

A FAR-FETCHED ALLIANCE: THE MARRIAGE OF BORWIN OF ROSTOCK AND CRISTINA OF SCOTLAND

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ABSTRACT

The author discusses the seemingly unlikely marriage of an illegitimate daughter of William I, king of Scots, to the lord of Rostock, placing it in its historical context. He exposes the errors in Wigger's 1876 paper on the subject and the resulting confusion still seen today. He also offers a few thoughts on the Agatha problem.

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The marriage of Cristina, a hitherto unknown illegitimate daughter of William I, king of Scots (d.1214), to Borwin (Burwin)² of Rostock, ancestor of the dukes of Mecklenburg and the princes of Werle, is memorialised in a faculty granted by Innocent IV at Lyons on 20 May 1248 "*Nobili mulieri...Sorori...Illustris Regis Scotie...ut cum sex matronis honestis monasterium de Doberan, Cisterciensis ordinis Zverinensis diocesis, cuius Nobilis vir B. de Rozstoc maritus tuus fundator existit, bis vel ter in anno causa devotionis intrare valeans....*"³

The marriage must have taken place in 1195 as part of the king's "extraordinary scheme" – Duncan's phrase – backed by Richard I to settle the kingdom on his eldest daughter Margaret (d.15 November 1259)⁴ and Otto of Saxony, Richard's nephew and Borwin's uncle. Published by Theiner in 1864, the papal indult seems to have escaped the notice of Scottish historians, allowing Barrow to write in 1965, "*Apart from trade, royal marriages are a good index of a medieval country's external relations. Since 1160, the Scottish royal family had given brides to Brittany, Holland, England and Norway, and had taken brides from England, France, especially north-eastern France, and Flanders. Denmark, in fact, is the sole country bordering the North Sea with which Scottish connections in this period are difficult or impossible to trace.*"⁵

Unbeknownst to Barrow, Margaret of Pomerellen (d.1282), wife of King Christof I (d.1258) of Denmark and mother of King Erik V Klipping (1249-1286), was herself Cristina's granddaughter and great-granddaughter of William I.

The indult had, however, soon come to the attention of German archivist Dr Friedrich Wigger, who in 1876 published his important but fatally flawed paper on the relationship of the Mecklenburg dynasty to the kings of Scotland.⁶ He began by observing, "*Admittedly, proof remains to emerge of the familial links between*

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² Both spellings are used by different sources.

³ Fr Augustin Theiner, *Vetera Monumenta Hibernorum et Scotorum Historiam Illustrantia*, Rome, 1864, p.50b, no. CXXXV: "*Sorori regis Scotiae indulgetur, ut cum sex matronis bis vel ter anno in monasterium monialium de Doberan intrare possit.*"

⁴ Margaret died as countess of Kent on 15 November 1259. See Andrew B W MacEwen, *Foundations* 3 (1): 36, 2009.

⁵ G W S Barrow, *Robert Bruce and the Community of the Realm of Scotland*, 1965, p.15.

⁶ Friedrich Wigger "Ueber die Verwandtschaft des mecklenburgischen Fürstenhauses mit den Königen von Schottland", *Jahrbücher des Vereins für mecklenburgische Geschichte und Alterthumskunde*, 41 (1876), no.VIII, 151-154. Charles M Hansen and Adrian Benjamin Burke kindly provided copies of this paper in December 2010, as well as relevant Mecklenburg charters and other items.

the rulers of Mecklenburg and the kings of Scotland; and yet they cannot be doubted." Quoting the 1248 indult he pointed out that "in 1248, the King of Scotland was Alexander II; he had reigned since 1214, and died in 1249; his father and also the father of the Princess of Rostock was King William I of Scotland, historically nicknamed the 'Lion'."⁷

Wigger next discussed the identity of the "*nobilis vir B. de Rozstoc*," husband of the unnamed Scottish princess and the founder of Doberan Abbey. "It is not so clear," he warned, "at first glance which of the noble von Rostocks was husband to this daughter of the Scottish king," pointing out, quite correctly, "For the Pope does not mention (as he might have done with a qualifying phrase such as '*quondam maritus tuus*', or '*maritus tuus pie memorie*', or '*maritus tuus felicitatis recordationis*') that Rostock was dead, and indeed uses the present '*existit*', and not the past tense '*exstitit*'. Thus one might assume that 'B' was the Herr von Rostock currently ruling in 1248, Heinrich Burwin III, and not his father, Prince Heinrich Burwin II, who had died on 5 June 1226..."⁸

Wigger eventually decided that, given his age, Heinrich Burwin III could not have been the man referred to as "the husband of the Scottish princess, and founder of Doberan Abbey....It is impossible," he declared, "that Burwin III could have been so identified, for the abbey was founded long before his lifetime.... He was born certainly not before 1205, and in fact probably several years later".⁹

Wigger thus concluded that "*B. de Rozstoc*," was intended to refer to Burwin III's father, Herr Heinrich Burwin II von Rostock," since in 1192 he and his brother Nicholas had given consent to their father's charter in favour of Doberan: "*de consensu filiorum nostrorum Henrici et Nicolai monasterium dotauimus memoratum*."..."If Heinrich Burwin II had indeed agreed to endow the Abbey in 1192, then he would have rightly earned the honour to be considered one of its founders."¹⁰ So far, so good!

Wigger next turned his attention to the beautiful seal of Lady Sophia of Rostock, an engraving of which, along with her husband's, was given in the first volume of the *Meklenburgisches Urkundenbuch* in 1863 (Fig. 1). Of the four seals appended to this charter, the last is described by Wigger as:

"the seal of Prince Borwin von Rostock, with the counterseal of his wife Sophie, hangs from a cord of red silk:

the obverse bears the seal of Prince Borwin with a shrieking griffin passant and the circumscription: + SIGILLVM . DOMINI . BURWINI . DE . ROZSTOK.

the reverse bears the seal of Princess Sophie, wife of Prince Borwin von Rostock. The seal shows a crowned picture of the Princess set in flower vines. She holds in her right hand a shield, from which unfortunately the charge (probably the Rostock griffin) has been obliterated, and in her left hand a shield depicting 3 lions or leopards passant in pale (certainly the heraldic beasts of the Danish Arms); Circumscribed: + SIGILLVM DOMINE SOPHIE DE R.....OK"

⁷ For the convenience of the majority of our readers, the original German texts, here and throughout this article, have been translated by Patrick Evans, and are shown in italic font enclosed in quotes.

⁸ Wigger, *op. cit.* (1876), p. 152.

⁹ Wigger, *op. cit.* (1876), p. 153.

¹⁰ Wigger, *op. cit.* (1876), p. 153.

Fig.1 Seal of Prince Borwin of Rostock and his wife Sophie

(from *Meklenburgisches Urkundenbuch*, vol.1, 1863)



The other three seals are those of Bishop Brunward of Schwerin and Burwin's brothers John and Nicholas.¹¹

The last of the eight *milites* who witnessed this document (no.463), a privilege in favour of Doberan Abbey dated at Rostock, 15 February 1236/7 (Septuagesima Sunday), was "*Bernardus de Wygenthorpe*." Was he an English knight from the manor of that name in the North Riding of Yorkshire? He puts in another appearance a couple of weeks later, on 6 March, witnessing a charter (no.464) of "*Nicolaus dominus de Werle*" as "*Bernadus de Wiendorp*." A comparison of the witnesses' names shows that nos.463 and 464 were written by different scribes, two of the knights having attested, a decade earlier, Heinrich Burwin II's deathbed charter (no.323) dated 3 June 1226, as follows:

463 Johannes de Snakenburg Heinricus Grube Bernardus de Wygenthorpe

464 Johannes de Snakenborch Henricus Grubo Bernardus de Wiendorp

323 Johannes de Snakenborch Heinricus Grubo

No.323 was "*Datum in Gustrowe, per manus Conradi scriptoris, III^o nonas Junii,*" while "*Conradus scriptor curie*" was the last of six *clerici* who witnessed. He clearly wrote no.464. "*Wygenthorpe*" would appear to be the more accurate rendering of the knight's name. Can any reader comment?

Another seemingly English knight, Sir George of York, appears witnessing two charters of Burwin, lord of Rostock, in favour of Dargun abbey, both given at Rostock on 14 September 1252.¹² No.706 (from an original) has seven witnesses, five of whom also witness no.707. The two scribes record the name as "*Georgius de Jorc*" (no.706) and "*Georius de Jor^ock*" (no.707). In no.706 Burwin refers to "*domine S. nostre coniugis iam defuncte.*"

Based on her seal, Wigger not surprisingly identified Heinrich Burwin III's wife Sophie as a **Danish** princess, claiming "*There can be no doubt as to her ancestry; for on her seal (I, no.463) on a charter of 15 February 1237, she holds in her left hand as her paternal arms the Danish royal arms with 3 leopards in pale. At the very latest, she died in the first month of 1241. In one charter (I, no.527), granted*

¹¹ *Meklenburgisches Urkundenbuch*, (hereafter *Mek-Urk*) Vol.1: 786-1250, (Schwerin, 1863), pp 460-62, no.463; cf. p.312, no.319.

¹² *Mek-Urk*, Vol.2: 1251-1280 (1864).

by Burwin III to Dargun Abbey on 24 April 1241, the prince commemorates her as already dead: *'quondam uxoris nostre, domine Sophie, filie regis Swetie'.*"

Wigger chose to disregard this charter evidence, which clearly shows Sophia was a **Swedish** princess, suggesting that "We are obliged to attribute this mistake, that she had been the daughter of a king of Sweden, to the originator of this charter;..." He also discounted the possibility that a widowed Heinrich Burwin III could then have married a Swedish princess Sophia.

"Thus, confounding the assumption that Prince Burwin III had lost his wife Sophie of Denmark soon after 15 February 1237, and then taken into his house a Swedish princess of the same name, only to have become a widower once more at some point before 24 April 1241, is the fact that both here and in another charter for Dargun Abbey dated 14 September 1252 (II, no.706) he speaks of only one deceased wife ('ad salutem anime domine S., nostre coniugis iam defuncte')."

He concluded, *"This princess of Denmark, Sophie, was the mother of Waldemar, son and heir of Burwin III. Waldemar himself commemorates her (II, no.1143) as 'matris videlicet nostre, domine Sophie'."*

Wigger's unwitting error was explained by Charles M Hansen, who pointed out that *"Wigger is wrong here, as Heinrich Burwin III's wife was Sophia of Sweden, daughter of King Erik Knutsson of Sweden... [who] had adopted the three Danish lions as his arms, based on his own marriage to the daughter of King Valdemar of Denmark."* He later remarked *"that her father King Erik Knutsson of Sweden, used these arms is given in a book I have on royal heraldry,"*¹³ referring to the 1981 *Lines of Succession*, where we find an interesting treatment of the Mecklenburg princes by Michael Maclagan, Richmond Herald.

"The destiny of Mecklenburg," Maclagan writes, *"a relatively impoverished state lying southeast of Denmark and facing over the Baltic Sea, has been on the whole provincial and obscure,"* adding that the *"noteworthy feature of these dukes was their Slav origin. Only in Mecklenburg of all Germany were rulers drawn from this race."* *"In 1167 Pribislaw accepted Christianity and paid homage to Henry [the Lion, duke of Saxony]; in 1170 the Emperor Frederick Barbarossa made him a prince. His son Henry became Prince of Mecklenburg in 1180, after the fall of Henry the Lion. The first partition of the country took place among his four grandsons,"*¹⁴ *ie, the sons of Heinrich Burwin II and Cristina of Scotland.*

Maclagan clarifies Wigger's error in his chapters on Denmark and Sweden. *"The attractive arms of Denmark first appear about 1190 in the reign of Canute VI,"* he notes. *"They consist of three running blue lions in a gold field dotted with red hearts. There were at first variations in the position of the lions' heads, which were at times crowned, and always in the number of hearts."*¹⁵ *"The early heraldic history of the rulers of Sweden is complex. The seal of Eric X shows two crowned leopards, but not in the form of a coat-of-arms. His son Eric XI made use of the shield of his mother's family, the royal House of Denmark.... Waldemar, who succeeded Eric XI, did not use the Folkunga arms, but continued to employ those of Denmark..."*¹⁶

Finally, Wigger considered a memorandum preserved in an old liturgical book from the Grey Friars of Wismar. First published by Professor Crain of Wismar in 1841,¹⁷

¹³ Charles M Hansen, personal communication, 23 December 2010 & follow up telephone conversation.

¹⁴ Michael Maclagan & Jiri Louda, *Lines of Succession: Heraldry of the Royal Families of Europe*, 1981, p. 219.

¹⁵ Maclagan, *op.cit.*, 1981 p.43.

¹⁶ Maclagan, *op.cit.*, 1981 p.60.

¹⁷ *Affschrift vth eyner Tafeln Im kor hangende.*

it was reprinted in 1864, with slight variations, in the second *Urkundenbuch*.¹⁸ It was this record ("*Affschrift*") which led Wigger to believe that Heinrich Burwin II had two wives. "*On the brides of Heinrich Burwin II,*" he wrote, "*we possess very scant information to date. The tablet which previously hung in the chancel of the Franciscan church at Wismar is only preserved as a transcript in the church registers. It says, of Johann I: 'Johannes Theologus, eyn hertogk tho Mekelnborch van der Linie der koninge Obotritorum vnd eyn szone hern Hinrici Burewini, syn mutter Sophia, des konings to Sweden dochter'.*"

Despite some reservations – "*The information is only known to us from this source, dating from the late Middle Ages, while the form of the transmission itself inspires little confidence,*" – Wigger concluded, "*all the same it is most likely that Sophia, the mother of Johann I, was a daughter of the king (Karl?) of Sweden. She was the first wife of Heinrich Burwin II, and Cristina, the mother of his younger sons Nicolaus, Heinrich Burwin III and Pribislaws, was his second wife, who survived him. Nicolaus himself calls Cristina his mother ('matris mee domine Christine'), in a charter (I, no.396) issued by him some six years after his father's death, in 1232*".¹⁹

It is clear that the man named in the *Affschrift* as Johann Theologus was Johann I (d.1264) of Mecklenburg, the eldest son of Heinrich Burwin II, since the same source shows him as the father of Heinrich I (d.1302), held captive by the Saracens for twenty-four years, husband of Anastasia of Pomerania (d.1317). But it is just as clear that the writer of the *Affschrift* has confused the wife of Heinrich Burwin II with the wife of his son Heinrich Burwin III, Sophia of Sweden. Wigger of course failed to perceive this, since he had already identified Sophia as a Danish princess. The confusion may have stemmed from the fact that the eldest of the four sons of Heinrich Burwin III was also named Johann. Co-regent in 1262, he predeceased his father a few years later.

By 1885, when he published his genealogies of the great ducal houses of Mecklenburg,²⁰ Wigger had modified his views on the "*Affschrift*." "*This assumption is false,*" he declared, suggesting that "*it probably rests on a confusion with Sophie, the wife of Burwys III, for the other Sophie was the first wife of Heinrich Burwys II and the mother of Johann, while the other three sons were issue of his second marriage.*"

Wigger was still under the spell of Lady Sophia's 1237 seal – "*the seal with the 3 lions*" – but he adduced some important new information: "*Since King Abel of Denmark [slain 29 June 1252] named Burwy as his brother-in-law in a charter dated 25th April 1251 [U.675], one can hardly be wrong in assuming that Sophia is Abel's sister, and therefore a daughter of King Waldemar II.*"²¹

Were it not for Heinrich Burwin III's 1241 charter in favour of Dargun abbey which styles Sophia "*filie regis Swetie,*" Wigger's identification of her as a Danish princess would be nearly unassailable. This charter (no.527) is printed "*In accordance with the original in the main archive at Schwerin,*" so the reading *Swetie* is presumably correct.

¹⁸ *Mek-Urk, op. cit.* (1864), Vol.2, p.4, no.669B & note.

¹⁹ Wigger, *op. cit.* (1876), p.154.

²⁰ Dr. Friedrich Wigger "Stammtafel des Grossherzoglichen Hauses von Mecklenburg," in G C F Lisch & F Wigger, eds., *Jahrbücher des Vereins für mecklenburgische Geschichte und Alterthumskunde*, Volume 50, Schwerin, 1885, pp. 111-342, esp. 141-52, 261-65, at 147.

²¹ Wigger, *op. cit.* (1885), 262-63.

Nicholas's charter (no.396), cited by Wigger as granted "in 1232", is in fact the sole document which actually names the Scottish princess. As such it deserves to be quoted in full. It is an attestation by Nicholas, "*princeps Sclauie*," that his father, Sir Henry of Werle, gave, with his consent, land in Wildeshausen in return for weekly masses for his family, living and dead: "*Nicolaus, Prince von Werle, testifies that his father Heinrich von Werle gave two properties in Wildeshusen [to Amelungsborn Abbey] for requiems for his family.*"

*"Dei gratia Nicolaus princeps Sclauie omnibus hoc scriptum inspicientibus vel audientibus in perpetuum. Presentium exhibitione cum mei sigilli appensione fideliter protestor, quod bone memorie dominus Henricus de Werle pater meus, consensus meo sicut decuit accedente, mansos duos in uilla Wildeshusen sitos pro remedio suo et matris mee domine Christine anime, necnon pie memorie domini Burwini aui mei, et patru mei Nicolai ceterorumque omnium sue stirpis heredum, presentium siue futurorum, deo et sanctis eius obtulit in perpetuum, arbitrio sororis Christine recluse de Satowia relinquens, ut singulis septimanis missa una pro uiuis et altera pro defunctis pro iam dictis fidelibus persoluatur, in loco, ubi eidem visum fuerit, ordinare."*²²

Heinrich Burwin II's mortification, which has not survived, must have been made shortly after the death of his brother Nicholas on 28 September 1225. His son's attestation was made in or after 1227, since he refers to his grandfather Sir Burwin, who died on 28 January 1226/7, as deceased ("*pie memorie*").

On the basis of this charter Wigger concluded, "*At that time according to her son's attestation the widowed Princess Christine lived as a holy sister and hermit in Satow ('soror Christina reclusa de Satowia')....A woman,*" he argued, "*who had entered into such a close relationship with the Cistercian order, and who lived as a holy sister in a court belonging to this order, would no doubt from time to time have practised her devotion in the Cistercian Abbey of Doberan, of which her husband was co-founder.*"²³

It would be absurd to suppose with Wigger that "*matris mee domine Christine*" and "*sororis Christine reclusa de Satowia*" were references to the same woman or that the *reclusa* was she who, two decades later, obtained the papal indulgence to enter Doberan Abbey "*cum sex matronis honestis*" to pray at her husband's tomb "*bis vel ter in anno causa devotionis.*" The two known daughters of Heinrich Burwin II, Margaret and Matilda, were very probably named for their grandmothers – Matilda certainly was. It would not be surprising to find that a third daughter had been named Cristina for her mother.

Nicholas's charter has reached us only in a later copy.²⁴ There is nothing in it to suggest the *reclusa* was his mother. It is far more likely she was his sister, the word *mee* having dropped out of an original "*sororis mee Christine.*" It is worth noting that the *obit* of Heinrich Burwin II styles him "*principis Sclauorum filius, cuius consensu Satowia est collata.*" He may have provided for his daughter's life there as a recluse.²⁵

Having identified Cristina as the "*reclusa de Satowia,*" Wigger concluded his paper, "*Previously, her descent had been unknown, with the charter provided in 1232 by her son the sole reference to her life. Now we learn from the letter of Pope*

²² *Mek-Urk*, (1863), *op. cit.*, Vol.1, p.401, no.396.

²³ Wigger, *op. cit.* (1876), p.154.

²⁴ *Nach dem kleineren Diplomatarium des Klosters Amelungsborn aus dem 13-14 Jahrh. (fol.20) im Haupt-Archiv zu Wolfenbüttel.*

²⁵ *Mek-Urk*, (1863), *op. cit.*, Vol.1, p.318, no.324 b.

Innocent IV that Princess Christine was a daughter of the Scottish King William I the Lion, and that she was alive in 1248."²⁶

Wigger's muddled analysis was destined to ensnare an eminent victim decades later when Isenburg compiled his *Europäischen Stammtafeln*. Wigger's belief that Heinrich Burwin II had two wives, Sophia of Sweden and Cristina of Scotland, did not commend itself to Isenburg, who, nevertheless, provided that prince with a choice of two wives, both Swedish princesses!

1. ? Sophia d.1252, daughter of Karl VII (d.1167) (or daughter of King Knut).
2. Christine, married 1200, daughter of King Knut (d.1196).²⁷

The latter identification also appeared under Mecklenburg, where Heinrich Burwin II's wife is given as Christine, probable daughter of King Knut of Sweden, d. after 20 May 1248.²⁸

Isenburg dutifully accepted Wigger's imaginary Danish princess also, showing her as the daughter – and only child – of Prince Waldemar of Denmark (b.1209; d.28 Nov 1231) and his wife Princess Eleonore of Portugal (b.1211; d.13 May 1231), married on 24 June 1229. Their supposed daughter Sophie, who could only have been born in 1230 or 1231, is said to have married before 15 Feb 1237 and died before 24 April 1241, having borne Heinrich Burwin III four sons – a remarkable achievement for a child of such tender years!²⁹

Oddly enough, there is no mention of Cristina in the Scotland table, since Isenburg omitted all of William I's illegitimate children.³⁰ He also omitted Margaret, the Maid of Norway, the granddaughter and sole heir of Alexander III (d.1286), who died, aged seven, at Kirkwall in Orkney "*between the hands of Bishop Narfi*" towards the end of September 1290. The death of this young queen, the intended bride of the future Edward II, led to the Great Cause, the brief reign of King John, and the Wars of Independence, events superbly narrated by Geoffrey Barrow.³¹

In the end, by a curious twist of fate, all mention of Cristina of Scotland, sister of Alexander II and wife of Heinrich Burwin II, whose identification was the object of Wigger's 1876 paper, simply vanished from the pages of Isenburg's *ES*! When the genealogical dust finally settled and Schwennicke's revised volumes of that work appeared, we find Heinrich Burwin III's wife correctly identified as Sophia of Sweden, daughter of King Erik Knutsson (d.1216), while Wigger's Danish princess has happily disappeared, with Prince Waldemar's sole issue now shown as 1 child, died young.³² But again, there is no mention of Cristina of Scotland, the wife of Heinrich Burwin II now stated to be "*Christine of Sweden 1248, Recluse of Satow*

²⁶ Wigger, *op. cit.* (1876), p.154.

²⁷ Dr Wilhelm Karl, Prinz von Isenburg, *Stammtafeln zur Geschichte der Europäischen Staaten* (*Europäische Stammtafeln*, hereafter *ES* 1960), Marburg, 1960, revised & corrected from the 1953 edition by Frank, Baron Freytag von Loringhoven, Volume II, Tafel 77 (Sweden).

²⁸ *ES* (1960) II, Tafel 119 (Mecklenburg).

²⁹ *ES* (1960) II, Tafel 71 (Denmark).

³⁰ *ES* (1960) II, Tafel 67 (Scotland).

³¹ G W S Barrow, *Robert Bruce and the Community of the Realm of Scotland*, 1st-4th edns., London & Edinburgh (1965-2005). Barrow's death in December 2013 at the age of 89 has removed one of the pioneers of the resurgence in Scottish medieval studies following World War II.

³² Detlev Schwennicke, ed., *Europäischen Stammtafeln*, revised volumes, 1978-2011 (hereafter *New ES*), Volume 2, Marburg, 1984, Tafel 100 (Denmark); cf. Tafel 115 (Sweden).

daughter of King Sverker Karlsson the Younger",³³ an identification which seems still to hold the field today.

Wigger made no attempt to explain how and why this outlandish alliance came to be. The only possible link between Scotland and Mecklenburg at this period is provided by William I's abortive plan to settle the throne on Otto of Saxony. A marriage between Otto's nephew Borwin and William's illegitimate daughter might well have been a subsidiary part of this scheme, an earnest of the king's commitment. As Barrow, writing in 1971, observed, "In 1195 William put forward an over-ingenious proposal: his daughter Margaret should marry King Richard's nephew Otto of Brunswick (the future Emperor Otto IV), on condition that Margaret should succeed to the Scottish throne.....This plan, which might have produced some strange results, was vetoed by the Scots nobles, who (says Howden) could not stomach the prospect of a woman married to a foreigner taking the throne of Scotland while the king had a brother (David) and he a son (Henry)." ³⁴

The plan was again discussed by Duncan four years later in his *Making of the Kingdom*: "It is not known at what time the scheme was hatched to marry William's eldest daughter Margaret to Otto, second son of Henry the Lion, exiled Duke of Saxony, but it must have been after April 1194; there can be no doubt that Richard I was involved in it, for he was an intimate friend of Otto, who was his nephew, whom he made count of Poitou and finally persuaded the electors to make king of the Romans in 1198. In 1195, probably in the summer, William fell ill and tried to secure the acceptance of Otto as his heir; his recovery removed the pressure for an immediate decision – and Earl Patrick of Dunbar [William's son-in-law] and many other magnates were strongly opposed – but did not end the proposal. By December the two kings had agreed that Northumberland, Cumberland and Lothian should be the endowment of the couple, keeping Lothian and its castles in the hands of King Richard and the northern English counties in the hands of King William. How or when the young couple would enjoy their tocher is not clear, nor was the matter put to the test; hoping for a son (and perhaps because of opposition from the magnates), King William backed out from the scheme." ³⁵

In his later paper on Roger of Howden (1999) Duncan fleshed out the story. "The most likely explanation for Howden's presence at Melrose and for the great royal court there, as John Gillingham and I concluded independently, is to be found in his narrative of King William's extraordinary scheme – conceived when he fell ill at Clackmannan around June 1195 – that his daughter should marry Otto of Brunswick, Richard I's nephew, who would succeed to the Scottish throne. Despite opposition by magnates, led by the earl of Dunbar, William persisted, and at Christmas 1195, the English regent, Hubert Walter archbishop of Canterbury, came to York to meet him and to finalise a marriage treaty already negotiated, whereby William would secure Northumbria and Richard, Lothian. William resiled from this agreement because his wife was pregnant again and he did not go to York. Howden had been sent to bring the king south; his knowledge of events at Clackmannan in June was acquired during this autumn visit to Melrose...." ³⁶

³³ *New ES*, Volume 1, Part 3, Frankfurt am Main, 2000, Tafel 302 (Mecklenburg). Copies of these and other tables courtesy of Charles M. Hansen.

³⁴ G W S Barrow with the collaboration of W W Scott, *The Acts of William I King of Scots 1165-1214 (Regesta Regum Scottorum, 1153-1424, Vol.II)*, Edinburgh, 1971, Introduction, I "The Life and Reign of William I," p.15.

³⁵ A A M Duncan, *Scotland The Making of the Kingdom (The Edinburgh History of Scotland, Vol.1)*, Edinburgh, 1975, pp. 239-40.

³⁶ A A M Duncan, "Roger of Howden and Scotland, 1187-1201," in Barbara E. Crawford, ed., *Church, Chronicle and Learning in Medieval and Early Renaissance Scotland*. Essays Presented to Donald Watt on the Occasion of the Completion of the Publication of Bower's *Scotichronicon*, Edinburgh, 1999, Section B, "Church and Learning in Medieval Scotland," pp. 135-159 at 139; cf. p. 153, n. 36: "How serious the plan was we can deduce from the fact that Richard I made the disappointed Otto duke of Aquitaine [sic: count of Poitou], probably as solace."

William I would have known the ducal family of Saxony well, since he had hoped a decade earlier to marry Henry the Lion's daughter Matilda (1172-1209). Henry II (1133-1189), her grandfather, had returned to England from the Continent on 10 June 1184, followed two days later by his daughter Duchess Matilda (1156-1189) and her children. Duke Henry himself landed at Dover on 25 July and proceeded to Winchester, where he was met by the king.³⁷

On hearing of Henry's return, William, who had collected an army to subdue Gilbert of Galloway (d.1185), allowed it to disperse and "so quickly as he could he came to speak with his lord the king of England, bringing with him Hugh, bishop of St. Andrews, and many of the noblest of his land, both clergy and laymen."³⁸ The episode is recounted by Benedict Abbas:

"Et quamcitus potuit venit ad loquendum cum domino suo rege Angliae, adducens secum Hugonem episcopum Sancti Andreae et plures nobiliores terrae suae tam clericos quam laicos."

"Qui a domino Henrico rege honorifice susceptus, petiit ab eo sibi in uxorem dari neptem suam, scilicet Matildem filiam Matildis ducissae Saxoniae, licet consanguinei essent in tertio gradu ex parte regis Scotiae et in quinto gradu ex parte puellae," ie, second cousins twice removed. "Cui dominus rex Angliae respondit, rem bene processuram, Dio volente sed dominum papam prius inde oporteret consulere; cujus consensus gratius negotium expleretur."

In November 1184 the messengers returned from the papal court, their mission unsuccessful: "but they could not obtain it, because of the nearness of the relationship."

*"INTERIM redierunt a curia domini Papae, nuncii regis Scotiae, quod miserat pro quaerenda licentia ducendi filiam ducis Saxoniae, in uxorem, sed impetrare non potuerunt propter propinquitatem cognationis."*³⁹

The pope, Lucius III (1181-1185) was at Verona in October and November 1184, meeting with the German emperor Frederick I Barbarossa. Two years later Henry provided William a wife in the person of Ermengarde, daughter of Richard, vicomte of Beaumont-le-Roger (a grandson of Henry I), addressing him in these words:

"Inde est quod jam dudum collocuti sumus de nepte mea, filia ducis Saxoniae, tibi se fieri posset maritanda. Et quia id fieri Christianae legis institutio propter consanguinitatis proximitatem non permittit: tibi dabo in uxorem quondam consanguineam meam," etc., etc.

The nuptials were celebrated in the king's chapel at Woodstock, "praesente rege cum magna gloria," by Archbishop Baldwin of Canterbury on Friday, 5 September 1186.⁴⁰

Interestingly, this is the exact same relationship – the third and fifth degrees of consanguinity, second cousins twice removed – which proponents of the Brunswick solution to the Agatha problem claim subsisted between Emperor Henry V and Matilda of England, who were married on the feast of the Epiphany 1113/4. Armin Wolf, however, in a recent paper in this journal, has argued that this relationship was in fact a degree more distant. Citing the *German law book Sachsenspiegel Landrecht I 3, 3 and II 20, 1*, he writes, "Because Liudolf of Brunswick and Emperor Heinrich III came from two different marriages of the Empress Gisela, one degree more can be added to the

³⁷ R W Eyton, *Court, Household, and Itinerary of King Henry II*, London, 1878, p.256.

³⁸ Alan O Anderson, *Scottish Annals from English Chroniclers A.D. 500 to 1286* (hereafter SAEC), London, 1908, p. 286.

³⁹ Sir Archibald Campbell Lawrie, *Annals of the Reigns of Malcolm and William Kings of Scotland A.D. 1153-1214* (hereafter *Annals*), Glasgow, 1910, p. 253, no. C (Latin); SAEC, pp. 286-87 (English translation).

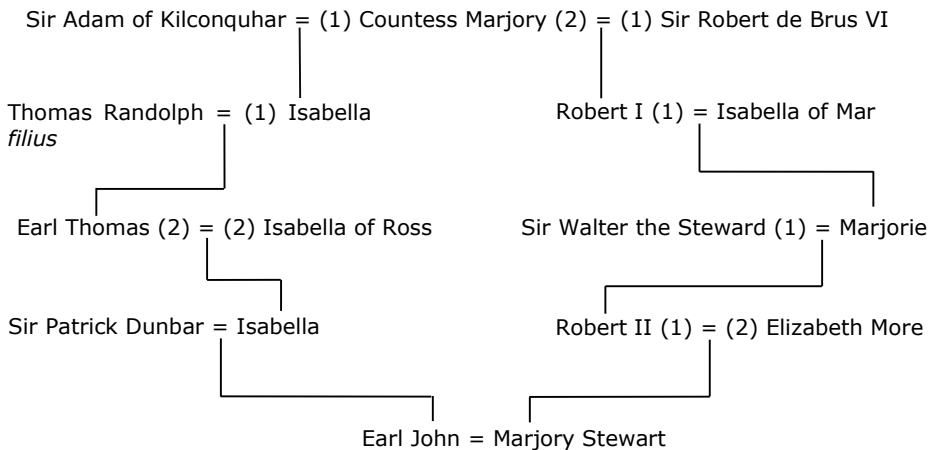
⁴⁰ *Annals*, pp. 265-66, no. CXI; SAEC, pp. 293-94.

relationship between Matilda of England and Emperor Heinrich V. Their first common pair of ancestors were 6:4 generations (degrees) distant.”⁴¹

Wolf is mistaken here. Whatever the German law may have been, in **canon** law the forbidden degrees were reckoned by descent from a common stock, whether that descent was of the whole or the half blood, legitimate or illegitimate. Three Scottish examples will make this clear, all three, as it happens, of the half blood and one illegitimate.

1. John Dunbar, earl of Moray, married (disp.1370) Marjory, daughter of Robert II, related in the fourth degree. John was a great-grandson of Isabella of Carrick, Marjory a great-granddaughter of Isabella’s half-brother Robert I, the common ancestress being Marjory, countess of Carrick (1252-1292). See Chart 1.

Chart 1. Consanguinity of John Dunbar, earl of Moray, and Marjory Stewart

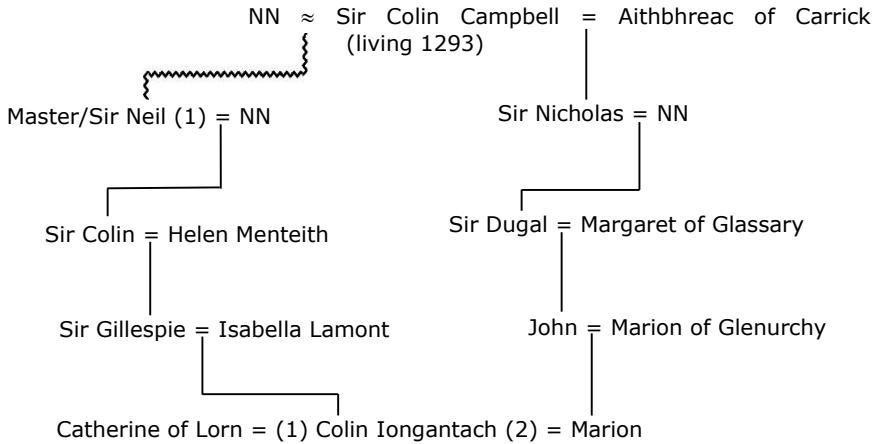


2. Colin *Iongantach* Campbell (1336-1412/14) having in 1371 repudiated his first wife (disp.1362) Catherine of Lorn, married the following year (disp.1372) his cousin Marion Campbell, an heiress of great estates, related in the fourth degree. (They were related in the third and fourth degrees as well.) Colin was a great-grandson of Master, later Sir, Neil Campbell, eldest, but illegitimate, son of Sir Colin Campbell (Colin *Mor*), Marion the great-granddaughter and sole heiress of Sir Colin’s son and heir Sir Nicholas Campbell (d.1305),⁴² the earliest Campbell to be named in the Latin history of the Mackintoshes. See Chart 2.

⁴¹ Armin Wolf, "Who Was Agatha, The Ancestress of Scottish and English Kings?" *Foundations* 3(6) (2011): 503-23 at p.513, (5) (a).

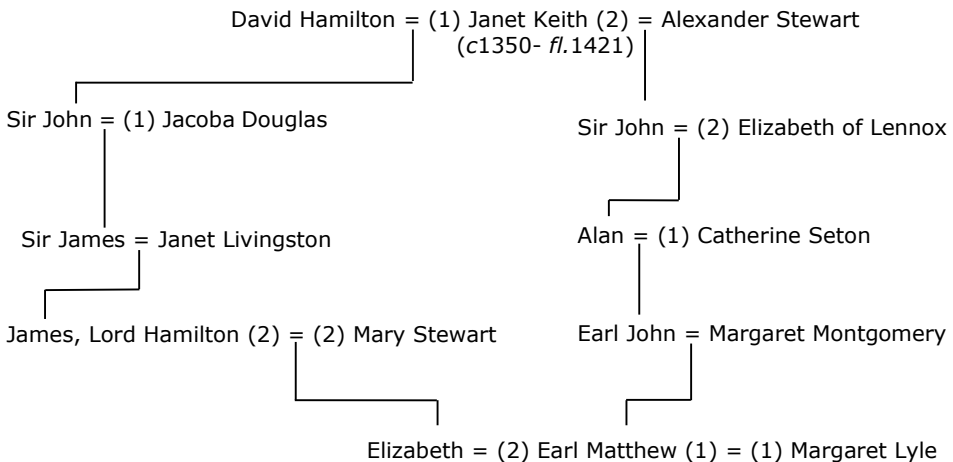
⁴² Andrew B W MacEwen, "The Wives of Sir James the Steward (d. 1309)," *Foundations*, 3(5) (2011): 396, Addendum.

Chart 2. Consanguinity of Colin Iongantach Campbell and his second wife, Marion Campbell



- Matthew Stewart, earl of Lennox (c.1465-1513), having divorced his childless first wife Margaret Lyle, then married in 1494 (disp. 1495) his cousin Elizabeth Hamilton, again related in the fourth degree. In this case the common ancestress was Janet Keith of Galston (c.1350-living 1421), their great-great-grandmother, through her successive marriages to David Hamilton (living 1381) and Alexander Stewart (living 1390), second son of Sir Alexander Stewart of Darnley (d.c.1400). See Chart 3.

Chart 3. Consanguinity of Matthew Stewart, earl of Lennox, and his second wife Elizabeth Hamilton



As Bishop Dowden observed, "By the time of Queen Margaret the rule had come to be well established that no persons related to one another by consanguinity up to and including the seventh degree could lawfully marry. The fourth Lateran council restricted the prohibition to the fourth degree, whether of consanguinity or affinity." And he noted, "The prohibitions extending to the seventh degree were fully established in England, if not earlier, certainly by 1075, when we find the rule laid down in the Constitutions of Archbishop Lanfranc. See Wilkins' *Concilia*, i. 363."⁴³ Sadly, Scottish dispensations before 1300 are practically non-existent. Perhaps a reader can cite some earlier Continental examples. The history of the forbidden degrees has been usefully summarized by Morris:

*"The third principle governing the new marriage system was the prohibition of matrimony within a wide group of blood relations. Earlier canon law defined this as the seventh degree of consanguinity, but there were two systems of computation. Under Roman law grades were calculated by counting up to the common ancestor and back again, so that cousins would be related in the fourth degree. The Germanic practice was to count by generations, cousins thus being in the second degree of consanguinity. The question of computation was discussed by Peter Damian in *De Gradibus Parentele* and then regulated by Alexander II. His decision was cited at length by Gratian. Alexander found for the calculation by generations, which had the effect of including a vast range within the seven prohibited degrees. These inevitably extended far beyond recorded family links and, if taken seriously, would have made it hard for the aristocracy to find wives. The rule could not have been enforced, and in 1215 the Fourth Lateran Council limited the prohibition to the first four degrees. Even this was far wider than the incest bars imposed by the Bible or accepted in modern society, but at least it was within manageable limits."*⁴⁴

The rule of seven prohibited degrees thus held sway from the pontificate of Alexander II (1061-1073) through the whole of the twelfth century and the first decade and a half of the thirteenth, until November 1215 when, as Morris further notes, "Another aspect of pastoral concern was shown in the reform of the marriage law. The reason was the 'danger for souls' presented by the older rule which prohibited marriage within seven degrees of relationship – a range so absurdly wide that it involved many people in unconscious breaches of the rules of the church and made it possible to obtain what in practice was divorce at will. The Council consciously amended this and restricted the range of prohibition to the fourth degree (canons 50-2)."⁴⁵

A day or two after Ash Wednesday, 23 February 1109/10, the young Matilda, fifteen days past her eighth birthday, set out for her new home in Germany, taking with her 10,000 marks of silver and many costly gifts. She was formally betrothed to Henry at his Easter court at Utrecht in April and crowned queen at Mainz on St. James's day, 25 July. The marriage took place four years later, a month before her twelfth birthday, at Worms, "in the most magnificent court in living memory."⁴⁶

Chibnall cites an anonymous chronicle dedicated to the emperor, "probably brought to England by Matilda," which describes "how the emperor celebrated Christmas at Bamberg, and made arrangements for his marriage which was planned to take place at Epiphany, at Worms," i.e., on Tuesday, 6 January 1113/14,⁴⁷ two days before Henry turned thirty-three. Ash Wednesday was 11 February in this year, quite possibly Matilda's twelfth birthday.

⁴³ John Dowden, *The Medieval Church in Scotland*, being the Rhind Lectures for 1901. Revised and greatly enlarged, Glasgow, 1910, p. 257 & n. 1; cf. p. 254: "Up to 1215 marriages were forbidden within the seventh degree."

⁴⁴ Colin Morris, *The Papal Monarchy: The Western Church from 1050 to 1250*, Oxford, 1989, p. 331; cf. p. 329.

⁴⁵ Morris, *op. cit.* (1989), p. 437.

⁴⁶ Marjorie Chibnall, *The Empress Matilda, Queen Consort, Queen Mother and Lady of the English*, Oxford, (1991), p. 26.

⁴⁷ Hollister, perhaps following Watson, gave the date as 7 January. Isenburg gave both dates.

The chronicle tells how Henry “had been betrothed three years before to Matilda, a daughter of Henry king of the English, a girl of noble character, distinguished and beautiful, who was held to bring glory and honour to both the Roman empire and the English realm. She was born of ancient lineage, most noble and royal on both sides, and gave promise of abundant future virtue in everything she said and did, so that all hoped she might be the mother of an heir to the Roman empire.”⁴⁸

Henry would however die, childless, on 23 May 1125, aged 44, after eleven years of marriage.

Two letters relating to Matilda’s marriage have survived, one, of 1108 or 1109, from Henry V to Queen Matilda, the other from Henry I to Archbishop Anselm of Canterbury, in March or April 1109, before the archbishop’s death on 21 April. Both were discussed by Leyser (1960), who began by asking “What then led Henry I to accept Henry V of Germany as his son-in-law and to renew connexions with the Salian house which had more or less been forgotten since Edward the Confessor’s time? The initiative for the match seems to have come from Henry V, but Henry I can hardly have wanted the alliance any less than the Salian king, since he sent him at least 10,000 marks of silver with Mathilda, not to mention other rich presents which she brought with her to Liège.” And he pointed out that “there is, in the famous Bamberg collection known as the *Codex Udalrici*, a letter of Henry V to Henry I’s queen, Mathilda, in which he thanked her effusively for speaking well of him to her husband and others. Henry V also expected that her goodwill should continue to be of service to him ‘in those things which we ask of your lord’. The wording suggests that this letter accompanied one of his embassies and it confirms that the negotiations took some time.”⁴⁹

There is nothing in this letter⁵⁰ to suggest that Henry was writing to his cousin, *ie*, to a great-great-granddaughter of his great-grandmother Gisela. Leyser also noted that “In March 1109, Henry I wrote a letter to Archbishop Anselm from Rouen and, amongst other items of news, he told him that the business which had been pending between himself and the emperor of the Romans was now brought to its conclusion ‘for the honour of God, our own, that of Holy Church and of all Christian people’. Mathilda’s marriage and probably also its terms seem to have been settled by then, at least in principle; for when Henry returned to England and kept his Whitsun court at Westminster on 13 June, imperial envoys arrive ‘to complete contracts’ and swear the necessary oaths guaranteeing their fulfilment.”⁵¹

Chibnall, citing the surviving original, adds that Matilda attested her father’s charter creating the see of Ely at Nottingham on Sunday, 17 October 1109, as “*sponsa regis Romanorum* – the betrothed wife of the king of the Romans.”⁵²

Matilda landed at Boulogne at the end of February 1109/10 and travelled to Liège where Henry received her “as befitted a king.” “The royal cortege then moved on to Utrecht, a wealthy trading city and favourite royal residence, for the Easter festivities on 10 April. Here the formal betrothal took place, and the emperor provided rich counter gifts for Matilda’s dowry.”⁵³

It is obvious that such a politically and dynastically important alliance would have been fortified by a papal dispensation had one been required. And there was plenty of time between the betrothal by proxy in 1109 and the marriage itself to obtain

⁴⁸ Chibnall, *op. cit.* (1991), p.26 & n.26, citing “*Anonymi Chronica Imperatorum Henrico V dedicata*,” Darmstadt, 1972.

⁴⁹ K J Leyser, “England and the Empire in the Early Twelfth Century,” 1960, reprinted in K.J. Leyser, *Medieval Germany and Its Neighbours 900-1250*, London, 1982, Chapter 8, pp. 91-214 at 194 & n.4.

⁵⁰ Dr Norman Ingham kindly provided a copy of this letter some twenty years ago.

⁵¹ Leyser, *op. cit.* (1960), p.193.

⁵² Chibnall, *op. cit.* (1991), p.16.

⁵³ Chibnall, *op. cit.* (1991), p.24

one, not least in 1111 when a vanquished and humiliated Paschal II was in Henry's power. Henry was crowned emperor by Paschal on 13 April 1111, but Matilda, like Gisela before her, was never crowned empress, though she clung tenaciously to the title for the rest of her life.

Wolf has argued that *"such a distant relationship did not necessarily need to be declared."* Since *"consanguinity was only pointed out in a minority of cases, the mention of such a relationship, distant by 5 or even 6 degrees, would be extremely unusual."*⁵⁴ Wolf must have been unaware of William I's hoped-for marriage to Matilda of Saxony, but even he acknowledged that the German nobility had a long memory. *"When Liudolf around 1023/30 gave his daughter a name, he will have known that he descended from Edgitha, Otto the Great's first queen (†946)."*⁵⁵

The descent, six generations, is 1. Edgitha (d.946), 2. Liudolf (d.957), 3. Richlind (d.997), 4. Hermann II (d.1003), 5. Gisela (d.1043), 6. Liudolf (d.1038).

Wolf showed in a pedigree that Liudolf's mother Gisela and Agatha's husband Edward the Exile (d.1057) were themselves related in the double fifth and fifth degrees of consanguinity, as descendants of the second and third marriages of King Edward the Elder (d.924), viz., double fourth cousins of the half-blood. Had Agatha been Gisela's granddaughter, she and Edward would have been related in the double seventh and fifth of the forbidden degrees.⁵⁶

After pointing out that when Agatha's son Edgar the Exile was *"sojourning at Emperor Heinrich IV's court in 1099/1100, the Emperor showered him with rich gifts,"* Wolf asserts that he not only was *"a great-great-grandson of the Empress Gisela"* but also – as *"cousin once removed"* – *"was in fact the Emperor's nearest living adult male relative (degree 3:2)"* at that time. *"This particular kinship makes his support of the landless refugee comprehensible,"*⁵⁷ he concludes. But it could just as well be argued instead that Heinrich IV, like his uncle Liudolf, will have known of his descent from Edgitha and also that Edgar was the last and luckless scion of the Anglo-Saxon kings. It would then be this certain – not supposed – kinship which *"makes his support of the landless refugee comprehensible."*

Liudolf's granddaughter Gertrude of Brunswick was, in Wolf's view, Agatha's niece. If so, she was one of Matilda's closest relatives in Germany and could hardly have been ignorant of the young girl's descent from Gisela. She was living at the time of the imperial marriage, dying four years later on 9 December 1117. Whether Agatha's son Edgar, who lived well into the 1120s, attended his grand-niece's nuptials appears to be unknown, but he could obviously have told Henry V's advisers who his mother's parents were. It cannot be argued that this impediment, had it existed, could have remained unknown and unrectified.

Furthermore, Gertrude of Brunswick was also, as it happens, the matrilineal great-grandmother of Henry the Lion, duke of Saxony. Had she been Agatha's niece, Duke Henry would have been the fourth cousin of William I through their common descent from Liudolf (see Chart 4). The king would thus have been related to Matilda of Saxony in the fifth and sixth degrees as well. But, as we have seen no such relationship was mentioned in 1184.

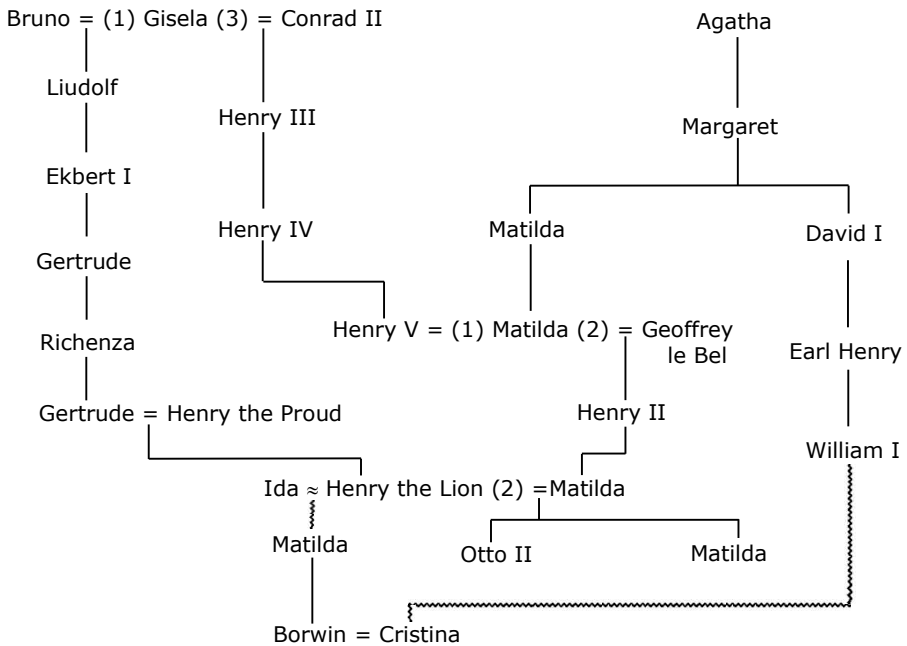
⁵⁴ Wolf, *op. cit.* (2011), p. 513 (5) (a); cf. p. 507, n. 21.

⁵⁵ Wolf, *op. cit.* (2011), p. 517, emphasis added.

⁵⁶ Wolf, *op. cit.* (2011), p. 510, Fig 2.

⁵⁷ Wolf, *op. cit.* (2011), p. 507 (7).

Chart 4. Ancestry of Borwin and Cristina



Wolf began his paper on a sour note by stating that “*Agatha, the wife of Edward the Exile (†1057), is ancestor to all Scottish kings from Duncan II in 1093, and all English kings from Henry II Plantagenet in 1154.*”⁵⁸ Duncan II (d.1094) was, of course, Malcolm III’s son by his **first** wife, Ingibjorg Earlsmother (c.1025-c.1065), widow of Earl Thorfinn of Orkney. The first Scottish king descended from Agatha was Edgar (d.1107), who was succeeded by his brothers Alexander I (d.1124) and David I (d.1153).

These kings, Margaret’s three youngest sons, along with her other children, must have been born later than has been assumed, since Fordun tells us that she was unable to conceive for some years (“*per aliquot annos*”) after her marriage. This information has been overlooked, since it is given in Fordun’s account of Alexander I: “*...quia parentes ipsius per aliquot annos infocundi, sobolis solatio errant destituti, donec devotione supplicii Sanctum Columbam implorantes, gloriose consecuti sunt, quod tam anhele desiderio diu quaesierunt.*”⁵⁹

Columba (521-597), abbot of Iona, whose feast was 9 June, was Malcolm III’s patron saint, while Margaret herself, “*the faithful queen*” Orderic recounts, “*rebuilt the*

⁵⁸ Wolf, *op. cit.* (2011), p. 503; cf. p. 508, Fig 1; p. 510, Fig 2; pp. 510-11.

⁵⁹ Walter Goodall, ed., *Joannis de Fordun Scotichronicon*, Edinburgh, 1759, Volume I, pp. 286-287 at 287 (Liber V, Cap. XXXVII). See also D E R Watt, general editor, *Scotichronicon*, 3:111 & note on p. 243: “*There was moreover the fact that his parents had been infertile and deprived of the comfort of children for some years, until they implored St Columba with suppliant devotion, and gloriously achieved what they had long sought with eager desire.*”

monastery of Iona...which had been destroyed in the time of wars and by great age. And she gave to monks fitting revenues for the work of the Lord, and restored it." ⁶⁰

King Edgar was probably born about 1078, Alexander I about 1080, and David about 1085. The child Malcolm, supposedly strangled by King Donald Bane, could hardly have been David's son. If the story is true, he was more likely the (elder?) son of King Duncan II.

After noting that Ailred of Rievaulx referred to Agatha as the emperor's "Kinswoman (cognata)," Wolf states, "A cognata is a relative on the female (distaff) side. Such a kinship would exist if Agatha was a daughter of Liudolf of Brunswick, whose mother, the subsequent Empress Gisela, was also the mother of Emperor Heinrich III." ⁶¹ This argument is fallacious. A *cognata* is simply a female as opposed to a male cousin, not a cousin *ex parte matris*.

However, the fact that some sources (e.g., Ailred) call Agatha the emperor's *cognata* – but never his *neptis* or *filia fratris* – suggests that the word *germanus* in the phrase *filiam germani imperatoris* is used in the broader sense of **cousin**, not brother of half-brother. This would open a much larger field of possibilities for Agatha's parentage. Isenburg, for example, refers to the nameless *Stammvater* of the *Landgrafen von Thüringen* (Band I, Tafel 44) as "a relative [Verwandter] of Gisela of Swabia, wife of Konrad II." Perhaps Agatha belonged to **this** lineage – or to one of a dozen others related in some way to the imperial house.

Wolf has usefully brought forward important information from the German sources. After noting that Jetté made "presumptions on the basis of incorrect dates," he points out that "Gisela, for example, was born in 989," citing Hlawitschka's 1978 paper *Zur Bleitafelinschrift aus dem Grab der Keiserin Gisela* (not seen). Isenburg had placed Gisela's birth c.993. She "evidently married Bruno of Brunswick in 1002," Wolf continued. "Their son Liudolf may have been born in 1002/04 – whatever the case he had in 1021 reached the age of majority, implying that Agatha could have been born between 1023 and 1030." ⁶²

Wolf offers a compelling argument for a marriage in 1002. "This date arises as a result of the royal election in the same year, in which Bruno was named as a candidate with few followers, yet was seemingly won over to the more promising (although also unsuccessful) candidate Hermann II of Swabia by the hand in marriage of his (Hermann's) daughter Gisela." ⁶³ It is unlikely that Liudolf was born as early as 1002/04. If Gisela was born in 989, the date accepted by Wolf, Liudolf might have been born in 1005, when his mother was sixteen. Wolf also shows that "in 1028 Liudulfus comes was named stepson of Emperor Konrad II (*privignus imperatoris*, MGH D K II 124) and in 1057 uncle to King (later Emperor) Heinrich IV (*noster patruus*, MGH D H IV 22)," adding that "Konrad II was the father of Emperor Heinrich III, who was the father of Emperor Heinrich IV." ⁶⁴

It seems odd that Liudolf should be the only known child of Gisela and her first husband. She bore three sons in rapid succession to her second and third husbands, *viz.*, Ernst II (d.1030) and Hermann (d.1038) to Ernst I of Swabia (d.31 May 1015), followed by Heinrich (b.28 Oct 1017) to Konrad II. Perhaps Liudolf was born even later than 1005. Gisela, whose two daughters by Konrad died young, also brought up – *adoptaverat in filias* – her sister Matilda's two

⁶⁰ SAEC, p. 116.

⁶¹ Wolf, *op. cit.*, (2011), p. 506 (5); *cf.* p. 512 (4).

⁶² Wolf, *op. cit.*, (2011), p. 514 (6) & n. 44.

⁶³ Wolf, *op. cit.*, (2011), p. 514 (6) & n. 45.

⁶⁴ Wolf, *op. cit.*, (2011), p. 505, n. 11.

daughters, Beatrix (d.1076) and Sofie (d.1092), “until they were married befitting their class.”⁶⁵

But there is another objection to the Brunswick solution, Liudolf (d.23 Apr 1038) married Gertrude of Egisheim, who outlived him by nearly forty years, dying on 21 July 1077. It is hardly a secret that she was a sister of the great reforming pope Leo IX (1049-1054) who was “born 21 June 1002 as Bruno, son of Count Hugh of Egisheim, Alsace, related to the imperial house, he was the third and greatest of the popes nominated by the German emperor Henry III (1039-56).....A real, if limited, precursor of the Gregorian reform, who after decades of humiliation brilliantly restored the prestige of the papacy, he was soon saluted as a saint;....”⁶⁶

The Great Schism of July 1054 between the eastern and western churches “must be attributed to his pontificate” – though Leo had died three months before – “since the Roman legates were acting in his name.”⁶⁷ “Perhaps few elements in his policy were completely new, but he implemented it with a force and vision which in a few short years changed the character of the Roman Church and its standing in western Christendom.”⁶⁸

Had Agatha been the sister’s daughter of this *papa mirabilis*, the chroniclers would have trumpeted the relationship to the heavens.

Matilda’s first marriage to Henry V, which did not require a dispensation, was in marked contrast to her second, to Geoffrey *le Bel*, count of Anjou, which did, as Chibnall shows in her biography of the Empress: “Whatever her personal wishes she finally acquiesced in her duty. In May 1127 she was escorted to Rouen by her brother Robert of Gloucester and Brian fitz Count for formal betrothal to Geoffrey of Anjou. Bishop Roger of Salisbury later complained that only they and John, bishop of Lisieux, were consulted about the marriage.” A year later, on Whitsunday, 10 June 1128, “young Geoffrey was given his arms as a knight by his future father-in-law, King Henry, at Rouen. On 17 June the marriage was blessed at Le Mans by Bishop Guy of Ploermel assisted by John, bishop of Sées.”⁶⁹ Only later in the book does Chibnall refer to the dispensation, “She had married into the house of Anjou, but she had also married a kinsman so close that papal dispensation had been necessary for the marriage to be valid.”⁷⁰

Neither Hollister in his *Henry I* nor Warren in his *Henry II* mentioned the dispensation, and Chibnall neglected to cite her source. Does any reader know its terms? Chibnall later returned to the matter in another context: “After the death of Stephen’s son, William of Blois, in 1159, Matilda’s son William asked for the hand of his widow, Isabella of Warenne. In 1163 Thomas [Becket] banned the marriage on the grounds of consanguinity. His decision was canonically correct: the two were distant cousins.....However great her respect for canon law, [Matilda] knew that she and Geoffrey of Anjou had married in spite of being more closely related than William and Isabella, and that dispensations could be procured with the help of political pressure and special pleading.”⁷¹

Such methods would, however, prove ineffective in 1184 when William I wished to marry her great-granddaughter.

Leyser (1975) discussed the already “much cited” letter from Matilda’s son Henry II (1133-1189) to Emperor Frederick I *Barbarossa* (1122-1190) – grandson of

⁶⁵ Wolf, *op. cit.*, (2011), p. 518 (2).

⁶⁶ J N D Kelly, *The Oxford Dictionary of Popes*, Oxford & New York, 1986, pp. 147a, 148b.

⁶⁷ Kelly, *op.cit.* (1986), p. 148a.

⁶⁸ Morris, *op. cit.*, (1989), p. 86.

⁶⁹ Chibnall, *op. cit.*, (1991), pp. 55-56.

⁷⁰ Chibnall, *op. cit.*, (1991), pp. 85-86.

⁷¹ Chibnall, *op. cit.*, (1991), pp. 167, 168.

Henry V's sister Agnes – which was delivered by the king's ambassadors at the imperial *curia* at Würzburg on 28 September 1157. Although the two were, according to the Brunswick solution, cousins in the sixth and fifth degrees, Henry addressed Frederick merely as his "*cordial friend*," not as his kinsman: "*To his cordial friend Frederick, by the grace of God unconquerable emperor of the Romans, Henry King of England, Duke of Normandy and Aquitaine and Count of Anjou greetings and the harmony of true affection.*"⁷²

Leyser also pointed out that in the protocol of an earlier letter from the emperor dated at Aachen, 6 May 1157, "*Henry was addressed as **frater** and **amicus**, that is to say as an equal, but Frederick was given an unusually solemn **intitulatio**," viz., "*Fredericus Dei gratia Romanorum imperator augustus, magnus et pacificus, a Deo coronatus.*"⁷³*

There is clearly nothing in these formal addresses to suggest that Henry and Frederick were kinsmen by common descent from Empress Gisela.

Less need be said of the proposed Kievan solution. This writer long ago pointed out that Agatha's great-grandson Earl Henry (d.1152) married in 1139 Ada de Warenne (d.1178), a great-granddaughter of Anna of Kiev. Had Agatha and Anna been sisters, the parties would have been related in the fourth degree of consanguinity – third cousins – yet nothing in the sources suggests that their marriage was incestuous or that a dispensation was required, let alone sought. John of Hexham, for example, merely states that Henry "*also received as his wife Ada, sister of earl William de Warenne and of Waleran, earl of Mellent, and of Robert, earl of Leicester. And he had by her his sons Malcolm, William and David.*"⁷⁴

Furthermore, there is not a hint in the sources to suggest that Queen Margaret (c.1051-1093) was the cousin german of Philip I (1053-1108) of France or that her children were second cousins of Louis VI (1081-1137) and, once removed, of Louis VII (1120-1180). Nor does any source call Agatha a sister of the queen of France.

Finally, there is the marriage of Henry II's son Henry (1155-1183) – the future 'young king' – and Louis VII's daughter Margaret (1155/6-1197), which was agreed upon at a conference between the two kings at the river Epte in August 1158. They were betrothed two years later at Neufbourg on 2 November 1160 with the consent of the Cardinal Legates Henry of Pisa and William of Pavia.⁷⁵ But again, we hear of no impediment to the marriage or the need for a dispensation. See Chart 5.

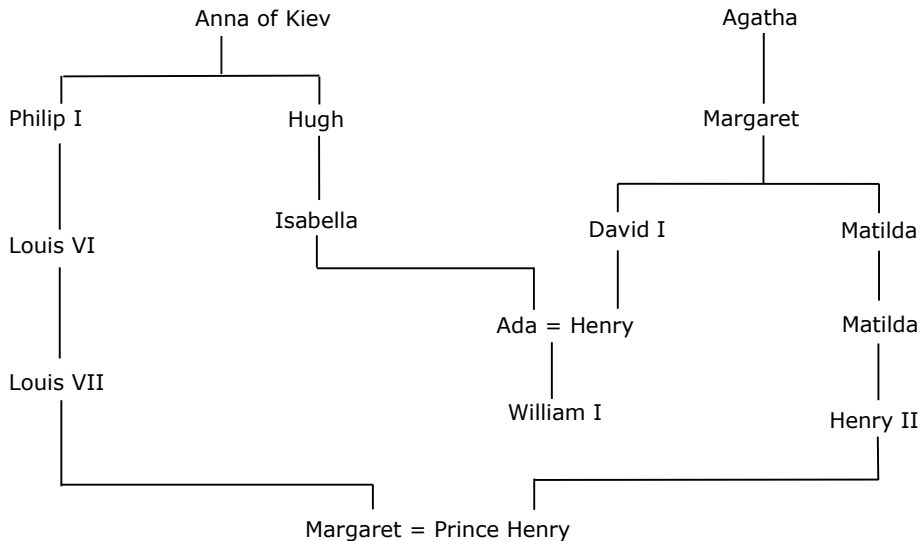
Of the four twelfth-century Henrician marriages discussed above, those of Henry V and Henry the Lion according to the Brunswick solution and of Earl Henry and the Young King according to the Kievan solution were within the forbidden degrees. But proponents of these two solutions have yet to show that even one of these marriages, all four of which had important political ramifications, was in fact incestuous in the eyes of the Church and required a dispensation. The reason why such evidence is not forthcoming should by now be obvious.

⁷² K J Leyser, "Frederick Barbarossa, Henry II and the Hand of St. James," 1975, reprinted in K J Leyser, *Medieval Germany and its Neighbours 900-1250*, London, 1982, Chapter 9, pp. 215-40 at 216-17.

⁷³ Leyser, *op.cit.* (1982) p. 235 & n. 3.

⁷⁴ SAEC, p. 215.

⁷⁵ Eyton, *op. cit.* (1878), pp. 41, 52.

Chart 5. Ancestry of Henry ‘the young king’ and his wife Margaret

Twenty years ago the author spent considerable time investigating a possible Polish solution (since espoused by Ravillious), which had – and has – its charms. But if pressed for an opinion, my best guess – no more – would be that Agatha was a granddaughter – perhaps great-granddaughter – and namesake of the Saint Agatha, Matron, whose feast falls on 5 February, *“The wife of a Count of Carinthia, devoted to her domestic duties and a model of patience under the most grievous trials. She was ever occupied in good works and especially in the care of the poor and distressed. She died AD 1024, and many miracles since worked at her tomb bear witness to her sanctity. She is not included in the Roman Martyrology, the Official Church Register.”*⁷⁶

Sadly, absent the fortuitous appearance of a document which actually names Agatha’s parents, her identity will probably never be known with certainty.

At the beginning of June 1226, Heinrich Burwin II, then aged 57 or 58, was lying on his deathbed at Gustrow. His last act was to found a collegiate church there with ten prebendaries. The charter, which is long and detailed, reads in part:

“In nomine sancta et indiuidue trinitatis. Ego Heinricus miseracione diuina dominus de Rostoch....digne animaduertens cum magno timore sentenciam extreme iudicii, qui sum aggrauatus innumerabilium sarcina peccatorumprout michi spiritus inspirauit domini, uolens consulere tam progenitorum meorum, quam successorum, necnon proprie saluti, de mea propria hereditate.... In loco, qui Guztrove nominatur, conuentualem ecclesiam canonicorum ad honorem dei terribilis, qui eque potenter principum et pauperum aufert spiritum, et eius intacte genitricis semperque uirginis Marie, necnon beati Johannis euuangeliste et beate Cecilie uirginis ordinaui, accedente consilio domini mei

⁷⁶ *The Book of Saints*, Compiled by the Benedictine Monks of St. Augustine's Abbey, Ramsgate, 3rd ed., New York, 1944, pp. 8b, 1.

Brunwardi Zuerinensis episcopi, necnon consensu patris mei Burwini, domini Magnopolensis, et filiorum meorum Johannis Nicolai, Heinrici, Pribizlavi, cum redditibus subsignatis." ⁷⁷

Oddly enough, neither his wife nor his deceased mother is mentioned. He died two days later, "in die Bonifacii," 5 June 1226, and was buried at Doberan Abbey. His children, four sons and two daughters; were identified by Wigger in 1885:⁷⁸ "Of the four sons of Heinrich Burwys II, three conferred exemption from duty to the people of Lübeck under their father's seal, 15 February 1226 [Charter 321]: Johannes, Nycolaus, Heinricus fratres, domini de Rozstoch. Wigger failed to notice the anomalous dating of this grant, which the *Urkundenbuch* places three and a half months before the death of their father on 5 June and nearly one year before the death of their grandfather on 28 January 1226/7. Cheney's comments are helpful here.

"The reckoning from Christmas," he observed, "was used in the Empire until the second quarter of the thirteenth century. Lady Day, the feast of the Annunciation on 25 March... during the twelfth and thirteenth centuries....replaced reckoning from the Nativity. It is often extremely difficult to know whether a source in this period was counting years from the Nativity or the Incarnation,...." ⁷⁹

In fact this charter is dated, not by the year of the Lord (*anno domini*) or by the year of Grace (*anno gratie*), but specifically by the year of the Incarnation: "*anno dominice incarnationis MCCXXVI.*" In other words, the charter was not issued in the second month of a year beginning on 25 December but in the eleventh month of a year beginning on 25 March. The date in modern reckoning is thus 15 February 1226/7, not 1225/6. The privilege in favour of Lübeck was one of the first acts of the brothers holding the *condominium* of Rostock, made just two weeks and four days after the death of their grandfather, when "*tota iurisdictio ac hereditas progenitorum nostrorum ad nos deuenit*" [Charter 344, 3 Dec 1227]. The fourth brother, Pribislaw, was apparently still too young to join in the grant.

Although the charter was printed "*aus dem Originale auf der Trefe zu Lübek,*" a note pointed out that the year had been read both as XXIII and XXVI: "*Die letzte Ziffer (der Jahreszahl) kann als III oder als VI gelesen werden; zwei Vidimus haben daher 1223, ein drittes 1226.*" The correct reading is clearly XXVI.

Wigger identified the daughters as Margaret and Matilda. "*On the 30 October 1230, Johann's sister Margarete was betrothed to the young Count Gunzel III von Schwerin. Mechthild, the wife of Sambor II, the Duke of Lübschau (d.13 Nov 1278), jointly attested her husband's charter of 10 July 1258 [Charter 828].*" Wigger also pointed out that the mother of Margarete – Christine – was not of Danish origin, but was rather a Scottish princess. The six children were presumably born between roughly 1200 and 1220.

Heinrich Burwin I's first marriage to Matilda of Saxony in 1167 had sealed an accommodation between his father Pribislaw and Henry the Lion. Matilda died before 1219, and his then wife Adelheid was named in his charter of 7 June 1222 (no. 282), along with his sons Henry and Nicholas. Although he was the actual founder of Doberan Abbey, the possibility that he had taken yet a third wife before his death on 28 January 1226/7 can safely be dismissed.

⁷⁷ *Mek-Urk*, (1863), *op. cit.*, Vol.1, pp.315-17, no.323.

⁷⁸ Wigger, *op. cit.*, (1885), pp. 149, 151e, 152f.

⁷⁹ C R Cheney, ed., *A Handbook of Dates For students of British History*, New Edition, revised by Michael Jones, Cambridge, 2000, pp. 9, 12.

A marriage in 1195 of Heinrich Burwin II to William I's daughter Cristina, then aged about fifteen, falls in perfectly with what little is known concerning the births of his children. (Isenburg assigned his marriage to c.1200.) The name Sophia was never used by the Scottish royal family, but Cristina is likely enough. Tales of Agatha's younger daughter must still have been current in William I's youth. Cristina's mother was probably named Margaret, but what family she belonged to is anyone's guess.

Nothing relating to the marriage is to be found in Barrow's edition of the acts of William I, nor does anything appear in the inventories of those twelfth and thirteenth century Scottish documents which disappeared at the time of the Great Cause. A quitclaim of "*quatuor marcatis terrae*" by an otherwise unknown Otto de Toniggo appears clearly to belong to the reign of Alexander III (1249-1286).⁸⁰ The Pipe Rolls of Richard I were searched for references to Borwin and his brother Nicholas, but nothing was found apart from one tantalising item which mentioned the duke of Saxony and certain unnamed *nepotes* – who proved, irksomely, to be the grandsons of Henry the Lion's English steward!⁸¹

Borwin and his brother Nicholas were Henry the Lion's only grandsons to reach adulthood in his lifetime, and he may have taken a special interest in them. They were in their early twenties when they consented to their father's confirmation to Doberan Abbey in 1192. While Duke Henry himself died in Brunswick on 6 August 1195, one or both of the brothers might well have been in their uncle Otto's entourage in England (and Scotland?), though evidence is lacking. As noted earlier, Barrow had observed that William I's plan "*might have produced some strange results.*" We now see that it did.

Cristina's heir at the time of the Great Cause was her grandson Heinrich I of Mecklenburg, who succeeded his father Johan I in 1264 and died on 2 January 1301/2. But he, probably wisely, advanced no claim to the Scottish throne as did the representatives of five other illegitimate children of William I.⁸²

Were it not for the papal indulgence of 1248, Cristina's identity, like Agatha's, would have been forever lost to history. We should never have known that William I had a daughter married to the lord of far distant Rostock or that a drop of the blood of Scottish kings flowed in the veins of a host of German princelings. James IV of Scotland, slain at Flodden in 1513, had some half a dozen descents from Cristina through his mother Margaret of Denmark (1456-1486).

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⁸⁰ William Robertson, *An Index... Of Many Records of Charters...Most of Which Records Have Long Been Missing*, Edinburgh, 1798, Introduction, pp. ix-xxvii at xxivb.

⁸¹ Copies of the Pipe Rolls courtesy of Adrian Benjamin Burke.

⁸² Sir Archibald H Dunbar, Bart., *Scottish Kings A Revised Chronology of Scottish History 1005-1625*, Edinburgh, 1899, 2nd ed., 1906, Pedigree III, pp. 282-83, nos. II, III, IV, VII, & VIII.

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