

How was virginity perceived in the Middle Ages and what light do the Welsh law codes shed on attitudes towards virginity in medieval Wales?

It has been argued by Robert Bartlett that sexuality, and particularly virginity, was considered to be largely a female attribute in the medieval period of the British Isles: 'it mattered more in the case of women.'¹ Whilst modern definitions of virginity are based upon objective physical states – a virgin is someone who has not (yet) engaged in sexual intercourse via penetration² - the understanding of the state of virginity in the Middle Ages was often inter-twined with sexual behaviour overall, including sexual desires.³ Thus, when considering attitudes towards virginity in the Middle Ages, it is important to note that issues of temporal validity will necessarily influence interpretation, as will variations in focus throughout the time period.⁴ Yet despite this, a 2022 policy paper entitled '*Health and Care Bill: banning virginity testing*' shows how in some sub-cultures within the contemporary societies of England and Wales, virginity is still viewed in terms of honour-codes,⁵ and thus echoes of assumed medieval views

¹ Robert Bartlett, *Why Can't the Dead Do Such Great Things*, (Princeton: Princeton University Press, 2013). p. 202.

² A.H. Herring, S.M. Attard, G. Larsen, and C. Halpern, 'Like a virgin (mother): analysis of data from a longitudinal, US population representative sample survey', *British Medical Journal* 347 (2013). p. 3.

³ C. Atkinson, 'Precious Balsam in a Fragile Glass: The Ideology of Virginity in the Later Middle Ages', *Journal of Family History* 8 (1982). pp. 131 – 143. See also Henrietta Leyser, *Medieval Women in England 450 – 1500* (London: Orion Books, 1995). p. 34.

⁴ C. Atkinson, 'Precious Balsam in a Fragile Glass: The Ideology of Virginity in the Later Middle Ages', *Journal of Family History* 8 (1982). pp. 131 – 143.

⁵ Department of Health and Social Care, *Health and Care Bill: banning virginity testing* 2022 < <https://www.gov.uk/government/publications/health-and-care-bill-factsheets/health-and-care-bill-banning-virginity-testing>> (Accessed on 21 March, 2022).

remain. However, it is important to assert that such attitudes are not held within current wider society as a whole, and this encourages the deeper analysis of the spread of similar views throughout Welsh history, in order to investigate their potential uniformity in the Middle Ages.

In 1963, Howard Becker, in his ground-breaking sociological text '*Outsiders*' concluded that definitions of what is and is not acceptable are informed primarily by social groups at the time:

'Social groups create deviance by making the rules whose infraction constitutes deviance, and by applying those rules to particular people and labelling them as outsiders.... Deviance is not a quality of the act the person commits, but rather a consequence of the application by others of rules and sanctions to an "offender." The deviant is one to whom the label has been successfully applied: deviant behaviour is behaviour that people so label.'⁶

In medieval Wales, the definition of interest is that of *gwraig*, or non-virgin. Conflict sociology thus explains how the application of a label relies upon the unequal distribution of power; whether this be in relation to social class or gender. What can be seen regarding the perception of virginity within the Middle Ages is precisely the

⁶ Howard Becker, *Outsiders* (Chicago: Free Press, 1997). Kindle E-book.

application of such power, largely by men but to some extent by women also, for reasons which appear to be embedded within the infrastructure of society.

Whilst consensual structural analyses assume that the law both reflects the views of society, and dictates associated norms and values, Robin Chapman Stacey, argues that the legal codes directed towards women in the Welsh Middle Ages contained a 'complex conjunction of symbols and ideas involving gender, sexuality and the land.' The question however, must be the extent to which these legal codes permeated other levels of society and thus the perceptions of women – and their virginity – overall.⁷ At first glance, it appears that medieval Welsh law was incredibly important, as evidenced by the survival of forty manuscripts dating from the thirteenth to sixteenth centuries.⁸ Stacey concludes that they were thought to be 'amongst the most significant components of the medieval Welsh prose tradition,' with more copies being extant than of the ever-popular '*Mabinogi*.'

Indeed, the inclusion of prologues accrediting the legal codes to Hywel Dda⁹, who was named in '*Annales Cambriae*' as the 'King of Britons'¹⁰ shows their perceived worth, with the importance of Welsh identity being indicated by the matter that thirty-five of

⁷ S. R. Chapman, 'Gender and the social imaginary in medieval Welsh law', *Journal of the British Academy* 8 (2020). p. 285.

⁸ S. R. Chapman, 'Gender and the social imaginary in medieval Welsh law', *Journal of the British Academy* 8 (2020). p. 268.

⁹ H. Pryce, 'The Prologue of the Welsh Lawbooks', *Bulletin of the Board of Celtic Studies* 33 (1986). Pp. 151 – 182.

¹⁰ Cyfraith Hywel, *Blegywryd and Laws*; *Bulletin of the Board of Celtic Studies* p. 222. (2021 < http://cyfraith-hywel.cymru.ac.uk/uploads/blegywryd_and_laws_bbcs_20.pdf> (Accessed on 28 March, 2022).

these were written in the native language.¹¹ Believed to reflect and direct the roles of social institutions in 'reinforcing and disregarding' behavioural codes and rights,¹² the '*Laws of Women*' generally were included within the '*Laws of the Country*' and were not paralleled by an accompanying '*Laws of Men*.'¹³ Furthermore, evidence of the application of the legal framework can be found within the Welsh pleading texts; a series of pleas to be used in disputes.¹⁴ Thought to have been created by lawyers for use in training,¹⁵ both the Welsh law codes in their various redactions,¹⁶ and their accompanying pleading texts indicate a pervasive legal system which outlined rights and expectations, and provided compensation to affirm deviance, with manuscript-wear being taken to indicate their usage.¹⁷ The laws mattered.

However, in order to understand the 'social fabric' of medieval Welsh society, it is necessary to analyse more than the top-down, patriarchal infrastructure, and take a considered, micro approach instead. It may well be that the ruling-class preserved the

¹¹ S. Webb, 'The Right Thing is to be a Virtuous Girls: Women in Medieval Wales', *Journal of Languages, Texts and Society* 2019. pp. 53 - 54

¹² D. Swartz, 'The legal status of women in early and medieval Ireland and Wales compared with Western European and Mediterranean Societies', *Environmental and Social Correlations* 13 1993. p. 108.

¹³ S. R. Chapman, 'Gender and the social imaginary in medieval Welsh law', *Journal of the British Academy* 8 (2020). p. 280.

¹⁴ S. Roberts, 'A Rather Laborious and Harassing Occupation: The Creation of the Ancient Laws and Institutes of Wales' in *Law, Book, Culture in the Middle Ages*, by Thom Gobbitt (London: Brill Publishing, 2021). pp. 378 – 380.

¹⁵ S. R. Chapman, 'Gender and the social imaginary in medieval Welsh law', *Journal of the British Academy* 8 (2020). p. 269.

¹⁶ It used to be thought by Aneurin Owen that the different redactions were associated with specific geographical locations, although it is now believed that the groupings link primarily to the names of those given pre-eminence in the codes themselves. See for example: Sara Elin Roberts, *Llawysgrit Pomffred* (Cardiff: Brill Publishing, 2011). pp. 1 – 2.

¹⁷ S. Webb, 'The Right Thing is to be a Virtuous Girls: Women in Medieval Wales', *Journal of Languages, Texts and Society* 2019. p. 56.

law codes alone - rather than in compilations with other genres of work - to indicate their importance,¹⁸ however, this does not mean that the proletariat at large passively complied and consumed. Thus, the perceptions of behavioural codes – including virginity – can be perhaps best understood by studying extant literature, including secular and religious autobiographies, poetry, and prose. In the words of Huw Pryce, therefore, it is necessary to develop an understanding of the extent to which the 'norms they articulated mirror or influence the law as it was actually practiced,'¹⁹ alongside, an analysis of the reception of such codes of conduct.

It is perhaps best to begin a study of medieval perceptions of virginity by analysing the religious context, in light of the matter that the theological point of view was bound to permeate society as for many centuries they had been the only education class²⁰. St Gregory of Nyssa (331 – 394 A.D.) embodies the ecclesiastical view in his doctrine '*On Virginity*' in which he provided teachings about life in a state of virginity.²¹ Seeing virginity as the personification of holiness, Saint Gregory praised virginity as a 'special beauty' that will allow for salvation,²² and very much consolidated the Old Testament Yahwist approach. In a similar thread, Saint Augustine in '*De Santa Virginitate*,' (circa

¹⁸ S. Webb, 'The Right Thing is to be a Virtuous Girls: Women in Medieval Wales', *Journal of Languages, Texts and Society* 2019. p. 55.

¹⁹ Pryce, H, 'Lawbooks and Literacy in Medieval Wales', *Speculum*, 75 (2000). p. 30.

²⁰ Eileen Power, *Medieval Women* (London: Cambridge University Press, 1995). p. 11

²¹ G. Zviadadze, 'St Gregory of Nyssa's Ascetic Treatise "On Virginity" and the Publication of the Georgian Translation', *Bulletin of Georgian National Academy of Sciences* 7 (2013). p. 127.

²² Saint Gregory, 'On Virginity' in *Nicene and Post-Nicene Fathers 5* by William Moore and Henry Austin Wilson (Buffalo: Christian Literature Publishing, 1893) Ebook retrieved from: < <https://www.newadvent.org/fathers/2907.htm> > (Accessed on 17 March, 2022).

2115 A.D.) noted how 'Mary alone both in spirit and in flesh is a mother and a virgin,' and whilst 'a virgin is born out of fornication,' it is important for females to perform the 'offices of human duty': namely, to be chaste and virginal, at least until marriage.²³ Virginity was perceived by Saint Augustine to be a gift which needed to be 'guarded with a great amount of humility,'²⁴ thus laying the ground for the chivalric protectionism that was to follow.

Thus, what can be seen through an analysis of early religious literature are two distinct views of virginity; one of the sacred, religious virgin, and another of the dutiful one. Women attended churches and feast days where they regularly listened 'while preachers told them in one breath that woman was the gate of Hell and Mary was the Queen of Heaven.'²⁵ This religious view is embodied within hagiography, although Clifford Geertz argues – somewhat convincingly – that these are simply 'stories that Christians of late antiquity and the Middle Ages told themselves about themselves.'²⁶ Regardless, the interpretation is that female virginity was equated with the honour of the entire community, and the Saints Lives to some extent were the personification of this.²⁷ In the '*Life of Saint Ursula*' for example, the protection of the purity of eleven

²³ Saint Augustine, 'De Virginitate' *Nicene and Post-Nicene Fathers, First Series Volume 3* by Phillip Schaff (Buffalo: Christian Literature Publishing Company: 1887). Ebook retrieved from: < <https://www.newadvent.org/fathers/1310.htm>> (Accessed on 19 March, 2022).

²⁴ The Works of Augustine, 2115 *On Holy Virginity* 1999 < <http://www.augnet.org/en/works-of-augustine/writings-of-augustine/2115-on-holy-virginity/>> (Accessed on 25 March, 2022).

²⁵ Eileen Power, *Medieval Women* (London: Cambridge University Press, 1995). p.11.

²⁶ K. C. Kelly, 'Armour of Proof: The Virgin and the Church in Hagiography' in *Performing Virginity and Testing Chastity*, by Kathleen C. Kelly (London: Routledge, 2002). p. 62.

²⁷ K. C. Kelly, 'Armour of Proof: The Virgin and the Church in Hagiography' in *Performing Virginity and Testing Chastity*, by Kathleen C. Kelly (London: Routledge, 2002). p. 41.

thousand virgins was at stake, when threatened and massacred by the Huns.²⁸ This notion of the self-perceived value of virginity is also highlighted by Jane Schutenberg in her recounting of a tale of two sisters who placed rotten chicken flesh between their breasts in order to protect themselves; a sentiment echoed further by Saint Ebba and her fellow convent-members, who cut off their noses and lips in order to appear unattractive to Danish invaders.²⁹ However, whilst 'hagiography, in telling the story of the menaced virgin martyr, is really telling the story of a church that reserved to itself the right to recognise, sanction and reward virginity,'³⁰ it appears to have been largely unsuccessful in its aim. This matter is evidenced by the limited construction of nunneries in medieval Wales, with only four existing throughout the whole of the Middle Ages, in comparison with one hundred and thirty-nine in England, during the twelfth and early thirteenth century alone.³¹ Jane Cartwright in *'The Desire to Corrupt: Convent and Community in Medieval Wales'* argues for three potential reasons, including the Cistercian basis of religious orders in Wales, the relative scarcity of wealthy Welsh noblewomen in comparison to their English counterparts, and the incentivisation of loss of virginity in the socially sanctioned manner of the time. It was accordingly, simply not in the interests of the lords to encourage a virginial life in

²⁸ C. Cusak, 'Hagiography and History: The Legend of Saint Ursula', *Sydney Studies in Religion* 2008. pp. 91 – 92.

²⁹ K. C. Kelly, 'Armour of Proof: The Virgin and the Church in Hagiography' in *Performing Virginity and Testing Chastity*, by Kathleen C. Kelly (London: Routledge, 2002). p. 53. Note also the similarities with the Life of St Non.

³⁰ K. C. Kelly, 'Armour of Proof: The Virgin and the Church in Hagiography' in *Performing Virginity and Testing Chastity*, by Kathleen C. Kelly (London: Routledge, 2002). p. 62.

³¹ G. Richards, 'From footnotes to narrative', *University of Sidney Publications*. p. 202.

service to Christ:³² Indeed, whilst it is true that Christian people valued chastity, it is also true that they got married.³³ Furthermore, it could be argued that the necessity of marriage is echoed in the responses to proposed religious virginity: Thecla of Iconium, as outlined in '*Acts of Paul and Thecla*,' for example, was subjected to numerous trials, including being condemned by her mother to be burnt because she would not marry.³⁴ Thus, whilst the Church sought to discard all aspects of potential sexuality from the Virgin Mother through its removal of breast-feeding from religious art,³⁵ it appears that this notion of the sacred virgin, devoting life to Christ rather than donating reproductive labour to society was not dominant attitude towards virginity in medieval Wales.

The notion of chastity however permeated throughout society. The Welsh law codes – rather than religious texts – shed light upon attitudes to virginity, and seem to be supported by analysis of concurrent literature, including the '*Book of Margery Kempe*.' Whilst her focus was latterly upon chastity within marriage, it was clear that the expectations placed upon her were to marry and have children. It is known from her auto-biography that she married and reproduced before returning to a chaste life, and thus this micro-view can be seen as a case study providing a qualitative, first-person

³² J. Cartwright, 'The Desire to Corrupt: Convent and Community and Medieval Wales' in *Feminine Sanctity and Spirituality in Medieval Wales* by Jane Cartwright (Cardiff: University of Wales Press, 2008). pp. 181 – 182.

³³ Joanna de Groot and Sue Morgan, *Sex, Gender and the Sacred: Reconfiguring Religion in the Gender History* (New Jersey: Wiley-Blackwell, 2014). p. 621.

³⁴ K. C. Kelly, 'Armour of Proof: The Virgin and the Church in Hagiography' in *Performing Virginity and Testing Chastity*, by Kathleen C. Kelly (London: Routledge, 2002). p. 62.

³⁵ J. Cartwright, 'The Welsh Cult of the Virgin Mary' in *Feminine Sanctity and Spirituality in Medieval Wales* by Jane Cartwright (Cardiff: University of Wales Press, 2008). pp. 46 – 47.

account of attitudes towards virginity at the time. Virginity was an ideal, as it is true that to some extent society defines itself by the purity of its women,³⁶ but society needed heirs.³⁷

Rather than simply being a matter of purity therefore, Sian Webb notes how attitudes towards virginity were linked to the economic basis of society, in that to be a non-virgin before marriage – a *gwraig* – was to be an ‘economic liability.’³⁸ Indeed, Morfydd E. Owen in ‘*Shame and Reparation: Women’s Place in the Kin*’ argues that a woman is ‘dishonoured by the tainting of her sexual purity.’³⁹ Whilst it could be argued that such attitudes were primarily religious in their undertones – indeed, Saint Paul did write that ‘since sexual immorality is occurring, each man should have sexual relations with his own wife, and each woman with her own husband.’⁴⁰ – the view of virgin as economic asset appears to be fully enshrined within the ‘*Laws of Hywel Dda*.’ It is true that law codes chimed well with the religious interpretation that sex without lust was part of God’s plan,⁴¹ but what stands out within the ‘*Law of Women*’ is the view of women – and thus virgins – as economic assets. Indeed, in the words of Marina Warner, ‘in a

³⁶ Sherry Bortner in K. C. Kelly, ‘Armour of Proof: The Virgin and the Church in Hagiography’ in *Performing Virginity and Testing Chastity*, by Kathleen C. Kelly (London: Routledge, 2002). p. 41.

³⁷ G. Richards, ‘From footnotes to narrative’, *University of Sidney Publications*. p. 202.

³⁸ S. Webb, ‘The Right Thing is to be a Virtuous Girls: Women in Medieval Wales’, *Journal of Languages, Texts and Society* 2019. p. 60.

³⁹ M. E. Owen, ‘Shame and Reparation: Women’s Place in the Kin’ in *The Welsh Law of Women* by Morfydd E. Owen and Dafydd Jenkins (Cardiff: University of Wales Press, 2017). p. 50.

⁴⁰ Bible Gateway, *Corinthians 7: 1 – 2* 2017 <

<https://www.biblegateway.com/passage/?search=1%20Corinthians%207%3A1-2&version=NIV>> (Access on 30 March 2022).

⁴¹ H. Leyser, *Medieval Women: A Social History of Women in England 450 – 1500* (London: Phoenix Press, 2005) pp. 93 – 94.

patriarchal society, even the Messiah can only be legitimate if his mother is properly married.⁴²

According to Dorothy Swartz, the Welsh legal codes crafted a highly gendered vision of court and country, in which females were subjected to varying degrees of guardianship and independence.⁴³ Those pertaining to women can be seen to some extent as a 'social ideal as perceived by an elite audience';⁴⁴ however the matter that such codes contained a series of rewards and sanctions indicates their practical use in everyday life. This is further supported by the observation that their real-world value appears to have been intact at the time, given that they ascribed correct monetary values to animals in correspondence with the English markets circa 1200.⁴⁵ Thus, with this in mind, the placing of the codes pertaining to the dissolution of marriage at the start shows the importance of the institution as a binding device; without it, society would cease to function.⁴⁶ It could therefore be argued that the importance of legitimate birth was of paramount importance in medieval Welsh society, rather than virginity itself. A barren womb was merely a vessel to ensure the legitimacy of heirs. From a Functionalist sociological perspective accordingly, the institution of marriage was of primary importance to the smooth-running of society, and the identification by

⁴² J. Cartwright, 'The Welsh Cult of the Virgin Mary' in *Feminine Sanctity and Spirituality in Medieval Wales* by Jane Cartwright (Cardiff: University of Wales Press, 2008). p. 17.

⁴³ D. Swartz, 'The legal status of women in early and medieval Ireland and Wales compared with Western European and Mediterranean Societies', *Environmental and Social Correlations* 13 (1993). pp. 107 – 108.

⁴⁴ S. Webb, 'The Right Thing is to be a Virtuous Girls: Women in Medieval Wales', *Journal of Languages, Texts and Society* (2019). p. 52.

⁴⁵ T. M. Charles Edwards in H. Pryce, 'Lawbooks and Literacy in Medieval Wales', *Speculum* 75 (2000). p. 35.

⁴⁶ R. S. Chapman, 'Divorce Medieval Welsh Style', *Speculum* 77: 4 (2002). pp. 1107 – 1118.

Thomas Charles-Edwards of nine legally recognised forms of marital union perhaps indicates why.⁴⁷

Charles-Edwards notes that such unions fall into four distinct categories, which correlate well with the law of women in *'Llyfr Iorwerth'* - namely unions by gift of kin, by the consent of kin and the woman herself, by the consent of the woman only, and those in which neither the woman nor the kin consent.⁴⁸ What can be seen here is the implication that even 'union by deception of a virgin' can be an acceptable union,⁴⁹ and thus the inference must be drawn that it is the reproductive value of such relations that is of importance. Whilst Nerys Patterson in *'Woman as Vassal: Gender Symmetry in Medieval Wales'* insists that women are more than 'a sort of rented womb',⁵⁰ it does not appear to be the case here, although it should be accepted that the creation of a union accordingly legislated for financial recompense thereafter. Indeed, it is argued by Robin Stacey Chapman that the fact that in most manuscripts, the *'Law of Women'* is placed at the start of the *'Law of Country'* rather than in a section of its own, implies that women have no parity with males, to whom the laws in general are intended to apply.⁵¹ Furthermore, Chapman goes further and insists that such legal codes are

⁴⁷ T. M. Charles-Edwards, 'Nau Kynywedi Teithiauc' in *The Welsh Law of Women* by Morfydd E. Owen and Dafydd Jenkins (Cardiff: University of Wales Press, 2017). pp. 31 – 40.

⁴⁸ T. M. Charles-Edwards, 'Nau Kynywedi Teithiauc' in *The Welsh Law of Women* by Morfydd E. Owen and Dafydd Jenkins (Cardiff: University of Wales Press, 2017). pp. 39 – 40.

⁴⁹ T. M. Charles-Edwards, 'Nau Kynywedi Teithiauc' in *The Welsh Law of Women* by Morfydd E. Owen and Dafydd Jenkins (Cardiff: University of Wales Press, 2017). P. 40.

⁵⁰ N. Patterson, 'Woman as Vassal: Gender Symmetry in Medieval Wales', *Proceedings of the Harvard Celtic Colloquium* 8 (1988). p. 33.

⁵¹ R. C. Chapman, 'Gender and the Social Imaginary in medieval Welsh Law' *Sir John Rhys Memorial Lecture* (2019). p. 281.

similar in purpose to those of children, animals and to a lesser extent foreigners, thus placing women in the category of powerless other.⁵² The understanding gained from this is that women are lesser individuals, with one main purpose: to ensure legitimate paternity. Virginity is therefore a means to a patriarchal end: a serious, legal matter.

This categorisation of females can be seen throughout their childhood, which is indicative of increased guardianship to protect their virginity. In '*The Normal Paradigms of a Woman's Life in the Irish and Welsh Texts*,' Christopher McAll outlines the importance of virginity, noting how Welsh law required the female to remain figuratively 'at her father's knee... until she has been successfully married between the ages of twelve and fourteen.'⁵³ Presumed to mean that unlike her brothers she did not go out to fosterage, this evolutionary form of symbolic mate-guarding was of obvious importance when she reached '*oed iddi ei rhoddi I wr*,'⁵⁴ often following the growth of breasts and pubic hair.⁵⁵ Whist Patterson argued that this guardianship was necessary in a world in which rape and violence were a real threat, as a consequence of both Norse and Norman invasions,⁵⁶ it is also clear that the legal system of marriage included a series of exchanges, some of which could be beneficial to the guardian

⁵² R. C. Chapman, 'Gender and the Social Imaginary in medieval Welsh Law' *Sir John Rhys Memorial Lecture* (2019). p. 281.

⁵³ C. McAll, 'The Normal Paradigms of a Woman's Life in the Irish and Welsh Texts' in *The Welsh Law of Women* by Morfydd E. Owen and Dafydd Jenkins (Cardiff: University of Wales Press, 2017). p. 8.

⁵⁴ The age at which she could be given to a man. See: C. McAll, 'The Normal Paradigms of a Woman's Life in the Irish and Welsh Texts' in *The Welsh Law of Women* by Morfydd E. Owen and Dafydd Jenkins (Cardiff: University of Wales Press, 2017). p. 9.

⁵⁵ C. McAll, 'The Normal Paradigms of a Woman's Life in the Irish and Welsh Texts' in *The Welsh Law of Women* by Morfydd E. Owen and Dafydd Jenkins (Cardiff: University of Wales Press, 2017). p. 8.

⁵⁶ N. Patterson, 'Woman as Vassal: Gender Symmetry in Medieval Wales', *Proceedings of the Harvard Celtic Colloquium* 8 (1988). p. 33.

family themselves. Indeed, the codes of the time deemed it necessary that in order for the 'commodity (female) to change hands' her kin must substantiate her claims to virginity.⁵⁷ If her *cyfneseifaidd* refused, not only did this bring shame upon the family, but it also meant that she would be deemed a *twyllforwyn*, or false virgin, and be entitled only to a 'one-year steer with a greased tail.'⁵⁸ As a consequence, it is more likely that – prior to the changes in the status of childhood identified by Philippe Aries⁵⁹ – female children were guarded in order to protect their marriageability and associated payments.⁶⁰ Thus, from childhood, virginity was regarded as a precious commodity, to which both monetary and honour values were attached. This makes incredible sense when considering the likely gender ratio in society. Data from Frankfurt and Nuremberg indicates that females were in the majority, possibly due to the enhanced difficulties in raising boys and their increased susceptibility to disease,⁶¹ and whilst no reliable data exists for Wales, it is likely that this ratio showed an even greater disparity, in light of Norman invasions. As a consequence, not all women would marry. Virginity, ergo, was incredibly important in the bartering process, and so was perceived by kin and suitors as both an ideal and a necessity.

⁵⁷ C. McAll, 'The Normal Paradigms of a Woman's Life in the Irish and Welsh Texts' in *The Welsh Law of Women* by Morfydd E. Owen and Dafydd Jenkins (Cardiff: University of Wales Press, 2017). p. 9.

⁵⁸ C. McAll, 'The Normal Paradigms of a Woman's Life in the Irish and Welsh Texts' in *The Welsh Law of Women* by Morfydd E. Owen and Dafydd Jenkins (Cardiff: University of Wales Press, 2017). pp. 9 – 10.

⁵⁹ A. Wilson, 'The Infancy of the History of Childhood: An appraisal of Philippe Aries', *History and Theory* 19 (1980). pp. 132 – 153.

⁶⁰ M. E. Owen, 'Shame and Reparation: Women's Place in the Kin' in *The Welsh Law of Women* by Morfydd E. Owen and Dafydd Jenkins (Cardiff: University of Wales Press, 2017). p. 53.

⁶¹ Eileen Power, *Medieval Women* (London: Cambridge University Press, 1995). p. 52.

Furthermore, a Marxist-Feminist analysis shows that virginity was necessary in order to ensure legitimate paternity; in medieval Wales it served primarily the feudal lord and her husband, but also the family themselves. Payment known as '*amobr*' was liable to the lord upon presentation of a prospective bride, whilst a morning payment, known as '*cowyll*' was liable for the loss of virginity, paid to the woman herself. The matter that the latter was delayed until the morning gave time for the husband to be assured of the virginity himself, despite the affirmations of his wife's kin. It necessarily implied that it was the loss of virginity itself which signified the marital union, rather than any public marriage ceremony, although the latter was clearly of some importance in terms of religiosity and fidelity policing. Therefore, it was in the interests of the female to remain virginal, so as to only undergo the three degrees of shame,⁶² and not add a fourth to the list, thus ensuring that she was entitled to her '*agweddi*'.⁶³ Indeed, one *Colan* triad attempts to explain the three exchanges of financial value in terms of their compensation for these experiences of shame:

'The three shames of a girl are: One is that her father tells her "I have given you to a husband", the second is, when she first goes to bed to her husband, the third is when she first rises from the bed to the midst of people. For the giving, her *amobr* is paid.

For her virginity, her *cowyll*, for her shame her *agweddi*.'⁶⁴

⁶² S. Webb, 'The Right Thing is to be a Virtuous Girls: Women in Medieval Wales', *Journal of Languages, Texts and Society* (2019). p. 63.

⁶³ C. McAll, 'The Normal Paradigms of a Woman's Life in the Irish and Welsh Texts' in *The Welsh Law of Women* by Morfydd E. Owen and Dafydd Jenkins (Cardiff: University of Wales Press, 2017). p. 11.

⁶⁴ M. E. Owen, 'Shame and Reparation: Women's Place in the Kin' in *The Welsh Law of Women* by Morfydd E. Owen and Dafydd Jenkins (Cardiff: University of Wales Press, 2017). p. 54.

Thus, it can be seen that within the marital union, the Welsh secular laws legislate strongly in favour of virginity; revealing both its importance for the individuals involved and society as a whole, and equating its loss with a sense of necessary shame. '*The Cynferth Text*' for example, notes how value increases with status, in that 'the *gobr* of a king's daughter is £7, and it is paid to her mother. And the husband pays her *cowyll*... Her *agweddi* is £24,' whilst if she is a farmer's daughter her worth is substantially less.⁶⁵ Accordingly, female virginity meets the needs of society in the social strata into which the woman finds herself. Its value is in its legitimised loss; it is her emotional, sexual and reproductive labour to sell. The compensatory nature of the law codes encouraged the maintenance of virginity, as did those towards the rape of women. Indeed, it really was the time of cultural construction of the importance of the virgin: to all intents and purposes 'the ring's the thing.'⁶⁶

In '*Shame and Reparation; Women's Place in Kin*,' Morfydd E. Owen extends the understanding of the importance of virginity by analysing laws and tractates regarding physical assault and notes that a woman's virginity value also increased in relation to her '*sarhaed*.'⁶⁷ Whilst specific Irish Laws singled out the rape of nuns as linked to the honour-price of the abbess, Welsh law was not as specific, although it does share

⁶⁵ Morfydd E. Owen and Dafydd Jenkins, *The Welsh Law of Women* (Cardiff: University of Wales Press, 2017). p. 157.

⁶⁶ K. L. Peterson, 'The Ring's the Thing', *Studies in Philology* 113 (2016). p. 1.

⁶⁷ M. E. Owen, 'Shame and Reparation: Women's Place in the Kin' in *The Welsh Law of Women* by Morfydd E. Owen and Dafydd Jenkins (Cardiff: University of Wales Press, 2017). p. 44 – 77.

features in common with its Irish predecessor, in that women who 'stood on the corner with a come-hither look' were deemed less worthy.⁶⁸ The assumption was that some self-guarding of one's virginity was also an expectation; chastity mattered. Indeed, this holds additional relevance upon consideration of the financial sanctions placed upon those found to be guilty of raping a virgin, in that alongside payments which were identical to those made in marriage, plus an acknowledgement of the offence caused via the levying of a '*sarhaed*', an additional payment – a fine known as the '*diwry*' – was payable to the king.⁶⁹ The implication therefore, was that the king played a role in guarding virginity and thus this signifies its importance beyond kinship networks. Consequentially, a matter of such magnitude ought not be flaunted in an 'oh boys' kind of fashion.⁷⁰ Indeed, this is evidenced by the fact that prostitutes did not receive compensation for rape.⁷¹

It has been argued by D.B. Walters that similarities existed between Welsh legal codes and aspects of Roman and Anglo-Saxon laws as a consequence of their similar social structures; namely, their focus upon monogamy.⁷² Such directives and penalties towards virginity therefore can be best seen within a Marxist framework, by

⁶⁸ L. Oliver, 'Forced and Unforced Rape in Early Irish Law', *Proceedings of the Harvard Celtic Colloquium 13* (1993). p. 97.

⁶⁹ M. E. Owen, 'Shame and Reparation: Women's Place in the Kin' in *The Welsh Law of Women* by Morfydd E. Owen and Dafydd Jenkins (Cardiff: University of Wales Press, 2017). p.55.

⁷⁰ L. Oliver, 'Forced and Unforced Rape in Early Irish Law', *Proceedings of the Harvard Celtic Colloquium 13* (1993). p. 97.

⁷¹ L. Johnson. 'Sex and the Single Welshwoman: Prostitutions and Concubinage in Late Medieval Wales', *Cynfraith Hywel Online* (2014) p. 256.

⁷² D. B. Walters, 'The European Context of Welsh Law and Matrimonial Property', in in *The Welsh Law of Women* by Morfydd E. Owen and Dafydd Jenkins (Cardiff: University of Wales Press, 2017). pp. 131 – 132.

considering the functions of the family. Frederick Engels theorised that the nuclear family evolved primarily to ensure the legitimacy of heirs, and thus was essential in order to meet the needs of a feudal society in which wealth needed to be disseminated along the patriarchal line.⁷³ Ergo, it is fully understandable that the '*Welsh Laws of Women*' read as they do; and for that matter, that few nunneries were constructed in a nation that was facing subjugation by its neighbour. The virgin was not a desirable commodity in and of herself; she was a route to the production of legitimate off-spring. The focus on virginity until marriage necessarily accrued power and status for the patriarchs, and also – as a reward – allowed for some measure of status for the woman herself.⁷⁴ after all, she did produce the next generation of heirs or workers, status-dependent.

In case this message was not received via the legal system, it can also be seen to be reinforced by the oral narratives of the day, as exemplified by the inclusion of topics such as chastity and the testing of virginity and fidelity in both '*The Mabinogi*,' and Arthurian literature.⁷⁵ So great was the need for virginity until marriage, that even ships were named after the Virgin.⁷⁶ There was no escaping the expectation; an expectation

⁷³ Marxist Archive, *Frederick Engels: Origins of the Family, Private Property and the State* 2016 < <https://www.marxists.org/archive/marx/works/1884/origin-family/ch02d.htm> > (Accessed on 18 March 2022).

⁷⁴ M. E. Owen, 'Shame and Reparation: Women's Place in the Kin' in *The Welsh Law of Women* by Morfydd E. Owen and Dafydd Jenkins (Cardiff: University of Wales Press, 2017) .p.49.

⁷⁵ S. Sheenan, 'Matrilineal Subjects: Ambiguity, Bodies and Metamorphosis in the Fourth Branch of the Mabinogi', *Signs* 34:2 (2009). pp. 319 – 342. See also: B. Besamusca. 'Characters and Narrators as Interpreters of fidelity Tests in Medieval Arthurian Fiction', *Department for Dutch Studies: 10* (2009). pp. 289 – 299.

⁷⁶ Joanna de Groot and Sue Morgan, *Sex, Gender and the Sacred: Reconfiguring Religion in the Gender History* (New Jersey: Wiley-Blackwell, 2014). p. 631.

which was acknowledged by women themselves in '*Hen Bellion*' poetry, whereby it was noted that 'the right thing is to be virtuous.'⁷⁷

Furthermore, according to Jane Cartwright, poetry provides a vital source of historical information, indicating the norms and values of the time.⁷⁸ The male obsession with virginity, therefore, can be seen in poetry dedicated to nuns, including that of Dafydd ap Gwilym, in which he urges them 'do not be chaste in spring-time,'⁷⁹ thus indicating both a fascination with virginity and a desire to corrupt. Hence, the message to women was to be chaste, but not celibate. In fact, Cartwright argues, '*Cyfraith y Gwragedd*' indicated how the trading of virginity could provide a lucrative income source for the Lords, and hence women of noble birth were simply too financially valuable to be encouraged to dedicate their lives to Christ.⁸⁰ The contradictory views of women in terms of their 'subjection and worship'⁸¹ therefore was designed to maintain male access to a previously barren womb.

However, Nerys Patterson argues against the view that women were judged by standards different to their male counterparts, noting that 'all social relations were

⁷⁷ S. Webb, 'The Right Thing is to be a Virtuous Girls: Women in Medieval Wales', *Journal of Languages, Texts and Society* (2019). p. 51.

⁷⁸ J. Cartwright, 'The Desire to Corrupt: Convent and Community and Medieval Wales' in *Feminine Sanctity and Spirituality in Medieval Wales* by Jane Cartwright (Cardiff: University of Wales Press, 2008). p. 177.

⁷⁹ J. Cartwright, 'The Desire to Corrupt: Convent and Community and Medieval Wales' in *Feminine Sanctity and Spirituality in Medieval Wales* by Jane Cartwright (Cardiff: University of Wales Press, 2008).p. 189.

⁸⁰ J. Cartwright, 'The Desire to Corrupt: Convent and Community and Medieval Wales' in *Feminine Sanctity and Spirituality in Medieval Wales* by Jane Cartwright (Cardiff: University of Wales Press, 2008). p. 203.

⁸¹ Eileen Power, *Medieval Women* (London: Cambridge University Press, 1995). p. 26.

hierarchical.⁸² Citing such individuals as Gwenllïan in 1136 A.D. to show that women did participate in society, and even warfare, Patterson argues that women were active agents in the social life of medieval Wales.⁸³ Yet their rarity in such roles, alongside their almost invisibility in the '*Law of Court*,'⁸⁴ indicates that it is more likely that they were considered to be a reserve army of surplus labour; a matter supported by their limited membership of trade guilds.⁸⁵ However, whilst Joan Wallach Scott⁸⁶ argues therefore that gender should always be at the centre of historical analyses, support for this notion of relative equality comes from the burlesque manner in which some of the laws were directed to be enacted. For example, the tractate in which a man accused of rape should 'give the oath of fifty men, without foreigners', whilst the victim should take the opportunity to swear upon his penis,⁸⁷ presents a situation in which one struggles to see when and how such performative justice would have been administered. Accordingly, it could be argued that rather than being inferior, women were either subject to law codes which were rarely enacted, or were exalted and placed on a legal pedestal. Virginity therefore, was simply an ideal.

⁸² N. Patterson, 'Woman as Vassal: Gender Symmetry in Medieval Wales', *Proceedings of the Harvard Celtic Colloquium* 8 (1988). pp. 31 – 32.

⁸³ N. Patterson, 'Woman as Vassal: Gender Symmetry in Medieval Wales', *Proceedings of the Harvard Celtic Colloquium* 8 (1988). pp. 31 – 32.

⁸⁴ S. R. Chapman, 'Gender and the social imaginary in medieval Welsh law', *Journal of the British Academy* 8 (2020). p. 273.

⁸⁵ Eileen Power, *Medieval Women* (London: Cambridge University Press, 1995). p. 61.

⁸⁶ S. R. Chapman, 'Gender and the social imaginary in medieval Welsh law', *Journal of the British Academy* 8 (2020). p. 271.

⁸⁷ Celtic Literature Collective, *The Laws of Hywel Dda* 2016 <https://www.maryjones.us/ctexts/laws_hywel_dda.html> (Accessed on 28 March, 2022).

On the other hand, it is clear to see that inheritance laws –of particular importance to nobility– strongly legislated in favour of males, with women being forbidden to own land.⁸⁸ Furthermore, Chapman shows how imagery relating to gender had successfully removed the female from her previous role of sovereign queen,⁸⁹ and placed her instead as a mere receptacle. The female was no longer a symbol of fertility in her own right; she was a barren field to be ploughed.⁹⁰ Thus, the medieval view of virginity indicates that a '*morwyn*' alone is worthless; a virgin needs a legally contracted man.

However, it must be noted that class matters, with evidence indicating re-marriages amongst the aristocracy.⁹¹ Yet despite this, the legal codes clearly envelope women regardless of their demographics, whilst prose literature – such as the plight of Arianrhod in the '*Fourth Branch of the Mabinogi*' – shows the consequences of claiming false virginity, in terms of social out-casting and associated shame.⁹² These attributes, namely 'blushing, timidity, shyness and modesty', are duly feminised in a

⁸⁸ John Koch and Antone Minard, *The Celts: History, Life and Culture* (Cardiff: ABC-Clio Publications, 2012.) p. 521. However, the 'Book of Blegywryd' noted that women could own land if it was inherited from her father, who had no sons; see David Thornton, *Kings, Chronicles and Genealogies: Studies in the Political History of Early Medieval Ireland and Wales* (Oxford: Occasional Publications, 2003). p. 102. Furthermore, evidence from Margaret Bromfield indicates that land ownership was known. However, evidence does exist that the authenticity of the Blegywryd tradition is questionable, such as G. Edwards, 'Welsh History Review' *Special Welsh Laws Number* (1963). pp. 11 – 16.

⁸⁹ S. R. Chapman, 'Gender and the social imaginary in medieval Welsh law', *Journal of the British Academy* 8 (2020). p. 284. As exemplified mythology such as that of Rhiannon, according to analysis by W. J. Gruffydd in W. J. Gruffydd, *Folklore and Myth in the Mabinogion: A Lecture Delivered at the National Museum of Wales on 27 October 1950* (Cardiff: Wakeman Press, 2016). Kindle E-Book.

⁹⁰ S. R. Chapman, 'Gender and the social imaginary in medieval Welsh law', *Journal of the British Academy* 8 (2020). p. 284.

⁹¹ E. Cavell, 'Aristocratic Widows and the Medieval Welsh Frontier: The Shropshire Evidence', *Cambridge University Press Online* 2007 < <https://www.cambridge.org/core/journals/transactions-of-the-royal-historical-society/article/abs/aristocratic-widows-and-the-medieval-welsh-frontier-the-shropshire-evidence/89C50A1E6E23EADC1C3180180445AFE5> > (Accessed on 2nd April 2022).

⁹² Patrick K. Ford, *The Mabinogi and other Medieval Welsh Tales* (London: University of California Press, 1977). pp. 98 – 111.

society in which 'honour is the aspiration to status.'⁹³ The lack of virginity at marriage therefore yielded consequences, regardless of status.⁹⁴

Hence, legal codes imply that all Welsh medieval women were passive recipients of male legal directives designed to protect their honour and ensure the smooth-running of patriarchal society by guarding and rewarding their virginity. They are presented as being subsumed by their male kin before their ownership is transferred to a new Lord, in a process designed to 'create docile, female bodies'⁹⁵ regardless of their social status. Yet, medieval prose and poetry sheds a different light on the amount to which women of the higher social classes viewed themselves as active participants in this culture, with the '*First Branch of the Mabinogi*' displaying Rhiannon as very much in charge of her own destiny,⁹⁶ and medieval Welsh poetry by women highlighting an active romance scene.⁹⁷ Nonetheless, it could be argued that legal sanctions were in place to control infidelity,⁹⁸ and that such women were in the minority, circulating only in their own exclusive cliques.

⁹³ M. E. Owen, 'Shame and Reparation: Women's Place in the Kin' in *The Welsh Law of Women* by Morfydd E. Owen and Dafydd Jenkins (Cardiff: University of Wales Press, 2017). p. 50.

⁹⁴ As exemplified by Arianrhod's responses to Gwydion in the '*Fourth Branch of the Mabinogi*' Patrick K. Ford. *The Mabinogi and other medieval Welsh tales* (London: University of California Press, 1977). pp. 99 – 109.

⁹⁵ K. C. Kelly, 'Armour of Proof: The Virgin and the Church in Hagiography' in *Performing Virginity and Testing Chastity*, by Kathleen C. Kelly (London: Routledge, 2002). p. 79.

⁹⁶ Patrick K. Ford. *The Mabinogi and other medieval Welsh tales* (London: University of California Press, 1977). pp. 35 – 57.

⁹⁷ See the works of Gwerful Mechain for example: Katie Gramich, *The works of Gwerful Mechain* (Peterborough: Broadview Press, 2018).

⁹⁸ L. Johnson, 'Amobr and Amobrwyr: The Collection of Marriage Fees and Sexual Fines in Late Medieval Wales', *The Honourable Society of Cymmadorion* 7 (2017). pp. 10 – 22.

The Welsh law codes, accordingly, illustrate that virginity – ergo paternity – was a pragmatic commodity to be guarded, and it was too important to be left to the individual. It was necessary for kinship allegiances and continuity of ‘the way of life of society,’ and thus its policing involved the highest echelons of society. In the main therefore, this view was supported by religious and secular literature, with the writings of those such as Christine de Pizan reinforcing the message.⁹⁹ Indeed, a females’ life-price was half that of her brother,¹⁰⁰ and this – alongside the matter that Welsh law disseminated inheritance to all sons, regardless of their legitimacy¹⁰¹ – meant that it was in the interests of all males to guard their women with care.

The essence of culture was that woman was invisible in the court, working in the country, and yet in both locations was necessary for the smooth-running of society: for virginity ensured the continuation of the pure male line.¹⁰² Whilst the legal codes were without doubt social constructions, they were impactful in terms of attitude formation towards virginity, using religion alongside rewards and sanctions as an ‘opium of the masses.’¹⁰³ Examples of ‘deviants’ were publicly shamed via penance and punishment¹⁰⁴ to further reinforce the importance of chastity until (and within)

⁹⁹ Diane Bornstein, *The Lady in the Tower* (Hamden: Shoe String Press, 1983). p. 26.

¹⁰⁰ M. E. Owen, ‘Shame and Reparation: Women’s Place in the Kin’ in *The Welsh Law of Women* by Morfydd E. Owen and Dafydd Jenkins (Cardiff: University of Wales Press, 2017). Pp. 60 – 63.

¹⁰¹ Thomas Charles-Edwards, *The Welsh Laws* (Cardiff: University of Wales Press, 1990). p. 9.

¹⁰² Research indicates that this male line at times also spread into England, see for example Roderick. J.A. ‘Marriage and Politics in Wales’, *Cylchgrawn Hanes Cymru* 4 (1968). pp.3 – 21.

¹⁰³ M. Rogers and M. E. Konieczny, ‘Does religion always help the poor? Variations in religion and social class in the West and societies in the global south’, *Palgrave Communications* 4 (2018). pp. 1 – 3.

¹⁰⁴ C. McKenna, ‘Performing Penance and Poetic Performance in the Medieval Welsh Court’, *Speculum* 82: 1 (2007). pp. 70 – 96.

marriage. Whilst it is clear that virginity was indeed therefore a 'saleable commodity',¹⁰⁵ the employment of a Marxist-Feminist perspective notes that not all women were equally placed to sell their reproductive labour to the highest bidder. However, in a time in which justice appeared to be oral¹⁰⁶ it is impossible to know whom the law affected the most.¹⁰⁷

The light that the law codes shed on medieval attitudes towards virginity in Wales therefore is that they were the 'social imaginaries' that – despite being devised by affluent and influential males, often for affluent and influential males – were consumed by lay members of society due to their vested interest. They were influenced by existing monotheistic ideology and accompanied by assisting narratives relayed via religion and literature. Applying Hirschi's '*Bonds of Attachment*'¹⁰⁸ they were most likely followed by those who either had the most to lose or the most the gain; in terms of financial rewards, social inclusion and status. Those who were fortunate enough to care not for their reputation, and had the means to support themselves – as with Arianrhod – possibly paid the least attention to them, whilst other women likely participated in social shaming as a form of competition for scarce resources themselves.¹⁰⁹ Overall,

¹⁰⁵ J. Cartwright, 'The Desire to Corrupt: Convent and Community and Medieval Wales' in *Feminine Sanctity and Spirituality in Medieval Wales* by Jane Cartwright (Cardiff: University of Wales Press, 2008). p. 202.

¹⁰⁶ S. R. Chapman, 'Gender and the social imaginary in medieval Welsh law', *Journal of the British Academy* 8 (2020). p. 269.

¹⁰⁷ The absence of reliable marriage data also affects the ability to draw valid conclusions.

¹⁰⁸ T. Hirschi, 'A control theory of delinquency', *Criminology Theory: Selected Classical Readings* (1969). pp. 289 – 305.

¹⁰⁹ T. Vaillancourt, 'Do human females use indirect aggression as an intrasexual competition strategy?', *Philosophical Transactions of the Royal Society B* (2013). pp. 1 – 7.

the perception of virginity was informed by the matter that the most important thing that a woman brought to her marriage was her reputation; and in medieval Wales – despite disparities in social status, geographical location and time period – it appeared that virginity yielded reputation and that reputation was everything.¹¹⁰

¹¹⁰ Radiker, L. 'Traditional and Courtly Themes in Medieval Welsh Elegy to A Fair Maiden Meek and Mild', *Proceedings of the Harvard Celtic Colloquium* 24 (2004). pp. 103 – 107.

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