

THE GREATNESS AND DECLINE OF THE CELTS

PART THREE

THE CIVILIZATION OF THE CELTS

CHAPTER II

THE STRUCTURE OF SOCIETY. LEGAL AND POLITICAL INSTITUTIONS

I

THE SEGMENTARY CHARACTER OF CELTIC SOCIETY AND THE POLITICO-DOMESTIC CHARACTER OF ITS INSTITUTIONS

IN a Celtic society, the state usually remains rudimentary and almost undifferentiated. The King was never more than the direct head of a small unit, with definite powers, limited and personal, over the other elements in his kingdom. When the kings disappeared in Gaul, their place was taken by aristocratic bodies of magistrates which did not constitute republics.

The cells of the Celtic societies are of the politico-domestic order; their political functions are of the same nature as those of the family. There is no state to interfere in their administration or in their dealings with one another; there is no public ministry to punish offences. [Cf. Sophie Bryant, *Liberty, Order, and Law under Native Irish Rule: a study in the Book of the Ancient Laws of Ireland*. London, 1923.] The Celtic societies are at the tribal stage, and have only a private law. Disputes can lead only to arbitration. It is for the injured party to compel the injurer to accept arbitration. Wrongs can be corrected only by private vengeance or compensation. Celtic law is based on arbitration, compensation, and seizure. The system of compensation was to a great

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extent codified and developed by the establishment of a scale of fines, fixed and co-ordinated according to the quality of the person entitled to damages and the nature of the offence. This scale of compensation-fines as it were stereotyped the inequalities of Celtic society. [D'Arbois, CCXLVIII, viii, ch. i, pp. 1 ff.; Joyce CCCCXXXIV.]

Inequalities were introduced from above by the action of the chiefs and the families of chiefs, who embodied all the public power of which these societies were capable. Other inequalities came from below, partly as a result of the round game of private vengeance and the ruinous rates of compensation. So a class of men outside the law grew up. Outlaws established themselves somewhere in the service and under the protection of wealthy and powerful chiefs. Debtors were dependent on their creditors. In the institutions of the Celtic world there were internal causes of evolution which led it, after creating aristocracies, to create plebeian classes which tended to become democracies.

II

THE DIVISIONS OF SOCIETY

1. The Tribe

In a Celtic society, the tribe is the group of cells which constitutes the first self-sufficing social unit. For neither clans nor families are self-sufficing; one clan needs another to supply it with wives and do other indispensable services, and the same is true of the family. In Ireland, the unit is called *tuath*, plural *tuatha*. [Joyce, op. cit., i, p. 39. Cf. Czarnowski, CCCCXXIII.] Its equivalent existed in Gaul; this is attested by the name of the god Teutates, who is probably the *genius* of the *tuath*; by the word *toutio* in an inscription from Briona, apparently meaning "citizen"; and by the word *toutiorix*, apparently meaning "king of the *tuath*". The word also exists in Oscan and Umbrian, and evidently belongs to the Western Indo-European vocabulary. [Czarnowski, op. cit., p. 231, n. 1.]

The members of the *tuath* are putatively kinsmen, united, fed on the same milk, living on the same soil. They are descended from the same ancestor, and that descent is indicated by the name, which is a gentile, collective, or composite name, indicating the ancestry. If the ancestor, as is more frequently the case, is a historical personage, the history to which he belongs borders on legend.

Mr. MacNeill [MacNeill, CCCCXLI, pp. 350, 353. Cf. *ibid.*, pp. 293, 297.] disagrees with this

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conception of the *tuath*. He holds that all we have is an onomastic method, designating by the name of the ruling family a whole territory and the people living on it. He shows that, for example, the Ui Maine comprised people of different race and unequal condition, grouped under the rule of kings descended from Maine Mor. But he fails to see that if, even in the case of a highly developed *tuath* like the Ui Maine, territories with the groups of men on them are still designated by gentile names, it is because they have in theory been populated by groups of kinsmen which were once true tribes.

The equivalent of the *tuath* in Gaul is probably the *pagus* of the *Commentaries* and Roman Gaul. The Greek writers call these *pagi* $\phi\upsilon\lambda\alpha$ or $\phi\upsilon\lambda\alpha\acute{\iota}$, in contrast to the *civitates*, which they call $\epsilon\theta\nu\eta$.

The *pagi* are still managing their own affairs under the Roman Empire. In independent Gaul, the citizens may pursue the policy of the *civitas*, but they remain grouped by *pagi*. The army of the Helvetii marches in *pagi*, like the army of Queen Medb in Ireland. [Czarnowski, op. cit., p. 232, nn. 3-4.] The corresponding unit in Wales is called *cantref*, that is the hundred *trefs* or units of agriculture and economic activity in general. The notion of a tribe, in the sociological sense, implies a limitation; the members of the tribe must not be too many, nor its territory too large, for them to be able to live together to some extent and to meet periodically. The Welsh word *cantref* likewise implies a limitation on the territory and the proximity of other *cantrefs*. Irish seems to have, in addition to *tuath*, an equivalent to *cantref*, namely *tricha ced*, thirty hundreds, thirty groups of a hundred hearths. [Ibid., p. 232.]

In general, we may reasonably suppose that the settlement of a population in a district and its accumulation must have tightened up the rather loose organization of the tribe and favoured the territorial aspects of the term at the expense of the aspect of kinship.

2. The Clan

By some chance, ethnographers and sociologists have taken from the Celtic vocabulary the word *clan*; it is a Goidelic word which does not designate a type of unit of a definable shape or size. It means “descendant” or “descent”. In the plural, for instance, in Irish, *clanna Morna* means the descendants of Morann, but the *clanna Morna* may equally well constitute what sociologists would call a tribe, a family, or perhaps a clan. So, too, in Welsh, the equivalent word *cenedl* means a nation, tribe, or family.

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Now, it so happens that the clan, in the sense in which the word is used by modern sociology, [See Davy and Moret, CCCLX.] does not exist - or does so no longer - as an institution in Celtic countries. A somewhat vague term taken from the Celtic vocabulary has been used to designate an institution which had already almost entirely vanished in the Celtic civilizations. The result is that there has been some confusion in the accounts of the societies which we are considering. [As in Vinogradoff's, CCCXC.]

So the clan, in the Celtic sense of the word, is something very different from the normal clan, and in particular the totemic clan. A fair number of Irish *tuatha* were formed round historical families which were collateral branches of royal lines. This is the case with the whole series of the Ui Neill, where one family, perpetuated and growing greater, formed the nucleus of the tribe. The Celtic clans are families, or tribes regarded as families or from the point of view of families, and therefore not at all the same thing as the totemic clan.

Nevertheless, certain facts seem to suggest that it was not always so. The *tuath* or tribe of Erainn comprised twenty-four *forslointe* or denominations, grouped in pairs in twelve *aicme* or stocks. [Windisch, CCXCVI, p. 832, n. 3.] The Soghan tribe, in the territory of the Ui Maine, comprised six clans. [O'Donovan, *Hy Many*, p. 70. Cf. Czarnowski, op. cit., p. 248; Joyce, CCCCXXXIV, i, p. 167.] There must, therefore, have been clans within the tribe, but it must be admitted that in Celtic society no clan-law survives outside tribal law and family law.

Yet there are some relics of the totemic clan in Celtic institutions. M. Salomon Reinach [In his article on survivals of totemism among the Celts, in CXL, xxi, repr. in CCCLXXXIV, i.] has endeavoured to trace remains of early totemism in the food-taboos and animal worships still in force among the Celts. Thus a Connacht tribe, Clanna Coneely, might not eat seals (*coneely* meaning "seal"), and it was said that the forbears of the tribe had been turned into seals. [Joyce, op. cit., ii, p. 129. Cf. Conrady, CCCCXXI.]

But, above all, there survived in the Celtic societies (and this argument is far more important) remnants of the normal organization of the clan. In the history of Munster two royal houses appear, Clanna Deirgthene and Clanna Dairenne, which hold the power generation about, intermarry, and put their children out to board with each other. These two lines stand in the relation of two exogamous clans belonging to different phratries, especially if we suppose that descent went by the distaff side. [Czarnowski, op. cit., p. 255.] This method of reckoning descent, moreover, presented a difficult problem in regard to the education of the children and their preparation for initiation. For the child belonged to his mother's clan, but she lived

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in the clan of his father; he was sent to his mother's clan, at least for some considerable time. The children of a clan were also often placed together under qualified persons in a large house, the Men's House. This institution had another object too: to keep these growing youths under supervision and away from women whom they should not marry.

This institution, which is usually called by the Anglo-Norman name of "fosterage", was kept up in Celtic countries. We find children entrusted to foster-parents, with whom they form real bonds of kinship, as is shown by the fact that some individuals mention their foster-father in declaring their descent, and that mutual legal obligations, comparable to those of kinship, bind the foster-father to his ward. In Ireland the institution is called *altram*. [D'Arbois, CCXLVIII (Droit), i, pp. 112, 187; ii, p. 36. Cf. Czarnowski, op. cit., p. 257; Maine, CCCLIII, p. 242.] It takes different forms, according to the choice of the *aite* or foster-father. Men were selected for this trust from the members of the mother's family, or else from the intellectual classes, Druids or *fili*. [Joyce, op. cit., ii, p. 18.] There are many instances of children brought up by the mother's family. King Muirchertach mac Erca spent his childhood in Scotland with his maternal grandfather, and I have already spoken of the two royal families of Munster. There are still more examples of children educated by Druids or *fili* - Cuchulainn, and the two daughters of King Loegaire who were converted by St. Patrick. In this case the institution tended to take on the form of a school; the Druid Cathbad teaches a hundred pupils besides Cuchulainn. Conn of the Hundred Fights, King of Ireland, has a guard of fifty foster-brothers, who are evidently the companions of his childhood and school-days. So, too, Cæsar and Pomponius Mela remark on the way young men flock round the Druids. Now, the Druidical priesthood, whose civilizing and educative influence was so great, was, as we shall see presently, a clan or group of clans transformed into a secret society. [Cf. below, ch. iii.]

It can, therefore, be proved that Celtic institutions contained many relics of organization in clans. The mentality which has elsewhere manifested itself in totemism still survived among the Celts; it contributed to giving to the tribe on the one hand and to the family on the other features so like those of the old clans as to be hard to distinguish from them, and it gave them that love of emblems, colours, and heraldic devices for which the Celtic clans have always been conspicuous.

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3. *The Family*

A family is a group of men having certain forbears, known or remembered, but usually fairly recent, from whom they are descended direct. In Irish the family is called *fine*. The proper name Venicarius shows that a corresponding word existed in Gaulish. It was replaced in Welsh by *teulu*, which properly means “the occupants of the house” (*ty* “house”; *llu* “guest”). The word belongs to the Western Indo-European group; in Germanic *Wini* means “friend”. In Ireland *fine* designates both the big family of several households and the small family or household; it contains the idea of legal solidarity which constitutes the essence of these kinship-groups. This family, while presenting the general characteristics of the agnatic, undivided family and the patriarchal Indo-European family, also presents in some points interesting relics of the uterine family. [See d'Arbois, op. cit. (Droit), i, p. 185; Joyce, op. cit., i.]

4. *Marriage and Descent*

The ancient writers went to the Gauls for heroes embodying the virtues, particularly in respect of the family and marriage. [Ibid., i, pp. 219 - 229. Cf. A. Bayet, *La Morale des Gaulois*, Paris, 1930.] They have left us a fine conception of marital fidelity and dignity among the Gauls. But the passages in which they speak of the island Celts and their matrimonial ways give a very different picture. The literature of Ireland and Wales leaves one with rather mixed impressions. There is a magnificent song of love and married faithfulness in the Irish *Exile of the Sons of Usnach*. [D'Arbois, op. cit., i, pp. 217 - 319.] But on the whole sexual morals seem to have been fairly lax. The true explanation, as we shall see, lies in the survival of old institutions which had lost their meaning and often conflicted one with another.

Strabo [Strabo, iv, 5, 4. Cf. Jerome, *Adv. Jovinian.*, ii, 7; Dion. Cass., lxii, 6, 3; lxxvi, 12, 2.] tells us that the Irish boasted of their licence and that they recognized neither mothers nor sisters, and for Northern Europe Strabo copies Pytheas, whose information often comes from good sources. But Pytheas may very well have heard some story related like that of Conchobar and his sister Dechtiré, or that of Clothru. [These events are placed nearer our own time by the Irish annalists. Really they go back to a very ancient foundation.] Clothru, who was the sister of Medb, Queen of Connacht, had three brothers, who fought their father for the kingship of Ireland, and before the battle she bore to the three of

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them a son, whom she married. [CCL, English pp. 206, 212. Cf. Vendryès, in *IFA.*, 21st June, 1923.]

Cæsar [Cæs., *Gall. War.*, v, 14.] gives us more detailed information. According to his account, among the Celts of Britain one wife was owned by ten or twelve men, the husbands being each other's brothers, fathers, and sons and the children belonging to a nominal father who had contracted the marriage and taken the woman into his house. One might at first sight suppose that we have here a group of clan kinsmen, sharing wives as the women share husbands. But probably it is really a form of polyandry suited to a fairly large group, living together in one large house, not deriving enough from its common labour to support many wives and perhaps not needing female labour because it does little agriculture. Similar phenomena are reported in Northern India and among the Southern Slavs. Cæsar's description, which is quite credible, does not reveal the survival of a very ancient phase of marriage, but a rather peculiar manner of applying the rules of the Celtic family.

But the epics, history, and law of the Celts contain memories or important remnants of the uterine family.

The descent of heroes like Cuchulainn and Conchobar is indicated by their mother's name. Moreover, they were of irregular birth, and Irish law assigned children born out of wedlock to the mother's family. When, too, the husband was a foreigner, having no family in Ireland, the small family which he founded was attached to that of his wife, being called the "blue family", *glasfine*, because the man was supposed to have come over the sea. [D'Arbois, op. cit. (*Droit*), i, 187.] In that case the "marriage" was said to be "of the man" and the "property" "of the woman". We have instances of succession in the female line and even of matriarchy in the legendary ruling houses of Ireland [Ibid., i, 237.] and the historical ruling houses of Britain. [Joyce, op. cit., i, 41, cites the instance of Macha Mongruad, the legendary foundress of Emain.] Celtic law implied that women had some political competence. Plutarch, in his essay *On the Virtues of Women*, describes them smoothing over quarrels, taking part in the discussions of assemblies, and being appointed arbiters by a treaty between Hannibal and the Volcæ. [Plut., *De Mul. Virtut.*, 24, 66.] Strabo, following Poseidonios, says that the Armorican priestesses were very independent of their husbands. [Strabo, iv, 4, 6.]

It has been observed that the Celtic women wore trousers. Those of Gaul certainly did, witness a statue in the British Museum. [A. J. Reinach, in CVII, xviii.] The Gallic women accompanied their husbands in war, and those of Ireland had military duties proportionate to their rights to landed property. They were only relieved of them by Christianity, and stage by stage. One stage was the purchase of exemption

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from service by giving up half one's property to the family. [Joyce, *op. cit.*, ii, N.] This was one episode in the process of depriving woman of her powers which everywhere accompanied her loss of the privilege of conveying descent.

Apart from these exceptional cases and relics of the past, the normal Celtic family was an almost entirely agnatic family. The woman was the instrument of natural parentage but not of legal parentage. The son of a daughter did not belong to his grandfather's line save in one single case: a man without male issue might give his daughter in marriage, reserving to himself any child which should be born, and that child became legally, not his grandson, but his son. [Czarnowski, *op. cit.*, p. 239.]

This family was gathered round a hearth, which was the centre of its worship and never ceased to hold a central place in the representation of its essence and unity. It worshipped its dead and its ancestors, like the Latin family, but no trace of that worship survives. The father of the family was master in his own house, master of the house and of his folk. [CCXLVI, vii, pp. 244 - 7. Cf. Havet, "Les Institutions et le droit spéciaux aux Italo-Celtes," in CXL, xxviii, pp. 113 ff.] Cæsar and the jurist Gaius [Cæs., *Gall. War*, vi, 19; Gaius, *Instit. Comm.* i, 51-2, 55.] observed that *patria potestas* of the Roman kind was exercised in Gaul. The father had, according to Cæsar, the right of life and death over his children. The laws of Ireland and Wales bear witness to the same powers. They differ on the age of emancipation. In Ireland, *patria potestas* could be terminated only by the death or incapacity of the father. In Northern Welsh law emancipation came at the age of military service, namely fourteen. But we should note that in this case the youth escaped from the tutelage of his father only to enter into dependence on the chief to whom he had been presented. [D'Arbois, *op. cit.*, i, pp. 242, 245, 247.]

According to Cæsar the Gaul had the same power over his wife as over his children. In the noble families, on the death of the paterfamilias, the women fell into the power of his relations, who could, if the death was suspicious, have them tortured or slain. [Cæs., vi, 19.] It could be a method of settling the inheritance of the childless widow. But in fact the situation was not so simple. Married women might have property; accounts had to be rendered to them. Cæsar himself in the same passage indicates that the wife was far from being completely in the *manus* of her husband. She brought a dowry, in the form of property, *pecunia*; the amount of it was reckoned and the husband doubled it, and this constituted a stock; accounts of it were kept and the *fructus*, the profits, were retained. The survivor became the owner of both halves and of the sum total of previous profits. Whatever may have been the nature of the property to which Cæsar here refers, the passage proves that

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it was possible for these common goods to be managed jointly or in some other equitable fashion. [Cf. Jullian, CCCXLVII, ii, p. 407.]

Now this account agrees with the Irish and Welsh laws, in which we again find the dowry and the wife's jointure. The woman whose marriage is the occasion of these patrimonial arrangements is of the same rank as her husband. [D'Arbois, op. cit. (Droit), i, p. 231; Joyce, ii, p. 8.] On general principle, a woman is incapable, under Irish law, of making a contract without her husband's consent, except where their properties are exactly equal. The *Táin* begins with a long discussion between Queen Medb and her husband Ailill about the amount of their wealth and therefore of their rights. [Ibid., i, p. 229.] The Celtic family, then, included the position of matron, *cet muintir*, the chief woman of the family. Her position was, however, more independent than that of the matron who had married again. In this respect the Celtic family is at an earlier stage in the development of the paternal family than the Roman.

The Celtic societies were evidently moving towards monogamy, but polygamy was allowed. [D'Arbois, op. cit. (Droit), i, p. 216. Cf. Stokes, CCLXXXVIII, pp. 52-6; CCLX-IX, pp. 35-6; Joyce, ii, 7.] Normally there was only one matron in a family, but there were other women, slaves or wives. The marriage of the matron involved purchase, but the rites of purchase were simpler for women of lower condition. Concubines (in Irish *ben urnadma*) were bought at the great annual fairs for the term of a year. By this time-limit the woman was saved from coming under the *manus* of the man. But in practice this marriage often lasted more than one year. [D'Arbois, op. cit. (Droit), i, p. 227; CCXLVI, ii, p. 380, 390.]

As in Rome, the purely civil forms of marriage had superseded the ancient religious forms among the Celts. Giraldus Cambrensis declares that a similar kind of marriage was in force among the Welsh, where the purchase was no more than a lease, and it was really a trial marriage, since it did not become permanent until children were born. [Girald. Cambr., *Descriptio Kambriæ*, ii, 6. Cf. Vinogradoff, CCCXC, i, p. 246.] This type of marriage was practised in the families of Scottish chiefs down to the end of the Middle Ages. Divorce was allowed even by mutual consent, and Canon Law itself had to accept it. In Ireland, under the ancient law, a woman leaving her husband kept even the products of her domestic labour. [D'Arbois, op. cit. (Droit), i, p. 228.]

For the children, *altram* made up for the weakness of the marriage tie. The mother's rank did not affect that of the children; the consequences of descent by the father were absolute.

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5. *Extension of the Family*

Among the Celts, the family is a large family, tracing kinship fairly far back in the ancestral line and forming a considerable group of agnates. This is true of Ireland, Wales, and Gaul. The Irish family, in particular, comprises four groups of relations named *gelfine*, the family of the hand (*geil*), *derbfine*, the certain family, *iarfine*, the distant family, and *indfine*, the final family. [Ibid., i, pp. 185 ff.] The *gelfine* includes the man himself with his father, son, grandson, great-grandson, and great-great-grandson. The *derbfine* adds the grandfather in the direct line and, in the collateral line, the uncle, first cousin, and first cousin's son. The *iarfine* takes in, in the direct line, the great-grandfather and, in the collateral line, the great-uncle and two degrees of cousinship, namely his sons and grandsons. The *indfine* includes, in the direct line, the great-great-grandfather and, in the collateral, the great-great-uncle and two degrees of cousinship, namely his sons and grandsons. All these kinsmen are agnates, but of these concentric circles of kinship only the *gelfine* and *derbfine* constitute the family in the strict sense. [Ibid. (Droit), i, 188. Cf. Maine, CCCLII, p. 216; Vinogradoff, op. cit., i, p. 305.]

In the Gaelic clans of Scotland kinship is still wider, being traced further up in the ancestral line and down into the collateral branches. [Meitzen, CCCLIII, p. 205.] It is extremely probable that the Gaulish family was organized in some similar fashion.

The family tie is expressed or revealed in the sense which all members of the family have that they are one and have certain rights and duties in respect of each other. [D'Arbois, op. cit. (Droit), i, p. 181. Cf. Domesday Book, i, 179.] The whole family is responsible for the crimes committed by one member, and shares according to the positions of its members in the payment of fines. [D'Arbois, *ibid.*, p. 66.] But the tie is strongest within the *derbfine*. Murder is forbidden inside that smaller family; the murderer in such a case loses the advantages of kinship while remaining subject to some of its burdens. In fact, the *gelfine* and *derbfine* constitute the normal family. [Ibid., p. 67. Cf. *Senchus Mor*, i, 182, 260; CCXLVII, iv, p. 284.]

6. *Inheritance*

The manner in which the succession was conferred and property was inherited is explained by this organization of the family. This is true, in particular,

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in the case of something which could not be divided - the kingship. As a rule, a king was not succeeded by his son. The reason is that the son was not designated by the system of descent of the *derbfine* to be his heir. He may have been his natural next-of-kin, but not his civil next-of-kin. That civil next-of-kin was his younger brother or some representative of his own or an earlier generation in the *derbfine*. Moreover, while the kingship was hereditary, the heir was chosen from among a number of kinsmen presumed equal, comprising the living agnates of the late king, that is, his uncles and cousins. [See, e.g., the order of succession in the royal family of Eochaid between 398 and 533. Cf. MacNeill, CCCCXLI, pp. 230, 294.] Irish history contains many tragedies which show how the royal families tried to evade these rules.

To secure a regular succession, pains were taken in Ireland to name the heir beforehand - from among the agnates, of course. He was called the *tanaiste* or tanist - a title difficult to explain - and acted as lieutenant to his predecessor. There were tanists for every degree of royalty, from the chieftainship of a tribe to the High Kingship, and even in certain noble families; in short, wherever a succession was indivisible. This system is called tanistry. [Maine, op. cit., 201. Cf. Spencer, CCCCLVIII.]

Divisible goods were apportioned so as to take the agnates into account on a system designated by the English word *gavelkind* [Mackay, "Notes on the Custom of Gavelkind in Kent, Ireland, Wales, and Scotland," in CXXIV, xxxii, 1898, pp. 133 ff. Cf. CCXLVII, iv, pp. 284-295; i, p. 250; iii, p. 331.]; they were divided into gavels, or portions, which were based on a count of the heirs by heads (*per capita*) or by lines (*per stirpes*). The right to make a will existed in Celtic law; but it seems to have been brought in chiefly by Christianity and under the influence of Roman law. [Vinogradoff, op. cit., i, 289.] In this respect the power of the Irish or Welsh father seems to be far less than that of the Roman paterfamilias. He only enjoys the usufruct of the family property; he must render account of the latter to the family and in theory he cannot dispose of it. But this last right he gradually obtained.

The head of a family makes a line of nobles. [CCXLVII, iv, pp. 346, 348. Cf. Czarnowski, p. 246.] The head of the Irish *fine* is a noble; it is not so certain that the head of a Welsh family is. The head of the *fine* has political, judicial, and military functions; he represents the family, speaks for it, leads it in war. In Gaul the head of a family, to judge from the Æduan Dumnorix, seems to have had the guardianship of such women of the family as were not in the power of husbands. [Jullian, CCCXLVII, ii, 407. Cf. Cæs., i, 18, 6, 7.] But in Ireland and Wales he was chosen from among all eligible members of the family, his wealth, popularity, and strength being taken into account. Perhaps he suffered by the lack of that mystical predestination which a

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stricter succession would have given him.

To sum up, the Celtic family is in essence a fairly undivided group of agnates, much more clearly defined as such than the Roman group of agnates, since in it the succession devolves on the agnates and not on the sons, and, apart from the constitution of property, the agnates are ranked in it by generation and age-class. This explains, but does not justify, the confusion sometimes made between the Celtic clan and the totemic clan.

But this family was evolving, and natural kinship was becoming more important. Even in the case of the royal families of Ireland, we see kings working for the future of their sons or grandsons, and gradually becoming more successful, and more frequently so, in securing for them the direct succession to the crown. [MacNeill, *op. cit.*, pp. 114, 238, 290.] The same change was taking place in Gaul, where, for example, Comm of the Atrebatas was succeeded by his own sons. [D'Arbois, *op. cit.* (Droit), i, 97.]¹

7. *Floating Elements*

There is no society without floating elements. By the side of the Celts there were native populations - few in Gaul outside Aquitania and the Provençal coast, very few in Wales, regarding which our texts are very precise on the conquest of the Cymry in the sixth century, and not many in Ireland. There were slaves, also few, for the Gauls did not take many prisoners. Above all, there were the outcasts, men who had left their family, and then their tribe, after committing a crime, or to avoid responsibility for a debt, or for some other reason. Cæsar indicates that they were numerous in Gaul, and they played an important part in Ireland. [Maine, *op. cit.*, p. 173.] Lastly, there were the intellectual men - Druids, poets, bards.

Some of these elements, slaves and freedmen, had become absorbed in the organization of the families, which, besides, could legally adopt members. [Joyce, CCCCXXXIV, i, 166. Cf. Maine, *op. cit.*, p. 231; and, for emancipation, Cæs., v, 45.] Some of them had succeeded in forming families of the same type as the Irish or Welsh families, and enjoyed a legal status after passing a certain stage. Some constituted tribes living in dependence on free tribes. But most gathered round the chiefs and nobles; these *hetairiai*, these bodies of companions, impressed the first Greek writers who came into contact with the Gauls. [Polyb., ii, xviii; Diod., v, 29, 2. Cf. d'Arbois, *op. cit.*, p. 62.] The Gallic chief was surrounded by shield-bearers and spear-bearers, and Cæsar speaks of the devotion of the *soldurii*. The chiefs with whom he had dealings had hosts of

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dependents, forming small armies. [Fustel de Coulanges, CCCXXXIV, pp. 27, 195; Cæs., vi, 15; cf. Cæs., vii, 40; iii, 22; i, 18; Diod., v, 29.] So, too, in Ireland the nobles were surrounded by dependents. [Maine, op. cit., p. 273.]

All these floating elements had their place in the plebs of which Cæsar speaks in connection with the Celtic societies. He distinguishes between three orders - Druids, *equites*, and plebs - but in that plebs he confuses the free families (except their chiefs and the families founded by them) with another stratum of families. This second stratum had formed in consequence of an evolution which took place through contact with the soil.

III

THE LAND AND OWNERSHIP

The Celts had always been very mobile, and therefore not very strongly rooted in the places where they stopped. [See the account of the migration of the Helvetii in Cæsar.] But the soil had its place in their social conceptions. I have already pointed out a word common to the Italo-Celtic languages, represented by Latin *tribus*, Welsh *tref* "portion of the tribe", and Irish *treb* "house". This word stands in essence for a group of men who clear and work a certain tract of ground, and also designates the ground which they occupy. In Old Slavonic, *trèbiti* means "he clears" (ground). The tribe lives in a clearing and is surrounded by a line of boundary-marks. At an early date the Celts on the whole, and particularly in Britain and Ireland, were at pains to mark their frontiers by ditches, hedges, and walls. [Joyce, op. cit., ii, p. 266. Cf. MacNeill, op. cit., p. 131; CXL, xxxvii, p. 367.] In Gaul the frontier was marked by custom-posts, watch-houses, and boundary-lines. [I, xiii, 6127. Cf. Jullian, op. cit., ii, p. 53, n. 2.] The Roman government took over these limits, which continued to bound bishoprics and bailiwicks until recent times.

We can now see how the elements of which the tribe was composed, namely the families, established themselves on the land, how the soil was appropriated by men, as individuals or in families. There was a long controversy once between Fustel de Coulanges and d'Arbois de Jubainville, [D'Arbois, op. cit. (Propr.), p. 104.] who, interpreting Cæsar's remarks and working down to the Middle Ages, discussed whether there was individual appropriation or collective ownership. The fact is that both types existed, as they do to-day. It is also true that the land was divided into

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the estates of large families, which were afterwards grabbed by individual chiefs of those families. Among the island Celts and in Gaul before Cæsar's time most property was collective. An Irish law-treatise declares that the observance of common rules in agriculture is one of the fundamental institutions of Ireland. [Maine, *op. cit.*, p. 101.] It is also plain from the laws of Ireland and Wales that ploughing with the large eight-ox plough required the co-operation of several persons interested. [Cf. Dottin, CCCXXII, p. 185.] But as a rule among the Celts the village is not the effective owner of the land on which it stands.

In Ireland it is the tribe which has the eminent ownership of the land. It was only later, it seems, that the country became covered with hedges. We can imagine a tribe of stock-raisers, on finding itself in possession of a vast territory, grouping the flocks and herds of its families, and the families installing themselves as they pleased on ground which no other claimed. That is how the ancient writers depict the Gauls of Italy, and all the Celts must have been the same at first. [Polyb., ii, 17. Cf. d'Arbois, *op. cit.*, pp. 61, 69, 100; Joyce, *op. cit.*, i, p. 184; Lloyd, CCCCXXXVIII, p. 138. See MacNiell, *op. cit.*, p. 351; the annalists place the first erection of the hedges dividing estates in the reign of Aodh Sláine, about A.D. 600. A passage in the story of Cuchulainn indicates that in ancient times horsemen could ride about freely without being held up by hedges. See the text entitled *Compert Conculaind*, in Windisch, CCXCV, i, p. 136.]

But this condition of undivided property implies an unlimited extent of available ground and an almost entirely pastoral life. Now, the Celts were great husbandmen. After saying that the Cisalpine Gauls lived solely on meat, Polybios describes a country abounding in corn, which was what he had seen; the rest was tradition. Gaul was a corn-country. The army at Alesia starved for lack of corn. Ireland must always have eaten as much barley as meat. A developed agriculture means some fixity. Besides, stock-raisers in all ages must have known that a cow needs a certain amount of fodder daily, summer and winter, and this must have led them to make the area of the ground proportionate to the number of beasts and, therefore, to distribute it. As a fact, we find the land of the Celts divided into the estates of families. Let us see what these families were like.

Family property in Irish is called *baile*. [CXL, xxxix, p. 57. Cf. Joyce, *op. cit.*, ii, p. 372.] It is an old word of the common Celtic, which, through Gaulish, has left a descendant in French *bailliage*. There were 30 *baile* in a tribe, and a *baile* normally corresponded to 300 cows and between 2,500 and 3,500 acres. It was divided into four quarters, which were subdivided into four households each. [Meitzen, CCCLIII, i, p. 175.] While the *baile* tends to become an administrative unit, the quarter keeps its character as landed property. Ireland is a chess-board, on which the squares are quarters, measuring from 160 to 320 acres. They have been subdivided

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and amalgamated, but they are fixed.

The *Senchus Mor* tells us that the members of the *fine* have one house and one bed. [Czarnowski, CCCCXXXIII, p. 246. Cf. *Senchus Mor*, i, pp. 122, 130, 132; CCXLVII, iv, p. 374.] Strabo [Strabo, iv, 5.] says that the Britons lived in enclosures like round kraals, in which the cattle also were kept. The topographical accounts of Ireland show circles inside the quarters, which may have been the common dwelling of the people of the *baile* or of the quarter. Often the great families had *duns* and *raths*, fortified houses or collections of houses with a stone wall round them. [D'Arbois, op. cit. (Droit), ii, 71.] The roof of the house was borne on two rows of three columns (Irish *gabhal*, Welsh *gafll* "fork" or "branch"). The centre was a common hall, with the hearth. The two sides formed four divisions, which were again subdivided into four; here the beds were. The house sheltered sixteen *ménages*; it was a replica of the family. The Welsh, indeed, took from the house the various terms designating the divisions of territorial property. [Ibid. (Propr.), xxv; Joyce, op. cit., i, pp. 39, 196; Meitzen, op. cit., i, p. 184; Vinogradoff, CCCXC, i, p. 309.] These family estates were the collective properties of the large family. On the extinction of each generation, the land was redistributed. The free Welshman seems to have had an inviolable right to a share of the tribal land in the portion of the family, and it seems that there was a legal obligation that each member of the family should receive a *trev* of land (about five acres) on reaching manhood.

This system seems to have gone on working, fairly successfully, in Wales until the fourteenth century. The chief inconvenience was the practice of a father of a family giving part of his land to the Church on condition that it reserved the working of it for his own descendants. [Meitzen, op. cit., i, p. 196.] There was plenty of available land in the Welsh mountains; it was not so in Ireland, where the system of dividing landed property proved less elastic, and it was the large family that altered until it was no more than a kind of territorial division of the *tuath*. [Czarnowski, op. cit., p 248.]

The family broke up. In some cases, to fill gaps, it had to call in strangers [Meitzen, op. cit., pp. 187, 202.]; or else it had to multiply shares so that they became too small. The number of *bailes* increased. The result was much emigration and transplanting of groups, which contributed to transforming the character of the *tuath*. [Ibid., p. 196.]

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1. *Causes of the Formation of a Landed Aristocracy*

The working of the institutions described above might have produced a society of equally poor persons. But there developed in the Celtic societies an aristocracy, a plutocracy, while the freeman was reduced to the position of tenant farmer and even servile tenant. [*Senchus Mor*, iii, p. 52; cf. ii, p. 282; iii, p. 303; Czarnowski, op. cit., p. 242; Joyce, op. cit., i, p. 186; d'Arbois, op. cit. (Droit), ii, 78 (cf. *ibid.*, p. 2); CCXLVII, iv, pp. 68, 159.] There were four reasons for this: (i) the custom of giving appanages to kings, heads of families, and tanists of the various classes [*Senchus Mor*, in CCCXLVIII, ii, p. 280; cf. Czarnowski, p. 285, n. 5; Joyce, op. cit., i, p. 147.]; (ii) the grabbing of unappropriated land by chiefs; (iii) the development of movable wealth; (iv) the substitution of contractual relations of feudal type for the statutory relations of men within groups. The tribe's eminent right to the land was seized by individuals. In consequence, landed property ceased to be collective and became individual, but aristocratic.

1. The territory of a tribe comprised the chief's mensal land, the portions appropriated by families and divided into *bailes*, a proportion of available pasturage, and, lastly, moorland, swamps, and rocky tracts. The freemen had the limited enjoyment of part of these commons. Now, not only kings but nobles carved out private estates from the tribal territory and added them to their share of the family property. The tenants who established themselves there for a limited period were really tenants of the king and nobles.

2. Inequality in movable fortune also contributed to the creation of an aristocracy. Wealth was wealth in cattle, which the rich man grazed on the commons, which he tended to appropriate. [Cæs., vi, 22, 8; 11, 4; i, 4, 2. Cf. Maine, p. 159; d'Arbois, op. cit. (Droit), i, p. 119; CCXLVII, ii, pp. 126, 206, 222; Joyce, op. cit., i, p. 188.] But as his stock increased he lent cattle, and his debtors became a *clientela*. You could lend *free* cattle, that is without change in the condition of the borrower, or *serf* cattle, which entailed a change in his condition. Debtors preferred serf cattle, at the cost of their freedom, for in that case the loan was economically more advantageous. So there grew up in Ireland a class of persons known as *bo-aire*, cattle-nobles. [Joyce, op. cit., i, p. 158.] At the same time the practice of compensation, with its heavy fines, in a society involved in a maze of interconnected feuds and the contracting of debts to pay blood-prices created further inequalities. The whole of society gradually became arranged in a scale of vassalage and clientship. [D'Arbois, op. cit. (Droit), i, p. 105. Cf. Joyce, op. cit., i, p. 157; Maine, CCCLVIII, pp. 131, 136.] In Cæsar's time the heads of families must have had their large family among their debtors and clients, and they alone

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formed the knightly class of the equites. [Cæs., vi, 15. Cf. d'Arbois, op. cit. (Propr.), p. 52; Jullian, CCCXLVII, ii, p. 69.] As in Gaul, so in Wales, the head of the family alone fought on horseback. His kinsmen, dispossessed of their collective rights by mortgage or otherwise, usually remained on the family estate. A number of the villages of France were once the estates of Celtic nobles, the Gallo-Roman *fundi*.

So the tribal system of the Celts gradually became an aristocratic feudal system. But the aristocracy sprang from the Celts themselves.

2. *The System of Agriculture*

Irish and Welsh family properties and their subdivisions were surrounded by hedges, ditches, or earth banks. There were only the rudiments of villages where roads crossed. [Meitzen, op. cit., i, p. 214. Cf. Joyce, ii, p. 264.] This is still the case in Brittany and Vendée, and in varying degrees in Central France. In the north and east of France, on the other hand, we find large villages, few isolated farms, and few hedges, and the fields run down the slopes in parallel bands. This disposition comes from a past age in which the village had common land, with alternate fields which were not appropriated but merely allotted. The same arrangement of the fields is found in Ireland and Wales around the towns and large villages; in Scotland it is called runrig, division into elongated fields. These towns and villages are later creations, as we have seen.

Both methods of occupation are of Celtic origin, and both correspond to a distribution of the tribal soil into family estates. But the park system corresponds to a pastoral life and the field system to an agricultural.

IV PENAL LAW

As I said at the beginning of this chapter, the Celtic state had no magistrates, but only arbiters - originally Druids, *fili, prud'hommes*, or Brehons. These did not intervene unless called in by both parties, or at least one. Normally, the man who had suffered by the infraction of the law had a right to exact justice himself. [S. Bryant, *Liberty, Order, and Law under Native Irish Rule*, London, 1923, p. 259.]

The payment of compensation was at the very foundation of Celtic penal law. It was also a method of avoiding blood-shed. The amount was determined by the

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victim's rank, whether the crime was murder, wounding, or injustice. If he was a free man of superior class, there was added to the price of the body the price of honour, proportionate to his dignity. [D'Arbois, i, pp. 76, 199.] As late as the sixteenth century, when a man was murdered in Ireland, the brehon made the murderer and the kinsfolk of the victim effect a transaction whereby, on payment of an indemnity (*eric*, meaning compensation-fine), the crime was extinguished. [R.C., ix, p. 143.] In Gaul, in Cæsar's time, the Druids fixed the *poenas*, that is, apparently, the fine paid by the defender, if he lost the case and was solvent, or by his family in his default, if it was itself solvent. At the same time they laid down the punishment which he should receive if insolvent. The Druids also fixed what the Latins called the *præmia*, the sum to be shared by the family of a murdered man or to be received by one wounded or treated with injustice. The fine not only repaired the damage done, but paid for the outrage on honour and enriched the injured individual or family. [D'Arbois, pp. 82 ff.] To escape the payment of it, which fell on all members of the family, as has been said already, the guilty man or even part or the whole of the family would go into exile. We have already seen the importance of the exile in Celtic society. [Ibid., p. 83.]

For the murder of a free man the body-price (Irish *dire*) was seven female slaves. [In *Ancient Laws of Ireland*, iii, p. 70.] To this was added the price of honour (*enechlann* or *log eneich*), which was graded according to the rank of the victim. That of the king of a *tuath* in Ireland was fixed at seven female slaves, or twenty-one cows, or thirty-five horned cattle of medium value. [Ibid., iv, p. 346.] In legend this figure appears among the teachings of the famous King Cormac mac Airt. According to the *Senchus Mor* the price of the honour of the king of a province is twenty-one slave-women or sixty-three cows or a hundred and five horned cattle of medium value. Lastly, the price of the honour of the High King rises to twenty-eight slave-women or eighty-three cows or a hundred and forty horned cattle of medium value. [Ibid., ii, pp. 224, 226. Cf. i, p. 230; iv, p. 236; iii, p. 42.] Tariffs of compensation are laid down for the price of the honour of the various categories of *aire* or free men.

Similar conceptions are found in Wales, where the *gwyneb garth* or "price of the face" seems to correspond fairly exactly to the Irish *enechlann*. [J. Loth, *Les Mabinogion du Livre Rouge de Hergest*, Paris, 1913, i, p. 127, n. 2. Cf. d'Arbois, *Etudes sur le droit celtique* i, pp. 134 - 5, 153,]

From the date of summons before the arbiter to the date of appearing there are forty days. When that time has passed, the pursuer can proceed to seize the immovable property after fulfilling certain formalities.

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The fine is fixed by the arbiters. We shall see how this function was performed by the Druids, and by the *fili*, who were attached to the Druids as subordinates, became their rivals, and finally superseded them in their capacity of arbiters and judges.

The payment of the fine fell on the family in the strict sense, the *gelfine*, and if it could not meet it by itself, the responsibility was extended to the wider family, the *derbfine*, and so on to the *iarfine*.

By the side of the private penal law based on compensation and dispensed by arbitration, there were some rudiments of a public penal law, marked by the increasing intervention of the great assemblies, which tended to form a kind of supreme court of conciliation, and to judge offences against the state or what took the place of a state.

V

POLITICAL INSTITUTIONS

1. *The King and the Evolution of Kingship*

To designate chiefs of a certain dignity, the Celts had inherited from their Indo-European past the word *rix*, corresponding to the Latin *rex* and the *raja* of the Hindus. They had, therefore, had kings before they had been long parted from their Indo-European kinsfolk. [D'Arbois, *op. cit.*, i, p. 192.] In Ireland there was a whole scale of kings, ranging from the king of the *tuath* to the High King of Ireland. [Joyce, *op. cit.*, i, pp. 41, 599. Cf. d'Arbois, CCXLVIII (Droit), i, p. 105] Among the Gauls of the Continent the Latin writers mention *reges* and *reguli*. These latter were doubtless the petty kings of the *pagi*, in other words of the *tuatha*, or tribes. [Polyb., iii, 50; Jullian, CCCXLVII, ii, p. 39.]

The Irish kings [MacNeill, CCCCXLI, p. 26. Cf. CXL, xxix, p. 5.] have all the appearance of sacred kings, endowed with mystical powers far exceeding their real political power. In the reign of Cormac mac Airt, says an Irish poem, the world was happy and pleasant; there were nine nuts on every branch and nine branches on every bough. The king is a chief, embodying the mystical powers of the clans. A good king makes the land fruitful and is a guarantee of plenty, prosperity, and security. [CXL, xxxix, p. 21. Cf. Joyce, *op. cit.*, i, pp. 55 - 6.] He is in relations with the order of nature; his

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movements are connected with the movement of the sun. [CXXXIV, 1917, p.37] His mystical virtues are protected by taboos, *geasa*. He must not do any work, any slavish labour; he must not rear pigs, although the domestication of that animal is one of the gifts of the heroes; he must not till the soil, although he is the great creator of fertility. [Joyce, op. cit., i, p. 60; cf. p. 55.] His physical perfection is the guarantee of his virtues; when Cormac mac Airt lost an eye he was deposed. [Maine, CCCLII, p. 37.] He answers on his head for the victories expected of him.

It was the same among the Continental Gauls. The suicide of Brennus after Delphi corresponds to that of Ailill Inbanna, King of Connacht, after his defeat. [Joyce, op. cit., ii, p. 532.] Deiotarus, the soothsayer king of the Galatians, is a king of the same type. [Jullian, op. cit., ii, p. 44. Cf. XI, vi, p. 168.]

The relationship of these kings to their subjects was certainly originally conceived on the model of that of the head of a family or clan to his family or clan. In Ireland, the king appears in his capacity of father of a family when he collects a tax, called the maiden's ring, for the marriage of the girls of the tribe. [Joyce, op. cit., ii, p. 7.] In Irish law the chief acts as family to those who have none. [D'Arbois, op. cit., i, p. 63.]

The king is the head of a royal line in a society composed of lines. In Ireland and Wales at least he seems to have ruled his kingdom in the manner of the father of a family. He is elected by the *aire*, the nobles. In Ireland and Gaul the election did not always go off peacefully. The kingship was conferred, then, both by right divine and by election. [Jullian, op. cit., ii, p. 44. Cf. Joyce, op. cit., i, p. 44; MacNeill, op. cit., p. 353.]

The existence of several royal houses, of the same origin or rivals, complicated the problem of the succession. Sometimes, particularly in the case of the High Kings of Ireland, the kingship went to the paternal and the maternal family alternately. At other times (there are five instances in the list of High Kings from 565 to 664), rival ambitions were satisfied by the association of both kings in the sovereignty. [Ibid., i, p. 45.] The election was attended by ceremonies of divination which gave the gods a part in the proceedings, and was complicated by ceremonies of inauguration. There was a stone of inauguration - a stone seat or a stone with an impression on which the king set his feet. The new king, unarmed and holding a white rod, turned round several times, listened to the royal *file* reading the laws, and took the oath. [Ibid., i, p. 46.]

Once appointed, the king possessed all power, religious, judicial, and military; he had certain subsidies in addition to the revenues of the royal land, [Ibid., i, p. 50. See Cæs., vi, 15.] and lived at his subjects' expense on his official tours. He had a

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regular retinue, a court [Ibid., i, p. 61.]; he was hospitable by tradition and kept open table. [Ibid., i, p. 48.] He travelled often and was the guest of his vassals.

Ireland had a very high ideal of kingship, [CCXLVII, iv, p. 51.] an ideal of loyalty, fairness, fidelity to the laws, knowledge, and judgment. The legendary instructions of King Cormac mac Airt to his son Cairbre are an exposition of this ideal. [Cf. Maine, op. cit., p. 184; Joyce, op. cit., i, p. 57. See, in Kuno Meyer's ed. and trans., *Tecosca Cormaic*, CCXCI, ser. xv (1909) (*the Instructions of Cormac*). Cf. MacNeill, op. cit., p. 320.]

At the time when Cæsar conquered Gaul, royalty was passing through the same crisis in that country as it had undergone centuries before in Italy and Greece. There were no kings left except among the Nitiobriges and the Senones. [Jullian, in XXXIV, 1919, p. 104. See the passages on the Gallic kings in Just., xliii, 3, 8, and Cæs., v, 24, 26; iii, 22.] In Britain, on the other hand, the institution was still untouched. [Diod., v, 21 (following Pytheas).] The men who destroyed the kingships of Gaul were the heads of the great families, the patricians, as is plain in the case of the Arverni and Ædui. The royal families took part in the government with the other aristocratic houses. About Cæsar's time attempts were made to create monarchies of a new type. Among the Arverni, Vercingetorix succeeded where his father Celtillus had failed; he relied on the numerous outcasts, who formed the body of companions enlisted by a rich and powerful chief. These might be called democratic kingships. [Fustel de Coulanges, CCC-CLXV, p. 42.] At first Cæsar favoured the re-establishment of monarchies, until the success of Vercingetorix revealed the latent power of the masses, to which a king could give unity. [For Vercingetorix, see Jullian, CCCXLVII, iii, 45, 197; Cæs., vii, 4, 1. Cf. Jullian, op. cit., iii, pp. 138, 315.]

The royal authority seems to have remained stronger among the island Celts than in Gaul, where many states, such as the republic of the Ædui, presented a spectacle of anarchy. The Gauls made an effort to set up constitutions [Cæs., vii, 32 - 3.] and magistrates, who bore the title of *vergo Bret* [Cæs., vii, 20; i, 16. Cf. Jullian, ii, p. 46.] (*vergo*, effective; *Breto*, judgment) and exercised the executive power among the Ædui, Santones, and Lexovii. Among some peoples there was a military leader besides. [Cæs., vii, 4; 6; 57, 3; iv, 17, 2. Cf. Jullian, ii, p. 203.] Among the Ædui, the *vergo Bret* became military leader when his office expired.

2. Public Bodies and Assemblies

The assembly of free men still took some share in the sovereignty in the Gaul which Cæsar knew. [Dottin, CCCXXII, pp. 173 ff.; Cæs., v, 27, 3. Cf. Jullian, ii, p. 57.] He speaks of the

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publicum concilium, which in some cases becomes the when the leader in war has to be appointed. The Irish texts are less definite, and speak chiefly of assemblies for feasting.

In Gaul there were restricted councils which the Romans likened to their own Senate. [D'Arbois, CCXLVIII (Propr.), p. 57. Cf. Dottin, op. cit., p. 172; Jullian, ii, p. 48.] Were these assemblies of the chiefs of tribes or of former magistrates? In any case, they were administrative councils of the patricians, which saw to it that the Gallic republics maintained a continuous policy. For anarchic as they may appear, they had given up none of their national ambitions. They had a policy of expansion and prestige or one of security, and they had a diplomacy. Cæsar gives us a detailed account of the ups and downs of that policy, and introduces us to men who were not lacking in talent, ideas, or character.

8. *The Nation*

The elements which made up the nation, whether individuals or secondary groups, were held together by very loose ties. An Irish law says, "He is no king who has no hostages in his chains." There was a House of the Hostages at Tara. These hostages were a pledge for the loyalty of the groups associated and united under the High King. [Joyce, CCCCXXXIV, i, 53.] Their loyalty must have been a precarious thing. The Celts had nothing like our notion of the definite, permanent character of the union of men in a state or nation. The hero Fergus leaves Ulster and settles in Connacht without becoming discredited. The state does not embrace men from their birth to their death.

Cæsar represents all the peoples as devoured by political activity and divided by factions. [Cæs., vi, 11.] Ireland shows nothing of that kind. The reason is that Gaul had advanced much further in the direction of aristocracy. Tribes and clans had disappeared in *pagi* and *fundi*; *civitates* arose over the *pagi*; the body of companions and territorial situation were the principles of the new organizations. A veritable revolution, social and political, had levelled all the lower ranks of the communities living together on the same territory and created a wide gap between them and the higher stages of the social scale. [Ibid., i, 4, 18. Cf. Jullian, iii, p. 120; Dottin, op. cit., p. 175.] In Ireland and Wales groups of foreigners survived unassimilated, subject tribes or clans, vassals, who remained outside the political society formed by the true Celts and Welsh.

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4. *The Army*

There was no standing army in Gaul. A levy was made in time of war, in virtue of the statutory obligations of certain members of society. The cavalry was an aristocratic body. The noble who serves does so on horseback, and fights with his servants attending him on foot. [Jullian, iii, p. 352.] By his side we find paid horsemen, enlisting individually. [Cæs., i, 18, 5.] The rest of the army marches in *pagi* under the leadership of its natural chiefs. [Cæs., ii, 28, 2. Cf. Jullian, ii, p. 50.] Among the Welsh and Irish, on the other hand, the chiefs fight on chariots or horseback, but among their own men; they do not form a separate body of cavalry. So the Celts of the islands march in tribes or clans with their signs and emblems. [Joyce, op. cit., i, p. 91.] In tribes, too, march the permanent mercenary troops of Ireland, the Fianna. [Ibid., i, pp. 87 ff.]

5. *The Nation. Relations of the Celtic Peoples. The Celtic Empire*

The grouping or subdivision of social units does not take place haphazard, but according to a sort of rhythm or numerical law. Hence comes the wholly ideal conception of the five kingdoms of Ireland, that is the four kingdoms of Ulster, Connacht, Leinster, and Munster, with the central kingdom of Meath, containing the *omphalos*, or navel, the central country, the point of divergence of the great roads. [Loth, in CXXXIV, xvii, pp. 193 - 206. Cf. CXL, xxvii, 1917, p. 142.] Ireland dreamed of a quadripartite organization of the state and the nation corresponding to the similar organization of the family. In Wales this organization was brought about by the grouping of the people in four tribes - Gwynedd, Powys, Deheubarth, and Morganwy. [Lloyd, CCCCXXXVIII, p. 131. This division corresponded to that of the four bishoprics.] In Gaul it is revealed by the name of the Petrucorii. [Loth, in CXXXIV, 1916, p. 280.] This division, which the Celts seem to have regarded as the ideal form of society (four is the perfect number), seems to come from a more distant age. For it is the theoretical division of a society composed of two phratries containing two clans each, inter-connected by marriage and the exchange of gifts or services.

The political societies of the Celts were composed of autonomous elements standing in juxtaposition; in practice these heterogeneous elements often amalgamated. In Cæsar we see the peoples of Gaul, which are themselves agglomerations of *pagi*, agglomerating into compact groups. For example in the relief-army at Alesia we find the Cadurci, Gabali, and Vellavi combining their

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contingents with those of the Arverni, [Bloch, CCCCLXVII, p. 79. Cf. Rhys, CCXXX, p. 60.] and the Segusiavi, Ambivareti, and Auleri Brannovices with those of the Ædui. This combination was not merely made to meet the occasion, but was the result of long-standing, deep-rooted associations. Cæsar describes these associations of Gallic peoples as kinships or *clientelæ*. The notion of *clientelæ* is defined in a certain number of cases by that of *imperium* [Fustel de Coulanges, op. cit., p. 69. See Cæs., vii, 75, 2.]; the client peoples were the subjects of the patron peoples, and *clientelæ* was a natural relationship and one of blood. [Jullian, op. cit., ii, p. 442; Cæs., ii, 14, 2; vii, 5, 2; vi, 4, 2; vii, 75, 2.] In this way there was a perfect network of ties among the peoples of Gaul. In addition, there were hierarchies, hegemonies, [Jullian, op. cit., ii, p. 543; Cæs., v, 3, 1; vii, 64, 8; iii, 8, 1.] assemblies. [Livy, xxi, 20, 3; Jullian, op. cit., iii, p. 223. The first general assembly of Gaul was held at Bibracte in 58 B.C., after the departure of the Helvetii.] So, too, in Ireland the four great kingdoms were subordinate to the High King, though rather loosely so. But their union was always conceived of on the same principle of kinship and *clientela*. The northern and western kingdoms were called Milesian, that is, kin; Leinster was tributary, [MacNeill, CCCCXLI, p. 238.] and so a client kingdom.

The Celts seem to have risen to the notion of empire. When they first come into Roman history, Livy depicts a sort of great kingdom, the sovereign of which was a Biturix, that is, a King of the World, namely Ambicatus. He sent his two nephews on two great imperial expeditions, one to Germany and the other to Italy. It is idle to ask whether the empire of Ambicatus ever existed. [D'Arbois, "L'Empire celtique au IVe siècle avant notre ère," in CXLI, xxx (1886), pp. 35 - 41, maintains that Ambicatus was a real person. M. Jullian has shown that this tradition is unlikely (op. cit., ii, p. 544).] It is certain that the idea of it was conceived by the Celts, for Livy's account comes from a Celtic tradition. Of that tradition Ireland presents an equivalent. It regards itself as a microcosm, an image of the greater universe. It enthusiastically adopts the idea of the King of the World, introduced by a St. Jerome or an Orosius. [MacNeill, op. cit., p. 270.] But the Celts, while they failed to create an empire themselves, readily rallied to the imperial idea.