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Karl Heidecker, *The Divorce of Lothar II: Christian Marriage and Political Power in the Carolingian World*, translated from the Dutch by Tanis M. Guest. Ithaca, N.Y.: Cornell University Press, 2010. x + 226 pp. Map, genealogical tables, bibliography, and index. \$45.00 U.S. (cl.) ISBN 978-0-8014-3929-2

Review by Sam Collins, George Mason University.

Lothar II's protracted attempt to divorce his wife Theutberga caused a European-wide scandal from 857 to his death in 869, and it is a scandal with an impressively large and detailed source base. In annals, conciliar acts, papal letters, charters, and, most importantly, an extensive tract devoted to the issue by Hincmar of Rheims, the story unfolds in frequently sordid detail. Lothar married Theutberga, a member of a prominent noble family, the so-called 'Bosonids,' in 855 for political advantage. What advantage this marriage offered the king seems soon to have departed, a process no doubt accelerated by Theutberga's childlessness, and by 857 Lothar attempted a divorce from her and a return to his former partner (and possibly first wife), Waldrada, with whom he had a son. The grounds for the divorce were charges of the worst kind leveled at Theutberga: incest, sodomy, an abortion. Theutberga protested her innocence and either she or a proxy proved it through an ordeal of hot water in 858. Lothar, however, persisted, and in a trial at Aachen in 860 coerced Theutberga into a (false, or so many said) confession of her guilt.

Shortly after Easter 862 a second council met at Aachen where for a second time the king and bishops agreed that a divorce from Theutberga was both legal and necessary, and shortly thereafter Lothar (re-?) married Waldrada. But when in the following year the king sent the archbishops of Cologne and Trier to Rome to secure papal approval for the divorce, Pope Nicholas I roundly rejected the decisions of the Frankish councils, deposed the archbishops who presented them to him, and by mid-865 compelled Lothar to reinstate Theutberga as queen. Lothar, for his part, was still not done, and spent the remaining four years of his life in a series of unsuccessful attempts to get, somehow, Nicholas or his successor to come around to seeing divorce and marriage the royal way.

Karl Heidecker's study is an inquiry into this scandal and its sources, arranged around three interrelated questions about the marriage and attempted divorce designed to probe core principles of the organization of early medieval society: What laws describe marriage, and on what authority? Who is in the position to judge in such matters? And how do prevailing political structures and rivalries shape the answers for the first two questions (p. 7)? Heidecker's approach privileges the third of these. Throughout the book he casts the mostly formal, legal, and theological documents which dominate the source base for the scandal as consistently revealing of political culture and the competing interests at the heart of politics. While lasting legal principles about the Christian definition of marriage do in fact result from the case, Heidecker is insistent that in the events surrounding the divorce "reasons of state" drove the articulation of principle (p. 186).

Two opening sections form the groundwork for the study: one on eighth- and ninth-century attempts to define a Christian doctrine of marriage, and one on the sources for the divorce. In the rules of early medieval marriage ambiguity prevailed. Heidecker's picture of early regulations shows a scattered and inconsistent mix of custom and ecclesiastical sanction. He then charts how from the reign of Louis the Pious (814-40) the rules tightened as a new moralizing came into discussions of marriage, and new sources were written to reflect this. Of these the Pseudo-Isidorian forgeries dominate, but in spite of all the new authoritative material on what marriage might and might not be, this ninth-century material sketched out an institution that remained fundamentally ambiguous. In Heidecker's retelling, it is these possible multiple definitions of marriage that provided the rhetorical fuel for the antagonists in the divorce of Lothar.

Heidecker organizes the main portion of the book as "a marital drama in six acts." In act 1 Heidecker shows us both the mutual interdependence of kings and magnates and how strategic marriages were at the heart of the building up and maintenance of this kind of power. Theutberga's family made sensible marriages, but so too did the Carolingians. Heidecker gives us Hucbert, one of the most powerful aristocrats in Lothar's circle (and Theutberga's brother), as a climber from a long line of climbers, just now positioning himself and his family at the center of power. But the gain here was not all his; compromised Lothar too needed this alliance with Hucbert and his powerful family, and so his marriage to Theutberga was advantageous for both parties, at least temporarily.

Act 2 recounts the events of 857-9 and Lothar's first unsuccessful attempt at divorce. Here Heidecker takes on the repellant accusations of Theutberga's and Hucbert's alleged affair, and the circumstances under which such accusations might be leveled. Heidecker underscores just how damaging these were designed to be: it is not just the wife who has come under fire; such slander has her whole family as its target. Very few then or now have believed Lothar, and Heidecker's method is to see the attempted divorce as a political weapon wielded in a political game: "Lothar evidently considered...that the time was ripe to evict Hucbert and his kin from their positions of power" (p. 65).

Act 3 introduces Hincmar of Reims as an initially reluctant participant who came in short order to be a central player in the drama. In the first part of his lengthy *De divortio*, Hincmar took a firm stand against Lothar and the case the king's bishops had assembled against Theutberga in 860, declared the recent divorce illegal, and accused the king of adultery. Morality and canon law were Hincmar's weapons against the king; for Hincmar, Lothar was the quintessential "bad king who must be judged for his sins by the bishops" (p. 96). Heidecker's contribution is to set Hincmar's moralizing polemic in a political context. Lothar has always been accused of playing *Realpolitik* with his divorce, but Heidecker insists that we see Hincmar too as motivated by something messier and less lofty than purely theoretical statements of principle. Heidecker tracks Hincmar's involvement in the case to the increasingly hostile relations between his great patron, Charles the Bald, and Lothar. Moreover, Heidecker shows us what Hincmar had written in other matters of aristocratic and royal divorce that had been brought to his attention both before and after this case, and underscores just how differently Hincmar had behaved there than he did in the divorce of Lothar and Theutberga. For Heidecker, Hincmar's canonical learning and the authorities he mustered in these disparate cases were put in service not of abstract ecclesiological principles, but to serve his own immediate political interests and those of his patrons. "He selected the rules that suited him, left out what did not suit him. ...One cannot always escape the impression that perhaps the same authorities could just as well have been used to reach a different verdict" (p. 99).

Act 4 takes up the opinions of Hincmar's counterparts, the bishops of Lothar's kingdom deployed to defend the divorce. As in Hincmar's case, Heidecker casts the legal opinions of these men as utterly flexible. He shows them working inside a canonical frame before 862, a direct answer (of sorts) to Hincmar; and then in an abrupt switch of strategy, the same bishops argued thereafter for the divorce on grounds derived solely from "the social rules and customs that actually prevailed" (p. 111). While Heidecker's sharp distinction between religious and secular law is perhaps overdrawn, he makes a clear case for the willingness of Lothar's bishops to serve the king (and why precisely they were eager to do so) even as they presented the debate as a struggle over fundamental principles of kingship and good governance.

Acts 5 and 6 bring Rome onto the stage, and forcefully so in the person of Nicholas I. In Nicholas Heidecker gives us a pope with no direct interest in the case, but who saw all this Frankish drama as an opportunity to further his twin obsessions of extending the right of Rome to judge bishops and kings alike. It is a measure of Nicholas's success that his excommunication of Waldrada and his threats of excommunication for Lothar ushered in Theutberga's final stint as queen in 865. Heidecker emphasizes how Hadrian II, pope from 867, represented a sharp break with the Roman political arrangement that had supported his predecessor, and how Lothar saw possibility in this changed atmosphere for another (and with hindsight, last) attempt at a legitimate marriage to Waldrada, and thus the legitimization of their son Hugh. Still, in spite of some clever attempts to construe things differently on the part of Lothar's supporters, the new pope proved nearly as reluctant as Nicholas to give in to royal demands. At Lucca in 869, in the midst of these stalled negotiations, Lothar together with much of his entourage died of plague.

In a short epilogue Heidecker shows us how the king's fears were realized for his son. There would be no kingdom for Hugh, even if further along in the family tree there would be yet be kings among the descendants of Lothar. Heidecker plays up the ironies surrounding this later king, Hugh of Italy (926-48), as both fitting and telling. Hugh could claim as ancestors both Lothar and Waldrada as well as the family of Hucbert and Theutberga, and he kept himself busy with three wives and (at least) four concubines, with one of whom he had a son named Lothar (who too would be king). And Hugh did all this, as Heidecker notes, "without it causing him any great problems...nobody used it as an excuse to depose him as king" (p. 186). For Heidecker, Hugh of Italy's problematic and consequence-free moral bearing goes a long way toward underscoring the book's central contention about Lothar and his divorce: moral principle matters only when there is a political reason and context for it to do so.

This is a rich and satisfying study, valuable both to specialists of the period and to those readers interested in the broader problems Heidecker raises about authority and social organization. My one lingering dissatisfaction was for what was not included: powerful women parade across the pages of this study, Theutberga and Waldrada of course, but Ermentrude and Angilberga, wives of Charles the Bald and Louis the German respectively, both of whom play significant roles at critical moments in the drama. And while Heidecker is at his best when laying out the complicated political interests of kings, magnates, and churchmen, the women of his story act mostly in silence. Some of this silence is obviously a product of the sources, but surely there must be a richer way to write these ninth-century women back into their own story.

Readers should be further cautioned that the book is a slightly abbreviated translation of a longer Dutch study with some new material on the historiography of "Germanic marriage" also added (p. vii).<sup>[1]</sup> While the translation seems clear and effective, specialists will have to return to the original for the missing material. This missing material is mostly ecclesiastical, often detailed comments on the construction of a source or argument. While this act of gentle abbreviation does not take away from the overall force of the book's argument, it still strikes me

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an unfortunate choice. I understand that the English translation was designed to bring Heidecker's work to a wider audience, but surely an Anglophone readership learned enough to keep up with the book as it stands would not have been put off by some yet further Hincmariana.

#### NOTES

[1] Karl Heidecker, *Kerk, huwelijk en politieke macht: de zaak Lotharius II (855-869)* (Amsterdam, 1997).

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