As Long as it’s Marriage. 
The Hessian Bigamy Case of 1540 within the Competing Interests of Dynasty, Desire and New Moral Demands* 
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On the 4th of March, 1540, Landgrave Philip of Hesse, one of the most important territorial princes of the Holy Roman Empire at the time, entered into marriage with Margarethe von der Saale. When he did so, however, he was already married to someone else, and had been for seventeen years. It is well known that this unusual episode caused quite a stir among his contemporaries and it has also been much discussed in German historical scholarship. The attention is undoubtedly due, on the one hand, to the aura of a broken taboo. On the other hand, since Philip was a leading representative of the Schmalkaldic League, it went straight to the heart of the struggles to implement the Reformation, which in the 1540s were also being carried out by force of arms. More recently the bigamous marriage has been discussed more often in the light of norms and practices concerning gender relations. An experiment of this kind would probably have been inconceivable without the debates about marriage and morality, arisen in the course of the Reformation, and thus, in its own way, the bigamous marriage also forms part of the theological history of the Reformation.

Returning to this topic here, it is not intended to merely introduce its problems to an audience perhaps little familiar with this specific aspect of sixteenth-century German history. Rather, the present study seeks to focus on the norms and values of gender relations, less within the Reformation context and more within that of dynastic partner relationships. Expressed quite generally, the bigamous marriage can be seen as an attempt to test the openness of the Reformation process and its latitude for normative restructurings also with regard to the specific conditions of princely rank.

To this latitude already belonged the simple fact that in the course of these debates, the constraints of aristocratic marriages were expressed in a uniquely open manner. These constraints were due to the well-known fact that in pre-modern societies of orders, marriages were not simply a matter of individual feelings. Indeed they were constitutive for the

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transfer of landed property, social rank, and legal privileges and thus for the stability of as well as the dynamic among social structures and hierarchies. This was true even of the peasant population, but all the more so for the ruling families of the high nobility. Among them, marriage was a matter of nothing but the transfer and accumulation of territorial rule, and for this reason their marriages possessed a virtually constitutional significance. Thus the attempt to find a morally and legally legitimate way out of these constraints acquired a crucial importance to aristocratic marriage behavior and the results delineated boundaries and possibilities that would retain their validity for the next three hundred years.

The structural features, however, are interwoven with the contingent circumstances of the individual case, in which the requirements of and contradictions between personal desire, universal morality, factual dynastic constraints, princely power, and confessional rivalry intersected in a specific configuration. This configuration was unique and not interchangeable. It was not the situation’s representative or typical character that clarified the structural features. Rather, they were made clear by the fact that, in a specific situation, a crossing of boundaries took place, making them visible at all for the first time. In this sense, in the case of Landgrave Philip’s bigamous marriage, the particular and the general are connected.

To avoid interpreting the conflicts based on their conclusion, the following sections can be divided roughly into two halves, each one structured systematically and not chronologically. The first part analyzes the specific features and presuppositions of the wedding of 1540; the wedding should not be seen merely as a problem, but also as a response to a problem in a situation whose outcome at least potentially was not yet determined. This outcome, namely the consequences of the wedding and the subsequent developments, is opened up to debate in the second half. Each part takes up different perspectives, those of the landgrave, the women, the children and, at least selectively, the surrounding normative debates.

Philip’s Venture

The prehistory of the bigamous marriage is largely obscure. The first piece of evidence in the documents, which will be discussed below, is from the end of 1539, only a few months before the second wedding, at which point Philip had already been married for sixteen years. At the time of his first marriage he was just barely eighteen years old; his bride was about a year younger. Seven children already had resulted from the first marriage,
the last one a daughter, Elizabeth, who had just been born in January of 1539, and later married the elector palatine. Three of the seven children were boys, one of whom had died young, but the eldest, Wilhelm, later Philip’s successor, was already seven years old in 1539. From a dynastic perspective, thus, everything of importance was on the right track, and both spouses, at the ages of thirty-five and thirty-four, could hope to look forward to a long life ahead — and to sexual activity.

Philip’s desire to enter into a second marriage while his first wife was still alive was given remarkably open and considered expression above all in a document dated 1 December 1539. The text is a kind of instruction with which Martin Bucer was to be sent to Luther and Melanchthon in order to obtain their blessing for this step. Despite Philip’s authority as a Protestant territorial prince, now also intent upon directing the churchly matters of his territory, apparently he saw the authority of the leading Reformers as indispensable in legitimizing and granting recognition to such a breach of taboo. In the figure of Martin Bucer, a prominent Reformer, who, during these months, was serving as a theological advisor to Landgrave Philip in the latter’s creation of a Protestant church organization in Hesse entered the picture.

The argument with which Bucer was sent on his way was based, summarized systematically, upon three basic points. The starting point, to which only a few words were devoted, amounted to the straightforward claim that his sexual needs were not fulfilled by his wife, that «from the beginning when his princely grace took her he never had either desire nor lust for her»

To the objection of why he then married her at all, the text countered that at the time he was «only a young and ignorant man» and «was talked into it». Only this vague phrasing alluded to the constraints involved in the choice of dynastic partner; but actually the first wedding appears to have been an injudicious step, if one for which Philip himself was responsible.

The second pillar of his argument was the claim that he «could not tolerate the lack of a woman», that is he could not abstain from sexual activity. The consequence of these two points was that «with his present wife, he could not resist whoring, unchastity, and adultery». This point was described and emphasized in the document in several ways. Very concretely and practically it alludes to the fact that the landgrave travelled frequently to assemblies of the Schmalkaldic League and to imperial diets, and one could easily imagine how he conducted himself there. Secondly, according to these instructions, the landgrave saw his role as territorial prince injured, for he could not prohibit vices in his territory when he himself «was enmeshed in vices». As we shall see in the context of the bigamous marriage, this argument would rebound back upon him. And,
thirdly, there was the matter of the landgrave’s personal conscience, for ultimately, «no fornicator or adulterer […] would inherit the kingdom of God» and, because of his guilty conscience, the landgrave had long since stopped participating in communion.

Historians have occasionally speculated about whether there may have ultimately been medical reasons behind the landgrave’s actions. The text itself makes only a vague reference to his «complexion», a rather non-specific term for his character or disposition, difficult to interpret in this context. It is clear that during these months the landgrave was suffering from a sexually transmitted disease, and this point was in fact at the top of the list of matters that he wanted to discuss with Bucer before his mission to Wittenberg. But whether the disease had heightened Philip’s sense of guilt or had any influence whatsoever on his wedding plans, it cannot be determined from the text.

In contrast, considerations of whether Philip’s sexual activity can be traced back to a physical abnormality, namely the extremely rare triochidism − the incidence of three testicles − are somewhat bizarre. Aside from the fact that this very specific diagnosis would rest upon only vague indications, the medical connection between triochidism and sexual activity has meanwhile also been disputed. At last, the arguments draw only very vaguely and marginally upon medical reasons. Ultimately there is no basis for assuming that Philip’s moral conduct was significantly more dissolute than that of many of his fellow territorial princes.

Such considerations are furthermore misleading in that they seek motives and justifications for Philip’s plans. But it is not possible to obtain any certainty about these, and ultimately they are irrelevant to a cultural-historical interpretation. What we can grasp concretely is an unusually explicit representation of the sexual needs and practices among the princely high nobility. Regardless of whether the confession is candid or whether the details are right, the decisive point is that Philip chooses this kind of argumentation to achieve his goal. The logic of these arguments sought to present Philip as a confessing sinner and to represent Philip’s situation as an almost hopeless dilemma between personal disposition and religious norm. Almost hopeless: for the bulk of Bucer’s instruction amassed justifications for one specific remedy: to take a second wife, «so that he could emerge from the filth», or, as it is phrased elsewhere, «so that his princely grace might escape the snare of the devil». To achieve dispensation from norms based on moral values, Philip’s desire had to be shaped as a moral concern.

It is ultimately remarkable that, in one brief sentence in passing, the landgrave made it clear that he desired only one other woman. He thus sought something like extra-marital monogamy. It remains unanswered
whether he expected this idea to meet with greater moral acceptance or whether it merely took into account that at this point in time his desire for a second marriage was connected with one very concrete partner.

Two Women

Christine of Saxony, Philip’s first wife, occupies a difficult position within the historical narrative. Since she has not yet been the subject of intensive research, the only personal statements about her consist of the invectives with which Philip justified his aversion to her in the texts quoted above. Another passage referred to her as unfriendly, and mentions that she had «a kidney stone», and also «occasionally overfills herself with drink as the maids-in-waiting know» [20]. And in the other source the landgrave notes that she was «otherwise pious», goes on however, «but otherwise truly unfriendly, ugly, and also foul-smelling» [21]. In this case as well, however, all that can be said for certain about these statements is that they were an important building block in Philip’s argument.

The contraction of marriage between Philip and Christine was originally influenced by Philip’s close connection with the dukes of Saxony, based on a hereditary alliance dating back to the fourteenth century, but which was given a new character at the start of the sixteenth century, in particular concerning Christine’s father, George the Bearded, from the Albertine line of the House of Saxony. As Philip’s father, Landgrave William II of Hesse, faced impending death, he named three Saxon dukes as executors of his testament; but he named his wife Anna, born Duchess of Mecklenburg, guardian of the still minor Philip. When the estates of the Landgraviate of Hesse contested the testament after William’s death in 1509, and proposed a guardianship by the Saxon dukes, Duke George adhered to the testament and supported Landgravine Anna, who was able to assume the regency only after five years of wrangling [22]. Only a short time later, in 1515, Philip’s elder sister was betrothed to George’s son Johann. Philip’s marriage to Christine in 1524 thus already represented a double connection [23], in keeping with the wishes of his dead father.

But it should also be borne in mind that the apparently almost fatherly relationship of George to Philip broke down scarcely one year later. Whereas Philip aligned himself with the Reformation, George – although the church reform was of great importance to him [24] – categorically rejected Luther’s actions and the associated uncertainties [25]. Although both dukes had cooperated in the fight against the rebellious peasants, they soon stood opposed to one another in competing alliances for and against the Reformation.
But which influence this development had on the relationship between Philip and Christine is entirely unknown. It would be interesting to know what form Christine’s piety took, which even Philip himself mentioned in the passage quoted above. And it can be determined that Philip’s efforts towards a second marriage commenced only a few months after the death of George, who was succeeded in the governing of the Albertine line of Saxony by his younger brother Henry, who was favorably disposed towards the Reformation. As his father-in-law and one of the most prominent opponents of the Reformation, George would presumably have strongly opposed Philip’s plans.

At no time is there mention of divorce. To the contrary, Philip assured the Reformers that he had by no means «provided badly» for his first wife and by no means sought to take any rights away from his children. In fact, Christine was even formally incorporated into Philip’s plans. As early as December of 1539 Philip promised his wife in writing that he «held, honored, and would always keep her in mind as his first and highest spouse»; indeed, that he would retain the friendliness due to married persons even more than before, which was specifically meant to include sexual intercourse. He furthermore pledged all princely rights to the couple’s male heir, without any qualification.

In turn, Christine expressly permitted her spouse’s second marriage. At least she copied and signed a concept, written by Philip, with her own hands, acknowledging his reasons of conscience without further explanation and promised to refrain from complaint and vilification. As of yet, there is no evidence about Christine’s perception of this situation, but the need for such declarations at least reveals that her status was seriously threatened, and it is in fact doubtful whether such a concession would have been obtained if her father, as a protector, had still been alive. But Philip’s statements meant that Christine’s dynastic position would be retained with respect to her rank, her status as wife and her status as mother to the heir. In this regard, Philip also significantly limited his maneuvering room for the second marriage.

But the partner whom Philip wanted to marry was of lower rank in any case. Margarethe von der Saale came from an old and respected family, but one of the lower nobility under the authority of territorial princes, from Meißen, which belonged to Saxony. So there was certainly no question of a relationship of equal rank; from the perspective of the social orders, such a marriage must be viewed as a misalliance. Nor is this surprising, for in the case of a partner from the high nobility, such an uncertain marital status would have meant fundamental damage to her honor and reputation. In terms of the contemporary perception, however, the difference in rank played no role and was completely sec-
ondary to the disputes concerning the legality of the bigamous union. But as a member of the nobility, Margarethe still had a status to defend. The earliest accounts of this relationship are typically notes taken from confidential discussions with Margarethe’s mother, who, as a widow, was the obvious contact person for Philip and who looked after the interests of her daughter. About Margarethe it was said tangentially that she would do what her mother said\(^\text{31}\). The mother, Anna von der Saale, was the female Hofmeister (steward) of Philip’s aforementioned sister, who was married to a Saxon duke. Margarethe’s uncle had even been marshal to Duke George. The von der Saale family’s proximity to the ducal family probably was the basic precondition that made it possible for Philip and Margarethe to have met at all.

A written record by Landgrave Philip, which must date to the end of 1539, summarizes the outcome of a discussion with Anna von der Saale, but seems also to document the pressure Anna saw herself subjected to by the landgrave. For that which Philip noted as Anna’s agreement does not describe a consistent position, but approached the wishes of the landgrave step by step\(^\text{32}\). First it is recorded that she wanted to wait three years before allowing her daughter to marry him; then, that she would bring her to him after only one year; then, that she would give her to him after the death of his wife; then, that Margarethe could accompany him, if it were publicly printed that a man may have two wives; then, if it were not published publicly, at least the elector of Saxony and Duke Moritz should be informed; then, that she would not be overly angry when the landgrave led Margarethe away if she, Anna, could at least know that it was not against God.

In light of the highly unequal configuration between the respected and powerful landgrave, from the higher ranks of the nobility, on the one hand, and the widow, from the lower nobility, on the other, Margarethe’s mother apparently saw herself compelled to largely concede to Philip’s desires. But a crucial criterion for her as well was the question of whether such a bigamous marriage would be in conformity with the norms of the church and religion. For her this also meant, namely, that her daughter would be raised to the status of landgravine; this was later to remain of great value to her, much to Philip’s disadvantage\(^\text{33}\). Whether it was now a matter of Philip’s own conscience, of Christine’s conditions, or of Anna’s conditions, Philip in any case had to make the effort to legitimize his intentions. This is the background against which Philip sent Bucer to Luther and Melanchthon.
Right or Wrong?

In and of itself, there could be no doubt of the impermissibility of bigamy. Whereas during the Middle Ages the Biblical accounts of the polygamous marriages of the Old Testament patriarchs had occasionally given rise to theological discussions of the subject, most notably by Augustine, the basic rejection of polygamy was never subject to debate. On the temporal level, in 1532 — a few years after Philip’s bigamous marriage — a legal ordinance was decided at an imperial assembly in Regensburg: the Constitutio Criminalis Carolina, which claimed validity for the entire empire. It contained a whole series of penal norms, among them, in Article 121, the ordinance that a bigamous marriage was a worse crime than adultery; it must be punished at least as severely, at the very least with a peinliche penalty, that means with a punishment involving life or limb.

The leading Reformers as well fundamentally and repeatedly rejected polygamy. But it could not be avoided that over the course of the Reformation and its restructuring of churchly norms — particularly with regard to the understanding of marriage — polygamy became the subject of discussion in various contexts, necessitating a repeated clarification of the Reformers’ position towards it. As the uncontested authority of a church that was just in its inception, Luther was also occasionally presented with concrete questions and desires. These consisted of individual cases, such as the request by a Saxon subject, whose wife suffered from leprosy, to have permission to take a second wife. But also princes, who had joined the Reformation and thus assumed sovereignty over the church in their territories, sought out Luther’s advice in individual matters. Against this background, the problem of bigamy had already been discussed by Luther and Landgrave Philip in 1526, however only in very general terms. There is no indication of a connection between this early advice and Philip’s later plans; but to judge from Philip’s statements of 1539, he must already have been suffering from an unhappy marriage at the time.

Polygamy was thus not a particularly hotly debated subject. But the examples also show that in a society in the process of realigning its religious and moral norms, all possible subjects must have been brought up, including polygamy. What is repeatedly clear is the close connection between this subject and the problem of adultery, as divorce and polygamy were the two ways out of a monogamous marriage that was no longer fulfilling for medical or personal reasons. Luther found no express prohibition of either in the Bible; in the case of polygamy, there were even the well-known examples from the Old Testament. Both could thus be justified as individual remedies in extreme exigency, but only
for one’s own conscience, the forum internum, not as a general rule. In principle, however, Luther rejected both resorts, divorce initially even more decisively than polygamy, but among Christians polygamy seemed to him only to cause « vexation ». To the Saxon subject who sought his advice he recommended abstinence.

But only a few years before Philip’s bigamous marriage, two events accompanying the many and diverse religious upheavals did in fact lend a greater and more publicly visible significance to the problem of bigamy. One of these was English king Henry VIII’s divorce from Catherine of Aragon. At first glance this seems to be unconnected to the problem of bigamy, even if Henry ultimately married Anne Boleyn some months before the official divorce from Catherine. Of greater relevance was the fact that Henry had been attempting since around 1529 to get an annulment of his first marriage and in the process had obtained several opinions on the matter, also from many German Reformers. While some of them agreed with Henry’s argument for an annulment, the very same Martin Bucer who would later advise Landgrave Philip, sets the avoidance of divorce above these reasons. As a remedy in exigency, bigamy seemed to him somewhat more acceptable. With arguments that occasionally varied, Melanchthon and Luther also advocated for this view, at times drawing on the example of the patriarchs.

But in the collective consciousness of the people of the empire, polygamy was linked much more closely with the minority group of the so-called Anabaptists. In 1539-40 it had been only a few years since the Anabaptists had taken control of the city government in Münster, in Westphalia. Supported by an imperial law that the diet had decreed in 1529 and that forbade Anabaptism on penalty of death, the Bishop of Münster, a territorial lord, rode against the city. After a siege of over a year, the city fell in June of 1534 and the leading Anabaptists were horribly punished as a chilling deterrent to the others. One year earlier these Anabaptists had introduced polygamy for men in Münster, or, in other words, in a city in which at the time there were more than twice as many women as men, marriage was declared an obligatory form of life. The Anabaptists, too, invoked examples from the Old Testament. The result, however, was that polygamy was now no longer seen merely as a taboo, but as a symbol of a religious community that had been stigmatised as a forbidden sect and had brought about uprising and violence.

In these circumstances it must have been even more difficult for the Reformers to give their consent to a bigamous marriage, which they saw in any case as a very last resort. In their answer to the landgrave they also expressed the fear that «the enemies of the Protestants would cry out that we are the same as the Anabaptists». Of course they also had to take into
account the political power of Landgrave Philip, «If his princely grace were to find no help from them [Bucer, Luther, and Melanchthon]», he hinted already in his inquiry, «then he would take up the matter with the emperor»\textsuperscript{45}. It is ultimately impossible to determine whether pastoral reasons or political considerations played the greater role in the Reformers’ decision to permit his bigamous marriage.

The theologians’ \textit{Ratschlag} essentially emphasized three points\textsuperscript{46}. A general acceptance of bigamy was outright rejected and a series of Biblical examples were used to show that monogamy should be seen as the form actually agreeable to God. Secondly, they stressed to the landgrave the sinfulness of his way of life and urgently advised him to exercise patience in his marriage in order to avoid offence. But, thirdly, they did in fact acquiesce to the landgrave’s wish that they gave their blessing to his bigamous second marriage, but only as an individual dispensation from the general rule. If he could not avoid a licentious life, then it was ultimately desirable for him to «be in a better position before God»\textsuperscript{47}. But a crucial condition was made: the marriage was to remain secret.

The commandment of secrecy amounted to more than merely a cover-up. It delineated in fact the difference between an individual, pastorally-based exception and Philip’s public existence as landgrave. As a territorial prince, Philip could not assume a private role, in the modern sense, distinguishable from his office as ruler. The landgrave embodied – indivisibly and with his entire person – his princely rank, his privilege to rule, and thus also his power to make the laws. In the theologians’ own words, «what the princes do is spread around much further than what happens to private persons»\textsuperscript{48}. For precisely this reason a divergence between the personal norm and the public norm threatened the authority of the public norm. The demand for secrecy thus took the place of privacy, which was an impossibility. The theologians based their hope of keeping a secret within the princely environment on a remarkably pragmatic argument, particularly in this context: another woman in the prince’s surroundings would not arouse offence «because it is not unusual for princes to have concubines»\textsuperscript{49}. In keeping with this, it was preferable for the couple to keep their clean consciences to themselves even at the risk of malicious gossip. «Nor is all the talk to be heeded when one’s conscience is clean»\textsuperscript{50}.

4 The Second Marriage

The wedding subsequently took place on 4 March 1540 at Schloß Rotenburg. From the outset it was clear that this wedding could not be
celebrated as the great court festival befitting a prince; the commandment of secrecy prevented this. It was explicitly mentioned in a notarial attestation of the wedding and justified by the intention of not wanting to cause offense, «especially since these days it is unusual to take two wives»51.

Therefore, only a small group gathered, without fellow princes, but with a large number of high-ranking councilors and theologians, among them Melanchthon and Bucer, the court chaplain, the chancellor, the envoy from the Electorate of Saxony, and Margarethe’s mother. In brief speeches by Philip and the court chaplain, the crucial points, in Philip’s view, were expressed once again. Philip affirmed his good conscience, «because I could not contain myself without such a means and remedy for vexation and licentiousness», and also that he «worked [it] out with my friendly loving spouse and showed her my burden and asked for her consent»52. And entirely to Philip’s purposes, the court chaplain also emphasized that his prince said «upon his conscience and soul» before God that this step «was not taken lightly or out of curiosity, not in contempt for the law and the authorities, but rather that he was driven to it by his own difficult and unavoidable necessity both of his conscience and of his body». Here it was also mentioned that this step would retain the «honor and good name» of the bride53. At the same time it was made quite clear in every respect that this was a legitimate contraction of marriage; the formal requirements were fulfilled through the court chaplain conducting the ceremony and by the presence of numerous witnesses, and the desire to enter into marriage was also fixed in writing several times over by means of the speeches and the notarial attestation.

The secrecy was also taken seriously. Although clearly a group of relatives and officials were let in on the secret — and this group was not exactly small — serious restrictions were placed upon Margarethe54. She was not allowed to go publicly to church or festivals, she could not show herself at the window, and when she actually did leave the castle, she had to do it at night or in a coach with curtained windows. But none of this could prevent the inevitable.

Already by Christmas time of 1539 Martin Bucer worriedly reported from Marburg that the rumor was already circulating «among all the nobles and common people» that the landgrave desired to introduce a novelty55. Philip’s sister, the duchess of Saxony, meanwhile widowed, and informed only after the wedding56, reported in April that she had been importuned with questions in Leipzig57. Her husband’s successor to the Albertine line of the House of Saxony, his uncle Henry, had not been informed of the wedding, but as a result of the rumors, had begun to conduct his own investigations in April. At the beginning of June he even had Anna von der Saale arrested and questioned58. As the month of June
wore on, it was reported from all corners of the empire that there was talk everywhere of a bigamous marriage by the landgrave, from Dessau and Weimar, from Pomerania and the Margraviate of Brandenburg, and from Mainz, from the colloquy of Hagenau, and from there the news reached Rome, Vienna, Paris, and London. In July, the first Catholic polemical pamphlet disseminating the rumors was printed.

Even if Margarethe remained hidden, there could no longer be any question of concealment. The landgrave’s bigamy was an open secret. Thus, in the following discussion, the consequences will once again be analyzed both from a family and dynastic perspective as well as within the public debate.

Two Unequal Marriages

Philip apparently kept his promise to continue living together with his first wife Christine. Despite the repugnance for her that he had expressed so extremely in 1539, but which had also served the purposes of his argument, Christine bore three children after 1540. Curiously, each of these deliveries took place only a few weeks before or after Margarethe’s births. In this regard one can truly speak of a bigamous marriage. It ended when Christine died in 1549 at the age of forty-four. The much younger Margarethe would ultimately live to be the same age as Christine and lived until 1566. She brought a total of nine children into the world.

But there the similarities end. Already the commandment to keep her marriage secret from the beginning had placed Margarethe’s lifestyle in stark contrast to the usual, prestigious existence of a prince’s spouse. One brief point will underscore the difference. In a letter to Bucer a few weeks following the wedding, Philip expressed concern about the upcoming imperial diet in Speyer. As mentioned above, in his appeal to the Wittenberg theologians he had cited precisely these visits to the imperial diets as a awkward temptation to his desires. And now as well, in 1540, in his letter to Bucer, he admits «how we are in terms of disposition» and makes reference to his earlier confession. He then quite openly considers whether he can take his wife along. To take Margarethe – he refers to her only as «the said person» – along with him to Speyer would expose the secret for all practical purposes. Finding her a place to stay outside Speyer would entail troublesome commuting and would be equally dangerous. But taking Christine along seemed impractical to him because she could be «brought and kept there only at great expense». In this light, the clandestine Margarethe represented the cheaper alternative, since she necessitated much lower luxury costs. As the case may be, in
Margarethe would in fact be brought along to the imperial diet in Regensburg.\textsuperscript{62} Unfortunately not much information exists about the actual living conditions of Margarethe and her children. But to all appearances they were in fact provided for with a reduced expenditure. Bucer reports in 1542 that there were rumors circulating that a newly introduced tax on wood served solely the purpose of financing a luxurious lifestyle for Margarethe. In a written answer – a personal letter and not a public statement – Philip denies this and points out the fact that Margarethe and the two children she had at the time had at their disposal only a «woman», a «maid», a nanny, and a housekeeper. Philip expressly mentions that even «a common nobleman or burgher provides his wife with so many servants»\textsuperscript{63}. In order to reassure Bucer, he thus emphasizes that Margarethe was not kept better than a simple noble or even a burgher’s wife.

Consistent with this is a whole series of complaints that Margarethe directed towards Philip in her final years in several agitated letters, dominated by a very strong tone. In desperate and outraged language, full of bitterness, Margarethe describes her living conditions as beneath her dignity.

I don’t know how your grace could keep me in more shameful conditions. I eat most of the time with your grace’s dog bowls, and moreover with tablecloths also used by stable boys and other useless rabble. [...] When your grace wants me to have honest people around me then they must not be cowherds, linen-weaver’s boys, and your grace’s whoremongers. With blackguards such as these I sit and pass my time.\textsuperscript{64}

To all appearances these comparisons are attributable to a rhetoric of exaggeration. But even though they almost certainly cannot be taken literally, they can nevertheless be seen as the expression of profound grievance. Philip justified himself several times and enumerated his good deeds, but nor did he ever represent her as befitting a prince.\textsuperscript{65} Margarethe apparently remained excluded from court festivals. But the derision and disdain of the others – in which Margarethe’s second-class status was probably also reflected – may also have had an even more grievous effect than Philip’s provisions. In April of 1558, Philip had to have Margarethe accompanied by fifteen armed men in order to prevent abuses from being hurled at her.\textsuperscript{66}

Margarethe’s disadvantageous situation was ultimately also expressed in the inheritance provisions. Margarethe lamented no less bitterly about the fact that Philip did not want to allow their common children to receive the title of landgrave. «Your grace has blatantly made my children into whore’s children»\textsuperscript{67}. She also saw the properties that her children would
inherit as too meager. She compared her fate and her status with that of some of the princely concubines of the day\textsuperscript{68}. Apparently there was keen awareness of such circumstances in the empire. From her point of view, thus, the result of this was that despite the contraction of marriage she had not in fact acquired the status of legitimacy in keeping with her marriage. She did not distinguish between churchly legitimacy and social rank and thus felt that the contraction of marriage amounted to a false promise, and she saw herself defrauded of her honor and of that which she and her mother had expected from a marriage with a prince. From her point of view her marriage was not a proper marriage at all and in this sense the bigamous marriage had never actually been realized in a full sense\textsuperscript{69}.

In fact, Philip had apparently never intended to view his children with Margarethe as equal prince’s children and equal heirs. From his perspective, the only thing of relevance was the church’s blessing, whether this was in order to sooth his conscience or to win Margarethe for a relationship. He thus drew a distinction between the church-law aspect and the social and civil-law aspect of this connection, a distinction that is entirely consistent with the concept of a morganatic marriage. The point of a morganatic or «left-handed» contraction of marriage was ultimately to connect a church marriage from the outset with a contract that assured the woman of specific rights and goods, but also excluded her and the children from the husband’s rank, complete inheritance, and line of succession.

But the term never appears in the documents, and evidence thus far indicates that in any case this legal form was first adopted in Germany only during the second half of the sixteenth century\textsuperscript{70}. Seen in this way, Philip, as it were, anticipated this principle, or seen conversely, Philip’s example shows why the morganatic marriage contract was so well-suited to the needs of the nobility\textsuperscript{71}. Yet the legal form of morganatic marriage was never conceived in terms of bigamy. The comparison serves merely to describe the specific circumstances in which Margarethe found herself. And if one presumes that a female member of the high nobility would have never been willing to enter into a bigamous marriage, then it follows from this that at the princely level, a bigamous marriage would, from the outset, never have been conceivable except in this unequal form. Viewed structurally, taking into account the social context, a princely double marriage could, from the beginning, only have been at most one marriage and a half, so to speak.

Even if Margarethe and her children could not share the princely rank and inheritance, the children in particular were nevertheless more richly invested than would have been in keeping with their mother’s rank. In this, Philip apparently complied with Margarethe’s persistent demands.
He changed his testament several times; this was not always related to the children of the second marriage, but their inheritance was changed several times as well. At first various fiefdoms were allocated to them, but in the end Philip and his advisors decided to leave them the County of Dietz. In this manner they would be able to bear the title of count without petitioning the emperor for an elevation of their rank, which, in the situation, would have been a very uncertain proposition.

The endowment of Margarethe’s sons was not an isolated problem. Originally, namely, in his first testament of 1536, thus before the second wedding, Philip had followed the principle of primogeniture, the undivided passing on of the princely territory and authority to the eldest son. But at the conclusion of the numerous testamentary changes the landgraveship of Hesse was divided among the sons of the first marriage\(^7\). The shares that the sons of the second marriage were to inherit seem to have contributed to this. For the more generous those shares were, the more difficult it must have become to be fair to the sons born later in the first marriage, to whom originally – in the shadow of the firstborn – relatively small shares of the inheritance were allocated. No direct evidence of this connection exists as yet. To the contrary, it must be pointed out that already in the second testament of April 1539 – already before the double marriage, that is – the undivided succession is no longer strictly maintained\(^\text{73}\). The changing stipulations to the testament appear to represent a decade-long struggle to find a just solution. This was certainly not made easier by the children of the bigamous marriage.

In the Crossfire of Public Polemic

The secrecy of the second marriage originally had nothing to do with Margarethe’s lower social status. Its concealment can be interpreted as an attempt to limit the theologians’ permission of the bigamous marriage – as an act of individual pastoral care – to the context of an individual life. As implied above, this attempt was destined to fail and this must also have actually been predictable. The result was that something that appeared to be justifiable – if at all – only as an exception for an extreme personal plight, was visible to all eyes as adhering to a man who, as territorial ruler, was responsible for the morals and salvation of his subjects and who, as a leading representative of the Schmalkaldic League, represented the entire faction of the Protestants.

This also inevitably made him into a prominent target for the adherents of the Catholic Church. There were no longer many of these among the Northern German princes, but the most powerful among them, Duke
Henry of Brunswick-Wolfenbüttel, the captain of the Catholic League for Northern Germany, fought staunchly against the Reformation movements in his own cities and those of the Reformation’s supporters, John Frederick I of Saxony and Philip of Hesse.

After Philip had, without any legitimate reason, intercepted and published dispatches of Henry’s at the end of 1538, a heated public discussion flared up. Henry and Philip exchanged a series of semi-official leaflets, which appeared under the princes’ respective names and were even numbered in order to show their place within the sequence of the debate. In keeping with the tone of the contemporary polemic, the authors were not squeamish about swapping insults. This was true of Martin Luther as well. When his territorial prince was attacked by Henry, he penned one of his most important polemics, Against Hans Worst, which combined caustic invective with a trenchant summary of Protestant teachings. Finally, the exchange of leaflets was accompanied by anonymous pamphlets as well, which drove the derisiveness to an extreme by means of caricatured role playing.

To understand this context, it is necessary to be aware of the drama of the circumstances. In 1542, namely, the princes of the Schmalkaldic League took Reformation efforts in the city of Brunswick as an occasion to militarily occupy Henry’s territory and take Henry himself into captivity. Consequently, around the time of the imperial diet of 1544, as the Schmalkaldic supporters were making efforts towards an easing of tensions, there was a renewed upsurge in the exchange of leaflets. Although now it was imperial-legal charges and justifications concerning the invasion that took centre stage, reciprocal insults between the Brunswick side and the Schmalkaldic members continued to flow into the texts.

Against this background the information gradually leaking out about Philip’s bigamous marriage provided the Brunswick authors with welcome ammunition. A few core themes can be mentioned from among the tangled mass of accusations, which were repeated in ever new combinations. Most obvious was, first, the denunciation of the bigamous marriage as a violation of ecclesiastical rules, and holding the landgrave up correspondingly as the devil or a heretic. Occasionally connected with this was, second, the allusion to the violation of temporal law and the demand for Philip’s punishment. The landgrave, it was said, had «taken a second wife (which no prince has ever had the right to do and which, among Christians, is also not customary and completely despicable) […] and thus has earned the punishment for bigamy».

Third, the bigamous marriage appeared to be merely a symptom of generally licentious moral conduct, «For there is virtually no city, area, or town in the whole territory where he [the landgrave] has gone and not seduced or defiled one
or more; many of these he has let sit in filth and shame, others he has supplied with goods that formerly belonged to the Church»

And finally, the bigamous marriage was almost universally used to place Philip in very compromising proximity to the Anabaptists, connected to the accusation that Philip tolerated Anabaptists in Hesse. Frequently the leaflets referred to him simply as the «Münster brother». At times this accusation was also intensified through mention of its resemblance to Turkish customs.

To all appearances Philip did not take lightly the accusation of his violation of applicable criminal law in particular. It seems that this uncertainty caused him, during the imperial diet in Regensburg in 1541, to obtain from the emperor a quite generally formulated waiver of punishment, no matter «what it might be, so that he did not act against us [...] or against our imperial law and right or the legal system to this day publicly or secretly»

The price consisted of significant political concessions, and thus also of the weakening of the Schmalkaldic members. This will not be discussed in detail here. Backed up by this assurance, and in light of the fact that his second marriage could no longer be kept secret, Philip immediately went on the public offensive. A famous 200-page dialogue appeared under a pseudonym in 1541, and discussed almost sentence by sentence the relevant dogmatic positions of divine, natural, canon, and imperial law. Through literal interpretation or by means of historical contextualization, the work sought to relativize each position that would have normally been understood as an absolute prohibition of bigamy. The dialogue was not designed to recommend bigamy as a general option, but it did nonetheless aim at providing evidence that it was not forbidden.

A publication like this must have seemed catastrophic to the protestant theologians. As early as July, as talk of the double marriage was everywhere, they had tried to hold on to the secret by all means possible. Luther had expressly advised Philip that it would be better to lie and to deny the marriage in public than to own up to it.

This was consistent with the concept of a marriage of conscience contracted only before God. For Philip, this meant, conversely, to let Margaret appear as a whore in public, against all his promises, (exactly what Margaret herself would later criticize him for). But with a public defense, the intention of permitting the bigamous marriage solely as an individual, pastorally-based exception was now turned into its opposite. Already in the Ratschlag they had specifically warned against printing anything about the bigamous marriage, since this would be «understood and adopted as a general law»

But now, in the summer of 1541, Philip was no longer impressed, he expressly justified his actions in a provocation of Henry. The critical reactions of several Protestant theologians revealed
Philip’s dilemma. By allowing his bigamous marriage to now be defended publicly, the rejection on the part of the Protestant theologians become similarly evident. The tabooing of bigamy was maintained; Philip must have appeared isolated.

The dialogue form made it possible to treat the problem of bigamy in an extensive and scholarly manner, other than in the pamphlets. But the Hessian side continued its polemic on that level as well. Beyond the scholarly arguments, the pamphlets would once again make the relevance of the problem appear in an entirely different light. For Duke Henry offered his opponents an awkward vulnerability, which was very accommodating to Philip’s justifications.

The vulnerability was named Eva von Trott and she was a court lady in the service of Henry’s spouse, and, for good measure, a member of the Hessian nobility. The duke had been carrying on an intimate relationship with her since 1522 or 1523. Several children were born in concealment; after each one Eva returned to court. But as the rumors about her provoked increasingly frequent conflicts with the duchess, the duke resolved upon a trick. In 1532 Eva von Trott departed from court under a pretext. Along the way, she feigned an illness and, with the help of insiders privy to the plan, her death was simulated. While Eva was whisked away incognito, a dummy was laid out as her corpse and buried. The intentional rumor of a death by plague prevented any closer investigations. At court, ceremonial funeral rites were held upon the news of her supposed death. From now on Eva von Trott lived strictly secluded in a castle; the secrecy was enforced with arrests when necessary. These living conditions were maintained for several years, during which time she bore several more children. Despite this, the rumors intensified, and around 1540 the situation was an open secret. During the occupation of the territory, two sons of Eva and Henry were also arrested in 1542 and even presented at the imperial diet in 1544.

Upon this basis Henry’s personal attacks against Philip could be returned in kind. The accusations centered, for one, on the fact that with his game of hide and seek Henry had lied and deceived, affecting especially Eva’s relatives; that, «despite the services faithfully rendered to you [Henry] by Eva’s parents and her stalwart supporters», he «defiled» her and, moreover, «stole her and kept her from her parents with coarse lies to this very day». Henry, that is to say, had violated fundamental laws of honor and fidelity. But in order to counter the insults against the bigamous marriage, the religious and moral dimension had to be brought in as well. In this sense, because of his farce with the burial and the funeral rites, Henry was charged with openly abusing and making a mockery of the Catholic sacraments, the very same theme that had been
so central to the theological debate. «For it was obvious that he placed no value on the sacrifice of the Mass, on the vigils or the requiems, and was a true atheist or infidel».

Henry, too, was in turn accused of immoral conduct. He was represented as contemptuous of marriage, as someone who «placed no value on marriage, but lived together with women without making any distinction»\(^9\). Without openly defending bigamy in this context, Henry could be accused of doing what Philip and Anna had sought to avoid, namely, engaging in extra-marital relations. And finally, Philip also published letters of complaint from Duke Henry’s wife in order to prove how much she suffered under Henry and how much their marriage had been shattered. In contrast to this, Philip himself claimed to live amicably together with his first wife\(^9\). But it should be mentioned in passing here, that Philip would later be confronted by his second wife, of all people, with the reproach «that I am not with you like the von Trott woman of Duke Henry»\(^9\).

For a brief historical moment, thus, in a singular way, the relationship practices of the high nobility became the subject of public debate, and moreover, they became so in a crassly polemical manner carried out in the names of the princes themselves. Among the essential ingredients of this configuration were the debates about marriage and morality unleashed by the Reformation. It was the obvious contradiction between the new morality and the current practices that first charged the potential critique so highly that it literally became suitable for demonization. Although Philip’s and Henry’s relationships were extremely different in nature, both nonetheless attempted by quite desperate means to maintain the appearance of exclusive conjugality.

### Conclusion

The story of the Hessian bigamy case bears several features of an apparently romantic drama. In this sense, it is dependent upon many contingent and individual factors: the concupiscence of a territorial ruler, the ambition of a noble mother, the hopes of her daughter, and the dependence of the theologians under precarious conditions. But the significant consequences of this drama reveal resonances that point to fundamental aspects. Especially the comparison with Henry’s affair makes the Hessian bigamy case, despite all its dichotomies, of relevance beyond its singularity. It reveals how the contemporary discourse about marriage reached into the highest circles, circles in which, under these conditions, the role of the ruler led to characteristic tensions between personal conduct of life.
and public response and forced as well as exposed the rulers, in addition to the already vivid polemics of the age, to public debates in the patterns of personal morality.

The research has brought out how seamlessly the Reformers’ concepts of marriage corresponded to the needs of the urban guilds’ craftsmen, who then also became important protagonists in the Reformation. The case of the bigamous marriage though shows how these concepts stood in fundamental contradiction to the widespread practices of the high nobility. Ultimately the bigamous marriage by no means signified the introduction of novel relationship practices, but rather represented an attempt to harmonize them in any way possible with the religious norms. Seen from this perspective, whether it was the ambition of the mother or the licentiousness of the territorial ruler to be more decisive, it is of little relevance.

It is not necessary to expand upon the fact that, as far as the pre-modern era is concerned and especially as far as pre-modern princes are concerned, the modern distinction between the private and public spheres is misleading at the very least. All the more remarkable thus is the attempt on the part of the theologians – to which the scurrile strategy of Duke Henry could also be compared – to create a substitute for the not yet existing concept of a private sphere: namely the secret. At the same time, the impossibility of secrecy made clear how inescapable the public mode of existence of the territorial princes was.

In the dispute concerning Philip, the taboo against bigamy was retained. Even if under certain conditions a few bigamous relationships recurred among the high nobility, bigamy did not become established as a special moral principle for the high nobility. At the same time, the widespread practice of extra-marital relationships among the high nobility continued to exist. These inevitably remained publicly perceivable, but if they were subject to judgment at all, this was done solely in moralizing critique. Since they needed fear no sanctions, the princes asserted their special moral status in a de facto manner. But it must also not be overlooked that these were by no means inevitable entanglements. Each male member of the high nobility could freely decide about how to shape his sexuality.

But the exclusiveness of marriage as the only legitimate form of sexual relations, promoted by the Reformation, in this sense nevertheless remained a thorn in the side of their morality and their sense of honor. If no compromise was possible in the case of extra-marital relationships, then the same question arose with respect to all those princes who as bachelors or widowers entered into relationships with women of lower social rank. As seen above, in Philip’s case it was not simply a matter of his
contraction of a second marriage, but also of how the legal consequences of the second marriage should be shaped. The bigamous marriage thus also forms part of the history of misalliances. Philip’s manner of placing his second wife and their common children in a worse position in terms of inheritance and rank could draw upon a number of earlier precedents and, purely on the face of things, it assumed the appearance of a morganatic marriage. But this concept does not appear in the sources and seems to have been established in Germany only in the subsequent decades. In fact, the legal form of the morganatic marriage can be understood as an attempt to bind the churchly blessing with a maximum of clarity and reliability in terms of inheritance law.

The example of Philip in particular reveals, however, that, as a result of insisting on a certain kind of formal legitimacy, it was not that easy to evade claims on ranks and rights. Even if in the future, the concept of morganatic marriage would in many cases guarantee stable conditions, conflicts over such misalliances nonetheless arose repeatedly in the following period as well. In a few cases such conflicts also resulted from a situation in which a prince could not or did not want to discriminate against a lower-ranking partner and entered into a legally unlimited marriage with her. But this is another story. In this regard as well Philip’s example demonstrates that the rigor of the Reformation conception of marriage could not readily be harmonized with the desires of the princes and the constraints of dynastic politics. To put it more pointedly: Long before the formation of a middle-class morality, the realignment of gender relations that took place during the Reformation affected the roots of the aristocratic lifeworld and could potentially even threaten the reproduction and preservation of rank and power based on legitimate dynastic continuity.

Notes

\* The author wishes to thank Cynthia Hall, Stephanskirchen (Germany), for translating the paper from German into English.


6. «Ein junger unverständiger Mensch».

7. «Dazu beredt worden».

8. «Eines Weibes nicht Mangel haben kann».


10. «In den Western stecken».

11. «kein Huren noch Ehebrecher [...] das Reich Gottes erben».

12. All quotations are from the *Memorial*, in *Philippi Melanchthonis Opera quae supersunt omnia*, ed. M. A. Bretschneider, cit., col. 852. In a letter to Luther of 3 April, 1540, the landgrave writes that since the Peasants’ War [1525] he has not gone to the sacrament, with one exception, Lenz, *Briefwechsel*, cit., p. 361.


16. This would not have been entirely odd. In a correspondence from 1528, Elector Johann of Saxony had already inquired of Martin Luther, although apparently entirely impersonally, whether it was necessary for a married man whose wife suffered from a sexually transmitted disease to be prohibited from taking another woman. Luther advised
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at the time that each case must be considered individually. Cfr. Rockwell, *Die Doppelehe*, cit., p. 254.
17. «Auf daß er aus dem Unrath kommen möcht».
19. Ivi, col. 855, similar also in the preceding notes for the meeting, see Lenz, *Briefwechsel Landgraf Philipp’s*, cit. p. 353.
23. «Auf daß er aus dem Unrath kommen möcht».
26. «Übel halten».
28. «Erste und oberste gemall halten, ehren und fur augen habben».
32. Ivi, pp. 316f.
34. Cfr. P. Mikat, *Die Polygamiefrage in der frühen Neuzeit*, Westdeutscher Verlag, Opladen 1988, pp. 11-3. Brief but very informative about the debate in the sixteenth century is E. Koch, *De polygania*, in “Rechtshistorisches Journal”, 2, 1983, pp. 266-76; from a specific legal-historical perspective, which primarily takes into consideration the legal sources upon which the debate was based and how the bases of the debate changed, is


36. Represented by L. Roper as a fundamental uncertainty in *Sensual Utopianism in the German Reformation*, in "Journal of Ecclesiastical History", 42, 1991, pp. 394-418, in which unconventional concepts of marriage among the radical groups within the Reformation are placed on the same level as the debate about the Hessian bigamous marriage (pp. 415-7), so that the Reformers’ doctrines about marriage appear less consistent than I represent them here.


41. The actual debate must not and cannot be discussed here. Henry’s first marriage was only made possible by means of a dispensation, since Catherine was the widow of his brother and such a union was forbidden by Church law, as based on Lev. 18:16. Henry hoped to legally annul the marriage by repealing the dispensation. A detailed summary of the various positions in Germany can be found in Rockwell, *Die Doppelehe*, cit., pp. 203-22.


44. "Das die feind des Evangelij schreien werden, wir weren gleich den wider-teuffern; the literature refers to this text as the «Wittenberger Ratschlag» or the "Beischlag" of 10 December 1539, here quoted from WA, Briefwechsel, vol. 8, Weimar 1918, pp. 638-44, here pp. 641.

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47. «In besserm Stand were for gott», WA, Briefwechsel, vol. 8, p. 641.
48. «Das die fursten thun, wirt viel weiter ausgebreitet denn was von priuat personen geschichten», WA, Briefwechsel, vol. 8, p. 641.
50. «So ist auch nicht alle Rede zu achtten, wenn das Gewissen recht stehet»; ibid.
52. «Weil mich on ein soliche mittel und artzenei fur argem und unzucht nit [ent?]halten mag», «mit meiner freundlichen lieben gemal gehandelt und irr mein beswerung angezeigt und sie umb verwilligung gebetten», from a page of notes considered a preparation for Philip’s speech, see Lenz, Briefwechsel Landgraf Philipp’s, cit., p. 361.
53. «Nicht aus Leichtsinnigkeit oder Curiositet, noch aus Geringhaltung des Rechts und der Oberen beschehe, sondern daß Sie aus einigen schweren und unvermeidlichen Nothwendigkeiten so wohl des Gewissens als des Leibs dazu getrieben werden»; «Ehr und guter Nahme»; Arcuarius, Kurtze, Doch unpartheyische, cit., p. 247.
54. On this see Rockwell, Die Doppelehe, cit., pp. 46, with archival evidence, and also Lenz, Briefwechsel Landgraf Philipp’s, cit., p. 223.
55. «Under allem adel und gemeinem volck», Bucer to landgrave Philipp, 25 December, 1539, Lenz, Briefwechsel Landgraf Philipp’s, cit., p. 121. Bucer avoided mentioning the subject matter by name but the context is clear.
57. Rockwell, Die Doppelehe, cit., p. 51, with documentary evidence; on what follows see also pp. 49-60, where numerous pieces of evidence are compiled for the dissemination of the news.
58. Cfr. Weir, Herzogin Elisabeth, cit., pp. 224f.; the correspondence about this between Philipp, Moritz, and Elisabeth can now be followed in Brandenburg (hrsg.), Politische Korrespondenz, cit., pp. 65-6.
59. «Dritte bestendige warhaftige redliche göttliche [...] Antwort [...] Heinrichs des Jüngern, Hertzogen zu Braunschweig und Lüneburg» given at Hagenau, 22 July, 1540, printed at Wolfenbüttel 1540, Bogen xi [v]. Most of these printed brochures are not paginated. In order to find the quotations, the basic letter of the sheet (Bogen) and anything additional that was printed has been cited, as well as – in brackets – any necessary clarifications, such as recto, verso, or page numbers within the brochure.
60. An overview can be found in D. Schwennicke, Europäische Stammtafeln, new series, vol. 1, 2, Stargardt, Marburg 1999, plate 240. Nolte, Christine von Sachsen, cit., has stressed that Philip’s and Christine’s living together took a quite normal and cooperative shape.
61. «Wie wir complexioniret seien»; «Die bewusste Person»; «Mit großen schweren Kosten dorhin ze bringen und zu erhalten», everything according to Landgrave Philip, to Bucer, 16 may, 1540; Briefwechsel Landgraf Philipp’s, cit., ed. Lenz, p. 171.
62. Ivi, p. 137.
63. «Ein gemeiner edelman oder burger seinem weib sovil dienerinnen underhilet», Briefwechsel Landgraf Philipp’s, cit., ed. Lenz, pp. 74f.; cfr. p. 66.
64. «Ich wuste nit, wie e[uer] g[naden] mich schmelicher halten kondt. Ich esse die meiste zeit mit e. g. hunden schusseln, dasgleichen uff dischduchern, da stallungen und ander lose gesinde uff ist. [...] Wan e. g. wolten, das ich erlich leute solt bei mir haben, so mustens ja nit kuhirten, leinwebersknechte und e. g. hurnmenner sein. Mit solchem gebubiz sitz ich und brenge meine zeit hin», Margarethe an Philipp, 22 April,


67. «E[v(e)]. g[naden]. haben meine Kinder offenbarlich zu hurkinder gemacht», Margarethe to Philipp, 22 April 1598, Demandt, *Die hessische Erbfolge*, cit., p. 173.

68. *Ibid*.; I shall return to this passage again later; cfr. note 90.


71. I have attempted to make the problem clear in another example, also with respect to Philip; cfr. M. Sikora: “… so muß man doch dem Kindt einen Nahmen geben”. Wahrnehmungsweisen einer unstandesgemäßen Beziehung im 16. Jahrhundert, in E. Conze, A. Jendorff, H. Wunder (hrsg.), *Adel in Hessen*, Historische Kommission für Hessen, Marburg 2010, pp. 571-93.


73. Römer, *Der Landgraf im Spagat?*, cit.


75. Only brief hints can be made in what follows, which touch upon only one facet of the lively publications around Duke Henry. One similarly brief summary of this facet can be found in Rockwell, *Die Doppelehe*, cit., pp. 101-12; other facets are illuminated by F. J. Stopp, *Henry the Younger of Brunswick-Wolfenbüttel. Wild Man and Weroof[e]* in Religious Polities 1538-1544, in “Journal of the Warburg and Courtauld Institutes”, 35, 1979, pp. 200-14.


77. «Welchs von keinem Fürsten des Reichs je erhort, und uner Christen nicht herkomen, und gantz erschrecklich ist) das zweite welb genommen [...] und dadurch die peen gezwiefachter Ehe verwirkte», Ergrünte [...] Duplicae der Durchleuchtigen Hochgeboren Fürsten und Herrn, Herrn Heinrich des Jüngern [...] Wolffenbüttel 1541, Bogen K I [1]; followed by, on the next page, the energetic desire for the emperor’s intervention.

78. «Dann es ist schier kein Stat, Fleck oder Dorff im gantzen land, dahin er komen ist, er hat eine oder mehr darinnen verfelt und geschwecht, etliche last er im dreck in der
schand sitzen, etliche steuert er mit der alten Geistlichen güter aus». These words were put in the mouth of the landgrave’s envoy, who, in this fictive discussion, recites them before Lucifer in person!

79. «Was das sey, so er wider uns […] oder wider unser kaiserlich gesatz und recht oder des reichs ordnung bis auf disen tag offentlich oder heimlich gehandelt hette»; Briefwechsel Landgraf Philipp’s, ed. Lenz, cit., p. 95.

80. Dialogus / das ist / ein freundlich Gesprech Zweyer personen / Davon / Ob es Göttlichem / Natürlichen [sic] / Keyserlichem / und Geystlichem Rechte gemense oder entgegen sei / mehr dann eyn Eeweib zugleich zu haben […], n. P., 1541; at the end of the text one Huldrich Neobulus is named as the fictive author, leading to the dialogue being referred to as the Dialogus Neobuli; for an extensive discussion of the origins and the contemporary reception cfr. Rockwell, Die Doppelehe, cit., pp. 113-29; some references can also be found in Roper, Sexual Utopianism, cit., p. 416f.


82. Briefwechsel Landgraf Philipp’s, ed. Lenz, cit., p. 98.


84. Philipp to Bucer, 16 August 1541, Briefwechsel Landgraf Philipp’s, ed. Lenz, cit., p. 29.

85. The theological debate will not be pursued here further; cfr., as a supplement to the broadly conceived overview by Rockwell, a special voice from the landgraf’s milieu, studied by S. Buchholz, Der Landgraf und sein Professor: Bigamie in Hessen, in G. Köbler, H. Nehlsen (hrsg.), Wirkungen europäischer Rechtskultur. Festschrift für Karl Kroeschell, Beck, Munich 1997, pp. 59-63.


87. «Unangesehen irer eltern vnd freundschaft dienste, dir trewlich geleistet»; «geschandt»; «den eltern gestolen, und mit groben lügen, bus auff diesen tag, für enthalten»; Expostulation und straffschrift Satane des Fürsten dieser welt, mit Hertzog Heintzen von Braunschweig, seinem geschworen diener und getreuen […], «printed in Utopia» […] 1541, Bogen B III [v].

88. «Dann es wer offenbar, das er von opffer in der meß, von vigilien und seelmessen nichts hielte, sonder also ein rechter Atheos oder unglaubiger were»; Des durchleütchigen Hochgeboren Fürsten und Herrn, Herrn Philipsen, Landgraunen zu Hessen […] Dritte wahhaftige Verantwortung […] Marburg 1541, Bogen K I [r].

89. «Der von der Ehe nicht halte, sondern on unterscheyd vermischlich undern weibern lebe»; Des Durchleütchigen Hochgeboren Fürsten und Herrn, Herrn Philipsen Landgraunen zu Hessen […] Vierte warhafftige verantwortunge […] Marburg 1542, Bogen K III [p. 3].


91. «Das ich nit bei euch bin wie die Drottin bei herzig Hytten», Margarethe to Philipp, 22 April 1558, Demandt, Die hessische Erbfolge, cit., p. 175. «Hytten» is apparently a corruption of the name Henry (Heinrich), whose origin cannot be explained.