Medieval Jewry in Northern France

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Published by Johns Hopkins University Press


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III

PHILIP AUGUSTUS—

EXPULSION, EXPLOITATION, AND

ECCLESIASTICAL PRESSURE

On November 1, 1179, Philip, son of Louis VII, was crowned co-regent of France. Louis, who had long delayed elevating Philip to the throne, was now gravely ill; his young son had become in reality the new king. Unbeknown to the participants in the ceremonies at Reims, Philip’s would be one of the longest and most significant reigns in the history of France. During the more than five decades of his rule, royal control was extended far beyond the narrow confines of 1179. Equally important, with the defeat of John in 1204 and the victory at Bouvines in 1214, the French monarch suddenly took his place among the great powers of Christendom. No longer was he a weak king surrounded by potent vassals; he was now the major political authority in France and one of the key rulers in all of Europe. A capable administrator, Philip Augustus built the governmental machinery necessary for controlling and exploiting his expanding domains. He successfully undertook the task of transforming his chief city, Paris, into a splendid political and intellectual center of northwestern Europe.¹

¹The most detailed treatment of the important reign of Philip Augustus is the four-volume study by Alexander Cartellieri, Philipp II August, König von Frankreich, 4 vols. in 5 (Leipzig, 1899–1922). Also useful are Achille Luchaire’s study of Philip Augustus in Ernest Lavisse’s
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Certainly the Jews of northern France could never have anticipated that his efforts would so decisively affect the history of their community. By his death in 1223, the majority of the Jewish communities of the area had fallen under direct royal rule. Those Jews still living in the domains of independent barons, for example, the Jews of Champagne, had already felt the harsh hand of Philip Augustus and were ever more tightly bound by royal policy. The first major expulsion had taken place; the most serious single slaughter in the history of northern French Jewry had been perpetrated by the king himself; the relatively positive baronial policies had given way to careful governmental exploitation of Jewish business; the antipathetic Church views which had been gathering momentum during the twelfth century had strongly made their mark on Jewish life.2

In late 1179 all this lay ahead. The onset of change, however, was not long in coming.

At the very inception of his reign, the young sovereign, surrounded by baronial cliques striving to bend him to their wills, undertook vigorous independent action aimed at replenishing his financial resources. On February 16, 1180, a Sabbath day, royal agents arrested the Jews at worship and confiscated their precious goods.3 The precise technique of this seizure is unclear, but a Hebrew source gives us some insight. R. Haim ha-Cohen, dealing with some of the problems caused by the incident, considered Jewish wine unsullied by gentle use, even though "the officials were in the Jews' homes, with key in hand, searching."4 Curiously, the most detailed source for Philip Augustus's early anti-Jewish

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4 Urbach, Ba'al ey ha-Tosafot, p. 108, citing Mordechai b. Hillel.
actions, his biographer, Rigord, leaves the impression of a simple confiscation. According to the English historian Ralph of Diceto, however, the Jewish valuables were held until redeemed by a ransom payment of 15,000 marks, a very substantial sum of money.\(^5\)

The king’s next move took place sometime shortly thereafter and was a far cleverer ploy. By this time Louis VII had died and his heir was deeply involved in battling a dangerous alliance of feudal barons headed by the counts of Flanders and Champagne. Still badly in need of funds, the young monarch contrived to replenish his coffers, to win popular sympathy, and to ingratiate himself with reform elements in the Church. Prodded by an important royal advisor, the monk Bernard of Coudray, Philip ordered the remission of all debts owed the Jews, with one-fifth of the total to be paid into the royal treasury.\(^6\) While documentary records for the early years of the reign are still sparse, mention survives of an agreement between King Philip and the abbot of Château-Landon. The abbot was to pay 44 pounds and thereby be free of all obligations to the king accruing from the provisions set for Jewish debts.\(^7\) This is, in all probability, an arrangement concerning final payment of the required twenty percent.

In April 1182, still enmeshed in his battle against the Flanders-Champagne coalition, Philip Augustus took the most radical step against the Jews yet taken in feudal northern Europe. He announced that the Jews must leave the royal domain by the Feast of Saint John the Baptist, on June 24. According to Rigord, the Jews fell back upon precisely the techniques generally employed in such circumstances: “they sought to win with gifts and golden promises the great of the land—counts, barons, archbishops, bishops—that through their influence and advice, and through the promise of infinite wealth, they might turn the king’s mind from his firm intention.”\(^8\) In this instance, however, the time-honored technique failed.

This step, like the preceding two, served first of all the financial need of the king. The arrangement described by Rigord was the following:

The king gave them leave to sell each his movable goods before the time fixed, that is, the Feast of St. John the Baptist. But their real

\(^5\) Ralph of Diceto, *Opera historica*, vol. 2, p. 4.
estate, that is, houses, fields, vineyards, barns, winepresses, and such like, he reserved for himself and his successors, the kings of the French.9

A number of documents disposing of some of the property taken over by the king have survived. The profit to the royal treasury must have been considerable.10

One particular class of confiscated property is singled out for special mention by Rigord. The synagogues of the Jews were not kept by the king; rather they were donated to the Church in order that they might be transformed into Christian places of worship. Rigord notes specifically the conversion of the synagogues at Orléans and Étampes into churches.11 Documentary sources inform us also of the gift of the synagogue in Paris to the bishop of that city.12 Thus, in addition to immediate economic benefit, the king had once more assured himself the approbation of many in ecclesiastical circles.

Indeed, while Rigord cannot be used as a reflection of the mind of the young monarch, he does provide an accurate gauge of the reaction to the king's actions among some churchmen; this response can only be described as unmitigated joy. Rigord chronicles the king's campaign in great detail. It is, for the monk of Saint-Denis, the major achievement of the first years of the reign. Expulsion clearly improved relations with those circles represented by Bernard of Coudray and Rigord.

What gave the young king the right to undertake these unprecedented actions against the Jews? The royal view itself is unavailable. Those documents surviving are simply transactions involving confiscated Jewish properties, without any establishment of legal fundamentals. It is interesting to note that the term "Judeus noster" is invoked on occasion.13 The term, already familiar in the early twelfth century and widely used all through the thirteenth, certainly implies the Jew's deep dependency on his baronial overlord. Guillaume le Breton, the chronicler of the last years of the reign of Philip Augustus, finds the legal basis for the expulsion in this status of political dependency. In his poetic rendition of annulment of Jewish debts by Philip Augustus and

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10 See, for example, Delaborde, Recueil des actes de Philippe Auguste, vol. 1, doc. nos. 86, 94, 133, 134, 166, 223.
12 Ibid., vol. 1, doc. no. 90.
13 Ibid., vol. 1, doc. no. 134.
royal seizure of one-fifth, Guillaume claims that the king, had he wished, could have taken all, since these funds fell into the category of property and chattel of royal serfs. Whether the theory of Jewish political dependence was already widely accepted is questionable. The Jewish leaders of northern French Jewry, who debated the baronial right to limit Jewish movement and to confiscate the goods of tax-evading Jews, seem to know nothing of this far more radical claim to authority.

Rigord, who is the major source for the early years of the reign, takes quite a different tack. Again it must be emphasized that Rigord does not necessarily present the royal conception of these events; he does however reflect the attitudes of certain segments of French society at the time. Rigord sees the right to expel as rooted not in the political status of Jewish dependency but rather in the royal right—indeed obligation—to safeguard the religious purity of the realm. Rigord goes to great lengths to delineate a reasonable basis for each of the actions undertaken by the king. Each of these alleged Jewish crimes can be related to pre-1180 anti-Jewish sentiment; each is viewed as a reflection of the perversity and perfidy of the Jews; taken together they are seen by Rigord as justifying the vigorous action initiated by the “rex Christianissimus.” The three charges leveled by Rigord are: (1) malicious murder, an allegation whose development during the 1160’s and 1170’s has been traced; (2) usury, which is seen by Rigord as in itself a perversion of Biblical injunction and as a contributing factor toward the spectacle of economic oppression and toward the religious scandal of Judaizing on the part of Christians employed in the homes of wealthy Jews; and (3) the unspeakable desecrations committed by the Jews on religious articles that came into their possession as deposits for loans. It is the obligation of the royal authority—and Rigord emphasizes in his account the actions of Philip Augustus as monarch—to care for the religious state of his realm. Earlier, Louis VII had taken royal action when confronted with evidence of Judaizing on the part of newly-converted Christians; now, according to Rigord, Louis’s son set himself the task of purging his realm of sin.

It is unfortunate that we have no direct insight into the king’s own views. We do not know whether he shared Rigord’s attitudes or whether he cynically exploited them. What is clear is that anti-Jewish sentiments

14 Delaborde, Oeuvres de Rigord et de Guillaume le Breton, vol. 2, p. 22.
provided the fertile soil out of which the king’s campaign could spring, with immediate economic benefit and enhanced royal prestige as tangible gains.

Rigord’s claim that the expulsion was royal in scope as well as rationale is obviously incorrect. A number of contemporary historians restrict it to Philip’s domain only. More telling is royal documentation itself. In a charter dealing with the former synagogue of Étampes, Philip Augustus uses the expression “Judeis a terris nostris fugatis.” Given the limited size of the royal lands during the early years of Philip’s reign, only a fraction of northern French Jewry was affected. Evidence reveals expulsion from Paris, Bourges, Corbeil, Étampes, Melun, and Orléans. The flourishing Jewish communities in the baronies surrounding the royal domain were, as far as can be discerned, untouched. There is abundant record of Jewish life in the Angevin lands of the west; there are scattered references to continued Jewish presence in Auxerre, Bray, Provins, and Soissons in the east.

The fate of the expelled is not reflected in the surviving sources. It is, of course, easy to speculate that their normal response would be to move into adjacent Jewish communities. This would not have necessitated journeying great distances. The reduced size of the royal domain not only minimized the number of expellees; it also made relocation far easier. Short trips would bring them into safe territories, in the midst of Jewish communities with whom they shared a common vernacular, similar economic pursuits, and a like way of life. The influx of settlers must have strained the resources of the Jewish communities which served as refuges. As noted, population growth was a problem for the twelfth-century Jewish communities, with their limited economic outlets. Demographic expansion, resulting from an influx of expellees, was a serious matter. Jewish lenders were not prohibited, however, from plying their trade in the royal domain throughout the period of banishment. Philip’s order of September 1198 for the enforcement of debts owed Champenois Jews indicates this clearly. The possibility of lending in royal territories may have eased somewhat the economic hardships resulting from the expulsion.

Despite the absence of Jews from royal lands during the remainder of the 1180’s and most of the 1190’s, Philip Augustus continued to affect Jewish fate in France. In March 1188, as part of his preparations for the

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16 Note, for example, Robert of Auxerre in RHF, vol. 18, p. 251, and Albert of Trois-Fontaines in ibid., p. 746.
17 Delaborde, Recueil des actes de Philippe Auguste, vol. 1, doc. no. 99.
18 Ibid., vol. 2, doc. no. 583.
Crusade, Philip Augustus enacted an important ordinance concerning debts owed to Crusaders. The precedent for concern with debts owed by those taking the Cross lay in the famed bull of Pope Eugenius, *Quantum praedecessores*.\(^{19}\) Philip Augustus's measure, however, was somewhat different from the earlier papal proclamation. The pope's annulment of interest on debts owed by the Crusaders was not enacted by the French monarch. What was stipulated was, rather, an end to the accumulation of interest and a carefully arranged period for repaying the principal and the interest already accrued.\(^{20}\)

There were, of course, no Jews in the royal domain at this juncture. However, Jewish money-lending was being carried on in royal territory. More important, it seems likely that this edict was intended as royal legislation, applicable to the entire kingdom rather than to the domain only. From both points of view, then, the measure probably had a significant effect on the Jews of northern France, their absence from the king's own lands notwithstanding.

The second instance of royal impact on northern French Jewry was the vicious and Machiavellian incident at the Champenois town of Bray-sur-Seine, the bloodiest single attack in the history of medieval northern French Jewry.\(^{21}\) Philip Augustus had shown very little enthusiasm for crusading, tarrying only briefly in the East. By December 1191 he had returned to France and had celebrated Christmas at Fontainebleau. The following March, sojourning at Saint-Germain-en-Laye, the monarch heard reports of Jewish involvement in the death of one of his vassals at Bray-sur-Seine.\(^{22}\) The precise details of the incident are blurred. It involved allegations of murder leveled against the king's vassal by the Jews of Champagne, as well as Jewish involvement in his eventual punishment.\(^{23}\) Once more, Rigord presents the monarch in his now familiar guise of "most Christian king," setting out immediately to redress the unspeakable insult to the ruling faith. Philip traversed quickly the distance between Saint-Germain and Bray. He surrounded the town, captured its Jews, and executed eighty or more.

\(^{19}\)See above, chapter 2.


\(^{22}\)On the place and date of this incident, see ibid., pp. 2-5.

\(^{23}\)On the various renditions of the events leading up to the king's intervention, see ibid., pp. 5-7.
Disregarding Rigord’s continued attempt to emphasize royal dignity and prerogatives, it is possible to discern in this incident cold-blooded political cunning. Philip Augustus was, in all probability, acting not as monarch but simply as an aggrieved overlord. The Hebrew source for the incident notes that the slain Christian was the king’s vassal. Marching beyond his own domain to enforce feudal obligations is well-known as one of the methods consistently exploited by Philip Augustus to expand royal presence and power. In this instance, the circumstances were uniquely propitious. The count of Champagne, Henry II, was still in the East fighting in the Crusade that the king had so quickly abandoned. Henry’s large and important county was left under the temporary rule of his mother, Mary—a situation always fraught with danger. Philip thus grasped the opportunity afforded by the obligations of feudal law and the temporary political weakness in neighboring Champagne to begin to make royal power more deeply felt there. This was but the opening salvo in the royal campaign for control of the key border fortress of Bray-sur-Seine. The Jews of northern France, however, were in no position to appreciate the legal and political adroitness of the young monarch; for them the incident was the costliest and ugliest they had yet suffered.

During the years between 1182 and 1198, while Jewish settlement in the royal domain remained prohibited, Jewish presence continued—and in fact was probably augmented—in the baronies, large and small, surrounding the king’s own territories. The two major areas of settlement were the county of Champagne in the east and the Angevin lands in the west.

While materials for the history of Champenois Jewry at the end of the twelfth century remain sparse, records for Norman and Angevin Jewish life begin to multiply during the years immediately prior to Philip Augustus’s takeover in 1204. Since the data all stem from the copious governmental archives, certain facets of Jewish life emerge with comparative clarity, while others remain totally obscure.

The aspect of Jewish economic enterprise highlighted in the Angevin documentation is, of course, moneylending, particularly lending which involved substantial sums of money and governmental support. While no loan instruments themselves are preserved, they are frequently men-

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24 Ibid., pp. 7–9.
25 Note again the valuable study by Richardson on the Jews of Normandy during this period in his *The English Jewry under Angevin Kings*. 
tioned, usually in royal charters acquitting certain individuals of their obligation to repay debts and ordering that the documents in the possession of the Jewish creditor be returned. The securing of loans through the presentation of guarantors was also a common practice, again often revealed in quittance charters.

As noted earlier, lending carried on in cooperation with the governmental authorities involved a number of significant benefits for the Jews. The major disadvantage was the possibility of adverse governmental action. This danger is amply documented in the Angevin materials, with charters of quittance highly prominent. Related also is the practice of coercing the Jews into extending badly needed credit. In some instances it was the duke himself who was the recipient of such forced loans; in other cases it was a key figure to whom the duke wished to grant an important favor. Both these practices indicate that the negative features inhering in Jewish dependence on governmental business aid had already become obvious in Angevin lands by the end of the twelfth century.

While it was possible for barons other than the duke to possess Jews, almost all of the Jews in Angevin territory probably belonged directly to him. The relationship of Jew to overlord was articulated in an unusually precise manner. There survive, first of all, charters extended to individual Jews. In 1199, for example, Deusaie of Bernay was given a special grant of ducal protection and a promise of freedom from all tallages in return for an annual payment of five marks. Likewise, in 1204 Duke John wrote the seneschals of Normandy and the custodians of the Jews, ordering special protection for a Jew named Morrell. In the latter document, the price for such security is not spelled out.

The nexus between ducal authority and individual Jews is revealed also in a radically different kind of document, one that elaborates not on the government's responsibilities but rather on those of the Jews. In 1199, Dieudonné of Verneuil, one of the wealthiest Norman Jews, was forced to deposit substantial securities to reinforce his promise not to


27 Ibid., pp. 110, 114, 124.


30 Ibid., p. 27.

31 Hardy, Rotuli litterarum patentium, p. 73.
leave ducal territory. This concern for restricting the movement of well-to-do Jews became increasingly prominent during the ensuing decade.

The most striking example of the articulated political position of the Jews of Normandy and Anjou comes in the broad charter of 1201. This charter is the only one of its type for northern France prior to that of 1315. Such a grant of rights, so distinctly at variance with standard practice in northern France, must probably be seen as a reflection of the somewhat different situation in England. Whatever the explanation for this unique document, its contents are highly interesting. The provisions granted to the Jews fall into four major categories: (1) protection of life and limb; (2) safeguarding of property; (3) protection of business; and (4) regulation of judicial proceedings. Little is said of protection of Jewish life and limb. There is simply the order to royal officials “to guard and defend and protect” the Jews. No specific penalties are enumerated, as is so often done in German charters. Safeguarding Jewish property takes a number of forms, beginning with an affirmation of the Jews’ right to hold that property which they now honorably possess. Further stipulations assure the Jews the right to pass their property on to their heirs, the right to move freely with their goods throughout royal and ducal territory, and freedom from customs and tolls. Jewish moneylending is protected from a number of limitations sometimes imposed upon it. Specifically Jews may purchase or accept, most probably as pledges, “all things which may be brought to them, except those which belong to the state and bloodstained cloth.” Striking is the absence of a class of goods always mentioned in thirteenth-century ordinances on Jewish moneylending—Jews are not overtly prohibited from accepting Church vessels and ornaments.

The largest number of clauses in the charter deal with matters related to judicial procedure. The concerns exhibited include both the protection of the Jewish litigant and the reaffirmation of royal-ducal jurisdiction over the Jews. Perhaps the key provision is that which restricts litigation involving the Jews to the ducal courts. This stipulation undoubtedly served the purposes of both the Jews and the duke, affording the best possible guarantee of a fair hearing for the former and a strong reiteration of the political prerogatives of the latter. Other significant clauses include provision for mixed witnesses in cases involving contention between Jew and Christian and certification of the acceptability of

32 Idem, *Rotuli de oblatis et finibus*, p. 73.
writs held by the Jews for litigation. Since opposition to the use of such writs was occasionally voiced during the period, emphasis on their validity was far from superfluous.

The government’s concern for the Jews was in no way disinterested. The protections promised in 1201 were almost certainly paid for by the recipients of the charter. More important, they reflect the duke’s self-interest on a broader scale—the Jews represented a source of substantial revenue for a dangerously strapped government. Possibilities for exploiting Jewish business, with which the authorities were deeply involved, have already been noted. More profitable yet was direct taxation levied upon the Jews. H. G. Richardson has analyzed meticulously the extant data and has concluded “that the Jews of Normandy were taxed no more frequently than every two or three years and that in the fifteen years between Richard’s accession and John’s expulsion from the duchy not more than six or seven taxes are likely to have been imposed.”

While such taxation is mild when compared to the levies in England, the total income from the Norman and Angevin Jewish communities was in all probability not insubstantial. Above all, it was revenue that could be raised in a variety of ways—through direct taxation, through a multiplicity of fines, and through interference in Jewish lending operations.

Jewish affairs were well organized, far better than in the neighboring Capetian lands. Evidence for the diverse activities of the Norman “keeper of the Jews” is contained in the documentation on the most prominent of these officials, Richard of Villequier. Richard was involved with taxation of the Jews; he was also deeply enmeshed in Jewish economic affairs. His business concerns ranged from enforcement of Jewish debts, a major boon to the Jews, to quittance of such debts, an important liability.

Unfortunately there are practically no sources for internal aspects of the life of Norman and Angevin Jewry. These Jewries are mentioned in a number of the major ordinances of R. Jacob Tam, although specific communities and leaders are not singled out. The level of development of these communities must remain obscure for the present.

By 1204, Norman and Angevin Jewry had fallen under Capetian control. This change of authority was destined to bring with it, however, no major alteration of Jewish status. Philip Augustus, whether

34 Richardson, English Jewry under Angevin Kings, p. 203.
36 See above, chapter 2.
influenced by the Angevin model or not, was himself moving inexorably towards a more tightly centralized monarchy, with a concomitant concern for enhanced control and exploitation of his Jews.

In 1199, an errant arrow cut short the dynamic career of Richard, king of England and duke of Normandy. With the demise of this worthy adversary, the fate of the Angevin lands in western France was sealed—his successor was simply no match for the crafty and experienced Philip Augustus. By the end of the first decade of the thirteenth century, the French monarch was, for the first time, master of most of northern France. Direct royal control now extended westward over the vast Norman and Angevin territories. In the east, the death of the count of Champagne had left his widow regent for their posthumous son, a regency that was to last some twenty years. For a shrewd political manipulator like Philip Augustus, such an arrangement offered inestimable possibilities for the expansion of royal authority.\(^\text{37}\) With the return of the Jews to the Île-de-France in 1198, the absorption of Norman Jewry into the royal domain in 1204, and the growing royal influence over Blanche of Champagne, the fate of all of northern French Jewry became ever more firmly conditioned by the attitudes and actions of the king of France.

In his rehearsal of the events of 1198, Rigord, who had featured so prominently the anti-Jewish programs of 1180 through 1182, grumbles plaintively that “King Philip, against the advice of all men and his own edict, returned the Jews to Paris.”\(^\text{38}\) Actually, the very same anti-Jewish agitation that had either directly instigated the expulsion of 1182 or at least facilitated it now led to the recall of the Jews to the royal domain. The reforming ideals of late-twelfth-century Parisian academic circles were not limited to the schools; there was every endeavor to bring them to the populace at large through the preaching of gifted clerics.\(^\text{39}\) One of the most successful of these preaching efforts was that conducted by Fulk of Neuilly between 1195 and 1200. Aimed primarily at the twin evils of usury and prostitution, Fulk’s campaign spilled over against the Jews.

In those days, moreover, the Jews were troubled with serious plundering and affliction. For since the lord Fulk demanded the complete

\(^{37}\text{Powicke, The Loss of Normandy; Arbois de Jubainville, Histoire des ducs et des comtes de Champagne.}\)

\(^{38}\text{Delaborde, Oeuvres de Rigord et de Guillaume le Breton, vol. 1, p. 141.}\)

\(^{39}\text{On these influential ecclesiastical circles, see John Baldwin, Masters, Princes and Merchants: The Social Views of Peter the Chanter and His Circle, 2 vols. (Princeton, 1969).}\)
extirpation of sins and the implanting of virtues and utterly abhorred usurers, he detested the Jews in all ways, because many of us were weakened by infinite and heavy usuries. Hence through his instigation, and through the efforts of the bishops, it was brought to pass that half of all debts owed to the Jews were to be repudiated and half were to be paid at decreed terms. But some of the barons commanded that they be expelled from their lands; however the expelled were received and returned by the king. Truly that detracted no little from the king's reputation, when those whom he had expelled a long time back he admitted again.40

The movement stirred up by Fulk was thus utilized by the king to reverse his earlier policies concerning the Jews. It has been widely suggested that the mature Philip Augustus realized that, while profiting handsomely from the expulsion, he had stripped himself of an important flow of steady revenue; now the time was ripe for recouping his loss.

The return began in July, and important steps were taken a few months later to stabilize the status of the king's new Jews. With the treaties of September 1198, a new stage in the regulation of Jewish affairs began. On that date the king and the count of Champagne came to a series of agreements.

Let all whom the present letter reaches know that we have conceded that we shall retain in our land none of the Jews of our most beloved and faithful nephew, Theobald count of Troyes, unless with the verbal consent of that count; and that none of our Jews will be permitted to lend money to anyone nor to seize anyone or anything in the land of the aforesaid count unless with the verbal assent of the aforesaid count. The same Count Theobald conceded to us that he will retain none of our Jews in his land, unless with our verbal consent; and that none of his Jews will be permitted to lend money to anyone nor to seize anyone or anything in our land, unless with our verbal consent.41

The count, for his part, swore essentially the same thing. To this was added the king's order to the bailiffs and provosts of the royal domain to enforce the debts owed to Theobald's Jews.42

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41 Delaborde, Recueil des actes de Philippe Auguste, vol. 2, doc. no. 582. The count's version can be found in Layettes, vol. 1, doc. no. 479.
42 Delaborde, Recueil des actes de Philippe Auguste, vol. 2, doc. no. 583.
These well-known treaties require fresh analysis. What were the advantages to each of the signers, major holders of Jews in northern France? For the king, the agreements represented, first of all, a recognition of his newly-acquired title to a number of Jews. Equally important, the prohibition of lending by Champenois Jews in the royal domain-unless granted special royal permission-meant the building of a viable economic outlet for the newly-settled royal Jews, incentive for the enticement of new Jewish residents, and finally a safeguard for royal profit from those Jews who did occupy the king's lands.\footnote{Caro, Sozial- und Wirtschaftsgeschichte der Juden, p. 362, and Baron, A Social and Religious History of the Jews, vol. 4, pp. 62-63, suggest that these treaties were a royal effort "to secure the forcible return of those Jewish exiles from the royal possessions who had found new homes in the adjacent provinces." This seems unlikely. Recognition of a sixteen-year-old claim to Jews who had been willfully banished by the king himself is highly doubtful. Our analysis has shown that the treaties held tangible advantages for Philip Augustus, without postulating a forced return.} For the count, on the other hand, the agreements meant that, should the king aggressively seek new royal Jews, as he was likely to do, the search would draw Jews from areas other than Champagne. Each of the parties then had much to gain; the only losers were the Jews themselves, who suffered diminution of both political and economic rights. The agreements of 1198 were only the beginning. Such treaties abound during the first two decades of the thirteenth century, eventually giving way to the more general \textit{stabilimenta} of 1223 and 1230.\footnote{On this development, see Langmuir, "'Judei Nostri' and the Beginning of Capetian Legislation."}

The agreements of September 1198, struck so soon after return of the Jews to the royal domain, offered clear indication that the status of northern French Jewry was in a state of flux. The major developments of the remaining decades of the reign of Philip Augustus were conditioned by the increasing financial needs of the monarch, by the growing stabilization of Capetian administration, and by accelerating Church pressures for royal sanctions against certain aspects of Jewish life. For the Jews of the expanded royal domain, and indeed of the major baronies as well, the result was enhanced regulation, limitation, and exploitation.

The first years of the new century saw the feverish efforts of the Capetian king to humble his weak Angevin rival; his successes are well known. The struggle with John, however, dragged on for a decade and a half, culminating only in the major French triumph at Bouvines. Throughout this period the economic needs of both thrones were desperate, and the Jews represented one of the few resources that could be taxed almost without limit.
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The first prerequisite for effective exploitation of the Jews was demographic stabilization. We have seen Philip Augustus concerned with this issue immediately upon recall of the Jews. The effort to restrict “his” Jews proceeded beyond the treaties reached with neighboring barons. There was a strong drive to bind the Jews directly. Dating from shortly after the conquest of Normandy, a list survives of Norman Jews who deposited substantial pledges and swore to remain in royal territory.45 A more extended Jewish declaration to remain in the domain of Blanche of Champagne comes from the wealthy Jew Cresselin of Provins. According to a document drawn up by the royal chancery, Cresselin had promised that

he would transfer to the aforesaid countess and her heirs all the debts owed to him, if he were to flee or to remove himself to the domain of another. Beyond this, he gave the same countess hostages as proof that he would not flee her or her heirs. If he were to do that, the countess or her heirs could take and hold his debts as their own and seize his hostages.46

The rabbis of the period discussed this new baronial drive towards limitation of Jewish movement and were decidedly opposed. Analyzing the religious validity of such oaths taken by Jews, R. Isaac of Dampierre, a late-twelfth-century authority, states:

And thus is the practice when the oppressors force the Jews living under their rule to swear that they will not leave for another town. They are permitted to swear generally that they will not leave and silently add “today.” Even if he [the Jew] states explicitly that he will not leave forever, he may add silently any qualification.47

The related issue of confiscation of the property of fleeing Jews also came in for rabbinic objection.48 Objections notwithstanding, rigorous limitation of the Jews became the accepted norm.

The limitations on Jewish movement could always be suspended with the assent of the barons involved. In June 1219, for example, Walter, seigneur of Vignory, promised safeguards for certain Champenois Jews who had come to live in his domain. These Jews continued to belong to the countess of Champagne and were only free to make the move with

46 Delaborde, Recueil des actes de Philippe Auguste, vol. 2, doc. no. 776.
47 Tosafot Bava Kamma, 113a, s.v. Nodrim.
48 Ibid., 58a, s.v. I Nammi. R. Isaac of Dampierre claims that in adjacent areas the legal status of the Jews allowed them free movement.
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permission from both the countess and the lord of Vignory. Despite such exceptions, the new emphasis on the right to limit Jewish movement unquestionably constricted Jewish economic and personal freedom and enhanced the developing notion of Jewish political subjugation.

Along with limitation of Jewish movement came regularization of lending procedures, designed to limit abuses and to provide accurate information on the Jewish economic situation. The apparatus for such regularization had existed in Normandy for some time; it was introduced into the rest of the royal domain during the first two decades of the thirteenth century. In the joint legislation of 1206, signed by Philip Augustus, Blanche of Champagne, and Guy of Dampierre, provision was made for selecting two burghers in each city who would have custody of the seal used for validating Jewish loans and one special scribe who would write the loan documents. A later ordinance, enacted sometime between 1206 and 1219, further stipulated that the two burghers entrusted with the seal would henceforth bear the additional responsibility of retaining a copy of the loan document. Philip Augustus's third important ordinance concerning the Jews, the edict of February 1219, did not add any further regulations for Jewish lending practices in the old royal domain. It did order that in Normandy both the debt and the assignamentum from which the debt would be paid should be enrolled before the bailiff and his court. The success of these efforts is best indicated by the rather extensive statistics on Jewish loans compiled by royal officials at the end of the first decade of the thirteenth century. Such detailed information presupposed fairly successful enforcement of the new regulations for recording Jewish loan arrangements.

The evidence for governmental exploitation of Jewish business is relatively sparse, since full tax records are available only from the end of the century. From the fragmentary data we can discover only some of the major types of taxes imposed upon the Jews and a few instances of unusually heavy imposition. The governmental budget of 1202-1203 preserves random record of the revenue derived from the Jews. Jewish lending operations were a double source of income—some from the writing of the loan instrument and some from the affixing of

50 Delaborde, Recueil des actes de Philippe Auguste, vol. 2, doc. no. 955.
51 Ordonnances, vol. 11, p. 315.
52 Ibid., vol. 1, pp. 35-37.
the royal seal. There is also an interesting item registered as "pro vino." This seems to be a standard early tax on Jewish wine, noted also prior to the reign of Philip Augustus.

A special impost levied in 1222 provides unusual information on the normal categories of taxation imposed on the Jews. In order to facilitate payment of this heavy fine, Blanche of Champagne and her son Theobald ordered that all standard Jewish revenues were to be turned over to the Jewish community for the five-year period during which the fine was to be paid. We thus learn that the Jews of Champagne paid a cens, a tax upon settling in the county, a tax on the seals used for registering their debts, a toll for cleaning causeways, as well as an inheritance tax and a tax upon departure from the county.

In a period of rapidly escalating governmental expenditures, the Jews were particularly useful for the special tax burdens to which they could be subjected. In May 1222, the count of Champagne and his mother, badly in need of funds, imposed a special fine of 70,000 pounds on their Jews, to be paid over the ensuing five years. As noted, during this special period, all the normal taxes paid by the Jews were to be directed to the Jewish community officials, to aid them in their onerous task of meeting the heavy yearly installments. Some of the strain of meeting this special burden is reflected in a comital document, dated October 1222, confirming the agreement between the Jewish community of Champagne and one of its wealthiest members as to his precise obligation.

During the period 1198–1223, the heaviest single exaction from the Jewish community of northern France came in 1210. The paucity of evidence for this incident has led to its general neglect; yet there can be little doubt as to the broad outlines of the affair. Again the financial needs of the crown led Philip Augustus to exploit his Jews, just as John Lackland was despoiling his. Philip laid the groundwork for his maneuvers carefully, renewing, in May 1210, nonretention treaties with the countess of Champagne, the count of Nevers, and the count of Saint-

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55 Ibid., p. CII a.

56 See above, chapter 2.


58 Ibid.

This enabled the monarch to proceed without fear of a large-scale defection of Jews to neighboring territories. There followed, later the same year, a mass arrest of the Jews. How many were detained is unclear, but a list of Jews held prisoner in the Châtelet includes some of the wealthiest members of the community. The major focus of royal cupidity was the realization of Jewish loans. An extensive list of debts owed the Jews probably served as the guideline for exploitation of these funds. The financial crisis of 1210 seriously affected northern French Jewry. The evidence for a major migration, in 1211, of both English and French Jews to Palestine is undoubtedly related to the heavy exactions of John and Philip.

While regulation of Jewish affairs and exploitation of Jewish resources became increasingly serious problems during the first decades of the thirteenth century, these were not the only major pressures felt by the Jewish communities of northern France. The reforming Church circles of Paris, already active at the close of the twelfth century, continued to press programs that in many ways impinged on the Jews. With the rise to the papacy of Innocent III, formerly a capable and vigorous member of the Paris circles, these programs gained important new support.

The concerns voiced relating to the Jews were many and varied, but the major preoccupation was Jewish moneylending. Opposition to Jewish usury ranged from demands for elimination of specific abuses to an outright negation of the Jews' right to lend at interest.

One of the peripheral issues related to Jewish moneylending was the schools for Jewish children, "where they teach them their doctrines which are contrary to the true fundamentals of learning, and where they instruct them so that they may write down the debts due to their parents which these obtain through usury." Another minor concern was the tithes, which the churches lost as property fell into the hands of Jews through unpaid obligations. Far more serious was the matter of Jewish wealth acquired through usury and the power it gave the Jews over Christians in their employ. Papal letters and Church synods affirm and reaffirm the prohibition of Christian servants in Jewish houses,

60 Delaborde, Recueil des actes de Philippe Auguste, vol. 3, doc. no. 1127; Layettes, vol. 1, doc. nos. 922, 923.
63 See fuller discussion below.
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seemingly with relatively little impact on widespread practice. An­other serious problem was the depositing of ecclesiastical goods with Jewish creditors, raising possibilities for blasphemous mishandling.

Church leaders were deeply disturbed over the matter of debts owed Jews by Crusaders. The papal bull concerning the Second Crusade, Quantum praedecessores, had ordered the remission of all past interest owed by Crusaders. While Jewish creditors had not been singled out, French Jewry seems to have suffered significant financial loss as the result of Louis VII's enforcement of remission. On the eve of the Third Crusade, Philip Augustus had failed to decree a remission of past usury but had imposed a two-year period of grace during which obligations were to be paid without the accrual of additional interest. At the end of the twelfth century and the beginning of the thirteenth, Pope Innocent III vigorously demanded remission of past usury for Crusaders, based on the earlier precedent. This insistence occasioned stiff objection in baronial circles, as evidenced by a letter from the duke of Burgundy to the king. By 1208 the pope had intensified his demands, urging both the remission of past usury and a moratorium on payment of the principal. Finally, among the decrees of the IV Lateran Council was the provision that:

... the secular powers shall compel the Jews to remit their usury, and until the Jews have done so they shall be denied commercial intercourse with Christians, the latter being forced to do so under pain of excommunication. Moreover, for those who are unable at the present time to pay their debts to the Jews, the princes shall procure the needed moratorium, so that, until their death or return be definitely established, they shall not suffer any inconvenience of accruing interest. The Jews shall be compelled to count into the capital the income from the gage, minus the cost of maintenance, which it will yield in the meantime.

This threefold demand thereafter became the classical formulation of Church policy concerning Crusader debts.

66 Ibid., pp. 106-7, 114-17, 300-301, 306-7; Delaborde, Recueil des actes de Philippe Auguste, vol. 2, doc. no. 900.
68 See above, chapter 2.
69 See above.
70 Layettes, vol. 1, doc. no. 768.
72 Ibid., pp. 312-13.
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All was far from smooth, however, when it came to enlisting secular support for this policy. The objections of the duke of Burgundy have already been noted. The ordinance of 1206, decreed for the royal domain and Champagne, did not satisfy Church demands on the Crusader issue. All that Philip Augustus and Blanche of Champagne provided was a steady two pennies per pound per week accrual of interest, which seems only to have protected the Crusaders from the danger of continual compounding of interest.footnote{73} In early 1217, Blanche of Champagne complained to Pope Honorius III that the archbishop of Sens and his suffragans “refused to permit to her the very same privileges with regard to crusaders and the Jews, who live in the territory of this Countess, which they permitted to Philip, king of France with regard to the Jews who live in his domain.”footnote{74} Unfortunately the papal reply, dated June 21, 1219, speaks only of unspecified excesses by the archbishop of Sens, without clarifying in any way the special privileges supposedly awarded Philip Augustus.footnote{75} We can only speculate as to whether the king and the Church had come to some official compromise on their positions.

In the IV Lateran Council, anti-usury sentiment took a new turn, expressing itself in a condemnation of excessive Jewish usury. The well-known pronouncement on this issue emphasizes the strong campaign against Christian usurers and the concomitant increase in Jewish lending.

The more the Christian religion refrains from the exaction of usury, the more does the Jewish perfidy become used to this practice, so that in a short time the Jews exhaust the financial strength of the Christians. Therefore, in our desire to protect the Christians in this matter, that they should not be excessively oppressed by the Jews, we order by a decree of this Synod, that when in the future a Jew, under any pretext, extorts heavy and immoderate usury from a Christian, all relationship with Christians shall therefore be denied him until he shall have made sufficient amends for his exorbitant exactions. The Christians, moreover, if need be, shall be compelled by ecclesiastical punishment without appeal, to abstain from such commerce. We also impose this upon the princes, not to be aroused against the Christians because of this, but rather to try to keep the Jews from this practice.footnote{76}

footnote {73} Delaborde, Recueil des actes de Philippe Auguste, vol. 2, doc. no. 955.
footnote {74} Grayzel, The Church and the Jews in the XIIIth Century, pp. 144–45.
footnote {75} Ibid., pp. 150–53.
footnote {76} Ibid., pp. 306–7.
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The growing opposition to Jewish usury was generally pragmatic, pointing to resultant abuses such as impoverishment of the Christian lower classes, unseemly wealth on the part of the Jews, resultant influence over the behavior of servants hired with these riches, and misuse of ecclesiastical objects acquired through lending. Such charges are prominent in the condemnation of the Jews by Rigord and are adduced by him as part of the justification for the king’s program of despoliation and expulsion.77

There developed, at the same time, a theoretical assault on the fundamental right of the Jews to lend at interest. This attack began with the crucial passage in the book of Deuteronomy.

You shall not deduct interest from loans to your countryman, whether in money or food or anything else that can be deducted as interest. You may deduct interest from loans to foreigners, but not from loans to your countryman.78

Robert de Courçon, a key member of the Paris circle of influential theologians, proposed that in fact Christians did not fall into the category of “foreigners”; rather they were to be viewed as “sojourners” whom the Jews were enjoined not to injure or oppress.79 The same attitude is reflected in the following observation by Rigord: “And whereas the Lord has said by the mouth of Moses in Deuteronomy, ‘Thou shalt not lend upon usury to thy brother,’ but ‘to a foreigner,’ the Jews in their wickedness understood by ‘foreigner’ every Christian, and they took from the Christians their money at usury.”80

The Jews of the period seem to have been alert to this new repudiation of their right to usury from the Christians. R. Moses of Paris, a late-twelfth-century scholar, is reported to have opposed the following view:

Perhaps the rebellious contend that they are our brethren, since it is written: “You shall not abhor an Edomite, for he is your kinsman” (Deut. 23:8). R. Moses of Paris replied that the prophet Obadiah removed the quality of brotherhood, when he said: “When foreigners trooped in by his gates and parcelled out Jerusalem by lot, you yourselves were of one mind with them” (Obad. 11). There he spoke

77 See above.
80 Marcus, The Jew in the Medieval World, p. 25. I have modified the translation slightly.
of Edom, as is written at the beginning of the book: “Thus the Lord God has said concerning Edom” (Obad. 1).  

Church leadership active in the struggle against Jewish usury was well aware that the level of Jewish moneylending could only be diminished with the continued cooperation of the barony and that the barons in fact profited greatly from Jewish interest. While the Church often spoke in terms of its own resources, especially the decree of excommunication against those doing business with Jewish usurers, it generally recognized that an effective campaign against Jewish usury would have to enlist the support of the Jews’ protectors. While such rulers as Philip Augustus, the countess of Champagne, and the duke of Burgundy were sharp in their opposition to Church demands, the major legislation of the reign of Philip Augustus definitely shows the growing impact of Church objection to Jewish usury, grounded in both theological and social concerns.

The legislation of 1206, aimed partially at more effective control and exploitation of Jewish lending, also imposed some important limitations on this lending.  

This restriction took two major forms. First, the rate of interest was fixed at approximately 43 percent per annum. Second, the earliest time for reckoning interest was set at one year, in an effort to outlaw the compounding of interest before the first year of the debt had elapsed. While the establishment of a legal interest rate of 43 percent is the most widely-known provision of this ordinance, the clause on compounding of interest was probably equally significant from the viewpoint of the Jewish creditor.

In addition to these two important provisions, two further issues of concern to Church circles were mentioned. The problem of usury owed by Crusaders was treated in a manner far from satisfactory from the ecclesiastical point of view. Instead of remission of past usury and a moratorium on the repayment of the principal, there was simply the order that such debts were to run at a steady two pennies per pound per week, eliminating only the burden of compounded interest. More acceptable was the provision that there could be no lending against ecclesiastical goods, a matter which had aroused great indignation.


82 Delaborde, Recueil des actes de Philippe Auguste, vol. 2, doc. no. 955.
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The next important legislation on Jewish lending, promulgated between 1206 and 1219, added a serious new restriction. Henceforth interest was not to run beyond one year, meaning that compound interest was now completely outlawed.\(^{83}\) There could be no compounding within the first year as a result of the legislation of 1206, and now there could be no interest whatsoever after the first year. It is significant that this ordinance ended with a warning to royal officials to enforce promptly Jewish debts. This order is directly related to the restriction of interest to one year; since long-term debts were henceforth profitless, any delay in repayment meant pure financial loss to the Jew.

In 1219, legislation concerning Jewish usury took an important new turn.\(^{84}\) Heretofore such legislation had attacked only excessive profit from usury and certain specific abuses. Now the government exhibited a concern for entire segments of the population, prohibiting Jews from lending to all those who supported themselves by their own labor, without benefit of accumulated property or capital. Jews were similarly barred from lending to monks or canons, unless they had written permission from their superiors. There is a strenuous effort here to protect the poorer classes from the depredations of Jewish creditors. There was even an attempt to safeguard the wealthier class from the loss of family property through mounting obligations. In all loan agreements, which could involve henceforth only the propertied class, provision was to be made for an assignamentum, or assigned income, from which the loan would eventually be repaid.

The ills which this law was designed to cure are revealed by the stipulations made for loans contracted prior to the new regulation. No Christian was to be imprisoned for nonpayment (as the poorer elements would have been); nor was anyone to be forced to sell his property (as would have been the case for the wealthier). The impoverished were to have a three-year period during which to discharge their obligations. The propertied were to assign two-thirds of their income to their creditors until the obligation was met.\(^{85}\)

\(^{83}\) *Ordonnances*, vol. 11, p. 315. Note in this regard the agreement drawn up in 1194 in favor of the burghers of Auxerre, stipulating that the Jews could draw interest on their loans for no more than two years (Maximilien Quantin, ed., *Cartulaire général de l'Yonne*, 2 vols. [Auxerre, 1854], vol. 2, p. 461).

\(^{84}\) *Ordonnances*, vol. 1, pp. 35–37.

\(^{85}\) These new provisions were not always observed. Note, for example, the sale of lands in Normandy in 1222 to pay debts owed to the Jews (Lucien Musset, "Morel de Falaise, brasseur d'affaires du XIIIe siècle," *Bulletin de la Société des Antiquaires de Normandie* 50 [1946–48]: 308). For further instances of such disregard, see below, chapter 4.
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All of this legislation undoubtedly represents major progress on the part of the Church in its efforts to stamp out the ills stemming from Jewish usury. Despite his strength and independent mind, even the powerful Philip Augustus was deeply influenced by these new ecclesiastical pressures.

In the years between 1198 and 1223, the Jews of northern France may well have continued the demographic growth and spread noted in the earlier periods. As documentation becomes more plentiful, we glean solid evidence for the first time of Jewish settlements in specific minor towns, a tendency not new to the early thirteenth century, but perhaps still on the increase.86

Certainly the demographic instability signaled by the expulsion of 1182 from the royal domain was far from ended with recall in 1198. That return itself was occasioned by a series of local expulsions stirred up by the preaching of Fulk of Neuilly.87 The order of expulsion issued by the count of Auxerre in 1201, at the instigation of the local bishop, may well have been part of the aftermath of Fulk’s preaching.88 Also notable during this period are specific grants to certain locales of the right to exclude Jews. Such privileges were extended to Saint-Spires of Corbeil and to the town of Liquièl.89

The end of the first decade of the new century saw a significant voluntary movement of Jews. The report preserved in the sixteenth-century Shevet Yehudah has long intrigued Jewish historians. According to this account, “in the year 4971 the Lord aroused the rabbis of France and of England to make their way to Jerusalem. Indeed they counted more than three hundred. The king honored them greatly, and they built for themselves synagogues and houses of study.”90 Some contemporary corroboration for this late account does exist, including a report by the son of the great Maimonides concerning R. Joseph b. Baruch of Clisson and his brother, who visited Egypt on their way to Jerusalem, and mention by the Spanish poet Alharizi of his visit with

87 See above.
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the same northern French rabbis in Jerusalem.91 The wave of immigrants to Palestine was divided into southern and northern French components. The northern French pilgrims, who included the famous R. Samson of Sens, were stimulated not by the curious philosophic and religious programs often suggested but by the immediate problems stemming from the wide-ranging royal confiscation of 1210.92 The late tradition of an emigration from both France and England reflects serious attacks on Jewish economic life in both countries.

Jewish economic life revolved primarily about moneylending, as had been the case already in the mid-twelfth century. Rigord, like Bernard of Clairvaux, Peter Abelard, and Ephraim of Bonn, notes explicitly the central role of Jewish moneylending, although Rigord's generally hostile bent towards the Jews makes his testimony suspect.93 During this period, however, a new type of evidence makes its appearance. It is highly significant that the treaties exchanged between Philip Augustus and Theobald of Champagne in 1198 deal with the Jews exclusively as usurers.94 This is the only vocation mentioned and a major preoccupation of the agreements. Further, each of the three major legislative acts of Philip Augustus concerning the Jews dealt almost exclusively with Jewish lending.95 There were certainly other economic outlets available to the Jews; their major occupation, however, unquestionably lay in usury.

Lending against pledges continued to be a normal procedure, although, as always, such dealings have left very little in the way of tangible evidence. Such lending is reflected in the prohibition of Jewish acceptance of Church objects as pledges for loans in two of the three ordinances of Philip Augustus. The ordinance of 1219 in fact expands the category of prohibited pledges. In addition to Church items and stained garments, which were assumed to imply violence and wrongdoing, this edict outlaws the acceptance of certain basic tools indispensable to the work of the farmer and the craftsman.96

92 On the supposed philosophic and religious motivations, see Samuel Krauss, "L'émigration de 300 rabbins en Palestine en l'an 1211," REJ 82 (1926): 333–43; on the confiscation of 1210, see above.
94 Delaborde, Recueil des actes de Philippe Auguste, vol. 2, doc. no. 582; Layettes, vol. 1, doc. no. 479.
95 Delaborde, Recueil des actes de Philippe Auguste, vol. 2, doc. no. 955; Ordonnances, vol. 1, pp. 35–37, and vol. 11, p. 315.
96 Ibid.

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While lending assured by governmental charters was prevalent prior to Philip Augustus, it is from his reign that we possess the most detailed information on practice and procedures. In view of the widespread use of these charters and of the stabilization of techniques through Capetian legislation, it is striking that no loan charter as such has survived. The thorough disappearance of these charters is due undoubtedly to the inclination of the debtor to destroy such materials after the loan had been repaid and to the very specific developments of the reigns of Louis VIII and Louis IX.  

The procedures for loans by charter were increasingly standardized during the reign of Philip Augustus. The ordinance of 1206 stipulates the appointment in every town of one special scribe for Jewish loan charters. In 1219, provision was made for the retention of copies of the loan documents. On each charter a seal was to be affixed. This seal was to be entrusted to two of the most upright citizens of each town. The ordinance of 1206 enjoined new seals for Jewish loans, designed to replace those already in use in the royal domain and in Champagne. While none of these new seals have survived, we do possess two examples of those in use prior to 1206. Interestingly, neither of these seals is affixed to a Jewish loan contract. One is found on a deed attesting sale of property to the abbey of Saint-Denis in order to repay debts owed to Jews. The second is appended to a document ceding to the abbey of Saint-Victor property held in gage by the Jews. Clearly, the use of the seal was not limited to the loan instrument itself. A second interesting aspect of these seals is their uniformity. Although one is for the Jews of Pontoise and the other for the Jews of Paris, the design is exactly the same in both cases. This suggests that one royal seal may have been utilized throughout the kingdom. In a charter of 1203, the seal for the Jews of Provins, in the county of Champagne, is mentioned. Although the original document still exists, the seal has been lost. It is quite possible that the design of this seal

97 See below, chapter 4.
98 Delaborde, Recueil des actes de Philippe Auguste, vol. 2, doc. no. 955.
100 Delaborde, Recueil des actes de Philippe Auguste, vol. 2, doc. no. 955.
103 Ibid., p. 64.
104 Michel Veissière, Une Communauté canoniale au Moyen Age, Saint-Quiriac-de-Provins (Provins, 1961), pp. 289–90.
might have revealed the joint regulation of Jewish loans by the king of France and the count of Champagne even before the important ordinance of 1206. This possibility, however, is relegated to the realm of conjecture by the loss of the Provins seal.

These documents and seals were a source of royal profit from the Jews during the early thirteenth century. In the rolls for 1202–1203, the most complete financial record available for these years, the taxes levied on Jewish charters and seals are indicated a number of times.¹⁰⁵

A complaint by Innocent III in 1205 reflects the seriousness with which these loan contracts were treated. Having been drawn up and attested carefully, they obviously carried great weight in litigation. Thus, the pope complains:

Moreover, although the same council (i.e., III Lateran) decided to admit Christian evidence against Jews in lawsuits that arise between the two, since they use Jewish witnesses against Christians, and although it decreed that whoever preferred the Jews to the Christians in this matter should be anathematized, yet they have to this day been given the preference in the French realm to such an extent that Christian witnesses are not believed against them, while they are admitted to testimony against Christians. Thus, if the Christians to whom they have loaned money on usury, bring Christian witnesses about the facts in the case (the Jews) are given more credence because of the document which the indiscreet debtor had left with them through negligence or carelessness, than are the Christians through the witnesses produced.¹⁰⁶

Although the papal logic here is questionable, the importance of the loan instruments in court proceedings is not.

The loan charter was, of course, worthless except insofar as it assured the creditor powerful governmental backing for his claims. In his letter of January 17, 1208, Innocent III complained to the count of Nevers of comital support for Jewish usury.¹⁰⁷ The late-twelfth-century moralist, Guiot of Provins, bitterly criticizes the lords who sustain Jewish money-lenders, claiming that the severest punishment will be meted out to these erring Christians.¹⁰⁸ Numerous documents of the period indicate that the objections of Innocent III, Guiot of Provins, and others were far from groundless. Clearly there was significant governmental support.

¹⁰⁵ See above.
¹⁰⁷ Ibid., pp. 126–27.
In September 1198, as part of his complex agreement with Count Theobald, Philip Augustus ordered his bailiffs and provosts to enforce debts owed to the Jews of the count of Champagne.\(^{109}\) In February 1216, the seigneur of Bourbon promised to enforce debts owed to the Jews of the same count.\(^{110}\) In September 1218, Philip Augustus repeated his order of twenty years earlier.\(^{111}\) The king's second important edict concerning Jewish moneylending, issued sometime between 1206 and 1219, ended with the exhortation to all duly empowered authorities to facilitate immediately the repayment of Jewish loans.\(^{112}\)

A royal official, the *praepositus Judaeorum*, or provost for Jewish affairs, continued to exercise prime responsibility for the enforcement of Jewish loans. In 1204, the abbot of Saint-Germain ordered the provost for Jewish affairs to pay the Jews of Pontoise 143 pounds owed by a certain Batella, who had sold some of his possessions to the abbey in order to pay these debts.\(^{113}\) During the same year, the abbot of Saint-Denis made a similar request, indicating that Batella had sold further possessions to his abbey for the same reason.\(^{114}\) In the second instance the provost is identified as Robert de Baan. In both cases he is clearly involved in the process of enforcing Jewish loans. In fact the provost for Jewish affairs seems to have operated as a sort of clearing house for Jewish loans, accepting moneys from those ready to discharge their obligation and transferring funds to the Jewish creditors.

Even with governmental support, the moneys owed to the Jews had to be produced from some source. In many cases the borrower simply lacked the necessary funds to repay his debt. Where the impoverished debtor possessed land, he could of course sell or be forced to sell his lands in order to pay his debts. Such sales are well attested in thirteenth-century documentary sources. Richardson, in his study of English Jewry, discusses at length the impact of Jewish lending on land transfer in England.\(^{115}\) Jewish lending in France seems to have had the same results, although perhaps on a more limited scale. The pressures on Christian lenders to sell landed inheritance aroused ire in Church circles, as reflected, for example, in the complaints of Rigord.\(^{116}\)

\(^{109}\) Delaborde, *Recueil des actes de Philippe Auguste*, vol. 2, doc. no. 582.


\(^{111}\) Ibid.

\(^{112}\) *Ordonnances*, vol. 11, p. 315.


\(^{114}\) Neubauer, "Documents inédits—XI—XII," p. 63.


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Capetian government responded to ecclesiastical demands by prohibiting in 1219 the forced sale of property for the payment of Jewish loans.\textsuperscript{117} In the ordinance forbidding such sale, the method specified for the repayment of Jewish debts was the assigning of income to the Jewish creditor over a fixed period of time. \textit{Assignamenta} included such diverse revenues as income from the fairs of Champagne, the bread tax on the city of Paris, and annual levies from minor monasteries.\textsuperscript{118} The problems in collecting such revenues are mirrored in the proviso that, where collection is impeded, the normal interest rate begins once more and continues to accrue until payment from the \textit{assignamentum} resumes.\textsuperscript{119} It was no easy matter to realize the promised revenue, and the safeguards provided for the Jewish creditor seem to have been of limited value. Ultimately, the effectiveness of these measures depended on baronial will.

In extreme cases, the debtor unable to meet his obligations could be imprisoned. Such imprisonment figures in Rigord's condemnation of Jewish usury.\textsuperscript{120} Among the reform measures legislated in 1219 was the outlawing henceforth of any such imprisonment.\textsuperscript{121} An additional safeguard for the creditor was the specifying of certain individuals as surety for the loan. These guarantors were liable to the same penalties as the original borrowers. The protections afforded to French debtors in 1219 were extended to the guarantors as well. They too could no longer be forced to sell their property nor be imprisoned, as had been the case heretofore.\textsuperscript{122} Through the early years of Philip Augustus's reign, we find no official limitations on the rate of interest to be charged on loans. In their joint legislation of 1206, however, Philip Augustus and Blanche of Champagne stipulated a maximum rate of two pennies per pound per week. This was equal to approximately 43 percent interest per year.\textsuperscript{123} This seems to have been a standard legal rate in northern Europe during the period. In 1233, the king of England decreed this same maximum

\textsuperscript{117} Ordonnances, vol. 1, pp. 35–37.
\textsuperscript{119} Ordonnances, vol. 1, pp. 35–37.
\textsuperscript{120} Marcus, \textit{The Jew in the Medieval World}, p. 25.
\textsuperscript{121} Ordonnances, vol. 1, pp. 35–37.
\textsuperscript{122} Ibid.
\textsuperscript{123} Delaborde, \textit{Recueil des actes de Philippe Auguste}, vol. 2, doc. no. 955.

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rate of two pennies per pound per week for English Jewry. There is, however, some variety in such legislation. In August 1223, Countess Mathilda of Nevers, in a charter to the residents of Auxerre, limited Jewish usury to three pennies per pound per week, equal to 65 percent per annum.

Jewish profit from moneylending was substantially enhanced by the compounding of interest. When loans were unpaid over a long period of time, with interest regularly compounded, profits soared. Thus, for example, a loan of 1,700 pounds made by the Champenois Jew Valin in 1196 resulted in a total debt of 9,825 pounds by 1207. One of the major thrusts of Capetian legislation on Jewish moneylending was progressive limitation of compound interest. This began in 1206 with the prohibition of compounding within the first year of the loan and ended with the subsequent outlawing of interest beyond the first year.

The range of debtors borrowing from the Jews extended from the top to the bottom of French society. We find numerous instances of Jewish loans to the nobility of northern France—for example, the count of Champagne, the duke of Burgundy, and the countess of Hainaut. The Jewish creditor in such cases usually “belonged” to a different baron. Thus, in the case of the large debt incurred by the count of Champagne in the 1220’s the lenders are royal Jews. The reason for this is quite clear: the Jewish creditor would need the backing of a powerful lord in order to assure himself the collection of such a debt. This, of course, was the attraction, for the wealthy Jews, of “belonging” to the greatest French magnates.

The clergy also was heavily indebted to Jewish moneylenders. Certain institutions, seemingly poorly run, were regularly slipping more deeply into debt. Two examples of this were Saint-Loup of Troyes and

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125 Jean Lebeuf, Mémoires concernant l’histoire civile et ecclésiastique du diocèse d’Auxerre, 2nd ed., 4 vols. (Auxerre, 1848-55), vol. 4, pp. 89-90. We might note also the legal rate of four pennies per pound per week in Burgundy during the fourteenth century and the rate of eight pennies per pound in Austria during the thirteenth. See Léon Gauthier, “Les Juifs dans les deux Bourgognes,” REJ 49 (1904): 244, and Marcus, The Jew in the Medieval World, p. 32.


127 See above.


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Saint-Rémy of Sens. Individual clerics also were among the Jews’ most common customers. Ecclesiastical leadership was much disturbed over such lending—a concern which was eventually reflected in royal legislation. By 1219, Philip Augustus had ordered that no monk or canon was to borrow from a Jew without the permission of his superior.

Finally, of course, the ordinary townsfolk and peasants borrowed from the Jews. These small debtors rarely leave traces. The reform of 1219 included an attempt by the monarchy to keep the poorer classes from dealing with Jewish moneylenders. This was a measure which must have been extremely difficult to enforce; we may well surmise that the poor continued to make their way to the Jewish usurers.

Governmental support of Jewish usury and the resultant documentation make it possible to gain a brief glimpse of some of the most successful Jewish businessmen of the reign of Philip Augustus. The list of debts owed royal Jews compiled in 1210 shows a number of wealthy individuals, headed by Moses of Sens, Dieudonné and Élie of Bray, and Dieudonné of Verneuil.

There is strikingly little information on Moses of Sens, despite his position as the richest of the royal Jews. Aside from his appearances in the lists stemming from 1210, the only mention available is a document describing an exchange of land at Gonesse for a house in Paris by his wife. This Jewess was the widow of Samuel of Bray, also known as Samuel of Gonesse. After the death of the wealthy Samuel, she then married Moses. This perhaps reflects the close relationships among the Jewish financial elite.

The brothers Dieudonné and Élie of Bray are far better known. The earliest dated document relating to the transactions of the two brothers—transfer of a house to the abbey of Saint-Victor—includes, on the back, some Hebrew notations identifying the two parties as אליעזר בן גרשון וJakob ben Samuel and יחזקאל בן חסן וJakob ben Samuel. It seems certain, as Gross long ago deduced, that Isaac, the father of the financiers,

132 Ibid.
133 RHF, vol. 24, p. 277*.
perished in the attack on Bray.\textsuperscript{136} This document has affixed to it the seal of the Jews of Paris, significant in reflecting the community to which Dieudonné and Élie belonged. They continue to be identified as Parisian Jews down through the 1220’s.\textsuperscript{137} Whether the brothers were among those youngsters saved by Philip Augustus—which would put them in their mid twenties by the time of their first dated transaction—remains a matter of conjecture. Somehow they did escape the fate of their townsman and of their own father.

The business affairs of Dieudonné and Élie were varied. They lent money to high-ranking nobles and churchmen, which often involved them in further dealings, such as the acquisition and disposition of landed property and tax rights.\textsuperscript{138} The most remarkable set of loans for which evidence remains are those to the count of Champagne, Theobald IV. Obligations of 720 pounds (October 1222), 5,500 pounds (shortly thereafter), and 10,500 pounds (February 1224) are attested. Such large loans made to a powerful baron imply royal backing, and this is indeed the case. Our information for the 1224 obligation has survived in the form of royal attestation of this large debt made by Louis VIII, along with a schedule for its liquidation.\textsuperscript{139}

Striking here are the utilitarian instincts of both king and Jew. The same Philip Augustus who had attacked and destroyed the Jewish community of Bray did not hesitate to support the lending operations of the remnant of this community. At the same time, Dieudonné and Élie did not recoil from aligning themselves with that same monarch “who had remained steadfast in his wickedness from beginning to end,”\textsuperscript{140} responsible for the destruction of their community and the death of their own father.

Dieudonné of Verneuil was the wealthiest of the Norman Jews of this period. It is interesting to recall the great concern on the part of the duke of Normandy to ensure that Dieudonné remain in Normandy.\textsuperscript{141} The attraction to royal territory seems to have been strong.

\textsuperscript{137} Layettes, vol. 1, doc. no. 1580.
\textsuperscript{139} Arbois de Jubainville, Histoire des ducs et des comtes de Champagne, vol. 5, doc. nos. 1452, 1503, 1584.
\textsuperscript{140} Ephraim of Bonn’s designation for Philip Augustus—Adolf Neubauer and Moritz Stern, eds., Hebräische Berichte über die Judenverfolgungen während der Kreuzzüge (Berlin, 1892), p. 70; Abraham Habermann, ed., Sefer Gezerot Ashkenaz ve-Zarfat (Jerusalem, 1945), p. 128.
\textsuperscript{141} Richardson, The English Jewry under Angevin Kings, p. 202; see above.
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Curiously, after the royal conquest of Normandy, Dieudonné does seem to have shifted the focus of his activities to the royal domain. In the list of prisoners held in the Châtelet in 1210, Dieudonné is listed among the Jews of Francia. 142

One of the most prominent Jewish families of Champagne was that of Valin of Troyes. Valin himself was a well-to-do moneylender in the first years of the thirteenth century. He appears as the creditor of the church of Saint-Rémy of Sens, of the abbey of Saint-Bénigne of Dijon, of the church of Saint-Loup of Troyes, and of the duke of Burgundy. 143 In each case, the countess of Champagne strongly supported her Jew. Valin seems to have died sometime before June 1210, on which date one of his sons, Baudin, promised to pay the countess moneys owed her by his late father. 144

With the death of Valin, the financial activities of his family did not cease however. He had four sons—Baudin, Jacob, Sonet, and Haquin. After his demise, Baudin and Haquin transferred into the domain of the count of Nevers. Jacob and Sonet remained active in Champagne for some time. 145 In October 1222, the count of Champagne ratified the agreement reached by Jacob and the Jewish community of Troyes on the amount he was to contribute to the special tax of 70,000 pounds. In this connection Jacob is referred to as magister, or rabbi. 146

Cresselin of Provins was sufficiently important to the countess of Champagne to occasion a special agreement between her and Philip Augustus. This agreement included the promise of Cresselin not to leave Champagne and the vow of Philip Augustus not to interfere. Clearly this was a Jew of considerable wealth and importance. 147

We have very little information on the workings of the institutions of Jewish self-government during the reign of Philip Augustus. The local organization in all probability changed very little. It does seem likely that the intensified governmental exploitation of Jewish wealth placed heavy new tax burdens on the Jewish community. We find, for example, the Jewish community of Champagne responsible for raising the 70,000 pounds which the count had levied upon his Jews. The tension

142Delisle, Catalogue des actes de Philippe Auguste, p. 508.
147Delaborde, Recueil des actes de Philippe Auguste, vol. 2, doc. no. 776; see above.
involved in meeting the heavy obligation necessitated special governmental ratification of the arrangements made between the Jewish community and one of its wealthiest members.148

The major change in Jewish self-government was the disappearance of the centralizing force generated by R. Jacob Tam. While R. Tam was succeeded by very worthy intellectual heirs, beginning with his nephew R. Isaac of Dampierre, none of these intellectual and religious leaders was able to provide the same thrust towards unification as R. Tam.149 The Jewish communities fell back into the earlier pattern of decentralization. Lack of broad unity was undoubtedly a serious weakness during the reign of Philip Augustus.

The intellectual level of French Jewry remained high throughout this period. The mantle of R. Jacob Tam passed to his nephew R. Isaac of Dampierre, then on to R. Samson of Sens and R. Judah Sire Leon. The major academies continued to be located in the great centers of Champagne and the Île-de-France, such as Troyes, Sens, Orléans, and Paris. The academies of the royal domain were of course disrupted by the expulsion of 1182. After 1198, however, they revived quickly, and during the early years of the new century Paris was once more a focal point for Jewish study.150 During the late twelfth and early thirteenth centuries, the academies of northern France continued to serve as the major institutions of advanced Jewish learning for all of northern European Jewry. The best students in German Jewry made their way westward to study with the heirs to the legacy of Rashi and R. Tam.

It is interesting to note in these academies a growing concentration on Talmudic studies. The flourishing period of Biblical exegesis seems to have ended, with the great masters of the late twelfth and thirteenth centuries primarily concerned with the legal curriculum. The philosophic interests of surrounding Christian society and even the developing mystical-moral movement in German Jewry seems to have had little impact on the spiritual life of northern French Jewry.151

The community’s preeminence in the area of Talmudic studies, however, gave it a place of great honor even beyond the boundaries of northern European Jewry. During the reign of Philip Augustus, at a

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149Urbach, Ba‘aley ha-Tosafot, pp. 195–283.
150Ibid.
151On the achievements in legal studies, see ibid. On the state of Biblical studies, see Poznanski’s introduction to the commentaries of R. Eliezer of Beaugency. The recent study of Ashkenazic pietism reveals almost no mystical activity in northern French Jewry (Joseph Dan, Torat ha-Sod shel Hasidut Ashkenaz [Jerusalem, 1968]).
time when important lines of communication were being laid between northern and southern France, we find, not coincidentally, the first evidence of substantial contact between the Jewries of southern Europe and northern France.

The issue which brought the scholarly leadership of the two Jewries into contact was the first flare-up of opposition to the writings of Maimonides. A Toledan Jew, R. Meir Abulafia, wrote to Lunel criticizing some of the philosophic doctrines of the great north African sage. One of the key Jewish leaders in Lunel returned a stinging reply, eliciting a second letter from his Toledan adversary. At this point, with the differences sharply drawn within the southern European communities, R. Meir decided to submit the entire matter to the arbitration of the renowned scholars of the north. In a long missive addressed to a series of specific northern French authorities, R. Meir detailed the dispute and pleaded for their decision. The addressees are R. Solomon of Rouen, R. Samson of Sens and his brother R. Isaac the Younger of Dampierre, R. Samson of Corbeil, R. David of Chateau-Thierry, R. Abraham of Touques, and R. Eliezer of Bourges. The lines of communication were sufficiently well developed so that major figures in the north were known in the south.

The reverence for these northern scholars is surely reflected in the very decision to submit the argument to their consideration. It is overtly articulated in the terms with which R. Meir addresses his colleagues:

Indeed you are a people
To whom learning is sweet;
In your presence,
The gold of justice cannot be dimmed.
Your scales are just
And your weights are just;
Your heart has not waxed proud
Nor have your eyes become haughty.
You do not remove your eyes
From either the humble or the mighty;
You hear the case


153 Brill, Ketab al-Rasîl, p. 4. It is interesting to note, in contrast, that Abraham ibn Daud, writing a few decades earlier, knew only of R. Jacob Tam (see Abraham ibn Daud, Sefer ha-Qabbalah, ed. Gerson Cohen [Philadelphia, 1967], p. 66 [Hebrew text] and p. 89 [English text]).
Of small and great alike.
They are the guardians of Torah,
Presenting before the Lord pure offering;
They turn night into day,
Making darkness and light alike.
Our teachers, the sages of France and its elders,
Its sapphires and its pearls,
Its judges and leaders, its scholars and scribes,
Its kings and officers, its warriors and heroes—
May He who preserves truth forever
Preserve both the small and the great among them.  

While much of this is simply formal rhetoric, there can be no gainsaying the profound sense of respect for northern erudition.

Unfortunately for R. Meir of Toledo, flattery achieved little. The only response from northern France that has survived is that of R. Samson of Sens. R. Samson begins his epistle with the image of the ram falling before the onslaught of the he-goat, indicating that R. Moses b. Maimon and his aide R. Aaron of Lunel had been defeated by the assault of R. Meir. He then quotes the verse “And there was none that could deliver the ram out of his hand,” specifying that this refers to the French who were unable to assist the stricken ram, since they had concluded also that there would be bodily restoration at the end of days. R. Samson then proceeds to a close scrutiny of some of the specifics of the dispute, falling far short of the broad castigation for which R. Meir had hoped. The correspondence between R. Meir and R. Samson continued, with disappointment on the part of the former and increasing petulance on the part of both manifest. Reflected in this incident nonetheless is a growing awareness in the south of northern achievements and, at the same time, a forced confrontation in the north with some of the philosophic issues deeply disturbing the Mediterranean Jewries.

Looking back over the long and brilliant reign of Philip Augustus, we can certainly see in it an important stage in the history of northern French Jewry. The older laissez-faire tradition had come to an end. The vigor and vibrance of the age had produced for the Jews the twin

155 Ibid., pp. 107–8.
157 Ibid., pp. 138–52.
dangers of heightened governmental exploitation and increasingly effective ecclesiastical pressure. Royal policy showed enhanced concern with utilization of the Jews for its own fiscal purposes, while constantly giving ground on a series of Church demands for greater regulation of Jewish affairs. If even the powerful and secularly-oriented Philip Augustus had been unable to withstand ecclesiastical prodding, the Jews could only look forward with trepidation to the reigns of Louis VIII, Blanche of Castille, and their pious offspring, Louis IX.