

Section: Family, Land, and the Home

Lesson: Children & Fosterage in Early Ireland

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The good rearing of the children was in the interest of all of society, particularly the primary family who had a duty to ensure the children were educated according to their station, to guide them in the accepted customs of the *tuath* and to have high regard for the family honour as a representative of the wider family unit bearing the same name.

Child rearing was fundamentally a familial affair and generally left in the private sphere by the laws, but there are two key legal manuscripts dealing with children.

They are:

1. The *Maccshlecta* (dealing with children in relation to the rules of inheritance)
2. And *Cáin Íarraith* (dealing with the common early Irish custom of “fosterage”)

The legal status of children was based upon that of their primary guardian, whether that be the father or mother or the foster-parents or official tutor of the child.

Between the age of 7-14, the guardian responsible for the child received, in addition to any other compensations, $\frac{1}{2}$ their own honour price for any injuries against the child.

But in turn, they also had the responsibility to pay restitution for injuries caused on behalf of the children in his charge.

“Woe to him who is raised without rules” – while it was usually the father’s name on the line, the female family line also retained a strong interest in the education of the children.

Men had the responsibility of rearing children born through rape or deception or those deemed in-eligible to the rights of the tribesmen, while the children of prostitutes and slaves were deemed to be the responsibility of the mothers.

Otherwise, while the father generally held law in his home, and most probably his wife holding law over himself, the responsibility to educate the young included the wider *fine* or ‘family units’ and ultimately the whole community, the village, the tribe, the *tuath*, who also had an interest in the youth being raised with honour and respect for the local customs and

history.

Which always reminds me of that old saying: It takes a village to raise a child.

Interestingly, Kings, bishops, poets, and hermits were not personally liable for their own children's actions (but the wider kin was liable).

As a man came of age, he would move out of his father's hut and occupy his own hut on his father's lands – at this point he would have the social status known as 'fer midboth' or a man between huts. Now, a man in his own home, though still partly dependant on his father, he was entitled to his own honour price valuing that of a 2year old Heifer. After 17, once he moved to his own plot of land, he became known as an *oaire*, meaning a young chief, or lord, or freeman, a status signifying a degree of independence.

Fosterage.

In early Ireland, it was common for children to be raised by people other than their immediate family - due to the widespread custom of fosterage where children were sent to live with relatives in their extended family, family allies, or respected tutors in order that they be educated in the skills befitting their social station, with foster-parents who were in turn paid by the biological parents for this arrangement. The rights and duties expected among the parties were set out in an old legal manuscript called the *Cáin Íarraith*.

The type of education owed to a foster-child was discussed by Patrick Weston Joyce in his *Social History of Ireland Vol.1. p. 441*; he said:

“The sons of the humbler ranks were to be taught how to herd kids, calves, lambs, and young pigs; how to kiln-dry corn, to prepare malt, to comb wool, and to cut and split wood: the girls how to use the needle according to their station in life, to grind corn with a quern, to knead dough, and to use a sieve.

The sons of chiefs were to be instructed in archery, swimming, and chess-playing, in the use of the sword and spear, and horsemanship: the horse to be supplied by the father. [...]The daughters of the chieftain grades given in fosterage were to be instructed in sewing, cutting-out, and embroidery.

For the neglect of any of these branches of instruction there was a fine of two-thirds of the fosterage fee.”

PWJ SH V1 p. 441

Professor Kelly also wrote about the importance of Fosterage in his 'Early Irish Law' saying:

...for fosterage to have been so widespread in Irish society the advantages must have generally outweighed the disadvantages.

Apart from financial gain, the fosterfather must have benefited from the forging of links with his fosterson's kin, and could hope for assistance in times of trouble.

The resulting emotional bonds between fosterbrothers are referred to in the sagas and annals and are given a monetary value in the laws.

According to the Díre-text, if a man is killed a fine (called an airer, equalling one seventh of his honour-price) is paid to his fosterbrother.

This fine is payable in full only where the victim was reared in close intimacy with his fosterbrother i.e. 'a fosterbrother of the same blanket and of the same cup and of the same bed'."