

Lothar I and the visibility of the female aristocracy

by Cristina La Rocca

The descriptions of the female aristocracy in the age of Lothar I differ somewhat from those of the preceding and following age: in general, women do not appear on the scene as a source of conflict or scandal, but instead seem to hide behind a stereotyped and aseptic image. This seems to apply especially to Lothar I's bride, Ermengard. However, a broader analysis shows that, in practice, the empress's political interventions greatly contributed to the acceptance of Lothar in the vast imperial space. Conversely, the control of women's behaviour was a very important issue in defining Lothar's imperial authority. This is shown by his decision to punish the nun Gerberga of Chalon-sur-Saône and to increase the protection around the royal nunnery of Santa Maria Teodota in Pavia. In the age of Lothar, the imperial power over women underlines his ability to potentially avoid the problems linked to the impurity of women's bodies, their sexuality and the political turmoil.

Middle Ages; ninth century; Carolingian Italy; Female aristocracy; queenship.

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Referee List (DOI 10.36253/fup_referee_list)

FUP Best Practice in Scholarly Publishing (DOI 10.36253/fup_best_practice)

Cristina La Rocca, *Lothar I and the visibility of the female aristocracy*, © Author(s), CC BY 4.0, DOI 10.36253/979-12-215-0771-3.05, in Giuseppe Albertoni, Manuel Fauliri, Leonardo Sernagiotto (edited by), *Aristocratic networks. Elites and social dynamics in Italy in the age of Lothar I*, pp. 45-68, 2025, published by Firenze University Press, ISBN 979-12-215-0771-3, DOI 10.36253/979-12-215-0771-3

Abbreviations

- MGH, AB = *Annales Bertiniani*, ed. G. Waitz, Hannover 1883 (MGH, SS rer. Germ., 5).
MGH, Astronomus, *Vita* = Astronomus, *Vita Hludowici imperatoris*, Hannover 1995, pp. 279-555 (MGH, SS rer. Germ., 64).
MGH, Capit. I = *Capitularia regum Francorum*, vol. 1, ed. A. Boretius, Hannover 1883 (MGH, Legum sectio, II/1).
MGH, Capit. II = *Capitularia regum Francorum*, vol. 2, ed. A. Boretius, V. Krause, Hannover 1897 (MGH, Legum sectio, II/2).
MGH, Conc. II = *Concilia aevi Karolini*, 2 vol., ed. A. Werminghoff, Hannover-Leipzig 1906-1908 (MGH, Conc., 2).
MGH, DD Lo I / Lo II = *Die Urkunden Lothars I. und Lothars II.*, ed. T. Schieffer, Berlin 1966 (MGH, Diplomata Karolorum, 3).
MGH, DD Lu II = *Die Urkunden Ludwigs II.*, ed. K. Wanner, München 1994 (MGH, Diplomata Karolorum, 4).
MGH, Epp. V = *Epistolarum Tomus V*, ed. E. Dümmler et al., Berlin 1899 (MGH, Epistolae Karolini aevi, 3).
MGH, Thegan, *Gesta* = Thegan, *Gesta Hludowici imperatoris*, ed. E. Tremp, Hannover 1995, pp. 168-277 (MGH, SS rer. Germ., 64).

1. Introduction

In 2014, Eric Bournazel in his article *Réflexions sur le roles et la place des reines mérovingiennes* in the context of the 62nd Spoleto week dedicated to the courts in the early middle ages, concluded his reasoning on the sexual and political effervescence of Merovingian queens with the contrasting image of Carolingian ones: «Quant à la reine carolingienne, dans cet univers royal lignager résolument masculin, il ne lui restera – apparemment – qu’à se consacrer aux bons œuvres, aux travaux de broderie, et au délices de la procréation canoniquement assistée. Et le génie féminin fera le reste»¹. This statement may seem absurd and paradoxical in the eyes of early medievalists, in the light of the research carried out in the even recent past, which shows both the political role and the visible importance of the royal couple, and of the queens in particular². As Matthew Innes has pointed out «The narratives which recast queenly government (...) were not simply personal or contingent: they were part and parcel of the processes by which the Carolingian regime renewed and reproduced itself»³.

¹ Bournazel, *Réflexions*, p. 428.

² I refer in particular to the pioneering research of Pauline Stafford, from which I would like to point out: Stafford, *The King's Wife in Wessex*; Stafford, *Queens, Concubines and Dowagers*; Stafford, *Queens and treasure*; Stafford, *Fathers and Daughters*; to the numerous works of Janet L. Nelson, now collected in the volume Nelson, *Courts, elites, and gendered power* among which we should at least point out: Nelson, *The wary widow*; Nelson, *Bertrada*; Nelson, *Making a difference in eight-century politics*; Nelson, *Gendering Courts in the Early Medieval West*. See also the seminal Nelson, *Women at the court of Charlemagne*; by the same author, also Nelson, *Du couple et des couples*. Moreover, the role of Carolingian queens within the *consortium regni* – a model emanating from the royal couple – has been appropriately emphasised by Régine Le Jan: Le Jan, *Famille et pouvoir*; Le Jan, *L'épouse du comte*; Le Jan, *Le couple aristocratique*; Le Jan, *Les reines franques du VI^e au X^e siècle*.

³ Innes, *Queenship in Dispute*, p. 247.

Paradoxically, however, Bournazel's statement emphasises a relatively significant aspect, namely the documentary visibility of the female aristocracy during the reign of Lothar. This is the fact that the crisis that had beleaguered above all the last decade of the reign of Louis the Pious (830-840)⁴, had clarified the ambivalent meanings and the political instrumentation that could be experienced and implemented in relation to the Empress Judith's body, and the female body in general. Lothar himself had also used this on several occasions, to accuse Judith and remove her from the court. At the same time, however, he had also taken counter-measures to prevent the same issues from turning against him and his own wife. It is not strange, then, that the paradoxical sides inherent in the very imbalance of Carolingian ideology – which sought to balance the king's corrective and punitive power with his ability and need to act as mediator⁵, while at the same time keeping faith with the inalienable privileges of the aristocracy and aristocratic masculinity in particular – have been oriented, even in recent studies, towards offering a negative and vexatious moral judgement of Lothar and his actions, somehow disregarding the internal logic of that system. For Lothar, the need severely to punish those who evaded the rules was implicitly united with the opposite need to mediate, in order to keep his group of loyalists cohesive and to preserve his royal and male reputation immaculate.

It is not a question, then, of giving Lothar a negative or positive judgement, but instead of trying to understand what his course of action was in the context of a crucial issue: that of controlling the dysfunctionalities within the system itself. These derived, additionally, from understanding and defining the power of women, their subtle and fluid capacity to intervene informally in the outlines of politics, but also to violate its rules, thanks to their family networks.

2. *The queen and her integrity*

As has been amply demonstrated, in the late 920s and especially in the early years of the following decade⁶, the polemic against Judith, Louis' second wife, had been very instructive in terms of the circumstances which it would be expedient to avoid in the future. Questioning her marital loyalty to the emperor had triggered an almost exasperating series of oppositions and contrasts, of texts and counter-texts. The focus of the controversy at court had centred on the scandal of the empress's alleged adulterous union with Bernard of Septimania, with the violation of the *thorum imperiale*⁷ having

⁴ See first of all the essential contribution of de Jong, *The Penitential State*, in defining the elements that determined it; see also Bühner-Thierry, "Just Anger".

⁵ Nelson, *Kings with Justice*; MacLean, *Kingship and politics*.

⁶ de Jong, *Exegesis for an emperess*.

⁷ Bühner-Thierry, "Just Anger".

potentially unpredictable results. For some, such as Agobard of Lyon, Judith was certainly at the centre of all criticism: if at first she had proved obedient to her husband, later she had been the cause of turmoil and ruin⁸. However, these same accusations had, at the same time, highlighted the incapacity and sexual inadequacy of Louis, her elderly husband, deeply discrediting the very performative credibility of the political regime in place⁹. In other words, the accusations made about Judith's credibility as a wife had turned against Louis' credibility as a husband. Finally, the very name of Judith had been elided, for example by Nithard, in the discordant narratives on the imperial crisis of the years 830-834.¹⁰

The second point that had certainly attracted Lothar's attention was related to the dangers connected with a second marriage: the ideology promoted *first and foremost* by Louis the Pious and Jonas of Orléans in the 820s had theorised about the necessity for women, but also for men, to remain faithful forever to their spouse, even during widowhood¹¹. It was, therefore, a matter of broadening the issues of a late antique problem and model – the positive one of *univira* – that was primarily aimed at resolving intra-familial conflicts concerning the transmission of the paternal inheritance to first-born children in relation to the rights of any children resulting from subsequent unions¹². In this context, the property donated by the husband's family to the bride at the time of the marriage was undoubtedly the focal point of conflict and attention. The second marriage of Louis the Pious to Judith, however, had called this very assumption into question, and had made it possible to ascertain, especially after the birth of Charles the Bald (823), that the material consequences of a father's second marriage could also turn into a source of discord and ruin: in his new version of the *De ordine laicali* (828), dedicated not only to Count Matfrid of Orléans, but in general to all public officials, Jonas had in fact insisted that husband and wife should behave in an absolutely similar manner. Husbands were also supposed to remain forever faithful to their wives, even when they were dead¹³.

On the other hand, the emperor, as well as being the supreme model of a society built on a matrimonial model – the *consortium* – needed to continue to be a man married to a living woman and not just a memory. So, if in many respects the relationship between Lothar and his father was marked by a definite continuity, on the other hand, with regard to the treatment of the queen, her visibility, and we might say the *privacy* of the couple, Lothar's age deviated from it completely. Of such a change of trajectory with respect to the recent past, in this very sphere, we can identify here some key moments.

⁸ Agobardus, *Liber Apologeticus*, I, 2, p. 309.

⁹ Booker, *By the Body Betrayed*.

¹⁰ Polanichka, Cilley, *The very personal history*; Nelson, *Ninth-century knighthood*.

¹¹ Veronese, *Contextualizing marriage*.

¹² Lightman, Zeisel, *Univira*.

¹³ Veronese, *Giona di Orléans*, LI.

Lothar was only married once, in a solemn public setting, that of the assembly of Thionville in 821, to Ermengard, the daughter of the *timidus* count Hugh of Tours. Thegan, in recalling the event, had emphasised her father's cowardice. He had such a reputation that even his retinue mocked him for «not even daring to leave his house!» («sic enim cecinerunt ei domestici sui, ut aliquando pedem foris sepe ponere ausus non fuisse»)¹⁴. However, having a *timidus* father does not seem to have been a drawback for Ermengard's reputation: if the lack of courage in challenging the uncertainties of open spaces was a negative aspect of the male gender, on the contrary, remaining locked inside one's home appeared to be a guarantee for the daughter of her sexual safety and invisibility. Lothar and Ermengard had numerous children, positively displaying the outward continuity and agreement in their relationship. From around 822 to 835, Lothar and Ermengard had at least six children in a seemingly regular rhythm. Until her death, thirty years after their marriage, no author, whether for or against Lothar, dared to question her loyalty to her husband or criticise her excessive exposure. It is only after 851, the year in which Ermengard died, that another woman emerges from Lothar's diplomas, the servant Doda¹⁵, whom Lothar himself freed just one month after his wife's death, granting her ownership of the land previously worked by her father Ratbert¹⁶. The prestige of this woman at court is underlined by the role she assumed – a few years later – as the intercessor of a diploma of Lothar from 855 with regard to the *vassus* Ebroinus who, on this occasion, received tax land «in pago Hasbanio»¹⁷. In the diploma she is referred to as «dilectissima et familiarissima femina nostra», clearly indicating the special relationship that united her to Lothar despite her humble origins; the prestige that she managed to gain at court, even after Lothar's death, is testified by her inclusion among the Carolingian women in the list produced on the occasion of the meeting held at the abbey of Remiremont in 861¹⁸.

Although many have thought that this relationship only started after Ermengard's death, it must be admitted that there is no proof of this. From this woman, Lothar had a son in 853, with the unfortunate name of Carloman¹⁹. The *Annales Bertiniani* pointed out the event with great precision, adding that, following the death of his wife, Lothar had had sexual relations with two *ancillae* and that, following the example of their father, his sons had also

¹⁴ MGH, Thegan, *Gesta*, 28, p. 216; MGH, Thegan, *Gesta*, 55, p. 250. On this passage MacLean, *Palaces*; MacLean, *Frontiers and fortifications*, p. 154.

¹⁵ MGH, DD Lo I / Lo II, n. 113, p. 263 (851 IV 19, Aachen): «ancillam nostram nomine Dodanem».

¹⁶ Ermengard died on 20 March 851; Lothar's diploma is dated 19 April of the same year.

¹⁷ MGH, DD Lo I / Lo II, n. 138, pp. 309-310 (855 VII 9, Kievermont). The role of the intercessor to a diploma was well emphasised for the later period by Rosenwein, *Friends and Family*; Rosenwein, *The Family Politics*.

¹⁸ *Liber Memorialis von Remiremont*, p. 93, f. 43r.

¹⁹ See Stuart Airlie's remarks on the career possibilities of this Carolingian-named son: Airlie, *Making and Unmaking the Carolingians*, pp. 156-157.

given themselves up to adulterous relations, alluding – with great probability – to the case of the divorce of Lothar II²⁰. Even in this mention, the intention of which is clearly to emphasise Lothar's unseemly behaviour and the perverse example he had set for his sons, Ermengard's reputation remained unchanged: she herself still remained the most Christian queen («christianissima regina»)²¹.

Lothar's marriage to Ermengard thus seems to suggest that Lothar and his wife took the *consortium* rules very seriously and that, from their point of view, contradicting or questioning them appeared to be a very risky operation. The public exposure of the couple was limited to a minimum and no author ever dared to discuss Ermengard's behaviour, let alone interpret it as a sign of dysfunction in the imperial family. As the numerous *carmina* dedicated by Sedulius Scotus to the queen make clear, she embodied the ideal canons of meekness, patience, beauty, but also nobility²².

This did not mean, of course, that Ermengard was, as Bournazel believes, only a lonely embroiderer.

As Mayke de Jong observed, Ermengard had taken responsibility for some important personal initiatives. The *epithaphium Arsenii* tells us that it was Ermengard who, in 836, announced to all the monasteries of the empire the death of Wala, news that had reached her in advance from Corbie²³. She asked for prayers for him, who had been her husband's most faithful supporter since his first stay in Italy in 822; a task, we can imagine, that stemmed directly from the will of Wala himself²⁴. Even if, as de Jong again suggests, this information is probably a later addition to the text, it nevertheless testifies to a desire to present the queen in close connection with a broad monastic network that delineated a personal geographical sphere that transcended the space of the kingdom in Italy and her husband's residence.

Similarly, around 840, in any case after the death of Louis the Pious, Ermengard had written to an anonymous interlocutor²⁵ – perhaps Adalard the 'Seneschal', as Janet Nelson and Mayke de Jong have proposed²⁶ – asking him to stop acting like a demon. In fact, she accused him of having given rise to a series of lies that had created great discord among Louis's sons, had lumped

²⁰ On the divorce of Lothar II, see at least: Airlie, *Private Bodies*.

²¹ MGH, AB, p. 43, *ad annum* 853: «Lotharius imperator, defuncta ante biennium Ermengarda christianissima regina, duas sibi ancillas villa regia copulavit; ex quarum altera Doda vocabulo filium generat, quem Carlomannum vocari iubet. Aliique filii eius similiter adulteriis inserviunt».

²² Sedulii Scotti *Carmina*, *De Rectoribus Christianis*, n. I, VII, p. 157 (the queen); n. XX, *Idem ad Ermingardem imperatricem*, pp. 186-187; n. XXI, *Incipiunt versus ad Ermingardem imperatricem conscripti in serico pallio de virtutibus Petri apostoli*, pp. 187-188; n. XXIV, *Ad eandem imperatricem*, pp. 189-190, vv. 41-42: «Huic licet assimilis videatur Eydoxia reatrix, / non tamen aequalis, huic licet assimilis».

²³ de Jong, *Epitaph for an era*, p. 9 (on the change of style in the epitaph manuscript), pp. 146-147 (on the link between Ermengarda and Wala).

²⁴ Chastang, *Entre histoire et reconstruction des origines*, pp. 65-74.

²⁵ MGH, Epp. V, n. 27, pp. 343-345.

²⁶ Nelson, *Public histories*, pp. 222-224, 232-233; de Jong, *Epitaph for an era*, pp. 206-217.

him in with the *daemones* who «dissensione et perturbatione bonorum hominum gaudent et discordia delectantur». She had also reminded him of the great *familiaritas* that Ermengard had had towards him as long as he had behaved properly. In his letter of reply, the man denied all accusations, protested his innocence, begged her not to worry about the rumours that had reached her ears, finally reassuring her of his loyalty to her, today as yesterday. Although he had finally chosen Charles the Bald as his lord, his loyalty to Ermengard could not and would not be questioned²⁷. This letter makes us well aware that, not only had Ermengard been able to cultivate and maintain contacts and loyalty independently from her husband, but that she had also been able to admonish her own faithful by using a language of power that was fully and consciously suited to calling a man who had preferred to take an opposing side back onto the straight and narrow. We might conclude then that not only was Ermengard able to communicate with an extended group and be its conduit, but her opinion was solicited, requested and desired.

I want to make one last point: Lothar had fought until his father's death in 840 for his status as *consors regni* to be recognised by his brothers. By this designation, Lothar meant the traditional, masculine sense of *consors*: he had been designated as successor to his father's throne and had thus become the spokesman for the late antique, institutional meaning of the term²⁸. Once this had been achieved, however, he did not hesitate to adopt the feminine meaning of the same expression, i.e. the one that claimed that the title of *consors regni* belonged to the king's wife. He also did so with some speed since in 848 he was the first Carolingian emperor to mention his wife as *consors imperii* precisely because of the conjugal bond that united them. The diploma proclaimed that, adhering to the request of Ermengard «dilectissima et amatissima coniux nostra», since she was «iugali vinculo nobis sociata et consortii imperii nostri effecta», her wishes should be granted. As we all remember, the diploma concerned entrusting Ermengard and, later, her daughter Gisla, with the administration and control of the female monastery of San Salvatore in Brescia. In the diploma, Lothar then specified that any «contradicionem vel inquietudinem» had been in this way healed and that both of them (his wife and daughter) would administer San Salvatore «remota alicuius inquietudine vel contrarietate»²⁹. A few days later, Lothar himself had exempted from army service and public functions twelve men chosen by Ermengard herself as well as two *cancellarii* from the monastery of San Salvatore in Alina, one of the dependencies of San Salvatore in Brescia run directly by the queen, so that they could quietly reside («quiete residere») and attend to the needs of the monastery itself³⁰. In 851, following Ermengard's death, the role of *rectrix* of the Brescia monastery passed to her daughter Gisla, and on that occasion it

²⁷ de Jong, *Epitaph for an era*, p. 211; Pez , *Comp tition et fidelit *.

²⁸ As Delogu made clear years ago: Delogu, *Consors regni*.

²⁹ MGH, DD Lo I / Lo II, n. 101, pp. 240-242 (848 III 16, Aachen).

³⁰ MGH, DD Lo I / Lo II, n. 102, pp. 242-243 (848 III 20, Aachen).

was reaffirmed that the assets of the treasury, transmitted by San Salvatore, would be directly administered by her³¹.

As for Ermengard's presence alongside her husband, either as an intercessor for third parties or as direct beneficiary of diplomas, it is quantitatively very limited and confined to Italy. She appears as her husband's direct interlocutor in the donation of the *curtis* of Limonta to the monastery of Sant'Ambrogio in January 835, as Hugh, Ermengard's young brother, who had just died, was buried in the monastery cemetery. The donation of Limonta was made for the redemption of both Lothar's and Hugh's soul³². A few months later – in May 835 – Ermengard's intervention, together with her husband, is recorded in a later diploma, which increases and specifies the servile labour force employed by the monastery of Sant'Ambrogio in the same *curtis* of Limonta³³. In 837 the abbess Amalberga approached both spouses for confirmation of the possessions and servants of the monastery of San Salvatore in Brescia³⁴. It seems then that, at least at this stage, Ermengard's role was to ground the memory of her own family group of origin in northern Italy³⁵.

There are, however, clues through which it can be assumed that Ermengard's role in guiding her husband's decisions was more significant than it appears at first sight: between 837 and 838 Agnellus of Ravenna recounts having travelled to Pavia together with Archbishop George of Ravenna who, through rich gifts to the emperor, had earned the privilege of baptizing Lothar's daughter, Rotruda. On this occasion, Agnellus complained about the expenses that the Church of Ravenna had had to bear for the gifts that the archbishop had offered to the child, moreover through purchasing them from the imperial *palatium*. Agnellus himself had dressed the little girl: «et manibus meis vestivi et calciamenta in pedibus decoravi auro et iacinto ornata»³⁶. In this context, in which Archbishop George systematically appears as the transgressor of the baptismal ritual³⁷, Agnellus recalled with minute precision the motionless figure of a glittering Ermengard, who followed by a crowd of handmaids, wore a splendid robe «aureo circumdata limbo, conligata crines vittis, iachintinis gemmis, prosobsi velata, facies stillata sarduisque, smaragdus, auro»³⁸. This motionless and luminous image emphasised – with the public appearance of the queen – her central role in her daughter's christening ceremony. George's financial commitment to dress Rotruda was then

³¹ MGH, DD Lo I / Lo II, n. 115, pp. 265-266 (851 IX 8, Gondreville).

³² MGH, DD Lo I / Lo II, n. 23, pp. 93-95 (835 I 24, Pavia).

³³ MGH, DD Lo I / Lo II, n. 27, pp. 101-102 (835 V 8, Pavia).

³⁴ MGH, DD Lo I / Lo II, n. 35, pp. 112-115 (837 XII 15, Marengo).

³⁵ Veronese, *Un franco (anzi due) in Brianza*.

³⁶ Agnellus, *Liber Pontificalis*, 171, p. 351.

³⁷ George robs the wealth of the church in Ravenna to make splendid gifts for the emperor; he buys jewellery and christening robes from the palace for an exorbitant sum; finally, he secretly gets drunk before mass.

³⁸ Agnellus, *Liber Pontificalis*, 171, p. 351. On the relations between the Church of Ravenna at the time of Lothar, see Schoolman, *Representations of Lothar I*, pp. 118-120.

meant to make her as resplendent as her mother, demonstrating her imperial rank. It should be noted, however, that even in this passage in which Agnellus harshly criticises George, the description of Ermengard is, by contrast, devoid of any polemical significance: on this occasion, too, Ermengard is depicted in her official appearance almost as a statue of female kingship, entirely legitimate and unassailable³⁹.

With the death of Louis the Pious and her assumption of the imperial title in 840, Ermengard's role as *augusta* was also emphasised and, by virtue of this, her actions – although always presented as deriving from marital assent and concord – became somewhat more intense. Between 848 and 849, Ermengard became – as mentioned – *rectrix* of the Italian monastery of San Salvatore in Brescia and then, in the following year, the promoter of the Alsatian monastery of Erstein, which she founded on the lands of the royal treasury that had been assigned *nomine dotis* by Lothar himself, so that the nuns would pray for her and her husband, but also for all the faithful of the kingdom⁴⁰. It must be reiterated, as Simon MacLean has noted years ago, that the geographical location of the dowry lands and the foundation of the monastery of Erstein contributed to strengthening the patrimonial presence in the area of Ermengard's original family group⁴¹, inaugurating a new perception of the queen's monastery as a place that was intended to reinforce and reaffirm the relevance of the empress's family of origin. If one looks at the chronology of the foundation of these new monasteries by the queen, one can see how this new trend was first inaugurated by the wife of Bernard of Italy, Cunegonda, in 835 and then taken up by Ermengard in 850. The experience in Italy had also been a source of inspiration for this development.

A similar type of protection of the interests and prerogatives of the empress through the monastic route was implemented by her own daughters: their taking vows in a place of crucial interest for her own political support is attested by the vehemence with which Ermengard intervened in defence of the monastic property of Avenay, where her daughter Bertha was abbess, the subject of open conflict with Hincmar of Rheims, in 847. Although not attested by first-hand sources, the epistolary exchange between the empress and Hincmar, narrated by Flodoard of Rheims in the 10th century, testifies to Ermengard's initiative in protecting the properties and the monastery, through her direct interference and responsibility in confronting a powerful rival⁴².

Deprived of the sexual complications of Judith, but also of the celebratory *ex post facto* exaltation that had been directed at Hildegard, Charlemagne's

³⁹ The jewellery of the queen and empress follows a pattern of legitimate ostentation that has its own late antique tradition linking it to the ritual of marriage. Although with different accents, Ermengard's public appearance can be linked to that described by Cassiodorus for the wedding of Matasuintha, Theoderic's niece, to Vitiges in 537, where the bride appears decorated and covered with pearls, emeralds, rubies and sapphires: Cristini, *Matasuintha*, p. 247.

⁴⁰ MGH, DD Lo I / Lo II, n. 106, pp. 251-253 (849 IX 6, Remiremont).

⁴¹ MacLean, *Queenship, nunneries*, pp. 15-18.

⁴² *Ibidem*, pp. 18-20.

wife, from the moment immediately following her death,⁴³ Ermengard then appears to have been an important factor in stabilising the position and acceptance of Lothar not only in Italy and later in Aachen, but in a wider area. This is demonstrated by a significant act: when, in 841, Hrabanus Maurus gave her the same biblical exegesis that he had given to the Empress Judith in 830 on the figures of Esther and Judith⁴⁴, it became clear that the time was ripe for reconciliation and that the imperial couple had been fully incorporated into the wider imperial sphere. In the epitaph in verse composed for Ermengard's death in 851, Hrabanus himself recalled her noble origins and her works of charity towards the poor: these were the very characteristics that had earned her the gift of a group of relics of saints from Rome, sent to her by Pope Leo IV⁴⁵, which Ermengard had placed in her monastery in Ernstein. On that occasion Hrabanus emphasised that the prayers addressed to the Roman saints were specifically dedicated to requesting *veniam delicti*, i.e. the forgiveness of evil deeds committed⁴⁶. Her relationship with the relics and the pope also emphasised the mediating and pacifying role the empress had played during her lifetime.

At this important moment of clarification and discussion of the role, models and wider political significance of Carolingian queenship, Ermengard seems to have played a very important stabilising role. The unanimous consensus towards her seems to derive from the gradual augmentation of specific actions and visibility that, in the long run, characterised the queen's model: the foundation of her own monastery, the control of her own unmarried daughters, the ability to bring out the weight of her family of origin, protecting its prestige and relevance through a series of patrimonial actions aimed at reinforcing its power both in areas of ancient possession – as in the case of Ernstein – and in areas of new acquisitions – as in the case of Milan and Limonta. In spite of the discrediting of Hugh – Ermengard's father – following the drastic disqualification measures taken by Louis the Pious in 828, the couple of Ermengard's parents, Hugh and Ava, and their descendants, were supported by Lothar and Ermengard steadfastly and with firmness⁴⁷.

Similarly, the memory of the imperial couple and their parents was jointly evoked in the numerous diplomas issued by Lothar II immediately following his father's death. In 858, Lothar II donated the monastery of Berg to the Church of Utrecht «ob ebolumentum etiam ac remedium anime avi nos-

⁴³ Pauli et Petri *diaconorum carmina*, n. XX, *Epitaphium Hildegardis reginae*, pp. 58-59; on Hildegard's epitaph see Demarchi, *Paolo Diacono e il dolore*.

⁴⁴ Hrabani Mauri *Carmina*, n. VI, I, pp. 165-167 (to Judith); Hrabani Mauri *Carmina*, n. VI, II-V, pp. 167-169 (to Ermengard).

⁴⁵ On the relations between Leo IV and Lothar I, see Herbers, *Papst Leo IV.*, pp. 18-48; Betti, *The two versions of the life of Pope Sergius II*, pp. 190-196.

⁴⁶ Hrabani Mauri *Carmina*, n. LXXXIV, pp. 239-240 (a. 851).

⁴⁷ The period between 830 and 860 was in fact characterised by an intense series of discussions on the power of the Carolingian queen, centred on her ability – as a woman – to scandalise politics. On all this, MacLean, *Queenship, nunneries*; Innes, *Queenship in dispute*.

tri Hludovici et pie memoriae genitoris nostris Lotharii quondam augustorum necnon et genetricis nostrae Hermengardae»⁴⁸; in the same year, a few months later, Lothar II, declaring himself aware of the «periculum animae inclyti genitoris nostri» returned to the Church of Toul the properties that had been taken away from it and proclaimed that he was acting «ob emolumentum animae serenissimi genitoris nostris ac genetricis»⁴⁹; memorial expressions of the imperial couple are used in later diplomas for the years 859-866. The salvation of the souls of his parents was evidently a greater concern of Lothar II⁵⁰ since remembering with prayers the otherworldly destiny of both of them strengthened their memory as a couple even in the afterlife. Insisting on the parental couple perhaps also served to reaffirm Lothar II's competence with regard to the marriage rules of the *consortium regni* during the complex negotiations of his divorce from Teutberga. At the same time, I find it interesting to emphasise, in this context, the entirely different attitude adopted in Italy by Lothar II's brother, the Emperor Louis II who, on the other hand, never mentioned his own mother in his diplomas and, more generally, did not offer *pro anima* gifts for his parents. Such divergence might allow one to suppose that, in Italy, the lack of a lasting memory of Ermengard and the more stable institutional position of Louis II compared to that of his brother had made the list of his institutional predecessors and of their diplomas a preferred option to the private relationship with his own parents. On the other hand, such an absence reaffirms the intrinsic connection between the memory of the individual evoked and the concrete area of his patrimonial interference.

3. *Fragile women*

I now come to the second point of my text, which concerns a specific context and a gesture of Lothar's that I consider extremely significant: I will use it both to highlight the way in which this gesture was considered, even in the Carolingian era, as an example of his brutality and ruthlessness, and also to show the complex interweaving of the need to punish, the ideal stratification of norms and behaviour, and, finally, of ideas about the female body and the challenges it presented⁵¹.

⁴⁸ MGH, DD Lo I / Lo II, n. 7, p. 393 (858 I 2, Prüm).

⁴⁹ MGH, DD Lo I / Lo II, n. 9, p. 397 (858 VIII 6, Metz).

⁵⁰ MGH, DD Lo I / Lo II, n. 12, p. 401 (859 VI 17, Gondreville); MGH, DD Lo I / Lo II, n. 17, p. 412 (862 IV 13, Neufchâteau-sur-Amblève); MGH, DD Lo I / Lo II, n. 18, p. 413 (863 IV 30, Mantaille); MGH, DD Lo I / Lo II, n. 19, p. 415 (863 May 18, Lyon) (for the salvation of the souls not only of both parents, but also of the brothers Louis II and Charles, Waldrada and their son Hugh); MGH, DD Lo I / Lo II, n. 20, p. 417 (863); MGH, DD Lo I / Lo II, n. 36, p. 445 (863-869); MGH, DD Lo I / Lo II, n. 23, p. 421 (865 III 7, Aachen); MGH, DD Lo I / Lo II, n. 25, p. 426 (866 I 15, Aachen); MGH, DD Lo I / Lo II, n. 28, p. 431 (866 III 19, Marlenheim).

⁵¹ MacLean, *Queenship, nunneries*; on Hugh's career, de Jong, *Penitential State*, pp. 38-47; on the estates assigned to Hugh and Ava in Locate near Monza: Veronese, *Un franco (anzi, due) in Brianza*.

In the 830s, just as demons had inhabited the imperial palace, they seemed to haunt the general political landscape within which the aristocracy, in its various components, felt challenged: at such a juncture, everyone felt the precariousness of their position and, therefore, reacted by accusing their antagonists at the time of having evil intentions and of using demonic means to alter the *status quo*. In this climate of great tension, accusations of committing evil deeds were scattered around.

One event in particular acted as a catalyst to pinpoint Lothar as the protagonist of a murderous act. In an almost polyphonic manner, four sources tell us that in 834, following the assault on the city of Chalon-sur-Saône, Lothar had a woman named Gerberga⁵² thrown into the river Saône. The accounts of the four sources are apparently the same, although they differ in some details. Whereas Thegan and the *Annales Bertiniani* specified that she was the sister of Bernard of Septimania, the Astronomer preferred to emphasise the name of her father, the late duke William of Aquitaine; Nithard does not mention this relationship. As for her professional identity, she is referred to as *sanctimonialis femina* by Thegan and the *Annales Bertiniani*; no mention is made of this detail by the Astronomer and Nithard. Thegan and the *Annales Bertiniani* also specify that the woman was locked in a barrel and thrown into the river Saône; Thegan alone specifies that it was the wives of Lothar's impious advisors who spread slander about the woman and drove him to this extreme act. Furthermore, Nithard and the Astronomer added that Gerberga's final punishment had been that of *maleficorum* and *veneficae* (Tab. 1).

	Name: Gerberga, Gerbrich	Family origins	Title	Death of Gerberga	Type of punishment	more
Astronomus	YES	<i>Filia quondam Wilhelmi comitis</i>	NO	<i>Aquis praefocata est</i>	<i>Tamquam venefica</i>	<i>Gozelo and Senila counts, and Madelmus royal vassal are executed</i>
Nithard	YES	NO	NO	<i>In Ararim mergi praecipit</i>	<i>More maleficorum</i>	<i>Gozelo and Senila are beheaded; Warino is spared but is obliged to give allegiance to Lothar</i>

⁵² MGH, Thegan, *Gesta*, 52, p. 244: «sanctimonialis femina, quae erat soror duci Bernhardi nomine Gerbrich, iussit in vase vinatico claudere et proicere in flumen Ararim, de quo poeta canit: 'Aut Ararim Parthus bibet aut Germania Tygrim'. Ibi eam diu affligens, quousque extinguit eam, iudicio coniugum impiorum consiliariorum eius, implens psalmodicam prophetiam: 'Cum sancto sanctus eris et cum perversos perversus'; MGH, Astronomus, *Vita*, 52, p. 496: «Gerberga filia quondam Willelmi comitis tamquam venefica aquis praefocata est»; MGH, AB, p. 9, *ad annum* 834: «sororem Bernardi sanctimonialem in cupa positam in Ararim fluvium demergi fecit»; Nithardi *Historiarum libri IIII*, I, 5, pp. 7-8: «Gerbergam more maleficorum in Ararim mergi praecipit, Gozhelmum et Senilam capite punivit, Warino autem vitam donavit et, ut se deinceps pro viribus iuaret, iureiurando constrinxit».

<i>Annales Bertiniani</i> , 834	NO	<i>Soror Bernardi</i>	<i>sanctimonialis</i>	<i>In cupa positam in Ararim fluvium demergi fecit</i>		
Thegan	YES	<i>Soror duci Bernhardi</i>	<i>Sanctimonialis femina</i>	<i>iussit in vase vinatico claudere et proicere in flumen Ararim</i>	<i>Ibi eam diu affligens quousque extinctit eam</i>	<i>iudicio coniugum impiorum consiliariorum eius</i>

In spite of these differences, the narrative pattern of the sources is similar: it is a crescendo series of violent actions carried out by Lothar upon learning that his father Louis had been reinstated on the throne. He attacked Chalon-sur-Saône, entered the town, burnt its buildings and churches; he had also had three counts and a vassal of the king executed, who had betrayed him in favour of his father⁵³. It is a crescendo of violence that ends with Gerberga being thrown into the river, which leads one to consider it as a totally insane and senseless act, carried out on the spur of a moment of wrath. This is certainly what the four texts intended to achieve. Some scholars have, however, reflected on this at first sight inexplicable punishment: Régine Le Jan, first of all, has assumed that it was a deliberate attempt by Lothar to eliminate all living relatives of Bernard of Septimania, i.e. the members of the only family group descended from Charles Martel that could truly challenge Carolingian legitimacy. Régine Le Jan has indeed pointed out that, in addition to Gerberga, in Chalon-sur-Saône on the same occasion her brother Gozelo⁵⁴ was also executed; while a second brother of Bernard, Heribert, had been blinded by order of Lothar in 830⁵⁵. Bernard's wife Dhuoda herself had been threatened in Uzès and was only saved by the support Bernard had provided her. In 844, Charles the Bald then had Bernard killed because, according to the *Annales Bertiniani*, «he had been plotting great plans for some time and had reached the height of power»; five years later, William, the son of Bernard and

⁵³ MGH, Astronomus, *Vita*, 52, pp. 494-496, *ad annum* 834: «Qua tempestate Verinus comes cum plurimis sotiis castrum Cauillonum utcumque communivit (...). Quod cum compertum Hlothario foret, inprovisus illuc advenire disposuit, quod tamen facere nequivit. Advenit tamen et oppidum circumdedit; que in circuitu civitatis erant, incendio conflagrata sunt. Pugnatum est acriter diebus quinque, et tandem ad deditionem primum urbs recepta est; post autem versa vice crudelium more victorum primo quidem direptionibus ecclesie vastate, thesauri depredati vel communes sunt direptae copie, ad ultimum vero civitas voraci depasta est incendio (...). Nec tamen Hlotarii voluntas fuit, ut civitas succenderetur. Adclamatione porro militari post captam urbem Gotselmus comes itemque Sanila comes necnon et Madalelmus vassallus dominicus capite plexi sunt»; MGH, AB, p. 9, *ad annum* 834: «Hlotarius vero cum sui Cavellonem veniens, eam expugnavit ignique succendit et comites qui ibi aderant comprehendit; ex quibus tres interfecit, alios autem secum inde sub custodia duxit».

⁵⁴ Nithardi *Historiarum libri III*, I, 5, pp. 7-8 (see note 52).

⁵⁵ MGH, AB, p. 2, *ad annum* 830: «Post octavas autem paschae Hlotarius de Italia perveniens, placitum illic (sc. Ad Compendium) habuit et Herebertum, fratrem Bernardi, excaecari iussit aliquosque fideles domni imperatoris in custodiam misit».

Dhuoda, was also put to death in Barcelona⁵⁶. Summarising these data on the violent end of William of Aquitaine's family group, Le Jan finally concludes «Les femmes de l'élite relevaient ainsi de la même sphère de pouvoir que les hommes et à ce titre, elles subissaient les haines, tout comme elles étaient aussi sujettes à la haine»⁵⁷.

On another hand, without connecting these inherent aspects to a systematic policy of progressive elimination of Charles Martel's descendants in Aquitaine, Courtney Booker has highlighted the rituality of Gerberga's death and the fact that, linked as she was to Bernard of Septimania, she too – like her brother – had been accused of having operated *incantationes*. Perhaps, says Booker, Lothar and his people really believed that Gerberga should be eliminated, surrounded as she was by suspicion, first of all by women⁵⁸. I believe Booker is right in emphasising the ritual nature of this execution, just as Le Jan rightly points out the obstinacy with which the Carolingians attempted to eliminate all those connected with Bernard. However, I would like to add a few considerations on the vocabulary used and the context in which the punishment itself took place, in order better to understand its internal logic which, in my opinion, was not the result of blind irrationality, but of a ramified project that found a very effective and exemplary representation in Chalon.

In order to do this, it is necessary to clarify the three terms that define Gerberga: the fact that she was a *sanctimonialis femina*, a nun; the fact that she was killed as was customary with *veneficae*; and finally, the meaning of the town of Chalon-sur-Saône and its river themselves.

Let us begin with Gerberga's status, that of *sanctimonialis*. One needs to keep in mind the premise that Lothar seems to have been very committed to the ritual sphere of marriage, to make it conform to what the councils convened by his ancestors had theorised over time: stable, possibly perpetual unions. It is no coincidence, it seems to me, that Lothar's capitularies insisted constantly on aspects relating to the control of the social order: as far as matrimonial unions were concerned, they should have conformed, in spirit and in fact, to his own. There were a few but clear anchoring points: control of asymmetrical unions (first and foremost between a free woman and a servant), of the cohabitation of priests with women and, finally, control of the chastity of both veiled widows and nuns⁵⁹.

In Italy, from the age of Arechi, regulatory sources insist on this last theme, emphasising the discrepancy between the possibility for a widow to

⁵⁶ MGH, AB, p. 30, *ad annum* 844: «Bernhardus comes marcae Hispanicae, iam dudum grandia moliens summisque inhians, maiestatis reus Francorum iudicio, iussu Karoli in Aquitania capitalem sententiam subiit»; *ibidem*, p. 38, *ad annum* 850: «Guilhelmus, Bernardi filius, in marca Hispanica Aledramnum et Isembardum comites dolo capit; sed ipse dolosius captus et aput Barcinonem interfectus est».

⁵⁷ Le Jan, *Amis ou ennemis?*, pp. 120-121 (with sources cited there).

⁵⁸ Booker, *Past Convictions*, pp. 152-153 and p. 346.

⁵⁹ MGH, Capit. II, 13, 14 (union of free women with servants), 15 (union of a servant with a free woman), pp. 62-63 (a. 832).

veil herself privately in her own home, to maintain a status of chastity, not to enter a monastery and, above all, to form small groups of *mulierculae* with women of her own status, who wander about the city with powdered hands and made-up eyes, attracting the male gaze. These women could be suspected of having illicit relations with other men, but could not be accused of adultery unless they became pregnant⁶⁰. Veiled women constituted a challenge to both the Carolingian order and the assumption that they seemed to act without any of their relatives being able (apparently) to control or punish them. Lothar's capitularies on the subject of the body integrity of veiled women and even nuns are repetitive and pressing. From the very first capitulary issued in Italy in 822, the focus is on adultery, an expression that is also extended to relations with men by nuns⁶¹.

It was precisely Chalon-sur-Saône which, in 813 that had been the venue of the council convened by Charlemagne where, for the first time, the subject of the purity of women's monasteries, the special surveillance to which they had to be subjected, and the need for their interaction with the outside world to be reduced to a minimum⁶² was discussed. In Aachen in 816, the *Institutio Sanctimonialium Aquisgranensis* had developed the themes discussed in Chalon-sur-Saône and had preceded the conciliar acts with a series of ancient reference texts aimed at substantiating the episcopal decisions on the subject of the chastity of nuns and veiled women. Among them was the famous letter of Jerome to Eustochius, in which the danger of veiled nuns was emphasised: in the shelter of their black robes, they lived a life unaware of the dangers they faced; if they became pregnant, they did not hesitate to kill their infants; others aborted with potions (*venena*). They were therefore guilty of three crimes: they killed themselves; they were adulteresses because they betrayed Christ, their heavenly bridegroom; and they were killers of their children⁶³. The punishments for those guilty of this criminal sin were to be determined by the

⁶⁰ *Leges Langobardorum*, Arechis, 12, p. 209 (a. 758-787). On the passage, see La Rocca, *Pouvoirs des femmes*, pp. 37-40.

⁶¹ MGH, Capit. I, 5, p. 317 (a. 822-823): «Statuimus ut si femina habens vestem mutata moecha deprehensa fuerit non tradatur genitio sicut usque modo, ne forte quae prius cum uno, postmodum cum pluribus locum habeat moechandi; sed eius possessio fisco redigatur et ipsa episcopali subiaceat iudicio»; MGH, Capit. I, p. 318: «De sanctimoniales feminas statuimus ut, si adulterium fecerint et inventum fuerit, res quas habet fisco sociatur, persona vero eius sit in potestate episcopi in cuius parochia est, ut in monasterio intromittantur».

⁶² MGH, Conc. II, 52-67, pp. 284-285. In particular chapters LV and LVI establish that neither the abbess nor the *sanctimoniales* may speak with men at night, but only during the day and *coram testibus*. Chapter LVII instead establishes the public visibility of the abbess and the *sanctimoniales*: «Abatissa nequaquam de monasterio egrediatur nisi per licentiam episcopi sui (...). Et si quando foras pergat, de sanctimonialibus quam secum ducit, curam et vigilantiam habeat, ut nulla eis detur peccandi licentia sive occasio». The monastery porter, i.e. the one who was most exposed to external contact, was to be chosen from among those of *aetate matura*.

⁶³ MGH, Conc. II, p. 426 (a. 816): «Videas plerasque viduas antequam nuptas infelicem conscientiam mentita tantum veste protegere; quas nisi tumor uteri et infantum prodiderit vagitus, erecta cervice et ludentibus pedibus incedunt. Aliae vero sterilitatem praebent et necdum nati hominis homicidium faciunt. Nonnullae, cum se senserint concoepisse de scelere, abortii venena meditantur et frequenter etiam ipsae conmortuae trium criminum reae ad inferos perducun-

bishop, who was charged with finding the appropriate penance⁶⁴. The diligence in ensuring punishment was considered indispensable since «Quanto enim idem sexus fragilior esse dinoscitur, tanto necesse est maiorem erga eum custodiam adhiberi»⁶⁵. The punishments envisaged are composed of an escalation of successive deprivations (diet of bread and water, segregation in a separate part of the monastery, finally even corporal punishment, although the latter is not deemed suitable for older women and those of high social status)⁶⁶. Although chapter XVIII is one of the most detailed and exhaustive within the conciliar acts, it must be admitted that the subject matter mainly concerns the behaviour that *sanctimonialia* must observe within the monastic area, in their relations with each other. In fact, verbal actions that cause discord and disorder are mentioned as offences to be punished, while relations with men and in particular are really considered as unthinkable occurrences and are adumbrated in rather general statements⁶⁷.

tur, homicidae sui, Christi adulterae, necdum nati filii parricidae». Jerome's letter to Eustochius is the first to be cited in the acts of the council (*ibidem*, pp. 421-428).

⁶⁴ See in particular MGH, Conc. II, 18, *Institutio sanctimonialium Aquisgranensis*, pp. 450-451: «Quae autem criminale peccatum commiserit, huic nullatenus differenda est correptionis utilitas, quin aut sponte peccati sui facinus paenitendo abluat aut, si id agere renuerit, ab episcopo, ut praemissum est, iuxta modum taxatum sententiam excommunicationis et modum penitentiae excipiat».

⁶⁵ MGH, Conc. II, 18, p. 449.

⁶⁶ Regarding punishments: MGH, Conc. II, 18, *Institutio sanctimonialium Aquisgranensis*, p. 450: «primo secundum Domini praeceptum non solum semel et secundo ac tertio, quin etiam crebrius admoneatur et, si his admonitionibus non paruerit, publica obiurgatione corripatur». The following stages follow, in the case of non-repentance. Phase 1: the only food allowed is bread and water («Quodsi et huic renisa fuerit, ceteris alimentis sibi interdictis pane tantum usque ad dignam penitentiae satisfactionem utatur et aqua»); phase 2: segregation from other nuns («Si vero nec sic se correxerit, separetur a mensa et a ceterarum sanctimonialium in choro psallentium societate et seorsum in loco huiuscemodi neglegentibus ab abbatissis stare cogatur constituto, ut saltim rubore sequestrationis emendetur»); phase 3: corporal punishment («Si autem his modis admonita atque castigata incorrigibilis adhuc exstiterit, congrua ei, si tamen aetas permiserit, verberum adhibeatur castigatio. Verum si talis fuerit, quam aut aetas aut qualitas personae verberari non siverit, haec et publica obiurgatione et ieuniorum continuatione et sequestrationis rubore tamdiu corripatur, donec digna penitentiae satisfactione veniam consequi posse videatur»), which can be replaced by an actual segregation («Si igitur ea, quae flagellatur, et ea, quam flagellari aut aetas aut qualitas personae prohibet, incorrigibiles apparuerint, sit locus intra claustra, quo ad tempus retrudantur et secundum modum culpae castigentur»); phase 4: expulsion («Quodsi etiam aliqua in tantam insaniam devenit, quae post tot saluberrimas admonitiones et castigationes necdum se correxerit, deprecetur pro ea communi voto ab omni congregatione, ut ab illo, cui nihil est impossibile, sanetur»); phase 5: episcopal sentence («Postremo, si his omnibus exhibitis prorsus inemendabilis atque incorrigibilis apparuerit, quia nullatenus huic saeculum repetere fas est, advocetur necesse est episcopus et illius sapientissimo ac discretissimo iudicio ita eiusdem vita, quae se tot vitiis foedando et in pertinacia permanendo a collegio sanctimonialium quodammodo secrevit, intra septa monasterii moderetur, quatenus et paenitentiam sibi ab eo iniunctam salubriter gerat et ceteris nullius contagionis morbum inferre valeat»).

⁶⁷ MGH, Conc. II, cap. 18, *Institutio sanctimonialium Aquisgranensis*, p. 450: «Si aliqua in congregatione sanctimonialium horas canonicas frequentare neglexerit et opus Dei neglegenter exsecuta fuerit, ad conlationem venire distulerit, oboedientiam sibi iniunctam agere recusaverit, in descendis bonorum operum instrumentis iuxta vires operam non dederit, in dormitorio aliquid indecens aut inhonestum verbis aut actibus perpetraverit, alibi quam in dormitorio

But Chalon-sur-Saône was also the place where, according to the *Liber in gloria martyrum* written by Gregory of Tours, a spectacular miracle of Saint Genesis had taken place: a woman, falsely accused by her husband of being an adulteress, had been thrown by the judge into the Saône river with a stone hanging from her neck. But Genesis had saved her because she was innocent, and she was found alive the next day on the riverbed, proving her innocence to the crowd that had flocked to witness her execution⁶⁸. By throwing Gerberga, a *sanctimonialis femina*, into the Saône, evidently suspected of having had an abortion to conceal her adultery with a man – as the names directed at her of *venefica* and *malefica* would seem to indicate –, Lothar had demonstrated to all the inhabitants of Chalon that this time Genesis had not intervened and that the exemplary punishment he had inflicted on Gerberga was just.

In this way, the woman unjustly accused of adultery, the subject of Genesis' miracle narration, was contrasted with Gerberga, who as an adulteress had been justly punished and had died. The ritual of drowning that had been

absque causa inevitabili dormire praesumpserit, sororibus caritatis officio servire neglexerit, irae, detractioni, susurratori, scurilitati, bilinguitati, verborum, dissensionum, simulationi, curiositati vanisque verborum confabulationibus inserverit, discordiam inter sorores seminaverit, huic institutioni contumax aut superba aut murmurans seu in aliquo contraria extiterit et cetera huiusmodi agere temptaverit».

⁶⁸ Gregorii Turonensis *Liber in gloria martyrum*, cap. 69, pp. 84-85: «Nam simili sortae alia mulier a viro suo adulterii crimen accepit. Quod coram iudice diutissime denegans, cum propria confessione superari non possit, diiudicatur inmergi. Dehinc, currente ad spectaculum populo, ad pontem ducitur amnis Ararici, connexumque cum fune lapidem molarem collo eius, praecipitaverunt eam in flumine, increpante desuper viro atque dicente: 'Ablue nunc aquis abundantibus fornicationes immunditiasque tuas, quibus saepe maculasti stratum meum'. Sed Domini pietas, quae insontes perire non patitur, providit stilum sub aquis, quem videre homo non poterat; qui suscipiens funem, sustenuit mulierem, ne ad fundum fluminis perveniret. Et erant utraque sub aquis, mulier scilicet et petra stili illius lance librata. Cumque iam sol occubitus peteret, propinquae feminae illius deposcunt a iudice, ut liceret per alveum torrentis cadaver parentis inquirere. Accepta itaque indulgentia, discenderunt ad locum, in quo praecipitata fuerat mulier. Videruntque eam pendere cum lapide, missoque unco, abstraxerunt illam; intellegentesque esse vivam, velociter ad basilicam, quae erat fluminis proxima, transtulerunt; timebant enim, ne iterum mergi iuberetur a iudice. Interrogabant autem mulieri, qualiter sub pelago vivere potuisset. Respondit: 'Non mihi aliter, quam somnium visum est, nec amplius aquas sensi, nisi cum in his proiecta discendi aut ab his iterum sum resumpta, surrexi'. Et mirabantur omnes, non potuisse eam mori in tali discrimine; salvavit enim illam purae conscientiae fides et Dominus, quem iugiter inprecata est. Deinde parentibus indulta, nec a iudice nec a viro est amplius inquisita; sed ad virtutes martyrum redeamus». Gregory also recounts another similar miracle by Genesis, referring to the escape from drowning of another woman unjustly accused in the Rhône; see *Gregorii Turonensis Liber in gloria martyrum*, cap. 68, p. 84: «Ferunt etiam in hac urbe fuisse mulierem, cui a viro crimen in pactum nec omnino probatum, a iudice, ut aquis inmergeretur, diiudicata est. Cui cum ad collum lapis inmensus funibus colligatus fuisset, in Rhodanum de navi praecipitata est. Illa vero beati martyris auxilium precabatur, et nomen eius invocans, aiebat: 'Sancte Genesi, gloriosae martyr, qui has aquas natandi pulsu sanctificasti, erue me iuxta innocentiam meam!' Et statim super aquas ferri coepit. Quod videntes populi, susceperunt eam in navi et ad basilicam sancti deduxerunt incolomem; nec ulterius a viro vel a iudice est quaesita». Both episodes are commented on and contextualised by Mistry, *Abortion*, pp. 89-90, who emphasises that Gregory's text was to be read and commented on locally during church services: the inhabitants of the city must therefore have been well aware of the value and significance of the saint's failure to intervene on Gerberga's behalf.

performed at Chalon-sur-Saône in fact recalled the rituals of capital punishment used for adultery that had been assimilated to parricide in the Theodosian code (XI.36.4⁶⁹), later taken up by the barbarian laws more closely related to late antique legislation⁷⁰: they have drowning as a constant element and are progressively characterised as a form of female torture. If, as attested with antiquarian erudition by the *Etymologiae* of Isidore of Seville, in ancient times the *culleus* was a sack inside which the person guilty of parricide was locked up together with an animal (a monkey, a snake or a rooster) and then thrown into the sea or a body of water, thus depriving him of burial⁷¹, later it is the punishment of drowning that tends to prevail, with the progressive loss of the importance of the container and the animals it contains. In the *leges Burgundionum*, drowning is specifically mentioned for married women who intend to separate from their husbands⁷².

Thus, through the exercise of the rules that had been devised to punish adulterous women in an exemplary manner (with all the extensions of the various faults progressively included), Lothar's ability to be a king in his own right was shown, highlighting his capability to instil terror and to punish according to justice⁷³.

In Italy such a power of correction manifested itself precisely in the capital of the kingdom, Pavia. Indeed, between 833 and 839, Lothar himself took a peculiar and unprecedented interest in the women's monastery of Santa Maria Theodota: a monastery about whose origins and occurrences there were certainly some unhappy rumours. As Paul the Deacon recounts, the monastery is said to have been founded at the time of King Cunipert, at the end of

⁶⁹ *Codex Theodosianus*, XI.36.4 (339 VIII 29): «Impp. Constantius et Constans aa. ad Catullinum. Oportuerat te publici instituti respectu confessione detectos legum severitate punire nec frustra vitam differentum moratorias provocaciones admittere, sed delatum adulterii crimen et quaestionibus athibitis adprobatum pari sceleri immanitate damnare. Quod deinceps in huiusmodi criminibus convenit observari, ut manifestis probationibus adultery probato frustratoria provocatio minime admittatur, cum pari similique ratione sacrilegos nuptiarum tamquam manifestos parricidas insuere culleo vivos vel exurere iudicantem oporteat. Dat. IIII kal. sept. Constantio a. II et Constante caes. conss.». On such an assimilation, see Biavaschi, *Lambiguo destino della poena cullei*.

⁷⁰ On the broad definition of parricide, which covers not only the father but also relatives and allies, Thomas, *Parricidium*, pp. 643-715.

⁷¹ Isidore of Seville's evocation of the *culleus*, with monkey, cock and snake, is probably to be attributed to antiquarian erudition: Isidori Hispalensis episcopi *Etymologiarum sive originum libri XX*, V, XXVII, 36-38: «Culleum est parricidiale vasculum ab occultando, id est claudendo dictum. Est autem uter ex corio factus, in quo parricidae cum simio et gallo et serpente inclusi in mare praecipitantur. Omnium autem istarum mortium genus animadversio nominatur. Animadversio enim est, quando iudex reum punit; et dicitur animadvertere, id est animum illuc advertere, intendere utique ad puniendum reum, quia iudex est. Ideo autem Romani aquam et ignem interdicebant quibusdam damnatis, quia aer et aqua cunctis patent et omnibus data sunt; ut illi non fruerentur quod omnibus per naturam concessum est». On parricide as a capital crime against public institutions, see Thomas, *Parricidium*.

⁷² *Leges Burgundionum*, n. 34, 1, p. 68: «Si qua mulier maritum suum, cui legitime est iuncta, dimiserit, necetur in luto». On all this see Bougard's timely analysis: Bougard, *Culpabilis iudicetur*, pp. 26-37.

⁷³ Nelson, *Kings with Justice*.

the 7th century, and in it Theodota, a young girl with long hair, who had been violated by the king himself, was said to have been a nun⁷⁴. The monastery, within which the abbesses were buried, also preserved the funerary inscription of a Theodota, possibly written and composed by one of her disciples of the same name. The inscription, unfortunately mutilated, describes Theodota as a woman who was very busy decorating the monastery, so resplendent – the inscription tells us – that it rivalled the royal palaces⁷⁵. It is interesting to observe that in the most difficult years of the empire's family crisis, when Louis the Pious had been forced into public penance in the church of Saint Medard in Soissons, Lothar in his stay in Pavia had undertaken to concentrate royal resources precisely on the monastery of Theodota, largely ignored up to that point by his predecessors. To the monastery of Santa Maria Theodota Lothar granted no less than four diplomas and it should be noted that it was the only monastic institution in Pavia to be enriched by him, becoming Lothar's point of reference in the capital of the kingdom. In 833, Lothar adhered to the request of the abbess Asia to grant the monastery imperial protection including immunity, with a clause protecting it from comital intervention, and placing it under the formal custody of the abbot Gisleramnus, who acted as guarantor of the correct application of the Benedictine rule⁷⁶. In addition, the abbess and the nuns were included, in this act, within the memorial circuit of the royal couple and their children. In the following years, Lothar continued to be a benefactor of the monastery of Santa Maria Theodota, at the same time surrounding the building with renewed protection, and extending its perimeter to the city walls⁷⁷. In taking care of this very monastery – whether through the institutional control of the abbot Gisleramnus, of the counts who were to conduct the *inquisitio* on the stolen properties and servants, and ultimately by the extension of the monastic perimeter towards the walls – in this way, Lothar positioned himself as the emperor who, through the tools guaranteeing the Carolingian order, allowed the monastery itself to redeem its shameful past, connected to the Theodota violated by King Cunipert⁷⁸, by transforming it into a perfect female monastery because it was protected by the king

⁷⁴ Paulus Diaconus, *Historia Langobardorum*, V, 37, p. 157.

⁷⁵ Consolino, *La poesia epigrafica*, pp. 166-167; De Rubeis, *Epigrafia femminile*, pp. 68-69.

⁷⁶ MGH, DD Lo I / Lo II, n. 12, pp. 76-78 (833 IV 17, Pavia). On the role of Gisleramnus, see the observations of Francesco Veronese in this volume.

⁷⁷ In 834, Lothar granted the monastery the use of the timber and resources of the *Silva Carbonaria* and the use of the monastic boat for river navigation on the Ticino (MGH, DD Lo I / Lo II, n. 22, pp. 91-93 [834 VI 25, Pavia]); in 839 he granted the monastery to extend its perimeter to the city walls, which were enclosed within a precisely defined and delimited area, with its extension on all four sides and the neighbouring owners (MGH, DD Lo I / Lo II, n. 38, pp. 117-119 [839 V 6, Pavia]). Finally, in 841, Lothar appoints two counts as responsible for conducting an *inquisitio* of the properties and servants of the monastery who, according to Asia, had been diminished by «*pravis ac invasoris hominibus*» (MGH, DD Lo I / Lo II, n. 59, pp. 165-166 [841 VII 20, Aachen]).

⁷⁸ The memory of Cunipert as a benefactor of the monastery of Santa Maria Theodota is later evoked in the diploma confirming the monastery's assets issued by Lothar I's son, Louis II in 871: it specifies that the assets covered by the diploma had come to the monastery through the

and his men. In 834 – the same year in which Lothar is said to have drowned Gerberga – the diploma granting Santa Maria Theodota new public resources in fact specifies, in an unprecedented formula, that the royal donation compensated for the inherent fragility of the female abbess Asia and the other nuns⁷⁹. In Pavia, Lothar stood as a defender of public honour and, at the same time, as an implacable enforcer of lawful violence.

4. *Conclusions*

The age of Lothar seems to have been a time of clarification and greater adherence to the rules set during the immediately preceding period regarding the role and joint actions of the consort couple. The figure of Ermengard is a clear example of this and the lack of criticism of her seems to be the clearest proof of her irreproachability. Far from being merely a serial mother, Ermengarda's adherence to the canon of the incorruptible bride constituted one of the elements that contributed to Lothar's acceptance even in a wider imperial space. As we have seen, immediately after Ermengard's death criticism of Lothar and his sons resurfaced, as if it had been Ermengard herself who had kept them in check, at least from the perspective of exemplary imperial behaviour.

Even the punishment of Gerberga – beyond the motivations that generated it – appears dictated by the will to act within a legitimate groove, in a series of actions that, far from being the fruit of unmotivated anger, are instead the manifestation of the will to stage an extreme punishment in line with an extreme interpretation of public justice. Undoubtedly, the fact that Lothar did not stimulate the drafting of a *Vita Lotharii* that explicitly considered his point of view in a context of praise and appreciation is an important sign: a sign of the uncertainty as to the final outcome of the family crisis and of the discord between the brothers and their father, which in itself undermined the foundations of the Old Testament ideology that had contributed so substantially to building the foundations of the legitimacy of the Carolingian order. Lothar's insistence on his imperial identity also derives fundamentally from his adherence to the rules and his desire to pursue this role even in complex contexts such as Italy. The insistence on issuing capitularies is, after all, the most consistent proof of his explicit intention to reiterate and, to some extent, also to renew the social norms that intersected the various contingencies that Lothar had to face through a public instrument of power. The very mobility of Lothar, who stubbornly reaffirmed his position as designated emperor

benevolence of Lothar himself and that those granted in 871 were based on «quod Chunipert rex inibi per suum contulit preceptum» (MGH, DD Lu II, n. 53, pp. 170-171 [871 IV 14, Benevento]).
⁷⁹ The expression is reserved for the diploma of 834: in 833 Asia herself was mentioned by her diploma simply as «Asia venerabilis abbatissa ex monasterio Dodosi, quod est situm intra muros civitatis Paviae» (MGH, DD Lo I / Lo II, n. 12, p. 77 [833 IV 17, Pavia]).

during his sojourns in Italy, is in the end evidence of his desire to present himself as the supreme authority even in a space that might have been hostile to him. This space is particularly evident if one examines it in terms of gender, a dimension in which violence against women and the powerful revival of the theme of female fragility builds one of the assumptions on which the relationship between women and men is constructed. At least in theory. On the other hand, the conscious resumption of joint action by marital couples, which, starting precisely from Lothar's experience, begins to echo from below the idea of *consortium* through joint donations of land and *mobilis* testifies, even if only indirectly, to the concrete participation of women in donations and thus to the possibility of forging bonds of affection, loyalty or simply of custom within a space wider than the domestic one⁸⁰. After all, without such participation and renewed visibility, Engelberga's entirely surprising experience at the side of Louis II represents one of the possible outcomes of the *consortium*, within a dynamic of renewed public exposure of the empress, simply unthinkable a few decades earlier. The insistence on the control of women's bodies as a form of renewed control to protect the fragility of women's minds is, after all, more an assertion of principle than an actual practice, as is clear from the moments in which, within the *consortium* itself, unforeseen and perhaps even unimaginable modes of action from the past can subsequently unfold.

⁸⁰ See for instance the joint will of Count Eberhard of Friuli and his wife Gisla, daughter of Emperor Louis the Pious in 867 (La Rocca, Provero, *The dead and their gifts*).

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