

# JEWES AND CHRISTIANS IN MEDIEVAL EUROPE

# Religion and Law in Medieval Christian and Muslim Societies

7

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In the middle ages, from Baghdad to Barcelona, significant communities of religious minorities resided in the midst of polities ruled by Christians and Muslims: Jews and Christians throughout the Muslim world (but particularly from Iraq westward), lived as *dhimmis*, protected but subordinate minorities; while Jews (and to a lesser extent Muslims) were found in numerous places in Byzantine and Latin Europe. Legists (Jewish, Christian and Muslim) forged laws meant to regulate interreligious interactions, while judges and scholars interpreted these laws.

*Religion and Law in Medieval Christian and Muslim Societies* presents a series of studies on these phenomena. Our goal is to study the history of the legal status of religious minorities in Medieval societies in all their variety and complexity. Most of the publications in this series are the products of research of the European Research Council project RELMIN: The Legal Status of Religious Minorities in the Euro-Mediterranean World (5<sup>th</sup>-15<sup>th</sup> centuries) ([www.relmin.eu](http://www.relmin.eu)).

Au moyen âge, de Bagdad à Barcelone, des communautés importantes de minorités religieuses vécurent dans des Etats dirigés par des princes chrétiens ou musulmans: dans le monde musulman (surtout de l'Iraq vers l'ouest), juifs et chrétiens résidèrent comme *dhimmis*, minorités protégées et subordonnées; tandis que de nombreuses communautés juives (et parfois musulmanes) habitèrent dans des pays chrétiens. Des légistes (juifs, chrétiens et musulmans) édictèrent des lois pour réguler les relations interconfessionnelles, tandis que des juges et des hommes de lois s'efforcèrent à les interpréter.

La collection *Religion and Law in Medieval Christian and Muslim Societies* présente une série d'études sur ces phénomènes. Une partie importante des publications de cette collection est issue des travaux effectués au sein du programme ERC RELMIN : Le Statut Légal des Minorités Religieuses dans l'Espace Euro-méditerranéen (V<sup>e</sup>-XV<sup>e</sup> siècles) ([www.relmin.eu](http://www.relmin.eu)).



JEWES AND CHRISTIANS IN  
MEDIÉVAL EUROPE:  
THE HISTORIOGRAPHICAL LEGACY  
OF BERNHARD BLUMENKRANZ

Edited by  
Philippe Buc, Martha Keil and John Tolan

BREPOLS

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## FOREWORD

This volume contains the fruits of a conference organized at the Österreichische Akademie der Wissenschaften in Vienna on 23–25 October 2013. We brought together 15 specialists on the history of medieval Judaism to discuss the legacy of Bernhard Blumenkranz. Bernhard Blumenkranz was born in Vienna in 1913 to a family of Polish Jews.<sup>1</sup> He went to France at about the time of the *Anschluss*; he was arrested and placed in the Gurs prison camp in Pyrénées Atlantique, where the Vichy government interred foreign-born Jews. He escaped from Gurs and made his way to Switzerland, where he stayed out the war in Basel and prepared a doctorate at the University of Basel on the portrayal of Jews in the works of Augustine.<sup>2</sup>

After the war, he moved to France and wrote a *thèse d'État* entitled '*Juifs et chrétiens dans le monde occidental, 430–1096*' (Jews and Christians in the Western World, 430–1096). Through his numerous publications and through the foundation of two important research institutions (the Mission française des archives juives in 1961, and the « Nouvelle *Gallia Judaica* » in 1971), he revitalized the study of Jewish history in France and in Europe. His many publications and his teaching had a profound impact on the scholarship concerning medieval Jewish history and on the history of anti-Judaism and anti-Semitism. Most of his rich production falls into three areas. His earliest work deals with Christian perceptions of Jews and Jewish-Christian relations in the early Middle Ages: from Augustine to the first crusade. Much of this work involved the close study of Latin texts, for some of which he produced critical editions (notably Gilbert Crispin's *Disputatio judei et christiani*, published in Utrecht in 1956).<sup>3</sup> His second major field of research, beginning in the 1960s, was the place of Jews in Medieval Christian iconography. Finally, towards the end of his career, he wrote extensively about the history of the Jews in France, from the Middle Ages to the modern era.

In all of these areas, Bernhard Blumenkranz's work was fundamental in reassessing and in reinvigorating research. A generation of scholars has been profoundly influenced by his work, and much of the work in these three fields over the past fifty years has been built on the foundations that he laid. In some cases his conclusions have been called into question or nuanced: for example on the First

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<sup>1</sup> This brief biography is based on 'Blumenkranz, Bernhard', in *Dictionnaire encyclopédique du Judaïsme*, Geoffrey Wigoder and Sylvie Anne Goldberg, ed. (Paris: R. Laffont, 1996) and on Gilbert Dahan's preface to Bernhard Blumenkranz, *Juifs et chrétiens dans le monde occidental, 430–1096* (Leuven: Peeters, 2006).

<sup>2</sup> Bernhard Blumenkranz, *Die Judenpredigt Augustins* (Basel: Helbing & Lichtenhahn, 1946).

<sup>3</sup> See now *The Works of Gilbert Crispin*, ed. Anna Sapir Abulafia and Gilian R. Evans (London: 1986).

Crusade as a break between an early Medieval Christian society largely tolerant of Jews and a later Medieval society overwhelmingly hostile. But even where scholars have argued against his positions, they have acknowledged their fundamental debt to the questions he posed and to his ground-breaking research in the field.

In the Anglo-American world, his influence was sometimes explicit, sometimes self-evident. We cannot for this reason provide a literature review, and thus will limit ourselves to citing a few cases. Blumenkranz's chronology was received by such standard discussions of antisemitism as Gavin I. Langmuir, *History, Religion, and Antisemitism* (Berkeley: University of California Press, 1990), in the main accepted by Jeremy Cohen, *Living Letters of the Law. Ideas of the Jew in Medieval Christianity* (Berkeley: University of California Press, 1999), although he sees precursors of later changes already in the early Middle Ages, in particular with Isidore of Seville. See as well for the reception of Blumenkranz's position on Augustine Amos Funkenstein, *Perceptions of Jewish History* (Berkeley: University of California Press, 1993). The chronology – whether the eleventh century represents a predictable turning point (with fore-runners) is discussed in David Malkiel, 'Jewish-Christian Relations in Europe, 840–1096', *Journal of Medieval History* 29/1 (2003), 55–83. For yet another example in that historiography revisiting the narrative of high and late medieval persecution, see Jonathan Elukin, *Living Together, Living Apart: Rethinking Jewish-Christian Relations in the Middle Ages* (Princeton: Princeton University Press, 2007); for an example of sensitivity to the complexity of relations into the later Middle Ages, even on the charged topic of money-lending, see Joseph Shatzmiller, *Cultural Exchange: Jews, Christians, and Art in the Medieval Marketplace* (Princeton: Princeton University Press, 2013).

We would like to thank all of those who made possible this conference and this publication. The conference grew out of an international European collaboration. In France, we benefitted from the contribution of the JACOV team («De Juifs à Chrétiens : aux origines des valeurs») at the University of Toulouse, the Nouvelle Gallia Judaica (a research unit founded by Bernhard Blumenkranz) and the Maison des Sciences de l'Homme Ange Guépin in Nantes. Our Austrian partners were the Historisch-Kulturwissenschaftliche Fakultät of the Universität Wien; the Institut für Geschichte of the Universität Wien; the Institut für Österreichische Geschichtsforschung embedded at the same University; the Institute for Jewish History in Austria, and last but not least the Institut für Mittelalterforschung der Österreichischen Akademie der Wissenschaften, which hosted the conference (with special thanks to Walter Pohl). Franco-Austrian help came from the Institut Français de Vienne. Particular thanks go to Nicolas Stefanni in Nantes and Karin Jirik in Vienna for their handling of the logistics. Last but not least, thanks to the European Research Council (ERC), which provided funding



through the RELMIN project (*The Legal Status of Religious Minorities in the Euro-Mediterranean World, Fifth-Fifteenth Centuries*). Our thanks also to Brepols and in particular to Loes Diercken for help with the publication.

This volume is part of a wider reflection, as the seventh volume of the collection 'Religion and law in Medieval Christian and Muslim Societies' on social and legal status of religious minorities in the Medieval world. The first volume, *The Legal Status of Dhimmī-s in the Islamic West*, published in 2013, examined the laws regarding Christian and Jews living in Islamic societies of Europe and the Maghreb and the extent to which such legal theory translate into concrete measures regulating interreligious relations. The second volume in this series (published in 2014), was devoted to *Jews in Early Christian Law: Byzantium and the Latin West, 6<sup>th</sup>-11<sup>th</sup> centuries*. Volume 3, *Religious cohabitation in European towns (10th-15th centuries)*, was published in 2014, as was volume 4, a monograph by Clara Maillard entitled *Les papes et le Maghreb aux XIII<sup>ème</sup> et XIV<sup>ème</sup> siècles: Étude des lettres pontificales de 1199 à 1419*. Volume 5 (2015) was devoted to *Expulsion and Diaspora Formation: Religious and Ethnic Identities in Flux from Antiquity to the Seventeenth Century*, whereas volume 6 (2015), opening up comparative perspectives from the Middle Ages to the twentieth century, addresses *Religious minorities, integration and the State*. Subsequent volumes, to be published in 2016, are *Law and Religious minorities in Medieval Societies: between theory and praxis*; and *Medieval Minorities: Law and Multiconfessional Societies in the Middle Ages*. And the RELMIN database continues to make available online key legal sources of the Middle Ages concerning religious minorities.<sup>4</sup>

Philippe Buc, Martha Keil and John Tolan

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4 <http://www.cn-telma.fr/remlin/>.



# MEDIEVAL CHRISTIAN–JEWISH RELATIONS IN THE WRITINGS OF BERNHARD BLUMENKRANZ

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With your indulgence, I would like to begin this contribution on a brief personal note, a note of appreciation for generosity on the part of the scholar memorialized in this conference. During the summer of 1965, I arrived in Paris to begin a year of research toward my Columbia University dissertation. My advisor – Gerson Cohen – had written to Bernhard Blumenkranz to introduce me, and I followed up by contacting him. Bernhard Blumenkranz was extraordinarily kind to me; he provided orienting guidance, invited me to join his seminar at the École Pratique des Hautes Études, met with me from time to time during the year, and invited my wife and me to his home. I have always felt grateful for his encouragement and support at this early point in my career and thus welcomed with delight the invitation to situate the œuvre of Blumenkranz.

In this chapter entitled ‘Medieval Christian–Jewish Relations in the Writings of Bernhard Blumenkranz’, I shall focus on Christian–Jewish relations during the first half of the Middle Ages as projected by Bernhard Blumenkranz in his *Juifs et chrétiens dans le monde occidental, 430–1096* (which was in effect a continuation of his important doctoral study on Saint Augustine).<sup>1</sup> In order to comprehend both Blumenkranz’s study of Christian–Jewish relations in his dissertation and in *Juifs et chrétiens dans le monde occidental*, it is necessary to recall the circumstances under which he began his academic career in Paris.

This was a period during which the material devastation of World War II was still very much in evidence, as was the destruction of institutions of intellectual life. France had long been the center of active and important Jewish studies prior to the war, but the institutional frameworks for supporting research and the training of young scholars were decimated. Blumenkranz’s life – like so many other lives – had been radically disoriented by developments during the 1930s and the eventual war. He had left his native Austria in the face of the rise of Nazism, had suffered internment in France and had made his way to Switzerland, and there

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<sup>1</sup> Bernhard Blumenkranz, *Die Judenpredigt Augustins* (Basel: Helbing & Lichtenhahn, 1946); idem, *Juifs et chrétiens dans le monde occidental, 430–1096* (Paris: Mouton, 1960).

had completed his valuable doctoral dissertation on Saint Augustine. Once resettled in France subsequent to the end of the war, Blumenkranz became an integral part of – indeed a leader in – the effort in France to revitalize the study of the Jewish past. To do so, he created a number of important vehicles for collecting and disseminating the sources that reflect French-Jewish history and for publishing valuable scholarly works as well.

The same post-war environment influenced the foci of Blumenkranz's own scholarship. The rise of anti-Semitism as an intellectual and eventually political force in Europe made the issue of Judaism and the Jews central to much Western thinking during the closing decades of the nineteenth century and the opening decades of the twentieth. The anti-Semites made a series of damaging assertions about Jews – their nature, their history, and reactions to them over the ages. According to anti-Semitic thinking and research, Jews were indisputably different from their neighbors, at least in all Western societies. It was further alleged that Jews had a lengthy – indeed interminable – history of causing serious harm to societies that hosted them. The harmfulness of the Jews was – in the anti-Semitic view – widely recognized and acted upon. Jews were allegedly the objects of unceasing hatred on the part of their majority neighbors. This in effect made the modern phenomenon of anti-Semitism merely the continuation of age-old and ubiquitous anti-Jewish sentiment, although the anti-Semites claimed to have reached more accurate perceptions and more penetrating analysis of the purported 'Jewish problem.'

These claims were widely accepted in broad sectors of late-nineteenth and early-twentieth-century European society. They had to be challenged by those who found them inaccurate or in fact abhorrent, and they were indeed vigorously combatted. A number of alternative explanations for recurrent Judeophobia were proposed by Western thinkers, Jewish and non-Jewish alike. Some Jews and non-Jews were attracted to economic causation as the explanation for historic anti-Jewish sentiment. Jews – it was claimed – had been denied open access to majority economies and had, as a result, gravitated to banking and moneylending, both of which have historically been unpopular. Other observers were attracted to sociological considerations. Jews had allowed themselves to accept minority status in the societies of others over the ages, thereby forfeiting the normality of almost all other peoples, who lived in majority societies in their own lands. Societal minorities are often disliked and feared by their majority neighbors, and – in this sociological view – so it was over the ages with the Jewish minorities.<sup>2</sup>

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2. The focus on Jewish economic and sociological deformities was paramount among the Jewish nationalist and Zionist thinkers and historians. For discussion of both groups, see the valuable overview of Michael Brenner, *Prophets of the Past: Interpreters of Jewish History* (Princeton: Princeton University Press, 2010), Chapters 3 and 5.

Yet another perspective on anti-Jewish sentiment highlighted historical factors, especially the role of Christianity and the Church. In the 1930s, as the Nazis were coming to power, the English clergyman James Parkes argued that, despite the Nazi claim to have left religious considerations behind, in fact anti-Semitism could be traced back into the history of Christianity. Parkes projected the history of anti-Semitism as a three-part saga, beginning in Antiquity with the earliest stages in the development of Christianity, intensifying during the Middle Ages under altered circumstances, and culminating in what Parkes saw as the frightening specter of modern anti-Semitism.<sup>3</sup> Immediately after the end of the war, the French historian and thinker Jules Isaac made a powerful and influential case for the Christian roots of modern anti-Semitism.<sup>4</sup> Isaac's views had enormous impact on a number of Christian churches and on broad public opinion.

All this was very much in the air as Blumenkranz began his scholarly career and profoundly influenced his scholarship. His doctoral dissertation on Augustine represented an effort to analyze the thinking of one of the major synthesizers – indeed *the* major synthesizer – of early Christianity. Blumenkranz proceeded from Augustine onward in what is arguably his most important scholarly contribution, his *Juifs et chrétiens dans le monde occidental*. In one sense, Blumenkranz in *Juifs et chrétiens* was simply moving along chronologically, from late Antiquity to the first half of the Middle Ages. However, the movement involved much more than simple chronology. His doctoral dissertation focused on one man, Augustine of Hippo – a giant to be sure – and his thinking. *Juifs et chrétiens* was a far more ambitious work, in which Blumenkranz set out to survey the nature of Christian-Jewish thinking over an extended period of time and had to utilize for this purpose a very wide range of sources. This is part of the reason I have designated *Juifs et chrétiens* his most important scholarly contribution.

There is a second consideration as well in such a designation. Blumenkranz's study of Augustine was highly influential, but Augustine has been subjected to recurrent investigation, with major recent syntheses by Jeremy Cohen and Paula Fredriksen.<sup>5</sup> The Blumenkranz study of Christian–Jewish relations was painstakingly grounded in collection of relevant Christian sources, which appeared as a series of publications in the *Revue des études juives* and subsequently as *Les*

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3 See James Parkes, *The Conflict of the Church and the Synagogue: A Study in the Origins of Antisemitism* (London: Soncino, 1934); idem, *The Jews in the Medieval Community* (London: Soncino, 1938); and Robert Andrew Everett, *Christianity without Antisemitism: James Parkes and the Jewish-Christian Encounter* (Oxford: Pergamon Press, 1993).

4 Isaac's most influential statement came in his *L'enseignement du mépris* (Paris: Fasquelle, 1962).

5 Jeremy Cohen, *Living Letters of the Law: Ideas of the Jew in Medieval Christianity* (Berkeley: University of California Press, 1999), Chap 1; Paula Fredriksen, *Augustine and the Jews: A Christian Defense of Jews and Judaism* (New York: Doubleday, 2008).

*auteurs chrétiens latins du Moyen Age sur les juifs et le judaïsme*.<sup>6</sup> The relative paucity of sources for the first half of the thus Middle Ages has impeded the study of Christian–Jewish relations during this period, and the Blumenkranz study has remained authoritative, which is yet another reason I venture to call it his most important scholarly contribution. For this same reason, the book merited renewed scrutiny in the context of the conference out of which this volume has been produced.

Let us note immediately the personal meaning of Blumenkranz’s studies of both Augustine and Christian–Jewish relations during the first half of the Middle Ages, as indicated by the author himself. Blumenkranz opens *Juifs et chrétiens* with brief but striking general observations. His opening words are: ‘Every minority has disquiet as its portion, disquiet that causes it to reflect on its relations with those – in simplest terms the majority – that surround it, that hostilely confront it.’<sup>7</sup> He proceeds to note that this disquiet moves members of minority communities to examine the present circumstances of their relations with the majority, but to push that examination back into the past as well.

These general observations are applied immediately to the Jews. ‘The Jews, having known this minority condition for almost two millennia, have never ceased to proceed to this confrontation.’ Jews, in other words, have over the ages been keenly sensitive to their minority circumstances and have regularly reflected upon it. This leads to the following unexpected sentence: ‘Belonging to this minority, I could not escape this tendency of its spirit. In this way I was led to study the attitude of the Church Fathers toward the Jews [a reference to his dissertation].’<sup>8</sup> In these remarkable observations, Blumenkranz indicates that his previous study of Augustine and his present study of Christian–Jewish relations during the first half of the Middle Ages are by no means disinterested intellectual forays. Rather, both works have profound personal meaning for him as a member of the minority partner in the Christian–Jewish dyad.

Blumenkranz – ever the meticulous scholar – proceeds to identify the parameters of his study on Christian–Jewish relations during the first half of the Middle Ages. He clarifies both the geographic boundaries of his study and its chronological limits. His study is focused on Christian–Jewish relations in Latin Christendom, that is to say the Mediterranean areas of Italy, southern France, and Iberia, which housed old and well established Jewish communities, and the more slowly developing northern areas of England, northern France, the German territories, and on into Poland, where Jewish presence was new and slowly but

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6 Bernhard Blumenkranz, *Les auteurs chrétiens latins du Moyen Age sur les juifs et le judaïsme* (Paris: Mouton, 1963).

7 Blumenkranz, *Juifs et chrétiens*, p. ix.

8 Blumenkranz, *Juifs et chrétiens*, p. ix.

steadily growing. For tracing Christian–Jewish relations from Augustine and late Antiquity down through the European Middle Ages and into Western modernity, this is unquestionably the appropriate area to study.<sup>9</sup>

The geographic boundaries established by Blumenkranz require further brief comment. He did not seek to place these Jews of Latin Christendom within the broad context of Jewish life during the first half of the Middle Ages. He might well have noted that the Jews upon whom his volume was going to focus constituted a very tiny minority on the world Jewish scene. During the first half of the Middle Ages, the overwhelming majority of Jews in the world lived in the vast reaches of the Muslim world; there was an old and comparatively small Jewish community in the Byzantine Empire; the Jewish population of Latin Christendom was negligible.<sup>10</sup> Nonetheless, it certainly made sense for Blumenkranz to focus on this set of European Jewish communities – small though they were, since they constituted the connecting link between the Jews of late Antiquity and the Western Jews of the second half of the Middle Ages and modernity. It is, however, worth bearing in mind that these medieval European Jewish communities were extremely small in size.

The chronology of *Juifs et chrétiens* is clearly specified as well. The *terminus a quo* for the study is 430 and the *terminus ad quem* is 1096. The former is simply the date of Augustine's death and is clearly symbolic. With the death of Augustine, the basic contours of the early Church were set in place. As regards the Church's stance toward Judaism and Jews, the same is true. What is often designated the 'Augustinian synthesis' laid the foundation for Jewish life in medieval and modern Christendom. In Augustine's view, Jews had been granted by God the right to safe and secure existence in Christian societies. At the same time, they were to be limited in such ways as to assure that they inflict no harm on the Christian societies that hosted them, and they were to be constantly engaged by Christians in an effort to convince them of the Christian truth. 1096 was the date of the violent assaults on a number of Rhineland Jewish communities associated with the onset of the First Crusade.<sup>11</sup> For Blumenkranz, this date likewise was symbolic, pointing to the changes in Christian–Jewish relations that lay at

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9 There was to be sure a second grouping of Jews in Christendom during the Middle Ages, viz. the Jews of the Byzantine Empire. However, this sector of the medieval Christian world left little or no imprint on the evolution of European Jewish life and views of Jews in modern Europe.

10 I have emphasized this small size in *The Jews of Medieval Western Christendom 1000–1500*, Cambridge Medieval Textbooks (Cambridge, UK: Cambridge University Press, 2006).

11 The Jewish sources have been recently reedited (with a German translation) by Eva Haverkamp, *Hebräische Berichte über die Judenverfolgungen während des Ersten Kreuzzugs*, MGH Hebräische Texte aus dem mittelalterlichen Deutschland, vol. 1 (Hannover: Hahn, 2005). See in English Robert Chazan, *European Jewry and the First Crusade* (Berkeley: University of California Press, 1987).

the heart of the difficult circumstances that characterized Jewish life during the second half of the Middle Ages and the early modern centuries.

It is worth noting the linkage between the geography of *Juifs et chrétiens* and its chronology. Augustine's thinking, symbolized by Blumenkranz in the date of 430, was conditioned by the Mediterranean ambience in which Augustine lived and produced his remarkable *oeuvre*. This Mediterranean ambience remains in fact the focus of the Blumenkranz analysis in *Juifs et chrétiens*, since this constituted the area in which the majority of European Jews lived during the first half of the Middle Ages. 1096 – while often projected mistakenly as a broadly significant date in European Jewish history – in fact reflects developments in rapidly evolving northern Europe, very distant geographically, socially, and culturally from Augustine, the Mediterranean Basin, and the well established patterns of Jewish life and Christian–Jewish relations long in evidence there. We shall return to this linkage at a later point.

In *Juifs et chrétiens*, Blumenkranz addresses four broad aspects of Jewish-Christian relations during the first half of the Middle Ages: (1) normal social interaction between the Christian majority and the Jewish minority, which – according to Blumenkranz – involved no significant elements that would have been responsible for hostile and destructive Christian–Jewish relations; (2) competition for converts, which did to an extent – but only a limited extent – create friction between the two communities; (3) polemical exchanges between the two faiths, which heightened the sense of distance between the two communities, but again by no means decisively; (4) legal inequalities imposed on the Jews by the dominant role of the Church in European society. This set of issues led Blumenkranz to a complex overview of Christian–Jewish relations during the first half of the Middle Ages, with the eventual sense that the social interactions were firmly positive, the religious and legal relations were mildly negative, and the combination was comfortable enough for European Jews to live productively throughout these centuries.

In the first section of his book, Blumenkranz musters evidence of what he claims to be positive – or at least non-negative – Christian–Jewish interactions. His evidence is quite convincing. He notes that, during the first half of the Middle Ages, the external appearance of the Jews of Europe was in no way different from that of their neighbors and that the language utilized by the Jews did not distinguish them either – Jews utilized regularly and comfortably the language of the environment in which they lived. He further claims that Jewish economic activities were diversified and that there was no identifiably unique Jewish economic outlet or outlets.

The second major aspect of Blumenkranz's analysis of Christian–Jewish relations – the competition for converts – sounds a bit strange five decades later. In this regard, Blumenkranz was deeply influenced by the claims of Marcel Simon as



regards the Jews of late antiquity. Simon, in his path-breaking work *Verus Israel*, had argued that much of the tension between Christians and Jews in late antiquity flowed from active missionizing on the part of Jews and the competition this engendered with Christian missionizing.<sup>12</sup> Blumenkranz posited a continuation of this Jewish activism and the tensions it created into the Middle Ages. Many decades later, this sense of Christian–Jewish tension in late antiquity has receded considerably. For the first half of the Middle Ages, there is little or no sense of active Jewish missionizing and the role it might have played in Christian–Jewish relations.

Blumenkranz's depiction of the polemical issues debated by Christians and Jews during the first half of the Middle Ages is extensive and deserves ongoing attention. He examined the extant Christian sources carefully (Jewish polemical sources from the first half of the Middle Ages have not survived), and the Blumenkranz catalogue of issues argued by early medieval Christians and Jews is exhaustive. He insists, however, on clarification of the nature of this polemical argumentation. He claims that the polemical exchanges were generally spontaneous and relatively open – in effect an intellectual engagement. What does not appear – notes Blumenkranz – is the much later organized effort to confront Jews with sophisticated arguments carefully drawn up by ecclesiastical experts, with the ultimate objective of persuading Jewish auditors to abandon Judaism and accept Christianity. For Blumenkranz, the nature of the early medieval polemical exchanges reinforces the sense of amicable Christian–Jewish relations. Finally, the legal impediments imposed on the Jews are treated in much the same way. They involved traditional Church demands and were not perceived by the Jews as unduly restrictive, onerous, or hostile.

What thus emerges from this four-part examination is the following broad conclusion: The European social realities during the first half of the Middle Ages set a firm foundation for reasonably amicable Christian–Jewish relations. Jews were an established part of a diversified population and were in no way uniquely conspicuous. The polemical exchange between Christians and Jews and the legal liabilities suffered by Jews created a gulf between the two groups, but this gulf was not wide and dangerous. The negative elements in Christian–Jewish relations can be traced largely to ecclesiastical concerns and initiatives. Both the populace at large and the secular authorities seem to have been quite comfortable with the Jewish component in European society.

Against the backdrop of European anti-Semitism sketched out earlier, this portrait of Christian–Jewish relations is significant. The anti-Semitic claim that

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12 Marcel Simon, *Verus Israel: etude sur les relations entre chretiens and juifs dans l'empire romain 135–425* (Paris: E. de Boccard, 1964).

Jews – at least in Christendom – have regularly been different, recognized as harmful, and persecuted as a result is thoroughly negated by Blumenkranz's analysis. His reading of the sources available for Jewish life in Europe during the first half of the Middle Ages shows little or no evidence of marked Jewish difference in physical, social, or economic terms, little or no evidence of harm inflicted by Jews on the society around them, and little or no evidence of widespread animosity and persecution. Indeed, the Blumenkranz analysis suggests that, under comfortable social circumstances, Christianity and its teachings need not generate hostility toward Jews. There are to be sure differences between the two faith communities that Blumenkranz portrays effectively, but these differences need not eventuate in hatred and persecution.

Setting the chronological *terminus ad quem* at 1096 reflects Blumenkranz's strong conviction that the relatively positive Christian–Jewish relations he depicts did not last into the second half of the Middle Ages. The opening portion of the concluding section of *Juifs et chrétiens* is devoted to summarizing the relatively benign state of Christian–Jewish relations during the first half of the Middle Ages, to which the book is devoted. The closing segment of the concluding section highlights the deterioration of European Jewish life during the second half the Middle Ages and attempts to identify factors on the broad European scene that brought about the deleterious changes in Christian–Jewish relations. According to Blumenkranz, these factors involved changes in the Christian majority and included: the growing sense of conflict between the world of Islam and Christendom, which eventually involved the Jews as well; the crusading spirit that evolved out of this sense of conflict, which likewise had negative implications for Christian–Jewish relations; the tightening of relations between Church and State; the feudal system and its evolution into the powerful states of the second half of the Middle Ages.

I would like suggest yet another factor in the deterioration of Christian–Jewish relations during the second half of the Middle Ages, involving the Jewish minority. The small Jewish population of Latin Christendom during the first half of the Middle Ages actually consisted of two quite disparate elements. The larger segment of this Jewish population was found in the south – from the Italian peninsula across to the Iberian peninsula. This was a very old and well established Jewry, with roots that stretched well back into the centuries that preceded the emergence of Christianity. In effect, Blumenkranz's observations on Jewish economic and social life and on Christian–Jewish relations during the first half of the Middle Ages are almost entirely based on the features of Jewish life in this southern sector of Europe.

There was, however, a second segment of European Jewry – newer, smaller, and quite different. Jewish settlement in Europe was confined all through Antiquity and most of the first half of the Middle Ages to the well-developed

areas of the Mediterranean Basin. Jews very rarely made their way into northern Europe, and – when they did – it was largely to trade and not to settle. As signs of vitalization emerged in northern Europe during the late tenth and eleventh centuries, Jews for the first time ventured beyond the earlier perimeters of Jewish settlement and began to migrate into the north. We know little about this process, which almost certainly early on involved small numbers and has left no real evidence.

The venturesome Jews who made these moves encountered much different circumstances from those they left behind. Most significantly, these pioneering Jews were viewed by the Christian majority above all as newcomers, and the reception of newcomers into host societies is never warm. To be sure, there were elements in northern European society that welcomed the new Jewish settlers, especially the rulers of northern Europe, who saw in the Jewish immigrants valuable stimulation for the accelerating economy. The support of the governing authorities of northern Europe was crucial to successful Jewish settlement, but it by no means effaced the broad negativism of the population at large.

The essentially warm Christian–Jewish relations portrayed by Blumenkranz in *Juifs et chrétiens* reflect realities in southern Europe; they do not reflect alternative realities in the rapidly developing north. In the south, the old and established Jewish communities were nicely integrated into their environments and enjoyed the advantages of economic diversification. In the north, the new Jewish communities encountered resistance and hostility, first and foremost because they were perceived as newcomers. That these newcomers were Jews to boot served to exacerbate the resistance. The initial popular resistance in turn forced Jews into limited and problematic sectors of the economy and into dependence on the secular authorities that often raise hackles in the populace and that eventually put the Jews of the north at the mercy of these authorities, both for exorbitant taxation and ultimately for expulsion. I would urge that the altered circumstances of the Jewish minority in northern Europe – along with changes on the majority scene – played a major role in the deterioration of Christian–Jewish relations during the second half of the Middle Ages.<sup>13</sup>

In any case, the portrait laid out by Bernhard Blumenkranz of relatively positive Christian–Jewish relations during the first half of the European Middle Ages and for the precipitous deterioration of these relatively positive relations very much strengthens the case made by a number of recent scholars who locate the roots of modern anti-Semitism in developments on the majority scene in twelfth-century Europe and in the growing size and importance of the new

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<sup>13</sup> Again see Chazan, *The Jews of Medieval Western Christendom*.

northern-European Jewry whose origins lay in the remarkable vitalization of the north that began at the turn of the millennium.<sup>14</sup>

More broadly, the Blumnkranz analysis in *Juifs et chrétiens* has major implications for the study of Christian–Jewish relations over the ages or – in other terms – for the study of the history of anti-Semitism. Blumenkranz would surely have agreed that core Christian teachings laid a foundation for hostile relations, as argued for example by Parkes and Isaac. However, the potential of these teachings for engendering destructive Christian–Jewish relations was – in Blumenkranz’s view – by no means universally realized. In the Blumenkranz view, the negative potential provided by core Christian teachings was not actualized in Latin Christendom during the first half of the Middle Ages, largely because of structural aspects of majority society and – I would add – the nature of the well entrenched Jewish minority. Only when broad societal circumstances and the nature of the Jewish minority changed early in the second millennium did the negative potential turn into the actuality of fear, hostility, maltreatment, and persecution.

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<sup>14</sup> Scholars who have identified the roots of modern anti-Semitism in twelfth-century Europe – especially northern Europe – include Gavin I. Langmuir, *Toward a Definition of Antisemitism* (Berkeley: University of California Press, 1990) and *History, Religion, and Antisemitism* (Berkeley: University of California Press, 1990); Anna Sapir Abulafia, *Christians and Jews in the Twelfth-Century Renaissance* (London: Routledge, 1995); R. I. Moore, *The Formation of a Persecuting Society* (2<sup>nd</sup> ed.; Oxford: Blackwell, 1987; rev. ed. 2007); and my own *Medieval Stereotypes and Modern Antisemitism* (Berkeley: University of California Press, 1997).

I

THE MEDIEVAL CHURCH AND THE JEWS



# THE AMBIGUOUS NOTIONS OF JEWISH LEGAL ‘STATUTES’ AND ‘STATUS’ IN BLUMENKRANZ’S WORK

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In 1960, Bernhard Blumenkranz published *Juifs et chrétiens dans le monde occidental. 430–1096*, which had been his doctoral thesis – his ‘thèse d’Etat.’<sup>1</sup> The book discusses the history of the Jewish populations living in the Western part of the Roman Empire after the collapse of the imperial state and the creation of Romano-Germanic kingdoms. It ends with the period of the First Crusade, in which anti-Jewish pogroms, according to the author, were a key event in the history of the Western Jews. The work covers many aspects, such as theological controversies, economic and social activities, daily Jewish thought and culture, Christian artistic representations of Jews and Judaism, and the political and legal relationships between Jews and Christian authorities. As, all of you, present here, would agree, the originality of Blumenkranz’s analysis was a considerable *stimuli* to the historical research that followed suit in the divers fields of Jewish Studies. Among his important contributions is a dense and evocative legal history of the Jews, which he presents in the final chapter, entitled ‘La déchéance légale.’<sup>2</sup>

For Bernhard Blumenkranz, in the church of the Early Middle Ages, there were ‘jurists’ whose discipline, unlike that of the theologians, essentially consisted of imposing rigid categories on a flexible and shifting social reality.<sup>3</sup> These ‘jurists’ – in reality, bishops who were assembled in councils – tried to impose anti-Jewish measures on their populations and on the secular authorities, who were much less hostile to the Jewish populations than the bishops were. In particular, early medieval ecclesiastics tried to import the ‘Jewish statute’ of the imperial Roman age into the Romano-barbarian kingdoms. This statute consisted of the two titles

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1 B. Blumenkranz, *Juifs et chrétiens dans le monde occidental. 430–1096* (Paris: Mouton, 1960; repr. Paris-Louvain: Peeters, 2006).

2 Blumenkranz, *Juifs et chrétiens*, pp. 293–371.

3 My reservation towards the use of the word ‘jurists’ stands to the fact that there was not a specialized field in canon law until the end of the 12<sup>th</sup> Century. About the Juridical science during the Early Middle Age, see A. Wijffels, *Introduction historique au droit. France. Allemagne. Angleterre* (Paris: PUF, 2010), pp. 49–54.

dedicated to the Jews in the *Theodosian Code*. In doing so, they attempted to bring to fruition projects of ‘Jewish statutes’, projects that were never put into practice, as the Romano-barbarian princes did not include these statutes in their secular law codes (with the notable exception of the Catholic kings of the Visigoths). This was because, during the entire period in question, the prevailing legal principle everywhere in Europe was that of the personality of law.<sup>4</sup> This legal framework allowed the Jews to preserve their status as Roman citizens, a status that would have been degraded compared to the status of Christians, but, still, one that allowed them to practise their Jewish customs. It was only when the personality of law was substituted with territorial law – a process that took place between the 10<sup>th</sup> and 11<sup>th</sup> centuries – that the legal situation of the Jews, which had lost its ‘civic’ foundation, started to become fragile. It was from that moment on, that they were forced to obtain charters of privileges from the Carolingian and Ottonian emperors and from feudal lords. The purpose that the ecclesiastics of the Early Middle Ages had pursued in proposing Jewish statutes was thus attained starting in the High Middle Ages. This new foundation, at first glance favourable since it granted exemptions and privileges, was in reality much less stable and solid than their former civic status. On the one hand the Jews were legally marginalized compared to the rest of the population; on the other hand it made them personally dependent on the sovereign, who could undo these links at any time.

### *The Jewish Statutes*

In my opinion, the first interesting aspect of this thesis is the insistence upon the importance of the ‘Jewish statutes’. Blumenkranz claims that the absence of such statutes, which in the Early Middle Ages were simply a proposal by members of the church, was actually an indication that the Jews were being integrated into the legal framework of the period. In contrast, the creation of official Jewish statutes, in the form of charters of privileges in the High Middle Ages, placed the Jews in a separate legal category, comparable to the status of foreigners.

But I do not believe we can any longer plainly accept this analysis, considering what we now know about the roman and medieval legal systems. Let us examine what these Jewish statutes were according to Blumenkranz, and the state of mind that led to their creation during late antiquity and the Early Middle Ages.

The first Jewish statute dates back to the imperial Roman period. Blumenkranz states that chapters 8 and 9 in book 16 of the *Codex Theodosianus*

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4 On the principle of the personality of law, see Salomon Gutermann, *The principle of the personality of law in the Germanic kingdoms of Western Europe from the fifth to the eleven century* (New York: P. Lange, 1990).



could be described as a legal statute for the Jews.<sup>5</sup> He writes, quote: 'La masse des quarante-neuf lois, dans le *Code Théodosien* vont fournir la matière à une espèce de statut des juifs'.<sup>6</sup> At the end of the fifth century the Imperial Power of the Western Empire collapsed and the Latin territories fell under the political control of German chieftains, who created sovereign kingdoms. In Aquitaine, the Visigothic king, Alaric, ordered the creation of a compilation of Roman constitutions and doctrines in 506/507: the *Breviarium Alaricanum*.<sup>7</sup> In this new collection of legal texts, the imperial constitutions concerning the Jews were no longer located together. They were scattered throughout different titles and chapters of the *Breviarium*: 'Il importe de constater qu'il n'y a plus de groupement compact de ces lois, qu'il ne peut plus être question d'un "statut"'.<sup>8</sup> All through the period studied by the author of *Juifs et chrétiens*, there was no longer an official statute for the Jews, except once in Spain at the Fourth Council of Toledo. 'En 633, dix canons du IV<sup>e</sup> concile de Tolède se présentent comme une solution d'ensemble.'<sup>9</sup> In other regions there were statutes of ecclesiastical origin but those remained at the project stage, the secular power not having validated them. In the Frankish Kingdom, Agobard archbishop of Lyon and Florus, head of the Lyon's school sent to the Emperor Louis the Pious two proposed statutes: *De coertione iudaeorum* and *De fugiendis contagijs iudaeorum* (822–827). The last one was proposed again by Amolo, successor of Agobard, to the new emperor Charles the Bald, but it was never enacted.<sup>10</sup> Later, in 1094, Ivo of Chartres included in his *Decretum* a title containing a statute for the Jews.<sup>11</sup> The date that this collection of canons was written is important, according to Blumenkranz: it was written 'au lendemain de la croisade d'Espagne, à la veille des croisades proprement dites'.<sup>12</sup>

5 *The Theodosian Code and Novels and the Sirmondian Constitutions*, transl. by Cl. Pharr (Princeton: University Press; London: Oxford University Press, 1952). Also see: *The Jews in Roman Imperial Legislation*, ed. transl. and comment by A. Linder (Detroit: Wayne State University Press, 1987) and *Les lois religieuses des empereurs romains de Constantin à Théodose II (312–438) Vol. 1. Code théodosien – Livre XVI*, french transl. by R. Delmaire et al. (Paris: Le Cerf, 2005).

6 Blumenkranz, *Juifs et chrétiens*, p. 300.

7 See J. Gaudemet, *Le Bréviaire d'Alaric et les Epitome* (Paris: IRMAE, 1, 2, b, aa, 1965); M. Rouche and B. Dumézil, *Le Bréviaire d'Alaric. Aux origines du Code civil* (Paris: PUPS, 2008). About the imperial constitutions on Jews in the *Breviarium*, see C. Nemo-Pekelman, 'How did the *prudentes* work on the *Breviarium Alaricanum*? The example of the laws on Jews', in *Journal of Historical Research*, 86 (August 2013), 394–407.

8 Blumenkranz, *Juifs et chrétiens*, p. 300.

9 *The Jews in the Legal Sources of the Early Middle Ages*, ed. transl. and comment. by A. Linder (Detroit: Wayne State University Press, 1997), pp. 485–90.

10 *The Jews in the Legal Sources*, pp. 604–07. New edition in *Agobardi Lugdunensis Opera omnia*, ed. Leonardo van Acker, Corpus Christianorum. Continuatio mediaevalis, p. 52 (Turnhout: Brepols, 1981).

11 Linder, *The Jews in the Legal Sources*, p. 633.

12 Blumenkranz, *Juifs et chrétiens*, p. 305.

What state of mind guided the creation of these texts? For the *Theodosian Code*, it seems likely that when the codifiers of book 16 collected all the imperial constitutions relating to the Jews that had been issued since the reign of Constantine, they did not do so in simple practical terms, devoid of any ideological overtones. Indeed, Book 16 cannot be understood as a simple mechanical compilation, but was purposefully conceived as a work of legal doctrine with Christian orthodox inspiration.<sup>13</sup> We believe, therefore, that special sections on the Jews were created intentionally, as to deliver a Christian message.<sup>14</sup> This opinion comes from what we know of the ideological context that resulted in the compilation of the code and of the personality of its authors, and from analysing the contents of the collected imperial laws. As underlined by Lucio di Giovanni, it was decided to compile book 16 after the council of Ephesus and it was conceived apart from the other books of the Code.<sup>15</sup> Book 16 created three categories of religious enemies: Pagans, Heretics and Jews, taking its model from the Christian literature. The gathering of texts would have followed an ideological purpose: that of imposing a Christian vision of the world divided between Christians on the one hand, and Heretics, Pagans and Jews on the other. We also know that the commission responsible for editing the *Theodosian Code* was led by a certain Martyrius. And lo and behold, one year after the promulgation of the code in Constantinople, this Martyrius had a new imperial law issued, Novel III (31 January 438), which was unequivocally anti-Jewish.<sup>16</sup> This law summarized, and exacerbated, the most repressive measures that had been taken during the previous century and a half. The author was therefore especially anxious to regulate the position of the Jews in the Empire and made it a personal project. Lastly, an examination of the nature of the imperial laws collected in titles 8 and 9 reveals that they show no thematic unity from the point of view of classical Roman law. We find in these titles economic laws, penal laws, privileges, and tax exemptions. From a strictly logical legal point of view, nothing justified the concentration of these laws into a single place in the *Theodosian Code*. They certainly could have been included in the sections of other chapters dedicated to marriage,

13 See G. G. Archi, *Teodosio II e la sua codificazione* (Naples: Edizioni scientifiche italiane, 1976), 168; and E. Doveré, 'Corpus Theodosiani: Segno di identità e offerta di appartenenza', *Lezione tenuta a Napoli nella Sede della M. D'Auria Editore*, 12 marzo 2007 [<http://www.studitaroantichi.org/einfo2/file/Lezione%20Doveré.pdf>].

14 We need to distinguish between the long legislative process that runs from the reign of Constantine to the reign of Theodosius the Second, and the specific moment of codification which took place around 430 in Constantinople. Certainly, the constitutions given by the two Chancelleries of the Western and the Eastern parts of the Empire did not pursue a single goal and a coherent intellectual purpose. See C. Nemo-Pekelman, *Rome et ses citoyens juifs (IV<sup>e</sup>-V<sup>e</sup> siècles)*, (Paris: Honoré Champion, 2010), pp. 13–15.

15 L. De Giovanni, *Chiesa e Stato nel Codice Teodosiano. Alle origini della codificazione in tema di rapporti chiesa – stato* (Naples: Tempi moderni edizioni, 1997), p. 170.

16 Linder, *The Jews in Roman Imperial Legislation*, pp. 323–32.

inheritance, slaves, or curial duties. The only explanation for this concentration seems to be the desire to create a new category in the law of persons, unknown in Roman law: the category of 'Jews'.

But if the authors of book 16 were really pursuing an agenda to construct a Christian order by creating new legal categories, this enterprise did not have the same signification as it would have had within our modern legal frameworks; Frameworks, resulting from the American and French Revolutions, which proclaim the equality of all citizens before the law. We know that Roman citizenship, even in the Republican period, never had a democratic and egalitarian foundation, unlike Athenian citizenship.<sup>17</sup> The political rights of Roman citizens were always a function of their wealth, in particular. Likewise, in the imperial period, private rights (marriage, property, contracts) and penal law varied, and especially depended on whether the citizens were *honestiores*, *humiliores*, or *infames*. However, numerous individuals and groups in the Empire – civil and military officers, veterans, municipal and curial magistrates, professions, religious associations, cities – benefitted from exemptions or privileges that were very significant exceptions to the principle of equality before the law.<sup>18</sup> There was actually a very large plurality of civic statuses. In such a context, the establishment of new categories of citizens based on religion – Pagan, Heretic, or Jew – was not a substantial innovation from a legal point of view. The *Theodosian Code* did not establish Jewish citizenship in binary opposition with 'Christian citizenship', but it did add yet another new variant to the pre-existing mosaic of statuses.

This seems to be even more accurate for the period of the Early Middle Ages. When ecclesiastics tried to impose their projects for Jewish statutes, the issue at hand was not the exclusion of Jews from a homogenous national body. There were multiple Roman civic statutes, and to them were added ethnic statutes. From the time of Charlemagne, each ethnical group – Visigoths, Franks, Saxons, Lombards, etc. – officially enjoyed their own personal law.<sup>19</sup> In the High Middle Ages, the law of persons began to be based on territory, in the more restricted and fragmented sense of the law of the fiefdom or the city. Other customary law was also added to this, which created numerous disparities in the statutes, in particular those that distinguished between privileged knights and men of the church, bourgeois, peasant, and serfs.

In summary, to depict a society legally divided between Jews and Christians starting in the Late Empire, as Bernhard Blumenkranz does, is to forget that the

17 Certainly, the social and political realities were different and much more complex. See Cl. Nicolet, *Le métier de citoyen dans la Rome républicaine* (Paris: Gallimard, 1976), pp. 280–424.

18 P. Garnsey, *Social Status and Legal Privilege in the Roman Empire* (Oxford: Oxford University Press, 1970).

19 Gutermann, *The principle of the personality of law*, pp. 27–54.

group formed by second-class citizens was not at all homogenous, and also, it must be said, that the Jewish populations themselves did not all have an identical status in different times and places, even if there were several constants. The author is therefore guilty of the same anachronism that he denounces in the historians who preceded him, by applying modern concepts of the nation-state to an era where these concepts did not yet exist.<sup>20</sup> It seems likely to me that by giving such importance to the existence, or non-existence of these Jewish statutes, Blumenkranz – who, we should remember, was writing in the 1960s – was thinking of those that were written before and during the Second World War in European countries under Nazi domination or allied with them. On the anti-Semitic legislation of the Vichy regime, Danièle Lochak remarked:

Au-delà de leur fonction pratique, les lois raciales remplissent aussi une fonction idéologique en contribuant à imposer une vision du monde partagée en deux races distinctes et inégales – les Juifs et les Aryens –, et à inculquer l'idée que les juifs ne sont pas des Français comme les autres, ni même des hommes comme les autres.<sup>21</sup>

[Beyond their practical function, the racial laws also perform an ideological function. They contribute to impose a vision of the world divided into two different and uneven races: Jews and Aryans. And they inculcate the idea that the Jews are not French people as the others, nor even men as the others.]

The process of collecting all the laws concerning the Jews in an isolated corpus was a strong indication that they were being legally excluded from the rest of society. In a similar spirit, Bernhard Blumenkranz thinks that, concerning the sole Jewish statute that was officially promulgated by the secular authorities in the Early Middle Ages – i.e., the ten canons of the 4<sup>th</sup> Council of Toledo (633) – its authors presented it as ‘a comprehensive solution.’ As for the proposed statutes of ecclesiastical origin, he notes:

Même s'ils n'ont pas acquis dès notre époque le caractère de règlement d'ordre public, [ils] nous intéressent pourtant à double titre : par l'état d'esprit de leurs auteurs mêmes qu'ils accusent, et par la préparation des conditions futures qu'ils assurent.<sup>22</sup>

[Even if, in our age, they have not acquired the character of a regulation for the public order, they are nevertheless interesting for us for two reasons: because they reveal the state of mind of the authors, and because they lay the foundation for future conditions.]

20 Blumenkranz, *Juifs et chrétiens*, p. 297.

21 Danièle Lochak, ‘La doctrine sous Vichy ou les mésaventures du positivisme’, in *Les usages sociaux du droit* (Paris: CURAPP-PUF, 1989), p. 252.

22 Blumenkranz, *Juifs et chrétiens*, p. 306.

According to Blumenkranz, the Jewish statutes proposed by ecclesiastical authorities were intended to turn the laws concerning the Jews into a separate legal field. They anticipated the feudal period, when the legal status of the Jews depended on charters of privileges, which effectively placed them in the category of marginalized foreigners. But – and this is the main reason for my reservations towards Blumenkranz's thesis – the creation of Jewish statutes in the Early Middle Ages and High Middle Ages did not necessarily have to result in their legal marginalization and their rejection by the society of the day. We should keep in mind the considerations of Hannah Arendt, which I think are a useful clarification of the difference between the legal culture of the Middle Ages and that of our modern age. In Nazi occupied Europe and in its allied countries, before and during the second world war, Jews suffered legal persecutions which stripped them of their civil rights one by one. The loss of these civil rights, made them stateless persons, a necessary condition before their deportation.<sup>23</sup> The medieval phenomenon was obviously in no way comparable, neither in intensity and severity nor in nature, since the creation of Jewish statutes, even degrading ones, was not at all a first step in turning them into foreigners without any rights. While, according to Arendt, in the 20<sup>th</sup> century, legal marginalization was almost a mechanical step towards statelessness, in the Middle Ages, this legal situation, trivial considering the legal context in general, was perennial and in no way anticipated more serious deprivations in the future. In reality, it would seem that, as numerous authors have shown, the true cut-off should not be fixed at the time of the First Crusade, but much later, between the end of the twelfth century and the thirteenth century, when the papal monarchy asserted itself and established a new, organized and rational Christian legal order which was established through the publication of the decretals. The Jews were explicitly excluded from this legal system.<sup>24</sup>

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23 In the part of *Origins of Totalitarianism* dedicated to the problem of stateless persons in the twentieth century, Hannah Arendt warns: In order to realize the true implications of statelessness, one need only remember the extreme care of the Nazis, who insisted that all Jews of non-German nationality 'should be deprived of their citizenship either prior to, or, at the latest, on the day of deportation' (for German Jews such a decree was not needed, because in the Third Reich there existed a law according to which all Jews who had left the territory-including, of course, those deported to a Polish camp-automatically lost their citizenship). She refers to an order of Hauptsturmführer Dannecker, dated 10 March 1943, and regarding the deportation of 5,000 Jewish French (Nuremberg Documents No. RF 1216. Photostat in the Centre de documentation juive, Paris). See H. Arendt, *Origins of Totalitarianism* (New York: Harvest Book, 1976), p. 280.

24 See also J. Cohen, *The friars and the Jews. The evolution of Medieval Anti-Judaism* (Ithaca-London, 1982) who attributes this change to the activities of the newly formed mendicant orders – the Dominicans and Franciscans.

*The Jewish-Roman Status*

But if, from a legal point of view, the existence of Jewish statutes did not have the effect of marginalizing the Jews from the rest of society as if they were foreigners, could we not nevertheless say that, fundamentally, the measures concerning the Jews were more punitive than those issued for the rest of the population? To answer this question, we must now examine the content of the laws that made their legal status.

As far as the Roman Empire era is concerned, Blumenkranz thought the Jews were Roman citizens, but with a degraded status compared to their Christian neighbours.

Une série de déchéances légales les distinguent du citoyen chrétien, seul citoyen de plein droit : restrictions quant à la *factio testamenti* (lorsque parmi les descendants se trouve un converti), diminution du droit d'acquérir, de vendre, etc. (notamment en ce qui concerne les esclaves chrétiens), l'exclusion successive des fonctions, inégalité pénale, réduction de l'autonomie judiciaire.<sup>25</sup>

[A series of legal disqualifications distinguishes them from Christian citizens, the only citizens who had full rights: there were restrictions on making testaments (when there are converts among their descendants), a reduction of the right to purchase, sell, etc. (especially Christian slaves), successive exclusion from holding offices, inequality in punishments, reduction of judicial autonomy.]

We have already mentioned above why the idea of the Roman citizen with full rights was highly questionable, because in Roman law, there were numerous civil statutes. But did all of these measures cited by Blumenkranz place them on the same level as the most vulnerable Roman citizens? We must not allow ourselves to be misled by the cumulative effect produced by these punitive measures, but we should examine these measures one by one, by putting them in their proper context and assessing their precise scope and significance. These measures did not share the same juridical nature, and did not have the same origin nor the same impact. So we should not confuse penal laws, which were likely to affect individual Jews caught in criminal behaviour, with laws that required no individual behaviour and which would have affected Jews collectively.

The first punitive measures were for new crimes created in the early fourth century during the reign of emperor Constantine. The imperial constitution of October 18, 329 imposed penal sanctions on converts to Judaism. A Christian 'who approaches their nefarious sect and join himself to their conventicles' now risked criminal lawsuits against him (CTh 16.8.1). The penalty specified in a constitution

<sup>25</sup> Blumenkranz, *Juifs et chrétiens*, p. 295.

of 353 is confiscation of the apostate's estate (CTh 16.8.7). During this period, Constantine also passed legislation against the *mancipium* of Jewish masters on Christian slaves. After August 13, 339, Jewish masters were forbidden from purchasing Christian slaves (CTh 16.9.2). This law was confirmed under Theodosius (CTh 16.3.5). Jews risked having their slaves confiscated, and if the slaves had been circumcised, the penalty was capital punishment. The last incrimination targeting Jews in particular was created by the chancellor of Theodosius I on March 14, 388. It equated marriage between Jews and Christians with adultery, which was, consequently, punishable by death (CTh 3.7.2). There are also other examples of imperial legislation that establish, not crimes, but punishments to sanction the Jews. This legislation covered ordinary crimes – murder, assault, theft – and, when used to settle cases involving Jews and Christians, turned these crimes into aggravated crimes requiring a more severe penalty. The aforementioned constitution issued by Constantine on October 18, 329 (CTh 16.8.1) established that Jews who stoned a member of their own community for converting to Christianity would suffer infamy by being burned. Likewise, Jewish masters who removed valuable female Christian workers from their *textrina* would not be charged a fine, as prescribed by common law, but would be sentenced to death (CTh 16.8.6). Therefore, we can see that certain crimes could be committed only by Jews and that some severe sanctions were to be inflicted only if the criminal was Jewish. These measures were surely of Christian inspiration, since, in line with conciliar canons, they were intended to fight against conversion to Judaism. But on the one hand, we do not know if Jewish proselytizing was a general and widespread phenomenon in this period, and on the other hand they targeted criminal acts and not specifically Jews as such. They affected only those individual Jews who actively decided to convert or circumcise Christians. However, in a way, they placed the entire Jewish population in an uncomfortable position, since these crimes could be denounced by anyone. In this respect, penal laws exposed the Jews to legal harassment by informers, and we know that in some cases, false and defamatory allegations were made against them. But in total, the origin and scope of this penal arsenal were limited.

As for the subsequent degradation of political or public rights that were, in this instance, laws touching the entire Jewish population, this was edicted by the imperial constitutions of 418 and 425 (CTh 16.8.24 and Sirm. 6), and the Novella III of January 31, 438. These laws removed from the Jews certain rights such as the *ius militandi*, the *ius accusandi* and access to the *honores*. But Friedrich Savigny insists that these public rights did not have the same legal nature as the two other public rights: the *ius libertati* and the *ius civitatis*.<sup>26</sup> These were essen-

<sup>26</sup> Fr. C. v. Savigny, *System des heutigen Römischen Rechts*, 2, app. VI: status und capitis deminutio (Berlin: 1840), 443 = *Traité de droit romain*, vol. 2, french transl. by Ch. Guenoux (Paris: Firmin Didot frères, 1855), p. 423.



tial for an individual to have juridical capacity. They were related only to their ‘*existimatio*’. That is to say: imposing a degradation of the *status dignitatis* did not impact the *status civitatis*. So we should not confuse the two types of rights, which are of dramatically different natures: rights pertaining to Roman citizenship, and rights not linked to citizenship in any way. Furthermore, they affected only a restricted part of the Jewish population, the elites, and a very specific elite, those who aspired to hold imperial offices. Nevertheless in the long term, they probably had damaging effects on the entire Jewish population, since removing elite Jews from access to imperial positions also may have deprived them of valuable links to the sphere of power.

Lastly, an imperial constitution dated February 3, 398 (CTh 2.1.2), refused to give Jewish communal courts the qualification of ‘tribunal’. Jewish judges were considered private arbiters and their sentences had no executive force. But for the authorities, this measure fit in with a general logic, which consisted of claiming a monopoly over judicial matters. Moreover, the episcopal audience itself was affected by a similar decision in the same period.

In summary, because they were aimed at only certain parts of the Jewish population and even then, only at certain specific members of these parts, in our opinion the origins and the scope of these laws appear to have been limited. In any case, they had no substantial effect on the civil status of the Jews, who could continue to enjoy all of their private laws – *connubium*, property, contracts. The fate of the Jews was in no way comparable to those of *infames* or other religious enemies of the authorities who followed Nicene Christianity, such as the Manichaeans, the Eunomians, the Montanists, the Protapaschites, and various Trinitarian heresies. Therefore, it is an exaggeration to contrast ‘second-class’ Jewish citizens with Christian citizens ‘the only citizens with full rights’.

### *Conclusion*

I believe we must wield the notion of a ‘Jewish legal statute’ with great precaution. We share Bernhard Blumenkranz analysis that isolating measures concerning the Jews within the *Theodosian Code*, the Canonical collections of the Early Middle Ages and in the 4<sup>th</sup> Council of Toledo in specific sections expressed a Christian worldview that separated orthodox Christians from their religious enemies. Nevertheless, taking into account the many legal personal statuses that existed in that era, an era that was oblivious to the modern principle of equality before the law, even if we were to accept the term ‘Jewish Statutes’ as one that would define these legal textual objects, it would not have foretold of future, more grievous, legal degradations. Contrary to the anti-Semite statutes that were elaborated in Europe in the first half of the twentieth century and that aimed at the exclusion



of Jews from the civic body rendering them stateless, the statutes of the Early and High Middle Ages would absolutely not have made the legal status of Jews closer to that of foreigners with no rights.

As a matter of fact, in order to find relevant indications of their eventual juridical degradation, the content of the laws that targeted them and would form their status should be examined. And precisely, as far as the Late Empire is concerned, the criminal laws targeted, directly and indirectly, Jewish proselytism only. They would thus have impacted a limited number of communities in specific regions of the Empire. At the same time, non-penal laws targeting the Jews as a group affected only the Jewish elites, and a very specific one at that, made of those that wished to follow a career in the imperial administration. To sum up, we must not exaggerate the scope of the punitive decisions of the *Theodosian code*, as in all likelihood the majority of Jews in the Empire could continue to lead the normal life of a Roman citizen, unaware of the existence of these laws.

As far as the Early Middle Ages are concerned, we must insist on the fact that Jews were likely subjects as all were, and that the laws targeting them did not profoundly alter their legal condition. As a matter of fact, too often are the privileges awarded to Jews wrongly confused with Jewish statutes. This error has been criticised for a long time, concerning the early Roman Empire by Tessa Rajak and Miriam Pucci Ben Zeeb, and for the later Empire, by myself. The existence of exemptions and privileges concerning the Jews did not have for effect the creation of a 'magna carta' excluding the Jews from the rest of the population, contrary to what has been written by Jean Juster.<sup>27</sup> Similarly, concerning the Early Middle Ages, the Carolingian law expert Philippe Depreux, recently wrote that privileges accorded to Jews did not define the norm and that legislation that concerned them blended in the broader normative landscape. Privileges obtained from Charlemagne or Louis the Pious only concerned a small number of Jewish merchants of the Palace, not the whole Jewish population.<sup>28</sup> Possibly the same analysis can be applied to the High Middle Ages, taking caution not to apply to earlier periods a situation that may have only characterized the end of the Middle Ages.

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27 T. Rajak, 'Was there a Roman Charter for the Jews?', in *Journal of Roman Studies*, 74 (1984), 107–23; M. Pucci Ben Zeeb, 'Did the Jews enjoy a privileged position in the Roman Empire?', in *Revue des Études juives*, 154 (1995), 23–42; C. Martin and C. Nemo-Pekelman, 'Les juifs et la cité. Pour une clarification du statut personnel des juifs de l'Antiquité tardive à la fin du royaume de Tolède (IV<sup>e</sup>-VII<sup>e</sup> siècles)', in *Antiquité tardive*, 16 (2008), 223–46; C. Nemo-Pekelman, *Rome et ses citoyens juifs*.

28 Ph. Depreux, 'Les Juifs dans le droit carolingien', in J. Tolan, N. De Lange, L. Foshia and C. Nemo-Pekelman, *Jews in Early Christian Law. Byzantium and the Latin West, 6<sup>th</sup>-11<sup>th</sup> Centuries*, Relmin 2 (Turnhout: Brepols, 2014), 131–52.

Finally, it may be time to revise a historiography well entrenched since the writings of Salo Baron, Hannah Arendt and more recently Yosef Hayim Yerushalmi that identified as one of causes of political and popular anti-judaism a supposed legal marginalization of Jews in the West starting in the Roman era.<sup>29</sup>

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<sup>29</sup> Yosef Hayim Yerushalmi, *Serviteurs des rois et non serviteurs des serviteurs. Sur quelques aspects de l'histoire politique des Juifs*, Paris, Allia, 2011 (also published in *Raisons politiques*, 7 (2002/3), 19–52). See the most interesting analysis of this text by Maurice Kriegel, 'De l'alliance royale à la religion d'Etat – Yerushalmi entre Baron, Baer, et Arendt', in S. A. Goldberg, *L'Histoire et la mémoire de l'Histoire. Hommage à Yosef Hayim Yerushalmi* (Paris: Albin Michel, 2012).

# ENGAGEMENT WITH JUDAISM AND ISLAM IN GRATIAN'S *CAUSA 23*

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Considerable attention has been given to the fact that the blossoming of the Christian *adversus Judeos* literature coincided with the intellectual, religious, socio-economic and political transformations of the long twelfth century (c. 1050–c. 1215).<sup>1</sup> However, it is equally important to appreciate that the same period witnessed dramatic developments in the field of canon law. The study of medieval canon law remains a highly specialised area of research; nevertheless it is imperative to interconnect research into Christian–Jewish relations with work on the intricacies of canonical material concerning Jews. Although Walter Pakter's *Medieval Canon Law and the Jews* (1988) was an important step in the right direction, it did not fit the bill. The book contains a wealth of material, but its perspective is primarily a legal one; tabulating legal developments rather than understanding them in their full historical context was, after all, Pakter's main priority. And, as some reviewers have pointed out, the book can, at times, be seriously unreliable.<sup>2</sup>

Amnon Linder's rich collection of legal materials and John Gilchrist's meticulous work on canons concerning Jews in canon law collections between c. 900 and the mid-twelfth century, together with the fine analyses by John Watt, provide far better building blocks for the investigation of the treatment of Jews in canon law texts of the period.<sup>3</sup> Studying this material in conjunction with in-depth knowl-

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1 On these developments see *European Transformations. The Long Twelfth Century*, ed. by Thomas F. X. Noble and John van Engen (Notre Dame: University of Notre Dame Press, 2012).

2 Walter Pakter, *Medieval Canon Law and the Jews* (Ebelsback: Rolf Gremer, 1988), p. 332; Jeremy Cohen's review in *The American Historical Review*, 97 (1992), pp. 1500–1; Friedrich Lotter's review in *Historische Zeitschrift*, 253 (1991), pp. 428–30; James Brundage's review in *Speculum*, 66 (1991), pp. 221–3.

3 Amnon Linder, *The Jews in the Legal Sources of the Early Middle Ages* (Detroit, Michigan: Wayne State University Press, 1997) [henceforth *JLSEMA*]; John Gilchrist, 'The Perception of Jews in the Canon Law in the Period of the First Two Crusades', *Jewish History*, 3 (1988), pp. 9–24; Idem, 'The Canonistic Treatment of Jews in the Latin West in the Eleventh and Early Twelfth Centuries', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Kanonistische Abteilung*, 106 (1989), pp. 70–107; John A. Watt, 'Jews and Christians in the Gregorian Decretals', in *Christianity and Judaism*, ed. by Diana Wood, *Studies in Church History*, 29 (Oxford: Blackwell Publishers, 1992), pp. 93–105. See also the 1973 PhD thesis by Francis R. Czerwinski, 'The Teachings of the Twelfth and Thirteenth Century Canonists about the Jews' (Cornell University, unpublished); Kenneth R. Stow, *Alienated minority. The Jews of Medieval Latin*

edge of the intellectual, theological and socio-political facets of Christian–Jewish relations will lead to a better understanding of what the texts say, how they were interpreted and what effect they might have had in theory and in practice. For, however, theoretical canon law regulations might have been, the texts themselves reflect the choices canonists made about what to include from the repository of available material on Jews. And many canonists went on to be administrators with wide remits which impinged on concrete relations between Christians and the Jews.

Any study of canonical material on Jews must necessarily take account of Islam because of the existence of many similarities between ecclesiastical rulings on Jews and Muslims. At the same time, it is vital to remember that there was a fundamental difference between the position of Jews and Muslims in medieval Christendom. Theologically, Christians needed Jews; they did not need Muslims. They needed Jews ever since Augustine had formulated his theory that Jews bore witness to Christian truth by safeguarding the books of the Old Testament in which Christians found the prophecies concerning Jesus Christ. Christians used Jews to remind themselves of the Passion Jesus had suffered for their sakes; they used Jewish dispersion to demonstrate the dire consequences of refusing to acknowledge Christ as God and the Messiah. They needed Jews to fulfil St. Paul's prophecy that at the end of time all Jews would recognise Christ and convert to Christianity. In an era of crusading fervour, Islam was, on the other hand, Christianity's potent military and religious opponent in the Latin Mediterranean, North Africa and the Middle East.<sup>4</sup>

The first step in any investigation of this nature has to be Gratian's *Decretum*, the first comprehensive and systematic synthesis of ecclesiastical material which became the basic medieval handbook for canon law. Through the seminal work by Anders Winroth we now know of the existence of an earlier transient phase in the creation of the *Decretum*. Whether Gratian himself was responsible for the development of the *Decretum* or whether other(s) were responsible is still under debate, as is the exact process of the evolution of the second recension.

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*Europe* (Cambridge, MA: Harvard University Press, 1992) draws on many of his articles concerning papal attitudes towards Jews.

4 For Muslims and canon law see David M. Freidenreich, 'Muslims in Canon Law, c. 650–1000', in *Christian-Muslim Relations: A Bibliographic History*, ed. by David Thomas and others, vol. 1 (Leiden: Brill, 2009), pp. 83–98, especially p. 96 and Idem, 'Muslims in Western Canon Law, 1000–1500', in *Christian-Muslim Relations: A Bibliographic History*, ed. by David Thomas and others (Leiden: Brill, 2011), vol. 3, pp. 41–68; Benjamin K. Kedar, 'De iudeis et saracenis. On the Categorization of Muslims in Medieval Canon Law', in Idem, *The Franks in the Levant, 11<sup>th</sup> to 14<sup>th</sup> Centuries* (Aldershot: Ashgate, 1993), pp. 207–13; Peter Herde, 'Christians and Saracens at the Time of the Crusades. Some Comments of Contemporary Medieval Canonists', in *Gesammelte Abhandlungen und Aufsätze*, Bd. 2.1: *Studien zur Papst- und Reichsgeschichte, zur Geschichte des Mittelmeerraumes und zum kanonischen Recht im Mittelalter*, ed. by Peter Herde (Stuttgart: Hiersemann, 2002), pp. 55–68.

I shall use Gratian 1 and Gratian 2 to distinguish between the first recension of Gratian, as outlined by Winroth in *The Making of Gratian's Decretum*, and the later much better known recension of Gratian which would have been in circulation by around 1150.<sup>5</sup>

Gratian's *Decretum* was a pedagogical text which was taught, studied and commented on in centres for legal studies, Bologna, and elsewhere. Scholars added their own thoughts to the text as they studied and taught it. These additions or glosses, as they are known, give us an opportunity to gauge how people understood the *Decretum* and reacted to it. In this paper I shall focus on *causa* 23 of the second part of Gratian's *Decretum*, the *causa* which has drawn the attention of so many modern Crusade historians to gauge just how much canonical support there was in the middle of the twelfth century for the new phenomenon of the crusades.<sup>6</sup> As is well known, *causa* 23 is not about the crusades; it addresses difficult questions about the legality of using violence against heretics. The reason I have chosen to focus on this particular *causa* in Gratian is that it contains the well-known ruling *Dispar nimirum* which distinguishes between Muslims, whom Christians may attack, and Jews, who are not to be assaulted, one of the very few rulings concerning Jews which was present in the first recension of the *Decretum*.<sup>7</sup> The text comes from the letter *Placuit nobis sermo* which Pope Alexander II wrote to the bishops of Spain in 1063 to commend their protection of the Jews against

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5 Anders Winroth, *The Making of Gratian's Decretum* (Cambridge: Cambridge University Press, 2000), for Gratian 1 and 2 see in particular, pp. 194–5; Martin Brett in private communications and his 'Editing the Canon-Law Collections between Burchard and Gratian', in *Proceedings of the Twelfth International Congress of Medieval Canon Law*, ed. by Uta-Renate Blumenthal, Kenneth Pennington, and Atria A. Larson, *Monumenta Iuris Canonici*, series C: Subsidia, vol. 13 (Vatican City: Biblioteca Apostolica Vaticana, 2008), p. 98. See Peter Landau, 'Gratian and the *Decretum Gratiani*', in *The History of Medieval Canon Law in the Classical Period, 1140–1234. From Gratian to the Decretals of Pope Gregory IX*, ed. by Wilfried Hartmann and Kenneth Pennington [henceforth *HMCL*] (Washington, D. C.: The Catholic University of America Press, 2008), p. 39 note 33 for references to the assertion of Carlos Larrainzar that a twelfth-century Sankt Gallen MS has preserved a text which predates what Winroth has identified as the first recension and Winroth's riposte that the MS abbreviates the text of the *Decretum*. For an extensive bibliography on the development on the *Decretum* see <http://faculty.cua.edu/pennington/1140a-z.htm#Gratian> (accessed 10 February 2015). I am very grateful to Dr Martin Brett for his guidance on this matter.

6 The vast literature includes, Frederick H. Russell, *The Just War in the Middle Ages* (Cambridge: Cambridge University Press, 1975), pp. 55–85; James A. Brundage, 'Holy War and the Medieval Lawyers', in *The Crusades, Holy War and Canon Law*, ed. by James A. Brundage (Aldershot: Ashgate, 1991), X, pp. 106–10; Idem, *Medieval Canon Law and the Crusader* (Madison, WA: University of Wisconsin Press, 1969), pp. 19–29; John Gilchrist, 'The Erdmann thesis and the Canon Law (1083–1141)', in *Crusade and Settlement*, ed. by Peter W. Edbury (Cardiff: University College Cardiff Press, 1985), pp. 37–45; Idem, 'The Papacy and the War against the "Saracens"', *The International History Review* 10 (1988), pp. 174–97.

7 Winroth gives an appendix listing the contents of the first recension of the *Decretum*. *Dispar Nimirum*, C. 23, q. 8, c. 11 is listed on page 220. I shall use Winroth's appendix to determine whether a section of the *Decretum* belongs to the first recension or the later much better known recension of Gratian which would have been in circulation by around 1150 throughout this paper.

French knights who had travelled southwards to fight Islam.<sup>8</sup> I shall analyse this ruling within the context of the whole of *causa* 23 in order to understand better how and why Gratian included it. This will involve examining other texts in the *causa* which mention Jews in order to build up as full a picture as possible of how Jews were perceived in this section of the *Decretum*. The next step will be to find out more about the reception of Gratian's treatment of Jews in this *causa*. I propose to make a start on this by examining the relevant entries in the so-called *Ordinary Gloss* by Johannes Teutonicus (*d.* 1245), who skilfully absorbed the commentaries of others such as Laurentius Hispanus and Huguccio, into his own. Johannes started work on the *Glossa Ordinaria* about 1214 and completed it by 1217 or by the close of 1216. It was revised by Bartholomeus of Brescia (*d.* 1258) in 1240–5 or, as Rudolf Wiegand would have it, around 1234–41 to update it to include references to the Gregorian *Decretals* of 1234. The *Glossa Ordinaria* became the standard tool for people consulting Gratian.<sup>9</sup>

As a first port of call I shall consult the *Glossa Ordinaria* in the on-line version of the 1582 Roman edition of the glossed *Decretum*.<sup>10</sup> To check the printed gloss for later accretions to the *Glossa Ordinaria* I shall turn to the remarkable collection of Gratian manuscripts in the library of Gonville and Caius College, Cambridge.<sup>11</sup> One of the Caius manuscripts (MS 6/6) was written in France in the twelfth century and is one of the oldest Gratian manuscripts in England. *Causa* 23 is, in fact, one of the places where the MS clearly shows the evolution of the recensions of the *Decretum*.<sup>12</sup> Vestiges of an older gloss predating the *Ordinary*

8 *JLSEMA*, pp. 452–3, no. 731; Shlomo Simonsohn, *The Apostolic See and the Jews. Documents: 492–1404* (Toronto: Pontifical Institute of Mediaeval Studies, 1988), no. 37, pp. 35–6.

9 Rudolf Wiegand, 'The Development of the Glossa Ordinaria to Gratian's Decretum', in *HMCL*, pp. 82–91; Stephan Kuttner, 'Johannes Teutonicus', *Neue Deutsche Biographie* 10 (1974), pp. 571–3 (online version: <http://www.deutsche-biographie.de/sfz37741.html> (accessed 10 February 2015)); James A. Brundage, *Medieval Canon Law* (London: Longman, 1995), pp. 219–20, 207. <http://faculty.cua.edu/pennington/1140a-z.htm#Johannes%20Teutonicus%20%28Zemeke%29> (accessed 10 February 2015).

10 Winroth, p. 9; *Corpus juris canonici emendatum et notis illustratum*. Gregorii XIII. pont. max. iussu editum. Romae: In aedibus Populi Romani, 1582, Part I, in 2 volumes: *Decretum Gratiani, electronic edition*: University of California Los Angeles (UCLA) Digital Library Program. *Corpus Juris Canonici (1582)* <http://digital.library.ucla.edu/canonlaw> (accessed 10 February 2015); Kuttner, 'Johannes Teutonicus', pp. 571–3; Wiegand, 'The Development of the Glossa Ordinaria', pp. 93–5.

11 I am very grateful to the Master and Fellows of Gonville and Caius College for granting me access to the Gratian manuscripts and rare books in their possession. My particular thanks go to the Fellow Librarian, Professor David Abulafia, the College Librarian, Mr Mark Statham and his staff for the assistance they gave me in this project.

12 Gonville and Caius College, MS 6/6, fol. 176r where q. 8 cc. 4–6, 10 and 15 were added in the margin (cc. 1–3, which are paleae, were omitted). See Winroth, p. 128 for another instance. For the importance Winroth attached to this MS see *Project: Editions of the first and second recensions of Gratian's Decretum* at: [http://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0C DMQFjAB&url=http%3A%2F%2Fydc2.yale.edu%2Fnode%2F553%2Fattachment&ci=SxgzU\\_7-F-iN7AbbxIGAw&usq=AFQjCNEK2uDFp.0n9FjDOJ-TI-QLgRRkwbQ&sig2=p.9gtbc4-gMC\\_YkV730a4Q&bv=63738703.d.ZGU](http://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0C DMQFjAB&url=http%3A%2F%2Fydc2.yale.edu%2Fnode%2F553%2Fattachment&ci=SxgzU_7-F-iN7AbbxIGAw&usq=AFQjCNEK2uDFp.0n9FjDOJ-TI-QLgRRkwbQ&sig2=p.9gtbc4-gMC_YkV730a4Q&bv=63738703.d.ZGU). (download; accessed 10 February 2015).

*Gloss* are still visible in the margins of some folios; the older gloss was removed to make room for Bartholomeus's revision of the *Glossa Ordinaria* which seems to have been added to the manuscript in Italy in the fourteenth century. The older gloss is not relevant for what follows.<sup>13</sup> MS 67/34 of the thirteenth century is a *sine textu* manuscript which contains Johannes Teutonicus's *Ordinary Gloss* for much of the *Decretum*, including *causa 23* before it was revised by Bartholomeus. This will give me the opportunity to see what, if any, differences exist between Johannes's and Bartholomeus's commentaries concerning Jews or Muslims in the *causa*, or to be more precise, the Bartholomeus of MS 6/6 (juxtaposed with readings of the Roman edition).<sup>14</sup> The third manuscript (MS 283/676) of the late twelfth century is rarest of all; it contains the glosses of Johannes of Tynemouth and Simon of Southwell and other Anglo-Norman canonists who were lecturing in England about 1188–98. As a whole the gloss gives us a glimpse of how these canonists worked with the material available to them and as such will allow us to gauge how *causa 23*'s statements about Jews and Muslims were received in late twelfth-century England.<sup>15</sup> In what follows I shall use 'Anglo-Norman gloss' to refer to the gloss as a whole; the term 'Anglo-Norman canonists' will only be used when I am citing a signed gloss by one of them and in that case I shall refer to that canonist by name. At this stage I shall not delve into the sources the compilers of the Anglo-Norman gloss or, indeed, Johannes/Bartholomeus may have used or shared. That is for a later stage in my investigations. For Gratian's text I shall use the on-line version of Friedberg's 1879 edition created by the Münchener DigitalisierungsZentrum.<sup>16</sup>

The second part of the *Decretum* consists of 36 made-up legal cases through which Gratian explored a full range of issues pertaining to clerics and monks, the organisation of the Church, church institutions, church property, the permissibility of using violence against heretics, marriage, etc. Gratian considered each *causa* by subdividing it into the questions he thought it raised and proceeded to list

13 Landau, 'Gratian', p. 49; Winroth, pp. xiv, 57–9, 128; Stephan Kuttner, *Repertorium der Kanonistik* (1140–1234) (Vatican City: Biblioteca Apostolica Vaticana, 1937), p. 22; Rudolph Weigand, *Die Glossen zum Dekret Gratians. Studien zu den frühen Glossen und Glossenkompositionen*, vol. 3 and 4, *Studia Gratiana*, 25 and 26 (Rome: Libreria Ateneo Salesiana, 1991), vol. 4, pp. 715–6; H. L. Pink, 'Decretum Manuscripts in Cambridge University', *Studia Gratiana*, 7 (1959), pp. 235–50 (pp. 240–2).

14 Montague Rhodes James, *A Descriptive Catalogue of the Manuscripts in the Library of Gonville and Caius College*, vol. 1 (Cambridge: Cambridge University Press, 1907), p. 61 with handwritten correction in the copy held by the library of Gonville and Caius; Kuttner, *Repertorium*, p. 96.

15 Stephan Kuttner and Eleanor Rathbone, 'Anglo-Norman Canonists of the Twelfth Century. An Introductory Study', *Traditio*, 7 (1949–51), pp. 279–358 (pp. 317–21); Charles Duggan, 'The Reception of Canon Law in England in the later-twelfth Century', in *Canon Law in Medieval England*, ed. by Charles Duggan (Aldershot: Ashgate, 1982), XI, pp. 359–90 (pp. 371–7).

16 *Corpus Iuris Canonici*. Vol. 1, *Decretum magistri Gratiani*, ed. by Emil Friedberg, Leipzig: ex officina Tauchnitz, 1879: <http://geschichte.digitale-sammlungen.de/decretum-gratiani/online/angebot> (accessed 10 February 2015).



under each *quaestio* in separate canons (*capitula*) the pertinent ecclesiastical material to answer it. These canons included papal pronouncements, church council rulings and patristic texts. Gratian presented his own views on the question and his solutions to the contradictions in the materials he had collected in his sayings (*dicta Gratiani*) which he placed strategically among the canons of each *quaestio*. The scholastic nature of his method seems obvious enough. The first part of the *Decretum* consists of 101 Distinctions concerning different kinds of law and the regulations governing clerical offices, ecclesiastical appointments and ordination. The third part, which was not included in the first recension, concerns laws governing the sacraments and the liturgy.<sup>17</sup>

The fictitious legal case of *causa 23* concerns Catholic bishops who have waged war against neighbouring heretical bishops and their flock and have forced them to return to the unity of the Catholic faith. Several heretics have been killed, others have had their own and ecclesiastical goods plundered; others have been imprisoned. For Gratian the case presented questions concerning (1) the sinfulness of waging war; (2) the nature of a just war and in what way the children of Israel waged them; (3) the use of weapons against the injustices done to one's associates; (4) the allowability of wreaking vengeance; (5) the possibility of it being a sin for judges or officials to put the guilty to death; (6) the oughtness of forcing the wicked to be good; (7) the permissibility of robbing heretics of their own goods and those of the Church and the ownership of the alienated goods; and (8) the allowability of bishops or clerics to take up weapons on their own or the pope's authority or on the command of the emperor.<sup>18</sup> Ostensibly, this case has nothing whatsoever to do with Jews, yet the texts which Gratian gathered in response to these eight questions are full of references to biblical and contemporary Jews. One of the eight questions even refers to biblical Jews. All of these references are in addition to the ruling of *Dispar nimirum*. Many of these references appear in the texts Gratian borrowed from Augustine. As for Muslims, question 8 of *causa 23* contains three of the mere five references to *Sarraceni* in the *Decretum*. All three belong to the first recension. The remaining two mentions of Saracens are in the first part of the *Decretum* in canon 38 of Distinction 50 (first recension) and canon 10 of Distinction 56 (Gratian 2).<sup>19</sup> I should hasten to add that at this stage of my research I have not yet been able to make a proper analysis of the number of times the term *pagani* was used in the *Decretum* to refer specifically to Muslims. We shall return to this in due course.<sup>20</sup>

17 Landau, 'Gratian', pp. 35–41; Brundage, *Medieval Canon Law*, pp. 190–4; Winroth, p. 2.

18 Ed. Friedberg, col. 889; Brundage, 'Holy War', X, p. 107.

19 C. 23 q. 8 c. 7, 11; c. 23 q. 8 d. p. 20, D. 50 c. 38; D. 56 c. 10, ed. Friedberg, coll. 954, 955, 959, 194, 222.

20 David M. Freidenreich refers to 4 mentions of Saracens in the *Decretum*; he posits that in only 4 cases Muslims are signified by a term signifying pagan, see his 'Muslims in Western Canon Law, 1000–1500',



To get a broader perspective of the context of the subject matter of *Dispar nimirum* and how it was treated by our glossators, let us start by looking at *Si de rebus*, canon 2 of question 7 of *causa 23* concerning the allowability of taking away the possessions of heretics. For this canon Gratian 1 used two sections of Augustine's rebuff to Petilian in which Augustine had argued that if Catholics could be indicted for taking away the goods of heretics then 'the Jews too could say that they were just and accuse us of wrongdoing because Christians now possess the place where they had impiously reigned. What is shameful then about Catholics holding by the same will of the Lord that which heretics held? To all the wicked and impious that voice of the Lord prevails: "the kingdom of God shall be taken away from you and given to a people doing justice"'. The biblical quote was based on the concluding words of Matthew's version of the parable of the vineyard (Matthew 21:43). Augustine averred that taking away the possessions of heretics had nothing to do with desiring another's property. No lust was in play when the Jews gained possession of the Promised Land by God's might, just as no lust was in play because the Church according to God's words possesses the kingdom where the persecutors of Christ had once ruled.<sup>21</sup>

The role of the Jews in the Augustinian texts which Gratian 1 used through his intermediary source was clearly one of service. The problem of dispossessing heretics did not concern Jews as such; Jews were used by Augustine in these passages to clinch a Christian argument. They were utilised by Gratian 1 in the same role, which in this instance was full of negative imagery. Their portrayal as the persecutors of Christ was, in fact, intensified by the reference to Matthew's parable in which the husbandmen kill their lord's son, which was used by exegetes

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in *Christian-Muslim Relations: A Bibliographic History*, ed. by David Thomas and others (Leiden: Brill, 2011), pp. 41–68 (p. 41).

<sup>21</sup> Ed. Friedberg, col. 951; the text combines the two sections from chapters 43 and 59 of the second book of Augustine's *Answer to Petilian the Donatist* which allude to Jews. The text is included in Ivo of Chartres' *Decretum* and the Pseudo-Ivonian *Collectio Tripartita* from the end of the eleventh century or the beginning of the twelfth: Ivo, *Decretum* X. 75, PL 161, col. 714B; see also on-line working edition on <https://ivo-of-chartres.github.io/decretum.html> (accessed 17 February 2015). For Gratian's sources for texts concerning Jews see Gilchrist, 'Perceptions', pp. 9–24 and idem, 'The Canonistic Treatment', pp. 70–107; in general, see Landau, 'Gratian', pp. 25–35 and Winroth, pp. 15–18. In light of Landau's conclusion that the *Tripartita*, rather than Ivo's *Decretum* provided Gratian for the texts occurring in both it seems more likely that Gratian took these particular texts from the *Tripartita* B. 20. 25, see the on-line working editions at <https://ivo-of-chartres.github.io/tripartita.html> (accessed 17 February 2015); Augustine, *Answer to Petilian the Donatist*, translated by J. R. King and revised by Chester D. Hartranft. Nicene and Post-Nicene Fathers, First Series, Vol. 4, ed. by Philip Schaff (Buffalo, NY: Christian Literature Publishing Co., 1887), revised and edited for New Advent by Kevin Knight, online: <http://www.newadvent.org/fathers/1409.htm> (accessed 10 February 2015); Aurelius Augustinus, *Contra literas Petiliani libri tres*, 2, 43 and 59, ed. by Michael Petschenig. Corpus Scriptorum Ecclesiasticorum Latinorum 52 (Vienna: Tempusky, 1909), pp. 80 and 94–5.

such as Bede to claim that Jews were guilty of deliberate deicide.<sup>22</sup> Students and teachers exploring the *Decretum* for information on the possessions of heretics would willy-nilly have been exposed to this negativity.

But this might well be a twenty-first century reaction to the text which reflects the particular kind of interest scholars nowadays have in the imagery of the 'other'. To gauge twelfth and thirteenth-century reactions of those who actually studied this canon we now turn to the evidence in the glosses we have chosen to examine for this paper. After Johannes had explained which kinds of goods or possessions (*res*) were at stake, he homed in on the word *impios* in the text, the 'impious' to whom 'that voice of the Lord prevails: "the kingdom of God shall be taken away from you and given to a people doing justice"'. He wrote that some took the reference to imply that 'we can legitimately take away the possessions of Jews and Saracens in the understanding that *Dispar Nimirum* refers to the persons of the Jews and not their goods. But I believe otherwise because the Jews pay tribute and what they have they hold by our will.'<sup>23</sup>

What do we learn from this? The first thing we learn is that the pejorative referencing to Jews which Gratian I borrowed from Augustine did not lead Johannes Teutonicus to dwell on the negative image of Jews with which he was presented. What seemed to matter to him was to articulate the difference between Jews and Muslims and to present the relevant supporting legal evidence. This makes perfect sense in the context of this particular *causa* which dealt specifically with the legality of attacking heretics. Very interesting is that neither Johannes nor Bartholomeus, who did not expand Johannes's comments,<sup>24</sup> referred to the text we might have thought to be the most obvious one to cite: the *Sicut Iudeis*, the well-known papal bull of protection for the Jews, first issued by Calixtus II in the 1120's and included in the Gregorian Decretals (X 5. 6. 9). By the time Johannes was putting his gloss together it had been promulgated by Calixtus II, Eugenius III, Alexander III, Clement III, Celestine III and Innocent III. By the time Bartholomeus updated the *Glossa ordinaria* it had been promulgated by Honorius III and Gregory IX. John of Wales had included it in his collection of decretals, the so-called *Compilatio secunda*, which he had assembled by 1212.<sup>25</sup> The

22 Jeremy Cohen, 'The Jews as the Killers of Christ in the Latin Tradition, from Augustine to the Friars', *Traditio* 39 (1983), pp. 1–27.

23 Gonville and Caius College MS 67/34, fol. 109ra: *Et impios*] Per hoc dicunt quidem quod Iudaeis et Sarracenis licite possumus sua auferre: et intelligunt id quod dicitur infra q. 8 c. *Dispar* de personis Iudaeorum, non de rebus. Sed secus credo quia Iudaei solunt tributum, et de voluntate nostra tenent quae habent.

24 MS 6/6, fol. 175va.

25 *Compilatio Secunda*, Liber V, Titulus IV, 3, *Quinque Compilationes Antiquae*, ed. by Emil Friedberg. (Leipzig: B. Tauchnitz, 1882, reprint Graz: Akademische Druck- u. Verlagsanstalt, 1956), p. 98, available at: [http://works.bepress.com/david\\_freidenreich/21](http://works.bepress.com/david_freidenreich/21) (accessed 17 February 2015); Brundage, *Medieval Canon Law*, pp. 194–5, 219. The Roman edition, col. 1801, does mention *Sicut Iudeis* in a gloss assigned to

twelfth-century papal bull was built on Gregory I's letter of 598 to the Bishop of Palermo protecting Jews with the well-known opening line: 'Just as the Jews should not have the freedom to presume anything in their synagogues beyond what is permitted by law, in the same way, they should not suffer any prejudice in those matters granted them.'<sup>26</sup> The different stances required of Christians towards Jews and Muslims were evidently more important to Johannes/Bartholomeus than the protection of Jews *per se*.

The Anglo-Norman gloss does not contain a gloss on *impios*; it does, however, offer an alternative reading to *regnauerunt*, the 'reigning' which the Jews had done 'impiously', which is *repugnaverunt*. This reading would seem to reinforce the negative image of the Jews by accentuating the concept of the opposition of the Jews to Christ.<sup>27</sup>

Jews played a crucial rhetorical role in canon 2 of question 7. Let us now turn to some of the more tangential and oblique references made to Jews which are scattered throughout *causa 23*. There are times in both Gratian 1 and Gratian 2 that biblical Jews are referred to in a neutral way, as for example in canon 2 of *quaestio 2* where Gratian 1 is simply referring to the Children of Israel in an historical way. Much the same is true when Gratian I referred to the 'old people' as being forced to observe the law through fear of punishments in his opening *dictum* about the issue whether the wicked should be forced to be good.<sup>28</sup> Similarly in Gratian 1's *dictum* after canon 49 of *quaestio 5* there are a lot of neutral references but also a reference to the Jews being punished by way of other peoples, among them the Romans, for 'the sin of the death of Christ'.<sup>29</sup> Negative references to Jews abound in both recensions. In canon 1 of *quaestio 1*, Gratian 2 includes the patristic argument that the 'books of the Jewish histories' would not have been given by the apostles to the disciples of Christ, who came to teach peace, to be read in churches if the carnal battles therein did not carry the figures of spiritual battles.<sup>30</sup> In canon 2 of question 1 Gratian 1 used the Jews of the New Testament to contrast Jewish violence with the peace of Christ; the coming of Christ is portrayed as destroying the alleged quasi-sanctity of the Jewish priesthood.<sup>31</sup> That this is standard anti-Jewish polemic is obvious enough. Both

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Johannes de Phintona in the marginal gloss by Guido de Baysio who composed an extensive commentary on the *Decretum* around 1300 using many different materials from those absorbed in the *Glossa Ordinaria* – see Kenneth Pennington's, 'Medieval and Early Modern Jurists: a Bio-Bibliographical', at <http://faculty.cua.edu/pennington/1298a-z.htm> (accessed 17 February 2015).

<sup>26</sup> *JLSEMA*, no. 716, pp. 433–4, quotation from p. 434.

<sup>27</sup> Gonville and Caius College MS 283/676, fol. 163ra.

<sup>28</sup> C. 23 q. 6 d. a. c. 1, ed. Friedberg, col. 947.

<sup>29</sup> C. 23 q. 5 d. p. c. 49, ed. Friedberg, coll. 945–7.

<sup>30</sup> C. 23 q. 1 c. 1, ed. Friedberg, col. 890.

<sup>31</sup> C. 23 q. 1 c. 2, ed. Friedberg, coll. 891–2.

Gratian 1 and the compiler(s) of Gratian 2 were putting Jews to straightforward theological service. Alleged Jewish carnality was deemed to have made way for Christian spirituality, Judaism was superseded by Christianity, and Jews were manipulated as foils to accentuate Christian virtue. What *is* interesting is that it was part and parcel of the basic text book of canon law which was disseminated all over Latin Christendom and, especially, that the polemic is found in sections of the *Decretum* which do not concern Jews. Gratian 1's introductory *dictum* to *quaestio* 3, for example, which concerned the probity of using violence in response to the injuries against associates, contained a large number of biblical allusions in which New Testament Jews behaved badly towards Christ.<sup>32</sup> Through its inclusion of so much patristic material the *Decretum* would, in fact, seem to have been a particularly good conduit for a wide variety of anti-Jewish theological polemic.

From the work I have done so far, I have the impression that the *Ordinary Gloss* was not particularly interested in the negative imagery in these examples. The gloss on the reference to the princes of the Romans conquering the Jews in Gratian 1's final *dictum* of question five is explanatory. It explained that the princes were Vespasian and Titus who 'destroyed Jerusalem in the forty-second year after the Passion of the Lord'.<sup>33</sup> The Anglo-Norman gloss simply added the names of Titus and Vespasian above the words in the text to identify who the '*principes Romanorum*' were.<sup>34</sup> From our previous discussion this should actually come as no surprise. This imagery of itself would not have presented the glossators with legal conundrums in need of explanatory notes and solutions. The negative images seems to have been a given which needed no further elucidation. But Gratian 1's neutral introductory comments in *Quod autem* to question 6 certainly did.<sup>35</sup> Why? Because question 6 concerned the use of force to make the wicked good, and this immediately raised the legal question whether it would be permissible to force Jews to embrace the 'goodness' of Christianity. Johannes/Bartholomeus commented that there was no doubt that no one should be compelled to the good which he had not taken upon himself. Johannes referred his readers to *Disciplina* in Distinction 45 of the first part of the *Decretum*, a canon of the first recension consisting of a passage from Gregory the Great's *Moralia* on the importance of finding the right balance between discipline and compassion.<sup>36</sup> He went on to draw attention to the words in the final section of Gratian's summing up of question 6 of *causa* 23 which argued that there was no point in forcing the wicked to

32 C. 23 q. 3 d. a. c. 1, ed. Friedberg, coll. 895–6.

33 C. 23 q. 5 d. p. c. 49, ed. Friedberg, 945–7; MS 67/34 108vb; Bartholomeus adds nothing, 6/6, fol. 174va; Roman edition, col. 1793.

34 MS 283/676, fol. 162ra.

35 C. 23 q. 6 d. a. c. 1, ed. Friedberg, col. 947.

36 Ed. Friedberg, coll. 163–4.

take on a good 'which they would always be unwilling to bear and would never willingly serve. However, because it was part of human nature to hate what one was not used to and to prefer what one was accustomed to, the wicked should forcefully be restrained from iniquity and encouraged to what was good, so that they would begin to hate evil, as fear of punishment made them unused to it, while what was good became ever sweeter through force of habit'.<sup>37</sup>

Bartholomeus, however, inserted a sentence after Johannes's initial statement that nobody should be forced to do the good they had not taken upon themselves which pointed out that one *should* be forced to the good which one had taken upon oneself. He then repeated Johannes's reference to *Disciplina* but this must have been an oversight on his part; the reference clearly should have been to *De Iudeis*.<sup>38</sup> *De Iudeis* was the very widely disseminated canon 57 of the Fourth Council of Toledo of 633 which had ruled that Jews might not be forced to convert, but once they had been converted they might not return to Judaism.<sup>39</sup>

It would seem from this that Bartholomeus might have felt that Johannes's *Ordinary Gloss* on passages concerning forced conversion would be more complete if Jews were brought into the discussion. This is also the case for the thirty-third canon of question 5, another Augustinian text with the opening words: 'Ad fidem nullus est cogendus'.<sup>40</sup> Bartholomeus's updated version of the *Ordinary Gloss* comments on 'cogendus' and referred his readers to *De Iudeis*. Johannes did not comment on the word and made no reference to *De Iudeis* in the comments he made on the canon.<sup>41</sup>

Something similar can, I believe, be said about the compiler(s) of Gratian 2 from the additions made to Gratian 1's Distinction 45. The first part of the Distinction concerned the patience bishops needed to exercise in their pastoral role. *De Iudeis* was one of the many canons inserted in Gratian 2, as was *Qui sincera*. *Qui sincera* was another widely disseminated canon concerning Jews; it was drawn from Gregory the Great's letter of 602 to the Bishop of Naples which stipulated that Jews should be coaxed to the Christian faith rather than hindered in the practice of their own religion.<sup>42</sup> The compiler(s) of Gratian 2 would seem

37 C. 23 q. 6 d. p. c. 4, ed. Friedberg, coll. 949–50.

38 C. 23 q. 6 d. a. c. 1, MS 6/6, fol. 174vb: *Quod autem*] Hic nihil est dubitationis quia ad bonum non susceptum nemo est cogendus. Set ad bonum quod suscepit est cogendus ut 45 distinctio 'Disciplina'. Magister tamen aliter soluit infra ea § ultima; MS 67/34, fol. 108vb: *Quod autem*] Hic nihil est dubitationis quia ad bonum non susceptum nemo est cogendus ut 45 distinctio 'disciplina'. It is worth mentioning that Johannes/Bartholomeus refer to canon 3 (*vides*) of question 6 of causa 23 in their comments on *De Iudeis* (MS 6/6, fol. 36va; MS 67/34, fol. 16ra). And in the *Ordinary Gloss* in the Roman edition the reference is to *De Iudeis* and not *Disciplina*, Roman edn, col. 1796.

39 D. 45 c. 5, ed. Friedberg, coll. 161–2; *JLSEMA*, p. 486, no. 840.

40 C. 23 q. 5 c. 33, ed. Friedberg, coll. 939–40.

41 Roman edn, col. 1784.

42 D. 45 c. 3, ed. Friedberg, coll. 160–1; *JLSEMA*, pp. 442–3, no. 729.

to have thought that for the sake of completion Distinction 45 needed to include these well-known canons regulating correct episcopal behaviour vis-à-vis Jews. Much the same occurred in Gratian 2 in question 6 of *causa* 23 with the insertion of *Iam vero* (c. 4) before Gratian's closing *dictum* to give another example of putting pressure on the wicked to be good. *Iam vero* was a Gregorian text which advised a bishop to reform recalcitrant peasants (*rusticus*) by increasing their financial burdens. Johannes/Bartholomeus explained in the Ordinary Gloss that these rustics were not heretics whom one was not allowed to tolerate on one's land; they were those who were incorrigible in another way or they were Jews.<sup>43</sup>

The Anglo-Norman gloss contains no reference to *De Iudeis* in its comments on *Quod autem* (C. 23 q. 6 d. a. c. 1), but its compilers were even more thorough than Bartholomeus in their deliberations on *Ad fidem* (C. 23 q. 5 c. 33). In its comments on the word 'fidem' the gloss first refers to *De Iudeis* to emphasise that this concerns faith not yet undertaken. It then refers to C. 1 q. 2 c. 2 *Quam pio* to stress that one should not be attracted to monastic conversion by way of gifts. Turning to rules concerning the future of oblates reaching adulthood it emphasises that there was no value in forced service and refers its readers to C. 20 q. 1 c. 10. The gloss ends up by making plain that once faith had been undertaken it had to be kept by referring to canon 38 of question 4 of *causa* 23, *Displacet* and the end of *De Iudeis* which spelt out how forced Jewish converts need to remain Christians.<sup>44</sup> Again, however important *De Iudeis* was for the course of Christian–Jewish relations, here it functioned as part of an overall attempt to include all relevant legal angles to the question of forcing someone to be good or believe what was deemed to be true.

Something similar can be said for question 4 of *causa* 23 which was concerned with the allowability of wreaking vengeance. In the *dictum* preceding *Infideles* (C. 23 q. 4 c. 17) Gratian 1 speaks of 'those who are outside our jurisdiction' or as Paul put it in 1 Corinthians 'are without' (*qui foris sunt* [1 Cor. 5:12, 13]). The Anglo-Norman MS glosses the words 'non sunt [nostri iuris]' with a reference to *De Iudeis*.<sup>45</sup> *Infideles* argued that sharing meals and partaking in conversation

43 C. 23 q. 6 c. 4, ed. Friedberg, 949; S. Gregorii Magni, *Registrum epistularum*, Libri I–VII, ed. by D. Norberg, Corpus Christianorum Series Latina (CCS) 140 (Tourhout: Brepols, 1982), 4.26, p. 245. MS 67/34, fol. 108vb: Si hoc caput intelligatur de hereticis contrarium est *Extra* 1 De hereticis Sicut ubi prohibetur ne aliquis eos teneat in terris suis, vel in domo vel aliquem contractum cum eis faciat. Sed dic quod loquitur de eo qui alias est incorrigibilis vel loquitur de Iudeis prout dixi supra q. 4 c. ultimum. It is worth mentioning that Gregory actually suggested using this kind of method with regard to converting Jews in 592 and 594, see *JLSEMA*, nos 707 and 712 (Manichaeans are mentioned in this letter), pp. 423–4 and 428–9.

44 MS 283/676, fol. 160vb: Suscipiendam ab initio supra 45 'De Iudeis'. Sed nec munere attrahendus, supra 1. q. 2 'Quam pio'. Quia servicia coacta non placent supra 20. q. 1 'Illud'. Secus ex postfacto supra ea q. 4 'Displacet', 45 'De Iudeis' in fine. I am very grateful for Dr Tessa Webber's help in transcribing this gloss.

45 C. 23 q. 4 d. p. c. 16 and c. 17, ed. Friedberg, coll. 904–5; MS 283/676, fol. 154ra.



with 'infidels' should not be avoided because both were means to win them over to Christianity. In the case of the *Infideles* who were on the inside, 'rot should be cut off'. Johannes/Bartholomeus and the Anglo-Norman gloss naturally noticed the similarity between this canon and *Ad mensam* (C. 11 q. 3 c. 24) which was inserted into Gratian 2 in a discussion about relations with excommunicates. It was an opinion by John Chrysostom that Christians might eat with pagans but not with any Christian fornicator, drunk or miser.<sup>46</sup> But Johannes/Bartholomeus and the Anglo-Norman gloss seemed primarily to have been interested in solving the contradictions between *Infideles* and *Nullus* and *Omnes* two canons in *Causa* 28: (C. 28 q. 1 c. 13 and 14) which concerned Christian interaction with Jews.<sup>47</sup>

*Causa* 28 was all about the status of marriages between Christian converts and their spouses who did not wish to accompany them to the font. *Nullus* and *Omnes* were two of seven canons inserted in Gratian 2 at the point where Gratian 1 was developing Paul's advice in Corinthians (1 Cor. 7: 13–4) to hold on to an infidel wife if that could lead to her growing towards the faith. The compiler(s) of Gratian 2 clearly felt that it was vital to specify that *infideles* in this instance did NOT include Jews. To this end a whole new part to the discussion was inserted in Gratian 2 with the heading: 'Contra is found in the Fourth Council of Toledo (633)' and canon 63 was cited which spelt out that Jewish wives might not stay with their converted husbands.<sup>48</sup> For good measure a *dictum* was added in Gratian 2 after this canon explaining that this ruling was instituted to prevent a Christian spouse who was trying to save his infidel wife from finding damnation with her. Among the following canons separating Jews from Christians *Nullus* forbade members of the clergy and the laity to eat the unleavened bread of the Jews, fraternise with Jews, join them in bath houses, send for them in their illnesses or accept medicine from them. It was first promulgated in 691 at the Council 'In Trullo' which was convoked by Emperor Justinian II.<sup>49</sup> *Omnes* prohibited the clergy and laity from sharing meals with Jews because it was deemed inappropriate and sacrilegious for Christians to eat food prepared by Jews if Jews deemed food prepared by Christians unclean 'and thus Christians would start being inferior to Jews'. *Omnes* was often cited in canonical collections; it was originally promulgated in this form at the Council of Agde of 506.<sup>50</sup>

46 C. 11 q. 3 c. 24, ed. Friedberg, coll. 650–1.

47 C. 28 q. 1 c. 13 and 14, ed. Friedberg, coll. 1087–8.

48 C. 28 q. 1 c. 11, ed. Friedberg, col. 1087; *JLSEMA*, no. 846, pp. 489–90.

49 *JLSEMA*, no. 803, p. 460 and pp. 459–60. It was included in Ivo's *Decretum* and the *Tripartita*: Ivo, *Decretum*, *JLSEMA*, p. 672, no. 1223; *Tripartita* 2.11.5, <https://ivo-of-chartres.github.io/tripartita.html> (accessed 17 February 2015); Gilchrist, 'The Canonistic Treatment', p. 105.

50 *JLSEMA*, no. 812 and 1224, pp. 467, 672–3. It too was included in Ivo's *Decretum* and the *Tripartita*: Ivo, *Decretum*, *JLSEMA*, no. 1224, pp. 672–3; *Tripartita* 2.28.39, <https://ivo-of-chartres.github.io/tripartita.html> (accessed 17 February 2015), see also the version from the Council of Vannes of c. 465, *JLSEMA*,

Johannes/Bartholomeus solved the contradiction between *Infideles in causa* 23 and *Omnes* and *Nullus in causa* 28 by spelling out that *Omnes* and *Nullus* specifically dealt with Jews, while *Infideles* concerned pagans.<sup>51</sup> The Anglo-Norman gloss on *Ad mensam* pointed to the contradiction between it and *Nullus*; one of the comments warned that Jews must be avoided and that ‘today there is no distinction between a Jew and a *gentilis*.<sup>52</sup> As part of its extensive treatment of *Nullus* the Anglo-Norman gloss explains why Christians may not eat with Jews by pointing out that ‘Jews used to be more hateful than *gentiles*’ but that now they were equally hateful.<sup>53</sup> The Anglo-Norman gloss includes a long discussion by the English canonist, John of Tynmouth on *Nullus*. For John of Tynmouth the problem of unleavened bread and, indeed, Jewish food generally, was revulsion for what he called ‘Jewish superstition’ and the fact Jews would not eat Christian food indiscriminately. His concern was Jewish adherence to the Law of Moses and close friendships between Christians and Jews. Interestingly, he added that a Christian was allowed to eat unleavened bread if he would otherwise die of hunger. In the same way he could obtain medicine from a Jew to save his life. In fact, Christians could supply medicine to dying Jews as well.<sup>54</sup> Again, we see a legal mind at work here, working out all the eventualities which might occur in interpreting the text in the *Decretum*.

As for the contradiction between *Ad mensam* and *Omnes*, Johannes/Bartholomeus commented on *Ad mensam*: ‘but we cannot eat with Jews as in *Omnes*. But neither is it nowadays permitted to eat with *paganis* because they separate food just as the Jews do.’<sup>55</sup> Johannes/Bartholomeus repeated this

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pp. 465–6; Gilchrist, ‘The Canonistic Treatment’, p. 104; Bernhard Blumenkranz, ‘“Iudaeorum Convivia”: à propos du Concile de Vannes (465), c. 12’, *Études d’histoire du Droit canonique dédiées à G. Le Bras*, vol. 2 (Paris: Sirey, 1965), pp. 1055–8. Blumenkranz explained on p. 1056 how important it is to analyse the canon in its canonical context, which was a set of canons specifying inappropriate activities for clerics. 51 MS 67/34, fol. 106ra: infideles] s. 11 q. 3 Ad mensam. Argumentum contra 28 q. 1 Omnes et c. Nullus. Solutio hic de paganis ibi specialiter de Iudeis.

52 MS 283/676, fol. 112rb: [...] Item Iudei vitandi sunt 28 q. 2 [sic] ‘Iudei’. Hodie autem non est distinctio Iudei et gentilis.

53 MS 283/676, fol. 184va: solutio magis odiosi erant Iudei quam gentiles hodie autem pariter odiosi sunt.

54 MS 283/676, fol. 184va. This is one of the glosses transcribed in: Kuttner and Rathbone, ‘Anglo-Norman Canonists’, p. 351 (see note 15); Czerwinski, pp. 270–1, pointed to John’s dependency here on Huguccio; on Huguccio see David M. Freidenreich, ‘Sharing Meals with Non-Christians in Canon Law Commentaries, Circa 1160–1260: a Case Study in Legal Development’, *Medieval Encounters*, 14 (2008), pp. 41–77 (pp. 56–57).

55 MS 6/6 fol. 121ra: ad mensam permittimus] ad hoc, ut eos lucremur ut 23 quaestio 4 *infideles*. Cum Iudeis tamen non possumus comedere, ut 28. q. 1 *omnes*. Sed nec hodie cum paganis licitum est comedere, cum ipsi discernant cibos sicut et Iudei. [...]; MS 67/34, fol. 81vb, line 2 permittimus] ad hoc, ut eos lucremur ut 23 quaestio 4 *infideles*. Cum Iudeis tamen non possumus comedere, ut 28. q. 1 *omnes*. Sed nec hodie cum paganis licet comedere, cum et ipsi discernant cibos sicut Iudei. [...].



observation in the gloss on *Omnes* where they used the word '*gentilium*'.<sup>56</sup> Terms used in Medieval Latin for unbelievers varied and often it can be difficult to know precisely what kind of disbelief is being referred to.<sup>57</sup> But in the glosses on *Ad mensam* and *Omnes* it is evident that the glossators are using the terms *paganus* and *gentilis* to signify Muslims, who, after all made distinction among foodstuffs as Jews do by, for example rejecting pork.

The closing sentence of *Omnes* contained the phrase 'and thus Christians would start being inferior to Jews.' The Anglo-Norman glosses on the word '*inferiores*' are attributed to the Anglo-Norman canonist, Simon of Southwell. One of them referred to canon 26 of the Third Lateran Council which spelt out that Jews should be subjected to Christians.<sup>58</sup> When Johannes/Bartholomeus commented on '*inferiores*' they simply referred to *In sancta* (C. 2 q. 7 c. 4) which featured in a section concerning the question whether those in higher orders can be accused by those in lower orders or by laymen. It contained the words: 'for we know that we have been placed above them by the Lord and not they over us, and just as the greater cannot be judged by the lesser neither can the greater be bound by the lesser because everything that is great stands apart.'<sup>59</sup> It seems to me that Johannes was thinking that these words, which in their original context had nothing whatsoever to do with Jews, expressed well why Christians should not eat with those whose dietary laws contradicted Christian teaching about the supersession of Judaism and the proper relationship between Christians and Jews.<sup>60</sup>

The final sentence of *Infideles* stipulated that when it came to the unbelievers, who are within (*qui intus sunt, id est infidelibus*), their rot should be cut off.

56 Ms 6/6 fol. 200vb: Omnes Iudeorum] similis et gentilium, cum iam cibos discernant [...]; MS 67/34, Fol 120vb (2 lines from bottom)–1211a: Omnes Iudeorum] similis et gentilium, cum iam cibos discernant [...].

57 See my 'St Anselm and Those outside the Church', in *Faith and Unity: Christian Political Experience*, ed. by David Loades and K. Walsh, Studies in Church History, subsidia 6 (Oxford: Blackwell publishers, 1990), pp. 11–37.

58 MS 283/676, fol. 184vb: inferiores] In con. la. Iudei S'; Concilium Lateranense III, c. 26 ([...] cum eos [Judeos] subjacere Christianis oporteat), in Solomon Grayzel, *The Church and the Jews in the XIIIth Century. A Study of their Relations during the Years 1198–1254, Based on the Papal Letters and the Conciliar Decrees of the Period*, revised edn (New York: Hermon Press, 1966), pp. 296–7; *Decrees of the Ecumenical Councils*, ed. by Norman P. Tanner, original text established by G. Alberigo and others, vol. 1 (London: Sheed and Ward, 1990), pp. 223–4. I plan to examine the multiple glosses on *Nullus* and *Omnes* in the Anglo-Norman MS in much more detail in a separate study.

59 Ed. Friedberg, coll. 483–4: In sancta Nicena sinodo statutum est, ut nemo anathematizatus in nostra suscipiatur accusatione, nec illi, qui nos in sua accusatione nolunt recipere, cum nos super illos sciamus a Domino constitutos, non illos super nos, et sicut maior non potest a minore iudicari, ita nec colligari, quia rarum est omne quod magnum est. [...].

60 On these canons and a comparison between canonistic treatment of Muslims and Jews see Freidenreich, 'Sharing Meals', pp. 47–64. See also his *Foreigners and their Food. Constructing Otherness in Jewish, Christian, and Islamic Law* (Berkeley: University of California Press, 2011), and Czerwinski, pp. 264–84.

Johannes's comment on this is that the Church at times likewise punished the Jews and referred to *Constituit in causa* 17 (C. 17 q. 4 c. 31) as well as, Innocent III's bull, *Post miserabilem*.<sup>61</sup> *Constituit* was canon 65 of the Fourth Council of Toledo (633) which forbade Jews and converts from Judaism from holding public office because it was thought they would misuse their authority to maltreat Christians. Anyone allowing Jews to do this would be guilty of sacrilege. It was one of the canons added in Gratian 2 to question 4 of *causa* 17 joining more than thirty others concerning prohibitions of infringing ecclesiastical privileges and property.<sup>62</sup> *Post miserabilem* refers to Innocent III's bull to Archbishop of Narbonne and others calling for a Crusade which included a section which aimed to protect crusaders from having to pay interest on their loans. As far as Jewish lenders were concerned, Innocent demanded that they remit the usury owed to them. The Pope admonished the lords who had jurisdiction over the Jewish lenders to enforce this.<sup>63</sup> It is interesting that Johannes/Bartholomeus brought in the Jews in their consideration of the words 'qui intus sunt'. It seems to me that it reflected the ambiguous position of Jews in medieval Christian society. Yes, certainly, Jews were *foris*, on the outside, yet, paradoxically, through their service to Christendom they were intimately connected with what was happening *intus*, 'on the inside'.

Let us now finally turn our attention to *Dispar nimirum*. The text reads: *Dispar nimirum est Iudeorum et Sarracenorum causa. In illos enim, qui Christianos persecuntur, et ex urbibus et propriis sedibus pellunt, iuste pugnatur; hii ubique servire parati sunt* ('The case of Jews and Muslims is without a doubt different. For against the latter, who persecute Christians and drive them out of their own cities and settlements, one fights justly; the former are prepared to serve everywhere').<sup>64</sup> The text is canon 11 of *causa* 23's question 8 which asked whether ecclesiastics were permitted to engage in violence on their own authority, or the pope's or the emperor's. The issue begged further questions about the permissibility of prelates shedding blood by their own hands or by the hands of laymen at their direction. Saracens come up in canon 7, which was the letter by Pope Leo IV (847–52) to Emperor Louis II in which he urged the people to go to the coast to protect it

61 MS 67/34, fol. 106ra: *Qui intus* Quandoque etiam Iudeos punit ecclesia Iudeos Extra III de usuris 'Post miserabilem' et 7 [sic] q. 4 'Constituit'. Johannes gave the so-called *Compilatio Tertia*, the compilation of Innocent III decretals between 1198 and 1209 as the reference for *Post miserabilem*. Bartholomeus updated that to the Gregorian Decretals. On the *Compilatio Tertia* see Brundage, *Medieval Canon Law*, p. 195; MS 6/6, fol. 166va.

62 C. 17 q. 4 c. 31, ed. Friedberg, col. 823; *JLSEMA* pp. 490–1, no. 848.

63 Grayzel, *The Church and the Jews*, pp. 86–7; Simonsohn, *The Apostolic See and the Jews*, p. 71, no. 67; *Compilatio Tertia* Liber V, Titulus X, 2, ed. by Emil Friedberg, *Quinque Compilationes*, p. 131 (Available at: [http://works.bepress.com/david\\_freidenreich/21](http://works.bepress.com/david_freidenreich/21), accessed 10 Feb. 2015); X 5.19.12, ed. by Emil Friedberg, *Corpus Iuris Canonici 2. Decretales* (Leipzig: B. Tauchnitz, 1881), coll. 814–5 (online: <http://www.lex.unict.it/liber/accedi.asp>, accessed 17 February 2015).

64 C. 23 q. 8 c. 11, ed. Friedberg, 955; Freidenreich, 'Muslims in Western Canon Law', p. 45.

from Saracen attack. Saracens were mentioned again when Gratian 1 referred to this letter and Saracens in his *dictum* after canon 20. Neither Johannes nor Bartholomeus had anything to say about these two mentions of Muslims. At this point their focus was on questions of papal and imperial authority and the contentious issue of clerical harnessing of violence.<sup>65</sup>

Before we analyse the glosses on *Dispar nimirum* it is worth asking ourselves why Gratian 1 chose this canon for his *Decretum* in the first place. Again, we might be tempted to wonder why he did not choose *Sicut Iudeis*. Why was *Sicut* not added to Gratian 2? This time we are referring to *Sicut Iudeis* in its original Gregorian form. Gregory the Great's *Sicut Iudeis* was, after all, the most widely disseminated canon which concerned the protection of Jews in the tenth, eleventh and early twelfth-century canonical collections. Gilchrist's data demonstrate that it occurred three times more often in the post 1063 collections which pre-dated Gratian than *Dispar Nimirum* on its own or in its expanded version, *Placuit nobis sermo*, i.e. the full text of the letter Alexander II sent to the Spanish bishops. None of these collections included both *Sicut Iudeis* and *Dispar Nimirum (Placuit)*.<sup>66</sup> That neither Gratian 1 nor Gratian 2 includes the twelfth-century papal version of *Sicut Iudeis* fits in with the fact that with one exception the *Decretum* does not include papal bulls (as distinct from conciliar decisions) beyond the reign of Pascal II (1099–1118).<sup>67</sup>

Without wishing to get caught up in the minefield of what sources Gratian might have used directly or indirectly, we might find an important clue by looking at the placing of *Dispar Nimirum* in *quaestio* 8 and reflecting whence Gratian 1 might have derived his texts. The canons introduced by Gratian 1's second *dictum* and preceding canon 11, as well as canon 11 (*Dispar*) itself and Gratian 1's canons 12, 13, 14 and 16 are all to be found in the eighth book of the late eleventh/early twelfth-century(?) *Panormia*, commonly ascribed to Ivo of Chartres.<sup>68</sup> The fact that they are listed in the *same* book of the *Panormia*, in *adjacent*, if not consecutive canons, leads one to conjecture that they came to Gratian, as it were, in a 'Panormian' cluster.<sup>69</sup> The *Panormia* did not include the Gregorian *Sicut Iudeis*.<sup>70</sup>

65 C. 23 q. 8 d. a. c. 1–d. p. c. 20, ed. Friedberg, coll. 953–9; Russell, *The Just War*, pp. 55–85; Brundage, 'Holy War', pp. 106–10.

66 Gilchrist, 'The Canonistic Treatment', pp. 101–6.

67 Landau, 'Gratian', p. 28; see also Winroth, pp. 136–45.

68 The attribution has been challenged by Christof Rolker in his book *Canon Law and the Letters of Ivo of Chartres* (Cambridge: Cambridge University Press, 2010), see <https://ivo-of-chartres.github.io/panormia.html> (accessed 17 February 2015), where a possible range of dates for the *Panormia* is given.

69 This is also the case for canons 10 and 15 inserted by Gratian 2, ed. Friedberg, pp. 954–7. Ivo, *Panormia*, VIII, canons 27, 28, 30, (32 [canon 10 inserted in Gratian 2]), 29, 20, 21, 18, (37 [inserted in Gratian 2]), 19, <https://ivo-of-chartres.github.io/panormia.html> (accessed 17 February 2015).

70 Gilchrist, 'The Canonistic Treatment', p. 106 (*Sicut Iudeis* was also not included in Ivo's *Decretum* or the *Tripertita*).

This might provide us with a simple technical explanation why Gratian 1 included *Dispar Nimirum*.

However, if we extend our contextual analysis to Gratian 1's canons 17 and 18 we notice that they appeared in the *Polycarpus*, the canonical collection assembled by Gregory of St Grisogno (c. 1111–13), which we know Gratian used. The *Polycarpus* did include *Sicut Iudeis*.<sup>71</sup> We must therefore take on board the strong likelihood that Gratian's choice of *Dispar Nimirum* was an informed choice and not simply determined by what was available to him in his sources. It is at this point that we need to remember that our fixation on Gregory's *Sicut Iudeis* has a great deal to do with the fact that it provided the nub of the papal bull Jews so frequently requested in the twelfth and thirteenth century. But *Sicut Iudeis* plainly did not offer what Gratian 1 was looking for. In the context of this part of question 8 of *causa* 23 he needed an up-to-date text which drew out the difference between Muslims and Jews; he was interested in texts which specified permission to perpetrate violence. *Dispar Nimirum* was the perfect fit for his purposes, as it had been for the author of the *Panormia*. Gratian even went so far as to drop the final line of Alexander II's original letter, *Quemdam etiam episcopum sinagogam eorum destruere volentem cohibuit* ('And he restrained a certain bishop who wished to destroy their synagogue'). Because Alexander had referred to *beatus Gregorius* in the first part of his letter, the closing sentence of the letter would seem to be an oblique reference to Gregory's *Sicut*, which the *Panormia* had included.<sup>72</sup> Muslims with whom Christians regularly did battle was the issue at this point of *causa* 23, not protection of Jews *per se*. I believe that this is borne out by the fact that *Sicut Iudeis* was also not included in Gratian 2, to which so much extra material had been added to elaborate on topics which would appear not to have been fully covered by Gratian 1.

The Anglo-Norman gloss contains interlinear glosses to *Dispar* to make absolutely sure that it was crystal clear that it was the Saracens who set about attacking Christians and the Jews who did the serving.<sup>73</sup> The marginal glosses seem to have

71 The *Collection in Three Books*, which was compiled between 1113 and 1120, and which we know Gratian consulted also contained *Sicut Iudeis*. (The *Collection in Three Books* depends heavily on the *Polycarpus*). *JLSEMA*, 680–1 and no. 1239, p. 681; Gilchrist, 'The Canonistic Treatment', p. 106; Landau, 'Gratian', *HMCL*, p. 32; *Collectio canonum trium librorum*, 3.6.1 ed. by Giuseppe Motta, vol. 2 (Vatican City: Biblioteca Apostolica Vaticana, 2005) p. 42.

72 *Panormia*, VIII, 29, <https://ivo-of-chartres.github.io/panormia.html> (accessed 17 February 2015); *JLSEMA* no. 731, pp. 452–3. In the context of this publication it is worth mentioning here that Blumenkranz suggested that it was a copyist who had separated the line from the earlier passage in the papal letter outlining Gregory's policy protection of Jews. See Bernhard Blumenkranz, *Les Auteurs chrétiens latins du moyen âge sur les juifs et le judaïsme* (Paris: Mouton, 1963), p. 263 n. 5. It could also be argued that in absence of the whole text of Alexander's letter in the *Panormia*, Gratian could have been unclear to whom the final sentence alluded. I am grateful to Dr Brett for this insight.

73 MS 283/676, Fol. 163vb: interlinear: sedibus pellunt: ut Sarraceni; hii: Iudei.

had two aims.<sup>74</sup> The first was to expand on the canon's direction that Muslims and not Jews might be attacked by specifying that this did not run counter to *De Iudeis* in Distinction 45. The Anglo-Norman gloss, in other words, took great care to specify exactly when using force against Jews was legal and when it was not. This rather than protection of Jews *per se* seemed to have been the legal issue. The *Glossa Ordinaria* did not mention *De Iudeis* in its glosses on *Dispar*. This makes one wonder whether there might be a connection between the contents of this gloss in Anglo-Norman MS and the pogroms against the Jews which had spilled out of London to East Anglia and York in 1189/90. Further study on the choices the compilers of the Anglo-Norman gloss made from the sources available to them might shed more light on this question.

The second marginal gloss concentrates on the distinction between Muslims and Jews by referring back to canons we have already studied: *Ad mensam* in *causa* 11 and *Omnes in causa* 28. It pointed out that Jews were treated more favourably here than Muslims but less favourably in those two canons.<sup>75</sup> Johannes/Bartholomeus also referred to *Ad mensam*, but their priority seems to have been to establish greater clarity around the position of Muslims. For they wrote: 'It seems therefore that if Saracens do not persecute Christians that we cannot assail them for we are even able to eat with them (C. 11 q. 3 *Ad mensam*). And the law says that we must do no harm to those who conduct themselves quietly (Justinian Code I. 11. 6). The ruling in the Justinian Code comes from the section concerning pagan sacrifices; this particular law admonished Christians not to abuse their religious authority and harass Jews and Pagans who were behaving peacefully and not attempting anything violent or against the law.'<sup>76</sup>

This is very much work in progress. I have only analysed a fraction of Gratian's *Decretum* along with the *Ordinary Gloss* and the Anglo-Norman gloss on the basis of three significant MSS. As yet, I have not yet analysed the sources Johannes, Bartholomeus, and the compilers of the Anglo-Norman gloss might have used and shared. What I have presented of the Caius Anglo-Norman MS is only the start of a large project of analysing the references to Jews and Muslims in the

74 MS 283/676, fol. 163vb: Margin: iuste: Non est contra supra 45 *De Iudeis*. Notum favorabiliores sunt hic Iudei quam Sarraceni alias autem minus favorabiles 11. q. 3 ad mensam 28. q. 1.

75 See note 74.

76 MS 6/6, Fol. 176rb: [Dispar persecuntur] Videtur ergo quod si Sarraceni non persequantur Christianos quod non possumus impetere eos nam etiam ad mensam eorum comedere possumus 11. q. iii ad mensam. Et lex dicit quod eis quiete degentibus nulla[m] <est> facere debemus molestia[m] ut C de sacrifici. paga.; MS 67/34: Fol. 109rb l. 26: [Dispar persecuntur] Videtur ergo quod si Sarraceni non persequantur Christianos quod non possumus impetere eos nam etiam ad mensam eorum comedere possumus xi. Q. iii ad mensam. Etiam lex dicit quod eis quiete degentibus nullam facere debemus molestia[m] ut C de sacrificiis pa. Christianis; Justinian Code, I. 11. 6, in *JLSEMA*, p. 300. See also Herde, 'Christians and Saracens', pp. 58–61.

gloss as a whole. That being said, it seems to me that on the basis of what I have discovered so far the following preliminary observations can be made.

Our work has demonstrated how important it is not to focus solely on rulings which were geared to Jews. By approaching *causa 23* from a broad perspective we have been able to demonstrate that Gratian 1 and the compiler(s) of Gratian 2 used Jews through their patristic texts time and again to present their arguments. We have also learned just how often Johannes, Bartholomeus, and the Anglo-Norman gloss referred to Jews in sections which did not concern Jews. Our glossators mentioned Jews for the sake of comprehensiveness; they referred to Jews to make their legal points. Unsurprisingly, it was Jews who were being used in this way, not Muslims; Jews were tolerated in Christian society on account of their utility or service to Christendom. From what I have seen so far it seems to me that apart from the few canons which specifically and unambiguously mentioned Muslims, Muslims were brought into the discussion in conjunction with Jews, as for example in the glosses we have seen on *Ad mensam*, *Nullus* and *Omnes*. To me this makes sense. The position of Muslims under Christian rule bore numerous similarities to that of Jews, but the roles of Judaism and Islam were not the same in Latin Christendom.<sup>77</sup>

Our work has also indicated the importance of analysing individual canons concerning Jews within the full context of the *Decretum* in order to understand why they were included in the first place and how they were perceived by those who studied and taught the material. We have seen that, notwithstanding the violence which had been perpetrated against the Jewish communities of the Rhineland in 1096, *Dispar Nimirum* seems to have been included in the *Decretum* to distinguish between Muslims and Jews rather than to supply a ruling which specifically protected Jews. This is borne out by the commentaries in the *Glossa Ordinaria* as well as in the Anglo-Norman gloss. More research along these lines should be able to help us understand better why the vast majority of the anti-Jewish canons of the *Decretum* were included in Gratian 2 rather than Gratian 1. Based on the work I have done on disentangling the versions of Distinction 45, question 4 of *causa 17* and question 1 of *causa 28* in Gratian 1 and Gratian 2 my preliminary thoughts are that 'Jewish' canons were added to Gratian 2 in much the same way that other canons were added, that is in an attempt to include all relevant legal material rather than for any other specific reason.

To be sure, what mattered to compiler(s) of the *Decretum* and, indeed, to the glossators we have considered was Christendom, not Jews. Yet the fact that they felt the need to refer to Jews so abundantly in their work for the sake of comprehensiveness and precision resulted in the dissemination of theological and legal

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77 See David Freidenreich's take on this in his 'Muslims in Western Canon Law', pp. 42 and 53–63.

material that far, far outweighed the dissemination of even the most popular learned treatises such as Peter Alfonsi's *Dialogus*. Even more crucially, copies of the *Decretum* and its glosses would have been studied by much broader sections of ecclesiastical and lay society than any theological works concerning the presence of Jews in Christian society, arguably including the extensively disseminated *Ordinary Gloss* of the Bible. What I have presented here is only the first step of a very much larger project, but I hope that I have been able to demonstrate how crucial it is to gain far greater understanding of how and why canon lawyers engaged with Jews as an integral part of their deliberations about the ecclesiastical governance of Latin Christendom.<sup>78</sup>

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<sup>78</sup> I owe a great debt to Dr Martin Brett for his very helpful comments on this paper. Any errors are entirely my own responsibility.





# SACRED OBJECTS IN JEWISH HANDS. TWO CASE STUDIES\*

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In 1331, a rumour spread through the small town of Klosterneuburg. A year earlier, a fire that had started in the town and had spread to the monastery towering above the town on a steep hill, had in its wake destroyed a vast part of the church and the adjacent building.<sup>1</sup> While the monastery's most valued treasure, forty-five twelfth-century fire-gilded, coloured and enamelled panels, had most likely remained unharmed – allegedly, wine had been poured over them to prevent damage – the otherwise extensive damage prompted the provost of the monastery, Stephen of Sierndorf, to commission major, and presumably rather costly, reconstruction works. In that course, Provost Stephen had *die schön daffl* ('the beautiful panels') brought to the goldsmiths of Vienna. They not only redid the gilding, but also redesigned the panels according to the provost's wishes: the panels which had until then been used as the casing for the pulpit, were reworked into a winged altar.<sup>2</sup> Perhaps it was the long absence of the masterpiece from the church, and most likely the high costs of this endeavour that set the citizens' tongues wagging: To finance his ambitious reconstruction work, the provost had pawned the panels to the Jews, so the vintners in and around Klosterneuburg gossiped. *Die hauer clafften*, 'the vintners were yapping', wrote the chronicle's author, creating a strong connotation with slanderous talk; 'and they yapped on in that manner', the chronicle continues.<sup>3</sup> Although the chronicle

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1 The *Kleine Klosterneuburger Chronik* ('Small Chronicle of Klosterneuburg') gives 1322 as the year of the fire, 1330 (and thus 1331 for the reconstruction works) is however more likely, see Floridus Röhrig, *Der Verduner Altar*, 8th ed. (Wien: Herold, 2004), pp. 19–20.

2 Röhrig, *Verduner Altar*, pp. 19–21.

3 Eveline Brugger and Birgit Wiedl, *Regesten zur Geschichte der Juden in Österreich im Mittelalter*, vols. I–III (Innsbruck-Wien-Bozen: StudienVerlag, 2005–2015), vol. I (2005), pp. 284–85, nr. 351; see also Klaus Lohrmann, 'Die Juden im mittelalterlichen Klosterneuburg', in *Klosterneuburg – Geschichte und Kultur* (Klosterneuburg: Stadtgemeinde Klosterneuburg Eigenverlag, 1992), pp. 209–23 (p. 213); and Joseph Shatzmiller, *Cultural Exchange. Jews, Christians, and Art in the Medieval Marketplace* (Princeton: Princeton University Press, 2013), pp. 5–58 (chapter two, 'Securities for Loans: Church Liturgical Objects', pp. 22–44), p. 34. Little is known about the author(s) of the chronicle, and its poor manuscript tradition – the first recordings stem from the 16th century – adds to the problem of dating. Alphons Lhotsky, *Quellenkunde zur mittelalterlichen Geschichte Österreichs* (Graz-Köln: Hermann Böhlaus Nachfolger,

is anything but dependable, Jewish involvement in the financing of the reconstruction works is not entirely impossible. Apart from the already flourishing Viennese community not far away, one of the most prestigious Jewish moneylenders in early fourteenth-century Austria, the Jewess Plume, had settled down in Klosterneuburg around 1320.<sup>4</sup> Therefore, even the local Jewish community definitely had the financial capacity to (co-)finance such an endeavour.<sup>5</sup> Yet there is no hint as to any loan having been taken out, or any pawn having been given, or any other involvement having taken place. Furthermore, unlike other monasteries, Klosterneuburg had at that time rather scarce contacts with Jewish moneylenders.<sup>6</sup> Most likely, no actual pawning had ever taken place. Whether the vintners of Klosterneuburg did gossip about it or whether these rumours had been made up by the chronicle's author(s) is of secondary importance for the topic at hand: it seems that the mere knowledge of high costs, of a considerable amount of money being involved, had caused *someone* to bring Jews into the equation. At the core of this gossip stood one message: Giving away precious church objects to Jews is bad.

It is unlikely that the writer(s) of the chronicle were referring to – or, rather, making a mockery of – one of the exceptions that officially allowed medieval clergy to resort to pawning liturgical objects: hardship and dire need. The twelfth-century *Decretum Gratiani* states that only ecclesiastical institutions so debt-ridden that they could otherwise not alleviate their financial burden were permitted to sell surplus church articles, and this on condition that they obtain approval of the relevant ecclesiastical authority. If these articles were not sold to another ecclesiastical institution, they had to be melted down before being handed over to laypersons.<sup>7</sup> What, however, is missing from the regulations of the *Decretum* as it

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1963), pp. 305–06, argues for a fourteenth-century original that would have been written by one or more citizens of Klosterneuburg, but this presumes considerable corruption of large parts of the text.

4 Lohrmann, 'Juden im mittelalterlichen Klosterneuburg', pp. 210–12; Birgit Wiedl, 'Die Kriegskassen voll jüdischen Geldes? Der Beitrag der österreichischen Juden zur Kriegsfinanzierung im 14. Jahrhundert', in *Krieg und Wirtschaft von der Antike bis ins 21. Jahrhundert*, ed. by Wolfram Dornig, Walter Iber and Johannes Gießauf (Innsbruck-Wien-Bozen: Studienverlag 2010), pp. 241–60 (pp. 248–49).

5 Jewish settlement in Klosterneuburg can first be traced in the late thirteenth century. Apart from Dreslinna, (below, n. 6) see Brugger and Wiedl, *Regesten*, I, p. 90, nr. 83 (1295); the first *iudex iudeorum*, a Christian responsible for Jewish-Christian relations, appears in 1330 (ibid., pp. 269–70, nr. 323). For this office, see Birgit Wiedl, 'Codifying Jews. Jews in Austrian Town Charters of the Thirteenth and Fourteenth Centuries', in: 'Slay Them Not.' *Jews in Medieval Christendom*, ed. by Kristin T. Utterback and Merrall Llenwellyn Price (Leiden-Boston: Brill, 2013), 201–22 (pp. 207–08).

6 Brugger and Wiedl, *Regesten*, I, p. 69, nr. 53 (1275, the monastery had pawned a vineyard to the Jewess Dreslinna who possibly lived in Klosterneuburg). Mostly, the monastery profited by buying vineyards and plots of land that were forfeited pledges, see, e.g., Brugger and Wiedl, *Regesten*, I, p. 157, nr. 148, p. 192, nr. 199, p. 214, nr. 235, pp. 226–27, nr. 257.

7 Jörg R. Müller, 'Zur Verpfändung sakraler Kultgegenstände im mittelalterlichen Reich: Norm und Praxis', in: *Pro multis beneficiis. Festschrift für Friedhelm Burgard. Forschungen zur Geschichte der Juden und des Trierer Raumes*, ed. by Sigrid Hirbodian, Christian Jörg, Sabine Klapp, Jörg R. Müller (= Trierer Historische

is from most of the earlier and later collections of canon law, are the Jews. Neither the *Decretum* (which in addition to the aforementioned dire circumstances listed the liberation of prisoners by means of ransom<sup>8</sup> as a legitimate reason for selling liturgical objects)<sup>9</sup> nor, to mention another important instance, the *Liber extra* (which also allowed the alienation of Church property only in times of distress) list Jews among the potential buyers or pawn-takers. While the *Decretum* speaks generally of 'anyone' (*cuilibet*) to whom the (melted) objects may be sold, the *Liber extra* goes into detail: innkeepers, merchants or other laymen, and women are listed as potential business partners.<sup>10</sup> While Jews, however, were missing from official ecclesiastical regulations of the high middle ages, Jörg Müller has pointed out that papal reservations regarding the pledging of church articles to Jews not only existed but were linked to anti-Jewish sentiment in general.<sup>11</sup> Already in the sixth century, Pope Gregory the Great had explicitly raged against sacred articles being sold to Jews, demanding that the Jew in question returned the articles and the clerics be punished.<sup>12</sup> In the early twelfth century, Petrus Venerabilis cautioned against Jews holding sacred vessels, since, if these vessels suffered horrible

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Forschungen 68). (Trier: Kliemedien, 2012), pp. 179–204 (pp. 182–83), which was, for example, not obeyed by the monastery of St. Egid (Scottish Monastery) at Nurnberg, who in 1403 pawned mitre, ostensory, crozier and chalice to Jews, and for the decades to follow (1441) had to resort to borrowing those items from other religious communities on high days and holidays to be able to perform their services (p. 200).

8 See *Gefangenenloskauf im Mittelmeerraum. Ein interreligiöser Vergleich. Akten der Tagung vom 19. bis 21. September 2013 an der Universität Paderborn*. Sklaverei – Knechtschaft – Zwangsarbeit, 13, ed. by Heike Grieser and Nicole Priesching (Hildesheim-Zürich-New York: Olms-Weidmann, 2015).

9 For an example, see Müller, 'Verpfändung sakraler Kultgegenstände', pp. 193–94 (Bishop Hermann of Prague gives five *pallia* in pawn to the Jews of Regensburg to add to the ransom for the Bohemian duke Svatopluk, who was held captive by King Henry V in 1107).

10 Lists of potential pawn-takers that include Jews appear, e.g., in the mid-thirteenth century town statutes of Iglau/Jihlava (Moravia). These state that 'no merchant, grocer, innkeeper or Jew nor anyone else' should accept church articles in pawn, nor take them in for safe-keeping, unless 'with good testimony' (*nisi sub certo testimonio*). This clause most likely refers to clear knowledge about the object's provenance. The punishment meted out for those contravening this regulation was equal for all perpetrators; when more regulations regarding Jews were added later, these focussed entirely on Jewish-Christian encounters of the sexual kind. Hermenegild Jireček, *Codex iuris Bohemici [CIB]*, vol. 1: *Aetatem Přemyslidarum continens* (Prague: Kober, 1867), p. 100, § XXXIII (de rebus ecclesiae); Johann Adolph Tomaschek, *Deutsches Recht in Österreich im dreizehnten Jahrhundert. Auf Grundlage des Stadtrechtes von Iglau* (Wien: Tendler, 1859), p. 172, who, interestingly and tellingly, interprets the quite unbiased list of the source (*nullus mercator, institor, tabernator vel iudeus*, edition pp. 245 and 314) as 'these pawnings might have mostly taken place with merchants, grocers, innkeepers and preferably [my emphasis] with Jews'. The paragraph on the punishment was added in the late thirteenth/early fourteenth centuries, see Tomaschek, *Deutsches Recht in Österreich*, pp. 31 and 245. The additions: Jireček, *CIB*, p. 112; Tomaschek, *Deutsches Recht in Österreich*, pp. 296–97, with a compilation of similar regulations. See also Müller, 'Gestolen' (see note 15), p. 443 fn. 9 (with the additional example of Nördlingen).

11 Müller, 'Verpfändung sakraler Kultgegenstände', pp. 184–85.

12 Joseph Shatzmiller, 'Church Articles: Pawns in the Hands of Jewish Moneylenders', in *Wirtschaftsgeschichte der mittelalterlichen Juden*, ed. by Michael Toch, Schriften des Historischen Kollegs, Kolloquien 71 (Munich: R. Oldenbourg, 2008), pp. 93–102 (p. 95).

treatment at the hand of the Jews, Christ himself would suffer.<sup>13</sup> Peter, among others,<sup>14</sup> also linked theological worries about sacred objects with critique of Jewish business in his reproach that the Jews would strive to enrich themselves by buying stolen church objects, an offence for which Christians were hanged, whereas Jews would, on grounds of a ‘very old but truly diabolic law’ [i.e. the Statute of the Market],<sup>15</sup> not only go unpunished but ‘would be fattened and could revel in luxury’.<sup>16</sup> About a hundred years later, when Jewish business activities had spread significantly in Western Europe and many regions of the Holy Roman Empire, Pope Alexander IV again connected these two sensitive subjects in his letter to the archbishops and bishops of the Kingdom of France. Not mincing matters, he complained bitterly about clerics who, unable to make a distinction between sacred and profane, dared to pledge these items to Jews. These, as enemies to the Christian faith, would commit horrendous crimes against these pawned objects. He therefore urged the bishops of France to forbid their clerics to pledge any ecclesiastical treasures to Jews – a stance that, as can be safely presumed, he took up not only in regard to the clergy and the Jews of France.<sup>17</sup>

While early secular legislation occasionally cautioned Jews against accepting items of ecclesiastical provenance,<sup>18</sup> the secular legislation from the thirteenth

13 Robert Chazan, *Medieval Stereotypes and Modern Antisemitism* (Berkeley et al.: University of California Press, 1997), p. 51; Shatzmiller, ‘Church Articles’, p. 95.

14 Shatzmiller, ‘Church Articles’, pp. 95–97 with examples from France; Müller, ‘Verpfändung sakraler Kultgegenstände’, pp. 190–93.

15 For the ample discussion on that topic see Friedrich Lotter, ‘Talmudisches Recht in den Judenprivilegien Heinrichs IV.: Zu Ausbildung und Entwicklung des Marktschutzrechts im frühen und hohen Mittelalter’, in *Archiv für Kulturgeschichte* 72 (1990), 23–61; Jörg Müller, ‘“Gestolen und ainem Juden versetzt” Jüdische Pfandleiher zwischen legaler Geschäftspraxis und Hehlereivorwurf’, in *Jüdisches Geldgeschäft im Mittelalter*, ed. by Eveline Brugger and Birgit Wiedl, = *Aschkenas. Zeitschrift für Geschichte und Kultur der Juden* 20, Heft 2 (Berlin and Boston: deGruyter, 2012), pp. 439–78; Magin, *Status der Juden*, pp. 352–400; Toch, *Juden im mittelalterlichen Reich*, pp. 109–10. On the Statute of the Market, see Michael Toch, *The Economic History of European Jews. Late Antiquity and Early Middle Ages*, *Études sur le Judaïsme Médiéval* 56 (Leiden-Boston: Brill, 2013), p. 211.

16 Heinz Schreckenber, *Die christlichen Adversus-Judaeos-Texte (11.-13. Jahrhundert). Mit einer Ikonographie des Judenthemas bis zum 4. Laterankonzil*, Europäische Hochschulschriften XXIII Theologie, vol. 335 (Frankfurt/Main et al.: Peter Lang, second edition 1991), pp. 180–96; Lotter, ‘Talmudisches Recht’, pp. 47–50; in the context of the pawning of church objects, see Magin, *Status der Juden*, pp. 361–62.

17 Salomon Grayzel, *The Church and the Jews in the XIIIth Century*, II: 1254–1314, ed. by Kenneth R. Stow (Detroit: Wayne State University Press, 1989), pp. 62–64; Shlomo Simonsohn, *The Apostolic See and the Jews*, I: *Documents 492–1404*, Studies and Texts 94 (Toronto: Pontifical Institute of Medieval Studies, 1988), pp. 214–15; Heinz Schreckenber, *Die christlichen Adversus-Judaeos-Texte und ihr literarisches und historisches Umfeld (13.-20. Jahrhundert)* Europäische Hochschulschriften XXIII Theologie, vol. 497 (Frankfurt/Main et al.: Peter Lang, 1994), p. 205, on Alexander’s other regulations, pp. 204–07. See also Müller, ‘Verpfändung sakraler Kultgegenstände’, p. 185; Shatzmiller, ‘Church Articles’, p. 95; Shatzmiller, *Cultural Exchange*, p. 30.

18 See Müller, ‘Verpfändung sakraler Kultgegenstände’, p. 187; Müller, ‘Gestolen’, p. 465; Magin, *Status der Juden*, pp. 355–67, with fn. 807.

century onwards reflected the secular rulers' main interest in 'their' Jews whom they, as their *servi camerae*, counted among their treasure.<sup>19</sup> 'The rulers' sole purpose is money', Rabbi Jacob bar Jechiel put it quite blatantly in the mid-thirteenth century.<sup>20</sup> Particularly with the ongoing transition of Imperial rights, among them the right to the Jews (*Judenregal*), to the territorial rulers,<sup>21</sup> these rulers focussed on economic gain through the use of their Jewish subjects, with financial business being their core interest. Secular legislation therefore preoccupied itself mainly with regulating the economic aspects of Jewish-Christian interaction, particularly moneylending and pawn-taking. While the first encompassing imperial privilege for the German Jewry, issued in 1236 by Emperor Frederic II, followed the model of earlier privileges and predominantly stressed the Emperor's claim to and protection of his *servi camere nostre*,<sup>22</sup> the privilege his Austrian namesake, Duke Frederic II, granted to the Austrian Jews in 1244, dealt in twelve of altogether 31 articles solely with Jewish moneylending and pawn-taking.<sup>23</sup> Among these regulations that not only defined the legal basis for the Austrian Jewry but also served as a model for many neighbouring countries,<sup>24</sup> *vestibus sanguinolentis et madefacti*

19 First explicitly stated in the general Imperial privilege by Emperor Frederic II in 1236, *Constitutiones et acta publica imperatorum et regum*, vol. 2: 1198–1272, ed. by Ludwig Weiland, Monumenta Germaniae Historica Leges IV, Constitutiones, 2 (1896; Hannover: Hahnsche Buchhandlung, 1963), p. 274, no. 204. On the vast discussion on the Jews as *servi camere* ('servants of the treasure'), see the summary by Toch, *Juden im mittelalterlichen Reich*, p. 48 and pp. 102–10; David Abulafia, 'The King and the Jews – the Jews in the Ruler's Service', in *The Jews of Europe in the Middle Ages (Tenth to Fifteenth Centuries). Proceedings of the International Symposium held at Speyer, 20–25 October 2002*, ed. by Christoph Cluse, Cultural Encounters in Late Antiquity and the Middle Ages 4 (Turnhout: Brepols, 2004), pp. 43–54; and Anna Sapir Abulafia, *Christian–Jewish relations, 1000–1300. Jews in the service of medieval Christendom* (Harlow: Pearson, 2011), pp. 51–55.

20 Martha Keil, 'Nähe und Abgrenzung. Die mittelalterliche Stadt als Raum der Begegnung', in *Nicht in einem Bett: Juden und Christen in Mittelalter und Frühneuzeit*, ed. by the Institute for Jewish History in Austria (St. Pölten: Eigenverlag des Instituts, 2005), pp. 2–8 (pp. 4–5).

21 Generally see *Germania Judaica [GJ]*, III: 1350–1519, part 3: *Gebietsartikel, Einleitungsartikel, Indices*, ed. by Arye Maimon, Mordechai Breuer, and Yacov Guggenheim (Tübingen: J. C. B. Mohr, 2003), pp. 2173–74; Michael Toch, *Die Juden im mittelalterlichen Reich*. Enzyklopädie deutscher Geschichte, 44 (München: Oldenburg, 3rd ed. 2013), pp. 48–49.

22 *Monumenta Germaniae Historica Leges 4. Constitutiones et acta publica imperatorum et regum*, II: 1198–1272, ed. by Ludwig Weiland (Hannover: Hahnsche Buchhandlung, 1896; repr. 1963), pp. 274–76; for a summary on the vast discussion see Toch, *Juden im mittelalterlichen Reich*, pp. 105–06; on the economic issues and particularly pawn-taking Müller, 'Gestolen', pp. 443–47.

23 Brugger and Wiedl, *Regesten*, I, pp. 35–38, nr. 25. For an overview of its content, see Eveline Brugger, 'Von der Ansiedlung bis zur Vertreibung. Juden in Österreich im Mittelalter', in Eveline Brugger, Martha Keil, Albert Lichtblau, Christoph Lind, and Barbara Staudinger, *Geschichte der Juden in Österreich*, (Wien: Ueberreuter, 2nd ed. 2013), pp. 123–227 (pp. 137–41 and 154–58); Robert Chazan, *The Jews of Medieval Western Christendom 1000–1500* (Cambridge et al.: Cambridge University Press, 2006), pp. 188–90; specifically on the pawn-taking, see Müller, 'Gestolen', pp. 447–51.

24 Hungary: Bela IV, 1251, *Monumenta Hungariae Judaica*, vol. 1: 1092–1539, ed. by Ármin Friss and Mór Weisz (Budapest: Wodianer F. és Fia bizománya, 1903), pp. 23–30, nr. 22; Poland: Duke Boleslaw, 1264, Julius Schoeps and Hiltrud Wallenborn, *Juden in Europa. Ihre Geschichte in Quellen*, vol. 1: *Von den*

(‘bloodied and soaked garments’), regardless of their secular or sacred function, were listed as items forbidden to take in pledge. Under King Přemysl Otakar II,<sup>25</sup> three significant words – *et sacris vestibus*, ‘and sacred vestments’ – were added to the list, but did not enter the ducal legislation on a permanent basis, rather for reasons of dynastic than economic and/or ecclesiastical policy.<sup>26</sup> They do, however, reappear in the territory of today’s Austria in a privilege the bishops of Bamberg granted to the Jews living in their Carinthian possessions.<sup>27</sup> A rather similar, that is, predominantly economic approach is displayed by the various *Landrechte* of the German-speaking areas.<sup>28</sup> The *Sachsenspiegel* – perhaps the most influential ‘German’ legal code (*Rechtsbuch*) – states that ‘if a Jew buys or accepts as a pledge chalices, books, or vestments of a cleric without a warrantor, and if the items are found on him, he shall be punished as a thief.’ Thus in Eike von Repgow’s view,

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*Anfängen bis zum späten Mittelalter* (Darmstadt: Primus, 2001), pp. 139–43, nr. 65 (German translation). On Hungary, see Katalin Szende, ‘Laws, Loans, Literates. Trust in Writing in the Context of Jewish-Christian Contacts in Medieval Hungary’, in: *Religious Cohabitation in European Towns (10<sup>th</sup> to 15<sup>th</sup> Centuries)*, Religion and Law in Medieval Christian and Muslim Societies, 3, ed. by Stéphane Boisselier and John Tolan (Turnhout: Brepols, 2014), pp. 243–271 (pp. 248–50); on Poland, see Jürgen Heyde, *Transkulturelle Kommunikation und Verflechtung. Die jüdischen Wirtschaftseliten in Polen vom 14. bis zum 16. Jahrhundert*. Deutsches Historisches Institut Warschau, Quellen und Studien, 29 (Wiesbaden: Harrassowitz, 2014), pp. 24–33.

25 In his reconfirmation and extension to Bohemia and Moravia of 1255, Otakar II adopted the article in question as it stood, see Brugger and Wiedl, *Regesten*, I, pp. 45–48, nr. 34 (1255); Jindřich Šebánek and Sáša Dušková, *Codex diplomaticus et epistolaris regni Bohemiae [CDB]*, vol. 5, part 1: *Inde ab a. MCCLIII usque ad a. MCCLXVI* (Olomouc: Univ. Palackiana Olomucensis, 1974), pp. 85–91, nrr. 41+ and 41+\* (Latin and German); the three words were added in the 1262 reconfirmation (and extension to Styria) in 1262, see Brugger and Wiedl, *Regesten*, I, pp. 51–54, nr. 39 (1262), pp. 62–65, nr. 47 (1268); Šebánek and Dušková, *CDB 5/1*, pp. 471–75, nr. 316, pp. 137, nr. 566. Brugger, ‘Von der Ansiedlung’, pp. 141–42; Magin, *Status der Juden*, pp. 355–56. This addition that catered more to the clergy can perhaps be seen in connection with Otakar’s attempts to ‘upgrade’ the Bohemian Bishopric of Olomouc to an archbishopric, see Peter Johaneck, ‘Das Wiener Konzil von 1267, der Kardinallegat Guido und die Politik Ottokars II. Přemysl’, in *Ottokar-Forschungen = Jahrbuch für Landeskunde von Niederösterreich*, N. F. 44/45 (1978/79), pp. 312–40 (p. 322). Interestingly, the otherwise very strict regulations of the synod of Vienna from 1267, mostly following and partly exacerbating the regulations of the Lateran IV Council, make no mention of it – it seems to have been considered a mere economic issue.

26 The privilege was reissued in 1277 by King Rudolph I (Brugger and Wiedl, *Regesten*, I, pp. 71–73, nr. 56), but although he acted as Holy Roman King, he did so with the clear political intent of acquiring the duchies of Austria and Styria for his family. Thus, the privilege was issued in its version of 1244, in explicit memory of the late Babenberg duke, and without any reference to Otokar with whom Rudolph was already in conflict. This reconfirmation of the 1244 version also meant that the sacred vestments were again missing from the list of banned objects.

27 Brugger and Wiedl, *Regesten*, I, pp. 255–57, nr. 302 (*an aufpluotiges, nasses und durchstochne pfant und an aufkeych und mezzgewant*, ‘apart from bloodied, soaked, and transpierced pledges, and chalices and sacred vestments’). The privilege was issued for the Jews of Villach but was inserted in a reconfirmation issued at Wolfsberg, the second Bamberg possession that housed a considerably large Jewish community; most likely, the privilege was extended to all of their Carinthian possessions, see Wilhelm Wadl, *Geschichte der Juden in Kärnten im Mittelalter. Mit einem Ausblick bis zum Jahre 1867*. Das Kärntner Landesarchiv 9 (Klagenfurt: Verlag des Kärntner Landesarchivs, 3rd. ed. 2009), pp. 159–60.

28 See Magin, *Status der Juden*, pp. 366–72.



only items that were acquired under dubious circumstances are cause for prosecution, regardless of their potential ecclesiastical function.<sup>29</sup> Other legal codes, for instance the *Schwabenspiegel*, also specifically mentioned these items – *kelich oder pucher oder garbe oder icht das zu der mess gehort*, ‘chalices or books or vestments or whatever belongs to mass’ – with a tad more to the detriment of the Jews: If the items were proven stolen, the Jew had to return them; if he refused to do so and could not present a warrantor, he would be hanged as a thief.<sup>30</sup> The overall legitimacy of buying of, or lending money against sacred objects was not questioned; a legally sound transaction between a churchman and a Jew was, if the rules were obeyed, still possible, even if the pawns included sacred objects.<sup>31</sup> Yet, there are qualifiers. Some authors took a clear anti-Jewish stance: The *Schwabenspiegel* blamed the Jews for the preferential rights which the kings had, quite against the law (*wider recht*), granted to them,<sup>32</sup> while the *Wiener Stadtrechtbuch*, a private collection of municipal legal customs from the late fourteenth century, stated among its extensive regulations on Jewish pawnbroking that ‘the accursed Jews’ enjoyed much better rights towards the Christians than the Christians towards them, directly referring to the 1244 regulations.<sup>33</sup> Markus Wenninger and Joseph Shatzmiller have also stressed the importance of the illustrations that accompany

29 III 7 § 4. Furthermore, goods that were proven stolen afterwards were declared legitimate if the Jew had bought them in daylight and outdoors and could prove this with two witnesses. There are several editions of the various versions of the *Sachsenspiegel*; for the most comprehensive (yet somewhat outdated), see *Sachsenspiegel Landrecht*, ed. by Karl August Eckhardt. *Monumenta Germaniae Historica, Fontes iuris Germanici antiqui. Nova Series Tom. I Pars 1* (Göttingen and Frankfurt/Main: Muster-Schmidt Verlag, 3rd. ed. 1973) (citation: p. 199, § 115); over the last years, facsimile and/or online editions of the four surviving manuscripts have been done: Heidelberg: <http://digi.ub.uni-heidelberg.de/diglit/cpg164>; Wolfenbüttel: <http://www.sachsenspiegel-online.de/cms/>, both with further literature. The Dresden and Oldenburg manuscripts have been published as facsimile, see Heiner Kück, *Eike von Reggow: Sachsenspiegel. Die Dresdner Bilderhandschrift Mscr. Dresd. M 32* (Graz: Akademische Druck- und Verlagsanstalt, 2002 [facsimile] and 2006 [comments]); and Ruth Schmidt-Wiegand, *Der Oldenburger Sachsenspiegel. Vollständige Faksimileausgabe im Originalformat des Codes picturatus Oldenburgensis CIM 410 der Landesbibliothek Oldenburg* (Graz: Akademische Druck- und Verlagsanstalt, 1995/96 and 2006 [two volumes, smaller version]). On the articles pertaining to the Jews, see Klaus Lohrmann, ‘Die Rechtsstellung der Juden im Schwabenspiegel’, in *Die Legende vom Ritualmord. Zur Geschichte der Blutbeschuldigung gegen Juden*, ed. by Rainer Erb, Zentrum für Antisemitismusforschung der TU Berlin, Reihe Dokumente, Texte, Materialien 6 (Berlin: Metropol, 1993), pp. 73–94 (p. 88); Magin, *Status der Juden*, pp. 366–67; Müller, ‘Gestolen’, pp. 453–54; Markus Wenninger, ‘Die Juden in den Bilderhandschriften des Sachsenspiegels’, in *Integration und Ausgrenzung. Studien zur deutsch-jüdischen Literatur- und Kulturgeschichte von der Frühen Neuzeit bis zur Gegenwart. Festschrift für Hans Otto Horch*, ed. by Mark H. Gelber, Jakob Hessing, and Robert Jütte (Tübingen: Max Niemeyer Verlag, 2009), pp. 2–18 (p. 12 and 14).

30 *Schwabenspiegel Kurzform – I. Landrecht, II. Lehnrecht*, ed. by Karl August Eckhardt. *Monumenta Germaniae Historica, Fontes iuris Germanici antiqui. Nova Series Tom. IV Pars 1 et 2* (Hannover: Hahn, sec. ed. 1981), p. 351.

31 Lohrmann, ‘Rechtsstellung der Juden’, pp. 88–89.

32 Müller, ‘Gestolen’, p. 453; Abulafia, *Christian–Jewish Relations*, p. 55.

33 Eveline Brugger and Birgit Wiedl, *Regesten*, II (2010), pp. 229–32, no. 929; Magin, *Status der Juden*, pp. 102–05, 371–72; Wiedl, ‘Codifying Jews’, p. 208; Müller, ‘Gestolen’, p. 453.

the paragraph in several copies of the *Sachsenspiegel*: They show a Jew being hanged (or, in another version, with his hand being chopped off) with a chalice standing next to him. These illustrations lack the verbal qualifier – the possibility to present a warrantor – and merely show a Jew being punished for his crime.<sup>34</sup> The ban on sacred objects as pledges also entered the legal codes of cities, which, in their efforts to gain an extended legal and economic control over the Jews living within their respective ambits, introduced regulations regarding Jewish pawnbroking into their municipal legislation.<sup>35</sup> Although it is perhaps too small a sample to deduce a general proclivity on the part of ecclesiastically-ruled domains, it is worth noting that in Austrian town statutes, the ban on sacred objects as pawns for Jews appear, with one exception, only in towns that were under the rule of an ecclesiastical prince.<sup>36</sup>

It was after the death of a Carinthian bishop, John III of Gurk,<sup>37</sup> that in 1379 a commission, assigned by the papal chancellor, reported on the financial plight of the late bishop. John's legacy amounted to a meagre 400 florins. John's steward (*procurator generalis*), Hans Payer, blamed John's predecessors who had left debts so high that the annual revenues of the bishopric would not even suffice to cover the interest, and particularly, those who demanded interest rates that were deemed too high – the Jews.<sup>38</sup> Only with the aid of the Austrian dukes who had alleviated the burden of the interest rates had bankruptcy been averted.<sup>39</sup>

Jewish moneylenders, on whom Hans Payer so glibly laid the blame, had indeed been frequented on a quite regular basis by John III's predecessors, Paul and

34 Shatzmiller, *Cultural Exchange*, pp. 37–38; Wenninger, 'Juden in den Bilderhandschriften', p. 12.

35 See Magin, *Status der Juden*, particularly (but not exclusively) the chapter on the Statute of the Market, pp. 352–99, for banned items, pp. 391–99; for a list of examples of both towns and banned items, see *GJ III/3*, p. 2184.

36 Villach, Bishop of Bamberg, see fn. above. St. Pölten, Bishop of Passau: tunicles, unground corn, houses, bloodstained clothes (1338, Brugger and Wiedl, *Regesten*, I, p. 341, nr. 444); Pettau/Ptuj, Archbishop of Salzburg: ecclesiastical treasures, bloodstained clothes, unprocessed yarn and cloth, unground corn (1376, Dušan Kos, 'Abschrift und Übersetzung' in *Statut mesta Ptuj 1376/Das Stadtrecht von Ptuj aus dem Jahre 1376*, ed. by Marija Hernja Masten. Publikacije Zgodovinskega arhiva Ptuj, Viri 2 [Maribor: Umetniški kabinet Primož Premzl, 1998], pp. 103–200 [p. 151]). The only exception to this in today's Austria is Feldkirch that was under the rule of the Counts of Montfort: broken chalices, bloodstained clothes, soaked hides (between 1344 and 1359, Brugger and Wiedl, *Regesten*, II, pp. 228–29, nr. 928), while, e.g., the ducal town of St. Veit in Carinthia only listed *underchantez phant*, 'unrecognized pledge', i.e., any potentially stolen goods. See Wiedl, 'Codifying Jews', pp. 210–13.

37 Jakob Obersteiner, *Die Bischöfe von Gurk, 1072–1822*, Aus Forschung und Kunst 5 (Klagenfurt: Verlag des Geschichtsvereins für Kärnten, 1969), pp. 174–80.

38 Kärntner Landesarchiv [County Archives of Carinthia, further: KLA], AUR C 819; edition: Lang, *Acta Salzburgo-Aquilejensia*, pp. 743–50, Nr. 1031. See also Wadl, *Juden in Kärnten*, pp. 43–44.

39 The Austrian dukes had indeed come to the rescue, albeit at a price: already in 1365, Duke Rudolph IV had acquitted John III of the 2,400 florins (capital and interest) that John and his church owed the Jew Mosche of Maribor, grandson of Isserlein. The Duke did so as a recognition of John's loyal service, but also against the 'donation' of 2,000 florins for Rudolph's construction plans to Saint Stephen's cathedral. Brugger and Wiedl, *Regesten*, II (2010), p. 323, nr. 1117.



John II. Paul of Jägerndorf<sup>40</sup> had ascended to the bishopric of Gurk in 1351 in a quite controversial and extremely costly appointment.<sup>41</sup> In the following years, his need of money did for sure not decrease: as a papal nuncio, particularly for the ecclesiastical province of Salzburg, he was frequently sent on costly missions, and also acted as an emissary for the Austrian dukes on several occasions.<sup>42</sup> These offices and missions, as well as Paul's rather lavish lifestyle, came with a price, and in 1355, Paul took out a loan of 2613 florins with two of the most prestigious Jewish moneylenders of the time, Mosche of Maribor and his brother Chatschim of Celje.<sup>43</sup> In return, the Bishop pledged – in a rather common formula – all of the church's possessions.<sup>44</sup> While this is the only diplomatic evidence for Paul's Jewish credits, his financial situation could not have improved during his eight-year rule: *conflavit plurimum aeris alieni*, the episcopal catalogue sums up his reign.<sup>45</sup> In

40 Paul of Jägerndorf had likely had enjoyed a higher education since he was referred to as a *iuris peritus* during his service for King Louis of Hungary; he appears as *vicecomes capellae*, as protonotarius and as a royal envoy at the curia at Avignon. His income was guaranteed by a plurality of benefices: in 1350, Louis requested a canonry at Esztergom and the Archdeaconry of Nyitra for him, in addition to that, a canonry at Wroclaw, and, possibly, parishes in Bavaria, increased his revenues. For basic biographic details, see Manfred Heim, 'Paul von Jägerndorf', in *Die Bischöfe des Heiligen Römischen Reiches. 1198 bis 1448. Ein biographisches Lexikon*, ed. by Erwin Gatz (Berlin: Duncker & Humblot, 2001), p. 200; *Neue Deutsche Biographie*, 20 (Berlin: Duncker & Humblot, 2001), p. 107 (Manfred Heim, [http://daten.digital-sammlungen.de/bsb00016338/image\\_123](http://daten.digital-sammlungen.de/bsb00016338/image_123)); Obersteiner, *Bischöfe von Gurk*, pp. 155–63.

41 Paul's appointment mainly resulted from a dispute between Pope Clement VI and the Archbishop of Salzburg over the succession to the bishopric. The latter had appointed his brother, Ulrich, without the approval of the pope. During Paul's stay at the papal court at Avignon (where he negotiated the release of King Louis from excommunication), the Pope then 'rewarded' Paul with the Bishopric of Gurk, after he had managed to convince King Louis to abandon his claim to Sicily. He had to pay 1,166 florins, excluding additional fees, for the papal provision. On this see Obersteiner, *Bischöfe von Gurk*, pp. 155–57; Wadl, *Juden in Kärnten*, pp. 41–43. The canons and bondsmen of the Gurk church rebelled against Paul, but Paul's rival for the bishopric, Ulrich, gave up his claim to the see in 1352. In 1351, Paul confirmed the privileges that the Provost, the Dean and the chapter of Gurk had granted two Jewish families. For this, see Brugger and Wiedl, *Regesten*, II, pp. 122–23, nr. 697.

42 Obersteiner, *Bischöfe von Gurk*, pp. 159–60; Wadl, *Juden in Kärnten*, pp. 41–42.

43 See for the two brothers, sons of Scheblein, who resided in Maribor and Cilli/Celje, Markus Wenninger, 'Die Bedeutung jüdischer Financiers für die Grafen von Cilli und vice versa', in *Celjski grofje, stara tema – nova spoznanja/Die Grafen von Cilli, altes Thema – neue Erkenntnisse, Celje, 27. – 29. Mai 1998*, ed. by Rolanda Fugger Germadnik (Celje: Pokrajinski muzej, 1999), pp. 143–64, particularly 150–64; and 'Jüdische und jüdisch-christliche Netzwerke im spätmittelalterlichen Ostalpenraum', in *Beziehungsnetze aschkenasischer Juden während des Mittelalters und der frühen Neuzeit*, ed. by Jörg R. Müller, *Forschungen zur Geschichte der Juden. Schriftenreihe der Gesellschaft zur Erforschung der Geschichte der Juden e. V. und des Arye Maimon-Instituts für Geschichte der Juden A/20* (Hannover: Hahnsche Buchhandlung, 2008), pp. 163–76 (particularly Chatschim). Mosche should not be confused with his namesake, Mosche, son of Isserlein, who also lived in Maribor.

44 Brugger and Wiedl, *Regesten*, II, p. 170, nr. 804; Wadl, *Juden Kärnten*, pp. 42 and 87. See also Wadl, *Juden in Kärnten*, pp. 41–42. It is not clear whether Paul had taken out the loaned sum all at once, or whether his debts had accumulated over a period of time until the Jews demanded suretors, although the common use was to appoint suretors when taking out the loan.

45 Obersteiner, *Bischöfe von Gurk*, p. 160, fn. 44.

1359, Paul transferred to the Bishopric of Freising; in his stead, the chancellor of duke Rudolph IV, John Ribí of Platzheim-Lenzburg,<sup>46</sup> was made bishop of Gurk – and found the bishopric in total financial disarray.<sup>47</sup> Together with the Provost and canons of Gurk, he proceeded to accuse Paul of severe wrongdoings at the papal court. Paul had sold and mortgaged property that belonged to the bishopric's mensal revenues, and despite Paul's claim that he had used the proceeds to the benefit of the Church of Gurk, Pope Innocent VI ordered the Patriarch of Aquileia, Ludovico della Torre, to inquire into this.<sup>48</sup> Innocent's reaction to the second charge John brought in against his predecessor was not so accommodating. During his tenure, Paul has also pawned a mitre and a crozier *ad ipsam ecclesiam spectantes* ('pertaining to this church, expected to be at this church') to 'certain Jews' *sub usurarum voragine*, 'against voracious interest rates'. After the interest owed had accrued drastically, Paul had refused – and still continued to do so – to redeem the two items and return them to their rightful owner. Innocent showed no leniency here: Ludovico should make sure that Paul, who had openly (*coram nobis*) admitted to the pawning of both mitre and crozier, was to immediately fulfil his obligations and restore the church's sacred objects.<sup>49</sup> Despite the (seemingly inevitable) dig against the usurious Jewish moneylenders, it appears to have been the questionable legitimacy of Paul's pawning of objects which were not only sacred but belonged to the church's (and not Paul's) treasury, as well as Paul's flat-out refusal to make good for this, that had angered the Pope and had caused him to issue his strict command.<sup>50</sup>

46 Alfred A. Strnad, 'Johann Ribí, von Lenzburg', in *Neue Deutsche Biographie*, 10 (1974), p. 483 (online version; <http://www.deutsche-biographie.de/pnd136293131.htm>); Christian Lackner, *Hof und Herrschaft. Rat, Kanzlei und Regierung der österreichischen Herzöge* (Wien-München: R. Oldenbourg, 2002), pp. 278–92.

47 Initially, Rudolph had planned to secure the Bishopric of Freising for his Chancellor, but the Hungarian king Louis had intervened in the favour of Paul of Jägerndorf, who transferred from Gurk to Freising (after failing to acquire the See of Aquileia). For this, see Lackner, *Hof und Herrschaft*, p. 283; Obersteiner, *Bischöfen von Gurk*, p. 162.

48 Alois Lang, *Acta Salzburgo-Aquilejensia*, vol. 1: *Die Urkunden über die Beziehungen der päpstlichen Kurie zur Provinz und Diözese Salzburg (mit Gurk, Chiemsee, Seckau und Lavant) in der Avignonischen Zeit: 1316–1378*, *Quellen und Forschungen zur österreichischen Kirchengeschichte*, vol. 1 (Graz: Styria 1903), p. 498, nr. 686. Ludovico della Torre (being Pope Innocent's favourite candidate) had been successful against Paul of Jägerndorf in their competition over the patriarchy of Aquileia.

49 Archiv der Diözese Gurk, Klagenfurt (Archives of the Diocese of Gurk), Domkapitelarchiv T-37. The editions of Lang, *Acta Salzburgo-Aquilejensia*, pp. 498–99, nr. 687 and Simonsohn, *Apostolic See*, p. 413, nr. 387, base on the papal registers (Reg. Aven. 144, fol. 340r) and read *spectantia* instead of *spectantes*. Brugger and Wiedl, *Regesten*, II, pp. 245–46, nr. 957; Wadl, *Juden in Kärnten*, p. 42; Birgit Wiedl, 'Do hiezen si der Juden mesner rufen. Jüdisch-christliche Geschäftsurkunden als Quellen zur Alltagsgeschichte', in *Abrahams Erbe. Konkurrenz, Konflikt und Koexistenz der Religionen im europäischen Mittelalter*, ed. by Ludger Lieb, Klaus Oschema, and Johannes Heil, *Das Mittelalter. Perspektiven mediävistischer Forschung*, Beihefte 2 (Berlin-Munich-Boston: deGruyter, 2015), pp. 437–53 (pp. 450–51).

50 The choice of the Patriarch of Aquileia – and not the Archbishop of Salzburg, who was the Bishop of Gurk's superior – was most likely a political choice: Ludovico della Torre had vied against Paul for the

Despite the promising papal orders though, John II seemed to have relied more on Duke Rudolph IV than on Ludovico della Torre; and not quite a year later, in July 1361, Rudolph acknowledged and confirmed the verdict proposed by ten arbitrators. The list of property and items Paul had to either return or make good for was impressive.<sup>51</sup> As to the only Jewish involvement in this long list of financial transactions, Duke Rudolph ordered John to immediately return the mitre and crozier he had pawned to the Jews. All the money necessary for these recompenses had to come from his private assets.<sup>52</sup> At first, Paul seemed to have succeeded in resisting the execution of the verdict: two years later, he had to promise to Duke Rudolph that he would immediately fulfil the obligations;<sup>53</sup> and another two years later, after Rudolph's death, his brothers, Dukes Albrecht III and Leopold III, reached a new compromise with the bishop, probably in recognition of his still troubled financial situation. With the help of six noble arbitrators, four of whom had already been involved in 1361, the dukes decided, among many other issues,<sup>54</sup> how to proceed in the matter of Paul's obligations to Jewish moneylenders. It is from this arbitration that we learn the extent of his encumbrance: Paul owed the staggering amount of 12,451 florins, in capital alone, to several Jewish moneylenders. Albrecht and Leopold demanded that Paul pay 3,500 florins to Chatschim of Celje while they agreed to pay the accrued interest; they promised to assume both capital and interest with Mosche of Maribor, grandson of Isserlein. As for Abrech, who as an inhabitant of Friesach was a subject of the archbishop of Salzburg, the dukes promised Paul to help him get either an extension of payment or a payment in instalments, in addition to moderate (*beschaidenleich*) interest rates<sup>55</sup> – part of the 'help from the Austrian dukes' the

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Patriarchy of Aquileia only a few months prior, and had gained the seat through Pope Innocent's support.

51 He had to redeem three castles, several villages as well as houses and fortifications from their respective mortgages; repay provost, canons, and subjects of Gurk for the money he had loaned from them and recompense them for any losses they suffered as his guarantors *hintz kristen oder juden*, 'towards Christians and Jews'; recompense the episcopal treasury for the revenues he had collected but used for himself; and return the silverware he had borrowed.

52 KLA, AUR C 580 F, Brugger and Wiedl, *Regesten*, II, pp. 262–63, nr. 991. This would not be the last time Paul would be at odds with Duke Rudolph: in 1364, he thanked pope Urban V for his intervention in his dispute with the Austrian duke who had, presumably because of Paul's refusal to side with the duke in his war against Bavaria, sequestered property of Freising, see Lang, *Acta Salzburgo-Aquilejensia*, p. 558, nr. 790b (1364).

53 Brugger and Wiedl, *Regesten*, II, p. 289, nr. 1048.

54 The better part of the arbitration deals with the various properties Paul had pawned to Christians, mostly other noblemen, but also decides how to proceed with silverware, household items, and garment as well as manuscripts, ledgers, and charters that had been found by the pawntakers in the various castles and housings and that belonged to the bishopric.

55 Haus-, Hof- und Staatsarchiv Wien (Austrian State Archives, Vienna), AUR 1365 X 28 (Paul) and Bayerisches Hauptstaatsarchiv München (Bavarian State Archives, Munich), HU Freising nr. 293/1, nr. 293/2 (Albrecht, 2 copies). Albrecht's charter is edited by Joseph Zahn, *Codex Diplomaticus Austriaco-Frisingensis* Fontes Rerum Austriacarum II/35 (Wien: Kaiserliche Akademie der Wissenschaften,

Bishop's steward was referring to in 1379?<sup>56</sup> Of the mitre and the crozier, however, there is no mention in the arbitration, which might allow one to speculate that Paul had, in the meantime, actually succeeded in returning it. Around the same time, the papal investigation came to a conclusion too: Four jurists of the papal chapel decided in a legal opinion that a bishop who takes out monetary loans and pawns immovable property belonging to the mensal revenues without the sanction of his superior and without the consent of his canons, would bear every financial responsibility even if he has transferred to another bishopric in the meantime; his successor may not be held accountable.<sup>57</sup> Although the opinion is anonymized, naming the two main protagonists as P. and J., and avoids any mention of the name of the bishopric, it is evident who and what is being referred to. Interestingly and tellingly, what is missing from the list of Paul's misdoings are his Jewish business partners. Thus the point of contention was neither the Jewish loans (these are not mentioned), nor the sacred objects (these are not mentioned either), but that Paul had pawned and/or given away the church's property without any prior agreement, either from his superior or from his canons. The legitimacy itself however of giving away mitre and crozier in pawn – which the jurists must have known about since it was one of the main charges brought in against Paul by John – seems not to have been questioned. It would have been fine, it seems, had it but been executed properly, meaning with prior consent.

Like Paul, his successor John II of Platzheim was in permanent need of money, particularly due to his many political, diplomatic, and military duties and offices in the service of the Austrian dukes.<sup>58</sup> Among other income sources, he too took out loans with most of the prosperous Jewish moneylenders of the time. Yet, he approached the matter with more caution, perhaps having learned from Paul's

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1870–71), II (1871), pp. 342–47, nr. 748; Brugger and Wiedl, *Regesten*, II, pp. 334–35, nrr. 1140 (Paul) and nr. 1141 (Albrecht).

56 The Austrian dukes interfered with the nobility's debts on occasion: on the one hand, they could thus assert and demonstrate their sovereignty over the Jews, and the abovementioned example shows the different level of influence they were able to exert: Only Mosche of Maribor was an immediate subject of the dukes, while Chatschim of Celje had been given as a fief to the Counts of Celje in 1362 (Brugger and Wiedl, *Regesten*, II, pp. 278–79, nr. 1027, see also Wenninger, 'Cilli', pp. 151–52, Wadl, *Juden in Kärnten*, p. 122, p. 226); Abrech, as a Jew of Friesach, was a subject of the Archbishop of Salzburg, lord of Friesach. On the other hand, the Austrian dukes used their influence on Jewish loans and interest rates to the benefit (or detriment) of their nobility, see Eveline Brugger, *Adel und Juden im mittelalterlichen Niederösterreich. Die Beziehungen niederösterreichischer Adelsfamilien zur jüdischen Führungsschicht von den Anfängen bis zur Pulkauer Verfolgung*, Studien und Forschungen aus dem Niederösterreichischen Institut für Landeskunde 38 (St. Pölten: Selbstverlag des NÖ Instituts für Landeskunde, 2004); and Wiedl, 'Kriegskassen voll jüdischen Geldes', pp. 241–60.

57 KLA, AUR C 4831; Lang, *Acta Salzburgo-Aquilejensia*, p. 500, nr. 687.2 (brief summary).

58 He was Austrian chancellor, Steward of Anterior Austria, and Captain (*Hauptmann*; Latin: *Capitaneus*) of Carinthia, see Lackner, *Hof und Herrschaft*, pp. 283–84. In addition to the financial burdens these offices came with, John had to pay 1,060 florins appointment tax to the papal court, see Wadl, *Juden in Kärnten*, p. 42.

disastrous conduct. His closest business partner was *der erber und weiser, unser lieber freunt David der Steuzze*, 'the honourable and wise, our dear friend David Steuss', to whom he pawned houses and jewellery (and whose claims he had annulled by ducal order in 1370, see Figure 1).<sup>59</sup> However, when John, in his support of Rudolph IV's war against Ludovico della Torre, had to raise 6,000 florins and therefore pawned some of the bishopric's mensal revenues, he took several precautions. Not only did he secure the Provost, Dean, and chapter's *willen und gunst* ('knowledge and grace') beforehand and had them confirm it in writing, but actually pawned part of the revenues to them. The Jewish moneylender, Häslein of Friesach, was only involved through two middlemen: two citizens of Straßburg<sup>60</sup> had obtained (*gewunnen*) the loan of 500 florins for John, and it was to them, and not to Häslein, that he pawned the corresponding part of the revenues.<sup>61</sup> At least to one of his middleman, the procedures of a Jewish loan must have been familiar: Hans Payer, the same who had in 1355 stood bailman for bishop Paul on his loan with Mosche and Chatschim, and who in 1379 accused the Jews of being pivotal to the bishopric's financial disaster.

59 Brugger and Wiedl, *Regesten*, II, p. 240, nr. 946 (house), pp. 305–06, no. 1081 (jewellery, quote). Diözesanarchiv Brixen (Archives of the Diocese of Brixen), Oberes Archiv 447 (annulment); Christian Lackner, with Claudia Feller and Stefan Seitschek, *Regesta Habsburgica. Regesten der Grafen von Habsburg und der Herzoge von Österreich aus dem Hause Habsburg*, part V: *Die Regesten der Herzoge von Österreich (1365–1395)*, vols I–II (Wien-München: R. Oldenbourg, 2007, 2010), I: *1365–1370* (2007), pp. 274–75, Nr. 657; Brugger and Wiedl, *Regesten*, III (2015), p. 106, nr. 1315. On David Steuss, see Eveline Brugger, 'Loans of the Father: Business Succession in Families of Jewish Moneylenders in Late Medieval Austria', in *Generations in Towns. Succession and Success in Pre-Industrial Urban Societies*, ed. by Finn-Einar Eliassen and Katalin Szende (Newcastle upon Tyne: Cambridge Scholars Publishing, 2009), pp. 112–29 (pp. 117–18); Christian Lackner, 'Juden im Rahmen der habsburgischen Finanzverwaltung im 14. Jahrhundert', in *Jüdisches Geldgeschäft im Mittelalter. Aschkenas. Zeitschrift für Geschichte und Kultur der Juden* 20/2, ed. by Eveline Brugger and Birgit Wiedl (Berlin-Boston: De Gruyter, 2012), pp. 357–69 (pp. 365–67); Lohrmann, 'Juden im mittelalterlichen Klosterneuburg', pp. 216–18; Wiedl, 'Jüdisch-christliche Geschäftsurkunden', 451–52.

60 Straßburg in Carinthia, about 40 kilometres north of Klagenfurt; the Straßburg castle was the seat of the bishops of Gurk until 1787.

61 Archiv der Diözese Gurk, Klagenfurt (Archives of the Diocese of Gurk, Klagenfurt), Domkapitelarchiv 71–1-2. Brugger and Wiedl, *Regesten*, II, p. 265, nr. 996. See also Wadl, *Juden in Kärnten*, p. 42 and 200; Wiedl, 'Kriegsfinanzierung', pp. 249–50.

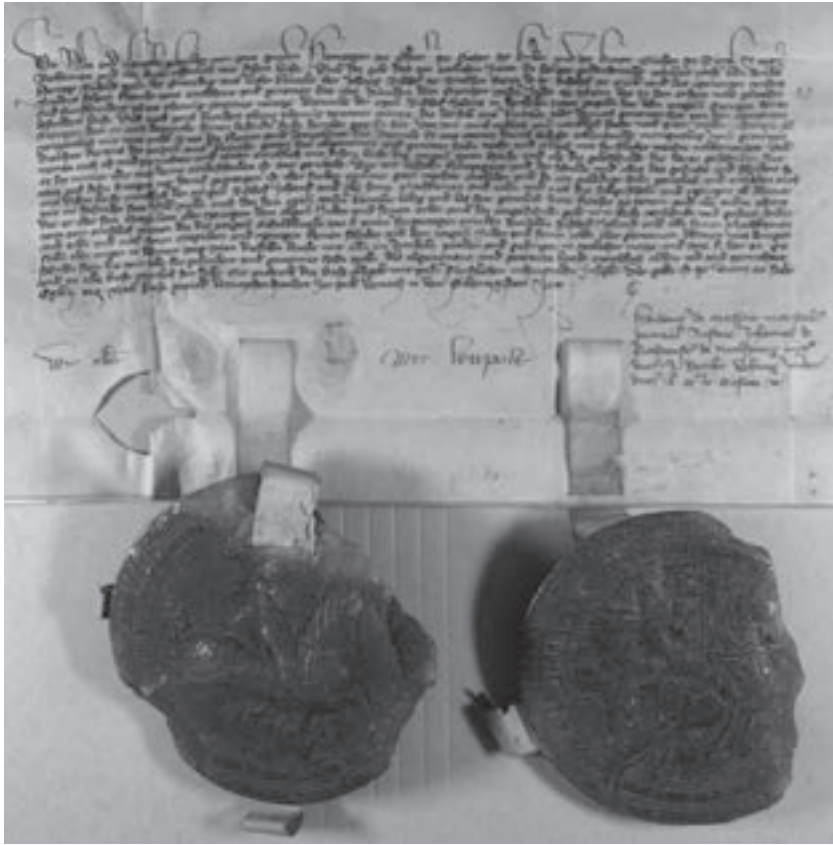


Fig. 1 Dukes Albrecht III and Leopold III annul the debt of their chancellor, Bishop Johann of Brixen (Bressanone) with the Viennese Jew David Steuss (1370 IX 1, Archives of the Diocese of Brixen, Oberes Archiv 447).

The accounting of these transactions proved to be quite complicated: in 1367, John of Platzheim had already transferred to the bishopric of Brixen, yet his obligations remained, at least partly. Before leaving for Brixen, he had paid 160 florins to Häslein, and for the rest, Häslein had received a new debt instrument, albeit not from John himself, but from the Provost, Dean and chapter of Gurk, and the two Straßburg citizens who had acted as middlemen six years earlier. Yet the rest of the obligations had remained with the Bishopric of Gurk and its new sovereign, John III, *der die vorgenant geltschuld als ein nachkom des obgenant unsers kanzler gelten sol* ('who should, as a successor to our aforementioned chancellor [John of Platzheim], pay the aforementioned debts'). Since Albrecht III himself was indebted with John III, he struck a deal with the new bishop: the accumulated



interest for the six-year-old loan (the amount of which is not stated) was offset by Duke Albrecht against John III's claims of 400 florins he had spent on his mission to Avignon in ducal service. While Albrecht would settle the interest, though, John III was committed to the payment of the remaining 340 florins, which he should clear within a year's time. The initial pawning of the mensal revenues was not mentioned, neither was the legitimacy of Häslein's claims questioned: Should John fail to meet his obligations, Häslein had the right to demand interest again and hold both John III and the Church of Gurk accountable.<sup>62</sup>

Is it possible to identify the Jews Paul had pawned the sacred objects to?<sup>63</sup> There were several Jewish moneylenders active in the duchy of Carinthia and its neighbouring countries in mid-fourteenth century; and with many of them, Paul had had (documented) business contact: Abrech of Friesach, Mosche and Chatschim of Maribor/Celje, Mosche of Maribor, grandson of Isserlein, and Isserlein of Friesach (albeit the latter being no prestigious moneylender himself, but a brother to Häslein who was second to none at the height of his activities). We know of his loan of 2,613 florins, a sum that would for sure have merited a truly valuable collateral (or two),<sup>64</sup> yet the charter only cites the standard formula 'all of his [i.e., Bishop Paul's] and his church's possessions'. Some time before 1360, Count Frederic of Cilli had stood bail for 780 florins that Paul had borrowed, obviously at one stroke, from a group of Jewish businessmen (Chatschim of Celje, Mosche, grandson of Isserlein, and Isserlein of Friesach).<sup>65</sup> This was yet another sum that would have called for a precious pawn. It is tempting to identify the 'certain Jews' who, according to John's complaint, held mitre and crozier in pawn, with two or more of these Jews; however, such an identification would stand on more than shaky ground.

Equally questionable is, however, whether the Jewish moneylenders actually, literally, held mitre and crozier; whether these objects were de facto handed over to them; or whether they were deposited with Christians. Private laypersons handed over jewellery with religious connotation, such as cross pendants or rosaries, without qualms, at least none of the spiritual sort,<sup>66</sup> and it is beyond

62 KLA, AUR C 629, 1367 November 5. Brugger and Wiedl, *Regesten*, III, p. 53, nr. 1221. See also Wadl, *Juden in Kärnten*, pp. 43 and 202.

63 Martha Keil, 'Christliche Zeugen vor jüdischen Gerichten. Ein unbeachteter Aspekt christlich-jüdischer Begegnung im spätmittelalterlichen Aschkenas', in *Mitteilungen des Instituts für Österreichische Geschichtsforschung*, 117/3-4 (2009), pp. 272-83 (p. 278), and following her, Müller, 'Zur Verpfändung sakraler Kultgegenstände', p. 181, fn. 7, mistake Häslein of Friesach, John's creditor, as the one who took the objects in pawn.

64 See for examples Müller, 'Zur Verpfändung sakraler Kultgegenstände', pp. 194-97.

65 Arhiv Republike Slovenije, Ljubljana (Slovenian State Archives), SI AS 1063, Zbirka listin 4222. Brugger and Wiedl, *Regesten*, III, p. 17, nr. 1156.

66 Wiedl, 'Jüdisch-christliche Geschäftsurkunden', pp. 449-50.

doubt that Jews did take pledges of all kinds home into their dwellings.<sup>67</sup> Yet in addition to (and quite certainly in connection with) to the aforementioned reservations of ecclesiastical authors who suspected the Jews of maltreating sacred objects handed over to them, a mandatory deposition of pawned sacred objects, particularly books, with Christians appears in several legal regulations: The fourteenth-century Meißener *Rechtsbuch* as well as the statutes of Augsburg and Goslar demand that Jews who accept sacred objects in pledge deposit them with Christians, and even hand them over in public.<sup>68</sup> Jörg Müller has provided several examples of books that had indeed been placed with Christians, such as the books that the Dominicans of Bern had pawned to Jews but deposited with the aldermen of the city.<sup>69</sup> In a perhaps related context, the town statutes of Jihlava caution not only those who take sacred objects in pawn against accepting objects of dubious provenance, but apply the same regulations to those who take them in for safe-keeping (*ad servandum recipiat; czu halden nemen*), suggesting a responsibility of the depositary for both the legitimacy of the preceding transaction and the 'safety' of the objects.<sup>70</sup>

Books were frequently listed among items that could, or should not, be given in pawn. Precious manuscripts were offered as a potential collateral for a loan in everyday business reality, and despite reservations from the rabbinical authorities, Jews did quite frequently accept them.<sup>71</sup> Some time before the year 1263, a singularly precious bible, which is today referred to as the Admonter Riesenbibel ('Giant Bible of Admont', see Figures 2 and 3), or Gutkeled-Bible (after the presumed donator),<sup>72</sup> had been pledged to a Jewish moneylender. The bible was in

67 Shatzmiller, *Cultural Exchange*, p. 55, sees these pledges as an essential contribution 'to the shaping of their [i.e. the Jews'] aesthetic sensitivity'.

68 Magin, *Status der Juden*, pp. 383–85, 391, 393–94, 396–98.

69 Müller, 'Zur Verpfändung sakraler Kultgegenstände', pp. 199–200.

70 Jireček, *CIB*, p. 100; Tomaschek, *Deutsches Recht in Österreich*, p. 245 and 314, with further examples.

71 Shatzmiller, *Cultural Exchange*, pp. 22–28, with examples from France, England, and Italy, and on the rabbinical reservations pp. 30–33; Müller, 'Zur Verpfändung sakraler Kultgegenstände', lists several examples from Germany throughout the article, e.g., pp. 194–96, and for the rabbinical stance, pp. 201–02; on the rabbinical reservations see also Martha Keil, 'Heilige Worte, Schriften des Abscheus – der Umgang mit Büchern als Paradigma des jüdisch-christlichen Spannungsverhältnisses', in *Text als Realie*, ed. by Karl Brunner and Gerhard Jaritz, Veröffentlichungen des Instituts für Realienkunde des Mittelalters und der Frühen Neuzeit 18; Sitzungsberichte Österreichische Akademie der Wissenschaften, Philosophisch-Historische Klasse 704 (Wien: Austrian Academy of Sciences Press, 2003), pp. 49–61 (p. 52).

72 The bible (today: Austrian National Library, Vienna, Cod. ser. nov. 2701) can be traced as being in use at the monastery of Csátár shortly after it had been written in Salzburg in the mid-twelfth century and had quite probably been given to the monastery by its founder, Martin, a member of the Gutkeled family; on fol. 3r, relics of the altar of Saint Peter at Csátár are listed. See Andreas Fingernagel, *Die Admonter Riesenbibel (Wien, ÖNB, Cod. Ser. n. 2701 und 2702)*, Codices Illuminati, I, Österreichische Nationalbibliothek: Reihe A, Die Handschriften, Autographen- und Nachlass-Sammlung, I (Graz: Akademische Druck- u. Verlagsanstalt, 2001), particularly pp. 9–11 and 14–16; Wiedl, 'Jüdisch-christliche Geschäftsurkunden', pp. 449–50.



possession of the Hungarian monastery of St. Peter at Csátár, a small institution founded by the influential and prominent family of Gutkeled. The family, which still was the monastery's patron at that time, obviously had easy access to the monastery's valuables, and one of their members, Vitus, had in agreement with his relatives given in pawn the two tomes of the bible to the Jew Farkas of Eisenburg/Vasvár.

Unlike in the case of the mitre and crozier, the Jewish pawntaker is not only mentioned by name but can quite safely be further identified. Appearing from 1255 onward under the Latin (*Lublin*), Hungarian (*Farkas*) and German (*Wölfel*) version of the same name, *Wölf*,<sup>73</sup> the Jew Lublin was one of, if not the most prestigious Jew within the Kingdom of Hungary and the Duchies of Austria and Styria. Lublin's family had strong ties to the Hungarian court: His father Henel had been *comes camere* of King Bela IV; Lublin as well as his brothers Nekelo and Oltmann remained closely connected with the royal financial administration, acting as tax farmers of the 'Thirtieth'<sup>74</sup> and owners of estates.<sup>75</sup> Unlike Henel and Oltmann (who only appear in Hungary), Lublin and Nekelo also had ties to the Duchy of Austria: in 1257, they appear as *comites camere* of the Austrian Duke (and Bohemian King) Přemysl Otakar.<sup>76</sup> The high status of the two brothers can also be illustrated by their use of a seal.<sup>77</sup>

73 Alexander Beider, *Ashkenazic Given Names: Their Origins, Structure, Pronunciation, and Migrations* (Bergenfield, NJ: Avotaynu Inc., 2001), pp. 437–40, where Lublin/Wölfel/Farkas is given as an example p. 438; see also Brugger and Wiedl, *Regesten*, I, pp. 57–58, nr. 43, pp. 65–66, nr. 48 (Wölfel) and pp. 50–51, nr. 38 (Lublin), all three times with his brother Nekelo.

74 Brugger and Wiedl, *Regesten*, I, pp. 65–66, no. 48; Nora Berend, *At the Gate of Christendom. Jews, Muslims and Pagans in Medieval Hungary, c. 1000–c. 1300* (Cambridge: Cambridge University Press, 2001), pp. 124, 126–27 and 130–32. The Thirtieth (*tricesima*) was a customs duty paid to the Hungarian queen; the collection of this revenue was frequently farmed out.

75 They owned several estates in Hungary such as the castle of Komárom and adjacent properties which they had inherited from their father Henel and had later handed over to the king in lieu of debts they had accumulated during their (or their father's) involvement in the royal fisc. The transaction is somewhat unclear: the three brothers signed over the castle to King Bela IV in 1265 (because of their debts to the royal fisc *ex administracione camere*), and signed it over a second time (?) in 1268 to Queen Mary (because of 800 marks they owed her for their lease of the Thirtieth), see Berend, *Gate of Christendom*, p. 131, fn. 105; Brugger and Wiedl, *Regesten*, I, pp. 57–58, no. 43, pp. 65–66, no. 48 and pp. 67–68, no. 51.

76 Brugger and Wiedl, *Regesten*, I, pp. 50–51, no. 38.

77 Lublin and Nekelo corroborated the charter of 1257, which settled their dispute with the Bishop of Freising over fiefs around Vienna to which both parties laid claim, with their shared seal; unfortunately, the seal is missing today; Haus-, Hof- und Staatsarchiv Wien (Austrian State Archives, Vienna), AUR 1357 II 18. Daniel M. Friedenber, *Medieval Jewish Seals from Europe* (Detroit: Wayne State University Press, 1987), pp. 290–92 and 323–24, misinterprets, among other grave errors, Lublin's office as *comes camere* as a noble title ('Count Lublin'). The common means of corroboration for charters issued by Jews were the Jews' respective signatures, often accompanied with the seal of the Jewish Judge, a Christian responsible for Jewish-Christian legal interaction; Jewish seals are rarely documented in the ashkenazic region and were only used in interaction with Christian business partners, see Eveline Brugger and Birgit Wiedl, '... und ander frume leute genuch, paide christen und juden. Quellen zur christlich-jüdischen Interaktion im



*Fig. 2 Admonter Riesenbibel (Giant Bible of Admont), 12th century, Austrian National Library, Cod. series nova Cod. 2701, fol. 206r: Vision of the Prophet Ezechiel.*

The sum for which the bible had been pawned is unclear: Vitus, after failing to redeem the bible, had to assign several properties to Csatár to recompense the monks for their loss, and the charter that confirmed the transfer of several properties to the monastery speaks of seventy marks for which Vitus had pawned the bible to Lublin. A note on the inner cover of the first of the two volumes, however, mentions the sum of twentyfour and a half marks (see Figure 3). The note gives detail about the terms of repayment: Vitus had to pay back the loan in three rates on three fixed dates. Furthermore, if Vitus did not repay within the agreed time, Lublin had the right to claim the bible back and dispose of it as he wished.<sup>78</sup>

But had Lublin really been handed over the two precious (and heavy) volumes? The wording of the note, *reddentur*, 'give back', suggests the bible had not been surrendered to Lublin himself; the aforementioned charter gives a hint as to where it might have been brought to. The abbot of another Hungarian monastery, Zalavár, confirmed the transfer of Vitus' property but was otherwise uninvolved in the transaction. This suggests that despite Lublin's unchallenged rights to either repayment or the collateral, the bible had not actually been handed over to him but had been deposited at Zalavar.

What had raised the problem was, quite similar to the Gurk case, not so much the pawning itself but the failure (or unwillingness) of the debtor to redeem the pawn. By losing a part of the monastery's property, Vitus had as clearly overstepped his authority as a patron of Csatár as Paul had his as a bishop, and had to pay for it – and it is highly likely that he would have had to recompense the monastery likewise had he lost the bible to a Christian creditor, or had he failed to redeem another pledge. Two things were never questioned: the legitimacy of the bible being pledged to a Jew, and Lublin's claim to it. The note in the inner cover matter-of-factly lists the conditions and arrangements, without any hints at reservations or misgivings. Notes concerning, or even by Jewish pawntakers have been discovered in quite a number of Christian 'sacred' books.<sup>79</sup> Yet the case seemed to have been remarkable enough to be commemorated: Nora Berend has brought attention to a little-known text that has the Hungarian King Andreas III intervene on behalf of the monastery.<sup>80</sup> Unfortunately, all but a few fragments have survived of the

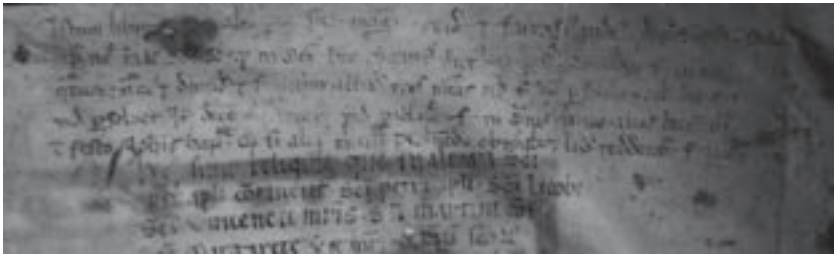
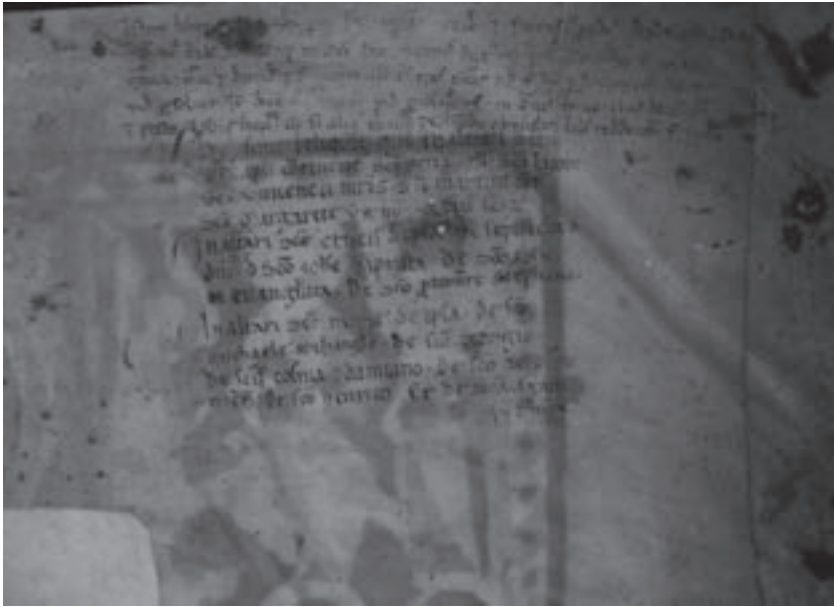
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Spätmittelalter', in *Räume und Wege. Jüdische Geschichte im Alten Reich 1300–1800*, Colloquia Augustana 25, ed. by Rolf Kießling, Stefan Rohrbacher, Peter Rauscher, and Barbara Staudinger (Berlin: Akademie Verlag, 2007), pp. 285–305 (p. 294); Martha Keil, 'Ein Regensburger Judensiegel des 13. Jahrhunderts. Zur Interpretation des Siegels des Peter bar Mosche haLewi' *Aschkenas. Zeitschrift für Geschichte und Kultur der Juden*, 1 (1991), pp. 135–50, particularly pp. 135–40. At the University of Trier, Andreas Lehnertz is currently working on a dissertation on the topic of Jewish seals in late medieval Ashkenaz.

78 Brugger and Wiedl, *Regesten*, I, p. 55, no. 40. Berend, *Gate of Christendom*, p. 118, presumes either accrued interest (since it is unknown for how long the bible had been pawned) or additional loans.

79 Shatzmiller, *Cultural Exchange*, pp. 25–26.

80 Berend, *Gate of Christendom*, pp. 118–19.



*Fig. 3a-b Admonter Riesenbibel (Giant Bible of Admont), 12th century, Austrian National Library, Cod. series nova Cod. 2701, fol. 3r: The (faded) note on the inner cover recording the pawning of the volumes to Lublin.*

former manuscript, which in its original form had been a compilation for teaching purposes.<sup>81</sup> This means that the context in which the case of the pawned bible was

<sup>81</sup> All that is left is a double page and a few strips of parchment, which were used as the cover and folds of a manuscript from 1421, from which they were removed in 1971. The fragments are now Österreichische Nationalbibliothek Wien (Austrian National Library, Vienna), Cod. Ser. n. 14458. Hermann Menhardt, *Verzeichnis der altdutschen literarischen Handschriften der österreichischen Nationalbibliothek*, vols I-III, Deutsche Akademie der Wissenschaften zu Berlin, Veröffentlichungen des Instituts für deutsche Sprache und Literatur, 13: 1-3 (Berlin: Akademie Verlag, 1960-1961), I (1960), pp. 325-26 (on the 1421 manuscript Cod. 2815, on the fragments p. 326).

presented is now lost to us. In the relevant fragment, it is however the Abbot of the monastery himself who pawns the (single) book, and there is no suggestion of either illegitimacy of this transaction, or of the Jew not receiving the book in person.<sup>82</sup>

These had been times of extreme poverty, violence and pillaging, and so it had been for the sake of mere survival, so the Bohemian abbot Peter of Zittau explained in his *Chronicon Aulae Regiae*, that the monks of Sedlec had sold their mobile goods and pawned their treasure to the Jews, accepting out of need voracious interest rates.<sup>83</sup> Since the monks were, according to Peter, acting out of sheer necessity, out of the need to subsist and buy aliments, they were acting on the only permissible ground to give in pawn the most precious of their valuables. The Jews however, even if they were not at the core of the monks' hardship, were at least an essential contributor to their plight. They had, literally, cashed in on the brothers' situation, demanding their (customary) rapaciously high interest rates: *sub usurarum voragine*, these same 'voracious interest rates' that both Bishop John in his quest to get mitre and crozier back, and steward Hans Payer in his effort to shift the blame had referred to. Yet had they in fact? We may wonder. Both of these accounts stem from papal diction. Bishop John's charges are only recorded in the papal mandate, and Hans Payer's statement was rendered in the report to the papal chancellor. The Bishop's wrongdoings, which had provoked the inquest to begin with, had, at least in the papal reports, successfully been projected on the Jews: By demanding their usual rapacious interest rates, they had caused the affair to spiral out of control.

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82 *Intellexim[us], quod abbas de Chatar unum librum Biblia vocatam cuidam Iudeo pignori obligasse*; see Géza Érszegi and László Szelestei, 'Fogalmazámintákat tartalmazó tankönyv töredékei a 14. század első feléből', in *Tanulmányok a középkori magyarországi könyvkultúráról*, ed. by László Szelestei (Budapest: Országos Széchényi Könyvtár, 1989), p. 318.

83 Josef Emler et al., *Fontes Rerum Bohemicarum*, vols I-VIII (Prague: Nákl. N. F. Palackého et al., 1871–1932), IV (1884), p. 18.



# SMOKE IN THE CHAPEL: JEWS AND ECCLESIASTICAL INSTITUTIONS IN AND AROUND VIENNA DURING THE FOURTEENTH CENTURY\*

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The theological stance of the Austrian clergy towards the Jews has been a topic of research for a long time; more recently, the number of studies on economic contacts between Jews and ecclesiastical institutions (especially in the context of moneylending) has also increased.<sup>1</sup> This article will therefore focus on another, less frequently addressed perspective on the relations between Viennese Jews and members of the clergy, namely on those interactions that were the result of everyday situations and during which matters of religion were not necessarily the primary concern of the involved parties. Thus, it will attempt to add another aspect to the information drawn from theological treatises and historiographic texts written by members of the clergy – because those sources tell us very little about the ‘normality’ of everyday life, especially during a time when the Jews in and around the city of Vienna were living in relative peace among the Christian majority.

Based on a generous privilege by Duke Friedrich II which defined their legal status in 1244, the Austrian Jews had enjoyed peace and growing prosperity during most of the thirteenth century.<sup>2</sup> The first half of the fourteenth century

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1 Fritz Peter Knapp, ‘Christlich-theologische Auseinandersetzungen mit dem Judentum im spätmittelalterlichen Österreich’, in *Ein Thema – zwei Perspektiven: Juden und Christen in Mittelalter und Frühneuzeit*, ed. by Eveline Brugger and Birgit Wiedl (Innsbruck-Wien-Bozen: StudienVerlag, 2007), pp. 269–86; Fritz Peter Knapp, ‘In Frieden höre ein Bruder den anderen an. Geistige Auseinandersetzungen der Christen mit jüdischem Gedankengut im mittelalterlichen Herzogtum Österreich’, *Arye Maimon-Institut für Geschichte der Juden: Studien und Texte*, 6 (2012), pp. 9–50 (pp. 22–38); Eveline Brugger, ‘Von der Ansiedlung bis zur Vertreibung. Juden in Österreich im Mittelalter’, in *Geschichte der Juden in Österreich*, by Eveline Brugger, Martha Keil, Albert Lichtblau, Christoph Lind, and Barbara Staudinger (Wien: Ueberreuter, 2nd ed. 2013), pp. 123–227, 585–96 (pp. 164–65).

2 Eveline Brugger and Birgit Wiedl, *Regesten zur Geschichte der Juden in Österreich im Mittelalter*, vols I–III (Innsbruck-Wien-Bozen: StudienVerlag, 2005–2015), vol. I (2005), pp. 35–38, no. 25; Robert Chazan, *The Jews of Medieval Western Christendom 1000–1500* (Cambridge and others: Cambridge University Press, 2006), pp. 188–90; Robert Chazan, *Reassessing Jewish Life in Medieval Europe* (Cambridge and others: Cambridge University Press, 2010), pp. 123–25; Klaus Lohrmann, *Judenrecht und Judenpolitik*



brought about the first major persecutions of Jews in the duchy of Austria – first on a local scale, for instance the murder of ten Jews after an alleged host desecration in the town of Korneuburg near Vienna in 1305.<sup>3</sup> In 1338, another accusation of host desecration in the small Lower Austrian town of Pulkau triggered the first persecution that went beyond the local scope; it affected Jews in several dozen towns of Lower Austria as well as in the neighbouring countries of Bohemia and Moravia. None of these persecutions were instigated by a higher secular or ecclesiastical authority, even though the alleged host desecrations led to a significant amount of theological debate and the creation of several pilgrimage sites.<sup>4</sup> The Jewish community of Vienna – the biggest and most important community in the duchy of Austria – remained safe from the Pulkau persecution, but at a price: the citizenry of Vienna forced the Jewish community to accept a severe reduction of interest rates on Jewish loans for Viennese citizens in return for protection.<sup>5</sup>

For the rest of the fourteenth century, the Jews of Vienna remained mostly safe from violent persecution, even though economic pressure on them was growing. While the Habsburg dukes did not (yet) go back on their promise of protection, they increasingly regarded their Jewish subjects as a source of income that

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*im mittelalterlichen Österreich* (Wien-Köln: Böhlau, 1990), pp. 53–84. On the beginning of Jewish settlement in Austria during the thirteenth century in general, see Brugger, 'Von der Ansiedlung bis zur Vertreibung', pp. 127–29; on Vienna in particular see *ibid.*, pp. 169–71; Klaus Lohrmann, *Die Wiener Juden im Mittelalter* (Berlin-Wien: Philo, 2000), pp. 22–32, 110–13.

<sup>3</sup> Eveline Brugger, 'Between a Rock and a Hard Place: Rulers, Cities, and 'their' Jews in Austria during the Persecutions of the Fourteenth Century', in *Slay Them Not: Jews in Medieval Christendom*, ed. by Merrall Price and Kristine Utterback (Leiden-Boston: Brill, 2013), pp. 189–200 (pp. 189–93). On the Korneuburg persecution, see Brugger, 'Von der Ansiedlung bis zur Vertreibung', pp. 211–16; *Germania Judaica II/1,2. Von 1238 bis zur Mitte des 14. Jahrhunderts*, ed. by Zvi Avneri (Tübingen: J. C. B. Mohr, 1968), vol. II/1, p. 450, vol. II/2, p. 894; Miri Rubin, *Gentile Tales. The Narrative Assault on Late Medieval Jews* (New Haven-London: Yale University Press, 1999), pp. 57–65; Winfried Stelzer, 'Am Beispiel Korneuburg: Der angebliche Hostienfrevl österreichischer Juden von 1305 und seine Quellen', in *Österreich im Mittelalter. Bausteine zu einer revidierten Gesamtdarstellung. Studien und Forschungen aus dem Niederösterreichischen Institut für Landeskunde*, 26, ed. by Willibald Rosner (St. Pölten: Niederösterreichisches Institut für Landeskunde, 1999), pp. 309–48 (pp. 313–14, 328–40); Birgit Wiedl, 'The Host on the Doorstep: Perpetrators, Victims, and Bystanders in an Alleged Host Desecration in Fourteenth-Century Austria', in *Crime and Punishment in the Middle Ages and Early Modern Times, Fundamentals of Medieval and Early Modern Culture*, 7, ed. by Albrecht Classen and Connie L. Scarborough (Berlin-Boston: Walter de Gruyter, 2012), pp. 299–346.

<sup>4</sup> Brugger, 'Between a Rock and a Hard Place', pp. 193–96; Jonathan Elukin, *Living Together, Living Apart. Rethinking Jewish-Christian Relations in the Middle Ages* (Princeton-Oxford: Princeton University Press, 2007), p. 107; Mitchell B. Merback, *Pilgrimage & Pogrom. Violence, Memory, and Visual Culture at the Host-Miracle Shrines of Germany and Austria* (Chicago-London: University of Chicago Press, 2012), pp. 76–78; Birgit Wiedl, 'Die angebliche Hostienschändung in Pulkau 1338 und ihre Rezeption in der christlichen und jüdischen Geschichtsschreibung', *medaon. Magazin für jüdisches Leben in Forschung und Bildung*, 6 (2010), pp. 1–14 ([http://medaon.de/pdf/A\\_Wiedl-6-2010.pdf](http://medaon.de/pdf/A_Wiedl-6-2010.pdf)).

<sup>5</sup> Brugger and Wiedl, *Regesten*, I, pp. 336–38, no. 439–40; Lohrmann, *Die Wiener Juden im Mittelalter*, pp. 71–74.



could be exploited at will.<sup>6</sup> At the same time, municipal authorities tried to gain greater influence over 'their' Jews, although the strong ducal authority made sure that these attempts never went very far in Austria.<sup>7</sup> Municipal legal texts from the second half of the fourteenth century sometimes contain open hostility towards Jews. The most frequently quoted example is the *Wiener Stadtbuch*, a private Viennese collection of municipal legal customs, which commented the Statute of the Market (granted to the Austrian Jews by the aforementioned ducal privilege in 1244 to protect Jewish pawnbrokers in case they unknowingly accepted stolen goods as pledges) with the complaint that 'die verfluchten juden vil pezzert recht habent gegen den christen denn die christen gegen den juden' ('the accursed Jews have much better rights towards the Christians than the Christians have towards the Jews').<sup>8</sup>

However, neither these developments nor the increase in ecclesiastical anti-Jewish rhetoric seem to have had much immediate impact on Jewish-Christian relations in Vienna. Jewish settlement was concentrated in the Jewish quarter around today's Judenplatz, but Jewish house ownership can be traced in other parts of the city as well, and sources on Jewish business transactions are more numerous than ever before during the last decades of the fourteenth century.<sup>9</sup> This type of sources also provides a considerable part of our information on everyday Jewish-Christian interaction, although in order to analyse the relations between Jews and Christians in general, and between Jews and the clergy in particular,

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6 Eveline Brugger, 'Minem herren dem hertzogen sein juden – die Beziehung der Habsburger zu "ihren" Juden im spätmittelalterlichen Österreich', in 25. *Österreichischer Historikertag, St. Pölten 2008. Tagungsbericht*. Veröffentlichungen des Verbands Österreichischer Historiker und Geschichtsvereine, 34 (St. Pölten: Niederösterreichisches Landesarchiv und Niederösterreichisches Institut für Landeskunde, 2010), pp. 742–49.

7 Birgit Wiedl, 'Codifying Jews. Jews in Austrian Town Charters of the Thirteenth and Fourteenth Centuries', in *Slay Them Not: Jews in Medieval Christendom*, ed. by Merrill Price and Kristine Utterback (Leiden-Boston: Brill, 2013), pp. 201–22 (pp. 201–03); Birgit Wiedl, 'Jews and the City. Parameters of Jewish Urban Life in Late Medieval Austria', in *Urban Space in the Middle Ages and the Early Modern Age*, Fundamentals of Medieval and Early Modern Culture, 4, ed. by Albrecht Classen (Berlin: Walter de Gruyter, 2009), pp. 273–308 (pp. 291–92, 301).

8 Brugger and Wiedl, *Regesten*, vol. II (2010), p. 232, no. 929; Christine Magin: 'Wie es umb der iuden recht stet'. *Der Status der Juden in spätmittelalterlichen deutschen Rechtsbüchern*. Göttinger Philosophische Dissertationen, D7 (Göttingen: Wallstein Verlag, 1999), pp. 102–05, 371–72. On the Statute of the Market, see Michael Toch, *The Economic History of European Jews. Late Antiquity and Early Middle Ages*. Études sur le Judaïsme Médiéval, 56 (Leiden-Boston: Brill, 2013), p. 211; Wiedl, 'Codifying Jews', p. 208.

9 The collection and evaluation of these sources is an ongoing project at the Institute for Jewish History in Austria. So far, the material up to the year 1386 has been published (Brugger and Wiedl, *Regesten*, I–III); volume IV, which covers the period from 1387–1404, is currently being prepared for publication. On Jewish house ownership in Vienna, see Ignaz Schwarz, *Das Wiener Ghetto, seine Häuser und seine Bewohner*. Quellen und Forschungen zur Geschichte der Juden in Deutsch-Österreich, 2 (Wien-Leipzig: Wilhelm Braumüller, 1909), pp. 1–148.

we need to look further than to sources documenting moneylending alone.<sup>10</sup> When, for example, the Bishop of Brixen and Austrian chancellor, Johann von Platzheim, addressed the Viennese Jew David Steuss as ‘der erber und weiser, unser lieber freunt David der Steuzze’ (‘the honourable and wise [man], our dear friend David Steuss’) in a business charter in 1364, it can hardly be considered a typical example. At that time, David Steuss was by far the richest and most important Jewish moneylender – not only in Vienna, but in the entire duchy of Austria – and Johann von Platzheim was so heavily in debt that he would probably have gone to great lengths to avoid losing David Steuss as a creditor.<sup>11</sup> It is certain that David Steuss, too, profited from the association with the influential chancellor, but their business contacts represent the absolute elite of the Austrian clergy and the Viennese Jewry respectively, and give us no insights into the way clerics and Jews interacted on a daily basis.

The fact that these two groups interacted in the first place is evident from the source material, especially from the sources pertaining to land and house ownership in and around the city, and to the various rents and levies that had to be paid by the holders of these properties. There is ample evidence for Jews as tenants of church-owned estates, or paying rent charges from their houses to monastic institutions.

A significant portion of the plots of land in and around the city of Vienna were under ecclesiastical – often monastic – lordship,<sup>12</sup> so it is not surprising that Jewish tenants frequently came into contact with clerical land lords or land ladies. In 1359, the Jew Isserl of Ödenburg and his wife Nechel sold a house that had come into their possession as an unredeemed pledge for a loan. Since the house, situated next to the nunnery of St. Agnes *an der Himmelspforte*, was under

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<sup>10</sup> Eveline Brugger, ‘Neighbours, Business Partners, Victims: Jewish-Christian Interaction in Austrian Towns during the Persecutions of the Fourteenth Century’, in *Intricate Interfaith Networks: Quotidian Jewish-Christian Contacts in the Middle Ages*, ed. by Gerhard Jaritz and Ephraim Shoam-Steiner (Turnhout: Brepols, 2015) [in print].

<sup>11</sup> Brugger and Wiedl, *Regesten*, II, pp. 305–06, no. 1081. On David Steuss, see Eveline Brugger, ‘Loans of the Father: Business Succession in Families of Jewish Moneylenders in Late Medieval Austria’, in *Generations in Towns. Succession and Success in Pre-Industrial Urban Societies*, ed. by Finn-Einar Eliassen and Katalin Szende (Newcastle upon Tyne: Cambridge Scholars Publishing, 2009), pp. 112–29 (pp. 117–18); *Germania Judaica III/1,2,3. 1350–1519*, ed. by Arye Maimon, Mordechai Breuer and Yacov Guggenheim (Tübingen: Mohr (Siebeck), 1987, 1995, 2003), vol. III/2, p. 1606; Christian Lackner, ‘Juden im Rahmen der habsburgischen Finanzverwaltung im 14. Jahrhundert’, in *Jüdisches Geldgeschäft im Mittelalter*. Aschkenas. Zeitschrift für Geschichte und Kultur der Juden, 20/2, ed. by Eveline Brugger and Birgit Wiedl (Berlin-Boston: De Gruyter, 2012), pp. 357–69 (pp. 365–67); Klaus Lohrmann, ‘Die Juden im mittelalterlichen Klosterneuburg’, in *Klosterneuburg. Geschichte und Kultur 1: Die Stadt* (Klosterneuburg: Stadtgemeinde Klosterneuburg, 1992), pp. 209–23 (pp. 216–18).

<sup>12</sup> Richard Perger, ‘Die Grundherren im mittelalterlichen Wien. Part 2: Geistliche Grundherrschaften des 13. und 14. Jahrhunderts’, *Jahrbuch des Vereins für Geschichte der Stadt Wien*, 21/22 (1965/1966), pp. 120–83.

the *Grundherrschaft* (lordship or, in this case, ladyship over a piece of land) of the monastery, the new Jewish owners could sell it only 'mit der grundvrowen hand', i.e., with the consent of Prioress Katharina von Leis. The prioress also sealed the deed of sale together with the Jewish judge of Vienna.<sup>13</sup> The Jewish judge (a Christian municipal official) was involved because part of his duty was to seal documents on behalf of the Jews, since most Jews did not use seals themselves.<sup>14</sup> The corroboration of a sale with the seal of the person who held lordship over the specific piece of land (*Grundherr*), however, was the general practice, and it obviously made no difference that the sellers were Jews.

Before the use of land registers became more common towards the end of the fourteenth century, we often only learn of a house or a plot of land being in Jewish possession at the point when it was sold as a forfeited pledge. However, that does not mean that Jews were forced to resell land quickly, or that they only came into its possession in the form of unredeemed pledges. When the Jewish widow Zema and her cousin Scheftlein, both from the Lower Austrian town of Bruck an der Leitha, sold a vineyard that was under the lordship of St Stephen's cathedral in Vienna in 1377, the deed of sale stated explicitly that Zema had bought the vineyard with her own money.<sup>15</sup> The transaction was made with the consent of the Provost of St Stephen's as *Bergherr* (holder of the lordship over the vineyard), and the formulas used in the charter are exactly the same that were used for similar transactions between Christians, whether the object of purchase was under ecclesiastical or secular lordship.

Such comparisons are crucial because an exclusive focus on sources concerning Jews has led to misapprehensions in the past, such as Ignaz Schwarz' conclusion (published in 1913, but adopted by a considerable number of later works) that Viennese Jews were forbidden from owning property outside the Jewish quarter and only got a temporary right of disposal over unredeemed land pledges so they could resell them.<sup>16</sup> The charters Schwarz cited to back up this claim do indeed

13 Brugger and Wiedl, *Regesten*, II, p. 227, no. 926.

14 Brugger, 'Von der Ansiedlung bis zur Vertreibung', pp. 149–50, 161; Wiedl, 'Jews and the City', pp. 290–91. Under Jewish law, charters were confirmed with the signatures of the involved parties, although some prominent Jewish businessmen adopted the Christian custom of sealing their charters as a way of emphasising their prestigious position towards their Christian business partners. Martha Keil, 'Ein Regensburger Judensiegel des 13. Jahrhunderts. Zur Interpretation des Siegels des Peter bar Mosche haLevi', *Aschkenas, Zeitschrift für Geschichte und Kultur der Juden*, 1 (1991), pp. 135–50 (pp. 135–40).

15 Brugger and Wiedl, *Regesten*, vol. III (2015), p. 240, no. 1538.

16 Ignaz Schwarz, 'Geschichte der Juden in Wien. Von ihrem ersten Auftreten bis zum Jahre 1625', in *Geschichte der Stadt Wien*, vol. V, ed. by Anton Mayer (Wien: Holzhausen, 1913), pp. 1–64 (p. 36). Schwarz' assessment even made it into the *Germania Judaica*, the most important handbook on medieval Jewish history in the German-speaking territories (*Germania Judaica*, III/2, p. 1599, note 102), although it had been disproved as early as 1923, see Otto H. Stowasser, 'Zur Frage der Besitzfähigkeit der Juden in Österreich während des Mittelalters', *Mitteilungen des Vereins für Geschichte der Stadt Wien*, 4 (1923), pp. 23–27 (pp. 23–26).

grant the new Jewish owner the right to resell the pledge, but only because it was a part of the common formula of 'an die gewer setzen', i.e., granting full right of ownership – the same formula that was used if the new owner was a Christian.<sup>17</sup> Even joint possession by Jews and Christians was possible: in 1380, a Christian couple and the aforementioned Isserl of Ödenburg sold a house and adjacent vineyard outside the *Widmertor* city gate with the consent of their *Grundherr* (lord over that land), the chaplain of the Viennese castle chapel. The three of them stated that they had held the objects of purchase in *Burgrechtsgewer*, and all three of them guaranteed the transfer of their rights to the house and vineyard to the new (Christian) owners.<sup>18</sup>

It should be noted that while the Viennese clergy seem to have made no distinction between Jewish and Christian tenants, the same was not true everywhere in the duchy of Austria during the fourteenth century. From in and around the city of Krems, which housed the second largest Jewish community after Vienna, come several documented cases of individual clergymen or monasteries (never laypeople) selling or renting out houses or vineyards on condition that the new owners or tenants could resell or re-lease the plots only to Christians, not to Jews. This seems to have been specific to the region around Krems, even though most ecclesiastic owners who used this stipulation were not local themselves.<sup>19</sup> So far, no such case has been found for Vienna.

Even more numerous than Jews living under ecclesiastical lordship in Vienna were Viennese Jews paying rent charges to ecclesiastical institutions. Rent charges

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17 Schwarz cites the charter summaries published in *Quellen zur Geschichte der Stadt Wien II: Regesten aus dem Archive der Stadt Wien*, vol. 2: *Verzeichnis der Originalurkunden des Städtischen Archives 1412–1457*, ed. by Karl Uhlirz (Wien: Verlag des Alterthums-Vereines, 1900), p. 3, no. 1917 and 1919 to back up his theory. The full text of the formula can only be found in the originals: Wiener Stadt- und Landesarchiv (Municipal Archives of Vienna), Hauptarchiv-Urkunden no. 1917 and 1919. In the second case cited by Schwarz (*Quellen zur Geschichte der Stadt Wien*, II/2, p. 3, no. 1966, 1971 and 1976), the charters mainly focus on confirming the Jewish creditor's right to resell the pledge in order to protect the buyers from any remaining third-party claims (especially from the original debtor's heirs), which became common practice during the late fourteenth century. Nowhere does the full text of the charters (Wiener Stadt- und Landesarchiv, Hauptarchiv-Urkunden no. 1966, 1971 and 1976) indicate that the new Jewish owner was under obligation to resell. In charter no. 1976, the Jew Hocz even used the exact same formula to transfer the ownership of the former pledge – including the right to resell – to the Christian buyer that had earlier been used in charter no. 1966 to grant Hocz himself the same right.

18 Brugger and Wiedl, *Regesten*, III, p. 306, no. 1653.

19 Brugger and Wiedl, *Regesten*, III, p. 59, no. 1229 (seller: Deacon Friedrich of Krems); pp. 109–10, no. 1320–1321 (steward of the monastery of Admont in Krems); pp. 167–68, no. 1412 (monastery of Reichersberg), p. 180, no. 1433 (monastery of Gleink), p. 181, no. 1435 (monastery of Lambach); Diözesanarchiv St. Pölten (Archives of the Diocese St. Pölten), Uk. 1401 XII 08 (chaplain Hans Stadler of Stein). However, not all property transactions by ecclesiastical owners in and around Krems contained an anti-Jewish clause. See for example Steiermärkisches Landesarchiv (Styrian Provincial Archives), AUR 3846a: in this charter, the steward of Admont in Krems grants the new owners the explicit right to resell the house to anyone.

could be owned independently from the ownership of the house or plot for which they were owed, and were frequently in the possession of monasteries. It was not uncommon at all among Christians to endow a monastery with the rent on a Jewish house. For example, the prominent Viennese citizen Pilgrim von Poigen donated a total of five pounds rent charges to the monastery of Heiligenkreuz in 1294.<sup>20</sup> One pound was from the house of the Jew Pendit, located right next to the 'schulhof der juden', the yard next to the synagogue, which incidentally constitutes the first known mention of today's Judenplatz.<sup>21</sup> The monastery collected the rent charge until 1379, when the abbot allowed the Jew Rötöl of Klosterneuburg, who owned the house at the time, to redeem it for a one-time payment of eight pounds.<sup>22</sup>

Even clergymen had no qualms about donating revenues from Jewish property. In 1339, Jans Sture, chaplain of the Corpus Christi Altar at St Stephen's cathedral in Vienna, endowed his altar with a number of revenues for the salvation of his soul. Among those pious donations was a rent of one pound from a vineyard in today's thirteenth district of Vienna (located outside the city at the time), which was owned by the Jew Lesir, and another rent of eight pounds from the house of the Jew David. The charter also mentions that another rent of fifteen shillings from David's house was owed to the monastery of Heiligenkreuz.<sup>23</sup>

Even Jewish owners, such as the Jew Freudel of Perchtoldsdorf near Vienna who sold a vineyard to a citizen from Perchtoldsdorf in 1372, openly declared those *Seelgeräte*, i.e., rent charges donated for the salvation of one's soul, that were due from their property – at least in their German-language charters, while Freudel would probably have used a different term in a Hebrew document, where he could be sure he would not be understood by Christians.<sup>24</sup> In the German bill of sale that he issued, Freudel noted that a yearly payment of one and a half buckets of wine *zu Seelgerät* from the vineyard was due to the nuns of St. Theobald in Vienna. It had obviously been donated by a prior Christian owner of the vineyard, but Freudel too had to pay it while the vineyard was in his possession.<sup>25</sup>

20 Brugger and Wiedl, *Regesten*, I, pp. 88–89, no. 81.

21 Lohrmann, *Die Wiener Juden im Mittelalter*, pp. 95–99.

22 *Quellen zur Geschichte der Stadt Wien III: Grundbücher der Stadt Wien*, vol. 1: *Die ältesten Kaufbücher (1368–1388)*, ed. by Franz Staub (Wien: Verlag des Alterthums-Vereines, 1898), pp. 186–87, no. 1142.

23 Brugger and Wiedl, *Regesten*, II, pp. 13–14, no. 464.

24 Most of the business charters issued by Austrian Jews during the fourteenth century were written in German, although it was common to add the issuer's and/or the witnesses' Hebrew signatures as confirmation under Jewish law. Eveline Brugger and Birgit Wiedl, '...und ander frume leute genuch, paide christen und juden. Quellen zur christlich-jüdischen Interaktion im Spätmittelalter', in *Räume und Wege. Jüdische Geschichte im Alten Reich 1300–1800*. Colloquia Augustana, 25, ed. by Rolf Kießling and others (Berlin: Akademie Verlag, 2007), pp. 285–305 (p. 294).

25 Brugger and Wiedl, *Regesten*, III, p. 146, no. 1379.

There are plenty of such examples from fourteenth-century Vienna. A comparison with similar transactions devoid of Jewish involvement shows that there was no difference between the rent charges due from Jewish houses or plots and those paid from Christian property.

In 1360, Duke Rudolf IV tried to ease the financial burden on Viennese house owners by granting them the right to redeem their yearly rent charges by means of a one-time payment of eight pounds per pound rent charge. He ordered all beneficiaries of rent charges, ecclesiastical or secular as well as Jews, to allow the redemption.<sup>26</sup> The inclusion of Jews in that list was no mere formality, since Jews appear in the sources not only as payers of rent charges, but also as beneficiaries. In some cases, a single person could be both: in 1370, the Provost of St. Pölten (Lower Austria) and his convent allowed the aforementioned David Steuss to redeem a rent charge of four pounds on his house in Vienna through a payment of thirty-two pounds in accordance with the late Duke Rudolf's order.<sup>27</sup> Nine years later, David Steuss' steward Chisel took the Christian owner of a vineyard in Mayerling near Vienna to court before an official of the monastery of Klosterneuburg because the *Burgrecht* of one pound per year, which David Steuss was owed from the vineyard, had not been paid in six years. The verdict transferred the vineyard into the possession of David Steuss, as it was common when owners failed to pay the rent charges. However, Steuss still had to pay off the Jew Seligman, steward to the widow of the Viennese rabbi Tenichel, who also had a claim to the vineyard because of a debt the former owner had failed to pay back.<sup>28</sup>

The redemption of rent charges did not always go as smoothly as in the case of David Steuss and the provost of St. Pölten. In 1383, the Jew Heschlein turned to the Viennese city council for help with a *Burgrecht* of one pound on his house in the Jewish quarter, which the Teutonic Order who owned it would not allow him to redeem. In accordance with Duke Rudolf's decree, the city council allowed Heschlein to redeem the rent charge for the designated payment of eight pounds.<sup>29</sup> In the same year, the Jew Isserlein, son of Aron of Klosterneuburg, quarrelled with a chaplain at St. Agnes' about a *Burgrecht* of two pounds from his house in the Jewish quarter. Again, the matter was decided by a secular authority, the *Hubmeister* (a ducal official), who decided that Isserlein only had to pay one pound *Burgrecht*, which he was subsequently allowed to redeem at the usual rate.<sup>30</sup>

26 Brugger and Wiedl, *Regesten*, II, pp. 240–41, no. 947.

27 Brugger and Wiedl, *Regesten*, III, pp. 96–97, no. 1302.

28 Brugger and Wiedl, *Regesten*, III, pp. 287–88, no. 1619.

29 *Quellen zur Geschichte der Stadt Wien*, III/1, p. 248, no. 1486.

30 Brugger and Wiedl, *Regesten*, III, pp. 357–58, no. 1742.



Among the sources pertaining to house and land ownership, or to the profits drawn from it, court documents make up a significant percentage. This is not limited to interactions between Jews and the clergy, of course, and the sources do not indicate that members of the clergy were more likely to take Jews than Christians to court (or vice versa), but lawsuits between Jews and clergymen were not rare either. If the object in question was situated in the city, the case usually went before the city council or the *Bürgerschranne*, a municipal court presided by the city judge. Such was the case with the suit that the Jew Hebel of Vienna filed against the Commander of the Teutonic Order in 1368. Hebel had bought a house in the Jewish quarter from the Order, but later was faced with a claim from the mayor of Vienna that two pounds of *Burgrecht* were due from the house. Hebel wanted the Teutonic Order to reimburse him because every seller had to guarantee that the object they sold was free from encumbrances not mentioned in the deed of sale. However, the court stated that according to Viennese municipal law, such a guaranty was valid only for a year and a day. According to his own testimony, Hebel had owned the house for eight years before the mayor had raised his claim. For that reason, Hebel's demand for reimbursement was dismissed.<sup>31</sup>

Some cases involving Jews were decided by a municipal court presided jointly by the city judge and the Jewish judge.<sup>32</sup> Jakob Poll, chaplain of the Ottenheim chapel in Vienna's City Hall, took the Jew Merchlein, son of Nachman of Salzburg, before such a court in 1351 because of unpaid levies from a house in the Jewish quarter, which had belonged to Merchlein's late grandfather, and which was under the lordship of Jakob's chapel. The charter issued by Merchlein about the matter states that Jakob Poll declared before the court that he would forgive the outstanding payments and give up his claim to the house because Merchlein and 'other people, Christians as well as Jews', had pleaded with him. In return, Merchlein promised to pay the levies from now on; if he failed to do so, the Jewish judge would take pledges out of Merchlein's movable property in order to satisfy the claimant. Merchlein probably owed this extremely favourable ruling to ducal interference – he promised in his charter not to appeal to the ducal court in the matter, which was not a standard formula for this type of document and suggests that he might have been in a position to have the city's verdict overturned by the

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<sup>31</sup> Brugger and Wiedl, *Regesten*, III, p. 58, no. 1228.

<sup>32</sup> This is not to be confused with the *Judengericht* ('Jewish court'), a 'mixed' municipal court consisting of Christian and Jewish assessors and presided by the Jewish judge. Sources documenting the existence of such a court are extremely rare in Austria, and can mostly be found in the neighbouring duchy of Styria. However, when Duke Rudolf IV reformed the Viennese judiciary in 1361, the charter he issued explicitly mentioned the Viennese *Judengericht* as an existing institution that would be allowed to continue. Brugger and Wiedl, *Regesten*, II, p. 263, no. 992; Brugger, 'Von der Ansiedlung bis zur Vertreibung', p. 150; Wiedl, 'Jews and the City', p. 290, note 77.

duke. In addition, a ducal official sealed the charter instead of the city's Jewish judge, thus emphasizing the duke's authority over the Jews living in the city.<sup>33</sup>

On other occasions, Chaplain Jakob Poll was a lot less forgiving. In the course of his long tenure, he started legal quarrels with a number of his neighbours; while most of the chaplain's opponents were Christians, Merchlein found himself among them in 1373. This time, Jakob Poll took Merchlein to court before the city council because Merchlein had built a kitchen in the courtyard of his house, which was situated adjacent to Jakob Poll's house and to the Ottenheim chapel. Also, Merchlein had allegedly built a new chimney, which was so low that the smoke couldn't rise over the rooftops. Instead, the smoke and 'unrainer geschmach' ('unclean smell') from Merchlein's kitchen wafted through a window and into Jakob's house. According to the claimant, the smoke and bad smells were even noticeable in the chapel during early morning mass. After an inspection by two members of the city council, Merchlein was ordered to make the chimney higher in order to keep the smoke out of the chapel, and to remove the kitchen and refrain from building another 'hearth or fireplace or kitchen' in his courtyard that might damage Jakob's house or chapel.<sup>34</sup>

It is interesting to note that the charter issued about the decision does not address the matter of religion at all, even though Merchlein's actions could easily have been construed as an attempt to violate the sanctity of the chapel. Maybe the remark about the 'unclean smell', which most likely came directly from the claimant, was a dig at the Jewish neighbour considering that uncleanliness and bad smells were well-known stereotypes in anti-Jewish rhetoric, both ecclesiastical and secular: the *odor iudaicus* appears as a trope in Christian theological texts from late Antiquity onwards,<sup>35</sup> and jibes against the Jews' 'stankes und ungelouben' ('stench and unbelief') can be found in late-thirteenth-century Austrian satirical poems.<sup>36</sup> Based on similar disputes about bad odours from the windows of Jewish houses that allegedly bothered Christian churchgoers, Gunnar Mikosch

33 Brugger and Wiedl, *Regesten*, II, p. 117, no. 687.

34 Brugger and Wiedl, *Regesten*, III, p. 173, no. 1421.

35 Heinz Schreckenber, *Die christlichen Adversus-Judaeos-Texte und ihr literarisches und historisches Umfeld (1.-11. Jh.)*, Europäische Hochschulschriften, Reihe XXIII Theologie, vol. 172 (Frankfurt a. M.-Bern-New York-Paris: Peter Lang, 2nd ed. 1990), p. 722; Birgit Wiedl, 'Laughing at the Beast: The Judensau. Anti-Jewish Propaganda and Humor from the Middle Ages to the Early Modern Period', in *Laughter in the Middle Ages and Early Modern Times. Epistemology of a Fundamental Human Behavior, its Meaning, and Consequences*. Fundamentals of Medieval and Early Modern Culture, 5, ed. by Albrecht Classen (Berlin-New York: Walter de Gruyter, 2010), pp. 325–64 (pp. 337–38).

36 Brugger and Wiedl, *Regesten*, I, pp. 152–54, no. 144; Knapp, 'Geistige Auseinandersetzungen der Christen mit jüdischem Gedankengut', pp. 17–19; Heinz Schreckenber, *Die christlichen Adversus-Judaeos-Texte und ihr literarisches und historisches Umfeld (13.-20. Jh.)*, Europäische Hochschulschriften, Reihe XXIII Theologie, vol. 497 (Frankfurt a. M.-Berlin-Bern-New York-Paris-Wien: Peter Lang, 1994), p. 341.



has postulated that the real issue behind such conflicts was visibility and the creation (or destruction) of exclusive Christian or Jewish spaces.<sup>37</sup> Formally, though, the Viennese city council treated the matter as nothing more than a dispute between neighbours.<sup>38</sup> Those were frequent enough in the cramped housing situation inside the city walls, and there seems to have been no special consideration for the chapel as a Christian sacred space.<sup>39</sup> Likewise, the council's decision in the matter was pragmatic: Merchlein was ordered to remove or adapt his offending structural measures (which, the charter states, he had undertaken without authorisation), but that seems to have been the end of the matter, and there is no mention of any further consequences for him. Nor did the council take Jakob Poll's claim at face value – the decision was made based on the report of two inspectors who had found the chaplain's claim to be factually correct. It is of course possible that anti-Jewish bias influenced the inspectors' report, but at least as far as legal procedures were concerned, Merchlein might just as well have been one of the Christian neighbours Jakob Poll was quarrelling with.

Merchlein's case is not the only neighbourly dispute between Jews and members of the clergy in fourteenth-century Vienna. These disputes reflect the most immediate kind of contact, that between people who live right next to each other. While Jewish authorities were well aware of the risks inherent in such proximity (as illustrated by admonitions to be cautious with religious ceremonies that could be seen or at least heard by the Christian neighbours),<sup>40</sup> the conflicts documented in the surviving records from fourteenth-century Vienna were usually mundane in nature. One of the conflicts that had to be resolved by the city council was a quarrel between the Teutonic Order, represented by the Order's Austrian *Landkomtur* (Bailli) and the Commander of Vienna, and the Jew Hessman, son of Baruch. Again, the object of dispute was a small courtyard, which was situated behind the Jew's house and part of a bathhouse in the possession of the Order. It

37 Gunnar Mikosch, 'Zeichen, Bilder, Codes – Prolegomena zu einer Semiotik jüdischer Räume', in *Städtische Räume im Mittelalter*, Forum Mittelalter Studien, 5, ed. by Susanne Ehrich and Jörg Oberste (Regensburg: Verlag Schnell&Steiner, 2009), pp. 35–47 (pp. 44–45).

38 *Handwörterbuch zur deutschen Rechtsgeschichte*, ed. by Adalbert Erler and Ekkehard Kaufmann, vols I–V (Berlin: Erich Schmidt Verlag, 1971–91), vol. III, 815–19 (article 'Nachbarrecht'); Benjamin Laqua, 'Nähe und Distanz. Nachbarrechtliche Regelungen zwischen Christen und Juden (12.–14. Jahrhundert)', in *Pro multis beneficiis. Festschrift für Friedhelm Burgard. Forschungen zur Geschichte der Juden und des Trierer Raums*, Trierer Historische Forschungen, 68, ed. by Sigrid Hirbodian and others (Trier: Kliomedien, 2012), pp. 73–92 (p. 81).

39 The situation might have been different if the window in question had led directly into the chapel instead of the chaplain's house, since windows which created a direct line of sight towards the other religion's sacred spaces could be considered problematic by both ecclesiastical and Jewish authorities. Laqua, 'Nähe und Distanz', pp. 84–85; Mikosch, 'Zeichen, Bilder, Codes', pp. 43–44.

40 Martha Keil, 'Gemeinde und Kultur – Die mittelalterlichen Grundlagen jüdischen Lebens in Österreich', in *Geschichte der Juden in Österreich*, by Eveline Brugger, Martha Keil, Albert Lichtblau, Christoph Lind, and Barbara Staudinger (Wien: Ueberreuter, 2nd ed. 2013), pp. 15–122, 573–85 (p. 79).

seems that both parties wanted to build inside the courtyard, because the settlement allowed each of them to build and use one storey, the Order on the ground floor and the Jew on top of that. Besides, Hessman had to build his own latrine<sup>41</sup> in the courtyard. The settlement is very specific on the technical details, and also emphasizes that Hessman had to empty out the latrine through his own house and not through the Order's property.<sup>42</sup> The strict separation between Jewish and Christian calls of nature seems like a logical counterpart to the infamous Church regulation, propagated in Austria (to little avail) by the canons of the so-called Council of Vienna in 1267, that prohibited Jews and Christians from eating and drinking together.<sup>43</sup> However, the placement and use of latrines and cesspits was a frequent cause of neighbourly quarrels that was by no means limited to Jews and members of the clergy.

Things went even further in another, somewhat similar case of neighbourly troubles in 1380, this time outside the city of Vienna in the nearby town of Klosterneuburg, which housed a small, but prosperous Jewish community with close ties to Vienna. Again, the matter came before a secular authority: the ducal steward decided about a complaint lodged by the Augustinian monastery of Klosterneuburg against a Jewish house situated between the synagogue and the monastery's *Obleihaus*, where the administration of the monastery's revenues was situated. The Jewish house belonged to the aforementioned David Steuss, whose family hailed from Klosterneuburg.<sup>44</sup> Reasons for the complaint were once more a latrine, which had been built too closely to the wall of the *Obleihaus*, and the water that ran from the courtyard of Steuss' house into the courtyard of the *Obleihaus* through a hole in the wall.<sup>45</sup> This was obviously no small matter – the charter issued by the ducal steward states that David Steuss not only appeared in court himself, he was also accompanied by the entire Jewish community of Klosterneuburg, although it is likely that this should be understood as 'all representatives of the community'. Both parties agreed to name three arbiters each, whose ruling would be binding for everyone. All six arbiters were from Klosterneuburg; the Jewish party, too, chose three Christian arbiters, which is not that surprising considering that the entire Jewish community of the town was involved in the quarrel. They chose the current Jewish judge of Klosterneuburg

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41 The charter uses the term 'hewsel' (literally: 'little house'), which rarely appears in this specific meaning in medieval texts, but is still in use as a rather coarse dialect term for 'toilet' in Austria and Bavaria until today. Johann Andreas Schmeller, *Bayerisches Wörterbuch*, vol. I (München: Rudolf Oldenbourg, 2nd ed. 1872), col. 1177.

42 Brugger and Wiedl, *Regesten*, III, p. 251, no. 1559.

43 Brugger and Wiedl, *Regesten*, I, pp. 59–61, no. 45; Brugger, 'Von der Ansiedlung bis zur Vertreibung', pp. 133–34.

44 Brugger, 'Loans of the Father', pp. 117–18.

45 Brugger and Wiedl, *Regesten*, III, pp. 307–08, no. 1656.

and his predecessor; their third arbiter was the monastery's cellarer, who had ties to David Steuss that went back to Steuss' successful lawsuit about a vineyard in Mayerling the year before.<sup>46</sup>

The arbiters decided that the Jews would be allowed to keep their latrine where it was, but would have to build a wall around it so it could no longer damage the wall of the *Obleihaus*. The rainwater dripping from the roof into the courtyard of the Jewish house would still be allowed to flow through the wall and the courtyard of the *Obleihaus*; however, the Jews must not pour anything else into the water, be it filth (the charter uses the term 'unflot', which can also mean excrement), kitchen scraps or blood. If they were caught doing it anyway, they would have to divert the water so it would no longer run through the *Obleihaus*.

The mention of blood stands out in this list, because it suggests that the Jewish community of Klosterneuburg used David Steuss' house as a slaughterhouse for kosher butchering, which would also explain why the entire Jewish community was involved in the case.<sup>47</sup> The term 'trankch' for kitchen scraps indicates that the Jewish inhabitants might have used the water to dispose of those leftovers that Christians used for *Sautrank*, pig swill, which of course was not open to Jews as a way of 'recycling'. It is not entirely clear from the wording of the charter whether the Jews had actually poured anything into the water until then. If they had, the monastery's main interest was obviously in no longer having sewage flowing through their courtyard. If, however, this clause was just a precaution the monastery considered necessary, it would constitute a rather peculiar expansion to otherwise common regulations concerning the drainage of wastewater in contracts between neighbours,<sup>48</sup> indicating not only a basic knowledge of Jewish religious customs (which was a given considering the close cohabitation),<sup>49</sup> but also a certain mistrust towards the Jews' handling of the unavoidable by-products. It may be tempting to speculate that such ideas could have been influenced by the anti-Jewish accusation of well-poisoning which had been propagated (albeit mostly through secular channels) during the period of the Black Plague several decades earlier.<sup>50</sup> A persecution of the Jews in Krems in 1349 had – according to monastic sources – been triggered by such accusations. However, the Krems persecution had been the only outbreak of anti-Jewish violence in Austria during

46 Brugger and Wiedl, *Regesten*, III, pp. 287–88, no. 1619.

47 Lohrmann, 'Die Juden im mittelalterlichen Klosterneuburg', p. 212.

48 Laqua, 'Nähe und Distanz', p. 78. When David Steuss purchased part of a house in Vienna from a Christian couple in 1372, the deed of sale contained detailed regulations concerning gutters and the drainage of rainwater as well as the positioning and the ventilation of the latrine, but did not mention sewage or any other kind of waste products in the water: Brugger and Wiedl, *Regesten*, III, pp. 153–54, no. 1389.

49 Keil, 'Gemeinde und Kultur', pp. 95–96.

50 František Graus, *Pest – Geißler – Judenmorde. Das 14. Jahrhundert als Krisenzeit* (Göttingen: Vandenhoeck & Ruprecht, 2nd ed. 1988), pp. 305–34.

the time of the Plague because Duke Albrecht had punished the citizens most severely for it.<sup>51</sup> Furthermore, the concept of Jewish well-poisoning had repeatedly been refuted not only by secular, but also by Church authorities as well as by ecclesiastic authors, some of them specifically referring to Austria.<sup>52</sup> Therefore, even though it is safe to assume that both the representatives of the Klosterneuburg monastery as well as the secular officials were familiar with the polemical linkage of Jews to contaminated water, there is no evidence of any direct influence on the handling of the case. Although the monastery's motivation for demanding the aforementioned provision remains unclear, the charter itself treats the matter as nothing more than another boundary dispute between neighbours with no discernible religious implications.

Although charters and register entries were not a common vehicle for polemics in general, it is still noteworthy that the sources documenting everyday interaction between Jews and the clergy display a mostly pragmatic approach. Although the vast majority of these texts were written by Christians, even descriptions of conflicts were usually free from open hostility. In view of these findings, Jonathan Elukin's postulation of a 'pragmatic tolerance and stability of relations between Jews and Christians', which 'balanced the violence and pressure against Jews', although made for the period after 1492, seems to apply to fourteenth-century Vienna as well.<sup>53</sup> However, on the rare occasions that the aforementioned sources do mention violence against Jews, it is treated with the same kind of pragmatism, as can be seen in a charter issued by the priest Andreas von Muthmannsdorf in 1376 about a rent charge of four pounds on a Jewish house that was to be donated to endow a Mass. The rent charge had yielded only half of the usual redemption sum because the house had been damaged by fire 'ze der zeit do man di juden gemainlich angegriffen het' ('during the times the Jews had been universally

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51 Brugger and Wiedl, *Regesten*, II, pp. 97–98, no. 646–47. In order to assess the importance of Duke Albrecht's protection of the Austrian Jews, it is essential to keep in mind that the massive outbreaks of anti-Jewish violence in the Holy Roman Empire during the time of the Plague, especially in the later stages, were premeditated persecutions instigated by municipal authorities or even territorial rulers, not spontaneous attacks carried out by a fearful or traumatised mob. Jörg Müller, 'Eretz gezerah – 'Land of Persecution': Pogroms against the Jews in the *regnum Teutonicum* from c. 1280 to 1350', in *The Jews of Europe in the Middle Ages (Tenth to Fifteenth Centuries)*, ed. by Christoph Cluse (Turnhout; Brepols, 2004), pp. 245–60 (pp. 256–57); Graus, *Pest – Geißler – Judenmorde*, pp. 62–63.

52 Chazan, *Jews of Medieval Western Christendom*, p. 196; Chazan, *Reassessing Jewish Life*, p. 177. Although he explicitly stated that he did not mean to defend the Jews, Konrad von Megenberg pointed out in his Book of Nature how the Viennese Jewry had been so heavily affected by the Plague that it became necessary to enlarge the Jewish cemetery, and that it would have been very stupid of them to bring that kind of catastrophe upon themselves by poisoning the wells: Brugger and Wiedl, *Regesten*, II, pp. 100–01, no. 650.

53 Elukin, *Living Together, Living Apart*, pp. 123.

attacked'), and had subsequently fallen into ruin. The Christian donor made sure to obtain a sealed document from the Jewish judge to prove the loss of value.<sup>54</sup>

We know of no general persecution of Jews in Vienna that would fit into this timeframe. However, several Christian narrative sources mention mass abductions by order of the Austrian dukes, who took wealthy Jews captive to extort ransom, during the 1370ies.<sup>55</sup> The narrative sources recording these extortions are not very detailed and sometimes contradictory;<sup>56</sup> therefore, the remark in the aforementioned charter constitutes a rare indicator that they were accompanied by massive physical violence, even though the charter's issuer was only concerned about the financial loss that resulted from it.

Still, the overall impression the charters leave us with is that relations between Jews and members of the clergy were part of the everyday normality for both parties in fourteenth-century Vienna. This is consistent with Benjamin Laqua's recently-published findings for several cities in Southern and Central Germany.<sup>57</sup> While charters are highly formalised and therefore hardly ever lend themselves to an analysis of the emotions of the involved parties, they still depict a way of interacting that is a far cry from the theological rhetoric of the time. This conclusion does not negate or even qualify the impact of said rhetoric,<sup>58</sup> although it should be noted that it was its influence on the Austrian duke, not on the populace, which eventually led to the annihilation of Vienna's entire Jewish community

54 Brugger and Wiedl, *Regesten*, III, pp. 213–14, no. 1493.

55 Brugger, 'Between a Rock and a Hard Place', p. 199, Lohrmann, *Judenrecht und Judenpolitik*, pp. 216–17.

56 The exact chronology remains unclear; Christian historiographic sources put the extortions into the years 1370, 1371, or 1377: Brugger and Wiedl, *Regesten*, III, pp. 116–17, no. 1330, pp. 138–39, no. 1368, pp. 245–46, no. 1550. The Hebrew rapport by Joseph Ha-Kohen also gives the year as 1371 (5131), see Karin Almladh, *Joseph Ha-Kohen, Sefer 'Emeq ha-Bakha (The Vale of Tears) with the chronicle of the anonymous Corrector. Introduction, critical edition and comments*. Studia Semitica Upsaliensia, 5 (Uppsala: Acta Universitatis Upsaliensis, 1981), p. 50. However, the text was written in the sixteenth century and confuses the events with those surrounding the 'Vienna Gesera', the persecution and expulsion of Austrian Jews in 1420/21. The same kind of confusion seems to be at the root of the claim made by the *Fragmentum historicum de quattuor Albertis Austriae* that the dukes also tried to coax the Jews into converting: Brugger and Wiedl, *Regesten*, III, pp. 116–17, no. 1330. There is no other record of ducal pressure towards conversion in fourteenth-century Austria, while forced conversions played a major role during the Gesera, see Lohrmann, *Die Wiener Juden im Mittelalter*, pp. 159–61.

57 Laqua, 'Nähe und Distanz', p. 87, 91.

58 For a general discussion on the influence of theological anti-Jewish rhetoric, particularly in German sermons, see Christoph Cluse, 'Blut ist im Schuh. Ein Exempel zur Judenverfolgung des "Rex Armleder"', in *Liber Amicorum necnon et amicarum. Für Alfred Heit: Beiträge zur mittelalterlichen Geschichte und geschichtlichen Landeskunde*. Trierer Historische Forschungen, 28, ed. Friedhelm Burgard, Christoph Cluse, and Alfred Haverkamp (Trier: Verlag Trierer Historische Forschungen, 1996), pp. 371–92 (pp. 373–75); Gunnar Mikosch, 'Nichts als Diskurse. Juden in den frühen mittelhochdeutschen Predigten des 12. und 13. Jahrhunderts', in *Historische Diskursanalysen. Genealogie, Theorie, Anwendungen*, ed. Franz X. Eder (Wiesbaden: VS Verlag für Sozialwissenschaften, 2006), pp. 253–69 (pp. 253–54, 267–68).

in the course of the Gesera in 1420/21.<sup>59</sup> Instead, it adds another facet that also should be taken into account when trying to reconstruct the circumstances of fourteenth-century Jewish life.

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59 Robert Chazan's explanation that the Viennese Jewish community was hit by the Gesera because 'the Austrian dukes were not successful in adequately protecting their Jews or in maintaining a consistently supportive policy' (Chazan, *Jews of Medieval Western Christendom*, p. 197) disregards the fact that it was Duke Albrecht V himself who instigated and organised the persecution of 1420/21 in an abrupt departure from the established Habsburg policy towards the Jews: Brugger, 'Von der Ansiedlung bis zur Vertreibung', pp. 221–24; *Germania Judaica*, III/3, pp. 1986–1988; Martha Keil, 'Bet haKnesset, Judenschul. Die mittelalterliche Synagoge als Gotteshaus, Amtsraum und Brennpunkt sozialen Lebens', *Wiener Jahrbuch für jüdische Geschichte*, 4 (1999/2000), pp. 71–89 (pp. 73–74); Lohrmann, *Die Wiener Juden im Mittelalter*, pp. 155–73. On the influence of theologians from the Vienna university on Duke Albrecht V's policy, see Michael H. Shank, *Unless You Believe, You Shall Not Understand: Logic, University, and Society in Late Medieval Vienna* (Princeton, New Jersey: Princeton University Press, 1988), pp. 170–200.

## II

# CONVERSION AND PROSELYTISM





# WHAT HAPPENED TO THE ‘NEW CHRISTIANS’? THE ‘VIENNESE GESERAH’ OF 1420/21 AND THE FORCED BAPTISM OF THE JEWS

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In his article ‘Jüdische und christliche Konvertiten im jüdisch-christlichen Religionsgespräch des Mittelalters’, published in German in 1966, Bernhard Blumenkranz recalls the situation of the Jews who had been forcefully baptised in Visigothic Spain around the year 800:

*Und wie wenn der anfängliche Zwang bei der Zuführung zum Christentum nicht genügt hätte, so kam nun auch noch die polizeimäßige Überwachung und Bespitzelung und alle anderen Ausnahmegesetze für diese Neukristen hinzu [...]*

[and as if the original coercion involved in their steering to Christianity had not been enough, it was now followed by police-like surveillance and spying as well as all other extraordinary laws for New Christians [...]]<sup>1</sup>

More than 40 years later, Benjamin Scheller (Berlin) researched the fate of those Jews and their descendants who, in the Kingdom of Naples, after severe persecution, were coerced to conversion in 1292. This involved more than 20 Jewish communities, particularly in the Apulian seaport of Trani. Scheller noted that all the members of that socio-religious group had been marked or stigmatised for 200 years with the label *neofiti* (neophytes), *christiani novi* or *christiani novelli* (new Christians). Although some of them played an active and even leading role in the administration of the city and in the whole kingdom, they had continued to live in a special quarter (*Iudayaca, Guidecca*), and had had to face accusations of heresy. In three waves, 1495 (accompanied by a pogrom), again in 1510, and finally in 1514, these *non boni christiani* (not-good Christians) were forced to leave southern Italy together with the Jews.<sup>2</sup>

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<sup>1</sup> Bernhard Blumenkranz, ‘Jüdische und christliche Konvertiten im jüdisch-christlichen Religionsgespräch des Mittelalters’, in *Judentum im Mittelalter. Beiträge zum christlich-jüdischen Gespräch*, ed. by Paul Wilpert, *Miscellanea Mediaevalia*, 4 (Berlin: Walter de Gruyter, 1966), pp. 264–82 (p. 265).

<sup>2</sup> Benjamin Scheller, ‘Die politische Stellung der Juden im mittelalterlichen Süditalien und die Massenkonversion der Juden im Königreich Neapel 1292’, in *Wechselseitige Wahrnehmung der Religionen*

*Basic questions*

The first question which I would like to answer in this paper relates to the status of those Jews who were forcefully baptised during the Viennese *Geserah* of 1420/21: Did they remain stigmatised as converts – in a ‘Semantik der Differenz’, as Scheller calls it.<sup>3</sup> Did they live separate lives from the ‘old Christians’? Did they marry exclusively within their secluded group? Were they subject to special rights and restrictions? Were they mistrusted in terms of the reliability of their Christianity, and were they continuously considered heirs to the murderers of Christ (as had been noted by Jonathan Elukin using English sources)?<sup>4</sup> What can be said about the integration and affiliation of those New Christians when looking at Austrian sources after 1421? Where did they live and whom did they get married to?

In his famous 1988 book, *Pest, Geißler und Judenmorde*, Frantisek Graus answered quite straightforwardly my second question: ‘Economically, the New Christian was often faced with ruin’ (‘Ökonomisch stand der ‚neue Christ‘ oft vor dem Nichts’).<sup>5</sup> But this statement still leaves much open: What kind of new living conditions were the converts confronted with? Directly after a voluntary conversion, the baptised would lose the inheritance of Jewish parents, and therefore any basis for a new life.<sup>6</sup> During the *Geserah*, the forcefully baptised were even more confronted with that fact insofar as the entire Jewish population had been dispossessed of its assets, which had been confiscated by duke Albrecht V. The prohibition on taking interest ‘amongst brethren’ – in this case amongst Christians and New Christians – required the converts to search for a new source of income. Do the sources provide us with information on a second career as Christians? And a related issue: were the converts given access to schools, education, skilled crafts, trades and offices?

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*im Spätmittelalter und in der Frühen Neuzeit*, ed. by Ludger Grenzmann and others (Berlin: Walter de Gruyter, 2009), pp. 143–71 (p. 143); idem, ‘The materiality of difference. Converted Jews and their descendants in the late medieval Kingdom of Naples’, *Medieval History Journal* 12/2 (2009), pp. 405–30, and idem, *Stadt der Neuchristen. Konvertierte Juden und ihre Nachkommen im Trani des Spätmittelalters zwischen Inklusion und Exklusion* (Berlin: Akademie Verlag, 2013).

3 Scheller, *Stadt der Neuchristen*, p. 311.

4 Jonathan M. Elukin, ‘From Jew to Christian? Conversion and Immutability in Medieval Europe’, in *Varieties of religious conversion in the middle ages*, ed. by James Muldoon (Gainesville, Fla. [a. o.]: Univ. Press of Florida, 1997), pp. 171–89 (p. 182).

5 Frantisek Graus, *Pest – Geißler – Judenmorde. Das 14. Jahrhundert als Krisenzeit*. 2. Reviewed edition (Göttingen: Vandenhoeck & Ruprecht, 1988), p. 266. Magin also points out that many converts were poor. See Christine Magin, ‘Wie es umb der iuden recht stet’. *Der Status der Juden in spätmittelalterlichen deutschen Rechtsbüchern. Göttinger Philosophische Dissertationen D7* (Göttingen: Wallstein Verlag, 1999), p. 203.

6 Magin, ‘Wie es umb der iuden recht stet’, pp. 198–210.

Methodologically, one pragmatic issue is how our target population can be identified as such within the sources: the first name does not give any indication regarding religious affiliation. Baptised Jews had Christian standard names such as Matthias or Caspar, Daniel or Johannes (John), Paul, Thomas, Michael and also Jakob, Barbara, Elisabeth, Katharina or Magdalena. Almost never do they have bynames such as *Jud*, *Judeus*, *Judenkopf* or similar. All these bynames present in the university registers from the middle of the fifteenth century yet apparently refer to 'old' Christians.<sup>7</sup> As early as 1136, the 'Traditionskodex' of the Klosterneuburg monastery mentions an *Ernestus iudeus*, at a time when there was not any Jewish settlement in Austria.<sup>8</sup> Neither an apparently 'Jewish' byname, nor the new name of a baptised Jew can be expected to give any indication concerning a religious identity that may have left behind. Nor is it to be assumed that names such as *Unglaub* ('infidel') or *Wucherlein* ('small usurer') – both of them are taken from the University register from the 1440ies – refer to Jews.<sup>9</sup> Even *Rudpertus Taufkind* ('godchild') from Salzburg was not of Jewish origin and baptised as a child, as one might think, but came from a long-established Christian patrician family in Salzburg.<sup>10</sup> His ancestor *Konrad Taufkind* was the first mayor mentioned by name (1370–1374) there.<sup>11</sup> The derivation of his name is not known.

Baptised Jews and Jewesses can thus only be identified by the following unambiguous denominations in the sources I used: *quondam judeus*, *judeus baptizatus*, *vormalis judin gewesn* ('formerly Jewess'), *neukrist* ('New Christian'), *taufster jud* ('baptised Jew') and *neophytus*, *neofitus* or *neophita/neofita*, with the same suffix employed for males as well.<sup>12</sup> Those identifiers have to be searched for, and unfortunately they have only rarely been included in the indexes of editions, which requires a precise and detailed search in our many sources.

7 *Die Matrikel der Universität Wien. Vol. I, 1377–1450*, Publikationen des Instituts für österreichische Geschichtsforschung, 6. Reihe: Quellen zur Geschichte der Universität Wien, ed. by Archiv der Universität Wien (Wien-Graz-Köln: Böhlau 1956), p. 177: *Johannes Judenkopff de Monaco* (Munich) (sub dato 1431 October 13, *Natio Renensium*); p. 218: *Jacobus Jud de Gundersdorf* (sub dato 1440, October 13, *Natio Austriae*); p. 277: *Dom. Paulus Jud de Prukberg* (sub dato 1450 April 14, *Natio Renensium*).

8 Eveline Brugger, 'Von der Ansiedlung bis zur Vertreibung. Juden in Österreich im Mittelalter', in idem, Martha Keil a. o., *Geschichte der Juden in Österreich*, (Vienna: Ueberreuter, 2006), pp. 123–227 (p. 125), with more examples of 'Juden-Namen'.

9 *Die Matrikel der Universität Wien. I. Band 1377–1450*. Quellen zur Geschichte der Universität Wien. Publikationen des Instituts für österreichische Geschichtsforschung, ed. by Leo Santifaller, 6. Reihe Quellen zur Geschichte der Universität Wien, 1. Abteilung Die Matrikel der Universität Wien. Register der Personen- und Ortsnamen, ed. by Archiv der Universität Wien (Graz-Köln: Böhlau, 1956), p. 674: *Comradus Vnglaub de Kuelsbaim* (sub dato 1441 April 14, *natio Rhenenses*); p. 702: *Jacobus Wucherlen de Tropheya* (sub dato 1440 October 13, *natio Australes*), and others.

10 *Ibid.*, p. 395: *Rudbertus Taufkind de Salzburga* (sub dato 1450 October 13, *natio Rhenenses*).

11 He died in 1382; See *Geschichte Salzburgs. Stadt und Land I/2*, ed. by Heinz Dopsch (Salzburg: Anton Pustet 1983), pp. 717, 853.

12 See also Scheller, *Stadt der Neukristen*, 313–23.

*Historical Background: the Viennese Geserah 1420/21*

In order to give a time-line for the individual fates discussed below, a short overview of the events of the Viennese Geserah is necessary:

In a climate of growing hostility, and following a financial and political crisis which was mainly the result of the costs for the Hussite Wars and the planned wedding of Duke Albrecht V with the Emperor's daughter Elisabeth,<sup>13</sup> the Jewish population in Vienna and Lower Austria was arrested on May 23<sup>rd</sup>, 1420 on the orders of the Duke; it was then forced to convert under threat of death. According to the *Kleine Klosterneuburger Chronik* ('Small Chronicle of Klosterneuburg', written after 1428 and covering the time between 1322 and 1428), *ettlich* ('numerous') were baptised but among those, *ettlich* in turn reconverted to Judaism. They were then – according to this Chronicle, here our sole source – burnt to death as renegades. In September 1420, 800 destitute Jews were put on rafts on the river Danube and were left to drift downstream. Most of them were received partly in Hungary and partly – as will be shown later – in Pressburg/Bratislava. Many eventually reached Moravia or Bohemia. Once the Albrecht V had returned, in defeat, from Hussite Wars, wealthy Jews and Jewesses were tortured in order to reveal the hiding places of their treasures and to accept baptism – a fact that was reported by the Yiddish text *Winer gesere* as well as by the theologian and Rektor of the University, Thomas Ebendorfer. His *Chronica Austriae* also mentions that some older people committed suicide rather than convert to Christianity. The ritual suicide *le-kiddush ha-shem* of a group of Jewish prisoners in the synagogue is described in much detail and with many topoi in the *Winer gesere*. In Jewish as well as Christian reports, the burning at the stake of between 210 (as reported by the *Winer gesere*) and 240 Jews and Jewesses (as noted by the *Klosterneuburger Chronik*) took place at Erdberger Lände in today's third district of Vienna. The execution was followed with considerable attendance and interest by the Christian population. Politically, this 'cold-bloodedly organised political murder' (Michael Toch<sup>14</sup>) was justified by the alleged collaboration of Jews with the Hussite enemy even though such a crime would have had to be punished with expulsion and not with execution. The burning at the stake was justified with reference to a Host desecration in Enns that had allegedly taken place years

13 Petr Elbel (Vienna/Brno) and Wolfram Ziegler (Vienna) see mainly financial motives for the persecution: 'Die Wiener Gesera. Neue Überlegungen zu einem alten Forschungsproblem', in: 'Avigdor, Benesch, Gitl' – Juden in Böhmen und Mähren im Mittelalter. Samuel Steinherz zum Gedenken (Proceedings of a conference in Brno, 27–29. November 2012), ed. by Pavel Kocman und Helmut Teufel, *Judaica Bohemiae*, supplement volume, Prague [in preparation].

14 Michael Toch, 'Die Verfolgungen des Spätmittelalters (1350–1550)', in *Germania Judaica* III/3, ed. by Arye Maimon, Mordechai Breuer and Yacov Guggenheim (Tübingen: Mohr Siebeck, 1995), pp. 2298–327 (p. 2309).

before, and had astonishingly not been revealed earlier. The eviction and murder was then followed by an 'eternal' prohibition of settlement, which was upheld in Vienna for about 150 years.<sup>15</sup>

### *Individual Fates of Baptised Jews*

We cannot say for sure how many forced baptisms took place in the course of the Viennese Geserah. As already mentioned, the *Kleine Klosterneuburger Chronik* noted *ettlich* ('numerous') converts<sup>16</sup> in 1420, while the *Winer gesere* gives the impression of numerous affected people without mentioning numbers. An anonymous chronicle (the *Anonymi Viennensis Breve Chronicon Austriacum*) mentions *irer vil* ('many of those') baptised.<sup>17</sup> In contrast to the already mentioned case of Trani (Apulia), however, the Viennese baptised cannot be apprehended as a group and can only be grasped individually after a detailed search or by chance.

To anticipate our results, one can find 28 New Christians, identified by name or as anonymous individuals. Seventeen of them are men – of which four or five are German students at the University of Vienna – four are women and seven are children or youths. 22 of them were definitely baptised in due course of the *Geserah*. It is unclear whether the rare occurrence of female 'New Christians' is due to the Jewesses' stronger fidelity to their beliefs. Even though the *Winer gesere* states that more women than men (110 as against 90) were among the victims, the lower representation in communal sources is connected to their legal status. It is mostly the husbands who were the actors in property transactions. Their wives were only mentioned by their first names and without further description. I am aware of the fact that we cannot pull valid statistics from the limited number of 28. The context does, however, allow for some conclusions due to comments and their context.

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15 Brugger, 'Von der Ansiedlung', pp. 221–24. A new critical edition of the *Winer gesere* still is a desideratum; see the edition made by Artur Goldmann, Die 'Wiener Gesera' und die Urteils-Verkündigungen vom Jahre 1421, in *Das Judenbuch der Scheffstraße zu Wien (1389–1420), mit einer Schriftprobe*, ed. by Artur Goldmann (Vienna-Leipzig: Braumüller 1908), pp. 112–33 (pp. 125–32). See the remarks to the topoi in the Jewish reports in Martha Keil, 'Gemeinde und Kultur – Die mittelalterlichen Grundlagen jüdischen Lebens in Österreich', in: *Geschichte der Juden in Österreich*, pp. 15–122 (pp. 119–21). Without hardly any source criticism, Kurt Schubert, 'Die Wiener Gesera und der Freitod von Wiener Juden zur 'Heiligung Gottes'', in: *Memoria – Wege jüdischen Erinnerns. Festschrift für Michael Brocke zum 65. Geburtstag*, ed. by Birgit Klein and Christine Müller (Berlin: Metropol 2005), pp. 541–51. Still basic: Samuel Krauss, *Die Wiener Geserah vom Jahre 1421* (Vienna-Leipzig: Braumüller, 1920).

16 Klaus Lohrmann, 'Die Juden im mittelalterlichen Klosterneuburg', in *Klosterneuburg. Geschichte und Kultur 1: Die Stadt* (Klosterneuburg: Stadtgemeinde Klosterneuburg, 1992), pp. 209–23 (p. 222).

17 Cited in Michael H. Shank, 'Unless You Believe, You Shall not Understand'. *Logic, University and Society in late medieval Vienna* (Princeton/New Jersey: Princeton University Press 1988), pp. 196–97, note 117.

## Baptised Women

Hanna, called *Peltlin*, being the widow of *Peltl* of Salzburg – he died before 1401<sup>18</sup> – ran her own lending business and owned a house in Vienna.<sup>19</sup> Her daughter Lea apparently accepted baptism in 1420/21, but we do not know what happened to her second daughter *Schöndl*, a moneylender like her mother; no further information has been passed down.<sup>20</sup> Being a Christian, Elisabeth/Lea did not inherit her mother's house at Kurrentgasse 12.<sup>21</sup> She was, however, given a possibly better house as a present by Albrecht V in April 1422 at Wipplingerstraße 12 (corner Stoß im Himmel). She can be identified as the new owner without any doubt: *Elspeth die Newkristinn, etwann genant Lea, der Peltlin Judin tochter, hat gevangen nutz und gewer ains hauß, gelegen in der Wildbercherstrass ze Wienn.* ('Elspeth the New Christian, earlier called Lea, daughter of the Jewess Peltlin, has won the profit and use of a house located on *Wildbercherstrass* [today 1<sup>st</sup> district, Wipplingerstraße] in Vienna').<sup>22</sup>

The source mentions neither a husband nor any children, nor do we know anything about her mother's fate. Maybe Hanna died during the persecution, because as late as in August 1420, during the imprisonment of the wealthy Jews

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18 Rudolf Geyer, Leopold Sailer, *Urkunden aus Wiener Grundbüchern zur Geschichte der Wiener Juden im Mittelalter*. Quellen und Forschungen zur Geschichte der Juden in Deutschösterreich, X (Vienna: Deutscher Verlag für Jugend und Volk, 1931), p. 575 nr. 1926 (sub dato 1401, Schotten-Urbar): *Hanna die judin Poeltleins wittib*.

19 Ignaz Schwarz, *Das Wiener Ghetto, seine Häuser und seine Bewohner*, Quellen und Forschungen zur Geschichte der Juden in Deutsch-Österreich II (Wien-Leipzig: Wilhelm Braumüller, 1909), p. 153, note 31 (his assumption, that Hanna's husband Peltlin died in 1411, is not correct, see above, note 18). Hanna gave several loans to Viennese burghers: Geyer-Sailer, *Urkunden*, p. 455 nr. 1520 (sub dato 1411 February 11), and p. 594, register, entrance 'Hanna von Salzburg'. On Jewish Business Women see Martha Keil, 'Business Success and Tax Debts: Jewish Women in Late Medieval Austrian Towns', in: *Jewish Studies at the Central European University II* (1999–2001), ed. by Andras Kovács and Eszter Andor (Budapest: Central European University, 2002), pp. 103–23; Martha Keil, 'Public Roles of Jewish Women in Fourteenth and Fifteenth-Century Ashkenaz: Business, Community, and Ritual', in: *The Jews of Europe in the Middle Ages (Tenth to Fifteenth Centuries): Proceedings of the International Symposium held at Speyer, 20–25 October 2002*, ed. by Christoph Cluse, Cultural Encounters in Late Antiquity and the Middle Ages 4 (Turnhout: Brepols, 2004), pp. 317–30; Martha Keil, 'Mobilität und Sittsamkeit: Jüdische Frauen im Wirtschaftsleben des spätmittelalterlichen Ashkenaz', in *Wirtschaftsgeschichte der mittelalterlichen Juden. Fragen und Einschätzungen*, ed. by Michael Toch, Schriften des Historischen Kollegs München, Kolloquien 71 (München: Oldenbourg Wissenschaftsverlag, 2008), pp. 153–80.

20 Schwarz, *Das Wiener Ghetto*, p. 153, note 31. One of Schöndlein's loans in Geyer-Sailer, *Urkunden*, p. 455 nr. 1521 (sub dato 1411 February 13).

21 Her house was sold by Albrecht V to *Jakob Schetinger* and *Magdalen*, Schwarz, *Das Wiener Ghetto*, p. 95 nr. 405A (sub dato 1424 May 26).

22 The entry in the land register in Schwarz, *Das Wiener Ghetto*, p. 86 nr. 385D (sub dato 1422 April 29) and Geyer-Sailer, *Urkunden*, p. 530 nr. 1774 (sub dato 1422 April 29).



of Vienna, she confirmed the payment of a Viennese burgher's debt.<sup>23</sup> The New Christian Elisabeth did not live in isolation but received a house in an area that already had Christian neighbours in the days of the Viennese Jewish quarter. Before the Viennese *Geserah*, the building had belonged to Rabbi Meisterl, who is mentioned in the *Wiener gesere* as having been subjected to torture.<sup>24</sup>

The second baptised Jewess named in the *Kleine Klosterneuburger Chronik* had a similar fate:

*Ein judin zu Klosterneuburg liess sich tauffen und wardt genant Barbara, hat vorher zu der ehe den Schebelein juden gehabt, die nam darnach zu der ehe Niclasen den Lueger eines erbarn burgers sun, da derselb starb, da nam sie Niclasen den Lister eines burgers sun von Presburg.*

[A Jewess at Klosterneuburg accepted baptism and was named Barbara; beforehand she had been married to the Jew Schebelein, afterwards she took *Niclas den Lueger*, who was the son of an honourable burgher, as husband. When he died, she took *Niclas den Lister*, son of a burgher from Pressburg/Bratislava as husband.]<sup>25</sup>

We do not learn the Jewish name of this woman, nor did her husband Scheblein leave any trace in the sources according to today's knowledge.<sup>26</sup> It is remarkable, though, that she could immediately marry into the Christian bourgeoisie even though she brought with her three – also baptised – children. The latter are recorded in a different context. In November 1430, Barbara drew up a charter together with her children Thomas and Kathrei, and also in the name of their minor brother Jakob. They sold that half of their house on *Nidern Markt*<sup>27</sup> which Albrecht V had given them because all four of them – Barbara and her three children – had converted to Christianity. The previous owner had been the Jew Lewein.<sup>28</sup> The charter describes the procedure as follows:

23 Adolf Altmann, *Geschichte der Juden in Stadt und Land Salzburg von der frühesten Zeit bis auf die Gegenwart*. Weitergeführt bis 1988 von Günter Fellner und Helga Embacher (Salzburg: Otto Müller, 1990), p. 146, charter nr. 2142 (sub dato 1420 August 14).

24 Goldmann, *Die Wiener Geserah*, pp. 127–28.

25 *Kleine Klosterneuburger Chronik* p. 245, cited in Klaus Lohrmann, *Judenrecht und Judenpolitik im mittelalterlichen Österreich* (Wien-Köln: Böhlau, 1990), p. 301 note 1069.

26 Lohrmann, 'Die Juden im mittelalterlichen Klosterneuburg', p. 220, mentions a certain Manusch, son of a Scheblein, who granted numerous small loans of approximately 10 pounds around the year 1400. But Manusch was a bit too old to be Barbara's son.

27 Lohrmann, 'Die Juden im mittelalterlichen Klosterneuburg', p. 219, mentions a house owned by Jews in 1389 on *nidern Markt*.

28 Stiftsarchiv (Archive of the Monastery) Klosterneuburg, Urkunde 1430 XI 12 (registered in the online database of Monasterium.Net: <http://www.mom-ca.uni-koeln.de/mom/search?q=1430+XI+12&sort=date&arch=AT-StiAK> (accessed 8. Sept. 2014), but without any transcription, picture or register). Lohrmann, 'Die Juden im mittelalterlichen Klosterneuburg', p. 223, mistakenly names Scheblein as editor of the deed of sale and wrongly dates it with September 12, 1430.

*Das Haus gab uns unser genediger Herr am Ersten so wir alle vire egenannt die heilig tauff haben empfahen und abgetreten haben vom Judischen Irrsal,<sup>29</sup> auf den heiligen kristenleuchen glauben wir uns bechennt haben [...]*

[Our gracious Lord gave us the house immediately after all four of us had received holy baptism and had abjured the Jewish heresy [*sic*], we avowed ourselves to the holy Christian faith [...]]

Barbara's story was known in Klosterneuburg and seemed to the chronicler worth retelling. His account, however, only contains factual information (about the baptism and the two marriages), but no moral or even religious judgment. It can be assumed that Barbara had already had contact with Christian customers while being the wife of Scheblein – and that maybe her second husband, *Niklas der Lueger*, had been amongst them. Further, she was immediately integrated into Christian society socially as well as topographically. We do not know anything about the fate of Scheblein. Maybe he had already died before 1420, and his widow with her three children had then looked for safety among Christians.

The two women ended up coming off well from the catastrophe. But of course the context – violence and fear of death – renders irrelevant any discussion as to whether Lea or Barbara's baptisms had been forced or voluntary.

### Baptised Children

Barbara's charter relates to the fate of her baptised Jewish children. The 1244 *Judenordnung* (ordinance which regulated the Jewish status), which Albrecht V had confirmed, had punished the abduction of Jewish children as theft: *Item si aliquis vel aliqua puerum iudei abduxerit, ut fur volumus condempnetur* ('Likewise, if any man or woman should kidnap a Jewish child we wish that he be punished as a thief.')

<sup>30</sup> Canon law either categorically prohibited the forced baptism of children

<sup>29</sup> Matthias Lexer, *Mittelhochdeutsches Handwörterbuch. Zugleich als Supplement und alphabetischer Index zum Mittelhochdeutschen Wörterbuche von Benecke-Müller-Zarncke*. Reprint of the original edition Leipzig 1872–1878 with an introduction of Kurt Gärtner, 3 volumes (Stuttgart: S. Hirzel, 1992), online: <http://woerterbuchnetz.de/Lexer/?sigle=Lexer&mode=Vernetzung&lemid=LI00756#XLI00756> (accessed 8. Sept. 2014); *irrsal*: 'Irrtum in Glaubenssachen, Ketzerei' ('error in matters of faith, heresy').

<sup>30</sup> Eveline Brugger and Birgit Wiedl, *Regesten zur Geschichte der Juden in Österreich im Mittelalter*. Vol. 1: *Von den Anfängen bis 1338* (Innsbruck-Wien-Bozen: StudienVerlag, 2005), pp. 35–38 nr. 25 (p. 36, provision 26). English translation: *The Jewish History Sourcebook*, online: [www.fordham.edu/halsall/jewish/1244-jews-austria.asp](http://www.fordham.edu/halsall/jewish/1244-jews-austria.asp) (accessed 8. Sept. 2014); Magin, 'Wie es umb der iuden recht stet', p. 193; German Translation and commentary: Lohrmann, *Judenrecht und Judenpolitik*, pp. 53–84 (pp. 58–9). According to the Viennese municipal laws, thieves were flogged, *ibid.* p. 59, not killed, as *The Jewish History Sourcebook* comments. Robert Chazan, *Reassessing Jewish Life in Medieval Europe* (Cambridge and others: Cambridge University Press, 2010), pp. 123–25, mainly deals with the economical aspects of the charter.

or debated it as controversial.<sup>31</sup> Even Pope Martin V, who, in a letter dated January 1<sup>st</sup>, 1421, prohibited under the threat of excommunication any forced baptism in general and the baptism of Jewish children below the age of 12 against the will of their parents,<sup>32</sup> did not prevent Albrecht V from abducting Jewish children and having them baptised. The ducal measure not only aimed at the salvation of the children's lives but predominantly at the salvation of their souls. Albrecht's radical position in 1420/21 was consistent with the prevailing doctrine of his time. The theological faculty of the University of Vienna had already solidified its conviction that after forced baptism the religious belief and Christian faith, and with it the dogmas that could not be cognitively grasped, would eventually sink in and settle: 'Unless you believe, you shall not understand...' – thus the Viennese theologian Heinrich von Langenstein cited Augustin's *Nisi credideritis, non intellegitis*, referring to (but not citing literally) Isaiah 7. 9. Michael Shank used this scriptural verse as title for his famous book in 1988.<sup>33</sup>

What happened to the abducted Jewish children? We have in the abbot *Martin von Leibitz* a relatively 'objective' eyewitness of the burnings in March 12, 1421; he answered this question – *quid de parvulis iudeorum?* – in his *Senatorium*. The answer was structured like a dialogue between a *senex* and a *juvenis* and stated the following: 'The children were spared the burning at the stake; some were handed over to monasteries where they were more useful than the others. Two of those saved children are even now prioresses at the nunneries of Himmelpfort and Sankt Magdalena.'<sup>34</sup>

31 Magin, 'Wie es umb der iuden recht stet', pp. 185–98; Shlomo Simonsohn, *The Apostolic See and the Jews. History* (Toronto: Pontifical Institute of Medieval Studies, 1991), pp. 240–43, 253–57. Ulrich Horst and Barbara Faes de Mottoni, 'Die Zwangstaufe jüdischer Kinder im Urteil scholastischer Theologen,' *Münchener Theologische Zeitschrift* 40/3 (1989), pp. 173–99.

32 Shlomo Simonsohn, *The Apostolic See and the Jews. Documents: 1394–1464* (Toronto: Pontifical Institute of Medieval Studies, 1989), pp. 695–97 nr. 606 (sub dato 1421 January 1). Another version of the text mentions the children in the Austrian duchy, *temporali dominio dilectorum filiorum Austriae and Venetiarum ducum*, *ibid.*, p. 697. Heinz Schreckenberg, *Die christlichen Adversus-Judaeos-Texte und ihr literarisches und historisches Umfeld (13. –20. Jb.)*, (Frankfurt/Main-New York: Peter Lang, 1994), p. 489 nr. 6 (sub dato 1421 January 1); Pope Martin V repeated this prohibition on September 20, 1421, at the request of the Jews in Spain, *ibid.*, nr. 7, and Simonsohn, *The Apostolic See, Documents*, p. 698 nr. 608.

33 Michael H. Shank, 'Unless You Believe, You Shall Not Understand'. *Logic, University, and Society in Late Medieval Vienna* (Princeton, New Jersey: Princeton University Press, 1988), pp. 139–89. Actually, this is not Isaiah's correct verse; the translation of the King James Bible says: 'If ye will not believe, surely ye shall not be established.'

34 'Senatorium magistri Martini olim abbatis Scotorum Wyennae', in: *Scriptores rerum austriacorum veteres ac genuini quotquot ex Austriae vicarumque provinciarum bibliothecis et tabulariis, decumano labore perillustratis, aut primum in lucem vindicatis, aut ex mss codicibus auctiores et emendatiores edi potuerunt*. Tomus 2, ed. by Hieronymus Pez (Lipsia: no publisher, 1725), col. 626–74 (col. 631), Online: [http://reader.digitale-sammlungen.de/de/fs1/object/display/bsb10798774\\_00364.html](http://reader.digitale-sammlungen.de/de/fs1/object/display/bsb10798774_00364.html) (accessed 11. Sept. 2014), cited in Lohrmann, *Judenrecht und Judenpolitik*, p. 300, note 1064: 'JUVENIS: Quid de parvulis iudeorum? SENEX: Reservati sunt et aliqui dati sunt ad monasteria et plus aliis profecerunt. Nunc regit priorissa ad Coeli Portas et priorissa ad Sanctam Mariam Magdalenam, de incendio reservata.'

I think we can accept this information as a fact, in particular as both nunneries are precisely named: the Premonstratensian nunnery of *St. Agnes an der Himmelpforte* and the nunnery of *Sankt Magdalena vor dem Schottentor* (today near the main building of the university), governed in accordance with the Augustinian rules.<sup>35</sup> Ignaz Schwarz, whose still valuable monograph *Das Wiener Ghetto* was published in 1909, already considered this information as valuable fact and tried to find out the names of those two women based on these two nunneries' sources.<sup>36</sup> He assumed – according to the knowledge available at the time – that Martin von Leibitz had still been alive in the 1470s, and he did find two prioresses for that time frame. However, Martin had already died in 1464, which made a certain Magdalena the only abbess of St. Agnes known by name – she was abbess between 1444 and 1463.<sup>37</sup> The fact that Magdalena is not given the byname of a baptised Jewess in any of the documents does not mean that the conclusion drawn is wrong. For the nunnery *Sankt Magdalena vor dem Schottentor* and for the period concerned, no names of abbesses have been passed down to us.<sup>38</sup>

My colleague Eveline Brugger (St. Pölten) has brought to my attention a highly informative document bearing on the fate of baptised children. It describes a procedure that was certainly not uncommon: In March 1421, Provost Erhart at the Canons regular of St. Augustine, St. Andrä an der Traisen, confirmed the receipt of 50 pounds of Viennese Pfennig from Duke Albrecht V which the boy Matthias was to receive at the time of his coming of age.<sup>39</sup> In January 1430 – maybe at the time of his 18<sup>th</sup> birthday, maybe earlier – Mathias *New Kristen von Herczogenbuerkch puertig* ('New Christian born in Herzogenburg') confirmed that the provosts of the Convent of St. Andrä an der Traisen had *liepleich inngehabt und in kristenleichen gelauben getzogen haben* ('lovingly looked after him and educated him in the Christian faith') and had let him attend school to his

35 Richard Perger and Walter Brauneis, *Die mittelalterlichen Kirchen und Klöster Wiens*, Wiener Geschichtsbücher 19/20 (Wien-Hamburg: Paul Zsolnay, 1977), pp. 186, 189. Joseph Kopallik, *Regesten zur Geschichte der Erzdiözese Wien 1: Regesten zur Geschichte der aufgehobenen Klöster Wiens* (Wien: Gorischeck, 1890), p. 29.

36 Schwarz, *Das Wiener Ghetto*, p. 7, note 9.

37 Harald Tersch, *Österreichische Selbstzeugnisse des Spätmittelalters und der Frühen Neuzeit (1400–1650). Eine Darstellung in Einzelbeiträgen* (Wien-Köln: Böhlau, 1998) pp. 52–65 (p. 52); Alfons Zák, 'Das Frauenkloster Himmelpforte in Wien', *Jahrbuch für Landeskunde Niederösterreichs* 4–5 (1905–1906), pp. 139–224 (pp. 202–5); 6 (1907), pp. 95–187 (p. 185: list of the prioresses).

38 Franz Maschek, 'Geschichtliches vom Magdalenerinnenkloster in Wien', *Jahrbuch des Vereins für die Geschichte der Stadt Wien* 14 (1958), pp. 133–40 (pp. 137, 140: list of the prioresses).

39 Vienna, Haus-, Hof- und Staatsarchiv (HHStA), Familienurkunden, nr. 43 (1422 March 21); Eveline Brugger, 'Hetschel und wer noch? Anmerkungen zur Geschichte der Juden in Herzogenburg im Mittelalter', in: *900 Jahre Stift Herzogenburg. Aufbrüche – Umbrüche – Kontinuität. Tagungsband zum wissenschaftlichen Symposium vom 22.-24. September 2011*, ed. by Günter Katzler and Victoria Zimmerl-Panagl, Sonderpublikation des NÖ Instituts für Landeskunde (Innsbruck-Wien-Bozen: StudienVerlag, 2013), pp. 119–37 (p. 18).

benefit and honour. Matthias had used for, and invested for various ventures the 50 pounds of his *gnedigen Herrn* ('honoured Lord') the Duke, plus other endowment (*vertigung*); he confirmed vis-à-vis the provost that he was not owed anything anymore.<sup>40</sup> Therefore it was not only the convent that had been responsible for Matthias' upbringing and livelihood, but also Albrecht V, the very same man who had presumably murdered his parents and had most certainly taken away from them 'their only child, their property and their home country' – as put in a nutshell by Eveline Brugger.<sup>41</sup>

### The Rabbi's Son

The only thing that we hear about the little son of a famous rabbi and victim of the *Geserah* – namely Rabbi Aron Blümlein, grandson of Israel of Krems and uncle of Rabbi Isserlein of Wiener Neustadt – comes from a Hebrew source, a responsum by Maharil of Mainz (*d.* 1427).<sup>42</sup> A certain *Chaver Shimon* asked him whether an inheritance of 3 florins from Aron Blümlein could be passed on, as titled, to his son-in-law, Rabbi Murklein of Marburg (Maribor), and to other heirs or whether 'his son who is amongst the *goyim*' (*beno she-bein ha-goyim*) would have to be taken into consideration, too. Maharil decided that the inheritance could be paid out as Aron's son had been 'forced in his childhood' (*be-tinokiut ne'eness*, i.e. forced baptism); he was therefore a 'full Jew who had been taken prisoner by the *goyim* and had spent all his days in error (or: in unknown and unaware sin, *be-shogeg*)'. Thirteen years had passed since then – the responsum therefore dates to 1434 – and the boy had come of age to fulfil the commandments but had not returned in a ritual of atonement. Therefore, the money should be given to Rabbi Murklein for his yeshiva and he would pass it on to the *Gabbai*, the custodian of the alms (*Zedaka*) for poor *Bachurim*, Talmud students. The legal situation is thus somewhat ambiguous; while the forcefully baptised son is not entitled to an inheritance, the other heirs are to donate the money to a holy cause. Another baptised child, the 'daughter of *Lemlein hakham*' ('the sage Lemlein') is also mentioned in the responsum; she is 'with the *goyim* and it is unknown what happened to her'.<sup>43</sup>

40 Stiftsarchiv (Archive of the monastery) Herzogenburg, Urkunden St. Andrä an der Traisen nr. 167 (sub dato 1431 January 15), online: [http://www.mom-ca.uni-koeln.de/mom/AT-StiAHe/StAndraeCanReg/1431\\_I\\_15/charter?q=1431%20I%2015](http://www.mom-ca.uni-koeln.de/mom/AT-StiAHe/StAndraeCanReg/1431_I_15/charter?q=1431%20I%2015) (accessed 11. Sept. 2014).

41 Brugger, 'Hetschlein', p. 19.

42 Jakob Molin (Maharil), *She'elot u-Teshuvot be-hadashot*, ed. by Ytzhak Satz (Jerusalem: Mif'al Torat hakhme Ashkenaz, 2nd Edition, 1977), pp. 234–35 nr. 166. Israel J. Yuval, *Scholars in Their Time. The Religious Leadership of German Jewry in the Late Middle Ages* (in Hebrew), (Jerusalem: Magnes Press, 1988), p. 62, stated that this must have been a late pregnancy.

43 Maharil, *She'elot u-Teshuvot be-hadashot*, pp. 234–35 nr. 166 (p. 234).

*How did New Christians Make a Living?*

‘[...] it is unknown what happened to her’. Maharil’s statement touches upon my second question: How did the New Christians earn money and which professional possibilities were open to them? The sources are not very helpful as they do not always mention the individuals’ professions. In August 1422, *Jakob von Steyr, der peckh* (‘the baker’), burgher of Vienna, and his wife Anna sold a house to *dem erbern maister Gabrieln dem Newkristen* (‘the honourable master Gabriel, the New Christian’) and his wife Anna and their heirs for the price of 45 pounds *Pfennige*.<sup>44</sup> Apart from the term ‘New Christian’, the two attributes ‘honourable’ and ‘master’ are interesting. They are not at all discriminating but rather a sign of appreciation as a bourgeois business partner; unfortunately we do not know which trade Gabriel was working in. We also do not know whether his wife Anna was a baptised Jewess, too.

When looking at the entries in the land charge register for December 1435, the pattern repeats itself: *Leupold Leyttesperger* and his wife Anna sold their house at the Rotenturm in Vienna for 315 pounds *Pfennige dem erbern Nicodemus dem Newenkristen* (‘to the honourable Nicodemus the New Christian’) and his heirs. The extremely high amount points to a particularly grand building.<sup>45</sup> A small academic side-remark: Rudolf Geyer and Leopold Sailer, neither of them Jews, listed the two *Newkristen* in the register of their edition of 1931 amongst the Jews and not the Christians.<sup>46</sup> *Friedreich Pobenberger*, alias *Moyses der Vorsprech* (an official at law court), was a third and seemingly well-integrated baptised Jew who set up his last will in 1427.<sup>47</sup> The testament of Friedrich’s wife from 1429 further hardens the assumption that he had been a convert, for Ignaz Schwarz pointed out that she granted *ainem Newn Kristen genant Jeronimus, den sie erczogen hat* (‘a New Christian called Jeronimus whom she had brought up’) 20 pound *Pfennige*.<sup>48</sup>

We can only make assumptions about this family: was Jeronimus the biological son of Friedrich alias Moses? Was his wife also a baptised Jewess or had Friedrich married a Christian after his baptism? Regarding the fate of Jewish children this entry only discloses that they could not only be handed over to monasteries but also to private individuals for further education. A search in testaments with an eye to such aspects would certainly be worthwhile. We do

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44 On the same day, master Gabriel the New Christian in Vienna and his wedded wife Ann (‘Maister Gabriel der Newkristen ze Wienn und Ann sein hausfraw’) sold two pound burgage tenure of this house to the nunnery of the Sisters of St. Clare; Geyer, Sailer, *Urkunden*, p. 533 nr. 1781 (sub dato: 1422 August 12) und 533 nr. 1782, same day.

45 Geyer, Sailer, *Urkunden*, p. 547 nr. 1820 (sub dato 1435 December 12).

46 Geyer, Sailer, *Urkunden*, Register, p. 593: Gabriel and Anna; p. 603: Nicodemus.

47 Schwarz, *Das Wiener Ghetto*, p. 7, note 8.

48 Schwarz, *Das Wiener Ghetto*, p. 7, note 8.



not know the time of marriage but we can assume that the former Jew Friedrich had participated in the upbringing of Jeronimus – his Christianity seemed solid enough to educate a baptised Jewish child. There is no hint of mistrust in the strength of belief and reliability of the convert.

### *New Christians at the Viennese University*

Of all things, we notice an absence of prejudice against New Christians within one of the leading institutions that propagated anti-Judaism in the late Middle Ages, the University of Vienna. A prime example for climbing its career ladder is *Paulus de Mellico*, Paul of Melk, a New Christian. He was Canon of St. Stephan in 1451, Dean in 1460 and 61, Vice Chancellor of the University in 1465 and Rector in 1451, 1457, 1461 and 1471.<sup>49</sup> Up until now, as the records and registers of the Faculty of Arts for the years 1416–45 had yet not been edited, researchers had hardly noticed Paul of Melk's Jewish origins. Among the numerous entries of his name within the registers and files of the University, only one refers to him as a *neophitus*. He is noted as *baccalaureus* at the Faculty of Arts in the winter semester of 1427: *Paulus neophitus de mellico*.<sup>50</sup> For all subsequent entries his former religion is irrelevant. It is noteworthy that *Paulus de Mellico* had a byname – that of Leubman. This could refer to a Jewish name widely found in Austria, Leubman. There is even evidence to a Leubman, son of Josef, in Mödling – a small town south of Vienna – for the years between 1405 and 1408. This man worked as a money lender and could be considered to be Paul's father.<sup>51</sup> The scribes of the University register rarely noted the cognomen *Leubman*, but in those cases where Paul himself wrote the minutes of the faculty sittings, he always included it – *decanatus primus magistri Pauli Leubman de Mellico*. During two further periods of office as dean, he jugged them down similarly.<sup>52</sup> Was this a form of commemoration to his Jewish father who had maybe been murdered in the Geserah? This is something we do not know. *Paulus de Mellico* died on January 22, 1479 – he must

49 *Die Akten der Theologischen Fakultät der Universität Wien (1396–1508)*, ed. by Paul Uiblein, Vol. 2 (Vienna: Verband der wissenschaftlichen Gesellschaft Österreichs, 1978), p. 689. Uiblein writes that Paulus 'was designated as *neophitus* quite often'; this is not the case, the denomination *neophitus* just shows up in 1427, when Paul only was *baccalaureus*, see the next remark.

50 University Archive Vienna (UAW), Ph 7: *Liber secundus actorum Facultatis artium 1416–1443*, fol. 88r, 2. entry, 2. line. I heartfully thank Martin Wägendorfer (Munich) for this information! See the online database 'Wiener Artistenregister' 1416–1447, *Acta Facultatis Artium II* (UAW cod. Ph 7), Nr. 3233–9262, by Thomas Maisel, Ingrid Matschinegg and Andreas Bracher, online: <https://fedora.phaidra.univie.ac.at/fedora/get/o:217/bdef:Container/get/AFA2%20nr%203233%20bis%209262.pdf> (accessed 16. Nov. 2014), p. 57 (sub dato 1427 I, 22.7.1427), 5116, b-1.

51 Geyer-Sailer, *Urkunden*, Register, p. 601: eight entries on Leubman, son of Joseph from Mödling.

52 *Die Akten der Theologischen Fakultät der Universität Wien (1396–1508)*, vol. 2, pp. 252, 257, 266.



therefore have been around 20 years old at the time of his entry in the university; further, he may have been baptised as a youth and educated at Melk Abbey.

Another chance find confirms Paul's Jewish origin: In August 1438, Empress Elisabeth, wife of Albrecht V – at this time already Emperor Albrecht II – instructed the mayor and council of Pressburg/Bratislava to hand over to our *getrewen lieben Meister Paulus de Melliko* ('truthful dear master Paulus de Melliko') his *Muhme* (i.e. his aunt), 'a Jewess and her Jewish child' upon personal conveyance of her letter.<sup>53</sup> Nothing is known about the further fate of woman and child but we can assume that they were not allowed to keep their Jewish faith with Paulus in Vienna.

The repeated election of Paulus for rector as *egregius vir*, excellent man,<sup>54</sup> allows us to assume a perfect integration within the academic and theological world and high esteem for him as a person. Careers like these can be found among New Christians in Spain, who were, however, often torn between the chance to reach highest positions and the religious mistrust against them.<sup>55</sup> If a careful conclusion may be drawn from the topics of Paul's intellectual production – the study of which I am not qualified for – he might have been one among the particularly devoted and eager converts: amongst his works we find one about the planetary configuration and – maybe not coincidentally – a commentary on the Epistle to the Hebrews and on Good Friday.<sup>56</sup> The Austrian National Library's catalogue of manuscripts contains a number of codices which Paulus Leubman de Mellico had presented to the *Collecium ducale*, the first house of the University of Vienna, and to the *Rosenburse*, a student hall and centre in Vienna.<sup>57</sup> Among them there is a theological collection, written by Thomas Ebendorfer.<sup>58</sup> Like Paulus Leubman, Thomas Ebendorfer, who had died 15 years earlier in 1464, several times had been

53 Municipal Archives Bratislava (Mesto Bratislava), Listiny c 1082. Many thanks to Eveline Brugger for this information! The Register of this document in: Eduard Marie Fürst von Lichnowsky and Ernst Birk, *Geschichte des Hauses Habsburg, Vol. 5: Vom Regierungsantritt Herzog Albrecht IV. bis zum Tode König Albrecht II.* (Vienna: Schaumburg, 1841), p. CCCXLVI nr. 4004 (sub dato 1438 August 27). Paul and his Jewish aunt are mentioned in Ignaz Franz Keiblinger, *Geschichte des Benediktinerstiftes Melk in Niederösterreich, seiner Besitzungen und Umgebungen, Vol. 2, Geschichte der Besitzungen, Part 1: Besitzungen in den Vierteln ob und unter dem Wiener-Walde* (Vienna: Beck, 1869), p. 109, but he did not notice Paul's Jewish origin and conversion (p. 108).

54 *Die Akten der Theologischen Fakultät der Universität Wien (1396–1508)*, Vol. 2, pp. 271, 274–5, 282.

55 Kevin Ingram, 'Series Introduction: Converso and Morisco Studies', in: *The Conversos and Moriscos in late medieval Spain and beyond 2. The Morisco issue*, ed. by Kevin Ingram (Leiden a. o.: Brill, 2012), pp. IX–XXII (pp. XI–XVIII and p. XI, note 2).

56 Joseph Aschbach, *Geschichte der Wiener Universität im ersten Jahrhundert ihres Bestehens. Festschrift zu ihrer fünfthundertjährigen Gründungsfeier* (Vienna: Verlag der K. K. Universität, 1865), pp. 558–60, but he is not mentioning Paul as a 'neophitus', and his dates concerning Paul's university career are not exact.

57 Friedrich Simader, *Bücher aus der mittelalterlichen Universität Wien und ihrem Umfeld* (online article, Vienna, Austrian National Library: from 2007 onwards): <http://www.onb.ac.at/sammlungen/hscrift/kataloge/universitaet/Rosenburse.htm#seitenanfang> (accessed 13. Nov. 2014).

58 Austrian National Library, Cod. 4954 Han.

dean of the Theological Faculty of the University of Vienna. It is most probable that the two scholars knew each other very well. But we cannot prove that Paulus was the *neophitus* who helped Ebendorfer to translate the Hebrew anti-Christian concoction *Toldot Yesbu*. Our sources speak of Ebendorfer *cuiusdam Neophiti in hebraea lingua satis periti fretus auxilio* ('relying on the help of a certain neophite who had a great expertise in the Hebrew language'). But the man's name is never mentioned.<sup>59</sup> In consideration of Paul's catholic piety, this assumption is not to be ruled out.

Paul is, however, not the only *neophitus* who enrolled between the late 1420ies and the 1450s at that University. I would like to thank Martin Wagendorfer (Munich), who is currently indexing the medieval University acts and registers and who called my attention to one *Augustinus neophitus* in 1427, to another *Augustinus quondam neophitus* in 1439, and to one *Johannes Judeus baptisatus* already in 1416.<sup>60</sup>

The registers of the Faculty of Medicine, which Sonia Horn analysed for her doctoral thesis, have brought out additional reference to baptised Jews – a fact that is in itself not surprising as Jewish doctors were part of any medieval town's landscape. Already four months after the *Geserah*, on July 31<sup>st</sup>, 1421, the Faculty of Medicine had to deal with a certain Caspar, *iudeum baptisatum*, who had been working as doctor without its approbation.<sup>61</sup> Caspar cited Albrecht V's permission, who actually avowed himself to be his advocate at the faculty. The dispute wore on until January 1423, and it not clear how it turned out. Caspar – also once referred to as Caspar *neophitus* – is however not listed amongst the authorized doctors.<sup>62</sup> We cannot make out whether Caspar lacked the required knowledge,

59 *Das jüdische Leben Jesu – Toldot Jeschu. Die älteste lateinische Übersetzung in den Falsitates Judeorum von Thomas Ebendorfer*, ed. by Brigitta Callsen, Manuela Niesner and others, Veröffentlichungen des Instituts für österreichische Geschichtsforschung (Vienna-Munich: Böhlau, 2003), p. 88; Krauss, *Die Wiener Geserah*, p. 140.

60 University Archive Vienna (UAW) Ph 7: *Liber secundus actorum Facultatis artium 1416–1443*, fol. 88r, 3<sup>rd</sup> line (*Augustus neophitus de Wienna 1427/28*), fol. 141r, 8<sup>th</sup> line (*Augustinus quondam neophitus 1439*), fol. 2r (*Johannes Judeus baptisatus 1416*). The last two bynames are not to be found in online database 'Wiener Artistenregister' 1416–1447, only *Augustus neophitus de Wienna*, p. 57 (sub dato 1427 I, 22.7.1427), 5117, b-2.

61 UAW, Cod. Med. 1.1, *Acta Facultatis Medicae Universitatis Vindobonensis I 1399–1435*, ed. by Sonia Horn and Annette Löffler, unpublished, but online: <http://www.sonia-horn.eu/wp-content/uploads/2014/03/AFM-Vol-1-Beta.pdf> (accessed 13. Nov. 2014), pp. 47 (sub dato 1421 July 31), 51 (sub dato 1422 January 22 and February 12), 56 (sub dato 1423 January 29). Sonia Horn's thesis is online as well: Sonia Horn, 'Examiniert und approbiert. Die Wiener medizinische Fakultät und nicht-akademische Heilkundige in Spätmittelalter und Früher Neuzeit' (unpubl. doctoral thesis, University of Vienna, 2001, online: <http://www.sonia-horn.eu/wp-content/uploads/2014/03/Diss-Horn-UB-pdf.pdf> (accessed 13. Nov. 2014), pp. 73–5 (Caspar).

62 See the first edition of Cod. Med. 1.1, *Acta facultatis medicae universitatis Vindobonensis I 1399–1435*, ed. by Karl Schrauf (Vienna: Verlag des medicinischen Doctorencollegiums, 1894), pp. 95–101. See also pp. 46, 48, 52–3, 94.

whether the faculty did not want to admit further competition, or whether his Jewish origin was the reason for the rejection. We do know for sure, though, that Albrecht V entered into a power game with the University for the sake of Caspar, thereby causing the *neophiti* to become what Jews had been before – pawns between two forces. Whether Caspar was Albrecht's 'personal physician' – as claimed by Samuel Krauss – is not proven.<sup>63</sup>

Two further baptised *empirici* ('doctors practicing without the Medical Faculty's approbation') kept the faculty busy. We know of one *empiricus omnino illiteratus* ('a practicing student fully lacking in letters'), who obviously did not speak any Latin in August 1438. We have also one Johann Gabriel *baptizatus*, who failed his exam in July 1442 and complained that he had been examined too harshly. The latter clearly did not leave Vienna, for in May 1451 he received another summons to the faculty.<sup>64</sup> From the 1450s onwards, a number of students from the 'Rhenish nation' – from Günzburg, Worms, and Passau – matriculated at the university and were referred to as *neophiti*.<sup>65</sup>

### *Some Failed Lives*

Among the baptised Jews in Austria there were certainly also some who failed to succeed in their new lives. Yet we only hear of those if they came in conflict with the law. One infamous example is the *taufst christjud* ('baptised Christian Jew') *Hans Veyol* who accepted baptism numerous times in order to get hold of the baptism gifts, who deceived and denounced others and eventually was condemned to die in Regensburg by drowning.<sup>66</sup> Begging and travelling baptised Jewesses were successful as fortune tellers. This has allowed Rudolf Glanz to refer to the entire baptism of Jews as a 'new, spivvy sector of industry', which resulted in a reversal of order, as Christian beggars could pretend they were converted Jews.<sup>67</sup>

63 Krauss, *Die Wiener Geserah*, p. 142.

64 *Acta facultatis medicae universitatis Vindobonensis* II, 1436–1501, ed. by Karl Schrauf (Vienna: Verlag des medicinischen Doctorencollegiums, 1899), pp. 13 and 25; Horn, 'Examiniert und approbiert', p. 80.

65 *Die Matriken der Universität Wien. II. Band 1451–1518, Part 1: Text*, ed. by Willy Szaivert and Franz Gall (Publikationen des Instituts für österreichische Geschichtsforschung. 6. Reihe; Quellen zur Geschichte der Universität Wien, 1. Abteilung, Vienna: Böhlau, 1967), pp. XVI; 63 (sub dato 1459 April 14: *Johannes Neophitus de Gunczburg*; 186 (sub dato 1484 April 14: *Michael Mayer neophitus Pataviensis*); 424 (sub dato 1515 October 13: *Steffanus Franciscus ex Wormacia olim Hebreus pauper*).

66 *Urkunden und Aktenstücke zur Geschichte der Juden in Regensburg 1453–1738*, ed. by Raphael Straus, mit einem Geleitwort von Friedrich Baethgen, Quellen und Erörterungen zur bayerischen Geschichte, New Series XVIII (Munich: Beck, 1960), p. 40 nr. 149. See Martha Keil, 'Zwang, Not und Seelenheil. Jüdische Konversionen im mittelalterlichen Aschkenas', in: *Treten Sie ein! Treten Sie aus! Warum Menschen ihre Religion wechseln*, ed. by Hanno Löwy and Hannes Sulzenbacher (Berlin: Parthas, 2012), pp. 124–32.

67 Rudolf Glanz, *Geschichte des niederen jüdischen Volkes in Deutschland. Eine Studie über historisches Gaunertum, Bettelwesen und Vagantentum* (New York: Waldon Press, 1968), p. 69.

### Conclusion

In contrast to other episodes of forced conversion, like in Spain or Southern Italy, the Austrian Jews were neither stigmatised nor excluded. They were integrated in the city of Vienna and its community or in smaller towns like Klosterneuburg. After one generation, their Jewish origin was not visible anymore. What connects all those individual fates after the Geserah is not only the baptism following a violent – or at least life-endangering – situation but also the positive attention Albrecht V gave them. Albrecht V, who went down in history as a brutal murderer and persecutor of Jews, supported baptised children, women and men by granting them alimentary pensions, gifts of money and houses. In addition, he tried to intervene – as was the case with Caspar – to their advantage. It is possible that he acted with the intention to follow canon law, and to therefore return to the baptised Jews the heritage of their evicted and murdered parents.<sup>68</sup> Under his rule, a Paulus de Mellico, also a protégé of Albrecht's wife Elisabeth, was able to rise to highest honours and be elected rector numerous times.

Those friendly measures towards New Christians reveal the burning of Austrian Jews to have been even more drastically motivated by religion than scholarship has up until now assumed. Obviously, Albrecht V's primary motives were neither political nor financial. He fought against Jews only as long as they persisted in their religious 'error'. Once they had become Christians, they stood under his personal protection. It seems that c. 1420 Judaism was no longer considered to be a specific religion, but only a deviation from the Christian faith, a heresy which could only be atoned for with death by fire.

This thesis is confirmed by a charter which was published by Franz Kurz in 1835. This remarkable text has therefore been known for more than 150 years, yet has not been analysed until now. On September 27<sup>th</sup>, 1421 Jakob of Krems, *etwann genant ytsekl Jud* – 'formerly known as Jew Isak' – confessed that he had been incarcerated in Krems (an hour west of Vienna) because he had admitted without torture that he was planning to leave the Christian faith and to return to the 'Jewish and heretical faith.' He had therefore 'forfeited life and soul'. 'With God's mercy' – also towards his wife and children – the judge and council of Krems released him under the condition that Jakob swore an oath to remain from now on true to Christianity and not accept another faith.<sup>69</sup> They followed the

68 Magin, *Wie es umb der iuden recht stet*, pp. 199–200; Simonsohn, *The Apostolic See, History*, pp. 239–40 and 248–53.

69 Municipal Archive Krems, StAKr-0203 (1421 September 27), online: <http://monasterium.net/mom/AT-StAKrems/Krems/StaAKr-0203/charter> (accessed 16. Nov. 2014). The Regesta misinterprets the word *etwan* ('former') as a family name 'Etrann'. The document is printed in Franz Kurz, *Österreich unter K. Albrecht dem Zweyten*. Zweyter Teil (Vienna: Kupffer und Singer, 1835), pp. 364–5 nr. 2. The

Schwabenspiegel, which stated that a recidivist convert was to be forced to remain true to the Christian faith by secular and clerical courts or sentenced to death by fire.<sup>70</sup> It is very likely that Isak-Jakob's family was well-known to the council of Krems, a city which along with Vienna and Wiener Neustadt held one of the three oldest Jewish communities in Medieval Austria.

This charter gives a solid base to the note in the *Kleine Klosterneuburger Chronik* that 'numerous' people who had wanted to return to Judaism were burnt to death. As postulated by Pope Clement VI in his 1267 encyclical *turbato corde, relapsi* such as heretics were to be punished by burning at the stake.<sup>71</sup> Jews were presented to the Inquisition if they supported these reconverts, received them in the Jewish community or refused their denunciation. They were subject to the same criteria as those Christians who supported heretics. From the late thirteenth century onwards – and in particular during the Hussite rebellion – the identification of Jews with Christian heretics can also be noticed in Ashkenaz. The last step to actual burnings of Jews for reasons of faith was not so wide any more. Numerous legal opinions (*responsa*) from the 1420s to the 1460s, owed to the like of Israel Isserlein, Israel Bruna, Jakob Weil and Maharil, concerned themselves with the problem of forced converts, their wives and children, and those ready for atonement. Rabbi Isserlein, who had lost his mother and his uncle Aron Blümlein in the *Geserah* and whose little cousin had been forced to baptism, passed down to us a strict ritual of atonement in accordance with the tradition of the *Chasside Ashkenaz*, a small, but influential group of Rhenish scholars and pietists of the thirteenth century.<sup>72</sup> Whether he dared impose it on an atonement-willing apostate has not been recorded.

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'Urfehldē' is followed by an extensive declaration of oath of truce. In spite of the correct transcription of the document, Kurz interpreted it as him having confessed under torture.

70 Magin, *Wie es umb der iuden recht stet*, p. 175.

71 Simonson, *The Apostolic See, History*, pp. 345–48 (p. 346). Magin, *Wie es umb der iuden recht stet*, pp. 164–84, especially pp. 170–71 about how to proceed against heretics.

72 Krauss, *Die Wiener Geserah*, p. 139; the *Teshuvah* ritual of Israel Isserlein in Josef Jossel bar Mosche, *Leket Joscher*, ed. by Jakob Freimann (Berlin: Zwi Hirsch Itzkawsky 1903, repr. Jerusalem: Chanoch Wagschal, 1964), Part 1, p. 136; See the forthcoming publication of: Emese Kozma, 'The Practice of *teshuvah* (Penance) in the Medieval Ashkenazi Jewish Communities' (unpublished doctoral thesis, Eötvös Lorand University Budapest, 2012, abstract online: <http://doktori.btk.elte.hu/hist/kozmaemese/thesis.pdf> (accessed 16. Nov. 2014)).

# NOSTRADAMUS' MATERNAL GREAT-GRANDFATHER FROM MARSEILLES: NEOPHYTE NETWORKS AND MATRIMONIAL STRATEGIES (1460–1496)<sup>1</sup>

Danièle Iancu-Agou

Nouvelle Gallica Iudaica

The archivist of Bouches du Rhône department had noticed in 1927 the not inconsiderable role played by a certain Jacques Turelli as a witness in the matter of the Jews that left their native Marseilles in great numbers for Sardinia in 1486: the members of the town council were uneasy about this semi-clandestine departure of well-off Jews who took their belongings away with them; Turelli had been required to give evidence, give names, appraise the value of their possessions; he had suggested that 200 people might have departed and identified about ten individuals, four of whom had left with their respective families.

This took place after the death of king René, in the County of Provence that had become French in 1481, and where the situation of Jews would soon deteriorate. The deadly riot that had taken place in Arles two years before, in June 1484 – a Hebrew testimony of which has subsisted, (a fragment of the Torah that escaped the sacking of the synagogue<sup>2</sup> which is being studied today by Elodie Attia) had caused a number of Jews to leave Arles and Tarascon, fleeing from such 'din and turmoil' (as these documents say) to seek refuge in Marseilles, Aix and Pertuis.

Hence a number of Jews in Marseilles, sensing perils cropping up, embarked in little groups for the shores of Sardinia, resuming the coral route their elders had once taken, after realizing all their resources. The town council authorities did not like this regular flow of wealthy Jews departing, and consequently required Jacques Turelli to inform them. The archivist Raoul Busquet, who published this document in 1927,<sup>3</sup> had made this naïve yet logical remark: 'As if the Marseilles Jews had taken Jacques Turelli in their confidence!'

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1 My thanks to Pierre Saint-Yves, professor retired, for translating this article into English.

2 Like a similar fragment found near Beaune-près-de-Sisteron after the massacre of Jews in Haut-Provence during the Spring of 1348, see Joseph Shatzmiller, « Les Juifs de Provence pendant la Peste noire », *Revue des études juives*, CXXXIII (1974), pp. 457–80.

3 Raoul Busquet, « La fin de la communauté juive de Marseille au xv<sup>e</sup> siècle », *Revue des études juives* (1927), pp. 163–83.

Why then did the town council make this demand of Jacques Turelli? My research has allowed me to give two answers. First of all, thanks to the publishing in 1991, in the records of a symposium held in Pau, of a document dated the year 1466 recording his election to the office of collecting the *tallia judeorum*, heavy on the Jews of Marseilles.<sup>4</sup> As a collector of their taxes Jacques Turelli was in a position to know the state of their property.

Second, Jacques Turelli was a *neofitus*: in the Marseilles archives, the first mention of his conversion and Jewish identity is dated October 8<sup>th</sup>, 1460: his former name was Cregut Bonet. The notarized document recording this information recalls the ‘time when Jacques Turelli was a Jew and acted in his own name as well as in the name and place of the other Jews, i-e the rank and file of the Marseilles Jewry.’<sup>5</sup> Thus are we entitled to assume that this *olim judeus* was bound to know his former fellow Jews.

So is it that eight decades later we can answer ‘yes’ to the archivist’s question: yes, Jacques Turelli ‘did share the secrets of his fellow-Jews of Marseilles’: he was once one of them, we can therefore assume that he knew them well; having besides levied and collected their taxes, he had a perfect knowledge of their resources and possessions.<sup>6</sup>

Let me say lastly – this is the “icing on the cake” – that I had come across this information in the studies of a specialist on Nostradamus, Edgar Leroy,<sup>7</sup> where Turelli was mentioned as the famous physician and astrologer’s great-grandfather on the maternal side; yet no mention whatever was made of his former Jewish identity, although Raoul Busquet, he again, pointed out in 1950,<sup>8</sup> without adding any more details, that Jacques Turelli actually was a neophyte. I reproduce below the genealogical sketch I began to outline in my book *Jews and neophytes* in Provence (2001).<sup>9</sup>

This article provides new elements in the story of Jacques Turelli and consequently in the family background of Nostradamus: a wider, more precise light on

4 Danièle Iancu-Agou, « Structures communautaires chez les juifs de la cité d’Aix: quelques exemples à la fin du Moyen Âge » in *Les sociétés urbaines en France méridionale et en Péninsule ibérique au Moyen Âge*, ed. by Béatrice Leroy, Pierre Tucoo-Chala (Paris: CNRS, 1991), pp. 493–518 (here pp. 502 and 514–17).

5 *A.D. Marseille*, 391 E 60, f°119, 8 octobre 1460.

6 Danièle Iancu-Agou, « Les Juifs exilés de Provence (1486–1525) in *Judenvertreibungen in Mittelalter und früher Neuzeit*, ed. by Fr. Burgard, A. Haverkamp, G. Mentgen (Hannover, 1999), pp. 119–34; and « Portrait des juifs marseillais embarqués pour la Sardaigne en 1486. Données prosopographiques », in *Gli ebrei in Sardegna nel contesto mediterraneo* (Cagliari, nov. 2008), ed. by Cecilia Tasca, in *Materia giudaica*, XIV/1–2 (2009), pp. 171–86.

7 Edgar Leroy, *Nostradamus. Ses origines, sa vie, son œuvre* (Saint-Rémy-de-Provence, 1972 and Marseille, 1993); Leroy published a number of articles on Nostradamus starting in 1960 in *Provence Historique*.

8 Raoul Busquet, *Nostradamus, sa famille, son secret*, 1950, p. 18.

9 *Juifs et néophytes en Provence. L'exemple d'Aix à travers le destin de Régine Abram de Draguignan (1469–1525)*, Préface de Georges Duby, Postface de Gérard Nahon (Paris-Louvain: Éditions Peeters, 2001), p. 103, Tableau n°15.



Nostradamus' maternal ancestors of Jewish origin. The fact is that I have found, in the Marseilles notaries' records, the traces of five marriages: the marriage of Jacques Turelli himself in 1460, and that of four of his children, one of whom was Béatrice, the physician-astrologer's grandmother.

*The Maternal Jewish Ancestry of Nostradamus*

Edgar Leroy had not succeeded in tracing this Jewish maternal ancestry. He had indeed spotted in the archives of Comtat-Venaissin the great-grandfather Davin de Carcassonne d'Avignon who had become the converted Arnauton de Velorgues (Velorgues in the 'department' Vaucluse, district of Avignon), his son Gui Gassonnet, whose New Christian name was Pierre de Nostredame, and the grandson Jacques de Nostredames, father of the famous Michel (our Nostradamus).

René de Saint-Rémy had been his stumbling-block. He had even presumed him converted, yet without proof:

Where did these Saint-Rémy originate from, in particular that physician Jean, who was the authentic grandfather of Michel Nostradamus? One is inclined to think that he belonged to the Jewish race, and that he or his father on converting had adopted the name of the town where they had been baptized. In truth, one knows exactly nothing, for lack of documents.

In spite of Raoul Busquet's fleeting mention of neophyte Jacques Turelli, Leroy had not asked himself any further question about Jacques Turelli and his daughter Béatrice, writing on page 29 of his book on Nostradamus (published in 1972):

The maternal ancestry of Nostradamus has proved less easy to trace in the archives of the region. All that I have been able to find out about the famous astrologer's mother is hardly more than her name. She was Renée, probably a Christian, the grand-daughter of Jean de Saint-Rémy, a physician and officer of the aforesaid town, and the daughter of René and Béatrice Tourrel.

Following Leroy, Armand Lunel, in 1975,<sup>10</sup> also wrote of the absence of evidence on the maternal line of Nostradamus' family: 'The astronomer Nostradamus, this illustrious Provençal whom Frédéric Mistral placed on the same rank as Queen Jeanne and the Roi René was, through his paternal ancestry, a half-Jew'. Here again, the progress of research has allowed us to gain ground. The answers were

<sup>10</sup> Armand Lunel, *Juifs du Languedoc, de la Provence et des États français du Pape* (Paris: Albin Michel, 1975), pp. 149–50.

scattered and lay – unexplored until today – sleeping in the ancient archives of Marseilles.

### *I. The Marriage of Jacques Turelli Himself*

On May 28, 1460 in Marseilles ‘l’assignation de dot avec reconnaissance’ (the commitment to provide a dowry) was registered ‘for Ysabella, wife of Jaco Turelli from Marseilles.’<sup>11</sup> It is said here that ‘in the presence of the Holy mother Church, following the orthodox celebration’, the marriage between Jaco Turelli ‘*filium exoticum*’ or ‘foreign son’ of honest Bernard Turelli, a master joiner (a shipbuilding trade) or shipwright of the city of Marseilles on the one hand, and ‘Ysabella, newly baptized into the catholic faith and having forsaken the Mosaic law on the other’, has been celebrated and consummated.

This is the first time a neophyte has been mentioned in these words. The word *neophyte* is generally sufficient to place the *olim judeus, nunc christianus*. ‘Foreign son’ instead of adopted son? Or of godson? The scribe wrote ‘regnantam’ when one should say *regeneratam*, to mean that Ysabelle had been ‘regenerated’ in the baptismal font. It looks indeed as if Ysabelle had been converted only recently: because her parents had probably remained Jews, she was the one that provided a dowry to herself, agreeing to give her husband a trousseau (*raupis et vestibus*), as well as gold, silver coral and mother-of pearl jewels, the whole dowry being worth 200 florins. Thanks to this contract, the first mention of Jacques Turelli’s conversion, which I had noticed, proving without the least ambiguity his manifest conversion and neophyte identity on October 8, 1460, can be advanced to May of the same year, i.e. six months before.

### *II. The Marriage of Béatrice Turelli, the Daughter of Jacques*

Sixteen years later, a notarial deed, registered toward the end of the year 1476, describes the union of his daughter Béatrice.<sup>12</sup> It is said that on December 27, 1476, a marriage was celebrated and consummated between René de Saint-Rémy, a ‘mule-driver’ (or conveyor), one of the king’s *panetiers*,<sup>13</sup> son of maître Jean de Saint-Rémy, physician and ‘mule-driver of the fruit’, and Béatrice, daughter of Jacques Turelli and Ysabelle, a married couple from Marseilles.

The dowry amounted to 200 florins granted by Jacques, to be paid up in the following way: 100 florins within the coming fortnight, 33 florins and 4 and a half ‘gros’ of salt the next year, and so on every year till the 100 florins were paid up. He

<sup>11</sup> *AD Marseille*, 351 E 794, f°s 155–156v°, 28 mai 1460.

<sup>12</sup> *AD Marseille*, 373 E 55, f°s 293v°–294, 27 décembre 1476.

<sup>13</sup> The officers keeping and distributing bread at the sovereign’s court.

pledged to provide for his daughter for three years, and also for the children she would bring up according to the condition of their persons. He also pledged to assume responsibility for the *gésine*, i.e. the 40-day period following childbirth, when the mother entertains visitors. This sum corresponds to the average of the Jewish dowries of the time. J. Turelli could afford to pay within a fortnight: he had enough liquid assets. Besides, being able to provide for his daughter's needs (and her children to be born during the next three years) testifies to his comfortable income.

On the other side, Jean de Saint-Rémy (father, and 'legal administrator' of his son René) was not outdone; in the absence of the latter, in the presence of the notary and of the father-in-law Jacques Turelli, on the same day, December 27, he carried out a *donatio inter vivos* of one half of all his properties; as to him, as long as he lived, he would enjoy the usufruct of the other half. In case Jacques Turelli should not wish (God forbid!) to support and feed in his house the couple René and his wife Béatrice, in this case, and only in this case, he would grant them, as a donation *inter vivos*, the whole of the 200 florins, to be handed over in the form of movables or real estate, following the assessment of two trustworthy friends, who would furthermore assess the trousseau (*vestes et jocalibus*) to be returned.<sup>14</sup> Two months later, on February 21, 1477, Jacques Turelli was formally acquitted, and Béatrice his daughter<sup>15</sup> acknowledged the dowry: René de Saint-Rémy, Jacques' son-in-law, declared he had been granted the sum of 78 florins, to be deducted from the dowry.

It seems – thanks to the notaries of Tarascon (according to Leroy) – that an argument arose, about two years later (July 10, 1477), opposing Jacques Turelli de Marseilles to maître Jean de Saint-Rémy, father and administrator of René's property, about the restitution of Béatrice's dowry. In order to fix the amount of this restitution, whose reason is not mentioned (the death of Béatrice?), experts were chosen, who concluded that Jean should give Turelli 55 florins, eventually reduced to 50 florins in the terms of an amicable settlement. Edgar Leroy, who mentions the names of these experts, Marbotin de Provence and Pierre de Ribiers, did not know they were neophytes.

Pierre de Ribiers belonged to the Jewish lineage of the Botarellis of Marseilles. I have written about his sister Boniaqua, wife of Salamias,<sup>16</sup> and about all their lineage of influential leaders of the community. Pierre (formerly Salves Botarelli)

14 *Donacio propter nupcias inter vivos pro Reynerio de Sancto Remigio* (F° 294).

15 *Quitancia pro Jacobo Turrelli et recognicio pro Beatrice eius filia* (F° 295v°).

16 Danièle Iancu-Agou, « Autour du testament d'une Juive marseillaise (1480), *Marseille, revue municipale*, 132/133 (1983), pp. 30–35, and « Les Juifs exilés de Provence ... », *op. cit.*, tableau 1: « Boniaqua Salamias et les siens, les Botarelli », p. 125. See also « Portrait des juifs marseillais ... », *op. cit.*, p. 185, Tableau III on the « Famille Salamias – Botarelli ».

had, too, converted early, toward 1460, becoming king René's broker, embarking on galleons to go and indulge the monarch's expensive tastes, providing him with precious materials and rare spices. I had already underlined, in *Jews and Neophytes* (2001), the fact that Jacques Turelli and Pierre de Ribiers were close to each other. Not only were they both precocious neophytes, they had moreover become partners in January 1461, pledging themselves on that occasion 'never to venture in any dice or cards or any other table game', on pain of paying 25 florins (one half being paid to the royal tax officers). As for Marbotin de Provence, he used to be the Jew Vidal Salmie from Tarascon, who had converted about 1467–68.<sup>17</sup>

Maître Jean de Saint-Rémy offered later, after the death of his son René, to his grand-daughter Renée (the mother of Nostradamus), on her wedding day, May 14, 1495, when she married Jacques de Nostredame, the following property:<sup>18</sup> a house with an enclosed garden in 'the rue du Viguier in Saint-Rémy, well-furnished' (*cum omnia et singula bona mobilia domus ustensilia*); a cottage with its meadows, vineyards and uncultivated lands, other meadows, a tile kiln and a *scobilia* (a place for rubbish) with an orchard, in a dead end: lastly a tile kiln with a house facing uncultivated fields, the mountain and the Orgon path. One should keep in mind the fact we are here in Nostradamus' parents' house.

In case of premature death, Renée was to get 100 florins and Jaume 50. Jean de Saint-Rémy, as long as he lived, meant to remain the usufructuary of all that he gave to his grand-daughter, and to live himself and his wife Silletta with the young married couple, 'remaining always most respectfully submissive'. On his side Jaume de Nostredame promised 150 florins in ready money and 50 in furniture and house utensils before Michaelmas (September 29). This deed was registered in Avignon, in the house of Blanche, second wife and widow of Pierre de Nostredame.

Later on, after the birth of Michel in 1503, his father Jacques, 'a merchant of the town of Saint-Rémy' (later a 'notary') sold, with Jean de Laudun junior, twelve cows,<sup>19</sup> for the sum of 100 florins. Just for the record, Jean de Laudun junior was the great-nephew of Régine Abram de Draguignan. In other words, all the neophytes of Provence were acquainted with one another, saw a lot of one another, traded with one another, and got married to one another, thus building up together a perfectly codified network.

17 Roure (baron Auguste du), « Les néophytes en Provence et leur taxe par Louis XII en 1512 », *Bulletin de la Société d'études scientifiques et archéologiques de Draguignan*, XXV (1906), pp. 3–37.

18 Edgar Leroy, *Nostradamus ...*, *op. cit.*, p. 26.

19 Edgar Leroy, *Nostradamus ...*, *op. cit.*, p. 27.

### III. Here We Meet Again Marbotin de Provence

Who got married to Jacques Turelli's son (who bore his father's first name and surname) but?... Marbotin's daughter! The date was November 28, 1476.<sup>20</sup> This is the content of an official 'writ of summons for granting Bartholoméa of Provence a dowry', registered in Marseilles on November 28, 1476 and concerning the marriage between Jacques Turelli, son of Jacques and Ysabelle (one month before his sister Béatrice's wedding) and Bartholoméa de Provence, daughter of Marbotin de Provence and Hugone, a married couple from Marseilles. The dowry amounted to 300 florins, 200 of which were in silver. So, when Marbotin de Provence was required in 1479 'as an expert' in the matter of refunding the dowry that Béatrice, daughter of Jacques, had been granted, he was an expert related to the Turellis, since he had been for over two years the father-in-law of Jacques Turelli's son. Kinship and family interests were quick to get closely intertwined.

### IV. Marriage between Douce Turelli and Aymeric Malespine d'Aix. 31 May 1486

In a document found in Marseilles,<sup>21</sup> written in the usual tedious phraseology, it is said that, after the marriage was concluded, 'following the bridegroom's word' between the discreet man (*juvenem*) Aymeric de Malespine from the city of Aix and the honest maid Doussone, daughter of the discreet man Jacques Turelli and Isabelle, from Marseilles, the rite of pledge or 'dation des corps' took place according to the Christian custom, before the Church.

Jacques Turelli endowed his daughter with 250 florins, as follows: 100 florins in dresses and jewels valued by two mutual friends on both sides, + 50 florins on the same day; then 50 florins by forthcoming Eastertide, and lastly the remaining 50 florins by Easter of the following year, in cash, not in valued property. Jacques Turelli committed himself to accommodating and feeding the young couple in his own house, 'eating the same bread and drinking the same wine', at his expense, for four full years, on the basis of 25 florins a year, which 100 florins (25 × 4) Aymeric should acknowledge as dowry to his wife and promise to refund it should the dowry be returned. Should either spouse die ('God forbid!'), before the end of the 4-year term, Jacques Turelli couldn't claim restitution of more money than was used when these *alimenta* were granted on the basis of 25 florins a year. Aymeric agreed to give his wife 100 more florins: if he happened to die ('God forbid!') these 100 florins would come back to her, should she wish to remarry (*ut ipsa Dulsona melius collocare possent in matrimonio*); if she were to die first, he would

<sup>20</sup> *A.D. Marseille*, 373 E 55, f° 443, 28 novembre 1476.

<sup>21</sup> *A.D. Marseille*, 380 E 6, f°s 174<sup>v</sup>-177, 31 mai 1486. Extensoire. *Dotis constitutio pro Esmerigo de Malespina*.

get back 50 florins. Aymeric took a solemn oath on the holy Gospels. The deed was registered in Marseilles, in the afore-mentioned Jacques Turelli's orchard, in the borough of Saint-Louis, outside the walls of Marseilles but nearby, in the presence of three witnesses (a cobbler, and a builder from Marseilles, and a merchant from Salon).

*V. Marriage of Françoise Turelli to Simon Nicolay d'Arles, July-November 1496*

Two 'reconnaissances de dot' (deeds acknowledging the granting of a dowry) were registered in Aix for Françoise Turelli, daughter of discreet gentleman Turelli, a merchant of Marseilles. The first one is dated July 23, 1496:<sup>22</sup> the son in law was Simon Nicolay d'Arles. 70 florins were given, to be deduced from the dowry assigned at the time of the marriage (and registered by maître Guilhem Genesterii of Salon, 'on the day and year herein mentioned').

The second one was registered on November 14 of the same year,<sup>23</sup> by the notary Guillaume Fabre d'Hyères: Simon Nicolay d'Arles received from his father-in-law Jacques Turelli, in deduction and second settlement of his wife's dowry: 87 florins. If we can't know the total amount of the dowry, we know that it amounted at least to 157 florins and probably exceeded that sum.

*This is the Substance of the Five Hitherto Unpublished Marriage Contracts We Have Analyzed above*

It clearly appears that Jacques Turelli, who had converted in the peaceful days of king René, carefully organized the marriages of his children within the narrow, 'emerging' sphere of the Provence neophytes. From Saint-Rémy to Tarascon, Arles or Aix, he drew from the reserve of freshly converted fellow Jews of Provence, for the best possible matches, to build up and interlace the future of his kinship. Having in 1460 made up his mind and come to the decision of converting, he had instantly married a converted bride who brought him a fine 200 florin dowry. Known then as a '*pauper*' in his original community, he would never draw anything but material profit, rising as early as 1466 to the position of '*collector tallia judeorum*', strengthening his influence and status, playing twenty years later, in 1486, the part of mediator or negotiator with the Marseilles town council, when his former fellow Jews decided to leave Provence. His name appears again in the Aix notarial archives in the last quarter of the fifteenth century, when he had become solicitor ('*procureur*') of the 'seigneur de Marignane', René Cossa, and of

22 AD Aix, 309 E 530, f°339, 23 juillet 1496. *Recognitio dotis honeste filie Francisce Turelli, filie discreti viri Jacobi Turelli, mercator Massiliensis.*

23 AD Aix, 309 E 530, f°590, 14 novembre 1496, notaire Guillaume Fabre d'Hyères.

the 'holy monasteries' of Saints Claire and Paule of Marseilles. He expended more and more energy then, getting involved in the taxes weighing on Jews who were on the point of being evicted, or on others threatened with the liquidation of their property, or with the sale of their property even to Jacques himself,<sup>24</sup> suspected of taking advantage of the situation to draw substantial personal profits. Raoul Busquet didn't hesitate to write that 'in 1486, he might have busied himself with stripping his former fellow Jews to the profit of Honorat Forbin's clan.'<sup>25</sup>

Succeeding anyway in tracing the marriage contracts of his four children, besides his own, has been for us a godsend which now allows one to break into the very fabric of his family; three of them were registered in Marseilles; they bring to light the fact that the three daughters all made excellent matches. Already regarding the son, the first to get married, the chosen bride, Bartholoméa, was the daughter of Marbotin de Provence, who gave her a not insignificant dowry of 300 florins. These neophytes from Tarascon were quick to find their place in the world of the influent 'New Christians' in the Provence of King René: we possess (regarding the year 1511<sup>26</sup>) the will left by Marbotin's son, Elzear de Provence (ex-Crescas Vitalis from Marseilles), who converted later than his father (and, being subject in 1512 to the tax on neophytes, had to pay 150 florins), and chose then to be buried in the Couvent des Carmes in Aix; a genealogical sketch I drew on their kinship in '*Les Mélanges Nahon*' shows here again how marriages were organized and carefully managed in the strict neophyte sphere of influence.<sup>27</sup>

There was a strong feeling of solidarity, and a community spirit, at work, asserting itself more and more. The links with the Jewish past, far from dissolving, got strengthened. Not only was the group obviously coherent, but they rose to prominence: the Provençals of Marseilles were ennobled in 1586.

Béatrice, married one month later to René de Saint-Rémy, became nothing less than the grandmother of the famous Michel de Nostredame (1503–1566), since her daughter, married in 1495 to Jacques de Nostredame (who was taxed in 1512 for 200 florins) gave birth to the famous physician and astrologer. Here we find ourselves extremely close to the family archives, and to the private life of an illustrious family of the ancient Comté de Provence and of French Provence, which Frédéric Mistral did not hesitate to rank along Queen Jeanne and King René. In the heart of this lineage, part and parcel of the Provençal culture, whose

24 Danièle Iancu-Agou, *Juifs et néophytes en Provence (1469–1525)*, ..., *op. cit.*, pp. 121–25, 236.

25 Raoul Busquet, *Nostradamus, sa famille et son secret*, ..., *op. cit.*, p. 18.

26 See *Juifs et néophytes*, ..., *op. cit.*, pp. 272 & ff.

27 Danièle Iancu-Agou, « les 'Nouveaux Chrestiens' de Provence: la nouvelle liste de 1512 des Archives départementales de Marseille », in *L'écriture de l'Histoire juive. Mélanges en l'honneur de Gérard Nahon*, ed. by Danièle Iancu-Agou et Carol Iancu (Paris-Louvain : Peeters, 2012), pp. 181–202 (here p. 202: Jalons Prosopographiques).



unilateral conversion started from the middle of the fifteenth century, Jean,<sup>28</sup> the astrologer's brother and the grandson of neophytes, was to become the historian of Provence (he was the author of *Les vies des plus célèbres et anciens poètes provençaux*, Lyons, 1575), whose research was to be resumed by his nephew César (son of Michel) in his monumental edition of 1614 (*Histoire et Chronique de Provence*, Lyons). It's worth noting that, if they somewhat embellished the history of their family by failing to mention the Jewish past of the paternal branch in Comtat, and of the maternal branch in Marseilles, they nonetheless show how brilliantly their lineage illustrates Provençal humanism, being the flourishing outcome of an exemplary lineage, always eager for social integration. These are indeed the few major characters who set examples for future collective attitudes, being the heralds of future changes.

Béatrice's sister, Douce or Doussone, married ten years later, in 1486, Aymeric de Malespine; this marriage contract reveals that Aymeric forsook his Jewish faith three years sooner than we had thought, since I had discovered the first mention of his conversion as dating from the year 1489. A former Jew, called Astruc Jacob, he was to build up a large fortune trading in cloth and woolens, exporting his goods as far as Piedmont. Here again, the file is a thick one: I have published the will of Aymeric's mother, Tholsana Jacob, a widow who remained Jewish till 1501, the year when she 'rejoined' her son in the new Christian religion, calling herself henceforth Honorate de Malespine; Aymeric's wills (1505) are available too; they were twice revised in 1513, revealing considerable wealth, record figures like those that can be found in the Aix oligarchy: 1200 florins for his daughter's dowry, nothing less than 14000 florins bequeathed to his two under-age sons, for whom he was already contemplating priesthood. Aymeric was ennobled in 1519 (the enclosed coat-of arms, dated from December, 18, 1519, is shown in the 'Lettre d'anoblissement' I quoted in *Juifs and neophytes*) and became 'seigneur de Montjustin' in 1523. His *cursus honorum* is exemplary.

It is worth drawing attention to the fact that, if Aymeric was not mentioned in the 'fiscal lists' of 1512, the tax on neophytes, to which all his fellow neophytes were submitted, nevertheless caught up with him: a notarial deed from Aix, dated April 8, 1513,<sup>29</sup> says he was required to come to terms with a commission of four converted citizens of note that had been set up on the occasion, with the aim of making him pay his contribution, 'considering he had been a Christian for a longer time'. He agreed to make a not insignificant gift of 300 florins.

28 Jean-Yves Casanova, *Historiographie et littérature au XVI<sup>e</sup> siècle en Provence. L'œuvre de Jean de Nostredame*, Thèse pour le Doctorat ès lettres (Montpellier : Université Paul Valéry, octobre 1990).

29 *AD Aix*, 309 E 425, f° 238, notaire Imbert Borrilli. *Quittance pour Aymeric de Malespine, marchand d'Aix.*

As to the last daughter to be married, Françoise Turelli, it is noteworthy to specify that Simon Nicolay d'Arles was the son of the neophyte physician Jean Nicolay. Françoise in 1496 joined the cream of the local medical elites, the family of a particularly well-read physician from Arles who had converted to Christianity about 1464–1465; her father-in-law was not any ordinary physician: he was once called 'maître Crescas Vidal Ferrier' before becoming Jean Nicolai; the inventory made after his death on March 20, 1483, reveals the possession of a quite considerable scholarly library, with 35 Latin titles, mostly concerned with medicine,<sup>30</sup> among which we find: Aristotle, four Galens, three Avicennas, works from the Salerno medical school (Nicholas Praepositus, Platearius), the Montpellier school (Guy de Chauliac, Arnaud de Villeneuve with the *Treaty on wines* translated by Bonjudas Nathan of Arles, the eldest of the famous learned lineage, subject of the article in this volume by Ram ben Shalom), Isaac Israël ('le Traité sur les Fièvres').<sup>31</sup>

Simon was under-age at the time of the inventory; he became his sole legatee (and was taxed too in 1512 for 40 florins). It was at that time that he married the daughter of Jacques Turelli, who had become by then powerful and influent, not only in the narrow world of the neophytes, but also in the global society of the 'Crestiens d'ancienneté' of Provence, a province that had become French for already fifteen years.

While their ex-fellow Jews were made to leave Provence following the expulsion edicts of the years 1493–96, 1500–1501 (unless, of course, they should consent to forsake their Jewish faith) these people, who had converted and duly paid their taxes as neophytes in 1512, were all people who were about to rise to prominence, people who were called to rub shoulders with those whose fortunes were being built up in the same way as their own. Piecing together today the marriages of the *olim judei* of the years 1460–70 shows how porous may be the lineages of neophytes closely knit together by a common past and a common fate; it helps us to trace almost all the neophytes of the time, under the reign of René d'Anjou. This little world of the 'autrefois juifs' belonged to the microcosm of the *neofiti* or 'neophytes' of Provence, who were not yet so many in the years 1460–1475

30 Crescas Vidas Ferrier left September 19, 1465 two blankets and six books in Hebrew at master Rossel Ferrier he now wishes to recover despite his conversion to Christianity. See Claude Roux, « Les Juifs de Tarascon au xv<sup>e</sup> siècle: parentés et lignages », in *Les Juifs méditerranéens au Moyen Âge. Culture et prosopographie*, ed. by Daniele Iancu-Agou, (Paris: Les Éditions du Cerf, collection NGJ n°5, 2010), p. 184, note 6. Jean d'Avignon is quoted in Danielle Jacquart, *Supplément au Dictionnaire des médecins en France au Moyen Âge* (Genève: Droz, 1979), t. 2, p. 171.

31 Danièle Iancu-Agou, « La pratique du latin chez les médecins juifs et néophytes de Provence médiévale (xiv<sup>e</sup>-xvii<sup>e</sup> siècles) », in *Latin into Hebrew: Texts and Studies*, Ed. by Resianne Fontaine et Gad Freudenthal, Volume One: Studies, (Leiden-Boston: Brill, 2013), pp. 85–102 (here, pp. 91–92).

– merely a group of ‘peripheral’ converted people living on the fringe of their original group, just outside the more or less shut-off areas left to their former fellow-Jews.<sup>32</sup>

Their sense of sharing the same identity was extremely strong; it testifies, if need be, to the intensely tight links that the descendants kept between one another. We discover ‘crossed’ marriages between the families of neophytes: medicine had often served as a lever to their fathers, who had been highly cultivated and experienced practitioners. One has the feeling that they knew how to use those of them who had a better social position to ensure better integration into the Provençal society.

Their alliance strategy is fascinating and owed nothing to chance. Groups closely woven into networks were set up over the whole Provençal area, building on the borders, on the fringes of Jewish communities, a small ‘neophyte’ galaxy called to assert itself more and more into a strong, coherent community. It spread out, as if the affair had been negotiated with quasi-methodical, perfect care, creating a closely-knit network which was at the same time matrimonial, economical and cultural. We can see neophytes’ children getting married at the first generation to other neophytes’ children, in a world tightly woven together and having extremely powerful common Jewish roots: such a strategy at work tends to show that the neophytes leant on one another to define their place in society.

Jacques Turelli, maternal grandfather of the famous ‘mage ou mège de Salon’, Nostradamus, whose general figure remained blurred, and in any case little known in his Jewish past, having as early as 1460 forsaken his condition of *judeus*, of a rather humble man who had converted at the same time as his contemporary Pierre de Ribiers, king René’s broker, together with almost all his children’s fathers-in-law, he made the bet that he would eventually merge into the Provençal society, and won it; with this end in view, he thus built up around his closest relatives, matrimonial alliances within the narrow, closed network of neophytes that was being formed and beginning to take shape. These were really matrimonial strategies, thanks to which one can approach the intimacy of family groups sticking together, and which reveal a world made accessible through notarial archives.

Out of this Judeo-Provençal stock, a most fertile soil, the new neophyte plants gave the best of their potential, and offered the best possible élites, the élites of the intellectual and commercial world, as well as of the world of law if one thinks of Régine Abram de Draguignan who became a *neofita* at the same period, in 1472, and whose heir Accurse de Lione, grand-son of her brother physician maître Jacob

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32 Cf. Danièle Iancu-Agou, « Quartier juif » in *Dictionnaire Encyclopédique du Moyen Age Chrétien*, ed. by André Vauchez (Paris : Éditions du Cerf, 1997), t. II, p. 1279; and *Provincia judaica. Dictionnaire de géographie historique des Juifs en Provence médiévale* (Paris-Louvain : Editions Peeters, 2010).

Massip Abram, converting meanwhile under the name of Raymond de Cipières, entered the Parliament of Provence as early as 1525.

Following the example of the Nostredames, who had become prominent symbols of Provençal cultural success, the Ortigues d'Apt, stemming from Jean Hortie, ex-Salomon de Beaucaire who had converted before 1481 (whose daughter Isabelle was married to the son of Marbotin de Provence. Their small world remained tightly tied up), supplied toward the end of the sixteenth century a poet, 'gentilhomme d'Apt', as he liked to be called, considered as one of the best Christian poets of his time.

One might as well say that the Jews of Provence, once they had become converts, gave to the land where they had been born, the land where so many of their ancestors lay buried, a number of enlightened key figures able to be the avant-garde of an outstanding and flourishing 'intelligentsia.' Their 'success story' may have been the consequence of many different elements: the excitement of intellectual research so dear to their former faith, the traditional cultural practice of their elders, the quest of honors suddenly available, the role of philosophy and rationalism, the consideration of the hardships afflicting Jews, the disappointed messianic expectation seeking new hopes in Christianity, all these factors have probably played their part in the behavior of some cultivated marginal circles of the Provençal Jewish society, which, we may add, on another, much smaller scale, was not so far from that of the Jewish elites in Aragon.

Could one say though, that conversion was the way to success? In any case, before the death of king René, although there was no threat of exile, each community supplied two or three conversions. It is true that, after the County was united to the Kingdom and the general atmosphere grew heavier, in the long term, the Jews that wished to be able to remain in Provence after August 1501 had eventually no other choice than conversion. There is yet the example of a 'relatively precocious' exiled individual who made a success of his exile while remaining a Jew; he was the first husband of Régine, Bonet (Astrug) de Lattes, from Aix; after the breaking off of his first marriage in 1472, he turned to medicine and became the leader of his community of Aix en Provence before finally leaving, first, in the 1490's for Comtat, then for Italy, for Rome, where his success was breathtaking, making him all at once the physician of two popes (Alexander VI, Jules II); He was quoted by Rabelais, and was also a renowned astronomer visited by Charles de Bovelles, the disciple of Lefèvre d'Étaples.

However, the neophytes of Provence – about one thousand individuals- were not in fact very numerous, with their new names (Danjou, d'Entrecasteaux, Roquebrune), surnames sweetly smelling of lavender rather than of the scents of Judea (as Jules Bauer had said with different words in 1905, questioning the truthfulness of the 1512 Lists: 'Their List of names – a great many of which have a particle of nobility ("de"),- referred less to a list of people originating from a

ghetto than to the armorial of ancient Provençal nobility'),<sup>33</sup>- these neophytes became integrated rather easily, their small number making their insertion all the smoother; there is no possible comparison with their Spanish counterparts, submitted to the harshness of the Inquisition, or to the massacres of 1506 in Portugal.

And if, for the 'last-minute converted', those of September 1501, the ascension was to be quite logically slower, to become noticeable only toward the middle of the sixteenth century, for example with the Estiennes (formerly Gabriel-Cohen and later Estienne d'Orves), on the other hand for the neophytes of the mid-fifteenth century, those who lived at the time of King René (the Danjous, or the Orgons de Pertuis, the Citranis or Provençals from Apt, our Turellis from Marseilles, the famous Nostredames), the examples of social ascension took place, quite naturally, earlier, and were for some of them, unquestionable, if not extraordinary.

It appears, at the conclusion of this study, that this marginal society of neophytes, with their most famous representative, whose life long remained vague, or obscure, is revealed more and more clearly now, thanks to archival work. One century has been necessary to achieve this aim, since the new research carried out by baron du Roure who had initiated the investigation at the end of the nineteenth century; the questions asked by Jules Bauer at the beginning of the twentieth century; the essential work done by Raoul Busquet about the end of the Marseilles Jewish community (1930) and about *Nostradamus, His Family, His Secret* (1950); Edgar Leroy's specialized studies of the famous astrologer (1946-1972); Lhez' work on the neophytes (1966) and on 'The paternal ancestors of Michel de Nostradamus' (1968); Armand Lunel's assessments (1966),<sup>34</sup> and lastly my own, carried out at the offices of the notaries of Aix, and also at those of Marseilles, together with the connections that I managed to ascertain between the Christian surnames of 300 converted Jews (200 from Aix and 100 from Provence) and their former Jewish names (2001). This shows how, from one link to another, researchers and historians can reinforce and broaden the chain of knowledge.

1913-2013: one century has elapsed since the birth of Bernhard Blumenkranz; 1948-2013, sixty-five years since his first publications in French (his first publication in 1946, in German, was his thesis about Augustine's preaching, re-published in 1973 by the *Etudes augustiniennes*). We remember here his heritage and salute the memory of a historian who was in France, with Georges Vajda, (who was born in Budapest) an icon of the 'Wissenschaft des Judentums' or 'science of Judaism',

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33 Jules Bauer, « Les conversions juives dans le Comtat Venaissin », *Revue des études juives* 50 (1905), pp. 91-111.

34 Armand Lunel, « L'astrologue Michel Nostradamus, un demi-juif » [4<sup>e</sup> centenaire de sa mort à Salon], *Bulletin de nos communautés* 22, n°14 (1966), p. 9.

as well as the man that renovated modern Jewish Studies. The truth is that he has gained followers, and this symposium attests to it quite abundantly. Let the 'new School' of the 21<sup>st</sup> century carry on with the work, enriching our knowledge, and making fruitful the legacy left by this pioneer from Vienna, Bernhard Blumenkranz.





# THE EPISTLE OF RABBI SAMUEL DE FEZ, WHAT KIND OF A NEW STRATEGY AGAINST JUDAISM?

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## *Introduction*

The text I want to focus on with this article is not a recently discovered one, it is on the contrary well-known, often referred to but not so frequently quoted. The text is the so-called *Epistola Rabbi Samuelis de Fes (quam scripsit ad Rabbi Isaac magistrum Synagogue)* supposedly written in the end of the eleventh century. Bernard Blumenkranz himself analyzed it, questioning its veracity, especially its date of composition and its real author. He devoted the better part of his article on *Alphonsus Bonihominis* in the *Encyclopedia Judaica*<sup>1</sup> to the *Epistola*, as the text was said to be a translation from Arabic to Latin by *Frater Alphonsus*, a Spanish Dominican in the first part of the fourteenth century. And this, the date of the translation of the opus, and moreover the person of its translator, is precisely one of the numerous reasons why the text is so interesting, raising many questions. It deserves a close analysis and an examination from different points of view. The superposition or confusion of times<sup>2</sup> concerning its redaction and the questions about its authorship make of it a very precious document, and a very rich source of information on the context and more precisely, on the quality of the relations between Jews and Christians at the beginning of the fourteenth century. It also

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1 Bernhard Blumenkranz, art. « Alfonsus Bonihominis », in *Encyclopaedia Judaica*, Jérusalem, 1971, t. 2, col. 607 and earlier G. Meersseman, « La chronologie des voyages et des œuvres de frère Alphonse Buehombre o.p. », in *Archivium Fratrum Praedicatorum* 10 (1940), pp. 77–108. About the success and diffusion of the opus in vernacular language, that is catalan, see Jaume Riera i Sans, « Literatura antijueva en Català: textos i difusió », in *Estudi General*, 1989, núm. 9, pp. 215–36; and Ora Limor, « The Epistle of Rabbi Samuel of Morocco: A Best-Seller in the World of polemics », in Ora Limor and Guy G. Stroumsa eds, *Contra Iudaeos: Ancient and Medieval Polemics Between Christians and Jews*, Tübingen, Mohr, 1996, pp. 177–94.

2 In fact we could state that 3 periods of time are at stake with the *Epistola*: the supposed time of its composition: the eleventh century, the supposed time of its translation and in fact real composition: the first part of fourteenth century; and the time of its success or dissemination: the second half of the fourteenth and the fifteenth century. About the matter of dissemination, see Ora Limor, art. cit., pp. 177–79, more than 300 copies of the *Epistola* were produced till the end of the Middle Ages.

informs us, in an indirect way, of the representations that the religious minority and majority had in mind one against the other. Presented as a correspondence between two persons, two Jewish scholars, it opens in fact a window on the whole society of the fourteenth century. If nowadays most scholars think that the text was not written by a Jew, but rather by a Christian apologist,<sup>3</sup> a close analysis of the shape and the content of the document reveal how rich and subtle this opus is and justifies the statement of Preachers of the end of the Middle Ages who consider it as the most effective tool to convert the Jews.

The angle I will adopt to analyze the *Epistola* is the following: I wonder in what way Rabbi Samuel's *Epistola* reflects the new strategy adopted by polemicists against Judaism from the second half of the thirteenth century, and how it renews the genre of medieval polemics.

### *I. New Polemics, Devices and Methods*

Historians have long demonstrated that the art of polemics was renewed during the thirteenth century in different ways. Among them is the importance of language, that is the use of references in Hebrew or at least of quotations from the Old Testament in controversial arguments.<sup>4</sup> Polemicists also insist on the necessity of effectiveness so that the disputes have a favorable result, that is the conversion of the religious adversary.<sup>5</sup> Among the new aspects of Christian polemics, various devices are also used to persuade the Jews, of which we have a perfect example with the so-called *Epistola* of Rabbi Samuel.

#### 1. A Forgery

Christian polemicists had from the beginning used forgeries in their apologetics against the Jews. The so-called *Adversus Iudaeos* dialogues<sup>6</sup> were usually inven-

3 It is interesting to note that the editor of the text in the *Patrologiae Latinae*, vol. 149, col. 335–68, reprint of the edition of 1853, introduces Rabbi Samuel as born in Fes and converted to Christianity in 1085 in Toledo.

4 For example, Gui Terré, BnF, MSS lat, 16523, *Sequitur aliqua quaestio determinata ab eodem: Utrum principalis articulus fidei nostre, scilicet quod ponit Trinitatem in unitate essencie possit probari contra iudeos per scripturas receptas ab eis?* fol. 83r: 'Et ideo translatio necessaria est ad disputandum cum iudeis [...] Hanc autem translationem voluerunt habere studiosi hebreorum tanquam fructum sapientissimorum virorum et dato quod numquam apud eos haberetur tam non possunt ipsam negare'.

5 For example, at the same period, Nicolas of Lyra, BnF, MSS lat, 3644, *Questiones disputate per Nicolaum de Lyra contra Hebraeos*, fol. 1r: 'Respondeo hic sunt duo videnda principaliter, primum est que sint scripture a iudeis recepte, secundum est utrum predicta per illas scripturas aprobari possint efficaci probatione'. See *Ibidem* fol. 3r: '[...] per eas possumus contra eos efficaciter arguere'.

6 Among an enormous bibliography: Ora Limor and Guy G. Stroumsa, eds, *Contra Iudaeos. Ancient and Medieval Polemics between Christian and Jews*, Tübingen, Mohr, 1996; and more recently Sébastien Morlet, Olivier Munnich and Bernard Pouderon eds, *Les dialogues Adversus Iudaeos. Permanences et*

tions of their Christian authors, even if some specialists may have wondered if they did not reflect real controversies. It may have been the case, at least for the arguments of which we know that they had always been disputed (The Messiah as both God and human, the truth of the Trinity, or the Jews' unfaithfulness), but the most popular and influential of these texts are carefully-constructed literary works. Our text is not a dialogue but is presented as the translation of an old letter, *Epistola*, by a Moroccan rabbi, Samuel of Fes, to a Jewish authority of his time, Rabbi Isaac of Sijilmasa. The letter is in fact a disguised polemical work. Of particular interest are the multiple devices it uses to persuade the Jews. Its real author is quite surely Alphonsus Bonihominis (Alfonso Buenhombre), who introduces himself as the translator of the opus. Doing so, he proves to be very clever, or at least very tactical and concerned with efficiency. He knows that the classical polemics is not successful, so he uses other ways to make it more convincing. Whereas famous theorists and polemicists of his time produce more classical works, like Ramon Lull with his *Liber de Gentili et tribus sapientibus* or Nicolas of Lyra's *Questiones disputatae contra Iudaeos*, Alphonsus Bonihominis presents his polemical work in the form of a letter. Doing so he produces a very subtle composition, mixing times and themes. In the different manuscripts or editions of the text the subtitle mentioned is: *Raby Samuelis tractatus indicans errorem judaeorum circa observantiam legis Mosaicae, et venturum Messiahm, quem expectant*.<sup>7</sup> Then comes the following precision about the translator: 'Reverendo Patre Magistro Alphonso Bonohomine Hispano ordinis predicatorum. Circa annum 1339 ex Arabico in latinum translatum (Father Alphonsus Bonihominis of Spain from the order of the Preachers, who translated the text from Arabic into Latin, around the year 1339)<sup>8</sup>'. In the introductory chapter of the letter, Alphonsus introduces himself and his work, elaborating the literary conditions of his composition (or supposed translation): conscious of his weakness he wants to help his order in its task and offers what he can: 'Libellum hunc antiquissimum, qui nuper devenit ad manus meas et fuit in antea tot temporibus occultatus, nova translatione de Arabico in Latinum'<sup>9</sup>. It should be noted that Alphonsus used the same strategy in another work: he composed an apologetical pro-Christian work that he

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*mutations d'une tradition polémique*, Actes du colloque international organisé les 7 et 8 décembre 2011 à l'Université de Paris-Sorbonne, Paris, *Institut d'Études Augustiniennes*, 2013.

7 This is the case for example in the Budae edition in 1753.

8 *Ibidem*: 'Opus aureum omnibus Christi Fidelibus et scripturae professoribus apprime utile ab admoldo reverendo Patre Magistro Alphonso Bonohomine Hispano ordinis predicatorum. Circa annum 1339 ex Arabico in latinum translatum'.

9 *Ibidem*: 'the translation from Arabic to Latin of a very old book who came into my hands and had been for long occulted'.

pretended was his translation of an exchange of letters between a Jew and a Muslim.<sup>10</sup>

In this way, Alphonsus creates the conditions to avoid that his readers question the veracity of the text. The argument of the ancientness of the text gives to it a supplement of legitimacy and authority. The fact that it is presented as if it had been occulted may increase the mystery and the desire to read it; and most of all if the Jews wanted to dissimulate the letter, it implies that they considered it as dangerous or convincing, which proves its truth. The argument of ancientness of a text, or of its writing by a Jew, is often used in such demonstrations: in his *Tractatulus Venerabilis patris Nicolai de Lyra contra quendam Iudeum*,<sup>11</sup> Nicolas of Lyra also uses this device to legitimize his work. He says: 'a certain treatise written by a certain Jew came into my hands.'<sup>12</sup> And in his *Questiones disputatae*, he justifies an explanation saying: 'But afterwards, a little book came into my hands, written in Hebrew, the offered a solution to this problem.'<sup>13</sup> In our case Alphonsus uses both arguments. He pretends the letter has been written: 'in anno Domini millesimo sed translata de Arabico in Latinum [...] anno Domini 1338, tempore pontificatus Domini Benedicti Papae XI<sup>4</sup>'. We may wonder why the supposed date of the letter is the year 1000. It is hard to believe that the date is chosen by chance. Does it reveal a belief or a representation of the Christians about Jewish millenarianism? Does Alphonsus mix up the Jewish and Christian millenarianism? It may be an answer as the real purpose of the text as we shall see later, is the conviction of the Jews so that they convert to Christianity. The so-called author, Rabbi Samuel of Fes is himself a convert, or is about to convert, and sends a letter to a fellow rabbi, Isaac, considered as an authority of his time, pretending he wants to question him about important matters, but in fact, he exposes the arguments why he is about to convert.<sup>15</sup>

10 On this work, the *Disputatio Abutalib*, see Antoni Biosca, 'Alfonso Buenhombre', in *Bibliographical History of Christian-Muslim Relations*, 5 vols (Leiden, 2013), 67–70; John Tolan, *Saracens: Islam in the Medieval European Imagination* (New York, 2002), 254–5.

11 *Tractatulus Venerabilis patris Nicolai de Lyra contra quendam Iudeum* [...], Anvers, 1634, prologue, colonne 1716.

12 'quidam tractatus a iudeo quodam confectus venit ad manum meam' *Ibidem*.

13 'Sed postea venit ad manum meam quidam libellus hebraice scriptus ubi predicta ratio aliter soluitur' *Questiones disputatae*, fol. 8r.

14 Alphonsus Bonihominis, *Epistola*, ed. Budae, p. 4.

15 *Ibidem*: 'Unde ego particeps doctrinae tuae fieri desiderans, tibi expono exitus cordis mei, super illis quae Legis sunt, et Prophetarum, super quibus anxior cum timore. Quapropter recurro ad abundantem scientiam tuam, et sapientiam et mitto tibi libellum istum sperans per te Deo volente in veritate confirmari ac in dubiis declarari.'

## 2. The Theme of the Language, the Importance of the Context

Besides the date, the language of the text is another important point. Alphonsus pretends he translated the letter from Arabic, and devotes a quite long development in his introductory chapter to that language. I mentioned above that the matter of the language is very important in the art of polemics, because Jewish and Christian scholars disagree about the translation of Scripture. Noticing the wrong translation of one another, they can't admit the statements and opinions about the quotations of the biblical text and reject their arguments. In our case, Alphonsus uses a device or a bias, pretending the text was written in Arabic. This device is a good reflection of the context as Alphonsus is a Spanish Dominican, pretending he discovered an old text dating from the era of Muslim domination of the Peninsula, when the spoken and written language of the Jews was Arabic. This device allows him to avoid two stumbling blocks: the rejection of his arguments because of a bad translation, and the suspicion about the veracity of the letter. Furthermore he adorns the Arabic language saying that it is the language of the best scholars, that is the most truthful ones and that:

among the Jews, the most famous are the ones that possess the science of Arabic letters, and whereas in ancient times they used them a lot, the modern ones, Jews and Christians, don't do so (because they don't know the language), and they only use the Arabic language to expose their secrets, the things they want to occult.<sup>16</sup>

that is, here, the truth of Christianity. And he adds: 'I think that this is the reason why, this Jew, the author of that book, a convert, wrote the opus in Arabic and not in Hebrew.'<sup>17</sup> What is not so convincing in Alphonsus' argument is the reason why Rabbi Samuelis chose to keep it secret. Either he was convinced of the Christian truth and he decided to expose it to most of the Jews, or he was not and he would not have said anything. But Alphonsus decides to translate the letter so that most people can have an access to the reasoning. And then we find the old argument about matters of translation as he says that:

I will translate from the Arabic directly from Rabbi Samuel's text, rather than from saint Jerome translation, so that nobody can tell I add, or suppress or change anything

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<sup>16</sup> 'Sciendum quod inter Judaeos multum gloriantur illi, qui Arabicarum litterarum obtinent peritiam. Tum quia illae litterae sunt in antiquorum Philosophorum usu satis copiosae; Tum etiam quia in eis, ut puto, paucis Judaeis paucioribus Christianis, notis scribunt confidentius secreta sua, quae volunt aliis occultare.' *Ibidem*, p. 2.

<sup>17</sup> 'Qua de causa, ut existimo Judaeus iste, licet catechumenus, auctor hujus libri, non ipsum Hebraeo sermone, sed in Arabico annotavit' *Ibidem*.

in the text [...] so that if the Jews see the both texts, they can notice that the Arabic one and the Latin one don't differ.<sup>18</sup>

These special characteristics of the language, the great attention paid to the exact meaning of words and correct translation of sentences, especially from the thirteenth century, and the mixing up of times for the composition of the opus, proof that the *Epistola* is part of the new polemic.

Another proof of it stands in one theme developed to give force to the controversy: the insistence on the length of the Jewish sufferings.

### 3. The Length of Jewish Sufferings, a Powerful Argument

This theme in itself is rather classical. It is used by the Jews themselves as a mean of expiation for the rupture of Lord's covenant. But whereas in the Jewish texts there's always some hope behind the despair provoked by the sufferings (accentuated since the First Crusade<sup>19</sup>) (see for example Nachmanides and the *Vikuah*, studied by Professor Chazan, for whom: '(God) will gather the dispersed of Israel to the wilderness of the nations [...] and will bring Israel to their land, as did Moses [...]'<sup>20</sup>), the Christian scholars present them as endless. This difference of analysis is also classical. But what is new in Alphonsus' *Epistola*, is the insistence with which he uses this theme. He insists on it all along the text and when he quits it for a while, he then comes back to it, few chapters later. He begins in the first chapter when he puts into Rabbi Samuel's mouth the following words:

Our punishment is endless [...] God has been punishing us for more than a thousand years and scattering us through the 4 parts of the world. Then whatever may happen, we are without God, because we have no excuse.<sup>21</sup>

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18 'Ego vero in transferendo ipsum auctoritates Bibliorum ab ipso Judaeo inductas, sic scripsi in locis suis in Arabico et Latino, non prout in nostra habentur translatione secundum beatum Hieronimum sed prout iste Judaeus eas scripsit quando composuit istud opus. Et hoc feci, ne aliquis mihi possit imponere, quod in contextu aliquid praesumpserim addere, diminuere vel etiam immutare [...] ut etiam judei, si viderint istum librum in utraque lingua conscriptum, tantum convincantur per eum, si viderent, quod auctoritates in Latino ad hoc descriptae in Arabico non discordarent.' *Ibidem*.

19 Robert Chazan, *Jewish Suffering: The Interplay of Medieval Christian and Jewish Perspectives*, Kalamazoo, Western Michigan University, 1998; Shmuel Shepkaru, *Jewish Martyrdom in the Pagan and Christian Worlds*, Cambridge, Cambridge University Press, 2006; Simha Goldin, *The Ways of Jewish Martyrdom*, Turnhout, Brepols, 2008.

20 Quotation from Robert Chazan, *Fashioning Jewish Identity in Medieval Western Christendom*, Cambridge, Cambridge University Press, 2004, p. 207.

21 'quare ergo nostra poena esset sine termino [...] et nos punivit jam sunt mille anni et ultra et punit et dispersit nos per quatuor partes mundi. Tamen quicquid contingat, Dei sumus in omni eventu, quia nulla est excusatio super dicta' *Epistola*, ed. Budae, p. 7.

And farther in the third chapter, quoting Daniel 9, he adds: 'And this captivity, my lord, is doubtless the one that God, through the Prophet Daniel, calls *desolatio* as he says in chapter 9: "Our *desolatio* will last till destruction and end of times".<sup>22</sup> Alphonsus compares the captivity of the Hebrews after the destruction of the first temple which lasted 70 years, but had an end, and the one of his fellows of the Middle Ages that has no end, because they know the truth, whereas the Ancients had an excuse, they did not know the truth. In chapter 4, Alphonsus goes on in that way underlining the endlessness of Jewish punishment as he says: 'God doesn't forgive us as we are alive, and won't forgive us when we are dead'.<sup>23</sup> That means that there is absolutely no hope, neither for a close future nor in heaven.<sup>24</sup> This argument of an impossible redemption after death reveals the true nature of the author, a Christian scholar. Indeed if the Jews often postpone the time of their liberation, they never speak of a time after death, even if otherwise the belief in the *Olam Ha-Baa* is very important. Jewish scholars can imagine salvation for the following generations, that is a real future, which allows them to hope, in spite of the difficult times.<sup>25</sup> So, the argument of an impossible hope, even for the following generations, is really despairing for Jews and a good angle of approach from Alphonsus. Then chapter 5 explains that the Covenant between God and Abraham has been irremediably broken and that the Jews wait in vain.<sup>26</sup>

#### 4. The Use of Reason

A last point indicating that the *Epistola* is part of the new polemics is the use of Reason. Since the thirteenth century, the argument of Reason, *Ratio*, is often used in controversial works, either in Jews' mouth or in Christians' one. The goal of polemicists is then to prove their truth in reason. As Ramon Marti wants to demonstrate *rationes Christianorum* and *nequitiae judeorum* in his *Pugio Fidei*, Jewish polemicists also use reason to deny the Christian truth. Among lots of examples we can quote Meir bar Simon's appeal to reason to criticize the Christian

22 'Et haec captivitas, Domine mi, sine dubio est illa quam Deus per Danielis prophetae vocat desolationem cum dicit cap. 9 "Usque ad consummationem et finem perseverabit desolatio etc"' *Ibidem*, p. 12.

23 'Deus non miseretur nostri in vita, cum in eodem peccato perseveremus, sic etiam nec miserebitur mortuis ex nobis' *Ibidem*, chap. 4, p. 13.

24 About suffering and exile see Ora Limor, art. cit., pp. 190–91.

25 Cf. Chazan, *Fashioning...* op. cit. p. 225 quoting Meir bar Simon de Narbonne.

26 *Ibidem*, *Epistola*, *Patrologia Latina* 149, chap. 5, col. 341: 'Sicut etiam Deus verus et gloriosus promisit Abrahae et semini suo terram illam in aeternum possidendam, et frequenter perdiderunt eam propter peccata sua et frequenter restituit illis Dominus usque ad ultimam vicem qua perdiderunt. Jam sunt mille anni; et ultra, et jam non est spes recuperandi eam, quia manemus omnes in eodem peccato, propter quod terram nostram perdidimus.'



dogma about Trinity.<sup>27</sup> In the *Epistola*, Alphonsus tries to demonstrate in reason one of the most important dogmas of Christian thought, the ascension of Jesus. He develops his argumentation through Rabbi Samuel. Rabbi Samuel has been convinced by the truth of the dogma and then tries to convince Rabbi Isaac. This is the same device that is used as mentioned above (Alphonsus pretends that a Jew is speaking), but here the interlocking of the reasoning is really striking and admirable. He then uses the usual Jewish responses and contradicts them saying:

If it seems hard to believe that a man with a body went up to heaven, listen to the authorities and examples that we have from our Scriptures. As David the Prophet said: ‘Ascendit Deus in altum et salvabit captivitatem.’

and then follow numerous quotations about ascension whose conclusion is that: ‘These authorities convince me that Christ was exalted in his body up to heaven.’<sup>28</sup> Rabbi Samuel goes on saying that even if it is hard to believe, many examples from the Torah or the Prophets prove that God brought up a few holy men into heaven, with their body and soul.<sup>29</sup> Here we have an illustration of the classical debate of the twelfth and thirteenth centuries of the compatibility between faith and reason. For example, he quotes Moses and says that he no doubt acceded body and soul together, to heaven. To strengthen his reasoning he says that up to his era (the fourteenth century) nobody knows where Moses’ grave is located. That means in Alphonsus’ mind, that there is no grave as God brought Moses up to heaven and kept him with him.<sup>30</sup> But as a scholar of his time, he is aware of the objections that one could oppose to him and especially on a scientific basis. He is preoccupied with very pragmatic considerations as he says:

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27 Cf. Chazan, *Fashioning... op. cit.*, p. 267: ‘With regard to this, there is a true reply grounded in reason. For while you bring a proof from one of the created things that is one and simultaneously three, bring a proof from one of the created things that is one and five or one and ten or even more.’

28 ‘Si autem tibi videtur forte durum credere, domine mi, quod homo corporeus ascendit in celum, audi auctoritates et exempla que mihi occurrunt de scripturis nostris. Et super hoc dicit David propheta de illo: “Ascendit Deus in altum et salvabit captivitatem...” [...] Et hee auctoritates occurrunt mihi ad probandum exaltationem Christi corporalem usque ad celum *Epistola*, PL 149, Chap. 13, col. 349.

29 *Ibidem*, col. 349: ‘Et hoc est propter considerationem nam in lege et in prophetis invenimus quod Deus verus et gloriosus assumpsit de terra et elevavit plures sanctos viros patres nostros et si de istis non dubitamus de ascensione istius iusti in corpore et anima cui magis scriptura perhibet [...]’.

30 *Ibidem*, col. 350: ‘De Moise etiam non est dubitandum quin sit in coelo in corpore et anima, ut dicitur Deut. xxxiiii dicit Deus ad Moisen: ‘Ascende in montem nocte et morere ibi, et ascendit in montem et mortuus est. Et nescivit homo sepulcrum eius usque in hodiernum diem’. Et quid significat quod sepulchrum eius est ignotum in terra, cum ipse fuerit propheta maior et sanctior aliis, nisi quod Deus resuscitavit eum et assumpsit eum in corpore et anima [...]’.

We must not consider that air which is a very light and subtle material cannot carry bodies as big and heavy, because we know that the water which carried the bodies of the sons of Israel as they went out of Egypt, was like air.<sup>31</sup>

The basic physical argument, which consists in saying that a body can't be lighter than air and then can't rise up, is not acceptable and there, the last argument is a matter of faith and miracle. The limits of the use of reason always consist in faith. And finally, Alphonsus/Samuel regrets that the Jewish faith is selective as he says: 'Therefore, we must believe that the bodies of those saint men did rise up, but we don't believe that Jesus went to heaven'.<sup>32</sup> All these arguments show that Alphonsus Bonihominis is part of the new polemics. In the same time, Alphonsus also practices the traditional ones.

## *II. The manipulation of traditional polemical themes*

### 1. Jesus as both God and Human

This theme is indeed one of the most frequently disputed between Jews and Christians. Beside the Trinity which is a stumbling block of the controversial debate, the real nature of Jesus is another tough one. For the Jews there is only one God, and he is absolutely not human (even if there are lots of explanations about the creation of the man in the image of God). And linked to that question is the one of the Messiah. For the Jews, the Messiah is human and not divine. For the Christians who consider Jesus as the Messiah, the Messiah on the contrary is both God and human, which the Jews cannot accept. This argument has been disputed for ages and the polemicists always try to renew it. This theme, that is the refusal of the Jews to recognize Jesus as messiah, legitimates the theology of substitution. As the Jews did not accept that the Messiah had come, they prove to be unfaithful to God's message and no longer deserve to be God's People. In the *Epistola*, Alphonsus quotes Zacharia 14. 4, saying that the One evoked must be Jesus, because the Jews deny that God is human, or has a human shape, and still the Vulgate has: 'Et egredietur Dominus et stabunt pedes eius in die illa super Montem Olivarum [...]'.<sup>33</sup> Alphonsus adds through Samuel's mouth: 'And we, my friend, don't say that God in his being and in his nature has either feet or flesh, or whatever evokes the body, now having feet means that the creature is

31 'Nec nos debemus mirari supra hoc, quod aer iste levis et subtilis posset portare corpora tam grossa et ponderosa, quia nos scimus quod aqua, quae est in raritate similis aeri, quando placuit potentie omnipotenti portavit corpora filiorum Israhel in eorum exitu de Aegypto.' *Ibidem*, col. 350.

32 'Unde cum oportet nos esse credentes de elevatione corporea dictorum sanctorum, cur sumus increduli de elevatione istius iusti?' *Ibidem*.

33 Zacharia 14. 3-4, Vulgata edition. The Hebrew text also speaks of God.

human.<sup>34</sup> Which means that the word *Dominus* in Zacharia designates Jesus as Messiah. He then adds a quotation to Psalm 49, in which the body of an entity is evoked, of which the Jews say that it does not designate God, but the Christians say that it does.<sup>35</sup> And it is precisely the Nature of Jesus that is argued here, and the subject of corporeal God. We can compare this very mild reference to the Jewish arguments on that matter with the opinions or sentences pronounced by other Jewish polemicists which seem much more violent. For example In his *Milhamot Ha Shem*, Jacob ben Reuben evokes the corporeality of God or precisely of Jesus considered as divine in these terms: ‘Christians’ faith is not true as they say that God who created them is born of a woman and was raised in a cradle and accepted to be put on the cross for the salvation of God’s creatures [...]’<sup>36</sup> We find the same arguments in Joseph Kimhi’s *Sefer Ha-Berit* as he says ‘For who can believe, that the Holy-One, blessed be he, entered the womb of a woman and took on flesh?’<sup>37</sup> The Jewish commentators feel some disgust as they think of God’s corporeality. In our case, Alphonsus recalls that the Jews don’t agree with that dogma, but doesn’t quote the exact sentences they formulate. We understand why.

## 2. The Long List of Jewish Sins and its Consequences: The Rupture of the Covenant

Another theme frequently disputed in the classical polemics consists in a long list of Jewish sins. This theme justifies, as we said, the reprobation of the Jewish People. Alphonsus like lots of other polemicists uses this theme and seeks in the Old Testament the scriptural proofs of the Jewish sins. Parallel to the genealogical succession of important figures of the Jewish People, he stands the list of their sins, even for the most symbolic ones:

Moses also sinned during the episode of the water in the desert and then did not deserve to enter the Promise Land (Nb. 20). Aaron also sinned and wears the weight of the sin. Eli the Priest sinned [...] and his descendants lost the priesthood [...]. Even if a promise is made for ever, the sin breaks the promise, and then the carnal descendant of King David has lost the terrestrial realm.<sup>38</sup>

34 ‘Et nos domine non dicimus quod Deus in essentia sua et natura habet pedes, nec carnem, nec ista quae corporis sunt, sed habere pedes convenit omni creaturae corporae’ *Epistola*, PL 149, Chap. 10, col. 346.

35 *Ibidem*, ‘Dicit etiam David propheta quod supra allegatum est, loquendo de secundo ejus adventu: ‘Ignis in conspectu ejus exardescet et in circuitu ejus inflammabit (Ps XLIX)’. Sed domine non dicimus quod Deus sit circumscriptus, quod aliquid posset esse in circuitu ejus, in quantum Deus’.

36 H.Trautner Kromann, *Shield and Sword, Jewish polemics against Christianity and the Christians in Spain and France from 1100–1500*, Tübingen, 1993, p. 50.

37 Cf. Chazan, *Fashioning...*, *op. cit.*, p. 256.

38 ‘Peccavit enim Moses ad aquas contradictionis et terram promissionis non meruit (Deut. 22). Peccavit ipse Aaron et portavit poenam (Num. 20). Heli sacerdos peccavit [...] et posteritas ejus sacerdotio privata

Here the logic of the reasoning is striking and leads to the only possible conclusion: the end of the Covenant and, once again, the hopelessness of the Jews' situation:

Whereas God promised Abraham and his descendants the eternal possession of the Land, they lost it several times because of their sins and God gave it back to them until their final sin when they lost it again. A thousand years have passed, and there is no hope to get it back.<sup>39</sup>

And then in a very subtle way, Alphonsus/Samuel comes back to the present era as he says 'because we altogether are staying in that sin, for which we lost our land'. It is a way of maintaining the sin through history on the Jewish People and forbidding them to ask for the Promised Land. We see here another mixing up of times, between an ancient past and the real present. The use of the question of sin is very clever because it is completely assumed by the Jews themselves in their theology. Judah ha Levi for example in the eleventh century, turns the argument back in his *Sefer Ha Kuzari*, and makes of the Jewish sins and the sufferings they bring a kind of condition to prove their being chosen by God. Doing so, he goes very far. Most of the other Jewish scholars use the theme of Jewish sins for ages, in a milder way: they make of it an excuse to accept the idea of exile and diaspora.<sup>40</sup> It is then a key of explanation, the only way to accept a tough fate. All themes are linked and open on another classical theme: the substitution of the Jews by the Christians as God's chosen people.

### 3. The Theology of Replacement

Supersessionism (or the theology of replacement) is indeed only the logical consequence of the classical statements of Christian polemics. As the Jews were unfaithful, God chose another people, and initiated a new Law. Bernard Oliver in his *Contra cecitatem Judeorum* in the beginning of the fourteenth century expresses it this way: 'The authorities of the Old Testament state that the Old Law

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est [...] hujusmodi promissa intelliguntur semper, nisi propter peccata non mereantur accipere, ut patet in regno David, quod carnalis posteritas ejus privata est regno.' *Epistola*, PL 149, col. 341.

<sup>39</sup> 'Sicut etiam Deus verus et gloriosus promisit Abrahae et semini suo terram illam in aeternum possidendam, et frequenter perdiderunt eam propter peccata sua et frequenter restituit illis Dominus usque ad ultimam vicem qua perdidierunt. Jam sunt mille anni; et ultra, et jam non est spes recuperandi eam. [...] quia manemus omnes in eodem peccato, propter quod terram nostram perdidimus.' *Ibidem*.

<sup>40</sup> See for example Robert Chazan, *Jewish Suffering. The Interplay of Medieval Christian and Jewish Perspectives*, Kalamazoo, Western Michigan University, 1998; and David Biale, *Power and Powerlessness in Jewish History*, New York, Schocken Books, 1986, pp. 36–37.

had to end'.<sup>41</sup> He goes on saying that 'As long as the Law of the Chosen People was effective, the sign by which they distinguished from the others had to last, but once the Law was over, the sign was also'.<sup>42</sup> This argument is developed by all the polemicists, and Alphonsus is not an exception. But once more, what is striking is the tone he uses to make it convincing. He insists on the hate felt by God towards the Jews, as previous polemicists (among them, Bernard Oliver) lay out the substitution as a result for a breaking off a contract (the one of the Covenant). Alphonsus says through Samuel's mouth: 'I am afraid, my friend, that God is furious at us and our Law forever'.<sup>43</sup> And then farther: 'If God rejects us and has no pity for us as it is the case since one thousand years and more, is it worth it for us to have a Law, circumcision and Sabbath?'.<sup>44</sup> Once more the reasoning seems to be very logical. And then Alphonsus quotes Isaiah 26. 3 saying that the prophecy (*Vetus error abiit*) has come true: 'What is old, but our Law which was removed with its king, sacrifice, incense and altar?'.<sup>45</sup> And to prove it and support the idea of the new election he says: 'And those people purified by faith have their fast and the rules of the new Law'.<sup>46</sup> And then Alphonsus/ Samuel expresses his anxiety:

I fear, my friend that God rejected us and our sacrifice from him and agreed the sacrifice of the peoples: 'Then for God the Peoples' sacrifice is purer than our sacrifice' [Malachi I. 10–11].<sup>47</sup>

And quoting the very violent words of Isaiah I. 15,<sup>48</sup> Alphonsus/Samuel considers that God's rejection of Israel is permanent: 'The abomination of our sacrifice to God means nothing but the replacement of our carnal sacrifice by a spiritual one'.<sup>49</sup> Then after having demonstrated Israel's rejection by God and

41 'ostenditur per auctoritates Veteris Testamenti (quod) lex vetus debebat cessare.' Bernardus Oliver, *Contra Cecitatem Iudeorum*, ed. F. Cantera Burgos, Madrid-Barcelona, 1965, p. 67.

42 'quamdiu lex duravit que solum uni populo precipiebatur, debuit durare signum quo ille populus ab aliis gentibus distinguebatur et lege cessante eciam signum debuit cessare' *Ibidem*, p. 116.

43 'Timeo domine mi de lege nostra que furoris iram habet in perpetuum' *Epistola*, PL 149, chap. 23, col. 362.

44 'Et si Deus proiecit nos et non miseretur nostri ut experti sumus iam sunt mille anni et ultra, que utilitas est nos habere legem circuncisionem et sabbatum?' *Epistola*, PL 149, chap. 15, col. 352.

45 'Et quid est antiquum, nisi lex nostra quae recessit a nobis, domine mi, cum rege, cum sacrificio, cum incenso et cum altaribus' *Ibidem*.

46 'Et ipse gentes purificate per fidem habent ieiunia sua et observantias legis nove et habent cuncta.' *Ibidem*, PL 149, chap. 18, col. 355.

47 'Timeo domine mi quod Deus eiecit nos a se et sacrificium nostrum et acceptavit sacrificium gentium sicut dixit per os Malachie prophete cap. 1<sup>o</sup>: "Non est mihi sacrificium voluntas dicit dominus neque sacrificium vestrum [...]". Ergo apud Deum sacrificium gentium est mundus quam sacrificium nostrum.' *Ibidem*, chap. 20, p. 277.

48 Isaïe I. 15: 'Si elevatis manus vestras ad me: avertam vultum meum a vobis. Et si multiplicaveritis orationem, non exaudiam quoniam manus vestre plene sanguine sunt et omni sacrificium vestrum sicut cadaver fetidum [...].'

49 'Sed abhominatio de sacrificiis apud Deum nihil aliud significat nisi mutationem sacrificii nostri carnalis et grossi in sacrificium iustus iusti Domini spirituale et subtile.' *Ibidem*, chap. 21 p. 280.

the fact that it has been lasting for more than a thousand years and that it is to be lasting forever, a logical conclusion must follow: the necessity for the Jews to convert. That is what we will examine now.

### III. *The Epistola, What for?*

#### 1. Millenarianism, an Important Issue

Before examining the matter of conversion we must recall few themes, of which one is very important: millenarianism. The theme of the ‘thousand years’ comes back very often through Alphonsus/Samuel reasoning. It may reflect a confusion or mixing up of themes in Alphonsus’ thought, but also the consciousness of the importance of this theme in Jewish spirituality. What is interesting and amusing is that Alphonsus confuses the Jewish and Christian computations. He asserts that Samuel wrote his *Epistola* after one thousand years of the Christian era, underlining that the waiting time of Jews for the messiah is over, and nothing has changed or happened; (which proves that the Jews wait in vain and are wrong) but the Jews have another system of computation. That system is expressed by Nachmanides, among others, in his *Sefer ha-Ge’ulah* analysed by professor Chazan.<sup>50</sup> Quoting Daniel 9. 24–27, so often commented upon by exegetes et theologians, Nachmanides says that prophecy has not ended and postpones to a last exile, which has not begun, the building of a third temple; whereas Alphonsus gives a much more classical explanation of the words ‘Postquam consumatae fuerunt 62 hebdomadae’ saying:

There is no doubt that the destruction of the eternal desolation means our captivity, for the past one thousand years. And God said through the prophet’s mouth that there will be an eternal desolation after the murder of the Christ, as is our desolation after Jesus was killed.<sup>51</sup>

We notice here the very different perspective of those explanations: hope in Nachmanides; despair in Alphonsus. When Alphonsus/Samuel leads back the Jewish People and makes them consider the end of an era, Nachmanides offers a future perspective and leads his fellow Jews to that future. He goes even farther as he quotes Daniel 12. 11–12 and establishes a precise date for the advent of the Messiah, that is the year 1358. We must recall that Nachmanides writes in

<sup>50</sup> Chazan, *Fashioning...*, *op. cit.*, p. 160.

<sup>51</sup> ‘Et non est dubium, domine mi, quin destructio desolationis perpetuae sit captivitas in qua sumus, jam sunt mille anni. Et aperte dicit Deus per prophetam quod erit desolatio perpetua post occisionem Christi, sicut est desolatio nostra postquam Jesus fuit occisus.’ *Epistola*, Chap. 8, PL 149, col. 344.

the 1270s and that Alphonsus produces his so-called translation in the 1330s. Then the perspective and the hope given by Nachmanides, are still allowed when Alphonsus writes. We can't imagine that Alphonsus doesn't know Nachmanides' works even if he doesn't have direct access to them. There is a real emulation around these themes and the notions of hope and despair are effective as the question of the perpetuation of the Jewish People is at stake and as the assaults to convert the Jews are more and more insistent. Which leads us to an important question, a question that we can often wonder: who read the *Epistola*, for whom was it produced<sup>52</sup>? And once again the question of its real author is set up. Written in Arabic or in Hebrew as Alphonsus pretends, it could be intended to a Jewish readership. We know, and I will focus on that theme in a moment, that the matter is more and more sensitive in the first third of the fourteenth century, and that such a correspondence between two scholars was plausible. Written in Latin it couldn't be intended to a Jewish readership, but to a Christian one, to whom Alphonsus the scholar would like to give the keys to dispute with the Jews. We know examples of that kind with Ramon Marti sixty years before. The form of the exercise would have changed, becoming more subtle, even if Ramon Marti was a very clever and literate polemicist, but the goal would have stayed the same: provide convincing arguments to make effective polemics.

## 2. *What about Conversion?*

Conversion is precisely at stake around the *Epistola*, in the context of fourteenth-century Dominican apologetics.<sup>53</sup> The so-called letter is part of a group of texts produced during the same era, of different forms and genres, but whose goal is to convince the Jews to convert. As Ramon Marti expresses it in his *Pugio Fidei*,<sup>54</sup> he works for his brothers, to give them some arguments in their task of missionizing towards the Jews. It is clear when one reads the *Pugio* that the treaty could not be handled by an average Preacher and even by an average Jew who couldn't argue on the basis of Ramon.<sup>55</sup> However, even if those texts and arguments couldn't be

52 Jaume Riera i Sans, « Literatura antijueva en Català ... » *op. cit.*, p. 215 also raises that question. The very few Latin manuscripts of the opus indicate that the readers were not numerous. The later translation in Catalan has the reading of the opus increased.

53 Jaume Riera i Sans, « Literatura antijueva en Català ... » *op. cit.*, p. 217 explains that this is much more the case around the 1400s' and thinks, with other scholars, that the opus must have been translated from Latin to Catalan in the end of the fourteenth century. Preachers of that time considered that the *Epistola* was the most useful text to convince the Jews because it was not too complicated. At that time, people were familiar with the themes of conversion because of the Friars' preaching and then they were very receptive to that kind of polemics.

54 Raymond Martin, *Pugio Fidei*, éd. J. de Voisin, Paris 1651, *Incipit*.

55 Ora Limor, art. cit., pp. 193–94 explains that the copies of the *Epistola* are often preserved in manuscripts possessed by monasteries or Preachers' convents. The goal of such an opus was predication and



really used in the everyday life of the controversy, it shows that the atmosphere had changed and that there was emulation around the idea of conversion. And we know precisely that since the Barcelona disputation in 1263, the Preachers had obtained from King James the 1<sup>st</sup> the right to preach in the synagogues and that there were free disputations organized by clerics, in towns or elsewhere.<sup>56</sup> And we also know that some Jews did convert, even before the pressure of the years 1348 and 1391. I already said that the Jewish polemics reflects the higher pressure felt by the Jews and that a scholar like Meir ben Reuben clearly writes to prevent his coreligionists from the will to convert.<sup>57</sup>

The theme of conversion is present by two means in the *Epistola*: an implicit one, as Rabbi Samuel suggests that the Christians are right and that the Jewish scriptures demonstrate that the Christians are the new Chosen People. It is also present explicitly in the 19th chapter whose title is *De electione Apostolorum loco Prophetarum*, as Alphonsus/Samuel comments Malachie 3, 6: 'Et convertet cor patrum ad filios et cor filiorum ad patres [...]' saying:

As, my friend, our sons came before us to God's faith, if our hearts converted to them, their hearts would convert to us. And as God said 'There will be one people and one God' then we mustn't understand another conversion than from unfaithfulness to the faith and teaching of the one who is the master of salvation of those who believe in him.<sup>58</sup>

The reasoning is quite complex, but farther, Alphonsus is more direct:

But those faithful sons, sent through the whole world stood in front of God instead of us after God killed Israel and our name, and thanks to them, the first Law is renewed in accordance with Melchisedech who changed the sacrifice for God to bread and wine.<sup>59</sup>

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conviction of the Jews. We must add that whereas an opus as the *Pugio Fidei* had the same goal but was too subtle for an 'average' Preacher, the *Epistola* was easier to handle, which explains the enormous numbers of copies preserved and the fact that he was considered as an efficient tool.

<sup>56</sup> See Claire Soussen, *Juifs et chrétiens dans la Couronne d'Aragon à la fin du Moyen Âge*, Toulouse, Méridiennes, 2011, p. 170.

<sup>57</sup> Cf. Chazan, *Fashioning op. cit.*, p. 344, quoting Meir de Narbonne: 'Now it is known to every sage of intelligence and understanding who might wish to join in teachings and faith with another or with others who are not of his belief and faith must surely investigate [...] If he sees that his behavior is better than their behavior, he will not change good for bad.'

<sup>58</sup> 'Cum ergo, domine mi, filii nostri venerunt antequam nos ad fidem Dei, si corda nostra convertantur ad filios, corda eorum converterentur ad nos. Et sicut dicit Deus altissimus "Erunt populus unus, animus unus in deo glorioso et victorioso" quia non debemus intelligere illam conversionem, nisi de infidelitate ad fidem et doctrinam illius iusti qui est magister salutis eorum qui credunt in eo [...]

<sup>59</sup> Sed isti fideles filii sic proiecti vel missi per universum mundum, surrexerunt coram deo loco nostri, postquam Deus occidit Israel et nomen nostrum [...] et per istos innovata est lex prima secundum ordinem Melchisedech qui sacrificium deo instituit in pane et vino.' *Epistola*, PL 149, Chap. 19, col. 357.

The sentence is very clear, the conversion is from the Old Law to the New Law, and after a long demonstration, it seems to be the only possible issue.

### *Conclusion*

All these elements show that the *Epistola* is fully part of the polemics of the fourteenth century. Alphonsus/ Samuel writes to persuade the Jews to convert, using a device to be more convincing: he pretends that the author is a Jew. But the themes he uses, his tone, his appeal to Reason contradict the story he tells about the context of the letter. On the contrary, the immediate context of Spain in the fourteenth century perfectly fits with the opus. The Preachers' mission and the growing pressure on the Jewish communities are well reflected, even if in an indirect way, through the *Epistola*. We could have developed the demonstration from the themes that the opus doesn't mention, the main themes of the Christian dogma, to show that Alphonsus, a Preacher preoccupied with efficiency, is its real author. Indeed, the traditional polemics that used to handle these themes to persuade the Jews never succeeded. It is a distinctive point of the new polemics to adapt to its audience, to speak to the Jews from a Jewish point of view, without using the arguments of the *Christiana Veritas*, to which the Jews have always been hermetic. By contrast the Jews should have been receptive to the discourse about fate and redemption at a time when their present and future looked increasingly bleak. That is precisely what was at stake in Rabbi Samuel's/Alphonsus Bonihominis' *Epistola*.

III

ART AND MATERIAL CULTURE



# GAZING INTO BERNHARD BLUMENKRANZ'S *MIRROR OF CHRISTIAN ART: THE FOURTEENTH-CENTURY TRING TILES AND THE JEWISHNESS OF JESUS IN POST-EXPULSION ENGLAND*

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In an important series of art historical studies, Bernhard Blumenkranz raised awareness of not only the sheer scale of late medieval anti-Jewish image-making, but also its extraordinary variety and artistic inventiveness, especially in French and English manuscript illumination.<sup>1</sup> Working within the analytical framework of the Jewish – Christian debate, Blumenkranz produced insightful interpretations of medieval images that reached beyond their more obvious defamatory functions to elucidate relationships between visual and literary cultures, especially between negative imagery and polemical texts; and he further situated images in their broad social and political contexts in relation to conversion activities, money-lending, sartorial laws, and the expulsions of 1290 and 1306. More recent art historical treatments of late medieval representations of Jews in Northern European art, even if not explicitly grounded in Blumenkranz's insights, can nevertheless be linked to them retrospectively as expanded investigations of some of the themes he pioneered.<sup>2</sup> In the footsteps of Bernhard Blumenkranz, beyond

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1 Bernhard Blumenkranz: *Juden und Judentum in der mittelalterlichen Kunst* (Stuttgart: W. Kohlhammer, 1965); 'La polémique antijuive dans l'art chrétien du Moyen Âge', *Bullettino dell'Istituto Storico Italiano per il Medio Evo e Archivio Muratoriano* 77 (1965), pp. 21–43; *Le juif médiéval au miroir de l'art chrétien* (Paris: Études Augustiniennes, 1966); and 'Juifs et judaïsme dans l'art chrétien du haut moyen âge', in *Gli ebrei nell'alto medioevo*, 2 vols (Spoleto, 1980), II, pp. 987–1016.

2 I have in mind especially Michael Camille, *The Gothic Idol: Ideology and Image-Making in Medieval Art* (Cambridge: Cambridge University Press, 1989), pp. 165–94; Ruth Mellinkoff, *Outcasts: Signs of Otherness in Northern European Art of the Late Middle Ages*, 2 vols (Berkeley: University of California Press, 1993); Sara Lipton, *Images of Intolerance: The Representation of Jews and Judaism in the Bible moralisée* (Berkeley: University of California Press, 1999); Debra Higgs Strickland, *Saracens, Demons, and Jews: Making Monsters in Medieval Art* (Princeton: Princeton University Press, 2003), pp. 95–155; Colum Hourihane, *Pontius Pilate, Anti-Semitism, and the Passion in Medieval Art* (Princeton: Princeton University Press, 2009); Nina Rowe, *The Jew, the Cathedral, and the Medieval City: Synagoga and Ecclesia in the Thirteenth Century* (Cambridge: Cambridge University Press, 2011); and Pamela A. Patton, *Art of Estrangement: Redefining Jews in Reconquest Spain* (University Park, PA: Pennsylvania State University Press, 2012).

their attention to certain pictorial themes, such studies share a concern with the ways anti-Jewish works of art helped to shape the very social and religious ideologies that gave rise to their creation.

One of Blumenkranz's art specific historical goals was to account for the virulence of late medieval Christian representations of Jews by recognizing their function as active 'agents of hate', and sometimes as the only witness to certain negative themes and ideas.<sup>3</sup> The depiction of the mocking and flagellation of Christ included in the fourteenth-century English Holkham Bible epitomizes one of the more ubiquitous types of Passion image that Blumenkranz interrogated, in which figures of Jewish attackers are sharply differentiated from the victimized figure of Christ through their relative size, positioning, costume, grotesque physiognomy, and aggressive gestures and behaviours (Fig. 1).<sup>4</sup> Although contemporary costume details that connect these figures to Jews still living in Western Europe ensure that such images are clearly defamatory, more recent critics have called attention to their devotional significance in order to suggest that they fulfilled more than just a single and universally negative social function.<sup>5</sup>

One of the distinguishing features of Bernhard Blumenkranz's art historical scholarship was its wide investigative scope, borne of a willingness to examine not only the more obviously pejorative images but also other, less familiar ones that communicate quite complex relationships between Christianity and Judaism. One such image that caught the scholar's attention is an especially inventive marginal illumination found in the early fifteenth-century Rohan Hours (Fig. 2).<sup>6</sup> It depicts the infant Christ, identifiable by his cruciform halo, strapped to a large, closed book before a praying female figure whose identity is complicated by the accompanying text: 'That Maria [Miriam] cries when she sees her brother Moses discovered in the water signifies *Synagoga* who cries for Jesus Christ when she sees [him] in the world revealed in his divinity.'<sup>7</sup>

3 '...cette œuvre n'est pas seulement témoin de la haine antijuive; nous voyons ici comment l'oeuvre d'art peut être par elle-même un facteur de haine' (Blumenkranz, *Juif médiéval*, p. 115).

4 London, British Library, Add. MS 47682 (London, c. 1337–40). See Michelle Brown, *The Holkham Bible: A Facsimile* (London: British Library, 2007); and *The Anglo-Norman Text of the Holkham Bible Picture Book*, ed. by F. P. Pickering, Anglo-Norman Text Society 23 (Oxford: Basil Blackwell, 1971).

5 See especially Anthony Bale, *Feeling Persecuted: Christians, Jews and Images of Violence in the Middle Ages* (London: Reaktion, 2010).

6 Paris, Bibliothèque Nationale de France, MS lat. 9471 (Paris, c. 1416). The marginal cycle was apparently copied from a fourteenth-century Italian moralized bible identifiable today as Paris, Bibliothèque Nationale de France, MS fr. 9561, thought to have been commissioned by the Duchess Yolande of Anjou, either for her nephew Charles, Dauphin of France (crowned Charles VII in 1429) or her son, Duke Louis III. See Millard Meiss, *The Rohan Master: A Book of Hours* (New York: Braziller, 1973), pp. 13–14 and pp. 21–22. Regrettably, Meiss did not reproduce or discuss this fascinating marginal image (fol. 133).

7 'Ce que marie pleure pour ce qu'elle voit son frère moysen en l'eau decouvert senefie la synagogue qui pleure pour Ihesuscrisrt qu'elle voit au monde decouvert en la divinite' (lat. 9471, fol. 133). The reference to Moses is based on Exodus 2:1–10.



Fig. 1 *Mocking and Flagellation of Christ, Holkham Bible. London, c. 1337–40. London, British Library, Add. MS 47682, fol. 29v (detail). Photograph: The British Library, London*

Of this text, Blumenkranz observed that there is no correspondence between the two types of weeping because while Miriam cries tears of joy, Synagoga cries tears of sorrow. He further observed the disjunction between the text and the image: rather than represent the two female figures identified in the text – Maria [Miriam] and Synagoga – ,<sup>8</sup> the artist has depicted just one woman, and she is not weeping but rather holds her hands in a gesture of prayer. I suggest this gesture allows the figure to incorporate an additional, unscripted identity as the Virgin Mary, and that the choice of the name, ‘Maria’ rather than ‘Miriam’ prompts the reader-viewer to contemplate the typological relationship between these two women.<sup>9</sup>

<sup>8</sup> Elsewhere in the Rohan Hours (fols 228r, 228v), a bare-chested Synagoga holding a scorpion banner is the main iconographical subject. See Bernhard Blumenkranz, ‘La représentation de Synagoga dans les Bibles moralisées françaises du XIII<sup>e</sup> siècle’, in *Proceedings of the Israel Academy of Sciences and Humanities* (Jerusalem), 5 (1970), 70–91 (p. 86) and pl. VIII.1–2.

<sup>9</sup> On this relationship, see Edward Kessler, ‘Mary – The Jewish Mother’, *Irish Theological Quarterly*, 76 (2011), 211–23 (p. 217).





Fig. 2 *Christ emerging from the Old Testament, Rohan Hours. Paris, c. 1425. Paris, Bibliothèque Nationale de France, MS lat. 9471, fol. 133 (detail). Photograph: Bibliothèque Nationale de France*

A Marian dimension of the figure is also justified in light of the Rohan Hours' close relationship to the thirteenth-century *Bible moralisée* iconographical tradition.<sup>10</sup> In the Vienna Bible, a very similar text accompanies a pair of images, both enclosed in medallions, which together present a variant response to it. In the first image, Pharaoh's sister finds the baby Moses in the bulrushes while Miriam watches and in the second, the allegorical female figure of Synagoga unbinds the Christ child from the book before a group of hat-wearing Jews – one holding a moneybag – ; and a crowned Virgin Mary. Unlike the corresponding Rohan Hours text, the *Bible moralisée* passage includes a reference to Holy

<sup>10</sup> On anti-Jewish imagery in the *Bibles moralisées*, see Blumenkranz, 'Représentation de Synagoga'; and Lipton, *Images of Intolerance*.

Church (*sainte eglise*) that presumably prompted the artist's inclusion of Mary in her allegorical guise as *Ecclesia*, signified by her crown.<sup>11</sup>

In his own analysis of the Rohan Hours image, Blumenkranz was most concerned with its central message of the relationship between Judaism and Christianity. He identified the book into which the haloed Christ child is strapped as the Old Testament, which medievals believed was a book in which 'every page, every sentence announces Christ'.<sup>12</sup> And yet the pictured book, like the praying female figure, has a double identity in that it can be seen to represent both the Old Testament and the New. That is, from a typological perspective, the Christ child is emerging from the Old Testament, but he is also emerging from the Gospels: the Word is made flesh. In whatever manner its iconographical complexities are resolved, it is clear that the image's devotional power lies not in its use of crude pictorial stereotypes, and least of all does it function as an 'agent of hate'. As a visual explication of the proper place of Judaism in a Christian worldview, it juxtaposes and merges, rather than opposes and alienates, the signs of both religions. With a composition oriented around a prominent book painted inside a real one, the image ultimately transcends its accompanying text to encourage contemplation of the emergence of Christ the Word of God as the fulfilment of Old Testament prophecy signified by the continuation of one book by another. This visual message challenges the theme of redundancy adapted in the accompanying text from the *Bible moralisée* tradition by laying emphasis on continuity, rather than antagonism, between Christianity and Judaism.

Bernhard Blumenkranz closed the image survey in his major study, *Le juif médiéval au miroir de l'art chrétien*, with a brief description of another fascinating and highly unusual depiction of the Supper at Emmaus included in the English Saint Louis Psalter, a manuscript notable for its perceived status as a relic of Saint Louis.<sup>13</sup> This image and its accompanying narrative representations of the *Noli*

11 See for example the Vienna Bible (Vienna, Österreichische Nationalbibliothek, MS Codex Vindobonensis 2554), fol. 16vA-a; reproduced in Gerald Guest, *Bible moralisée* (London: Harvey Miller, 1995) (facsimile); text translated on p. 70. Although Synagoga is depicted in the image, she is not mentioned in the accompanying text, which has a somewhat different emphasis than in the Rohan Hours: 'That Pharaoh's daughter saw Moses in the water and had him brought in signifies the Holy Church who saw Jesus Christ in the world, small and uncovered, and commanded that he be brought forth and revealed in his divinity' (trans. Guest, *Bible moralisée*, p. 70). See also Sara Lipton, 'The Temple is My Body: Gender, Carnality, and Synagoga in the *Bible moralisée*', in *Imagining the Self, Imagining the Other: Visual Representation and Jewish-Christian Dynamics in the Middle Ages and Early Modern Period* (Leiden: Brill, 2002), pp. 129–54. On other pictorial contexts for Mary's guise as *Ecclesia*, see below.

12 '...c'est un important principe de l'exégèse scripturaire chrétienne que notre artiste exprime ici: ce livre n'est autre que l'Ancien Testament dont, selon la doctrine chrétienne, toute page, toute phrase annoncent le Christ' (Blumenkranz, *Juif médiéval*, pp. 57–58).

13 Leiden, Bibliotheek der Rijksuniversiteit, MS lat. 76A, fol. 27 (North England, c. 1190–1200). See Henri Omont, *Miniatures du Psautier de S. Louis: manuscrit Lat. 76A de la Bibliothèque de l'Université de Leyde* (Leiden: Sijthoff, 1902) (facsimile); and Nigel Morgan, *Early Gothic Manuscripts [1] 1190–1250*

*me tangere* and the Doubting of Thomas all have in common the theme of post-resurrection recognition of Jesus (Fig. 3). The visual novelty in the Supper at Emmaus image is that not only the two disciples but also Jesus himself wear the Jewish hats that function as pejorative attributes in so many other Christian pictorial contexts.<sup>14</sup> But in Jesus's case, divine identity trumps negative sign: if Jesus is wearing it, then it cannot be a bad hat; on the contrary, the hat participates in the sanctity signified by the halo that surrounds it. But the hat is still a *Jewish* hat and thus a reminder to Christian reader-viewers of the Saint Louis Psalter that Jesus Christ was not only God – he was also a Jew.

The theme of the Jewishness of Jesus introduced by Bernhard Blumenkranz in connection with this image is the one I would like to pursue in what follows with specific reference to late medieval English works of art.<sup>15</sup> In the background of my discussion lies the 1290 expulsion of the Jews from England, but for a different reason than that articulated by Blumenkranz in his examinations of pejorative imagery. While Blumenkranz looked to the Western European expulsions and tensions leading up to them as driving forces behind anti-Jewish image-making, I would like to explore what cultural purposes Christian artistic representations of the Jewishness of Jesus served in a post-expulsion England. A theoretical approach of potential value for addressing this question, as developed mainly by literary critics, is constructed around the concept of the 'virtual Jew' in late medieval England.<sup>16</sup> Discussions of the 'virtual Jew' attempt to uncover the reasons for continued anti-Jewish image-making in an England without Jews, who although legally absent may be seen as 'virtually' or conceptually present.<sup>17</sup> Towards the end of this essay, I shall consider the explanatory value of this theory in relation to my own analysis of a rather different type of imagery than that normally considered in this connection.

Another departure from traditional art historical examinations of the role of works of art in shaping Christian–Jewish relations and their aftermath in England is my focus not on images of the adult Christ, but rather on scenes of his childhood, on the assumption that circulating ideas about Jesus's family and

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(London: Harvey Miller, 1982), pp. 60–62. Nigel Morgan notes that the manuscript's first owner was Geoffrey Plantagenet, Archbishop of York (1191–1212), followed by Blanche of Castile, Queen of France (1200–52) and a distinguished succession of other royal and noble owners.

14 For an excellent discussion of Jewish hats in medieval art, see Lipton, *Images of Intolerance*, pp. 15–19.

15 The Jewishness of Jesus, examined from both Christian and Jewish perspectives, is an expanding theme in religious studies. The seminal study is Géza Vermes, *Jesus the Jew: A Historian's Reading of the Gospels*, 2nd ed. (London: SMC, 1983). For an historiographical overview, see Kessler, 'Mary', pp. 211–13.

16 Denise L. Despres, 'Cultic Anti-Judaism and Chaucer's Litel Clergeon', *Modern Philology*, 91 (1994), 413–27; Sylvia Tomasch, 'Postcolonial Chaucer and the Virtual Jew', in *The Postcolonial Middle Ages*, ed. by Jeffrey Jerome Cohen (New York: St. Martin's Press, 2000), pp. 243–60; Miriamne Krummel, *Crafting Jewishness in Medieval England: Legally Absent, Virtually Present* (New York: Palgrave Macmillan, 2011).

17 The concept is succinctly explained in Krummel, *Crafting Jewishness*, pp. 6–7.



*Fig. 3 Christ at Emmaus, Psalter of Saint Louis. England, c. 1200. Leiden, Leiden University Library, ms. BPL 76 A, fol. 27r. Photograph: Leiden University Library*

community relationships are fundamental to discussions of contemporary perceptions of his Jewishness. Representations of Jesus's childhood are relatively rare, but they provide fuller understanding of the variety of types of image-making

that may be brought to bear in investigations of Jewish-Christian relations in post-expulsion England. I will focus my analysis on one of the best-preserved series of scenes of his childhood, the fourteenth-century English Tring tiles (Figs. 4, 5, 9, 13–17),<sup>18</sup> which I will consider in relation to other thematically-related contemporary works of art and literature, such as the Holkham Bible, that foreground the theme of Jesus's connections to his Jewish family and the wider Jewish community.

In what follows, I hope to advance a three-part argument. First and most importantly, I suggest that by developing visual ways of emphasizing that Jesus was a Jew, medieval artists helped negotiate the complex relationship between Christianity and Judaism. A more specific Christian agenda in which I believe such imagery participated was the affirmation of Jesus's genealogical descent from the Tribe of David, in order to uphold claims that he was the true Messiah against Jewish counterclaims that he was not. In the third and most controversial part of my argument, I suggest that the images of a Jewish Jesus on the Tring tiles were a complex, visual response to acts of ritual murder supposedly being carried out by fourteenth-century Jews elsewhere in Europe.

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Like the Holkham Bible, the Tring tiles were produced in England around 1330, forty years after the Jews had been expelled by King Edward I.<sup>19</sup> From an originally larger series, they survive as ten tiles containing a total of nineteen scenes, plus three fragments. Their original patron and location are unknown. The ten complete tiles and two of the three fragments are currently on display in London

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<sup>18</sup> The literature on the Tring tiles is small but significant. The most extensive study to date, which considers the influence of Jewish sources on the iconography, is Mary F. Casey, 'The Fourteenth Century Tring Tiles: A Fresh Look at Their Origin and the Hebraic Aspects of the Child Jesus' Actions', *Peregrinations*, 2 (2007) (online). See also M. R. James and R. L. Hobson, 'Rare Mediaeval Tiles and Their Story', *Burlington Magazine*, 42 (1923), 32–37; Arthur Lane, *A Guide to the Collection of the Tiles* (London: Victoria & Albert Museum, 1960), pp. 33, 19; Elizabeth Eames, *Catalogue of Lead-Glazed Earthenware Tiles in the Department of Medieval and Later British Antiquities*, 2 vols (London: British Museum, 1980), I, pp. 56–61; II, pl. II (line drawings of eight complete tiles and one fragment); Nigel Ramsey, 'Artists, Craftsmen and Design in England, 1200–1400', in *Age of Chivalry: Art in Plantagenet England 1200–1400*, ed. by Jonathan Alexander and Paul Binski (London: Royal Academy, 1987), pp. 49–54 and pp. 283–84 (cat. 217); C. M. Kauffmann, *Biblical Imagery in Medieval England, 700–1550* (London: Harvey Miller, 2003), pp. 232–39; James Robinson, *Masterpieces: Medieval Art* (London: British Museum, 2008), pp. 118–19; Bale, *Feeling Persecuted*, pp. 45–50; Upson-Saia, Kristi, 'Holy Child or Holy Terror? Understanding Jesus' Anger in the Infancy Gospel of Thomas', *Church History*, 82 (2013), 1–39.

<sup>19</sup> On the expulsion and circumstances leading up to it, see especially Robin R. Mundill, *England's Jewish Solution, 1262–1290: Experiment and Expulsion* (Cambridge: Cambridge University Press, 1998).

museums, eight tiles in the British Museum,<sup>20</sup> and the remaining two tiles and two fragments in the Victoria & Albert Museum.<sup>21</sup> Because all of the tiles and two of the three fragments share a connection with Tring in Hertfordshire,<sup>22</sup> it has been proposed that the original series decorated the parish church here, although there is no firm evidence for this.<sup>23</sup> Recently, however, this theory has been challenged by Mary Casey, who relocates the tiles to Ashridge College, a no longer extant monastery three and a half miles east of Tring founded by Edmund, Earl of Cornwall and nephew of Henry III for the order of the Bonhommes (associated with the Augustinians) in 1283. Because Ashridge, which was considered a royal foundation, housed a vial of the Holy Blood and the heart of Thomas of Cantilupe and was therefore an important pilgrimage destination, Casey argues that the imagery on the tiles was aimed at pilgrims wanting to know more about Christ's life and childhood. Owing to lack of evidence and some problematic analytical assumptions, however (such as that the subject matter of the tiles was too offensive for a parish church),<sup>24</sup> I do not find this argument persuasive. Indeed, one might sooner question the suitability of infancy imagery at a pilgrimage site, a type of place normally decorated with paintings and other artworks designed to order the pilgrim's experience through evocation of the resident saint or the Eucharist. It is also normally the case that works of art commissioned for a royal foundation were considerably more luxurious than relatively inexpensive and humble tiles. Therefore, I believe much more evidence will be needed to dislodge the tiles from their assumed original display in Tring parish church.

20 Description and digitised images of the complete set of eight tiles are available on the British Museum website: [http://www.britishmuseum.org/explore/highlights/highlight\\_objects/pe\\_mla/t/the\\_tring\\_tiles.aspx](http://www.britishmuseum.org/explore/highlights/highlight_objects/pe_mla/t/the_tring_tiles.aspx) (accessed 11 April 2014) and in Robinson, *Masterpieces*, pp. 118–19. The British Museum also houses a fragment (inv. 1316) not on display that depicts the head of Jesus; see the line drawing in Eames, *Catalogue*, vol. II, pl. II (design 30).

21 Descriptions and digital images are available on the V&A Search the Collections website: <http://collections.vam.ac.uk/item/O70759/tring-tiles-tile-unknown/> (accessed 11 April 2014); <http://collections.vam.ac.uk/item/O128920/tring-tile-tile-fragment-unknown/> (accessed 11 April 2014); <http://collections.vam.ac.uk/item/O128915/tring-tile-adoration-of-the-tile-fragment-unknown/> (accessed 11 April 2014).

22 The British Museum tiles were bought at a 'curiosity shop' in Tring between 1843 and 1857 by Revd E. Owen, after which they passed into the collection of his son, Revd J. R. B. Owen. They were then sold at Sotheby's to the British Museum on 3 March 1922 (Alexander and Binski, *Age of Chivalry*, p. 284). The British Museum fragment was found in excavations near Luton (Bedfordshire). The two V&A tiles were obtained from a woman in Exeter who purchased them in 1881–82 having been told that they had come from a church in Tring during renovations there, and the two V&A fragments were found in rubble in Tring, one in an old wall and the other in a garden path (Casey, 'Fourteenth-Century Tring Tiles', p. 7).

23 The earliest part of the parish church of St Peter and St Paul in Tring is the chancel with a thirteenth-century lancet window in the north wall. Most of the rest is fifteenth- and sixteenth-century, except the tower whose arch to the nave is early fourteenth-century. The building was extensively restored from 1861–82 (Nikolaus Pevsner, *Hertfordshire*, 2nd ed., rev. by Bridget Cherry [London: Yale University Press, 2002], pp. 367–68).

24 Casey, 'Fourteenth-Century Tring Tiles', p. 8.



Wherever they were originally installed, lack of signs of wear suggests the tiles were displayed on a wall rather than used to pave a floor, giving rise to the supposition that they originally functioned as mural decoration. They are rendered in an etched technique unusual for tiles of this period, known as *sgraffiato*, which produces a lively, three-dimensional effect.<sup>25</sup> When fired, white figures turn yellow, a colour incidentally appropriate for the representation of Jewish figures, given the long historical use of yellow in stereotyped representations.<sup>26</sup> Because they form a nearly coherent narrative series, I shall confine my remarks to the eight complete tiles housed in the British Museum that are currently displayed together on a wall in imitation of their proposed original disposition.

In view of the adult Jesus's reputation as loving and merciful, the lively scenes from his boyhood depicted on the Tring tiles will surprise the uninitiated. On the first two tiles, for example, little Jesus murders two of his playmates for annoying him (Figs. 4, 5). In the second scene on the first tile, he begrudgingly revives the first one, whom he had killed for disturbing his playing pools, only when implored to do so by his mother, Mary (Fig. 4). On the second tile, Jesus kills a boy who playfully jumped on his back, and then revives him only after the boy's parents complain to Joseph (Fig. 5). These and most of the other episodes on the tiles do not represent especially inspiring moments in Jesus's early life. Given their emphasis on members of his Jewish community, however, they are of great interest as conveyers of doctrinal and social meanings relevant to fourteenth-century English Christian viewers aiming to find a conceptual place for the Jews no longer living among them.

To find out what a late medieval Christian audience understood about Jesus's childhood, one must look beyond the Bible. The four evangelists have nothing to say about Jesus between the Flight into Egypt, while he was still an infant (Matthew 2:13–23), and his sudden appearance at age twelve in the Temple (Luke 2:41–52). From a Jewish life-cycle perspective, this leaves a narrative gap in Jesus's biography between the ritual stages of circumcision and social maturity.<sup>27</sup> Apocryphal stories transmitted orally, pictorially, and in various literary forms, helped to fill this gap. The ones that informed the Tring tiles may be traced to the Gospel of Pseudo-Matthew and the Arabic Infancy Gospels,<sup>28</sup> which were popularized in other works of art, *exempla*, sermons, and vernacular plays,

25 On this technique, see Eames, *Catalogue*, pp. 56–58.

26 As discussed in Mellinkoff, *Outcasts*, I, pp. 35–56.

27 See Ivan G. Marcus, *Rituals of Childhood: Jewish Acculturation in Medieval Europe* (New Haven: Yale University Press, 1996).

28 The Gospel of Pseudo-Matthew is an eighth- or ninth-century compilation of stories about Jesus's childhood drawn from the Gospel of Thomas (2nd c.) and about the life of the Virgin Mary (from her own conception through the birth of Jesus) from the Protoevangelium of James (2nd c.). English translations of the Gospel of Thomas and the Protoevangelium of James, as well as excerpts from the





*Fig. 4 Jesus makes pools and kills the boy who disturbs them / Mary persuades Jesus to revive the boy, Tring tile (1). England, c. 1330. London, British Museum. Photograph: © The Trustees of The British Museum*



*Fig. 5 A boy jumps Jesus at school and Jesus kills him / Parents complain to Joseph and Jesus revives the boy, Tring tile (2). England, c. 1330. London, British Museum. Photograph: © The Trustees of The British Museum*

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Gospel of Pseudo-Matthew and the Arabic Infancy Gospel (5th or 6th c.) are available in J. K. Elliott, *The Apocryphal New Testament* (Oxford: Clarendon Press, 1993) (hereafter cited as Elliott).

especially in England.<sup>29</sup> That the stories were very well known by the fourteenth century is attested by the lack of inscriptions on the tiles, and that they circulated mainly in England is suggested by the fact that most of the major pictorial cycles, including the Tring tiles, were produced here. One of these cycles with short text descriptions is found in the Holkham Bible, mentioned already in connection with pejorative Passion imagery, and there are a few shorter cycles lacking either text or inscriptions included in other illuminated manuscripts of this same period, especially Books of Hours.<sup>30</sup>

Of central importance for reconstructing the missing scenes on the Tring tiles is an English manuscript that contains the most complete pictorial cycle of the apocryphal infancy stories extant. Known as the Selden manuscript, it is dated c. 1315–25 and contains sixty miniatures that accompany an Anglo-Norman poetical version of the infancy stories known as the *Les Enfaunces de Jesu Crist*.<sup>31</sup> The manuscript also includes a fully illustrated apocalypse, so that together, the two cycles present the first and last of Jesus's earthly manifestations.<sup>32</sup> It has been

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29 On the importance of cross-influence, see Leah Sinanoglou, 'The Christ Child as Sacrifice: A Medieval Tradition and the Corpus Christi Plays', *Speculum*, 48 (1973), 491–509; C. M. Kauffmann, 'Art and Popular Culture: New Themes in the Holkham Bible Picture Book', in *Studies in Medieval Art and Architecture Presented to Peter Lasko*, ed. by David Buckton and T. A. Heslop (Stroud: Alan Sutton, 1994), pp. 46–69; and Evelyn Birge Vitz, 'The Apocryphal and the Biblical, the Oral and the Written, in Medieval Legends of Christ's Childhood: The Old French *Evangile de l'Enfance*', in *Satura: Studies in Medieval Literature in Honour of Robert R. Raymo*, ed. by Nancy M. Reale and Ruth E. Sternglantz (Donington: Shaun Tyas, 2001), pp. 124–49. An *exemplum* based on one of the most popular infancy stories (the miracle of the palm tree) is included in an English Franciscan compilation; see *Fasiculus morum: A Fourteenth-Century Preacher's Handbook*, ed. by Siegfried Wenzel (University Park: Pennsylvania State University Press, 1989), p. 241. The fifteenth-century English N-Town Plays incorporate a good deal of the apocryphal infancy material, especially the stories oriented around Mary (see below).

30 London, British Library, Add. 47682, fols 14–16; reproduced in Brown, *Holkham Bible* (discussion on p. 15). See also Kauffmann, 'Art and Popular Culture'; and Kauffmann, *Biblical Imagery*, pp. 238–39. Smaller selections of infancy imagery are included in the following fourteenth-century English manuscripts: the Neville-Hornby Hours (London, British Library, MS Egerton 2781, fols 88v, 91v, 94v, 97r), the Teymouth Hours (London, British Library, MS Yates Thompson 13, fols 96r, 96v), and the Carew Poyntz Hours (Cambridge, Fitzwilliam Museum, MS 48, fols 68r–69v). See Kathryn A. Smith, *Art, Identity and Devotion in Fourteenth-Century England: Three Women and Their Books of Hours* (London: British Library, 2003), pp. 267–81; and Kathryn A. Smith, *The Teymouth Hours: Stories and the Construction of Self in Late Medieval England* (London: British Library, 2012), pp. 169, 172. On the Carew Poyntz Hours, see below.

31 Edition: *Les Enfaunces de Jesu Crist*, ed. by Maureen Boulton (London: Anglo-Norman Text Society, 1985). The Latin title of the work is *Gesta Infantiae Salvatoris*.

32 Oxford, Bodleian Library, MS Selden Supra 38, fols 1–36v. The illustrated Apocalypse appears on fols 37–129. All of the infancy miniatures are reproduced on the Bodleian Library's LUNA website: <http://bodley30.bodley.ox.ac.uk:8180/luna/servlet/view/all/what/MS.%20Selden%20Supra%2038,%20Pt.%201?os=50> (accessed 9 April 2014). See also Lucy Freeman Sandler, *Gothic Manuscripts 1285–1385*, 2 vols (London: Harvey Miller, 1986), II, pp. 62–64 (cat. 54); Alexander and Binksi, *Age of Chivalry*, pp. 277–78 (cat. 203); and Maureen Boulton, 'The "Evangile de l'Enfance": Text and Illustration in Oxford, Bodleian Library, MS Selden Supra 38', *Scriptorium*, 37 (1983), 54–65.

argued that although the Selden manuscript's pictorial cycle is closely related to the Tring tiles, it could not have been the model because some of the scenes on the tiles do not appear in the manuscript.<sup>33</sup>

Of particular relevance to the present discussion is the fact that the text in the Selden manuscript is closely related to a mid-thirteenth-century Old French poem known as the *Evangile de l'enfance*, which expresses what has been described as 'an ancient, ignorant, un-reasoned, almost visceral dislike of the Jews'.<sup>34</sup> The anti-Jewish character of the poem is indeed very prominent. Throughout, Jews are frequently referred to as *plains de felonnie*, and *li fel Juif*, among other negative ways. According to the poet, the Jews and Jesus hate each other. At an especially low moment, a hostile Jew is made to shout:

Vivre ne devroit o nous chi,  
 Ains le doit on crucifier  
 Pendre ou ardoir ou escorchier,  
 Car il confront toutes nos loys;  
 Je veul gue il soit mis en crois. (lines 1232–6)  
 [He should not live with us here,  
 But we should crucify him  
 Hang him or burn him or skin him  
 Because he is destroying all our laws;  
 I want him to be put on a cross.]

The poet then explains:

Che fu la premier racine  
 Dont Dieu out des Juïs haïne. (lines 1237–8)  
 [This was the first root [cause]  
 Why God had hatred for the Jews.]<sup>35</sup>

Although the Jewish characters in the *Evangile* have been interpreted as 'generic bad guys' rather than expressive of a current hatred of contemporary Jews,<sup>36</sup> as we shall see presently, there are reasons to question this assumption in light of the ways some of the stories were visually glossed by contemporary artists.

In general, the tales of Jesus's extraordinary childhood helped satisfy the curiosity of the faithful, and presumably enriched their devotions with a greater appreciation of how the holy child was nurtured and raised by his parents, Mary

<sup>33</sup> Boulton, 'Evangile de l'Enfance', p. 65.

<sup>34</sup> Vitz, 'Apocryphal', p. 128.

<sup>35</sup> Quoted and translated in Vitz, 'Apocryphal', p. 128. See also Smith, *Art, Identity and Devotion*, p. 279.

<sup>36</sup> Vitz, 'Apocryphal', p. 129.

and Joseph. Given Jesus's 'superboy' powers, manifest in his ability to raise his playmates from the dead, as described above, and to work other types of miracles, it has been suggested that the stories especially appealed to children.<sup>37</sup> But the stories also served important theological agendas, one of which was to affirm Christ's full humanity: it is as though the storytellers imagined how a child with supernatural powers might have behaved and constructed their tales accordingly. In light of protracted and vigorous Christian debates over the relationship between Christ's humanity and divinity, stories of a miracle-working yet petulant and childish little Jesus neatly affirmed his full humanity, omniscience, and omnipotence.

By emphasising his filial relationships to Mary and Joseph, the stories also implicitly affirmed Christ's genealogical descent from David as foretold by the Hebrew prophets. This is important because the genealogical 'proof' that Jesus was the messiah was complicated by Christian insistence that he was born via supernatural agency, without a human father. This difficulty was recognised but not resolved by either Matthew or Luke in their respective and radically different gospels genealogies, in that both allowed that Joseph was Jesus's biological father, even though Christians believed that Jesus was born of a virgin who conceived not by a man, but by the Holy Spirit.<sup>38</sup> In spite of the fact that tracing genealogy through the mother was not normal in Judaism,<sup>39</sup> one Christian strategy was to claim that Mary was descended from David, which in turn sanctioned her son, Jesus, as the messiah.

Highlighting Mary's genealogical position with respect to David would therefore appear to be an essential function of the iconographical motif of the Tree of Jesse.<sup>40</sup> A simultaneously biological and metaphorical image, the Tree of Jesse is a visual response to Isaiah 11:1: 'And there shall come forth a rod out of the root of Jesse, and a flower shall rise up out of his root.' Typical examples show Jesse asleep at the bottom of a tree with the tree's trunk emerging upwards from the centre of his body. Situated one above the other on the tree's trunk and symmetrically

37 Vitz, 'Apocryphal', p. 147; Smith, *Art, Identity and Devotion*, pp. 281–87.

38 See Vermes, *Jesus the Jew*, pp. 213–22; and Raymond E. Brown, *The Birth of the Messiah: A Commentary on the Infancy Narratives in the Gospels of Matthew and Luke*, new ed. (New York: Doubleday, 1993), pp. 85–94. Brown argues that the different Gospel genealogies served different agendas: Matthew (Matthew 1:1–17) aimed to prove that Jesus was the Davidic messiah, while Luke wanted to show that Jesus was the Son of God. This, presumably, is why Luke's genealogy begins with Jesus and goes all the way back to Adam 'who was of God' (Luke 3: 23–38). For more detailed discussion, see Marshall D. Johnson, *The Purpose of the Biblical Genealogies: With Special Reference to the Setting of the Genealogies of Jesus*, 2nd ed. (Cambridge: Cambridge University Press, 1988), pp. 139–252.

39 According to the *Baba Bathra* (109B), which is the longest tractate in the Talmud, the family of the father, but not the family of the mother, is regarded as the proper family (Brown, *Birth of the Messiah*, p. 89).

40 The seminal study is Arthur Watson, *The Early Iconography of the Tree of Jesse* (Oxford: Oxford University Press, 1934).

on the side branches are Christ's ancestors, including King David, and various prophets, culminating at the top of the tree with Christ himself – the Christian interpretation of Isaiah's 'flower' – or with the Virgin Mary holding the Christ child. The importance of the Tree of Jesse as an economical, organic expression of Christ's biological and messianic legitimacy explains why it appears so often and in a variety of artistic media from the late eleventh century onwards. It was an especially popular inclusion in English illuminated psalters, where it operates additionally as a conceptual link between the Old and New Testaments that helped to justify a christological interpretation of the Psalms. It was even translated into dramatic performance in the 'Root of Jesse' play included in the late fifteenth-century English N-Town cycle.<sup>41</sup> That the other plays in the N-Town cycle incorporate much of the apocryphal material as well as numerous references to both Joseph's and Mary's Davidic origins supports the hypothesis that the Jesse play, situated chronologically between 'The Play of Moses' and 'The Mary Play', was included not only to bridge the Old and New Testament episodes but also to underscore Jesus's messianic legitimacy before a popular audience.

Much more frequently, however, the ancestors of the Holy Family were represented pictorially. The constructed genealogies of Mary and Joseph, respectively, are given full-page treatment in two sequential tree diagrams included in the Holkham Bible. The first is a Tree of Jesse, positioned in the manuscript immediately after the story and image of Noah's drunkenness. A traditional selection of figures representing prophets and ancestors are symmetrically arranged among branches emerging upward like a tree grows, reaching from the belly of the prone, sleeping Jesse at the bottom to Mary at the top by way of a harp-playing King David, with whom Mary makes direct eye contact (Fig. 6). Mary does not hold the Christ child in her arms but rather holds her hands in prayer. The Marian emphasis is further underscored by the seated figure of Matthew, who has written on his scroll, 'How St Matthew was the first to speak of the lineage and the generation of generations and the Tree of Jesse, which was the lineage of Our

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41 The origins of the N-Town plays are uncertain but they are thought to have been compiled and performed in East Anglia. See 'Root of Jesse' in *The N-Town Plays*, ed. by Douglas Sugano (Kalamazoo, Mich.: Medieval Institute Publications, 2007), pp. 69–73. See also Alan H. Nelson, 'Some Configurations of Staging in Medieval English Drama', in *Medieval English Drama: Essays Critical and Contextual*, ed. by Jerome Taylor and Alan H. Nelson (Chicago: University of Chicago Press, 1972), pp. 116–47, especially pp. 131–47. There are no surviving stage directions or other evidence for staging the Root of Jesse play, but based on the pictorial examples, I can imagine positioned behind a life-sized painted façade of a tree with symmetrical branches a scaffold with multiple platforms at different levels on which players stood to create a 'speaking image'. Since the actor playing Jesse (*Radix Jesse*) has a speaking part (lines 17–25), I imagine him centrally positioned at the base of the façade, lying on his side and facing the audience.

Lady Mary'.<sup>42</sup> This statement is repeated in the inscription below the image.<sup>43</sup> Just above the sleeping Jesse, on the right, hovers the horned Moses holding the twin tablets of the Law, a figure usually – if erroneously – considered a benign or even positive image in medieval Christian art.<sup>44</sup> In this case, given the unusually pronounced anti-Jewish character of the Holkham Bible imagery, I believe that this particular horned Moses, holding and gesturing towards the dark and empty twin tablets of the Law, anticipates the Jewish violence so graphically illustrated and described in the Passion scenes depicted on subsequent folios.<sup>45</sup>

Having secured for the reader-viewer Mary's connection to David on the Tree of Jesse, the next folio of the Holkham Bible presents a second genealogical tree that faithfully traces the Davidic lineage of Joseph according to the Gospel of Matthew (1:1–16) (Fig. 7). Unlike the Jesse tree, Matthew's genealogy begins with Abraham, who in the Holkham image appears twice, at the tree's root and again at the top left.<sup>46</sup> Also distinct from the Tree of Jesse, the sequence of figures must be read from the top down and from left to right in order to replicate Matthew's sequence. Like Mary's lineage on the Tree of Jesse, Joseph's passes through King David, who on this second tree is depicted in the middle row (second from the left) as a crowned head staring directly at Jesse to his immediate left. Joseph himself sits at the base of the tree on the right, pointing to a scroll that identifies him as the spouse of the Virgin Mary (*Ioseph espoux de la pucelle vierge Marie*). Taken together, the two genealogical trees in the Holkham Bible show the reader-viewer that with David as their common ancestor, Mary and Joseph are actually related to each other, which means that even if Joseph were the biological father of Jesus, the latter's Davidic origins are secure, and thus his identity as the Messiah is confirmed. The manuscript's imagery continues with portraits of the remaining three evangelists (Mark, Luke, John), Christ's argument with Satan concerning the fate of souls, and scenes from the life of Christ, beginning with the Annunciation.<sup>47</sup> As we shall see presently, the Holkham Bible's incorporation of several scenes based

42 'Coment seyn matheu estoit le primer que parla de la lineye e generacion de la generacionis e la racine iessé que estoit de liniage nostre dame marie' (Add. 47682, fol. 10).

43 'Comme[n]t saint mathieu fut le premier qui parla de la lignee et generatio de la rassine iesse qui est le linage nostre da[m]e marie' (Add. 47682, fol. 10).

44 See Stephen Bertman, 'The Antisemitic Origin of Michelangelo's Horned Moses,' *Shofar*, 27 (2009), 95–106.

45 The virulently anti-Jewish nature of this manuscript's imagery has not yet received the attention it deserves. I simply note here that images of grotesque Jews beating Christ (Add. 47682, fol. 29v, upper register [see Fig. 1]; fol. 30v, lower register) and driving nails into him on the cross (fol. 31v), among others, fully exemplify Blumenkrantz's 'agents of hate.' For reproductions, see Brown, *Holkham Bible*.

46 Matthew 1:1–16. The tree is misleadingly identified as a 'Second Jesse Tree' (Brown, *Holkham Bible*, p. 42) even though it lacks the defining figure of Jesse asleep at the root. The inscription to the left of the reclining Abraham reads, 'Abraham qui est le premier de la geneala[gie]' (Add. 47682, fol. 10v).

47 Add. 47682, fols 11–11v. See Brown, *Holkham Bible*, pp. 43–44.





Fig. 6 Tree of Jesse (lineage of Mary), Holkham Bible. London, c. 1337–40. London, British Library, Add. MS 47682, fol. 10. Photograph: The British Library, London.





Fig. 7 Tree of Abraham (lineage of Joseph), Holkham Bible. London, c.1337–40. London, British Library, Add. MS 47682, fol. 10v. Photograph: The British Library, London

on the apocryphal infancy stories places additional emphasis on Jesus's Jewish family and community relationships.

Christ's genealogy, sometimes with specific reference to the Tree of Jesse, was in turn of polemical value in the Jewish-Christian debate.<sup>48</sup> Christians used it as a defense against Jewish counterclaims recorded in both Christian and rabbinic sources that Jesus was not the messiah but rather the illegitimate son of the adulteress, Miriam (identified with Mary), and a Roman soldier named Panthera.<sup>49</sup> The polemical *Toledot Yeshu* (The Life Story of Jesus), widely disseminated during the Middle Ages and the major source of Jewish knowledge about Jesus, had a similar aim of discrediting Jesus's messianic claims. According to this version of the story, Mary became pregnant with Jesus (*Yeshu*) after she was tricked into sexual relations with a neighbour, Joseph Pandera, when he pretended to be her husband.<sup>50</sup> That Christian authorities from Origen to Martin Luther felt compelled to reaffirm Christ's descent from the tribe of David via Mary and continued to finesse Joseph's ambiguous biological status suggests that the Christian genealogical argument, both written and pictorial, remained unpersuasive.<sup>51</sup> Outwith the official debates, the apocryphal infancy stories explained and emphasised Jesus's family relationships to a broad Christian audience, but they did so in ways that arguably confounded rather than clarified the essential doctrinal issues. Analysis of the ways just a few of these stories are represented on the Tring tiles suggests

48 See Peter Schäfer, *Jesus in the Talmud* (Princeton: Princeton University Press, 2007), pp. 78–79; and Miri Rubin, *Mother of God: A History of the Virgin Mary* (London: Allen Lane, 2009), pp. 166–67. On the debates more generally, see Anna Sapir Abulafia, 'Twelfth Century Humanism and the Jews', in *Contra Judaeos: Ancient and Medieval Polemics between Christians and Jews*, ed. by Ora Limor and Guy G. Stroumsa (Tübingen, 1996), pp. 161–75; reprinted in *Christians and Jews in Dispute: Disputational Literature and the Rise of Anti-Judaism in the West (c. 1000–1150)* (Aldershot: Variorum, 1998).

49 The story is recounted and then refuted in Origen, *Contra Celsum* I. 32ff, ed. by Micheal Fiedrowicz, 5 vols (Freiburg im Breisgau: Herder, 2011–2012), I, pp. 258ff. See Schäfer, *Jesus in the Talmud*, pp. 15–24 and pp. 97–99; and Upson-Saia, 'Holy Child', p. 22, n. 82.

50 Schäfer, *Jesus in the Talmud*, p. 3; Kessler, 'Mary', pp. 220–21. An English translation of the *Toledot Yeshu* by Alan Humm is available online: <http://jewishchristianlit.com/Topics/JewishJesus/toledoth.html> (accessed 19 April 2014), and a critical edition with English translation based on all 150 manuscripts has been recently published: *Toledot Yeshu: The Life Story of Jesus*, ed. and trans. by Michael Meerson and Peter Schäfer (Tübingen: Mohr Siebeck, 2014). See also *Toledot Yeshu ('The Life Story of Jesus') Revisited*, ed. by Peter Schäfer, Michael Meerson, and Yaacov Deutsch (Tübingen: Mohr Siebeck, 2011).

51 A lengthy section of Martin Luther's *Von Schem Hamphoras und vom Geschlecht Christi* (1543), in *Martin Luthers Werke: Kritische Gesamtausgabe*, 127 vols (Weimar: H. Böhlau, 1887–2009), V, pp. 573–648, discusses Christ's genealogy in order to prove that Mary descended from David, and thus that Jesus was the true Messiah. See Gerhard Falk, *The Jew in Christian Theology: Martin Luther's Anti-Jewish Von Schem Hamphoras, Previously Unpublished in English, and Other Milestones in Church Doctrine Concerning Judaism* (London: McFarland, 1992), pp. 202–09. In an earlier treatise, *Daß Jesus ein geborner Jude sei* (1523) in *Martin Luthers Werke*, XI, pp. 307–36, in which Luther is mainly concerned with conversion, he expresses amazement that the Jews did not believe that Jesus, 'their own flesh and blood' was the Messiah. See Martin Luther, *That Jesus Christ Was Born a Jew*, trans. Walther I. Brandt in *Luther's Works*, 55 vols (St Louis: Concordia Publishing House, 1955–86), XLV (1962), pp. 199–229 (p. 220).

that they also performed additional devotional and social functions for their fourteenth-century English audiences.

In many of the tales, little Jesus behaves in a way that can only be described as disturbing. He mouths off to his parents and elders, he is uncooperative at school, where he humiliates and confuses his teachers; and when his playmates annoy him, he does not hesitate to bump them off, as depicted on the first Tring tile described briefly above, to which we return now for a closer look (Fig. 4). In the first scene on the left, Jesus amuses himself by forming little pools of water with what looks like a large compass, but when another boy comes along and closes one of them up, an angry Jesus kills him, as signified by the boy's upside-down position. On the right, a crowned Mary pleads with Jesus to restore the boy to life and so Jesus obliges – by kicking the boy in the back.<sup>52</sup> It is interesting and also appropriate, somehow, that in both scenes, Jesus lacks a halo. Such unpleasant stories take some of the shine off the jollier ones, for example, when Jesus magically brings clay birds to life (albeit naughtily on the Sabbath) or walks on a sunbeam.<sup>53</sup> More often, Jesus's misbehaviour upsets his parents and the entire community, who turn against the Holy Family as the local trouble-makers. The other parents try to keep their children away from Jesus, whose own parents fail to discipline him effectively. Little Jesus does also work some life-saving miracles, as well shall see. But as Evelyn Birge Vitz has observed, what is extremely interesting about these miracles is that unlike the ones performed by the adult Jesus in the Gospels, they have no transformative power: nothing changes, and none of the community Jews convert, impressed and amazed as they are at Jesus's supernatural powers.<sup>54</sup>

It is perhaps unsurprising, therefore, that the apocryphal infancy stories were rejected by Church authorities, beginning with Jerome, for their lack of authenticity and because they do not accord with the Gospels stories.<sup>55</sup> Upholding traditional Christian views of Jewish enmity, Thomas Aquinas explained that it makes no sense that Jesus would have performed miracles as a child because if he had done so, the Jews would have handed him over for crucifixion too soon.<sup>56</sup> But the

52 Gospel of Pseudo-Matthew, 26 (Elliott, p. 89).

53 The sunbeam miracle is depicted in the Holkham Bible (Add. 47682, fol. 15v); and both the clay birds and sunbeam miracles are depicted in the Selden manuscript (Selden Supra 38, fols 10v [clay birds], 24 [sunbeam]). See Smith, *Art, Identity, and Devotion*, pp. 269–73.

54 Vitz, 'Apocryphal', p. 130.

55 *New Testament Apocrypha*, 2 vols, comp. Edgar Hennecke; ed. by Wilhelm Scheemelcher (London: SCM Press, 1965), I, p. 368; Vitz, 'Apocryphal', p. 138; Casey, 'Fourteenth-Century Tring Tiles', p. 1.

56 Thomas Aquinas, *Summa Theologiae*, pt. 3, q. 36, a. 4, ad 3. I consulted the English translation of the *Summa* available on the New Advent website: *The Summa Theologica of St. Thomas Aquinas*, 2d and rev. ed., literally trans. by Fathers of the English Dominican Province (London: Burns, Oates & Washburn Ltd. 1921?–32) (<http://www.newadvent.org/summa/4036.htm#article4>) (accessed 18 May 2014). See *Doctoris Angelici Divi Thomae Aquinatis Opera Omnia*, vol. 5 (Paris: Vivès, 1872), p. 160 (*ante oportu-num tempus cruci eum tradidissent livore liquefacti*).

stories were nevertheless tolerated as literature for a wide audience for whom they are thought to have functioned as a 'virtually autonomous gospel'.<sup>57</sup> As testimony to their unofficial authority and enduring appeal in England, some of them were incorporated into widely circulating sources, such as the *Golden Legend* and the *Cursor Mundi*.<sup>58</sup> By the fourteenth century, a number of Latin and vernacular French, Anglo-Norman, Italian, and Middle English poetic compilations were also in wide circulation.<sup>59</sup> For the illiterate majority, the stories were transmitted in sermons, and aspects of their literary form suggest that they were transmitted orally and separately well before they were ever written down.<sup>60</sup>

As already noted, however, visual representations of Christ's infancy are much rarer and have survived primarily in fourteenth-century English art. Most importantly, pictorial cycles provided new opportunities to reference not only traditional doctrinal, christological, and devotional matters, but also more contemporary social concerns. For example, the short infancy cycle in the Holkham Bible includes a potentially socially loaded episode that has survived only incompletely on the Tring Tiles (Figs. 8, 9 [right scene]). According to this story, to protect them from Jesus, some local parents hid their children inside of an oven. When Jesus happened by and asked the adults what was in the oven, they responded 'pigs', whereupon little Jesus opened the oven door and a group of pigs leapt out before the aghast parents. After making his point, Jesus transformed the pigs back into children, although the Holkham Bible image does not depict this.<sup>61</sup> The artist rendered these events as a continuous narrative, showing, on the left, a grotesquely rendered Jewish parent shoving his child into the oven head first as another parent addresses Jesus (Fig. 8). On the right, the same two parents are peering into the oven, depicted a second time, from which pigs are now emerging. The child Jesus is the centrally positioned, visual focus, standing between the two oven scenes while tugging on the sleeve of the parent of whom he is making the inquiry. On the corresponding seventh Tring tile, only the dramatic, anticipatory moment of Jesus conversing with the parents before the closed oven door is depicted to

57 Vitz, 'Apocryphal', p. 133.

58 See Jacobus da Voragine, *The Golden Legend: Readings on the Saints*, 2 vols, trans. William Granger Ryan (Princeton: Princeton University Press, 1993), I, p. 57; *Cursor Mundi*, 3 vols, ed. by Richard Morris, Early English Text Society 57 (London: Kegan, Paul, Trübner & Co., 1875–1876), II, pp. 670–73, lines 11,681–11,738.

59 See Boulton, 'Evangile de l'Enfance', pp. 54–55. Anthony Bale (*Feeling Persecuted*, p. 204, n. 69) notes that the Middle English versions are not as close to the Tring Tiles as the Anglo-Norman version. See *The Middle English Stanzaic Versions of the Life of St Anne*, ed. by Roscoe E. Parter (London: Early English Text Society, 1928), pp. 54–58, lines 2083–2232.

60 Vitz, 'Apocryphal', pp. 133–35.

61 This story is apparently based on one in the Arabic Infancy Gospel (40) in which the boys are turned into goats (Elliot, pp. 106–07). See Casey, 'Fourteenth-Century Tring Tiles', pp. 40–41; and Smith, *Art, Identity and Devotion*, pp. 275–81.





Fig. 8 Parents shut their children into the oven; Jesus queries the parents and pigs jump out. *Holkham Bible*. London, c. 1337–40. London, British Library, Add. MS 47682, fol. 16 (detail). Photograph: The British Library, London.



*Fig. 9 The miraculously grown corn is lifted to a cart / Jesus asks the parents what is in the oven. Tring tile (7). England, c. 1330. London, British Museum. Photograph: The Trustees of The British Museum*

the right of a scene that represents the conclusion of the far more uplifting miracle of the cornfield, to which it is unconnected (Fig. 9).<sup>62</sup> However, the missing second oven scene can be reconstructed from the Selden manuscript which, like the Holkham Bible, presents the story as a two-part episode, except in separate images rather than a continuous narrative (Figs. 10, 11). In the Holkham Bible, it is especially notable that the accompanying Anglo-Norman text articulates the episode's explanatory value: 'And that is why it is said that [the Jews] never eat the flesh of pork' (Fig. 8).<sup>63</sup> Representing a continuation of a centuries-long Christian obsession with Jewish dietary laws, these words in this context redirect the reader-viewer's attention from Jesus's childish magic trick to the (no longer resident) Jews of her own time, thus shifting the focus from the life of Christ to late medieval life, while at the same time implicitly affirming Jesus's Jewish identity.

Some of the Tring tile images reach well beyond the infancy story texts by appropriating or 'importing' meanings drawn from other pictorial traditions. For example, on the first tile (Fig. 4), beyond the requirements of the apocryphal story of Jesus's irritation with and murder of his playmate in which Mary does not participate, Mary is not only present but she is also crowned,

62 According to the Gospel of Pseudo-Matthew, 34 (Elliott, p. 91), Jesus sowed one grain of corn that miraculously grew into a whole field full. The scene on the Tring tile, which depicts a man lifting a sheaf of corn onto a cart, is likely the second of two scenes, the first presumably depicted on a lost tile. The lost first scene can be reconstructed from the image in the Selden manuscript, which incorporates the child Jesus sowing the grain in an empty field (fol. 21v). The miracle is also depicted in the Teymouth Hours (Yates Thompson 13, fols 96r, 96v) (as above, n. 30).

63 E por ceo l'en dyt que i[l] ne mangeyent point de la char de purceu (Add. 47682, fol. 16).



Fig. 10 Jesus asks parents what is in the oven, Selden manuscript. England, c. 1315–25. Oxford, Bodleian Library, MS Selden Supra 38, fol. 22v (detail). Photograph: The Bodleian Libraries, The University of Oxford.



Fig. 11 Parents astonished when pigs jump out of the oven, Selden manuscript. England, c. 1315–25. Oxford, Bodleian Library, MS Selden Supra 38, fol. 23 (detail). Photograph: The Bodleian Libraries, The University of Oxford.



recalling allegorical images of Ecclesia, as mentioned above in relation to the Rohan Hours image, but also the Marian miracles so popular in England and France during this period. In the Marian miracle miniatures included in the c. 1390–1400 Vernon Manuscript and *bas-de-page* cycles in the fourteenth-century Carew-Poyntz Hours and the Hours of Mary de Bohun, for example, Mary consistently wears a crown (Fig. 12).<sup>64</sup> Besides functioning as her ‘Queen of Heaven’ attribute, the crown at once identifies Mary with her allegorical persona of Ecclesia and references her supernatural powers, which she employs in the miracle stories to rescue Christian victims from Jewish persecutors, after which all of the Jews convert or else are destroyed. The Marian miracle tradition thus helped promote the Christian view of Jews as enemies of the Church, but also ripe for conversion.<sup>65</sup> But on the Tring tile, the tables are turned, as the crowned Mary facilitates the rescue of a Jewish boy from *Jesus!* Furthermore, the departing boy still exhibits his grotesque Jewish profile, which implies that even after Mary rescued him, he still did not convert. That Mary in her guise as Ecclesia has had to step in to save a Jewish boy both acknowledges the misbehaviour of Jesus and reinforces his Jewishness by setting him in opposition to the Church, even if only momentarily. Moreover, that the still-Jewish boy gets up and walks away points beyond the infancy story to the persistent Christian failure to convert the Jews.

From more contemporary and local perspectives, the image pointed to the failure of the thirteenth-century English monarchs to convert the Jews of

64 The Vernon Manuscript (Oxford, Bodleian Library, MS English Poetry a.1), of uncertain original ownership, is a large and important miscellany of prose and verse in Middle English and Anglo-Norman, and includes an illustrated cycle of Marian miracles; see for example fols 124v and 125v. It is the subject of a recent major project at the University of Birmingham and a virtual exhibition on the Bodleian Library website: <http://www.bodleian.ox.ac.uk/whats-on/online/vernon>. See also Kathleen L. Scott, *Later Gothic Manuscripts 1390–1490* (London: Harvey Miller, 1996), pp. 19–24 (cat. 1); and *A Facsimile Edition of the Vernon Manuscript: A Literary Hoard from Medieval England*, ed. by Wendy Scase with software by Nick Kennedy, Bodleian Digital Texts 3 (Oxford: Bodleian Library, 2011). The Carew-Poyntz Hours (Cambridge, Fitzwilliam Museum, MS 48), dated c. 1350–60, was probably made for the wife of Sir John Carew (d. 1363), Lord Deputy of Ireland. See Sandler, *Gothic Manuscripts*, II, 143–45 (no. 130); Lucy Freeman Sandler, *Illuminators and Patrons in Fourteenth-Century England: The Psalter and Hours of Humphrey de Bohun and the Manuscripts of the Bohun Family* (London: The British Library, 2014); Denise L. Despres, ‘Mary of the Eucharist: Cultic Anti-Judaism in Some Fourteenth-Century English Devotional Manuscripts’, in *Jews and Judaism in Medieval Christian Thought*, ed. by Jeremy Cohen (Wiesbaden: Harrassowitz, 1996), pp. 375–401; and Miri Rubin, *Gentile Tales: The Narrative Assault on Late Medieval Jews* (New Haven: Yale University Press, 1999), pp. 18–19 and fig. 3. On the Hours of Mary de Bohun (Copenhagen, Konelige Bibliotek, MS Thott 547), dated 1380–1394; see Sandler, *Gothic Manuscripts*, II, pp. 161–62 (cat. 140); on the Marian miracles cycle, see Carlee A. Bradbury, ‘Making Jews in the Hours of Mary de Bohun’, in *Jews in Medieval Christendom: Slay Them Not*, ed. by Kristine T. Utterback and Merrall L. Price (Leiden: Brill, 2013), pp. 223–44.

65 See Rubin, *Gentile Tales*, pp. 7–39; Rubin, *Mother of God*, pp. 228–42; Adrienne Williams Boyarin, *Miracles of the Virgin in Medieval England: Law and Jewishness in Marian Legends* (Woodbridge: Boydell & Brewer, 2010); and Kessler, ‘Mary’, pp. 221–22.



Fig. 12 Mary protects the boy when his father tries to throw him into the oven, *Carew-Poynz Hours*. Cambridge, Fitzwilliam Museum, MS 48, fol. 189 (detail). Photograph: Fitzwilliam Museum, Cambridge.

England. Active efforts began with Henry III, who in 1232 founded a halfway house in London for potential Jewish converts (*domus conversorum*), whose patron saint was the Virgin Mary. Ironically, after the 1290 expulsion, the *domus* continued to house a small number of converts and their children who lived out their days there until the mid-fourteenth century as the only survivors of the pre-expulsion Jewish community. Royal conversion policy became much bloodier and more confrontational under Edward I, who after 1280 forced Jews all over England to attend conversionist sermons preached by the Dominicans or face execution, which many did choose over conversion. These protracted efforts produced a very low conversion rate, estimated at no more than ten percent of the total Jewish population in England, with numbers peaking during the 1240s and 1250s more likely for economic and social reasons or to escape death than out of religious conviction. Moreover, converts, especially those who had been forcibly baptized, remained deeply suspect as ‘true Christians’, and thus had difficulties assimilating into mainstream Christian society.<sup>66</sup> Of course, apart from those still resident in the *domus*, all unconverted Jews had been expelled from England some forty years before the Tring tile was made and viewed. But theologically speaking, conversion of all the world’s Jews remained a central Christian goal as

66 See Robert Stacey, ‘The Conversion of the Jews in Thirteenth-Century England’, *Speculum*, 67 (1992), 263–83. See also Bernhard Blumenkranz, ‘Jüdische und christliche Konvertiten im jüdisch-christlichen Religionsgespräch des Mittelalters’, in *Judentum im Mittelalter: Beiträge zum christlich-jüdischen Gespräch*, ed. by Paul Wilpert (Berlin: Walter de Gruyter & Co, 1966), pp. 264–82.

one of the prerequisites for the Second Coming, the ultimate earthly destiny of the holy child represented across the tiles.<sup>67</sup>

The Marian miracle iconographical tradition also probably informed the Tring Tile ‘children in the oven’ episode (Fig. 9). Remember that when Jesus asks the parents, ‘What is in the oven?’ they mendaciously answer, ‘pigs’. On the tile, where Jesus puts forth his query with lively gestures, the central motif of the oven and the caricatured renderings of the parents recall the Marian miracle of the Jewish boy in the oven.<sup>68</sup> In this popular ‘gentile tale’, one of several depicted across Europe and in both pre- and post-expulsion English art, an angry Jewish father shoves his young son into an oven for going to the church and receiving the Eucharist with his little Christian playmates. But Mary comes to the boy’s rescue and protects him from the oven flames with her cloak, whereupon both he and his Jewish mother give thanks and convert, as depicted in a *bas-de-page* scene in the Hours of Mary de Bohun.<sup>69</sup>

However, in spite of being linked by key iconographical motifs, the messages of the Marian miracle stories and the Tring tile infancy tales differ in at least two fundamentally important ways. Recall that on the first tile, after Jesus killed the boy who wrecked one of his playing pools, Mary’s influence saved the boy, and yet he did not convert (Fig. 4). Similarly, in the infancy ‘children in the oven’ story, the wrong thing happens: rather than rescue the children from the oven, Jesus does them greater harm by transforming them into pigs (Figs. 8, 11)! And even after Jesus turns the pigs back into children – the part of the story not represented in either the Holkham Bible or the Selden manuscript – none of the Jewish parents convert. By contrast with the ‘Jewish boy’ tale, in which Mary’s actions save the boy and convert his mother; in the infancy story, Jesus merely demonstrates his omnipotence and then punishes the parents for lying to him, gaining no souls for Christendom in the process. In addition, images of pigs jumping from the oven before horrified parents perpetuated ongoing, pan-European associations between Jews and pigs that extended well beyond the Holkham Bible’s

67 On this eschatological belief, see Kenneth R. Stow, ‘Hatred of Jews or Love of the Church’, in *Antisemitism through the Ages*, ed. by Shmuel Almog, trans. by Nathan H. Reisner (Oxford: Pergamon Press, 1988), pp. 71–89.

68 Miri Rubin, ‘Imagining the Jew: The Late Medieval Eucharistic Discourse’, in *In and Out of the Ghetto: Jewish-Gentile Relations in Late Medieval and Early Modern Germany*, ed. by Ronnie Po-Chia Hsia and Hartmut Lehmann (Cambridge: Cambridge University Press, 1995), pp. 177–208 (pp. 179–81); and Rubin, *Gentile Tales*, pp. 8–28.

69 Copenhagen, Konelige Bibliothek, MS Thott 547, fol. 14v. For discussion, see Rubin, *Gentile Tales*, pp. 19–22; Despres, ‘Mary of the Eucharist’, pp. 385–86; Francisco Prado-Vilar, ‘*Judeus sacer*: Life, Law, and Identity in the “State of Exception” Called “Marian Miracle”’, in *Judaism and Christian Art: Aesthetic Anxieties from the Catacombs to Colonialism*, ed. by Herbert L. Kessler and David Nirenberg (Philadelphia: University of Pennsylvania Press, 2011), pp. 115–42 (pp. 129–33); and Bradbury, ‘Making Jews’, pp. 232–36.

pseudo-explanation for Jewish dietary laws to inform a number of other insulting and vulgar pictorial genres, peaking with the invention of the hateful *Judensau* motif, which depicts grotesquely stereotyped figures of Jews suckling a sow.<sup>70</sup>

Like the image of the oven on the seventh tile, it is the prominent motif of the castle tower depicted in two sequential scenes on the third tile that shifts the focus away from the infancy story to more contemporary matters (Fig. 13). In this episode, a cruel Jewish father locks his son inside a tower to protect him from Jesus, as shown on the left; and on the right, Jesus liberates the boy by pulling him through a narrow crack. The tale does not appear in any of the Latin texts but only in the Anglo-Norman *Les Enfauntes de Jesu Crist*, whose sole witness is the Selden manuscript,<sup>71</sup> which suggests that it is a later English addition to the infancy cycle. In her recent study of the Tring tiles, Mary Casey observes that castles were important in English Jewish life, and argues that the ones represented on the tiles recall the protection of the Jews by the English king as well as the imprisonment of Jews in the Tower prior to execution.<sup>72</sup> Bearing this in mind, the image might align more closely to the latter than the former, since Jesus is pulling the Jewish boy *out* of the castle rather than enclosing him inside of it, which according to the terms of the story means that he is exposing him to the danger that he, Jesus, might inflict! If the tiles were originally displayed in Tring, a more local referent for the tower would have been Berkhamsted Castle, about eleven miles from Tring and a royal residence that in 1337 – around the time the tiles were made – was inherited by Edward the Black Prince (1330–1376) as part of the lands of the Duchy of Cornwall.<sup>73</sup> There is no evidence of any anti-Jewish activities by the Black Prince himself or for that matter, by his father (Edward III) or his grandfather (Edward II), both of whom reigned during the early fourteenth-century after the Jews had already been expelled. But the Black Prince's great-grandfather, Edward I, was the king responsible for expelling the Jews from England in 1290,

70 See Claudine Fabre-Vassas, *The Singular Beast: Jews, Christians, and the Pig*, trans. by Carol Volk (New York: Columbia University Press, 1997); Smith, *Art, Identity, and Devotion*, pp. 275–81. On the *Judensau*, see Isaiah Shachar, *The Judensau: A Medieval Anti-Jewish Motif and Its History* (London: Warburg Institute, 1974). It should be noted that while this motif was popular in German art it was rarely, if ever, depicted in English medieval art. However, I have argued elsewhere that it was likely informed by representations of the sow in medieval English bestiaries. See Debra Higgs Strickland, 'The Jews, Leviticus, and the Unclean in Medieval English Bestiaries', in *Beyond the Yellow Badge: Anti-Judaism and Antisemitism in Medieval and Early Modern Visual Culture*, ed. by Mitchell B. Merback (Leiden: Brill, 2007), pp. 203–32 (pp. 226–28).

71 James and Hobson, 'Rare Mediaeval Tiles', p. 34. The Selden manuscript text of this story is accompanied by three miniatures. The first depicts the father locking his son in the tower (fol. 16); in the second, Jesus pulls the child out of the tower through a crack (fol. 16v); and the third shows the raging father inside of the tower (fol. 17).

72 Casey, 'Fourteenth-Century Tring Tiles', pp. 37–38.

73 R. Allen Brown, H. M. Colvin, and A. J. Taylor, *The History of the King's Works, Volume I: The Middle Ages* (London: HMSO, 1963), pp. 470–73. I thank Matt Strickland for this reference.



Fig. 13 *A father locks his son in a castle / Jesus pulls the boy out through a narrow crack. Tring tile (3). England, c. 1330. London, British Museum. Photograph: The Trustees of The British Museum*

and his great-great grandfather, Henry III, was the first European ruler to uphold the accusation made against Jews of ritual murder.<sup>74</sup>

During Henry's reign, the important Jewish financier Abraham of Berkhamsted, who lived and had property in Berkhamsted and Wallingford, was for his own protection 'granted' to Richard of Cornwall (1209–1272), the king's brother, who like other members of the royal family now had in his possession a 'personal' Jew. During the 1250s, Abraham had been arrested for some unknown reason, but was released on condition that he should forfeit his chattels and avoid the king's presence for a year.<sup>75</sup> However, another version of the story had it that Abraham was charged with repeatedly fouling a statue of the Virgin Mary and of forcing his wife to do the same, and of subsequently murdering his wife when she thought better of it, as recorded in lurid detail by Matthew Paris (c. 1200–1259) in his *Chronica majora*.<sup>76</sup> It is thus intriguing to consider that the tower tale was added to the infancy cycle by English compilers at this later date, and that the story and its associations might have held special local resonance for viewers of the Tring tiles.

74 On Henry III and the Jews, see Gavin Langmuir, 'The Knight's Tale of Young Hugh of Lincoln', *Speculum*, 47 (1972), 459–82. See also Robert C. Stacey, 'The English Jews under Henry III', in *The Jews in Medieval Britain: Historical, Literary and Archaeological Perspectives*, ed. by Patricia Skinner (Woodbridge: Boydell, 2003), pp. 41–54.

75 Langmuir, 'Knight's Tale', 463.

76 *Matthew Parisiensis, Chronica majora*, 7 vols, ed. by Henry Richards Luard (London: Longmans & Co., 1872–1884), vol. 5 (1880), pp. 114–15. For discussion, see Anthony Bale, 'Fictions of Judaism before 1290', in *Jews in Medieval Britain*, pp. 136–39.

Still other types of concerns are addressed on the tiles whose imagery refers to specific aspects of Jesus's Jewish upbringing. The first scene on the fourth tile, for example, depicts what happened when Joseph brought Jesus to school to study with Master Levi (Fig. 14).<sup>77</sup> Although English viewers who had had no opportunities to observe Jewish customs were unlikely to realise it, a father arranging study for his young son with a single teacher was the normal pattern of childhood education in medieval Ashkenaz. The early compilers of the infancy stories highlighted Jesus's early education presumably because it was an important Jewish rite of passage: entering school at age five or six was considered a boy's next stage of life after circumcision and prior to social maturation at age thirteen.<sup>78</sup> Two of the infancy stories pertain to Jesus's respective encounters with his teachers, Master Levi and Master Zacchaeus, neither of whom managed to get him to cooperate with his lessons, but rather were subjected to humiliating displays of his omniscience.<sup>79</sup> The exchange with Levi would have been the more dramatic and unsettling for a Christian audience because as depicted on the tile, when Master Levi's patience snaps, he strikes little Jesus in the face for refusing to answer a question! That Jesus is depicted twice in the same scene both prolongs the violence and enhances its shock value (Fig. 14).<sup>80</sup> In the next scene on the right, by sharp contrast, a fully cooperative Jesus kicks into gear to astonish his teachers with his wisdom and also heals the lame, shown leaning on small trestles (*scabella*).<sup>81</sup>

Anthony Bale sees a parallel between the apocryphal Levi story and the Gospels episode of Jesus among the doctors in the temple (Luke 2:42–52), and beyond this interprets Levi's startling behaviour in relation to medieval pedagogical practices in which learning a lesson was directly related to a master's infliction of violence upon the pupil.<sup>82</sup> Viewed in this light, the adjacent scene on the Tring tile of a wise and healing Jesus might even have been seen to justify such practices by presenting his subsequent virtuous behaviour as proof of their efficacy. From a Christian devotional standpoint, the image of Levi smacking Jesus the child points proleptically to images of other Jewish men striking the adult Jesus in

77 Gospel of Pseudo-Matthew, 31 (Elliott, p. 90). For the Selden manuscript version of the story, see Boulton, *Les Enfauneces de Jesu Crist*, pp. 57–60, lines 853–956.

78 Marcus, *Rituals of Childhood*, pp. 1–39, 75.

79 For a summary of Jesus's encounter with Master Zacchaeus (Gospel of Pseudo-Matthew, 30), see Elliott, p. 90.

80 The iconography of this scene in the Selden manuscript (fol. 18) is very similar.

81 The disabled who relied on such trestles were thus known as *scabellarii* (James and Hobson, 'Rare Mediaeval Tiles', p. 34).

82 Bale, *Feeling Persecuted*, pp. 45–49. It is significant that the terms for 'education' in both Latin (*disciplina*) and Hebrew (*músar*) also mean 'punishment' (Upson-Saia, 'Holy Child', p. 28). On late medieval Christian representations of 'Jewish schools', see also Eva Projmovic, 'Taking Little Jesus to School in Two Thirteenth-Century Latin Psalters from South Germany', in Merback (ed.), *Beyond the Yellow Badge*, pp. 87–117.





Fig. 14 Master Levi strikes Jesus / Jesus expounds wisdom and heals the lame. Tring tile (4). England, c. 1330. London, British Museum. Photograph: © The Trustees of The British Museum

Passion episodes.<sup>83</sup> From an eschatological perspective, Levi's striking hand is a reference to the slapping Jewish hand in contemporary images of the *arma Christi* or 'weapons of Christ'. Arrayed in mid-air around the figure of Jesus presented as the post-resurrection Man of Sorrows, the *arma Christi* are the emblems of the Passion, including the crown of thorns, the nails, the lance, the sponge, and so forth. Understood as Jewish instruments of torture, they formed the focus of pious Christian contemplation and meditation in late medieval devotional practices.<sup>84</sup> However, the typical inclusion among the 'weapons' of a disembodied Jewish spitting head and a Jewish striking hand identifies the Jews as the ones collectively responsible for these tortures.<sup>85</sup> Whether viewed as a forecast of Passion iconography or in relation to the *arma Christi*, the late medieval viewer of the Tring tile's Levi episode saw what she expected to see: the physical abuse of Jesus by a Jew, which like other scenes on the tiles troubles the domestic Jewish narrative by visually highlighting Jesus's alienation from his own community.

The two scenes on the fifth tile, both of which are missing their pendant scenes, combine christological and genealogical references in especially interesting ways. In the scene on the left, Jesus converses with his amazed parents and

83 Bale, *Feeling Persecuted*, p. 49.

84 See *The Arma Christi in Medieval and Early Modern Material Culture*, ed. by Lisa H. Cooper and Andrea Denny-Brown (Farnham: Ashgate, 2014).

85 Anthony Bale, *The Jew in the Medieval Book: English Antisemitisms, 1350–1500* (Cambridge: Cambridge University Press, 2006), pp. 145–68.



local spectators after playing with three lion cubs (Fig. 15).<sup>86</sup> Besides recalling the ancient trope that wild animals become tame in the presence of divinity, the lion cubs in the presence of the child Jesus reference the popular bestiary description of Christ as the lion of Judah, a designation appropriated from Jewish tradition.<sup>87</sup> Three cubs also provide additional christological symbolism through reference to the Trinity while also, perhaps, evoking the three lions of the Plantagenet heraldic arms.<sup>88</sup> Further, it is notable that Mary wears the crown of Ecclesia while Joseph and the other onlookers wear hats or hoods and exhibit stereotypical Jewish physiognomy, which creates a sharp visual distinction between the degrees of 'Jewishness' embodied by Christ's two earthly parents. In the next scene on the tile, which is unrelated to the lion cub episode, Jesus in a display of his precocious carpentry ability points out to a workman that Joseph has cut a beam to the wrong length.<sup>89</sup> The story continues with two more scenes on the sixth tile (Fig. 16). On the left, Jesus helpfully lengthens the beam that Joseph has cut too short, which can then be fitted to the plough depicted on the right. Aided by magic, the skills of the Jewish son have already surpassed those of his earthly father. For contemporary viewers, the ploughing scene also had symbolic value. Bolstered by many biblical allusions and an essential position in the social hierarchy, the figure of the ploughman had become synonymous with the good Christian, a tradition that culminated in William Langland's great poem, *Piers Plowman*, composed in Middle English during the late fourteenth century.<sup>90</sup>

In view of the genealogical issue, the distinct manner in which Jesus and his parents are rendered on these last two tiles is significant. In the lion cub scene and the first two of the too-short beam scenes, as already noted, Joseph is rendered as a Jewish stereotype, which sets him apart visually from Jesus, which in turn

86 Gospel of Pseudo-Matthew, 35 (Elliott, p. 97). The missing first tile scene can be reconstructed from the Selden manuscript image, which depicts Jesus, Mary, and Joseph coming upon the three lion cubs playing under a tree (fol. 27v). The next scene in the manuscript (on fol. 28) corresponds to the one on the Tring tile.

87 The bestiaries refer to Genesis 49: 9–10. See *Physiologus*, trans. Michael J. Curley (Austin: University of Texas Press, 1979), p. 3; and Willene B. Clark, *A Medieval Book of Beasts: The Second-Family Bestiary: Commentary, Art, Text and Translation* (Woodbridge: Boydell, 2006), p. 120. See also Margaret Haist, 'The Lion, Blood-Line, and Kingship', in *The Mark of the Beast: The Medieval Bestiary in Art, Life, and Literature*, ed. by Debra Hassig [Debra Higgs Strickland] (New York: Garland, 1999), pp. 3–22, especially pp. 3–5.

88 The royal arms of England (*Gules, three lions passant guardant or*), first adopted by Richard I in 1195, positions the lions walking in profile and facing the viewer rather than walking in strict profile as on the Tring tiles. See Adrian Ailes, *The Origins of the Royal Arms of England: Their Development to 1199* (Reading: Graduate Centre for Medieval Studies, Reading University, 1982). See also Adrian Ailes, 'Heraldry in Twelfth-Century England: The Evidence', in *Proceedings of the 1988 Harlaxton Symposium*, ed. by Daniel Williams (Woodbridge: Boydell, 1990), pp. 1–16; and Haist, 'Lion'.

89 Gospel of Pseudo-Matthew, 37 (Elliott, p. 91).

90 See Michael Camille, 'Labouring for the Lord: The Ploughman and the Social Order in the Luttrell Psalter', *Art History*, 10 (1987), 423–54 (pp. 430–31).



*Fig. 15 Jesus plays with lion cubs / Joseph cuts the beam incorrectly. Tring tile (5). England, c. 1330. London, British Museum. Photograph: The Trustees of The British Museum*



*Fig. 16 Jesus lengthens the beam / The beam is fitted to a plough. Tring tile (6). England, c. 1330. London, British Museum. Photograph: The Trustees of The British Museum*

reminds the viewer of Jesus's supernatural origins (Fig. 15). That is, in these images, Jesus does not *look* like Joseph at a time when physical resemblance was an essential gauge of whether or not a child was begotten by a particular man. Jesus does, however, bear a family resemblance to Mary, bearing in mind the limits of idealised late medieval 'portraiture' in a simplified drawing style. In Christian exegetical sources, Joseph is sometimes carefully referred to as a 'foster father'

(*nutricius*) as a reminder of his outsider status.<sup>91</sup> Although both tiles and infancy stories consistently present Jesus as a child brought up in a traditional two-parent Jewish household, with Joseph in conventional fatherly roles; on the tiles, certain visual details continually remind viewers that Jesus's true father was supernatural. In the written stories, Christian confusion on this point is quite predictably placed in the mouths of the Jews, who first assume Jesus was begotten by Joseph, but then question this once Jesus starts working magic – but at the same time seem to think that Jesus is just an ordinary child when they observe his childish misbehaviour.<sup>92</sup>

The entire space of the eighth and final Tring tile is dedicated to a single feasting scene whose identification is uncertain (Fig. 17). What it brings to mind in the first instance is the Marriage of Cana, during which the adult Jesus miraculously changed water into wine (John 2:1–11), which corresponds to the Selden manuscript's reference to the wedding of Archeticlin (Architriclin), the popular medieval name for the Cana wedding bridegroom.<sup>93</sup> Another possibility is that it represents the family feast attended by Joseph, his four (other) sons and two daughters plus Jesus, Mary and her sister, Mary of Cleophas that is described in one of the infancy stories.<sup>94</sup> Comparison with the imagery in the Selden manuscript does not settle the matter, because rather than correspond exactly with any of its three feasting miniatures,<sup>95</sup> the Tring tile scene combines elements of all three of them: Jesus is gesturing before three vessels while a standing man hands a chalice to a male diner seated at table where three other male diners are conversing. Because the tile depicts Jesus not with Mary but among five additional male figures, I read the scene as the family feast, with Joseph at table receiving the chalice, surrounded by his sons natural and supernatural. If the scene were so recognized by fourteenth-century English viewers, it would have highlighted, rather than resolved, the doctrinal dilemma of Joseph's role as Jesus's father. Whatever its specific narrative reference might have been, any pre-Passion feasting image

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91 Mary Dzon, 'Joseph and the Amazing Christ-Child of Late-Medieval Legend', in *Childhood in the Middle Ages and Renaissance*, ed. by Albrecht Classen (Grand Rapids, MI, 2005), pp. 135–58 (p. 140). See also Rosemary Drage Hale, 'Joseph as Mother: Adaptation and Appropriation in the Construction of Male Virtue', in *Medieval Mothering*, ed. by John Carmi Parsons and Bonnie Wheeler (New York: Garland, 1996), pp. 101–16.

92 Dzon, 'Joseph and the Amazing Christ-Child', p. 152.

93 Selden Supra 38, fol. 34. For the text, see Boulton, *Enfauntes de Jesu Crist*, pp. 83–85 (lines 1813–1908). The name 'Architriclin' was widely used to identify the Cana wedding bridegroom from at least the late twelfth century (Jocelyn Wogan-Browne and Thelma S. Fenster, *The Life of Saint Alban by Matthew Paris* [Tempe, AZ: ACMRS, 2010], p. 109, n. 12).

94 Gospel of Pseudo-Matthew, 42 (Elliott, pp. 98–99). See James and Hobson, 'Rare Medieval Tiles', pp. 36–37; and Boulton, 'Evangile de l'Enfance', p. 64.

95 The first feasting image in the Selden manuscript depicts Jesus seated at table with his parents and two other diners (fol. 32v); the second shows Jesus, Mary, and four other diners at table (fol. 33v); and in the third (fol. 34), Jesus converses with a man behind a table on which are positioned five vessels.



*Fig. 17 Family feast. Tring tile (8). England, c. 1330. London, British Museum. Photograph: The Trustees of The British Museum*

involving Jesus prefigures the Last Supper, referenced here by the presence of the chalice in a scene that ultimately points to the replacement of all Jewish feasts with the Christian feast of the Eucharist, a goal that had long been accomplished in fourteenth-century England.

If the scenes depicted on the original, full set of the Tring tiles followed the same sequence as the Selden manuscript illuminations, then the last tile would have represented Jesus taking leave of his parents to mark the end of his childhood and the beginning of his adult career.<sup>96</sup> For the present discussion's concern with Jesus's family relations, the possible inclusion of this episode on the final tile is of great interest because its very subject is Jesus's departure from his Jewish community. The episode was also crucial from a Christian devotional perspective as 'evidence' that Christ turned his back on the Jews. Prior to the composition of the apocryphal infancy stories, the Gospels had paved the way for this reading by recording instances of Jesus's rejection of dietary and purity laws as well as his failure to keep the Sabbath, gestures that put him at odds with his contemporaries because they were violations of traditional practices of Judaism.<sup>97</sup> With his physical departure from his parents, as pictured and described in the Selden

<sup>96</sup> Selden *Supra* 38, fol. 35.

<sup>97</sup> Vermes, *Jesus the Jew*, pp. 33–36 (with relevant Gospel citations). See also Lawrence H. Schiffman, 'The Jewishness of Jesus: Commandments Concerning Interpersonal Relationships', in *Jews & Christians Speak of Jesus*, ed. by Arthur E. Zannoni (Minneapolis: Fortress Press, 1994), pp. 37–53. For a counter-argument – that everything Jesus said and did fit squarely into first-century practices of Judaism – see Amy-Jill Levine, *The Misunderstood Jew: The Church and the Scandal of the Jewish Jesus* (New York: Harper-Collins, 2006), pp. 17–52.

manuscript, Jesus seemingly rejects both the culture and religion into which he had been born. If an image of Jesus taking leave of his parents originally concluded the Tring tile series, its anti-Jewish significance would not have been lost on fourteenth-century viewers, because by this time, visual and verbal references to Christ's rejection of the Jews were everywhere, from wall paintings to mystery plays, in bibles and bestiaries, which continued to be read and viewed even in an England without Jews.

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Besides filling the gaps in the Gospels accounts of the life of Jesus, the Tring tiles and the apocryphal infancy cycles in devotional manuscripts functioned as a vernacular gloss on his ambiguous genealogy. The imagery thus served the crucial polemical purpose of shoring up his earthly and divine legitimacy by providing a detailed picture of his upbringing in the context of his Jewish family and community. Both texts and images supported the important theological position that Jesus was fully human, as manifest in his childish temperament and escapades; but also fully divine, apparent from his omniscience and working of miracles. Whether or not they were especially appealing to children or served as object lessons for them, the infancy stories and images doubtless provided reassurance to adult audiences that their own family experiences of conflict and troublesome children were shared by many others, including the Holy Family. Whether that recognition translated into greater tolerance of children's misbehaviour in Christian family contexts is an intriguing question, but it is perhaps more plausible that the infancy stories helped to bring medieval experience closer to that of Jesus's in the formation of what might be termed a 'vernacular' Christian identity.

Beyond these more general assumptions, in what other ways might the Tring tile images of Jesus's Jewish childhood have functioned for their Christian viewers in a post-expulsion England? And how else might viewers during this time and in this place have understood negative portrayals of the youthful Son of Man / Son of God? Kristi Upson-Saia has argued that stories of Jesus's bad behaviour would have been offensive to early Christian readers, having been invented by an early opponent of Christianity to demonstrate that Jesus was arrogant, ignoble, and a threat to the community. And so she hypothesizes that the task for subsequent Christian redactors of the tales was to 'domesticate' them for the faithful by adding justifications for Jesus's actions, by showing that he was provoked by others or more specifically, by other Jews.<sup>98</sup>

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<sup>98</sup> Upson-Saia, 'Holy Child', p. 3.

Further to this, I suggest that such later cultural ‘domestications’ of the stories were facilitated by the changed environments in which they were retold and viewed. In the case of the Tring tiles, is it just a coincidence that the public display of an image-cycle focused on Jesus’s boyhood corresponded with the height of the ritual murder accusations levelled against Jews in late medieval Europe – especially since Jesus is portrayed as the same age as the Christian boys said to be the victims of these imaginary atrocities? I refer to the libel, mentioned above in connection with Henry III, which was first brought against Jews in England in the mid-twelfth century, of ritually murdering Christian children, crimes supposedly borne of an irrational Jewish hatred of Christendom and insatiable desire to re-enact the crucifixion.<sup>99</sup> Although of English origins, this libel escalated into a centuries-long raft of accusations followed by the arrest and execution of large numbers of Jews all over Western Europe.<sup>100</sup> The immediate material purpose it served for Christians was the creation of lucrative saints’ cults that for centuries afterwards attracted pilgrims and their money to commemorative shrines.<sup>101</sup> On the Tring tiles, does the child Jesus – who murders *Jewish* boys – signify the ultimate spiritual triumph of these young Christian martyrs? Or to put it more negatively: in the same spirit of table-turning exhibited in the details of the individual infancy episodes discussed above: are these stories to be understood by now as images of Christian *revenge* – with the young Jesus forecasting the last eschatological laugh?

The fact that there were no Jews living in England during the fourteenth century, and therefore no current local ritual murder accusations, need not automatically invalidate this hypothesis. The theory of the ‘virtual Jew’ mentioned near the start of this discussion assigns to Christians living in post-expulsion England an understanding of Jews not as living people but as symbolic vehicles for Christian self-definition, which suggests that stories and images about Jews retained their relevance even when Jews were no longer physically present. But I believe there is still more at stake, because what this theory does not take into account is that Christians living in post-expulsion England knew what was going on in France, Germany, and other places where Jews still resided. Elsewhere in Europe during the fourteenth century, violent Christian – Jewish business continued as usual, and English cults grounded in ritual murder accusations, including those of

99 On the genesis of this accusation, see Gavin I. Langmuir, ‘Thomas of Monmouth: Detector of Ritual Murder’, *Speculum*, 59 (1984), 820–46.

100 For an overview, See Anna Sapir Abulafia, *Christian – Jewish Relations 1000–1300: Jews in the Service of Medieval Christendom* (Harlow: Pearson, 2011), pp. 167–93.

101 The most recent study of this phenomenon is Mitchell Merback, *Pilgrimage and Pogrom: Violence, Memory, and Visual Culture at the Host-Miracle Shrines of Germany and Austria* (Chicago: University of Chicago Press, 2012).



Saint William of Norwich and Little Saint Hugh of Lincoln were still active.<sup>102</sup> In fact, the cult of William of Norwich enjoyed a surge in popularity during the 1370s and 1380s.<sup>103</sup> Even in places where they were no longer legally resident, cultural evidence, including image-making, suggests that Jews never disappeared from Christian awareness as an active, living group whose real-life presence anywhere on earth was viewed as a continuing threat to the Christian faith and the Christian community. Through his embodiment of the irrational anger and vengeance attributed to Jews in Christian society writ large, Jesus on the Tring tiles invited fourteenth-century English viewers to contemplate his relationship to both biblical and contemporary Jewish society. By turning against members of his own community, Jesus the child foreshadows Jesus the adult turning away from the Jews for supposedly denying and murdering him. For Christian viewers of the tiles, little Jesus's mistreatment of his Jewish friends and neighbours perhaps, as Aquinas suggested, explained the need for the 'Jewish revenge' carried out against him as an adult, and after that, against Christendom writ large. Other meanings lie in the space between the apocryphal infancy stories and the contemporary concerns to which they could now also refer, including the relatively recent Plantagenet involvement in 'cleansing' England of its Jews. In addition, like the stories that informed them, the tiles functioned as a vernacular, visual commentary on the Gospels genealogies, exploring Jesus's Jewish parentage and upbringing; and like the Gospels themselves, without any consistency or clarity. In other words, the relationship between Christians and Jews communicated by the Tring tiles and their stories is complex, ambiguous, and antagonistic; just as it was in the reality of late medieval European and English societies.

My preliminary analysis of the Tring tiles might also have implications for art historical study of the more conventional anti-Jewish imagery employing the more familiar ugly, grotesque stereotypes. Even though one obvious ideological aim of the latter was to distance Jesus from the Jews through oppositional visual treatment, medieval artists nevertheless reminded viewers of Christ's Jewishness each time they juxtaposed portraits of Jesus, however idealized, with figures of community deniers and tormentors, as in the virulent Passion scenes in the Holkham Bible (Fig. 1). This, it seems to me, is a fundamental way by which artists negotiated the ongoing Christian need to simultaneously identify with and distance themselves from the Jews and Judaism. Looking beyond defamation, we can see in such images a radically different process from that which unfolds on the Tring tiles of Jesus's emancipation from the group into which he was born.

102 On the English cults, see Langmuir, 'Knight's Tale'; Jeffrey Jerome Cohen, 'The Flow of Blood in Medieval Norwich', *Speculum*, 79 (2004), 26–65; and Bale, 'Fictions of Judaism'.

103 See John R. Shinnars, Jr., 'The Veneration of Saints at Norwich Cathedral in the Fourteenth Century', *Norfolk Archaeology*, 40 (1988), 133–44.



In the scene of the mocking of Christ on the Holkham Bible folio, for example, the attribute of the blindfold – a symbol of Jewish spiritual ‘blindness’ here worn by the Christian messiah – signals the Jews’ rejection of Christ but also Christ’s rejection of the Jews. For both, blindness is metaphorical. It is hoped that future art historical investigations that reconsider late medieval Christian imagery, both rare and familiar, in relation to the Jewishness of Jesus will bring us to a fuller understanding of the multiple and changing functions of anti-Jewish image-making in post-expulsion England and beyond.



# JEWISH IMAGES ON CHRISTIAN COINS: ECONOMY AND SYMBOLISM IN MEDIEVAL GERMANY

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Around the year 1220, in his *Dialogus miraculorum*, a work intended as an admonition to novices, the Cistercian monk Caesarius of Heisterbach (c. 1180–c. 1240) reported the following story about the canon Geoffrey from St. Andrew in Cologne. Already at the beginning of the story, Caesarius established why Geoffrey, who had died in 1205, had suffered a miserable death: ‘Erat siquidem avarus valde, et magnam in curia pecuniam collegerat.’ (‘He had been avaricious and had accumulated large sums of money at the Archbishop’s court.’) Geoffrey’s sudden death occurred during a dinner which he had hosted for the creditors of Archbishop Adolf of Cologne (1193–1216). He was intending to pay back their loans with money recently received from King Philip as reward for his coronation (1204). Even before Geoffrey could take his first bite of the food, he suffered a stroke and died.

This otherwise confirmed report was then elevated by Caesarius into a visionary moral story. Accordingly, after Geoffrey’s death a priest ‘saw’ the canon lying on an anvil *Coloniae ante monetam* (‘in front of the Cologne mint house’) being literally hammered by the Jew Jacob ‘until he was as thin as a dinar’.<sup>2</sup> Jacob is characterized as the bishop of the Jews, the head of the Jewish community in Cologne,<sup>3</sup> but, more importantly, also as Geoffrey’s friend. Caesarius comments

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\* I would like to express my gratitude for the comments of my esteemed colleagues in reaction to my presentations of this topic first at Rice University in 2010, and later at the universities of Giessen, Cambridge, and Vienna as well as the German Historical Institute in London and at the Academy of Sciences of the Czech Republic in Prague.

1 Caesarius von Heisterbach, *Dialogus miraculorum*, trans. and commented by Nikolaus Nösges and Horst Schneider, *Fontes Christiani* 86/5 (Turnhout: Brepols, 2009), V: Book XI, Chapter 44, pp. 2140–2141; about the negative effect of money pressed from a usurious Jew see IV: book VIII, chapter 46, pp. 1606–1609. *Regesten zur Geschichte der Juden im Fränkischen und Deutschen Reiche bis zum Jahre 1273*, ed. by Julius Aronius (Berlin: Verlag von Leonhard Simion, 1887), pp. 162–63, no. 366.

2 Caesarius von Heisterbach, V, pp. 2142–2143: ‘Vidit eum Coloniae ante monetam incudi impositum; quem Jacobus Judaeus, imo Judaeorum episcopus, cui fuerat familiaris, malleo extendit usque ad denarii tenuitatem.’

3 The existence of the *Judenbischof* (Jews’ bishop) Jacob can’t be confirmed by other sources. Since the story is situated around 1205, Jacob was supposedly in office around the time of the presence of the

on the priest's vision: 'This punishment was equal to his (i.e., Geoffrey's) guilt. He was the mint master (*magister monetarum*) and the *socius monetariorum*'. Since he had amassed money in the mint, this was also – according to the vision – the place where 'he had to suffer the punishment for his avarice.'<sup>4</sup> Accordingly, the location of Geoffrey's 'sin' was the mint; it was situated at the *Altermarkt* neighbouring the Jewish quarter.<sup>5</sup> His 'companion' was the Jew Jacob who became the instrument of Geoffrey's punishment. The sin Geoffrey was accused of was avarice – a sin which had been regularly associated with money lending and with Jews for being engaged in it.<sup>6</sup>

The association of Jews with material wealth and materialism had been made already in the New Testament and was promoted by early Christian authorities such as Paul and John Chrysostom. The latter's sermons accused the Jews of greed.<sup>7</sup> Ambrose of Milan made a similar connection equating the 'Old Testament', i.e., the Hebrew Bible, with 'old money' which 'they (the Jews) have no longer' (and which is now in Christian possession): 'they (the Jews) have eyes and see not, they have ears, and hear not, they have money and have it not because they are ignorant of its use, they do not know its value, they have not recognized its form and shape.' By this Ambrose meant to say that Jews are ignorant of the

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renowned scholar Eliezer ben Joel in Cologne. Anti-Judaism which led in 1216 to the violent death by burning of Eliezer's brother Uri might have influenced Caesarius. For Eliezer and Uri see Adolf Kober, 'Cöln', in *Germania Judaica*, I: *Von den ältesten Zeiten bis 1238*, ed. by Ismar Elbogen, Aron Freimann, and Haim Tykocinski (Tübingen: J. C. B. Mohr (Paul Siebeck), 1943; repr. 1963), pp. 69–85, 75–76; Rainer Barzen, 'Elieser ben Joel haLevi (um 1145–nach 1225). Ein 'Meister der Rechtsentscheide' und 'ein Mann der Tat'', in *Porträt einer europäischen Kernregion: Der Rhein-Mass-Raum in historischen Lebensbildern*, ed. by Franz Irsigler and Gisela Minn (Trier: Kliomedica, 2005), pp. 70–79. Regarding the *Jews' bishop* see also Benjamin Laqua, *Bruderschaften und Hospitäler während des hohen Mittelalters. Kölner Befunde in westeuropäisch-vergleichender Perspektive*. Monographien zur Geschichte des Mittelalters, 58 (Stuttgart: Anton Hiersemann, 2011), p. 267.

4 Caesarius von Heisterbach, V, pp. 2142–2143: 'Et bene concordabat poena culpae. Fuerat enim magister monetarum, et monetariorum socius; luere ibidem visus est avaritiae poenam.'

5 The minting house of the Archbishop was situated at the Altermarkt adjacent to the Jewish quarter. Laqua, *Bruderschaften*, pp. 133, 157, 168; Caesarius also reveals the role of the Altermarkt regarding hospital institutions and social awareness.

6 For *avarice/avaritia* at Caesarius of Heisterbach see Paul Gerhard Schmidt, 'Nummus vincit, regnat, imperat. Caesarius von Heisterbach über zisterziensische *avaritia*', in *Geld im Mittelalter: Wahrnehmung, Bewertung, Symbolik*, ed. by Klaus Grubmüller and Markus Stock (Darmstadt: Wissenschaftliche Buchgesellschaft, 2005), pp. 204–15; Sara Lipton, *Images of Intolerance: The Representation of Jews and Judaism in the Bible moralisée* (Berkeley and Los Angeles: University of California Press, 1999), pp. 38–40; Jacques Le Goff, *Your Money or Your Life: Economy and Religion in the Middle Ages* (New York: Zone Books 1988), p. 27.

7 Sara Lipton, *Dark Mirror: The Medieval Origins of Anti-Jewish Iconography* (New York: Henry Holt, 2014), p. 67.

'truth of Christianity' that is prophesized in the 'Old Testament'; they don't recognize the value of the 'old money'.<sup>8</sup>

According to Sara Lipton, 'by the year 1150 the Jew had become the *stereotypical* moneylender in the eyes of most Christians, or at least in Christian writings'.<sup>9</sup> In syllogisms, Jews were increasingly represented as avaricious and idolatrous because of their supposed adoration of money and cupidity which was equated with idolatry.<sup>10</sup> Without reference to Jews as moneylenders, Peter the Venerable, Abbot of Cluny, polemicized in 1146 against the wealth of Jews, which he described as illegitimately acquired.<sup>11</sup> Around the same time, in the context of anti-Jewish violence unleashed by crusade preaching, Bernard of Clairvaux argued in favour of sparing the Jews' lives since their presence would prevent the Christians' activity in money lending, which he considered to be worse than Jewish money lending. For lending money at interest, Bernard and others after him used the term *judaizare*, thus adding another element to the stereotyping process.<sup>12</sup> These and other very pejorative depictions of Jews as moneylenders produced a stereotype that has formed the focus of scholarly research. Scholarship has proposed that the stereotyping process was either already more or less finalized by 1150 or ran

8 S. Ambrosii de Tobia: *A Commentary, with an Introduction and Translation*, ed. by Lois Miles Zucker. Patristic Studies, 35 (Washington: Catholic University of America Press, 1933), pp. 80–81, chapter 19, 64: 'faeneramus et novam et utustam pecuniam. etenim quam habuerunt iam non habent, oculos habent et non uident, aures habent et non audiunt, pecuniam habent et non habent, quia usum eius ignorant, pretium eius nesciunt, figuram eius et formam non cognouerunt.' Cf. Giacomo Todeschini, 'Christian Perceptions of Jewish Economic Activity in the Middle Ages', in *Wirtschaftsgeschichte der mittelalterlichen Juden: Fragen und Einschätzungen*, ed. by Michael Toch, Schriften des Historischen Kollegs Kolloquien, 71 (Munich: R. Oldenbourg, 2008), pp. 1–16 (p. 8).

9 Lipton, *Images*, p. 33; Lipton, *Dark Mirror*, pp. 67, 69.

10 Lipton, *Images*, pp. 40–43.

11 Todeschini, 'Christian Perceptions', p. 13; Robert Chazan, 'Twelfth-Century Perceptions of the Jews: A Case Study of Bernard of Clairvaux and Peter the Venerable', in *From Witness to Witchcraft: Jews and Judaism in Medieval Christian Thought*, ed. by Jeremy Cohen, Wolfenbütteler Mittelalterstudien, 11 (Wiesbaden: Harrassowitz, 1996), pp. 187–201 (pp. 198–99).

12 Anna Sapir Abulafia, *Christian–Jewish Relations 1000–1300. Jews in the Service of Medieval Christendom* (Harlow: Pearson Education Limited, 2011), p. 158; Sapir Abulafia, 'The Intellectual and Spiritual Quest for Christ and Central Medieval Persecution of Jews', in *Religious Violence between Christians and Jews: Medieval Roots, Modern Perspectives*, ed. by Anna Sapir Abulafia (Basingstoke: Palgrave, 2002), pp. 61–85 (pp. 73–74); David Berger, 'The Attitude of St. Bernard of Clairvaux toward the Jews', *Proceedings of the American Academy for Jewish Research*, 40 (1972), 98–108 (p. 104); Lipton, *Images*, p. 34; Jeremy Cohen, *Living Letters of the Law. Ideas of the Jew in Medieval Christianity* (Berkeley, Los Angeles: University of California Press, 1999), p. 225; Michael Toch, 'Wirtschaft und Verfolgung: die Bedeutung der Ökonomie für die Kreuzzugspogrome des 11. und 12. Jahrhunderts. Mit einem Anhang zum Sklavenhandel der Juden', in *Juden und Christen zur Zeit der Kreuzzüge*, ed. by Alfred Haverkamp, Vorträge und Forschungen 47 (Sigmaringen: Jan Thorbecke, 1999), pp. 253–85 (p. 267).

from during the second half of the twelfth century into the beginning of the thirteenth century.<sup>13</sup>

In this chapter, I would like to draw attention to those Jewish mint masters (*Münzmeister* = *monetarius*)<sup>14</sup> who were administering the production of money and whose negative stereotype Caesarius' vision story is based upon and contributing to.<sup>15</sup> Jewish moneylenders and mint masters were affected by similar stereotypes, at whose core the sin of avarice stood. Even the money that was given by Jews on interest might have been considered as 'Jewish'.

But how widespread and widely accepted were these negative images about Jews among the Christian population? To what extent were these images internalized? Did they have direct consequences on the daily encounters between Jews and Christians in their transactions in the market or in each others' homes? Strong perceptions of Jews as enemies and murderers resulted – among other factors and ideas – in persecutions and ritual murder accusations against them.<sup>16</sup> What about the impact of economic stereotypes?

The writings mentioned above, which reflected and contributed to the stereotyping of Jews, had theological and ideological agendas, while all the same guided by mistrust for the new monetized economy.<sup>17</sup> The majority of these sources was produced in a French setting and most probably addressed the economic situation of the French Jews.<sup>18</sup> For instance, Anna Sapir Abulafia pointed out that 'Bernard was basing his observations on his French experience' while 'he did not refer to

13 Todeschini, 'Christian Perceptions', p. 14, detects the stereotyping process in 'penitential manuals and narrative or hagiographic sources, but also in the pontifical legislation' for 'the last years of the twelfth century'. For an overview of research see Lipton, *Images*, p. 166 footnote 17.

14 Markus Wenninger, 'Juden als Münzmeister, Zollpächter und fürstliche Finanzbeamte im mittelalterlichen Aschkenas', in Toch, *Wirtschaftsgeschichte*, pp. 121–38 (about the beginning of the thirteenth century: pp. 128–29). Toch, 'Wirtschaft und Verfolgung', pp. 269–70.

15 About the function of Jewish stereotypes in the work of Caesarius of Heisterbach see Ivan Marcus, 'Images of the Jews in the *Exempla* of Caesarius of Heisterbach', in Cohen, *From Witness to Witchcraft*, pp. 247–56 (regarding Jacob: p. 247).

16 Shmuel Shepkaru, 'The Preaching of the First Crusade and the Persecution of the Jews', *Medieval Encounters* 18 (2012), 93–135; Chazan, 'Twelfth-Century Perceptions'; Israel J. Yuval, *Two Nations in Your Womb: Perceptions of Jews and Christians in Late Antiquity and the Middle Ages* (Berkeley, Los Angeles, London: University of California Press, 2006, in Hebrew 2000), pp. 135–204.

17 For other authors see also Anna Sapir Abulafia, *Christians and Jews in the Twelfth-Century Renaissance* (London: Routledge 1995), pp. 90–91 (Peter Abelard), 112–13 (Guibert of Nogent); Heinz Schreckenberger, *Die christlichen Adversus-Judaeos-Texte (11.–13. Jahrhundert)*. Europäische Hochschulschriften 23/335, 3rd ed (Frankfurt et al.: Peter Lang, 1997), pp. 93 (Guibert of Nogent), 140 (Peter Abelard), 190 (Peter the Venerable), 340 (Walter of Chatillon). In 1213, the Synod of Paris condemned usury and equated *communiarum* – i.e., credit associations – with *synagogas malignantium*, see *ibidem*, pp. 396–97.

18 The situation is similar regarding legislation against usury. For instance, in 1154 Louis VII ordered that Jews had to cease any moneylending on interest (usury); see Hans-Jörg Gilomen, 'Wucher und Wirtschaft im Mittelalter', *Historische Zeitschrift* 250 (1990), 265–301 (pp. 280–82).

moneylending in the letter he wrote to the Archbishop of Mainz'.<sup>19</sup> It seems that the Jews of the German Kingdom were less involved in money lending which began there in the early twelfth century as part of trade business but was 'not completed, by all signs, before the mid-thirteenth century'.<sup>20</sup> Eliezer bar Nathan (died around 1150) still declared trade 'as our livelihood', perceiving money lending with Christians in the same category.<sup>21</sup> A clear separation of moneylending from trade is only detectable in sources from the end of the thirteenth century. Thus, it could be assumed that the stereotyping process either reached the Empire later in the thirteenth century or 'spread' independently of the reality of Jewish involvement in moneylending. It is notable that Christian anti-Jewish polemical writings were hardly produced in twelfth-century Germany; only Rupert of Deutz, Hermann of Scheda, and Walther von der Vogelweide can be mentioned.<sup>22</sup> For the thirteenth century, Moritz Güdemann (1880) has found evidence for the synonymous use of usurer with Jew at Freidank, Ulrich von Liechtenstein, and Berthold of Regensburg.<sup>23</sup> Although the attack on doing business with money was directed against Jews, it was part of a more general critique of society (*Gesellschaftskritik*) and monastic life; the focus of attention was as a rule first and foremost Christian usurers who probably dominated the moneylending business anyway.<sup>24</sup> Nevertheless, we still lack a systematic study of the economic stereotyping of Jews in German polemics against moneylending; such a study would, further, have to differentiate and contextualize according to regions and time periods.

19 Sapir Abulafia, *Christian-Jewish Relations*, p. 158. Compare the letters 363 and 365, only the former mentions Jews as usurers, for the letters see Jeremy Cohen, "Witnesses of our Redemption": The Jews in the Crusading Ideology of Bernard of Clairvaux', in *Medieval Studies in Honour of Avrom Saltman*, ed. by Bat-Sheva Albert and others, Bar-Ilan Studies in History, 4 (Ramat-Gan: Bar Ilan University, 1995), pp. 67–81 (p. 79); Cohen, *Living Letters of the Law*, pp. 233–45.

20 Michael Toch, 'Economic Activities of German Jews in the Middle Ages', in Toch, *Wirtschaftsgeschichte*, pp. 181–210 (pp. 188–89).

21 Eleazar cited according to Toch, 'Economic Activities', p. 189; Toch, 'Wirtschaft und Verfolgung', pp. 267–68. For a comparison with France see Robert Chazan, *Medieval Jewry in Northern France: A Political and Social History* (Baltimore/London: The Johns Hopkins University Press, 1973), and Joseph Shatzmiller, *Shylock Reconsidered: Jews, Moneylending, and Medieval Society* (Berkeley, Los Angeles, Oxford: University of California Press, 1990).

22 Michael Toch, *Die Juden im Mittelalterlichen Reich*, Enzyklopädie Deutscher Geschichte 44, 3rd ed (München: Oldenbourg, 2013), pp. 128, 130; Anna Sapir Abulafia, 'The Ideology of Reform and Changing Ideas Concerning Jews in the Works of Rupert of Deutz and Hermannus Quondam Iudeus', *Jewish History*, 7 (1993), 43–63; Sara Lipton, 'Unfeigned witness: Jews, matter, and vision in twelfth-century Christian art', in *Judaism and Christian Art. Aesthetic Anxieties from the Catacombs to Colonialism*, ed. by Herbert Kessler and David Nirenberg (Philadelphia/Oxford: University of Pennsylvania Press, 2011), pp. 45–73; Schreckenberg, *Die christlichen Adversus-Judaeos-Texte*, pp. 100–07, 256–73.

23 Moritz Güdemann, *Geschichte des Erziehungswesens und Kultur der abendländischen Juden während des Mittelalters* (Vienna: Alfred Hölder, 1880), I, pp. 129–33; Shatzmiller, *Shylock Reconsidered*, p. 47; Jeremy Cohen, *The Friars and the Jews: The Evolution of Medieval Anti-Judaism* (Ithaca/London: Cornell University Press, 1982), pp. 229–38 (Berthold of Regensburg).

24 Güdemann, *Geschichte des Erziehungswesens*, I, pp. 129–32; Lipton, *Dark Mirror*, pp. 66–71.



Negative perceptions could also include accusations of counterfeit or clip money. Yet despite a similar accusation in 1171 in Cologne<sup>25</sup> and rabbinic admonitions to refrain from counterfeiting money in 1220 in Mainz, there are – according to Gerd Mentgen – no such libels reported for the thirteenth century in Germany: the stereotyping and equation of Jews with coinage fraud began only in the wake of the mass executions of Jews as coin-clippers in 1278/79 England.<sup>26</sup> For the twelfth and beginning of the thirteenth century in the Empire, it is unclear to what extent negative perceptions of Jews regarding their dealings with money even circulated.

Not only does it stand to question whether the reality of economic life shaped the stereotypes, but also whether the stereotypes impacted daily economic exchanges between Jews and Christians or even hampered particular public dealings between them. By closely studying the reality and ambit of business transactions in an area East of France, we may be able to evaluate the existence or power of stereotypes and of theologically-influenced perceptions of Jews.<sup>27</sup>

For our reflection about the relationship between stereotypes and the reality of economic life, the images on the coins minted by Jews seem to me ideal. Trade on the basis of coins presupposed mutual trust and special knowledge about the trade value of each kind of coin. Coins were a hands-on object and constituted a public medium of communication between Jews and Christians in medieval Europe in general, and in medieval Ashkenaz (i.e., in the German Kingdom), in particular, where Jewish communities emerged in the tenth century. The communication that was facilitated by coins led therefore also to the transfer of knowledge between Jews and Christians in the sphere of business. Trust was especially necessary in the lending of money; it bound the different partners in the business transaction together. Even the most problematic business relationships created a more or less public cooperation between Christians and Jews. Since the relationship between lord of the mint and mint master was very public, both partners were quite vulnerable against attacks by people like Caesarius of Heisterbach. Against this background, we will now turn to the coins minted by Jews and coins with Jewish symbols, since they constitute the most public statements of the relationship between a Christian lord of the mint and a Jewish mint master.

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25 Adolf Neubauer and Moritz Stern, *Hebräische Berichte über die Judenverfolgungen während der Kreuzzüge*, Quellen zur Geschichte der Juden in Deutschland, 2 (Berlin: Leonhard Simion, 1892), pp. 71–72, 206–08.

26 Gerd Mentgen, 'Der Münzfrevelvorwurf. Ein Beitrag zur Erforschung antijüdischer Stereotype', in *Das Wichtigste ist der Mensch! Festschrift für Klaus Gerteis zum 60. Geburtstag*, ed. by Angela Giebmeier and Helga Schnabel-Schüle, Trierer Historische Forschungen, 41 (Mainz: von Zabern, 2000), pp. 291–307 (pp. 301–02).

27 Regarding the discussion about the relationship between theory and practice of moneylending, see Gilomen, 'Wucher und Wirtschaft', especially pp. 267–68.



Fig. 1 Hessisches Landesmuseum Darmstadt. Photo: Wolfgang Fuhrmannek

Our first coin is a bracteate, a silver penny struck only on one side, from the 1170s. On the obverse of the coin, in its center, is shown the imperial *ministerialis* Kuno of Münzenberg (documented 1151–*d.* 1207/10). Turning towards Kuno, there is a seated man, identified as a Jewish person by the Hebrew inscription ‘David haCohen’.<sup>28</sup> (FIG. 1) The whole image informs us thus that this bracteate was minted under the aegis of the imperial *ministerialis* Kuno with significant involvement by the Jew David haCohen. Kuno of Münzenberg cooperated with Jews, as this image indicates.

Bracteates belonged to the regional penny (Latin, *denarius*) system which emerged in the eleventh century in the German *regnum*.<sup>29</sup> They were at the core of a money economy that remained throughout the Middle Ages underdeveloped compared to the Mediterranean economy. These coins were struck by hundreds of mostly temporarily active mints for use mainly in local or regional markets. Indicative of the developing economy, the number of active mint houses reached

28 Julius Cahn, ‘Ein Wetterauer Dynastenbrakteat mit hebräischer Umschrift: Ein numismatisches Denkmal des Judenschutzes im 12. Jahrhundert’, *Zeitschrift für Numismatik*, 33 (1922), 97–112; Walter Hävernich, *Das ältere Münzwesen der Wetterau bis zum Ausgang des 13. Jahrhunderts, kommentierte Neuauflage mit biographischem Vorwort von Niklot Klüfendorf*, Veröffentlichungen der Historischen Kommission Hessen, 18, 1 (Marburg: N. G. Elwert, 2009, 1936), pp. 9–11; Wolfgang Hess, ‘Städtegründungen und Anfänge der Münzprägung in der staufischen Wetterau’, *Blätter für Deutsche Landesgeschichte*, 117 (1981), 91–122 (pp. 101–02 and Tafel 1, H. 16).

29 Alexander Reverchon, *Metzer Denare vom 10. bis 13. Jahrhundert. Untersuchungen zu den Währungsräumen zwischen Maas und Rhein*, Trierer Historische Forschungen, 44 (Trier: Kliomedien, 2006); Philip Grierson, *Münzen des Mittelalters* (München: Ernst Battenberg, 1976); Peter Spufford, *Money and its Use in Medieval Europe* (Cambridge et al.: Cambridge University Press, 1988).

215 in 1197 and therefore had doubled in the time period since 1140. These mints were in the hands of secular lords (81), but also of bishops and archbishops (61) as well as monasteries (45). With 28 mints, the kings had only a small part in the coin production. Among the minting centers, the coins produced in the cathedral cities were especially highly appreciated. The Cologne penny (and mark) even became the leading currency, especially in the Lower and Middle Rhine region (in the south until about Oppenheim), and was held in high regard in England, Bohemia, and Hungary. All other pennies were subordinated to the Cologne penny, and were of lesser, although strictly defined value. In their endeavours to establish, develop and strengthen their own minting policy, the Staufen Kings ordered – in Aachen and Duisburg – the imitation of the Cologne penny. In general, imitating coins minted by cathedral cities was a common practice for newly founded minting centers; it was an attempt to gain acceptance from the population. Between 1197 and 1260 the number of mints increased again to 37 royal mints, 106 episcopal, 46 monastic, and – a new phenomenon – to several city ones. The great majority of mint houses were run by secular rulers such as Kuno of Münzenberg; we count 277 of them. Among these, many mints were held in condominium between secular and ecclesiastical authorities.<sup>30</sup>

Each minting house had different penny designs; like our bracteate they were used in the local and regional markets by Christians and Jews alike. Scholars differentiate between the era of the *Fernhandelsdenar* (long-distance trading denarius) and the era of the regional penny system. The latter is a period of regionalization of the money economy that coincided with the Staufen period (1137–1250) and the Interregnum (1250–76). Despite the supra-regional acceptance of the Cologne denarius, the validity of the penny was bound to the region of its origin and had to be accepted on the local markets of the region whose ‘lord of the market’ was in general also the ‘lord of the mint’.<sup>31</sup>

30 Alfred Haverkamp, *Medieval Germany 1056–1273*, translated by Helga Braun and Richard Mortimer, 2<sup>nd</sup> ed (Oxford: Oxford University Press, 1992), pp. 302–03; Haverkamp, *12. Jahrhundert, 1125–1198*, Gebhardt Handbuch der Deutschen Geschichte 5, 10th fully rev ed (Stuttgart: Klett-Cotta, 2003), pp. 46–47; Norbert Kamp, *Moneta Regis. Königliche Münzstätten und königliche Münzpolitik in der Stauferzeit*. Monumenta Germaniae Historica, Schriften 55 (Hannover: Hahnsche Buchhandlung, 2006), p. 279; Reverchon, *Metzer Denare*, pp. 163–67. Michael Matzke, ‘Barbarossa auf den Münzen seiner Zeit’, in *Barbarosabilder: Entstehungskontexte, Erwartungshorizonte, Verwendungszusammenhänge*, ed. by Knut Görlich and Romedio Schmitz-Esser (Regensburg: Schnell & Steiner, 2014), pp. 91–115 (pp. 95–96); Elisabeth Nau, ‘Münzen und Geld in der Stauferzeit’, in *Die Zeit der Staufer: Geschichte, Kunst, Kultur*, III, ed. by Württembergisches Landesmuseum (Stuttgart, 1977), pp. 87–102 (pp. 89, 93); Reverchon, *Metzer Denare*, pp. 255, 287–88.

31 Bernd Kluge, *Numismatik des Mittelalters, I: Handbuch und Thesaurus Nummorum Medii Aevi*, Veröffentlichungen der Numismatischen Kommission, 45 (Berlin/Wien: Verlag der Österreichischen Akademie der Wissenschaften, 2007), pp. 98–99.

The presence of Kuno of Münzenberg on this coin gave the coin its legitimacy, it gained for it acceptance and was supported by the authority of Kuno as the lord of the mint and owner of the regalian right to mint coins. Who was he? And why did Kuno chose to be accompanied by David haCohen on his coin? What was the purpose of this representation of cooperation between a Christian lord and a Jewish mint master?

Kuno had stayed in close contact with the Staufen court under Emperor Frederick I and his son Henry VI from the 1150s onward; he was obviously also very highly regarded on a personal level by both rulers.<sup>32</sup> In imperial charters, Kuno was often named *camerarius* ('member of the chamber') from the beginning of the 1160s.<sup>33</sup> He still used this title on his seal of 1203 when he was already an old man. Judging from the lists of document witnesses, Kuno headed the group of the Staufen retainers (*Gefolgsleute*). With this honorific epithet, Kuno's close and long-lasting connection to the imperial *camera* ('chamber') was acknowledged, along with its diverse areas of responsibilities and services for which the *getruwen Cunen* ('loyal Kuno') was repeatedly lauded.<sup>34</sup> It was to this same *camera* that the Jews of the *Regnum teutonicum*, the German Kingdom, were assigned.<sup>35</sup> At the court, Kuno had contacts with the Jew Kalonymos ben Meir, who belonged to 'one of the most illustrious families in Germany in these days' and was known for his leadership – קלונימוס הפרנס (Kalonymos, the *parnass*) – of the Speyer community.<sup>36</sup> Kalonymos stood in the service of the Emperor Frederick I as his financier and financial advisor.<sup>37</sup> Recent research has shown that Frederick I, together with

32 Jan Ulrich Keupp, *Dienst und Verdienst. Die Ministerialität Friedrich Barbarossas und Heinrichs VI.*, Monographien zur Geschichte des Mittelalters, 48 (Stuttgart: Anton Hiersemann, 2002), pp. 151–76.

33 Karl Bosl, *Reichsministerialität der Salier und Staufer*, Part 1, Schriften der Monumenta Germaniae historica, 10 (Stuttgart: Anton Hiersemann, 1950), pp. 289–92; Keupp, *Dienst und Verdienst*, p. 175.

34 Keupp, *Dienst und Verdienst*, pp. 164, 169; or 'quod nos fide ac devotione dilecti ministerialis nostri Cunonis de Minzenberc...'

35 Alexander Patschovsky, 'Das Rechtsverhältnis der Juden zum deutschen König (9.–14. Jahrhundert). Ein europäischer Vergleich', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte*, 110 (1993), 331–71 (pp. 360–65); Alfred Haverkamp, 'Kammerknechtschaft' und 'Bürgerstatus' diesseits und jenseits der Alpen während des späten Mittelalters', in *Die Juden in Schwaben*, ed. by Michael Brenner and Sabine Ullmann (München: Oldenbourg, 2012), pp. 11–40.

36 Simcha Emanuel, 'The First Autograph of the Tosafists from the European Genizah', in *Books within Books. New Discoveries in Old Book Bindings*, ed. by Andreas Lehnardt and Judith Olszowy-Schlanger (Leiden: Brill, 2014), pp. 31–42 (p. 36); Markus Brann, Jacob Jakobsohn, Ernst Rosenthal, 'Speyer', in *Germania Judaica*, I, pp. 326–66 (p. 341); Abraham Epstein, 'Das talmudische Lexikon יהוסי תנאים ואמוראים des Jehuda b. Kalonymos aus Speier', *Monatsschrift für Geschichte und Wissenschaft des Judentums*, 3 (1895), 398–403, 447–60 (p. 451); Meir Wiener, 'Geschichte der Juden in der Stadt und Diözese Speyer', *Monatsschrift für Geschichte und Wissenschaft des Judentums*, 12 (1863), 161–77 (p. 166); Heinrich Groß, 'Elieser b. Joel halevi. Ein literarhistorischer Versuch', in *Monatsschrift für Geschichte und Wissenschaft des Judentums*, 34 (1885), 505–24 (p. 516).

37 Ytshak ben Moshé, *Sefer Or Zarua*, III (Žitomir: Sapirov, 1887), Baba Kamma no. 460. The source is embedded in the compendium *Or Sarua*, which was written by the famous scholar Isaac bar Moshe from Vienna in the first half of the thirteenth century. In it, Isaac integrated a commentary of his teacher

several persons closely related to the court, introduced a number of measures intended to bolster and stabilize many areas of the economy. These measures were also influenced by Frederick's intention to increase the financial strength of his court. The Emperor's need for money was rising enormously, most especially because of his Italian campaigns, for which he hired a large force of mercenaries. Thus, the Staufen court depended on ready liquidities in order to be able to respond with flexibility to the exigencies of its political and military situation.<sup>38</sup> As Ulf Dirlmeier has rightly pointed out: 'Frederick the First [...] dealt more and more closely with money than any German King and Emperor (*römisch-deutsche Herrscher*) before him.'<sup>39</sup>

Taking into account the evidence about Kalonymos' dealings in substantial credit affairs for the Emperor, it becomes clear that this Jew was the expert in such matters. It may be that he was responsible for the court's swift access to capital assets.<sup>40</sup> Moreover, Frederick I pursued a policy of minting with unprecedented intensity. He had set up a large number of new mints in the Staufen imperial lands (*Reichslande*); these demanded not only specific expertise but also investments of

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Simcha ben Shmuel, who lived at the turn of the thirteenth century in Speyer. According to this text Simcha learned that his uncle Kalonymos קרוב למלכות ('was close to the kingship') and מבני פלסין של המלך ('was among the members of the king's palace.') The Hebrew word *palatin* is borrowed from the Latin *palatinus/palatium*. In the numerous diplomata of Frederic Barbarossa this word *palatium* often refers directly to the loose association of court people who stood out through their close relationship to the king or the emperor and who participated in court decisions by contributing their advice and support. The source goes on to tell: 'When the king demanded tax from the inhabitants of the city' – i.e., from the members of the Jewish community of Speyer – Kalonymos 'aided them to reach a satisfactory compromise.' Afterwards, he petitioned the king for a substantial tax release for himself, 'a third or a quarter what was his portion due to give.' For his request, Kalonymos gave the following reason: he said: אני עובדך בהלוואות ובענינים הרבה ('I am serving you in credit affairs and in many (other) affairs'); 'I want you to exempt me from the tax and my obligation to give with them (i.e. the community).' The term *serviens* and the term *ministerialis*, too, were common denotations also for the imperial *ministeriales* who played an increasingly important and crucial role during the reign of Frederic Barbarossa and at his court. Although the king consented 'to lower the tax according to his portion', Kalonymos 'returned and gave together with the community.' Even though his tax portion had been subtracted from the sum the community was due to pay, Kalonymos shared the community's tax burden and contributed to their tax payment according to his portion, this despite the imperial exemption from his obligation. In this way, by transferring his tax release to the community, Kalonymos made the royal favor that he had obtained for himself a benefit for the whole Jewish community.

38 Johannes Fried, 'Die Wirtschaftspolitik Friedrich Barbarossas in Deutschland', *Blätter für deutsche Landesgeschichte*, 120 (1984), 195–239.

39 Ulf Dirlmeier, 'Friedrich Barbarossa – auch ein Wirtschaftspolitiker?', in *Friedrich Barbarossa. Handlungsspielräume und Wirkungsweisen des staufischen Kaisers*, ed. by Alfred Haverkamp, Vorträge und Forschungen, 40 (Sigmaringen: Jan Thorbecke, 1992), pp. 502–18 (p. 509, my translation).

40 Fried, 'Die Wirtschaftspolitik Friedrich Barbarossas', pp. 214–15, made the observation that although several people at Barbarossa's court north of the Alps were experienced in the usual dealings with money, nobody among them possessed any special expertise in financial affairs. This statement must be revised.

capital.<sup>41</sup> Emperor Frederick himself may have pursued his minting policy under Kalonymos' aegis.<sup>42</sup>

One of Kalonymos' sons, the scholar David, is mentioned in Hebrew sources with the explicit addition to his name 'David ben Kalonymos מ'מניצבורק' ('of Minzburg').<sup>43</sup> From at least the 1190s, David lived in Kuno's fortress, or in the nearby settlement by the same name and under its protection. His responsa indicate that he had moved from Speyer, first to Mainz, and then to Münzenburg. However, he was among those Jews from Mainz who found refuge in Kuno's fortress of Münzenburg and benefitted from its protection against the crusaders during the violence that preceded the Third Crusade in 1188.<sup>44</sup> It is unclear whether David is identical with the mint master David haCohen. If they were two distinct persons, the financial knowledge of David's father supports the assumption that David haCohen had good connections with the Kalonymos family. David haCohen was called into the service of Kuno probably due to the close relationships of Kuno and Kalonymos to the imperial court.<sup>45</sup>

Both Staufeu rulers were forceful and effective in defending Jews against their persecutors. The tax on the Jewish communities was a quid pro quo for the Emperor's protection of the Jews and their privileged status of *imperial immediacy* (*Reichsunmittelbarkeit*). Frederick Barbarossa himself emphasized this interpretation of the law in 1157 when he reissued *iudeis de Wormacia et ceteris sodalibus suis* ('to the Jews of Worms and their other fellow [Jews]') Emperor Henry IV's charter of 1090 to the Worms Jews. The 1090 charter had been first issued to the Jews of Speyer, negotiated by Judah ben Kalonymos and through the petition of Bishop Rudiger of Speyer, also in 1090. Its main dispositions became 'the legal

41 Kamp, *Moneta Regis*, for instance pp. 280–82, 355–57; Norbert Kamp, 'Münzprägung und Münzpolitik der Staufer in Deutschland', *Hamburger Beiträge zur Numismatik*, 17 (1963), 517–43; Matzke, Barbarossa; Michael Matzke, 'Mittelalterliche Bergbauprägungen in Südwestdeutschland? Numismatische und archäologische Untersuchungen an Breisgauer, Tübinger und Wormser Pfennigen', in *Dirham und Rappenfennig*, II, ed. by Lutz Ilisch and others, *Mittelalterliche Münzprägung in Südwestdeutschland*, Zeitschrift für Archäologie des Mittelalters, Beiheft 19 (Bonn: Dr Rudolf Habelt, 2004), pp. 43–117; Kluge, *Numismatik des Mittelalters*, pp. 45–55; Ulrich Klein, 'Münzstätten der Stauferzeit (etwa 1140–1270) in Deutschland und Italien', *Schweizer Numismatische Rundschau*, 56 (1977), 171–278.

42 We may assume that the mentioning of Kalonymos' 'many (other) affairs' also included his engagement with the minting affairs of the kingdom.

43 Emanuel, 'The First Autograph', pp. 37–38; Aron Freimann, 'Münzenberg', in *Germania Judaica*, I, pp. 239–42; Epstein, 'Talmudisches Lexikon', pp. 400, 451, 457–58; Eleazar bar Judah (Rokeach) signed together with David a responsum while finding refuge in the castle in 1188. Groß, 'Elieser b. Joel halevi', pp. 517–18; David decided also in matters of money gifts for debtors in moneylending.

44 As reported by Eleazar bar Judah of Bonn, see Neubauer, Stern, *Hebräische Berichte*, pp. 76–78, 214–19. Robert Chazan, 'Emperor Frederick I, the Third Crusade, and the Jews', *Viator* 8 (1977), 83–93.

45 For minting operating in castles, see Bernd Kluge, 'Burg und Münze – Burgen als Münzstätten im hohen Mittelalter', in *Die Burg. Wissenschaftlicher Begleitband zu den Ausstellungen*, ed. by Georg Ulrich Großmann and Hans Ottomeyer (Dresden: Sandstein Verlag 2010), pp. 87–93. Minting in castles was also regarded as part of a ruler's expansion in power and governance.



constitution of the Ashkenazic Jews.<sup>46</sup> In addition, it was laid down in the 1157 privilege – unquestionably with the consent of the Jewish leaders – that the Jews *ad cameram nostram attineant* ('are to belong to our chamber', i.e., to the inner circle of the imperial court). According to the same Emperor's 1182 privilege for the Jews of Regensburg, this attribution of the Jews to the most internal core of the Emperor's rulership should apply to all Jews living *in imperio nostro* ('in our Empire').<sup>47</sup>

When, therefore, the *camerarius* Kuno in 1188 rescued the Jews who were under the protection of the imperial *camera*, he acted in the interests of the Emperor and his royal son Henry, and as their representative. Our discussion thus far should have made it obvious that the image on our bracteate reflected the political constellation involving the Jews at the time. By depicting David haCohen as sitting close to and next to Kuno, the coin declared, firstly, that David – together with other Jews – belonged to the inner circle of the local ruler, Kuno, who himself was closely associated with the Emperor, and, secondly, that David and the Jews were under Kuno's and ultimately the Emperor's protection and power. Similarly, another coin shows Frederick Barbarossa accompanied by Kuno, demonstrating the cooperation between the two men in ruling as well as the imperial authority on which Kuno based his claims to rule and mint.<sup>48</sup> The seated position of David might have been intended as demonstrating the dependency of the Jews on Kuno and the Emperor and their rule over them.

In addition to this double political statement, the image also conveyed, of course, thirdly, an economic message. The trustworthiness of the new coin and its acceptance among the competing coins were based on the cooperation between the imperial *camerarius* Kuno and David haCohen. The 'credit' – in the double connotation of trust and worth – of the coin was increased by the close relationship of Kuno and David to the Emperor. Since Kalonymos was highly regarded as the financier and financial advisor of the Emperor Frederick, the presence of David on the coin was very likely intended as a stamp that guaranteed the high quality and trustworthiness of the coin.

46 Alfred Haverkamp, 'Beziehungen zwischen Bischöfen und Juden im ottonisch-salischen Königreich bis 1090', in *Trier – Mainz – Rom. Stationen, Wirkungsfelder, Netzwerke*. Festschrift für Michael Mathews zum 60. Geburtstag, ed. by Anna Esposito, Heidrun Ochs and others (Stuttgart: Schnell and Steiner, 2013), pp. 45–86 (pp. 59–60, 96); Patschovsky, 'Das Rechtsverhältnis'; *Die Urkunden Heinrichs IV.*, ed. by Dietrich von Gladiss, *Monumenta Germaniae Historica, Diplomata regum et imperatorum Germaniae*, 6, 2 (Hannover: Hahn, 1959) (MGH DD Henry IV), pp. 543–47 no. 411 (Speyer), pp. 547–49 no. 412 (Worms).

47 *Die Urkunden Friedrichs I.*, ed. by Heinrich Appelt, *Monumenta Germaniae Historica, Diplomata regum et imperatorum Germaniae* 10, 1 (Hannover: Hahn, 1975) (MGH DD Frederick I.), pp. 284–86 no. 166 (1157). Ebda, pp. 43–44 no. 833 (Regensburg); Amnon Linder, *The Jews in the Legal Sources of the Early Middle Ages* (Detroit: Wayne State University Press, 1997), pp. 403–04 no. 613.

48 Keupp, *Dienst und Verdienst*, p. 173.



Kuno's political influence concentrated on the region of the Wetterau, which became *terra imperii* of the Staufen par excellence.<sup>49</sup> In the larger picture, the Wetterau had only received the Staufen's political and economic attention when it became territory bridging the 'old' Rhineland centers and the 'new' economy of Thuringia and Hesse. This is also reflected in its penny system: It was influenced by the Thuringian and lower Hessian minting technique.<sup>50</sup> The royal minting centers in the Wetterau had produced since around 1160/65 highly successful pennies – first in Frankfurt, from 1170/80 in Gelnhausen, beginning of the thirteenth century in Friedberg – which took the lead among the Wetterau's various coins. These pennies were worth half the Cologne penny (which of course remained widely accepted as the standard coin also in the Wetterau). In addition, in 1175/80, the Frankfurt mint started to copy the Cologne penny.

That the royal coins were preferred on the different markets is also reflected in their imitations by the minting program of Archbishop of Mainz in Aschaffenburg and by those of the imperial *ministeriales* of Münzenberg who held several minting centers in the Wetterau.<sup>51</sup> Kuno's minting policy stretched, therefore, over large regions of already high and even increasing economic importance, but always in strong competition with the royal coins. The imitation reflects, however, in particular also Kuno's own standing in minting and politics in general. Giselbert of Mons characterized him as 'rich and wise man who had his own castles, manors and entourage of knights.'<sup>52</sup> Around the time of our bracteates' minting, the *ministerialis* Kuno was successful in establishing a domain comparable to that of a noble; invited nobles, relatives and friends to representational gatherings onto his castle; and expanded his territory (for instance by acquiring the domain of the last count of Nuerings).<sup>53</sup> Our bracteate – from the 1170s – circulated as currency when the Frankfurt royal coin was on the rise; it was competing with it, and reflected Kuno's political self-consciousness and political influence independently of, or even against the Emperor. In the Staufen's service, Kuno had built his own regional position of dominion, which also led him into conflict with Emperor Henry VI over the revenues from the bailiwick of Nierstein.<sup>54</sup>

49 Keupp, *Dienst und Verdienst*, pp. 151–76.

50 Kamp, *Moneta Regis*, pp. 286–89.

51 Kamp, *Moneta Regis*, pp. 287–92, 324; Hävernick, *Das ältere Münzwesen*, pp. 1–9. Regarding the imperial minting center Wetzlar where since about 1160 pennies were minted double sided according to the Middle Rhine style and were therefore different from the one sided pennies of the Wetterau bracteates, see Kamp, *Moneta Regis*, pp. 292–93, and Reverchon, *Metzer Denare*, p. 259.

52 Keupp, *Dienst und Verdienst*, p. 152 (and footnote no. 262).

53 Keupp, *Dienst und Verdienst*, pp. 156, 158, 167–68.

54 Keupp, *Dienst und Verdienst*, p. 172.

Moreover, the Wetterau was politically, socially, and economically interconnected with the adjacent cathedral cities of Mainz, Worms, and Speyer, which contained the largest and most respected Jewish communities in the Empire. It was probably for these Christian and Jewish communities that our bracteate was minted, and to whom it was addressed. The minting centers of Speyer and Worms – and especially of Mainz – had been in the production of the *Fernhandelsdenar* (long-distance trading *denarii*). Their influence is demonstrated by the fact that they rank third behind those of Cologne in coin caches found in Sweden reflecting international trade.<sup>55</sup> This is as well a reflection of the respective economic rank of the Jewish communities. They had been the only coin production center also for the underdeveloped Wetterau. Economically, the Mainz coin lost its standing in the second third of the twelfth century, becoming a very local currency while Speyer and Worms developed half-bracteates, thus staying in the competition with other bracteates such as the Münzenberg coin.<sup>56</sup>

How would Christians and how would Jews have read the bracteate? Jews were in general able to read and understand the inscription, and they recognized both Kuno and David, who was probably well known in the prominent Jewish communities of Mainz, Worms and Speyer. In particular, the Jewish communities of Speyer and Worms comprised oftentimes merchants who had been granted freedom of trade and from customs by the charters of 1074, 1084, 1090, and 1157.<sup>57</sup> The charters also regulated – with different stipulations – commerce on a local scale between Christians and Jews, relating to the selling of kosher meat, wines, dyes or medicines. For both, Christians and Jews, the quality of the Münzenberg coin, which was indeed relatively high in comparison to other contemporary bracteates, was guaranteed by the pair on the coin.<sup>58</sup> However, that the entire message of the coin's image could only be understood by Jews means that it was addressed first and foremost to the Jews whose confidence in the coin was especially heightened by the display of David and his name. The coin might have even triggered a sense of pride among the Jewish communities.

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55 Reverchon, *Metzer Denare*, p. 286.

56 Reverchon, *Metzer Denare*, pp. 287–88.

57 In 1074, Henry IV granted, to the Jews and Christians of Worms alike, free trade and exemption from tolls on the Rhine and other trading routes. MGH DD Henry IV, p. 341 no. 267. In 1090, Henry IV granted freedom of trade and from customs, which Jews had received in 1084 from Bishop Rudiger of Speyer, and extended these rights for the Jews of Speyer and Worms to the whole realm. MGH DD Henry IV, p. 547 no. 411, p. 549 no. 412. Alfred Haverkamp, 'Jews in the Medieval German Kingdom', online edition: [http://ubt.opus.hbz-nrw.de/volltexte/2015/916/pdf/Jews\\_German\\_Kingdom.pdf](http://ubt.opus.hbz-nrw.de/volltexte/2015/916/pdf/Jews_German_Kingdom.pdf) (accessed 21. 4. 2015), p. 19. Linder, *The Jews in the Legal Sources*, pp. 400–01 no. 611, pp. 396–98, no. 610.

58 In comparison to other contemporary bracteates, it brings 0.95 Gramm onto the scale, and is therefore much heavier than the usual bracteates of the Wetterau. Hävernich, *Das ältere Münzwesen*, cf. no. 16 on p. 29 with the list of coins on pp. 26–70.

In addition to the more local Jewish merchants and market customers, another target of the coin might have been those Jews involved in distance trading who attended the markets of Worms, Mainz, and Speyer, and (even more important perhaps) the semi-annual trade Frankfurt fair.<sup>59</sup> This trade fair is documented already since around 1152; Eliezer bar Nathan reported then Jews frequenting it and renting accommodations from Christians. Although a few Jews might have already lived there, Frankfurt's Jewish community was not yet established. But between 1175 and 1191, a Jew Gottschalk of Frankfurt sold his house in Cologne.<sup>60</sup> Thus around the time of the minting of our bracteate, in a context in which the imperial minting center of Frankfurt was on the rise, there were some relations between the Jews of Frankfurt and the great trading center of Cologne. Kuno could have aimed for the acceptance of his Münzenberg coin in Frankfurt. The following scenario is possible: The inscription 'David haCohen' instilled trust also in non-local Jews who did not know of David's connections but were intrigued by the epithet 'haCohen'. When they then came to the trade fairs reading the Hebrew inscription they would have preferred Kuno's coin over the imperial Frankfurt coin or others. A few decades later, Kuno himself participated in the flourishing Frankfurt coin production: in 1194, Emperor Henry VI granted him half of the revenues of the royal Frankfurt mint as fief.<sup>61</sup>

With a few exceptions, and in strong contrast to the Christians of the Mediterranean, the Christians north of the Alps were mostly illiterate, but gained practical literacy through different kinds of text recognitions. For them, the symbolic images on the coin supported their abilities to 'read' the coins. In our case, the Christians recognized the ruler of the Wetterau according to the signs he was holding in his hands. Despite the fact that the Hebrew signs were seen as ornaments, it was also necessary for the Christians to pay attention to the whole image of the coin. There was a practical financial ground for this: Series of bracteates and pennies were cancelled on a regular, often annual basis by the lords

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59 About the trade fairs of Frankfurt, Speyer and other cities of the Wetterau, including in the context of their political connections, see Monika Escher, Alfred Haverkamp and Frank G. Hirschmann, 'Städte-landschaft – Städte-netz – zentralörtliches Gefüge', in *Städte-landschaft – Städte-netz – zentralörtliches Gefüge. Ansätze und Befunde zur Geschichte der Städte im hohen und späten Mittelalter*, ed. by Monika Escher, Alfred Haverkamp and Frank G. Hirschmann, Trierer Historische Forschungen, 43 (Mainz: von Zabern, 2000), pp. 9–53 (pp. 46–50).

60 Isidor Kracauer, *Die politische Geschichte der Frankfurter Juden bis zum Jahre 1349* (Frankfurt a.M.: M. Lehrberger & Co., 1911), pp. 4–5; Isidor Kracauer, *Die Geschichte der Juden in Frankfurt a.M. (1150–1824)* (Frankfurt: I. Kauffmann Verlag, 1925), I, pp. 2–3; Haim Tykocinski, 'Frankfurt', in *Germania Judaica* I, pp. 104–08, with text passages of Eben haEzer in footnotes 25 and 26. David Schnur, 'Studien zur Wirtschafts- und Sozialgeschichte der Juden in Frankfurt a. M. und in der Wetterau während des 14. Jahrhunderts' (unpublished doctoral dissertation, University of Trier, 2014), pp. 177–78.

61 Keupp, *Dienst und Verdienst*, p. 169; Kamp, *Moneta Regis*, pp. 396–97; Michael Rothmann, *Die Frankfurter Messen im Mittelalter*, Frankfurter historische Abhandlungen, 40 (Stuttgart: Franz Steiner Verlag, 1998), pp. 200–01.

of the mint in order to reissue new coins with different images (what one called *renovatio monetae*). By forcing the customers in the local markets to exchange the devaluated coins against the new series of bracteates and pennies, the lord of the mint and the money-changers earned substantial fees; the customers, on the other hand, had to make sure to exchange the devaluated coin as soon as possible.<sup>62</sup>

Most of Kuno of Münzenberg's coins show him as a lord standing alone on the coin; our coin was, therefore, recognized as an exception. In a rising money economy with still very few mint houses in the Wetterau and the larger Rhine area, the identity of Kuno's mint master was most probably known also to Christians. Considering this knowledge, the crucial custom of cancellations as well as the circulation of our coin in cities with rather large Jewish populations, it is a fair hypothesis that Christians as well could have recognized as the Jewish mint master David the person who was sitting next to Kuno on the coin. Somebody might have even explained to them the Hebrew signs' meaning.

As an initial conclusion, we can assume that to have a Jewish mint master and his Hebrew name on the coin was not considered to be a disadvantage. On the contrary, the *camerarius* Kuno perceived that the public display of his cooperation with the Jew David enhanced the value of his coin. In competition with other lords and their coins on the different markets, Kuno needed and depended on a positive reputation of his coin as trustworthy and of high quality; and he saw this message established by displaying the Jew David in his service. In preference over many other possible motifs, Kuno chose the image of his coin as clearly associated with Jews. If the association with Jews and their dealings with money would have had a negative effect, Kuno would have hardly risked a tarnished reputation of his coin. For a coin to be accepted on the market the selected image necessarily had to have a positive connotation; or at least, the image was expected by the lord of the mint to convey such a message.

This takes us back to the historiographic position outlined earlier: scholarship assumes that Jews had become the stereotypical moneylender in the eyes of most Christians since the middle of the twelfth century, at least in the French area. Judging from statements by Bernard of Clairvaux, this stereotype had definitely pejorative connotations. However, if we weigh the actual acceptance of the bracteate with clearly positive references to Jewish dealings with money against the negative stereotype of the Jewish moneylender, we can question the extent to which the negative stereotype had been adopted and internalized by Christian populations in the Wetterau and the adjacent communities of Mainz, Worms, and

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62 Wolfgang Heß, 'Münzverrufungen der späten Pfennigzeit in den Brakteatengebieten Mittel- und Südwestdeutschlands', in Ilisch and others, *Dirham und Rappenfennig*, II, pp. 11–22; Kamp, *Moneta Regis*, p. 375; Matzke, 'Barbarossa', p. 95.

Speyer around 1170. What we can glimpse of the actual and symbolic workings of this regional economy suggests indeed something more complicated.

Jews had been explicitly employed in the Empire as mint masters since the second half of the twelfth century. Their connection with Southern Italy and the Romania as well as their expertise in coinage (directly or indirectly attested since the ninth century) supports the assumption that some Jews also had a specialized knowledge in the skill of minting itself, which was in demand by rulers as Kuno of Münzenberg. In this context, it is remarkable that the famous scholar and liturgical poet Eliezer bar Nathan, who died in 1170 in Mainz, adjudicated a case concerning the collaboration between a Jew and a Christian in a minting business. Such cooperation was not surprising to Eliezer; he was only concerned about how the mint was to be used on a Shabbat. Since Eliezer's personal realm of experience was not limited to Mainz, but stretched to Cologne, France, and to Slavic countries, the phenomenon he addressed may have been much more common than a local peculiarity.<sup>63</sup>

In order to evaluate how widespread the positive perception of a coin minted by a Jew, and identifiable as Jewish, might have been, we will now turn to other coins in this category. This is all the more warranted as the bracteates and pennies were innovative coinage that became the 'small money' used by people of all social strata. David haCohen's bracteate was not minted in the highly urbanized areas with their dominant cathedral cities west of the Rhine which was also the home of David, but it was minted in the economically 'underdeveloped' region east of the Rhine. In particular in Ostfranken, Wetterau and Thuringia where there was almost no coin production before 1150, the royal minting houses took the initiative and the lead in the development of the minting business.<sup>64</sup>

Since the end of the eleventh century, burgher families took over leading roles in the urban society west of the Rhine; this translated among other things into a more dominant participation in the coin minting business and in associations of minters.<sup>65</sup> This engagement curtailed the political and economic realms of the

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63 Moses Hoffmann, *Der Geldhandel der deutschen Juden während des Mittelalters bis zum Jahre 1350: Ein Beitrag zur deutschen Wirtschaftsgeschichte im Mittelalter*. Staats- und sozialwissenschaftliche Forschungen, 152 (Leipzig: Duncker & Humblot, 1910), p. 160; Eva Haverkamp, *Hebräische Berichte über die Judenverfolgungen während des Ersten Kreuzzugs*, Monumenta Germaniae Historica. Hebräische Texte aus dem mittelalterlichen Deutschland, 1 (Hannover: Hahnsche Buchhandlung, 2005), p. 63. With a different assessment for the early Middle Ages see Michael Toch, *The Economic History of European Jews. Late Antiquity and Early Middle Ages*, Études sur le Judaïsme Médiéval, 56 (Leiden, Boston: Brill, 2013), p. 213.

64 Kamp, *Moneta regis*, p. 325.

65 In 1111, Henry V granted the citizens of Speyer rights concerning paying customs and minting. These could only be changed by a corporate decision of the *cives* (*communi consilio civium*). *Urkunden zur Geschichte der Stadt Speyer*, ed. by Alfred Hilgard (Straßburg 1885), online edition: <http://digi.ub.uni-heidelberg.de/diglit/hilgard1885/0029?sid=9ef35fff86c1947cefcfc9fc4b1bc9d> (accessed 21. 4. 2015).

bishops and the Jews, analogously to prior developments in the cities of Northern Italy where, as a result, only a small number of Jews settled before the fourteenth century.<sup>66</sup> In the areas east of the Rhine and north of the Danube, in the recently established settlements during the twelfth and thirteenth centuries, however, the Christian burgers' chances for such a participation were rather slim. To the contrary, several strata within the nobility, ecclesiastical rulers and – in the imperial lands – also the King himself continued to have many more opportunities. It is due to this social and political constellation that we find more Jewish involvement in the minting business in the Eastern areas from around 1160 till around 1230, i.e., during the early stages of urbanization in the East.

In contrast to the coin of the *camerarius* Kuno of Münzenberg, a penny by the lord of the mint Otto of Lobdeburg, who was Bishop of Würzburg from 1207 to 1223,<sup>67</sup> bears at first sight a more pronounced Christian reference. On the obverse, the penny shows an image of Otto and a circular inscription in the coin's outer periphery with his name, and on the reverse a church building with three towers – the Würzburg cathedral – and, below this, displayed in big Hebrew letters, the name Yechiel. (FIG. 2) Here, the Jewish mint master is not juxtaposed to, but literally subordinated to the Church.<sup>68</sup> The coin circulated in Franconia which borders at the Wetterau; several coins of this kind have been found and preserved (about thirteen in the Staatliche Münzsammlung München, the State Numismatic Collection in Munich).<sup>69</sup>

In 1168, Frederick Barbarossa had confirmed to the Bishop of Würzburg the exclusive and highest jurisdiction in the diocese and the duchy of Würzburg. Thus, the bailiwick of Henneberg in the Bishopric of Würzburg came to an end, and the Bishop's policy turned to further strengthen his territorial sovereignty.<sup>70</sup>

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pp. 17–19 no. 14; Alfred Haverkamp, "... an die große Glocke hängen." Über Öffentlichkeit im Mittelalter, in *Alfred Haverkamp – Gemeinden, Gemeinschaften und Kommunikationsformen im hohen und späten Mittelalter*, ed. by Friedhelm Burgard, Lukas Clemens and Michael Matheus (Trier: Kliemedien, 2002), pp. 277–313 (p. 293).

66 Alfred Haverkamp, 'Juden in Italien und Deutschland während des Spätmittelalters. Ansätze zum Vergleich', in *Alfred Haverkamp, Neue Forschungen zur mittelalterlichen Geschichte (2000–2011). Festgabe zum 75. Geburtstag des Verfassers*, ed. by Christoph Cluse and Jörg R. Müller (Hannover: Hahnsche Buchhandlung, 2012), pp. 59–102.

67 Alfred Wendehorst, *Das Bistum Würzburg I: Die Bischofsreihe bis 1254*, Germania Sacra, 1 (Berlin: Walter de Gruyter & Co., 1962), pp. 204–10.

68 Roland Flade, *Die Würzburger Juden: Ihre Geschichte vom Mittelalter bis zur Gegenwart*, 2nd ed (Würzburg: Königshausen und Neumann, 1996), pp. 34–35; Aronius, *Regesten*, pp. 188–89 no. 425; Marvin Tameanko, 'Jechial, the Medieval Mint Master of Würzburg', *The Shekel* 6 (2006) 20–24 (with mistakes); Karlheinz Müller, *Die Würzburger Judengemeinde im Mittelalter. Von den Anfängen um 1100 bis zum Tod Julius Echters (1617)*, Mainfränkische Studien, 70 (Würzburg: Freunde Mainfränkischer Kunst und Geschichte e. V., 2004), pp. 33–34, 62; Wenninger, 'Juden als Münzmeister', p. 128.

69 Shown to me by Dr Martin Hirsch and Alexandra Hylla. For other coins, see Roland Ehwald, *Die Mittelaltermünzen von Würzburg 899–1495* (Nordheim/Rhön: Selbstverlag, 1988), p. 46.

70 Alfred Wendehorst, 'Würzburg', in *Lexikon des Mittelalters*, IX (1989), rows 377–92 (row 379).





Ein Würzburger Silberpfennig aus dem frühen 13. Jahrhundert trägt in hebräischen Buchstaben den Namen Jechiel. Es handelt sich offensichtlich um einen als Münzmeister im bischöflichen Dienst stehenden Juden.

*Fig. 2 Würzburg, Yechiel, picture taken from Roland Flade, Die Würzburger Juden: Ihre Geschichte vom Mittelalter bis zur Gegenwart, 2nd ed (Würzburg: Königshausen und Neumann, 1996) p. 35.*

In fact, the Bishop even competed with the King by using his ecclesiastical powers; the cathedral became the cultic and political center in the cathedral city and in the diocese. This position of strength also implicated the relationship to the Jewish community, for whom the Bishop was the sole reference when it came to protection. The image on the coin reflects this constellation. The cathedral dominated not only politically and ecclesiastically, but also in the physicality of the architectural framework and urban infrastructure, as it had been conceptualized and executed already in the eleventh century. The cathedral's immense size (105 meters long and 58 meters wide) as well as the ceremonial wide street leading from the river Main up to the cathedral's monumental western façade compares well with the imperial overtones of Speyer's cathedral and that city's main street. In addition to the religious character of this axis, it was the locus for the markets and annual trade.<sup>71</sup> Since the Bishop's mint was also situated here, the coin's image alludes to this close connection between Cathedral, the reign of the bishop, the mint and the Jewish mint master.

Who was the Jewish mint master Yechiel? Rami Reiner, Karlheinz Müller and Simon Schwarzfuchs have identified a tombstone of the Würzburg cemetery

<sup>71</sup> Frank G. Hirschmann, *Die Anfänge des Städtewesens in Mitteleuropa. Die Bischofssitze des Reiches bis ins 12. Jahrhundert*, Monographien zur Geschichte des Mittelalters, 59 (Stuttgart: Anton Hiersemann, 2012), pp. 663–64; Hirschmann, 'Wirtzburgensibus... naturale est destruere et edificare. Bauprojekte und Stadtplanung im hohen Mittelalter', *Das Mittelalter* 7 (2002), 39–70.



as belonging to one Yechiel bar Shmuel.<sup>72</sup> Avraham ben Azriel's *Arugat haBosem* (thirteenth century) mentions Yechiel and his father Shmuel as scholars; we also know that Ephraim of Bonn relied on these two men's expertise. In 1180, according to a Latin document, Shmuel had purchased land in Würzburg.<sup>73</sup> The date on the fragmentary tombstone is either Nisan 4970, i.e., April 1210, or Nisan 4910 (1150). Thanks to the note in *Arugat haBosem* and the deed, the date must be 1210. We can now connect the note, the deed, and the tombstone with the coin! Thanks to the coin bearing Otto's image on the obverse, we can now determine the time frame for Yechiel's leasing of Otto's mint: it took place between 1207 – the first year of Otto's rule – and 1210 – the year of Yechiel's death.

Another detail of the tombstone inscription tells us more about Yechiel, and further supports this identification. Among the about 1500 fragments surviving from the Würzburg cemetery, among all the people mentioned there, Yechiel is the only one who is lauded and praised as איש נכבד ('honourable man'). איש נכבד might not as much allude to his erudition, as indicate Yechiel's reputation and important public role at the Bishop's court.

Yechiel's relationship to Otto of Lobdeburg takes us to the question of Otto's interest in Yechiel. Why did Otto allow Yechiel to put his name onto Otto's coin? In addition to the economic value as quality stamp, similar to the function of the presentation of David on Kuno's coin, Otto of Lobdeburg could use the coin also for his political aims: In the controversy and fight over the throne between the Staufer Philip and the Welf Otto IV, Otto of Lobdeburg sided with the latter against the former. This very public coin might indicate that Otto's controversy with the Staufers extended also to the Jews. On his coin, Otto demonstrated his own close connection to the Jews in competition with the highly political reference by the Staufer Emperors to the Jews and the imperial dynasty's claim that the Jews 'belong[ed] to the camera' (*ad cameram attineant*). To employ Jewish mint masters was not limited to the Staufers and their circles.<sup>74</sup>

On the diocese's different markets and beyond, the Bishop's coins competed with the coins of the imperial minting center of Nuremberg. Prior to Frederick Barbarossa's minting reform of c. 1170/1180, the Nuremberg coin had imitated the Würzburg coin; however afterwards it oriented itself to the Regensburg coin, this until it gained a standing of its own. The Würzburg coin remained a strong and stable currency, and it seems that the zone dominated by the Nuremberg

72 Karlheinz Müller, Simon Schwarzfuchs and Abraham (Rami) Reiner, *Die Grabsteine vom jüdischen Friedhof in Würzburg aus der Zeit vor dem Schwarzen Tod (1147–1346)*, II, 1: Die Inschriften, Veröffentlichungen der Gesellschaft für fränkische Geschichte, IX: Darstellungen aus der fränkischen Geschichte, 58 (Neustadt an der Aisch: Schmidt, 2011), pp. 679–80 (stone no. 424).

73 Efraim E. Urbach, *Sefer Arugat haBosem, Auctore R. Abraham b. R. Azriel* (Jerusalem: Mekize Nirdamim, 1963), IV, p. 42.

74 Wendehorst, *Das Bistum Würzburg*, pp. 204–06.



Fig. 3 Hauck & Aufhäuser, München, Auktion 21 (17. 3. 2009), Nr. 1824. Foto: Lübke & Wiedemann, Stuttgart

coin first expanded itself mainly at the expense of the Regensburg coin.<sup>75</sup> The Würzburg coins and Yechiel's coin were accepted by Christians and Jews alike, and might have attracted Jewish traders from Nuremberg – who probably settled there around 1146<sup>76</sup> – and Jewish distance traders from other places. The Würzburg Jewish community's living quarters were very close to the cathedral and the market; it was founded sometime before 1147 and after the persecutions of 1096 which had devastated the communities of Cologne, Mainz, Worms, Speyer, Trier and Metz with deadly effects.<sup>77</sup> In the twelfth century, these communities – with the exception of Metz – re-emerged, alongside with Prague and Regensburg (which go back at least to the tenth century).

Our third coin is a penny from the first quarter of the thirteenth century, minted in Regensburg. On one side, it depicts a lord with his sword and the orb and, on the reverse, a person with a typical conical Jewish hat surrounded by two rosettes and small crosses in the margins.<sup>78</sup> (FIG. 3)

Even though this particular mint master's name does not appear on his coin, we know of another mint master, active earlier, one Schlom, who probably came from Regensburg, and who is attested in a number of sources. He became the

75 Kamp, *Moneta Regis*, pp. 109, 125, 233, 283.

76 Haim Tykocinski, 'Nürnberg', in *Germania Judaica*, I, pp. 249–52.

77 Lipmann Löwenstein and Heribert Fischer, 'Würzburg', in *Germania Judaica*, I, pp. 475–96 (p. 475).

78 Hubert Emmerig, *Der Regensburger Pfennig. Die Münzprägung in Regensburg vom 12. Jahrhundert bis 1409*, Berliner Numismatische Forschungen Neue Folge, 3 (Berlin: Gebr. Mann Verlag, 1993), pp. 80, 184 (no. 214); dated on p. 80: between 1210 and 1225. See also *Auktionskatalog Hauck & Aufhäuser, Auktion 21, 17.–18.3.2009, Münzen und Medaillen*, Nr. 1824.

*monetarius* of Duke Leopold V of Austria in the newly founded mint of Vienna. Two years after the Duke's death, in 1196, Schlom was murdered by crusaders.<sup>79</sup>

As Schlom with his expertise already indicates, Regensburg was the earliest and main coin production center in Bavaria.<sup>80</sup> The coin's success was due to the city's unique, dominant and strong role as a trade center. Regensburg ranked first – owing to long distance trading – among Southern Germany's trade centers also around 1200. In competition with the imperial Nuremberg coin, the Regensburg coin gained back its leading role in the thirteenth century.<sup>81</sup> Already Duke Welf V of Bavaria (reigned 1101–20) was able to obtain from the King the regalian right to mint coins. However, due to the complicated political situation in Regensburg, from the middle of the twelfth century on, the Dukes soon had to share the right to mint coins with the Bishops of Regensburg. This situation lasted until 1409. This shared right was publicly expressed by an obverse image that was either ducal or episcopal and by one reverse motif that was shared by both the Duke's and the Bishop's coins.<sup>82</sup>

In the case of the specific coin under discussion, it was the Jewish hat that constituted the shared reverse motif and indicated the Bishop and the Duke's shared right over the mint. It was probably also the emblem of the mint master, who most likely was a Jew. He may have been chosen as mint master at the time of the conflict between Bishop Konrad IV. (ruled 1204–1226) and Duke Louis I (1173–1231), which culminated in 1213 with the recognition of the Bishop's more powerful position by the Duke.<sup>83</sup> Emperor Frederick II strengthened the position of Bishop Siegfried of Regensburg (ruled 1227–46) by awarding him the imperial revenues collected from the Regensburg Jews and juridical rights over them; this was confirmed in 1233.<sup>84</sup> Thus the symbol of the Jewish hat could have, further, served to demonstrate the episcopal lordship over the Jewish community.

The mint masters of the minting house shared by the Duke and the Bishop worked in teams of two or even three. For 1207 we know of the Christian mint master 'Rudgerus monetarius'. Rudger appears again in 1243 in a business relationship with the Jew Aaron in which both were providing money for the purchase of

79 Eveline Brugger and Birgit Wiedl, *Regesten zur Geschichte der Juden in Österreich im Mittelalter, I: Von den Anfängen bis 1338* (Innsbruck, Wien, Bozen: StudienVerlag, 2005), pp. 16–19 no. 3–5; Wenninger, 'Juden als Münzmeister', p. 128.

80 Emmerig, *Der Regensburger Pfennig*, pp. 15–28.

81 Kamp, *Moneta Regis*, pp. 109–10, 132–33, 283, 324, 361.

82 Emmerig, *Der Regensburger Pfennig*, pp. 17–18.

83 Hubert Emmerig, *Die Regensburger Münzerhausgenossenschaft im 13. und 14. Jahrhundert*, Verhandlungen des Historischen Vereins für Oberpfalz und Regensburg, 130 (Regensburg: Historischer Verein für Oberpfalz und Regensburg, 1990), pp. 11–14, 25–33, in particular 26. Regarding the conflict between bishop, duke, and king over the city see Peter Schmid, *Regensburg. Stadt der Könige und Herzöge im Mittelalter*, Regensburger Historische Forschungen, 6 (Kallmünz: Lassleben Michael, 1977), pp. 187–93.

84 Aron Freimann, 'Regensburg', in *Germania Judaica*, I, pp. 285–305.

a house (of Rappoto) by the Dominicans in Regensburg.<sup>85</sup> Maybe this Aaron had served as the second mint master in the first quarter of the thirteenth century. As to the economic and legal situation of the Regensburg Jews, Frederick II guaranteed in 1216 not only their protection but also their right to sell and to purchase 'gold, silver, and any kind of metal and merchandise', thus strengthening the status received in 1182 from Emperor Frederick I.<sup>86</sup> This charter further reflects the importance of the Regensburg Jews for the city's trading center. The Jewish hat on the coin was understood by Jews and Christians alike as a quality assurance; it also indicated their trust in Jewish trade. Jews who came to Regensburg on long distance trade easily recognized the symbol.

As Sarah Lipton has pointed out for depictions in Christian art, by the middle of the twelfth century, pointed hats 'had become familiar and consistent enough to serve as identifying marks of Jewishness'.<sup>87</sup> It is quite unlikely that Jews typically actually wore this particular kind of hat; although, in the second half of the 13th century the regional church councils of Vienna and Wrocław (1267) as well as the Schwabenspiegel tried to enforce the wearing of this hat.<sup>88</sup> Hats served as artistic signs whose positive or negative meaning 'depended on the context of their use and the character of their possessor'.<sup>89</sup> On our coin, the hat signified a Jew who probably stood for the mint master. Since it was in the interest of the lords of the mint – the Duke and the Bishop – that the image of the coin stood for the high quality of the coin and communicated its trustworthiness, this hat in context had a positive connotation. This depiction in center stage of the coin can be compared to a medallion in Chartres Cathedral's stained glass windows: The Legend of Saint Nicholas features a Jewish moneylender marked as Jewish by his hat. There the moneylender's 'appearance speaks not of volatility and danger but of stability and authority, even generosity'.<sup>90</sup> Whether the figure on the coin was also interpreted as representing Regensburg's Jewish community, cannot, however, be determined. Yet it could be that the representation of a Jew reflects

85 Emmerig, *Die Regensburger Münzerhausgenossenschaft*, pp. 32–33; Heinrich Wanderwitz, 'Regensburg, ein früh- und hochmittelalterliches Handelszentrum', in *Das mittelalterliche Regensburg im Zentrum Europas*, ed. by Edith Feistner (Regensburg: Schnell & Steiner, 2006), pp. 43–54.

86 *Regensburger Urkundenbuch, I: Urkunden der Stadt bis zum Jahre 1350*, ed. by Fritz Bastian, Monumenta Boica, 53 (München: Dr Wildsche Buchdruckerei Gebr. Parcus, 1912), pp. 19–20 no. 50; Karl Bosl, *Die Sozialstruktur der mittelalterlichen Residenz- und Fernhandelsstadt Regensburg. Die Entwicklung ihres Bürgertums vom 9. bis 14. Jahrhundert* (München: Bayerische Akademie der Wissenschaften, Beck Verlag, 1966), p. 53; Toch, *The Economic History*, p. 212.

87 Lipton, *Dark Mirror*, p. 57.

88 Lipton, *Dark Mirror*, p. 89; Christine Magin, 'Wie es umb der iuden recht stet'. *Der Status der Juden in spätmittelalterlichen deutschen Rechtsbüchern*, Göttinger Philosophische Dissertation, D7 (Göttingen: Wallstein Verlag, 1999), pp. 156–160.

89 Lipton, *Dark Mirror*, pp. 158–59.

90 Lipton, *Dark Mirror*, pp. 153–55.

the community's good standing in the city, and refracts the rather unproblematic relationship between Jews and Christians around the time of the minting of the coin. In the eyes of the Regensburg Jews the depiction of a correlative on a coin may have even be a cause of pride and a sign of positive identification with the city.

While the three coins already analyzed were minted in the context of larger and very old Jewish communities – Mainz, Worms, Speyer, Würzburg, and Regensburg – the following coins were produced further to the East in large regional areas where Jews only gradually settled: in the dominion of the Abbey of Pegau (immediate to the empire since 1135), and the region of the Upper Lausitz with Bautzen (from 1158–1253 under the Kings of Bohemia), and in the Margraviate of Meissen. In the Margraviate of Meissen, there are hints of a Jewish community, i.e., here, of a synagogue, only for the city of Meissen, to c. 1200: unusual synagogue decorations with birds and trees had aroused Jewish scholar Isaac Or Sarua's objections. Informations about the Jewish community of Leipzig date to the second quarter of the thirteenth century. Mainly in the second half of the thirteenth century, very small communities were established in Gotha, Eisenach, Coburg, and Naumburg. In Bautzen, Jewish presence is documented only from the end of thirteenth century, while for Pegau Jews are mentioned at the earliest at the end of the fourteenth century. North of the lordship of Pegau, Jewish merchants had settled – according to Thietmar of Merseburg – in Merseburg and Magdeburg in the tenth century; a continuous presence of Jews until they first appear again in the documentation – for Merseburg in 1234 and Magdeburg in 1200 – is doubtful. Jews may have settled in Halle in the eleventh century, and are documented from the second half of the twelfth century on. Further West, for Erfurt, Jews are first mentioned in 1212.<sup>91</sup>

All of the Eastern coins presented here carry only Hebrew letters in their margins, and are unaccompanied by presentations of Jews. Since in most cases the meaning of the Hebrew letters is till today not yet deciphered, they have been interpreted as purely decorative elements designed by Christian mint masters. They are labelled *Trugumschrift* ('deception circumscription') in general, or when focusing on the Hebrew, *Zierrathebräisch* ('decoration Hebrew').<sup>92</sup> In my view,

91 Maie Lämmerhirt, *Juden in den wettinischen Herrschaftsgebieten. Recht, Verwaltung und Wirtschaft im Spätmittelalter*, Veröffentlichungen der Historischen Kommission für Thüringen, Kleine Reihe, 21 (Köln, Weimar, Wien: Böhlau Verlag, 2007), pp. 8–24; Siegbert Neufeld, 'Bautzen', in *Germania Judaica*, II: Von 1238 bis zur Mitte des 14. Jahrhunderts, ed. by Zvi Avneri (Tübingen: J. C. B. Mohr (Paul Siebeck), 1968), 1, p. 57; anonymous author, 'Pegau', in *Germania Judaica*, III, 2, 1350–1519, ed. by Arye Maimon, Mordechai Breuer and Yacov Guggenheim, Ortschaftsartikel Mährisch-Budwitz – Zwolle (Tübingen: J. C. B. Mohr (Paul Siebeck), 1995), pp. 1091–92; Haim Tykocinski, 'Magdeburg', in *Germania Judaica*, I, pp. 163–70; Hirschmann, *Die Anfänge des Städtewesens*, pp. 875 (for Meissen), 885 (for Merseburg); Haverkamp, 'Beziehungen', pp. 64–66; Toch, *The Economic History*, p. 72.

92 See for instance Hans Friebe, 'Eine markgräfisch-meißnische Münze mit hebräischer Umschrift aus der Zeit des Markgrafen Otto', in *das silber gebort yn die muncze czu Friberg: Die Münzstätte Freiberg von*

however, the political and economic constellations in the production of each coin as well as the ordered structure of the Hebrew texts still point to Jewish mint masters even if they were not members of a local Jewish community and even if there were only few Jews in the larger regional areas which might have been especially addressed by this script. In future studies probably all scripts will be deciphered.

A very distinct coin with a crutch cross (cross potent, *Krückenkreuz*) associated with the Abbey of Pegau is framed by Hebrew letters,<sup>93</sup> a combination which might imply and intend a theological or in general religious statement regarding the relationship between Christians and Jews. (FIG. 4) However, this combination was mainly caused by a political confrontation between the Abbot of Pegau Siegfried of Rekkín (1185–1223) and Dietrich, Margrave of Sommerschenburg, Rochlitz and Groitzsch (1190–1207). Against the will of the Abbot, Dietrich had been appointed *Vogt* (advocate) of the Pegau Abbey by King Philip of Swabia (1198–1208) in 1198; the Abbot had resisted this appointment, insisting on an earlier agreement with Emperor Frederick I and Emperor Henry VI which gave the advocate's rights to the King with the stipulation not to give out these rights as fief. In the course of this conflict Dietrich successfully conquered the city of Pegau and drove off Abbot Siegfried who had to take refuge with Duke Bernard of Saxony.<sup>94</sup> The conflict persisted after Siegfried's return to Pegau a year later, and was taken up on the economic and monetary level as well.<sup>95</sup> When Emperor Frederick I had granted in 1172 the minting right to the Abbots of Pegau, it had been established practice for some decades.<sup>96</sup> Under Abbot Windolf of Pegau (1105–1150), the small merchant settlement near the monastery had developed

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*den Anfängen bis zu ihrer Aufhebung 1556 durch Kurfürst August von Sachsen*, II, ed. by Hans Friebe and Christel Grau (Freiburg in Sachsen: druckspecht offsetdruck, 2010), pp. 81–88 (p. 81).

93 Walter Schwinkowski, *Zur Münzgeschichte der ehemaligen Wettinischen Lande um 1180–1230. Der Brakteatenfund von Etzoldshain bei Grimme 1933* (Halle: Verlag Abteilung der Münzhandlung A. Riechmann & Co, 1936), pp. 9, 13 no. 29; Jan-Erik Becker, 'Die Pegauer Brakteatenprägung Abt Siegfrieds von Rekkín (1185–1223). Kriterien zu deren chronologischer Einordnung', in *Proceedings of the XIVth International Numismatic Congress Glasgow 2009*, ed. by Nicholas Holmes (Glasgow: The International Numismatic Council, 2011), II, pp. 1372–81.

94 Schwinkowski, *Wettinische Lande*, p. 7. Another coin which imitated those minted under the aegis of Duke Bernhard I of Saxony (ruled 1180 to 1212) has signs in the margins which have been discussed as resembling Hebrew letters. The coin is identified as imitation due to the reverse direction – in comparison to the ones ordered by Bernard – of the lion in the center. The imitator counted on the high quality of Bernard's original, and gained revenues even with the imitation. Albert Erbstein, *Der Münzfund von Trebitz bei Wittenberg. Ein Beitrag zur Geschichte des deutschen Münzwesens im 12. und 13. Jahrhundert* (Nuremberg: Stein, 1865), p. 17 no. 4. Aronius, *Regesten*, p. 173 no. 389; Wenninger, *Juden als Münzmeister*, p. 128 footnote 34.

95 Already around 1193, Siegfried had gotten into such 'hot water' with Bishop Eberhard of Merseburg that Emperor Henry VI had ordered the capture and assassination of the Abbot; for this task Kuno of Münzenberg came forward. The Abbot was saved through the intervention of his relative Dietrich of Mühlhausen. Keupp, *Dienst und Verdienst*, pp. 164, 256, 467–68.

96 Becker, 'Pegauer Brakteatenprägung', p. 1373.



into a city with market and toll under the Abbot's authority, and Siegfried had expanded the city again around 1190.<sup>97</sup> An important backbone for this market and monastic revenues was a highly regarded coin, which was easily recognizable by the distinctly large crutch cross (*Krückenkreuz*) in the center with alternating symbols in the angles and a circumscription. Around 1205/1210, the latter was displaced from the inner circle into the outer margins of the coin.<sup>98</sup> It became part of the political struggle between the Abbot and the Margrave when Dietrich issued his own coin as soon as he conquered Pegau. In imitation of the abbey's coin, he took over the symbol of the crutch cross and the attributes of the current coin of the abbey and had his own name (Dietrich) inscribed in the circumscription (in a circle at the periphery of the coin)<sup>99</sup> – demonstrating the conquest of the city and the taking over of the market with an allegedly as valuable and trustworthy coin as the Abbot's. At least one kind of these 'counter coins' issued by Dietrich until 1207 carries a Hebrew circumscription. It has not yet been deciphered but may hint at a name, either Dietrich's or the mint master's. On the basis of otherwise identical symbols (head, cross, star, cross) in the angles of the cross, Schwinkowski identified the 'Hebrew coin' – no. 29 in his catalogue – as one of Dietrich's 'counter coins' (another 'counter coin' is no. 28). This particular coin was apparently highly regarded; at least it is represented in a very high number (80) in a coin hoard (found in 1933 in Etzoldshain near Grimma) dating from around 1180 to 1230; the coins in this hoard had been issued mainly by the Margraves of Meissen, their neighbors to the West and the royal minting center of Altenburg.<sup>100</sup> The hoard may point to a merchant or a group of merchants who were doing business on the markets of these regions, and ended up with a relatively high amount of Dietrich's 'Hebrew coin'. This coin had also been competing with coins of the royal minting center of Altenburg – founded in 1165 by Emperor Frederick I – that had gained a dominant role in eastern Thuringia around 1190/1200 and had gotten imitated by other minting centers, among them also the one in Pegau.<sup>101</sup> The array of coins represented in the hoard also sheds some doubt on the effectiveness of the frequent orders of coin cancellations by the lords of the mints. It

97 Karlheinz Blaschke, 'Pegau', in *Lexikon des Mittelalters*, VI (1993), row 1856.

98 Becker, 'Pegauer Brakteatenprägung', especially p. 1375. Schwinkowski, *Wettinische Lande*.

99 Becker, 'Pegauer Brakteatenprägung', p. 1376.

100 Schwinkowski, *Wettinische Lande*, pp. 3, 9, 13. Another coin with a crutch cross in the center and with a head, two connected stars, a double-circle and a double imperial orb in the angles of the cross might also carry Hebrew letters in the outer margin. Schwinkowski, *ibidem*, p. 13 no. 34 (according to the coin hoard of Grünroda no. 56, notice also in the same Grünroda hoard no. 59 and 63, c.f. Schwinkowski, *ibidem*, p. 9), groups this coin together with those which belong to the Pegau type but are mostly associated with Dietrich of Groitzsch and other advocates.

101 Kamp, *Moneta Regis*, pp. 309–10, 314.





*Fig. 4 Pseudo-Pegau, Groitzsch. Picture taken from Walter Schwinkowski, Zur Münzgeschichte der ehemaligen Wettinischen Lande um 1180–1230. Der Brakteatenfund von Etzoldshain bei Grimme 1933 (Halle: Verlag Abteilung der Münzhandlung A. Riechmann & Co, 1936), no. 29*

further is symptomatic of Dietrich coin's good reputation, since it does not seem to have been affected much by its cancellation.

It is rather probable that the mint master was Jewish. The presence of – very few – Jews in Pegau is documented only from 1388 on,<sup>102</sup> and there are no references to Jews in Groitzsch. Thus, he could have come from the Jewish communities in Merseburg, Halle or Magdeburg, or have been recruited through Dietrich's contacts at the royal court. But while this remains speculations, the function of the coin seems to become clear once one contextualizes its issuing: in addition to its political statement, the coin was intended to attract merchants to the markets under the aegis of Dietrich, reassured by the Hebrew script of the coin's high quality – these merchants could have been Christians or Jews. In particular, Jewish merchants – from Merseburg, Halle or Magdeburg or from further away – may have been the new target of these coins, minted to draw them to Dietrich's markets. In addition, Pegau had attracted recently attention, in the wake of the *Translatio Sancti Ottonis* initiated by Abbot Siegfried of Reekin in 1189. It had become an important pilgrimage site, devoted to the veneration of Bishop Otto of Bamberg, which drew many pilgrims from all regions of Central Germany. The Abbot even issued coins with the name of the saint, Otto, next to his own

<sup>102</sup> Anonymous author, 'Pegau', in *Germania Judaica* III/2.

and Saint Jacob's.<sup>103</sup> Pegau thus became a center of supra-regional importance; this may have fired Abbot's and later Dietrich's hopes to attract also merchants involved in long distance trade – Jews and Christians – to their region. Another hypothesis would be an attempt to expand the regional acceptance of the coin by making it accessible and attractive to Jewish merchants in Halle or Merseburg.

This minting policy becomes even more plausible if we follow the chronology of coins minted under the aegis of the Abbot of Pegau as established by Jan-Eric Becker.<sup>104</sup> The characteristics Becker differentiated lead to the assumption that the coin (no. 28), which Schwinkowski used by comparison of attributes to identify and date the 'Hebrew coin' (no. 29), and which bears the name Dietrich, was actually issued by his cousin Dietrich the Oppressed, Margrave of Meissen, between 1210 and 1219. This suggests that Dietrich the Oppressed may have hired the Jewish mint master in his struggle with this same Abbot Siegfried. Although he had initially supported Siegfried's return to Pegau from exile, the relationship had turned very bad when in 1210 Dietrich the Oppressed demanded the advocate's position over the Abbey of Pegau. Following the Abbot's refusal, Dietrich sought to harm the Abbot economically by granting nearby Groitzsch the rights to mint, establish a market, and demand tolls. He even prohibited the inhabitants of Groitzsch to undertake any business with the city and Abbey of Pegau. This conflict – in which the Abbot came to demand compensation for the economic losses incurred – lasted until 1219. During this time in Groitzsch, Dietrich the Oppressed also issued 'counter coins' in imitation of the Abbot's coins.<sup>105</sup> He might have had an even more vital interest than his cousin in employing a Jewish mint master and in issuing a coin that stood for quality and trust in the eyes of Christian and Jewish merchants.<sup>106</sup>

The minting of the bracteates or pennies actually had had its beginning in Bautzen and in the Margraviate of Meissen; there they had been minted already from between 1115 and 1125 on; from there they 'migrated' to the Western part of

103 Becker, 'Pegauer Brakteatenprägung', p. 1375.

104 Becker, 'Pegauer Brakteatenprägung', pp. 1374–76.

105 Becker, 'Pegauer Brakteatenprägung', pp. 1375–76; Schwinkowski, *Wettinische Lande*, p. 8.

106 Schwinkowski, *Wettinische Lande*, p. 23 no. 103, refers to a coin with a sitting man with a sword and the typical Meissen shield (Pfahlschild) with four Hebrew letters in the outer margins. See also Walter Schwinkowski, *Münz- und Geldgeschichte der Mark Meißen und Münzen der weltlichen Herren nach meißnischer Art (Brakteaten) vor der Groschenprägung* (Frankfurt: Adolf Heß Nachfolger, 1931), p. 22 no. 401. This coin is identified with Margrave Konrad of Lausitz (1190–1210), who in 1207 became heir of his brother Dietrich of Groitzsch (1190–1207), including in Dietrich's position as *Vögt* (advocate) of Pegau. According to Schwinkowski, the coin could have also been minted under the aegis of Dietrich of Groitzsch or his cousin Dietrich the Oppressed. Depending on further studies, it therefore could turn out that Konrad too employed a Jewish mint master, or that Dietrich of Groitzsch or Dietrich the Oppressed ordered the Hebrew signs not only for their coins imitating the Pegau coin. See also Schwinkowski, *Wettinische Lande*, pp. 21–25.

Central Germany.<sup>107</sup> A coin with signs resembling Hebrew letters was produced in Bautzen under King Vladislav II of Bohemia. It shows him and his queen, Judith (died after 1174), under an arch with three towers surrounded by these letters.<sup>108</sup> (FIG. 5) In 1158, Duke Vladislav of Bohemia had been crowned king by Emperor Frederick I as reward for his military support against Milan. He also had received the fortress and land of Bautzen, which had previously belonged to the Margraviate of Meissen. From this point on, until 1253, the Bohemian Kings governed it.<sup>109</sup> Vladislav II, however, resigned in 1172 due to growing tensions with another line of the Přemyslid family and a conflict with the emperor over Archbishop Adalbert of Salzburg; he died two years later in Thuringia.<sup>110</sup> The coin minted in Bautzen was probably an attempt on Vladislav's part to economically develop the region; his minting policy complied with the emperor's own imperial land policy (*Reichslandpolitik*) to urbanize and advance trade along the trading routes going out from Leipzig.<sup>111</sup> As potential traders in the region, he might have had also in mind the Jews of Prague; they could have been addressed by the Hebrew letters in the outer margins. Furthermore, as the new ruler of Bautzen, Vladislav may have favored a Jewish mint master – the man as an outsider would have been an especially loyal servant.

Equally well established and important as the minting center of Lausitz was the Margraviate of Meissen. When in 1168 lead containing silver was found there, Margrave Otto of Meissen (1156–90) became quasi 'overnight' one of the richest nobles of his time. Soon Otto the Rich founded the minting center of Freiberg – *moneta Vriberc*.<sup>112</sup> Miners, merchants and artisans established a settlement in 1170; already one year later, the Freiberg fortress had begun to be built; it was finished by 1175. Within twelve years after the silver's discovery, the settlement grew into the

107 Kamp, *Moneta Regis*, p. 544; Thomas Arnold, 'Die Brakteatenzeit in Freiberg', in *das silber gehört yn die muncze czu Friberg: Die Münzstätte Freiberg von den Anfängen bis zu ihrer Aufhebung 1556 durch Kurfürst August von Sachsen*, ed. by Hans Friebe and Christel Grau (Freiberg in Sachsen: druckspecht offsetdruck, 2007), I, pp. 193–217 (p. 193): Pegau may have been one of the first minting centers of the bracteates predating Bautzen and Meissen. The coins of Meissen first came from the minting center of Bautzen.

108 Julius Menadier, *Deutsche Münzen, Gesammelte Aufsätze zur Geschichte des deutschen Münzwesens* (Berlin: Verlag von Adolf Weyl, 1891), I, pp. 122–23; Walther Haupt, 'Oberlausitzer Brakteatenfunde des 12. Jahrhunderts', in *Arbeits- und Forschungsberichte zur Sächsischen Bodendenkmalpflege vom 9. Mai 1945 bis 30. April 1950. Im Auftrage des Landesmuseums für Vorgeschichte in Dresden*, ed. by Werner Coblentz (Dresden: Dresdner Verlag, 1950), pp. 93–101 (p. 99), table 28 no. 24.

109 Knut Görlich, *Friedrich Barbarossa. Eine Biographie* (München: C. H. Beck, 2011), pp. 134–35; Herbert Ludat, 'Bautzen', in *Lexikon des Mittelalters*, I (1980), rows 1682–93.

110 Josef Žemlička, 'Vladislav II.', in *Lexikon des Mittelalters*, VIII (1997), rows 1804–05.

111 Regarding the imperial policy see Haverkamp, *12. Jahrhundert*, p. 41.

112 Hans Friebe, 'Die hochmittelalterliche Münzstätte Freiberg bis 1505', in Friebe, Grau, *das silber gehört yn die muncze*, I, pp. 31–54 (pp. 34, 40). For the different motifs on the coins minted under Otto the Rich see Arnold, 'Brakteatenzeit', p. 197.



Fig. 5 King Vladislav II of Bohemia, Bautzen. Fritz Rudolf Künker GmbH & Co. KG, Osnabrück, owner of the picture Lübke & Wiedemann, Stuttgart.

largest and economically strongest city in the Margraviate of Meissen.<sup>113</sup> Between 1175 and 1185 – according to Friebe more precisely even between 1180 and 1183 – a particular kind of bracteate was minted under Otto's aegis or in the name of his brother Duke Dedo V of Groitzsch (1156–1190).<sup>114</sup> (FIG. 6) These coins show the fortress of Freiberg and have Hebrew circumscription which might be read as דדו (אר) יוסף נ(רו) (Dedo, warrior, duke – by Yosef, his light shall shine) or as דדו כבוד(ו) פחה ע(ל) י(די) יוסף נ(רו) י(אר) (Dedo, honourable duke – by Yosef, his light shall shine).<sup>115</sup> As possibly in Pegau or Groitzsch, Otto the Rich

113 Hans Friebe, 'Markgraf Otto von Meißen und die Münzstätte Freiberg', in Friebe, Grau, *das silber gebort yn die muncze*, II, pp. 17–50 (p. 17); Haverkamp, *12. Jahrhundert*, p. 48; Friebe, 'Die hochmittelalterliche Münzstätte', pp. 34–35; Uwe Richter and Wolfgang Schwabenicky, 'Freiberg bis 1556 – Stadtentwicklung und Bergbau', in Friebe, Grau, *das silber gebort yn die muncze*, I, pp. 13–26.

114 Hans Friebe in cooperation with Timotheus Arndt, 'Josef, der früheste belegte Christiansdorfer Münzmeister', *Freiberger Münzblätter*, 23 (2013), 1–32; today about 25 coins of this kind are known and collected, see also *ibidem*, pp. 10–13. Friebe, 'Eine markgräfisch-meißnische Münze', pp. 81, 84, 86; Schwinkowski, *Münz- und Geldgeschichte*, p. 17 under no. 326a and 326b; Friebe, 'Eine markgräfisch-meißnische Münze', p. 85 also refers to no. 327 in Schwinkowski as having a Hebrew circumscription. Thomas Arnold and Horst Konietzko, 'Zum Einsetzen der Brakteatenprägung in Freiberg und in der Markgrafschaft Meißen zur Zeit Ottos des Reichen', in Friebe, Grau, *das silber gebort yn die muncze*, II, pp. 63–78 (pp. 66–67).

115 Friebe, Arndt, 'Josef', p. 22. As to why Duke Dedo V. is mentioned on the coin instead of Otto, Friebe, *ibidem* p. 22, has argued that in Freiberg coins were also minted for Duke Dedo V of Groitzsch. While the technical features of this series of coins point to the minting center of Freiberg, it could also be – in my opinion – that this coin only imitated the Freiberg coin but was actually minted also under the lordship of Duke Dedo V.



Fig. 6 Otto of Meissen/ Dedo V of Groitzsch, Freiberg. Picture taken from Hans Friebe in cooperation with Timotheus Arndt, 'Josef, der frühestes belegte Christiansdorfer Münzmeister', *Freiberger Münzblätter*, 23 (2013), 1-32 (p. 10 AFB 439)

employed a Jewish mint master named Yosef in order to boost the reputation of the Freiberg coin and market. While probably no Jews lived in Freiberg at the time,<sup>116</sup> Otto may have had in mind the Jews of Meissen and those Jews involved in the distance trading that could enhance the importance of his new center. Dedo V was the father of Dietrich, Margrave of Sommerschenburg, Rochlitz and Groitzsch (1190–1207), who was discussed earlier as having employed a Jewish mint master. This kind of employment seems to have been a 'family affair.'

The Freiberg fortress also served as the minting center,<sup>117</sup> thus the image of the fortress refers to both. This composition of Hebrew and the presence of the minting center are comparable to the Würzburg coin's layout. Freiberg eventually developed into the most important silver mining industry site, whose silver was traded in all German territories as well as in Florence, Venice, the Middle East and

116 In Freiberg, a Jewish community is documented only for the fourteenth century, and the dating of a *Judenordnung* ('Jews regulations') for 1265 is disputable, however, the *Münzordnung* ('coinage regulations') from c. 1300 was addressed to Christians and Jews alike. Lämmerhirt, *Juden in den wettinischen Herrschaftsgebieten*, pp. 24–25; Siegbert Neufeld, 'Freiberg', *Germania Judaica*, II, p. 253; Harald Schieckel, 'Freiberg', in *Germania Judaica*, III, p. 395. *Quellen zur älteren Geschichte des Städtewesens in Mitteldeutschland*, ed. by Institut für deutsche Landes- und Volksgeschichte an der Universität Leipzig, II, (Weimar: Hermann Böhlau Nachf., 1949), p. 113 no. 231, paragraph 13; Alphonse Levy, *Geschichte der Juden in Sachsen* (Berlin: S. Calvary & Co., 1901), p. 17.

117 Friebe, 'Die hochmittelalterliche Münzstätte', p. 38. Cf. Jörg Müller, 'Juden und Burgen im Mittelalter – Eine nur scheinbar marginale Beziehung', in Großmann, *Die Burg*, pp. 110–25.

Northern Africa.<sup>118</sup> And as a minting center, Freiberg stood on equal terms with the established counterparts in Cologne, Braunschweig, Lübeck, Ulm, and a few others.<sup>119</sup> But it also had to struggle against the imperial coin of Altenburg. The latter increasingly prevailed from the 1170s on. When in 1195 Henry VI occupied the Margraviate of Meissen and withdrew the fief, imperial coins probably began to be minted also in Freiberg.<sup>120</sup>

In conclusion: The different motifs on the so-called 'Jewish' coins demonstrated a plurality of different relationships between Christian rulers and lords of the mint on the one side, and the Jewish mint masters on the other. They were first and foremost political and economic statements. 'Our' coins were used in a highly politicized spectrum including *ministeriales*, bishops, dukes, margraves, and the King of Bohemia, always too in their relationship to the Emperor. The minting policies of each ruler were reflections of and means for his establishing of territorial control and his expansion of power. Furthermore, the coins under discussion took part in these developments; they were meant to compete with other 'Christian' coins and expand their ambit and region of acceptance against these rival mintings. In all the circumstances and political struggles that we have described, the lord of the mint regarded the presence of Jews, Jewish symbols and letters on their coins as advantageous. These representations were used and accepted as proof of the coin's high quality. Minting policy also implied market policy. The lord, as lord of the mint, wanted to convey a positive message that would assure the buyers and merchants of a stable and positive value of the currency.<sup>121</sup> In this respect, the 'Jewish' coins targeted Christians and Jews alike. The specific markets involved were already frequented by Jews who dealt in distance or long distance trade,<sup>122</sup> or the lords intended to attract them in order to enhance the market's reputation and importance. The Jewish representations quickly informed the non-local Jews about the currency and its trustworthiness. The role of these coins in general politics as well as minting- and market politics seem to have been unaffected by any pejorative stereotyping process involving the Jews in relation to money. It stands to question if a stereotyping process as documented

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118 Friebe, 'Die hochmittelalterliche Münzstätte', p. 39; Thomas Arnold, 'Die Bedeutung der Münzstätte Freiberg', in Friebe, Grau, *das Silber gehört yn die muncze*, I, pp. 27–30 (p. 27).

119 Arnold, 'Brakteatenzeit', p. 196.

120 Friebe, 'Die hochmittelalterliche Münzstätte', p. 31; Haverkamp, *12. Jahrhundert*, pp. 163, 176; Kamp, *Moneta Regis*, pp. 312, 313, 321.

121 Friebe, 'Eine markgräflisch-meißnische Münze', p. 82, is wrong in assuming a depiction of financial dependency of the mint lord on the Jewish mint master on coins showing a Christian and a Jew. The first argument against it is the goal of the image, which must be positive and convey the ruler's power, in order to achieve the wanted effect among the buyers and sellers on the markets. Another argument would attribute such depictions to the financial need of the mint lord. But, for instance Otto of Meissen was one of the richest nobles of his time; he was thus in no need to find a financier for his minting business.

122 See above footnote 86.



for the Kingdom of France was indeed even happening in the greater regions from the Wetterau to Bautzen. To the contrary, the coins speak of an economic reality in which the Jewish symbols only functioned as positive incentives for business transactions. The public presentation of the relationship between lord as lord of the mint and Jewish mint master was openly intended; the images speak of a relationship of trust and respect between Jews and Christians on the markets and trade fairs.<sup>123</sup>

They also testify to the Jewish mint master as a public person whose agency was publicly documented on every coin minted. The pictorial design on the coins was determined by the lord of the mint, but surely with the approval of the Jewish mint master; possibly it was even the result of a negotiation between them. It cannot be determined whether the Jews depicted on, or alluded to in the coins were the mint master or the punch cutter. Punch cutters too left their 'signature' on coin images. Their social standing was rather high – some were in great demand and moved in their service from lord to lord.<sup>124</sup> The *Codex Crusvicense* (twelfth century) of the monastery of Helmarshausen addresses the topic of the Jewish mint master or punch cutter – maybe even in service of a monastery – in several illuminations; they show him in the company of Christians and as presenting his money.<sup>125</sup> Thus the images on the coins convey to an extent the Jewish mint master's self-perception.

In general, the depiction of David haCohen on the Münzenberg coin, of the Yechiel-inscription on the Würzburg coin, of the more abstract person with a Jewish hat in Regensburg, and the preference of some Jews for Hebrew inscriptions on coins belong in one category: They are images created by a Jew and a Christian indicating the explicit Jewish identity of the person involved to a Christian and Jewish audience. In the relationship between performer, material and audience, they differ from all other kind of medieval depictions of Jews whose context is religious or theological: Depictions in Hebrew manuscripts were made by Christian artists on behalf of a Jew or a Jewish community for a Jewish audience;<sup>126</sup> vice versa, depictions in Christian manuscripts, church windows or as sculptures were made by Christians for a Christian audience. Either in a more

123 Compare with Lipton, *Dark Mirror*, p. 111.

124 Peter Berghaus, 'Darstellungen und Bezeichnungen von Künstlern und Münzen des Mittelalters', in *Ornamenta Ecclesiae. Kunst und Künstler der Romanik. Katalog zur Ausstellung des Schnütgen-Museums*, ed. by Anton Legner (Köln: Schnütgen-Museum, 1985), I, pp. 277–83. Sebastian Steinbach, 'LVTEGER, FVRITIGHER und ERTH • V ELHAR – Stempelschneider(namen) und Münzen der Stauferzeit', in *Nummi docent. Münzen – Schätze – Funde. Festschrift für Peter Ilisch zum 65. Geburtstag*, ed. by Geld Dethlefs, Arent Pol and Stefan Wittenbrink (Osnabrück 2012), pp. 175–82.

125 For the reference and the images see Friebe, 'Eine markgräflisch-meißnische Münze', pp. 82–83.

126 Sarit Shalev-Eyni, *Jews among Christians. Hebrew Book Illumination from Lake Constance* (London, Turnhout: Harvey Miller, 2010).



concrete or in an abstract way, the images on 'our' coins all depict contemporary, not biblical (Old Testament or Gospel) Jews.<sup>127</sup> The political and economic context of each coin is rather clear. Yet despite the 'secular' character of the coin, are there any connections to the religious and theological messages about Jews as one finds them, in particular, in Christian manuscripts?

The answer is affirmative. Theology based and – for contemporaries – relative positive perceptions of Jews could enhance the intended message of the coin. In Christian art, Jews were also portrayed as 'witness to the truth of Christianity', according to the Augustinian definition.<sup>128</sup> In addition, the hats worn by Jews, 'by 1155 artistic signs solidly associated with ancient Israelites, confirm their authority to speak to that past, while also signaling the restriction of that authority to purely material matters.'<sup>129</sup> In the context of the coin, these functions could be translated into Jews as witness to the value of the coin; Jews were given the authority to speak to the materiality of the coin. Theological witness to Christian truth turned into economic witness to the quality and stability of the coin. However, in contrast to the theological messages, the supposed 'stagnancy' of the Jews could be seen positively; the materiality of the coin and its images only implicitly established the subordination of the Jews.<sup>130</sup> In particular, the figure of David haCohen (who is only wearing a cap) turning in a sitting position towards Kuno of Münzenberg could be viewed that way. All together, the Jewish hat and in particular the Hebrew letters – meaning the name of the mint master (David ha Cohen, Yechiel and Yosef) or any other message – were read by Christians as symbols of this complex understanding of authority and witness.

With all these indications for positive economic relationships between Christians and Jews, another case of minted depiction of Jews puts 'our' coins into the right perspective. In a different region, in the Bishopric of Halberstadt, around 1160, a coin included the depiction of the stoning of the martyr (or 'Protomartyr') Saint Stephen by Jews.<sup>131</sup> (FIG. 7) On this bracteate, the Jews were additionally signaled by hats. Explicitly religious and theological in contents, this coin would remind the buyers and sellers on the markets of the heinous act of the forefathers of the current Jews towards their patron. It thus implied

127 Compare with Lipton, *Dark Mirror*, p. 61.

128 Lipton, *Dark Mirror*, p. 57.

129 Lipton, *Dark Mirror*, p. 89, also pp. 46–47, 84, 87.

130 Compare with Lipton, *Dark Mirror*, p. 94.

131 Bernd Kluge, *Brakteaten. Mitteldeutsche Brakteaten aus dem Münzkabinett der Staatlichen Museen zu Berlin, Die Schatzkammer*, 35 (Leipzig: Prisma, 1976), pp. XIII, 34; Kluge, *Münze und Geld im Mittelalter: Eine numismatische Skizze* (Frankfurt: Dr Busso Peus, 2004), pp. 34–35; Kluge, 'Der Halberstädter Brakteatenmeister. Zur Bedeutung Halberstadts in der deutschen Münzprägung des 12. Jahrhunderts', in *Geschichte und Kultur des Bistums Halberstadt 804–1648*, ed. by Adolf and Uta Siebrecht (Halberstadt: Halberstädter Druckhaus, 2006), pp. 353–61; Helmut Reitz, 'Brakteaten des Halberstädter Meisters', *Jahrbuch für Numismatik und Geldgeschichte* 62 (2012), 205–16.



Fig. 7 Halberstadt. Picture taken from Bernd Kluge, *Brakteaten. Mitteldeutsche Brakteaten aus dem Münzkabinett der Staatlichen Museen zu Berlin, Die Schatzkammer*, 35 (Leipzig: Prisma, 1976), p. XIII.

contemporary Jews' ability to perform similar acts. It seems that this coin did not aim at attracting Jewish merchants; instead, it disturbed business relations between Christians and Jews – Jews are documented in Halberstadt only from 1261 on.<sup>132</sup> Here, the religious message was considered to be more important. It complied with Halberstadt's self-perception and self-promotion as holy place and holy city through the assemblage of patrons in imitation of Rome and through the addition of a number of saints with military background.<sup>133</sup>

132 *Urkundenbuch der Stadt Halberstadt*, ed. by Gustav Schmidt, *Geschichtsquellen der Provinz Sachsen* 7 (Halle: Verlag der Buchhandlung des Waisenhauses, 1878), p. 103 no. 117.

133 Regarding Halberstadt see Hirschmann, *Die Anfänge des Städtewesens*, p. 835.



Fig. 8 Picture taken from Heinrich Philipp Cappe, *Die Münzen der deutschen Kaiser und Könige des Mittelalters* (Dresden, 1850) II, table XVIII no. 193

The coins with a political and economic message regarding Jews which this chapter has discussed were minted between 1170 and c. 1225 (granted that for their dating we must rely on numismatic studies). One may wonder whether their appearance within this particular time frame is a matter of coincidence in transmission and survival; for each of these cases, regional and local reasons in the dimensions of politics and economy can be found that also shed light on the individual circumstances that made each minting opportune. But what about coins minted after 1225? Here further research is necessary, which must also include a more systematic survey through coin collections.<sup>134</sup> However, as far as I know, there is only one – although remarkable – coin with a similar concept dating to the end of the thirteenth century. It shows a ruler with a crown separated from a person with a ‘Jewish’ hat by a sword and a crown; however, both are frontally represented and on a par with each other.<sup>135</sup> (FIG. 8)

<sup>134</sup> For a very general survey about Jewish minters from Antiquity to the Modern Era see Daniel M. Friedenber, *Jewish Minters & Medalists* (Philadelphia: The Jewish Publication Society of America, 1976), pp. 1–32.

<sup>135</sup> Erbstein, *Der Münzfund von Trebitz*, pp. 40–41; Heinrich Philipp Cappe, *Die Münzen der deutschen Kaiser und Könige des Mittelalters* (Dresden, 1850) II, table XVIII no. 193, and p. XIII; Hermann Dannenberg, ‘Unedirte Mittelaltermünzen meiner Sammlung’, *Zeitschrift für Numismatik* 20 (1897), 1–27 (p. 21).

One of the factors in changing the positive attitude towards the 'Jewish coin' and the public display of cooperation with Jewish mint masters may have been the Fourth Lateran Council of 1215.<sup>136</sup> Its decisions aimed among others at barring Jews from public offices and from the service of kings and lords. In response to these decisions, the public demonstration of cooperation and of a close relationship between a Christian lord and the Jewish mint master who stood in his service likely became increasingly regarded as untenable and prone to criticism. This shift also meant that such a coin was not to be commissioned, since it likely could no longer be trusted by the general population. The 1220 story by Caesarius of Heisterbach situated in Cologne with which this chapter began may, thus, be a refraction of the first moments in this change in attitudes towards the public presentation of the 'Jewish coin'. The Cistercian's anecdote relies on the stereotype of the avaricious Jew who illegitimately amasses wealth; only now did this stereotype enter the way in which one generally perceived Jewish mint masters. Hence, the absence of 'Jewish coins' might indicate the prevalence and acceptance of a new kind of stereotype.

On the other hand, while Jews continued to be employed during the thirteenth and – although to a lesser extent – fourteenth century in connection with the mint, they appear as lessees of the mint (which leaves their active role in the mint open). This task was often combined with other forms of administrative and financial functions performed by these Jews for a lord.<sup>137</sup> In Germany, Bohemia, Moravia, Austria, Hungary and in Poland, the prohibition to employ Jews in public offices was either not headed, or exceptions and compromises were made. For instance, King Ladislaus IV (1272–90) continued 'to employ Jewish lessees of the royal mint, but forbade them to stamp Hebrew letters on their coinage'.<sup>138</sup> In Poland, six dukes – Casimir II the Just (*d.* 1194), Mieszko III the Old (*d.* 1202), Mieszko the Younger (*d.* 1193), Boleslaw of Kuyavia (*d.* 1195) as well as Przemysl I (*d.* 1257) and Przemysl II (*d.* 1296) – employed Jews as mint masters, who acted very independently as lessees. Altogether 320 different Polish coins have survived, which display a great variety of Hebrew letters and inscriptions as well as Jewish symbols – such as hats – and depictions.<sup>139</sup> Another study of 'our' coins would have to compare them with these coins from within the greater Polish regions. In Germany, another factor for the 'disappearance' of the 'Jewish coins' may have

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<sup>136</sup> Solomon Grayzel, *The Church and the Jews in the XIIIth Century: A Study of their Relations during the Years 1198–1254, Based on the Papal Letters and the Conciliar Decrees of the Period*, rev ed (New York: Hermon, 1966), pp. 41–75.

<sup>137</sup> Wenninger, 'Juden als Münzmeister'.

<sup>138</sup> Daniel M. Friedenber, 'Jewish Mint Masters of Medieval Hungary', *The Shekel* 24 (1991), 20–25 (p. 25).

<sup>139</sup> Marian Gumowski, *Hebräische Münzen im mittelalterlichen Polen* (Graz: Akademische Druck u. Verlagsanstalt, 1975), especially p. 110.



Fig. 9 Drawing taken from Hermann Dannenberg, 'Unedirte Mittelaltermünzen meiner Sammlung', *Zeitschrift für Numismatik* 20 (1897), 1–27, table II, no. 40

been the steady and continuous acceptance of the Heller from the imperial minting center of Schwäbisch Hall, which took over many of the regions that had been formerly dominated by the bracteates in Southern, Western and Middle Germany during the thirteenth and fourteenth centuries.<sup>140</sup>

In any case, in the fourteenth century a coin with a distinctly anti-Jewish, denigrating, polemical and aggressive depiction marks the end of any positive connotation in the combination of coins and Jews. It shows the distorted face of a person with a 'Jewish hat', a 'Jewish nose', and a grotesque open mouth.<sup>141</sup> (FIG. 9) It reminds us of the *Stimulus Amoris* ('Goad of Love'), owed to a monk from the Benedictine Abbey of Schönau named Ekbert. This treatise, dating to c. 1155–1180, describes Jews with 'raging faces and open mouths', labels Jews 'bestial', underlines the 'beak-like noses and coarse features'.<sup>142</sup> The theologically and religiously based pejorative depictions of 'cruel' Jews and 'hostile enemies of faith' – in Ekbert's case as part of a crucifixion scene – had reached the world of economic and political symbols.

140 Kamp, *Moneta Regis*, pp. 331, 338.

141 Ferdinand Friedensburg, 'Aus dem Bilderschatz des Mittelalters', *Zeitschrift für Numismatik* 33 (1922), 113–23 (pp. 120–22). Dannenberg, 'Unedirte Mittelaltermünzen', p. 21 and table II, no. 40.

142 Lipton, *Dark Mirror*, p. 110, see also pp. 138, 144. Regarding the 'Jewish nose', see eadem, pp. 105, 107–09.

# ESCHATOLOGY IN THE CATALAN *MAPPAMUNDI*

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The Jewish Mallorcan mapmaker Cresques Abraham is associated with several cartographic works;<sup>1</sup> he is also known from abundant documentary evidence, which has been studied in detail by Jaume Riera i Sans, Gabriel Llompart i Moragues, and Jocelyn Hillgarth.<sup>2</sup> These sources not only shed light on his life, his relationship to his patrons, the King and the Crown Prince of Aragon, but also suggest, as Riera i Sans first pointed out, that he is to be identified with ‘Elisha ben Abraham Bevenisti, known by the name Cresques’, the scribe and illuminator of the so-called Farhi Bible (1366–1383), one of the most celebrated of the extant Hebrew Bibles. This observation can be supported by art-historical study.<sup>3</sup> From

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1 In general Cresques’ workshop is associated with the production of portolan charts; literature on this cartographic genre is abundant and listing it all goes beyond the framework of this short paper; for recent surveys, see Ramon Pujades i Bataller, *Les cartes portolanes. La representació medieval d’una mar solcada* (Barcelona: Lunwerg Editores, 2007), chap. 5 (this book also contains a translation into English); *L’âge d’or des cartes marines. Quand l’Europe découvrait le monde*, exhibition catalogue (Oct. 2012–Jan. 2013), ed. by Catherine Hofmann, Hélène Richard, Emanuelle Vagnon (Paris: Bibliothèque nationale de France, 2012). Both these works offer extensive bibliography on portolan charts.

2 Jaume Riera i Sans, ‘Cresques Abraham, jueu de Mallorca, mestre de mapamundis i de brúixioles’, in *L’Atles Català de Cresques Abraham* (Barcelona: Diàfora, 1975), pp. 14–22; Gabriel Llompart i Moragues and Jaume Riera i Sans, ‘Jafudà Cresques i Samuel Corcós. Més documents sobre els jueus pintors de cartes de navegar (Mallorca, segle XIV)’, *Bolletí de la Societat Arqueològica Luliana*, 40 (1984), 341–50; Jocelyn N. Hillgarth, *Readers and Books in Majorca 1229–1550* (Paris: Editions du centre national de la recherche scientifique, 1991), nos 67, 96, 97, 108, 112, 123; Gabriel Llompart i Moragues, ‘El testamento de cartógrafo Cresques Abraham y otros documentos familiares’, *Estudis Balearics*, 64/65 (1999–2000), 99–115.

3 Former collection of David Sassoon, ms. 368; the colophon appears on pp. 2–4. For the identification of Cresques Abraham with Elisha ben Abraham, see Riera i Sans, ‘Cresques Abraham’. These observations were hitherto ignored in research on both cartography and Jewish art history. For the Farhi Bible, see Katrin Kogman-Appel, *Jewish Book Art between Islam and Christianity: The Decoration of Hebrew Bibles in Medieval Spain* (Leiden and Boston: E. J. Brill, 2004), pp. 150–54, with references to the earlier literature; an exception is Sandra Sáenz López Pérez. ‘El portulano, arte y oficio’, in *Cartografía medieval hispánica. Imagen de un mundo en construcción*, ed. by Mariano Cuesta Domingo and Alfredo Surroca Carrascosa (Madrid: Real sociedad geográfica y real liga naval español, 2009), pp. 129–30 offering iconographic observations; for a stylistic-technical perspective on the identification of Elisha ben Abraham’s painting with that of Abraham Cresques, see Katrin Kogman-Appel, ‘Observations on the Work of Elisha ben Abraham Cresques’, *Ars Judaica*, 10 (2014), 27–36.

the Bible's colophon we know that Elisha was born in 1325. From the documents we learn that he lived all his life in Mallorca as a well-respected mapmaker in the service of the king and that he died in 1387, only four years before one of the most virulent waves of persecution altered Jewish life throughout Iberia. His entire family was eventually forced into Baptism. As mapmaker Elisha Cresques is most prominently associated with the famous Catalan *mappamundi* in Paris from c. 1375 (Bibliothèque nationale de France, cod. Esp. 30, Fig. 1). Scholars assume that this map is the same work that was commissioned by the Count of Barcelona and Crown Prince of Aragon, later King John I, which was presented to the French court.<sup>4</sup>

The Farhi Codex is made up of the Bible itself and an additional two hundred pages of various texts. These texts, which are found at the beginning of the manuscript, in fact, represent Elisha Cresques' private library, so to speak, as the colophon notes that he wrote the codex for himself and his descendants. The Farhi Codex is a highly intellectual project. Not only was Elisha an accomplished and truly professional scribe, but the additional texts portray him as an erudite and knowledgeable man, who was interested in traditional rabbinic learning, was concerned with scientific – primarily calendrical – and philological issues, and demonstrated a great interest in Jewish and, to some degree, non-Jewish history. Apart from his other accomplishments as a scribe, a cartographer, and a generally learned individual, he was a trained miniaturist. The codex reflects a late stage of the Jewish-Islamic cultural symbiosis and contains a wealth of Islamic-style carpet pages and, as common in Sefardi illuminated Bibles, illustrations of the messianic Temple, the latter indebted to Maimonides' thought on the future messianic sanctuary.<sup>5</sup>

Whereas the Farhi Codex raised the interest of scholars of Jewish art, the Catalan *mappamundi* attracted a great deal of attention on the part of historians of cartography. Several facsimile editions have been published, the Bibliothèque nationale de France produced a CD-ROM edition in 1998, and the Library's Internet site offers images of the entire map in high resolution.<sup>6</sup> Naturally, the *mappamundi* also occupies a prominent place in cartographic surveys, where it is usually described as the principal representative of the so-called 'transitional

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4 *L'Atlas Català; The Catalan Atlas of 1378*, ed. by George Grosjean (Dietikon: Graf, 1977); Hans-Christian Freiesleben, *Der katalanische Weltatlas vom Jahre 1375: nach dem in der Bibliothèque nationale, Paris verwahrten Original farbig wiedergegeben* (Stuttgart: Brockhaus, 1977); *El món i els dies: L'Atlas català, 1375*, ed. by Gabriel Llopart i Moragues, Ramon J. Pujades i Bataller, and Julio Samsó Moya (Barcelona: Enciclopèdia Catalana, 2008); *MAPA MONDI. L'Atlas Catalan*, CD-ROM (Paris: Bibliothèque nationale de France, 1998); <http://gallica.bnf.fr/ark:/12148/btv1b55002481n/ft.zoom> (accessed March 2014).

5 Kogman-Appel, *Jewish Book Art*, pp. 74–88, 156–68, listing the earlier literature on these representations.  
6 See n. 4.











*Fig. 1 Catalan mappamundi, Paris, Bibliothèque nationale de France, cod. Esp. 30, Mallorca, c. 1375: Asia*

phase' from medieval *mappaemundi* to early modern scientific maps or as a hybrid of a portolan chart and a medieval *mappamundi*.<sup>7</sup> The map pictures the known world on a broad rectangle (200 × 64 cm) reaching from Iberia and the Canary Islands in the West to China in the East and from Scandinavia in the North to approximately the equator in the South. As common for medieval *mappaemundi*, it displays an abundance of iconographic subjects. These images are accompanied by explanatory captions in the Occitan language.

Some scholars, including Riera i Sans and Llopart i Moragues, describe Elisha Cresques primarily as a mere colorist, a craftsman who simply put paint on world maps and wooden compass boxes.<sup>8</sup> The analysis of his art, his cartography, his scribal work, and the texts he collected put into one framework, however, suggests that he was an erudite member of the Sefardi elite, a man who was perhaps not an active scholar or scientist himself, but one who was well versed in what went on in his intellectual environment.<sup>9</sup> In line with Riera i Sans' approach, Ramon Pujades i Bataller recently argued that the Catalan *mappamundi* is basically a copy of Angelino Dulcert's portolan chart of 1339 and that it does not, in fact, exhibit any original features. Dulcert's chart shows Europe from Iberia to the Black Sea, thus following the common extension of contemporaneous portolan charts. Pujades i Bataller speculates that Dulcert's chart is actually a fragment of a full *mappamundi* showing the known world from Iberia to China and that it served as a model for Cresques' map.<sup>10</sup> However, several visual elements – to be discussed in detail elsewhere<sup>11</sup> – suggest that Dulcert's 1339 work was conceived as a conventional portolan chart and not as a full world map, an observation that challenges the assumption that Cresques was simply a copier of portolan charts without any professional background beyond basic training as a miniaturist.

7 Tony Campbell, 'Portolan Charts from the Late Thirteenth Century to 1500', in *The History of Cartography*, ed. by John B. Harley and David Woodward (Chicago: University of Chicago Press, 1987), vol. 2, pp. 371–461; Evelyn Edson, *The World Map 1300–1492* (Baltimore: The Johns Hopkins University Press, 2007), pp. 79–89; Pujades i Bataller, *Les cartes portolanes*; Philipp Billion, *Graphische Zeichen auf mittelalterlichen Portolankarten. Ursprünge, Produktion und Rezeption bis 1440* (Marburg: Tectum Verlag, 2011), pp. 184–90.

8 Riera i Sans, 'Cresques Abraham'; p. 22; Llopart i Moragues, 'Aports iconogràfics des del port de Mallorca', *Cartografia Mallorquina* (Barcelona: Diputació de Barcelona, 1995), p. 465.

9 Elisha Cresques' intellectual profile is the subject of a current project undertaken by the author and supported by a grant from the Israel Science Foundation, no. 122/12; the results will be published in *Elisha ben Abraham Bevenisti Known as Cresques: The Intellectual Profile of a Medieval Scribe, Illuminator, and Mapmaker in Mallorca* (in preparation); see also 'The Scholarly Interests of a Scribe and Mapmaker in Fourteenth-Century Mallorca: Elisha ben Abraham Bevenisti Cresques', in *The Medieval and Early-Modern Hebrew Book in the Western Mediterranean: Production, Circulation and Use*, ed. by Javier del Barco (Leiden: E. J. Brill, in preparation).

10 For the 1339 chart, see now [http://expositions.bnf.fr/marine/grand/por\\_030.htm](http://expositions.bnf.fr/marine/grand/por_030.htm) (accessed March 2014); Pujades i Bataller, *Les cartes portolanes*, pp. 482, 487.

11 A detailed comparative analysis will appear in *Elisha ben Abraham*, chap. 2 and 3.



Fig. 2 Catalan mappamundi, Paris, Bibliothèque nationale de France, cod. Esp. 30, Mallorca, c. 1375: *The Magi on their Journey from the East to Bethlehem*

Moreover, the Catalan *mappamundi* stands out as a *unicum* without parallel; Cresques is the only mapmaker of his generation known and documented in the Crown of Aragon, and the richness of documentary evidence is indicative of his high status at court. Despite several features that the Catalan *mappamundi* and Dulcert's chart have in common, these observations indicate that Cresques was a knowledgeable professional, who put his own original stamp on the history of cartography.

A wealth of information of historical, political, religious, and legendary nature is included in the *mappamundi*'s cartography and the iconography, and a profusion of sources, most of them yet to be examined in full, was used to create it: we find echoes of Isidore of Seville, Honorius of Autun, Marco Polo, Abu Abdallah ibn Battutta, and many more.<sup>12</sup> In the following I take a closer look at the most ambiguous image on the *mappamundi*, a reference to an eschatological realm in the northeastern corner of Asia, and suggest a reading against the background of my contention that Elisha Cresques was not simply a copier of maps, but a knowledgeable scholar with a clearly defined Jewish identity, on the

12 Much of the earlier literature about the Catalan *mappamundi* is concerned with the identification of the place names and other elements, primarily of geographic interest, vis-à-vis Marco Polo's text; see, for example, Grosjean, *Catalan Atlas*, Einführung; Freisleben, *Der katalanische Weltatlas*, chap. 4–15; for a short discussion of the introduction on sheet 2, which constitutes an Occitan paraphrase of parts of Honorius of Autun's *imago mundi*, see Edson, *World Map*, p. 75.





*Fig. 3 Monastery at Pedralbes (Barcelona), Chapel of St. Michael, 1343: Fresco attributed to Ferrer and Arnau Bassa (?), The Adoration of the Magi*

one hand, who coped in a sophisticated manner with the expectations of his royal patron, on the other.<sup>13</sup>

<sup>13</sup> Recently Philipp Billion suggested some Jewish roots of the portolan method in Iberia, focusing on graphic elements of early portolan charts, in particular in North Africa, Billion, pp. 278–93.



Religious elements of Christian relevance on the *mappamundi* are of two types: some are conveyed as references to holy sites, including Jerusalem and Catherine's tomb on Mount Sinai (which is, however, also accompanied by a caption that indicates the Transmission of the Law to the Israelites) and others appear as iconographic references to religious myths. Approaching Elisha Cresques' treatment of Christianity, one makes the somewhat surprising observation that there is only one reference to the New Testament and that several key Christian elements were taken instead from the famous legend of Prester John. The single reference to the New Testament is a portrayal of the Magi's journey from Persia to Bethlehem (Fig. 2), but nothing in this depiction relates even remotely to the usual iconography of the Magi venerating Jesus (Fig. 3). Rather, underscoring the Magi's origin in the East leads to another aspect of their story, namely that the Prester was believed to be a descendant of one of the Magi.<sup>14</sup> Among other allusions to the Prester John legend we find a portrait of King Steven, a Christian ruler in eastern India, and we learn from the caption that accompanies the image of the king that the tomb of the Apostle Thomas is to be found in his country (Fig. 4).

The Letters of Prester John, one letter apparently addressed to Manuel I Komnenos of Byzantium and the other to Frederick I Barbarossa, began to circulate around 1165. These letters describe the country of the Prester in terms of a perfect utopian realm, where there is no sin and nobody suffers any need. They also mention the monstrous races of the East, the ten lost tribes of Israel cut off by a stone river, and close with a meticulous description of the Prester's fabulous palaces.<sup>15</sup> During the subsequent two centuries the letters underwent a complex textual development. More than two hundred Latin manuscripts have come down to us, most of which do not reflect the original – what scholars commonly call the 'un-interpolated' – version, but rather represent an intricate net of textual recensions, all of which were subject to significant interpolations.<sup>16</sup> These recensions led as well to a wealth of vernacular treatments, primarily in Old French and Italian.

14 This goes back to the very first mention of Prester John in the West, the chronicle of Otto of Freising from 1145, *Chronica sive historia de duabus civitatibus* 7:33, ed. by Adolf Hofmeister, *Monumenta Germaniae Historicae* (Hannover and Leipzig: Hahn'sche Buchhandlung, 1912), pp. 365–66, see now also <http://www.dmgh.de> (accessed March 2014).

15 The Latin 'Ur-text' was published by Friedrich Zarncke, 'Der Priester Johannes', *Abhandlungen der philologisch-historischen Classe der königlich sächsischen Gesellschaft der Wissenschaften* 7 (1879), pp. 831–1028; for a recent translation into English of the Ur-version, see Michael Uebel, *Ecstatic Transformation. On the Uses of Alterity in the Middle Ages* (New York: Palgrave Macmillan, 2005), pp. 155–60.

16 A great number of these are discussed in detail in Bettina Wagner, *Die 'Epistola presbiteri Johannis' lateinisch und deutsch. Überlieferung, Textgeschichte, Rezeption und Übertragungen um Mittelalter* (Tübingen: Max Niemeyer Verlag, 2000).



Fig. 4 Catalan mappamundi, Paris, Bibliothèque nationale de France, cod. Esp. 30, Mallorca, c. 1375: King Steven

The image in question – the eschatological realm to the north of China – borrows not only from traditions about the realm of Prester John, but also from the similarly famous and popular Alexander romance (Fig. 5). Two large compartments are bordered by mountain ranges. In one of them the people of Gog and Magog are led by their ‘gran senyor’, an emperor underneath a baldachin, who, according to the caption, is to be expected at the End of Times: ‘exirà en temps d’Antichrist ab molta gent (will come forth at the time of the Antichrist with a large crowd of people)’. In the adjacent compartment we find a mature king distributing clusters of golden fruit, which are hanging from leafy branches in his hands, to a crowd of people: secular rulers to the left – we can discern an emperor, a king, and a duke – and clerical authorities to the right. There is no caption near the figures in that compartment. Rather, there are two inscriptions further away, in the ocean, which is an anomaly because everywhere else on the *mappamundi* the captions appear adjacent to their relevant images. One of these inscriptions, in the upper right-hand corner, quotes Isaiah 67 about spreading the word of God among far-away peoples. A second caption, also placed in the ocean reads:



Fig. 5 Catalan mappamundi, Paris, Bibliothèque nationale de France, cod. Esp. 30, Mallorca, c. 1375: Enclosed nations

Antechrist. Aquest serà nudrit en Goraym de Galilea e con haurà XXX anys començarà a preicar en Jherusalem e contra tota veritat dirà que ell és Christ fill de Déu viu, e diu-se que rehedifficàrà lo Temple.<sup>17</sup>

[Antichrist. He will be raised in Chorazin in the Galilee. At the age of thirty, he will begin to preach in Jerusalem. Against all truth he will claim that he is Christ the son of the living God and that he will rebuild the Temple].<sup>18</sup>

At the meeting point of the two mountain ranges, we find a picture of Alexander enclosing Gog and Magog and the king with his followers behind the mountains, shutting the area off by means of a castle or a town. The caption, a particularly lengthy one, reads as follows:

Muntanyes de Caspis dins les quals Allexandri viu arbres ten alts que les saines tochaven a les nuus e aquí cuidà morir, sinó que Setanat l'en gità per la sua art e per la sua art

<sup>17</sup> The transcriptions of captions on the *mappamundi* follow by and large (with some amendments for accuracy) Grosjean; the translations into English are mine.

<sup>18</sup> Most of the literature simply describes the image as a depiction of the Antichrist; recently Sandra Sáenz-López Pérez, 'La representación de Gog y Magog y la imagen del anticristo en las cartas náuticas bajomedievales', *Archivo Español del Arte*, 78 (2005), pp. 263–76, suggested that the king represents the Antichrist as a false prophet performing miracles; for a survey of depictions of Gog and Magog on medieval maps, see Andrew C. Gow, 'Gog and Magog on *mappaemundi* and Early Printed World Maps: Orientalizing Ethnography in the Apocalyptic Tradition', *Journal of Early Modern History*, 2/1 (1998), pp. 61–88.

endo 'y aquí los tartres Gog e Magog e per éls féu les II images de matall, los demunt scrits. Ítem enloy aquí molts diverses generacions de gens qui no dupten a manjar tota carn crua, e aquesta és la generació ab què vendrà Antichrist e la lur fi serà foc qui avalar [à] del cel qui ls confondrà.

[The Caspian Mountains, where Alexander encountered trees that were so high that their high ends reached the clouds. He almost died there, would not Satan have assisted him. With the aid of his artistry he shut up the Tartars<sup>19</sup> Gog and Magog and set up two painted sculptures made of metal. He also enclosed more generations of people, who are not afraid to eat raw flesh. This is the generation from which the Antichrist will come forth. It will come to an end with fire falling from heaven, destroying these peoples.]

At first sight this illustrates the widespread story of Alexander shutting Gog and Magog up behind the Caspian Mountains. A second look, however, reveals that the image is more complex and, in fact, has some hidden agendas that confront a motif that had grown during the Middle Ages into a blatantly anti-Jewish tradition. I first sketch these traditions from the Christian point of view and follow their journey from an ancient topos of storytelling into a late-medieval anti-Jewish motif. Then I take a look at the Jewish perspective on the same subject matter. Jews, in fact, happened to take an interest in both the Alexander story and the Prester John tradition. I then look at how Elisha Cresques may have made sense of these two legends and created an image of the End of Time that, on the one hand, stood up to the expectations of the Christian monarch who was his patron, but, on the other, did justice to his own Jewish identity. This interplay between two different meanings of the same motif is disguised, so to speak, as part of a scientific endeavor, in a medium that was designed to promote knowledge of the world.

The motif of Enclosed Nations goes back to Flavius Josephus, who reported that on his journey to the East Alexander encountered wild nations who ate human flesh. In order to keep mankind safe from these unclean creatures, *imundas gentes*, Alexander shut them up by pushing two mountains together. Josephus identified the nations with the Scythians and elsewhere in his work with Magog.<sup>20</sup> In a much more elaborate eighth-century version of the life of Alexander, the *Revelations of Pseudo Methodius*, the nations imprisoned by Alexander were

19 'Tartars' was the common popular name for the Tatars (and the Mongols, as well) in the Middle Ages, as they were associated with *tartaros*, for a discussion, s. Felicitas Schmieder, *Europa und die Fremden. Die Mongolen im Urteil des Abendlandes vom 13. bis in das 15. Jahrhundert* (Sigmaringen: Jan Thorbecke Verlag, 1994), pp. 22–23.

20 *De bello judaico* VII: 7: 4; for an English version see *The Great Roman-Jewish War: AD 66–70*, transl. William Whiston (New York: Harper, 1960); *Antiquitates* I, 6:1; for a recent translation, see *Josephus Flavius. Translation and Commentary*, vol. 3: *Judean Antiquities, Books 1–4*, ed. by Louis H. Feldman (Leiden: E. J. Brill, 1999).

identified with the apocalyptic people of Gog and Magog of the biblical tradition, found first in Ezekiel and later in Revelation.<sup>21</sup> The Alexander text also tells us that the man-eaters Gog and Magog will be freed near the End of Time and, together with the Antichrist, who is of Jewish descent, will destroy Christendom just before the Second Coming of Christ.<sup>22</sup> Starting in the thirteenth century the Alexander motif was interpolated into later versions of the Prester John Letters. There we read about man-eaters, descendants of Gog and Magog, who were enclosed by Alexander and that a wall and sixty-two castles (seventy according to some versions) were supposed to keep them imprisoned.<sup>23</sup>

Many medieval *mappaemundi* show images of Gog and Magog. Christocentric in their basic concept, these maps not only reflect symbolic meaning, but actually function as symbols in their own right. The now lost Ebstorf map, for example, presented the world as the body of Christ.<sup>24</sup> Medieval maps put Jerusalem prominently in the center of a circular world, often with an indication of the Crucifixion or the Resurrection; they display Paradise;<sup>25</sup> show Prester John's Monstrous Races at the edges of the known world;<sup>26</sup> and depict the Enclosed Nations, Gog and Magog. In the Ebstorf map,<sup>27</sup> to mention only one of the most prominent examples of medieval map making, Gog and Magog are naked, fierce, and ugly; they are shown munching on the dismembered, bloody bodies of their victims (Fig. 6). It is plausible to assume that as a painter of a *mappaemundi* Cresques was expected to include such themes.

21 Ezekiel 38; Revelation 19. 17–18; 20. 7–10.

22 *Apocalypse Pseudo-Methodius* (*Dumbarton Oaks Medieval Library* 14), ed. and transl. by Benjamin Garstad (Cambridge, MA: Harvard University Press, 2012), pp. 23–27.

23 For a discussion of this group of manuscripts and the additional contents in relation to the 'Ur-text', see Wagner, *Epistola* pp. 192–21; for an example, see the edition of Cambridge, University Library, MS Dd. 3.16, Wagner, *Epistola*, p. 388.

24 For recent discussions of the Ebstorf map, see Jürgen Wilke, *Die Ebstorfer Weltkarte* (*Veröffentlichungen des Instituts für historische Landesforschung der Universität Göttingen* 39) (Bielefeld: Verlag für Regionalgeschichte, 2001); Hartmut Kugler, *Die Ebstorfer Weltkarte* (Berlin: Akademie Verlag, 2006); Marcia Kupfer, 'Reflections in the Ebstorf Map: Cartography, Theology and *dilectio speculationis*', *Medieval Geographies. Cartography and Geographical Thought in the Latin West and Beyond: 300–1600*, ed. by Keith Lilley (New York: Cambridge University Press, 2013), pp. 100–26.

25 Alessandro Scafi, *Mapping Paradise: A History of Heaven on Earth* (Chicago: University of Chicago Press, 2006).

26 Marina Münkler, 'Monstra und mappae mundi: die monströsen Völker des Erdrands auf mittelalterlichen Weltkarten', in *Text – Bild – Karte. Kartographien der Vormoderne*, ed. by Jürg Glauser and Christian Kiening (Freiburg im Breisgau, Berlin and Wien: Rombach Verlag, 2007), pp. 149–73.

27 See n. 24 for the Ebstorf map; see also a caption in the Hereford map, Scott Westrem, *The Hereford Map* (Turnhout: Brepols, 2001), no. 141; for background on the Hereford map, see (selectively) P. D. A. Harvey, *Mappa Mundi: The Hereford Map* (Toronto: University of Toronto Press, 1996); in general on medieval *mappaemundi*, see Evelyn Edson, *Mapping Time and Space: How Medieval Mapmakers Viewed their World* (London: The British Library, 1999); Naomi Reed Kline, *Maps of Medieval Thought: The Hereford Paradigm* (Woodbridge: Boydell, 2001).



Fig. 6 Ebstorf Map (copy of destroyed original), formerly at the Ebstorf convent, thirteenth century: Gog and Magog

The fierce and ugly man-eaters of the Ebstorf map can, however, not be compared to the neatly organized crowd of people following the dignified ‘gran senyor’ under the imperial baldachin of the Catalan *mappamundi*. Only the scorpion on the banner they carry offers a remote allusion to the satanic origin of the Enclosed Nations. Neither can the mature, similarly dignified figure of the ‘Antechrist’ be compared to the deceitful, ugly Antichrist of the Christian iconographic tradition, who often bears clearly visible Jewish features or is shown in association with Jews.<sup>28</sup> It appears that albeit their description in the captions, Gog and Magog and the Antichrist in the Catalan *mappamundi* do not exactly conform to the way they were imagined in fourteenth-century popular Christian belief.

The entire area is separated from the rest of the world by a massive mountain range. These mountains are shown exactly as other individual mountains or larger mountain ranges all over the map, for example, the Atlas Mountains in northern

<sup>28</sup> On the Antichrist in Christian iconography, see Richard K. Emmerson, *Antichrist in the Middle Ages: A Study of Medieval Apocalypticism, Art, and Literature* (Seattle: University of Washington Press, 1981), pp. 108–45; and recently Debra Higgs Strickland, ‘Antichrist and the Jews in Medieval Art and Protestant Propaganda’, *Studies in Iconography*, 32 (2011), pp. 1–50, who shows how ‘flexible’ images of the Antichrist could be in appropriating certain visual elements to the Protestant agendas.





Fig. 7 Catalan mappamundi, Paris, Bibliothèque nationale de France, cod. Esp. 30, Mallorca, c. 1375: Palestine

Africa, the Edom Mountains to the east of Palestine (Fig. 7), the Amol Mountains at the border of Persia, and the Caucasus Mountains between the Black and the Caspian seas. There are numerous individual mountains all over the world. All these mountains were designed basically in one of two ways, and throughout the map Elisha Cresques used these designs to designate mountainous masses of different sizes. The mountains of Edom, for example, have a baseline to the left and a series of mountainous elevations to the right, with the stony texture indicated by the coloring. The same applies to the large mountain range that encloses both Gog and Magog and the ambiguous king distributing the golden fruit. A closer look at the mountain range that separates the king from Gog and Magog, however, shows a somewhat different design, which does not appear anywhere else on the map. Instead of the straight bottom line and the hilly elevations found elsewhere, this mountain range is shown with the same rocky structure, but follows the wavy line of a river. There are many rivers on the *mappamundi*, all shown as wavy blue lines.



The river between Gog and Magog and the king is much broader, but it follows the same wavy outlines. Within this context the mountain range between them looks like a hugely enlarged river carrying rocks and stones instead of water. One might well assume that what Cresques had in mind applying this particular design to this one mountain range was the legendary River Sambatyon.

As Zvi Ben-Dor Benite explains, it is in post-biblical literature that the lost tribes were assigned a distinct place within world geography and a distinct role in world history.<sup>29</sup> Flavius Josephus located the tribes beyond the Euphrates.<sup>30</sup> Around the seventh and eighth centuries the tribes began increasingly to be associated with the coming of the Messiah. From this point there developed two different narratives, one Jewish and one Christian. According to the latter, the tribes became in Ben-Dor Benite's words, a 'superhuman entity coming with the Antichrist,' whereas for the Jews the gathering of the tribes and the return would be the 'culmination point of [...] a marvelous apocalyptic vision.'<sup>31</sup> According to the Christian narrative Alexander took unclean man-eaters beyond the known world, the *oikumene*, into distant lands, the *eschatiai*, whereas from the Jewish point of view the enclosure of the tribes meant that they had chosen an isolated existence, where no outside influence could affect them and they could live according to the Law.<sup>32</sup>

The early Rabbinic tradition discusses whether the lost tribes will have a share in the world to come. According to Rabbi Akiva, they will not return, but according to Rabbi Eliezer, whose opinion became the accepted one in this matter, 'the future will lighten upon them.'<sup>33</sup> *Midrash Genesis Rabbah*, finally, reads:

אמר רבי יהודה ב"ר סימון: לא למקום שגלו עשרת השבטים גלה שבט יהודה ובנימין. עשרת השבטים גלו לפנים מן נהר סמבטיון, שבט יהודה ובנימין מפוזרים בכל הארצות.

[Rabbi Judah ben Simon said: the tribe of Judah and Benjamin was not exiled to the place to which the ten tribes were exiled, the ten tribes wandered into exile on the other side of the River Sambatyon, but the tribes of Judah and Benjamin are scattered throughout all the land.]<sup>34</sup>

29 Zvi Ben-Dor Benite, *The Ten Lost Tribes: A World History* (Oxford: Oxford University Press, 2009), p. 8.

30 *Antiquitates* X, 9:16.

31 Ben-Dor Benite, *The Ten Lost Tribes*, p. 62.

32 Micha Perry, 'The Imaginary War between Prester John and Eldad the Danite and Its Real Implications,' *Viator*, 41/1 (2010), pp. 1–24.

33 *Mishnah Sanhedrin* 10:10; for a discussion, see Ben-Dor Benite, *The Ten Lost Tribes*, pp. 74–75.

34 *Midrash Bereshit Rabbah* 73:6, ed. by Yehuda Theodor and Hanokh Albeck (Jerusalem: Wahrmann, 1997); for an English version, see *Genesis Rabbah. The Judaic Commentary to the Book of Genesis. A New American Translation*, ed. by Jacob Neusner (Atlanta: Scholars Press, 1985).

This motif also returns in medieval midrashim associated with the eleventh-century southern French scholar Moses the Preacher.<sup>35</sup>

In the ninth-century the River Sambatyon figures also in the fictive account of the legendary Eldad Hadani. In a letter that Eldad apparently dispatched to the Jews of Iberia, we read that the tribes are located in various places at the edge of the world between China and Ethiopia. Dan, Naftali, Gad, and Asher, he noted, are found across the River Sambatyon in Ethiopia. The river carries no water, but rather moving stones. It rests only on the Sabbath, but on that day the Israelite inhabitants of the area across the river cannot set out on a journey.<sup>36</sup> Thus, Eldad not only mentions the tribes and the stone river, but, as Ben-Dor Benite points out, he put them into a geographic framework that relied on Arabic geographic knowledge.<sup>37</sup> In fact, like the Catalan *mappamundi*, Eldad's world stretched from Iberia to China. Another motif that figures in the texts associated with Eldad Hadani is the protection from the outside world that the stone river offers the tribes: they are independent, secluded, and protected from ritual impurity.<sup>38</sup>

As noted, the motif of the ten tribes beyond the stone river subsequently also found its way into the Letters of Prester John.<sup>39</sup> It is found in the 'un-interpolated' so-called original *Ur*-text of the letters; hence it is part of the original composition that defines the realm of Prester John. The letters describe his fabulous Christian realm and go on to explain:

...descendit fluvius lapidum eodem modo sine aqua, et fluit per terram nostrum usque ad mare harenosum...Ultra fluvium vero lapidum sunt x tribus Iudaeorum, qui quamvis fingant sibi regis, servi tamen nostril sunt et tributarii excellentiae nostrae (...there is a river of stones [...] without water, and it flows through our kingdom all the way to the sea of sand. [...]) Beyond the stone river are the ten tribes of the Jews, who, though

35 For discussions of the early medieval midrashic tradition, see Ben-Dor Benite, *The Ten Lost Tribes*, pp. 76–77; Micha Perry, *Tradition and Transformation: Knowledge Transmission among European Jews in the Middle Ages* [in Hebrew] (Tel Aviv: Hakibbutz Hame'uchad, 2010), chap. 6.

36 Abraham Epstein, *Eldad ha-Dani* (Pressburg: Adolf Alkelay, 1891), pp. 50–55, repr. and rev. Abraham M. Haberman, *The Writings of Abraham Epstein* (Jerusalem: Mossad Harav Kook, 1949); for a translation into English, see Elkan N. Adler, *Jewish Travelers: A Treasury of Travelogues from Nine Centuries* (New York: Hermon Press 1966), pp. 5–15; for a detailed recent discussion on the complexity of the Eldad literature, see Perry, *Tradition and Transformation*, pt. 2.

37 Ben-Dor Benite, *The Ten Lost Tribes*, p. 99.

38 See, for example, in a letter of the community of Kairouan to the Gaon Tsemah, Epstein, pp. 275–90; Adler, *Jewish Travelers*, pp. 15–21; Perry, 'Imaginary War'.

39 Scholars have contemplated the similarities between these two traditions, but have not come up with any conclusive suggestions; for a recent discussion with references to the earlier literature, see Perry, 'Imaginary War'; after a careful textual analysis on pp. 8–10, Perry suggests that the author of the earliest letter to Prester John indeed was familiar with the Eldad material, and 'recasts it as counterhistory'; Ben-Dor Benite, *The Ten Lost Tribes*, p. 101, on the other hand, implies, without developing the argument any further, that 'it is clear that there is no connection between the legend of Prester John and Eldad's stories about the ten tribes'.

they imagine they have kings of their own, are nevertheless our servants and tributaries to our excellency.)<sup>40</sup>

As Micha Perry points out the central point in these discussions about the ten tribes is not merely the different views about their localization in geo-political terms. What seems to be more crucial is, in fact, the question of whether they were politically subordinate or independent. Whereas Eldad Hadani wrote of protection from ritual impurity, even in the early versions of his letter Prester John clearly referred to them as being politically subordinate.<sup>41</sup> Later versions elaborate on attempts to stop the tribes, who threaten to destroy the world, and there are descriptions of large armies led by a powerful king that are stationed in a series of castles near the tribes in order to control them.<sup>42</sup>

Some of the interpolated versions of the Letters, one of them in Occitan, introduced Gog and Magog and the Alexander story. In most these thirteenth-century versions the two are still separate phenomena affecting the realm of Prester John, as they are both found near the borders of his empire.<sup>43</sup> The path from the juxtaposition of the two motifs to the identification of the tribes with Gog and Magog was a short one. In the Occitan version, in fact, Gog and Magog and the ten tribes appear in the same context.<sup>44</sup>

Actually, this path had been taken as early as the middle of the twelfth century by scholars such as Peter Comestor, Godfrey of Viterbo, and Roger Bacon. The anti-Jewish implications of the association of the Israelite (Jewish) tribes with the threatening nations Gog and Magog and its later developments have been described in detail by Benjamin Braude and Andrew Gow.<sup>45</sup> From this perspective, the ugly, naked man-eaters of the Ebstorf or similar maps, that undoubtedly

40 Zarncke, 'Der Priester Johannes', pp. 914–15. The translation follows Uebel, *Ecstatic Transformation*, p. 157; in later interpolated versions, this claim is made more forcefully and an Old French version reads: 'Ja seit i çoe ke vos Judeus de la dient k'il aient rei[s] de ça ke sur lur gent scient regnant, de çoe n'i ad tant ne quant, ke tuz sunt en nostre servage e de lur chief rendrunt trivrage (I know what your Jews say: that they have a king that rules over their people. This is not the least true. They are all our servants, and we receive tax from their leader', Martin Gosman, *La lettre du Prêtre Jean: les versions en ancien français et en ancien Occitan, texts et commentaires* (Groningen: Bouma's Bookhuis, 1982), p. 130, the quotation in English follows Perry, 'Imaginary War', p. 13.

41 This aspect is elaborated on in Perry, 'Imaginary War'. The political situation touching upon the mythical accounts of the stone river also shines through the travelogue of Benjamin of Tudela; a discussion of this text in the current context goes beyond the scope of this paper and will be considered elsewhere.

42 See, for example, texts that are published in Wagner, *Epistola*, pp. 373–87; 398–405 (both in Latin).

43 Wagner, *Epistola*, pp. 373–87; 398–405.

44 For the Occitan version, see Gosman, *La lettre*, pp. 505–33 (p. 507).

45 Andrew C. Gow, *The Red Jews. Antisemitism in an Apocalyptic Age 1200–1600* (Leiden et al.: E. J. Brill, 1995), chap. 3.2 with a detailed discussion of these twelfth-century scholars; idem, 'Gog and Magog', 73; Benjamin Braude, 'Mandeville's Jews among Others', in *Pilgrims and Travelers to the Holy Land (Studies in Jewish Civilization 7)*, ed. by Bryan F. Le Beau, Menachem Mor (Omaha: Creighton University Press, 1996), pp. 130–58.

circulated, could be (and were) eventually identified not only with the ten tribes, but with the Jewish population in any given European community.

The most elaborate and yet most peculiar version that identifies the tribes with Gog and Magog is found in the fictive travelogue of Sir John Mandeville. Written somewhere in France around the 1350s, it began to circulate a few years before Cresques completed the Catalan *mappamundi*, but the oldest extant Mandeville manuscript is dated 1371.<sup>46</sup> Mandeville described a land near China, where 'Jews from the Ten Tribes' are locked up; they are referred to as Gog and Magog. Mandeville also noted that these people understood no language other than their own. He concluded this section with a mention of the enclosed tribes forming an alliance with the Antichrist, on the one hand, and the Jews living in the Diaspora, on the other, with the ultimate aim of destroying Christendom.<sup>47</sup>

We have no notion as to what degree Elisha Cresques may or may not have been aware of the particulars of these developments. Some modern scholars argue that he used the Mandeville account together with other travel literature.<sup>48</sup> In a recent article Judy Schaaf suggests that the imagery of the Catalan *mappamundi* conducts a polemical dialogue with Mandeville's descriptions.<sup>49</sup> Still the time frame is tight, and one cannot claim with any certainty that he could have known of this particular version. However, given the popularity and the wide circulation of this motif from the twelfth century on, there is a very good chance that Cresques was well aware that in the Christian imagination the ten tribes were identified with Gog and Magog. It is more than plausible that he was also aware of the implications of this identification on the real-life contemporary Jewish population of Europe.

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46 For a recent translation, see John Mandeville, *The Book of Marvels and Travels*, a new translation and edition by Anthony Bale (Oxford: Oxford University Press, 2012), with a discussion about the early manuscript evidence in the introduction; Iain Macleod Higgins, *Writing East: The 'Travels' of Sir John Mandeville* (Philadelphia: University of Pennsylvania Press, 1997), pp. 6–27.

47 Mandeville, *Book of Marvels*, p. 105; Braude, 'Mandeville's Jews'; Marion Steinicke speaks about another connection to anti-Jewish murder libels in her discussion of Mandeville's account about poison growing in the area of Gog and Magog, who are identified as Jews: 'Apokalyptische Heerscharen und Gottesknechte. Wundervölker des Ostens in abendländischer Tradition vom Untergang der Antike bis zur Entdeckung Amerikas', unpubl. Diss. (Berlin: Freie Universität, 2005), pp. 233–35.

48 Edson, *World Map*, p. 109.

49 Judy Schaaf, 'The Christian-Jewish Debate in the *Catalan Atlas*' in *Jews in Medieval Christendom. "Slay them Not" (Études sur le Judaïsme médiéval 60)*, ed. Kristine T. Utterback and Merrill Llewelyn Price (Leiden and Boston: Brill, 2013); This article has come to my attention after I first submitted this chapter. I shall discuss it in further detail in my forthcoming book, *Elisha ben Abraham*, chap. IV/2. Schaaf's argument, as far as it concerns the basic idea of polemics is interesting and convincing. My current paper, however, discusses the input of Hebrew scholarship on the way Elisha Cresques seems to have approached eschatology; hence, naturally, in numerous points I disagree with Schaaf; moreover, some of her interpretations are based on misreadings of the Occitan captions.

By the fourteenth century both the Letters of Prester John and the Alexander tradition had aroused the interest of a Jewish readership, and there are several Hebrew versions of both legends.<sup>50</sup> It appears that Cresques shared this Jewish interest and, as we have seen, seems to have related to Christianity specifically through the lens of the Prester John tradition. What then did this tradition imply from his Jewish perspective?<sup>51</sup> On the one hand, the mention of the tribes in the Letters, embedding it specifically in the motif of the stone river, must have raised Jewish interest in the material; on the other hand, the treatment in the Latin and the vernacular versions clearly represented a Christian point of view. Moreover, we know that these versions make a clear claim regarding the tribes' subordinate position.

The current textual evidence of the Hebrew versions is somewhat problematic. Even though the publishers of these letters, Edward Ullendorff and C. F. Beckingham, assumed that two of these versions were composed in the latter part of the thirteenth century,<sup>52</sup> there is no firm manuscript evidence available for this contention, and Perry, putting such an early date in doubt, argues in favor of the fourteenth or fifteenth century.<sup>53</sup> One of these Hebrew versions, extant only in a print from 1519, produced in Constantinople,<sup>54</sup> seems to confront the particularly Christian elements of the original letters more than the others. It omits a number of these elements and even contains several blatantly anti-Christian points, such as a reference to the 'unclean corpse of the Apostle Thomas in India' and the like.<sup>55</sup> This raises the question as to whether the original *raison d'être* of the Hebrew paraphrases might have served as a polemical confrontation with the original material.

50 Edward Ullendorff and C. F. Beckingham, *The Hebrew Letters of Prester John* (Oxford: Oxford University Press, 1982); Rosalie Reich, *Tales of Alexander the Macedonian: A Medieval Hebrew Manuscript* (New York: KTAV Publishing House, 1972); Wout van Bekkum, *A Hebrew Alexander Romance according to MS London Jews' College no. 145* (Louvain: Peters Press, 1992); Eli Yassif, 'The Hebrew Traditions of Alexander of Macedonia: Narrative Forms and Their Cultural Significance in Medieval Judaism [in Hebrew]', *Tarbiz*, 75/3-4 (2007), pp. 359-407.

51 Ullendorff recognized a 'plainly Judaizing tendency', arguing on the ground of anti-Christian elements and the obvious echoes from Eldad Hadani's text: 'The Hebrew Letters of Prester John to the Pope and to Emperor Frederick Barbarossa', *Proceedings of the Sixth International Conference on Ethiopian Studies, Tel Aviv, 14-17 April 1980* (Rotterdam and Boston: A. A. Balkema, 1986), p. 511. However, the fact that one of the copies of such a Hebrew text is included in Sebastian Münster's *Cosmographia universalis*, Book 4, Basel 1550 (see Ullendorff and Beckingham, *Hebrew Letters*, p. 535) indicates that there was a Christian Hebraist interest as well. For a recent re-visitation of the question of what stands behind these translations, see Perry, 'Imaginary War'; and Perry, *Tradition and Transformation*, pp. 74-84.

52 Ullendorff and Beckingham, *Hebrew Letters*, pp. 17-18.

53 Perry, 'Imaginary War', pp. 14, n. 57 and 58.

54 For the Hebrew text with a translation into English, see Ullendorff and Beckingham, *Hebrew Letters*, pp. 38-71.

55 Ullendorff and Beckingham, *Hebrew Letters*, p. 41 (גוף הטמא טומאש אפושטולו).

It has been argued that some of the anti-Christian amendments may have been the work of a sixteenth-century Jewish printer who worked in an Islamic environment and so was not concerned about Christian censure.<sup>56</sup> Although this makes some sense, it is not very likely that a Jewish printer in an Islamic environment invented these amendments, which undoubtedly emerged in the minds of Jews who lived among Christians. This printer, perhaps one who had migrated from Christian Europe,<sup>57</sup> might well have been simply the first to dare to put them on paper. Even though the manuscript evidence does not allow us a full apprehension of these polemical elements, their *Sitz im Leben* was surely somewhere among Jews who lived in the Christian world.<sup>58</sup>

There is further evidence of Jewish dealings with this material. Around the same time that the *mappamundi* was produced, Rabbi Joshua of Lorca confronted a convert known as Pablo de Santa Maria, formerly Solomon Halevi. In his argumentation, it appears that Joshua alluded to the Prester John tradition and did so with a particular focus on issues of political independence vs. subordinateness. He noted that even though the Christians claim that the Jews lack political independence, only a small part of the Israelites are under Christian domination, and that others dwell in freedom in Ethiopia, where they are the neighbors of Prester John with whom they sign an annual treaty.<sup>59</sup> In a recent discussion of the Jewish narrative of the lost tribes in the Prester John context, Perry sheds some light on the polemical implications of this relationship. The Jewish narrative, he argues, came as a response to the Christian doctrine that the lack of Jewish political power is clear evidence of Christian triumph. This follows up on Eldad Hadani, who had described the tribes as an independent powerful people who chose isolation in order to guarantee a pristine existence unaffected by any alien influence.<sup>60</sup>

56 Ullendorff and Beckingham, *Hebrew Letters*, p. 40, n. 4.

57 It was quite common for Italian Jewish printers to move to the Ottoman empire, as there prevailed severe restrictions to the Jewish practice of the profession. For a recent summary of the circumstances with reference to the earlier literature, see Katrin Kogman-Appel, 'Picture Bibles and Re-written Bibles: The Place of Moses dal Castellazzo in Early Modern Book History', *Ars Judaica*, 2 (2006), pp. 35–52 (pp. 14–16).

58 To this one can add, that by the early fifteenth century Jewish printers had developed a degree of professional ethics that implied that they were faithful to and careful about the model text that served them for the prints; I am grateful to Elhanan Reiner for his conversation, July 2012.

59 *Das apologetische Schreiben des Josua Lorki an den Abtrünnigen Don Salomon Halevi*, ed. by L. Landau (Antwerp: Teitelbaum & Boxenbaum, 1906), pp. 2–3; for discussions, see Abraham Gross, 'The Expulsion and the Search for the Ten Tribes', *Judaism*, 41/2 (1992), pp. 130–48; Idem, 'On the Baptism by Fire and the Designation of Prester John in the Hebrew and Christian Sources', *Materia giudaica. Rivista dell'associazione italiana per lo studio del giudaismo*, 7/2 (2002), pp. 329–34; Perry, 'Imaginary War', p. 14.

60 See recently Moti Benmelech, 'Across the Sambatyon: Early Modern Imaginations of the Ten Tribes and Expectation of their Return [in Hebrew]', *Zion* 77 (2012), 491–527 discussing an early modern Hebrew letter reaching Italy in 1432 about the tribes going to war against Prester John.

The same story could mean very different things. According to the Christian versions of Prester John's letters the tribes are enclosed because they constitute a threat to the utopian society that is ruled by the Prester: 'Beyond the stone river are the ten tribes of the Jews, *who, though they imagine they have kings of their own*, are nevertheless our servants and tributaries to our excellency (my emphasis).'<sup>61</sup> The independent tribes of the Jewish narrative had been turned into a people subordinate to the Christian priest-ruler. From the Jewish point of view Prester John's tale of the subordinate tribes was understood as a tale of politically independent Israelites who chose isolation. Gog and Magog, identified with the tribes in the Christian imagination, turned into a people that would eventually bring redemption for the Jews. According to Jewish expectation, apocalyptic catastrophes of the Christian imagination turned into hopes for salvation and the Christian Antichrist could mean the Jewish Messiah. It is in this context that I suggest revisiting the *mappamundi's* ambiguous portrait of Gog and Magog and the king in the adjacent compartment.

Following up on Ben-Dor Benite's and Perry's reading of the Prester John material these observations shed light on the dynamics of 'polemical' interactions of the sort this image seems to represent.<sup>62</sup> Whereas these were not open polemics or matters of theological debate, they did shape Christian and Jewish eschatological expectations. A medieval Christian *mappamundi* traditionally referenced these matters, but Elisha Cresques integrated his own point of view and showed the dignified emperor of the relatively benignly displayed people across the River Sambatyon. Even though, as expected by his patron, he called them 'Gog and Magog', his visual language indicates that he did not envision the fierce and threatening man-eaters that the Christian mind identified with the Jews. Similarly, there is not much malignancy in the representation of the king meant to be understood as 'Antichrist'; to make matters yet more ambiguous the relevant captions appears at some distance beyond the shores of the ocean.

The imagery of the Catalan *mappamundi* thus reflects not just familiarity with the Prester John tradition, but speaks of particular Jewish attitudes toward this tradition, attitudes that modern scholars find great difficulty in pinpointing. Elisha Cresques' Jewish approach to the Prester John tradition is not focused only on Gog and Magog *per se* but rather makes an attempt to present them as benign, yet powerful, people. Moreover, it is the Prester John tradition in its Jewish garb that determined Cresques' overall portrayal of Christianity as a utopian one, a Christianity that does not subordinate the Jews, but enters with them into an alliance of equals.

61 See n. 40.

62 Ben-Dor Benite, *The Ten Lost Tribes*, chap. 3, Perry, 'Imaginary War'.



Finally, the Hebrew versions elaborate on yet another motif. In the Constantinople print of the Prester's letter, for example, we read:

ודעו כי מזו הים של אבנים בא נהר אחד שיוצא מגן עדן והולך בינינו ובין הארץ הגדולה של המלך הגדול דניאל מלך היהודים וזה הנהר הולך כל ימי השבוע ובשבת אינו זו ממקומו עד יום ראשון ששב לאיתנו. וכשזה הנהר מלא על כל גדותיו מביא אבנים יקרות הרבה מאד ובוזה הנהר לא יש בו מים וכל מה שהוא מוצא הכל מביא אל הים אורינישו ולא יש אדם שיוכל לעבור כי אם בשבת. אבל אנחנו נותנים משמורת במעבר שאם היהודים יכולים לעבור יעשו היזק גדול בכל העולם בנוצרים ובישמעאלים ובכל אומה ולשון שתחת כל השמים כי אין אומה ולשון שיוכל לעמוד בפניהם. אבל אני יש לי בזה המחוז ששה עשר מדינות בנויות מאבנים גדולות ובצורות ויותר חזקים שבכל העולם ומעיר לעיר מהלך חצי מיל. ויש לי בכל עיר מאלו אלף פרשים ועשרת אלפים רגלי ועשרת אלפים תופשי קשת לשמור ההרים ומקום המעברות שלא יעברו היהודים כי הם כל כך רבים שאם יוכלו לעבור ילחמו עם כל העולם ודעו שאם אני יש לי עיר מבצר אחת יש למלך הגדול מלך דניאל עשרה ויש להם כל כך זהב ואבנים יקרות שמתקינין בתונו באבנים צבועים. ואל תקשו עלי שאני כותב לכם המלך הגדול כי יש תחת ידו של המלך דניאל שלש מאות מלכים כלם יהודים וכולם יש להם ארצות תחת יד דניאל המלך. ויש תחת ממשלתו שלשת אלפים דוקים וקונטים ואנשים גדולים ואנו יודעים שארצו אין לה חקר. ומי שלא שמע מכת שלהם לא שמע דבר בעולם.

[And you may know that from that sea of stones there issues a river which comes from Paradise and flows between us and between the great country of the great king Daniel, king of the Jews: and this river flows all the days of the week, but on the Sabbath it does not move from its place, until on the Sunday it returns to its strength. And when this river is full beyond its banks, it carries very many precious stones. And in this river there is no water. And everything that it encounters it carries to the sea Orenoso, and no one can cross it except on the Sabbath. But we are placing guards at the passages, for if the Jews were able to cross they would cause great damage in the whole world against Christians as well as Ishmaelites and against every nation and tongue under the heaven, for there is no nation or tongue which can stand up to them. But I possess in this district sixteen cities built of large stones and fortified and stronger than any in the world, and from one city to the other is a distance of half a mile. And I possess in each of these cities 1000 horsemen and 10,000 foot soldiers and 10,000 archers to guard the mountains and passes, so that the Jews shall not cross; for they are so numerous that, if they were able to cross, they would fight with all the world. And may you know that if I have one fortified city, then the great king, King Daniel, possesses ten. And they have so much gold and precious stones that they adorn their houses with precious stone as we adorn our houses with colored stone. And do not raise objections against me when I write to you, oh great King, that there are under the rule of King Daniel 300 kings, all Jews, and all of them possess countries under the power of King Daniel. And also under his governance are 3000 dukes and counts and great men and we know that his country is unfathomable. And he who has not heard of their community has not heard anything in the world.]<sup>63</sup>

63 Ullendorff and Beckingham, *Hebrew Letters*, pp. 56–61.

This King Daniel, King of the Jews, appears as a positive counterpart to the powerful destroyer mentioned in the Christian versions. Unlike the Christian tradition, the Hebrew text presents the situation between the Prester and the Israelites not in the sense that the Christians courageously defend the threatened world against the fierce and evil Israelite powers, but rather that the latter are a dominant, mighty force, 'for there is no nation and tongue which can stand up to them.'

Hence we can take our interpretation yet further and suggest that Elisha Cresques took the motif of the great king known as 'Daniel, King of the Jews' and put him up in lieu of the Antichrist, who is mentioned in the captions, but apparently not depicted. In the Jewish mind the Antichrist could, in fact, be identified with the utterly negative image of the 'עוין קריסטו', the evil Christ', which is also mentioned in the Constantinople print:

וכשהעוין קריסטו יולד אלו האנשים יעשו רע גדול בעולם

[and when the evil Christ is born these men [from the tribes] will be doing great evil in the world.]<sup>64</sup>

The king, in contrast, is mature, impressive, authoritative, gentle, and generous. He distributes clusters of gold fruit reminding us of abundant gold and precious stones mentioned in the Hebrew versions of the letters in relation to King Daniel. Under him we find several other kings, rulers, and princes, representing, as it seems, the '3000 dukes, and counts and great men...'. Cresques also added the clerical authorities to this motif of dominance, as if to indicate that when the time comes and Israel is free from foreign domination and exile, Christianity will follow the Jewish king.

Faithful – to a certain degree – to the tradition of the medieval *mappamundi*, Elisha Cresques depicted an eschatological realm in the northeastern corner of the world. He included Gog and Magog and a figure that at first sight was supposed to be associated with the Antichrist. Gog and Magog were placed behind the River Sambatyon, thus alluding to the Christian identification of Gog and Magog with the ten lost Israelite tribes. Against the background of a possible Jewish interest in the Letters of Prester John, however, the meaning of these elements has different implications.

### *Conclusion*

Drawing conclusions regarding this matter is not easy. Apart from the question of dating the Hebrew Prester John material, there is also no certainty about its *raison*

64 Ullendorff and Beckingham, *Hebrew Letters*, p. 47.

*d'être*. Were they documents born out of a wide-ranging exchange with Christian culture and the wish on the part of the Jews to enjoy that sort of literature as their Christian neighbors did or were they a polemical response to anti-Jewish elements that were interpolated especially into the later strata of the Prester John tradition? We have seen that Jewish coping with the material was careful and sophisticated, and could, in fact, take a clear polemical turn. Even if the actual written versions known to us today postdate the Catalan *mappamundi*, as Perry implies, this does not necessarily mean that Jews did not deal with the material earlier on. It is true that there are several possible channels through which Cresques could have familiarized himself with the Prester John legend. Vernacular versions abounded and we have seen that an Occitan text also survived. But we also saw that the latter belongs to those versions that put the ten tribes into the same context as Gog and Magog and the arrival of the Antichrist. Hence, knowledge of this tradition among Jews undoubtedly created reactions to its anti-Jewish elements, even if we cannot prove that the actual surviving Hebrew versions predate Cresques' work.

In the Catalan *mappamundi* Gog and Magog stand for the politically strong and independent tribes and the king represents the mythical King Daniel, who was interpolated into the Hebrew versions in order to underscore the motif of expected political independence, as opposed to the original Christian notion of subordinateness. Embedded in a project that was aimed at promoting up-to-date geographical knowledge, this image, ambiguous as it may be, manages to confront official with personal imagery and a royal *Weltbild* with concerns of Jewish identity. Fewer than twenty years before Sefardi Jewish society experienced one of its most severe crises, a crisis that forced, among others, Elisha Cresques' son, Jafudà, and his entire family (including Elisha's widow) into baptism, this ambiguous representation marks an attempt at coming to terms with Diaspora life accompanied by the hopes of redemption.

IV

PLACES AND ENCOUNTER



# L'ATHENES DES JUIFS : SOURCES HEBRAÏQUES SUR LES JUIFS DE PARIS AU MOYEN ÂGE

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Bernhard Blumenkranz, fondateur et directeur du laboratoire du Centre National de la Recherche Scientifique « Nouvelle *Gallia Judaica* » avait entrepris – en collaboration avec Shlomo Simonsohn et l'Université de Tel Aviv – de dépouiller systématiquement les textes hébraïques imprimés sur les juifs en France au Moyen Âge. A cette fin, il avait fait établir un fichier compilant des textes hébreux pourvus de traductions françaises. Lors de plusieurs missions effectuées à Jérusalem à l'Institut des manuscrits hébreux microfilmés de la Bibliothèque Nationale d'Israël, j'ai étendu ces dépouillements aux sources manuscrites pour l'histoire des juifs du Paris médiéval. Les résultats obtenus ont fait l'objet d'examinés lors de mes séminaires à l'École Pratique des Hautes Études (Section des sciences religieuses). Les sommaires de ces séances ont paru dans des volumes de *l'Annuaire, Résumé des conférences et travaux*, tomes 98–104 (entre 1988 et 1996)<sup>1</sup>.

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1 Cf. École Pratique des Hautes Études, Section des sciences religieuses, *Annuaire, Résumé des conférences et travaux*, 97 (1988–1989), pp. 226–29 ; 98 (1989–1990), pp. 263–66 ; 99 (1990–1991), pp. 207–10 ; 100 (1991–1992), pp. 245–49 ; 101 (1992–1993), pp. 177–78 ; 102 (1993–1994), pp. 195–97 ; 103 (1994–1995), pp. 187–90 ; 104 (1995–1996), pp. 243–46 (que nous citerons dorénavant sous la forme Nahon, EPHE *Annuaire*) ; et Gérard Nahon, « La communauté juive de Paris au XIII<sup>e</sup> siècle, problèmes topographiques, démographiques et institutionnels », *Actes du 100<sup>e</sup> Congrès National des Sociétés Savantes. Paris 1975, Section de Philologie et d'Histoire*, Paris, Bibliothèque Nationale, 1978, pp. 143–56 ; *idem*, « *Didascalii*, rabbins et écoles du Paris médiéval 1130–1171 », dans Gérard Nahon (éd.), en collaboration avec Gilbert Dahan et Elie Nicolas, *Rashi et la culture juive en France du Nord au moyen âge*, Paris-Louvain, E. Peeters, 1997, pp. 15–31 ; *idem*, « Les juifs de Paris à la veille de l'expulsion de 1306 », dans Jean Kerhervé et Albert Rigaudière, éd., *Finances, pouvoirs et mémoire, recueil d'hommages à Jean Favier*, Paris, Fayard, 1999, pp. 27–40. Le programme, exécuté lors de missions financées par le CNRS et l'École Pratique des Hautes Études (Section des Sciences Religieuses) a constitué un premier *corpus* (avec reproductions photographiques de fragments manuscrits). Je remercie de tout cœur les responsables de l'Institute of Hebrew Microfilmed Manuscripts à la Bibliothèque Nationale d'Israël, Abraham David, Benjamin Richler et le regretté Israël-Moshe Ta-Shma, pour leur appui constant lors de ces missions. Nous citerons ces manuscrits microfilmés de l'Institute of Hebrew Microfilmed Manuscripts sous la forme Jérusalem, IHMM. Ce programme, que je n'ai pu mener à son terme après avoir quitté la direction de la Nouvelle *Gallia Judaica*, doit être repris et finalisé sur de nouvelles bases. Il conviendra notamment de prendre en compte les travaux de Simha Emanuel qui renouvellent de fond en comble nos perspectives sur les sources rabbiniques médiévales de France et d'Allemagne en général, et sur leurs auteurs français ou ayant vécu en France, au XII<sup>e</sup> et au XIII<sup>e</sup> siècle.

Outre les textes que j'ai pu repérer et sélectionner dans le présent article, d'autres sources manuscrites auraient été connues de Richard Simon, sources qui expliqueraient son admiration pour les rabbins parisiens du Moyen Age, éloge qu'il insère dans la Préface des *Cérémonies et coutumes qui s'observent aujourd'hui parmi les Juifs*, traduites de l'Italien de Léon de Modène rabbin de Venise par le sieur de Simonville (La Haye : 1682). Le savant oratorien connaissait bien les manuscrits hébreux de l'Oratoire – aujourd'hui dans le fonds hébreu de la Bibliothèque Nationale de France – dont il avait dressé le catalogue entre 1663 et 1678. Mais pas un seul des manuscrits de l'Oratoire répertoriés dans *notre* Catalogue de la BnF n'est de provenance française. Richard Simon possédait-il d'autres manuscrits hébreux qui furent détruits avec nombre de ses livres dans l'incendie qui suivit le bombardement de Dieppe le 22 juillet 1694 ? Il confie en effet au Père Le Quien dans une lettre le 22 août 1694 : « Je n'ai plus les rabbins que j'avais sur l'Écriture et entr'autres l'Abrevanel dont j'avais presque tous les ouvrages »<sup>2</sup>. On peut supposer que des manuscrits hébraïques médiévaux provenant de Paris [lesquels ?] lui inspirèrent ces lignes : [1682] « En ce temps-là Paris était l'Athènes des juifs & ils venoient de toutes parts y prendre des leçons. R. Salomon Isaaki, le grand interprète du Talmud était français et je ne doute point qu'il n'en ait fait des leçons publiques dans Paris ».

Cette vision béatifique du Paris juif médiéval rappelle la relation hébraïque enthousiaste de Benjamin de Tudèle (c. 1173) : « Paris la grande cité du roi Louis assise sur le fleuve Seine. S'y trouvent des Disciples des Sages qui n'ont point leurs pareils sur la terre entière, s'occupant de Tora jour et nuit, pratiquant les préceptes et offrant l'hospitalité à tout voyageur, en frères et en amis avec tous leurs frères juifs »<sup>3</sup>.

2. Jacques Le Brun, « Vingt-quatre lettres inédites de Richard Simon (1738–1712) », *Lias*, 20 (1993), pp. 67–119, Lettre 12 (94).

3. Il m'est agréable ici de remercier vivement M. Jacques Assouline, qui a attiré mon attention sur cette Préface et a mis à ma disposition son exemplaire de l'édition princeps des *Coutumes*, ainsi que mon collègue M. Jacques Le Brun, qui m'a fait partager son immense savoir sur Richard Simon. Cf. Jacques Le Brun, « Simon (Richard) », *Supplément au Dictionnaire de la Bible*, éd. par Louis Pirot et al., Paris, Letouzey et Ané, 1928–2008, XII/71 (1996), pp. 1354–83. Pour la citation de la Préface, on se reportera à l'excellente édition qu'il a donnée avec Guy G. Stroumsa, *Les juifs présentés aux chrétiens, Cérémonies et coutumes qui s'observent aujourd'hui parmi les Juifs par Léon de Modène, traduit par Richard Simon* suivi de *Comparaison des Cérémonies des Juifs et de la discipline de l'Eglise*, Paris, Les Belles Lettres, 1998, p. 19 ; *The Itinerary of Rabbi Benjamin of Tudela, critical text, translation and commentary* par Marcus Nathan Adler, Londres, H. Frowde, 1907, p. 73 et la traduction française de Haïm Harboun, *Les voyageurs juifs du Moyen Age, XII<sup>e</sup> siècle : Benjamin de Tudèle, Petabia de Ratisbonne, Natanaël Hacohen*, Aix-en-Provence, Editions Massoreth, 1986, p. 139. Sur l'illustre voyageur, cf. l'article récent de Giancarlo Lacerenza, « Struttura letteraria e dinamica compositiva nel *Sefer Massa'ot* di Binyamin da Tudela », *Materia giudaica*, 12/1–2 (2007), pp. 89–98. Sur les juifs de Paris au moyen Age, reste incontournable malgré son grand âge la notice de Henri Gross, *Gallia Judaica. Dictionnaire géographique de la France d'après les sources rabbiniques*. Réimpression de l'édition parue en 1897, 3<sup>e</sup> éd. avec un supplément



Manuscrites et imprimées, ces sources sont pour la plupart disséminées dans des coutumiers, des consultations rabbiniques étrangères, des commentaires dont les *tossafot*, des compositions liturgiques, des relations de polémiques avec des chrétiens... Elles souffrent de la relative rareté des recueils de consultations rabbiniques, à la différence des pays allemands – avec l’exception notable du *Sefer ha-yashar* de Jacob ben Meir dit Rabbénu Tam<sup>4</sup> – d’une quasi inexistence de chroniques, et, d’une manière générale, de la rareté en ouvrages rabbiniques médiévaux hébreux proprement parisiens. Nos données proviennent pour une large part des responsa des rabbins de l’Allemagne, Eliézer ben Joël Ha-Lévi de Bonn, Isaac de Vienne, Meir de Rothenburg et ses disciples, comme Mordekhai ben Hillel et Meir ha Cohen<sup>5</sup>. Ces lacunes s’expliquent en partie par la discontinuité de la vie juive à Paris entre l’expulsion de 1182 et le retour de 1198, les destructions de livres perpétrées après le procès de Talmud en 1240, la grande expulsion de 1306, les troubles affectant la dernière communauté juive médiévale de Paris en 1380–1381<sup>6</sup>. Se pose la question de la légitimité du recours à des sources narratives tardives comme Salomon Ibn Verga, *Shevet Yehuda*, Joseph ha-Cohen, *‘Emeq ha-bakha* ou encore Gedalya Ibn Yahya, *Shalshelet ha-Qabbala* qui préservent des traditions non retenues ailleurs sur les juifs du Paris médiéval<sup>7</sup>.

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[bibliographique] de Simon Schwarzfuchs et une Préface de Danièle Iancu-Agou et Gérard Nahon, Paris-Louvain-Walpole, E. Peeters, 2011, pp. 496–534 et LXXXIII–LXXXVII.

4 Cf. *Sefer ha-yashar le-Rabbenu Tam, Responsa*, éd. Shraga Rosenthal, Berlin, A. Berliner, 1898 [en hébreu]; *Sefer ha-yashar by Rabbenu Tam, Helek ha-biddushim*, éd. Simon-Salomon Schlesinger, Jérusalem, 1959 [en hébreu]; Avraham (Rami) Reiner, « Rabbenu Tam, ses maîtres (français) et ses disciples allemands d’après l’analyse de son œuvre littéraire et ses parallèles », thèse de doctorat, The Hebrew University of Jerusalem, 1997 [en hébreu].

5 « Without the works by R. Eliezer ben Joel of Bonn, R. Isaac of Vienna and their successors, the pupils of R. Meir of Rothenburg, such as Mordecai ben Hillel and R. Meir ha-Kohen, the author of *Haggadot Maimuniyot* and the redactor of the collection *Teshuvot Maimuniyot*, we would hardly recognise an extremely considerable portion of the French rabbis’ responsa as such », Rami Reiner, « Rabbinical Courts in France in the Twelfth Century, Centralization and Dispersion », *Journal of Jewish Studies*, 60 (2009), pp. 298–318, ici 317 ; voir aussi, dans la même veine, *idem*, « Tribunaux rabbiniques en France au XII<sup>e</sup> siècle entre centralisation et dispersion », in Uri Erlich, Howard Kreisel, et Daniel-I. Lasker (éd.), *By the well; Studies in Jewish philosophy and Halakic thought presented to Gerald Blidstein*, Beer Sheva, Ben Gurion University Press, 2008 [en hébreu], pp. 565–91.

6 Gilbert Dahan avec la collaboration d’Elie Nicolas (éd.), *Le brûlement du Talmud à Paris 1242–1244*, Paris, Editions du Cerf, 1999, et dans ce volume, Colette Sirat, « Les manuscrits du Talmud en France du Nord au XIII<sup>e</sup> siècle », pp. 121–39 ; Céline Balasse, 1306, *l’Expulsion des Juifs du royaume de France*, Bruxelles, Editions De Boeck Université, 2008 ; Danièle Iancu avec la collaboration d’Elie Nicolas (éd.), *Philippe le Bel et les juifs du royaume de France (1306)*, Paris, les Editions du Cerf, 2012 ; Roger Kohn, *Les Juifs de la France du Nord dans la seconde moitié du XIV<sup>e</sup> siècle*, préface de Jean Favier, Paris-Louvain, E. Peeters 1988, Index, s.v. « émeutes ».

7 . Salomon ibn Verga, *Sefer Shevet Yehuda*, éd. Azriel Shohat, préface par Yitshak Baer, Jérusalem, Bialik Institute, 1947 [en hébreu], p. 169, 172, 173, 180, 189, 200 ; Joseph Ha-Cohen, *La Vallée des Pleurs. Chronique des Souffrances d’Israël depuis sa dispersion jusqu’à nos jours* par Maître Joseph Ha-Cohen médecin d’Avignon 1575, trad. par Julien Sée, Paris, chez le traducteur, 1881, p. 51, 52, 192 ; Gedalyah ben Joseph Ibn Yahya, *Sefer Shalshelet ha-Qabbala*, éd. princeps Venise, Di Gara, 1587 ; reprint Jérusalem, Dorot

### I. La gestion des espaces du judaïsme à Paris

Paris apparaît pour la première fois dans un responsum de Rashi à Yaqir ben Makhir d'Orléans (?) (fin XI<sup>e</sup> siècle) : un litige oppose deux juifs qui se pourvoient devant le tribunal rabbinique d'Orléans. Ils se rencontrent à Paris, où n'apparaît alors aucune autorité juive<sup>8</sup>. L'existence d'un 'rabbinat' à Paris n'est attestée formellement que vers 1120, lorsque ses maîtres envoient une consultation aux rabbins de Rome. Elle expose les termes d'un conflit interne à la communauté : un nouveau venu à Paris refuse de se soumettre à une *taqqana* parisienne du type *Herem ha-yishuv*, restreignant l'installation d'étrangers dans la ville. Aux dires des Parisiens – la réponse romaine ne livre pas leurs noms – cette *taqqana* s'applique en Ile-de-France, en Bourgogne, en Lotharingie et en Normandie. Les signataires romains Abraham-Ezra ben Mattathias et Menahem ben Juda émettent des critiques sur la forme et sur la fond de la requête. Ils reprochent aussi aux Parisiens de n'avoir pas fourni la teneur de leur *taqqana* et en réprouvent le principe (Fig. 1)<sup>9</sup>.

L'espace juif parisien se définit dans les modèles de *ketubot* et de *gittin* comme celui de Yehiel ben Joseph et celui de son disciple Peretz ben Elie de Corbeil : « Ici en la ville de Paris sur la Seine et la Bièvre » mentionnant les noms de Bandit, Mosselin, Reine, Rousse et Sephora (Fig. 4). Le modèle de *get* inséré dans le manuscrit du Talmud babylonien de Munich situant curieusement Paris sur la Seine et l'Essonne, signé : Azriel fils d'un saint rabbin Rabbi Hasmonaï ha-Cohen Hashmonaï témoin, porte la date du 5 *Iyar* 5068 (26 avril 1308) soit deux ans après l'expulsion de 1306 (Fig. 5)<sup>10</sup>. Il s'agirait, soit d'une pure facétie d'école, soit d'une nostalgie doublée de rancune.

Rishonim, 1962, p. 125, 131–33, 230 ; M. Abraham David a mis à ma disposition son édition en préparation de la chronique d'après le MS de Moscou, Bibliothèque d'Etat de Russie, Günzburg 652 = Jérusalem, IHMM 4.4.117, p. 107 ; j'ai plaisir à l'en remercier.

<sup>8</sup> Joel Mueller, *Responsa des Sages de France et de Lotharingie*, Vienne, 1881, réimpression Jérusalem, 1967 [en hébreu], n° 29, pp. 15–18 ; également Israel Elfenbein, *Responsa Rasbi, Solomon ben Isaac, ex codicibus librisque impressis congescit, praefationem, annotationes, indices adiecit, Notisque instruxit Prof. Louis Ginzberg*, New York, Shulzinger Brothers, 1943 [en hébreu], § 2.41, pp. 272–81 ; analyse dans Irving A. Agus, *Urban civilization in Pre-Crusade Europe*, 2 vols, New York, Yeshiva University Press, 1968, I, § LXX, pp. 237–354.

<sup>9</sup> Londres, Jews' College, MS Montefiore 98, fol. 87b = Jérusalem, IHMM 4.613, f° 85v-88v publié par Samuel-David Luzatto, « Réponse des Sages de Rome aux Sages de Paris », *Beit ha-Ozar*, 1 (1847), pp. 57–60 [en hébreu rabbinique]. Je l'ai transcrit en hébreu carré et traduit en français dans Gérard Nahon, *Judaïsme médiéval, communautés majeures, textes fondateurs (étude de documents)*, Bruxelles, Institut d'Études du judaïsme, 1987–1998, pp. 2–11.

<sup>10</sup> Modèle de *Get* de Yehiel ben Joseph de Paris daté de 5018 (1257–1258) dans Moïse ben Jacob de Coucy, *Sefer Mitzvot Gadol*, 2 vols, Venise, Daniel Bomberg, 1547, t. II, fol. 133v. Modèle de Peretz ben Elie, Oxford, MS Bodleian Library, 884 = Jérusalem, IHMM 21.843, fol. 55v ; Munich, Bayerische Staatsbibliothek, MS 95 = Jérusalem, IHMM 4.1.375.

Le tribunal rabbinique contrôle les métiers liés à l'observance religieuse. Constituée au XII<sup>e</sup> siècle des *zigne Paris*, les anciens de Paris : Mattathias, Juda ben Abraham, Yehiel, Juda ben Tov, cette cour édicte des prescriptions sur le salage des viandes. Un siècle plus tard les bouchers de Paris demandent s'ils peuvent ôter le lobe de la partie costale de l'animal abattu. Juda Sire Léon le leur interdit parce que sa propre expertise à cet égard leur fait défaut. Dans la même veine, Baruch ben Isaac s'emporte : il fulmine un *herem* contre la communauté parisienne pour le cas où elle consommerait des viandes ainsi apprêtées<sup>11</sup>. Chemin faisant, cette police coercitive de la viande postule un peuplement juif conséquent qui s'approvisionne chez *plusieurs* bouchers.

À la tête de la communauté parisienne des dirigeants dits *qetzinim* assurent les relations avec le pouvoir royal. Une lettre de ces *qetzinim* consécutive au drame survenu à Blois en 1171 nous est parvenue : elle relate les péripéties de la tragédie blésoise, l'audience accordée par Louis VII aux *qetzinim* et la garantie royale en prévision d'accusations analogues (Fig. 9)<sup>12</sup>.

Des instantanés de la vie quotidienne surgissent au détour d'un souvenir. Ainsi aperçoit-on Juda Sire Léon (début XIII<sup>e</sup> siècle) entouré de ses disciples et des notables de la communauté sur le seuil de sa maison un jour de Pâque après le service synagogal. Survient un quidam qui le consulte sur un point de *halakha*<sup>13</sup>. Dans la (ou une) synagogue, un jour de Kippour éclate un incendie. On appelle à la rescousse le personnel non juif de la communauté, Juda Sire Léon pique alors une violente colère : « Pourquoi, dit-il aux fidèles, n'éteignez-vous pas vous-même l'incendie ? »<sup>14</sup>. S'il l'on est en manque de livre saint, peut-on se faire fournir un Pentateuque par un chrétien ? En dépit de la position négative exprimée en son temps par Rabbenu Tam, au XIII<sup>e</sup> siècle à Paris, Yehiel ben Joseph opine pour une permission<sup>15</sup>. Des juifs en viennent-ils aux voies de fait entre eux sur la voirie ou en la synagogue : pour y obvier, Rabbenu Tam avait institué une amende de vingt cinq sous tournois, amende doublée en cas de rixe survenue en la synagogue. Cette institution était attestée à Paris par Joseph Qara « et notre maître

11 Mordekhai sur *Hulin* n° 620; cf. Ephraïm-Elimelech Urbach, *The tosaphists : their history, writings and methods methods*, 2 vols, 4<sup>e</sup>me éd., Jérusalem, Bialik Institute, 1980 [en hébreu], I, p. 348. Sur ce thème et sur Baruch ben Isaac « le français », appelé à tort « de Vienne », on se reportera à l'article de Simha Emanuel, « Biographical Data on R. Baruch ben Isaac », *Tarbiz*, 69/3 (nissan-sivan 5760, 2000), pp. 423-40 [en hébreu].

12 Londres, Jews' College, MS Montefiore 28 = Jérusalem, IHMM 4699, fol. 163, éd. Abraham Meir Habermann, *Livre des Persécutions d'Allemagne et de France*, Jérusalem, 1946 [en hébreu], p. 146.

13 Isaac ben Moïse de Vienne, *Sefer Or zarua*, éd. par Hanina Lipa et Joshua Höschel, Jitomir, 1862, IV<sup>e</sup> partie *Pisqe Avoda zara* § 262 ; cf. Urbach, *The tosaphists*, t. I, p. 324.

14 Urbach, *The tosaphists*, t. I p. 324.

15 I. Elbogen, « Les *dinim* de R. Pereç », *Revue des Etudes juives*, 45 (1902), pp. 99-111.

Yehiel »<sup>16</sup>. Dans des maisons juives, le samedi, des domestiques chrétiens font des courses pour la famille, ce qui offusque les rabbins. Rabbi Moïse [de Vienne ?] transmet une relation de Juda de Paris selon laquelle des juifs s'absentèrent de chez eux pour passer la journée entière de Kippour à la synagogue laissant la clef de la cave à une voisine chrétienne ou à la servante de cette dernière au risque de voir leur vin rendu *nesekh*, impropre à la consommation. Compréhensif, Jacob ben Meir Rabbenu Tam – probablement de passage à Paris – avait autorisé le vin<sup>17</sup>. Quant au lait trait un jour de fête, Rabbi Juda en autorise la consommation, à condition d'y tremper du pain<sup>18</sup>.

L'espace parisien imprime aussi ses pratiques dans la vie quotidienne, les actes légaux, la mort. Les juifs adoptent des noms français comme Deulesaut (= Joseph fils de Yehiel de Paris)<sup>19</sup>, Rousse, Sire Fontaine (= Baruch ben Isaac), Sire Léon (= Juda ben Isaac de Paris), Mocelin<sup>20</sup>, Sire Vives (Yehiel ben Joseph de Paris)... In *conspetu resurrectionis* on suit la coutume d'Elie de Paris de ne point couper les franges du *talith* enveloppant le défunt<sup>21</sup>. Quant à l'endeuillé, Juda de Paris lui permet de faire sa toilette à l'eau chaude, s'il ne le fait point par plaisir (Fig. 11)<sup>22</sup>.

L'espace parisien s'ouvre vers l'extérieur. Sur la route de Paris, un moine jacobin interpelle Joseph ben Nathan *ha-meqaneh* à propos de Jacob, un voleur – dit-il – qui acheta à Esäu un droit d'aïnesse d'une valeur de cent ducats pour un plat de lentilles (Fig. 12)<sup>23</sup>. Ailleurs Baruch ben Isaac mentionne la mer que l'on traverse pour aller sur la terre de l'île qu'on appelle l'Angleterre : il arrive qu'on la traverse en un seul jour par bon vent. On est alors autorisé à s'embarquer le jeudi soir<sup>24</sup>. Des juifs parisiens se fixent en Angleterre : le rôle fiscal de la Saint-Michel 1191 à Guildford, couche un Jacob de Paris pour dix sous au titre de l'arréage d'une

16 *Livre des Consultations de Rabbi Meir de Rothenbourg (Prague 1608)*, éd. Moïse Aryeh Bloch et Joseph Sternberg, Budapest, 1895 ; réimpression Tel Aviv, 1969 [en hébreu], p. 159<sup>v</sup>. L'institution de cette amende et son attestation à Paris impliquent selon moi, non Yehiel ben Joseph éminent rabbin du XIII<sup>e</sup> siècle, mais Yehiel ben Mattitya qui vivait au XII<sup>e</sup> siècle.

17 Oxford, MS Bodleian 2696 = Jérusalem, IHMM 22.700, fols 83a et 83b, éd. Gershon Apfel, *Sefer ha-Neyar, A Code of Jewish Law written at the end of the thirteenth Century*, New York, Yeshiva University, 1960, p. 219 ; ici nouvelle édition, Jérusalem, Makhon Yerushalayim, 2001, p. 120.

18 *Sefer ha-neyar*, nouv. éd. (note précédente), p. 120 et 54.

19 Selon la graphie מושיט דלישט Mossire Deulesaut attestée par Oxford, Bodleian MS 781 = Jérusalem, IHMM 20.318, fols 67<sup>v</sup>–68, que certains lisent à tort « Délicieux ».

20 Pour Rousse et Mocelin, modèle dans Oxford, Bodleian MS 781.

21 *Sefer ha-neyar*, fol. 43 v<sup>o</sup>, nouv. éd., pp. 61–62.

22 *Sefer ha-neyar*, nouv. éd., p. 62.

23 *Sepher Joseph Hamekane, Auctore R. Joseph b. R. Nathan Official (Saec. XIII)*, éd. Judah Rosenthal, Jérusalem, Mekize Nirdamim, 1970, § 16, pp. 40–41.

24 Baruch ben Isaac, *Sefer ha-Terumah*, Venise, Daniel Bomberg, 1523 ; Zolkiev, Abraham Juda Laeb, 1811, § 225, p. 139.

taille des juifs de Londres<sup>25</sup>. Le 15 novembre 1182 à Lincoln, un Salomon de Paris appose sa signature au bas d'une quittance<sup>26</sup>. Au XIII<sup>e</sup> siècle comme au XII<sup>e</sup> la destination de la Terre Sainte fait partie des perspectives de voyage. Entreprennent ce voyage Yehiel de Paris et son fils Joseph « lorsqu'il sortit de prison pour monter en Eretz Israel et que son père l'en dissuada par respect pour son propre père qui était encore en vie »<sup>27</sup>. Un mari peut-il contraindre son épouse à le suivre en Terre Sainte ? Rabbenu Haïm estime qu'à présent l'obligation d'y résider se trouve suspendue<sup>28</sup>. A l'intention d'éventuels pèlerins, deux guides sont disponibles : d'une part, un itinéraire des villes françaises à traverser avant de s'embarquer à Marseille, d'autre part une description des tombeaux sacrés rédigée par Rabbi Jacob émissaire de Yehiel de Paris (Fig. 6)<sup>29</sup>.

## II. Le roi

Au XII<sup>e</sup> siècle, sous les rois Louis VI le Gros (1108–1137), Louis VII le Jeune (1137–1180), Philippe II Auguste (1180–1226), le pouvoir royal se renforce au détriment du pouvoir seigneurial. Paris devient la capitale du Royaume et la communauté juive s'y trouve au contact du pouvoir. Qu'elle sollicite sa protection en échange de services financiers va de soi. Une proximité – voire une cordialité – entre la personne royale et les rabbins parisiens est suggérée par un *exemplum* recueilli par Isaac ben Dorbelo<sup>30</sup>.

25 Kew, National Archives, Public Record Office E 372/37, Rot.11d<sup>r</sup>, membrane 1, publié dans *The Great Rolls of the Pipe of the third and fourth years of the reign of King Richard the First*, éd. Doris Mary Stenton, Londres, Pipe Rolls Society, 1926, p. 139.

26 British Library, MS Hebrew 1202 = MS Add. Ch. 1251; cf. George Margoliouth, *Catalogue of the Hebrew and Samaritan Manuscripts in the British Museum*, 4 vols, Londres, British Museum, 1899–1905 ; réimpression 1965, t. III, p. 606, n° 1202 ; M. D. Davis, שטרות *Hebrew Deeds of English Jews before 1290*, Londres, Office of the 'Jewish Chronicle', 1888 ; reprint Farnborough, Gregg, 1969, p. 288.

27 Oxford, MS Bodleian 781, fol. 67v.

28 Talmud de Babylone, Tosafot *Ketubot*, 110 b.

29 Londres, Jews' College, MS Montefiore 492 = Jérusalem, IHMM 6122, (1), cat. pp. 152–53, fols 3–7<sup>v</sup> et (3), également Paris, Bibliothèque nationale de France, MS Hébreu 312, cf. Eliakim Carmoly, *Itinéraires de la Terre Sainte des XIII<sup>e</sup>, XIV<sup>e</sup>, XV<sup>e</sup> et XVI<sup>e</sup> siècles*, Bruxelles, A. Vandale, 1847, pp. 186–88. Ce Rabbi Jacob, émissaire de Yehiel de Paris, aurait copié un manuscrit d'un abrégé du *Sefer Mitzvot Gadol* d'Abraham ben Ephraïm conservé à la Bibliothèque Palatine de Parme – 1941/1 – et son fils Donin se trouverait à Corbeil en 1290 ou 1296, cf. Ivor S. J. Wolfson « The Parma Colophon of Abraham ben Ephraïm's Book of Precepts », *Journal of Jewish Studies*, 21 (1970), pp. 39–47 ; Malachi Beit-Arie et Benjamin Richler (éd.), *Hebrew manuscripts in the Biblioteca Palatina in Parma. Palaeographical and codicological descriptions*, Jérusalem, The Hebrew University of Jerusalem, The Jewish National and University Library, 2001, § 876, pp. 196–97.

30 Sur cet auteur mal connu auquel on doit en partie l'agencement du *Mahzor Vitry*, cf. mon article « Isaac b Dorbelo et le *Mahzor Vitry* », dans Petr Charvat et Jiri Prosecky (éd.), *Ibrahim ibn Ya'qub at-Turtushi : Christianity, Islam and Judaism Meet in East-Central Europe, c. 800–1300 AD*, Prague, Academy of Sciences of the Czech Republic, Oriental Institute, 1996, pp. 191–206.

A Paris des apostats dénoncèrent un jour au roi tous les Israélites qui jettent de la terre derrière eux au retour des enterrements, les accusant de jeter des maléfices sur les Gentils pour les faire mourir. Le roi accueillit cette calomnie et convoqua le rabbin Moïse fils de Rabbi Yehiel, fils de Rabbi Mattathias le Grand de Paris. Il lui dit : « Quelle est cette méchante pratique que j'apprends à votre rencontre ? Vous jetez des maléfices sur les Gentils au retour des enterrements ». Il lui répondit : « Sire le Roi, Dieu préserve qu'il n'y ait rien de tel en Israël ! Mais nous croyons que le Saint Béni soit Il ressuscitera les morts. C'est d'eux qu'un verset dit : "Que les villes voient croître leurs habitants comme l'herbe des champs" (Ps. 87, 16). Nous le récitons en arrachant de l'herbe et en la jetant vers les morts, voulant dire par là que nous croyons que le Saint Béni soit-Il les fait reflourir. Ainsi les morts, encore qu'ils soient morts, de même que l'herbe que nous arrachons et qui se fane sur la terre et que le Seigneur fait reflourir, le Saint Béni soit-Il les ressuscitera ». Le roi lui dit : « S'il en est ainsi, persévérez car vous agissez bien. C'est là une croyance grande et bonne car tu es un peuple saint pour le Seigneur ton Dieu. Maudits soient ceux qui vous calomnient car ils ne savent rien du bien de votre croyance. "Car c'est là tout l'homme (Eccl. 12, 13)" ». Puisque le rabbin revint en paix de chez le roi, il raconta l'histoire à la communauté. On rendit grâce au Seigneur et on dit : « Le cœur du roi est comme un ruisseau dans la main du Seigneur. Il le dirige partout où Il veut (Prov. 21, 1)" et le Seigneur agit selon Sa volonté. Béni soit celui qui dévoile Son secret à ceux qui le craignent (cf. Amos 3, 7 et Ps. 25, 14 : l'homme est maître des résolutions de son cœur, mais c'est le Seigneur qui prononce sur elles) ». J'ai ajouté ceci pour raconter la louange du Seigneur d'un fait survenu en France dans la ville de Paris afin que soit connue la raison de cette coutume et qu'à l'avenir le public s'abstienne de l'observer par crainte des Gentils, afin qu'ils ne les soupçonnent point de maléfices et que, le cas échéant, ils sachent répondre des paroles du sage (qui captent) la bienveillance (Eccl. 10, 2) (FIG. 7)<sup>31</sup>.

Cet *exemplum* postule que le roi connaît Moïse ben Yehiel et que, bien qu'ayant d'abord ajouté foi à la calomnie, il veut connaître sa version des faits. Réciproquement, l'auditoire juif du rabbin se montre bien disposé à l'égard du roi que Dieu conduit comme Il l'entend.

L'apologue de la lampe brûlant sans combustible, transcrit par Gedalya Ibn Yahya dans sa *Shalshelet ha-Qabbala* d'après un ancien *qunters* met en scène un Yehiel rabbin à Paris. Yehiel fabrique une lampe produisant de la lumière sans

<sup>31</sup> British Library, MS Hebrew Add. 26.000 ; Oxford, MS Bodleian 1100, *Mabzor Vitry*, éd. Simon Hurvitz, Nuremberg, 1923, réimpression ; New York, s. d., t. I, § 280, pp. 247-48, cf. Shlomo Eidelberg, « Terre de sainteté, tribulation de deux coutumes », *Proceedings of the American Academy for Jewish Learning*, 59 (1994), pp. 1-14 [en hébreu].

huile. Par ailleurs, pour écarter les importuns de sa demeure, il met au point une alarme déclenchant une trappe dans laquelle s'enfonce un intrus. Intrigué par la rumeur sur la lampe magique, le roi veut en avoir le cœur net. Il se rend chez le rabbin et trébuche dans la trappe. Alerté, le rabbin délivre le roi, lui demande pardon et lui expose qu'il tient cette lampe, non d'une quelconque sorcellerie mais d'une invention. Charmé, le roi fait du rabbin un de ses familiers au point de susciter la jalousie des courtisans. On assure en effet au roi que le rabbin tient la personne royale pour impure et qu'il ne boirait pas de son vin. Effectivement Yehiel s'excuse de ne point boire ce vin qui lui est offert par le roi, mais il boit l'eau de l'aiguière dans laquelle le roi s'est lavé les mains (Fig. 8) : un *topos* du folklore médiéval<sup>32</sup>.

A mon sens, il ne peut s'agir ici de Saint Louis contemporain de Yehiel de Paris. Le pieux monarque nourrissait en effet une détestation absolue des juifs et de la magie : « Quant aux juifs, écrit Guillaume de Chartres, odieux à Dieu et aux hommes, il les avait en telle abomination qu'il ne les pouvait voir »<sup>33</sup>. Le rabbin du conte s'identifierait plutôt à Yehiel ben Mattathias *ha-Gadol* de Paris contemporain et parent de Samuel ben Meir, le père du Moïse de l'*exemplum* funéraire rapporté *supra* et qui vivait au XII<sup>e</sup> siècle<sup>34</sup>. Quant au roi, je retiendrais l'hypothèse Louis VI. La proximité, la familiarité entre le roi et Yehiel apparaît plus sensible que dans l'*exemplum* précédent puisque non seulement le roi accorde foi à une rumeur le concernant le rabbin mais encore se rend – seul – au domicile du rabbin dont il connaît l'adresse.

Par delà ces historiettes, les *qetzinim*, les « capitaines » de la communauté ont leurs entrées à la cour. En 1171, après le drame de Blois, dans l'urgence ils se présentent au Palais de Louis VII où ils sont immédiatement introduits : « Lorsque le roi les aperçut, il les salua le premier ; ils répondirent par un salut et se réjouirent en leur cœur. Ils dirent : “Sire le roi, nous souhaitons parler en secret”. Le roi répondit : “Ce n'est pas en secret que je parlerai avec vous mais publiquement” ». Le roi rassure les *qetzinim* et leur remet des lettres de protection scellées de son sceau<sup>35</sup>.

Pouvons-nous comprendre dans cette perspective le *responsum* dans lequel Rabbenu Tam confie à son collègue Joseph ben Moïse : « *Melekbet aberim alay*

32 Moscou, Bibliothèque d'Etat de Russie, MS Günzburg, 652, fol. 107 = Jérusalem, IHMM 44.117, texte imprimé dans Gedalya Ibn Yahya, *Sefer Shalshet ha-Qabbala*, Venise, 1586, pp. 131–32 ; extraits dans Abraham Kahana, *Littérature historique israélite*, 2 vols, Varsovie, 1923 [en hébreu : *Sifrut ha-historyah ha-Yisre'elit*], II, p. 136. Notre collègue Abraham David de Jérusalem a bien voulu mettre à ma disposition le texte de son édition en préparation de la chronique. Sur le *topos*, cf. Isidore Loeb, « Le folklore juif dans la chronique du *Schebet lehuda* d'Ibn Verga », *Revue des études juives*, 24 (1892), pp. 16–29.

33 Jacques Le Goff, *Saint Louis*, Paris, Gallimard, 1996, p. 918.

34 Cf. *Sefer Or zarua*, première partie, § 476, p. 138 ; E.-E. Urbach, *The Tosaphists*, t. I, p. 46 ; Judah Rosenthal (éd.), *Sefer Joseph Hamekane*, p. 61, § 49, n. 2.

35 Londres, Jews' College, MS 28, fols 151–53.



*ve-avodat-ha-melekh*, les affaires d'autrui et le service du roi » m'incombent ?<sup>36</sup>. On a supposé que notre rabbin se chargeait de besognes fiscales au profit du comte de Champagne, mais l'hypothèse d'un service auprès du roi – *ha-melekh* – est aussi à considérer, d'autant que Rabbenu Tam semble bien avoir séjourné à Paris.

Envisageons encore dans cette perspective littérale la *taqqana* adoptée vers 1160, stipulant le retour de la dot au père dont la fille décède dans l'année de son mariage. *L'incipit* de l'ordonnance *mita'am ha-melekh u-gedolav*, « de par le roi et ses grands » reprend certes une citation biblique (Jon. 3, 7), mais l'hypothèse d'une ordonnance intercommunautaire validée par le prince reste plausible<sup>37</sup>.

Cette proximité cesse à l'avènement de Philippe Auguste. En 1181 le jeune roi fait emprisonner plusieurs jours durant les juifs de Paris afin de leur extorquer une rançon. Mordekhai ben Hillel ha-Cohen (1240 ?–1298) rapporte dans ses notes sur le traité talmudique *Avoda zara* (idolâtrie) : « J'ai trouvé écrit dans un responsum que, lors de l'emprisonnement des juifs de France, Rabbi Haïm Ha-Cohen autorisa le vin bien que des sergents fussent dans les maisons des juifs et les clefs entre leurs mains en train de faire des perquisitions, aucun juif n'étant au logis. Ils y furent plusieurs jours durant et il autorisa le vin alors même qu'il n'y avait pas d'ouverture sur le domaine public »<sup>38</sup>.

Au XIII<sup>e</sup> siècle, la personne royale est absente des sources hébraïques parisiennes. Cependant la reine mère Blanche de Castille intervient à six reprises avec bienveillance au cours du procès intenté au Talmud en 1240 (Fig. 13). Rabbi Yehiel fait appel à la reine pour garantir sa sécurité et celle de ses collègues. A l'injonction de la reine de prêter serment, le rabbin oppose un refus qu'elle accepte<sup>39</sup>.

On admette donc qu'au XII<sup>e</sup> siècle – et seules les sources hébraïques en témoignent – à la protection politique royale s'ajoute une relation effective ou ressentie comme telle de proximité, d'estime, de compréhension voire d'amitié entre la communauté, ses officiers, ses rabbins et le roi.

36 *Sefer ha-yashar*, § 15, p. 26.

37 Louis Finkelstein, *Jewish Self-Government in the Middle Ages*, 2<sup>e</sup> édition, New York, Philipp Feldheim, 1964, pp. 163–68.

38 Talmud de Babylone *Mordekhai* sur *Avoda zara*, § 847 et 856.

39 M. Piero Capelli, Università Ca' Foscari de Venise) prépare une édition critique de la relation hébraïque du procès intenté au Talmud – manuscrit à la Bibliothèque nationale de France, Hébreu 712, fol. 43v, cf. Piero Capelli, « Rashi nella controversia parigina sul Talmud del 1240 », dans Marcello Milani et Marco Zappella (éd.), *Ricerzare la Sapienza di tutti Gliantichi' (Sir 39,7). Miscellanea in onore di Gian Luigi Prato*, Bologne, Edizione Dehoniane, 2013, pp. 441–48. Nous disposons pour l'heure de plusieurs éditions, dont celles de Samuel Cohen ben Zeev Grinbaum, Thorn, 1873, et de R. Margulies, Lwov, 1928. Nous renvoyons pour les interventions de la reine à cette dernière édition, p. 13, 14, 17. La relation hébraïque ne précise pas qu'il s'agit de la reine mère, mais il paraît peu probable qu'il s'agisse de la reine en titre Marguerite de Provence. Pour Jacques Le Goff, *Saint Louis*, p. 1046, la controverse de 1240 se tient « en présence de Louis et de Blanche de Castille ».

### III. Les maîtres parisiens au XII<sup>e</sup> siècle

Evènement fondateur de l'autorité intercommunautaire juive dans la France du XII<sup>e</sup> siècle, le synode réuni à Troyes vers 1150 (Fig. 3) hisse les rabbins parisiens au sommet de la hiérarchie : « Nous nous sommes concertés d'un même cœur, Anciens de Troyes et ses Sages avec les habitants de son ressort alentour, Sages de Dijon et ses alentours, Grands d'Auxerre et de Sens et ses filiales, vénérables d'Orléans et de Touraine et nos frères habitants de Chalons et les Sages du ressort de Reims *ve-Rabbotenu-she-be-Paris* – et nos Maîtres de Paris – » (Fig. 2). L'intitulé *Rabbotenu-she-be-Paris* ou simplement *Rabbotenu* revient fréquemment dans les responsa de Rabbenu Tam témoignant d'une prépondérance indiscutée de Paris sur l'ensemble du royaume<sup>40</sup>. Une *taqqana* postérieure vise à empêcher l'abandon des femmes par leurs maris partant en voyage. Elle est contresignée par Rabbenu Tam *'al pi Rabbotenu she-be-Sarfai*, d'après nos maîtres de l'Ile-de-France, c'est à dire de Paris. Elle est en fait instituée « par Nous les plus humbles gardiens du troupeau (Jér. 49, 60 & 50, 45) qui nous trouvons à Paris ». Son article 7 confie son contrôle aux *Qetzinim* de la ville (Fig. 10)<sup>41</sup>.

Selon Rami Reiner, le responsum n° 24 de Rabbenu Tam à *Rabbenu Samuel ve-Rabbotenu-she-be-Paris* est destiné à Elie de Paris, Meshulam de Melun et Samuel ben Meir, lesquels constituent le tribunal rabbinique de la capitale. *Rabbotenu* recouvrirait dans ce contexte les maîtres parisiens dans leur ensemble, chacun d'entre eux dirigeant une yeshiva. Il arrive pourtant que Rabbenu Tam conteste la compétence de certains des rabbins parisiens : « A nos maîtres – écrit-il justement à Meshulam de Melun – j'ai dit *de vive voix* que pour certains d'entre eux, il conviendrait de décréter qu'ils ne puissent tenir école »<sup>42</sup>. À en croire ce responsum, à moins d'admettre un déplacement du corps rabbinique parisien à Ramerupt ou à Troyes, Rabbenu Tam serait venu une fois au moins à Paris : à cette occasion il aurait ainsi apostrophé ses collègues.

Au début du XII<sup>e</sup> siècle, Elie ben Juda de Paris incarne l'autorité rabbinique parisienne. Par la suite, celle de Rabbenu Tam tend à la supplanter dans le royaume tout entier. En témoigne une tragique péripétie survenue en la ville de *Qarnot*, un toponyme pouvant désigner Chartres ou Compiègne Voici les faits : « Notre

40 *Sefer ha-yashar*, § 24, p. 39 ; § 49, p. 161 ; § 50, p. 105.

41 Londres Jews' College, MS Montefiore 130 = Jérusalem, IHMM, microfilm 4642, fol. 54 a.

42 *Sefer ha-yashar*, § 50 pp. 105–06, cf. Avraham (Rami) Reiner, « Rabbinical Courts in France in the Twelfth Century. Centralization and Dispersion », *Journal of Jewish Studies*, 60/2 (2009), pp. 298–318. Reiner écrit cependant, p. 311 n. 47: « I have not yet found any source attesting to his staying in or visiting Paris ». Voir également du même auteur « Rabbinical Courts in France in the Twelfth Century. Centralization and Dispersion », in Uri Erlich, Hayyim Kreisel et Daniel Lasker (éd.), *'Al pi ha-beer, Mehqarim mugashim le-Yaaqov Blidstein*, Beer Sheva, Ben-Gurion University of the Negev, 2007–2008, pp. 565–91 [en hébreu].

maître Isaac a dit : il advint que fut assassiné Elie fils du rabbin Rabbi Todros de la ville de *Qarnot*. Il fut enterré alors que son père ne se trouvait pas dans sa ville et qu'il y rentra trop tard. A son retour, il ne voulut ni manger ni boire avant que les Grands de la génération, notre maître Jacob à Ramerupt et notre maître Elie à Paris ne l'autorisent à évoquer l'âme de son fils par le moyen du Tétragramme. Et toute la communauté lui répondit : Mange et bois. Nous leur enverrons un messenger afin qu'ils t'y autorisent »<sup>43</sup>.

A Paris même une séance académique se profile à travers un sermon de Samuel ben Meir sur Nombres 11, 35 « De Kibroth-Hattaava, le peuple partit pour Hacerot et il s'arrêta à Hâcerot ». Samuel ben Meir écrit : « Y avait-il deux Hacerot, une d'où ils partirent et une où ils campèrent ? La chose était douteuse pour nos maîtres et j'ai été interrogé à cet égard à Paris et je l'ai exposé dans un sermon »<sup>44</sup>.

Deux générations plus tard vers 1224 se tient à Paris une autre séance académique au cours de laquelle les rabbins présents évoquent Elie de Paris et Rabbenu Tam afin d'arbitrer une controverse relative au nœud des *tefilin* qu'il convient ou non de refaire chaque jour. Le manuscrit de Moscou commence par ces mots : « Cette copie vient de Paris du *Midrash* de R. Samuel fils du rabbin Elie d'Evreux »<sup>45</sup>. Au delà du problème posé, il apparait que l'évocation effectuée par le ministère de Metatron impliqua non pas comme prévu Elie de Paris et Rabbenu Tam, mais Moïse en personne et Rabbenu Tam, le premier s'inclinant devant le second. Rabbenu Tam l'emportait finalement sur Elie de Paris.

En 1200, Juda ben Isaac Sire Léon rétablit de foyer rabbinique de Paris disparu lors de l'expulsion perpétrée par Philippe Auguste entre 1182 et 1198. Pourvu des leçons de d'Isaac ben Samuel de Dampierre, Juda Sire Léon compile la première collection des *tossafot* du Talmud de Babylone qui constitue la base des études parisiennes. Redevenu foyer majeur des études et de l'élaboration des

43 Cf. Gerschom Scholem, *Origins of the Kabbalah*, éd. R. J. Zwi Werblowsky, trad. anglaise par Allan Arkush, Princeton, Princeton University Press, 1990, p. 101 ; E.-E. Urbach, *The Tosaphists*, I, p. 38, d'après un manuscrit hébreu de Vienne, cf. Arthur Zacharias Schwartz, *Die hebräischen Handschriften der Nationalbibliothek in Wien*, Leipzig, K. W. Hiersemann, 1925, p. 161b. J'ai localisé le manuscrit que Scholem n'avait pas consulté : il s'agit du MS Österreichische Nationalbibliothek 152 (= Jérusalem, IHMM 1324), 2ème partie, fol. 2 ; j'en ai donné une traduction partielle, cf. G. Nahon, *EPHE Annuaire*, 105 (1998-1997), pp. 250-51.

44 Samuel ben Meir Rachbam, *Commentaire sur le Pentateuque*, éd. David Rosin, Breslau, 1882, pp. 178-79.

45 Cf. Gedalya Ibn Yahya, *Sefer Shalshet ha-Qabbala*, Venise, 1587, fol. 52a ; David Kaufmann, « La discussion sur les phylactères », *Revue des Etudes juives*, 5 (1882), pp. 273-77 ; G. Nahon, *EPHE Annuaire*, 98 (1989-1990), pp. 264-65 ; Moshe Idel, « Metatron à Paris », *Mélanges de l'Ecole française de Rome*, 114/2 (2002), pp. 701-16. Manuscrits : Londres, MS Montefiore 476 = Jérusalem, IHMM 6111, fols 292<sup>v</sup>-293<sup>r</sup> ; Moscou, Bibliothèque d'Etat de Russie, MS Günzburg 652 (courtoisie Abraham David, Jérusalem), fols 89<sup>v</sup>-90<sup>r</sup> ; New York, Jewish Theological Seminary of America L 1062 (= Jérusalem, IHMM 24.264), fols 26<sup>v</sup>-27<sup>r</sup> ; and *ibidem*, L 204 (= Jérusalem, IHMM 23.644, fol. 148).

tosafot<sup>46</sup>, Paris accueille nombre de disciples français et étrangers, dont Isaac ben Moshe de Vienne, futur auteur de *Sefer Or zar'ua*, et Meir de Rothenburg dont les responsa extrêmement nombreux concernent très fréquemment la France et Paris<sup>47</sup>.

Au XII<sup>e</sup> comme au XIII<sup>e</sup> siècle les Sages de Paris innovent sur le plan juridique. Retenons en matière matrimoniale la *taqqana* parisienne destinée à remédier aux problèmes posés aux femmes par suite de l'absence prolongée de leur mari, *taqqana* entérinée par Rabbenu Tam<sup>48</sup>. Signalons l'augment à la *Ketuba* instauré par Yehiel de Paris. Rappelons qu'en matière de crédit Moïse de Paris avait assoupli les restrictions au prêt à intérêt<sup>49</sup>.

Sur le plan liturgique, les rabbins de Paris instituèrent la règle désormais admise en tout lieu selon laquelle le lecteur de la *haftara* n'est pas compté au nombre des appelés à la Tora, et ce contrairement à Rashi et à Rabbenu Tam qui le comptaient au nombre des appelés. R. Elie de Paris ne le comptait pas ; son avis prévalut et les *tosafot* spécifient à cet égard : « Ainsi l'établit R. Meshullam (de Melun) et ainsi en use-t-on maintenant dans toute la France et on changea l'usage de Rashi, de ses maîtres et de R. Tam » (*Tos. Megilla* 23 a). On doit encore

46 Fragile, l'hypothèse d'une rédaction des *Tosafot* à Rouen soutenue par Norman Golb, « L'édition de nos *Tosafot* à Rouen à la fin du XIII<sup>e</sup> siècle », *Revue des études juives*, 136 (1977), pp. 545-49, n'est citée ici que pour mémoire. Sur la contribution majeure de Juda Sire Léon au grand œuvre des *tosafot*, cf. E.-E. Urbach, *The Tosaphists*, I, pp. 322-35. Pour la ressource manuscrite sur les *Tosafot*, cf. Benjamin Richler, « Resources for the Study of Tosafist Literature at the Institute of Microfilmed Hebrew », dans Gilbert. Dahan, Gérard Nahon et Elie Nicolas (éd.), *Rashi et la culture juive en France du Nord*, Louvain, E. Peeters, 1997, pp. 383-92; Simcha Emanuel, « The lost halakhic Books of the tosaphists », thèse de Doctorat, Hebrew University of Jerusalem, 1993 [en hébreu, sommaire en anglais] ; *idem*, *Fragments of the Tables : Lost Books of the Tosaphists*, Jérusalem, Magnes Press, 2007 [en hébreu].

47 Cf. Irving A. Agus, *Rabbi Meir de Rothenburg. His life and his Works as sources for the religious, legal and social history of the Jews of Germany in the Thirteenth century*, deuxième édition avec un appendice sur « Jewish Community Self-Rule », New York, Ktav, 1970, p. 15, 49, 56-59; et les cinq volumes de responsa publiés de Meir de Rothenbourg. A cet égard, l'examen approfondi auquel s'est livré Simcha Emanuel modifie et élargit nos perspectives : le recueil comprend en fait des séries de responsa de nombreux rabbins autres que Meir de Rothenbourg ; cf. son article fondamental, S. Emanuel, « Pseudo responsa of R. Meir of Rothenburg », *Shenaton ha-mishpat ha-ivri, Annual of the Institute for Research in Jewish Law*, 21 (1998-2000), pp. 149-205 [en hébreu].

48 Rami Reiner reprend mon interprétation – G. Nahon, EPHE *Annuaire*, 99 (1990-1991) pp. 207-08 – selon laquelle cette *taqqana* – Londres, Jews' College, MS Montefiore 123, fol. 54 = Jérusalem, IHMM 4642, éd. L. Finkelstein, pp. 168-70 – fut adoptée à l'initiative des rabbins parisiens, cf. Reiner, « Rabbinical Courts in France in the Twelfth century : Centralization and Dispersion », *Journal of Jewish Studies*, 60 / 2 (2009), pp. 278-318, ici 308.

49 Pour Yehiel, Londres, British Library, MS Add. 11.639 A XXIII 2, folio 251 b, cf. G. Margoliouth, *Catalogue*, III, § 1056 p. 406. Pour Moïse de Paris sur le prêt à intérêt, voir Joseph b. Nathan Official (Sacc. XIII), *Sepher Joseph ha-Mekane*, Ex manu scriptis edidit et notis instruxit Judah Rosenthal, Jérusalem, Mekize Nirdamim, 1970, § 49, pp. 61-62.

à Joseph Deulesaut fils de Yehiel de Paris une addition au *Mabzor* du dernier jour de Pâque<sup>50</sup>.

Au XII<sup>e</sup> comme au XIII<sup>e</sup> siècle les rabbins de Paris – spécialement Elie *b.* Juda et Juda Sire Léon se livrent à des calculs complexes pour déterminer, en fonction de l'épisode de Balaam (Nombres 22–24), l'avènement des temps messianiques à partir de l'an 5976 (1215–1216) prolongé sur vingt années<sup>51</sup>.

Parmi les écrits rabbiniques parisiens retenons pour le XII<sup>e</sup> siècle, un commentaire du *Qaddish* dû à Salomon Gaon de Paris connu par le manuscrit Hébreu 303 du Vatican (fol. 229v)<sup>52</sup> et les ouvrages de Jacob ben Samson de Paris, le *Sefer ha-Elqoshi* et un commentaire des *Pirque Avot* dont un manuscrit du XIV<sup>e</sup> siècle est conservé à la Bibliothèque nationale de France, Hébreu 327. Pour le XIII<sup>e</sup> siècle, les tosafot de Juda Sire Leon, les *Pesaqim* de Yehiel de Paris s'imposent également<sup>53</sup>.

#### IV. La forteresse assiégée au XIII<sup>e</sup> siècle : les deux colloques de Paris

La littérature polémique occupe une place de choix au XIII<sup>e</sup> siècle ; elle entend fournir des arguments pour épousser aux chrétiens lors de joutes amicales ou d'attaques délibérées.

La controverse cordiale est représentée par le Livre de Joseph ha-Mekane qui rapporte des interprétations de versets bibliques et met en scène des interlocuteurs chrétiens, somme toute, amicaux.

Le procès intenté au Talmud marque la montée en puissance de l'offensive chrétienne et vise le Talmud. De la relation hébraïque du procès – manuscrits de Paris et de Moscou –, examinée par nombre d'études, détachons trois traits : la sophistication des attaques chrétiennes et des défenses juives, le climat hostile des séances, entrecoupées d'apostrophes chrétiennes en langue vulgaire destinées à amener les assistants contre la partie juive *ve-kho amar bi-leshon la'az be-qol*

50 Londres British Library, MS Or. 2735 IV 7, fol. 7a, Margoliouth, *Catalogue*, II, § 663 p. 290a.

51 Alexander Marx, « Discours sur l'année de la Rédemption », *Hazofeh me-Eretz ha-Gar* (Budapest) 5/3 (1921), pp. 194–202 [en hébreu] ; cf. E.-E. Urbach, *The Tosaphists*, I, p. 334.

52 Binyamin Rhielr, Malachi Beit-Arie, et Nurit Pasternak (éd.), *Hebrew manuscripts in the Vatican Library. Catalogue Compiled by the Staff of the Institute of Microfilmed Hebrew Manuscripts, Jewish National and University Library, Jerusalem, Palaeographical and Codicological Descriptions*, Cité du Vatican, Biblioteca Apostolica Vaticana, 2008 (*Studi e Testi* 438), p. 245, n° 24. Cf. G. Nahon, *EPHE Annuaire*, 100 (1991–1992), pp. 245–46 ; commentaire édité par Haviva Fedia, « "Flaw" and "Correction" in the Concept of the God head in the Teachings of Rabbi Isaac the Blind », *Jerusalem Studies in Jewish Thought*, 6 / 3–4 (1987), pp. 157–287 [en hébreu], courtoisie du regretté Israel Moshe Ta-Shma.

53 Eliyahu Dov Pines (éd.), *Les sentences de Notre maître Yehiel de Paris et les leçons des rabbins de France*, Jérusalem, Makhon Yerushalayim, 1973 [en hébreu]. Sous la cote H 482, la bibliothèque de l'Alliance Universelle à Paris conserve un manuscrit des *Pisqe Rabbenu Yehiel de Paris* offert en 1956 par Henri Mauss, cf. Avraham Malthète, « Les manuscrits hébreux de la Bibliothèque de l'Alliance Israélite Universelle, Paris », Danièle Iancu-Agou et Carol Iancu (éd.), *L'écriture de l'histoire juive, Mélanges en l'honneur de Gérard Nahon*, Louvain, E. Peeters, 2012, pp. 123–40.

*ram*<sup>54</sup> – ainsi dit-il à voix haute dans la langue du peuple – , l'équité relative de la maison du roi.

L'issue du procès est connue, la condamnation du Talmud, même si la date du brûlement pose problème. Hillel de Vérone composa une relation du brûlement de vingt quatre charretées de livres hébreux, relation que conteste Colette Sirat qui la qualifie de « pamphlet sorti de la plume d'un vieillard amer et haineux »<sup>55</sup>. Cependant, l'élogie de Méir de Rothembourg<sup>56</sup> et l'instauration d'un jeûne consignée dans le *Sefer Shibole ha-Leqet* de Sédécias ben Abraham ha-rofé de Rome<sup>57</sup> – des témoignages antérieurs à celui de Hillel de Vérone – plaident pour l'authenticité de la tradition reçue.

La relation inachevée d'une *deuxième* controverse tenue à Paris vers 1272, découverte et publiée avec un fac-similé complet de l'*unicum* de Moscou par Joseph Shatzmiller<sup>58</sup>, porte sur la messianité de Jésus que la partie chrétienne – Paulus Christiani – entend démontrer aux rabbins représentés par Abraham ben Samuel *mi-Radom* « de Rouen, » une identification que contredit l'apostrophe des officiers royaux aux rabbins : « Nous savons également que la majorité des maîtres de votre loi se trouve en France et en Champagne et qu'ils sont venus ici sur l'ordre du roi » (Fig. 14). La relation hébraïque signale aussi des apostrophes chrétiennes en langue vulgaire. Comme le soutient Chaim Merchavia, ce trait établit avec certitude que les débats se tenaient normalement en latin et partant que nos rabbins savaient le latin<sup>59</sup>. Colette Sirat a tiré d'un manuscrit tardif écrit

54 Robert Chazan, « The Hebrew Report of the Trial of the Talmud: Information and consolation », in Dahan et Nicolas (éd.), *Le brûlement du Talmud*, pp. 79–93.

55 Londres, Jews' College MS 28, fols 102–05 = Jérusalem, IHMM, 4699, relation de Hillel ben Samuel de Vérone publiée par Zvi Hirsch Edelman, « A Letter (to Isaac ha-Rofe) », dans *Hemda Genuza Maamarim, le-rashei gedole dorot ha-qadmonim*, Koenigsberg, 1856, pp. 181–202 [en hébreu] ; Colette Sirat, « Les manuscrits du Talmud en France du Nord au XIII<sup>e</sup> siècle », in G Dahan et E. Nicolas (éd.), *Le brûlement du Talmud*, pp. 121–39.

56 L'élogie *Shaali serufa ba-esh* est imprimée dans Abraham Meir Habermann, *Sefer gzerot Ashkenaz ve-Sarfat*, avec une introduction par Yitzhak Baer, Jérusalem, 1945, pp. 183–85 [en hébreu].

57 Mention dans le *Sefer Tanya Rabbati* attribué à Yehiel ben Yequiel ben Benjamin ha-Rofé, (Mantoue, 1514) et *Sefer Tanya Rabbati* avec commentaire de Simon b. Saül Halévy Hurwitz, Varsovie, 1879, p. 126, cf. *Sefer Shibole ha-Leqet ha-shalem*, éd. Samuel Kalman Mirsky, New York, Sura Institute 1967). Nous citons d'après Salomon Buber (éd.), Sédécias ben Abraham ha-rofé, *Shibole ha-Leqet ha-shalem*, Vilna, Wittwe et Gebrüder Romm, 1886, réimpression Jérusalem, 1987 [en hébreu], § 263, pp. 252–53. D'après cette relation le brûlement fut perpétré le 9 tamuz 5004, 17 juin 1244 mais on retiendra désormais, Simon Schwarzfuchs, « Le vendredi 13 juin 1242 : le jour où le Talmud fut brûlé à Paris », *Revue des études juives*, t. 173, 2014.

58 Joseph Shatzmiller, *La deuxième controverse de Paris. Un chapitre dans la polémique entre chrétiens et juifs au Moyen Âge*, Paris-Louvain, E. Peeters, 1994.

59 Ch. Merchavia, *The Church versus Talmudic and Midrashic Literature (500–1248)*, Jérusalem, 1970 [en hébreu], p. 245.



en 1384 quelques vers écrits en français par un scribe étudiant le latin tout en copiant le traité *Gittin*<sup>60</sup>.

Est-ce dans les lendemains de cette controverse qu'un auteur qualifia Paris de « Ville des sangs où se manifestent de nombreux hérétiques s'attaquant aux paroles des Sages ? »<sup>61</sup> Est-ce ce souvenir pénible qui inspira l'élégie *shalfu tsarim horbam libam* chantée sur un air à la mode de Moniot de Paris *zot be-nigun vadure vadure vadure va*, musique dont Raphael Loewe a retrouvé la partition ?<sup>62</sup>

### V. Monuments

Nos sources manuscrites sont pour la plupart enfouies dans des manuscrits conservés à Londres, à Moscou, à Parme, à New York. De quels *monumenta hebraica* provenant directement de Paris disposons-nous aujourd'hui ?

Parmi les manuscrits médiévaux écrits en France au Moyen Age, nous repérons trois manuscrits se rattachant à Paris :

1. Le Pentateuque d'Abraham ben Jacob, Paris, Bibliothèque nationale de France, MS Hébreu 44, fol. 166<sup>v</sup>, 7 mars 1303 (Fig. 15).
2. Le *Sefer Mitzvot qatan*, *Petit Livre des Préceptes*, d'Isaac ben Joseph de Corbeil calligraphié par un Joseph Leroy 'en dehors de Paris', Paris, Bibliothèque nationale de France, MS Hébreux 643, n° 3. D'après un toponyme inséré dans un formulaire de divorce au fol. 87<sup>v</sup>. Michel Garel estime que le scribe aurait travaillé à Lövenich, à l'ouest de Cologne entre Aix-la-Chapelle et München Gladbach, et que la formule « en dehors de » renvoie à l'expulsion de 1306 (Fig. 16)<sup>63</sup>.
3. Le *Sefer Amude Gola*, ou *Sefer Mitzvot Qatan* d'Isaac de Corbeil copié par Abraham de Bagnols emprisonné à Paris c. 1390, New York Jewish Theological

60 Manuscrit de la collection Wolfson, Jérusalem Hechal Shlomo, Catalogue. Bialer, aujourd'hui National Library of Israel, MS Hebrew 34.695, fol. 177r ; cf. Colette Sirat et Malachi Beit-Arie, *Manuscrits médiévaux en caractères hébraïques portant des indications de dates jusqu'à 1340. Bibliothèques de France et d'Israël, Manuscrits de grand format*, Jérusalem-Paris, Centre National de la recherche Scientifique, Académie Nationale des Sciences et des Lettres d'Israël, 1972, fiche I 54.

61 Cambridge University Library, MS Add. 1564 = Jérusalem, IHMM, 17.476, cf. Ezéchiel 24, 22. 2.

62 Londres British Library, MS Add. 11.639, fol. 543b ; Margoliouth, *Catalogue*, II, § 1056, XV, p. 419 = Jérusalem, IHMM, 4948 ; publié par Raphael Loewe, « A 13th-century piyyut set to French Music », *Revue des Etudes juives*, 161 (2002), pp. 83–96 ; enregistrement CD Rom « *Shalfu tzarim*, Poème liturgique », notice, transcription latine, traduction française par Colette Sirat, livret pp. 16–17, in Hervé Roten et Colette Sirat (éd.), *Juifs et trouvères, Chansons juives du XIII<sup>e</sup> siècle en ancien français et hébreu / Jewish songs of the 13th century in Old French and Hebrew*, Ensemble Alla Francesca, Paris, Institut européen des musiques juives [2014]. J'ai plaisir à remercier Colette Sirat, qui m'a offert un exemplaire de cette extraordinaire réalisation.

63 Michel Garel, *D'une main forte, manuscrits hébreux des collections françaises*, Paris, Seuil & Bibliothèque Nationale, 1991, § 99, p. 137.



Seminary of America, MS Mich 8227 = Jérusalem, IHMM 13.406, fol. 287a (Fig. 17).

A ces manuscrits, joignons un ensemble épigraphique bien connu, provenant de deux cimetières juifs du Moyen Âge. Nous en détachons trois inscriptions pour leur apport à l'histoire rabbinique du XIII<sup>e</sup> siècle parisien. L'épithaphe de Samuel ben Joseph 1247 *she-nihag ha-hadarim*, qui géra les petites écoles ou les chambres d'étudiants (Fig. 18). L'épithaphe contenant les mots *Morenu Rabbi Yehiel*, « notre maître Rabbi Yehiel », serait selon Simha Emanuel celle même de Yehiel de Paris décédé, non comme on l'a longtemps cru en Terre Sainte, mais à Paris (Fig. 19)<sup>64</sup>. L'épithaphe de Salomon ben Juda 1281, maître éminent nulle part ailleurs attesté, aurait-il succédé à Yehiel à la tête de l'École ? (Fig. 20)<sup>65</sup>

Pour finir, je présente une inscription fragmentaire inédite du Musée d'Art de l'histoire du judaïsme, fragment authentifié par l'expertise archéologique de Claude de Mecquenem (Fig. 21). Je l'interprète comme une inscription synagogale gravée lors du retour des juifs à Paris, peut-être sur une commande de Juda ben Isaac de Paris, réputé avoir restauré l'école rabbinique parisienne :

Je me souviens de Ton nom pendant la nuit Seigneur et j'[observe Ta Loi] (Psaume 119, 55)

Chaque jour je te bénirai, je [célébrerai Ton Nom à jamais] (Psaume 145, 2)

L'an (4)960 li[-ferat Qatan] soit 4.960 AM 1199–1200 AD.

### Conclusion

Nos sources hébraïques sont nombreuses mais parcellaires et, pour la plupart, extérieures à Paris. Elles éclairent la vie quotidienne et partiellement le fonctionnement de la communauté<sup>66</sup>. Elles révèlent une relation spéciale avec la royauté au

64 De nombreux travaux traitent de Rabbi Yehiel Sire Vives, notamment Thérèse et Mendel Metzger, « A propos de la date du décès de Yehiel de Paris et de la copie du ms Add. 11.639 de la British Library », *Wiener Jahrbuch für Kunstgeschichte* 39 1986 p. 221. Faute de pouvoir tous les citer dans les limites de cet article, je renvoie à la mise au point du regretté Israel-Moses Ta-Shma, « Rabbi Yehiel de Paris : l'homme et l'œuvre, religion et société (XIII<sup>e</sup> siècle) », *Annuaire de l'École Pratique des Hautes Etudes : Sciences religieuses*, 99 (1990–1991), pp. 215–19 ; SimhaEmanuel, « R. Yehiel of Paris : His Biography and Affinity to Eretz-Yisrael », dans Joseph Hacker (éd.), *Shalem, Studies in the History of the Jews in Eretz-Yisrael*, 8, Jérusalem, Yad izhak Ben-Zvi, 2008, pp. 86–99 [en hébreu]. Le fragment se trouve encore au Musée national du Moyen Âge, Musée de Cluny, alors que les autres pierres sont exposées au Musée d'Art et d'Histoire du judaïsme.

65 Dans mon recueil *Inscriptions hébraïques et juives de France médiévale*, Paris, Les Belles Lettres, 1986, § 6 pp. 55–56, § 75 p. 124, § 28 pp. 80–82. Ce recueil fut publié dans la Collection Franco-Judaica, alors dirigée par Bernhard Blumenkranz.

66 Le guide le plus sûr à cet égard est l'article de Simon Schwarzfuchs, « La vie interne des communautés juives du nord de la France au temps de Rabbi Yehiel et de ses collègues », in G. Dahan et E. Nicolas (éd.),

XII<sup>e</sup> siècle, et mettent en valeur les personnalités rabbiniques dominantes : au XII<sup>e</sup> siècle, Elie de Paris, au XIII<sup>e</sup> é Juda ben Isaac Sire Léon et Yehiel ben Joseph Sire Vives. On retiendra leurs décisions halakhiques, leur contribution au grand œuvre des *tossafot*, leur pratique du latin révélée lors de deux controverses. La fin du XIII<sup>e</sup> siècle est moins représentée, indice d'un déclin, voire d'un début d'émigration ? Le naufrage de la Grande Expulsion de 1306 est absent de ces sources. Dans sa quête exemplaire des traces littéraires hébraïques sur 1306 et ses lendemains, Susan L. Einbinder n'a pas de rubrique « Paris »<sup>67</sup>. Si les manuscrits proprement parisiens sont quasi inexistant, Paris possède un corpus épigraphique pour le XIII<sup>e</sup> et pour le XIV<sup>e</sup> siècle. Enfin les séquences disséminées dans la littérature rabbinique, fréquemment représentées dans plusieurs manuscrits aujourd'hui aisément accessibles, peuvent et doivent faire l'objet d'éditions critiques réunies dans un *corpus*, un *desideratum* urgent.

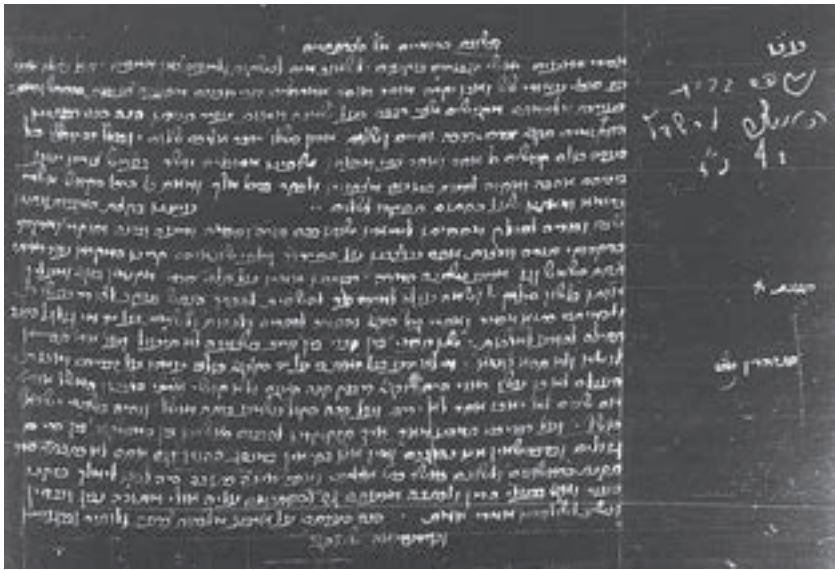


Fig. 1 *Responsa des rabbins de Rome à ceux de Paris* (c. 1120), Londres, Jews' College, MS Montefiore, 98 a 639 = Jérusalem, IHMM 4613, fols 85v–88v.

*Le brûlement du Talmud*, pp. 23–37.

<sup>67</sup> Susan L. Einbinder, *No place of Rest, Jewish Literature, Expulsion and the Memory of Medieval France*, Philadelphia, University of Pennsylvania Press, 2009.



Fig 2 Synode de Troyes 1150, Londres, British Library, MS Add. 11 = Jérusalem, IHMM 4948, fols 256 v-257 v.

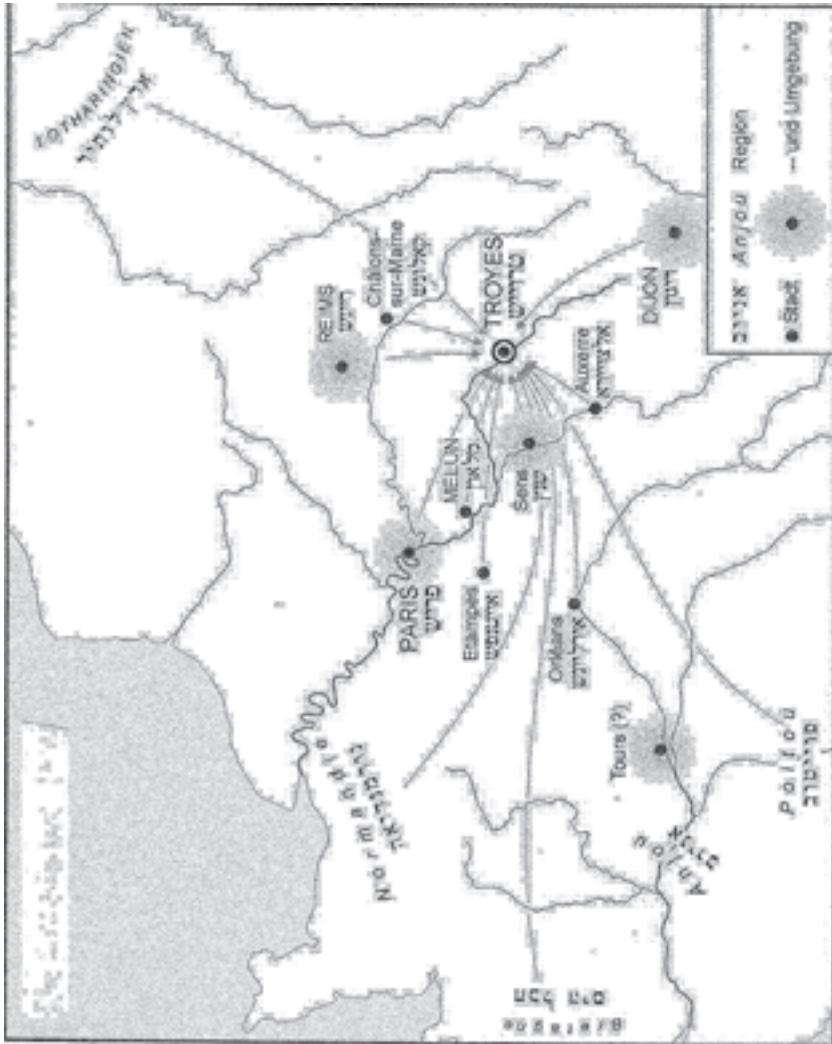


Fig. 3 Synode de Troyes (c. 1150), carte.



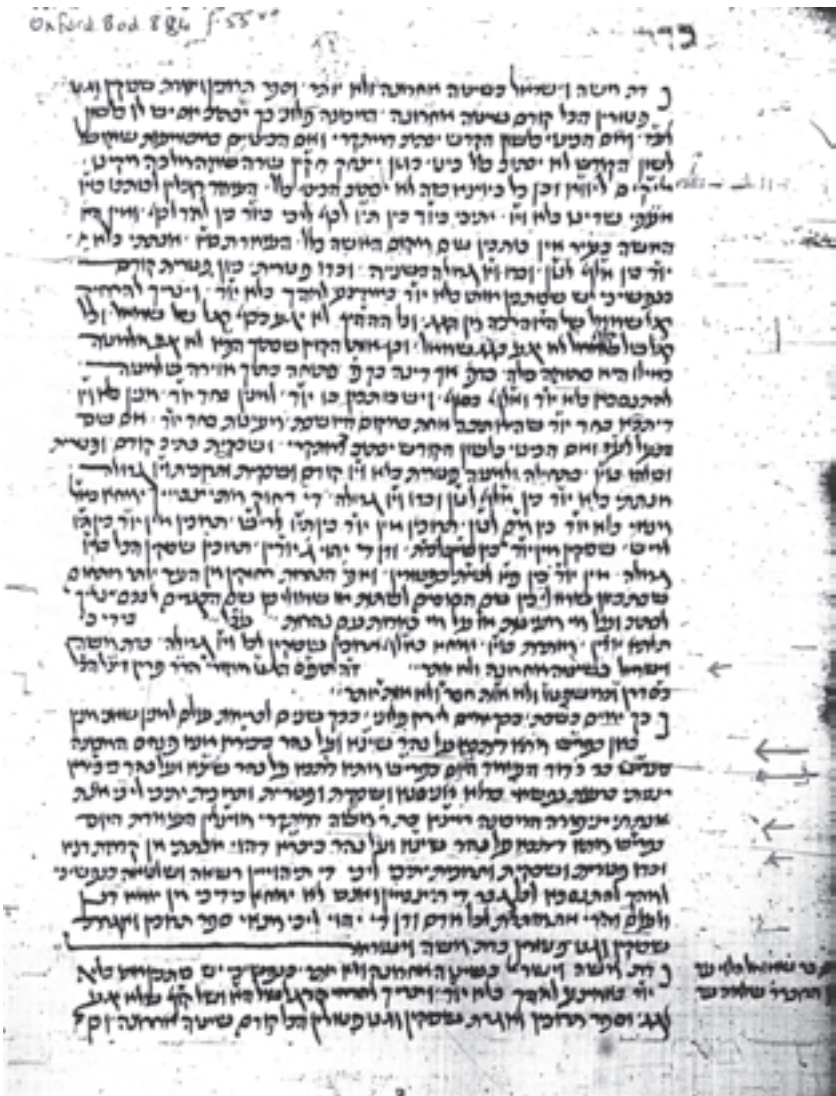


Fig. 4 Modèle d'acte de divorce parisien (s. d.), Oxford, MS Bodleian 884 = Jérusalem, IHMM 21.843, fol. 55v.

כשש' צ' ש' כחמישה ימים אחרי שנת חמש' אלפים וששים ושמונה לבריאת עולם למנון שאנו בני  
באן בפריש ברתא דיהבא על נהר שינת ועל נהר אישונ  
אנא אליאב בר רבי יוסף הלוי העומר היום בפריש מה  
דיהבא על נהר שינת ועל נהר אישונא יצנידי כרעות נפשי כדלא  
אניכנא ושקיה ופטוריה ותרוכיה יוצני ליכי אנה אתנדי רבקה  
בת רבי אבהם הכהן דהויה אתנדי מון קדמה דכא וכן פטריה  
ושקיה ותרוכיה יוצני ליכי די הוויין רשאה ושטאה כנפשי  
דמהך להתנכא לל צני די הוינדיין ואנש לא ימחה כיריכי מן  
יומא דכן ולעלם והוי אה מוהרת לכל ארס ודן די יהוי ליכי  
מנאיסר תרוכין ואגרה שכוקין וגט פטורין  
כד ה' משר' וישר' א  
 יחיאל בן החכר הכו שמועיה הלוי עד  
 עזריאל בן הרב הקדוש רבי חשבוניא הכהן עד  
 וישר' ונמא לימאון ודן מור יולא ודן עלא עד ולימאון מור חיל  
 וישר' ונמא לימאון ודן מור יולא ודן עלא עד ולימאון מור חיל  
 ה' ש' ארס' וישר' ונמא לימאון ודן מור יולא ודן עלא עד ולימאון מור חיל  
 (מנון פניין)

Fig. 5 Modèle d'acte de divorce parisien (1308 ?), Munich, MS Bayerische Staatsbibliothek 95 = Jerusalem, IHMM 41.375.



*Fig. 6 Les signes et les listes des tombeaux de R. Jacob, Londres, Jews' College, MS Montefiore 492 = Jérusalem, IHMM 6.122, fol. 1.*



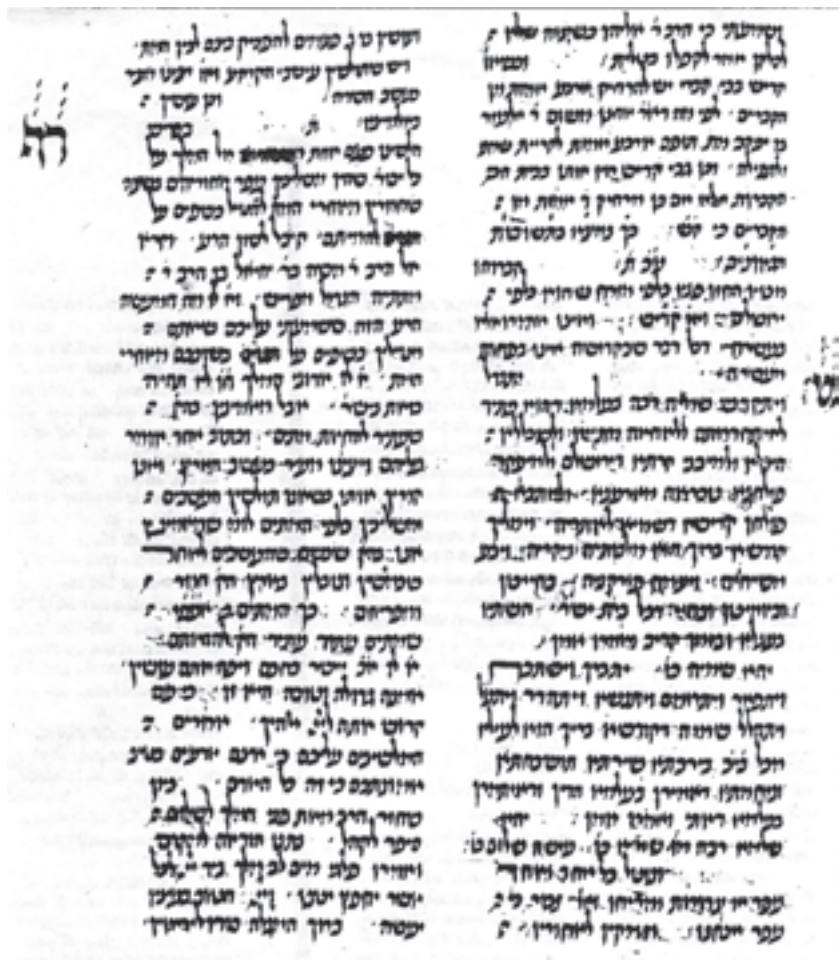


Fig. 7 Louis VII et R. Moïse b. Yebiel, Londres, British Library, MS Add. 27.200 = Jérusalem, IHMM 5872, fol. 161v.

פרזא ביהודיק סידן קב נדקניסנ אנהיס שאנריריס לילן השנת  
ואנעס נפוטירמילי רפניס שבין פרנד זן זאמר דפאררש :  
**דבני יחיאאל** דבניס אי ביה זב סונג ברנד מזה פילג נפיה  
סולטידי דבניס תורה המסיד ברנד ד נפיק  
ידין הלך לעבנד בעבר נקמל ונדה זב דילי תפסן נפאנעם  
פניג שעשה ז ימילי פניג גל בוכענן ססטל בעלמה שאים זנעס גר  
ה פניג ימלעבינה נפאנדיק ימיס שיעד זר זעריני דבניס נפאנדיס  
יסן שום הקרנס דבניס מילי תיה פיקנמל זעריני נפאנעם  
פילעפיי נמיה בבניס לידנס נב זן פילע שפין נמיה לראנקה פיל  
עבד שפם האן פאנעפניס נמיס דיליקט מילי ספונטילט סידן נזה  
כיה ספונטילט זילעמל דפאנטי אלע זערי שפאנעלעקן פילע זערי  
נישאר קולך פאנעני עשילי טייליניס זערי פילע זעריניס זערי  
כדי סילען להמקוץ טונה לבנעדיק זשאנס ינהכר קדנשה פארעשויסלעך  
ימקין סן לביסליק נלפמנה ברענס פילעך פתח ללבן פונען פאנעדיק  
לברענע דער זענענדיק לעסטריס זעך פאנען פאנען שכיכונעס זענין  
פילע זעריניס זעריניס זעריניס זעריניס זעריניס זעריניס זעריניס  
פאנען לילעך זעריניס זעריניס זעריניס זעריניס זעריניס זעריניס  
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Fig. 8 La lampe magique de Yehiel, Moscou, Bibliothèque d'Etat de Russie, MS Günsbourg 652 = Jérusalem, IHMM 44.117, fol. 107.

הכתרה על סוסר נכונת מיניח אושרהם שלפניו כפיון ויבסס דלתים  
 הירוב יום משה שנה ונשר לשון שחולן יחול כדור הקול ונשר הקול סר ונס  
 פליט אסור בן הכנסתו הולך ככסר פישלי אהפסל אפי רחיל על דבר אל -  
 ונרמזת בן הקדושתו ונחיתו אן ס כייט דלעב ארבי שון כחשוי ועב אט אל -  
 רמז בן אים כקורס וקורו קורו מלכות אן אשרתו הנלדום מיניל ויאר אים שיש  
 כלום יב עשה השולטן שלט שיקרה עקור הול ונל ונעל מועה הולת אים שיש ביש  
 דל טוב אים נעבא שלח כין יפח פלנטו ס גפ חפ יחא מימע על איב שיעשה ועב -  
 היהודים שמריל על אים ארו על איב שיעשה הסוד כחאשולטו ב גפ אודם כפטר  
 פועליהו אן אודם סמפד - נבלו כסרוו קאודוה עינים שלפשו דבר זה ונמזון -  
 הדבר אפי ואל נילמא דבר אודת השלם והיול היה יספר אפי היהודים מייעשה היט  
 שיעשו קרס פועיל שיהי העלך דבר זה ועשה חזי יודעים ל היהודים סכחילי  
 ב איעב איש חושש כדבר זה ב אפיו נילמזו הניס גי הול ספד יול בערה או  
 קורו ויהודים שום דבר בשום כך אן או קמושל כדבר בור קנעה או נל עליו -  
 יול שם וקנעה של עשה היול חודם גלי אשוח כל ארע אקות היהודים שוי אים  
 ונקטום ואל הקורים שלכו נקטום כדור מבורים וכל ישראלי ושאור קסם ומונים  
 יקר מיא שיעשו על הנה ורמה יודר מיא סמבע אים סכח ודודלח ויול הקו  
 רבר קלוי אכור וול רוכב יס עלך אקוול ארביס הקחש ככח חיות אהול -  
 ויול שיעשו אשר הולך אן באר טוב פליט ס סיסר שילח דוכר הרע נול  
 אשחודים כעשה קול ויול ויול כל על ויסיס אחר העשרה של ב אהרים  
 חול אפיו חול הקדושים אפיו קסם ומונים כלישון עין ויול פועל אהרים  
 שוב סיסר הרוב אן ושאור א השום אים יפשו ס אשעליע ועב אן נבול אפיו  
 כן חפס כיוזי מויהם אכרס פו קסם יודר יסטרולח ומהם חותמו כל אילס אן  
 הפיוס אפיו קסם היהודים קסם ומונים ככח פון - ואמיון מלמ אן הכניע  
 אשעל ארבי ונולמי האסודים אכרס כסודר חשוד תחת אחיו השלטון וכב  
 השעל והאסודים פו חסודי ונשחל על קב אטרע אן אטרע או השלטון וכבר נתי  
 אן ערס וקמוס אן הולכום אמיסר והנפלים שלם שונאנו נשחל אים אשוב  
 אן אן פולח סר דרע וכל השמים יפשו וימתיד הסעל ככושיהם וול יודר  
 ב עיל יפסיס אפיו אים חובות ומוזע נסם יתקום ס העוב אשר נס דבר שלח  
 יפלו על ישראל עור פלח דבר סילכ ס חלס עשה אן אן - רכד היספחות  
 סל בית הכנסת דבר שול נכב וול היה דבר אפיו חות ס השלטון אחר אן ויסק  
 הכת פועלם ס היהודים וקלים אונע ועב הכת קיוז אודם אן ומוזע סלח על -  
 על אן ויש ווי חשוד אפיו אן ונשחל ס אן יאוד אודם וקמוס סכס - וטרע  
 יסוד אונע אפיו חסוד ויסק ס אמיכע ויולמיע אונע חרין ס יעשה אן -  
 דוד אשר כרעט אפיו שנפלים ויזע כרעט נדיע ס שחלח אקום חור ונכרין  
 הקים סכחט ככח חורן יפטרעל יפיו אקוול חסע כייט נשחל וקויות  
 אודו אפיו חורן רבר וול חילך אודו אים כיו - ויהי סאונם חילך הקדים אים  
 שלום נסם קייטו שלום ושאור ככסם - אודו אן ארו ניע באור ר ילמ אע אר -  
 כפטר וול אן סטר אודר שים חך קוי אע חווד ס קעח סילכס ככפונ וקטר  
 ויזע סכח וקויות חפ אודו - אים ומוזע אים שחלח פוס גלי ונשחל אן -  
 סכחילי ויב כייט שנפחיות קרס וול א סל סילכס אן אפיו רפחו ס חוסק  
 על סכחילי סוד ונשחל קול כל אן סחן אכר זיל היהודים כפלים אודו סכפונ קודם  
 קודם אן ושאור קסם ומונים יודר אקום - והדבר ד נע ס השום הרב חילך

Fig. 9 Lettre des qetznim de Paris, 1171, Londres, Jews' College, MS Montefiore 28 = Jérusalem, IHMM 4699, fol. 163.



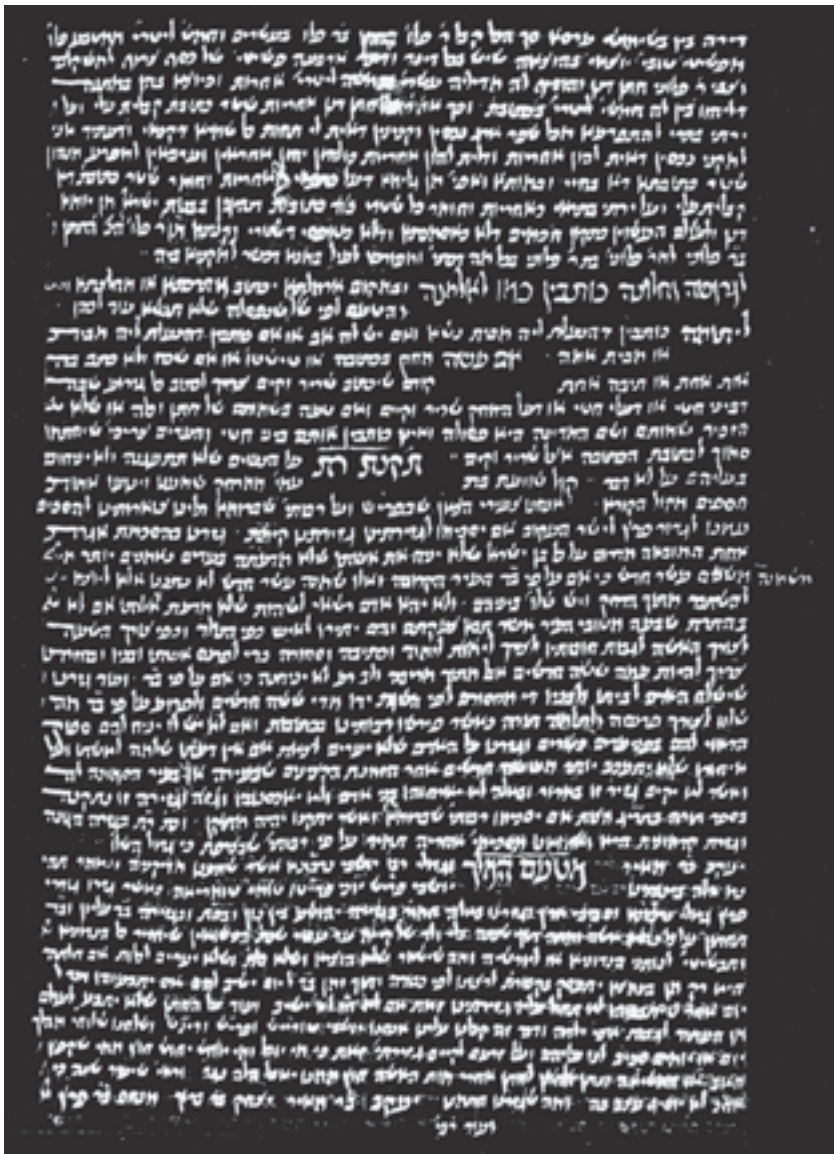


Fig. 10 *Taqqana parisienne pour la protection des épouses, Londres, Jews' College, MS Montefiore 130 = Jérusalem, IHMM 4642, fol. 54.*

ולא נוה'רין תבדו ריבוי קריעה מיהו  
 אחר שנקבר חולין בעילה מבההמה ובה  
 בשפה הראש וראשון לכל אחר  
 ראובן ואטון לנלובר טווחא מרוב ומרין אהרן  
 סטרה ראטונה מטה אחרים ויטב לארץ או על  
 גבו קרע או כל עם סיים ונסתה ונותה מ סבעה  
 זין אהל מן פרהסיה מן בנינעלם ואלו הן נזורה  
 טבעה אמור בעילה סגול וחייבה יחיים והגלים סמול  
 והלופו ביטון למ יריו לטורר נזורה ריעון שפעה  
 הראש ואמור בהטבוים הטלה ולהיזה הרעו לפני יו  
 כל ואל יהלית טריד כל ואל יקרא מזהו בבאך  
 וסמבס ומותר סמבס הרעים טביר מיה ואטור  
 בטחילה שלוב ויטוים אהרים לטחאל בטלומו  
 והמנוגמים יאמרו הן ינחם אומר ראש אחרים  
 טאלו בטלומו ויפנים טווחאם אהל אהים להם אפולת  
 וכל ג מיט הראטונים סבאן וחילר מטיב להם  
 בטעה רפה חטור ראש והספילין אסור זום אחר  
 מטה לטה ראסור בעשויה מל אמה ק סב והנעפר  
 מן הרציה זמן לאח יבטיה טוטה בניבעל סור  
 מל ביהו ראים ירצא בפסול ביה ובטעה טוין  
 אפולת מרצוין טעו והטבוים הטלה וכז צאנים מזה  
 בעילה סגול ובי יחיים ספסויהסיה ובה העבירה  
 אלוטוב בקומו ראם הראיה לפרות מיהוה שגור  
 והורא אה לאן בטמור הטבוע לו ריעו וזיה

טען תוכיו ויהו  
 חזקה ויטון  
 קום בעתות סב  
 על אלו ויהו קרע  
 אחר ועל סוד קום  
 הענינה מ סוה סו  
 חזרו וקיע פוליהו  
 סוג יטבון ון  
 כספסת לטויה לו  
 סעו קיעו ויהו ון  
 עלים שלוח ויהו  
 ועלוב טמור טוח  
 ועל מוסת טעם על  
 ססת טענות  
 ה

טען זה יהיה  
 הים ט  
 חזק לחזק בני טען  
 חזק על לו עבד  
 לשם הענין קיע לוח  
 חשו סתקו ויו קיע  
 לם בערסויה חשו  
 ון חזק מל חסלה  
 לחזקו ויוטבנים  
 ון כום הספילי ון  
 סיס ל חטין מוח  
 סו סרסו וטו חשו  
 ון טעל ונעלו לוח  
 לכו יטכו ער סוב  
 וט ווארה ויקרית  
 ז

Fig. 11 Lettre de Juda permettant à l'endeuillé de se laver à l'eau chaude, Oxford, MS Bodleian, Hebrew e 17 2696 b 42 c = Jérusalem, IHMM 22.700.

מן המדור נוסף לדעת שבלימים עד יוסית אייבך ה  
 הדום נלך שזהו אומדן ומרפא וחכמים וכל שם אלה סוף לה  
 עליון על דמות ולב יערך ומיניע שהקריב קרבתו על פי  
 הדבר במורה האילו זכיה קרבת הקריב ולכן הויתו לו חן  
 שלם לחם ויין ס' ליתן לו ומעשר חן החס ונחן היין וזהו יתן לו  
 מעשר חן שיהיה מעשה חסן ליושעים שמיים העמים  
 אסוין להטיב נפש שר ית לחם כמו עבר לחס רב שר זה  
 יוכיח הייך כתיבתו לו מעשר חן אי ייפטר לו חן מה שהיה  
 וביא וכלו ס' הרמות יד לל עליון ונ' והייד היה עתה י  
 מעשר חסן שיינו שלו יוסף שר טקרים שאלו הק  
 יונ' למכרהם חן שו יתבטן אתי חידך ונ' ויחמך אלו הו  
 המלך ואלה שלח ירך ואלה העש והנח כשכילו ירך לפי המדע  
 יויע קשה כלום שהי לא יו' לו כי אם ובעלה לעלה חסן ולק  
 טעניוה יל איהב התקן יחנע איהב סעודה גדולה ונכדו  
 כל כמו סגור הסעודה אלו המלך חפץ מה לו עשית לו חסן  
 ומה יחנע על ית הסכך וכקש לחמנו ולעמנו אלו המלך וכי  
 אונתו לך להינן לא יחמתי אלו טענשה לו חנע ונע שות  
 שבת יחנע לפי כי היית מתענה לריחנע כן אלו הק' למכרהם  
 והעלה שם לעלה - ט

**הולדת**

יקפץ אחד מינו ל יוסף סין  
 פייש ויאלו יעקב איכסנג  
 היה יין אולם רכות סיהו י

טכסכל קערה אחת שהיתה שות נחיתה קנה הבגדה שהיתה  
 שיה אלק דקוקים והטיב לו פשט הרד יוסף כסוי שור ויחנע  
 יקב חנה כוס ית סעודת כוס טיה ששאה היא סיוו ומותה  
 קדם יוכיע יו ייחב יתטלו וינע אתק לך חיים כי טוכת חנות  
 שיש ט' ויחנע עשו בעה יונכי האל ליוות שהיה איש שרה  
 וינינו ל הימים כסנע ליהרן ומה לו כטרה ויחנע את סעודת  
 יעקב כד ימים חסונים ויעקב טק לעשו לחסונ' יין ס' ויחנע  
 כמדתו ליעקב לחסו וידי עישים ילא ויעקב טק לעשו ס'

Fig. 12 Joseph haMekaneh et un Jacobin sur la route de Paris, Paris, Bibliothèque nationale de France, MS Hébreu 712 = Jérusalem, IHMM 11.581,

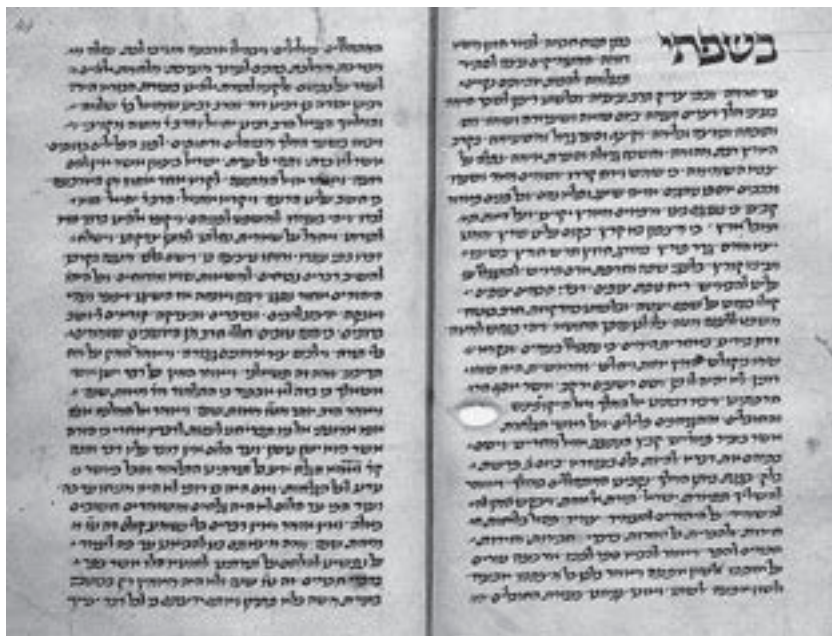


Fig. 13 *Le vikuah de Yehiel de Paris*, Paris, Bibliothèque nationale de France, MS Hébreux 712 = Jérusalem, IHMM 11.581.



שאנוק לסידה הוא היה אזה נאמן בעד באונסה עלמדי  
 קדי שאנוק משיח שדכתי עליו הנכאלי בעני טעמיו  
 עליו אז היה עמיד לסכול פיהה שקודין פשיאוק  
 להוציא עמו מן פנים - היה שאנוק משיח שהיה אזה  
 פאס נביטל ט' תורת טטה נכב הממזיק בה - נעשה  
 חטבו של אלהקו טיות ט' שלכל אחות נאחות יט' ט'  
 דאחות בירודות ט' ט' מנאותם בטלות דק ט' אס  
 מטוט ט' ט' יונט כמן טאוק ודעיהה נעבה ועל וכונת  
 בהן ניטן להס הסד אסד על ביה המלך לטלח  
 אלה הרבטט ולטן לוס עשר להמכח עמו  
 מטעם המלך נשדי הרבים יטאן דחוסם ברבי  
 המלך ניה מקסה ימים ניטאן בעייט מקעט  
 רבט ערפס ועדט נבדו ניטילן משריטט  
 איט לטיבלטס נטעוהר אברהם בן הדי טעמאר  
 לדבר אז בטחלה ולהתחיל בדיט נעשות ניאוק  
 הר אברהם טעעעט ער טיוט דבר ניאוק ט' דבר  
 ניאוק העה ט' דול עבהס מאד איך הטאקם  
 לבטט לרבי עב' נעדיטט נכלא היא קדנמט יונט  
 לביט טאוקט טעה ולא דרהר עליה אדם ט' ל  
 מין אחר אסד היה בלי הר יחא סבר עבר טאן  
 טעה נטטט וקכץ ט' הקננות נטול דוהניטו נכס  
 סרחוט נכטש להס מ' ט' טא דיוטאן נכאחדיר  
 דבריו הוטבונעטט על ט' דברי הרב טולא הר  
 ברבי הפין מנעט נהוסן אחר ניחוס ולא עבה עדר  
 נהיה לסס לייטא מעיל ק' דלוב נ'חרף זה המלך אסד  
 אין מנעט ברביו וקטוט ט' המלך הראטון עב  
 מנעט זה ולא היה נחטב סטטט סק'טט הטוס כ' ט'  
 יטיו יא ידע דבר ואלוק: נעטה לטן הדיש להטאיט  
 דיטע בעיטם חודט לבט מן הדע' ניטן המטרה

Fig. 14 La deuxième controverse de Paris, c. 1272, Moscou, Bibliothèque d'Etat de Russie, MS Günsburg 1390 = Jérusalem, IHMM 48.942, fols 102a-111b.



*Fig. 15 Colophon du Pentateuque copié par Abraham ben Jacob (mars 1303), Paris, Bibliothèque nationale de France, MS Hébreux 44, fol. 166v.*



Fig. 16 Le recueil de préceptes de Joseph Leroy, Paris, Bibliothèque nationale de France, MS Hébreu 653.

'Amude Gola, copié par Abraham de Bagnols emprisonné à Paris c. 1390, New York JTS Ms Mich 8227 = Jérusalem microfilm 13.406 [ ou 43.499], f° 287 a

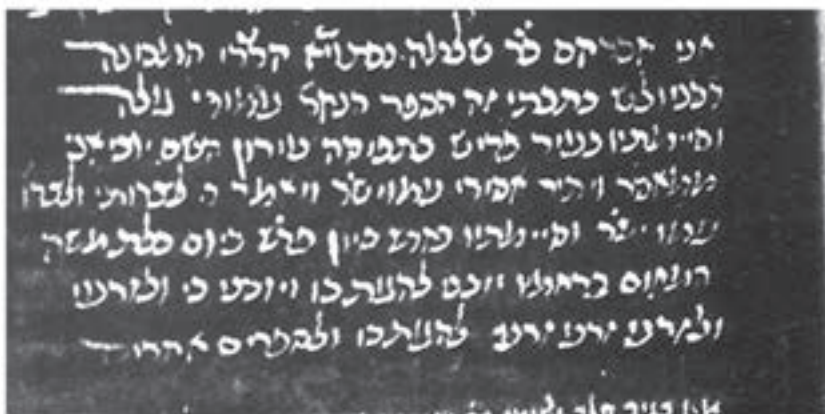


Fig. 17 'Amude Gola, copié par Abraham de Bagnols emprisonné à Paris c. 1390, New York Jewish Theological Seminary, MS Mich 8227 = Jérusalem, IHMM 13.406 [ou 43.499], fol. 287a.

Épitaphe de Samuel b. Joseph, 1247



*Fig. 18 Épitaphe de Samuel b. Joseph, 1247.*

Epitaphe supposée de Yehiel de Paris (s.d.)



*Fig. 19 Epitaphe supposée de Yehiel de Paris (s. d.).*



Epitaphe de Salomon ben Juda 1281



*Fig. 20 Epitaphe de Salomon ben Juda, 1281.*



*Fig. 21 Inscription du Parc Monceau, 1199–1200.*





# ISAAC NATHAN: THE LAST JEWISH INTELLECTUAL IN PROVENÇE

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The fourteenth century in Provence was termed ‘Le siècle d’or’ by Bernhard Blumenkranz, mainly in comparison to the three expulsions experienced by the Jews of France. Without ignoring various riots and persecutions, Blumenkranz extended this ‘golden age’ in Provence to include the period in which it was ruled by King René of Anjou in the fifteenth century, particularly for the cities of Marseille and Arles, until the slow decay of the Provençal communities after René of Anjou’s death (1480).<sup>1</sup> Notwithstanding some critiques concerning this notion of a ‘golden age’ in Provence, following Blumenkranz, I will accept in part the idea that an unusual space existed in Provence (and especially Arles) in René’s time, and discuss one prominent feature of this period with Isaac Nathan of Arles (*d.* in the 1470s), who was the last Jewish intellectual in Provence. In this paper, I will focus on the range of intellectual interests reflected in his literary work, in the context of Jewish social-religious needs of the time.

## *Isaac Nathan*

Isaac Nathan of Arles is best known as the author of the first Hebrew biblical concordance, *Me’ir nativ* [Illuminating a Path] (1437–1447). He was, at the time, the most prominent leader of Provençal Jewry and the scion of an important dynasty – the Nathan family – whose socio-cultural activities stretched from the thirteenth century to the late fifteenth century. Nathan was the wealthiest Jew in Arles, a drapier and financier with broad commercial interests, who reminds one of the Italian merchants’ activities at the papal court in Avignon, which greatly outstripped those of their Provençal counterparts. He also owned a significant amount of real estate. In the Arles land registry for the year 1437, for example, he is ranked thirteenth among land-owners in general – following ten members of the nobility and two *bourgeois anoblis*. He was also an important social leader, serving as representative of the Jewish community of Arles in the Jews of Provence’s supreme organization, which decided how the burden of taxation should be

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1 Bernhard Blumenkranz, ‘Le “Siècle d’Or” en Dauphiné et en Provence’, *Evidences*, 88 (1961), pp. 29–33.

divided. Nathan bore the title of procurator of Provence's Jewish communities, charged with the collection of taxes, and played a central role in the community's leadership from 1420 to 1462, serving in the capacity of *baylon* (one among three delegates of the community's leadership), advisor and treasurer.<sup>2</sup>

Here, I will provide a brief summary of three aspects of Nathan's intellectual activities – religious polemic, messianic-political thought and Jewish-universal ethics – focusing primarily on the originality and innovativeness of his work. I will also try to show that Nathan's thought and ideas – despite his virtual disappearance from Jewish historical consciousness over the years – had a far-reaching impact on Western European intellectual discourse.

### 1. Religious Polemic

Nathan devoted much of his intellectual efforts to religious polemics against Christian missionary efforts and to the creation of tools to serve Jewish scholars who engaged in such debates. Foremost among these was his Hebrew concordance project, which he both funded and oversaw, for the benefit of Jewish representatives in religious disputations with Christians over Scripture.<sup>3</sup> He wrote three lost polemical works (*Tokhaḥat ma'eh* [Reproof of a Deceiver], *Mivṣar Yiṣḥaq* [Fortress of Isaac] and *Iggeret piqqurei R. Šemuel* [The Heretical Epistle of Rabbi Samuel] – a reply to Alphonsus Bonihominis' pseudepigraphical 'best seller', published in 1339).<sup>4</sup> The composition of three polemical works by a single author is, in itself, a matter worthy of study. To the best of my knowledge, no other Jewish polemicist ever wrote more than two polemical works, and even

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2 See Louis Stouff, 'Isaac Nathan et les siens. Une famille juive d'Arles des XIV<sup>e</sup> et XV<sup>e</sup> siècles', *Provence Historique*, 37 (1987), pp. 499–512; idem, 'Activités et professions dans une communauté juive de Provence au bas Moyen-Âge. La Juiverie d'Arles 1400–1450', in *Minorités, techniques et métiers, Actes de la table ronde du Groupement d'Intérêt Scientifique, Sciences Humaines sur l'Aire Méditerranéenne, Abbaye de Sénanque, Octobre 1978* (Aix-en-Provence: Institut de recherches méditerranéennes, Université de Provence, 1980), pp. 55–77 (61, 64, 66, 69, 73, and 77); idem, *Arles à la fin du Moyen Âge*, 1 (Aix-en-Provence: Publications de l'Université de Provence : 1986), pp. 289, 309, 313–18, 334, 345, and 356; Danièle Iancu-Agou, 'Une vente de livres hébreux à Arles en 1434. Tableau de l'élite juive arlésienne au milieu du XV<sup>e</sup> siècle', *Revue des études juives*, 146 (1987), pp. 5–61; Monique Wernham, *La communauté juive de Salon-de-Provence d'après les actes notariés 1391–1435*, Studies and Texts 82 (Toronto: Pontifical Institute of Medieval Studies, 1987), pp. 242–44.

3 Ram Ben-Shalom, 'Meir Nativ: The First Hebrew Concordance of the Bible and Jewish Bible Study in the Fifteenth Century, in the Context of Jewish-Christian Polemics', *Aleph*, 11 (2011), pp. 289–364 (294–308).

4 See Ora Limor, 'The Epistle of Rabbi Samuel of Morocco: A Best-Seller in the World of Polemics', in *Contra Iudaeos*, ed. by Ora Limor and Guy G. Stroumsa (Tübingen: J. C. B. Mohr, 1996), pp. 177–94.

the authorship of two such works was limited to a few exceptional individuals, such as Profayt Duran.<sup>5</sup>

In his polemical works, Isaac Nathan focused primarily on pressing contemporary issues, such as the missionary activity of the convert Joshua ha-Lorki [Jeronimo de Santa Fe], against whom Nathan wrote *Tokbaḥat maṭ'eh*, as well as a sub-chapter in his ethical work, *Me'ames ko'ah* [Fortifying strength].<sup>6</sup> He dealt also with the influential and widely-distributed *Epistle of Samuel of Morocco*. The fact that Nathan concentrated his efforts on the works of apostates (albeit a fictitious one in the case of Samuel of Morocco) indicates that he considered this the most important area of Jewish-Christian polemics.

Although none of Nathan's polemical works have survived, a number of passages from *Tokbaḥat maṭ'eh* can be reconstructed through the work of the biblical exegete Isaac Abravanel, who was instrumental in preserving Isaac Nathan's teachings for future generations.<sup>7</sup> Abravanel wrote *Yešú'ot mešihó* [Salvation of His anointed] (Naples: 1498) primarily as a response to Joshua ha-Lorki's attack on Talmudic aggadah.<sup>8</sup> Ha-Lorki used Raymond Martini's *Pugio Fidei*, and interpreted a number of aggadot from Moses ha-Darshan's *Genesis Rabbati* in a Christological fashion. Isaac Abravanel suspected Ha-Lorki – unjustly, as Hananel Mack has shown – of having forged the better part of the texts he had ascribed to Moses ha-Darshan.<sup>9</sup> Abravanel did not possess a copy of *Genesis Rabbati* with which he could compare the passages cited by Ha-Lorki,<sup>10</sup> and so relied on earlier polemical works, particularly those by Moses Botarel of Avignon and Isaac Nathan, from whom he cited four passages. He used one of these passages to substantiate his claim that Ha-Lorki's had falsified his sources: 'For I [Abravanel] have seen in the words of the sage Isaac Nathan that the assertion that Zion here

5 See Eleazar Gutwirth, 'History and Apologetics in XVth c. Hispano-Jewish Thought', *Helmántica*, 35 (1984), pp. 231–42 (231–38); Jeremy Cohen, 'Profiat Duran's "the Reproach of the Gentiles" and the Development of Jewish Anti-Christian Polemic', in *Shlomo Simonsohn Jubilee Volume*, ed. by Daniel Carpi and others (Tel Aviv: Tel Aviv University, 1993), pp. 71–84 (78–79); Maud Kozodoy, 'The Hebrew Bible as Weapon of Faith in Late Medieval Iberia: Irony, Satire, and Scriptural Allusion in Profiat Duran's *Al Tebi ka-Avotekha*', *Jewish Studies Quarterly*, 18 (2011), pp. 185–201; Daniel J. Lasker, *Jewish Philosophical Polemics against Christianity in the Middle Ages* (Oxford: The Littman Library of Jewish Civilization, 2007), passim.

6 Ram Ben-Shalom, 'The Disputation of Tortosa, Vicente Ferrer and the Problem of the Conversos According to the Testimony of Isaac Nathan' [Hebrew], *Zion*, 56 (1991), pp. 21–54.

7 I will elaborate on this issue in a forthcoming article on Isaac Nathan's biblical studies: Ram Ben-Shalom, 'Isaac Nathan of Arles' Series of Biblical Studies and the Phenomenon of Return to Scripture Among the Jews of Provence and Spain in the Fifteenth Century' [Hebrew], *Te'uda* (forthcoming).

8 See Eric Lawee, *Isaac Abarbanel's Stance Toward Tradition: Defense, Dissent, and Dialogue* (Albany: State University of New York Press, NY 2001), esp. pp. 127–86.

9 Hananel Mack, *The Mystery of Rabbi Moshe Hadarshan* [Hebrew], (Jerusalem: The Bialik Institute, 2010).

10 Isaac Abravanel, *Yešú'ot mešihó* [Salvations of His Anointed], (Koenigsberg: Gruber 'eṭ Langriyen, 1861), p. 59a.

refers to none other than the Garden of Eden is a falsehood that does not appear in the books. And he [Nathan] was a trustworthy advisor and master of his craft [*yo eš ve-ḥakham ḥarašim ve-r'uy lismokh 'alav*].<sup>11</sup>

One of the aggadot of Moses ha-Darshan mentioned in *Tokbaḥat maṭ'eh* is a homily on Genesis 1. 1, cited in the *Pugio Fidei*. It is presented as follows in *Yešūot mešihō*:

As further proof, he [Joshua ha-Lorki] cited another aggadah, which he said was from *Genesis Rabbati*, by Rabbi Moses ha-Darshan, on [the words] 'In the beginning God created', and it appears as follows: In the beginning God created. This corresponds to [the verse] 'Light is sown for the righteous'. Rabbi Abba said, this is the light of the messiah, and so it is written 'For with You is the fountain of life; in Your light do we see light', to teach us that He saw the messiah and his light, and hid him away beneath the throne of His glory [...] And from this the apostate [Joshua ha-Lorki] proved that the messiah was God and light itself, and the light dwells with Him beneath the throne of glory, and the sins of his generation brought suffering upon him and he embraced it with love in order to resurrect the dead, that is to rescue the souls from Gehenna and bring them to eternal life. And as I have already noted, I have not seen Moses ha-Darshan's *Genesis Rabbati*, but this aggadah also appears in *Pesiqta' Rabbati*.<sup>12</sup>

As Hananel Mack has pointed out, Moses ha-Darshan's homily on Genesis 1. 1 is, in fact, an adaptation of the *Pesiqta Rabbati* on the verse 'Arise, shine' (Isaiah 60. 1), which diverges significantly from the original text.<sup>13</sup> Abravanel compared the passage cited by Ha-Lorki from Ha-Darshan's *Genesis Rabbati* to the version in the *Pesiqta* he had before him and which he went on to cite in full. At first he claimed, against Ha-Lorki, that the reference was not to the messiah ben David but to the messiah ben Joseph, who is indeed expected to die and therefore prays for resurrection that he too might arise in the future resurrection of the dead. Abravanel then cited Isaac Nathan's response to Joshua ha-Lorki:

And the polemicists have already responded in this matter in a general fashion, and we may infer from their words that they did not see that aggadah in the *Pesiqta*, nor did they remark on the apostate's interpretation of it. Isaac Nathan, however, explained it that it was meant as a parable and allegory, to illustrate that as the messiah will possess greater leadership over the nations than any of his predecessors – as it is written, 'and all nations shall flow to [the mountain of the Lord's house]' – he will also suffer greater distress, as leadership afflicts those who possess it, for they are burdened with hardships [...] and Moses himself said: 'Kill me, pray, altogether and let me not see

11 Isaac Abravanel, *Yešūot mešihō*, pp. 62b-63a and 65a.

12 Isaac Abravanel, *Yešūot mešihō*, p. 62b.

13 Mack, *The Mystery of Rabbi Moshe Hadarshan*, p. 151, n. 8.

my evil fate'. And the greater the leadership, the greater the leader's distress [...] The aggadah may thus also be understood to refer to the messiah ben David, due to the great suffering he will endure in the conquest of the Land of Israel and the wars of the nations, and in performing the wondrous task of resurrecting the dead in his time – that is to say [gathering] the dispersed of Israel, who are [as if] dead in exile. And since he will revive the spirit of the humble and the hearts of the contrite, it [the aggadah] says that he will pray for the dead. And since his leadership will result in peace and tranquillity, glory and beauty, in the salvation of his people [...] And since it is the way of a consummate leader to love those whom he leads, the messiah will therefore wish to help his generation in every possible way. And it [the aggadah] says 'in my days You will save' to teach us that the messiah will not have the ability to save them, but God will save them in his days [...] And it [the aggadah] must be understood entirely as hyperbole, metaphor and allegory. These are his [Nathan's] words, and they are the words of a sage, although I cannot accept the replacement of the resurrection of the dead with a parable or an allegory.<sup>14</sup>

Abravanel noted that Isaac Nathan chooses the path of allegorical interpretation but, contrary to Nathan, he was unwilling to go so far as to claim that the reference to the resurrection of the dead in the aggadah is an allegory. He thus went on to suggest an alternative allegorical interpretation. I would like to focus, however, on the passage cited by Abravanel from Nathan's *Tokhaḥat maṭ'eb*, from which we may gain some insight into his polemical method, imbued with the spirit of allegory and political philosophy. Nathan's allegorical interpretation of the messiah figure resembles Maimonides' natural understanding of the messianic era. The messiah is a flesh-and-blood leader who will rule the people of Israel and the nations of the world on an unprecedented scale. The suffering of the messiah is understood in terms of the difficulties posed by world leadership, and as a direct result of the extensive wars he will wage. The resurrection of the dead is not understood in a literal sense, but as a metaphor for the redemption of the Jewish people, whose exile is compared to death. The period of the messiah's rule will be one of peace and tranquillity, at which time human life will be greatly improved, but redemption (the improvement of human life) will not be wrought by the messiah himself, as he will lack that ability. Redemption will indeed come about in the age of the messiah, but it will be wrought by God.

This brings me to the second aspect of Nathan's work, messianic-political thought.

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14 Isaac Abravanel, *Yešū'ot mešīḥo*, p. 63a.

## 2. Messianic-Political Thought

Judging by his *Magdil yešū'ot* [Tower of salvation], which I discussed thoroughly and published in the periodical *Tarbiz*,<sup>15</sup> Isaac Nathan would appear to have disagreed with Maimonides' view of the messianic era. Although not strictly apocalyptic (contrary to Abravanel), it is on the basis of a harsh rational critique of Jewish society that he rejected the idea of natural messianism, coming down on the side of supernatural messianism, which also lends itself to the preservation of national messianic hopes. In *Magdil yešū'ot*, as we shall see, Nathan takes a natural approach to the figure of the messiah, similar to the one we have observed in *Tokhahat ma'eh*.

At the beginning of *Magdil yešū'ot*, Nathan notes that the work will address the exile's long duration. He cites an opinion that he characterises as commonly-held, which asserts that there is no longer any hope of redemption and that Jewish exile is eternal. Historical observation, he remarks, reveals that the Jewish people is unlike other peoples, which rise and fall and emerge one from the ruins of the other. The Jewish people, on the other hand, is constantly in a process of decline and degeneration, and is not governed by natural laws. This view was perhaps a reaction to the approach of the provençal philosopher Joseph Ibn Kaspi (1280 – c. 1332) who, in his work *Tam ha-kesef* [The Silver is gone], addressed the practical possibility of establishing a Jewish state given a favourable conjuncture of political circumstance and the generous gift of the Land of Israel to the Jewish people, by its powerful rulers. Similar views to those of Ibn Kaspi were later raised by Hasdai Crescas and, in the seventeenth century, by Baruch Spinoza.<sup>16</sup>

Isaac Nathan, on the other hand, rejected the possibility of redemption by natural means, arguing that redemption will constitute a drastic change in the order of the world, requiring supernatural (catastrophic) intervention:

And for all of these reasons, when we consider the natural course [of events] and its laws, it is impossible that we will obtain salvation or redemption or deliverance if not in a wondrous fashion departing from every natural rule and law. Therefore, we should not wonder if God does not change His order and create new and wondrous things, and destroy the accidents of the natural course [of events]. But when God wishes, in His great loving-kindness, to fulfil the promises of His prophets, then we will wonder, be amazed and astounded.<sup>17</sup>

15 Ram Ben-Shalom, 'Magdil yešū'ot: On the Reasons for the Messiah's Delay, and an Unprecedented Critique of Jewish Society' [Hebrew], *Tarbiz*, 72 (2003), pp. 259–93 (284–93).

16 Shlomo Pines, 'Joseph Ibn Kaspi's and Spinoza's Opinions on the Probability of a Restoration of a Jewish State' [Hebrew], *Iyyun*, 14 (1963), pp. 289–317.

17 Isaac Nathan, *Magdil yešū'ot*, in Ben-Shalom, 'Magdil yešū'ot', pp. 286–87.



Although his conclusions differ from those of Spinoza, the kind of sober political analysis on which Nathan bases his view anticipates some of Spinoza's ideas on the Jewish people.<sup>18</sup> Isaac Nathan lists eighteen reasons for the persistence of Jewish exile and the Jewish people's inability to strive for redemption by natural means. In the process, he expresses harsh and unprecedented criticism of the character and nature of the Jews in exile. A number of the topics he addresses appear thoroughly relevant even today, while others may elicit some discomfort and reservations due to their stigmatisation of Jews and the bluntness with which negative Jewish traits are described. I will cite a few examples:

1. According to Isaac Nathan, the Jewish people has lost its unique character as a solitary national group engaged in the struggle against idolatry. Although the non-Jews of his time persecuted the Jews, they believed in a single God, and no longer resembled the idolatrous peoples of the Bible. There was, therefore, no real need for redemption, as there was at the time of the Exodus from Egypt or the return to Zion from Babylonian exile. This position coincided with that of the Provençal scholar Menahem ha-Meiri, who challenged the normative Halakhic view on Christianity (and Islam), wholly rejecting the characterisation of Christians as idolaters. Ha-Meiri coined the term 'nations that are bound by the ways of religion and accept divinity',<sup>19</sup> and considered Christianity a positive religion.<sup>20</sup> Isaac Nathan extended Ha-Meiri's views on

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18 See for instance Benedictus (Baruch) de Spinoza, *Tractatus Theologico-Politicus: A Critical Inquiry into the History, Purpose and Authenticity of the Hebrew Scriptures*, 3, trans. by Robert Willis (London: Trübner, 1862): 'Now to me it appears absurd to suppose that Moses should have grudged the presence of God to other nations, or that he would have dared to ask anything of the kind imagined from the Supreme. The truth is that Moses, after he came to know the genius and contumacious temper of his nation, saw clearly that he would never succeed in the course on which he had entered without many and great miracles, and the singular external aid of God; nay, that without such aid the Jews would even perish utterly as a people'. See also Steven Nadler, 'Baruch Spinoza', *The Stanford Encyclopedia of Philosophy*, ed. by Edward N. Zalta (Fall 2013 Edition), URL = <<http://plato.stanford.edu/archives/fall2013/entries/spinoza/>>.

19 Menahem ben Solomon ha-Meiri, *Beit ha-behirah* [Chosen House], *Avodah Zarah*, ed. by Abraham Sofer (Jerusalem: 1943/4), pp. 46 and 59.

20 Jacob Katz, *Exclusiveness and tolerance: Studies in Jewish-Gentile Relations in Medieval and Modern Times* (London: Oxford University Press, 1961), pp. 56–63 and 114–28; idem, 'Religious tolerance in the method of R. Menahem ha-Meiri in Halakhah and philosophy' [Hebrew], *Zion*, 18 (1953), pp. 15–30; Gerald J. Blidstein, 'Maimonides and Me'iri on the Legitimacy of Non-Judaic Religion', in *Scholars and Scholarship: The Interaction Between Judaism and Other Cultures – The Bernard Revel Graduate School Conference Volume*, ed. by Leo Landman, (New York: Michael Scharf Publication Trust of the Yeshiva University Press, 1990), pp. 27–35 (33–35); Moshe Halbertal, *Between Torah and Wisdom: Rabbi Menachem ha-Meiri and the Maimonidean Halakhists in Provence* [Hebrew] (Jerusalem: The Hebrew University Magnes Press, 2001), pp. 80–108; Gregg Stern, *Philosophy and Rabbinic Culture: Jewish Interpretation and Controversy in Medieval Languedoc* (London and New York: Routledge, 2009), pp. 85–93; Yaakov Elman, 'Meiri and the Non-Jew: A Comparative Investigation', in *New Perspectives on Jewish-Christian Relations*, ed. by Elisheva Carlebach and Jacob J. Schacter, (Leiden: Brill, 2012), pp. 265–96.

Christianity from the realm of religious law, primarily concerned with daily interaction between Christians and Jews, to the realm of messianism and redemption.

2. God gave the Land of Israel to the Jewish people in the time of the Patriarchs, due to the idolatry of the peoples of Canaan. The current inhabitants of the land are Muslims, who are beyond any suspicion of idolatry. Therefore, according to Nathan, there would appear to be no reason for their expulsion from the land. Nathan's sensitivity to the expulsion of a people from its land and his attitude to Muslims are particularly noteworthy:

When the Most High gave estates to nations (Deuteronomy 32. 8) [and gave] the Land to our fathers, the master of the prophets [Moses], peace be upon him, has already noted that it was due to the wickedness of the nations and in fulfilment of the oath He swore to our fathers. And now it has been inherited by the descendants of Ishmael, who have not done according to all the abominations of the Canaanites (following Ezra 9. 1); and all of the seven nations were idolaters, while the descendants of Ishmael who have taken possession of it lack even a hint of idolatry. Thus, they will not be exiled from it on account of their wickedness.<sup>21</sup>

Although Maimonides had already made a distinction between Islam and Christianity, ruling that the Ishmaelites are not idolaters, others had rejected that view, characterising Muslims in insulting and humiliating terms.<sup>22</sup> Here too, Nathan extends the Halakhic definition, pertaining to the status of Islam as an idolatrous or non-idolatrous religion, to the point of questioning the very right of the Jewish people to the Holy Land, inhabited by Muslims.

3. According to the prophecy (Hosea 2. 2), 'And the children of Judah and the children of Israel shall be gathered together, and they shall appoint themselves one head', the future messiah-leader of the Jewish people will be chosen by a general assembly, convened for that purpose. This is, in Nathan's opinion, an impossible scenario, as the nations of the world will not permit it.<sup>23</sup> Even if we were to assume, for the sake of argument, that the nations would allow such a congress to be convened, it is inconceivable that such a gathering would succeed in choosing a leader by consensus. Such an eventuality would

21 Isaac Nathan, *Magdil yešu'ot*, in Ben-Shalom, 'Magdil yešu'ot', p. 285.

22 See Ronald Kiener, 'The Image of Islam in the Zohar', *Jerusalem Studies in Jewish Thought*, 8 (1989), pp. 43–65 (56–60).

23 Isaac Nathan, *Magdil yešu'ot*, in Ben-Shalom, 'Magdil yešu'ot', p. 285: 'For before a single leader can be appointed, there would first have to be an assembly and concurrence [...] and that is impossible, because our oppressors [*šoveinu*; the Christians] will not allow us to reach that point – if not with divine assistance, and that would constitute a sign and complete wonder. And we should not wonder if God does not create a new thing in the land (Jeremiah 31. 21) and upset the natural course of events and [natural] laws, but we should wonder when these things occur. And it will be impossible, if not for a strong, prior cause.'

be precluded by the personal rivalry, jealousy, malice, stubbornness, inconstancy and multiplicity of opinions so common among Jews. Disagreement, argument and debate are highly valued by Jews, even above economic prosperity and well-being.<sup>24</sup> If, nevertheless, for the sake of argument, such an assembly were to reach a joint decision, disputes would immediately break out regarding the correct interpretation of that decision, due to 'slander and grumbling'. And even if a fitting leader with admirable qualities were to be chosen, the Jews would not listen to him, due to the characteristic Jewish hatred for men of rank:

For even if we were to posit the feasibility of the assembly and an agreement, we would then contest it. We find that they said in his [Moses'] regard 'And they trusted in the Lord and in Moses His servant' (Exodus 14. 31), yet they contested him afterwards, [as] he said 'Yet a little more and they will stone me' (Exodus 17. 4). And it is said 'that you should keep acting like a prince over us' (Numbers 16. 13). [...] For even if it is posited that the assembly and concurrence are truly possible and are not prevented and beset by dispute and slander and grumbings, we would still pay him no heed nor would we accept his authority, even if he were perfectly righteous and a man of truth, for we would despise his actions and loathe him, as he is consummate and of great virtue, for those who are wanting and possess bad qualities are enemies of all virtues and those who possess them [...] for the base temperaments hate their opposites, [as] the Rabbis said, 'The hatred that the ignorant harbour toward scholars is greater than the hatred that the nations harbour toward Israel' (*Pesahim* 49b), and they say 'Would that there were a scholar [before me] that I might bite him like a dog and not like an ass [should be: like an ass and not like a dog], which does not break bones [when it bites]?' (*ibid.*).<sup>25</sup>

To illustrate his grim political vision, Nathan evokes Jewish life in the diaspora – the Jews' inability to organise in a satisfactory manner within a community, due to differences, disputes, inept leadership and poor communal organisation. The end result of this political disarray was, according to Isaac Nathan, destruction and apostasy. He notes the demise of a number of communities

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24 Isaac Nathan, *Magdil yešū'ot*, in Ben-Shalom, 'Magdil yešū'ot', p. 285: 'For even if the spirit [of the Lord] were to descend (following Isaiah 11. 2) upon one of the people, one of the select and exalted few, to make the heroic effort, and stand at the head of the exiles to bring together the dispersed and gather in the scattered ones of Israel (Isaiah 11. 12), we would not heed him or want him as a single leader, to raise up and encourage the entire nation, for the others would envy him and hate him and despise him and slander him, saying that there are many in the land who are more excellent and venerable than he, and that it is unseemly that he should lord over them as chief above them all, out of man's envy of his fellow (Kohelet 4. 4), and alienation from virtues, and the arrogance of the lowly toward the venerable.'

25 Isaac Nathan, *Magdil yešū'ot*, in Ben-Shalom, 'Magdil yešū'ot', pp. 286–87.

due to corrupt communal politics and stresses the presence of hatred, animosity and jealousy even in the synagogues.<sup>26</sup>

5. For the sake of argument, Nathan presumes that even if God were to answer the Jews' prayers, He would then have to change the base temperament of the people and its negative character – a far more difficult task than creating an entirely new people. In this sense, the Jewish people is like the company of Korah, which was irredeemable and therefore punished with annihilation. The annihilation of Korah's company was not merely a punishment, but a symbol of its being beyond redemption. It is, therefore, more likely that God will choose to destroy the Jewish people, despite its prayers and repentance, just as He did to Korah and his company.<sup>27</sup>

Finally, Nathan claims, even if the Jewish people were to form a single nation and return to its land under the leadership of a successful king, the Jewish kingdom would be short-lived, as it would lack the socio-political wisdom possessed by other peoples. And even if the Jews were to learn statecraft, the Jewish kingdom would collapse due to corruption, poor leadership, and misgovernment that would lead to the expulsion of the Jewish people from its land:

For even were it presumed that all of the signs and wonders and transformation of all the aforementioned principles would come about, and we would return to our land and inheritance and become one people with one language (Genesis 11. 6), with one king to reign over us as king and prosper (following Jeremiah 23. 5), it would still be impossible by virtue of our temperament for us to endure for any length of time in our land, and that is because man is, among his many needs, political in nature, and this people will not dwell apart (following Numbers 23. 9), any of them, for they need the company of society, as is the case in every community or congregation, state or commonwealth. And society is divided into three types: *a.* the company a man keeps with those to whom he is accustomed, [who are] similar or equal to him; *b.* the company he keeps with those who are lower than him and who are beneath his station; *c.* [the company he keeps] with those who are much greater than his station. And we, in this long exile of ours, have neither tried nor grown accustomed [????] to frequenting those who are equal or similar to us, because with them our jealousy is ever-present – hostility and animosity persist all day long. Nor have we grown accustomed to those lower

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<sup>26</sup> Isaac Nathan, *Magdil yešū'ot*, in Ben-Shalom, 'Magdil yešū'ot', p. 289: 'For you see that when we are fortunate in our exile to gather together a certain number of people until we are able to form a community or a congregation, how it is marked by differences of opinion, fighting and grumbling, and great mismanagement and ill order, which leads to the ruin, loss and destruction [of the assemblies]. How many communities have been lost, for having sinned greatly in this matter, for their hatred and envy of one another; and the loathing is great even in the house of God (following Hosea 9. 8)'.

<sup>27</sup> Isaac Nathan, *Magdil yešū'ot*, in Ben-Shalom, 'Magdil yešū'ot', p. 289.

than ourselves, for in our circumstances and oppression and great servitude we were not permitted to buy male and female slaves and servants, and we ourselves were at the bottom of the lowest station, and no one was lower than us. All that remained, therefore, was for us to seek to become accustomed to the company of society and interact only with those who were greater than us and whom we appointed over us as leaders. Even if we [learn] the mode of conduct and [keeping] the company of the society of the other two types, that is the similar and the lower, even then we will suffer mismanagement and ill order that is irreparable and will not endure for long. And since it entails corruption, it will be the reason for our expulsion from our land and from our inheritance (1 Samuel 26. 19), suddenly driven out from among men (Job 30. 5), unless God creates a new thing in the land (Jeremiah 31. 21) and changes our temperament and the nature of our traits. For even with the leaders and the princes of the people we will not know the path of company of society, although we have become accustomed to it, for then each, by his free nature, will aspire to be leader to all, and will not treat the elders and the venerable with deference, and the land will become as one with many princes each a master of men.<sup>28</sup>

Furthermore, the Jewish state would not have the ability to withstand the many nations that would rise up against it upon its establishment, due to its inhabitants' lack of military training – not having engaged in martial pursuits while in the diaspora.<sup>29</sup>

Isaac Nathan concludes the first part of the book with the statement that the eighteen impediments to establishing a Jewish state should, 'by their nature, virtually preclude any deliverance and redemption for all eternity.'<sup>30</sup> In so doing, I believe Nathan sought to emphasise that his list of impediments was by no means trivial – not little more than a scholastic mental exercise, meant merely to stimulate philosophical doubt – although the biblical eschatological prophecies, which had not yet been fulfilled, would, to Nathan's mind, remove those 'impediments'. That is not to say, however, that the fulfilment of those prophecies would entirely transform the Jewish people's negative character. According to Nathan's sober view, redemption would appear to entail a very significant improvement in

28 Isaac Nathan, *Magdil yešú'ot*, in Ben-Shalom, 'Magdil yešú'ot', p. 287. I have substituted נשכל (*niskal*) for נסכל (*niskal*), which is probably a copyist's error.

29 Isaac Nathan, *Magdil yešú'ot*, in Ben-Shalom, 'Magdil yešú'ot', p. 289: 'For even if we were to presume the removal of all the impediments, and that we were to return to our land and the palace would be inhabited upon its wonted place (Jeremiah 30. 18), we would still have no guarantee that this state of affairs would persevere, because many fight against us, as Ezekiel has already attested with regard to the war of Gog (Ezekiel 38–39) and Zachariah (e.g. Zachariah 12. 14). And how can we escape the fact that we have not been accustomed, these two thousand years or so, to engage in the art of war and the ways of horsemanship and training of forces and increase of valour (Kohélet 10. 10)?'

30 Isaac Nathan, *Magdil yešú'ot*, in Ben-Shalom, 'Magdil yešú'ot', p. 289.

Jewish conduct and ethics, but not a complete transformation – leaving traces of the character traits of the exilic Jew even at the end of days, perhaps as a necessary reminder of the former state of ‘eternal’ exile.<sup>31</sup>

There is a clear connection between political messianism and religious polemics. Alphonsus Bonihominis’s *Epistle of Samuel of Morocco* also addresses questions of exile and redemption. Like *Magdil yešū’ot* it begins with the problem of eternal Jewish exile. Samuel asks: ‘Why are we Jews persecuted by God in this endless exile in which we find ourselves?’<sup>32</sup> He replies that it is a punishment for a sin greater than idolatry – the crucifixion and rejection of Jesus as the messiah.<sup>33</sup> In light of the particular importance of the exile argument in Jewish-Christian polemics in general, and Nathan’s own response to Bonihominis’ *Epistle*, it is reasonable to assume that *Magdil yešū’ot* was not detached from this polemical context. Based on his harsh socio-political analysis of Jewish society, Nathan concluded that redemption will necessarily be miraculous and supernatural.

*Magdil yešū’ot*’s opening passage addresses the claims of ‘the many’ who complain of the duration of the exile and the loss of hope in redemption. I believe this should be understood not only in the internal context of biblical exegesis like that of Moses ben Samuel ha-Kohen Ibn Gikatilla (mid-eleventh century), who claimed that most of the biblical prophecies had already been fulfilled (e.g., during the Babylonian exile, in the time of King Hezekiah and in the time of the prophet Nehemiah), or in the context of real expressions of despair within the Jewish communities. It should also be seen as a response to the problem of the Jewish exile’s duration, in a similar vein to Nahmanides’ *Sefer ha-ge’ulah* (c. 1263) – also written with a dual purpose: against earlier Jewish exegetes (particularly Moses Ibn Gikatilla), and against Christians.<sup>34</sup> Although *Magdil yešū’ot* deals primarily with internal moral criticism of Jewish life in the diaspora, it also includes an indirect response to the Christian claim that eternal exile is the result of the sin of deicide. In keeping with the prevailing tendency in medieval Jewish biblical

31 Isaac Nathan, *Magdil yešū’ot*, in Ben-Shalom, ‘*Magdil yešū’ot*’, p. 289: ‘Not to say that when these impediments are removed they will ‘bring in their hooves’ so that ‘not a hoof will be left behind’ [i.e., no trace of them will remain] (following Exodus 10. 26), but to assert the certainty of the coming of our messiah, absolutely without fail.

32 Rabbi Samuel Marochianus, *De adventu messiae praeterito liber*, in Jean-Paul Migne, *Patrologia Latina cursus completus*, 149, cols. 337–38; Limor, ‘The Epistle of Rabbi Samuel’, pp. 177–94; Ora Limor, *Jews and Christians in Western Europe: Encounter between Cultures in the Middle Ages and the Renaissance* [Hebrew] (Tel-Aviv: The Open University, 1993), III, Unit 5, p. 87. See also Claire Soussen, ‘The Epistle of Rabbi Samuel de Fez, what kind of a new strategy against Judaism?’, in this volume.

33 Limor, ‘The Epistle of Rabbi Samuel’, p. 186; idem, *Jews and Christians*, p. 87.

34 See *Sefer ha-ge’ulah*, I, in *The Writings of Rabbi Moses ben Nahman* [Hebrew], ed. by Chaim D. Chavel (Jerusalem: Mossad Harav Kook, 1963), I, pp. 263–64, 268–69, 275. On the similar tendency of Isaac Abravanel, see Abraham Lipshitz, ‘The Exegetical Approach of R. Abraham Ibn Ezra and R. Isaac Abravanel to Prophecy’ [Hebrew], *Proceedings of the Sixth World Congress of Jewish Studies* (Jerusalem: World Union of Jewish Studies, 1976), Division A, esp. p. 134, n. 7.



exegesis, Isaac Nathan agrees that exile is a punishment for the sins of the Jews, but that these sins have nothing to do with the crucifixion and – perhaps to counter the Christian claim that Jewish exile is eternal – Nathan promises divine redemption, rooted in biblical prophecies.

The primary difference between *Magdil yešū'ot* and earlier Jewish polemical positions is that Jewish exegetes generally blamed the sinfulness of the 'generation of the fathers', as in the case of the golden calf, and not the 'generation of the sons'. Alternatively, as in the *Nizzahon Vetus*, for example, they blamed apostates and wicked individuals, for whose sake all are punished, based on the principle that all Jews bear responsibility for one another.<sup>35</sup> Isaac Nathan, on the other hand, did not hesitate to blame the 'generation of the sons', including his own generation, whose sins, he claimed, were the cause of exile's perpetuation.<sup>36</sup> Nathan made no attempt to portray an ideal moral society suffering for the sins of its forebears (following Lamentations 5, 7: 'Our fathers have sinned, and are no more; and we have borne their iniquities'), or as the result of a minority of its members' actions. He sought, rather, to refute the Christian claim regarding the crucifixion by portraying Jewish society as sinful and quarrelsome. Thereby he served two purposes: to refute Christian polemics, and to level sharp internal criticism of Jewish society.

In its social criticism, I believe that *Magdil yešū'ot* closely resembles Solomon Ibn Verga's *Ševet Yehudah* [Sceptre of Judah], probably written for the most part in Portugal in the early sixteenth century.<sup>37</sup> *Ševet Yehudah* also focuses on the problem of Jewish exile, examining its real causes. As a number of scholars have pointed out, *Ševet Yehudah* is the first Jewish work to raise the question: 'Why are the Jews hated?' The author's answer is not based on religion, but on the laws of nature and the war of the strong against the weak.<sup>38</sup> The Jews are blamed for having brought destruction and exile upon themselves – not as divine punishment, but because they had abandoned military training, preferring to rely on

35 I rely here on the summary of David Berger's lecture, 'The Problem of Exile in Jewish-Christian Polemical Literature in the Middle Ages' [Hebrew], cited in Limor, *Jews and Christians in Western Europe*, III, Unit 5, pp. 89–90; See David Berger, *The Jewish-Christian Debate in the High Middle Ages. A Critical Edition of the Nizzahon Vetus with an Introduction, Translation, and Commentary* (Philadelphia: Jewish Publication Society of America, 1979), pp. 242, 160–61.

36 From another work by Isaac Nathan one sees that he believed his generation still bore the punishment for the sin of idolatry of the fathers, and that the actions of the generation were such that they were unable to atone for the crimes of the past. See Isaac Nathan, *Mamlekhōt ha-'elil 'o hibbur 'atzabbim* [The kingdoms of the idol or An essay on images], MS Reggio 21, fol. 101r.

37 See Jeremy Cohen, 'Polemic and Pluralism: The Jewish-Christian Debate in Solomon ibn Verga's *Shevet Yehudah*', in *Conflict and Religious Conversation in Latin Christendom*, ed. by Israel J. Yuval and Ram Ben-Shalom (Turnhout: Brepols, 2014), pp. 167–90.

38 Itzhak Baer, 'New Comments on *Shevet yehudah*' [Hebrew], in idem., *Studies and Essays in Jewish History [Meḥkarim umasot betoledot am yisra'el]* (Jerusalem: The Historical Society of Israel, 1986), II, pp. 417–44; José Faur, *In the Shadow of History. Jews and Conversos at the Dawn of Modernity* (Albany: State University of New York Press, 1992), esp. pp. 204–07.



divine favour.<sup>39</sup> Ibn Verga also blames the destruction on negative Jewish traits, such as pride, hatred, discord and the pursuit of power. He accuses the Jews of theft, fraud and embezzlement, and stresses their inability to come to agreement with one another.<sup>40</sup>

In *Ševet Yehudah*, we thus find the same kind of ethical criticism of the Jews already voiced by Isaac Nathan in *Magdil yešū'ot*, as well as an in-depth discussion of the natural order that prevents Jews from attaining redemption. Scholars have rightly called attention to the proto-modern spirit of *Ševet Yehudah*. The discovery of *Magdil yešū'ot* confirms that *Ševet Yehudah* was not alone in its innovative criticism but that, as Yitzhak Baer surmised, Ibn Verga's ideas had been developing within Jewish society for some time and that *Ševet Yehudah* merely gave them appropriate literary expression. This also explains the popularity of *Ševet Yehudah* among Jewish readers over the ages.<sup>41</sup> The power of *Ševet Yehudah* lay in the fascinating literary wrapper in which the author enveloped trenchant social criticism, and in Ibn Verga's mastery of narrative and dialogue, which helped to mitigate his descriptions of the unpleasant sides of Jewish society. The power of *Magdil yešū'ot*, on the other hand, lay in its intensely critical description of Jewish society. *Ševet Yehudah*, recounted the trials and tribulations of the Jewish people, but also managed to entertain readers, and therefore enjoyed wide circulation. *Magdil yešū'ot* would appear, however, to represent a different ethical-literary style – one that sought to shock readers with sternness and pessimism and to hold up a highly-polished mirror to the Jewish public, unflinchingly reflecting its dismal social face. The great success of *Ševet Yehudah* – in contrast to fate of *Magdil yešū'ot*, which lay forgotten for many years – may be an indication of just how difficult it was to look into that mirror, and of the fact that critical ideas are more likely to survive in an ironic and light-hearted literary wrapper.

### 3. Jewish-Universal Ethics<sup>42</sup>

Nathan's literary works include an ethical treatise (still in manuscript), called *Me'ameš ko'ah*. Nathan explained his decision to write *Me'ameš ko'ah* as stemming from the lack of any comprehensive Jewish ethical work on the subject of the positive and negative traits of the soul:

39 Ytzhak Baer, *Exile* [Hebrew], translated by Yisrael Eldad (Jerusalem: The Bialik Institute, 1980), pp. 69–70.

40 Solomon Ibn Verga, *Ševet Yehudah*, ed. by Azriel Shohat (Jerusalem: The Bialik Institute, 1947) 7, p. 40.

41 Baer, *New Comments*, p. 444.

42 This section is based on Ram Ben-Shalom, 'The First Jewish Work on the Seven Deadly Sins and the Four Virtues', *Mediaeval Studies*, 75 (2013), pp. 205–70.

It is my intention in this treatise, to elucidate the qualities of the soul and conducts – some of which are called qualities, perfections and virtues, while the evil ones are called vices. For we have not seen among the words of the ancients that have come down to us any comprehensive treatise on this matter, and they have hardly addressed it at all, although it is a great principle in human life. [...] And if the ancients made any remarks or intimations, these are scattered throughout their works so that they offer no benefit, unless gathered and compiled in a single work [...]. And the extensive treatment of these things by the Sage [Aristotle] in the *Ethics* is not easily understood by the reader, for it is closed and sealed [to all] but those who are familiar with his works and accustomed to the depths of his inquiries and proofs.<sup>43</sup>

Isaac Nathan gives three reasons for his decision to engage in ethics: 1. the lack of a comprehensive work on the subject in Jewish ethical literature; 2. to the extent that Jewish scholars did address this aspect of ethics, their words are scattered over many different works; 3. Aristotle's *Nicomachean Ethics* is accessible only to philosophers familiar with his writings.

He was well acquainted with Christian theological literature,<sup>44</sup> and knowingly chose the model of the seven deadly sins and the four virtues as the basic structure for his treatise. He was also aware of the audacity and innovation in employing a Christian method in a work aimed at a Jewish readership, but argued that there is no reason to reject a particular model simply because it is Christian. He believed that if there is something of value in Christian literature, it is incumbent upon Jews to adopt it:

I therefore decided to compose a separate treatise, in which I will first include all of the seven universal traits that drive those who possess them to eternal destruction [and are] called the seven deadly sins by adherents of the new faith [i.e. Christianity]. And they constitute universal categories encompassing all of the warnings of the Torah. For although this division does not appear in any of our books, we need not refrain from following others in that which we deem fitting and right. [...] Therefore, inasmuch as the division into these categories is right and proper, it is good to follow them, for universal speculation is the best [literally self: *be-nafšo*] choice, for it is from these failings that all sins arise, and in this [speculation will be demonstrated] their immediate causes, and a treatise on these [failings] will [also] reveal their counterparts and opposites. The structure of the treatise will then follow the four primary categories of virtues that also serve as universal types for all of the commandments of the Torah. They [the four primary categories] comprise accomplishments and causes, and they are used to describe

43 Isaac Nathan, *Me'ameš ko'ah*, Moscow, Russian State Library, MS Guenzburg, no. 113/1, fols 1v-2r.

44 On Nathan's familiarity with Aquinas's *Summa Theologica*, see Ben-Shalom, 'Meir Nativ', pp. 320–26.

the human perfection attained by those who possess them [...] and with them, their counterparts and opposites will [also] be revealed.<sup>45</sup>

Nathan accepted the two main characteristics of the Christian method previously rejected by the Aragonese Jewish leader and philosopher Hasdai Crescas:<sup>46</sup> the capital nature of the sins – that is their great importance and role as the root and cause of other sins – and their deadly, unforgivable essence. Until the fifteenth century, Christian theology made a clear distinction between mortal and capital sins. Later, the boundaries between the two concepts became blurred.<sup>47</sup> It is thus not surprising that they are combined in Nathan's work. In his treatment of each sin, Nathan reiterates the idea of deadliness, thereby demonstrating his identification with the Christian idea of the soul's destruction as a result of sin – beyond his acceptance of the general method of the sins as a convenient literary tool for ethical instruction.

Nathan's adoption of the Christian method of the seven deadly sins was not simply a matter of form. He was thoroughly acquainted with the details of the method and thus, for example, arranged the sins in the order commonly used in Latin Christianity: Superbia, Avaritia, Luxuria, Ira, Gula, Invidia, Acedia. This hierarchy of the deadly sins is reflected in the acrostic formula SALIGIA, which served as a mnemonic device – certainly more pleasant to the ear than the competing Gregorian formula SIIAGL or VIIAGL, or the Cassian GLAITAVS.<sup>48</sup> Of course, this mnemotechnical formula was meaningless in Hebrew, and Nathan's adoption of the order of the sins commonly accepted in the Christian world reflects conformity to the method that dominated in his environment.

Literary works based on the seven (or eight) sins have long been considered part of an exclusively Christian genre, entirely absent from Jewish literature.

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45 *Me'amey ko'ah*, fols 2v-3r.

46 Hasdai Crescas notes the method of the deadly sins and points out its flaws, in his *The Refutation of the Christian Principles*, 9, trans. by Daniel J. Lasker (Albany: State University of New York Press, 1992), pp. 73–74, written (c. 1398) to address the wave of conversions to Christianity among Jewish intellectuals, following the persecutions of 1391. Crescas asserts that a perfect faith is one that guides its adherents to (ethical) perfection and (spiritual) felicity with greater simplicity and ease than other faiths. Christianity is not a perfect faith, he argues, because its ethical demands are more difficult than those of other faiths, and are in fact impossible for most people. The concept of deadly sins posits the destruction of the soul as a result of natural behavior such as wrath, gluttony or sloth, which are in fact general human habits, shared by society as a whole. The Christian premise that one may lose eternal life for having committed any one of these sins is thus an erroneous ethical position that must be rejected.

47 See Morton W. Bloomfield, *The Seven Deadly Sins: An Introduction to the History of a Religious Concept, With Special Reference to Medieval English Literature* (East Lansing, Mich.: Michigan State College Press, 1952; repr. 1967), pp. 43–44 and 157.

48 See Bloomfield, *The Seven Deadly Sins*, pp. 72 (SIIAGL or VIITAGL) and 86 (SALIGIA); Arthur Watson, 'Saligia', *Journal of the Warburg and Courtauld Institutes*, 10 (1947), pp. 148–50; Richard Newhauser, *The Treatise on Vices and Virtues in Latin and the Vernacular*, *Typologie des sources du Moyen Age occidental* 68 (Turnhout: Brepols, 1993), p. 68.

However, *Me'ameš ko'ah* subverts this orthodoxy. In the past, I have analyzed a number of historical exempla in *Me'ameš ko'ah*, which include references to the Tortosa Disputation, to Joshua ha-Lorki (Jerónimo de Santa Fe), and to the missionary activity of Vincent Ferrer; to events surrounding the Great Schism (and especially to the election and figure of Benedict XIII); to relations between Benedict XIII and Vincent Ferrer; to the itinerant preaching of the reformer Thomas Conecte in north-western Europe, and his being burnt at the stake in Rome; as well as to episodes from ancient history, such as the conquest of Athens by 'Philip' (should be Alexander the Great) and various stories from Roman times.<sup>49</sup>

A comparison between *Me'ameš ko'ah* and other Jewish ethical works shows that Nathan's treatise was not unusual in its use of exempla to illustrate or reinforce ethical ideas. This literary phenomenon can be observed in the first Hebrew ethical works, dating from the Geonic period.<sup>50</sup> Despite these precedents, contemporary literature's influence on *Me'ameš ko'ah* is evident. The opening phrases employed by Nathan, for example, recall those encountered in Christian exempla: *fertur* ('it has been reported') or *legitur* ('one reads') when citing an external source, and *credo me audivisse* ('I believe I heard'), *ut ego vidi* ('as I myself saw'), or *sicut ego vidi* ('just as I myself saw'), when the events described were witnessed by the author.<sup>51</sup> Furthermore, the topics of the exempla in *Me'ameš ko'ah* are very similar to those commonly found in Christian exempla literature, such as in Vincent Ferrer's collected sermons.<sup>52</sup>

Nathan may also have been influenced by works of pastoral theology and instruction on the seven deadly sins and the four virtues, composed from the thirteenth to the fifteenth century, which mustered exempla from religious and

49 See Ram Ben-Shalom, 'Disputation of Tortosa'; idem, 'The Social Context of Apostasy among Fifteenth-Century Spanish Jewry', in *Rethinking European Jewish History*, ed. by Jeremy Cohen and Moshe Rosman (London: Littman Library of Jewish Civilization, 2008), pp. 173–98; idem, 'Exempla and Popes: Church Imagery in the Spanish and Provençal Jewish Mentalité', *Convivencia de culturas y sociedades mediterráneas. V Encuentros Judaicos de Tudela* (Pamplona: Institución Príncipe de Viana, 2004), pp. 177–90; idem, 'Exempla and Historical Consciousness in the Middle Ages: The case of Philip, Alexander the Great and the Conquest of Athens' [Hebrew], *The Past and Beyond: Studies in History and Philosophy Presented to Elazar Weinryb*, ed. by Amir Horowitz et al., (Ra'anana: The Open University, 2006), pp. 99–116; idem, *Facing Christian Culture: Historical Consciousness and Images of the Past among the Jews of Spain and Southern France during the Middle Ages* [Hebrew] (Jerusalem: Ben-Zvi Institute, The Hebrew University, 2006), pp. 55, 119–24, and 241–35.

50 See Eli Yassif, *The Hebrew Folktale: History, Genre, Meaning*, trans. by Jacqueline S. Teitelbaum (Bloomington: Indiana University Press, 1999), pp. 99, 120–32, and 283–97.

51 See, e.g., Jean Thiébaud Welter, *L'exemplum dans la littérature religieuse et didactique du Moyen Âge* (Geneva: Slatkine Reprints, 1973), p. 81.

52 See *Ibid.*, pp. 411–12; Pedro Manuel Cátedra García, *Sermón, sociedad y literatura en la Edad Media. San Vicente Ferrer en Castilla (1411–1412): estudio bibliográfico, literario y edición de los textos inéditos* (Valladolid: Junta de Castilla y León, Consejería de Cultura y Turismo, 1994).

secular history, lives of saints, legends, examples from the natural world, and personal narratives. One such work is Dominican friar Guillaume Peraud's *Summa de viciis et virtutibus* (second quarter of the thirteenth century), which includes some two hundred exempla. This text was widely known, and served preachers and moralists as a source of inspiration. Another example is the encyclopaedic *Somme-le-Roi* (1279), owed to Frère Laurent, another Dominican and confessor to King Philip III (The Bold) of France. This other compendium addresses the subject of the seven deadly sins and the virtues, and was translated from Latin into many vernacular languages, including Provençal. The *Breviloquium de virtutibus* (completed 1265–1275), by the Franciscan John of Wales, may also have served as a model of a treatise on the virtues that incorporates exempla from many different and varied sources.<sup>53</sup> However, among the many books written on the subject in Latin and in the vernacular, it is impossible to identify a single Christian work that could have served as a model for *Me'ameš ko'ah*.<sup>54</sup>

In the introduction to his concordance, *Me'ir nativ*, Nathan recounts his experiences as a young student, when Christian scholars sought to engage him in religious debate. He identifies two types of Christian polemicists he encountered then: the scholastics, who employed philosophy and logic to prove the Christian faith's truth; and the Franciscans, who used prefiguration and allegory in their sermons. Among their books, he discovered the Latin concordance of the Bible, recognized its value, and decided to undertake a similar enterprise in Hebrew. In his description, Nathan implies that he frequented a Christian library or libraries, and that he was familiar with Christian literature – particularly that produced by the Dominicans and the Franciscans for a broad, urban readership.<sup>55</sup> (Furthermore, the will of his mother, Venguessone Nathan attests to the presence of Latin works in her library).<sup>56</sup> *Me'ameš ko'ah* thus followed a literary method similar to the one employed in the mendicant literature on the sins and the virtues. Nathan's choice of a light, popular style, however (as opposed to pure philosophical speculation), which combines philosophy – Aristotle in particular – with biblical and Rabbinic literature, was part of a broader trend in Jewish thought in Spain and Provence, sensitive to the intellectual and social needs of members of that generation.

Up until recently, we knew of adoptions of Christian theological and ethical methods by Jewish intellectuals only for Italy and this in the latter half of the

53 See Rosemond Tuve, 'Notes on the Virtues and Vices', *Journal of the Warburg and Courtauld Institutes*, 26 (1963), pp. 264–67; Jenny Swanson, *John of Wales: A Study of the Works and Ideas of a Thirteenth-Century Friar* (Cambridge: Cambridge University Press, 1989), pp. 41–62; Newhauser, *The Treatise*, pp. 83 and 131–32.

54 See Newhauser, *The Treatise*, pp. 21–53.

55 See Newhauser, *The Treatise*, pp. 67 and 134.

56 Iancu-Agou, 'Une Vente', p. 46.

sixteenth century. Leon (Judah Aryeh) Modena's *Şemah şaddiq* [Flower of the virtuous] (1600), for example, reproduced the Christian catechism originally published in the well-known medieval florilegium *Fior di virtù*, and Abraham Yagel's *Leqaḥ ʔov* [Good instruction] copied a catechism by the Jesuit scholar Peter Canisius.<sup>57</sup> *Me'ameş ko'ah* demonstrates that the process began much earlier and in another geographical region. I believe that the explicit incorporation of Christian theology and ethics into Jewish ethical thought was a significant development – attributable, on the one hand, to the unusual personality and courage of one fifteenth-century leader of Provençal Jewry, but also, on the other hand, to a long-term cultural process (*longue durée*), to which many Provençal scholars had contributed over the years, including various members of the Ibn Tibbon family, Jacob Anatoli, Menahem ha-Meiri, Jacob ben Makhir, Kalonymos ben Kalonymos, and many others.<sup>58</sup> It was this cultural-intellectual process in Provence that enabled Isaac Nathan to arrive, without fear, at his conclusions regarding possible theological and ethical cooperation between Jews and Christians.

Jacob Katz examined the shared values that guided the customs and rituals of medieval Jewish and Christian societies, concluding that in the absence of a common source of moral authority, the relationship between the two societies could not be based on a mutually accepted value system. Jews and Christians necessarily differentiated between inward and outward ethics. Jewish ethicists rarely sought to formulate such common values, at most admonishing their audiences and readers to remember their responsibilities as members of a religious minority. The approach adopted by Menahem ha-Meiri of Perpignan was, according to Katz, a product of the new synthesis between philosophy and the Halakhic traditions of Ashkenaz and Provence. In his approach to Christianity, ha-Meiri deviated from the dominant Halakhic view, clearly establishing, on a fundamental level, that neither Christians nor Muslims should be considered idolaters.<sup>59</sup>

Isaac Nathan's intellectual output was an integral part of this phenomenon. Like ha-Meiri, Nathan also wrote a short treatise on repentance,<sup>60</sup> and the realm of religious polemic constituted, as noted, the focal point of much

57 Reuven Bonfil, 'The Libraries of the Jews of Italy between the Middle Ages and the Modern Era' [Hebrew], *P'eamim*, 52 (1992), p. 8.

58 See Daniel J. Lasker, 'Christianity, Philosophy and Polemic in Jewish Provence' [Hebrew], *Zion*, 68 (2003), pp. 313–33; Ram Ben-Shalom, 'The Tibbonides' Heritage and Christian Culture: Provence, c. 1186–c. 1470', in *Des Tibbonides à Maïmonide. Rayonnement des Juifs andalous en pays d'Oc médiéval. Colloque international Montpellier, 13–14 décembre 2004*, ed. by Danièle Lancu-Agou (Paris: Cerf, 2009), pp. 109–20.

59 See above note 20.

60 Oxford, Bodleian Library (Neubauer 2232), MS Reggio 21, fols 110v–111r.

of his work. Unlike ha-Meiri, Nathan did not address matters of Halakhah. Like ha-Me'iri, furthermore, he sought to establish universal moral principles. The extensive commercial interaction between Jews and Christians in Provence<sup>61</sup> demanded an intellectual-social solution to the problem of double ethical standards. A work like *Me'amesh ko'ah* offered such a solution, in the form of a shared value system – rooted in the Christian theological method of the seven deadly sins and the four virtues, but devoid of Christology, and therefore also acceptable to Jews. The shared value system was developed by means of the exempla stories, taken both from Jewish, Midrashic tradition, and from the Western European popular and high culture common to Christians and Jews alike. Nathan grounded his ethics in Biblical sources common to both religions, and in Aristotelian ethics, widely embraced in both societies. This innovative approach, which could easily have aroused considerable opposition, benefited from the author's prestige, as a prominent leader of Provençal Jewry, and a well-known polemicist, defender of his people against Christian missionary efforts.

The popularity of *Me'amesh ko'ah* never extended beyond the limited, intellectual circle of Provençal Jewry. This may have been due, in part, to its radical approach, although its lack of success should probably be attributed primarily to the Jews of Provence's expulsion (around 1500), and their dispersal throughout the Jewish diaspora. This was a time of general upheaval, in the wake of the expulsion from Spain (1492). After 1500, the vast majority of the Jews, including those expelled from Provence, lived in the Muslim world, particularly in the Ottoman Empire and North Africa. Attempts to bridge the gap between Jewish and Christian values thus became far less relevant than in the past.

In closing, one might mention that while Nathan's concordance project exerted a decisive influence on the Rabbinic Bible (*Miqra'ot gedolot*) printed by Daniel Bomberg in Venice in 1525 – and thus on Jewish acceptance of the Christian division of the Bible into chapters as well as Jewish and Christian Bible scholarship to this day<sup>62</sup> – his other treatises remained in manuscript and would appear to have remained relatively unknown.<sup>63</sup> Nevertheless, I recently discovered a lengthy excerpt from one of Nathan's works on the Bible in Isaac

61 Stouff, 'Activités et professions', pp. 57–77.

62 See Ben-Shalom, *Meir Nativ*, pp. 328–32.

63 Some of Isaac Nathan's works appear in a list of books that Jacob Roman, a Jewish book dealer from Constantinople, sent to Johannes Buxtorf (the younger) in 1633. See Meyer Kayserling, 'Richelieu, Buxtorf père et fils, Jacob Roman. Documents pour servir à l'histoire du commerce de la librairie juive au XVII<sup>e</sup> siècle', *Revue des études juives*, 8 (1884), pp. 74–95 (90). The list also includes a number of lost works by Nathan: *Me'ab devarim*, *Mivšar Yišhaq*, *Tokbehat maš'eb*, and probably his concordance, as well, under the alternative title *Ya'ir nativ*. See also Adolf Neubauer, 'Jacob ben Isaac Roman's Bücherverzeichniss. MS Oxford Poc. 12 (Catal. No. 2314 and Addenda)', *Israelitische Letterbode*, 11 (1885–86), pp. 113–93.



Abravanel's commentary on Exodus.<sup>64</sup> Abravanel generally does not indicate his sources in his commentaries, and this passage is no exception. I believe that a careful examination of Abravanel's commentaries will reveal further use of Nathan's works. Thus, in addition to Nathan's concordance, Isaac Abravanel's works may afford further insight into the hidden influence of the last Jewish intellectual in Provence.

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64 See Ben-Shalom, 'Isaac Nathan of Arles' Series of Biblical Studies' (above, n. 7).



# THE PENINSULA AS A BORDERLESS SPACE: TOWARDS A MOBILITY ‘TURN’ IN THE STUDY OF FIFTEENTH-CENTURY IBERIAN JEWRIES

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In his 1958 review of Cantera and Millás’ book on Hispano-Jewish epigraphy, Haim Schirmann noted that their study should have incorporated, as well, the few Hebrew medieval inscriptions found in Portugal, and added: ‘Spain and Portugal are today two separate States, very different from each other, but in the history of the Jews, they certainly belong to a single cultural space.’<sup>1</sup> Schirmann’s appreciation could have been extended, too, to the work of his elder colleague at the Hebrew University, Yitzhak F. Baer, who implicitly had assumed the confines of the State as the territorial framework in his seminal historical book (a narrative that flowed in part from his inquiries in Spanish archives initiated in 1925). Baer’s research led him into the Spain of Primo de Rivera’s dictatorship soon after his teacher Heinrich Finke had completed the publication of his *Acta Aragonensia*.<sup>2</sup>

The identification of the State’s boundaries with the loose and evolving notion of ‘Sefarad’ as a cultural and geographical entity became consecrated with the institutionalization of Jewish studies after the Spanish Civil War’s end (1939), with its two pillars established in Madrid and Barcelona. Out of conviction, but not without convenience, the Hebraist Francisco Cantera, a Catholic and liberal Castilian scholar, headed with the title ‘De Hispania Judaica’ his exemplary study of the medieval Jewish community in his native town that was published in the first issue of the journal *Sefarad*.<sup>3</sup> Since 1941 the journal has fostered the publication of local studies on medieval Spanish Jewries based on archival evidence.

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1 Haim Schirmann, ‘Thesaurus of Hebrew Inscriptions from Spain’ (Hebrew), *Tarbiz*, 27 (1958), 563–67 (p. 565).

2 Heinrich Finke, *Acta Aragonensia. Quellen zur deutschen, italienischen, spanischen, zur Kirchen- und Kulturgeschichte aus der diplomatischen Korrespondenz Jaymes II. (1291–1327)*, 3 vols (Berlin and Leipzig: Dr Walther Rothschild, 1908–22). The parallelism was noted already in ‘Enric Finke hispanista’, *Analeta Sacra Tarraconensia*, 11 (1935), 9–22 (p. 17).

3 Francisco Cantera, ‘De Hispania Judaica. La judería de Miranda de Ebro (1099–1350)’, *Sefarad*, 1 (1941), 89–139, and idem, ‘La judería de Miranda de Ebro (1350–1492)’, *Sefarad* 2 (1942), 325–75. It may not have passed unnoticed to him that there was at that time in the city an internment camp for refugees in transit, many of them Jews. One of the first accounts of the camp was published in a Catholic weekly – probably eager to convey a benign view of the living conditions there – by Eli Rubin, ‘Twenty-Six Months in

Previously, this research had found a place in platforms such as the *Boletín de la Real Academia de la Historia*, as well as other publications with a local or regional scope. The goal of these studies responded to the necessity of dealing with an enormous amount of heterogeneous archival material; this challenge was initially met through a positivistic approach that required the support of local scholars, occasionally amateurs who were better placed to gain access to sources than were outsiders, though they often lacked skills and suitable historical methods. Behind this laid the aspiration to track the path of a past to which Spain had been, to a large extent, absent in nineteenth-century Jewish scholarship in contrast to other European countries. Cantera's further monograph on Spanish medieval synagogues (1955), but especially his joint (with Millás) Jewish and Hebrew epigraphic sourcebook (1956), both understood as an integral piece of the country's heritage, represented similar requirements of comprehensiveness and erudition though did not endeavor to go beyond a descriptive approach.<sup>4</sup>

It was not until the early 1970s that Cantera announced the launching – and publication of the first provincial installments – of the *Hispania Judaica* project, a 'historical-geographical dictionary' of medieval Spanish Jewries (obviously confining himself to the territories of the medieval Castilian Crown), using archival data (and Hebrew sources at random), but also material remnants, if any existed, and local traditions. He had started long before data collection fieldwork. Taking as the basis for the identification of the Jewish settlements the medieval Castilian Jews' taxation payrolls,<sup>5</sup> he matched it against the modern provincial divisions. The magnitude of the project and the assortment of documentary sources were wide-ranging, and the research facilities available to him scarce. The first explicit mention in his publications to such a dictionary that I have been able to find dates to 1967.<sup>6</sup> This endeavor paralleled (if it was not inspired by) the new *Gallia Judaica* project announced in 1965 by Bernhard Blumenkranz,<sup>7</sup> as well as analogous ongoing endeavors in other countries.

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Miranda de Ebro. The Experience of a Jewish Internee in Spain', *The Tablet*, vol. 181, no. 5374 (London, 8 May 1943), p. 8.

4 Francisco Cantera Burgos, *Las sinagogas españolas con especial estudio de la de Córdoba y la toledana de El Tránsito* (Madrid: Consejo Superior de Investigaciones Científicas, 1955, repr. 1984); idem and José María Millás Vallicrosa, *Las Inscripciones Hebraicas de España* (Madrid: Consejo Superior de Investigaciones Científicas, 1956).

5 Francisco Cantera, 'Los repartimientos de Rabi Jaco Aben Nuñes', *Sefarad*, 31 (1971), 213–47 (p. 213). There followed the provincial installments corresponding to the Basque Country (1971), Guadalajara (1972–74), León (1974), and Soria (1976).

6 Francisco Cantera and P. Albano García Abad, 'Nuevas consideraciones sobre la judería de Valderas (León)', *Sefarad*, 27 (1967), 39–63 (p. 42).

7 See, for instance, Bernhard Blumenkranz, 'La géographie historique des juifs en France médiévale: pour une nouvelle *Gallia Judaica*', in *Papers of the Fourth World Congress of Jewish Studies* (Jerusalem, 1965), vol. II (Jerusalem: World Union of Jewish Studies, 1969), pp. 45–50.

It would be wrong however to assimilate the publication of the materials for the dictionary project, however loose this plan was, to what has been rightly termed as the 'orthodoxy of localism',<sup>8</sup> a problem that has been pervading Jewish-Spanish historical scholarship, not least in recent decades. Cantera's demise in 1977 truncated the original plan, yet the advent of a younger generation of scholars did not make it pass out of existence. Rather, it transfigured into diversified projects for the systematic publication of documentary sources based either on regional or typological criteria. This was carried out with uneven success. Thus, the amount of documentation we now have at our disposal is certainly very important, and lays the foundation for more ambitious research on a different scale, that would deal with demographical movements (either of individuals or groups) in an attempt to transcend the currently dominant local scope in the study of Iberian Jewish history. Another issue is that it has been commonplace to characterize medieval Iberian Jewries as long-established communities, though the truth may be the opposite. One only needs to check a recent comprehensive and exemplary study of medieval synagogues in the Crown of Aragon to observe that, in most of the cases, these buildings lasted but a few decades.<sup>9</sup> On the other hand, one may well prefer to stress the continuity of Jewish families between the thirteenth and the early fifteenth centuries; this, however does not contradict the fact that medieval Jews were, in general, characterized by an extreme mobility that is not observed for other social groups.

### *1. A Matter of Perspective: The Iberian Peninsula as a Borderless Space for the Jews*

Alongside the vertical overview of Jewish history resulting from a local approach, we should then consider a complementary horizontal perspective that prioritizes a synchronic scrutiny, and maps the Jews' mobility in an extended territory, even beyond political boundaries. Currently this perspective has collided with a virtual 'Cork Wall' restricting the perspectives of many scholars, thus preventing their exploration beyond their respective borders. A case in point is the study by Henrique de Gama Barros, the historian of the Portuguese administration, whose 1936–37 posthumous articles on Portuguese Jews have been either unknown to,

8 The formulation is by Eleazar Gutwirth, 'Review to E. Martínez Liébana, *Los judíos de Sabagún en la transición del siglo XIV al XV* (Valladolid, 1993) y L. Piles Ros, *La judería de Valencia (Estudio Histórico)*, edición, revisión y notas por J. R. Magdalena Nom de Déu (Barcelona, 1991); *La Coronica*, XXIV/3 (1996), 182–86 (p. 183); see also his 'Review Essay to J. Hinojosa Montalvo, *The Jews of the Kingdom of Valencia*' (Hebrew), *Zion*, 62 (1997), 79–87.

9 Jaume Riera i Sans, *Els poders públics i les sinagogues: segles XIII–XV* (Girona: Patronat Call de Girona, 2006), pp. 210–17.

or ignored by scholars outside Portugal,<sup>10</sup> despite valuable documentary references relevant for a comparative analysis with other peninsular Jewries. It is true, though, that these specific publication years were hardly propitious for scholarly communication. It should be noted that the lack of concern was not at all-pervading in the past, neither among nineteenth-century historians, nor among antiquarians that preceded them, as revealed, for instance, by the keen Portuguese interests of the Valencian Hebraist Francisco Pérez Bayer.<sup>11</sup>

Roughly speaking, the one-century span following 1391 witnessed dramatic demographic changes. During the first decades of the 1400s we see the decline and marginalization of the Levantine (including Catalan), and western Andalusian Jewries, almost to the point of extinction (a tendency particularly evident in urban centers, though with some exceptions). This process resulted in an imbalance in the distribution of Iberian Jewish population in comparison with the previous period, and gave more weight to the communities established in the western areas of the Peninsula: in the case of Castile, especially in the northern plateau, along the (roughly understood) geographical triangle made up by the Duero River, the Central System or *Sierras*, and the Castilian-Portuguese frontier stripe or *Raya*.<sup>12</sup> The Jewish presence in Aragon along the Ebro Valley with its center in Saragossa preserved almost intact its demographical and religious-intellectual relevance. The impact of similar demographic transformations among Portuguese Jewry is yet to be assessed globally. At this stage, we can argue that in a similar way to what Saragossa meant for Aragonese Jewry, Lisbon's Jewish elite enjoyed a political centrality, an intellectual-religious prestige, and an economic dynamism that was attractive to other Jews,<sup>13</sup> even beyond Portuguese borders, not the least in Seville, during the fifteenth century.

By the first decades of the fifteenth century, the weight of Jewish demographics in the eastern and southern regions of the Peninsula weakened, either owing to conversion, or to progressive migrations that drained most, but not all, of their

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10 Henrique de Gama Barros, 'Judeus e mouros em Portugal em tempos passados (apontamentos histórico-etnográficos)', *Revista Lusitana*, 34 (1936), 165–265, and 35 (1937), 162–238; José Leite de Vasconcellos prepared the article with the documentary materials and notes left by the author, who was ready to include it in his magnum opus on the history of Portuguese administration.

11 Marie Hélène Pivnic, 'Les deux voyages de Pérez Bayer au Portugal: 1782, 1783', *Revista de Historia Moderna*, 3 (1983), 261–317.

12 A more detailed description of this geographical outline in Javier Castaño, 'Flüchtige Schimären der *Convivencia*'. Die Juden in Kastilien und ihre Eliten (1418–1454)', in *Integration – Segregation – Vertreibung. Religiöse Minderheiten und Randgruppen auf der Iberischen Halbinsel (7. bis 17. Jahrhundert)*, ed. by Klaus Herbers and Nikolas Jaspert (Berlin: Lit, 2011), pp. 179–212 (pp. 184–86). A further desideratum is to sketch the Jewish demographical distribution beyond the Castilian borders, and do the same for periods prior to that century.

13 On the role played by Lisbon Jewry in the second half of the fifteenth century, see the concise approach by Joseph Hacker, 'R. Joseph Hayyun and the Generation of the Expulsion from Portugal' (Hebrew), *Zion*, 43 (1983), 273–80.

Jewish population outwards, to Italy, the Maghreb, and via Sicily all the way to the eastern Mediterranean, but also westwards, to Portugal, and inwards, into the lordly domains. In addition, the Jews' final expulsion from the kingdom of France in the late fourteenth century had secluded physically peninsular Jewries from other European communities. Thus, after 1400, Iberian Jews were living in an 'island' disconnected by land from other Jewish communities, and though it has not been calibrated to what extent this relative 'isolation' reduced the volume of émigrés arriving from other lands (compared with the migratory trends of the previous century), this may have contributed to strengthen even more the interaction among Iberian Jews, and the feeling of a common peninsular space shared by all them, beyond internal Iberian political borders and despite different backgrounds. It is necessary, then, to mend the torn seams of Iberian history by taking into account Jewish mobility between different regions. In contrast with other fields in the Humanities, the study of Iberian Jewries in the past century has been determined to a great extent by the political borders that have prevented scholarly attempts to penetrate beyond them.<sup>14</sup>

It is true that political borders were not so easily blurred, even by Jews, and that there were elements that nourished a specific identity attached to territory, such as the tendency towards the development of Jewish political institutions functioning as umbrella for all the Jews of a kingdom, coupled with their use of a vernacular language and allegiance to a royal dynasty. But the opposite could also be true: the Jews were in parallel building an identity as a nation of their own, with borders, too, that were determined by religious or/and ethnic parameters rather than territorial. Moreover, social stratification among Jews on both sides of the political borders existed, and migratory trends, still not studied in detail, were intense enough that we should take them into consideration if we want to reconstruct the puzzle of the Iberian Jewries.

A relevant case is that of the Jews settled in the Portuguese fortified frontier town of Miranda do Douro, located within the hinterland of the Castilian *aljama* of the Jews of Zamora – a case of the 'Jewish nation' extending across political borders. At a distance of twenty-seven miles, Zamora was in the last third of the fifteenth century one of the Peninsula's key rabbinical centers; it was a gateway into Portugal, and thus, it was not too infrequent to find Aragonese Jews residing both in Zamora and in Portugal.<sup>15</sup> Due to the fact that at that time and during

14 Recent scholarship has started to question the extent of halakhic and cultural regional areas regardless of political borders, for instance Pinchas Roth, 'Regional Boundaries and Medieval Halakhah: Rabbinic Responsa from Catalonia to Southern France in the Thirteenth and Fourteenth Century', *Jewish Quarterly Review*, 106 (2015), 72–98.

15 Besides the case of R. Simuel Marrax (mentioned in note 17 below), Bienvenis de la Cavalleria, the brother of Pedro de la Cavalleria (and uncle of the Aragonese Vice Chancellor Alonso de la Cavalleria), see Fritz Baer, *Die Juden im christlichen Spanien. Erster Teil: Urkunden und Regesten, Zweiter Band:*



short periods the city of Zamora was under Portuguese occupation and that its Jews paid taxes to the Portuguese king,<sup>16</sup> Zamoran Jews held muddled political allegiances. For some remote Jewish observers, it was not so clear even whether the city belonged to Castile or to Portugal.<sup>17</sup>

Until recently the Jews of nearby Miranda do Douro had gone almost unnoticed, but some wrinkled documents in Hebrew script dated between 1482 and 1496 and preserved within a later inquisitorial file, can shed some light on their social and cultural identity.<sup>18</sup> The content of the documents had not been understood until now, since when they were seized by the inquisitorial officials in 1542, they were given in Lisbon to a Jewish neophyte from North Africa, who was requested to read it. Despite his efforts in guessing the contents, he hardly succeeded, maybe because they were written neither in Hebrew nor in Portuguese, but in Castilian *la'az* (vernacular). The file's documents are very diverse in type, though all of them deal to a greater or lesser extent with a prevalent social problem, the administration of the inheritance of orphans. One of their striking features is that for the most part (as just said) they were written in Castilian, and that they mention Jews from towns located in both sides of the border (we are given the identity of no less than sixty Jews). A careful analysis of the text shows that in some cases it is possible to establish that their settlement in the area was recent. Moreover, familial onomastics concur in some of the cases with the few names we know from the nearby Castilian region. Besides economic motivations, one could reasonably point to political reasons (civil war and Portuguese allegiance of some Castilian Jews in the mid-1470s) behind their recent settlement in Miranda.

The region also attracted other foreign Jews. Such is the case with Abraham ha-Levi, a scion of a Jewish family from the Navarrese town of Tafalla, that settled in Benavente (so at about 272 miles distance). In 1462 Abraham's father,

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*Kastilien/ Inquisitionsakten* (Berlin: Im Schocken Verlag, 1936), p. 449, no. 397; among the Aragonese Jews established in Portugal, the son of Rabi Ezmel Abenrabi from Saragossa (ibidem, p. 485); the cousins Rabi Juceu de Castro and Rabi Juceu Çarfati, residents in Lisbon (ibidem, p. 493). The reverse was true, though, as sources document as well the presence of Portuguese Jews in Aragon, such as, for instance, 'Mose Habib portugues', alderman (*adelantado*) in 1462 in Daroca, referred by Miguel Ángel Motis Dolader, 'Régimen fiscal de las comunidades judías de Aragón en la Baja Edad Media: la aljama de Huesca en el siglo XIV', in *Homenaje al profesor Alfonso García Gallo* (Madrid: Universidad Complutense, 1995), vol. II, pp. 319–408 (p. 336, no. 86).

16 Before 1482 the Jews of Zamora and Benavente had occasionally contributed taxes to King Afonso V of Portugal, see Barros, 'Judeus e mouros em Portugal', p. 191, no. 242.

17 In reference to the Aragonese R. Simuel Marrax 'which has gone in Zamora, in Castile or in Portugal' (*el qual es ydo en çamora en Castilla o Portugal*), see Baer, *Die Juden im christlichen Spanien. I/2: Kastilien*, p. 488.

18 The documents were already mentioned in Augusto Tavares, 'A outra língua dos Cristãos novos em Portugal', in *Dimensões da alteridade nas culturas de língua portuguesa – o Outro. I Simpósio Interdisciplinar de Estudos Portugueses. Actas* (Lisbon: Universidade Nova de Lisboa, 1985), vol. II, pp. 171–80 (pp. 177–78). See my edition and study of these documents, forthcoming.

Yosef ha-Levi of Tafalla, bequeathed his grand-daughter with some properties in Navarre, providing she would return, because Abraham (whose untimely death preceded that of his father) 'had lived in the kingdom (*be-Malkhut*) of Castile, in the place called (*bi-meqom ha-niqra*) Benavent'. It is legitimate to think that one of the reasons for having settled so far away was the fact that Abraham had married a local woman.<sup>19</sup> Such cases of Jewish families split throughout different territories are not exceptional.<sup>20</sup>

## 2. *Intra-Iberian Jewish Mobility and the Driving Forces behind Displacement*

The question of medieval Jews' mobility has been recently raised with regard to other geographical areas, this against the background of the 'spatial turn' within Jewish studies.<sup>21</sup> Yet how the settlement of Jews in their new environments, their attitudes towards their fellow Jews (but also to non-Jews), and their relation with their former communities affected familial, social, and communal structures, as well as national, cultural, and linguistic identities are subjects that have been hardly addressed by research, that, to the contrary, has prioritized regional static approaches.

Concerning the Iberian regional space, it is true that attention has been focused on the study of long-distance mobility, especially outwards from the Peninsula, not least because of the frequent characterization of the fifteenth-century Aragonese and Castilian Jewish history as an epigonical period in many regards. Less attention has been paid to the intra-Iberian Jewish short-to-medium range mobility, at least, not as a whole; this may be owed more to the scattered nature of the sources, rather than to their dearth. Prior to the fifteenth century, Jewish familial and group border crossing mobility was not an infrequent phenomenon as a result of social transformations, economic development, and the need to foster intellectual and religious contacts. Yet though the phenomenon of intra-Iberian mobility was not new, it now assumed some distinctive characteristics; the dominant migratory trend was now towards the West.

A good example of this westward turning is the migration and settlement of Catalan Jews in Castile (and in Portugal), though the dimension of the

19 Javier Castaño, 'Una resolución de R. Yehosúa Sabí, rabino de Navarra, sobre el cobro de una herencia (1489)', in *L'écriture de l'histoire juive. Mélanges en l'honneur de Gérard Nabon*, ed. by Danièle Iancu-Agou and Carol Iancu (Paris-Louvain: Peeters, 2012), pp. 263–86 (p. 272).

20 Another case is the nephew of R. Seneor b. Meir of La Almunia de Doña Godina, 'a resident in the kingdom of Castile'; see Laura Minervini, *Testi giudeospagnoli medievali (Castiglia e Aragona)* (Napoli: Liguori Editore, 1992), vol. 1, p. 258.

21 Most recently (concerning Central and North Italy) by Michele Luzzati, 'Again on the Mobility of Italian Jews Between the Middle Ages and the Renaissance', in *The Italia Judaica Jubilee Conference*, ed. by Shlomo Simonsohn and Joseph Shatzmiller (Leiden-Boston: Brill, 2013), pp. 97–106.

phenomenon has yet to be assessed. We have for instance the Catalan R. Ferrer Vidal, resident in the Castilian town of Briviesca before his death in 1443. The case is documented in a Hebrew parchment that was used to bind a notarial protocol in the Navarrese city of Tudela.<sup>22</sup> If we bear in mind that his widow Astruga held some properties in Tudela, it is reasonable to assume that she was the scion of a Navarrese Jewish family. Astruga urgently needed money in order to endow her daughter Dolça, and consequently, she tried to pawn her Tudela houses. It was Astruga's mother-in-law, doña Preciosa, the widow of R. don Vidal Ferrer, another former resident in Briviesca, who moved to Navarre in order to pawn the houses to one of the most prominent Jews in Tudela and to providing Dolça with the necessary dowry. The matriarch doña Preciosa agreed to return the money to the lender in Saragossa. Moreover, her guarantor was another Catalan Jew, R. Saltiel, the son of R. Isaac b. Saltiel,<sup>23</sup> a resident in the Central Catalan town of Agramunt, who had been also present at the transaction procedures in Tudela. Accordingly, we have a Catalan family (at least, its male members) with economic interests and social interactions in four different territories (Castile, Navarre, Aragon, and Catalonia), that preserved some of its preexistent social networks and still maintained a distinctive Catalan onomastic identity over three generations. It did so through the use of given names (Dolça, Ferrer, Vidal), and of the patronimic following Catalan custom, something that could attest to a relatively recent settlement in Castile. These people were not the only Catalan Jews living in Briviesca, a town under the aristocratic lordship of the Count of Haro. Previously, in the opening decades of the century, the Aragonese poet Solomon Bonafed had addressed a poem to 'R. Zerahya in Briviesca,'<sup>24</sup> an important rabbinical figure, though we lack any other information concerning his stay in the town. In like manner, another Jew, Sento de Briviesca, a tailor, could also be traced back in 1461 to the town of Monzón in Aragon where he opened a workshop.<sup>25</sup>

In some instances, displacement from one place may have been motivated by economic reasons. This appears to be the motive behind the attempt to leave,

22 The document was edited by José L. Lacave, 'Un contrato de empeño y un poder en un documento hebreo de Tudela', *Sefarad*, 44 (1984), 3–32 (pp. 7–16).

23 Mention in 1429 of the physician 'Saltell Içach Bonafos' (grandson of R. Yisshaq Perfer?) from Agramunt in Fritz Baer, *Die Juden im christlichen Spanien. Erster Teil. Urkunden und Regesten. Erster Band: Aragonien und Navarra* (Berlin: Akademie Verlag, 1929), p. 861. He bears the same name as the groom mentioned in the poem studied by Tirza Vardi, 'A Wedding in Agramunt: The Wedding Poems of Solomon Bonafed' (Hebrew), *Jerusalem Studies in Hebrew Literature*, 14 (1993), 169–96 (p. 169).

24 'R. Zerahya [ha-Levi] in Briviesca' (also known as Ferrer Saladin), whom Bonafed – and also Solomon de Piera – addressed in two separate poems. The problem of identification of several homonym ('R. Zerahya') individuals was discussed by Baer, *Die Juden im christlichen Spanien. I/1: Aragonien*, p. 722.

25 Baer, *Die Juden im christlichen Spanien. I/1: Aragonien*, p. 877, no. 548.

in 1448 and in the following years, by several Jews from La Almunia de Doña Godina, an Aragonese town within the jurisdiction of the Hospitaller Order (though the Jewish *aljama* belonged to the king). Their attempt to settle in another royal or seigniorial *aljama* was forestalled through their immediate arrest by the local authorities, and the Jewish community was constrained to threaten individuals with an anathema to avoid further defections.<sup>26</sup> In another case, the predatory taxation decided by a former royal representative (*corregidor*) in Ávila was inciting many Jews to leave the city to settle in seigniorial areas. This was to the detriment of the Ávila *aljama*, that was consequently moved, in 1476, to urge the local council to take action.<sup>27</sup>

The dynamics triggered by the victimization of Jews and the regional expulsions entailed their relocation into other regions, though we are not able yet to quantitatively assess the demographic impact. One late instance is the 1483 expulsion of Jews from the Seville district. Two years later, royal fiscal data bearing on the Jewish communities of twelve towns and cities located in a neighboring area, present-day Southern Extremadura and Upper Andalusia, indicates an increase by one-third of the amount of the tax charged to the Jews (the percentage is slightly higher for a couple of exceptions). It corresponds almost exactly to the sum paid by the Jews of Seville before their expulsion. However, the information can barely be translated into demographic statistics, insofar as the coincidence in the increase in most of the cases seems to be the result of a previous compensatory global negotiation and agreement.<sup>28</sup> Furthermore, additional sources document Jewish families that found their way from Seville's district into communities located in the kingdom's northern areas.<sup>29</sup>

The incitative policies implemented on a local level by the authorities, following a course of action designed by the nobles (under whose jurisdiction the *aljamas* were placed), prompted a demographic increase for some Jewish communities. They were offering Jews better economic conditions and fiscal advantages, but also a safeguard. Here, the individual factor was relevant as is revealed in a denunciation brought in the 1480s against a former official (*corregidor*) in Cuéllar – a Castilian town within the seigniorial jurisdiction of its Duke. It mentioned

26 Encarnación Marín Padilla, 'Los judíos de La Almunia de Doña Godina', *Sefarad*, 49 (1989), 263–306 (pp. 273–74).

27 Since it affected both Jews and Moslems, the grievance was lodged by the representatives of both communities; see Javier Castaño, 'Subordinación y parcialidades durante los 'tiempos rotos': Mosé Tamaño y el juzgado mayor de los judíos de Ávila', in *Cristianos y judíos en contacto en la Edad Media: Polémica, conversión, dinero y convivencia*, ed. by Flocel Sabaté and Claude Denjean (Lleida: Editorial Milenio, 2009), pp. 821–57 (p. 825, no. 16).

28 Luis Suárez Fernández, *Documentos acerca de la expulsión de los judíos* (Valladolid: Consejo Superior de Investigaciones Científicas, 1964), pp. 256–58, no. 85 (14 April 1485).

29 For instance, the Hebrew narrative published by Alexander Marx, 'The Expulsion of the Jews from Spain', *Jewish Quarterly Review [OS]*, 20 (1908), 240–71 (pp. 265 and 267).

rumors that had spread to the effect that ‘when the said [official] [...] came into town, there were no more than fifty Jewish residents (*vecinos*), but later [there were] with his support more than two hundred’.<sup>30</sup>

Theoretically, and besides periods of social distress, there were no legal constraints on the mobility and settlement of Jews, beyond the proviso that they duly meet their tax obligations to their communities – to the one departed from and to the adoptive one. It is true that there was a recurrent constraint to their mobility when it came to their transfer from the royal jurisdiction to a seigniorial one, as revealed by royal authorities’ frequent complaints that serve us as a reminder of the demographic dynamic.<sup>31</sup> In addition, the instances I have been able to track in the sources of a hampering to the Jews’ freedom of movement and choice of residency, especially from royal to seigniorial domain, seem to be an exception to the rule; these are linked either to segregatory policies or to fiscal considerations.

One example of the legal barriers to mobility is the royal *Provisión* enacted in Valladolid in late December 1411, prompted by Friar Vincent Ferrer, primarily intended to deprive the Jews’ existence of any social meaning.<sup>32</sup> And thus, these laws banned Jews from the option to transfer their residency elsewhere, especially into lordly domains, under threat of confiscation of their assets. In addition, the clauses forbade nobles from welcoming Jews as residents in their dominions, and forced them to return them back to their place of origin, under severe penalties.<sup>33</sup> Despite their immediate impact, the laws were short-lived (a milder version of these laws that was enacted soon after was more lenient and did not restrict the Jews’ movements) and they were not (de facto) applied universally throughout Castile.<sup>34</sup>

### 3. *Choice of Residency and Tax Liability*

Yet in practice mobility, and choice of residency, became complicated due to the fiscal implications involved. It was required that any transfer of residency be communicated to the authorities, either Christian and/or Jewish, before they would issue their consent. It is precisely the relation between choice of settlement and taxation that was at the heart of a debate that had arisen in relation to

30 Baer, *Die Juden im christlichen Spanien*. I/2: *Kastilien*, p. 521, no. 422.

31 A recurrent complaint in fifteenth-century Castile; see Javier Castaño, ‘Las aljamas judías de Castilla a mediados del siglo xv: la Carta Real de 1450’, *En la España Medieval*, 15 (1995), 181–203 (p. 191).

32 See the documented (and prejudiced) study by Juan Torres Fontes, ‘Moros, judíos y conversos en la regencia de Fernando de Antequera’, *Cuadernos de Historia de España*, 31/32 (1960), 60–97.

33 Baer, *Die Juden im christlichen Spanien*. I/2: *Kastilien*, pp. 268–69, no. 275, § 16–17.

34 On the later (Cifuentes) rendering of the 1411 *Provisión*, see Toribio Minguella Arnedo, *Historia de la diócesis de Sigüenza y de sus obispos* (Madrid: tip. Revista de Archivos, Bibliotecas y Museos, 1910–13), vol. II, pp. 620–25, esp. p. 624.

the right of a community to prohibit individuals to move to another place due to their tax status.<sup>35</sup> The debate originated in mid-fourteenth century Catalonia from a question that a Jewish courtier representing the community of Girona had sent to rabbinical scholars. It concerned the case of one individual, who had been previously residing in a place whose taxes were paid together with those of Girona's Jews, and who wanted to change his residency.<sup>36</sup> Several issues were at stake: Whether it was permissible for an individual to change his residency or whether this would violate the communal ordinances? Whether if someone received permission from external authorities, would it not be the right of the community to decide upon the issue? Was in such a case the community entitled to seize the individual's properties? And, related to this, what were the means the community was able to use in order to deny the right to leave?

This Jew in question had transferred his residency and that of his family to Perpignan, after reaching an agreement – in force for 5 years – with the newly adopted community for paying his tax-share there, a period during which he would be transferring his properties from the previous place. All the same, his former community contended that he was still liable to taxation as long as he maintained properties in the city. Within this context, a group of unidentified Jews claimed, basing themselves in a recent royal ordinance proscribing mobility and settlement of Jews from royal into noble domain ('earlier *Capitulos*'),<sup>37</sup> that the issue fell within the category of *Dina de-Malkhuta Dina* (the halakhic rule that the law of the country is binding), and that Jewish Law could be enforced by the external authorities, and in consequence, that the community could hold those that wanted to leave and not allow them to be tax-exempted.

The debate served to articulate the positions of several rabbinical experts, for the most part, Catalan, that were made jurisprudence and, in consequence, we can use them for understanding later situations. Bonsenyor Gracian opens by recalling a basic principle which enjoyed the consent of all: 'the right of every individual to change his residency from one place to another is an assumed principle.'<sup>38</sup> Nevertheless, he mentions an agreement of the community of Barcelona whereby

35 See Baer, *Die Juden im christlichen Spanien*. I/1: *Aragonien*, pp. 311–17, no. 224a, and the comprehensive annotated edition by Arye L. Feldman, 'Teshuvot hakhme Barcelona ve-Catalonia be-inyan misim ve-aroniot, ve-Dina de-Malkhuta Dina' (Hebrew) ['Responso from the sages of Barcelona and Catalonia on taxation and property taxation, and on *Dina de-Malkhuta Dina*'], *Genuzot. Qobetz-et la-genuzot risbonim*, 1 (1984), 67–98 (p. 68).

36 A background to this debate can be found in Jaume Riera i Sans, *Els jueus de Girona i la seva organització. Segles XII–XV* (Girona: Patronat Call de Girona, 2012), pp. 99–102.

37 In reference to the Ordinances of 1333 by Alphonse the Benign, see Baer, *Die Juden im christlichen Spanien*. I/1: *Aragonien*, p. 275, no. 201, § 15, previously published by Francisco de Bofarull, 'Los dos textos catalán y aragonés de las ordinaciones de 1333 para los judíos de la Corona de Aragón', *Boletín de la Real Academia de Buenas Letras de Barcelona*, XIII/ 51 (1913), 153–63 (p. 160).

38 Feldman, 'Teshuvot hakhme Barcelona ve-Catalonia', p. 82.

if someone wants to change his residency, he is not entitled to do so until he settles all his fiscal debts with the former community.<sup>39</sup> Based on previous jurisprudence Shem Tov Falcon clarifies that once the fiscal charges has been imposed on the community as a whole, no one can claim to be exempted, even by the king, and therefore the individual was liable to pay its share over the period the tax was in vigor.<sup>40</sup>

Hasday Crescas, the Elder, sets a ruling by determining that if the individual has left the community before the allocation to every single member of the fiscal charges, he is entitled to move. Otherwise he is liable to pay. Furthermore, he scolds those who oppose the Jews' free movement and who backed the 'earlier *Capitulos*' that proscribed Jews from moving from royal to seigniorial jurisdiction and settling there. He claims that there was no juridical basis for the ban, even in royal law. He also alleges that the legal procedures initiated by the Girona Jews who turned to the government to strength the ban were sinful and a harsh transgression. According to him, 'in the courts of the kings and in their palaces, on their tongues and on those of their counselors there is carved a law and a phrase [according to which] all the Jews are free [*bene horin*] to go wherever they dwell and they may go wherever they choose'.<sup>41</sup>

Vidal de Tolosa harshly criticizes the 'earlier *Capitulos*'. He claims that they contradict previous legal traditions granting Jews the possibility to go wherever they wish, and mentions the dictum according to which '[...] the juridical standing of the Jews is equal to that of the knights, to dwell wherever they wish'.<sup>42</sup> Finally, he rules that if the decision of a king is cursory and not grounded on previous judgments, or if he punishes people for something his ancestors would not have done, it cannot be included within the category of *Din Malkhut*, but it should be qualified as a governmental abuse, and therefore Jews are not bound to obey it. Nehemia bar Yisshaq bar Nehemia, a rabbi that spent some time in Castile, rules that every individual who wants to leave is entitled to do so after settling his tax arrears, and that everyone who tries to block him is a felon.<sup>43</sup>

The issue was still subjected to discussion a few years later, since the accords of Barcelona drafted in 1354 by some representatives of the Jewish communities included a clause vindicating freedom of movement from royal to seigniorial jurisdiction.<sup>44</sup> The relation between the settlement under seigniorial jurisdiction and tax exemption was explicitly denounced by later Jewish sources, such as the

39 Feldman, 'Teshuvot hakhme Barcelona ve-Catalonia', p. 83.

40 Feldman, 'Teshuvot hakhme Barcelona ve-Catalonia', pp. 76–79.

41 Feldman, 'Teshuvot hakhme Barcelona ve-Catalonia', p. 81.

42 'כי ראינו במדינה שבסביבותינו שמשפט היהודים לעמוד כמו פרישים בכל מקום שירצו' (*Tosafot* on TB *BQ* 58a), Feldman, 'Teshuvot hakhme Barcelona ve-Catalonia', pp. 94–96.

43 Feldman, 'Teshuvot hakhme Barcelona ve-Catalonia', p. 85.

44 Eduard Feliu, 'Els acords de Barcelona de 1354', *Calls*, 2 (1987), 145–64 (p. 162, § 35).



general ordinances issued in 1432 in Valladolid for the Jews of Castile, decrying those individuals who move their residency in order to be tax-free<sup>45</sup> – a tendency that grew in times of political distress, such as those that affected Castile in the 1460s and 1470s.

A characteristic case of this uneasy relation between internal tax liability and choice of residency is that of Jamila Abenardut, a Jewish widow from the Aragonese town of La Almunia de Doña Godina. She sought to leave in 1480 by claiming that she could not reside throughout the whole year in that town because she had to attend personally some affairs.<sup>46</sup> She was aware, however, that due to certain local communal ordinances, Jews could not leave without paying taxes on everything they owned. As result, she appeared before a Christian notary, explaining the reasons for her departure. She added that it was customary to anyone about to depart to leave someone as guarantor, but that she had not found anyone. Then, she swore ‘not to leave the said town [...] unless she has a legitimate reason [for leaving], [...] that would be released to the bailiff of the said town; and to pay her poll-tax every year over the five-year period the tax has been allotted in the said *aljama*, within one-month notice [...]’.<sup>47</sup>

If the Jew was living within lordly domains, he had to negotiate his departure with the noble. Such was, for instance, the case with the merchant Juce Ambron, who in 1438 wanted to change residency for the nearby Aragonese city of Huesca where, because of royal concession, all residents were tax-free (*francos de lezda, peso, peaje, pontaje, mesnaje y otros cargos*). Juce was a resident in the town of Ayerbe. There its lord, Mossen Felip de Urries, agreed to provide him with a license to move whenever he desired, removing him from all allegiance due, yet making explicit the possibility to match Huesca’s tax exemptions, in order to hold the Jew in the town. However, since Juce would continue holding properties in the town, he still would be liable to Ayerbe taxes every year.<sup>48</sup>

Reaching a deal was certainly bothersome for Jaco Levy and his family, who in late 1485 or early 1486 transferred their residency (*biuienda*) from Olmedo to the nearby town of Madrigal, about twenty-two miles away, where he became a

45 ‘Otros algunos van a morar a algunos lugares de seniores por franquezas’, see Yolanda Moreno Koch, *Fontes Iudaeorum Regni Castellae. V. De Iure Hispano-Hebraico. Las taqqanot de Valladolid de 1432: un estatuto comunal renovador* (Salamanca: Universidad Pontificia de Salamanca, 1987), p. 71.

46 The case was documented by Encarnación Marín Padilla, ‘Los judíos de La Almunia de Doña Godina, villa aragonesa de señorío, en la segunda mitad del siglo xv’, *Sefarad*, 50 (1990), 85–127 and 335–71 (pp. 86–87).

47 ‘No se yr del dicho lugar pora se fazer vezina ni vassalla de otro... [...] sino que tuviesse escusacion legitima, la qual escusacion haya destar a conocimiento del bayle del dicho lugar, e de pagar su pecha en cada un anyo durant tiempo de los cinco anyos que la pecha es echada en a dicha aljama, un mes despues que le sera manifestada’, see Marín Padilla, ‘Los judíos de La Almunia’, p. 87.

48 Archivo Histórico Provincial de Huesca, prot. 88, fols 2r–3v (26 December 1438). My thanks to Eugenio Benedicto for this information.

resident (*vecino*). Located in central Castile north of the Central System and in the nearby of Medina del Campo, both towns were placed under the Queen's seignorial jurisdiction. Jaco Levy started paying taxes to the new *aljama*,<sup>49</sup> but he still held some properties (*ciertos bienes*) in Olmedo, and after almost one year and a half he was still being charged taxes (*encabeçado*). He had applied to the court of the chief judge of the Castilian *aljamas*, Abraham Seneor, who had ruled in favor of Olmedo. Jaco Levy decided, then, to appeal to the ordinary instance at the court of the royal representative in town (*corregidor*), claiming that Seneor's ruling had been taken without proper rabbinical advice (*syn deliberación nin consejo e acuerdo de sabio judío puesto por las aljamas*). Despite his efforts, his houses in Olmedo were confiscated and publicly auctioned by the local Jewish community. Jaco Levy then appealed to the royal court, which finally ruled, requesting Seneor to review again the matter together with the assistance of a halakhic authority.

#### 4. Jews on the Move

By examining one specific place, one would understand better the phenomenon of Jewish demographic dynamism. In the second half of the fifteenth century, the North Castilian town of Villalón was the seat of an important fair established by its lord. It became rapidly a pole of attraction for the Jews because of the policies by the fourth Count of Benavente that encouraged the economic expansion of the town and ensured the physical protection of the Jews. The growth of its *aljama* can be studied in some detail thanks to the analysis of a notebook recording the establishment of residency in town. It contains the recognition of residency over a period of sixteen years, between 1471 and 1487, provided to 118 individuals. Out of them, one quarter (thirty) were Jews.<sup>50</sup> Four Jewish physicians are counted among the newcomers (plus another one already living in the town); this density resulted from the general process of Iberian society's increased recourse to medical care. Others were artisans. For both social categories, this professional choice responds to the particular interests, economic and of prestige, of the local authorities. The positive fiscal and occupational impact of the newcomers would be immediately felt in the town's economy and society. Such was the case with Abraham Querido, admitted in 1481 for ten years. Two of the most affluent Jews in town, the tax-farmer Abraham Tamar and the silversmith Simuel,

49 A transcription of the document was published by Carlos Carrete Parrondo, *El judaísmo español y la Inquisición* (Madrid: Editorial Mapfre, 1992), pp. 178–79, no. 12, Archivo General de Simancas, RGS, 27 March 1487, fol. 62.

50 On Villalón see Javier Castaño and Susana del Rey Granell, 'Judíos y redes personales en Tierra de Campos durante la segunda mitad del siglo xv: un Cuaderno de minutas de avecindamientos de Villalón', *Sefarad*, 69 (2009), 361–82.

acted as guarantors, for an amount of 100,000 *maravedis*. Immediately after, he made a loan to the local council. Another case is that of Abraham Alhanate, who became a physician salaried by the local council, granted residency in 1471 for ten years (with his uncle acting as guarantor). He, in turn, was the guarantor for his mother's residency (1472) and for his brother's (1474). He chose, though, to abandon the town ten years later, in the wake of a dispute with the local council which had refused to pay the agreed salary, and moved into the nearby town of Medina de Rioseco.

It is revealing that two-thirds (twenty-two) of the total of these *avecindamientos* by Jews took place over the short time-span of five years, between 1471 and 1475 – a period of turmoil and civil strife. The Jews fell under the supervision of the municipal council, especially in matters of a local nature, such as the granting of residency. The (self-interested) protection of the Count manifested itself occasionally, when he commanded the local council to grant residency to individuals through his endorsement letter. All but four of the thirty new Jewish applicants receive permission of residency for ten years. Though the conditions varied from one case to the other, they were exempted from taxes and other burdens for the first half of their residency.

Twelve Jewish applicants to residency selected a relative (the father-in-law in five cases, and the uncle in two) as a guarantor. The guarantors, all but one male, had to own real estate, have their residency in the town, as well as contribute to the tax. Only in six out of the thirty instances is there mentioned the candidates' geographic provenance. It may well be that some of the candidates (whether a son or a brother of the guarantor) were already living in town, but took official residency in order to emancipate themselves from their families. Besides Cáceres, located further in the South, the physician Manuel Brudo's place of provenance, the other places of provenance were small towns located within a close range, twenty-seven miles at maximum.

As we have seen in Villalón, marrying a partner from another place frequently meant changing residency. Some local ordinances banned the settlement of Jews precisely because of marriage, in order to prevent Jewish population's growth.<sup>51</sup> But in the case of liberal professions such as physician or healer, change of residency, in particular if that meant crossing a political frontier, also meant the need to homologate one's license for the practice of medicine, as it happened to master 'Abrahão Cabanas', a Castilian physician from San Felices de los Gallegos, a town across the Castilian-Portuguese border, 66 miles west of Salamanca. Cabanas in the 1480s settled in the Portuguese town of Gouveia (84 miles away) and received

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<sup>51</sup> Thus, in 1483 in the northern town of Valmaseda, see Francisco Cantera, 'Las juderías medievales en el País Vasco', *Sefarad*, 31 (1971), 265–317 (pp. 270–71).

a license to live in the kingdom and practice medicine after having married a local woman.<sup>52</sup>

A rabbinical scholar is hired by a community to teach and serve as a halakhic expert,<sup>53</sup> and this may motivate him to change his residency, affecting his social and familial life. No wonder that at the earlier stages in his career, he marries a local woman. Such was the case with Yishaq Abohab, a single 30-year old when he started his teaching career around 1463 in Buitrago, a town located at the Central System, and the center of the seigniorial jurisdiction of the Mendoza family; there he met his future wife. We do not know his place of provenance, and the family name is not attested in the area, but rather in the region around Zamora on both sides of the frontier. This could explain some of his Portuguese ‘leanings’.<sup>54</sup> A bit younger than Abohab was his colleague Yishaq de Leon – maybe related to the homonymous family from Saragossa – who in the same years was teaching at Salamanca, before moving to Toledo as a widower, having lost his first wife. There he contracted a second marriage with a local woman.<sup>55</sup> Later on he moved to the town of Ocaña, southwest of Toledo; documentary sources have recorded his visit to Saragossa, where he met socially important persons, both Jews and New Christians.<sup>56</sup> Among others, Abraham Cohen of Arándiga was in 1488 his Aragonese student in the Castilian town of Ocaña.<sup>57</sup>

In 1457, Yaaqob Arama was studying in Zamora’s rabbinic school, and copying a manuscript containing Nahmanides’ commentary on the Torah for his brother Yishaq. The later had spent his childhood in this Castilian city, leaving memories

52 Maria José Ferro Tavares, *Os judeus em Portugal no século XVI* (Lisbon: Universidade Nova de Lisboa, 1982), vol. I, p. 240 (Arquivo Nacional da Torre do Tombo, Chancelaria de D. João II, liv. 25, fol. 66). Mose Cabanyas of Huesca, one of the witnesses in the inquisitorial process against Abraham Alintienz, is mentioned next to other Aragonese Jews settled in Zamora, see Baer, *Die Juden im christlichen Spanien*. I/2: *Kastilien*, p. 498; see also Eugenio Benedicto, ‘La aljama de los judíos de Huesca a fines del siglo XV: una nómina de casatenientes de la judería de 1475’, *Sefarad*, 63 (2003), 227–36 (p. 233, no. 27).

53 A detailed description of his professional duties in Asunción Blasco Martínez, ‘La contratación de rabí Jucé ben Josuá como “Rav” o *Marbiztorá* de la aljama de Zaragoza (1454)’, *Sefarad*, 67 (2007), 71–110 (pp. 83–85).

54 On Yuçe Aboa (Zamora, 1483), see M<sup>a</sup> Fuencisla García Casar, ‘La aljama de los judíos de la ciudad de Zamora en el siglo XV: economía y sociedad’, in *Rashi 1040–1990. Hommage à Ephraïm E. Urbach. Congrès européen des Études juives*, ed. by Gabrielle Sed-Rajna (Paris: Cerf, 1993), pp. 683–93 (p. 687); and Abraham Aboab (resident in Mogadouro, 1475), see Yaaqob M. Toledano, *Otzar Genazim* (Jerusalem: Mosad Ha-Rav Kook, 1959), p. 39; and his homonym Abraham Aboab (resident in Peñafiel, 1462), taxroll unpublished. The possibility would fit well with his Portuguese acquaintances (his relation with Abravanel, or his student Moshe Ibn Danon of Coimbra), and not least the fact that after 1492 he settled in the northern Portuguese city of Oporto.

55 David Fränkel, *Sefer Zera’anašim* (Hebrew; Husiatyn: Hevrat doveve shifte yeshenim, 1902), pp. 72–73, no. 43.

56 Baer, *Die Juden im christlichen Spanien*. I/2: *Kastilien*, pp. 449–67, no. 397 (p. 453). Locals in Saragossa identify him, though, as a ‘Castilian rabbi’.

57 *Ibidem*, p. 450; he is not mentioned in Encarnación Marín Padilla, ‘La villa de Arándiga del señorío de los Martínez de Luna en el siglo XV: sus judíos’, *Sefarad*, 59 (1999), 101–25 and 319–42 (pp. 322–25).

of this youth in his writings. Almost three decades later, in 1485, he was employed as a rabbi in Calatayud, when he found a suitable match for his son with the help of a matchmaker who connected him to the daughter of a Saragossan Jew.<sup>58</sup> In about the same years, the Castilian 'Eli Habbillo' was working as a translator of philosophical treatises in Aragon, in the town of Monzón. He had moved there from the Northern Castilian town of Aguilar de Campoó where he had been a student in 1464.<sup>59</sup>

Finally, throughout this period we still find instances of Jewish students arriving to Castilian schools from the Maghreb. Theirs was certainly a long return journey. Thus, Hayyim Gagin, from Fez, studied with Yosef Uziel, eventually in Medina del Campo, and with Shem Tov Alcahali in Alcalá de Henares. Later, on his return to Fez, he would become the rabbi of the autochthonous Jews.<sup>60</sup> Yehoshua ha-Levi was a Jewish student from Tlemcen, east of Fez, who arrived in 1467 in Toledo, and then received the protection of Vidal ben Lavi, a Jewish magnate.<sup>61</sup>

Summarizing, this article's aim has been to approach a documented social history of Iberian Jews in the fifteenth century by taking advantage of a multi-variety of sources that complement each other, and by analyzing more in detail than heretofore Castilian, Aragonese, but also Portuguese and Navarrese evidence. Traditionally, historiography has privileged the local perspective for the history of Iberian Jews. However, this 'vertical' focus cannot account for the changes Iberian Jewries experienced throughout this period. By the end of the Middle Ages, the Peninsula was a borderless space for Iberian Jews, a permeability that fostered the spread of common shared cultural traits, and what was not least due to their high mobility. Political borders did not necessarily meant separation, and communication became intense on both sides of political frontiers. There remains, however, a pressing need to integrate the study of Portuguese Jewry within the general framework of Iberian Jewries, examining parallelisms and also differences. This chapter represents only a prolegomenon to this necessary transgression of twenty-first century frontiers. Moreover, it should be clear from this introductory presentation that the Jews' high mobility should stimulate the design of a strategy for the study of the biographical *itineraria* of individuals who resided in

58 Encarnación Marín Padilla, 'En torno a una demanda de pago a rabí Açach Arama ante los *dayyanim* de Calatayud (siglo XV)', *Michael*, 11 (1989), 121–48 (pp. 125–26).

59 *Hebrew Manuscripts in the Biblioteca Palatina in Parma. Catalogue*, ed. by Benjamin Richler. Paleographical and codicological descriptions by Malachi Beit-Arié (Jerusalem: The Hebrew University of Jerusalem, 2001), p. 114, § 595, that identifies 'Eli Sarfati' with 'Eli Habbillo'.

60 Haim Gagin, *Etz Hayyim*, ed. by Moshe Amar (Hebrew; Ramat-Gan: Bar-Ilan University, 1987), pp. 67–68, 165.

61 *Sefer Halikhot 'Olam le-Yehoshua ben Yosef ha-Levi me-Eretz Tlemsen*, ed. by Shemaryahu Portnoy (Hebrew; Jerusalem: Makhon Shaar ha-Mishpat, 1998), p. 21.

different places through their life-time. Far from being a factor of social instability, mobility strengthened familial structures and helped to elaborate new social structures, resilient to the mounting challenges that Iberian Jewry faced in the so-called Autumn of the Middle Ages.

Indeed, the social and political events that hit Iberian Jewries around 1400 impacted dramatically the demographic distribution throughout the Iberian territories, and brought about an economic transformation. One observes a continuous tendency for Jews to move into the western regions of the Peninsula (western Castile and Portugal) that may partially help to understand the reaction to the 1492 expulsion decree: Jews moved massively westwards, especially in regions close to the Portuguese frontier.

Theoretically, and under normal circumstances, Iberian Jews were free to change their residency. However, this principle collided with social practice, as we can observe when we confront documentary sources. The obstacle lay in the conflict between, on the one hand, freedom of movement and settlement and, on the other hand, the economic interests of the authorities, Christian, and to a lesser extent, Jewish. Moreover, this process took place in a period when aristocratic lords and local councils understood human capital as a source of income (through taxation). Several categories of individuals were characterized by a higher mobility, not least, physicians or rabbinical students, something that certainly left its mark on their identities. Once Jews complied with their tax commitments, it was easier for them to move. In addition, granting residency, which was under the jurisdiction of the local councils, affected the exploitation of the Jews and their resources, as we have seen in the Castilian town of Villalón. Here, by using local history but by submitting it to a horizontal methodology, we could better understand the dynamics of the social history of the Jewish communities over the last century of their legal presence in Iberia.

# ‘MEET YOU IN COURT’: LEGAL PRACTICES AND CHRISTIAN–JEWISH RELATIONS IN THE MIDDLE AGES

Judith Olszowy-Schlanger

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In his ground breaking study entitled *Juifs et chrétiens dans le monde occidental* (first published in 1960), Bernhard Blumenkranz dedicated considerable attention to legal encounters between these two components of medieval society. Examining Christian sources from the early Middle Ages, he pointed out that ‘introducing laws in the relationship between the two groups transforms the exchange of knowledge and skills into an exchange of hostile attacks.’<sup>1</sup> Stressing the role of the Church theologians, and the multiple ways by which theory had been adjusted to the realities of life, Blumenkranz set the legal aspects of Jewish Christian encounters, the ‘déchéance légale’ as he called it, well apart from what he defined as a good neighbourly relationship. In Blumenkranz’s refreshingly un-sentimental approach to the history of Jewish-Christian relations, even religious polemics were portrayed as an occasion for intellectual and scholarly shoulder-rubbing rather than malevolent struggle. Only Christian law was described as constantly hostile to the Jews.

However well grounded, Blumenkranz’s views on the place of the law in Jewish-Christian relations concerned the early Middle Ages, and were strongly dependent on the type of written sources available to him. Blumenkranz’s sources for the early-medieval legal encounters were mostly theoretical and theologically-based decisions, which only rarely portrayed actual legal interactions between real individuals.

The study of Councils and regulations shows the gradual restricting of the privileges and liberties of the Jews. Without seeking to undermine this gloomy image, I would like to focus on another, more pragmatic aspect of legal encounters between Jews and Christians. Rather than examining theoretical statements and approaches to the Jews’ legal status (a daunting task given the notorious plurality

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<sup>1</sup> B. Blumenkranz, *Juifs et chrétiens dans le monde occidental, 430–1096*, (2<sup>nd</sup> edition, with the preface of G. Dahan), Peeters, Paris-Louvain, 2006 (1st edition 1960), p. 293: « Introduire les lois dans les rapports des groupes, c’est préjuger immédiatement de l’état futur de ces rapports, c’est transformer les échanges de savoir et d’expérience en échanges de coups hostiles ».



of laws inherent to medieval Europe), I will focus on judicial practices, and notably on the production and use of legal contracts in Hebrew. Indeed, pragmatic encounters in the court of law, though not necessarily friendly occasions as such, certainly constituted a real meeting ground between individuals and cultures.

Indeed, meetings in court were naturally hostile, and their accompanying written documents either reflected problems or were aimed at avoiding or sorting out potential conflicts. After all, as rightly pointed out by diplomatists, written contracts act as much as tools designed to rescue legal transactions from oblivion, as they are weapons in the service of legal proof. What is more, when a legal document concerns individuals belonging to different social or religious groups, its efficiency requires a mutual knowledge of legal status and customs. Canon law texts of the later period, from the twelfth to the fourteenth century, continue in this hostile vein and increase, after the Lateran council of 1215, their evident anti-Jewish stand, calling for segregation and exclusion. In contrast, the study of actual acts of legal practice from the same period shows the frequency of Jewish-Christian legal dealings and their essential role in regulating economic and human matters. Such documents also reveal that legal encounters entailed a great deal of familiarity with the laws and customs of the other and often required important adjustments in both Christian and Jewish legal systems.

In this paper, my concern will be with exchanges and adjustments of knowledge at the level of production or functioning of legal deeds. The paper will touch upon such issues as the validity and status of Jewish documents in non-Jewish courts, their influence on the documents' material shape, and the knowledge of the other party's legal language. The examples I will provide originate from medieval England, famous for its exceptional preservation of the records concerning the relatively small and short lived Jewish community, from its arrival in 1066 to its expulsion in 1290. Hundreds of records and documents concerning transactions between Jews and Christians have come down to us, including a corpus of 316 individual items containing Hebrew writing (258 charters on parchment and 58 wooden tallies).<sup>2</sup> As we shall see, these extant Hebrew documents provide first-hand insights into the organization and legal and economic activities of Jewish communities, including their contacts with their non-Jewish surroundings.

The production and use of documents is of course closely related to the legal and administrative contexts in which they were issued. The legal and

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2 Most medieval documents from England containing Hebrew were edited by M. D. Davis, שטרות, *Hebrew Deeds of English Jews before 1290*, Publications of the Anglo-Jewish Historical Exhibition N°2, Office of the 'Jewish Chronicle', London, 1888. For medieval tallies, see M. Adler, 'Jewish tallies of the thirteenth century', *MJHSE* 2 (1935), pp. 8–23. For a new facsimile edition of a more complete corpus of charters and tallies, see J. Olszowy-Schlanger, *Hebrew and Hebrew-Latin Documents from Medieval England: a Diplomatic and Palaeographical Study*, Monumenta Palaeographica Medii Aevi, Brepols, Turnhout, 2016 (in print).

administrative framework for the production and use of Hebrew documents in medieval Europe is a large and still understudied topic, but the English situation is relatively well documented. The specific legal situation of English Jews as serfs of the monarch alone had been granted to them in royal charters of privileges.<sup>3</sup> These charters guaranteed a certain amount of legal autonomy for the exercise of Talmudic law within the Jewish community, mostly in the domain of family law (marriage and divorce). Economic matters, for their part, and in particular transactions between Jews and Christians, were carried out under the supervision of the Crown administration. From the late twelfth century onwards, the legal documents which concerned transactions between Jews and Christians, but also between Jewish parties alone, came to be managed through specific registries created during the administrative reorganization of the country inspired by Archbishop and Chancellor Hubert Walter (1193–8) under Richard I.<sup>4</sup> With some modifications, this system remained in operation till the expulsion of the Jews in 1290. It required that copies of transactions be deposited in special wooden chests (*archae*) set in main towns of Jewish settlement and closely supervised by both Christian and Jewish officials (chirographers) appointed by the Crown (locally represented by the sheriffs). Throughout the thirteenth century, the officials of the local chests were answerable to a central ‘bureau for Jewish affairs’, the Exchequer of the Jews at Westminster.<sup>5</sup> The initial framework of the

3 No charters of privileges granted to the Jews survive from the first decades after the Norman Conquest. The first known charters concerning the Jews of England and Normandy and confirming the earlier ‘liberties and customs’ which they had enjoyed during the reign of Henry I, were issued by his grandson, Henry II. The two charters of Henry II have not been preserved, but were confirmed in subsequent charters issued by Richard I (1190), addressed more specifically to Isaac ben Yose (Rubigotse) and his family) and by two charters of King John (1201), see H. G. Richardson, *The English Jewry under Angevin Kings*, London, 1960, pp. 109–11; P. Brand, ‘Jews and the Law in England, 1275–90’, *EHR* 115/n° 464 (Nov. 2000), [pp. 1138–1158], p. 1138; J. M. Rigg, *Select Pleas, Stairs and Other Records from the Rolls of the Exchequer of the Jews, AD 1220–1284*, Jewish Historical Society of England, London, 1902, pp. 1–2. See as well R. Chazan, *Church, State, and Jew in the Middle Ages*, Library of Jewish Studies, West Orange, N. J., 1980, pp. 77–79. The status of the Jews was modified and their privileges were diminished by subsequent charters and decisions, such as the Statute of Henry III of 1253 and especially the Statute of the Jews issued in 1275 by Edward I. See esp. J. M. Rigg (ed.), *Calendar of the Plea Rolls of the Exchequer of the Jews Preserved in the Public Record Office*, vol. 11: Edward I, 1273–1275, Jewish Historical Society of England, London 1910, pp. 255–56; R. R. Mundill, *England’s Jewish Solution. Experiment and Expulsion, 1262–1290*, CUP, Cambridge 1998, pp. 119–21; Brand, ‘Jews and the Law in England’, pp. 1141–1142.

4 The creation and organization of the registry of Jewish deeds was described in the chronicle of Roger of Howden (Hoveden), ed. W. Stubbs, *Chronica Rogeri de Hoveden*, 4 vols, London, 1868–1871 III (1970), p. 266; Idem, (revised by H. D. C. Davis), *Select Charters and Other Illustrations of English Constitutional History* (9<sup>th</sup> edition), Oxford 1929, p. 256. For English translation, see H. T. Riley, *The Annals of Roger de Hoveden comprising the History of England and of Other Countries of Europe*, II, part 2, A.D 1192 to 1201, London 1853 (reprint 1994), II, part 2, pp. 338–39.

5 For the creation and functioning of the archa system, see, for example, Richardson, *The English Jewry under Angevin Kings*, pp. 14–19; Mundill, *England’s Jewish Solution*, pp. 153–208; Idem, ‘The archa system and its legacy after 1194’, in S. Rees Jones and S. Watson (eds), *Christians and Jews in Angevin England*.

*archae* centres described by the contemporary chronicler, Roger of Hoveden, stipulated that these centres were each to be jointly managed by four officials called chirographers, two Christians and two Jews, assisted by two clerks. All the transactions were to be contracted in their presence, documents had to have a specific format of the chirograph, and their copies had to be deposited and ideally also registered in the *archa* centre. The wooden chests were provided with three locks, whose three keys were entrusted to the Christian and Jewish chirographers, and to the royal clerk. The holders of the keys sealed the locks with their respective seals. While a close supervision by the Crown of transactions involving the Jews did limit their autonomy, it also provided an additional measure of security and possibilities of enforcement of financial agreements, notably of repayment of the debts.

It is not our purpose here to dwell on the *archa* system as such. It is however essential to stress that the creation of the dedicated system dealing with Jewish transactions, locally in the *archa* centres and centrally, at Westminster, at the Exchequer of the Jews, necessarily entailed the emergence of a group of professional clerks, both Jewish and Christian, who daily worked together and jointly solved complex cases involving individuals belonging to the two communities. Jewish and Christian clerks working for the *archae* or the Exchequer of the Jews were obviously literate. While not always rabbis or scholars, the Jewish chirographers were highly trained professional scribes with an intimate knowledge of legal formularies, and at least some aspects of Jewish law.<sup>6</sup> Working daily with clerks who mastered the Latin documentary and legal tradition, and having to supervise transactions which had to conform to both Jewish and non-Jewish law, these chirographers undoubtedly acquired at least some knowledge of the Latin tradition. And vice-versa, it can be expected that the Christian chirographers working for the *archae* and the Jewish Exchequer would be daily exposed to documents in Hebrew and to various issues of Jewish law. Therefore, the case can be made that this privileged group of professionals of literacy – the legal clerks – was in the best position to access the skills and knowledge of their colleagues belonging to the other religious group. They were also the best placed to figure out specific arrangements which would make legal documents issued by their care acceptable in terms of both Jewish law and the law of the land.

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*The York Massacre of 1190, Narratives and Contexts*, York Medieval Press, York, 2013, pp. 148–62; J. and C. Hillaby, *The Palgrave Dictionary of Medieval Anglo-Jewish History*, Palgrave and Macmillan, London, 2013, pp. 95–97.

<sup>6</sup> For the profile of the Jewish chirographers, see Olszowy-Schlanger, *Hebrew and Hebrew-Latin Documents from Medieval England*, 15.

*The Validity of Documents in Hebrew in Non-Jewish Courts*

Initially, the privileges granted to the Jews by the monarchs explicitly accepted Jewish documents as a valid legal proof, alongside Jewish testimonies and the oath pronounced holding a Torah scroll.<sup>7</sup> It is indeed the case that in England, just like in Southern France or Italy, legal documentary tradition and language of a small minority were recognized as legally binding by the non-Jewish majority. The English rulers, despite their overall control, have granted the Jews the binding status of various Talmudic laws and customs. For instance, it is well known that when a Jewish moneylender died, his chattels became the property of the King. They could be secured by the family of the deceased only after they paid a tax or ‘death duties’ of about a third of the total value of the belongings, which included unredeemed loans. However, Latin records show that before the King took over, in accordance with Talmudic law the widow of the moneylender had a priority to collect her *ketubbah* – the sum stipulated in her favour by her husband at the time of the wedding to be collected at the marriage’s dissolution (by the husband’s death or divorce).

As attested by the records of the Exchequer of the Jews, the documents written in Hebrew (or rather a mixture of Hebrew, used in operative and narrative sections, and of fossilized traditional Aramaic formulae of the standardized general part of the deed, the *tofés*) they were indeed often produced and accepted as proof. In some cases, it seems that the Hebrew language and handwriting were considered to be an additional guarantee of the documents’ authority. This appears from the confirmatory dockets found in some twenty documents recording transactions between Jews and Christians. In such cases, if a charter is written in Latin, the Jewish party sometimes confirms his understanding and acceptance of the terms of the agreement. The closing formulae of the Latin deed (usually written by a professional Christian clerk) indicate that the Jew agreed to the terms and certified the document by an autograph inscription in Hebrew, ‘*litera mea ebrayca*’. The Latin text is followed by a short fixed Hebrew formula: *אני החתום מטה מודה*, ‘I, the undersigned, declare that all that is written in Latin is true’. In some cases, the creditor specified the number of lines of the Latin document: *בשבעה שיטין וחצי*, ‘in seven lines and a half’, sometimes he specified who the Christian scribe was: *בכתיבת ריקרט הגלח דנוטיגהם*, ‘in the handwriting

<sup>7</sup> Thus, the charter of King John of 1201, see Rigg, *Select Pleas*, p. 1: *Et si querela orta fuerit inter Christianum et Iudeum, ille qui alium appellaverit ad querelam suam direcionandam habeat testes, scilicet, legitimum Christianum et legitimum Iudeum. Et si Iudeus de querela breve habuerit, breve suum erit ei testis; et si Christianus habuerit querelam adversus Iudeum, sit iudicata per pares Iudei [...]* *Et si Iudeus ab aliquo appellatus fuerit sine teste, de illo appellatu erit quietus solo sacramento suo super librum suum. Et de appellatu illarum rerum que ad Coronam nostram pertinent similiter quietus est solo sacramento suo super Rotulum suum.*

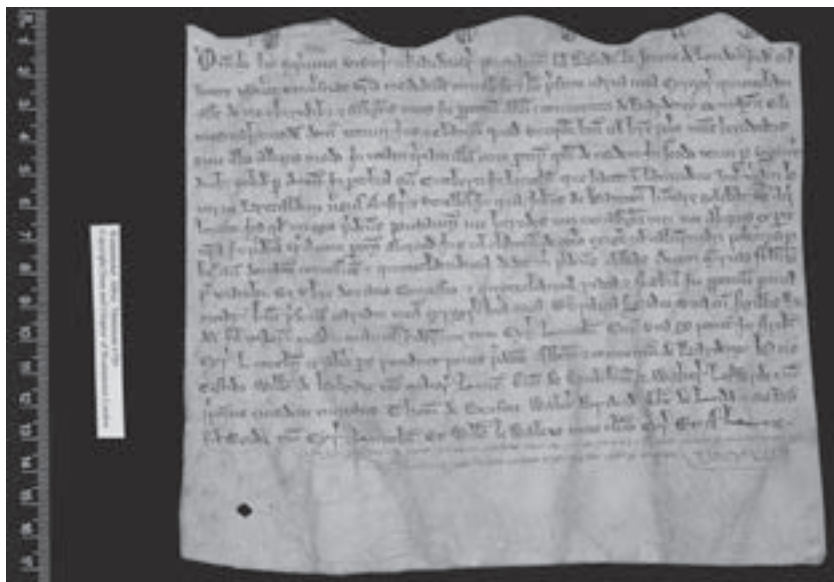


Fig. 1 WAM 6729: Latin document with a Hebrew docket and signatures.

of Richard, the clerk of Nottingham'. In some of the documents we find a mention that the Latin document does not contain erasures or corrections: בלא מחק ובלא הגהה, 'without erasure or correction' (e.g. Westminster Abbey Muniments (WAM) 6729<sup>8</sup>), or a short description of the physical characteristics of the Latin deed (for example, that the text is written on the flesh side of the parchment, לצד לבן, 'on the white side' (British Library, Lansdowne Charter 30<sup>9</sup>) corresponding to the formula found in Latin documents, *ex parte alba* or *ex carne*<sup>10</sup>).

8 Ed. Davis, *Shetarot*, n° 167; Olszowy-Schlanger, *Hebrew and Hebrew-Latin Documents from Medieval England*, n° 4.

9 See G. Margoliouth, *Catalogue of the Hebrew and Samaritan Manuscripts in the British Museum*, 3 vols, the British Museum, London, 1909–1915, n° 1197, p. 604; I. Abrahams, H. P. Stokes, H. Loewe, *Starrs and Jewish Charters preserved in the British Museum with Illustrative Documents, Translations and Notes*, vol. 1 (of 3 vols), The Jewish Historical Society of England, CUP, Cambridge, 1930, n° XXII, pp. 84–94; H. Loewe, *Starrs and Jewish Charters preserved in the British Museum*, vol. II (of 3 vols): Supplementary Notes, The Jewish Historical Society of England, the Ballantyne Press, London, Colchester and Eton, 1932, pp. 231–42; Olszowy-Schlanger, *Hebrew and Hebrew-Latin Documents from Medieval England*, n° 179.

10 L. C. Hector, *The Handwriting of English Documents*, Kohler and Coombes, Dorking 1980 (facsimile edition of the 2<sup>nd</sup> edition of 1966, 1<sup>st</sup> edition 1958), pp. 15–16.

Pictavin ben Benedict le Jovene (the Young) of London releases the Abbot and convent of Bardeneý from claims to a piece of land in Lincoln, for ten marks. The Latin validation clause (l. 11–14) contains a mention of the Hebrew signature:

*Et ut hec donacio concessio et quietclamancia rata et stabilis in perpetuum permaneat, hanc presentem cartam meam cyrographariam, litera mea ebraica signavi una cum sigillis Bene|dicti filii magistri Mosse et Manasser Iudeorum tunc cyrographorum Lincolnie, cuius una pars ponitur in archa | cyrographorum Lincolnie et altera pars remanet penes predictos abbatem et conuentum de Bardeneý*

[And in order this donation, concession and quitclaim remain valid and stable in perpetuity, I have signed this present chirograph charter with my Hebrew letter, together with the seals of Benedict ben Master Moses and Manasser, the Jews, the chirographers of Lincoln at that time; one part of it (the chirograph) is deposited in the chirographs' *archa* in Lincoln, while the other remains with the aforementioned Abbot and Convent of Bardeneý].

The Hebrew confirmatory docket reads: אני החתום מטה מודה כל מה שכתוב למעלה: בלטין בי'ז' שיטין בלא מחק ובלא הגהה שהכל אמת ומה שהודיתי חתמתי פייטבין בן בנייט (I, the undersigned, declare that all written above in the Latin language, in 17 lines, without erasure or correction, is true. And what I have declared, I have signed: Peitevin ben Benet) (followed by the signatures of the witnesses).

Such dockets, expressed in the Jewish declarants' legal language and handwriting, testify to their understanding of the Latin document. However, they also seem to be an added measure of authentication and validity of the deed, a deed between Jewish and Christian parties which will be dealt with by a non-Jewish court, if necessary. It is remarkable that the confirmation of the validity in Hebrew is thus addressed to the non-Jewish tribunal. Such use of Hebrew handwritten acknowledgements is found elsewhere in medieval Europe, when Jewish and Christian individuals, moneylenders, merchants or neighbours meet to contract a transaction or carry out a joint business venture. The Hebrew acknowledgement formulae appear for instance in the commercial ledgers of Christian merchants, such as Ugo Taralh, a draper of Forcalquier in Provence, or, as shown by Ingrid Houssaye, in the records of the commercial company of the Florentine merchant Francesco Datini of Prato.<sup>11</sup> In these and other examples, the Jewish clients or business partners wrote their Hebrew texts in the non-Jewish account books. These texts in Hebrew characters – in Hebrew in the case of the account book of Hugo Teralh, and in Hebrew and Judaeo-Arabic in the Majorcan account

11 I. Houssaye-Michienzi, Datini, *Majorque et le Maghreb. Réseaux, espaces méditerranéens et stratégies marchandes*, Brill, Leiden-Boston, 2013, esp. pp. 419–20; I. Houssaye-Michienzi and J. Olszowy-Schlanger, « Écrits comptables et commerce interreligieux : le cas des registres d'Ugo Teralh de Forcalquier et de la compagnie Datini (XIV<sup>e</sup>-XV<sup>e</sup> siècles) », *Les Cahiers de Framespa* 16, <http://framespa.revues.org/2917>.



books of Francesco Datini – are formulated as acknowledgments of debts or quit-claims, and thus assume the form and role of legally binding deeds. Indeed, in the 14<sup>th</sup>-century Europe, merchants' account books could be presented as evidence in court.<sup>12</sup> Here again, just like in 13<sup>th</sup>-century England, Jewish documents were recognized as valid.<sup>13</sup>

It can be argued that in England the creation of the centralised *archae* system had a restrictive impact on the validity of Jewish documents: only those documents drawn up in the presence of the chirographers and deposited and registered in the official *archae* centres were legally binding in the Crown courts. The status of any documents not deposited in an archa was open to doubt. The system had not questioned the validity of the documents written in Hebrew according to Jewish formulation and reflecting some Jewish laws and customs. Nonetheless, their probative value required from these documents the conformity with the official legal system. Consequently, the documents in Hebrew language and script answered the requirements of King's administration and the law of the country, while complying at the same time with the letter of Jewish law. In other words, these documents were produced in such a way that they would be recognized as valid by both Jewish and non-Jewish legal institutions.

#### *Shape of the documents in Hebrew: a diplomatic compromise*

The most spectacular result of requirements and restrictions related to the functioning of Jewish documents in Hebrew within the framework of the Crown administration concerns their external shape. According to the rules governing the *archae*, agreements had to be written in the format of a chirograph, a format widespread in English documents since Anglo-Saxon times.<sup>14</sup> The term 'chirograph' designates a document written in duplicate or triplicate on a single sheet of parchment. In Jewish chirographs, the copies are separated by the word צירוגרייפא, a Hebrew transliteration of the French 'chirographe' (*chirographum*

12. See Y. Renouard, *Les villes d'Italie de la fin du x<sup>e</sup> siècle au début du XIV<sup>e</sup> siècle*, Paris, 1962, p. 212. For a similar use of account books in dealings between Venitian and Muslim merchants in Egypt, see D. Valérien, 'Le recours à l'écrit dans les pratiques marchandes en contexte interculturel: les contrats de commerce entre chrétiens et musulmans en Méditerranée', in *L'autorité de l'écrit au Moyen Âge (Orient-Occident)*, xxxix<sup>e</sup> Congrès de la SHMESP (Le Caire, 30 avril-5 mai 2008), Publications de la Sorbonne, 2009, p. 69.

13. It was also the case with documents written in other minorities' languages. In Norman Sicily, for example, Greek, Latin, Arabic and Judaeo-Arabic were all recognized as valid languages of the law, and were used in actual documents. For a Judaeo-Arabic document from Sicily, see Jeremy Johns, *Arabic Administration in Norman Sicily*, Cambridge Univ. Press, 2002, n° 25 (1187).

14. J. E. Sayers, 'The land of chirograph, writ and seal: the absence of graphic symbols in English documents', in P. Rück (ed.), *Graphische Symbole im mittelalterlichen Urkunden*, Jan Thorbecke Verlag, Sigmaringen, 1996 [pp. 533-48], p. 535.



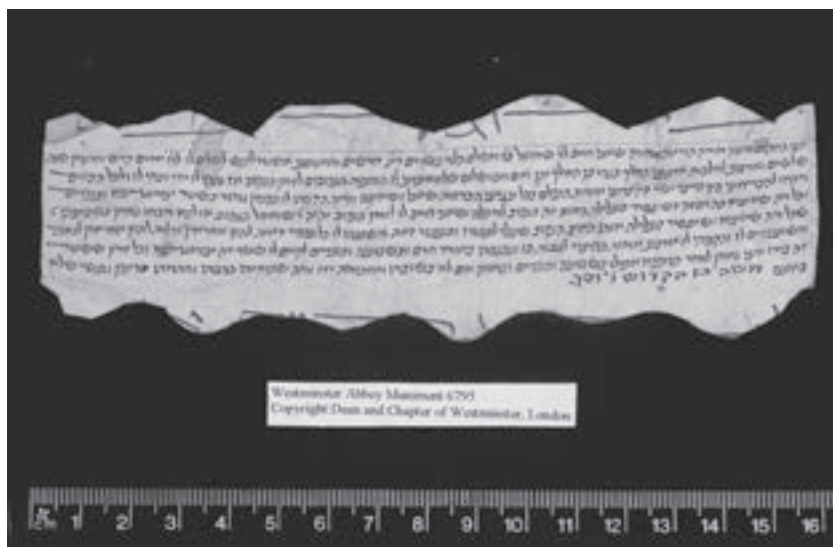
in Latin documents), written across the blank space between them. The copies are then separated in such a way that the chirograph inscription (or *divisa*) is cut horizontally, most frequently by an irregular cut with wavy, serrated or ‘indented’ edges. Each party keeps one copy (called in Latin *pars*, ‘part’). In order to prove or ratify a transaction, the copies had to be fitted together.<sup>15</sup> The perfect match of the irregular edges was a guarantee of the document’s authenticity. To judge from the description of the procedure at the time of Richard I, the chirographs were made in duplicate; one part was to remain with the Jewish creditor while another was to be deposited in the common *archa*. In 1233, Henry III requested chirographs to be made triplicate, with a third part given to the grantee of the transaction. Intended initially for the deeds recording transactions between Jews and Christians, the chirograph format became the norm also for the contracts drawn up between Jewish parties. Indeed, more than 40% of extant medieval English parchment documents containing Hebrew are top, middle or lower (foot, *pes*, רגל) parts of chirographs, and their overwhelming majority are deeds of conveyance formulated in Rabbinic wording (FIG 2).<sup>16</sup>

The adoption of the characteristic chirograph format for the Hebrew documents is not merely a cultural marker, a way Jewish documentary tradition imitated the models used by their non-Jewish environment. The chirograph format was compulsory, and was used by the Jews despite its implications for the document’s validity. Indeed, in England the very shape of indented charters was used as a means of authentication. In early Anglo-Saxon tradition, to prove the bona fide of a document it was sufficient to put together its two parts: if the dents fit together puzzle-like, and if the cut inscription can be read again the document is valid.<sup>17</sup>

15 See e.g. J. M. Rigg (ed.), *Calendar of the Plea Rolls of the Exchequer of the Jews Preserved in the Public Record Office*, vol. 1: Henry III, 1218–1272, Jewish Historical Society of England, London, 1905, p. 230.

16 See Olszowy-Schlanger, *Hebrew and Hebrew Latin Document from Medieval England*, 3.1.2.

17 In 12<sup>th</sup> and 13<sup>th</sup>-century England, the validity through chirograph format was increasingly considered as insufficient and additional authentication means were required. They mostly involved sealings added to the foot of the chirograph. The Jewish documents followed suit. Some Jewish individuals also use wax sealings to validate their deeds. For the use of seals by Jews in France, see B. Bedos-Rezak 1980, ‘Les sceaux juifs français’, in B. Blumenkranz (ed.), *Art et archéologie des Juifs en France médiévale*, Toulouse, pp. 207–28. In the English corpus, only four documents bear seals (or traces of seals) of Jewish individuals: Oxford, Magdalene College Muniments, St. Aldate’s 34, see C. Roth, *Jews of Medieval Oxford*, Oxford Historical Society, Clarendon Press, Oxford 1951, pp. 62–63; D. M. Friedenber, *Medieval Jewish Seals from Europe*, Wayne State University Press, Detroit, 1987, n° 2, pp. 46–47; WAM 6734, see H. P. Stokes, *Studies in Anglo-Jewish History*, Edinburgh, 1913, p. 12; Friedenber, *Medieval Jewish Seals*, n° 3 and 4, pp. 48–50; P. D. A. Harvey and A. McGuinness, *A Guide to British Medieval Seals*, the British Library and Public Record Office, London, 1996, p. 82; Olszowy-Schlanger, *Hebrew and Hebrew-Latin Documents from Medieval England*, n° 5; WAM 6753, see Olszowy-Schlanger, *Hebrew and Hebrew-Latin Documents from Medieval England*, n° 22; Oxford, Merton College MCR 188, see A. Neubauer, ‘Notes on the Jews in Oxford’, in M. Burrows (ed.), *Collectanea II*, Oxford Historical Society, Clarendon Press, 1890, [pp. 277–316], pp. 303–04, Roth, *Jews of Medieval Oxford*, p. 143; Olszowy-Schlanger, *Hebrew and Hebrew-Latin*



*Fig. 2 WAM 6795: example of a middle part of a chirograph, with the divisa inscriptions on the top and bottom of the document. The document, drawn up on 19 November 1251, probably in Canterbury, is an acknowledgement of a debt.*

Needless to say, the chirograph format is foreign to the Jewish legal tradition, and the validation of a legal deed and transaction through this means cannot be recognized as binding by Jewish law. Jewish law requires the signatures of two witnesses to validate a contract. However, this discrepancy in the essential legal practice does not hinder the use of the chirograph format, which is not only generally accepted in the non-Jewish environment (which does not practice the witnesses' signatures on their documents), but is imposed on the Jews by the Crown administration. To comply with the required practice without infringing the Jewish law, Jewish documents in medieval England proceed by accumulation of means of validation. By adopting the required chirograph format and, in some cases, of the seals appended by the grantors, the Jewish deeds conform to the King's rules. But, in addition to these foreign means of authentication, Jewish documents contain the handwritten signatures of two witnesses as prescribed by Jewish law.

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*Documents from Medieval England*, n° 226; Durham University Library (Dean and Chapter Muniments) Misc. Ch. 4455, see Davis, *Sbetarot*, n° 200, p. 364; M. Adler, 'Aaron of York', *TJHSE* 13 (1932–1935), pp. 113–55., Appendix IV, pp. 154–55; Idem, *Jews of Medieval England*, the Jewish Historical Society of England, London, 1939, Appendix IV, pp. 171–73; E. Birnbaum, 'Stars of Aaron of York in the Dean and Chapter Muniments in Durham', *TJHSE* (1955–1959), [pp. 199–206], pp. 203–05; Olszowy-Schlanger, *Hebrew and Hebrew-Latin Documents from Medieval England*, n° 257.

*Familiarity with the legal language of the other*

Non-Jewish documents in 13<sup>th</sup>-century England are mostly expressed in Latin, despite the growing importance of the vernacular French in legal contexts. Jewish documents or documents involving a Jewish party are also most often written in Latin, but also in Hebrew. As we saw, the Crown courts recognized all these languages as legally valid. On the Jewish side, the economic existence depended on transaction mostly contracted in Latin. However, neither the knowledge nor the official recognition of the other party's legal language is self-explanatory. After all, the main purpose of recording a legal transaction in writing is to insure its durability and effectiveness in eventual conflicts through a generally recognized legal form, which is supposed to be understood by the parties involved. This necessity of understanding the terms of the legal deeds is often mentioned in Jewish and non-Jewish normative texts. However, both with Hebrew and Latin we face the problem of the use of non-vernacular languages, which can normally be acquired only through a formal education. While in medieval England Jews could easily function in the enviroing society using their vernacular French, the schooling and acquisition of literacy skills were still, on both sides, the domain of the religious institutions. We will have to leave aside the important and relevant question of how much Latin non-Jewish lay individuals could know, and how accessible was the Latin legal tradition to those who did not have the chance of being *litterati* (mostly clerks), and contain ourselves to the Christian professional classes which, in the thirteenth century, had some knowledge of Latin or at least of the juridical and official jargon. As for the Jews living in their midst, there exists a quasi-universal scholarly consensus today that the two learned traditions – Latin and Hebrew – were virtually two separated worlds, with few contacts between them. If any, these contacts were reserved to the rarified sphere of intellectual debates or translations of scientific works. To state it bluntly, it is believed that except for a few individuals, Jews in medieval Europe did not know Latin. However, when we leave aside the intellectual world and get into the much more down to earth pragmatic literacy, we realize that some knowledge of Latin was a sheer necessity for the Jews. Of course, what I called elsewhere the 'money language' does not require the same level of education as the Latin of the learned.<sup>18</sup> Nonetheless, as already stated by Robin Mundill, 'the fact that the majority of the documentary evidence regarding the Jews was in Latin is, in itself, evidence that they were

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18 J. Olszowy-Schlanger, 'The Money Language: Latin and Hebrew in Jewish legal contracts from medieval England', in R. Fontaine, R. Glasner, R. Leicht and G. Veltri (eds), *Studies in the History of Culture and Science; A Tribute to Gad Freudenthal*, Brill, Leiden-Boston, 2011, pp. 233–50.

fluent in it'.<sup>19</sup> Indeed, in addition to the daily dealings with intricate legal matters and contracts in Latin, we know that royal exchequer's notifications addressed to Jewish communities were read out in synagogues in Latin as well as in Hebrew.<sup>20</sup> We do not know how and to what extent Jewish individuals acquired Latin, but it seems that they would not be able to function in the economic world in which they lived without this vital knowledge.

The question of the knowledge of Latin among Jews and Hebrew among Christians becomes even more essential when we try to picture the daily functioning of the administration. The clerks and officials belonging to both cultures are thrown together, notably in the framework of the chirographers' *archae*, to carry our common tasks, most of them involving Latin and Hebrew documents. I have studied elsewhere an interesting case of a Christian clerk from York who imitated Hebrew writing when entering a Latin document with Hebrew signatures into the cartulary of the Vicars Choral (York Minster, VC.3.1.1, fol. 25v).<sup>21</sup> It has been also suggested that some extant documents in Latin script were written by Jews.<sup>22</sup>

Another relevant example of the place of Hebrew in the framework of the *archae*, and maybe another argument that at least some of the Christian chirographers had a smattering of Hebrew, are the official letters, mostly *licentiae* (authorisations of a withdrawal of a document from an *archa*) in Hebrew, explicitly addressed not only to the Jewish but also to the Christian chirographers. As we saw, when a debt was contracted, the creditor and later also the debtor kept a copy of the agreement each, while an additional copy was deposited in the *archa*. The chirographers were personally responsible for the documents in their custody. When the debt was fully or partly repaid, the debtor received a quitclaim (or a receipt for a partial repayment) from the creditor. But the creditor also needed to make sure that the chirographers of the *archa* were notified of the repayment and annulled the records of the debt. To cancel the debt in the *archa*, the creditor presented his copy of the original loan document (often his part of the chirograph). This *pars* was cancelled by a visible damage, and the copy deposited in the *archa* was removed from it. This cancellation of the debt was obviously essential for the debtor, but also for the creditor: the presence of a record of a debt in the *archa* could entail a tax on this debt. Indeed, the assessment of the share of taxes to be paid by the individual Jews to the King was carried out through the scrutiny of the contents of the *archae* by specially appointed royal controllers. The records

19 R. R. Mundill, *England's Jewish Solution. Experiment and Expulsion, 1262–1290*, CUP, Cambridge, 1998, p. 28.

20 See e.g. Rigg, *Calendar of the Plea Rolls of the Exchequer of the Jews*, vol. I, pp. 112–13; Rigg, *Calendar of the Plea Rolls of the Exchequer of the Jews*, vol. II, pp. 103, 165, 277.

21 Olszowy-Schlanger, 'The Money Language', pp. 241–42.

22 See J. Jacobs, 'Une lettre française d'un juif anglais au XIII<sup>e</sup> siècle', REJ 18 (1889), pp. 256–61; Mundill, *England's Jewish Solution*, p. 28, esp. note 70.

of such inquests have been preserved for several levies.<sup>23</sup> The amount of the tax to be paid by a Jewish individual was calculated on the basis of his possessions including his unredeemed bonds. Removal and cancellation of the records of the debts in the *archa* was therefore a matter of urgency.

In addition to a number of such *licentiae* in Latin, twenty seven extant *licentiae* were written in Hebrew by Jewish moneylenders and addressed to chirographers, to officially authorize them to remove the bonds from the *archa* or to inform them that the debts had been repaid in full or in part. It is relevant that several of the Hebrew *licentiae* are explicitly addressed to both Jewish and Christian chirographers of a given *archa* centre. The Christian chirographers are designated ערלים, 'uncircumcised' (e.g. WAM 6752; WAM 6753) or ארמאים, 'Arameans'<sup>24</sup> (WAM 6754).<sup>25</sup>

It is, of course, possible that the authorization in Hebrew addressed to all the chirographers of a given *archa* was read and translated by Jewish clerks for the benefit of their Christian colleagues. However, in some cases, the official missives in Hebrew were addressed to named Christian individuals. Such is the case with a Hebrew note on the verso of a Latin document, British Library, Lansdowne Charter 30.<sup>26</sup> This document concerns the debt of Radulph de la Newland owed to a consortium of three prominent Jewish money lenders, Benet Crespin, Jacob Kohen and Solomon Kohen. The debt was repaid by one Hugh of London in exchange for a long-term lease of the lands in Newland. The verso of the Latin deed of lease contains two Hebrew deeds. One is written directly on the verso and contains a quitclaim by the three Jewish creditors in favour of Hugh of London. The second document is of particular interest for our purpose. It is glued below the first Hebrew text, and was originally an independent document (FIG 3). It is related to the Latin document and its Hebrew quitclaim, and was attached to the dorse of the Latin charter in order to keep the relevant documents together, in one 'file'. This second document is a letter of a *licentia* type announcing that Hugh is released from the payment. It is signed by the same three Jewish creditors, Benet Crespin, Jacob Kohen and Solomon Kohen.

23 A detailed account of the 1239 and 1241 tallage and the mechanism of taxation was given by R. C. Stacey, 'Royal taxation and the social structure of medieval Anglo-Jewry: the tallages of 1239–1242', *HUCA* 56 (1985), pp. 175–249.

24 The designation of non-Jews as 'Arameans' is found in rabbinic literature in Northern Europe, e.g. Rashi ad BT, Shabbat 130a; *Hagahot Mordechai*, par. 861. Its use to designate non-Jews goes back to early rabbinic literature, e.g. BT, Shabbat 129a, Baba Batra 21a, etc.

25 *Licentiae* in Latin also mention both Jewish and Christian chirographers as their addressees, see e.g. Christiani et Iudei, in WAM 9110.

26 Margoliouth, *Catalogue of the Hebrew and Samaritan Manuscripts*, III, n° 1197, p. 604; Abrahams, Stokes, Loewe, *Starrs and Jewish Charters*, I, n° XXIII, pp. 84–94; Loewe, *Starrs and Jewish Charters*, II, pp. 231–42; Olszowy-Schlanger, *Hebrew and Hebrew-Latin Documents from Medieval England*, n° 179.

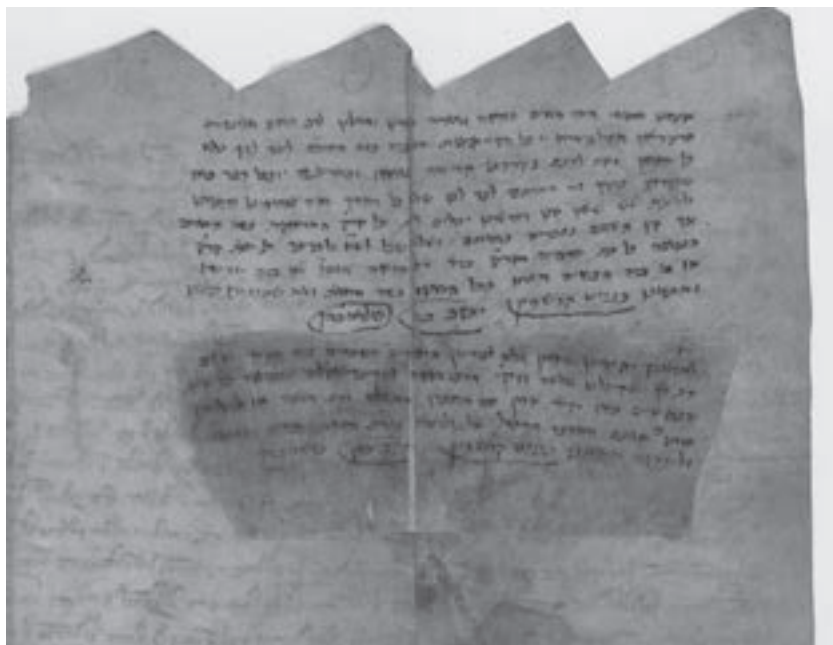


Fig. 3 *British Library Lansdowne Charter 30, verso of the Latin charter: Text II:* לאדוננו: יקירינו האדון גילם לבירטון היהודים הנזכרים בזה השטר שלום דע לך שקיבלנו שלשה זקוק' מרב הואה לארצדיאקלא ובעבור כך אנו מבקשים כמו יקיר אדון אם תחפוץ שתשלם לרב הואה או לשלוחו אותו {ה} חותם המדבר מראול דבלונדא ומרב הואה. פטור ומותר ולעדות חתמנו בנייט כהן לשלוחו אותו {ה} חותם המדבר מראול דבלונדא ומרב הואה. פטור ומותר ולעדות חתמנו בנייט כהן קרשפין יעקב כהן שלמה כהן *(To our Dear Lord, William le Breton, the Jews mentioned in this document, greetings. | Know that we have received three marks from Master Hugh the Archdeacon ('larchidiacle'), and for this reason we | are requesting, Dear Lord, that you wish to pay to Master Hugh or his agent | that bond which concerns Raoul (Radulph) de la Newland. And for Master Hugh, it is released | and free, according to the testimony of our signature. Benet Crespin. Jacob Kohen. Solomon Kohen.)*

The missive is addressed to William le Breton who was the Justice of the Jews at the Exchequer in the 1230s until shortly before February 1241, when an action was brought against him about a manor in Sporle, in Norfolk.<sup>27</sup> It is interesting for our purpose that this letter contains very personal address to William le Breton. The addressee is called יקירינו 'our dear lord', 'dear lord', is repeated again in the letter. The letter is official and respectful but

<sup>27</sup> C. A. F. Meekings 1955, 'Justices of the Jews 1218–1268: a provisional list', *BIHR* 28 (1955), [pp. 173–88], p. 180.

quite direct in the way the instructions concerning the annulment of the debt are expressed. It would be of course far-fetched to claim categorically that William read the letter in person rather than calling upon a Jewish secretary who would read and translate it for him. However, the unusual formulation of this particular document still shows the facility with which the Hebrew writings function among Christian officials.

The few examples presented here, as modest as they are, constitute an undeniable evidence of the contacts between Jews and Christians in the court of justice. They show how Jews and Christians accepted or even adopted the practices of each other, and learned the other party's language and skills. It seems indeed that the field of legal practice, as hostile as it was by definition, was not a place of segregation but rather a fertile ground for intercommunity meeting and exchanges.





# ÊTRE HISTORIEN DES JUIFS MÉDIÉVAUX EN FRANCE APRÈS BERNHARD BLUMENKRANZ

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## *Introduction*

« Voir un mien écrit agir, c'est la plus belle récompense que je puisse souhaiter »<sup>1</sup>. Les lignes qui suivent ne répondront peut-être pas au vœu tel que l'a formulé et pensé Bernhard Blumenkranz. Elles témoigneront cependant de la manière dont nous le comprenons aujourd'hui, historiennes des juifs dans l'Occident latin du bas Moyen Âge, qui ne sommes pas les récipiendaires directs, ni même indirects, de son travail. Aucune filiation n'est avérée, en effet : les périodes et les espaces que nous étudions, les sources que nous pratiquons, suffisent à en convaincre. L'approche présentée ici ne saurait donc être un hommage des disciples au maître. Elle n'en sera pas moins subjective, voire empathique, grâce à une lecture de l'œuvre enrichie du paratexte, à savoir des avant-propos, préfaces, avertissements et notes des diverses publications qu'il a réalisées ou coordonnées.

Comment les chercheurs actuels et à venir peuvent-ils recevoir l'héritage de Bernhard Blumenkranz ? Quels profits peuvent-ils en retirer, tant sur le plan de la quête historique à proprement parler – à savoir des méthodes, des outils, des objets et des problématiques – que sur celui, institutionnel, du développement de l'histoire des juifs en France ?

Renouveler les réponses aux vieilles questions, faire émerger de nouvelles problématiques, se départir des anachronismes et des généralisations, exhumer des documents inédits, mettre en lumière des sources méconnues et toujours renouveler le corpus, tels sont les axes majeurs qui guident l'œuvre de Blumenkranz. Il met l'érudition et l'extrême rigueur scientifique au service de l'histoire des juifs, jamais perçue comme périphérique ni particulière, mais bien au contraire conçue comme intimement insérée dans l'histoire de la société médiévale globale. Parmi ses maîtres, les plus importants et les plus directs sont des spécialistes d'histoire des religions, tel Marcel Simon et son directeur de thèse, Henri-Irénée Marrou.

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<sup>1</sup> *Histoire des juifs en France, écrits dispersés*, p. 6.

En outre, dans le champ de l'histoire des juifs, il s'inscrit incontestablement dans le sillage de Salo Wittmayer Baron, qui signe d'ailleurs la préface du collectif *Art et archéologie des juifs en France médiévale* ainsi que celle des mélanges en son honneur<sup>2</sup>, et qui plaide, bien avant lui, pour une histoire décloisonnée, voire « déghettoisée »<sup>3</sup>.

Inscrire Blumenkranz en aval de ses maîtres ne doit pas conduire à minimiser son apport, en tant qu'historien des juifs, d'une part, et en tant qu'acteur dans le champ de la recherche en France, d'autre part. Il ouvre et défriche des chantiers négligés, voire ignorés jusqu'à lors, élabore des outils ou instruments de travail – par exemple, la *Bibliographie des juifs de France* ou encore les *Documents modernes sur les Juifs, XVI<sup>e</sup>-XX<sup>e</sup> siècles*<sup>4</sup> –, établit une méthodologie et remporte des conquêtes institutionnelles pérennes – la Commission des Archives juives, dont il est l'un des trois cofondateurs, et l'équipe de la Nouvelle *Gallia judaica* (désormais NGJ) –, et occupe ainsi une place significative dans le développement de la « science juive » (S. Baron) en France au lendemain de la Seconde Guerre mondiale<sup>5</sup>.

Parce que ses travaux sont bâtis dès l'origine à partir de sources « non juives », à savoir des Pères de l'Église et de saint Augustin en particulier<sup>6</sup>, Blumenkranz promeut le postulat fondateur d'inscrire les juifs dans l'histoire de la société médiévale globale, sans se limiter à observer l'antijudaïsme. Parallèlement, il devient l'un des principaux artisans du décloisonnement et de l'insertion institutionnels des « études juives » françaises, et de l'histoire des juifs en France en particulier. Il développe des collaborations avec les plus grands historiens de son temps, tel Jacques Le Goff, et bien sûr Georges Duby, à l'occasion, notamment, des soutenance des thèses de Joseph Shatzmiller et de Danièle Iancu-Agou notamment<sup>7</sup>. De son amitié et de sa collaboration avec Albert Soboul naissent trois volumes consacrés aux juifs dans la tourmente révolutionnaire, dont l'un paraît à titre

2 *Art et archéologie des juifs en France médiévale* et *Les Juifs au regard de l'Histoire. Mélanges en l'honneur de Bernhard Blumenkranz*, Paris, Picard, 1985.

3 Voir notamment Salo W. Baron, 'Ghetto and Emancipation, Shall We Revise the Traditional View?', *The Menorah Journal*, 14/6, juin 1928, pp. 515-26.

4 En collaboration avec Monique Lévy, *Bibliographie des juifs en France*, Toulouse, Privat, 1974 et *Documents modernes sur les Juifs, XVI<sup>e</sup>-XX<sup>e</sup> siècles*, t. 1, *Dépôts parisiens*, Toulouse, Privat, 1979.

5 Salo Wittmayer Baron, *Les Juifs au regard de l'Histoire. Mélanges en l'honneur de Bernhard Blumenkranz*, Paris, Picard, 1985, Préface, p. 7.

6 *Die Judenpredigt Augustins. Ein Beitrag zur Geschichte des jüdisch-christlichen Beziehungen in den ersten Jahrhunderten*, Bâle, 1946, 2e éd. Paris, 1973 avec préface de Marcel Simon.

7 Joseph Shatzmiller, *Recherches sur la communauté juive de Manosque. 1241-1329*, Paris-La Haye, 1973 ; Danièle Iancu-Agou, *Les juifs en Provence. De l'insertion à l'expulsion*, préface de Georges Duby, Marseille, Institut historique de Provence, 1981, et *Juifs et néophytes en Provence. L'exemple d'Aix à travers le destin de Régine Abram de Draguignan (1469-1525)*, préface de Georges Duby et postface de Gérard Nahon, Paris-Louvain, 1995, 2 vol.

posthume<sup>8</sup>. L'organisation et la publication du colloque *Juifs et judaïsme du Languedoc* dans les Cahiers de Fanjeaux sont réalisées en collaboration étroite avec Marie-Humbert Vicaire<sup>9</sup>.

La reconnaissance par la société de la pertinence de cette démarche heuristique doit naturellement s'inscrire dans les institutions de l'enseignement et de la recherche. Si le CNRS a reconnu son travail, ce versant de l'œuvre, non le moindre, n'a pas conduit à un progrès linéaire. La commémoration du centenaire de sa naissance offre l'occasion d'examiner l'œuvre et le parcours d'historien de Bernhard Blumenkranz, de souligner ses réussites et d'en cerner les limites. Plus généralement, c'est le portrait et le travail d'un historien à l'œuvre que nous présentons ici, sans viser l'histoire de son parcours intellectuel, sans encore moins envisager sa biographie. Nous livrons ici un dialogue amorcé entre nous depuis quelques années déjà.

### 1. *Le maître au travail*

Dans *L'histoire continue*, Georges Duby souligne combien les ouvrages de Marc Bloch comptent dans sa formation et s'interroge :

M'aurait-il, par sa conversation, ses conseils, guidé plus fermement qu'il ne l'a fait par ses seuls écrits ? Je n'en suis pas sûr. Ceux de mes amis qui furent ses élèves m'ont dit qu'il n'était pas de commerce facile. Il me suffit pour me proclamer son disciple de l'avoir lu. Le relisant, je ne cesse d'apprendre<sup>10</sup>.

En relisant Blumenkranz, dont nous n'avons recueilli aucune tradition directe puisque nos maîtres n'étaient pas de ses élèves, nous ne cessons d'apprendre également. C'est l'œuvre qui a d'abord nourri notre connaissance de l'histoire des juifs lorsque nous préparions notre doctorat<sup>11</sup> ; c'est l'œuvre qui, encore aujourd'hui, alors que nous avons mûri nos projets de recherche personnels, nourrit nos réflexions. Force est de constater combien elle enrichit notre pensée de façon souterraine. Nous lisons dans les travaux de Blumenkranz un engagement à la fois

8 *Les Juifs et la Révolution française*, Toulouse, 1976, Paris, 1982, *Le Grand Sanhédrin de Napoléon*, Toulouse, 1979, *Juifs en France au XVIII<sup>e</sup> siècle*, Paris, 1994.

9 *Juifs et judaïsme du Languedoc*, Cahiers de Fanjeaux 12, Toulouse, Privat, 1977.

10 Georges Duby, *L'histoire continue*, Paris, 1991, pp. 19–20.

11 Juliette Sibon a travaillé sous la direction d'Henri Bresc, dont les travaux portent sur la Sicile ; Claude Denjean sous la direction de Maurice Berthe, spécialiste d'histoire rurale, qui étudia la Navarre et le Sud de la France. Si Henri Bresc a renouvelé l'histoire des juifs dans diverses études, et en particulier dans *Arabes de langue, juifs de religion. L'évolution du judaïsme sicilien dans l'environnement latin, XI<sup>e</sup>-XV<sup>e</sup> siècles*, Paris, 2001, Maurice Berthe n'a jamais écrit sur ce thème. Ces thèses de doctorat ont été totalement préparées à l'université en dehors du cadre des études juives, ce qui montre combien l'action de Blumenkranz a permis d'élargir l'espace de cette thématique.

rigoureux et passionné. Les choix qu'il a défendus, sources de perspectives riches mais aussi parfois d'apories alimentent sans cesse nos questionnements.

Cette filiation intellectuelle choisie siérait-elle à Blumenkranz ? À plusieurs reprises, il exprime le souhait que ses chantiers soient prolongés par des « recherches et études nouvelles »<sup>12</sup>. Le choix qu'est l'acte de lire libère des difficultés quotidiennes de la relation entre le maître et son élève – on rapporte que son commerce valait celui de Marc Bloch –, et donne naissance à un autre type de transmission d'homme à homme, celui du legs intellectuel de l'auteur à ses lecteurs. La relation entre texte et paratextes n'est-elle pas fondatrice d'une forme de tradition<sup>13</sup> ?

Les affinités électives ont l'avantage de laisser éclore, par l'observation de son travail, certaines propositions qui parsèment ses textes. Nous n'avons pas choisi celles qui se placent au cœur de son travail concernant les sources patristiques, mais les pistes concernant la vie économique et sociale des juifs au milieu des chrétiens. À partir du paratexte – le sien et ceux de ses maîtres et de ses élèves –, nous accédons à un discours sur la méthode défendue au fil de la plume. Nous reconstruisons le parcours d'un auteur qui ne s'attache pas à son ego-histoire, contrairement à plusieurs de ses contemporains<sup>14</sup>. Si Blumenkranz s'efface devant son travail, c'est sans modestie cependant. Il affirme au contraire hautement *être* son travail, et le « je » qu'il clame nous rappelle que l'homme, qui a *du caractère*, conduit un atelier.

Blumenkranz est un maître, un *magister*, tel un artisan. Il suit le cursus traditionnel, avec les meilleurs professeurs, quoique privé de l'insertion universitaire classique par l'absence d'agrégation<sup>15</sup>. Il est donc un chercheur avant d'être un enseignant. Il travaille patiemment à son chef-d'œuvre, *Juifs et chrétiens dans le monde occidental*, appuyé sur le dossier de preuves *Les auteurs chrétiens latins du Moyen Âge*, avant d'envisager largement l'histoire des juifs. Bien qu'il ne l'exprime pas aussi fortement que Marc Bloch, il considère son travail comme un travail artisanal<sup>16</sup>.

12 Bernhard Blumenkranz, *Les auteurs chrétiens latins du Moyen Âge sur les juifs et le judaïsme*, préface de Gilbert Dahan, Paris-Louvain, 2007, p. 10.

13 Gérard Genette, *Palimpsestes*, Paris, 1982. Notre relation au texte de Blumenkranz dépasse largement le rapport entre le texte et son commentaire, démarche qui est pourtant également la base de la constitution d'une tradition.

14 Comme Georges Duby Jacques le Goff, Pierre Chaunu et d'autres encore, dans les *Essais d'ego-histoire*, textes réunis et présentés par Pierre Nora, Paris, 1987.

15 Rappelons la chronologie : en 1942, un juif ne passe pas l'agrégation. Sa génération n'est pas insérée de la même manière que celle de Jules Isaac, dont un rapide mais suggestif portrait est dressé dans la préface à *Jules Isaac, un historien dans la Grande guerre. Lettres et carnets, 1914–1917*, Marc Michel éd., Paris, 2004, pp. 5–14.

16 Marc Bloch, *Apologie pour l'histoire Apologie pour l'histoire ou métier d'historien*. Paris, 1999, qui nous dit dans son introduction : « Voilà donc l'historien appelé à rendre ses comptes. Il ne s'y hasarderá

Il s'affirme historien français de langue française. Quel que soit le cheminement qui le conduit à formuler son sujet de doctorat puis son projet d'équipe de recherche, il les définit avant tout comme des objets de questionnement scientifique, à l'instar de n'importe quel autre thème. Cette attitude nous semble essentielle dans sa démarche : elle interdit tout soupçon de supposée empathie identitaire. De remarques en remarques, Blumenkranz définit l'Histoire, inscrivant celle des juifs dans la discipline née autour de 1820, loin de toute visée communautaire. D'ailleurs, il affirme sa judéité avec la plus grande simplicité, comme une évidence imparable, n'imposant ni revendication publique ni déni. C'est selon le calendrier grégorien, la datation courante faudrait-il dire, qu'il choisit de clore son avertissement aux *Auteurs chrétiens latins*, depuis Jérusalem et Bagnaux-sur-Seine simultanément<sup>17</sup>. Il ne défend pas des études juives au sein d'une communauté mais place son thème favori au cœur de l'histoire religieuse. Il étudie les relations entre juifs et chrétiens en milieu chrétien<sup>18</sup>.

L'érudition reste pour lui la condition première de tout travail mais n'est naturellement jamais le but ultime. L'œuvre du savant, ouvrage d'orfèvre, doit aider à approcher l'essence de l'histoire et à saisir la césure entre un ancien temps et une période nouvelle<sup>19</sup>.

Au moment où, dans les années cinquante, l'histoire des juifs connaît une nouvelle période de développement, cet homme né à Vienne dans un milieu

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qu'avec un peu de tremblement intérieur : quel artisan, vieilli dans le métier, s'est jamais demandé, sans un pincement de cœur, s'il a fait de sa vie un sage emploi ? Mais le débat dépasse, de beaucoup, les petits scrupules d'une morale corporative. Notre civilisation occidentale tout entière y est intéressée ». Et, parlant de son texte : « Je ne puis le présenter que pour ce qu'il est : le memento d'un artisan, qui a toujours aimé à méditer sur sa tâche quotidienne, le carnet d'un compagnon, qui a longuement manié la toise et le niveau, sans pour cela se croire mathématicien. ».

17 *Les auteurs chrétiens...*, op. cit., p. 8. De même, l'avant-propos à *Juifs et chrétiens dans le monde occidental*, Paris-Louvain, 2006 [rééd.] est daté de Paris et Colombes, 1956 et 1958 ; la *perfidia* des juifs de Paris-Strasbourg.

18 Ainsi résume-t-il son parcours d'hypothèses fausses en vérités issues de la lecture des sources replacées dans leur contexte, dans l'Avant-propos de *Juifs et chrétiens dans le monde occidental, 430-1096*, Paris, 2006 [rééd.], pp. III-V, en soulignant que « Toute minorité a l'inquiétude en partage » et réfléchit à la confrontation avec les majoritaires. Il ajoute : « Appartenant à cette minorité, je n'ai su échapper à cette tendance de son esprit. J'avais commencé mon étude avec une hypothèse de travail [celle de la présence de paroles d'amour des Pères de l'église envers les juifs]. J'ai été vite détrompé. [...] Il lui faut à nouveau compéter puis nuancer son propos, lorsqu'il remarque l'importance du prosélytisme juif, l'importance de la construction politique et juridique de l'État chrétien, et enfin, redire que l'étude bouscule les lieux communs : « Le devenir historique des Juifs, aussi peu que de tout autre groupe humain, ne suit pas une direction rectiligne [...] D'abord et surtout : les rapports entre juifs et chrétiens ne sont pas une catégorie isolée, indépendante... ». Infirmer l'hypothèse de départ, obtenir une réponse en creux ne l'effraie pas.

19 Augustin Thierry, *Lettres sur l'Histoire de France*, Paris, 1842, avertissement p. 1-6 et *Dix ans d'études historiques*, Paris, 1842, pp. 26-31 ; Marcel Gauchet, *Les Lettres sur l'Histoire de France* d'Augustin Thierry. L'austère alliance du patriotisme et de la science. *Les lieux de mémoire*, II- *La Nation*, vol. 1, sous la direction de Pierre Nora, Paris, 1986, pp. 247-316.

religieux étudie le premier Moyen Âge, avant 1096, époque à laquelle les juifs conservent leur statut de citoyens romains et sont loin d'être passifs, tandis que la notion d'intégration n'a alors aucune pertinence<sup>20</sup>. Bref, les juifs en situation normale ne sont pas victimes de la violence ; il n'est même pas possible de présupposer un antijudaïsme permanent dans ce monde haut médiéval « en plein mouvement, en pleine transformation »<sup>21</sup>. Si à cette époque, la plupart des victimes n'évoquent pas les camps, l'attitude du jeune historien diffère de celle d'Yitzhak Fritz Baer qui, avec *Galout*, revisite la compréhension des relations judéo-chrétiennes durant « l'âge d'or » aragonais médiéval<sup>22</sup>.

Blumenkranz est inséré, comme Jules Isaac, dans le milieu qui soutient le développement de l'amitié judéo-chrétienne fondée en 1948 avec Henri-Irénée Marrou. Cet axiome nous semble guider solidement sa démarche, rejetant toute vision lacrymale parce qu'elle serait un *a priori* qui rendrait impossible toute œuvre scientifique. Il choisit comme maître Salo Wittmayer Baron, qu'il qualifie de « notre maître à tous »<sup>23</sup>. Il insiste sur la nécessité de replacer les textes dans leur contexte et dans l'équilibre général d'un corpus où les rapports judéo-chrétiens ne peuvent être compris à travers les seuls textes présentant les juifs mais aussi ceux parlant des hérétiques, des schismatiques et des autres sujets de polémique<sup>24</sup>.

L'ego de l'auteur se dit ainsi d'une voix haute et ferme, sans retour sur lui-même, et, si l'on peut dire, sans chaleur vis-à-vis de sa personne. Il n'en est pas moins fier des résultats obtenus par l'engagement énergique de son « moi au travail », comme il le souligne dans la préface aux *Inscriptions* de Gérard Nahon : « ... je pouvais d'autant moins me soustraire à de telles sollicitations [d'aller voir des trouvailles] que je me sais largement responsable du renouveau de la curiosité du passé juif en France... »<sup>25</sup>.

Retraité, il poursuit sans relâche sa tâche et souffre visiblement de se retirer, gagné par une impatience qu'il livre sans détours : « ...je ne cacherai pas que je

20 Comme le souligne Gilbert Dahan dans sa préface à la réédition de 2006 de *Juifs et chrétiens dans le monde occidental*, *op. cit.*

21 B. Blumenkranz, *Juifs et chrétiens dans le monde occidental*, *op. cit.* p. III de la préface de Gilbert Dahan, p. IV, V-VIII et p. XII de l'avant-propos, où Blumenkranz souligne les résultats de l'enquête dans les sources iconographiques, juridiques, économiques, résultats surprenants car ils ne confortent ni les idées reçues ni les hypothèses de départ. Il insiste à plusieurs reprises au cours de l'ouvrage sur la vitalité intellectuelle et religieuse du judaïsme, l'évidence des rapports de bon voisinage entre juifs et chrétiens, au sujet des divers thèmes étudiés (la langue, l'anthroponymie, le vêtement, les activités professionnelles, le mythe de la richesse des juifs).

22 Y. F. Baer, *Galout : L'imaginaire de l'exil dans le judaïsme*, Paris, 1936.

23 *Art et archéologie...*, *op. cit.*, p. 8.

24 *Les auteurs chrétiens...*, *op. cit.*, p. 12.

25 Gérard Nahon, *Inscriptions hébraïques et juives de France médiévale*, préface de Bernhard Blumenkranz, Paris, Les Belles Lettres, collection « Franco-Judaica », 1986, Préface p. 8.



n'aime pas rester dans l'attente passive d'une découverte plus ou moins accidentelle »<sup>26</sup>. Impatience qui va de pair avec l'optimisme, partagé avec son successeur, de bientôt découvrir de nouveaux témoins de l'histoire des juifs en France.

Lui, dont la présence vivante s'affirme d'abord par sa méthode historique et sa boulimie de découvertes, parle des hommes qu'il étudie, les juifs médiévaux, avec un mélange de distance et de connaissance intime, mais loin de l'expression de tout pathos. Ainsi nous dit-il (sommes-nous autorisés à voir un léger sourire se dessiner dans cette proposition ?) : « Sans nulle propension à l'apologie des Juifs, je me crois en droit d'affirmer... »<sup>27</sup>. Mais, à la différence de Carlo Ginzburg, il ne défend pas exactement un éloge de la position « à distance »<sup>28</sup>, bien que très marqué par l'analyse des textes littéraires. Là aussi, il se pose plutôt en scientifique avant tout qui allie l'intérêt pour le détail à une vaste culture.

## 2. Du paratexte au texte

C'est de cette posture que part l'œuvre toute entière. En effet, elle n'est pas un point de vue, un sentiment, une façon de voir... bref, une opinion. Elle est la garantie que l'auteur se veut historien avant tout, sans se laisser aveugler par un corpus de dates et de faits téléologiquement sélectionnés, sans se résigner au résultat aléatoire des pertes documentaires que cause le temps. Blumenkranz s'évertue à répéter combien il faut se méfier, être prudent, chercher encore les sources manquantes, quitte à perdre son temps<sup>29</sup>, pour obtenir des séries pertinentes<sup>30</sup>, saisir les modalités de la sélection des documents pour en comprendre l'équilibre et le sens<sup>31</sup>. Et de s'emporter contre l'usage incongru, voire délirant, des statistiques portant sur des ensembles réduits<sup>32</sup>. Et de souligner avec humour les bienfaits de

26 *Idem* pp. 9-10.

27 *Idem*, p. 4.

28 Carlo Ginzburg, *À distance*, p. 80 On retrouve chez les deux auteurs ce souci de la mise à distance de l'objet et de l'interrogation incessante sur la réalité étudiée, la même inquiétude face au risque de confondre des pratiques semblables avec la manifestation d'une continuité. En outre, le passé doit être saisi selon ses catégories propres et les faits étudiés soigneusement contextualisés (*Idem*, chap. 7 'Distance et perspective', p. 147-64). Tous ces points prennent un poids particulier pour ceux qui étudient l'histoire des juifs. L'histoire juive, plus visiblement que l'histoire d'autres groupes, se situe dans la tension entre l'historique : ses modèles datés, et spécifiques et l'histoire universelle sur une longue durée.

29 Il le redit par exemple dans son Avant-propos à *Juifs et chrétiens dans le monde occidental*, *op. cit.* pp. VI-VII où il rappelle que l'enquête sur des sources dispersées a porté ses fruits, ne serait-ce que pour montrer la présence des juifs dans l'agriculture ; *Idem* p. IX où il regrette de ne pas avoir embrassé plus largement le problème étudié ; dans sa note préliminaire à *Art et archéologie...* *op. cit.*, p. 10 ; dans sa préface à *Inscriptions hébraïques et juives de France médiévale*, Paris, 1986, p. 8.

30 *Inscriptions hébraïques et juives de France médiévale*, *op. cit.* pp. 4-8.

31 *Idem* p. 5.

32 *Idem* p. 6 : « Voudrais-je prouver par l'absurde l'inanité de statistiques établies avec un matériel trop restreint... », où, parlant de Loudun, il nous livre un amusant syllogisme à l'usage de ceux qui refusent

la « contre-sélection » des inscriptions et de la protection – involontaire – accordée aux inscriptions synagogales<sup>33</sup>.

Il pose alors les questions importantes de la hiérarchie sociale : seules les élites sont documentées. Il défend l'importance des causes sociales, et non pas seulement religieuses. Il envisage la courte durée de l'histoire urbaine et la longue durée des phénomènes culturels, telles les attitudes devant la mort. Il analyse les expulsions, confiscations et violences d'un point de vue technique, historique, et non mémoriel<sup>34</sup>. Tout cela sans théorisation, au détour d'un exemple, comme en passant, mais avec force.

Bon érudit, il suit à la lettre la méthode « à la française » lorsqu'il introduit le travail de Gérard Nahon par la définition d'« inscriptions » puisée dans le *Littéré*<sup>35</sup>. L'importance donnée à l'étude lexicale et le goût pour la collection de divers types de corpus se lit, par exemple, dans un petit article sur la *perfidia* des juifs<sup>36</sup>. La notice est sans prétention mais dit tout de sa méthode : l'érudition est première. Le travail, publié dans le *Bulletin du Cange*, contribue à la constitution du dictionnaire latin du Moyen Âge, grand projet auquel de nombreux spécialistes collaborent. Le corps du texte est constitué de notices où la qualification des juifs, des chrétiens, des hérétiques est mise en balance<sup>37</sup>. Cet inventaire, précédé d'une brève introduction, est conclu de manière lapidaire : « *perfidia* » n'est pas associée à la trahison de Judas ; surtout, il est impossible de distinguer une évolution de son usage dans les textes<sup>38</sup>.

Ne croyons pas que cette conclusion brève, voire frustrante, relève d'une incapacité à dépasser l'érudition. Bien au contraire, elle témoigne une fois de plus combien Blumenkranz refuse toute vision téléologique de l'histoire des juifs, et combien il réfute le postulat de l'augmentation linéaire d'une parole stigmatisante à leur égard. Il montre que la plupart des auteurs n'emploient pas le terme en dehors du champ religieux, même si certains se servent de ce terme polyvalent dans un emploi équivoque.

L'introduction souligne que le but de l'article est non seulement de rassembler des matériaux collationnés au fil du temps pour combler une lacune, mais surtout de reprendre des études anciennes dont seules les bonnes intentions sont louables car « 'l'idée préconçue' ne favorisait guère la recherche ». Les études

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d'observer le contexte : on a trouvé trois inscriptions juives et pas une chrétienne, donc Loudun est une ville juive au début du Moyen Âge.

33 *Idem*, pp. 4–5.

34 *Idem* p. 4.

35 Préface à Gérard Nahon, *Inscriptions hébraïques et juives de France médiévale*, p. 3.

36 B. Blumenkranz, « *Perfidia* », *Bulletin du Cange*, t. 22, 1952, pp. 157–70.

37 *Idem*, pp. 159–69.

38 *Idem*, pp. 169–70.

privélaient les versions actuelles des textes sans suivre l'évolution de leur rédaction<sup>39</sup>. Bernhard Blumenkranz reprend chaque traduction pour analyser la citation au sein du texte, voir par quel synonyme le mot est remplacé dans une rédaction postérieure et éviter ainsi erreurs et contresens, niant toute généralisation abusive.

Il a comme passion, en effet, de collationner des données. Il accumule les fiches et est ainsi capable à la fois d'être très précis dans son travail et de couvrir le plus large spectre possible. Peu à peu, sans abandonner les sources textuelles qu'il connaît bien, il développe des études novatrices à travers l'attention portée aux documents iconographiques, archéologiques, artistiques. Il peut ainsi étudier les représentations, le discours sur les juifs, mais aussi s'attacher à une vision plus concrète, mettant en valeur, sur la longue durée, une histoire matérielle et culturelle des juifs en milieu chrétien, une histoire plus objective.

Ce goût de la collection conduit à un autre engagement fondateur. Il est conscient que l'histoire des juifs dépend de la constitution de corpus car les sources sont éparpillées, et des pans entiers n'ont pas été conservés. La réponse à cette difficulté consiste en un travail systématique qui développe la curiosité pour le passé juif et renouvelle les points de vue. La collection « Franco-Judaïca », outre son nom emblématique, promeut un travail encyclopédique. Après les textes ronéotypés, le directeur de la collection passe à de beaux ouvrages. Au-delà des aléas et des difficultés de l'édition, c'est l'aspect systématique, la présentation normalisée – autant que faire se peut – mais aussi l'alliance de la base de données avec l'analyse, la synthèse et la réflexion. Un socle solide est ainsi constitué, qui marque le début d'une nouvelle ère dans le champ de l'histoire des juifs.

Dans le même temps, il publie. Le travail ne s'achève jamais et il conçoit ses publications comme des mémoires d'étape, des points toujours provisoires dans la progression. Il remet sans cesse sur le métier. Il reprend ainsi ses articles parus entre 1949 et 1958 et refond l'ensemble pour une nouvelle publication à l'origine de *Juifs et chrétiens*, à laquelle il ajoute des textes et des références bibliographiques. Il demande sans cesse l'indulgence à ses lecteurs, certain d'avoir omis tel document qu'on ne manquera pas de retrouver, de n'avoir pu lire tel ouvrage<sup>40</sup>.

Ses travaux sont toujours explicitement destinés à susciter de nouvelles recherches, à entraîner de nouvelles découvertes<sup>41</sup>. L'histoire des juifs dans l'espace français gagne une visibilité et une cohérence remarquables. Les synthèses la rendent accessible à tous. Les recueils collectifs s'insèrent aussi dans les

39 *Idem*, p. 157.

40 Par exemple dans *Juifs et chrétiens dans le monde occidental*, *op. cit.* p. XIII ; *Les auteurs chrétiens...*, *op. cit.*, p. 8. Ces *captatio benevolentiae* ne sont pas de pure forme, on en trouve des échos continuels dans les pages de ses ouvrages.

41 B. Blumenkranz, « Perfidia », *op. cit.* p. 10.

thématiques particulières. Cette histoire est au cœur de l'histoire religieuse, de l'histoire culturelle, de l'histoire de la vie matérielle alors en plein développement. L'ouvrage de Blumenkranz *Juifs et chrétiens dans le monde occidental* fait écho et poursuit le *Verus Israël* de Marcel Simon<sup>42</sup>. Le spécialiste de l'histoire des juifs collabore avec des collègues non spécialistes, développant ainsi une voie qui n'avait pas encore été aussi explicitement ouverte, et de manière novatrice, très différente de la collaboration développée à la fin du XIX<sup>e</sup> siècle entre Ernest Renan et Adolphe Neubauer<sup>43</sup>. Outre Soboul et Vicaire, l'interdisciplinarité avant la lettre se marque aussi par la collaboration avec Freddy Raphaël qui fait œuvre à la fois d'historien et de sociologue<sup>44</sup>. Ainsi en 1977, l'histoire religieuse s'affiche à Fanjeaux alors que l'ouvrage concernant l'Alsace paru la même année reprend la tradition des « folkloristes » comme Jacobs pour développer une histoire culturelle<sup>45</sup>.

Cette capacité à insérer la thématique qui l'occupe dans un champ et une tradition plus ample reste une des leçons principales de Bernhard Blumenkranz. Il s'agit de rassembler non seulement des érudits et des savants capables d'analyser les sources hébraïques et les sources latines plus abondantes, mais aussi des universitaires de tous horizons, dont l'origine et l'appartenance religieuse doit être indifférente. Il s'agit d'inscrire cette histoire à venir dans l'Histoire. Il faut donc en assurer la rigueur et la pérennité au cœur des institutions universitaires, seul moyen pour en assurer la qualité scientifique.

### 3. Héritages institutionnels, perspectives scientifiques

L'apport historique de Blumenkranz est indissociable des conquêtes institutionnelles entreprises au cours de sa carrière. Son intérêt appuyé pour la démographie des juifs de la France médiévale le conduit à dresser un programme de recherche ambitieux, grand œuvre nécessairement collectif, fondé sur une prosopographie étendue<sup>46</sup>. Ce programme bénéficie de supports financiers et institutionnels, qui donnent naissance à la NGJ, unité propre de recherche (UPR 208) fondée à Paris en 1972 – en lien étroit avec l'École Pratique des Hautes Études, dont la

42 Marcel Simon, *Verus Israël. Étude sur les relations entre chrétiens et juifs dans l'Empire romain (135–425)*, Paris, 1947, cité p. IV de l'Avant-propos à *Juifs et chrétiens dans le monde occidental*.

43 Ernest Renan et Adolf Neubauer, correspondant de l'Académie française, *Les Rabbins français du commencement du XIV<sup>e</sup> siècle*, extrait du tome XXVII de *L'Histoire littéraire de la France*. Paris, 1969 [1<sup>e</sup> éd. 1877].

44 Freddy Raphaël, professeur de sociologie à l'université Marc Bloch de Strasbourg ; Freddy Raphaël et Robert Weyl, *Juifs en Alsace : société, culture, histoire*, préface de Bernhard Blumenkranz, Toulouse, 1977.

45 *Idem* et *Juifs et judaïsme du Languedoc*, *op. cit.* Voir à ce sujet l'appel de Joseph Jacobs, autre compilateur de sources dans son discours de réception de la Real Academia de Buenas Letras, dans *An inquiry into the sources of the history of the Jews in Spain*, New-York, 1894, pp. 160–64.

46 « Pour une nouvelle *Gallia judaica*. La géographie historique des juifs en France médiévale ».

VI<sup>e</sup> section est alors dirigée par Jacques Le Goff. Son objectif scientifique premier est de dresser une géographie historique des juifs de France, tout en privilégiant le Moyen Âge, afin de prolonger, à partir de sources écrites hébraïques, latines, françaises, manuscrites et imprimées, ainsi que des vestiges archéologiques et de l'épigraphie, le travail d'Henri Gross, publié à la fin du XIX<sup>e</sup> siècle, intitulé *Gallia judaica, Dictionnaire géographique de la France d'après les sources rabbiniques*<sup>47</sup>. Gross n'a pu dresser son inventaire qu'à partir des sources hébraïques éditées dont il disposait en Allemagne ; il faut élargir le corpus afin de compléter ses données déjà précieuses.

Transformée en Équipe de recherche (ERS 13) en 1977, les objectifs de la NGJ s'étendent aux autres aspects historiques que Blumenkranz considère négligés jusque-là. Quelques années auparavant, en effet, dans l'Introduction à *L'Histoire des juifs en France*, il annonce dépasser les deux curiosités alors prééminentes dans le champ de l'histoire des juifs médiévaux, à savoir l'événement et le fait littéraire, en réservant la plus grande place à la géographie historique et démographique, aux conditions économiques et sociales, au droit et aux institutions, aux structures communautaires et intercommunautaires<sup>48</sup>. En outre, d'autres périodes sont désormais à l'honneur, l'époque moderne principalement, et la Révolution française en particulier, en collaboration avec Soboul, on l'a vu.

Blumenkranz veille également à ce que l'équipe bénéficie d'un canal éditorial « naturel », destiné à diffuser les résultats des autres recherches menées au sein de l'équipe dans le cadre des colloques et des séminaires, et fonde la collection « Franco-Judaïca », d'abord sise aux éditions Privat, puis aux Belles-Lettres.

La NGJ doit enfin fournir aux chercheurs des outils savants, à savoir des inventaires, des bases de données et une bibliothèque spécialisée, en croissance régulière jusqu'à ce jour, et qui comprend notamment le « fichier Blumenkranz », composé de milliers de notices bibliographiques dont la mise à jour n'a malheureusement pas pu être poursuivie au-delà des années 1980.

Dans ses écrits programmatiques, Blumenkranz stigmatise régulièrement le manque de main d'œuvre. En ouverture d'*Art et Archéologie*, il déplore qu'il y ait « trop peu d'ouvriers pour un trop vaste chantier »<sup>49</sup>. Son constat est le même au moment de lancer le projet de sa nouvelle *Gallia judaica*, bâti, en théorie, sur le travail d'une équipe nombreuse<sup>50</sup>. Toutefois, l'impulsion est donnée et les collaborateurs et successeurs poursuivent le grand œuvre. Ainsi, la réalisation du

47 Henri Gross, *Gallia judaica. Dictionnaire géographique de la France d'après les sources rabbiniques*, Paris, 1897, rééd. sous la direction de Danièle Iancu-Agou et Gérard Nahon, Paris-Louvain, 2011.

48 *L'Histoire des juifs en France*, Privat, Toulouse, 1972.

49 *Art et Archéologie...*, *op. cit.*, p. 9.

50 « Pour une nouvelle *Gallia judaica*... », *art. cit.*, dans *Écrits dispersés...*, *op. cit.*, ici p. 39.

monumental *Dictionnaire de géographie historique des juifs en France médiévale* avance, avec la publication de la *Provincia judaica, Dictionnaire de géographie historique des juifs en Provence médiévale*, établi par Danièle Iancu-Agou à partir de la mise à jour d'un travail de jeunesse, et paru en 2010<sup>51</sup>. Notons qu'un nouveau tome, consacré à l'Alsace et à la Lorraine médiévales, vient de paraître<sup>52</sup>.

Premier successeur de Blumenkranz à la tête de la NGJ, de 1981 à 1992, Gérard Nahon s'attache à poursuivre le projet initial en prolongeant et en renouvelant les pistes esquissées. Ancien élève de Georges Vajda, spécialiste des sources hébraïques, il développe et approfondit l'approche et la connaissance de l'archéologie et de l'épigraphie juives et hébraïques médiévales<sup>53</sup>, en particulier dans un ouvrage remarquable qui complète la série d'outils indispensables aux historiens des juifs, chers à Blumenkranz, et préfacé par lui<sup>54</sup>.

Puis, en 1992, avec la prise de direction de Gilbert Dahan, la filiation est directe. Blumenkranz dirige sa thèse. S'opère alors un véritable retour aux sources : Dahan est avant tout spécialiste de l'histoire des religions<sup>55</sup>. Avant de se consacrer exclusivement à l'exégèse et à l'herméneutique dans les commentaires chrétiens de la Bible au bas Moyen Âge occidental, il poursuit l'étude des rapports entre juifs et chrétiens dans le sillage de Marcel Simon et de Bernhard Blumenkranz et offre ainsi une synthèse sur les relations intellectuelles entre juifs et chrétiens pour les XII<sup>e</sup>-XIV<sup>e</sup> siècles. Le projet initial de la NGJ se pérennise dans le cadre de grands colloques, désormais publiés dans une nouvelle collection fondée par Gilbert Dahan aux éditions du Cerf<sup>56</sup>.

L'héritage est repris en 2002 par Danièle Iancu-Agou, et se trouve ainsi confié à une spécialiste des sources latines, non plus exégétiques, mais notariales. L'histoire des rapports entre juifs et chrétiens au bas Moyen Âge au sein de la NGJ est désormais envisagée sous l'angle de la pratique, à savoir de la vie quotidienne à l'aune des dispositions principalement économiques – dont les reconnaissances de dot et testaments –, prises par les juifs médiévaux et les néophytes auprès des notaires latins. Danièle Iancu-Agou réalise sa thèse sous la direction de Georges Duby, à partir des notaires provençaux de la seconde moitié du XV<sup>e</sup> siècle et du début du XVI<sup>e</sup> siècle, temps des conversions et des expulsions locales puis

51 Danièle Iancu-Agou, « Topographie des quartiers juifs en Provence médiévale », *Revue des Études Juives* 133 (1974), fasc. 1-2, pp. 11-156 ; *Provincia judaica. Dictionnaire de géographie historique des juifs de Provence médiévale*, préface de Noël Coulet, Paris-Louvain, Peeters, 2010.

52 Simon Schwarzfuchs et Jean-Luc Fray, *Présence juive en Alsace et Lorraine médiévales, Dictionnaire de géographie historique*, Paris, Cerf, collection « Nouvelle Gallia judaica » 8, 2015.

53 Carol Iancu et Danièle Iancu-Agou, *L'écriture de l'histoire juive. Mélanges en l'honneur de Gérard Nahon*, Paris-Louvain, Peeters, 2012, Préface, pp. VIII-XI.

54 Gérard Nahon, *Inscriptions hébraïques et juives...*, *op. cit.*

55 Gilbert Dahan, *Les intellectuels chrétiens et les juifs au Moyen Âge*, Paris, 1990.

56 Voir notamment, sous la direction de Gilbert Dahan, *L'expulsion des juifs de France, 1394*, Paris, 2004.

générales<sup>57</sup>. Les archives latines provençales sont alors promues comme sources fondamentales et principales pour l'histoire des juifs du Midi de la France, voire de l'Occident latin méditerranéen en général<sup>58</sup>. La topographie des quartiers juifs du comté de Provence, on l'a vu, donne un second souffle au projet du grand dictionnaire.

Au-delà de ce travail, l'histoire des femmes et de la famille, des intellectuels, de leurs manuscrits et de leurs comportements en tant que néophytes, s'inscrivent pleinement dans le sillage de la méthode et des objectifs assignés par le fondateur de la NGJ. Ainsi, l'étude des juifs convertis provençaux, à travers le destin de Régine Abram de Draguignan, exhume des cas de conversion dans les milieux médicaux bien plus précoces qu'on ne l'avait pensé jusqu'à lors, c'est-à-dire dès les années 1460, aux temps d'une présence juive encore tolérée en Provence<sup>59</sup>. Cette thèse contribue à repenser le bas Moyen Âge dans son ensemble, période souvent comprise comme celle d'une dégradation croissante des rapports judéo-chrétiens, qui aurait inéluctablement conduit au bannissement général des juifs de Provence en 1501.

Rattachée au Centre d'études des religions du livre de Villejuif en 1995, aujourd'hui Laboratoire d'Études sur les Monothéismes (UMR 8584), sous tutelle principale de l'École Pratique des Hautes Études, la NGJ est accueillie, depuis janvier 2014, dans les locaux de Villejuif, après dix ans de localisation à Montpellier.

Dresser l'état des lieux des « études juives » médiévales en France à l'aube de cette nouvelle page de l'histoire de la NGJ ne peut se faire sans subjectivité. D'aucuns déplorent leur crise, d'autres – dont nous sommes – s'attachent à souligner leur dynamisme en dépit des difficultés actuelles que traversent l'Enseignement supérieur et la Recherche en France. En effet, l'histoire des juifs au Moyen Âge intéresse toujours plus de chercheurs, à partir de pôles dont la multiplicité est parfois dénigrée car perçue comme une faiblesse institutionnelle. Quoi qu'il en soit, la dispersion engendre des formations variées et complémentaires, soutient des vocations et offre des carrières au sein d'institutions différentes, à savoir, sans exhaustivité, l'École des Hautes Études en Sciences Sociales, l'École Pratique des Hautes Études, l'Institut Rachi de Troyes, l'Institut de Recherche pour l'Étude des Religions, l'Institut de Recherche et d'Histoire des Textes, ou encore le CNRS. Dans le paysage institutionnel français, l'université ne fait pas

57 Danièle Iancu-Agou, *Les juifs en Provence...*, *op. cit.*

58 Robert-Henri Bautier et Janine Sornay, *Les sources de l'histoire économique et sociale du Moyen Âge, Provence, Comtat Venaissin, Dauphiné, États de la Maison de Savoie : archives ecclésiastiques, communales et notariales. Archives des marchands et particuliers*, 3 vol., Paris, 1971.

59 Danièle Iancu-Agou, *Juifs et néophytes en Provence. L'exemple d'Aix à travers le destin de Régine Abram de Draguignan (1469-1525)*, 2 vol., Paris-Louvain, 1995.



exception : l'élection de maîtres de conférences en histoire du Moyen Âge, et récemment, d'un Professeur des universités l'atteste significativement<sup>60</sup>. Est-ce le signe d'une réelle possibilité d'inscrire le plus naturellement du monde cette histoire au cœur de l'enseignement d'une histoire de l'Occident médiéval, d'une histoire de France, selon la voie montrée par Blumenkranz ?

Car au-delà du parcours et du travail de ses héritiers directs et indirects, l'œuvre de Blumenkranz essaime largement. Sa méthodologie et ses grands principes irradiant en dehors et en aval du cercle de ses contemporains et successeurs. La NGJ demeure forte de ses héritages qui conservent toute leur pertinence plus de quarante ans après sa naissance officielle.

L'histoire de Blumenkranz n'est en rien dépassée, bien au contraire ! Les lignes directrices de celle ou de celui « qui voudra s'en emparer avec des forces plus neuves »<sup>61</sup> sont tracées. Ces forces neuves peuvent indéniablement trouver vigueur dans la diaspora scientifique des « études juives » françaises, forte de réseaux au sein desquels le dialogue, fondé sur la pluridisciplinarité, n'est certes pas systématiquement mis en œuvre, mais n'est toutefois jamais rompu. La Société des Études Juives, société savante fondée à Paris en 1881, pérennise les liens, suscite et favorise transdisciplinarité et transpériodicité. Le défi de la collaboration entre spécialistes d'histoire religieuse, d'histoire politique et juridique, et d'histoire économique et sociale est ainsi délibérément relevé. Il l'est aussi au gré de rencontres fortuites. Ainsi, le hasard a permis la naissance de l'équipe « De juifs à chrétiens : origine des valeurs sur les marchés médiévaux » (JACOV), fondée en 2007–2008 au sein du laboratoire FRAMESPA (UMR 5136, Université de Toulouse 2). Ce groupe privilégie l'approche économique et sociale pour le décloisonnement de l'histoire des juifs. Composée d'historiennes formées à l'université, spécialistes des sources latines, à l'instar de Claire Soussen-Max et de Capucine Nemo-Pekelman qui participent à ce volume, le groupe ne pouvait que porter la prise de distance avec la conception lacrymale et l'enclavement de l'histoire des juifs<sup>62</sup>.

60 Claude Denjean a soutenu sa thèse à l'université de Toulouse 2. Après avoir occupé un poste de maître de conférences à Bordeaux 3 puis à Toulouse 2, elle est élue Professeur à l'université de Perpignan en 2014 ; Claire Soussen-Max a réalisé sa thèse sous la direction de Michel Zimmermann et est actuellement maître de conférences à l'université de Cergy ; Juliette Sibon est actuellement maître de conférences à l'université d'Albi. Danièle Sansy, à l'université du Havre, et Capucine Nemo-Pekelman, à l'université de Paris Ouest-La Défense, se prévalent de parcours similaires.

61 *Histoire des juifs en France, écrits dispersés*, p. 5.

62 La participation de ces historiennes à des colloques « hors champ » en est l'une des traductions concrètes, dans le cadre des congrès de la Société des Historiens Médiévistes de l'Enseignement Supérieur Public (SHMESP) notamment. À titre d'exemples, *Experts et expertise au Moyen Âge. Consilium quaeritur a perito*, 42<sup>e</sup> Congrès de la SHMESP, Paris, 2013 ; Claude Denjean et Laurent Feller éd., *Expertise et valeur des choses, Le besoin d'expertise*, Madrid, 2014 ; *Nation et nations au Moyen Âge*, 44<sup>e</sup> Congrès de la SHMESP, à paraître.

Autre force neuve, le croisement des sources latines et hébraïques se développe à la faveur de la mise au jour de documents hébreux inédits. La *Genizah italiana* alimentée par Mauro Perani, le projet *Books within books : Hebrew Fragments in European Libraries*, auquel Judith Olszowy-Schlanger participe activement depuis 2007, et l'exhumation du fonds-gigogne de Gérone entamée depuis 2003, fournissent désormais des corpus inédits, composés notamment de documents de la pratique économique, telles les écritures personnelles des hommes d'affaires juifs médiévaux, mais aussi des archives des communautés médiévales. Ces fonds sont exceptionnels et prometteurs d'élargissement de nos connaissances sur la vie interne des communautés juives médiévales, perçue jusqu'à lors quasi exclusivement à travers les archives communales et les registres notariés, des tribunaux, des cours ecclésiastiques et des comptes de clavares latins. Ils répondent, au-delà de toute espérance, au vœu de Blumenkranz de ne jamais abandonner l'idée d'augmenter le corpus. Ils renouvellent considérablement le fonds hébraïque, souvent composé de documents difficilement exploitables sur le plan de l'histoire économique et politique des juifs médiévaux, à l'instar des *responsa* rabbiniques. Leur mise au jour, restauration et transcription sont en cours de réalisation et d'édition, et les premiers travaux établis à partir du croisement des écritures hébraïques et latines de la pratique témoignent du potentiel historique que recèle l'exploitation de ces documents<sup>63</sup>.

Enfin, les décennies antérieures ont vu paraître de nombreuses monographies, qui sont autant d'instruments de synthèse et de comparaison de l'histoire des communautés juives de l'Occident latin du bas Moyen Âge. Parallèlement, le développement d'Internet a suscité la mise en œuvre et en ligne d'ambitieuses bases de données aisément accessibles<sup>64</sup>. Une nouvelle histoire des juifs médiévaux insérés dans la société chrétienne occidentale peut s'écrire, entreprise nécessairement collective. Centrée sur la France, ses limites géographiques peuvent toutefois être repoussées par-delà les frontières des entités politiques médiévales et par-delà les frontières culturelles qui séparent *Ashkenaz*, *Tsarfat* et *Sefarad*. Un tel ouvrage livrerait une synthèse précieuse et fondamentale, non seulement au grand public, mais aussi aux historiens non spécialistes des « études juives » et à leurs

63 Voir, par exemple, Juliette Sibon, « La coopération entre corailleurs juifs et chrétiens à Marseille au XIV<sup>e</sup> siècle à travers les documents de la pratique latins et hébreux », *Coesistenza e Cooperazione nel Medioevo. In memoriam Leonard E. Boyle (1923–1999)*, Atti del IV Congresso Europeo di Studi Medievali della FIDEM, tenutosi a Palermo dal 23 al 27 giugno del 2009, Palermo, 2014 et, en collaboration avec Meritxell Blasco Orellana et José Ramón Magdalena Nom de Déu, « Le *pinqas* ou carnet personnel en hébreu de Mordacays Joseph (1374–1375), corailleur juif de Marseille. Transcription, traduction et analyse historique », *Revue des Études Juives*, à paraître.

64 La base de données *Books within books* est désormais consultable : <http://www.hebrewmanuscript.com/hebrew-fragments-databases.htm> ; celle de RELMIN, Le statut légal des minorités religieuses dans l'espace euro-méditerranéen (V<sup>e</sup>-XV<sup>e</sup> siècles), est en cours d'élaboration depuis 2010.

étudiants. Le « décloisonnement éditorial » pourrait accompagner ce nouveau grand œuvre, plaider cher au cœur de professeurs qui inscrivent l'histoire des juifs dans leurs enseignements dès le niveau généraliste de la Licence d'Histoire.

### *Conclusion*

Vaste et bouillonnante, l'œuvre inspire toujours les questionnements actuels et guide le choix d'avoir rédigé ce texte au présent.

Être historien des juifs médiévaux après Blumenkranz est en quelque sorte confortable, grâce à la belle voie qu'il a contribué à tracer, grâce aux leçons de ses succès. Mais l'optimisme hérité du maître ne doit pas masquer les pierres d'achoppement qui demeurent. En 1977, Marie-Humbert Vicaire introduisait le volume de Fanjeaux par cette question, somme toute limitative en ouverture d'un colloque qui envisageait aussi les aspects juridiques, économiques et sociaux de l'histoire des juifs :

Est-il nécessaire de justifier, à l'intérieur de la recherche la plus vaste sur l'histoire religieuse du Languedoc au XIII<sup>e</sup> siècle et au début du XIV<sup>e</sup> siècle, d'avoir fait une place au sujet « Juifs et judaïsme » ?<sup>65</sup>.

Cela l'était pourtant en 1977, et force est de constater que, en dépit de réelles avancées, cela le reste encore aujourd'hui en 2014, dans le champ de l'histoire religieuse et culturelle, comme dans ceux de l'histoire du droit et de l'histoire économique et sociale.

Réussite de par sa longévité, animée et développée par les brillants successeurs de Blumenkranz, la NGJ, dont le credo fondateur est le décloisonnement de l'histoire des juifs, n'en contribue pas moins, par son particularisme institutionnel au sein du CNRS, à faire du champ une discipline « exotique », encore trop souvent perçue comme marginale, peu ou pas enseignée à l'université. La sortie du ghetto n'est pas achevée, loin s'en faut. L'histoire des juifs médiévaux n'a pas encore connu le développement dont l'histoire de l'Islam médiéval a bénéficié à l'université depuis les deux ou trois dernières décennies<sup>66</sup>.

Maître d'atelier omniprésent et avide d'aller de l'avant, Blumenkranz prônait sans cesse le travail en collaboration, qu'il regrettait difficilement « spontané ». En dépit de son aura et de sa stature dans le paysage scientifique, il semble avoir

<sup>65</sup> *Juifs et judaïsme du Languedoc...*, *op. cit.*, Introduction, p. 7.

<sup>66</sup> Françoise Micheau, Annliese Nef, Dominique Valérian, Vanessa Van Renterghem, « Les étudiants et l'histoire de l'Islam médiéval. Réflexions autour d'une enquête », *Être historien du Moyen Âge au XXI<sup>e</sup> siècle*, 38<sup>e</sup> Congrès de la SHMESP, Paris, 2007, pp. 51–69.

été toujours frustré de ce point de vue et déplorait souvent, on l'a vu, d'être abandonné à ses seules forces, bien qu'il estimât avoir fait de son mieux<sup>67</sup>.

Enfin, il se plaignit souvent de la politesse des savants collègues qui ne prenaient pas la peine de corriger ses fautes, de souligner certaines de ses erreurs, ni d'exhumer les faiblesses de son argumentation. Aux remarques qu'il distilla dans les préfaces et avertissements, on imagine que sa générosité le poussait à ne négliger aucune critique vis-à-vis de ses collègues et élèves, refusant de se laisser aller à ce que Montaigne appelait cette « merveilleuse lâcheté »<sup>68</sup>, impitoyable d'exigence envers lui-même et les autres, sans jamais rien sacrifier à son optimisme.

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67 *Les auteurs chrétiens...*, *op. cit.*, p. 8.

68 Michel de Montaigne, *Essais*, Livre 1, chap. 1 « Par divers moyens on arrive à pareille fin », Paris, 1965, Vol. 1, p. 54 : « Car j'ai une merveilleuse lâcheté vers la miséricorde et la mansuétude ».



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