

Hysbysiad Hawlfraint

Dyma atgoffa staff a myfyrwyr y Brifysgol hwn fod hawlfraint yn gymwys ar y darn hwn ac ar y gwaith y mae'n dod ohono. Gwnaed y Copi Digidol hwn yn unol â thelerau Trwydded yr Asiantaeth Trwyddedu Hawlfraint, sy'n golygu eich bod yn cael:

- Gweld a lawr lwytho copi
- Argraffu copi

Mae'r Copi Digidol hwn ac unrhyw gopi digidol neu argraffedig a roddir ichi neu a wnaed gennych yn ôl telerau'r Drwydded hon i'w ddefnyddio yng nghyd-destun y modiwl hwn neu'r cwrs astudio hwn. Cewch gadw'r copïau hyn ar ddiwedd y cwrs, ond dim ond at eich defnydd eich hun.

Rhaid i bob copi (gan gynnwys copïau electronig) gynnwys yr Hysbysiad Hawlfraint hwn a rhaid iddynt gael eu dinistrio neu eu dileu os bydd y Brifysgol yn gofyn ichi wneud hynny.

Ac eithrio'r hyn sy'n dderbyniol yn ôl darpariaethau cyfraith hawlfraint, ni cheir copïo, cadw na dosbarthu (gan gynnwys dosbarthu drwy e-bost) heb ganiatâd y sawl sy'n dal yr hawlfraint.

Mae gan yr awdur (ymadrodd sy'n cynnwys arlunydd a'r sawl sy'n creu gweithiau gweledol eraill) hawliau moesol ar y gwaith ac ni chaiff staff na myfyrwyr achosi na chaniatáu i'r gwaith gael ei anffurfio, ei lurgunio na'i addasu fel arall, na'i drin mewn unrhyw fodd difriol arall, a fyddai'n gwneud cam ag anrhydedd neu enw da'r awdur.

Teitl y darn: **Adolygiadau: Marriage Disputes: A Fragmentary of Old Irish Law**

Text

Enw'r Awdur: **Roberts, S. E.**

Teitl/Awdur/Argraffiad y llyfr (os yw'n berthnasol)

Enw Crëwr Gwaith Gweledol neu

gydnabyddiaeth arall (os yw'n berthnasol):

Manylion cyfnodolyn -

teitl/Cyrol/Blwyddyn (os yw'n berthnasol): **Studia Celtica Cyfol L (2016)**

Cyhoeddwr: **Gwasg Prifysgol Cymru**

Tudalennau a sganiwyd: **175 - 176**

Cwrs Astudio (Enw a rhif y modiwl): **Methodoleg Astudio ac Ymchwilio CYCS7014C**

Enw'r sawl a awdurdododd

y sganio: *E. L. Harris*

Dyddiad y rhoddwyd awdurdod: 17.10.17.

Moodle/Powerpoint

Adolygiadau – Reviews

Marriage Disputes: A Fragmentary Old Irish Law-Text, ed. Fergus Kelly (School of Celtic Studies, Dublin Institute for Advanced Studies, Dublin, 2014), 157pp. ISBN 978-1-85500-227-2

This volume by Fergus Kelly is the sixth in the *Early Irish Law Series* published by the Dublin Institute for Advanced Studies. Since the first volume was published in 1983, the series has proved to be of immense value for students of medieval law. Not only has it furthered scholarship in early Irish law, but it has benefited those examining other legal systems in Britain and continental Europe. Fergus Kelly himself has been a key contributor to the success of the series. He was the co-author (with Thomas Charles-Edwards) of *Bechbretha* (the Old Irish tract on bee-keeping) and was sole author for two others. His *Guide to Early Irish Law* is the starting point for beginners and a frequent reference for those with more experience, while *Early Irish Farming* is a history of society and agrarian life in the seventh and eighth centuries drawn from evidence in the law texts. Such works – and indeed, studies of early or medieval law texts in general – are often dismissed as being simply ‘legal history’, but Kelly’s studies show that law, being central to society and life in general, is a major source for everyday life, the preoccupations of people and society, the issues that mattered to people at the time, and the way society and the needs of individuals may (or may not) have changed depending on the circumstances within which they were living.

Kelly’s latest study turns to a very popular and interesting aspect of the study of law, that of women and marriage. This is a topic which has been given a great deal of attention, with several studies on women and the law in Ireland, and also in Wales, England, and further afield. The nature of Irish law means that, unlike in Wales, there are several different texts focusing on similar topics, creating a complementary whole. *Cáin Lánamna*, ‘the law of couples’ is a similar Irish text looking at recognized marriages and unions in early Ireland, and the division of property in the case of divorce. It has been edited and published by Charlene Eska: *Cáin Lánamna: An Old Irish Tract on Marriage and Divorce Law* (Brill: Boston and Leiden, 2009). Kelly makes reference to this in the present work.

The text studied and presented here by Kelly, on ‘marriage disputes’, has not previously been published in a modern edition, and has perhaps received less attention as it is a fragmentary text, although it includes a commentary, which can be a useful feature of Irish law texts but something which is not found in the Welsh legal tradition. Kelly explains that the text however has also been overlooked as it is not well-known under a particular heading in the way that some Irish law tracts are – *Cáin Lánamna*, *Críth Gablach*, and so on. This would make reference to the text a little more difficult, and would also suggest that the text may not have been as common, in circulation, as the better-known texts of Irish law, including *Cáin Lánamna* on a related subject. As Kelly notes, the text does have its importance since some of the topics discussed in the work are not found elsewhere, and this makes it an important companion text to *Cáin Lánamna*, and this justifies – if such justification was needed – the publication of this present work.

The volume takes a standard approach to presenting a text: it consists of a lengthy introduction which discusses both the text, and the textual history and context of the work under discussion, as well as a section on orthography and language, viewed as a method of dating the text of the commentary, which is detailed and extremely valuable – as the author points out, there is not enough work on dating middle Irish commentaries. The section in the introduction in the current work goes some of the way to rectifying that situation. The text is presented in a clear manner, with a facing-page translation, and there follows the notes which explain textual points, language and orthography, and also the context and meaning of the piece. The introduction is excellent and explains the text, its composition and its context, and also the aspects discussed in the text in full, and while Irish law can be seen as a highly complex subject, the style of writing and the introduction itself means that the book is accessible and user-friendly, and also useful to the non-expert as well as to experienced academics. The notes are naturally more detailed, and shed further light on problems associated with the text. For example, since the text is partial, the change of subject at §5 – on milk – is explained and the suggestion is made that the missing portion of text preceding §5 was on stealing milk. The notes are extremely detailed and technical, for example, pp. 64-65 offering a comparison of different versions of text, including a stemma of textual relationships. There are also further discussions of subjects raised in the text itself – the discussion of the evil eye on p. 66 would benefit from an explanation of the difference between blessed/not blessed, although admittedly a reader who is going through the notes is likely to be informed and may not need the explanation, or be able to follow up the further readings suggested.

The text itself is highly interesting and revealing on the attitudes of society towards certain things, including – but not confined to – the ill-treatment of dogs; the wife's role as provider and maker of certain items; and diseases, both sexual, and ones which would affect the marriage, such as leprosy. On leprosy within marriage, the text compares well to medieval Welsh law, but more details are given in this Irish example, and thus the text has wider value and is a contribution to several scholarly fields.

To conclude, this is a highly important study, undertaken to the highest standard, and is a valuable contribution both to the study of Irish law and also to law and society in general. The volume is beautifully produced, and a particularly interesting – and indeed, rare – inclusion are the eight colour plates, giving the entire text from the manuscript. We must now eagerly, but patiently, await the next volume in the series.