IV

LOUIS IX—THE VICTORY OF THE CHURCH

THE MID THIRTEENTH CENTURY, particularly the reign of Louis IX, represents a high-water mark in the history of medieval France. It was a period of continued growth, to be sure; but, above all else, it was a time of stabilization and consolidation. The vast territorial gains of the reign of Philip Augustus were solidified and the bureaucracy necessary for effectively administering the expanded royal holdings was developed. In all of this achievement two major figures dominated—Blanche of Castille and Louis IX. It was Blanche whose tenacity and vision enabled the Capetian dynasty to survive one of its most serious crises—the sudden death, in his prime, of Louis VIII. Marshaling the royal resources as regent for her young son, Blanche preserved the monarchy and handed it over to Louis in a stronger state than she had found it. Never really laying down the reins of government, Blanche continued to conduct the affairs of state alongside her son. It was Louis IX, however, who set the tone of this period, not only through his accomplishments but through the force of his personality. Louis represented to medieval France, and indeed to medieval Christendom at large, the ideal figure of the Christian king. His concerns were peace, justice, and the religious purity of his realm. His ultimate goal was the fulfillment, as private person and as king, of the duties imposed by a life of Christian virtue. Despite the fiascos of the two Crusades in which
he was involved, his French subjects and their descendants looked back longingly to the happy days of Saint Louis.1

With the growing power of the Capetian monarchy, the fate of the Jews of France was bound ever more firmly to the views and policies of the king. The nature of Louis IX's conception of Christian virtue and of the Christian kingdom made it impossible for the Jews to share in the general sense of well-being associated with his reign. For French Jewry, the middle four decades of the century were the beginning of a decline from which it was never to recover. This deterioration can be attributed to the increasing expendability of the Jews in a society with a growing Christian urban middle class, to the dangers of excessive political dependence on the highest secular powers in the state, and to the adverse ecclesiastical programs to which the saintly king of France was so deeply devoted. The last factor may perhaps be counted as the decisive one in the rash of unfavorable actions which punctuated the period from 1223 to 1270. The long reign of the most pious of French kings witnessed a series of profound catastrophes for the once proud French Jewish community; by the end of this reign, French Jewry had lost the vigor, strength, and intellectual prowess that had been its pride since the late eleventh century.2

The personal piety of Louis IX, as well as that of his mother, was legendary in medieval Christendom. His entourage was heavily flavored with ecclesiastical personnel, often devoted members of the new and

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influential Dominican and Franciscan orders; his major goal as ruler was a political realm that would encourage the widest possible fulfillment of Christian ideals; in his personal behavior he was a model of fervent commitment to Christian virtue. Louis’s praises were already widely sung during his own lifetime. Pious accounts of his deeds abounded.3

Even John of Joinville, Louis’s devoted seneschal and the first nonclerical biographer of the Capetian monarchy, was so deeply impressed with his subject’s piety that he devoted the first part of his study to a hagiographic portrait of his saintly hero.4

Louis’s faithful seneschal records a dramatic expression of the monarch’s personal feelings towards the Jews:

The King told me also that there was once a great debate at the monastery of Cluny between clerks and Jews. There was a knight present who had been charitably fed at the monastery by the Abbot for the love of God. He asked the Abbot to allow him to be the first to speak, and rather unwillingly his request was granted. He stood up, then, and, leaning on his crutch, he asked them to bring the most learned of the clerks and the greatest master of the Jews. This they did; and he asked but one question, which he put so: “Master,” said the knight, “I want to know whether you believe that the Virgin Mary, who bore God in her womb and in her arms, gave birth a virgin, and whether she is indeed the Mother of God.”

The Jew answered that he believed no such thing. Then the knight told him that it was indeed the act of a fool to enter her church and her house when he neither believed in her nor loved her. “And I can assure you,” he added, “that you shall pay for your folly.” He raised his crutch and struck the Jew on the side of the head, felling him to the ground. The Jews all fled, taking with them their wounded master; and that was the end of the debate.

Then the Abbot came up to the knight and told him that he had been foolish; the knight answered that the Abbot had been a great deal more foolish to arrange the debate, for before it was finished there would have been a great many good Christians who would have gone away with their faith impaired, having been deceived by the Jews’ arguments. “I agree myself,” said the King, “that no one who is not a very learned clerk should argue with them. A layman, as soon

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3Most of the sources for Saint Louis are listed in Auguste Molinier, Les sources de l’histoire de France des origines aux guerres d’Italie, 6 vols. (Paris, 1901–6), vol. 3, source nos. 2558–2759. A striking number of the literary records are hagiographic recollections.

as he hears the Christian faith maligned, should defend it only by the sword, with a good thrust in the belly, as far as the sword will go.”

A number of observations must be made concerning this recollection. It should be noted, first of all, that it falls in Book I of Joinville’s account, in that section where Louis’s biographer set out to tell how the king “ordered himself at all times by the will of God and of the Church, and for the well-being of his kingdom.” It is not simply a random observation; it has been adduced to highlight a major facet of the devout king’s personality. More specifically, it is placed in that section which deals with the need for firm adherence to true faith and adamant rejection of doubt and disbelief; it is, significantly enough, preceded by a story of Simon de Montfort’s rebuff to Albigensian heretics. The association of heresy and Judaism was dangerous for an already-exposed Jewish minority. Finally, the disparity between the royal injunction to defend the Christian faith “only by the sword, with a good thrust in the belly, as far as the sword will go” and the temperate monarch normally devoted to the calm proceedings of justice and the extirpation of violence in the settlement of disputes is striking. Royal hatred of disbelief, Judaism included, was extreme.

Louis’s biographers preserve a second recollection of direct royal expression on the issue of the Jews. While less flamboyant, this second statement is in many ways even more noteworthy. In the biography of Louis written by William of Chartres, the chronicler describes the king’s anti-usury campaign and objections to it on the part of royal advisors. The first objection was that society needed moneylending, which might better be carried on by Jews, who are damned anyway, rather than by Christians. Further, it was claimed that the Jews were actually more benignant than their Christian counterparts. To this, the king replied:

Matters relating to Christians who lend money and to their usury seem to be the concern of the prelates of the churches. To me, however, pertain matters relative to the Jews—who are subjected to me by the yoke of servitude—that they might not oppress Christians through usury and that they not be permitted, under the shelter of my protection, to engage in such pursuits and to infect my land with their poison. Let those prelates do what pertains to them concerning those subject Christians, and I must do what pertains to me concerning the Jews. Let them abandon usury or they shall leave my land completely, in order that it no longer be polluted with their filth.

5 Ibid., pp. 35–36.
6 Ibid., p. 23.
7 RHF, vol. 20, p. 34.
This recollection reflects far more than the personal animosity depicted by Joinville. Striking here is the view, expressed earlier by Rigord, that the king had, above all, a moral and religious responsibility for the impact of “his” Jews upon Christian society. Dereliction of duty is conceived not as a matter of political ineptness or incompetence but as a grave moral and religious sin. To be sure, the king was, in general, accountable for the religious well-being of his realm. The Jews were special, however, in being present only through his consent and protection. This made them a far more serious responsibility resting on the soul of a truly Christian monarch. What follows quite logically is the royal conclusion that “his” Jews must either abide by the program which he decreed a moral necessity or face the consequences of withdrawal of royal consent and protection. It is out of this conception of total responsibility for the behavior of the Jews that the disastrous programs of Saint Louis emerged.

While the reign of Louis IX saw a number of major anti-Jewish decrees, the two decisive campaigns involved attacks on the foundations of Jewish economic existence, moneylending, and on the cornerstone of Jewish spiritual survival, the study of Oral Law. It was the success of these campaigns that made the pious monarch’s reign so catastrophic for medieval French Jewry.

Even Louis’s vigorously secular grandfather, Philip Augustus, had been unable to totally withstand ecclesiastical pressures and had instituted a number of reforms designed to curb the abuses stemming from Jewish moneylending. These included, for example, limitation on interest rate, prohibition of compound interest, and outlawing of lending to certain classes in Christian society. The ordinance of 1223, enacted under the leadership of Louis VIII, represents a new response to the anti-usury pressures; rather than limiting abuses, it was designed to eliminate governmental enforcement of Jewish claims to usurious profit.

The ordinance of 1223, enacted less than four months after the death of Philip Augustus, was promulgated “with the will and assent of the archbishops, bishops, counts, barons, and knights of the French kingdom, those who hold Jews and those who do not.” The clauses

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8 See above, chapter 3.
9 It is significant to note the tradition that introduced into Louis’s famed instructions to his son a warning to hold the Jews in great contempt (see H. François Delaborde, “Le texte primitif des enseignements de Saint Louis à son fils,” BEC 73 [1912]: 246, n. 9).
10 See above, chapter 3.
dealing with Jewish lending were specifically sworn to by a number of the barons present. Unfortunately the first and most important of these provisions is somewhat ambiguous.

(1) No Jews' debts shall accumulate interest from this November 8 and further. Neither we nor our barons shall henceforth cause to be returned to the Jews usury which accrues from this November 8 and further.

(2) All debts which are owed the Jews are to be terminated in nine payments within three years by being returned to the lords to whom the Jews are subservient. . . .

(3) It is to be known that we and our barons have decreed and ordained concerning the status of the Jews that none of us shall be able to receive and retain Jews of another; and this is to be understood both for those who have sworn to the ordinance as well as those who have not.

(4) The Jews henceforth shall not have seals for sealing their debts.

(5) The Jews must have enrolled, by the authority of the lords to whom they are subservient, all their debts prior to the coming Feast of the Purification of the Virgin Mary; debts not then enrolled in the prescribed manner shall not henceforth be repaid to the Jews nor returned to them. Moreover, if the Jews exhibit loan documents more than five years old, we order that they be considered invalid and that the loans contained therein need not be returned.  

The crucial ambiguity lies in the opening sentence of the ordinance. Is the order prohibiting usury intended to cover all Jewish loans, past and future, or only those loans already contracted? In other words, is this order simply an attempt to clear up past obligations owed the Jews or is it a major new departure in Capetian policy?  

On a number of counts it seems clear that the prohibition is intended to cover all Jewish loans. In the first place, the framers of the law knew to indicate past debts in a later clause by using the expression “debita universa que debentur Judeis.” The categorical “nullum debitum Judeorum” would seem to have been consciously introduced as a more inclusive designation. More important, the subsequent legislation of the 1220’s bears out this interpretation. In 1227, an ordinance was decreed stipulating once more a three-year payment arrangement, this time for debts contracted

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11 Layettes, vol. 2, doc. no. 1610.
12 For some of the interpretations of this ambiguous clause, see Langmuir, “‘Judei Nostri’ and the Beginning of Capetian Legislation,” p. 215, n. 54.
between 1223 and 1227, provided that letters be available indicating that the moneys in question were principal and not usury. The basis for such a provision was probably the edict of 1223. Finally, the ordinance of 1228, which deals with a series of chronologically ordered loan arrangements, repeats almost verbatim the key opening sentence of 1223 in a context which unquestionably refers to future loans.

Having accepted the broader interpretation of this first sentence, we should proceed immediately to one major qualification. This order was not intended as a total prohibition of Jewish usury. The second sentence of the opening clause clarifies royal intentions. The decree was intended primarily as a withdrawal of governmental support for Jewish usury. There were instances where loans could be enforced without governmental aid through the depositing of pawns, and such cases seem to fall outside the purview of the new law. The major practical device for the execution of this enactment is specified in the fourth clause; it is the abolition of the seals heretofore used for validating and enforcing Jewish loans.

The ordinance of 1223 thus consists of three major items: (1) prohibition of all future governmental enforcement of Jewish usury; (2) provisions for the liquidation of all debts owed as of November 8, 1223, with no attempt to distinguish between principal and interest; and (3) a nonretention clause designed to ensure that this bold new legislation would not result in an uncontrolled shift of Jewish population. The final clauses of the ordinance are simply further elaboration on the two opening themes.

In gauging the impact of this striking departure in Capetian legislation, a number of factors must be taken into account. In the first place, as noted, there were still usurious arrangements unfettered by the new restrictions. Equally important, a number of powerful northern French barons did not ratify the usury provisions of the treaty, although there was constant royal pressure for such agreement, leading subsequently to ratification by the Countess of Nevers. Other major holders of Jews,

15 The provisions for the liquidation of prior obligations are reminiscent of the legislation of Philip Augustus enacted on the eve of the Third Crusade (see above, chapter 3).
however, most significantly Theobald of Champagne, remained aloof. The advantages to the Jews of leaving those territories where the new limitations had gone into effect for areas such as Champagne are clearly indicated by a set of agreements dating from 1223 and 1224.¹⁸

On December 31, 1223, accord on a number of matters was achieved by William of Dampierre and Theobald of Champagne. The provisions of the treaty included a series of transactions involving Jewish families. William turned over to Theobald the wives and children of those Jews who had left his territory for Champagne. In return, Theobald granted a delay in the payment of debts owed by William and his subjects to these Jews.¹⁹ Again, on May 1, 1224, a long agreement was signed between William and Theobald, and again there were a number of clauses dealing with Jews. Two Jewish families were turned over to the count of Champagne. Both the count and William were absolved of all debts owed to these Jews; in addition, William was to hold all immovable possessions owned in his territories by the aforesaid Jews.²⁰ Unfortunately, most of the Jews who made the move from Dampierre to Champagne were not named in these documents. The only ones specifically mentioned are Cochin, a Jew of Saint-Dizier, and his two sons. This Cochin is known from a document of June 1210, in which a number of the wealthiest Jews of Dampierre pledged themselves as surety to an agreement drawn up between Blanche of Champagne and her Jew Baudin.²¹ The Jews in transit were thus of some prominence. The proximity of these transfers to the ordinance of 1223 raises the suspicion that these Jews, probably all important moneylenders, may have sought to escape the harshness of the 1223 decree in effect in Dampierre by moving on to Champagne, where the same decree was not being implemented. Their weapon for achieving such a transfer is clear—absolution of debts already owed to them. They must have concluded that the temporary loss would be more than offset by the ultimate gain. Assuredly, the evidence is only circumstantial, but the proximity of these moves to November 8, 1223, seems more than coincidental. In fact, one may well wonder if the decline of the once flourishing center of Dampierre is not related to the events under discussion.

There were, then, major loopholes in this new anti-usury legislation. Such leeway notwithstanding, the edict was treated seriously by the

¹⁹Layettes, vol. 2, doc. no. 1619.
²⁰Ibid., doc. no. 1648.
government. We have already indicated the efforts to attract new signers. The provisions for enrollment of debts and for annulment of antiquated documents were promulgated by the Exchequer of Normandy, and in one interesting instance the abbot of Bec was absolved of responsibility for a loan not properly enrolled.  

By late 1226 the three-year period stipulated for payment of debts contracted prior to November 8, 1223, had elapsed. The first royal reaction was to consider the matter closed and to prohibit any further enforcement of these debts. Shortly thereafter, however, the Jews seem to have been successful in convincing the authorities of the inequity or of the impracticality of such a stand. A second order was given for the enforcement of those pre-1223 obligations as yet unpaid. In this second ordinance, mention is also made of the fact that some royal documents concerning post-1223 obligations to the Jews had been issued; such documents were to be honored. We can only surmise that this was a reference to nonusurious contracts.

The legislation of 1227, known only from a later reference to it, seems to have introduced no major innovation. The intention seems only to have been the liquidation of all obligations contracted between 1223 and 1227. The assumption was that such loans were, in any event, nonusurious. Once more a three-year period for the repayment of all outstanding moneys was decreed. It is possible that the Jews may have been encountering increasing difficulties in realizing sums owed them; this being the case, the government’s new edict would have been to the Jews’ advantage.

The ordinance of 1228 was intended to deal with some of the problems resulting from the new governmental stand; it too introduced no substantive innovations. The act is rather simply arranged; it deals with pre-1223 loans, loans contracted between 1223 and 1227, those contracted between 1227 and 1228, and future lending. Concerning the pre-1223 agreements, it only stipulates adherence to the ordinance of the late Louis VIII. The repayment arrangements for the 1223-1227 obligations are repeated, with one major clarification: in instances where the loan instrument is vague in the distinction between principal

23 Reflected in the edict of 1227 (Martène and Durand, Veterum scriptorum et monumentorum, vol. 1, p. 1294).
24 Ibid.
25 Ibid., pp. 1222-23.
26 Ibid.
and interest and where contention thus arises, provision is made for the introduction of evidence by either the debtor or the creditor as to the precise amount of the principal. In the case of the Christian borrower, the witnesses must be uninvolved in the transaction. In the case of the Jewish lender, the witnesses must be uninvolved in a different sense; that is, they must be members of the majority Christian community, thus not suspect of an underlying sympathy for the creditor. Two chosen officials in each town with a significant Jewish population were to receive such testimony and to decide the issue in instances of conflicting reports. Loans contracted between 1227 and 1228 were to be repaid in accord with the written convention between creditor and debtor, with the articulated understanding that such obligations be non-usurious. Finally, for the future, the principle, already enunciated in 1223, prohibiting governmental support for Jewish usury was repeated. An important provision was added for administrative purposes. Henceforth three rescripts of every Jewish loan contract were to be made—one copy to be deposited with the authorities, one with the borrower, and the third with the lender. It is somewhat ironic that the most sophisticated procedures for recording Jewish debts were pressed into service at precisely the point when Jewish lending was in a state of governmentally-induced decline.

The next major innovation in the royal attack on Jewish moneylending came in 1230. In that year another large gathering of French barons produced a new stabilimentum. The loan provision in this ordinance is brief and to the point, henceforth outlawing governmental enforcement of debts owed to the Jews: "...statuimus quod nos et barones nostri Judeis nulla debita de cetera contrahenda faciemus haberi." Completing the major clauses are the anticipated prohibition of retaining the Jews of another and the usual arrangements for a three-year liquidation of debts already owed.

While not the concluding step in the campaign against Jewish lending, this enactment represents the final statement on government involvement in Jewish financial affairs. It is for this reason that this provision was repeated by Louis in his great reform ordinance of

27 Ibid.
28 Ibid., p. 1223.
29 Layettes, vol. 2, doc. no. 2083.
30 For interesting speculation on some of the difficulties related to collection of loans in the wake of the 1230 legislation, see Aryeh Grabois, "Du credit juif à Paris au temps de saint Louis," REJ 129 (1970): 5–22.
Although the royal position on Jewish lending became even harsher after 1230, the *stabilimentum* of that year remained in force as the authoritative expression of the non-involvement of the French authorities in Jewish business affairs.

With regard to techniques for the liquidation of debts already owed, the Jews were enjoined to present their loan documents prior to the subsequent November 1. Fragments of governmental records from 1232 and 1233 indicate that the old technique of enrolling Jewish debts and having them collected by governmental agents was again instituted.\(^3^2\)

The year 1234 witnessed the promulgation of another royal ordinance concerning Jewish usury. The opening provision of this decree is problematic, beginning as follows:

> It is to be known that the lord King of the French, for the salvation of his soul and the soul of his father and those of all his predecessors, acquits of a third part of the entire debt which they owed to the Jews all Christians who were indebted to the Jews when they were recently seized and their debts enrolled...\(^3^3\)

This seems simply a reduction of the debts owed the Jews out of fear that, despite all the precautions of the late 1220's, the sum involved may still have included usury. Related evidence, however, leads to the suspicion that this part of the royal order is concerned with debts taken over by the government. In a letter of 1237 to Louis IX, Pope Gregory IX extends the following dispensation:

> On your behalf we have been told that, since you have received no small sum of money from the Jews of your Kingdom and from their Christian debtors and in the latter's name, and since this money acquired by the Jews bears the stigma of usury, you desire to bring satisfaction for the said money for fear lest the sin of it be imputed to you and you be punished for it. Wherefore, you humbly pray us that, in view of the fact that many from whom the said Jews have extorted usury can no longer be discovered, and that you want to send the money, which you are bound to restore to them, as a subsidy to the Empire of Constantinople, we shall, in the benignity of the Apostolic Throne, take the trouble to grant to Your Serene Highness permission to do this, so that, by doing it, the matter may redound to your salvation in the sight of God, and that because of

\(^{31}\) *Ordonnances*, vol. 1, pp. 73–74.

\(^{32}\) *Layettes*, vol. 5, doc. nos. 371, 372, 373.

\(^{33}\) *Ordonnances*, vol. 1, pp. 54–55.
the great amount of such assistance you may be free from the obliga-
tion of repayment. Therefore, inclined to your prayers, we grant to
you by these letters, the authority asked for.\textsuperscript{34}

Moreover, the first two provisions of the 1234 decree were reenacted in
September 1248. In 1248 the reference is surely to confiscated debts;
in all likelihood such was the case in 1234 as well.\textsuperscript{35}

We have suggested that earlier confiscations were generally associated
with some religiously respectable Christian enterprise or at least with
some allegedly reproachable Jewish behavior. In this instance, it is pos-
sible that the confiscation was related to the beginning of papal efforts
to rouse a new Crusade. Although the agreement struck between
Frederick II and the Moslems was not due to lapse until 1239, by late
1234 Pope Gregory IX was already setting in motion the machinery for
a new assault.\textsuperscript{36} The royal confiscation of the early 1230\textquotesingle s, like that of
the 1240\textquotesingle s, may well have been related to the incipient Crusade.

The second half of the ordinance of 1234 dealt with those facets of
Jewish lending still permitted. Thus far the entire thrust of Louis\textquotesingle s
enactments had been directed toward the elimination of governmental
involvement in Jewish business and the moral stigma resulting there-
from. Jewish lending against pledges, which necessitated no govern-
mental intervention, had not been affected by the spate of legislation
beginning in 1223. Now, in 1234, the monarchy turned its attention to
pawnbroking, ordering that henceforth all pawns deposited with the
Jews must be transferred in the presence of honorable and trustworthy
witnesses.\textsuperscript{37} While in no sense a limitation of Jewish pawnbroking, this
provision did represent an important extension of governmental regula-
tion.

The Exchequer of Normandy, on September 29, 1235, recorded the
final royal step in the drive against Jewish lending. Having utterly re-
moved his government from involvement with Jewish business, Louis
now addressed himself to the Jews, ordering that henceforth all Jews
were to live by their own labor or by nonusurious business dealings; for
the first time, Jewish usury was directly outlawed.\textsuperscript{38}

During the preceding half-century, strong antipathy to Jewish usury
had developed in ecclesiastical circles, capped by the view that Jewish

\textsuperscript{34}Grayzel, \textit{The Church and the Jews in the XII/th Century}, pp. 232–35.
\textsuperscript{35}Delisle, \textit{\textquotedblleft Recueil des jugements de l\textquotesingle Echiquier de Normandie,\textquotedblright} doc. no. 735.
\textsuperscript{36}On the period between 1229 and 1239, see Steven Runciman, \textit{A History of the Crusades},
\textsuperscript{37}Ordonnances, vol. 1, p. 55.
\textsuperscript{38}Delisle, \textit{\textquotedblleft Recueil des jugements de l\textquotesingle Echiquier de Normandie,\textquotedblright} doc. no. 581.
exaction of interest from Christians was a transgression of Biblical law and hence illicit. On the eve of Louis’s prohibition, the first such royal order in medieval Europe, Pope Gregory IX wrote of the Jews’ sufferings in northern France and pleaded eloquently on their behalf. The pontiff proclaimed that the Jews were not to be despoiled or expelled without good cause; those held captive were to be released, at which time they were “to observe the legitimate contracts and agreements which are made with them, though without the exaction of any usury.” The papal view—expressed in a sympathetic letter of protection—goes far beyond the IV Lateran Council stance of 1215; it is a striking prelude to the prohibition of 1235.

The impact of these new views on the ruling class is reflected in the order issued by Archembaud of Bourbon, in May 1234, prohibiting the Jews of his domain from usury. Archembaud mentions explicitly consulting with the king and obtaining his assent; moreover, the language of his prohibition is almost the same as that which the king was to use a year later.

I, Archembaud lord of Bourbon, make known to all whom the present document reaches that, with the will and assent of my beloved lord Louis the illustrious king of France, for my salvation and that of my predecessors, I will and order that all Jews who wish to remain henceforth on my land, must live by their own labor and by honest business, abstaining completely from usurious exactions.

In 1235, Louis himself followed suit.

The one major question remaining concerns the mode of enforcement of the new royal decree. All the earlier measures involved limitations on governmental involvement; since they were royal edicts dealing with governmental actions, enforcement was not an issue. Now the authorities turned to the Jews, banning directly Jewish usury. How was the edict to be enforced? The decree itself makes no reference whatsoever to penalties. The usury prohibition is simply stated along with a series of demands, most of which were items of longstanding ecclesiastical concern. No mention is made of the means of enforcement of these provisions; this omission is all the more noteworthy in the face of the explicitness of Archembaud of Bourbon, who threatened expulsion for those unwilling to accept his decree. It is also significant that Louis’s second decree against usury is most explicit on the issue of

39 See above, chapter 3.
41 Layettes, vol. 2, doc. no. 2284.
penalties: "Those Jews unwilling to abide by this are to be expelled; those who transgress are to be properly punished." While some expulsion did take place in the early 1250's on the basis of this clause, it is striking that no penalty clause was inserted in the ordinance of 1235 and that no information on any expulsion during the 1230's has survived. This leads strongly to the conclusion that the royal edict was a pious expression of ideals, not intended in 1235 as a piece of realistic legislation.

Looking back over the period from 1223 through 1235, then, we see a pattern of steady pressure on Jewish lending—first through slow withdrawal of the governmental backing upon which the most profitable types of Jewish business were based; then through the imposition of controls on those aspects of Jewish lending heretofore unrestricted; and finally culminating in the outright order to the Jews to end all usurious practice, although without clear articulation of the penalties to be imposed for noncompliance. This legislative campaign was heightened by the practical step of confiscation of Jewish goods and of Jewish debts sometime during 1234.

Thus far we have focused on the royal campaign. There are a number of signs that Louis's efforts stimulated emulation on the part of many of the barons of northern France—sometimes for similarly pious motives, sometimes merely for economic gain. Archembaud of Bourbon preceded by a year the royal edict outlawing Jewish usury altogether; in fact his decree had included a heavy penalty for noncompliance lacking in the royal ban. The king's confiscation of 1234 was imitated by the most important of the baronial possessors of Jews, the count of Champagne. Indication of this confiscation is contained in a papal letter dated November 29, 1238, permitting the count of Champagne to use moneys taken from the Jews for the Crusades.

An explicit condemnation of the baronial excesses related to the royal campaign comes in a papal letter of April 6, 1233, detailing some of the anguished complaints of French Jewry and railing at the injustices perpetrated.

Although the perfidy of the Jews is to be condemned, nevertheless their relation with Christians is useful and, in a way, necessary; for they bear the image of our Savior, and were created by the Creator

42 Ordonnances, vol. 1, p. 75.
43 On the expulsion of the early 1250's, see below.
44 Layettes, vol. 2, doc. no. 2284.
of all mankind. They are therefore not to be destroyed, God forbid, by His own creatures, especially by believers in Christ, for no matter how perverse their midway position may be, their fathers were made friends of God, and also their remnant shall be saved.

But certain Christians of the French Kingdom, heeding this circumstance not at all, persecute and afflict the said Jews with many kinds of oppressions and with many unbearable burdens. Cruelly raging in their midst, and longing for their property, they torture them horribly by means of hunger and of thirst, by the privations of prison and by intolerable tortures of the body. Indeed, we have heard that recently in certain parts of the same kingdom it was enacted by means of a certain device, that after postponing for a period of four years the payments of the debts which Christians owed them, they agreed to pay them in annual instalments, not bound to pay anything above the principal, though all this was contrary to the contracts into which they had publicly entered. At the end of the four years, however, the Jews were seized and were kept for so long under custody in prison, until having pooled all the debts which were due them from the Christians, they gave the Lord of the place whatever security he thought proper that within a stated period of time they would not demand any payment of their debts whether these were being paid or not. Whence, some of the Jews, unable to pay what security was considered sufficient in their case, perished miserably, it is said, through hunger, thirst, and privation of prisons, and to the moment some are held in chains. Certain ones of these lords rage among these Jews with such cruelty, that unless they pay them what they ask, they tear their finger-nails and extract their teeth, and inflict upon them other kinds of inhuman torments. Some nobles of the kingdom, boldly intending to exterminate the Jews, are said to have vowed that they would not suffer the agreements entered upon, or to be entered upon, between Jews and Christians, to be held valid.

Wherefore, since the Jews, driven out from their lands by these lords because they cannot satisfy their greed, are being killed, robbed, or suffer other damage and injury to person and property at the hands of others who see them thus driven out by their own lords, and since there is no one who would afford them proper protection, or see to it that justice is shown them, they fled to the protection of the Apostolic Throne, begging us humbly to deign to take them under apostolic supervision in view of the fact that with regard to the matters in which they seem annoying to Christians they are ready, according to their agreement, to live among themselves as prescribed by legal and canonical regulations: that they will take no usury nor anything else in order to cover up their usury, nor do anything
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insulting to the Christian Faith. Wherefore, since we are, by the duty which the Apostolic Office lays upon us, under obligation alike to wise and foolish, we order that, if this be so, you shall pronounce the oaths, made in the heat of passion rather than in the the coolness of judgment, not at all binding, and that you make every effort carefully, in our name, to warn all the faithful Christians in your dioceses and to induce them, not to harm the Jews in their persons, nor to dare rob them of their property, nor, for the sake of plunder, to drive them from their lands, without some reasonable cause or clear guilt on their part, but rather to permit them to live in pursuance of their laws and their former status, as long as they do not presume to insult the Christian Faith. After the captive Jews have been restored to their former liberty, they are to observe the legitimate contracts and agreements which are made with them, though without the exaction of any usury. Such kindliness must be shown to Jews by Christians, as we hope might be shown to Christians who live in pagan lands.46

The papal account is certainly confused. The following elements, however, are discernible: (1) postponement of obligations owed the Jews, with payments spread over a period of years; (2) emphasis on the responsibility to pay principal only; (3) imprisonment and torture; (4) confiscation of Jewish funds; (5) a decision to hold agreements, past and future, invalid; and (6) expulsion. A number of these items have been seen in the royal campaign itself. Others are cruelties that go far beyond royal action; such, for example, is the refusal to recognize past obligations and the final step of expulsion. Royal activities were not isolated; others responded in similar or more extreme fashion, their actions losing on occasion the measured regularity associated with Blanche and Louis and degenerating into vicious exploitation and physical attack.

The theoretical foundations for this intensified assault on Jewish usury had been laid earlier. Reference has already been made to ecclesiastical views which negated the Jewish right to lend money at interest.47 A number of Hebrew sources composed during the reign of Louis IX reveal the Jews contesting precisely these views.

The important polemical work Sepher Joseph Hamekane reflects some of the Christian criticism of Jewish usury. The objections include an emphasis on the broad negation of usury in Psalms 15, seemingly effacing the distinction between “countrymen” and “foreigners” in

46 Ibid., pp. 200–203.
47 See above, chapter 3.
Deuteronomy 23. To this the Jewish polemicist replies, "King David was the pupil of Moses and lacked the authority to disagree with his teacher and to add or detract from his teachings. Indeed Moses our Teacher said: 'You may deduct interest from loans to foreigners, but not from loans to your countryman.' "48

The more radical allegation that Christians are in fact included in the category of "countryman" is presented as well. To rebut this contention, the author cites an earlier sage's reference to the prophet Obadiah, who speaks explicitly of the Edomites (that is, Christendom in medieval Hebrew terminology) as foreigners.49 While these Jewish efforts at rebuttal are of great historical interest, they obviously had no impact whatsoever on the royal and baronial programs.

With the outlawing of Jewish usury in 1235, the first stage of the royal anti-usury campaign came to a close. The next serious concern flared up in the late 1240's. During the intervening decade, however, a few items of interest may be noted. There is a curious decree by the Exchequer of Normandy in April 1239 ordering that the Jews not be paid for any claimed obligation nor even for any pledges held by them except for such pledges as were held at the time of their capture.50 Is this the capture and confiscation of 1234 or a second such incident?

During this period, government records attesting debts owed the Jews almost completely disappear. While documents witnessing such obligations abound for the first decades of the thirteenth century, they are practically nonexistent from the early 1230's down through the end of the reign of Saint Louis. This is again indicative of the effective withdrawal of governmental support of Jewish lending.

Nonetheless, the royal inquiries into the state of the realm in 1247 and 1248 make it evident that many of the abuses attacked in the late 1220's and early 1230's had not been totally extirpated. While complaints concerning the Jews range over a broad spectrum of issues, the majority were related to moneylending. The utilization of this material is complicated by the lack of specific dating in many instances;

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49 Ibid., p. 61. A more extensive defense of the Jewish rights to usury can be found in the writings of the southern French leader, R. Meir b. Simeon. These writings include a purported epistle addressed to the king of France, a series of seemingly actual discussions with the archbishops of Narbonne, and a number of literary debates between Jews and churchmen. On this material, see Siegfried Stein, "A Disputation on Moneylending between Jews and Gentiles in Me'ir b. Simeon's Milhemeth Miswah," Journal of Jewish Studies 10 (1959): 45-61; and idem, Jewish-Christian Disputations in Thirteenth-Century Narbonne (London, 1969).
50 Delisle, "Recueil des jugements de l'Echiquier de Normandie," doc. no. 662.
many complaints are unfortunately couched in vague and ambiguous terms, also detracting from their usefulness. Such problems notwithstanding, enough clear evidence remains to show us the continuation of many prohibited procedures.\textsuperscript{51}

A few complaints indicate that the abuses in enforcing Jewish loans which Philip Augustus had attempted to eradicate in 1219 were still in vogue. In one case the plaintiff refers to forced sale of his mill in 1230 in order to pay a debt for which he had supposedly served as surety.\textsuperscript{52} In two cases the plaintiffs mention imprisonment as a result of debts supposedly owed the Jews.\textsuperscript{53} Both of these practices had been outlawed in 1219. It is curious that not one of the three claimants based his case on the legislation of 1219; there is no overt recollection of the prohibition of these practices.

More evidence is available for the continued enforcement of Jewish usury, despite the ordinance of 1223. A number of incidents from 1227 through 1237 reveal governmental support for usury and are the occasion for complaints against the governmental officials involved.\textsuperscript{54} One of these claims details explicitly the forced return of 64 shillings of usury to a Jew after the king had ordered that usury not be enforced.\textsuperscript{55} In the cases dating from 1227 and 1229, it is possible that the loans may have been contracted prior to 1223 and that the claims were thus invalid; the cases dating from the 1230's seem to be blatant instances of failure to observe the statute of 1223.

There is but one overt reference to the 1230 prohibition of governmental enforcement of Jewish loans altogether, and that reference is incorrect. A Christian claimant, William Petit, charged that, in 1227, a former royal provost had enforced a debt of 11 pounds owed to a certain Jew, although the king had prohibited forced repayment of obligations owed to Jews.\textsuperscript{56} There are a number of post-1230 claims that cite official enforcement of debts owed Jews; in no instance, however, is the claim based on breach of the 1230 legislation.\textsuperscript{57} It is possi-


\textsuperscript{52}\textit{RHF}, vol. 24, p. 201, doc. no. 1262.

\textsuperscript{53}Ibid., p. 222, doc. no. 1512; p. 286, doc. no. 88.

\textsuperscript{54}Ibid., p. 161, doc. no. 727; p. 199, doc. no. 1217; p. 200, doc. no. 1218; p. 201, doc. no. 1260; p. 216, doc. no. 1460.

\textsuperscript{55}Ibid., p. 216, doc. no. 1460.

\textsuperscript{56}Ibid., p. 164, doc. no. 745.

\textsuperscript{57}Ibid., p. 188, doc. no. 1086; p. 188, doc. no. 1093; p. 223, doc. no. 1530.
ble that the debts predated this edict and that hence no complaint could be filed on that basis. One complaint mentions official extortion of additional sums on grounds that the claimant "had not been deleted from the roll of the king."\(^{58}\) This seems to refer to the rolls drawn up in the wake of the 1230 legislation, examples of which have survived. This particular obligation thus predated 1230, and the same may be true for others.

The practice most widely attested as ignoring the legislation of the 1220's and 1230's was Jewish usury itself. We have already suggested that the prohibition of usury promulgated in 1235 would have been the most difficult of the edicts to execute; the complaints of 1247–1248 support this contention. Indications of Jewish usury abound.\(^{59}\) In some instances mention of Jewish usury is made in passing; in other instances it is directly referred to as the basis for a certain kind of claim against the government.\(^{60}\) The earlier legislation, while relatively effective in curbing governmental involvement in Jewish business, had been less successful in forcing the Jews into more "wholesome" economic outlets.

Realization of this failure, coupled with the heightened royal religiosity that characterized the years immediately prior to Louis's first crusading venture, triggered the second wave of royal action against Jewish usury. In this campaign the major concern was no longer governmental involvement; it was the continued practice of usury by the Jews themselves.

The second campaign began prior to Louis's departure for Outremer with a general confiscation of Jewish funds and of obligations owed the Jews. While the first evidence for this seizure comes in two documents addressed to the royal seneschal of Carcassonne, it is clear that this was a wide-ranging despoliation of the Jews.\(^{61}\) The rationale for this seizure was, in all likelihood, the desire to order the affairs of the realm by restoring Jewish usury. Louis himself, in his order of 1257 appointing a special commission to return Jewish usury, specifies that prior to embarking on his Crusade he had received certain goods from the Jews,

\(^{58}\) Ibid., p. 188, doc. no. 1093.

\(^{59}\) Note, for example, ibid., p. 89, doc. no. 199; p. 90, doc. no. 204; p. 281, doc. nos. 53, 55, 57; p. 291, doc. nos. 121, 122, 123, 126; pp. 742–44, doc. nos. 121–28.

\(^{60}\) On these special claims, see below.

\(^{61}\) Claude de Vic and Joseph Vaissète, *Histoire générale de Languedoc*, 15 vols. (Toulouse, 1872–92), vol. 8, pp. 1191–92. In the first document, dated July 1246, the seneschal is ordered not to collect outstanding loans. In the second, dated a month later, he is ordered to collect the principal but not the interest. Both prohibited the Jews from any further usury.
"not indeed with the intention of retaining them."62 Precisely the same expression—"non tamen animo retendi"—is used by Louis's biographer, William of Chartres, with added elaboration:

He caused them (the Jews) and their goods to be taken, not indeed with the intention of retaining them, but rather so that the goods might be restored to those from whom the Jews had extorted them through usurious viciousness—when legitimate proofs had been given. For this purpose, he appointed diligent and prudent inquisitors, placing in their hands the goods, so that they themselves might freely restore them. If some were left—concerning which it could not be proved or found to whom they should be returned—he disbursed them, with ecclesiastical permission, for pious purposes and for the churches.63

The crudest royal attempt to correct the wrongs of Jewish lending was simply to repeat the earlier legislation of 1234. In his edict of 1248, the king called for reduction by a third of all debts owed the Jews at the time of the general confiscation. Where the obligation had already been discharged, a third was to be returned; for the debts as yet unpaid, a third was to be deducted. All outstanding obligations were to be repaid within the ensuing half-year, in two equal installments. Philip Augustus's prohibition of forced sale of ancestral property and of imprisonment was, however, to be scrupulously observed.64

While this ordinance addressed itself effectively to the problem of Jewish usury still owed at the time of the general confiscation, the king remained deeply troubled over prior usury paid out to the Jews. In order to rectify these injustices, the king urged the bishops of France to appoint inquisitors who would investigate properly all complaints against Jewish usury and would return the usurious sums whenever sufficient proof was adduced. The ordinance governing these inquests is unusually detailed.65 The royal bailiffs were to announce publicly in each diocesan times and places where complaints against Jewish usury could be heard and restitution could be made. All cases involving sums

63 RHFR, vol. 20, p. 34.
64 Delisle, "Recueil des jugements de l'Echiquier de Normandie," doc. no. 735. In his important register, Archbishop Eudes of Rouen notes his visit to the monastery of Saint-Pierre-des-Fraux in early 1249. He found that the monks "owe four hundred pounds without interest to a certain Jew, and they do not know whether they will be cleared of this debt or whether they will have to pay it" (Sydney Brown, trans., and J. F. O'Sullivan, ed., The Register of Eudes of Rouen [New York, 1964], p. 66).
65 Bibliothèque nationale, fonds Dupuy, vol. 532, 88r–90v.
under 100 shillings were to be dealt with directly by the inquisitors. Upon receipt of acceptable testimony, they were empowered to disburse the proper sums; they were only responsible for providing adequate records as to the sums, the Jewish creditors, and the Christian debtors involved. Cases involving sums exceeding 100 shillings were to be referred to the royal court, with written evidence supplied by the inquisitors as well as with direct participation of an inquisitor deputized to attend the royal hearing. A number of provisions were made to ease the process of reclaiming usury. Where the inquisitors had difficulty in eliciting the necessary evidence, they were to be aided by the secular authorities, who would compel reluctant witnesses to testify. Many witnesses normally excluded from testifying at court proceedings were to be admitted in these cases. Finally, elaborate arrangements were specified for those instances where a full set of witnesses was not available. In sum, every possible effort was made to ease strict requirements and to ensure that, whenever possible, usury be restored.

A number of lists drawn up as a result of these special investigations are extant. These records follow precisely the guidelines set forth in the royal order: they involve sums under 100 shillings, with but one exception; they list carefully the amounts involved, the Jewish creditor by whom the usury was extorted, and the Christian claimants; and they generally add as well the names of the witnesses upon whose testimony the claim was substantiated.66

Once again, as during the 1230's, the royal initiative against Jewish usury triggered wide imitation. At precisely the same period, Pope Innocent IV wrote to Theobald of Champagne, describing again Jewish pleas and ordering justice for these Jews.

On behalf of the Jews of Champagne a complaint was made to us that some of your Christian subjects, to whom the Jews had shown themselves liberal in a money transaction and who ought therefore to be kind and well-disposed toward them, have on the contrary repaid evil for good, and consider them odious and despicable. These same Christians not only make no effort to repay to the said Jews the money so liberally loaned, nor to observe the legitimate contracts entered into with regard to this, but they even wickedly rage in their midst, conducting themselves with inhumanity, showing themselves oppressive and injurious. That is why the Jews have had recourse to the protection of the Apostolic Throne.

Wherefore, no matter how great their perfidy may be, since He who wants none to perish, mercifully still awaits their conversion, for God will not forever forsake His people, therefore, we warn and urge Your Serenity to use the power granted you by God to compel the said Christians your subjects to give satisfaction to the Jews for the money due them, and to try to observe the contracts above-named, and to desist from oppressing and injuring them. Thus will you prove that you hate iniquity and love justice, when even the Jews may enjoy their rights under the protection of your power.67

The proximity of the second major confiscation of the reign of Saint Louis to a crusading venture must be noted. The scrupulous efforts at restitution of Jewish usury in the late 1240’s and again in the 1250’s concerned themselves with usury alone—the principal in Jewish loans also had been confiscated and these funds presumably were directed into the royal treasury. It is not difficult to envision the pious French monarch using these sums in the great Crusade upon which he embarked in June 1248.

Sometime during his sojourn in Outremer, probably in 1253, Louis sent back instructions that his earlier prohibition of Jewish usury be repeated, but this time with sanctions specified. This ordinance was included, along with the statute of Melun of 1230, in the great general reform enacted by Louis upon his return from the Crusade in 1254.

(1) The Jews must desist from usury, blasphemy, magic, and necromancy.
(2) Both the Talmud and other books in which blasphemies are to be found must be burned.
(3) Those Jews unwilling to abide by this legislation are to be expelled; transgressors are to be properly punished.
(4) Let all Jews live by the labor of their hands or by commerce without interest or usury.68

A number of reports indicate that the threatened expulsion of recalcitrant Jews was in fact carried out. The most compelling evidence comes from Louis himself. Appointing a commission in the late 1250’s to seek further restitution of Jewish usury held by the king, Louis describes the means by which he had come into possession of these funds. Part had come from the pre-Crusade confiscation; “afterwards, when we ordered that these Jews be expelled from our domain, we accumulated further Jewish possessions.”69 The link between outlawed Jewish usury and

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68 Ordonnances, vol. 1, p. 75.
69 Ibid., p. 85.

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expulsion is reinforced by Louis’s biographer William of Chartres. In his depiction of the monarch’s antipathy to Jewish usury, William has the king warning that “the Jews must abandon usury or they must totally leave the royal domain.”

The same connection is made by the English historian, Matthew Paris, who in addition supplies a date, the year 1253. Finally, a dispute in 1271 between Louis’s successor and the duke of Burgundy has the latter claiming that a certain wealthy Jew had been part of the expulsion ordered by Louis and had as a result come into Burgundy and resided there for the intervening eighteen years. This corresponds perfectly to the 1253 date suggested by Matthew Paris. Given the fact that this was a partial expulsion only—banishment of those unwilling to abide by the king’s absolute prohibition of Jewish usury—it is difficult to evaluate its impact. The alternatives posed, however, were stark—ruin through exile or ruin through acceptance of the royal prohibition.

The king’s religious scruples about the possession and utilization of funds tainted with Jewish usury continued to plague him. In 1257, he empaneled a royal commission to check on the confiscated goods, to make certain that they were all properly accounted for, and to continue the effort to return unclaimed usury. The panel, composed of the bishop of Orléans, the abbot of Bonneval, and the archdeacon of Poissy, began its activities immediately. Norman records show this commission selling a mill at Fresney-le-Puceux, part of which had belonged to the wealthy Morel of Falaise. While one concern was thus the sale of Jewish holdings to raise the funds necessary for continued reimbursement, the king also stipulated that synagogues and cemeteries, if they had been confiscated, were to be returned to the Jews—a beneficial step from the Jewish point of view and a good indication that a substantial segment of the Jewish community remained.

Finally, Louis also petitioned the pope and the bishops of France for permission to use unreturned funds for pious purposes. William of Chartres's biographer William of Chartres. In his depiction of the monarch's antipathy to Jewish usury, William has the king warning that “the Jews must abandon usury or they must totally leave the royal domain.” The same connection is made by the English historian, Matthew Paris, who in addition supplies a date, the year 1253. Finally, a dispute in 1271 between Louis's successor and the duke of Burgundy has the latter claiming that a certain wealthy Jew had been part of the expulsion ordered by Louis and had as a result come into Burgundy and resided there for the intervening eighteen years. This corresponds perfectly to the 1253 date suggested by Matthew Paris. Given the fact that this was a partial expulsion only—banishment of those unwilling to abide by the king's absolute prohibition of Jewish usury—it is difficult to evaluate its impact. The alternatives posed, however, were stark—ruin through exile or ruin through acceptance of the royal prohibition.

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tres's testimony on the royal request is substantiated by a long series of letters received by the monarch, granting the permission which he had sought. 76

There remains a very precious insight into Jewish reaction to this extended attack on Jewish economic life. R. Meir b. Simeon of Narbonne, whose fellow Jews were now suffering along with their northern brethren, formulated a Hebrew missive which was supposed to be addressed to the king himself. The charges leveled against the royal authority correspond precisely to the series of blows just described. After citing a number of scriptural passages—binding on Christians as well as on Jews—for the obligation to hear the cry of the oppressed, the author begins to count off the unjust steps taken by the king against all the Jews of his many domains:

First, he enacted a decree upon our people that a Jew not be permitted to leave the authority of one ruler and pass under the authority of another. Behold how difficult this decree is! By this decree, he consigned us to daily destruction and decimation at the hands of the barons.

Secondly, he stole the debts owed us and our moneys. As a result we are unable to sustain ourselves and our children. How much more are we unable to provide for our poor—many of them are dying of hunger.

Thirdly, [despite the above] he has kept in force the payment of taxes and has not annulled them. He should have ordered throughout all his kingdom that no tax be taken from any Jew, since he has confiscated their money.

Fourthly, he has commanded the barons—even though it does not meet with their favor—that neither they nor their officials may enforce debts owed Jews by Christians, neither the principal nor the interest.

Fifthly, he has commanded that, if a Jew be indebted to a Christian, they force the Jew to pay his debt to the Christian.

Sixthly, that we not lend money usuriously at all, even in those situations permitted to us in Scripture according to the view of our ancestors. Thus he robs us of provision for our poor and indigent, who find for themselves no sustenance. 77

These complaints were not figments of the author's imagination. Each of the actions cited has been authenticated in our description of the royal campaign. It is interesting, however, to note the Jewish perception of these blows. For the author, the limitation of Jewish mobility was extremely serious, since it deprived the Jews of the possibility of flight and emboldened the barony to treat their Jews with greater cruelty. Also very damaging were the tangible losses emanating from the confiscation of funds and debts. While the removal of governmental support for Jewish business is not featured prominently in the list of royal decrees, it is the complaint that recurs most prominently throughout the rest of the letter. This innovation obviously hurt the Jews very badly. The tone of the Jewish complaint is bitter, and the description of Jewish suffering extreme. If this reflects accurately the southern reality, then in the north, where the anti-usury campaign had begun earlier and had been pursued more zealously, the Jewish economy must have been well-nigh shattered.

The same reign that produced an extended and ultimately successful campaign against the economic foundations of Jewish life in northern France saw a parallel assault on the pillars of Jewish religion as well. The attack on the Talmud and related literature began in 1239, during a period of lull in the government's anti-usury efforts, and continued unabated through the rest of the years of Louis's rule, renewed vigorously on the eve of his second crusading venture and his death. By 1270 the spiritual well-being of northern French Jewry had been as effectively undermined as its financial health.  

In this instance the initial spark to the royal assault was externally introduced. In 1236, Pope Gregory IX sponsored the conversion of a Jew named Nicholas Donin. As was often the case with such converts, Donin immediately embarked on a vigorous attack against his former coreligionists. The new convert remained close to the papal court.


79 The little material available on Nicholas Donin has been collected by Grayzel, The Church and the Jews in the XIIIth Century, pp. 339-40. It seems probable that Donin was originally from northern France. Both R. Yehiel of Paris and R. Jacob b. Eli mention excommunication of Donin by R. Yehiel prior to his conversion.

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gathering material designed to illuminate the horrors of Talmudic literature. His attempts to convince Gregory of the “vicious malice” of the rabbinic writings were eventually successful and, in mid 1239, Donin was sent forth, armed with papal letters, to counteract this evil.80

It is highly significant that the area through which the campaign was channeled was northern France. Donin, with his papal letters and his collected materials, made his way to Paris. There the materials were to be examined, and from there they were to be transmitted “to our venerable brethren the archbishops and to our dear sons the Kings of France, England, Aragon, Navarre, Castile, Leon, and Portugal.”81

The choice of the bishop of Paris as a central figure was dictated by a number of considerations. Paris was, of course, a great center of both canonical and theological studies, where expert opinion, were it ever needed, would be readily available. Yet more important was the position of Paris as the capital of the French kingdom and the abode of the most pious of the kings of western Christendom. Gregory IX recognized from the outset the necessity of secular support in carrying out his designs. The French king, whose authority was based in Paris, was clearly the most likely candidate among all of European royalty to support such a program. He had already proven widely his deep concern for matters of faith and had shown diligence and zeal in those areas that specifically related to the Jews. Subsequent events show that the papal choice of Paris as a starting point was a wise one—it was only Louis who supported the effort and it was only in France that success was achieved.

The charges on the basis of which the Talmud was to be seized are indicated in cursory fashion in the letters addressed by the pope to the archbishops of France, the kings of western Europe, and the heads of the Franciscans and Dominicans of Paris:

If what is said about the Jews of France and of the other lands is true, no punishment would be sufficiently great or sufficiently worthy of their crime. For they, so we have heard, are not content with the Old Law which God gave to Moses in writing: they even ignore it completely, and affirm that God gave another Law which is called “Talmud,” that is “Teaching,” handed down to Moses orally. Falsely they allege that it was implanted within their minds and, unwritten, was there preserved until certain men came, whom they call “Sages” and “Scribes,” who, fearing that this Law may be lost

81 Ibid., pp. 238-41.
from the minds of men through forgetfulness, reduced it to writing, and the volume of this by far exceeds the text of the Bible. In this is contained matter so abusive and so unspeakable that it arouses shame in those who mention it and horror in those who hear it.

Wherefore, since this is said to be the chief cause that holds the Jews obstinate in their perfidy, we thought that Your Fraternity should be warned and urged, and we herewith order you by Apostolic Letters, that on the first Saturday of the Lent to come, in the morning, while the Jews are gathered in the synagogues, you shall, by our order, seize all the books of the Jews who live in your districts, and have these books carefully guarded in the possession of the Dominican and Franciscan Friars.  

The vagueness of these charges is dispelled by the series of thirty-five accusations drawn up seemingly by Nicholas Donin. These charges fall under five major headings: (1) Jewish emphasis on the sanctity of Oral Law, which is in itself a blasphemy of sorts against the holiness of Scriptures recognized by Jew and Christian alike; (2) Talmudic material that overtly fosters anti-Christian attitudes and actions; (3) Talmudic materials that, in their puerile descriptions of the deity, constitute sacrilege against God; (4) Talmudic materials that blaspheme Jesus and the leaders of the Christian faith; and (5) Talmudic materials that are in a general way morally and intellectually offensive. The first of these categories corresponds accurately to the opening remarks of the papal letters; the remaining four specify the “matter so abusive and so unspeakable that it arouses shame in those who mention it and horror in those who hear it.”

The program was presented in only the most general terms to the archbishops and the kings addressed. Both groups were enjoined to have the books of the Jews seized on the first Saturday of the coming Lent, which was March 3, 1240. The archbishops were told that they might utilize the support of the secular authorities whenever necessary. The kings were bidden to make the effort royal in scope; it was to extend beyond their personal domains to the kingdoms at large. The instructions merely ordered that the confiscated volumes be turned over to the Dominicans and the Franciscans.  

82 Ibid., pp. 240–43.
Just as the letters ordering seizure of Jewish books were channeled through Paris, so too the books themselves were to be channeled into the capital city. The responsibility for the sequestered tomes seems to have devolved upon the Dominicans and Franciscans of Paris. The letter addressed to them is specific as to the action commanded.

We, through Apostolic Letters, order Your Discretion to have the Jews who live in the Kingdoms of France, England, Aragon, Navarre, Castile, Leon and Portugal, forced by secular arm to give up their books. Those books, in which you will find errors of this sort, you shall cause to be burned at the stake. By Apostolic Power, and through use of ecclesiastical censure, you will silence all opponents. You will also report to us faithfully what you have done in the matter. But, should all of you be unable to be present at the fulfillment of these instructions, someone of you, none the less, shall carry out its execution.85

While the papal order seems to imply carte blanche for direct action against the Jewish books, the next step was some kind of inquisitorial proceeding to ascertain the validity of the charges.86 The basis for these proceedings seems to have been the aforementioned thirty-five accusations drawn up by Donin. A number of important rabbis, chief among them R. Yehiel of Paris (Vivant of Meaux) and R. Judah of Melun, were called upon to testify on behalf of the accused Talmudic tradition. Their testimony is briefly recapitulated in an unofficial set of two Latin confessiones and in an embellished Hebrew account that transforms the Jewish defense into a vigorous disputation between the chief accuser, Donin, and the most important of the Jewish leaders, R. Yehiel. There is sufficient similarity between the thirty-five accusations drawn up by Donin, the Latin confessiones, and the Hebrew Vikuah to indicate substantial factual information underlying both of the latter two sources.87

The papal directive had ordered burning of those books in which abusive errors were found. The investigation at Paris had revealed such errors. The next step was thus a major conflagration of condemned Jewish books, which took place during the summer of 1242.88 This was an incident which deeply shook northern European Jewry, occasioning

85 Ibid., pp. 242-43.
86 Emphasized by Baer, “The Disputation of R. Yehiel of Paris and of Nachmanides.”
88 On the dating, see S. H. Kuk, “The Date of the Burning of the Talmud in France,” and David Tamar, “More on the Date of the Burning of the Talmud in France,” both in Kiryat Sefer 29 (1953-54), pp. 281 and 430-31, respectively.
inter alia a pathetic lament by the young Meir of Rothenburg, at that
time a student in France and destined to become a major figure in
German Jewry:

O thou consumed by fire—seek out
the welfare of those who mourn thee,
Who desire desperately to dwell
in your courtyards;
Those who yearn for the soil of the one
true land,
Who suffer in astonishment over the
scorching of your parchment pages;
Those who walk in dark despair
without illumination,
Who hope daily for a light that will
burst forth upon them and upon you. 89

The next information comes from a papal letter, dated May 9, 1244,
sent by Innocent IV to Louis IX. This letter begins with a repetition of
the charges against the Talmud, again corresponding accurately to the
thirty-five accusations leveled by Donin.

The wicked perfidy of the Jews, from whose hearts our Redeemer
has not removed the veil of blindness because of the enormity of
their crime, but has so far permitted to remain in blindness such as in
a measure covers Israel, does not heed, as it should, the fact that
Christian piety received them and patiently allows them to live
among them through pity only. Instead, it (the perfidy) commits
such enormities as are stupifying to those who hear of them, and
horrible to those who tell them. For, ungrateful to the Lord Jesus
Christ, who, in the abundance of His kindliness, patiently expects
their conversion, they, displaying no shame for their guilt nor rever­
ence for the honor of the Christian Faith, throw away and despise
the Law of Moses and the prophets, and follow some tradition of
their elders. On account of these same traditions the Lord reproves
them in the Gospel saying: “Wherefore do you transgress the law of
God, and render it void because of your traditions, teaching doc­
trinues and commands of men?”

In traditions of this sort they rear and nurture their children,
which traditions are called “Talmud” in Hebrew. It is a big book
among them, exceeding in size the text of the Bible. In it are found
blasphemies against God and His Christ, and obviously entangled

89 Convenienly available in Abraham Habermann, ed., Sefer Gezerot Ashkenaz ve-Zarfat
(Jerusalem, 1945), p. 183.
fables about the Blessed Virgin, and abusive errors, and unheard of follies. But of the laws and doctrines of the prophets they make their sons altogether ignorant. They fear that if the forbidden truth, which is found in the Law and the Prophets, be understood, and the testimony concerning the only-begotten Son of God that He appeared in the flesh, be furnished, these (children) would be converted to the Faith and humbly return to their Redeemer.90

The pope then describes the action taken in Paris, culminating in the burning of the Talmud. He commends the French king for his zealous support and urges him to pursue the matter with further vigor, extending the eradication of condemned Jewish books throughout the kingdom.

Indeed our beloved son the Chancellor of Paris, and the doctors, the Regents of Paris, after having at the command of our predecessor, Pope Gregory of happy memory, as expressed in a sacred decree, read the above-named book of abuse, as well as others which, along with their glosses, they had in their possession, and after having examined them, they consigned them to the flames, in the presence of clergy and laity, to the confusion of the perfidy of the Jews, as we have seen in their letters. You, also, Catholic King and most Christian Prince, have given fitting help in these matters and extended your favor, and on account of this we commend the Royal Excellency with fitting praise to God, and bestow our gratitude upon you. Nevertheless, because the blasphemous abuse of these Jews has not yet ceased, nor their troubles as yet given them understanding, we ask your Royal Highness and we beseech you in the name of the Lord Jesus Christ, to strike down with merited severity all the detestable and heinous excesses of this sort which they have committed in insult of the Creator and to the injury of the Christian name, and which you have with laudable piety begun to prosecute. Also the above-mentioned abusive books, condemned by these doctors, as well as all the commentaries which have been examined and condemned by them, should, at your order, be burned in fire wherever they can be found throughout your kingdom.91

The results of Innocent IV’s exhortations are unknown. Whatever their impact may have been, by 1247 a curious papal reversal had taken place. From late 1244 through early 1251, the pope resided at Lyons. There he seems to have been particularly accessible to Jewish petitions. The Jews advanced the claim that prohibition of the Talmud was tanta-

91Ibid., pp. 252–53.
mount to the outlawing of the Jewish faith. In a sense, this had been perceived by Innocent and his predecessor. Gregory IX had described the Talmud as "the chief cause that holds the Jews obstinate in their perfidy," and Innocent himself had charged that the Talmud was used to prevent direct study of the Bible lest the Jews perceive the true message of the Scriptures and abandon their obdurate faith.\(^{92}\) Now, however, the Jews emphasized for their purposes the contention that without the Talmud practice of Jewish religion was impossible, asserting that the effective prohibition of Jewish life blatantly contravened established Church doctrine.\(^{93}\) The pressures brought to bear upon the pope alongside this legal argument are unknown. In any case, the letter of 1247 addressed to Louis indicates that the matter of the Talmud had been reopened and that a new investigation had been ordered under the aegis of the papal legate in Paris. The purpose of this new investigation was to restore to the Jews as much of their rabbinic literature as possible—without injury to the Christian faith.\(^{94}\)

While it had been papal instructions that sparked the campaign against the Talmud, in northern France this assault had become self-sustaining. Innocent's recommendation received little hearing in northern French circles. Just as in the case of usury, the stand of the French clergy—and along with them the king—was far more radical than the position of the central ecclesiastical authorities.

While the royal response to the pope's new directive has been lost, the vigorous reply of the papal legate delegated to undertake the re-examination remains. The legate Odo began his rejoinder with a precise narration of earlier developments—the charges assembled by Donin, the series of papal letters, substantiation of the accusations through a careful study of the Jewish books and through personal questioning of a number of Jewish teachers, and finally the public burning of the condemned volumes. From all this Odo concludes that it would be a grievous error to restore the Talmud to the Jews.

It would therefore be most disgraceful, and a cause of shame for the Apostolic Throne, if books that had been so solemnly and so justly burned in the presence of all the scholars, and of the clergy, and of the populace of Paris, were to be given back to the masters of the Jews at the order of the pope,—for such tolerance would seem to mean approval. Saint Jerome, speaking of the lepers whom the Lord

\(^{92}\) Ibid., pp. 240–43, 250–53.
\(^{93}\) Ibid., pp. 274–81.
\(^{94}\) Ibid.
cured, says that there is no perverse doctrine that does not contain some truth, and so likewise no heretics are to be found who do not think well of some one article of the Faith. These are books that contained errors, and hence no matter how much good they contain, they were, nevertheless, condemned by the authority of the councils, in the same way that heretics are condemned although they do not err in everything. Thus, although these books contain some good things, though not many, nevertheless, they deserve condemnation. This is the very teaching of which Saint Jerome made mention in the Gospel of Matthew, that it makes errors into commands of God, as the Lord Himself bore witness.95

Whatever the papal response may have been, Odo and his colleagues proceeded to a second public condemnation of the Talmud in 1248.

Certain books by the name of Talmud having been presented by the Jewish masters to us armed with Apostolic Authority, we have examined these books and caused them to be carefully examined by men of discretion, expert in these matters, God-fearing, and zealous for the Christian Faith. Whereas we found that these books were full of innumerable errors, abuses, blasphemies and wickedness such as arouse shame in those who speak of them and horrify the hearer, to such an extent that these books cannot be tolerated in the name of God without injury to the Christian Faith, therefore, with the advice of those pious men whom we caused to be gathered especially for that purpose, we pronounced that the said books are unworthy of tolerance, and they are not to be restored to the Jewish masters, and we decisively condemn them. We are also possessed of full knowledge as to the place and time of other books not shown to us by the Jewish masters nor by us examined, although we have often made demands for them; and we shall do what there is to be done with regard to them.96

The edict of 1248 framed by the papal legate remained in force for some time. The important royal ordinance of 1253, which outlawed Jewish usury and enacted sanctions for noncompliance, included also a prohibition of the Talmud.97 While those sources which do describe the resultant expulsion in any detail link it with the anti-usury clause of the ordinance, it is possible that some Jews may have left France as a

95 Ibid., pp. 275–78. It is interesting to note that Odo had been sent to Paris primarily in order to preach the new Crusade. Again the nexus between crusading and anti-Jewish activity is striking.
96 Ibid., pp. 278–79.
97 Ordonnances, vol. 1, p. 75.
result of the overt royal prohibition of Talmudic study. Such may have been the case, for example, with the distinguished defender of the Talmud at the 1240 Paris trial, R. Yehiel.98

In 1257 Pope Alexander IV addressed almost identical letters to three of the most important political figures in northern France—the duke of Burgundy, the count of Anjou, and the king.99 In these letters the pope exhorted the three leaders to exhibit zeal in their enforcement of ecclesiastical legislation concerning the Jews. It seems highly significant that the letter to Louis omits entirely the matter of offensive Jewish books highlighted in the other two messages. This omission reflects papal awareness of the energetic and protracted efforts of the French king in this regard.

Thus the campaign initiated by the papacy in 1239 did not flag, in the late 1240's, with a papal change of heart. It was steadily pursued by the French authorities all through the remaining years of the reign of Louis IX. For the Jews this meant a devastating blow to the impressive achievements of northern French Jewish scholarship. While we have noted the immediate and agonized reaction to the burning of Jewish books, it is more difficult to trace the long-range effects of the ongoing attack against rabbinic literature. R. Samuel b. Solomon, a major Jewish figure in the mid-century French Jewish community, opened a letter to the same R. Meir of Rothenburg who had eulogized the charred Jewish books, with the following remarks:

My spirit has left me, my strength has departed, the light of my eyes has dissipated, because of the oppressor. His hand has fallen heavily upon us; he has taken from us the delight of our eyes—we no longer have books for study and for understanding. May the Lord be zealous on behalf of his people and say to our oppressor—"Enough!"100

Whatever the measures one chooses, the mid thirteenth century represents a major turning point in the intellectual life of northern French Jewry. The great academies whose fame had spread throughout European Jewry declined. There were no longer major leaders on a par with the distinguished galaxy of twelfth- and early-thirteenth-century giants such as R. Jacob Tam, R. Samuel b. Meir, R. Isaac of Dampierre, R. Samson of Sens, his brother R. Isaac b. Abraham, R. Judah Sire Leon,

100 Recorded by R. Meir of Rothenberg and cited by Urbach, Ba'aley ha-Tosafot, pp. 377–78.
and R. Yehiel. The steady stream of German students making their way
to the leading academies of France dried up. In the view of Ephraim
Urbach, the outstanding student of the Jewish intellectual life of this
period, the anti-Talmud legislation "brought in its wake a lessening of
studies and, with the passage of time, a complete decline in the intellec-
tual life of the Jews of France." 101

Capetian policy on Jewish settlement underwent total change during
the period from 1223 to 1270. In the first year of his reign, Louis VIII
went beyond the efforts of his father to stabilize Jewish residence
patterns by leading a number of important barons in the signing of a
nonretention clause, which was to bind signers and nonsigners alike. 102
This direction was pursued by Blanche and Louis as well. The Melun
ordinance of 1230 included a similar nonretention clause, augmented
by specification of the responsibilities of the signers for enforce-
ment. 103

As royal interest in revenue from the Jews declined and royal con-
cern with Jewish offenses increased, the government's efforts to limit
Jewish population movement waned. By 1253 the king was perfectly
willing to see substantial segments of the Jewish community—possibly
the wealthiest elements at that—leave his domain. 104 While there was
some profit from this expulsion, the motivation was quite different
from that of Philip Augustus in expelling his Jews in 1182. How large a
percentage of the Jewish community was affected by this expulsion is
unclear. Many of the barons of northern France did not share the royal
disdain for Jewish settlement. A series of parliamentary cases in the
wake of the confiscation of 1268 shows key seigneurs adamant in
emphasizing their proprietary rights over certain Jews. 105 Lists drawn
up in a number of Champenois towns during the 1240's reflect the
same concerns. 106

While significant emigration may have resulted from the edict of
1253, there was during this period at least one important instance of

101 Ibid.
102 Layettes, vol. 2, doc. no. 1610; see Langmuir, " 'Judei Nostri' and the Beginning of
Capetian Legislation," pp. 217-21, and Chazan, "Jewish Settlement in Northern France,
1096-1306," p. 52.
103 Layettes, vol. 2, doc. no. 2083; Langmuir, " 'Judei Nostri' and the Beginning of Capetian
104 See above.
105 Olim, vol. 1, p. 791, case no. 4; p. 793, case no. 7; p. 811, case no. 32; p. 821, case no.
16.
2792-95.

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mass immigration. In 1239, as a result of pressures exerted by both ecclesiastical and secular authorities, John I, count of Brittany, expelled the Jews from that western French territory. It seems reasonable to suppose that most of the fugitives made their way eastward into the settled centers of northern French Jewish life.\textsuperscript{107}

Shifts in Jewish population notwithstanding, the increasing availability of documentary materials brings to light new Jewish enclaves and reinforces the impression already established of widespread Jewish settlement.\textsuperscript{108} In this regard, the Champenois tax record of 1252 offers some very valuable insight. This record, available only in extracts, shows Jewish revenue bailliage by bailliage and town by town.\textsuperscript{109} It reveals Jews in a total of forty-two Champenois towns—a rather large number. It is quite possible, in fact, that the list preserves only the major Jewish settlements and that Jews living in smaller locales may well have paid their taxes through the central Jewish communities listed. It is significant to compare the pattern of Jewish settlement with that of the other “foreign” element in Champagne at the time, namely, the Lombards. Against the forty-two Jewish communities attested we find only twenty-two Lombard groups, almost exclusively centered in the major towns of the county.

While economic necessity forced the Jews into smaller settlements spread widely over northern France, such a trend could only develop against a background of considerable physical security. It is curious, however, that the reign of the king heralded for his emphasis on justice should have seen major incidents of popular attack on the Jews. Earlier, only the attack on the Jewish community of Rouen during the First Crusade disturbed the pattern of adequate protection of Jews from popular hostility.\textsuperscript{110} The Crusades of the twelfth and early thirteenth centuries passed without serious incident in northern France. The violence suffered by northern French Jewry was, in every instance, the result of governmental initiative, rather than an outpouring of popular sentiment.\textsuperscript{111} Now, during the reign of that king famed for his commitment to the eradication of violence, the Jews began to feel the sting of popular fury. Both significant outbreaks were associated, not unexpectedly, with the Crusades of the middle years of the century.

\textsuperscript{107}Grayzel, \textit{The Church and the Jews in the XII\textsuperscript{th} Century}, pp. 344–45.
\textsuperscript{110}See above, chapter 1.
\textsuperscript{111}See above, chapters 2 and 3.
In February 1229, Frederick II had come to a negotiated settlement with the Moslems that provided *inter alia* a ten-year period of truce. This arrangement was never terribly popular with either side, and long before its expiration Pope Gregory IX had begun to lay plans for yet another crusading expedition. The focus of papal exhortation was northern France and England, and it was from there that the expedition eventually set forth under the leadership of Theobald of Champagne. Prior to the actual organization of this Crusade in 1239, unruly bands in western France had begun to do serious damage, especially in attacks upon the Jews.112

The beleaguered Jews quickly turned to the instigator of the Crusade, the pope himself, imploring his protection against the vicious attacks. Gregory responded with a series of strong letters denouncing the atrocities, the first addressed to the bishops of Western France.

We have received a tearful and pitiful complaint from the Jews who live in the Kingdom of France. It shows that although the crusaders of your districts and dioceses should have prepared heart and body to fight the battles of the Lord, and to liberate the heritage of Christ from the hands of pagans who, because of the enormous sins of the Christian people, hold and defile the Temple of God, and although to the extent that such a battle is especially Christ’s, so much the more humbly should they be filled with fear and love of His name, lest, God forbid, they steep themselves in their evil desires and arouse against themselves Divine displeasure; yet (despite all this) these very ones, along with others who have taken the Cross, plot impious designs against the Jews, and pay no heed to the fact that the proof for the Christian faith comes, as it were, from their archives, and that, as the prophets testified, although they should be as the sands of the sea, yet in the end of days a remnant of them shall be saved, because the Lord will not forever spurn His people. But (the crusaders) try to wipe them almost completely off the face of the earth. In an unheard of and unprecedented outburst of cruelty, they have slaughtered in this mad hostility, two thousand and five hundred of them; old and young, as well as pregnant women. Some were mortally wounded and others trampled like mud under the feet of horses. They burned their books and, for greater shame and disgrace, they exposed the bodies of those thus killed, for food to the birds of heaven, and their flesh to the beasts of the earth.

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After foully and shamefully treating those who remained alive after this massacre, they carried off their goods and consumed them. And in order that they may be able to hide such an inhuman crime under the cover of virtue, and in some way justify their unholy cause, they represent themselves as having done the above, and they threaten to do worse, on the ground that they (the Jews) refuse to be baptized.

Wherefore, placed as under a new Egyptian enslavement, and fearing their extermination, the Jews turned to, and humbly besought mercy from the Apostolic Throne.

Therefore, lest such temerity if unpunished, continue to injure still others, we command that each one of you force the inhabitants of your dioceses who commit such excesses, to bring proper satisfaction for the crimes perpetrated against the Jews and for the property stolen from them. After giving due warning you may use ecclesiastical punishment without appeal.\footnote{Grayzel, The Church and the Jews in the XIIth Century, pp. 226–29.}

In his letter to the bishops of western France the pope enjoined that each “force the inhabitants of your dioceses who commit such excesses, to bring proper satisfaction for the crimes perpetrated against the Jews and for the property stolen from them.”\footnote{Ibid., pp. 228–29.} While the attackers were in most instances Crusaders and hence technically under the jurisdiction of ecclesiastical courts, the pope realized that, in actuality, the most powerful force in northern France was the monarchy and that Louis IX was already celebrated for his dedication to the Christian faith and to justice. For this reason the pope addressed an important epistle to Louis, describing and condemning again the outrages and eloquently enjoining the king to prosecute the criminals.

Since, however it is for kings to render judgment, and do justice, for in the words of the Prophet—“The honor of a king loves judgment, and justice and judgment are the foundations of his throne,” and, “to free the oppressed from the hand of those who pursue them with force,” therefore, we ask Your Royal Excellency and we warn you and urge you in the name of the Lord, to use the power with which God entrusted you, to correct and to punish those who in their rashness dare commit these crimes so unspeakably and terribly offensive to God in whose image the victims were created, and so injurious to the Apostolic Throne whose privileges they have been granted. Force the crusaders to restore to the Jews all that has been
stolen: that you may prove yourself by an exhibition of good works, to be one who hates iniquity and loves justice. Thus may we be able to commend to God the meritorious zeal of your sincerity.\textsuperscript{115}

The papal exhortation to Louis may have had its effects. A number of the complaints before the royal inquisitors in 1247 and 1248 relate to punishments imposed for murder of Jews or assaults upon them; some of these probably stem from the incidents of 1236.\textsuperscript{116} The complaints, while denying the charges upon which imprisonment or fines had been based, do reveal royal officialdom in northwestern France assessing stiff penalties on Christians accused of assault upon Jews.

The second major eruption of violence was also associated with the Crusades. This incident took place while Louis himself was abroad in 1251. In northern France, a popular crusading movement developed, led by the so-called Master of Hungary. Growing rapidly and attracting outcast elements in society, this bizarre aggregation made its way southward and found itself even dignified by an interview with the regent herself. Unchecked by encounters with the central authorities, this band split in a number of directions, moving westward through the Seine and Loire valleys and southward towards Bourges. The paths of these marauders were marked by pillage and devastation, with the primary targets seemingly the clergy and the well-to-do. It was almost inevitable that such an anarchic movement should turn its fury against the Jews. This happened finally in Bourges, where the Jews were attacked and despoiled in their synagogue. By this time, reaction had begun to set in against the attackers, and before long the groups had been curbed and dispersed.\textsuperscript{117}

On the one hand, these incidents reveal a France still dedicated to preservation of internal peace and still able to suppress and punish popular excesses; it remains true nevertheless that the religious zeal evoked by the mid-century Crusades, by royal enthusiasm for those expeditions, and by royal despoiling of the Jews encouraged the growth of anti-Jewish sentiment and perhaps fostered the feeling that violence could be committed with relative impunity.

\textsuperscript{115}Ibid., pp. 228-31.

\textsuperscript{116}RH\textsuperscript{F}, vol. 24, p. 114, doc. no. 171; p. 211, doc. no. 1410; p. 213, doc. no. 1429; p. 227, doc. no. 1575; p. 229, doc. no. 1588; p. 234, doc. no. 1637.

The discussion of royal attempts to stifle Jewish moneylending has already suggested a precipitous decline in Jewish economic fortunes in northern France. Such a decline is extremely difficult to document. We have noted already the general disappearance of loan documents as one index of the effectiveness of the governmental campaign. Particularly in the wake of 1253, there seems to be little doubt of the seriousness and success of the royal attempts to root out Jewish usury. The economic alternatives for those Jews who chose to remain in France must have been extremely limited. Moneylending had always drawn the Jews into related commercial activities, but how rewarding these pursuits were is questionable. The inference must necessarily be a period of substantial impoverishment.

There is one brief insight available on declining Jewish economic fortunes contained in the tax records for Champagne for the year 1252.\textsuperscript{118} The record, already cited, is remarkably thorough in its accounting, showing normal revenues listed baillage by baillage and then adding a variety of special incomes as well. The impression is one of an almost complete overview of the financial resources of the county. The most striking items for our purposes are the net income of approximately 50,000 pounds, the 20,000 pounds paid by the Lombards of the county, and the 521 pounds paid by the Jews. The sum listed for the Jews is significant in a number of senses. In the first place, back in the early 1220's the Jewish community of Champagne had been assessed a fine of 70,000 pounds over a five-year period—almost 15,000 pounds per annum.\textsuperscript{119} The decline is obvious. In the second place, the contrast between income from Lombards and from Jews is sharp. The Lombards are clearly the wealthy moneylending element in Champenois society. Finally, within the total revenues of the county, a sum of almost 50,000 pounds, the Jewish contribution represents a meager one percent, an accurate gauge of the economic catastrophe that had struck the community.

The period from 1223 to 1270 saw not only economic decline; it saw a slip in political status as well. This deterioration was, in one sense, merely an intensification of the tendencies initiated during the reign of Philip Augustus. Designs for the exploitation of Jewish wealth had already led Philip to limit Jewish population movement—a development that was correctly perceived by the Jewish leadership as a serious loss of political dignity. The general nonretention clauses of 1223 and 1230

\textsuperscript{118}Longnon, Documents relatifs au comté de Champagne et de Brie, vol. 3, pp. 8–16.
\textsuperscript{119}See above.
represented a far more effective method of controlling Jewish movement than the bilateral treaties struck by Philip; they were ipso facto a step further in the political degradation of the Jews. The articulation of the right to seize runaway Jews and of the responsibility to force recalcitrant barons to hand over such Jews only added to the realities of political deterioration. A classic expression of the economically-based limitation of Jewish status can be found in the *Coutume d'Anjou et de Touraine*. There the question of legal jurisdiction over the Jews was raised. The cases adduced involved a conflict of jurisdictions—a royal Jew bringing suit against a baron’s man or a baron’s Jew bringing suit against a vassal’s man. The position taken was that the case must be brought before the possessor of the Jew, because the Jew’s goods essentially belong to the king or the barons. The economic rights over the property of the Jew thrust him even more deeply into the political grasp of the governmental authority who “held” him.

The terminological culmination of this tendency came in the Melun ordinance of 1230. There it was stipulated that a Jew who left his land for another domain might be seized by his original holder “tanquam proprium servum,” as his serf, no matter what custom the Jews might enjoy under the rule of another overlord or in another kingdom. The equation of Jewish status to that of serfs had been implied ever since the first nonretention treaties. The earlier adoption in English circles of overt expressions of Jewish serfdom may have had its impact as well. William of Chartres, it will be recalled, has Louis basing his anti-usury legislation on the contention that the Jews were directly subject to royal authority.

While Louis himself began to develop his view of Jewish serfdom in a new direction, many of the barons of northern France continued to claim their possessory rights over the Jews, with concern for economic gain still uppermost in their minds. Thus, for example, the great confiscations of 1268 gave rise to a series of complaints before Parliament,


121 *Layettes*, vol. 2, doc. no. 2083. For an overview of “Jewish serfdom” during this period, see Baron, *A Social and Religious History of the Jews*, vol. 11, pp. 4–13, and the copious literature cited in the notes. The reference to the customs enjoyed by Jews elsewhere may reflect the type of Jewish complaints recorded in the name of R. Isaac of Dampierre (see above, chapter 3, n. 48).


charging that royal officials had arrested nonroyal Jews or had confiscated their goods. Investigation was made and, when the baronial allegations were substantiated, redress was made. Slightly before these events, the count of Champagne accused the count of Grandpré of usurping rights over a number of his Jews. It was in order to obviate such conflicts that, on occasion, lists would be drawn up of Jews belonging to a specific lord. Records of Jews belonging to the count of Champagne have survived for the towns of Troyes, Bray, Montereau, and Villemaur; these lists were intended to solidify the legal claim of the Champenois authorities.

During this period, there emerged a new challenge to the rights exercised by the barony over the Jews. The municipalities of northern France, ever striving to expand their powers, represented a more serious threat than heretofore. Thus, the counts of Champagne, dispensers of many town charters during the years between 1230 and 1270, emphasized in these grants their own retention of certain prerogatives, including jurisdiction over the Jews. The barons seem to have been relatively successful in holding the line against the municipalities in this respect. The parliamentary decision of 1260 to give the town authorities rights over converted Jews reveals the ongoing efforts of the municipalities and implies that Jews who retained their faith must have continued to fall under baronial jurisdiction.

In view of this fundamentally economic concern with the Jews, it is striking that little evidence on Jewish taxation remains. We have already noted the record of Champenois revenues for 1252 and the indication of relatively insignificant income from the Jews. It seems highly likely that the most important sums were realized from the Jews as a result of the major confiscations of 1234, 1247–1248, and 1268, with addi-

124 Olim, vol. 1, p. 791, case no. 4; p. 793, case no. 7; p. 811, case no. 32; p. 821, case no. 16.
127 See, for example, Layettes, vol. 2, doc. nos. 2075 (Provins), 2134 (Saint-Mange), 2153 (Châlillon-sur-Marne), 2170 (Saint-Florentin); and Longnon, Documents relatifs au comté de Champagne et de Brie, vol. 2, pp. 40 (Villemaur), 56 (Bar-sur-Aube).
128 Olim, vol. 1, p. 482, case no. 17.
129 Layettes, vol. 2, doc. no. 2910.
tional revenues deriving from the goods of those Jews expelled in 1253. Despite the serious efforts of some barons—primarily the king himself—to free themselves from the stigma of utilization of Jewish usury, substantial riches were amassed for the royal and baronial treasuries.

Along with the enhanced control of Jewish affairs, which was merely a continuation of the policies of Philip Augustus, the second major element in the decline of Jewish political status was the introduction, largely by Louis himself, of ecclesiastical notions of governmental culpability for Jewish misdeeds. In a certain sense, this new emphasis flowed from the deepening alliance between the Jews and the barony. According to William of Chartres, Louis saw himself as responsible for the presence of the Jews on French soil and hence felt personally accountable for rigorous control of their behavior. Crimes on their part would mean that the Christian commonwealth had been polluted through him, an abhorrent thought for a monarch so deeply devoted to both the spotlessness of his own soul and the purity of his realm.\textsuperscript{130} These notions represent another serious blow to Jewish political standing in northern France; the actions which they unleashed were crucial in the precipitous decline in Jewish affairs during this period.

It is significant that the three major confiscations noted above all correspond to the beginnings of important crusading efforts. While attempts had been made to rationalize Philip Augustus’s seizure of Jewish property on religious grounds, it seems highly probable that the confiscations ordered by his grandson were in fact motivated by pious purposes. Twelfth-century ecclesiastical leaders had already suggested that ill-gotten Jewish gains should be used to finance holy expeditions.\textsuperscript{131} Unless the proximity of these three confiscations to the onset of the Crusades be merely an unusual coincidence, it seems likely that Louis himself, and on occasion others with him, picked up such notions and translated them into practice.

Given the concerted attack on Jewish life, it might well be anticipated that the agencies of Jewish self-government found themselves unusually pressed during the decades of the mid century. Unfortunately the decline in Jewish source materials stemming from the campaign against the Talmud precludes the possibility of tracing Jewish communal endeavor in any detail.

There is no reason to suppose any basic diminution in the role of the institutions of Jewish self-government, in terms of their liaison function

\textsuperscript{130}RHF, vol. 20, p. 34.
\textsuperscript{131}See above, chapter 2.
with the non-Jewish rulers or in terms of their control of Jewish affairs from within. The condemnation of the Talmud certainly brought in its wake a decline in the caliber of communal leadership—at least of that segment of leadership whose authority derived from Jewish learning. In some instances a major leader, for example, R. Yehiel of Paris, felt the necessity for withdrawing;132 ultimately, the learned leadership of the community was unable to reproduce itself. By the later years of Louis’s reign, there was, for the first time since the eleventh century, no individual of commanding rabbinic stature functioning simultaneously in a leadership capacity in Jewish affairs. In view of this decline in scholarly elite, it is not surprising that no centralizing figure, like that of R. Jacob Tam, emerged. While the Jewish community was no longer able to generate unification from within, the non-Jewish rulers, whose interest in economic profit from the Jews was declining, exhibited no serious external interest in centralization of Jewish communal authority.

The leadership of the Jewish community was preoccupied during this period with responding to the serious assaults leveled against Jewish life. Since the basis for those attacks lay fundamentally in ecclesiastical programs, it is not surprising that much of the focus of Jewish energies was directed towards the Church. Particularly striking are the incidents of Jewish entreaty at the papal courts. Jewish leaders appeared in order to protest the excesses stemming from both the anti-usury campaign and the direct assault on the Talmud. Generally, these leaders received a sympathetic hearing and in some instances elicited significant papal pronouncements.133

In some cases Jewish leadership, particularly scholarly leadership, was forced to present itself in direct confrontations associated with the attacks on Jewish religious life. Thus, for example, when the charges were leveled against the Talmud, Jewish authorities were called upon to appear as witnesses for the defense. It was in such unhappy circumstances that key figures, such as R. Yehiel of Paris, stepped forward as representatives for northern French Jewry.134 By the end of the reign of Saint Louis, the focus had shifted from the extirpation of blasphemy in Jewish literature to an engagement of the two faiths in direct debate. Once again men of stature were called upon to shoulder heavy responsi-

132See above.
133See, for example, Grayzel, The Church and the Jews in the XIIIth Century, pp. 200-203, 226-31, 268-69, 274-81.
134See above.
bilities. Joinville’s reminiscences include mention of such an incident at Cluny.\(^{135}\) By far the most serious of these debates took place in Paris under the inspiration of the convert Paul Christian.\(^{136}\)

When we look into the spiritual life of northern French Jewry at this juncture, we sense an atmosphere of deep disarray. Part of the dejection flowed from the unremitting physical and material attacks mounted against the Jews; part, however, resulted from the intellectual and religious crisis of the period.

During the early years of the reign of Louis IX, the northern French intellectual elite continued to be looked upon with great respect and reverence by neighboring Jewish communities. When the issue of philosophic heterodoxy arose for a second time in the early 1230’s, the leading anti-Maimunist figures turned once more to the intellectual leaders of northern French Jewry, acknowledged for their supremacy in mastery of the Talmud. R. Solomon b. Abraham, the leader of the anti-Maimunist forces, claimed that he had not approached the rabbis of northern France for a ban of excommunication; he had, however, solicited their support against the Maimunist forces opposing him. His admiration for the scholarship and the religious purity of his brethren in northern France ran deep.\(^{137}\)

Those figures who were not wholeheartedly anti-Maimunist or who were even pro-Maimunist expressed admiration for some facets of northern French intellectual prowess. Thus Nachmanides, who had doubts as to the ban imposed by the northern French rabbis, addressed them nonetheless in tones of utmost respect. A major portion of his letter is given over to effusive praise of the addressees and repeated protestations that he was not rejecting the supposed ban but was only seeking to understand it fully.\(^{138}\) On the other hand, the Jewish community of Narbonne, which openly opposed the alleged northern French ban on the study of Maimonides and which vigorously attacked northern French Jewry and its leadership in order to counter the effects of this ban, nonetheless recognized northern mastery of Talmudic lore: “Although they are masterful and brilliant in the wisdom of the Talmud, their very brilliance leads them to error.”\(^{139}\)


\(^{136}\) See above.


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With the conquest of the south by the monarchy, the links between the Jewries of Languedoc and Languedociel increased. At the outset of the new Maimonidean conflict, some of the intellectual leaders of northern France seem to have remained relatively unaware of the philosophic writings of R. Moses b. Maimon, around which the controversy swirled; they seem to have known only the halachic works of the North African genius. If the account of R. Solomon is to be believed, the first reaction of the northern French leadership was "letters of rebuke" phrased in generalities. These were followed by more serious examination of the books and practices in question and then by a specific ban on the study of such literature. Segments of northern French Jewry were thus forced into direct contact with the new philosophic thinking permeating southern France and Spain.140

While the response to southern philosophy was negative, a key northern leader of the 1230's, R. Moses of Coucy, shows extensive admiration for Maimonides the legalist, quoting him copiously and to some extent shaping his own magnum opus in accord with Maimonidean organizational principles.141 The same R. Moses of Coucy is also the first major northern French figure to exhibit familiarity with the new teaching of the Hasidim of Germany.142 The overall impression is a Jewish community much less segregated than heretofore from intellectual developments elsewhere in the Jewish world, forced to familiarize itself with new doctrines, and in some instances responding positively to these new patterns of thought.

Under other circumstances these new currents would have invigorated Jewish intellectual life. While there might have been temporary dislocation, before long these new views would probably have been usefully integrated into the religious outlook of the community. In this case, however, the new teachings intruded at a most inauspicious point in the development of northern French Jewry, the point at which the Church was expending great effort to suppress important elements in the Jewish religious tradition and to lure weakened Jews into the Christian fold. While the attack leveled in Paris by Nicholas Donin was aimed at revealing the offensive materials in classic Jewish sources, the assault led by his fellow apostate, Paul Christian, some thirty years later was a direct attempt to utilize Jewish learning in order to convince belea-

141 R. Moses of Coucy, Sefer Mizvot Gadol (Jerusalem, 1961 [reprint]). On R. Moses in general, see Urbach, Bar' aleh ha-Tosafot, pp. 384–95.
guered Jews of the truth of the majority faith which they had so long resisted.\textsuperscript{143}

The Jewish writings of the period reflect the heightened intensity of this Christian assault. The major polemic work, \textit{Sepher Joseph Hamekane}, is devoted primarily to refuting claims of Christological references in the Hebrew Scriptures. New allegations are also rebutted, for example the contention that usury from Christians is forbidden to the Jews or the slander that Jews utilize Christian blood.\textsuperscript{144} It is particularly noteworthy that the author introduces occasional anti-Christian materials into his discussion. In fact, the concluding section of the book is devoted to a careful and critical analysis of the Gospels.\textsuperscript{145} While rebuttals of Christian claims were perhaps intended to serve as guidelines for self-defense in interfaith argumentation, anti-Christian statements could not be openly aired in Jewish-Christian debate. Surely such materials were intended primarily to buttress the faith of Jews who were being subjected to a totally new kind of frontal attack.

A serious concern with Jewish despair and wavering is reflected in the author’s introductory observations to \textit{Sepher Joseph Hamekane}.

Behold I have named this book \textit{Joseph ha-Mekane}. In the heavens is my witness that I have not been moved to arrange this material for self-aggrandizement. I have done this rather for two reasons. The first is because I have become exceedingly zealous for the God of Israel, while I have seen the rebellious among my people leaving the well-spring of living waters to seek after chimera, attempting to utilize the prophets of truth in order to establish the reputation of the corpse, to turn in the direction of deceitful lies. May the All-Knowing smite them mightily.... For the word of the Lord will be established forever; it may suffer neither addition nor detraction. Rather one must inform all men of understanding, in a manner clear and explicit, that—since the misfortune which the prophets foretold has come upon us (investigate carefully—not one has been lacking)—it must be known and believed, without wavering left or right, that the consolation will bloom forth.\textsuperscript{146}

There follows then a detailed review of the Biblical promises of consolation, designed to assure readers of the inevitability of divine intervention on behalf of the Jews.\textsuperscript{147}

\textsuperscript{143}See below.
\textsuperscript{145}Ibid., pp. 125–38.
\textsuperscript{146}Ibid., pp. 15–16.
\textsuperscript{147}Ibid., pp. 16–25.
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There are a number of indications that the suppression of Jewish classics, the open debates, and the resultant waverings of Jewish faith took their toll during the middle portion of the century. The number of references, in both ecclesiastical communications and royal records, to converted Jews seems to increase sharply. Louis, who was, expectably, concerned with such accretions to the faith, was particularly generous with these new Christians.148

The fate of these converts is generally obscure. The bulk of them lived out their days in the shadows, slowly finding their way fully into the Christian community. A few, however, became prominent. Some of these converts achieved renown for their participation in the intensified assault on Jewish belief. These did more than simply abandon their ancestral faith; they used their familiarity with Jewish learning and practice to contribute to the attack being mounted against it. While Paul Christian is almost certainly not of northern French extraction, northern French converts such as Nicholas Donin and Theobald of Sens added significantly to the developing fund of information on Jewish life and ultimately sharpened the severity of the campaign against Judaism.149

In some instances, converts achieved renown in the opposite direction, that is, by reversion to the faith of their forebearers. These cases of relapse, along with the anticipated punishment, seem to have made a profound impression in Christian circles. One such incident is preserved in an anonymous journal depicting Parisian life in the late 1260's.

In that year [1268], a certain accused Jew was seized; he had been a Christian for twenty years or more, had taken a wife according to Christian law, and through her had sired Christian children, of whom he subsequently caused two to be circumcised and to Judaize with him. On the Sunday prior to the Feast of St. Vincent, at St. Anthony near Paris, with a multitude of good men in attendance—for those who attended received major indulgences from the bishop—the accused was stripped of orders by the bishop, was degraded, and was turned over to the secular court. On the following Thursday—after he had chosen for himself fire rather than to return to the Christian faith, asserting that if all the kindling of Paris were gathered and ignited and he thrown into the midst he would not be burned by that fire—he was led into the square where hogs were sold in Paris and

there, bound fast, he was totally consumed by the fire, so that nothing remained unburned either of his body or of his limbs. Then his ashes were strewn throughout the adjacent fields.\textsuperscript{150}

A second case of relapse is described by Eudes Rigaud, archbishop of Rouen, in his register.

April 18 (1266). With God's grace we preached near the Mare-du-Parc, where the clergy and people of Rouen had collected after marching thither in a procession. Here we adjudged and condemned as an apostate and heretic one who had been converted from Judaism to the Catholic faith. He had again reverted from the Catholic faith to Judaic depravity, and, once again baptized, had once more reverted to Judaism, being unwilling afterwards to be restored to the Catholic faith, although several times admonished to do so. He was then burned by the bailiff.\textsuperscript{151}

Obviously the path into the Christian faith was not always a smooth one.

In general, this was a period during which material decline and aggressive Christian religious attack combined to produce occasional confusion and despair within the Jewish community of northern France. Recognition of the problem and pride in the ability of the majority of northern French Jews to hold fast to their faith is reflected in an exchange between Christian and Jew created in a Hebrew polemic work:

The Unbeliever: There is a major proof for our faith in that there is no people lowlier than the Jews.

The Believer: Just the opposite! It is a major proof for our faith, for nonetheless we remain steadfast in it.\textsuperscript{152}

The crusading years of the mid thirteenth century were trying for the Jews of northern France. There was more than simply fear of physical assault by exhilarated Crusaders—although that did happen both in 1236 and in 1251; there was also the more pervasive danger of heightened religiosity and the issues that might be raised in its wake. The Crusade of the late 1230's had seen not only the onslaughts in western France; the same years had also witnessed a major expulsion, a general


\textsuperscript{151} Brown and O'Sullivan, \textit{The Register of Eudes of Rouen}, p. 618.

\textsuperscript{152} Biblioteca nazionale, Rome, Hebrew manuscript no. 55, 24b.
confiscation of Jewish goods probably related to the Crusade, a total prohibition of Jewish usury, and the disastrous attack on Talmudic literature. The period between 1248 and 1252, the time of Louis’s first crusading misfortune, also saw physical attack, confiscation, and the sharply worded prohibition of usury, stipulating expulsion for those who refused to accept the new orders and severe punishment for transgressors. It was undoubtedly with deep trepidation that the Jews heard of renewed royal crusading plans in the late 1260’s. Unfortunately for these Jews, many of their worst fears were confirmed.

On September 15, 1268, a general confiscation took place in the royal domain, in the county of Champagne, and in the domain of Alphonse of Poitiers. While the edict itself has not survived, we can confidently suggest a direct link between the seizure and the impending Crusade. Seven days after the confiscation, an order was issued by the clergy of Champagne decreeing excommunication for all those hiding Jewish goods.153 Such ecclesiastical concern with a baronial confiscation of Jewish property surely reflects a relation to some major Church program—a Crusade, for example. The royal officials were zealous in their conduct of this seizure. Jews were taken far and wide, in many instances Jews not belonging to the confiscating authorities. Parliament, in 1270, had to deal with a number of complaints leveled by barons whose Jews had been indiscriminately seized in 1268.154 Louis and Theobald of Champagne each had found a number of their Jews residing in the domain of the other. Since they had both been party to the confiscation, they agreed to avoid expensive litigation and to allow each to hold the Jews of the other seized during the general capture.155 Finally, the confiscation, like the earlier one of 1247, involved more than private property of the Jews; Jewish public facilities were sequestered as well. Thus, in February 1269, Theobald of Champagne allowed the Jews of Provins to purchase new land to replace the cemetery which recently had been taken over by the comital authorities.156

The material losses of 1268 were only the beginning of the misfortunes of Louis’s final years. The next set of problems stemmed from

154 Olim, vol. 1, p. 791, case no. 4; p. 793, case no. 7; p. 811, case no. 32; p. 821, case no. 16.
155 Layettes, vol. 4, doc. no. 5488.
the arrival in northern France of the second of the important converted Jews of the reign of Louis IX, Paul Christian.

Paul Christian had been baptized, had joined the Dominican order, and, like Nicholas Donin, had begun to use his knowledge of Jewish sources to attack his former coreligionists. His first area of activity was Spain. There he continued Donin's effort to expurgate Jewish classics of suspected blasphemy. Paul, however, moved far beyond a negative assault on rabbinic literature to a more positive attempt to debate the issues of Jewish faith and to gain thereby new converts to Christianity. His most impressive achievement was the public disputation into which he forced the eminent R. Moses b. Nahman. From Spain he moved on to southern France and from there northward to the capital of the Capetian kingdom.\textsuperscript{157}

In the late 1260's, Paul made his way to Paris, arriving as Louis IX prepared for his second Crusade. He found the monarch in a mood of utmost receptivity and brilliantly exploited the situation. The king was profoundly impressed by his new Dominican advisor and, under his spell, introduced a number of radical innovations concerning the Jews.

The Church's drive to segregate the Jews, ostensibly out of fear of their religious influence, was an old feature of ecclesiastical policy. Louis had been faithful in implementing many of the specifics of this policy. Thus, for example, the edict of 1235, besides outlawing usury, had prohibited Christians from functioning as nurses for Jewish children and as servants in Jewish homes, both of longstanding concern to the Church.\textsuperscript{158} The most significant new step taken by the Church in its segregation program had been the enactment by the IV Lateran Council of special garb by means of which the Jews might be readily distinguished from their Christian neighbors.\textsuperscript{159} This decree was only sporadically executed in northern France, never with the full backing of the monarchy.\textsuperscript{160} Now under the influence of Paul Christian and of the impending Crusade, Louis ordered royal enforcement of the Jewish badge.


\textsuperscript{158}Delisle, "Recueil des jugements de l'Echiquier de Normandie," doc. no. 581.

\textsuperscript{159}Grayzel, \textit{The Church and the Jews in the XII/th Century}, pp. 308-9.

\textsuperscript{160}There is an interesting testimony by R. Isaac b. Moses of Vienna to the wearing of the badge in France right after the Lateran Council (Or Zaru'a, vol. 2, 20a). Grayzel discusses this testimony at length (\textit{The Church and the Jews in the XII/th Century}, p. 65, n. 112) and concludes that it refers only to a local ordinance. Urbach (\textit{Ba'aley ha-Tosafot}, p. 361, n. 22) rejects Grayzel's suggestion because of the general statement of R. Isaac that "thus it was
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Since we wish that the Jews be distinguishable from Christians and be recognizable, we order you that, at the order of our dear brother in Christ, Paul Christian, of the Order of Preaching Brethren, you impose signs upon each and every Jew of both sexes, viz. a circle of felt or yellow cloth, stitched upon the outer garment in front and in back. The diameter of the circle must be four fingers wide; its area must be the size of a palm. If a Jew be found henceforth without the sign, his outer garment shall be ceded to the one who noticed him, and the same Jew found without the sign shall be fined as much as ten pounds.\textsuperscript{161}

The anonymous Parisian chronicle quoted earlier indicates that, for the capital at least, the new royal order did not remain a dead letter.

In the same year [1269], on the Thursday after the Translation of St. Martin, on the subsequent Thursday, by royal order and in the presence of the provost, the Jews at Paris were ensigned with a circle of felt, in front and in back on all the clothes which they wore.\textsuperscript{162}

Institution of the Jewish badge was only the first of Paul Christian’s successes. Already in the early 1260’s he had proceeded beyond the attack of Nicholas Donin. While still concerned over the issue of blasphemy in Talmudic literature, he was even more committed to an overt assault on Jewish faith, to be effected by drawing Jews into direct religious argumentation. Rabbinic texts were now utilized in a totally new way, namely, as support for the truth of Christianity. The most famous of these confrontations was that staged in Barcelona in 1263, with the Jewish protagonist the esteemed R. Moses b. Nahman.\textsuperscript{163}

In July 1269, Louis issued a royal order to all his officials, enjoining support for the conversionist efforts of Paul Christian.

decreed concerning all the Jews at that time.” However, the general decree alluded to need not have been a royal decree; R. Isaac may have been referring to the IV Lateran enactment itself. We would thus agree with Grayzel that the early bearing of the badge was a local matter and that only in 1269 was it legislated for all of royal France. Between 1257 and 1263, a number of provincial councils presided over by Archbishop Eudes of Rouen had included a Jewish badge among their decrees (Brown and O’Sullivan, The Register of Eudes of Rouen, pp. 325, 441, and 550).

\textsuperscript{161} Ordonnances, vol. 1, p. 294.

\textsuperscript{162} Delisle, “Notes sur quelques mss. du Musée britannique,” p. 189. The execution of this edict is further reflected in the southern French polemical treatise of R. Mordechai b. Joseph; see Renan, Les rabbins français, p. 567. It is also mentioned in Shevet Yehudah, p. 148.

\textsuperscript{163} The Barcelona disputation, like the earlier confrontation in Paris, has been widely studied. For an overview, see Baer, A History of the Jews in Christian Spain, vol. 1, pp. 152-59.
Once again, the very useful Parisian chronicle indicates that there was little pause between the edict and its execution.

In the same year (1269), close to Pentecost, a certain brother of the order of Preaching Brethren . . ., came from Lombardy. He had been a Jew and was the highest authority in Mosaic law and in our law. Publicly, in the royal court at Paris and in the court of the Preaching Brethren, he preached to the Jews—who came there by royal order—, showing them that their law was null and worthless, that they had in fact not observed it for a long time, that indeed they daily diverted from all its precepts.\(^{165}\)

Precisely the kind of confrontation envisioned in the royal order did take place, in Paris at least.

The Jews themselves were not taken totally by surprise. A curious Hebrew document shows northern French Jewry fully aware of the earlier activities of Paul Christian. The document, a manual for anticipating the expected onslaught, began as follows:

Just now in the year 5029 (=1269) an apostate from Montpellier has arrived, revealing secrets of the Torah and questioning the traditions of our Talmud. He has already held a disputation with R. Moses b. Nahman before the Aragonese King in Barcelona.\(^{166}\)

This is followed by a detailed summary of the arguments raised in the famous Barcelona disputation. The résumé is perfectly accurate and

\(^{164}\)Bibliothèque nationale, fonds Dupuy, vol. 532, 79r.  
\(^{165}\)Delisle, “Notes sur quelques mss. du Musée britannique,” p. 189.  
probably served the Jews usefully in the preaching to which they were subjected at Paris.

One further source seems to reflect this new blow. A Hebrew polemic work, described many decades ago and subsequently lost, reveals much information on the confrontation as seen through Jewish eyes.

These are the responses to the unbeliever who rose up against us in the year 5032. He came from Spain to destroy totally the remnant of Israel, and his name was Paul the Dominican . . . This is the beginning of the words of Paul the heretic, who came from Spain to destroy the remnant of the holy people throughout all the territories of the King of France. He sought to wipe out and obliterate even children and women. . . .

In the year 5033, the unbeliever Paul came and gathered all the rabbis. Thus he said to them before the bishop of Paris and the heads of the monks who were there: "Listen to me, O house of Jacob and all the clans of the house of Israel. You shall be convinced to repent and to abandon your faith in the face of the compelling claims that I shall reveal to you. I shall not rest till I am avenged of you, and I shall demand your blood. Indeed I wish to prove that you are faithless, a people of 'Bougres,' fit to be burned. I shall inform you of the charges; on each you should be judged guilty of a capital crime. Now send for your greatest sages and answer me without delay. For thus have I been commanded by the king, to bring you to your deserved end. . . ."

Know that each day we were over a thousand souls in the royal court or in the Dominican court, pelted with stones. Praise to our Creator, not one of us turned to the religion of vanity and lies. . . .

Despite the discrepancies in date, the Hebrew description corresponds accurately to the royal ordinance and to the Latin account. The king's order is cited in both chronicles; the scene is the royal court and Dominican headquarters; the same Paul appears. According to both accounts, the Latin and the Hebrew, Paul's assault seems to have taken a serious new turn. He set out to prove that the Jews were far from observing their own Talmudic law and that they deserved to be prose-

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167 Adolph Neubauer, "Literary Gleanings VIII," *JQR* (old series) 5 (1892–93): 714. Neubauer rejects the identification with Paul Christian because of the designation 7-roll, which he takes to mean "cordelier" or Franciscan. The parallels to other data make it obvious, however, that the reference is to the Dominican Paul Christian. What is called for is reinvestigation of the term 7-roll.
cuted as a totally faithless people, the alternative being of course conversion to Christianity. This is a departure from both Donin’s condemnation of Talmudic blasphemy and Paul’s earlier attempt to use Talmudic sources to prove the veracity of Christian faith. How thoroughly this new approach was developed cannot be ascertained in the absence of the remainder of the Hebrew account.

The final years of King Louis represent unquestionably the nadir of Jewish fortunes in northern France. The community’s economic activities had been sharply curtailed, it had just suffered a major confiscation, the most radical ecclesiastical policy of segregation had been legislated into effect by the king, and now the very right of the Jews to live as Jews had once more been questioned in the conversionist efforts of Paul Christian.

On the afternoon of August 25, 1270, off the coast of North Africa, the most pious of French kings expired. As the news reached northern France, the Jews could scarcely have participated deeply in the mourning over the soon-to-be-sainted monarch. The more than four decades of his rule had been an unmitigated disaster. These Jews might well have wondered apprehensively what the reign of Louis’s son held in store.