

## The Council of Aachen 862

Translation revised by Charles West, May 2019

### Context

The assembly that met in Aachen in April 862 to deal with King Lothar II's marriage is often called the third Council of Aachen, since it followed the two linked Aachen councils of 860 that had already considered the same matter. The 862 council confirmed that King Lothar II and Queen Theutberga were separated, and moreover permitted Lothar to remarry, which the 860 councils had not done. Waldrada is conspicuously not mentioned by name, but nevertheless, later in 862, Lothar crowned her as his queen.<sup>1</sup>

However, the 862 council did not succeed in settling the question of Lothar's marriage once and for all. Perhaps there remained dissenting voices, unconvinced by the council's central argument (already advanced in 860, and approved in principle by Hincmar in *De Divortio*) that Theutberga's incest had rendered her spiritually and legally incapable of marriage. Another attempt to put the matter to rest was therefore made at the Council of Metz of June 863, with a dramatic tactical swerve: Lothar now argued that he had actually already been married to Waldrada, at his father's insistence, *before* he married Theutberga in 855.

### Records

The records of Metz 863 unfortunately do not survive, probably because they were annulled by a furious Pope Nicholas in October. However, the records of Aachen 862 not only survive, but do so in two versions. This is relatively unusual for Carolingian councils, and may indicate a division amongst its participants, unable to agree who would take the minutes. The two versions are quite similar, but there are some subtle differences between them. As I have suggested elsewhere, one version may have been compiled by Bishop Adventius, the other by Archbishop Gunther, though other interpretations are possible.<sup>2</sup>

Also preserved in connection with the council is a remarkable speech attributed to King Lothar II, which one version of the minutes suggests Lothar gave at some point before the council met, though the other implies it was in the council's midst. In the speech, Lothar throws himself at the mercy of his bishops, pleading with them to rescue him: a high-stakes strategy of passive-aggression, advertising royal weakness in order to compel support.

This translation is taken from the edition in *Die Konzilien der karolingischen Reich*, ed. Wilfried Hartmann, MGH Concilia IV (Hanover, 1998), [pp. 71-78](#). I have reordered the documents to juxtapose the two records of the meeting. The MGH edition also provides two commentaries on marriage (Texts D and E) transmitted in the same manuscript, but these may postdate the council, and are not included here.

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<sup>1</sup> *Annals of St-Bertin*, tr. Nelson, 860, p. 102.

<sup>2</sup> Charles West, "'Dissonance of speech, consonance of meaning': The 862 Council of Aachen and the transmission of Carolingian conciliar records", in E. Screen, and C. West, (eds.) *Writing the Early Medieval West* (Cambridge 2018), pp. 169-182.

## TRANSLATION

### *1. The Booklet of Complaint of Lothar II<sup>3</sup>*

The complaint of Lothar appealing to the bishops about conceding marriage to him.

O holy priests and venerable fathers, you who are placed as mediators between God and men, and to whom is committed the care of our souls, who provide medicine to the wounds of sin, who have the power of binding and loosing, and who are our doctors and leaders – to you I humbly proclaim, and trustingly demand your kindness and faithful counsel.

Royal power should acknowledge the sublime authority of the sacerdotal dignity, by which two orders the Church of the believers is ruled and guided by God's will. But we know that one is as superior to another, as much as we rightly venerate the excellence of heavenly teaching which is closer to God. Therefore, we who offend or lightly or wilfully stray by human frailty before God, we solemnly hasten back and flee to your pastoral dignity.

Recognising my own errors by the inspiration of divine clemency, and frightened by and shuddering at the stains of such sins, I myself seek the remedy of salvation from Christ through you, by suppliantly confessing and by demanding pardon. I trust greatly in your Piety, and do not at all doubt that I will be mercifully and measuredly accepted and treated in spiritual compassion [p. 75], according to what the Apostle says: *Who is weakened, and I am not weakened?* [2 Corinthians 11:29]. *For if someone is preoccupied in some sin, let you, who are spiritual, instruct in the spirit of leniency, considering you yourself, that you may not be tempted* [Galatians 6:1]. And another Scripture warns, *Do not break the crushed reed* [Isaiah 42:3].

As the rest, fathers, I thank you very much, since you kept the faith owed to our lord father [Lothar I], and after his death you have been kind and faithful to us in all things. And since you generally and in many ways attended to our adolescence and unstable time of life, and also specially and diligently watched out for the deceit imposed on us through that above named wife [Theutberga].

About that business, we know that you have deeply in memory what was done by your advice. For by your order we separated from ourselves that woman, who freely confessed to a terrible and incestuous contagion of fornication, according the precept of Saint Paul, who said *Do not mingle with fornicators* [1 Corinthians 5:9]. Whatever I have done afterwards in the fragility of incontinence, whether by necessity or by will, it is your duty to emend opportunely and rationally, and it is my duty willingly to obey.

For you know that I was brought up from infancy and childhood amongst women, and that I desired to reach the threshold of legitimate marriage, for the good of chastity<sup>4</sup> and to avoid the wickedness of indecency. I am not unaware that whatever of this is beyond licit union can be ascribed to the wickedness of fornication and noxious pollution. I know that a concubine is not a wife, and I do not wish to have what is illicit, but what is licit. You therefore, mindful of my youth, consider what I should do, to whom neither a wife is conceded nor a concubine is

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<sup>3</sup> Labelled as 'Text B' in the MGH edition.

<sup>4</sup> NB: chastity in the sense of practising only legitimate sexual activity (i.e., procreative and within marriage). Chastity is often conflated with celibacy today, but they were distinguished in Late Antiquity and the early Middle Ages.

permitted. It is known to you that the Apostle says *I wish the younger ones to marry, to procreate children* [1 Timothy 5, 14]. And *Who cannot contain himself, let him marry. For it is better to marry than to burn* [1 Corinthians 7:9]. And again, *Let everyone have his own wife for the sake of [avoiding] fornication* [1 Corinthians 7:2]. And the Apostle Matthew: “God blessed marriage, and permitted love to rule in the bodies of men”.<sup>5</sup>

Therefore I speak straightforwardly, and I confess that I am not at all able to endure without any conjugal union. And in truth I wish to be separated from all fornication *according to the inward man* [Romans 7:22]. And now, my dear ones, we suppliantly beg your Sanctity and beg for the love of Him who redeemed us, that in the kindness of love and devoted fidelity, you will not defer from aiding the peril of our body and soul, for the utility of the holy Church of God and the kingdom committed to us: so that we may equally rejoice and exult both in prosperity and in our most prompt devotion towards you.

## **2. Minutes of the council (Archbishop Gunthar’s version?)<sup>6</sup>**

When we, archbishops and bishops from various provinces of the whole kingdom of the most serene king Lothar [II], had convened at the palace of Aachen and were discussing ecclesiastical rights with pastoral care and sollicitude [p. 76], the case of our ruler (*princeps*) was brought into our midst, whose marriage controversy we had touched upon before.<sup>7</sup>

Informed by the example and bolstered by the authority of the great Lord Pastor, that is Jesus Christ, who *came into the world to save sinners* [1 Timothy 1:15], and knowing that we can and should threaten sinners with the fear of punishment if they do not come to their senses, and permit and concede mercy to them if they do, we bitterly grieved for the aforementioned king, given to us by God’s disposition and deceitfully wounded in his inexperience of his rule, as we discovered.

And we carefully and faithfully struggled to rescue him from the net in which he lamented he was caught, according to what the Apostle says: *If any of you err from the truth, and one convert him, he must know that he who causeth a sinner to be converted from the error of his way, shall save his soul from death* [James 5:19]. What we order to be bestowed upon all, in no way should we deny to our king and ruler, who had humbly presented himself to our earlier meeting<sup>8</sup> and had lamented that he had been horribly cheated in the name of marriage; and he added that he knew he was not able to continue without a consort for his youth. And he brought forth a booklet of complaint which requested a path for his salvation, with divine inspiration.<sup>9</sup>

Pitying his grief and anxiety, as was fitting, we understood his attitude of pure devotion and demonstrated that he could delete previous sins by the remedy of penance, and could guard against future ones by the display of good works. He embraced this by necessity and willingly, according to our exhortation. Gathering some of our colleagues, he set himself to fasting, almsgiving and other works pleasing to God for the whole of Lent, hoping to placate

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<sup>5</sup> This is apparently taken from a Life of St Matthew, not the Gospel.

<sup>6</sup> This is labelled as Text C in the MGH edition.

<sup>7</sup> Note that here, the council is presented as meeting independently of the king.

<sup>8</sup> Probably a reference to the Council of Aachen of 860?

<sup>9</sup> This is a reference to the booklet translated above.

God with a fitting satisfaction, and he openly showed that he wished to deserve this by arriving barefoot.<sup>10</sup>

Then in this council too he revealed the situation of his fragility, and usefully and praiseworthy sought from us advice for his salvation. Therefore, according to his petition and devotion, and most carefully upholding the form of human piety and most vigilantly moderating the censure of our ministry, we decreed that what we provided to him should be committed to memory.

We learned from many documents that the woman [Theutberga] was more imposed upon him by wicked intention than legitimately joined to him in the name of a wife, and that she is not able to be a wife, which we recognised more clearly by many attestations, or rather detestations, and finally by her spontaneous confession. How could she be joined in marriage, whom by her own assertion her brother did not fear to defile? For as the Lord said to Moses, *Thou shalt not uncover the nakedness of thy sister* [Leviticus 18:9], and as Moses himself terribly intoned by the Lord's inspiration, *Cursed be he that lieth with his sister, the daughter of his father, or of his mother* [Deuteronomy 27:22]. And another Scripture says *he that keepeth an adulteress, is foolish and wicked* [Proverbs 18:22]. And the Apostle: *he who is joined to a harlot, is made one body* [1 Corinthians 6:16].

And on this it is said in the Council of Agde at Chapter 4,

‘It is agreed that those who stain themselves with the pollution of incest, should be permitted only to the mass of the catechumens for as long as they persevere in that detestable and illicit fleshly union. And as the Apostle commanded, it is not fitting to any Christians even to break bread with them’.<sup>11</sup>

And St Ambrose writes in the exposition of the first letter to the Corinthians, chapter 34, after he [St Paul] spoke to the unmarried and to widows, he addressed those who were joined in marriage, through the Lord's mouth:<sup>12</sup>

*‘the wife is not to leave her husband, and if she does leave him, she should remain unmarried* [1 Corinthians 7:11]. And that if she is not able to contain herself, because she does not wish to fight against the flesh, then let her be reconciled to her husband. For it is not permitted to the woman to marry if she has sent her husband away for the reason of fornication or apostasy, or if the husband has sought the use of his wife impelled by illicit lust.<sup>13</sup> For the inferior does not use the same law as more powerful. If the man however apostasises, let him not seek to pervert the use of his wife; the

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<sup>10</sup> Note that Lothar is described as having done penance already before the council even met – ie, early in 862.

<sup>11</sup> In fact this is a quotation from the Council of Lerida, which is also cited in the other version of the minutes. The passage from the Council of Agde cited there is omitted in this version. For a discussion of this confusion, see West, ‘Dissonance of speech’.

<sup>12</sup> This long quotation is taken from a work that provides a commentary on St Paul's letter to the Corinthians. At the time its author was thought to be Saint Ambrose; now it is attributed instead to a writer known as Ambrosiaster, who like Ambrose lived in the 4<sup>th</sup> century. It is the same as in the other version of the minutes, with one small and probably not significant omission: ‘This is the counsel of the Apostle, that if she leaves because of the bad behaviour of the husband, she should remain unmarried’.

<sup>13</sup> A reference to ‘deviant’ (i.e., non procreative) sexual practices.

woman is not allowed to marry another, nor to return to him for the sake of fornication.<sup>14</sup>

*And let not the husband put away his wife* [1 Corinthians 7:11]. By implication, however: except for the reason of fornication.<sup>15</sup> And he [Paul] does not continue, as he did for the woman in saying, *But if she does leave, let her remain thus*. For it is permitted to the man to marry a wife, if he sent his sinning wife away. For a man is not constrained by the same laws as a woman.<sup>16</sup> For the man is the head of woman.

*For to the rest I speak, not the Lord* [1 Corinthians 7:11]. He [Paul] says this to show what the Lord ordered through His own mouth and what he conceded by his authority, for the Lord spoke through him who said *Do you seek proof that Christ is speaking in me?* [2 Corinthians 13:3]’.

Perhaps someone will say to this: *What the Lord has joined, let not man separate* [Matthew 19]. This is indeed excellent and most apt to be observed in those whom the Lord has joined, for the wife will be prepared for the husband by the Lord, as it is written elsewhere. But who will dare to say that this woman [Theutberga] was joined or prepared by the Lord, who according to so many and important prohibitions of the Old and New Testaments is not to be joined in union, but is rather to be mourned and handed over to the death of the body, so that her spirit may be saved, as is shown by the confession of her own lips? According to that sentence, *For by thy words thou shalt be justified, and by thy words thou shalt be condemned* [Matthew 12:37]. And David at once ordered the man who boasted that he had killed Saul to killed, saying *Thy blood be upon thy own head: for thy own mouth hath spoken against thee, saying: I have slain the Lord’s anointed* [2 Kings 1:16].<sup>17</sup>

And Pope Innocent wrote to the Tolesani, affirming that the person can in no way be absolved who pronounces a capital sentence against himself, whether in true confession or by false testimony, words that would be punished in another: ‘For everyone who is the cause of his own death is a greater murderer’.<sup>18</sup> And this is also shown very abundantly from the letter of [Pope] Valentinian to the people of Fréjus, and in the African Council, chapter 91.<sup>19</sup>

If anyone should say that we have acted and decided irrationally and incautiously in this business, we who are not slothfully imbued or weakly supported by these and other instruments of divine eloquence – then let him know that unless he is cleansed of the stain of

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<sup>14</sup> I.e., married Christians and apostates must separate.

<sup>15</sup> Matthew 5:32 famously permits marital separation (but not, argued Carolingian writers, divorce) on grounds of fornication. Here Ambrosiaster brings St Paul into line, by suggesting that fornication is taken as read.

<sup>16</sup> This line of interpretation was unusual in Late Antiquity, which tended to argue that men and women were subject to the same rules.

<sup>17</sup> This seems to imply that Theutberga’s life was in danger, but note by this point she was being sheltered with her brother in West Francia (ASB 860, tr. Nelson, p. 93), so it was an empty threat. The threats are not present in the other version of the council.

<sup>18</sup> In fact a quotation from the 4<sup>th</sup>-century Council of Valence, also cited by Hincmar of Reims: signs of the influence of *De Divortio*?

<sup>19</sup> In reality from the Council of Valence, and a 4<sup>th</sup>-century council from Hippo; both also cited by Hincmar of Reims.

detraction and unjust accusation, he will have a harsher reckoning with us about these things, before the tribunal of eternal justice.<sup>20</sup>

For let us proclaim before God that we have acted and spoken about this woman [Theutberga] neither motivated by any spiteful poison nor bitter zeal against her, nor guided by the grace of any favour, but only according to what we found needed to be done after most diligent examination and most studious enquiry, more moderately and gently – saving the rule of canonical authority, which it is not permitted for anyone to violate – as it is right to recognise from the letters of our discussion written on this matter by us.

As for the ruler and our lord Lothar, after the recognition of his excesses and a suitable punishment with remarkable affliction for his errors: knowing that according to his profession that there is a law in his limbs repugnant to the law of his mind [p. 78], we are not able to forbid him from marrying a wife and procreating children, lest he slip into worse things. For as the Apostle says, *Who cannot contain himself, let him marry, only in the Lord; it is better to marry than to burn* [1 Corinthians 7:2]. And again, *Let everyone have his own wife for the sake of [avoiding] fornication* [1 Corinthians 7:2], which of course is a concession of necessity, not of apostolic will, as he [Paul] says again *I wish all men to be like me* [1 Corinthians 7:7].<sup>21</sup> And so we therefore do not at all dare to prohibit these things, so that worse things can more easily be guarded against, and every pretext of unowed opportunity may be avoided with more solicitous custody.

It was commanded to two of our brothers separately to entrust to writing this chain of reasoning, which with the Lord's inspiration we all together discovered.<sup>22</sup> When each of them presented his text to the holy council in the early morning after the night, our whole company praised it as filled with a wonderful appropriateness of meaning, and we thanked the Lord for the concordant sentence. And so we decided to add this, that if the tenor of one of the texts, discrepant in words, reaches anyone's hands, let him not be disturbed by the dissonance of speech, but rather be compelled to trust by the consonance of meaning.

### ***Minutes of the council (Bishop Adventius's version?)***<sup>23</sup>

Chapter 1. In the year 862, tenth indiction, on the third kalends of May [29 April], on the convocation of the most glorious lord king Lothar [II], the archbishops and their fellow bishops met at Aachen, that is Gunther archbishop of Cologne and archchaplain of the sacred palace, and Theutgaud archbishop of Trier [p. 72], Adventius bishop of Metz, Atto bishop of Verdun, Arnulf bishop of Toul, Franco bishop of Liège, Bishop Hunger, and Rathold bishop of Strasbourg.<sup>24</sup>

This was so that with the assistance of divine clemency, they might be able to intervene faithfully and healthily with the already mentioned most serene ruler, for the utility and necessity of the holy mother Church. For in our dangerous times, the pastoral trumpet should

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<sup>20</sup> Here the council defends itself against real or imaginary criticism.

<sup>21</sup> I.e., celibacy is a higher state than marriage.

<sup>22</sup> This paragraph explains why there are two versions of the same council, and argues that they do not really differ in substance.

<sup>23</sup> This is labelled as Text A in the MGH edition.

<sup>24</sup> Together, these were most (but not all) of the bishops of Lothar II's kingdom. Note that unlike the Council of 860, no bishops were present from elsewhere.

sound out even belatedly, by prophetic admonition, where it is said *Cry, cease not, lift up thy voice like a trumpet* [Isaiah 58:1].<sup>25</sup>

So, faithfully thinking over many times God's judgements for the unfaithful and the dangers of the world as it grows old, and not without deep groans, we<sup>26</sup> recalled our most Christian ruler to memory that he should not be unmindful of his vocation, and that what he is called by name he should complete in deed, so that Christ the King of kings, who has made him the deputy of His name on earth, will return to him in heaven a worthy remuneration for the dispensation entrusted to him.

To this, he [Lothar], as a true worshipper of God, purely and truthfully agreed to our Unanimity, promising unbreakably that he wished to obey our advice in all things and comply to our reasonable admonitions. And as we spoke, he fashioned his most gentle attitude (*affectus*) with us, so that it would be clear without doubt that his heart grasped the right hand of Him in Whose hands are the hearts of kings.

Chapter 2. Meanwhile, he reassured our Unanimity with healthy responses and spiritual advice about those things which pertain to the state of the holy Church of God and the utility of the realm and the safety of the people committed to him, affirming that he was entirely ready in all matters, so that he would be a true helper and an indefatigable assistant to our order and the whole of holy religion.

Chapter 3. After this, he humbly and devoutly sought pastoral advice, placing into the hands of our brothers a booklet of complaint and of his very serious necessity.<sup>27</sup> Mournfully he asked for divine and pastoral advice, and with quavering voice he again talked of the causes of his weakness (*imbecillitas*) – how he had been deceived in a certain woman named Theutberga, by the seditious arguments of treacherous men. And indeed he recalled, not stintingly, that he had endured the sentence of separation by the judgment of the bishops. If she had been suitable for the marital bed, and had not been defiled by the pestiferous pollution of incest, and publicly condemned by a live confession [Aachen 860], he would willingly have kept her. But he confessed that he was incontinent,<sup>28</sup> and asserted that he was not able to bear the ardour of his youth without conjugal union.

He repeated that it was beyond doubt that we had declared to him that Theutberga was incestuous and had ordered him to abstain from every concubine, and that this was extremely difficult for him to stay like this [p. 73] in his youth. To this Archbishop Theutgaud was a witness, that according to divine and his own counsel, if he [Lothar] had done anything wrong with the concubine joined to him [i.e. Waldrada], he had very healthily expunged it, assisted with ecclesiastical medicine and secret and constant tears and vigils and macerations of spiritual continence, and especially with donations of alms.<sup>29</sup> And to be brief about many things, if the joyful flesh had led him to sin, then we believe the afflicted flesh brought him back to pardon.

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<sup>25</sup> Note that the council is described here as convoked by Lothar II, implicitly for his marriage dispute.

<sup>26</sup> Here the text suddenly changes from 'they' to 'we'.

<sup>27</sup> This seems to be a reference to Lothar's complaint, translated above.

<sup>28</sup> I.e., incapable of celibacy.

<sup>29</sup> I.e., if Lothar II had sinned with Waldrada, he had already done penance for it. This addressed a point made by Hincmar in *De Divortio*. Note that Waldrada is termed a concubine in this 862 text, not a wife as would later be argued.

Chapter 5. Therefore the concern of pastoral care and the documents of divine speech began to stir up the souls of our brothers, about what should be done and arranged, and what should be reasonably decided about this proclamation and lament. And we were worried above all lest – may it not happen – such a ruler might, after a worthy satisfaction and a very healthy reconciliation, incur the injury of fragility and return to his vomit, and like a sow wallowing in mud, might sometimes seek illicit embraces.

Chapter 6. And so it came to pass that the pious Sollicitude of our brothers decreed to be discussed again, how it had carried out the censure of ecclesiastical authority on the already mentioned woman Theutberga, as her public confession demanded.

Chapter 7. A volume of several councils was brought out, and we had the fourth chapter from the Council of Lerida read out, where it is written:<sup>30</sup>

“About those who stain themselves in incestuous pollution. It was agreed that for as long as they persist in that detestable and illicit marriage (*conubium*) of the flesh, they should only be admitted in the church to the mass of the catechumens. And as the Apostle ordered, it is not suitable to any Christians even to break bread with them.”

Chapter 8. In addition to this, the commentary of St Ambrose on the letter of Saint Paul the Apostle to the Corinthians, Chapter 32, it was said through the Lord’s mouth to those who were joined in marriage, that:<sup>31</sup>

*‘the wife is not to leave her husband, and if she does leave him, she should remain unmarried [1 Corinthians 7:11].* This is the counsel of the Apostle, that if she leaves because of the bad behaviour of the husband, she should remain unmarried, and that if she is not able to contain herself, because she does not wish to fight against the flesh, then let her be reconciled to her husband. For it is not permitted to the woman to marry if she has sent her husband away for the reason of fornication or apostasy, or if the husband has sought the use of his wife impelled by illicit lust.<sup>32</sup> For the inferior does not use the same law as more powerful. If the man however apostasises, let him not seek to pervert the use of his wife; the woman is not allowed to marry another, nor to return to him for the sake of fornication.<sup>33</sup>

*And let not the husband put away his wife [1 Corinthians, 7:11].* By implication, however: except for the reason of fornication.<sup>34</sup> And he [Paul] does not continue, as he did for the woman in saying, *But if she does leave, let her remain thus.* For it is permitted to the man to marry a wife, if he sent his sinning wife away. For a man is not constrained by the same laws as a woman.<sup>35</sup> For the man is the head of woman.

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<sup>30</sup> Council of Lerida, 546.

<sup>31</sup> This long quotation is taken from an exposition on the letter of St Paul to the Corinthians. Carolingian authors attributed it to St Ambrose, but it is now thought to have been written by another 4<sup>th</sup>-century author, Ambrosiaster. It is relatively unusual for biblical exegesis to be so prominent in a church council; it suggests that the council was short on authoritative sources.

<sup>32</sup> A reference to ‘deviant’ (i.e., non procreative) sexual practices.

<sup>33</sup> I.e., married Christians and apostates must separate

<sup>34</sup> Matthew 5:32 famously permits marital separation (but not, argued Carolingian writers, divorce) on grounds of fornication. Here Ambrosiaster brings St Paul into line.

<sup>35</sup> This line of interpretation was unusual in Late Antiquity, which tended to argue that men and women were subject to the same rules.

*For to the rest I speak, not the Lord* [1 Corinthians 7:11]. He [Paul] says this to show what the Lord ordered through His own mouth [p. 74] and what he conceded by his authority, for the Lord spoke through him who said *Do you seek proof that Christ is speaking in me?* [2 Corinthians 13:3].

Chapter 9. From the Council of Agde, Chapter 62:<sup>36</sup>

‘We reserve henceforth no mercy for incestuous unions, unless they cure the adultery by separation. Incestuous unions, which it is wicked even to speak of, are not to be denoted by the name of marriage.’

And there after some other things, it is written

‘Those indeed to whom an illicit conjunction is forbidden, will have the freedom of entering into a better marriage.’

Chapter 10. For the rest, having clearly read these and other canonical sanctions of this kind, and the statements of the holy father Ambrose, we believe that she who was proven by a public (so it is said) confession to be marked by the incestuous crime of fornication was not a suitable or legitimate spouse, nor a wife prepared by God. Therefore to our glorious ruler, to whom not us but indeed canonical authority forbids an incestuous marriage, and for his most devoted affection in the divine cult and for his most victorious defence of the kingdom, we do not deny the legitimate and suitable marriage conceded to him by God, according to the indulgence spoken by the Apostle: *It is better to marry than to burn* [1 Corinthians 7:9].

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<sup>36</sup> Council of Agde, 506. For the (mis)interpretation of this key text, see Stone and West, *The Divorce of King Lothar and Queen Theutberga*, pp. 61-62.