This book deals with the problem of incest in the early middle ages, and the degree of family relationship that was deemed permissible among those who married. It treats legal rather than moral issues; hence, consideration of such matters as Charlemagne's secret sin is beyond its scope. We begin in the fourth century, when Christianity began to influence society, although Ubl believes the new religion was not an important element in the legislation of the time, for some developments which may seem to have been inspired by it reflected attitudes accepted by others, Christianity having participated in a Mentalitätswandel. Turning to the Germanic peoples, Ubl argues against the Franks having practised endogamy. As there is no evidence from the Merovingian period for marriage between close relatives, although marriage between in-laws was known, Frankish practice can be seen as having been similar to that of the Romans. The legislation of the Ostrogoth Theoderic is shown to have followed Roman tradition, in spite of his having been an Arian (it occurs to me to wonder why this could be thought of as a potentially relevant factor), while the treatment of incest in the Edict of the Lombard King Rothari falls within the parameters of Roman law. The prohibition of incest among the Germanic peoples was therefore not an expression of any ethnic divergence.

A long chapter proceeds to evaluate the role of bishops. After discussing Avitus of Vienne and his dealings with the Burgundian kings, it considers what Ubl sees as the obsession that Merovingian church councils displayed towards incest. Overturning views that interpret it in terms of a collision between Germanic and ecclesiastical attitudes (I am, however, less certain than Ubl that personal names are strong evidence for ethnic identity in seventh-century Gaul), or of a fear of pollution on the part of bishops, he proposes that their concern was functional: in Roman times incest had come within the purview of the comes rerum privatarum, but after this office disappeared in the fifth century the bishops, as it were, filled the gap. It is true that legislation attributed to Chilperic deals with incest, but it is nicely placed against other activities of this monarch that show him imitating Roman practice. In Visigothic Spain, on the other hand, where governance was very different, the issue came to be dealt with by kings.

Ubl then turns to the Carolingian state. Much is made of material Boniface of Wessex and his followers brought to the Continent. Crucial here was the Libellus Responsorum Gregory the Great had sent to Augustine of Canterbury, which Ubl, in opposition to Paul Meyvaert, sees, on the basis of similar passages in indubitably authentic works of Gregory, as genuine. The activities of Pope Gregory II are also stressed. Incest was regarded as important by both Pope Zacharias and Pippin, the latter wishing...
to be seen to act in a way appropriate to a king. But Charlemagne took matters further, not only making his position absolutely clear (incestuosum scelus omnino prohibemus, according to the General Capitulary of 802), but also actively seeking out the guilty in an unprecedented way. Ubl interprets this concern as being a way of encouraging the members of local elite groups to participate in a supra-regional marriage market, and hence promoting a Reichsaristokratie. He then considers theory and practice in the Carolingian period from four standpoints, those of Hrabanus Maurus, the theologian, who thought in terms of an Anglo-Saxon tradition that he may have picked up from Alcuin, and took a moderate view; Pseudo-Isidore and Benedictus Levita, forgers, the works of the latter being interpreted as a reaction to the views of Hrabanus; Hincmar of Reims, the church politician, whose somewhat manipulative use of sources answered to the awkward realities he faced; and Regino of Prüm, the author of a collection of canons in which a turning towards the papacy reflects the break up of the Carolingian state and apparent confusion betokens the murky realities of the time. A coda to this section raises the question whether such material should be taken as evidence for lived practice or clerical wishful thinking; a clear answer is elusive.

Finally, the discussion turns to the eleventh century, when the prohibition of incest was radicalized so as to extend to the seventh degree. Ubl sees this as having been not a logical development, but the product of contingent circumstances, and indeed as an evolutionary improbability. Rejecting Duby’s model of opposing aristocratic and Christian systems of thought as being overly schematic, he interprets the campaign against incest waged by Henry II as being religious as well as political in its motivation, and sees the Decretum of Burchard of Worms as having been the campaign’s handbook. The complicated nature of connections between developments in Germany and the prohibition of incest that was a primary concern of the reform papacy in its early period is investigated, and weight is placed on the role played by Peter Damian, who was advocating Burchard’s position before the coming of the German popes. The position that had been staked out in Salian Germany spread, so that Leo IX’s treatment of incest at the Council of Reims in 1049 should be seen not as a response to the moral situation prevalent in France, as suggested by Duby, but as the introduction into France of norms that had become established across the Rhine.

This study is based on an amazingly deep mining of sources which are often problematic (the dating of the various versions of the Lex Salica is very thoroughly discussed), and alert to the significance of factors such as manuscript transmission. (Gregory the Great’s Libellus Responsorum and the Roman council of 721 have come down in over 200 manuscripts; the programmatic capitulary Charlemagne issued in 802 in just one.) While its treatment of legislation concerning incest is powerful, perhaps its greatest achievement is the sustained discussion of relations between lay and ecclesiastical power that underpins it.Persistently, things one had taken for granted are convincingly reinterpreted. And the suggestion that prohibition of incest in the early middle ages should be seen as an attempt by both the church and various states to stop the regionalizing of elites after the disintegration of the Roman state is arresting. The book is a fine example of how a thorough enquiry into one area can suggest new ways of thinking about quite different and very broad questions.