

# *Papal power and protection in the Shebet Yehudah*

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## Papal Power and Protection in the *Shebet Yehudah*

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The sixteenth-century *Shebet Yehudah* is an account of the persecutions of Jews in various countries and epochs, including their expulsion from Spain in the fifteenth century. It is not a medieval text and was written long after many of the events it describes. Yet although it cannot give us a contemporary medieval standpoint, it provides important insights into how later Jewish writers perceived Jewish–papal relations in the thirteenth, fourteenth, and fifteenth centuries. Although the extent to which Jewish communities came into contact either with the papacy as an institution or the actions of individual popes varied immensely, it is through analysis of Hebrew works such as the *Shebet Yehudah* that we are able to piece together a certain understanding of Jewish ideas about the medieval papacy as an institution and the policies of individual popes. This article argues that Jews knew only too well that papal protection was not unlimited, but always carefully circumscribed in accordance with Christian theology. It is hoped that it will be a scholarly contribution to our growing understanding of Jewish ideas about the papacy’s spiritual and temporal power and authority in the Later Middle Ages and how this impacted on Jewish communities throughout medieval Europe.

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### The *Shebet Yehudah*: Text, Authorship, and Context

The *Shebet Yehudah* is a Hebrew account of the persecutions of Jews in various countries and epochs, including their expulsion from Spain in the fifteenth century.<sup>1</sup> Although it does not fulfil modern standards of “accuracy,” it is an important text for historians of Jewish–Christian relations because it provides an account of events which affected Jewish communities over the *longue durée*. It describes the customs of Jewish communities in different European countries — not in chronological order — and records persecutions — not necessarily connected — against them, particularly in Spain. Employing a sophisticated idea of historiography not apparent in many earlier Jewish chronicles,

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1. I am most grateful to Nurit Ilkhani and David Oderberg for help translating the *Shebet Yehudah* and to Robert Chazan and Kenneth Stow for their comments. For discussion of the *Shebet Yehudah* see, for example, S. Baron, *A Social and Religious History of the Jews: Late Middle Ages and Era of European Expansion, 1200–1650*, Vol. 9: *Under Church and Empire* (2nd edn, New York and London: Columbia University Press, 1965), 104; Y. H. Yerushalmi, *The Lisbon Massacre of 1506 and the Royal Image in the Shebet Yehudah* (Cincinnati: Hebrew Union College–Jewish Institute of Religion, 1976), 3–4; J. Cohen, *The Friars and the Jews: The Evolution of Medieval Anti-Judaism* (Ithaca: Cornell University Press, 1982), 88.

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it sees special significance and identity in the events of its time.<sup>2</sup> Even though it is concerned with the social and political world of its author(s), and written long after many of the events it records, it provides important insights into how later writers recorded medieval Jewish–Christian relations.

As we shall see from the stories analysed in this article, the *Shebet Yehudah* often deliberately veils original and daring views by embedding them in fictitious dialogues interwoven between real historical accounts of past persecutions. This serves to produce a complex mixture of history and fiction, while its satiric nature makes it problematical to untangle real opinions from intentional ambiguities.<sup>3</sup> This article will argue that, whatever the original source of the tales contained in the *Shebet Yehudah*, and even though many of them may be fictional — even if the author(s) believed them to be true — their inclusion provides valuable insight in particular into the long and complex history of Jewish–papal relations.

We know little of the work's principal author, the historian and physician Solomon ibn Verga, but he seems to have been one of many Spanish Jews who crossed the border into Portugal in 1492, and suffered persecution during the forced baptisms ordered by King Manuel I (1469–1521) in 1497.<sup>4</sup> Subsequently, in 1507, Manuel allowed those who had been forcibly converted to emigrate and ibn Verga seems to have completed the work just before he left Portugal.<sup>5</sup> Contemporaneous to its completion in the sixteenth century are the writings of the Greek Jew Eliyahu Capsali (c.1483–1555), whose most famous literary piece, the *Seder Eliyahu Zuta*, a description of the history of the Ottoman Empire up to his lifetime, included an account of the sufferings of Jews in Spain and Portugal at the time of the expulsion, and those of the Portuguese Jew Samuel Usque (c.1500–after 1555) who wrote the *Consolação ás Tribulações de Israel* (*Consolation for the Tribulations of Israel*) and likely drew on the *Shebet Yehudah*.

Although it is difficult to piece together a complete picture of its authorship or intended readership, we can give some context to both. The work was ascribed by Solomon ibn Verga to his predecessor Judah ibn Verga, but this appears to be a deliberate pseudonym, and it was published posthumously by Solomon's son, Joseph ibn Verga, who added further material and may have acted as editor.<sup>6</sup> We know something of its origins — many of the narratives are derived from Latin as well as Hebrew sources — but we possess no early manuscripts; no other works of Solomon ibn Verga survive. Christian ideas about Jews and Judaism were often formed by the clergy and literate higher

2. For the *Shebet Yehudah*'s place in sixteenth-century Jewish literature see Y. H. Yerushalmi, *Zakhor: Jewish History and Jewish Memory* (Seattle: University of Washington Press, 1982), 60–69. For its popularisation and the Yiddish version see M. Stanislawski, "The Yiddish Shevet Yehudah: A Study in the 'Ashkenization' of a Spanish-Jewish Classic," in *Jewish History and Jewish Memory: Essays in Honour of Yosef Hayim Yerushalmi*, ed. E. Carlebach, J. M. Efron, and D. N. Myers (Hanover, NH and London: University Press of New England (for) Brandeis University Press, 1998), 134–49; A. Funkenstein, *Perceptions of Jewish History* (Berkeley and Oxford: University of California Press, 1993), 15.

3. Yerushalmi, *The Lisbon Massacre of 1506, and the Royal Image in the Shebet Yehudah*.

4. S. Simonsohn, *The Apostolic See and the Jews: History* (Toronto: Pontifical Institute of Mediaeval Studies, 1991), 392.

5. Yerushalmi, *The Lisbon Massacre of 1506, and the Royal Image in the Shebet Yehudah*, 3.

6. For discussion of ibn Verga's sources see Y. Baer, "He'arot hadashot le-Sefer Shebet Yehudah" ("New Notes on the Book *Shebet Yehudah*"), *Tarbiz* VI (1934–35): 152–79.

echelons of society.<sup>7</sup> Similarly, the nature of the surviving evidence means that a Jewish perspective on Christianity frequently derives from an exclusive, highly learned minority, rabbis and community leaders; furthermore, fear of conversion and desire to protect communities from hostile external influences encouraged strictures on reading Christian literature and the circulation of polemics defending Judaism and attacking Christianity.<sup>8</sup> Long before its composition, we possess Jewish texts as diverse as the *Megillat Ahimaatz* of Ahimaaz ben Paltiel (b.1017) an eleventh-century family genealogy of southern Italy stretching from the ninth century to its own time, to the *Sefer Nitzahon*, an anonymous Jewish apologetic text originating in Germany in the thirteenth century.

The world the *Shebet Yehudah* describes was complex, in particular the extent to which Jews in medieval and early modern Europe interacted socially, culturally, and politically with their gentile neighbours, and what it meant to be a Jew.<sup>9</sup> In the eleventh and twelfth centuries, Jews in Germany and Northern France appeared more hostile to their Christian neighbours than those in Spain and Portugal, and in the thirteenth century Jews were expelled from many parts of Western Europe.<sup>10</sup> Hence geographical location of Jewish communities was

7. A. Abulafia, "Christians and Jews in the High Middle Ages: Christian Views of Jews," in *The Jews of Europe in the Middle Ages (Tenth to Fifteenth Centuries)*, *Proceedings of the International Symposium held at Speyer, 20–25 October 2002*, ed. C. Cluse (Turnhout: Brepols, 2004), 27.

8. For the idea that tales in "folk polemic" reflected views of Jews not learned enough to appreciate more abstruse discussions see D. Berger, *The Jewish-Christian Debate in the High Middle Ages, A Critical Edition of the Nizzahon Vetus* (Philadelphia: Jewish Publication Society of America, 1979), 21. Schäfer, "Jews and Christians in the High Middle Ages: *The Book of the Pious*," in *The Jews of Europe in the Middle Ages (Tenth to Fifteenth Centuries)*, ed. Cluse, 35, 37, 39. During the Middle Ages the culture of the written word was generally more widespread among Jewish communities than their Christian counterparts, although this difference was smaller in Mediterranean regions than in northern Europe where until the thirteenth century clerics were usually the only Christians who could read and write; A. Haverkamp, "The Jews of Europe in the Middle Ages: By Way of Introduction," in *The Jews of Europe in the Middle Ages (Tenth to Fifteenth Centuries)*, ed. Cluse, 12. Yet, despite often difficult relations with Christians, vibrant Jewish communities existed in Germany – an unambiguously Christian area – and these disseminated cultural and intellectual ideas far and wide; Schäfer, "Jews and Christians in the High Middle Ages," 30. For the idea of historical tradition in Jewish communities in Germany in the late Middle Ages see F. Graus, "Historische Traditionen über juden im spätmittelalter (Mitteleuropa)," in *Zur geschichte der juden im deutschland des späten mittelalters und der frühen neuzeit herausgegeben von Alfred Haverkamp*, ed. A. Haverkamp (Stuttgart: Hiersemann, 1981), 1–26. Evidence suggests that all over northern Europe Jewish communities produced their own literature and knew about and borrowed each other's works; Abulafia, "Christians and Jews in the High Middle Ages," 24; E. Kanarfogel, *Jewish Education and Society in the High Middle Ages* (Detroit: Wayne State University Press, 1992), 15–17; R. Bonfil, trans. A. Oldcorn, *Jewish Life in Renaissance Italy* (Berkeley: University of California Press, 1994), 125–56; Y. L. Bialer and E. Fink, *Jewish Life in Art and Tradition. Based on the Collection of the Sir Isaac and Lady Edith Wolfson Museum, Hechal Shlomo, Jerusalem* (London: Published for Hechal Shlomo by Weidenfeld and Nicolson), 88. Jewish communities, like their Christian counterparts, flourished best in towns in terms of their own internal well-being and in relation to the exterior gentile world; Haverkamp, "The Jews of Europe in the Middle Ages," 14–15.

9. D. N. Myers, "Introduction," in *The Jewish Past Revisited: Reflections on Modern Jewish Histories*, ed. D. N. Myers and D. B. Ruderman (New Haven: Yale University Press, 1998), 9–13; E. Horowitz, "Jewish Life in the Middle Ages and the Jewish Life of Israel Abrahams," in *The Jewish Past Revisited*, ed. Myers and Ruderman, 147–57; Abulafia, "Christians and Jews in the High Middle Ages," 19; Schäfer, "Jews and Christians in the High Middle Ages," 29, 36; M. Rosman, *How Jewish is Jewish History?* (Oxford and Portland, OR: The Littman Library of Jewish Civilization, 2007), 37–38, 50–55. Interpreting Hebrew sources, like all texts, presents numerous problems. Who wrote the texts and why? To what extent should we accord them "face value"? Do they have a homiletic or didactic purpose? How may their readership influence the boundaries of their meaning?

10. W. C. Jordan, "Jews, Regalian Rights and the Constitution in Medieval France," in *Ideology and Power in Medieval France*, ed. W. C. Jordan (Aldershot: Ashgate, 2001), 1–2.

crucial: relations between Christians and Jews were more fraught in northern parts of Europe than in the Mediterranean Latin West and in the Iberian peninsula, although better relations did not last in Spain and Portugal.<sup>11</sup> As the *Shebet Yehudah* reveals, such relatively good relations which had existed in these countries deteriorated rapidly in the thirteenth, fourteenth, and fifteenth centuries.<sup>12</sup> This article will examine Jewish perceptions of papal–Jewish relations through the *Shebet Yehudah*’s stories about the medieval papacy and its call for ecumenical councils, the particular relationship of Jewish communities to popes John XXII and Martin V, and the idea of papal protection.

### The *Shebet Yehudah* and the Medieval Papacy

During the High Middle Ages the extent to which European Jewish communities came into contact with popes, the papacy, and the papal curia varied immensely. Different from the rest of Europe were the papal states and the city of Rome where a flourishing Jewish community enjoyed the most favourable conditions, by contemporary standards, of anywhere in Europe; the papal states remained the one area of medieval Europe from which Jews were never expelled.<sup>13</sup> From 1274 the pope also wielded direct temporal as well as spiritual

11. M. Rosman, “Jewish History Across Borders,” in *Rethinking European Jewish History*, ed. J. Cohen and M. Rosman (Oxford and Portland, OR: Littman Library of Jewish Civilization, 2009), 16–29. Haverkamp, “The Jews of Europe in the Middle Ages,” 14–15; Abulafia, “Christians and Jews in the High Middle Ages,” 20. For Jewish literature in the wake of the Spanish expulsion and in the sixteenth century see Yerushalmi, *Zakhor*, 57–75. For mass conversions in Spain in 1391, the particular dynamic of Jewish–Christian relations in terms of literature and politics in the fourteenth and fifteenth centuries, and “Conversi” see D. Nirenberg, “Spanish ‘Judaism’ and ‘Christianity’ in an Age of Mass Conversion,” in *Rethinking European Jewish History*, ed. Cohen and Rosman, 149–72; R. Ben-Shalom, “The Social Context of Apostasy Among Fifteenth-Century Spanish Jewry,” in *Rethinking European Jewish History*, ed. Cohen and Rosman, 173–98. For the complexities involved in understanding Jewish memory in Spain in the fifteenth and sixteenth centuries see D. Myers, “Of Marranos and Memory: Yosef Hayim Yerushalmi and the Writing of Jewish History,” in *Jewish History and Jewish Memory: Essays in Honour of Yosef Hayim Yerushalmi*, ed. Carlebach, Efron, and Myers, 1–21. For the complex relationship between Jews and Christians in Spain in the seventeenth century and the Marranos see Y. H. Yerushalmi, *From Spanish Court to Italian Ghetto: Isaac Cardoso: A Study in Seventeenth Century Marranism and Jewish Apologetics* (New York and London: Columbia University Press, 1971), especially xii–xix; for the Marranos see 1–50. For the plight of Jews in Early Modern Europe see D. B. Ruderman, “Jewish Cultural History in Early Modern Europe: An Agenda for Future Study,” in *Rethinking European Jewish History*, ed. Cohen and Rosman, 95–111. For the impact of the Reformation on Jews see M. Bodian, “The Reformation and the Jews,” in *Rethinking European Jewish History*, ed. Cohen and Rosman, 112–32. For modern political theory about Jews, including the Enlightenment view of the Middle Ages and medieval philosophy see Funkenstein, *Perceptions of Jewish History*, 220–56, especially 234–47.

12. A. Grossman, “The Cultural and Social Background of Jewish Martyrdom in Germany in 1096,” in *Juden und Christen zur Zeit der Kreuzzüge herausgegeben von Alfred Haverkamp*, ed. A. Haverkamp (Sigmaringen: J. Thorbecke, 1999), 77–79.

13. Haverkamp, “The Jews of Europe in the Middle Ages,” 7; C. Roth, *The History of the Jews in Italy* (Philadelphia: Jewish Publication Society of America, 1946), 42. They were finally expelled in 1569 by Pius V (1504–1572); see K. Stow, *The “1007 Anonymous” and Papal Sovereignty: Jewish Perceptions of the Papacy and Papal Policy in the High Middle Ages* (Cincinnati: Hebrew Union College–Jewish Institute of Religion, 1984), 20. The expulsion of Jews from the papal states in 1569 was revoked in 1585 but did not affect Rome, Ancona or the French papal territories; this was also true when it was briefly re-enacted in 1593; see K. Stow, *Alienated Minority: the Jews of Medieval Latin Europe* (Cambridge, MA: Harvard University Press, 1994), 304. Expulsions of Jews, for example from France during the reign of Philip Augustus, became routine in Europe after 1291; see C. Roth, “The Popes and the Jews,” *Church Quarterly Review* 123 (1936–1937): 75.

power and authority in the Comtat Venaissin.<sup>14</sup> In 1305 the papacy moved from Rome to Avignon and for much of the later fourteenth century was embroiled in the politics of the Great Schism (1378–1418) and the Conciliar Movement — which meant that Jews in the fourteenth and fifteenth centuries wrote in a very different context to suit rapidly changing needs. Nevertheless, informative references to the papacy as an institution and to individual popes appear in a wide spectrum of Jewish writing. Despite the complexities of its construction and dissemination, the *Shebet Yehudah* provides us with important information about how fifteenth- and sixteenth-century writers viewed the relationship between Jewish communities and the medieval papacy, since it makes a number of references to popes. In particular it compares the activities of secular rulers — primarily kings and emperors — and pontiffs, and is often positive about the latter.

By analysing the *Shebet Yehudah* we can piece together some understanding — albeit limited — of the author(s) beliefs about the medieval papacy as an institution and the activities of individual popes.<sup>15</sup> Specific examples of papal–Jewish interaction give important insight into the author(s) ideas about the

14. W. C. Jordan, “The Jews and the Transition to Papal Rule in the Comtat-Venaissin,” in *Ideology and Royal Power in Medieval France*, ed. W. C. Jordan (Aldershot: Ashgate, Variorum, 2001), 213–32.

15. The literature on medieval and early modern Jewish writers is vast. See, for an early example, Baron, *A Social and Religious History of the Jews*, Vol. 9, 97–134; more recently, H. Trautner-Kromann, *Shield and Sword: Jewish Polemics against Christianity and the Christians in France and Spain from 1100–1500* (Tübingen: Mohr Paul Siebeck, 1993), 26–48. In examining a text like the *Shebet Yehudah*, contemporary historians are faced with the complex problem of memory, in particular the formation of collective memory: that “social reality transmitted and sustained through the conscious efforts and institutions of the group.” See Yerushalmi, *Zakhor*, xv; Rosman, *How Jewish is Jewish History?*, 50; D. N. Myers and D. B. Ruderman, “Preface,” in *The Jewish Past Revisited*, ed. Myers and Ruderman, xiii; Funkenstein, *Perceptions of Jewish History*, 3–10; S. L. Einbinder, *No Place of Rest: Jewish Literature, Expulsion, and the Memory of Medieval France* (Philadelphia, Pa: University of Pennsylvania Press, 2009), 3, 9. As is normal with any minority community, Jewish historiography concerns itself both with the history of the Jews in its historical context and with its particular existential dilemmas. See Myers and Ruderman, “Preface,” in *The Jewish Past Revisited*, ed. Myers and Ruderman, x; Haverkamp, “The Jews of Europe in the Middle Ages,” 8. For a summary of the wider debate about how Jewish history is not just about past experiences of Jews but also how their present experiences determine motivations, methods, and perspectives, i.e. the manner in which they study it, see J. Cohen, “Introduction,” in *Rethinking European Jewish History*, ed. Cohen and Rosman, 1. Arguably, however, historiography was not the chief conduit for preserving Jewish memory in the medieval and early modern periods. See, for example, Yerushalmi, *Zakhor*, 39. Histories and chronicles were often disregarded unless of halakhic importance or subsumed under theology or law; rather, memory was preserved through ritual and liturgy, prioritised over historical compositions. See, for example, Yerushalmi, *Zakhor*, 39–42; S. L. Einbinder, *Beautiful Death: Jewish Poetry and Martyrdom in Medieval France* (Princeton: Princeton University Press, 2002), 35, 51; I. G. Marcus, *Rituals of Childhood: Jewish Acculturation in Medieval Europe* (New Haven and London: Yale University Press, 1996), 1–17. For the importance of Halakha, philosophy, and Kabbalah for religious and intellectual creativity see again Yerushalmi, *Zakhor*, 52. Indeed, some historians have claimed that Jewish writers often refused to explore the idea of novelty in history — which meant that what they chose to remember correlated little with historical data in the modern sense — but rather passed over or even “transcended” particular events and episodes. Yet it is difficult to determine whether this was a particularly Jewish characteristic. See Yerushalmi, *Zakhor*, 43–44, 51, 52. Some have argued that since both Christian and Jewish historical narratives are relatively rare, for example, in the Early Middle Ages, Jewish ideas about history did not differ much from Christian; only from the beginning of the eleventh century onwards did Jews deliberately try to unite sacred and non-sacred history into a collective, unified, vision of a divine design: in other words into a schema of Jewish historical consciousness. See, for example, Funkenstein, *Perceptions of Jewish History*, 15–16. For collective memory see E. Yassif, *The Hebrew Folktale: History, Genre, Meaning*, trans. J. S. Teitelbaum (Bloomington and Indianapolis: Indiana University Press, 1999), 312. For the development of perception of historical facts down the ages see Funkenstein, *Perceptions of Jewish History*, 22–49.



papacy's temporal and spiritual power. The work's awareness of papal activity is itself interesting, but it is the intended purpose of the author(s) adopting the position he or they do vis-à-vis the papacy which is most arresting. As we shall explore, the stories may deliberately attribute words to popes for their own purposes: to highlight the plight of Jewish communities and to reveal how in the past popes had sometimes been their most reliable protectors.

### **The *Shebet Yehudah* and Papal Councils**

One particularly important aspect of the spiritual authority of the papacy which does not go unnoticed in the work is the pope's remit to call for ecumenical councils. European Jews often feared the outcome of such councils would be detrimental to their communities.<sup>16</sup> It records the papacy's call for the Third Lateran Council in 1179 and the Fourth Lateran Council in 1215 and describes the fear felt by Jewish communities on the eve of these councils.<sup>17</sup> Referring to Lateran III it relates records how Alexander III (1159–1181) summoned the council:<sup>18</sup> "In the year 139 [1179] the pope collected together all his bishops and priests from France and Spain; and all the communities were extremely anxious and they fasted for three consecutive days."<sup>19</sup> Yet, as the work reassuringly affirms, despite their sins, God proved good and provided for them.

Nevertheless, we know that Canon 26 of this council would have a long-term deleterious effect on Jewish communities: it decreed that Christians must not live in Jewish homes, that Jews must not maintain Christian servants, that Christians who served Jews be excommunicated, that Christian testimony was to be admitted against Jews just as Jewish testimony against Christians, and that secular authorities must ensure that converts to Christianity were not financially worse off than before conversion.<sup>20</sup> All this was to emphasise the church's theological claim that Jews, the people of the Old Covenant, should never be seen to exercise authority over Christians, the people of the New Covenant, but should in all times and places be prepared to serve Christian society.<sup>21</sup>

The promulgation of such a decree shows the papacy's concern to emphasise this fundamental theology. Since the decrees of Lateran III often repeated material from earlier Roman law codes, Canon 26 cannot prove that Jews frequently co-habited with Christians in medieval society. Nevertheless, its

16. S. Grayzel, "Jews and the Ecumenical Councils," in *The Seventy-Fifth Anniversary Volume of the Jewish Quarterly Review*, ed. A. A. Neuman and S. Zeitlin (1967), 287–311.

17. For Shelomo ibn Verga see, for example, Baron, *A Social and Religious History of the Jews*, Vol. 9, 104; more recently, for example, Yerushalmi, *The Lisbon Massacre of 1506 and the Royal Image in the Shebet Yehudah*, 3–4; Cohen, *The Friars and the Jews*, 88.

18. *The Shebet Yehudah of Shelomo ibn Verga*, ed. A. Shohat (Jerusalem: Mosad Bialik, 1947), 146.

19. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 146.

20. *Decrees of the Ecumenical Councils, Vol. 1: Nicaea I to Lateran V*, ed. N. Tanner (London: Sheed and Ward, Washington, DC: Georgetown University Press, 1990), 223–24; "Liber extra decretalium," *Corpus iuris canonici*, ed. E. Friedberg, Vol. 2 (Leipzig: Tauchnitz, 1881), Book 5, Titulus 6, Capitula 5, col. 773.

21. *Decrees of the Ecumenical Councils*, Vol. 1, ed. Tanner, 223–24.

appearance also suggests that by the second half of the thirteenth century there were Jews in parts of medieval Europe who had the wealth, status, and confidence to employ their Christian neighbours as servants and wet nurses and this was causing social as well as religious tension. Yet the *Shebet Yehudah* makes no reference to Canon 26. There are a number of possible explanations for this omission. Since much of the *Shebet Yehudah* was written centuries after the event, its authors(s) may not have known about Canon 26. Or he (they) may have felt there was no need for such a reference because historically, unlike, for example, papal authorisation of the crusades, it was more difficult to show that this decree had an immediate catastrophic effect on Jewish lives. Or perhaps it was because the outcome of this council was much less dire for European Jews than its successor, Lateran IV.

Indeed by contrast, the *Shebet Yehudah* gives detailed information about Jewish preparation for the Fourth Lateran Council presided over by Innocent III (1198–1216).<sup>22</sup> Papal concern to demarcate the correct theological position of Jews in Christian society is strikingly visible in its decrees. Arising out of concern that Jews and Christians might be tempted into sexual relationships, even possibly marriage, and that this might lead to conversions — something which ironically enough Jewish rabbis also feared — Constitution 68 decreed that Jews must wear different clothing from Christians.<sup>23</sup> The church justified this decree by emphasising that the ruling was based on Mosaic Law concerning the clothing to be worn by Jews — as manifested in Leviticus 19:19 and Deuteronomy 22:5 and 11. Constitution 68 also repeated Innocent III's concern about Jews ridiculing Christianity in public.<sup>24</sup> As usual with conciliar legislation, this decree laid down “universal rules” for the church and left details to be decided at local level. It specified no particular type of clothing nor make clear of what the distinguishing garb which Jews must wear should consist. That would come to vary in different countries throughout Europe — from yellow badges, coloured clothing, or round capes, to pointed hats — depending on the wishes of the secular ruler or local government.

In its description of the build up to Lateran IV, the *Shebet Yehudah* records that in 1215 there was Jewish representation at a more local council — the southern French Council of Montpellier, and that the existence of the Jewish community in Montpellier had only been saved by the intervention of Simon de Montfort, the leader of the Albigensian Crusade which was being waged in the south of France. Referring to this crusade, it described how King Louis VIII (1187–1226) threatened to demolish the walls of Montpellier, putting the Jewish community in great danger, but that Simon and his brother promised to preserve it. Here is an example of chronological inaccuracy in the *Shebet Yehudah*: Louis did not become king of France until 1223; he was involved in crusading briefly in 1219 and from 1223 onwards.

22. Grayzel, “Jews and the Ecumenical Councils,” 296.

23. *Decrees of the Ecumenical Councils*, Vol. 1, ed. Tanner, 266.

24. *Decrees of the Ecumenical Councils*, Vol. 1, ed. Tanner, 266.



The work goes on to detail how, on the eve of Lateran IV, Jews from every community assembled together in the south of France at Bourg de Saint Gilles on the orders of Rabbi Isaac Benveniste and Rabbi Levi, both of whom were from distinguished families and were important spiritual leaders for Jewish communities in the south of France.<sup>25</sup> The purpose of the meeting was to agree who would go to Rome to persuade the pope to ensure no harm came to Jewish communities through legislation enacted by the council and the bishops assembled “in their abomination of sacks” — a derisory reference to the clergy and possibly to the clerical garb of the newly founded orders of mendicant friars.<sup>26</sup> It further reports that as a result of the council, in 1215 a decree was proclaimed in France that Jews there should henceforth wear the badge,<sup>27</sup> and that they must pay a sum of money to the local parish priest each year — referring to their obligation to pay the tithe first decreed by Alexander III sometime between 1174 and 1179.<sup>28</sup> It then records the death of Innocent III:<sup>29</sup>

In the year 175 [1215] the evil kingdom ruled that our people were to walk around marked with a foreign badge from the age of twelve and onwards — the men on their hats and the women on their scarves. And another decree was enacted that each household would give to the priest of the town six denarii every year at the time of the Festival. And in that year the pope, who spoke evil about our people, suddenly died.<sup>30</sup>

All this is a clear reference to the fallout from the anti-Jewish legislation at Lateran IV and in particular Constitution 68 which decreed that Jews must wear distinguishing clothing to demarcate their servile status in Christian society.<sup>31</sup>

Given this level of detail, it is perhaps then surprising that the *Shebet Yehudah* says nothing about further anti-Jewish legislation arising from the council and in particular Constitutions 67, 69, and 70 of Lateran IV which ruled that Jews must not practise usury nor hold public office, and that converts to Christianity from Judaism must not retain their former rites.<sup>32</sup> Nor is there any mention of Constitution 71, the decree *Ad liberandam* which referred to Jewish usury in the specific context of the council's plans for the Fifth Crusade.<sup>33</sup> Indeed the Constitutions of Lateran IV concerned with usury made a clear and important distinction between Jewish and non-Jewish lenders and shows that the papacy regarded those who borrowed from Jews as falling into two groups. The first, consisting of crusaders, were granted a moratorium on the principal of their loans and the remission of interest paid before their departure. The second included all other Christians, who were merely protected

25. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 147.

26. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 147.

27. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 148.

28. Alexander III, “Non sine multa” (1174–1179), *The Apostolic See and the Jews*, Vol. 1, ed. S. Simonsohn (Toronto: Pontifical Institute of Mediaeval Studies, 1988), (henceforward Simonsohn), 57.

29. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 148.

30. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 148.

31. *Decrees of the Ecumenical Councils*, Vol. 1, ed. Tanner, 266.

32. *Decrees of the Ecumenical Council*, Vol. 1, ed. Tanner, 265–67.

33. *Decrees of the Ecumenical Councils*, Vol. 1, ed. Tanner, 269.

against immoderate usury. The papacy realised that Jews played an invaluable role as moneylenders in Christian society and therefore rowed back from a blanket condemnation of Jewish usury.<sup>34</sup>

Of course, one can only draw conclusions about the work's portrayal of popes and the papacy from the way such elements are mentioned — if they are — since there may be many possible reasons for silence. Yet the fact that, from the wealth of anti-Jewish legislation promulgated at Lateran IV the emphasis is on Constitution 68, shows again that the *Shebet Yehudah* is selective — we cannot be sure whether deliberately or not — in what it records. Possibly the very fact that Constitution 68 was justified by the clergy on the grounds of emulating Mosaic Law meant that the author(s) of the *Shebet Yehudah* believed it would be of particular interest to Jewish communities.

Nevertheless, despite its omission of such anti-Jewish legislation, the *Shebet Yehudah* does record forced baptisms of Jews in Toulouse which ensued as a direct result of the council.<sup>35</sup> It details how although the French legislation resulting from Lateran IV that Jews must wear a distinguishing mark was originally cancelled, subsequently Jews in France were ordered to wear red or yellow badges and how in response the Jewish leaders Rabbis Mordechai Man Yosef Oynin and Shlomo de Shalom petitioned Charles I of Anjou (1227–1285), King of Naples and Sicily and Count of Provence, to ensure the decree was cancelled. Again, it is possible that in this popular history, written long after the events, such legislation was recorded because it was known to have had immediate potential to impact catastrophically on Jewish communities.

### The *Shebet Yehuda* and John XXII

Also worthy of note is that despite its obvious suspicion of such ecumenical councils, the *Shebet Yehuda* is very careful to distinguish between kings (and aristocracy) and popes, who are generally portrayed as well disposed to Jewish communities and the masses and “lower” clergy who are usually portrayed as hostile, particularly the mendicants who preached inflammatory sermons.<sup>36</sup> Chapter Fourteen describes “a gracious (‘hasid’) pope who speaks the truth and has good qualities and his leadership is of one who is a truthful man.”<sup>37</sup> The word “hasid” implies more than justice alone, both in biblical and post-biblical Hebrew, and possesses strong overtones of going far beyond

34. R. Rist, “The Power of the Purse: Usury, Jews, and Crusaders, 1198–1245,” in *Aspects of Power and Authority in the Middle Ages*, ed. B. Bolton and C. Meek (Turnhout: Brepols, 2007), 208.

35. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 148.

36. Yerushalami, *The Lisbon Massacre of 1506 and the Royal Image in the Shebet Yehudah*, 44–46; 49.

37. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 60. Elsewhere the *Shebet Yehudah* describes Manuel I of Portugal (1469–1521) as “hasid,” even though he had ordered the mass conversion of Portuguese Jews in 1497, probably because he allowed the New Christians (former Jews) to emigrate from Portugal in 1507. See Yerushalami, *The Lisbon Massacre of 1506 and the Royal Image in the Shebet Yehudah*, 3; 62. Other kings are also described as “hasid,” see 42.

the letter of the law.<sup>38</sup> Papal correspondence suggests that the pope in question is quite likely to have been John XXII (1316–1334), whose record with regard to Jews was mixed. As we would expect, like his predecessors, he continued to regulate Jewish–Christian financial transactions, in particular Jewish usury,<sup>39</sup> and to encourage Jews to convert to Christianity.<sup>40</sup> Furthermore, he took the church’s requirement that Jews should be protected in Christian society seriously, defending Jewish communities against the Crusade of the Shepherds of 1320,<sup>41</sup> and showing some leniency with regard to the activities of the Inquisition.<sup>42</sup> Nevertheless, his correspondence also reveals that he was deeply concerned about supposed Jewish involvement in magical practices,<sup>43</sup> tended to believe charges levelled against Jews that they blasphemed against the Virgin Mary,<sup>44</sup> and, like a number of his predecessors, called for the burning of the Talmud.<sup>45</sup>

According to the legend, this pope had an evil sister named “Shangisha” or “Sancha” who tried to get Italian Jews deported from the papal states.<sup>46</sup> In fact this Sancha was not the pope’s sister but the wife of Robert of Anjou (1277–1343), both king of Naples and titular king of Jerusalem, and a woman frequently held up as a feminine ideal by contemporary Christian writers.<sup>47</sup> We have noted how Robert’s brother, Charles of Anjou, one of the leaders of the Seventh Crusade

38. Yerushalmi, *The Lisbon Massacre of 1506 and the Royal Image in the Shebet Yehudah*, 42–43.

39. John XXII, “Exigit tuorum” (5 June 1318), *The Church and the Jews in the Thirteenth Century: Vol. 2: 1254–1314*, ed. S. Grayzel (New York: Jewish Theological Seminary in America; Detroit: Wayne State University Press, 1989), (henceforward Grayzel, Vol. 2), Vol. 2, 306; Simonsohn, 307–8; “Sua nobis” (7 April 1320), Grayzel, Vol. 2, 308–9; Simonsohn, 312–13; “Significarunt nobis” (24 December 1320), Grayzel, Vol. 2, 320; Simonsohn, 324; “Apostolicæ sedis” (11 April 1330), Grayzel, Vol. 2, 338; Simonsohn, 360–61; “Ad audientiam nostram” (7 March 1321), Grayzel, Vol. 2, 323–34; Simonsohn, 330; “Ad audientiam nostram” (6 October 1321), Grayzel, Vol. 2, 324; Simonsohn, 333–34; “Inter ecclesiasticos ordines” (23 August 1322), Grayzel, Vol. 2, 327; Simonsohn, 335–37; “Cum sicut accepimus” (5 March 1325), Grayzel, Vol. 2, 329–30; Simonsohn, 342–43; “Cum sicut accepimus” (1 August 1326), Grayzel, Vol. 2, 332; Simonsohn, 347–48; “Significarunt nobis” (19 February 1328), Grayzel, Vol. 2, 335–36; Simonsohn, 354–55. For identification of the pope as John XXII see *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 183.

40. JJohn XXII, “Cum sicut” (24 February 1319), Grayzel, Vol. 2, 307; Simonsohn, 310–11; “Ex parte vestra” (3 July 1322), Grayzel, Vol. 2, 325–26; Simonsohn, 334; “Inter opera laudanda” (4 July 1322), Grayzel, Vol. 2, 326; Simonsohn, 334–35; “Cupientes ut” (25 July 1326), Grayzel, Vol. 2, 332; Simonsohn, 347.

41. JJohn XXII, “Cum difficile procul” (19 June 1320), Grayzel, Vol. 2, 310–11; Simonsohn, 313–15; “Per tuas litteras” (June 1320), Grayzel, Vol. 2, 311–13; Simonsohn, 316–18; “Significasti nobis” ((after 19) June 1320), Grayzel, Vol. 2, 313; Simonsohn, 318; “Decet sedis apostolicæ” (9 June 1320), Grayzel, Vol. 2, 314; Simonsohn, 319; “Dignum arbitantes” (22 July 1320), Grayzel, Vol. 2, 315; Simonsohn, 320; “Dignum arbitantes” (31 July 1320), Grayzel, Vol. 2, 316; Simonsohn, 320; “Dignum arbitramur” (31 July 1320), Simonsohn, 320–21. See Yerushalmi, *The Lisbon Massacre of 1506 and the Royal Image in the Shebet Yehudah*, 43.

42. John XXII, “Petitio dilecti filii” (26 January 1328), Grayzel, Vol. 2, 334–35; Simonsohn, 352–53.

43. John XXII, “Successor Petri” (7 January 1318), Grayzel, Vol. 2, 305–6 and footnote 2; Simonsohn, 304–7.

44. John XXII, “Gloriosus Deus” (22 March 1329), Grayzel, Vol. 2, 336–37 and footnotes 1 and 2; Simonsohn, pp. 357–59.

45. John XXII, “Dudum felicitis recordationis” (4 September 1320), Grayzel, Vol. 2, 316–19; Simonsohn, 321–23.

46. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 60–62; Yerushalmi, *The Lisbon Massacre of 1506 and the Royal Image in the Shebet Yehudah*, 43–44, 56.

47. N. Silleras-Fernandez, *Chariots of Ladies: Francisc Eiximenis and the Court Culture of Medieval and Early Modern Iberia* (Ithaca, NY: Cornell University Press, 2015), passim.

and king of Sicily from 1266 to 1285, tried to enforce the wearing of the badge in France, and we know that he had all Jews expelled from his French domains and oversaw the expulsion or forcible conversion of those in the south of Italy.<sup>48</sup> According to the *Shebet Yehudah*:

And from her hatred of Israel she [Sancha] asked and begged her brother, the pope, to deport the Jews from all his area of jurisdiction. And she told him: Had he been our Saviour how would He have tolerated those who hated Him to live in His country and under His government? For since the day they [the Jews] rebelled against our Saviour they all remained impure — as she had heard from the holy bishops. And they [the Jews] remained impure as a result of the first man [Adam]. Indeed those who accepted Jesus' religion became pure but the others remained impure.<sup>49</sup>

Sancha therefore urged the pope to deport the Jews from that most holy of places, Rome, which she argued had long since replaced Jerusalem in holiness, so that following his example, all other monarchs would likewise expel Jews from their kingdoms.

Yet according to the story, the pope became angry and rebuked Sancha for her wicked speech, declaring that nothing less was to be expected of a woman:

Women do not have any sense after all! For if the Saviour has forgiven them [the Jews] and said “that the one who harms them it is as if he harms his own eye” — how can we not forgive? It is not for a woman who is occupied with the spindle to understand these important matters! This is just badness of heart! And regarding what you said about them [the Jews] not receiving the baptism of Jesus and remaining impure: since they were circumcised, they became pure. Because baptism came to replace circumcision.<sup>50</sup>

He therefore pointed out that her words were theologically unsound: her argument that Jews were impure because they had not been baptised was wrong because they had already been purified through circumcision. Baptism had replaced circumcision for Christians, but it remained purifying for Jews. Although it is likely to be a fictitious dialogue, it is nevertheless a startling and daring statement for a pope to make. We know that some fifteenth-century Iberian Jewish philosophers put forward the idea of circumcision as an equivalent of Christian baptism.<sup>51</sup> So it is important to understand the words of popes in the *Shebet Yehudah* not just in the context of Christian theological arguments, but also ongoing Jewish theological discussions.

The legend next goes on to record how Sancha then tried a different tactic. She brought bishops before the pope who testified how, when they passed by in procession carrying icons of Jesus, they were mocked by Jews. This argument proved much more effective. Persuaded by the bishops' concerns, the

48. R. Mundill, *England's Jewish Solution: Experiment and Expulsion, 1262–1290* (Cambridge: Cambridge University Press, 1998), 299–302.

49. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 60.

50. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 60–61. There is a pun on words here: such a woman should not “play the rabbi.”

51. For discussion of this complex issue see M. Thiessen, *Contesting Conversion: Genealogy, Circumcision and Identity in Ancient Judaism and Christianity* (Oxford: Oxford University Press, 2011), 6–7.

pope called for Jews in the papal states to be deported. The story continued that, bearing gifts, and promising to pay a ransom if necessary, the Jews in Italy next appealed to Robert of Anjou who had been favourable to them in the past, to ask the pope to reverse his decision.<sup>52</sup> They also sent messengers and gifts to the bishops to try to get them to change Sancha's mind, but to no avail. For his part the king of Naples sent messengers to plead their case:

And king Robert sent messages to the pope pleading for the Jews' cause and he [the pope] responded that he had already made a vow to Sancha and that even though he wasn't acting under his own free will he couldn't change his mind because this would annul the pope's vow. But if Sancha would annul the vow, he would be able to change the decree.<sup>53</sup>

In response Robert promised Sancha one hundred thousand florins on behalf of the Jewish communities:

Then Sancha became a lover of Jews and she begged the pope not to deport the Jews from his country because she felt sorry for them. The pope said "Isn't it really because the money felt sorry for you?!" And then the pope ordered that they tear up the note or decree of expulsion; and they [the Jews] stayed in their territory; but until they reached that point they were greatly troubled.<sup>54</sup>

The details of this legend are therefore highly significant. From its earliest beginnings the papacy had been committed to guaranteeing basic rights of life and religious observance to Jewish communities. Jews were to live unharmed in Christian society because the teachings of St Paul emphasised that they were witnesses to the truth of the Old Testament. In Romans 11, Paul had argued that the Jews would be reconciled to the Christian faith at the end of days when a remnant of them would be saved and their conversion en masse would signal the dawn of a new era — as predicted by the prophets of the Old Testament.<sup>55</sup> In the fifth century St Augustine of Hippo (354–430) developed and expanded such Pauline ideas.<sup>56</sup> In the sixth century Gregory I the Great (590–604) drew upon these in his correspondence. Together with the Theodosian Code, Justinian's Code, rulings of the Visigothic Councils of Spain, and the compilations of Decretists and Decretalists, such ideas formed the basis for subsequent medieval and early modern papal legislation which both sought to protect but also restrict the rights of Jewish communities in western Europe. Here in the *Shebet Yehudah* the unnamed pope is portrayed as eventually doing right theologically by Jewish communities, even if initially influenced by bad counsel.<sup>57</sup> Indeed this tallies with what we know of John XXII, who although he had a

52. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 61.

53. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 61.

54. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 61. My thanks to David Oderberg for his help with translating this Hebrew passage.

55. Romans 11:11–12, *Biblia sacra iuxta Vulgatam versionem*, 2 vols., 2nd edn, ed. R. Weber (Stuttgart: Württembergische Bibelanstalt, 1975).

56. Augustine, *Adversus Iudaeos*, *The Fathers of the Church*, Vol. 27, ed. R. J. Deferrari (New York: Fathers of the Church Inc., 1955), 391–414; *De civitate Dei* 1, ed. B. Dombart and A. Kalb (Stuttgart: B. G. Teubner, 1981), Bk 4, Ch. 34, 188–89; Vol. 2, Bk 18, Ch. 46, 328–29.

57. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 60–61.

mixed record in his treatment of Jews, only ever expelled them from his own territories in France and never endorsed expulsions elsewhere.

It has been suggested that taken on its own terms the story shows that, at best, John XXII was well meaning but ineffectual. Yet, although this interpretation of the *Shebet Yehudah*'s assessment is plausible, another is also possible. The story portrays John XXII in very favourable terms.<sup>58</sup> As we noted, the pope is "a gracious ('hasid') pope who speaks the truth and has good qualities and his leadership is of one who is a truthful man" — even though in the story he comes so close to breaking radically with the policy of protection of the Jews upheld by his predecessors, and despite the fact that the eventual favourable outcome of the episode is independent of his efforts.<sup>59</sup> Rather, the pope is described as "hasid" because, as we have seen from the story, finally he has the courage to enunciate correct Christian theology: through their rite of circumcision Jews are already God's chosen people and so do not need the Christian rite of baptism to affirm this "purified" status.

Furthermore, the pope seems to be claiming that whereas Christians need to be baptised to show that they are God's chosen, that is, the people of the New Covenant, for Jews the divine covenant first made with them through Abraham, remains in force because of circumcision. Hence — taken to its logical conclusions — he is suggesting that since Jews, the people of the Old Covenant, are already "purified" through circumcision, there is no need for them to be baptised. Yet for Christians such a statement was a step further even than Augustine of Hippo who had argued that circumcision as a "sacrament" for Jews was analogous to baptism.<sup>60</sup> It seems that, as so often in the *Shebet Yehudah*, there are a number of possible things going on in the text: it may be recording what a pope did in fact say, or deliberately attributing to him the author(s) own ideas or wishes.

So the tale shows that whereas kings and princes cannot be trusted to protect Jewish communities, the pope could.<sup>61</sup> It also reveals Jewish awareness of correct Christian theology: that circumcision had already marked out the Jews as God's originally chosen people and the popes would not waver from this theological position. It suggests Italian Jews realised that they were allowed to live in the papal domains not only because they were financially useful, but because popes were theologically committed to their well-being. Papal protection would only falter if popes became concerned that Christianity itself

58. Yerushalami, *The Lisbon Massacre of 1506 and the Royal Image in the Shebet Yehudah*, 44.

59. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 60; Yerushalami, *The Lisbon Massacre of 1506 and the Royal Image in the Shebet Yehudah*, 43–44.

60. See Augustine, *De Anima et eius Origine*, 2.12.17, cf. I.II.13, 4.24.38; *Opus imperfectum*, 2.73, discussed in J. M. Rist, *What is Truth? From the Academy to the Vatican* (Cambridge: Cambridge University Press, 2008), 119–20.

61. The papal states remained the one area of Medieval Europe from which Jews were not expelled. See Roth, *The History of the Jews in Italy*, 42. They were finally expelled in 1569 by Pius V (1504–1572). See Stow, *The "1007 Anonymous" and Papal Sovereignty*, 20. As noted in footnote 13, the expulsion of Jews from the papal states in 1569 was revoked in 1585 and did not affect Rome, Ancona, or the French papal territories. This was also the case when it was briefly re-enacted in 1593. See Stow, *Alienated Minority*, 304.



was being undermined — in this case by Jews mocking Christian celebrations.<sup>62</sup> Is it possible that John XXI's claim in the story that the Jews are already pure through circumcision may even suggest some medieval popes countenanced the idea that Jews did not require baptism to be saved because they were already God's chosen? With hindsight the story provided its Jewish audience with a coherent and memorable reason why unlike their eventual deportation from other European kingdoms in the High and Late Middle Ages, Jews were not expelled from the papal states until 1569.<sup>63</sup>

### **The *Shebet Yehudah* and Martin V**

This is not the only instance of the power of papal protection recorded in the *Shebet Yehudah*.<sup>64</sup> Another — presumably fictitious — story concerns a certain “Prae Pedro” (“Brother Peter”), a fictitious name but one which seems to represent the character of a stereotypical person who persecutes Jews. Since “Prae” means “Brother” he may also be meant to represent the friars who were notorious for preaching virulently anti-Jewish sermons. This Prae Pedro questioned the pope, referred to as “Marco Florentine” which literally translates as “Florentine mark” — presumably a derisory reference to his avariciousness and love of money.<sup>65</sup> Although again the pope is not mentioned by name, papal correspondence again suggests this may well have been Martin V (1417–1437), who like so many fifteenth-century princes of Europe, was permanently strapped for cash, and pursued an ambiguous attitude towards Jewish affairs.<sup>66</sup> Nevertheless, his pontificate brought in improvements for Jews: we know from his correspondence that he cancelled anti-Jewish prohibitions of the anti-pope Benedict XIII and issued decrees in favour of the Jews of Italy, Germany, and Spain.<sup>67</sup> In 1422 Martin issued an enlarged version of “Sicut Iudeis,” the traditional letter of protection for Jews, which included a clause forbidding preachers, in particular the mendicants, from stirring up anti-Jewish feeling. Although, probably as a result of pressure from the friars, in 1423 he revoked it, in 1429 he reaffirmed his commitment to protection by

62. For papal concern over Jews ridiculing Christian celebrations see, for example, Innocent III, “Etsi non displiceat” (16 January 1205), *The Church and the Jews in the Thirteenth Century: A Study of their Relations during the Years 1198–1254 (1314), based on the Papal Letters and the Conciliar Decrees of the Period, Vol. 1: 1198–1254*, ed. S. Grayzel (New York: Hermon Press, 1966) (henceforward Grayzel, Vol. 1), 104–8; Simonsohn, 82–83.

63. Expulsions of Jews, for example from France during Philip Augustus's reign, became routine in Europe after 1291. See Roth, “The Popes and the Jews,” 75.

64. Stow, *The “1007 Anonymous” and Papal Sovereignty*, 23.

65. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 107.

66. Simonsohn, *The Apostolic See and the Jews: History*, 70, 71–74, 142, 169. For identification of the pope as Martin V see *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 201.

67. For example, Martin V, “Quamvis potius velitis” (12 February 1418), Simonsohn, 669–71; “Sicut Iudeis non” (31 January 1419), Simonsohn, 679–81; “Licet Iudeorum omnium” (1 January 1421), Simonsohn, 695–97; “Veram Christianorum fidem” (20 September 1421), Simonsohn, 698; “Licet Iudei ad” (20 September 1421), Simonsohn, 699 (abolishing prohibitions decreed by Benedict XIII); “Sicut Iudeis non” (11 January 1422), Simonsohn, 709–11; “Sicut Iudeis non” (20 February 1422), Simonsohn, 711–14; “Nuper siquidem ad” (1 February 1423), Simonsohn, 720–21; “Ex iniuncto nobis” (28 June 1425), Simonsohn, 736–38; “Ad futuram rei” (13 February 1429), Simonsohn, 771–74. Simonsohn, *The Apostolic See and the Jews: History*, 75. Benedict XIII implemented extremely harsh legislation with regard to the construction and expansion of synagogues. See Simonsohn, *The Apostolic See and the Jews: History*, 127.

excluding Jews from the revocation order, thereby reinforcing his original letter of 1422.<sup>68</sup>

According to the story, Prae Pedro asked the pope whether someone distant from God and whom God hated could deserve notice from a sensible and holy man and be loved by him.<sup>69</sup> The pope replied that either being distant from God or hated by him was itself sufficient not to like a person. Then Pedro made his intentions clear: how could the pope love the Jews? In response the pope asked what evidence Pedro had that he did love them. Pedro replied that he must since Jews lived in his lands and enjoyed its benefits. The pope then asked:

How do you impute that they hate God and how is this possible? For they suffer a long and bitter exile, and fulfil the religion God has given them. Have you ever seen a nation that does love God, who would not be tired of such an exile and reject its religion over more than a thousand years? And as for what you said, that they are hated by God, I see that being in exile He has not allowed anyone to abuse them, when someone thought of destroying them. And I have never seen anyone who succeeded in such a thought — even though many like you have risen to malign the Jews in the eyes of rulers, kings and the councillors of countries.<sup>70</sup>

So the pope argued that far from the Jews being hated by God, in fact God had never allowed anyone to annihilate them.

Fun is undoubtedly being poked at the pope in this tale as a money-loving politician. Furthermore, the pope's praise of the Jews' loyalty, even in exile may well be the *Shebet Yehudah's* way of encouraging Jewish communities to remain loyal in the face of adversity. That it is here citing with obvious approval this case of a pope who had denied the idea that the Jews hated God or were hated by him but, had declared, unequivocally, that on the contrary, God loved them, is also informative.<sup>71</sup> Again there is the recurring theme of papal protection, with the pope willing to act with or without the aid of secular powers and local clergy.<sup>72</sup> Again the pope is portrayed as reiterating traditional Christian theology, correcting theologically incorrect ideas, and continuing to safeguard their livelihood in the papal states. Once more it is unclear exactly what is going on in the text. Is it recording what a pope did say, or recording what the author(s) would have *liked* him to say? Certainly such positive appraisal reflected in the sheer length and complexity of the pope's recorded speech *may* suggest not merely flattery in an attempt to ensure protection for fellow Jews — although this undoubtedly played its part — but appreciation of papal statements of support. Through works such as the *Shebet Yehudah* learned Jews could record such appreciation.

Nevertheless, despite recognition that popes could at times be prevailed on to protect their communities, Jewish communities also knew that this protection was not unlimited. Following precedents set in Roman Law, popes would

68. Simonsohn, *The Apostolic See and the Jews: History*, 32–33.

69. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 107–8.

70. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 107–8.

71. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 107–8.

72. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 60–61, 107.

not allow them rights beyond those set down in the fifth-century Theodosian Code.<sup>73</sup> This set of laws promulgated in 438 was a comprehensive compilation of imperial constitutions covering reigns of all emperors from Constantine I (c.272–337) to Theodosius II (401–450) and which — considering its scope and magnitude — contained a surprisingly detailed blueprint for the treatment of Jews in Christian society.<sup>74</sup> It protected basic rights: affirming their citizenship, allowing them to set their own market prices and rules, specifying that they should exercise ordinary jurisdiction in ritual matters, allowing recourse to arbiters in civil affairs and outlawing attacks on synagogues. Most significantly it granted Jews due legal process, forbidding Christians to call them to court on the Jewish Sabbath and prohibiting arbitrary cancellation of their rights.<sup>75</sup> Yet it also restricted the erection of new synagogues, threatened the curtailment of privileges if Jews insulted Christianity, and forbade Jews from owning Christian slaves.<sup>76</sup> Also important was the sixth-century Justinian Code which legislated that synagogues should not be allowed to exist on land belonging to an ecclesiastical institution. Indeed the emperor Justinian (c.482–565) had ordered that all existing synagogues in the empire be converted into churches. From the sixth century onwards a vast amount of canon law repeated these stipulations. In the thirteenth century, in accordance with the Theodosian Code, Innocent III had complained very particularly about Jews in France building new synagogues which were higher and more beautiful than neighbouring churches.<sup>77</sup> Hence, as we shall see, papal protection was always carefully circumscribed.

### **The *Shebet Yehudah* and Papal Protection**

For recognition of the circumscribed nature of this papal protection is again illustrated in the *Shebet Yehudah* by a story in which a pope is cast in a much more negative light. Here some Jews reported to a certain queen, — possibly Queen Blanche of Navarre (1387–1441) — that they worshipped at a synagogue situated near a Christian church.<sup>78</sup> Although Christians had taken over the surrounding land, the synagogue had been built long before the church. When the queen passed by the area and laughed about the proximity of the synagogue to the church, a royal advisor informed her that for several years the two communities had existed harmoniously side-by-side — and she gave orders that this should continue. However, the Jews then complained that a judge had opposed her decision by ruling that the synagogue be destroyed. Then the case was brought to papal arbitration and the (again unnamed) pope,

73. *Codex Theodosianus* 16,8,1–29 (Bern: Lang, 1991), 84–159. See J. Parkes, *The Conflict of the Church and the Synagogue* (London: Soncino Press, 1934), 214–15; Stow, *Alienated Minority*, 23; M. Cohen, *Under Crescent and Cross: The Jews in the Middle Ages* (Princeton: Princeton University Press, 1996), 32–34.

74. *Codex Theodosianus* 16,8,1–29, 84–159.

75. *Codex Theodosianus* 16,8,1–29, 84–159. See Stow, *Alienated Minority*, 23; Cohen, *Under Crescent and Cross*, 32–34.

76. Cohen, *Under Crescent and Cross*, 32–35.

77. Innocent III, “Etsi non displiceat,” Grayzel, Vol. 1, 104–8; Simonsohn, 82–83.

78. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 114.

ruled in favour of the judge: “And the pope said ‘The Law is with him [the judge] and not with the queen; for how shall you [the Jews] sit near the door of our Messiah and yet you curse him. Therefore destroy the synagogue quickly’.”<sup>79</sup> When the Jewish messengers replied that they would do so only if the queen commanded, thereby deferring to monarchical rather than papal authority, the pope reacted negatively: “Then the pope became angry and ordered the bishops to destroy the synagogue and also to return the interest [owed by Jews to their creditors] in accordance with the judge’s ruling.”<sup>80</sup>

The messengers are not named in the text but it is possible that they refer to Don Samuel Abarbanel and Don Samuel Ha-Levi, community leaders of old and distinguished Jewish families in the Iberian peninsula.<sup>81</sup> Don Samuel Abarbanel wielded great influence at the court of Castile, served as a royal treasure in Andalusia in 1388, and during anti-Jewish riots led by mendicant preachers in 1391 was forcibly converted to Christianity, before becoming the country’s auditor. It is possible that his name remains anonymous in the *Shebet Yehudah* because, although Jews were proud of his and his family’s worldly success, they were also embarrassed by his conversion to Christianity. The Abarbanel family later fled to Lisbon where they reverted to Judaism but maintained their high political profile.<sup>82</sup> Quite possibly this tale of queen, church, and synagogue therefore serves as a parable for the expulsions of all Jews from Spain in 1492.

We have noted that the Theodosian Code stated categorically that no new synagogues should be built — a ruling which had been upheld by successive popes from Gregory I (590–604) onwards.<sup>83</sup> Yet it also affirmed that already existing synagogues should not be destroyed. The synagogue in question, although older than the church, had probably been built long after the fifth century. The pope in the tale was therefore acting strictly in accordance with the Code. Yet, according to the legend, this was not the central issue at stake for the pontiff. What worried him was the idea of the church and the synagogue existing in close proximity.<sup>84</sup> As in the previous story, he was concerned that Christianity might be weakened and endangered by contact with Judaism.<sup>85</sup> In Sancha’s case the bishops had complained that Jews were mocking their religious processions; in this tale the pope thought it wrong that a synagogue, where Jews were believed publicly to curse the Messiah, be situated near a church.<sup>86</sup>

Whether such allegations of Jewish blasphemy were true or not is extremely hard to determine. Again, we find reference to them, for example, in the much earlier but seminal correspondence of Innocent III.<sup>87</sup> It is possible that such allegations were largely false, invented by Christians wishing to stir up hatred,

79. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 114.

80. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 114.

81. Simonsohn, *The Apostolic See and the Jews: History*, 92, 449.

82. M. Kayserling, *Geschichte der Juden in Portugal* (Berlin, 1861) (repr. 2011), 264.

83. Gregory I, “Sicut Iudaeis” (June 598), Simonsohn, Vol. 1, 15–16.

84. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 114.

85. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 60–62.

86. *The Shebet Yehudah of Shelomo ibn Verga*, ed. Shohat, 114.

87. Innocent III, “Etsi non displiceat,” Grayzel, Vol. 1, 104–8; Simonsohn, 82–83.

perhaps through jealousy at the wealth or influence of their Jewish neighbours. If true and Jews were indeed blaspheming against Christianity and mocking Christians in these ways, then despite the threat of persecution and even expulsion, certain Jewish communities in France — or certain members of such communities — must have felt large enough and strong enough not to fear reprisals. Either way, their very possibility was enough for a pope who would always draw on the statements of his predecessors before pronouncing.

### Conclusion

By examining these stories of papal involvement with Jewish communities in the *Shebet Yehudah*, each in their particular contemporary social and political context, we are better able to understand the text's depictions of popes and the papacy. We have seen how some popes — as some rulers — are portrayed more favourably than others and appreciation that pontiffs were often a more reliable source of protection than their Christian flock. The author(s) of the work knew only too well that such papal protection was not unlimited, but carefully circumscribed in accordance with Christian theology. Furthermore, descriptions of popes defending Jews by the use of theological arguments cannot necessarily be taken at face value to reflect actual papal statements. Such descriptions may be intended to show continuity between the Old Testament and the Jewish Faith. Possibly they were even written to show that there could be accord between Jewish beliefs and Christian theological doctrine. Indeed the fifteenth- and sixteenth-century realities of Jewish persecutions, forced baptisms and expulsions might well induce the author(s) to wish for some sort of theological reconciliation between Jews and Christians.

Nevertheless, as we have seen, popes like Martin V continued to issue letters of protection for the Jews, including the “*Constitutio pro Iudaeis*,” the papacy's traditional bull of papal protection, in the face of increasing waves of expulsion and forced baptism. It is quite possible that Jews who came to know about such protective letters, either through theological and doctrinal dialogue with their Christian counterparts, or because their communities requested these, or because such communities were directly affected by their promulgation. It is therefore not that strange to envisage that through works such as the *Shebet Yehudah* learned Jews might register appreciation of papal protection, however conditional it might be.

The *Shebet Yehudah* is an important source for understanding both Jewish minority history and a particular popular Jewish narrative genre. By its study we can add to our understanding of both the activities of medieval and early modern popes which affected Jewish communities and the stance of the papacy towards Judaism. Furthermore, from the stories it recounts we discover more about what Jewish writers, both knew and believed about popes and the papal curia, as well as what they wanted their Jewish audiences to know and to believe. Through the *Shebet Yehudah* we are given a new understanding of how the medieval papacy was perceived by Jews in the early modern period that enriches our historical knowledge of Jewish-Christian relations.