle Ages were by no means love matches, or the wedding ritual an emotional ceremony, but rather a sober legal contract between two clans. In many respects the bride was merely a legal object in the hands of the male relatives, and not a legally responsible individual. In most cases it was the father of the bride, or her next of kin acting as her family guardian, who conducted the engagement as well as the marriage itself.

Werner Rösener (Peasants in the Middle Ages, 178-179)

This quote verifies the fact about marriage all over the social scale of the Medieval society that was mentioned above and shows a bride more as a kind of commodity than a human being.

Henrietta Leyser adds to the subject matter of the arranged marriages that it was the establishing of the peace between two families that was the main motive of the arranged marriages (Leyser, 119-120). Christiane Klapisch-Zuber joins Henrietta Leyser in this opinion which is apparent from what she writes about marriage as she admits, marriage was primarily a peace act which put an end to any enmity or conflict between two families and commenced and guaranteed peace (Klapisch-Zuber, 287).

The development of the marriage laws and the role of the Church in both societies have been discussed, therefore, the analysis can continue with the choice of a partner and the required age for marriage in both societies.

3.2. Choice of partner and the required age for marriage

In this part of the paper, the possibility of the free choice and the choice of the future partner in general, the age required for marriage in both the Celtic and Medieval societies are going to be analysed.

Regarding the free choice of the future partner, according to J.A. Maudit, Celtic girls had a much better position than the girls in the Middle Ages. The medieval girls, as revealed in the previous part, were often considered as a commodity in the marriage agreement between two clans or families, thus by no means had the free choice of their future partner. For them, the marriage was definitely not a love match as it could be for the Celtic girls for they had this choice of their future husband even though it was a bit regulated (Maudit, 115). As Tri Spiral journal claims, there was a certain list of so called “disqualified” men, which were excluded from the girl’s scope of choice. A disqualified man could be a man who was for example infertile, very obese and thus he was said to be unable to fulfil his duty, or someone that was in Holy Orders, a rockman which meant that he had no land and therefore no household. As the journal point out, this regulation did not apply only to men, which only stresses the balance of the genders in the Celtic society. According to the journal, even women had to have certain qualification. The most important was spinning as every woman that marriageable woman must have a certain level of spinning skills in order to qualify for marriage. Some man also followed a proverb from the Triads when choosing a wife. The proverb recommended the men to look for a woman with a pleasant speaking voice, the ability to sing sweetly, a woman that is skilled at embroidery and a woman who is wise (Tri Spiral journal, 7-8).

Another significant demonstration of equality between men and women is the fact that as J. A. Maudit describes, both partners came into marriage with equal part of property, which was joined together and shared unlike in the Medieval society where as David McDowall explains, once married a woman and her dowry became a kind of property of her husband and the woman had to accept her husband as her master and obey him for it was her duty given by the Church (Maudit, 115), (McDowall, 62).

The situation considering the choice of partner in both societies has just been described and the analysis will continue with the age required for marriage in both societies.

The required age for the marriage in the Medieval society was defined by the canon law. It was set to an age of twelve or thirteen. In the opinion of Henrietta Leyser it was usually twelve for a bride and fourteen for a groom, however, the betrothal ceremonies could be arranged earlier, any time after so called “age of reason” which children reached at the age of seven (Leyser, 108). This could be due to, as Christiane Klapisch-Zuber writes, the Church requirement of the consent of the couple when given in marriage. The consent had to be meaningful which means that it had to be made at a later age of the couple that is in other words as the Church set an age when the freedom of both participants was respected (Klapisch-Zuber, 292).

Despite all the clear regulations and laws as Christiane Klapisch-Zuber further reveals, some clear changes happened in the central Middle Ages and later in the fourteenth and fifteenth century. The first change took place in the central Middle Ages when the people at their first marriage were no longer at roughly the same age but hardly adolescent girls were given to men notably older than they. At that time the average age of a bride was no greater than seventeen or eighteen. Since the twelfth century on, men have married at a later age than before.

The second change took place in the fifteenth century after Black Death when the average age at marriage for women was under eighteen. There was a tendency to delay marriage one or two years among the peasantry and working class but among the rich the tendency was to advance it to fifteen. The average age of men was over twenty-seven. Whatever the actual age was, still ten years or so separated men from women (Klapisch-Zuber, 296-297).

The situation considering the age at marriage in the Celtic society was only a little different.

Celtic girl, as Miranda J. Green reports, was ready and free to marry, if she wished, and thus join new household after the end of fosterage which was at the age of fourteen (Green, 90). Peter Berresford Ellis adds that this, according to Gúbrétha Caratniad² was considered as the age of choice. In some cases this was changed to seventeen years (Ellis, *Celtic Women*, 122). In the *Brief history of the Celts* Peter Berresford Ellis explains, that it was so because children both girls and boys were sent to be educated at the age of seven. The girls finished their education at the age of fourteen while boys

² An Irish law text

continued to the age of seventeen. However, the Bretha Crólige allowed the girl continue until the age of seventeen, if required (Ellis, Brief history of the Celts, 92).

The age of boys required for marriage is not clearly defined in any legal text or law for as Miranda J. Green writes, boys or young men could not become full members of the adult community with their own household until they inherited land (Green, 90).

3.3. The status of a wife and a widow

The previous part presented the analysis of the required age for marriage in the Medieval and the Celtic society and the following part will analyse the status and position of a wife and a widow in both societies.

Although as Julius Caesar wrote, according to Peter Berresford Ellis, the Celtic men had the power over their wife's life and death, the position and the status of a wife in the Celtic society was considerably much better one than the position of a wife in the Medieval society (Ellis, 102).

Also, as Heather Savino adds, the Celtic women were much better protected by the law compared to the Medieval women (Heather Savino). More precisely, according to Peter Berresford Ellis, in Welsh and Irish law systems, the Celtic women were protected from rape and even from sexual harassment. The Irish law goes a little further with the definition of harassment than the Welsh law and distinguishes two types of harassment, which is the physical and also verbal harassment that was punishable by the law (Ellis, Brief history of the Celts, 93).

This is yet another proof of the futuristic elements in the Celtic society or in the thinking of the Celts as it is for no longer than twenty years, when the contemporary women can enjoy the same protection by the law in the case of the sexual harassment as their Celtic ancestors did about fifteen hundred years ago.

The position and the status of the wife in the Celtic and Medieval society was only foreshadowed in the previous paragraphs, therefore, it is going to be examined in more detailed way in the following part.

As it was mentioned above, unlike the women in the Medieval society, the Celtic women were free to choose their future husband and could not be married against their

will although their families were still involved in marriage decisions and wedding ceremonies. According to the Heather Savino, the Celtic marriage was primarily based on the freedom of the wife and the husband. The Celts also had the possibility of so called “trial marriage” which was a year-long marriage that could be dissolved if it was proved impossible (Heather Savino)

Since the marriage in the Celtic society was considered more as a partnership rather than a contract, as it was seen in the Medieval society, the Celtic wives enjoyed more freedom, many legal protections and more rights than the wives in the Medieval society did.

Simon James says that it was common in the Celtic society for both partners to bring equal amount of money or goods into marriage. They shared everything they brought into marriage equally as well as any other gains (James, 66).

As Heather Savino remarks, the Celtic women were permitted to own and inherit property independently in the marriage (Heather Savino). Peter Berresford Ellis confirms that and adds to this subject, that women remained the owners of everything they brought into marriage (Ellis, Brief history of the Celts, 92).

Also, during the marriage, a Celtic woman was entitled to a certain payment from her husband, as Peter Berresford Ellis further reveals in his book. The first sort of payment the woman was entitled to, was called *coiche* or a bride price. This was originally paid to the bride’s father or the head of her kin but according to the law the bride was authorised to receive a part of this money, but in case of divorce, this had to be returned. Another sum of money a wife was to receive was called *cowyll* and it was paid only in the morning after the wedding night, even though according to the Celtic custom, the woman stayed in the marriage bed for another nine days before she returned back to normal life.

The last sum of money the husband was obliged to pay to his wife was known as *agweddi*. The wife was entitled to be paid this sum at the end of the seventh year of the marriage, if it lasted that long and in case of divorce or the death of her husband a woman remained the only owner of this money. She also remained the owner of the property which she brought into the marriage (Ellis, Celtic Women, 122-124).

Tri Spiral journal writes following about the ownership and maintaining of the property of the Celtic women brought into marriage. As mentioned in the previous paragraph,

women remained the owners of the property they brought into the marriage or which they gained during the marriage. According to Tri Spiral journal the Celtic women had the full legal rights to dispose of their own property and had to be consulted in every case that was concerning their property. They also had the veto rights, as well as their husbands, to any contract or agreement they made on their own.

It was mentioned earlier that nine different types of marriage occurred in the Celtic society allowing different types of unions.

In case the woman married under her social rank or in case of the third type of marriage, when the woman owned more property than the man, as the Tri Spiral journal further describes, the rights to the property and the veto rights completely changed. The rights changed in a way that the husband had to fully submit to the final judgement of his wife and no longer had the veto right (Tri Spiral journal, 4).

It was mentioned several times that the status and the position of a wife in the Medieval society was different to the one of a Celtic wife. In the following part the main differences are going to be analysed. It is necessary to point out that by no means, was the position of the wife in the Medieval society easy.

The greatest differences originate from the unlike perception of the marriage in the Medieval society which was described at the beginning of this chapter.

Furthermore, the position, the status and the perception of a woman in the Medieval society contributed very much to her position and status as a wife.

As David McDowall states, the Church in the Middle Ages taught that women were a moral danger and they should not be trusted (McDowall, 62). Hans-Werner Goetz believes, the reason for such understanding of women by the Church in the Middle Ages rises from the creation of the first woman Eve who was said to be created from Adam's side and was the first one tempted by evil (Goetz, 41). This resulted into women being looked down on by men and thus having a lower status in the marriage which as Hans-Werner Goetz adds, they did not feel as discrimination but they took it as something natural. It was so, until the municipal laws were introduced in the high Middle Ages. Since then, the men and women were treated equally before the law (Goetz, 40).

In his book Werner Rösener describes, that when a woman in the Medieval society got married, she was transferred to her husband and his kindred together with her dowry which, according to Hans-Werner Goetz depended on the wealth of the bridegroom. The

dowry usually consisted of a piece of property with a house, storage buildings, land, animals, serfs and clothes and jewelry (Rösener, 289), (Goetz, 30).

Werner Rösener states, that the husband was the master in the house and the only person who was in charge of all the possession the family had, which included the property of his wife because as Christiane Klapisch-Zuber reports, contrary to the women in the Celtic society a woman in Middle Ages usually did not have the right to dispose of the property she brought into marriage (Rösener, 183), (Klapisch-Zuber, 290).

As Christiane Klapisch-Zuber explains, a woman after marriage usually moved in two directions. In the first, so called lateral direction, the woman was transfer to her husband's house. In the second, vertical direction, she either moved upwards or downwards on the social scale, depending on if she married a husband with higher or lower social status than hers status. No matter if the woman moved upwards or downwards, she always had to completely obey her husband as well as her father, her brother and guardian (Klapisch-Zuber, 289). If not, than she was usually beaten as David McDowall claims (McDowall, 62). Werner Rösener joins McDowall's claim about the possibility of physical violence on a woman in case of her disobedience of her husband and describes the situation in more detail. For example, in case the woman did injustice to outsiders and moreover insulted them in the argument that might follow such injustice, the husband was allowed to use corporal punishment. He was even obliged to do so, otherwise he was due to pay a fine (Rösener, 183-184).

Apart from obeying her husband, her father, her brother and her guardian a woman in the Medieval society had other responsibilities and duties. The main duty of the wife in the Middle Ages was according to Christiane Klapisch-Zuber, preserving the relationship between the two families or clans that was created by the marriage (Klapisch-Zuber, 287). Moreover, as David McDowall continues, the first and the most important duty of every wife in the Medieval society was to bear children preferably sons. Apart from this task, the other responsibilities and duties depended on the social status the woman was holding in the society. Considering the noble woman, her main responsibilities were to manage the household, welcome all visitors, make sure enough food was stored for the winter, prepare medicines, attend the sick and thus show the interest and care of their lord. In case her husband went away from the manor, she was

in charge of the whole manor, all the servants, villagers, animals and the lands. If the manor was attacked at that time, the woman was responsible for the defence of the manor. Of course, as soon as her husband returned, she was back again under his rule (McDowall, 62-63). Naturally, the situation of a peasant woman was different to the one of the noble woman. David McDowall writes that peasant women were very busy from the sunrise to the sunset. They worked mostly in the fields, grew vegetables, made food, cloth, clothes, they looked after children and animals (McDowall, 63).

It is thus clear that their life was not at all easy compared to the life, situation and possibilities of the Celtic women. Although, the chance for a change of the situation of the Medieval women might seem hopeless, it was not.

As Werner Rösener claims, the situation of the peasant women improved if they were pregnant. Only then, they were allowed to pick fruit and grapes wherever they wanted. Also, all the hunting and fishing regulations did not apply to them when they were pregnant. Moreover, with the permission of the local fisher man or under the supervision of witness, they were allowed to fish in such places where it was otherwise severely punished. After giving birth to a child, the women enjoyed even more privileges such as the reduction of taxes, labour duties and larger rations of firewood (Rösener, 183).

It is now clear what the situation and the status of a wife in the Celtic and Medieval society was and how it differed.

The following part will, therefore, focus on analysing the possible changes in this status if the woman became a widow.

It is assumed that due to the status a married woman had in the Celtic society during the life of her husband, not much has changed in her status after her husband died.

It was not so in the Medieval society. According to David McDowall, the position of a woman after her husband's death could significantly improve (McDowall, 63).

As Henrietta Leyser reveals, the widowhood was even foreseen as early as at the moment of marriage. The husband was then obliged to endue his wife with her dower usually in the form of so called "nominated dower", which is, precisely named property up to the amount of one third of the husband's possession he owned on the day of marriage. In the case the woman widowed, she obtained the full rights to her dower for the rest of her life even if she remarried. The woman could lose it only when the

marriage was declared invalid which could happen, for example, if it was found out that the husband and wife were blood relatives.

Also, the widow was empowered to the so called *legitim* which was equivalent to one third of her husband's goods and personal estates which she could leave to whomever she wished. The remaining two-thirds were divided among any children of the marriage and the dead man's soul. Despite this being clearly set many women experienced difficulties with getting what was theirs by the law (Leyser, 168-169).

Here again, the situation of such woman might seem desperate especially when she lost the protection of her husband but it was not.

As Henrietta Leyser reveals, women might act through an attorney or even they could advocate themselves when claiming their dower in front of the court. It is necessary to remark that the women were quite successful in doing so. Only if the Church was their opponent the successfulness of such case was decreasing (Leyser, 170).

The death of one of the partners was not the only possible way how to end marriage. The other possibility was divorce which is going to be dealt with in the following chapter.

4. Divorce

This chapter will be dedicated to everything connected with the divorce in the Celtic and the Medieval society.

First, the definition of the general term will be provided, then the history and the development of divorce will be discussed. Later on, the possibility to divorce, all the regulations and rules connected with the divorce in both societies are going to be mentioned.

Although, the definition of the general term can be very simple and clear, it can also be quite complex as well as the whole actual process of divorce. As it will be explained later on in the chapter, it was not always easy and simple to divorce.

DIVORCE - The dissolution of a marriage contracted between a man and a woman, by the judgment of a court of competent jurisdiction, or by an act of the legislature.

The 'Lectric Law Library's Lexicon

According to the 'Lectric Law Library Lexicon the term divorce originates from the diversity of the minds of those people who are married as when they are divorced they both go in a different way or in different direction. Until the official decree of divorce is made, neither of them can be treated as single. The most important thing is that the decree of divorce must be made during the lifetime of both parties to the divorce (The 'Lectric Law Library's lexicon).

After the definition of the main term, the analysis can continue with the possibility to divorce and all the rules and regulations connected with it.

According to Tri Spiral journal, unlike in the Medieval society, divorce was common and very easy to gain in the Celtic society because it was precisely defined in the prenuptial contract. It had to be declared publicly and after that the processes connected with the division of property and the responsibilities for children were initiated (Tri Spiral journal).

As Peter Berresford Ellis says, women and men had equal rights to divorce and they were permitted to do so for many reasons. Some of them might seem curious in our society. For example a woman was allowed to divorce her husband in the case he

snored or if he had a stinking breath (Ellis, Brief history of Celts, 92-93). Other reasons, as Tri Spiral journal claims, were for instance: impotence, sterility or obesity of the husband, if the husband was telling stories about their love life, if the husband told lies about his wife, if he failed to support his wife or if he practised homosexuality (Tri Spiral journal, 8).

As it was written earlier, both man and woman had equal rights to divorce each other. The reasons of wife to divorce her husband have been mentioned and to express the equality in this matter also the reasons of the husband to divorce his wife will be described.

Peter Berresford Ellis suggests that there were seven main reasons for a man to divorce his wife. Namely, it was having an abortion without telling him, smothering her child, unfaithfulness, persistent thieving and bringing shame on his honour (Ellis, Celtic women, 127).

Most of the reasons for divorce in the Celtic society were based on pride and honour for these were the most valuable qualities a person in this society could have.

It is apparent from what Peter Berresford Ellis further reveals in his book. In the case a woman found her husband committing adultery and in the case she attacked him, his mistress or members of their families, she was discharged from any legal punishment or legal consequences such behaviour could imply. Moreover, she could do so within three days from the time she learnt about her husband's affair. If she attacked her husband or anybody else after that time, it was perceived as a cold-blooded revenge and she was fully responsible for her deeds as according to the Welsh law, she has recovered from any shock which she might have (Brief history of the Celts, p.p. 92-93).

As Heather Savino reveals, by no means was a woman after divorce looked down upon and was absolutely free to remarry (Heather Savino). Tri Spiral journal adds that a divorced woman was even sought for especially if she had children because thus her fertility was proved.

Considering the division of property, it was mentioned earlier, that after the divorce the woman remained the owner of all the money she was entitled to be paid during the marriage and also, she remained the owner of everything she brought into the marriage. According to Tri Spiral journal, divorce was not the only possibility the couple had in the case a reason for divorce, mainly, the infertility of one of the partners appeared.

If either man or woman was not able to have children but they still loved each other and wished to stay together, they could only be legally separated. After the formal separation they could seek another partner with whom they could have a child. The resultant child was then considered as the husband's (Tri Spiral journal).

As Peter Berresford Ellis adds, if any of them be it the husband or the wife left their marriage illegally without legal separation or divorce, they were considered an outlaw (Ellis, Celtic women, 127).

While the divorce in the Celtic society was quite simple matter it was not always that simple in the Medieval society. Especially after the ninth century the matter became quite difficult and complicated.

Hans-Werner Goetz states in his book that after the ninth century divorce was much more regulated and restricted by the Christian theory of marriage's dissolubility. Initially until the synod of Tribur in 895 mutual agreement, either of the partners committing adultery or either of the partners entering monastery were sufficient reasons for divorce. After the synod, even such serious reason as adultery was considered only partially sufficient reason for divorce. The only recognized reason sufficient enough for the dissolution of marriage at that time was if the marriage was entered into illegally (Goetz, 36-37). For example things such as too close blood-relationship, which according to Henrietta Leyser was considered as close blood-relationship up until the great-great-grandparent, or entering marriage under the pressure were considered as illegal (Leyser, 111).

According to Sara Butler, from the early Middle Ages, the Christian church tried to engrave its ideas of marriage into the general knowledge of the people. The Church saw the marriage as "a permanent monogamous institution on a society that, traditionally, had a much more fluid perspective of marriage and the acceptability of divorce."

As Sara Butler further reveals, in the early thirteenth century, the Church declared that marriage was, in reality, a sacrament. It was then when the church strengthened its efforts, and began the move into the bedrooms of medieval Christians, determined to keep marriages together at all costs (Sara Butler).

To illustrate the increasing difficulty of divorce in the Medieval society even in the high circles, two examples from the ninth and later eleventh century will be provided. They are both recorded in the book of Hans-Werner Goetz.

As he writes, the first case happened in 855 when Lothar II., the king of the territory later known as Lotharingia married the sister of abbot Hucbert of St. Maurice, Thietberga a lady of high nobility. Not long after their marriage, in 857 he wanted to divorce Thietberga for he wanted to marry his lover Waldrada with whom he had a son. Unlike Waldrada, Lothar's wife Thietberga was unable to give him a heir to the throne which would otherwise fell to his uncles after Lothar's death. In order to avoid his uncles getting the throne, he needed to marry Waldrada and thus make his son a legitimate heir to the throne. By no means to divorce Thietberga was easy. Her infertility was not sufficient for the divorce any longer, therefore, Lothar tried to find other reasons sufficient enough for the divorce. He even did not hesitate to accuse Thietberga of incest with her brother in order to get what he wanted. Even though Thietberga was innocent she was forced to make a confession and they were finally divorced.

However, since remarriage was still out of question, Lothar's marriage had to be annulled at the synod of Aachen in 862. Only than was Lothar able to marry Waldrada – or rather, attempts were made to pass her off as his legitimate wife while Thietberga fled to Western Francia and appealed to Pope Nicholas I.

Hans Werner Goetz (*Life in the Middle Ages*, 38)

The two archbishops who presided over the divorce proceedings, archbishop Thietgaud of Trier and Gunthar of Cologne, were recalled by the papal legates even though they recognized Lothar's marriage to Waldrada. It is said that the new legate, Bishop Arsenius of Orte, threatened Lothar by excommunication if he would not take Thietberga back. Despite all this the king managed to persuade his wife to ask for the annulment of their marriage which Pope Nicholas would do, if they lived unmarried for the rest of their life. As they did not meet this requirement, in 866 bishop Arsenius excommunicated Waldrada and forbade Lothar from marrying her.

Luckily for Lothar, in 867, Nicholas I's died, therefore, Lothar could ask the new pope, Hadrian II, for a divorce once more. To do so, he had to go to Rome where he submitted to the Eucharistic ordeal to prove his innocence. Unfortunately for his, prior to a new synodal investigation he died on his way back to England.

Some of the contemporaries saw that as a form of divine intervention (Goetz, 38-39).

Another example that will be provided is from the later eleventh century.

King Henry IV sought a divorce from his wife Bertha, but was unable to furnish sufficient grounds. He claimed that he was unable to consummate his marriage with her. In order to be able to marry again, he swore he had preserved his wife's virginity.

Hans Werner Goetz (*Life in the Middle Ages*, 39)

Everybody that was present to this thought that this could not be reconciled with the king's dignity. The case was quite long and exhausting for the princes, she was even prepared to withdraw at a synod at Mainz and thus dissolve her marriage with the king. Unfortunately for them, the papal legate, Peter Damiani had objections to the grounds of the divorce. In his opinion no king was allowed to set such an unchristian example to his people. Everybody agreed and therefore king Henry had to keep his wife who since then always remained at his side. King Henry was not able to marry again until the death of his wife in 1087 (Goetz, 39-40).

From both stories it is clear that the Church rules and regulations considering divorce, which were described earlier, were strictly followed no matter what the social status of the person was. Also, both stories clearly demonstrated the great difficulty to divorce in the Middle Ages.

It was foreshadowed in the story about King Henry IV, that remarrying was also quite difficult compared to the Celtic society.

As Hans-Werner Goetz reveals, in compliance with the Frankish tribal law, the second husband had to pay so called "ring money" and had to gain the consent of the first husband's relatives. The wife was obliged to buy her freedom from the clan of her first husband. "In the presence of witnesses, she had to supply a bench of chairs, decorate her bed and bedspread, and leave them behind on her departure." Only after doing so, she was free to remarry.

Moreover, as Hans-Werner Goetz further writes, according to the cannon law, the remarriage was not allowed and severely punished if the first partner was still alive (Goetz, 37).

The paper now proceeds to its last chapter which will be about family and children. It is connected with the two previous chapters considering marriage and divorce in the Celtic and the Medieval society.

5. Family and children

This chapter dealing with the family and children could be considered as a kind of pre-conclusion of this paper. Firstly because of the fact that marriage and divorce which were analysed in the two previous chapters either established or in a way ended the existence of the family. Secondly, as it was mentioned in the chapter about the position and the status of women, a woman especially in the Medieval society was defined according to her relation to a man or a group of man.

At first at the beginning of this chapter the term family will be defined in order to better compare and analyse the family in the Celtic and Medieval society.

As American Heritage Dictionaries write, the family is “a fundamental social group in society typically consisting of one or two parents and their children.”

(American Heritage Dictionaries)

According to the American Academy of Family Physicians the family is defined as following:

The family is a group of individuals with a continuing legal, genetic and/or emotional relationship. Society relies on the family group to provide for the economic and protective needs of individuals, especially children and the elderly.

(American Academy of Family Physicians)

The first provided definition characterizes the family from the point of view of nearly everyone in the present day as it is quite narrow and simple definition. The second, broader definition, characterizes the family partially from the Medieval point of view as well as the present day view.

Hans-Werner Goetz writes in his book, that the term we now use for a family could have various meanings in the Middle Ages and by no means is it defined simply. The family in the Middle Ages could include association of relatives as well as the household community. Also, a family could mean the monastic community or a

community of serfs within the manor. In all cases, a family in the Middle Ages was considered as a unit of a public life.

As Goetz points out, it was then when the name, bride of Christ, for a nun originated. It was due to this broad conception of a family in the Middle Ages and also because of the fact, that priests were prohibited from getting married as their service was seen as a kind of marriage with the Church. Therefore, nuns as well considered themselves as a part of this marriage – as brides (Goetz, 24-25).

The situation considering the family in the Celtic society was a little bit different. Family in present day sense would be equivalent to the Celtic Fine or Tuath. In the first chapter the term Fine was defined as the smallest unit of the Celtic society. Tuath, also spelled as Truath, was a bigger unit of the Celtic society that could be formed from one or more Fines.

According to Jennifer Tumanda, Tuath was in the Celtic terms a group of people with the same origin, who take pride of their own descent, live together and work for their own prosperity (Tumanda).

This, compared with the above provided definition of family is very similar to it and therefore it could be said that the Tuath could be considered as an extended family.

As Jennifer Tumanda further reveals, the Tuath was further divided into concentric circles. The main one was geil fine which was the so called family of the inner circle which had its own head who acted on behalf of the family. The geil fine was further divided into three more subordinate groups. Namely, they were the deirb fine – true family, iar fine – after family and inn fine – end family.

The Celts, according to Eva Prášková, realized the importance of the family and family background especially its importance for the children (Eva Prášková).

As stated above, Celtic family was quite extensive and as Eva Prášková further reports, it had its own oddnesses compared to the typical Medieval family. The greatest oddness of the Celtic family was fosterage. The main reason for fosterage in the Celtic society was that the parents of the child could not take care of him or her properly. The child was usually consigned to a family that was somehow related to the parents. In the foster family the children were brought up as they would be by their own parents (Eva Prášková).

Lyn Webster Wilde in his book about Celtic women, provides a brief description of a foster child's life and opportunities in the Celtic society. Scadi, a foster child aged eleven, was sent to her foster family by her mother, a Scottish priestess. Scadi is meant to be trained there and looked after until she is old enough to marry or become a priestess herself. Calle, her foster mother, passed on everything she knew and everything she could about when Scadi could conceive and when she would probably be safe to sleep with a man without conceiving etc. to Scadi. In case, Scadi would show talent for healing, she could be sent off to the three women renowned for their knowledge of herbs to gain their knowledge. If she would be really talented, her foster father himself could teach her something (Wilde, 23-26).

This implies that not only the inability of the biological parents to look after their child was the only reason for fosterage. It could also be the opportunity to gain special training or education.

Another oddness of the Celtic society, when compared to the Medieval society, was that as Tri Spiral journal reports, there were certain circumstances that left a father or a mother in the sole charge of the child. Such cases when the father would be solely responsible for a child were for example if the child was a child of rape, a child that was produced of the father's wrongdoing or taking advantage of a woman by means of stealth. Woman was solely responsible for the child in case the child was a child of a slave, of a man expelled by his kin, priest's child or a child of a prostitute (Tri Spiral Journal).

Not only mature women enjoyed quite high status and a lot of privileges in the Celtic society. Unlike in the Medieval society, Celtic girls enjoyed these privileges since their childhood. As Peter Berresford Ellis writes, Any girl of any social class under the age of seven, had the same honour price as a cleric. From the age of seven, girls, as well as boys were sent to be educated which was impossible in the Medieval society (Ellis, Brief history of the Celts, 92).

In the opinion of David McDowall, the duty of every wife in the Middle Ages was to give a child to her husband. Unlike in the Celtic society, boys were preferred in the Middle Ages (McDowall, 62). The urgent need of bearing children in the Middle Ages was according to Christiane Klapisch-Zuber, due to high mortality of infants.

Resumé

Již od počátku lidstva žili muž a žena pospolu v jednom společenství, v jedné společnosti. Jejich vzájemné vztahy, jejich společenský statut a pozice ve společnosti se postupně vyvíjeli, měnili a mění dokonce i v dnešní době.

V některých společnostech a v některých obdobích si muži a ženy byli rovni, v některých byl jeden podřízen tomu druhému. Ve většině společností to byla většinou žena, kdo byl tím podřízeným jedincem ve společnosti.

Cílem této práce bylo zjistit, jak tomu bylo v keltské a středověké společnosti a analyzovat rozdíly v různých životních aspektech ženy v keltské a středověké společnosti, převážně rozdíly v jejich společenském statutu a pozici v dané společnosti.

Nejprve byly analyzovány samotné společnosti, jejich uspořádání, obecné znaky a jejich základní náhled na ženu, ze kterého se v dané společnosti pro samotnou ženu mnoho odvíjelo.

V další kapitole byla analyzována pozice a společenský statut ženy v obou společnostech. Z tohoto srovnání jasně vyplynulo, že být ženou v keltské společnosti bylo o poznání lepší než být ženou ve středověké společnosti. Ženy Keltů se těšily mnohem větší svobodě a volnosti a to jak svobodě osobní, tak i svobodě ve volbě např. povolání. Keltské ženy byly také lépe chráněny zákony. To vše díky tomu, že byly ve své společnosti pokládány za rovné mužům jak v boji, tak i před zákony. Na druhé straně středověké ženy byly považovány více za jakousi kategorii, komoditu, která náleží mužům. Již od raného věku byly vedeny k poslušnosti, pokoře a podřízenosti mužům. Tato podřízenost ženy mužům byla nejvíce patrná v manželství. Pokud šlo o výběr budoucího partnera, musela se žena podřídit výběru své rodiny, protože sňatek ve středověké společnosti byl spíše jakýmsi kontraktem, obchodem mezi dvěma rodinami, sloužící například k ukončení nepřátelství či spojení majetku obou rodin. Žena v tomto obchodu byla pouhou komoditou. Její věno hned po sňatku připadlo jejímu manželovi a žena nad ním ztratila moc. Pouze, pokud se žena stala vdovou, měla jistou naději na zlepšení své pozice a společenského statutu. I v tomto ohledu na tom byly keltské ženy mnohem lépe. Díky jejich pozici ve společnosti si samy mohly vybrat svého budoucího partnera a sňatek bez jejich výslovného souhlasu nebylo možné uskutečnit. Věno a

veškerý majetek, který keltská žena přinesla do manželství zůstal jejím majetkem, se kterým mohl její manžel nakládat až s jejím souhlasem.

Smyslem manželství ve středověké společnosti bylo především plození dětí, pokud možno synů a vytvoření další linie rodiny, která byla velmi široce pojata a nevztahovala se pouze na nejbližší pokrevní příbuzné. I v keltské společnosti byla rodina široce pojata a skládala se z několika skupin, které byly většinou nějak příbuzensky spjaty. Vzhledem k rovnosti pohlaví v této společnosti, neexistovala žádná preference pohlaví u dětí. Na rozdíl od středověké společnosti, bylo jak chlapcům tak dívkám poskytnuto vzdělání a řádné vychování. Často se jednalo o péči pěstounskou.

Pokud manželství keltské ženy nebylo šťastné nebo se vyskytly okolnosti kvůli kterým chtěla toto manželství ukončit rozvodem, mohla tak učinit svobodně a bez obtíží. Co se týče okolností a důvodů k rozvodu, byla jich v keltské společnosti celá řada. Některé z nich, jako například chrápání, by se v dnešní době mohly zdát spíše kuriózní či úsměvné.

Situace týkající se rozvodu byla ve středověké společnosti mnohem komplikovanější. Důležitou roli zde hrála církev a církevní regulace. Převážně po devátém století se manželství stalo pro církev svazkem nerozlučitelným, jakousi obětí, kterou se dva lidé rozhodli přinést, když do manželství vstupovali. Díky tomuto církevnímu smýšlení o manželství bylo velmi těžké se rozvést i v případě cizoložství jednoho z partnerů, které by jindy bylo považováno za dostatečný důvod pro rozvod.

Jak již bylo napsáno a jak z celé práce vyplývá, keltská společnost byla v mnohém svém smýšlení podobná té naší a ženy v keltské společnosti se již před patnácti sty lety v mnohém těšily obdobné pozici a společenskému statutu jako ženy dnes.

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Název práce	Differences between Being a Woman in Celtic and Medieval Society
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Obor	Anglický jazyk pro hospodářskou praxi
Rok obhajoby	2007
Vedoucí práce	Mgr. Olga Roebuck, M. Litt.
Anotace	Tato práce analyzuje rozdíly mezi životem ženy v keltské a středověké společnosti.
Klíčová slova	Keltská společnost, středověká společnost, žena, manželství, rozvod, rodina, děti