Sara McDougall, *Bigamy and Christian Identity in Late Medieval Champagne*. Philadelphia: University of Pennsylvania Press, 2012. 216 pp. Notes, appendix and bibliography. $55.00 U.S. (cl). ISBN 978-0-8122-4398-7.

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Most historians of France are well aware of the devastation wrought across the northern French landscape over the course of the Hundred Years War (1337-1453). The effects of pitched battles, which lasted for a relatively short time, were far less significant to daily life than the damage inflicted by marauding bands of unemployed soldiers and people displaced from town and castle, people who Froissart noted "accustomed to pillaging … banded together ... and made their stand in Burgundy and Champagne."[1] These "freebooters" ravaged the countryside beginning in the 1360s and "like the Vandals of old, were doing everything in their power to destroy Christianity, by ruining all the countries wherever they came—by robbing whatever they could find—by violating women, and by killing men, women and children, without mercy, and without shame."[2] Such intermittent devastation persisted beyond the conclusion of the war in 1453. Coupled with the outbreak of the plague and aided by economic upheaval and political turmoil, these events were the catalyst for profound social changes that characterized the Late Middle Ages. The ravages of war especially left their mark on Champagne, the fertile region between the Meuse and Aube rivers to the east of Paris. Sara McDougall takes Champagne as her case study and pinpoints an aspect of social change that was indicative of the unraveling of fundamental social bonds over the course of the fifteenth century: Christian marriage.

McDougall's focus is in fact re-marriage—specifically the practice of marrying for a second time—and its role and regulation in society as clergy and laity attempted to reestablish order across the post-war social landscape. Second marriages, specifically when a first spouse still lived, were illegal under canon law. And yet laymen and women remarried most often in an attempt to reestablish a new and accepted union when their first marriage had failed. Indeed, as McDougall eloquently argues, by the fifteenth century marriage as a sacramental institution and accepted way of living together with a spouse had become a fundamental part of the laity's sense of themselves as members of the Christian community. Individuals remarried and often did so publicly in an attempt to establish a new legitimate union that would receive social sanction. Thus, rather than practice "bigamy" as an attempt to subvert the canon law of marriage or devalue or disregard its power as an institution, men and women in Champagne remarried precisely because they "had assimilated a body of Christian norms and had chosen to live out these norms according to principles they established based on their own authority" (p. 137).

Written in crabbed and often illegible hands, the records of the *officialité*, the bishop's court in Troyes, have survived in an impressive collection. The court of Troyes was overwhelmingly concerned with prosecuting what McDougall calls "an epidemic of illegal marriages" (p. 3) that grew out of the conflict between the social practice of marriage and its regulation under canon law. "Bigamy" is the term McDougall uses to label these relationships, "somewhat anachronistically" (p. 3) as she admits. This requires a bit of explanation. As she notes, "to marry while already married to a living spouse was an offense that, in the Christian Middle Ages, had no name. In the modern world we describe such a marriage as "bigamous" and the twice-married person as a bigamist. In the Middle Ages, however,

"bigamy was a term used to describe any manner of remarriage, both those marriages made following the death of a spouse and also marriages contracted while a first spouse lived" (pp. 21-22). Hostiensis, the thirteenth-century canonist, would come to distinguish between "true" bigamy and "interpretive" bigamy, that is, a second marriage following a spouse's death or an annulment. The semantic range of the term in the medieval period was much broader for reasons grounded in Christian theology and exegesis. Marriage was a metaphor for the union between Christ and the Church, and as such, to contract a second marriage was to flout that sacred union.

In this book, McDougall uses the term "bigamy" as shorthand for a more complex medieval phenomenon. To most modern readers bigamy implies marriage to two persons at the same time, but more than that, a sense that a bigamous family is constructed where, typically, a man and two wives would cohabit and raise a family, or where a spouse would choose to maintain two wives at the same time living a kind of double or clandestine second life. Yet, in almost every case, this is not what occurred in the examples McDougall considers. In that sense the term may be a bit specious even if its use in the title is meant to provoke contemporary debates about the nature of marriage, especially Christian marriage. The author does address this and makes a strong case for using the word: "[first] because the behavior … described [in the cases] most closely resembles the crime of bigamy as we understand it today. Second, linking the legal and illegal forms of remarriage in using the term makes an important point: while these two methods of marrying were two very different things with two very different consequences, they were inherently linked" (p. 24). Finally, she argues that the term bigamy (presumably with its negative modern associations) also connotes hostility toward remarriage that she sees as part of a broader medieval perspective on the practice. In short, there is a multi-layered argument imbedded in the use of this term that all readers should be aware of as they proceed.

McDougall reads her *officialité* records in a detailed and analytic fashion to produce a kind of historical sociology of medieval bigamy. The book unfolds over the course of five chapters and includes a short appendix of transcribed selected cases from the registers that offer the reader a sense of the stories that make up this archive. Following a short introduction that describes the book's organization, the first chapter is a conceptual overview of marriage and remarriage in late medieval law, theology and culture. McDougall ranges widely here, touching on the history of clandestine marriages, consanguine marriages, public rituals of marriage, and the value placed on monogamy. (This section includes her defense of the term bigamy.) Most second marriages in medieval Europe from the late twelfth century onward were undertaken in part on the assumption that one's first spouse had died and in turn that a new union could be contracted legitimately. Increasingly, however, the church moved to place stricter requirements for proof of a spouse's death. During the period of the crusades this was tremendously difficult, and spouses who had been long absent could, and occasionally did, reappear. Such scenarios were the subject of popular romances like Gautier d'Arras's "Ille et Galeron." Late twelfth-century popes cautioned abandoned wives not to remarry unless there was "complete certainty," and by 1187 "certain news" (full proof) of a husband's death. Such proof included the sworn testimony of two witnesses to the death, or better yet, documentary evidence. By the fifteenth century such proofs were less stringent, but they were still required for remarriage. If one failed to produce proof of this nature after contracting a second marriage, the punishments meted out by the court of Troyes were severe: public ridicule on the ladder of the scaffold in front of the cathedral and long terms of confinement in the bishop's prison. Only the papal penitentiary had requirements that were this strict and punishments that were as harsh for the crime of bigamy.

Out of the hundreds of men and women who appear in the registers suspected of illegal relationships, about "a hundred or so cases … stand out" (p. 45) for the detailed nature of their transcription and because of the punishments imposed. The two chapters that follow, "Bigamous Husbands" and "Abandoned Wives," introduce these men and women. Together these chapters form a gendered pair and present two different sides of the practice and patterns of remarrying. Both chapters maintain the same organization: a careful analysis of the case records followed by a contextualizing section where the

author reads her sources in relation to sermons, romances, and didactic literature. While she laments that these texts do not allow for detailed prosopographies, each case illuminates the social dynamics of the community and the notable mobility of men and women during the fourteenth and fifteenth centuries.

Most individuals who appeared before the court were from middling bourgeois families, or were lesser artisans and laborers. People often traveled within the diocese and contracted second marriages in towns and hamlets where they resettled, thus in most cases beginning again, apart from a still-living first spouse. Most marriages that McDougall described—first and second—lasted for a number of years, that is, long enough to understand true compatibility or not, and for public acceptance of the new union. Far more men were prosecuted for bigamy than women. Of the total cases the author considers closely, nineteen concern men and only one a woman. Likewise, men were punished far more harshly and publicly for this crime than were women. As such, the prosecution of bigamy was gendered to reflect the fact that the Church understood the husband to be the moral head of a household. If his marriage failed or fell apart, it was his responsibility to repair it or to control his wife so as to restore the union. In practice, when first wives were abandoned, both spouses would claim widowed status.

Chapters four and five, "Why Commit Bigamy?" and "Why Prosecute Bigamy?" offer a paired argument. The reasons for marrying a second time were myriad and complex. McDougall identifies three major factors: romantic attachments, financial incentives, and the hope of a new life. Likewise, marriages broke apart mostly for very personal reasons, because of "rancor" (p. 101) between spouses, accusations or proof of adultery, and sometimes "on account of the war" (p. 105). In this way, bigamy "took place because people practiced 'self-divorce', or a 'de-facto' divorce, rather than appealing to the courts for an annulment when their marriages fell apart" (p. 99). But, more importantly, they sought to remarry rather than simply live with a new partner because a clerically sanctioned and publicly recognized marriage mattered a great deal to these men and women who took considerable risks to contract a marriage to the spouse of their choice.

To understand why bigamy was prosecuted, McDougall smartly unpacks the background and theological training of the bishops of Troyes and their officials, that is, the men responsible for defining bigamy in its medieval guise and identifying those guilty of its practice. It was the men of the bishop's court who, in the wake of the chaos of the Hundred Years' War, sought to impose order "upon a desperately disordered society" (p. 114). In this sense, through the prosecution of bigamy, the court itself became an agent of social and moral reform. Most of these officials had been trained in theology or canon law at Paris or Orléans, and they were most active between 1423 and 1468, when the registers swell with exemplary marriage cases. Here McDougall is especially good at reading these texts closely, and she makes an important and sensitive argument about the power of the theological and moral rhetoric the officials employed. Those who committed bigamy "vilified the state of marriage," and demonstrated contempt "for the people of the holy church militant" or "for the statutes of the Holy Fathers" (p. 127-8). Some were accused of acting at the "instigation of the devil" (p. 128). All of this was a language used to signal the right Christian moral order and condemn those who deviated from it. McDougall sees this as the product of a kind of "moral panic" which was itself a "response to the horrors and disorder of the Hundred Years' War" (p. 133).

I confess that I was skeptical when I read the title of the concluding chapter, "Christian Identity at the End of the Middle Ages." The term "identity" has been used so often in recent scholarship to mean so many things that its analytic value is not always clear. This is not the case with McDougall's conclusion. She shows persuasively that marriage—and remarriage especially—was profoundly a matter of Christian identity by the mid-fifteenth century. It marked out one's membership within a public Christian order. Although more comparative analysis could have suggested how Christian marriage was understood in relation to Jewish and Muslim (or even heretical) marriage, the term in this narrower context holds. Membership within the "order of matrimony" had two sides: that practiced by a laity

striving for the ideals and benefits of Christian marriage; and that which was regulated, monitored, and sanctioned (or condemned) by the ecclesiastical hierarchy who claimed to be the exclusive arbiters of this identity. Northern French officials were unique in the heightened interest they took in regulating marriage. The author confines her study to the fifteenth-century evidence. Yet, it is clear that the tensions surrounding how the bishop's court interpreted the law and how laymen and women lived had profound implications for the deepening divisions between these two groups, divisions that would become manifest in the Protestant Reformation's critique of marriage and the Catholic Church's response as defined at the Council of Trent, specifically in the decree of Tamstsi (1563), which required the presence of the parish priest and witnesses and the recitation of public banns in order to contract a valid marriage.

While this slim book is fundamentally a study of the intersection of lay practice and canon law in the records of one diocese, it is far-reaching in its conceptualization of the transformation of marriage and remarriage at a pivotal time in the history of medieval Christian society.

NOTES

[1] John Froissart, *The Chronicles of England, France and Spain*, trans. Thomas Johnes (New York: Dutton, 1961), p. 74.

[2] Ibid., p. 76.

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