

Sara McDougall. *Bigamy and Christian Identity in Late Medieval Champagne*.

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It is in this short and argumentative book that Sara McDougall offers a successful case study showing how the analysis of a small body of data can be used to open doors upon issues of major significance and to guide us in the transition from the late medieval to the early modern. Her study of bigamy in fifteenth-century Troyes

works from two major premises. One is that there was a crisis in marriage in the later Middle Ages; the other is that the way this was dealt with in Troyes foreshadows how marriage would come to be controlled and defined in sixteenth-century Europe — by Protestant and Trent-directed Catholic authorities alike.

Three factors are alleged to have caused the crisis in Christian marriage. McDougall dismisses the role or importance of the broad medieval definition of incest as a major factor in leading men and women to marry without the blessing of the Church. She is also skeptical about the extent to which clandestine marriage — private vows taken without ecclesiastical blessing but binding on the partners and acknowledged by society — was a major factor in leading people away from the prescribed steps for the sanctification of their union. Rather, it was the propensity — as found in the records of Troyes — of men and women to leave a legitimate and living partner and to claim single-status or widowhood in order to remarry. This resort to desertion and denial were common practices, known in modern times as “the divorce of the poor”; such behavior not only demeaned the deserted or allegedly dead partner but flew in the face of centuries of ecclesiastical debate about remarriage. That the erring partner in many a bigamous marriage actually sought the Church’s blessing for this invalid ritual — rather than just contracting a clandestine marriage or quietly living together — is a paradox that McDougall deals with by arguing that marriage with the Church’s blessing was a key component in the construction of identity and social role. Of course, when offenders were found out this use, or misuse, of the priest only served to compound their affront.

The historical data base on which these wide-sweeping arguments are based is a small one. The authorities of the city of Troyes were concerned to find and punish those who engaged in bigamous marriages (though children born of such were held to be legitimate on the basis that one partner was presumed to have acted in good faith). While the number of villains is small, bigamous marriage was reviled by both ecclesiastical and civil authorities and the punishment — public humiliation while exposed on and tied to the ladder leading to the scaffold and then, in many cases, prison — was serious (though rarely carried out on women, even when they were the instigators). And while a day on the ladder in full view was not much fun, a serious prison term probably meant poor health for the remainder of one’s life, assuming one survived the rigors of incarceration.

Between 1422 and 1468 the authorities in Troyes convicted twenty men of marrying “*de facto, cum de jure non posser*” (48). While hardly representing an avalanche of irregularity, the guilty were considered threats to public order on par with priests guilty of violent crimes and convicted heretics. Why was it so serious? McDougall offers that in a world recovering from the ravages of the Hundred Years War the reestablishment of proper marriage was a critical part of the agenda of normalcy. Priests were instructed to inquire into the marital antecedents of both parties; proof of the first spouse’s death could be demanded; and witnesses could be quizzed regarding their knowledge of either party’s earlier life, though the bribery of witnesses might often contaminate this line of inquiry.

Beyond the prurient and rather droll details of (mostly) men and women who twisted the boundaries of law and domesticity to enter an improper second marriage, we come back to the issue of identity. “Distortions of identity” were abhorrent, and as we go from late medieval Troyes to the religious controversies of sixteenth-century Europe we find much by way of reform that followed the path we have been treading. Clandestine marriage was proscribed. Bigamous marriage was “a state of damnation . . . perpetual adultery,” as Trent decreed. Troyes had led the way, perhaps out of all proportion to the scope of the transgressions, and others were happy to follow its lead, whether they knew of that city’s recent history in these matters or not. As a monograph, McDougall’s work presents a strong case with a comparative dimension and a sensitivity to both the micro-history of the annalists and to a broader sweep that rests on her close and clear reading of those all-important details.

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