

**HOW DID LATE MEDIEVAL SECULAR AND ECCLESIASTICAL PORTUGUESE  
AND CASTILIAN LITERATURE PROJECT THE IMAGE TOWARDS THE JEWS?  
A COMPARATIVE ANALYSIS OF SOURCES FROM 1325 TO 1412**

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**APPENDICES I, II, III, IV, V, VI, VII**

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**APPENDIX I**  
**ANALYSIS OF DISCRIMINATORY AND RESTRICTIVE JEWISH LEGISLATION:**  
**CORTES, CHANCELLERIES, SYNODS, ALBALÁS, TRIALS**

## APPENDIX I

### ANALYSIS OF DISCRIMINATORY AND RESTRICTIVE JEWISH LEGISLATION: CORTES, CHANCELLERIES, SYNODS, ALBALÁS, TRIALS

The analysis is based on the five categories established by Spanish historian José M<sup>a</sup> Monsalvo Antón of how to classify restrictive and discriminatory laws towards the Jews in the late Middle Ages. It will be organized chronologically as presented in the thesis' chapters. The charts of the secular and ecclesiastical legislation are found in Appendices II.

#### Chapter 2. Castile and Portugal: Similar legislative approach to Jews, 1325-1350

##### 2.C.2. Castilian Jewish Legislation under Alfonso XI<sup>1</sup>

As discussed in the Methodological Approach, the criteria established by Monsalvo Antón will be applied in the analysis of discriminatory laws against the Jews.

##### 1. *Administrative and Professional Discrimination and the Reduction of social and political influence of the Jews and reviewing Jewish presence in tax and rent collection*

At the *Cortes* of Madrid of 1329, Art. 37, the municipal procurators petitioned that neither Jews nor Muslims (Moors) be employed at the court nor work as royal tax and rent collectors. The municipal procurators also wanted the king to forbid Jews from residing at the royal palace. The king acquiesced to the first two petitions but not the third, claiming that it was his prerogative to allow anyone he should wish to reside in the royal palace.<sup>2</sup>

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<sup>1</sup> Important to note is the development of the institution of the *Cortes* from the Curia. The latter consisted of the upper clergy and nobility that would meet with the Crown to discuss matters of importance of the realm. In 1188, the Curia of the Kingdom of León allowed the municipal councils to be heard, thus allowing the Third Estate into petitioning laws from the Crown. By the beginning of the reign of King Alfonso X in 1252, the *Cortes* would meet frequently. However, as the 13th century developed into the 14th century, less and less of the clergy and upper nobility would attend the sessions of the *Cortes*, thus leaving those sessions to the municipal procurators. The municipal procurators, in turn, were representatives of the municipal councils, that were representing the elites of towns and cities organized into corporations: MONSALVO ANTÓN (2019), p 260; O'CALLAGHAN, Joseph (1989). *The Cortes of Castile-León: 1188-1350*. University of Pennsylvania Press, p 194. VALDEÓN BARUQUE, Julio (1989). *Historia de España: Feudalismo y Consolidación de los Pueblos Hispánicos (siglos XI-XV)*, v. IV, 3<sup>a</sup> ed. Editorial Labor, p 72-74 "Nacimiento de las Cortes", and p 160-163 "Auge y Declive de las Cortes".

<sup>2</sup> *Cortes de los Antiguos Reinos de León y Castilla*, v.1 (1861). Real Academia de la Historia, p 415-416.

## ***2. Judicial Discrimination: Suppression of Jurisdictional Privileges and Prerogatives of the Jews***

By suppression of Jewish judicial privileges,<sup>3</sup> the municipal procurators most likely wanted to eliminate the judicial autonomy within their own communities. Once more qualified personnel were coming out from the General Studies, the rabbinical judges no longer had the relative monopoly over the judicial functions of their own communities. Such demands to remove Jewish monopoly over judicial matters in their own communities from were seen by the petitions n° 56 of the Cortes of Madrid in 1329, in which criminal cases involving assault and murder between Christians and Jews to be dealt with municipal authorities and not that of rabbis.<sup>4</sup> However, at the Cortes of Madrid of 1339, it was petitioned in petition n° 2 that Jewish rent collectors be investigated by official judges due to fraud allegations and that rent collectors have letters written by official scribes and bearing the seals of the notary publics. However, in petition n° 15, it was petitioned that all rent collectors, Christians, Jews and Moors, be investigated due to fraud. Even though petition n° 15 involved Jews, the petition mentioned Christians and Muslims as well.<sup>5</sup>

## ***3. Pragmatic and Interested regulation of the Economic Activities of the Jews within the scope of Finance and Credit***

At the Cortes of Valladolid held in 1325, Ordinance N° 14 the king responded to the petition made by the municipal prosecutors dealing with the debts incurred by the Christians with Jewish money-lenders and how these same Christians suffered from the deceitful actions of the Jews. It was claimed that the Jews charged more than allowed 33, 3% interest per year as allowed by royal decree. Another reason that the king should consider, was that the Christians had become impoverished due to the many robberies and the many lean years that have hit them very hard. As a result, they could not pay their debts to the Jews. It was petitioned that

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<sup>3</sup> STEFANO, Luciana de (1962). *La Sociedad Estamental de Don Juan Manuel*. NRFH, XVI, p 332-333: "En la Edad Media la condición social y el status jurídico tienden a unificarse: el derecho es creado en su mayor parte por la sociedad misma, a través del uso o de la costumbre o de la conversión en jurídicas de situaciones fácticas de poder. En virtud de esas normas, la sociedad se estructura en un sistema de "privilegios", los cuales no se entienden...en el sentido de una situación jurídica simplemente ventajosa, sino en su valor primario (*privilegios*), es decir, como derechos o libertades privativos o particulares de cada grupo o persona - concepción del derecho completamente opuesta a la igualdad y homogeneidad de nuestros actuales ordenamientos jurídicos."

<sup>4</sup> *Cortes de los Antiguos Reinos de León y Castilla*, v.1 (1861) p 415-416.

<sup>5</sup> *Ibid.*, p 458, 466.

the king forgives one-third of the debt and that for the remaining two-thirds of the debt that it be paid in the following 18 months in three installments. It was also requested that in this time period that no interests or penalties be charged. Finally, all debt letters including sentences and quotes held by Jews be considered no longer valid.<sup>6</sup>

The king responded that in terms of the Christian debts to the Jews, he forgave one-fourth of the debt of pawned belongings and debt letters. In terms of repayment of the loans, the king ordered that they be paid within the year of the ordinance in three installments: one payment every four months. Within this timeframe that no interests or penalties be charged. If the Christian cannot repay his debt within the allotted timeframe, then the Jews could charge and fine them.<sup>7</sup> Once again, the king showed within his limits, fairness to all parties, without taking sides and negatively affecting one party. As such, this law was not discriminatory per se, but was seeking to find a just balance.

In the same petition, the king also stated that for those localities with special charters, in which Christians could repay debts within 6 years and 30 days that these charters be respected. However, the king had received complaints from the Jews that after having retained property and belongings through court orders in lieu of repayments of debts (embargos), many city councils placed a hold on these embargos under pressure from the prelates and knights, who could not repay their debts. The king, thus ordered to investigate these cases.<sup>8</sup> Once again, the Crown sought to listen to all parties before reaching any conclusions or final decisions. This decision is not truly discriminatory by nature, but seeking to find a solution that would not be harmful or disadvantageous to any party.

In another article in support of Jews and Moors, the king made notice that the Jews had complained that many prelates and laymen had papal bulls and letters stating that they supposedly would be excommunicated if they paid their debts to the Jews. The king henceforth ordered that the officials of the cities, towns and localities seize these letters and send them to the king.<sup>9</sup>

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<sup>6</sup> *Cortes de los Antiguos Reinos de León y Castilla*, v. I (1861), p 378.

<sup>7</sup> *Ibid.*, p 379.

<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*

At the Cortes of Madrid held in 1329, petition n° 57 requested that the Jews not own land or estates, but at least be permitted to own houses and dwellings where they reside. The king would respect law of Sancho IV of 1293.<sup>10</sup> This law was truly harmful to Jewish moneylenders as it sought to limit their possibilities of earning income through other means, other than through moneylending. It also was a means to keep them marginalized in late medieval society. It must be emphasized that despite the economic transformations occurring in Western Europe in the 14<sup>th</sup> century, the economy was still predominantly agricultural-based. Land ownership was not only a socio-economic status symbol, but the predominant means of income through agricultural production.

At the Cortes held at Madrid in 1339, petition n° 13 complained about how the debts held by Jews over Christians led to their impoverishment. Part of the reason was due to the amount of deception committed against the Christians. It also states that if the Christians were to repay these loans according to the installment dates agreed upon, then they would lose everything that they had and would not be able to pay their taxes. It was requested that his majesty reduce the debts and prolong installment payments as he would deem fit. Another complaint was the issue of Jewish money-lenders using letters that they had previously obtained in impounding the property and belongings of indebted Christians and selling their belonging without knowledge or consent from the owners. The Municipal lawmakers requested from the king that he end this practice and declare such letters as no longer valid. If the Jews would still use their letters to impound private property and belongings in light of repayment of loans, then that they be sent to court and placed in front of a tribunal in front of a judge or mayor of the town or locality in which it had occurred.<sup>11</sup>

The king agreed in granting a year postponement of repayments of loans starting from 1 December 1339. The king ordered that half of the unpaid debt be repaid by mid-August and the other half by the last week of November of 1340. He also ordered that there be no interest (usury) on the debts to be repaid. In terms of the impounded belongings and property of debtors, the king responded that he found it best the impounded goods be passed on to third

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<sup>10</sup> *Cortes de los Antiguos Reinos de León y Castilla*, v. I (1861), p 425.

<sup>11</sup> *Ibid.*, p 464-465.

parties for disposal not before hearing from the owners of such property and belongings. Afterwards, the property and belongings would be dealt with according to the charter of the locality concerned.<sup>12</sup>

### ***Ordinances of the Cortes of Alcalá de Henares of 1345***

Presided by the king himself, Alfonso XI of Castile in the town of Alcalá de Henares, the reoccurring issue of debts owed by Christians was reiterated and that any Christian debts over six years could no longer be collected. Ordinance 9 requested that the king respect the law of the Cuaderno from the Ordinances of Madrid of 1339, in which Jews who had not collected their debts from Christians over six years could no longer claim them. The king found this fair and said that the Law of the Cuaderno would be respected.<sup>13</sup>

### ***Cortes de Alcalá de Henares of 1348***<sup>14</sup>

Even though the Ordinances passed at the Cortes de Alcalá de Henares of 1348 are not considered as anti-Jewish legislation, they will be discussed here due to their potential impact on the Jewish community when they were passed. It was the Crown's attempt to *equiparar*<sup>15</sup> the Jews to the Christian community by revoking his grandfather's ban on Jews owning land. This would allow Jews to invest into land, which was still considered the basis of wealth in the late medieval period, and earn a comfortable living after the king had forbidden all three religious communities from practicing usury or lending money at excessive rates.

The importance of the Cortes de Alcalá de Henares, was not only Chapter 64 that made Alfonso X' *Siete Partidas* law of the land,<sup>16</sup> but the banning of moneylending at usury rates to all subjects of the Crown, irrespective of their faith in Chapter 57.<sup>17</sup> In order to help Jewish moneylenders switch to other sources of income, King Alfonso XI revoked the previous legislation of his grandfather, Sancho IV, of the Cortes of 1293 that forbade Jews and

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<sup>12</sup> *Cortes de los antiguos reinos de León y Castilla*, v.1. (1861), p 465.

<sup>13</sup> *Ibid.*, p 480-481.

<sup>14</sup> *Ibid.*, p 500-593.

<sup>15</sup> *Equiparar* does not mean to be placed on an equal social judicial status, but to equate the different religious minorities with the same legal procedures and processes.

<sup>16</sup> *Cortes de los antiguos reinos de León y Castilla*, v.1. (1861), p 541-542.

<sup>17</sup> *Ibid.*, p 533.

Muslims from owning land<sup>18</sup> and permitted Jews to own land and receive earnings from what they harvested or raised on it. This was an attempt to remove Jews from the despised and stigmatized role of moneylending and usury. Historians, such as Fernando Suárez Bilbao and Vicente Álvarez Palenzuela, called it a revolutionary action.<sup>19</sup>

It is the remainder of Chapter 57 of the Ordinance of Alcalá that would change the nature of Castilian Christian-Jewish rapport in the late Middle Ages. It is here that King Alfonso XI wanted to end or at least reduce the growing tension between Jews and Christians by abolishing money-lending at exorbitant rates and allow Jews to purchase, sell and inherit land, as a different means of providing for their livelihood. As land ownership was still one of the major sources of wealth during the Middle Ages, agricultural production and cattle raising would be the best alternatives to obtaining income and revenue once moneylending for Jewish financiers had been banned.

The king stated that in order to keep the Jews in their kingdom and prepare the path for their ultimate conversion to Christianity, it had to be made possible for them to maintain a way of living. As such, the king ordered that the Jews be allowed to purchase and own land for themselves and their heirs or inheritors in all of the cities, towns and localities of the kingdom. The terms of the conditions were the following: For the land beyond the River Duero, Jews could buy up to 30,000 maravedis. For the land this side of the River Duero, then Jews were allowed up to 20,000 maravedis. These purchases would not include their own homes or property owned in the Jewish quarters.<sup>20</sup>

What is important to note about Chapter 57 is the nature of such an ordinance and how the king tried to tackle the continuous issue of Jewish money-lending and the problem of usury. In one stroke, he tried to end the social tension between Christians and Jews on the one hand, and allow Jews to integrate more into the mainstream economy and Christian majority society

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<sup>18</sup> *Cortes de los Antiguos Reinos de León y Castilla*, v. I. (1861), p 127-129. MONSALVO ANTÓN, José M<sup>a</sup> (1988). *Las Cortes de Catilla y León y las Minorías*. In *Las Cortes de Castilla y León en la Edad Media*. Editores Simancas, p 161.

<sup>19</sup> SUÁREZ BILBAO, Fernando (2000). *El fuero judiego en la España Cristiana. Las fuentes jurídicas. Siglos V-XV*. Dykinson., p 100; ÁLVAREZ PALENZUELA, Vicente y SUÁREZ FERNÁNDEZ, Luis (1988). *La Consolidación de los Reinos Hispánicos (1157-1369)* in *Historia de España*. Editorial Gredos, p 354. MONSALVO ANTÓN (1988), p 162.

<sup>20</sup> *Cortes de los Antiguos Reinos de León y Castilla*, v. I. (1861), p 533.

for eventual conversion to Christianity on the other hand. Many historians still see the Ordinances of Alcalá of 1348 as anti-Judaic, but looking at the chapters in detail, such as Chapter 55 and Petition 2,<sup>21</sup> which acknowledged the fact that Christians were lending money at exorbitant interest rates (usury) and that these Christians were to be chastised for it, as well as Chapter 57 that allowed Jews to buy land, it seemed that the Crown was trying to remedy a situation from becoming worse. Once again, one can conclude that King Alfonso XI was acting in good faith of being just and fair to all confessions, as he acknowledged in Chapter 55 that Christians were also involved in acts of usury and that Chapter 57 banned usury to all confessions and did not just target Jews.

It is interesting how Valdeón Baroque interpreted the terms of the Ordinances of Alcalá circumscribing the many former privileges enjoyed by the Jewish community by the municipal procurators, who had recently been given their university law degrees, which espoused the segregation of Jews from the majority Christian society. According to Valdeón Baroque, the Court Acts of Alcalá presented the “Jewish problem” strictly within the foundation or basis of economic relations with Christians. Here “usury” is the key term.<sup>22</sup> Alfonso XI stipulated the reduction of all Christian debt to the Jewish moneylenders to one-fourth of the original debt.<sup>23</sup> The justification of such measures was the purported accusation that the Jewish moneylenders had written higher amounts lent than actually given to the Christians. Although, this might be considered as corrective measures, the original legislation

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<sup>21</sup> *Cortes de los Antiguos Reinos de León y Castilla*, v. I (1861), p 531: Chapter 55, The king forbade *Christians* from charging exorbitant interest (usury) from other *Christians*. The chapter started with the accusation of usurers being blinded by greed, which is one of the worst sins and root of all the evils, give out loans with usury or exorbitant interest rates and cause great damage to the kingdom. Henceforth, it was decreed that any *Christian man or woman* regardless of state or condition, who lend money with usury or at exorbitant interest rates would lose that money and the debtor would not have to repay the principal or interest. The interest that would have been charged would be used as a penalty to be paid. One-third would go to the debtor and the other two-thirds would go to the royal coffers. p 594-595: Petition 2 acknowledged that *Christian* men of stature, such as minor nobles and upper nobility, clergymen, prominent burghers and wealthy peasants were lending money, bread, cloth and wine at usury rates in exchange for notarized letters. The municipal procurators complained that such transactions were illegal. The king declared these letters invalid and that his decision be respected and followed.

<sup>22</sup> It seems that Valdeón Baroque ignored Chapter 55 that condemned Christians committing the sin and crime of practicing usury. Although the practice of usury was a key term, it was not linked solely to Jews, but to Muslims and Christians alike. What Alfonso XI tried to achieve was “equiparar” Jews and Muslims to Christians.

<sup>23</sup> Those depositions had already been established at the *Cortes* of 1325 and 1329. The OA simply reiterated previous laws.

at Alcalá prescribed the Jews from lending money with interest.<sup>24</sup> Law LVII determined that no Jew or Jewess be daring enough to profit off of others.<sup>25</sup>

It seems that Valdeón Baruque only wanted to nourish a certain narrative by selecting the parts of the legislation that fit into his interpretation of events and developments in Castile under Alfonso XI. By doing so, he ignored all of the nuances and differences between the Castilian monarchs and their approaches to their religious minorities, especially the Jews. Ignoring legislation that affected Christians and Muslims, especially when it dealt with usury, denies the reality that was occurring in Castile in that moment. It portrayed a distorted image of only Jews committing acts of usury, when in fact all three religious communities were doing so, and that the Ordinances of Alcalá only prescribed them from practicing money lending.

Continuing with further legislation of the Ordinance, Chapter 75 in the copy of the Cortes de Alcalá kept in the Archives of Toledo, allowed Jews to own a mule and if they had two mules, then they were allowed to own a horse. This went against previous legislation that banned Jews from owning horses and then mules.<sup>26</sup> Once again, King Alfonso XI tried to reverse the harshest and most restrictive laws targeted at the Jews in order to make their lives in general and their economic livelihood easier. It was an attempt at achieving fairness within the legal framework and mindset of the late Middle Ages.

Other laws that could have involved the Jews was Chapter 35, which dealt with the debts that the knights owed and how their horses were not to be impounded in order to pay off their debts. It was mentioned that according to custom until 1348 that knights who had incurred

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<sup>24</sup> Actually, the law banned moneylending at usury rates completely for all religious confessions.

<sup>25</sup> VALDEÓN BARUQUE, Julio (2004). *El Chivo Expiatorio. Judíos, revueltas y vida cotidiana en la Edad Media*, 2ª edición. Ámbito Ediciones, p 24. Once again, Valdeón Baruque ignored that Chapter 55 condemned Christians from practicing usury and that if they were caught breaking the law, then he or she would lose the amount lent and any repayment be returned to the debtor. See: *Cortes de los Antiguos Reinos de León y Castilla*, op. cit, 1861, p 531: “et por ende mandamos que qual quier christiano o christiana de qual quier estado o condiçion que sea que diere a vsura, que pierda todo lo que diere o prestare e que sea de aquel que rresçibio el enprestido; et que peche otro tanto commo fuere la quantia que diere a logro, la terçia parte para el acusador et las dos partes para la nuestra camara.” Chapter 57 distinctly states Muslims as well (p 533): “tenemos por bien e defendemos que de aqui adelante ningun judio nin judia, nin moro nin mora, non sea osado de dar a logro por sy nin por otre.”

<sup>26</sup> *Cortes de los Antiguos Reinos de León y Castilla*, v. I. (1861), p 617.

debts that the debt collectors, who had the power of attorney, could impound the knights' horses, armor, weapons and other belongings and sell them in order to pay off the debts. Henceforth, the king forbade the impounding of knights' horses, armor or weapons as that would jeopardize the safety of the cities, towns and localities of the realm.<sup>27</sup> Even though the Jews were not specifically mentioned, as Christians and Moors were both mentioned in their involvement in the practice of usury in the Ordinances of Alcalá, the law links the indebtedness of knights to moneylenders and the issue of their inability to pay debts. As previously mentioned in Ordinance N° 32 from the Cortes of Burgos held in 1338, this was a recurring theme and accusation towards the Jews of impounding the horses, swords and armor of indebted knights would plague the Cortes throughout the 14<sup>th</sup> century and create social tensions and resentment between Christians and Jews.

### ***2.E.2. Restrictive & discriminatory Jewish Legislation under Afonso IV***

As previously mentioned, it was under Afonso IV that Portuguese legislation became strikingly anti-Jewish by revoking many of the previous privileges<sup>28</sup> granted by previous monarchs. The amount of anti-Jewish legislation increased during the reign of Afonso IV, especially in terms of moneylending, accusations of usury, using old letters of debt and privileges from previous reigns, such as D. Dinis and Afonso III.<sup>29</sup> The king many times would respond to the complaints of both municipal procurators and Jewish leaders all debt letters be rewritten by official municipal scribes and notary publics and that old debt letters not be accepted.

At times, it seemed that King D. Afonso IV tried to follow a policy that would appease the increasing demands of the municipal procurators, who demanded more anti-Jewish legislation and an attempt at being fair. However, it must be stated that the revoking of privileges does not mean to place the Jews in a negative legal status, as privilege suggests a position of advantage or superiority. This apparent fairness was not based on a sense of morals and

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<sup>27</sup> *Cortes de los Antiguos Reinos de León y Castilla*, v. I. (1861), p 518.

<sup>28</sup> As defined by Merriam-Webster Dictionary, the term "privilege" means: "a right or immunity granted as a peculiar benefit, advantage, or favor" – in other words, the favor, advantage or benefit over other individuals or groups was revoked. <https://www.merriam-webster.com/dictionary/privilege>

<sup>29</sup> TAVARES (1991), p 53.

ethics, but one more of pragmatism as the Crown depended on affluent Jews to collect taxes and rents, pay their yearly taxes on royal protection, as well as run the royal finances in the treasury.

Using Monsalvo Antón's five categories of anti-Jewish legislation, one finds the following:

**1. *Administrative and Professional Discrimination and the reduction of social and political influence***

In terms of holding official offices or positions, at the Cortes of Évora of 1325, Jews were banned from being intendants.<sup>30</sup> There seems to be no other available piece of legislation from this period that discriminated against Jews professionally in performing administrative duties. Most likely, pre-existing laws were respected.

**2. *Judicial Discrimination. Suppression of Jewish Jurisdictional Privileges and Prerogatives***

In Art. 12 at the Cortes of Évora of 1325, Jews were to swear oaths in front of Christian judges when giving testimony in court. Also, Jews needed to have Christians support their testimony, in order to have them recognized in court.<sup>31</sup>

Not all Portuguese legislation was limited within the Cortes. Many pieces of legislation were royal letters granted or decreed by the Crown after special petition by the municipal procurators outside of the confines of the Cortes. These laws were registered in the *Livro das Leis e Posturas* and *Livro dos Pregos*.

Law from Lisbon, 16 April 1327, Document 42, fl. 37-37v<sup>o</sup> in the *Livro dos Pregos*

The document reiterated how Jews could not appear in front of their rabbis or the Grand Rabbi in order to answer to justice, but had to appear in front of municipal judges and bailiffs. The king had responded to complaints produced in a letter from the municipal procurators of Lisbon in 1327 that apparently Jews, who were accused of having committed crimes, would

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<sup>30</sup> *Cortes Portuguesas Reinado de D. Afonso IV, 1325-1357* (1982). Instituto Nacional de Investigação Científica, p 16-17

<sup>31</sup> *Ibid.*, p 16-17 for the *Cortes de Évora of 1325*; and p 64 for the *Special Chapters of Lisbon of the Cortes de Santarém of 1331*.

refuse to appear in front of royal or municipal judges and bailiffs. These crimes varied from wounding or murdering a Christian to robbery and theft. The Jews apparently claimed that King Afonso IV had granted them letters confirming royal privileges granted by the current king's father, Dom Dinis that the Jews did not have to appear in front of municipal judges and bailiffs as that appearing before them would be against their privileges granted by royal charters and custom established since the time of D. Dinis. The king then ordered whenever a Christian would be in litigation against a Jew, wherever the crime might have occurred, irrespective if it had happened inside the Jewish quarters or not, the accused Jew would have to appear in front of royal justice.<sup>32</sup>

This piece of legislation can be seen, not as discriminatory, but as bringing all subjects under the jurisdiction of the Crown and royal judges of the municipalities and to apply one uniform law. It is also the secularization of law dispensing and not relying sentencing by the leaders of religious groups. Even though it consisted in revoking special privileges that had once placed a religious minority, in this case the Jews, above the members of the majority Christian society. It is not discriminatory by eliminating the advantages/favors/benefits enjoyed by one group or minority and equating (*equiparar*) them with the same legal practices and procedures of the majority Christian subjects. It must be highlighted that privileges are not the same as rights.<sup>33</sup> The former implies favors and advantages to a specific person or specific groups of people, whereas the latter implies a form of broad legal status applied to all inhabitants of a society or polity.<sup>34</sup>

In Article 5 of the same Special Chapters of the Courts of Santarém of 1331, further Christian complaints about having Moorish (Muslim) and Jewish intendents or magistrates and that two witness testimonies were required. A very vague response from the king stated that a decision would be found that was best for the land. In Article 6 of the same document, a complaint was made by porters that they would serve the Jews by transporting goods for them but that they

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<sup>32</sup> *Livro dos Pregos* (2016), p 94.

<sup>33</sup> According to Collins Dictionary, "rights" are: "those things that one is morally or legally entitled to do or have."

<sup>34</sup> "The main difference between A Right and A Privilege is that a Right is essentially granted by a certain form of justice. It can be prescribed by the law of the land or by the principles of natural justice. While on the other hand, a Privilege is a distinction given to a certain person or community or groups of people and can be given without reasonableness. Rights provide freedom, while privileges grant immunity to people."

would not pay the porters, claiming that they were not their porters. The complaint continued that the purported Jews would claim that the porters could not testify against them. The king responded in the same vague manner as in the previous articles. The king revoked this privilege by allowing Christian witnesses to testify without a second Jewish witness to confirm the allegations.<sup>35</sup>

This law reinforced the previous one from the Cortes of Évora of 1325. Although the king revoked privileges, the new status did not leave the Jews in an inferior legal position. On the contrary, it placed them theoretically on a par with Christians, as Jews now had to swear an oath in front of municipal magistrates, just like Christians. This move, which was to replace the many separate privileges granted over the span of many reigns into one uniform law established by the Crown. It can be seen as a form of *equiparar* Jews to Christians. Once again, this legal status did not imply equality in terms of social status, but to equate the Jews to Christians in certain legal procedures and practices.

In Article 49, folio 25v, of the same Special Chapters of the Courts of Santarém of 1331, it was alleged that the letters that King Dionysius had granted special privileges to the Jews were being sold by both Christians and Jews alike. King Dom Dinis had already revoked such letters and had refrained from granting new ones. His son, King Afonso IV stated that such letters would no longer be emitted and that King Dom Dinis' law would be respected. Although these letters were once emitted to particular Jews and were being sold by members of Christian and Jewish faith, the refusal to emit them is not particularly targeted against the Jews but against all of those committing a felony crime.

### ***3. Regulation of interests and pragmatic (execution) on the Economic Activities of the Jews within the scope of Finance-Credit***

In terms of regulating the interests and pragmatic execution of the economic activities of the Jews in terms of finance and credit, there were nine acts that proscribed their activities. The first court act dated from 1331 and the General Chapters of the Courts of Santarém. In Article 22, folio 2v, the king interceded into the complaints raised by his Christian subjects

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<sup>35</sup>*Cortes Portuguesas Reinado de D. Afonso IV, 1325-1357* (1982). Instituto Nacional de Investigação Científica, p 64.

that they were being ruined by the Jewish moneylenders that were charging excessive interest rates or *onzena* (usury) and that he moderate the heavy interest rates so that they do not ruin the livelihood of his subjects. The king stated that even though her received handsome amounts from the rents and taxes from the Jews, he would order that the Jews no longer charge such excessive interest rates. He ordered that these contracts no longer be written and that if they should be created, then they would no longer be considered as valid.<sup>36</sup>

The second article that proscribed Jewish financial and credit activities was Article 52, folio 63 of the same document, that mentioned a law dating back to the reign of King D. Dinis, in which all outstanding debts owed to Jewish moneylenders of over 20 years were not to be collected. It was requested that King Afonso IV renew the law, in which he complied.<sup>37</sup>

The third law stems from the Special Chapters of Bragança of the Cortes of 1331, Article 5, in which Christians had complained about their debts to Jewish moneylenders had been repaid in kind with bread, wine, cattle and other merchandise. However, supposedly these Jewish moneylenders would later deny having been repaid in kind and demand repayment of their loans. When the Christians would go the Christian lawyers and judges, the Jews would claim that Christian judges could not sentence them nor Christian witnesses testify against them, as the king had granted them special privileges, in which Jewish witnesses needed to be present. King Afonso IV revoked these privileges and ordered that when the Christians made their repayment in kind that they go to a notary public to write the names of the debtors, Jewish creditor, and of the drayman or transporter of the goods to act as witness.<sup>38</sup>

Although the privileges had been revoked, this act was fair to all sides, as any repayment was recorded to protect both debtor and creditor and was written and sealed as an official document with a witness. This development resembles modern debt-creditor contracts that protect all parties involved.

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<sup>36</sup> *Cortes Portuguesas Reinado de D. Afonso IV, 1325-1357* (1982). Instituto Nacional de Investigação Científica, p 35.

<sup>37</sup> *Ibid.*, p 47.

<sup>38</sup> *Ibid.*, p 55-56.

Article 35, folio 23 v, of the same Special Chapters of Lisbon of the Courts of Santarém of 1331, presented the complaints that the moneylending Jews would write up deeds that were both excessive in the interest rates and that did not have the names of the Jews who had lent the Christian borrowers the money but the names of other Jews. After the Christian debtors had paid the Jewish moneylenders, these Jews would claim that they did not have the deeds and would present a letter of discharge freeing the once indebted Christian from any debts or obligations. Once the formerly indebted Christian had died, the Jews with the deeds would appear and demand payment of the loans. The heirs of the deceased Christians either did not know of these letters of discharge and could not find them. The Jews with the deeds would demand not only repayment of the principal but exorbitant interests as well, leaving the heirs of the deceased Christians either in or near financial ruin. The king responded that such contracts were to follow the other rulings, making these contracts/deeds null and void.<sup>39</sup>

However, the question remained to what extent these allegations were true. No mention was made of how many cases were actually filed and found to be true. No mention was made of how many Jews were supposedly involved in these alleged schemes. As these reports were based on hearsay, they most likely fed into the negative imagery of late medieval Jews as conniving, manipulative and greedy con artists, who are indifferent to the financial ruin of their Christian clients, as long as they could have financial gain from them.

In the Special Chapters of Sintra of 1331, Article 11, [fol. 38-39], King Afonso IV ordered that any Jew, who imposed excessive interest rates, onzena – usury, would be punished with a sentence of ten years imprisonment with no recourse to lessening the sentence. The Jewish moneylender would also not receive repayment of the credit. The article also dealt with the issue of deeds written out to other names of Jewish moneylenders and the same issues, which had occurred in article 35, was reiterated in this article. The king’s response was the same as that of article 35.<sup>40</sup>

It was at the Cortes of Santarém of 1340, Art. 30, that the term “malice” (malicia) was used to describe the concept of usury. However, it was not directly assigned to the Jews in that piece

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<sup>39</sup> *Cortes Portuguesas Reinado de D. Afonso IV* (1982), p 71-72.

<sup>40</sup> *Ibid.*, p 97-98.

of legislation. Nonetheless, many people in the late Middle Ages, irrespective of which societal order they belonged, would associate the Jews to usury, as it was one of the many ills and crimes that the Jews were associated. Instead, the passage began with the title: “Of those who charge excessive interest rates and usury and the punishment that they should receive.”<sup>41</sup> This is a neutral title and is not loaded with a direct association with the Jews.

Afonso IV established the following laws: That to charge excessive interest rates (onzenar) and write usury contracts is against the mandate of God, as it damaged the souls of those who use it and damages their goods as well. As such, the king ordered that no Christian, Moor or Jew charge excessive interest rates (onzenar) or create usury contracts in any manner whatsoever.<sup>42</sup> Therefore, the king ordered that anyone accused and found guilty of charging excessive interest rates or writing up usury contracts would lose his money and the debtor would not have to pay neither principal nor interests. If a debtor has already paid all or part of the debt and proves that there was usury, then the creditor will have to pay back the money to the debtor.<sup>43</sup> Important here is that the king banned all confessions from usury and did not simply target the Jews. This law was found also written in the *Livro das Leis e Posturas* and the *Ordenações Afonsinas*, which shows, not only the importance of banning usury, but in the message of the image of how usury is conveyed and not singling out the Jews, when such acts were committed by all three confessions.

The law makes notice that men (people) find many paths in order to use malice. Therefore, it was necessary to constrain debtors from making false statements that their contracts were usury in order to delay or forfeit repayment of loans. If a judge found that the contract was usury, then the creditor had to refund the debtor. However, if the contract was not usury, then the debtor had to pay all of the debt to the creditor, as well as all of the damages and losses incurred.<sup>44</sup> Even though the amount of Jewish legislation passed under King Afonso IV might have increased, not all of it was anti-Jewish. Like his Castilian counterpart, Alfonso XI, it

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<sup>41</sup> *Cortes Portuguesas Reinado de D. Afonso IV* (1982), p 113-114. This ordinance is also to be found in the *Livro das Leis e Posturas*, p 444 and the *Ordenações Afonsinas* (1984). Liv. 2, Title 96. Fundação Calouste Gulbenkian, p 521-525.

<sup>42</sup> *Cortes Portuguesas Reinado de D. Afonso IV* (1982), p 113. The *Cortes* of 1340 was also known as the *Pragmática de 1340 e outras leis anexas* (Pragmatic of 1340 and other attached laws).

<sup>43</sup> *Ibid.*, p 114.

<sup>44</sup> *Ibid.*, p 114-115.

seemed that Afonso IV was not intending to eliminate the Jews economically in order to force them to either convert or leave his realm. Like Alfonso XI, who actually denounced Christians along with Jews and Muslims in committing acts of usury, King Afonso IV of Portugal also condemned the act in a generic way by not accusing any particular confession and forbade the three religious groups from practicing such acts.

Analyzing the complexity of the article in tackling the issues behind usury claims, the court decisions seem fair and balanced. The interest of the Crown was to protect all interested parties from usury and fraud, regardless of religious confession. One could argue that it was an attempt to push back on the tendency to continuously blame, if not outright frame, Jews in a negative light based on hearsay. Such court acts send a clear and resounding message that the official position of the leadership was not only against the spreading of such falsehoods, but its punishment as well. In fact, the king's remedy to the problem was chastising the culprits where it hurt the most – charging fines and/or confiscating their property if found guilty of making false claims.

Other than these two laws that stand out, the majority of anti-Jewish legislation during this period dealt with debt letters, the official writing and sealing of these letters, debt collection and the ability of Jews to bear testimony against Christians when supported by another Christian witness.

“How the king forbade Jews and others from making tampered contracts” Law on usury from 28 July 1349 – King Afonso IV; Fl. 157, 2<sup>a</sup> col. – 158 v.: *Livro das Leis e Posturas*.

The law stated that any Moor or Jew caught making false or tampered contracts would be flogged in public. The law let it be known that there were people, who did so maliciously (*maliçiosamente*) and with cunning (*arteirice*),<sup>45</sup> covertly created purchase and sales contracts, as well as barter and other sorts of contracts and that covertly is usury. The issue at hand, was that many minor noblemen (*fidalgos*) and prominent burghers (*homens boons*) and their sons

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<sup>45</sup> Compare to the *Cortes Portuguesas: Reinado de D. Afonso IV* (1982). Centro de Estudos históricos: Faculdade de Ciências Sociais e Humanas. Instituto Nacional de Investigação Científica, Art. 11, fl. 38 from the “Capítulos Especiais d Sintra” of 1331 specifically point out the malice committed by Jews in cases of usury (p 97-98), whereas Art. 30, fl. 4 of the “Pragmática” of the Cortes of Santarém of 1340 was more generic in its accusation of “men” trying to find different means of using malice (p 114).

and heirs and farmers and master craftsmen asked the Crown to render justice and service. These people were falling into poverty, as they had signed such contracts, which harmed them very much. They had to pay much more money than what they had actually received. The money that they received did not last much as they used it to cover costs of their farms, manors and homesteads.<sup>46</sup> The money they had was used to pay interests and they soon had to sell their tools and instruments (in terms of the nobility, it was their horses and armor) below their value and worth in order to pay back the loans' interests. As such, they would fall into destitution and poverty. Therefore, they petitioned for a remedy to these harmful contracts.<sup>47</sup>

The word choice in this law against usury projects a very negative image of the Jewish and Muslim moneylenders, reinforcing pre-existing stereotypes of the religious minorities as crafty, shifty, malicious and motivated by greed and deceit. Even though the law did state that there were those “who continued to make fraudulent contracts by deceiving the law and writing usury contracts. Those people would suffer the penalties of existing law”, its main focus was on the Jews, as the title explicitly stated that, “How the king forbade Jews and others from making tampered contracts.” Also noteworthy, how the word choice in the legislation seemed to have softened over time, from blaming the Jews in particular for usury, as in Art. 11, fl. 38 from the “Capítulos Especiais d Sintra” of 1331 to the more generic use of the term “men” as in the Art. 30, fl. 4 of the “Pragmática” of the Cortes of Santarém of 1340. Perhaps this could be a reflection on the part of the Crown of the consequences of specifically blaming only the Jews of malice in the creation of usury contracts, when, in fact, moneylenders from all three religions were involved in such actions.

Another point that must be pointed out is the claim that the Jews were selling the impounded belongings below their actual value. This could only be possible, if the Jewish moneylenders were selling the armor, weapons and horses below their value but that could cover the money lent plus the interest. From a business perspective, if the Jewish moneylenders were selling the belongings for less than they were worth and not covering costs, that would not make sound business sense, as the Jews would have been losing out financially. If the Jews were

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<sup>46</sup> “E enquanto duravam esses dinheiros nom curavam del senom como esses dinheiros fossen desposos em cousas que a eles nom eram conpridoiras e em tanto leixavam desperecer sas quintãas e logares e herdades. e os outros beens que nom lavravam nem husavam de seus mesteres.”, p 444

<sup>47</sup> *Livro das Leis e Posturas* (1971), p 444. TAVARES (2000), p 120.

such cunning and salacious business people, it would have been in their interest to have sold the belongings at the same or at a higher value than the debt owed by the Christian. That way, the Jews would have covered their costs and any potential financial losses from the unpaid debt. Therefore, it could only be possible, if the Jewish moneylenders were selling the armor, weapons and horses below their value but that would still cover the money lent plus the interest.

Further anti-usury legislation was found in fl. 157v., 1<sup>a</sup> col. The king did not want his subjects should not be harmed and damaged from these contracts that could be considered as usury, as it was forbidden. However, the Crown acknowledged that it received many rents from property seizures, which allowed the Crown to know that those seizures were of large quantities. Nonetheless, those seizures did much damage and disservice to the realm. As such, the king ordered that no Jew lend money to Christians or Moors (Muslims). The Crown also forbade Jews from writing purchase and sales contracts or of barter nor any other contract. The same was ordered to Christians not to borrow money nor write any contracts with Jews. Those who do so, those contracts would be considered as null and void. The king also forbade notary publics from writing official public documents of these types of contracts under the penalty of their bodies and belongings. Justices were ordered not to recognize such lending or tampered contracts. Anyone who should execute seizures would suffer with their bodies (physical punishment) and belongings.<sup>48</sup>

Fol. 157v., 2<sup>a</sup> col. The same would apply to those Christians and Muslims who would dare to disobey the law. It would also apply to anyone who received or lent money. The same applied to tampered contracts. The creditor would lose everything he lent. The debtor would pay what he received. One-third of payments would go to the accuser and two-thirds to the Crown. However, if the indebted would like to accuse the creditor of tampered contract, that he would do it before the third party accuse him. The debtor would receive the reward and that the debtor not be held to pay the debt.<sup>49</sup>

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<sup>48</sup> *Livro das Leis e Posturas* (1971), p 444-445. TAVARES (2000), p 120 and p 150: Tavares went as far as to consider Christians involved in usury as loan sharks (agiota).

<sup>49</sup> *Livro das Leis e Posturas* (1971), p 445. TAVARES (2000), p 120.

Fl. 158, 1<sup>a</sup> col. Any Christian caught in such contracts would be forever degraded within the kingdom. Jews and Moors (Muslims) writing such contracts would be flogged publicly and the Moors (Muslims) would become captives. Those Jews caught would also be degraded forever in the kingdom (expelled from) and their belongings confiscated. One-third of the value of the belongings would go to the accuser and two-thirds to the Crown. The king also would punish those magistrates that would be involved in such contracts. The first time, they would lose their positions, the second time, they would be publicly flogged and the third time degraded within the realm. The king also forbade Christians from committing the same acts to other Christians – purchase and sale contracts and barter – of bread, olive oil, wine, money, etc.<sup>50</sup> Professor M<sup>a</sup> José Tavares saw this as a clear indication of late medieval social hierarchy due to the types of punishment applied to each group of religious confession. At the top of the social totem pole was the Christian majority, in-between were the Jews and at the bottom were the Muslims.<sup>51</sup>

However, the king allowed that Jews could lend money to other Jews and write contracts with each other, [fol. 158v., 1<sup>a</sup> col.] as long as they swore upon their own law that there is no usury in those contracts. Also, that the notary publics write it in their official public letters. The same was to be applied to the Moors (Muslims). If any of the aforementioned would try to write usury contracts without notary publics in order to hide acts of evil or wrongdoing, then the Crown would allow anyone to denounce such activities and receive the reward. That could be the debtor or third party. Leiria, 28 July 1349.<sup>52</sup>

### ***1. Basis/Foundation of Confessional (Religious) Inferiority and the Discrimination towards the practice of non-Christian religion***

Under Portuguese King D. Afonso IV, there seems to be no stipulation of the inferiority of the Jewish faith or discrimination towards the practice of non-Christian religion.

### ***2. Limitations on the daily dealings between Jews and Christians and Segregation of the Jewish Minority***

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<sup>50</sup> *Livro das Leis e Posturas* (1971), p 446. TAVARES (2000), p 120.

<sup>51</sup> TAVARES (2000), p 151.

<sup>52</sup> *Livro das Leis e Posturas* (1971), p 446.

In terms of the delimitation of daily dealings between Christians and Jews and the segregation of the Jewish minority, there was one piece of royal legislation decreed by the Crown. One during the reign of King Afonso IV.

In the Special Chapters of Lisbon of the Courts of Santarém of 1331, Article 41, folio 24v., was an interesting claim made by a Christian woman who stated that she could dispense of her body as she pleased and could not be arrested. She even claimed that she could share her body with a Moor (Muslim) or Jew, even if it was against the law. The king's chamberlain, who presented the case to the king that if justice was not served and the woman along with the Muslim or Jews were not taken into custody, then the rule of law and justice would perish. The king agreed and stated that the old custom according to the town's charter should be followed.<sup>53</sup>

Even though the case deals with prostitution, which was an activity that was proscribed by the dominant Christian majority society, it goes further to marginalize the Jewish and Muslim communities by forbidding that the men of these two minority groups could not have carnal relations (paid or unpaid) with women of the majority dominant Christian society. Interesting to note as well that carnal contact between socially marginalized groups was not allowed, even though in many legal compendia, such as the *Siete Partidas*, these same marginalized groups were lumped together in the same chapter, Chapter 7, along with sorcerers, lepers and thieves. It shows the further segregation and marginalization of already social outcasts in the Medieval mindset and reinforcing negative images of these social groups within the medieval imaginary.

From the legislation from the second quarter of the 14<sup>th</sup> century, a mixed message was transmitted of how the Crown would respond to the increasing demands of the municipal procurators in prescribing the economic activities, especially that of moneylending, of the Jews. The king either acquiesced to these demands or modified them by forbidding the practice of usury, as well as tampering with or altering contracts to all religious confessions. The Crown also forbade official municipal notaries from writing such contracts. Disobedience, irrespective of religious confession, would be punishable. Jews and Muslims

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<sup>53</sup>*Cortes Portuguesas: Reinado de D. Afonso IV* (1982), p 74.

would be punished by public flogging and Christians social status would be degraded within the kingdom. It is in terms of punishment that one sees the huge discrepancy between those members of the Christian majority, who violated the law, and the religious minorities of Muslims and Jews, who committed the same crime.

### ***2.E.3. Portuguese Chancelleries under Afonso IV***

Important from Volume II of the *Chancelleries of Afonso IV* are the mentioning of prominent Portuguese Jews, such as Grand Rabbi Abento do Campo [see Doc. 251 below], who petitioned that the king seal the rabbi's letters as well, since there were Jews falsely claiming that they had letters from the rabbi, which were not true.

Most noteworthy documents from Volume II of the Chancelleries of Afonso IV are:

#### ***2. Judicial Discrimination. Suppression of Jewish Jurisdictional Privileges and Prerogatives***

Document 112, [fol. 29v<sup>o</sup>-30] – In terms of the consolidation and centralization of the judicial system under the auspices of the Crown, King D. Afonso IV ordered in 1338 that the Jews of Viseu would have to appear in front of municipal judges for criminal cases regarding Jews and not to appeal to their rabbis, as they once had before, in spite of having letters from past kings.<sup>54</sup> Even though such legal measures revoked previous privileges, this should be seen, not as discriminatory towards the Jews in terms of denying them the right to be heard or for justice to be served. Instead, there would be only one form of justice to be delivered in the kingdom and that would be from the Crown via the municipal judges. This decision on the part of the king, fits into implementing the concept of *equiparar* religious minorities to the Christian majority, in terms of the rule of law and not to have many different charters and dispensations. This document reinforces royal legislation from the Cortes of Santarém of 1325, Art. 12, and Doc. 42 from 1327 recorded in the *Livro dos Pregos*.<sup>55</sup>

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<sup>54</sup> *Chancelarias Portuguesas. D. Afonso IV, v. II, 1325-1336* (1992). 1ª edição. Instituto Nacional de Investigação Científica. Centro de Estudos Históricos, p 207-209

<sup>55</sup> *Cortes Portuguesas, D. Afonso IV, v. II* (1992), p 16-17. *Livro dos Pregos* (2016), p 94.

Document 129 [fl. 31 v<sup>o</sup>] is an important document as it showed the fairness of the king. In 1338 King Afonso IV made it known to the judges and Council of Santarém that the Jews of aforementioned town had sent him a letter stating that they felt constrained to pay the Crown the *sisá* or tax on all commercial transactions. The king wrote that the judges should know that the Jews do not have to pay the *sisá* on the loan contracts that they write with Christians nor on their wine nor on any other objects that the Jews buy or sell. As such, the king ordered the judges that they should not force the Jews to pay the *sisá* on the loan contracts that they sign with Christians nor on their wine nor on other things that these Jews buy or sell amongst themselves as they already pay their services to the Crown on a yearly basis. As for the bread and meat and all other things that they buy from and sell to Christians, they already pay the *sisá* like everybody else in that town. As such, the king was not to harm the Jews. Lisbon, 25 August 1338 in front of Joham Vicente e Fernan Gonçalviz Cogominho.<sup>56</sup>

Document 251 [fl. 51]<sup>57</sup> – Ordinances of 1340 to Jews and notaries regarding seals demonstrated the Crown's to equate (*equiparar*) all subjects in the realm. The king let it be known that the attorneys and solicitors of his Jewish communities were brought together in Lisbon so that they could hear the king's service so that there would be, in the king's own words, "equality" amongst them. Some chose the path of covenants, while others chose the path of seals and sworn testimonies or oaths. The king seeing the two different paths that were chosen, decided to use seals and sworn testimonies as the most equitable path to take in offering the king's service. As such, the Jews should not have reason to complain to the king. Therefore, the king mandated that all Jews that had letters or terms of service with Christians or Muslims (Moors) or vice versa and if they were made after 1320 that they be sealed by a notary public by 1 October.<sup>58</sup>

The signed and sealed documents had to follow the required format of: showing who the debtor was, the amount owed and the payment terms including dates of payments. Also important is the creditor's name, as well as the name of the notary public who wrote up or sealed the document. Each and every different document needs to be written as separate

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<sup>56</sup> *Chancelarias Portuguesas. D. Afonso IV*, v. II (1992), p 226-227

<sup>57</sup> *Chancelarias Portuguesas. D. Afonso IV*, v. II (1992), p 385-386. TAVARES (2000), p 141-142.

<sup>58</sup> *Chancelarias Portuguesas. D. Afonso IV*, v. II (1992), p 385. TAVARES (2000), p 141-142.

letters and signed and sealed by the notary public. [fl. 51 v<sup>o</sup>] The king ordered that the payment installments of the debt letters that were written in the first five years prior to 1 October 1320, that only a fifth of the sum be paid.<sup>59</sup> Furthermore, the king ordered that those letters that were written 1 October 1325 that only the half be paid of the total sum. The king also held it as right and correct that all letters that were made between 1 October of 1325 to 1 October 1335 pay the amount in two parts.<sup>60</sup>

The Grand Rabbi, Abento do Campo, also petitioned the king if he could get his letters with the king's seal as many Jewish co-religionaries are claiming to have letters supposedly signed by the rabbi himself, when that is not the case. The same went for any Jew who owned houses that they get the documents sealed. The same for any Jew who owed anything to any other Jew, the answer was to get the letters sealed with the amount paid and owed still.<sup>61</sup> Other prominent Jews mentioned were Salamon Beiçudo and Abrãao Pulgom. Witnessed by the King and ordered to be written and sealed in Évora, 27 September 1340.<sup>62</sup>

By instating the use of royal seals, the king would protect all of his subjects from abuse or false accusations from any party involved in money-lending or any type of property ownership. The word usage is important that the Crown did not care who from which religious group owed anything to another person from the same or different religious group. What was important that all documents and transactions had to be recorded by a notary public and signed by him and have the royal seal to make it a legal document. This is important in understanding the difference between Portugal and Castile in seeing the nuances in their legislation and how in the former realm, legislation seemed to be fairer and more equitable considering the period in history.

However, it could be argued that the forgiving of portions of loans without any prior consultation to the creditors was a blow to the Jewish community that needed the earnings from interest rates and the repayment of the original loans. It could also be argued that the

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<sup>59</sup> *Chancelarias Portuguesas. D. Afonso IV*, v. II, (1992), p 385-386. TAVARES (2000), p 141-142.

<sup>60</sup> *Chancelarias Portuguesas. D. Afonso IV*, v. II, (1992), p 386. TAVARES (2000), p 141-142.

<sup>61</sup> *Chancelarias Portuguesas. D. Afonso IV*, v. II, (1992), p 387. TAVARES (2000), p 141-142.

<sup>62</sup> *Chancelarias Portuguesas. D. Afonso IV*, v. II, (1992), p 388. TAVARES (2000), p 183 and 194: Abraão Pulgom and Salomão Beiçudo were vedores (overseers) of the Jewish community in Lisbon.

main interest of King Afonso IV was the social stability of the realm and avoiding any potential social upheavals due to financial difficulties amongst his Christian subjects, who comprised the majority group. Investigators must keep in mind that the 14<sup>th</sup> century was plagued with economic, social and political crises with popular uprisings and dynastic and civil wars. The king's decision was perhaps a means of reducing social tension and possible conflict. This measure could be interpreted as way of letting out steam from the unhappiness and discontent of the common people and their debt burden towards the Jewish money lenders, tax and rent collectors. The Jew was targeted as the cause of their financial woes in the collective mindset of the Christian population. The king, by reducing the debt burden, alleviated to a certain degree, that same financial burden and the reduced the potential of riots and the targeting of Jews as scapegoats.

As evidence of legislation that was not anti-Jewish, are the diplomas found in Volume III of the *Chancelleries of Afonso IV*, which mentioned prominent Portuguese Jews, Grand Rabbi Guedelha, Beente Judeu do Campo, Salamom Pulgom and Juça Bederrache. They provide investigators information on those important Jewish figures that were in direct contact with the Crown and were able to obtain concessions from the king, such as a partial forgiveness of Jewish debt to the Crown [see Doc. 370 below]. The first two prominent Jews would be responsible in collecting the funds from all Jewish communities in the kingdom. The other two would be the procurators, who would assist the first two.

Document 256<sup>63</sup> – it demonstrated fairness of King Afonso IV in debt payments and that all documents required royal seals. Here investigators can see the king wanted equal standing of all subjects under the Crown as in Doc. 251. In other words, the king wanted to equate or *equiparar* Jews and Muslims in the application of the law and following legal rules and procedures with Christians. King Afonso IV had ordered that all the Jews in his realm have their letters that they signed with Christians, Muslims (Moors) and Jews including their payment terms and deadlines sealed by 1 October 1340. The purpose of this measure was to equate or *equiparar* all royal subjects on a more leveled legal foundation and standing. He ordered that the news be spread across the land that *no Christian, Muslim (Moor) or Jew pay*

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<sup>63</sup> *Chancelarias Portuguesas. D. Afonso IV*, v. III, 1325-1336, 1ª edição. Instituto Nacional de Investigação Científica Centro de Estudos Históricos: Universidade Nova de Lisboa: Lisboa, 1992, p 9-10.

any debt if the letter had not been signed and sealed by a royal notary by aforementioned date. If a Jew should present a letter or contract without the necessary signature and seal, then the king therefore announces that the indebted contractors as even and free of any debts. Évora, 26 September 1340. Important for investigators is the exact wording of the Portuguese king, D. Afonso IV, at the beginning of the document [256], which called for “all of them to have equality the ones with the others” (*eles todos ygualdade hûus com outros*) to have their debt letters sealed and that they do not have to pay any debts that were over 20 years.<sup>64</sup>

When comparing it with the *Pragmática de 1340* of 1 October 1340, these laws sought as much as possible to equate (*equiparar*) all royal subjects on a more leveled legal playing field when it came to following established laws pertaining to debt letters that needed to be signed and sealed by public notaries. This legal measure fits into the Crown’s goals of achieving of a unified legal system for all subjects that would be applied by royal officials and avoid the myriad of pre-existing charters and letters providing different types of privileges.

## **2.F. Ecclesiastical Councils in Castile and Portugal 1325-1348**

### ***2.F.1. Ecclesiastical Councils in Castile 1325-1348***

The council of 1325 dealt with the simplicity and lack of education, including lack of knowledge of Latin by the lower clergy.<sup>65</sup> The situation of the lower clergy not being able to understand Latin was so severe that the bishop of Segovia, Pedro de Cuellar, had to write a catechism in romance in that same year. Pedro de Cuellar had to explain to the priests how to give mass, how to baptize, and how to perform other sacraments. The text also reflected priestly and popular opinion on the concept of transubstantiation.<sup>66</sup> This aspect gives insight

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<sup>64</sup> *Chancelarias Portuguesas. D. Afonso IV*, v. III, 1325-1336, op. cit., 1992, p 10.

<sup>65</sup> FERNÁNDEZ CONDE, J. (1982). Ch. 8 Decadencia de la Iglesia Española Bajomedieval. In *Historia de la Iglesia en España*, v. II-2<sup>o</sup>, *La Iglesia en la España de los siglos VIII-XIV*, dirigido por Javier Fernández Conde. Biblioteca de Autores Cristianos, p 449. PEREZ PASTOR, Don Francisco (1772). *Diccionario Portátil de los Concilios*, t. I, 2<sup>a</sup> Impresión. Real Academia de la Historia, p 50. LADERA QUESADA, Miguel Ángel (2019). *España a finales de la Edad Media*, 2. *Sociedad*. Editorial Dykinson, p 109-110.

<sup>66</sup> VALDEÓN BARUQUE, Julio (1989). *Historia de España: Feudalismo y Consolidación de los Pueblos Hispánicos (siglos XI-XV)*, v. IV, 3<sup>a</sup> ed. Editorial Labor., p 170-171. RUIZ, Teófilo (2007). *Spain’s Centuries of Crisis 1300-1474*. Blackwell Publishing, p 185-186: “the manual emphasizes that the sacrament should not be performed with either vinegar (agraz), wine mixed with honey, or, most surprising of all, with bacon (what in the world was going on in the Castilian liturgy that bacon is mentioned in this context?). The injunction to all Christians to take communion at least once a year is accompanied by very clear directions as to what to do if any

in how the populace could have come to accept and believe that the Holy Host was the actual body of Christ and that the legends spread about the Jews desecrating the Holy Host would enrage the populace and even cause them to physically attack the Jews.

Bishop Cuellar's work also showed his concern with the clergymen and their sordid and ill-reputed lifestyles of concubinage, gluttony and excessive drinking, which provided a stark contrast with the ideals of the Lateran Councils and synods and the realities of the lower clergy. The Iberian term for ecclesiastical concubinage was known as *barragana*. Punishment consisted of financial sanctions and could also involve loss of a benefice or office itself.<sup>67</sup>

In 1326, the Council of Alcalá reiterated the importance of observing the established canons of the lower clergy learning Latin and proper Catholic catechism.<sup>68</sup> The conciliar assembly of 1335 in Salamanca called for ecclesiastical discipline.<sup>69</sup> According to the *Diccionario Suma de los Concilios*, the councils held in Toledo in 1336 and 1339, there were no new constitutions that had occurred there, besides reiterating the importance of the reform of the lower clergy.<sup>70</sup> The council of Alcalá de Henares of 1347 was also convened to discuss the pending issues of a lack of education and knowledge on the part of the lower clergy.<sup>71</sup>

Archbishop of Toledo (1338-1350), Don Gil Alvarez de Albornoz was active in the calling for conciliar and synodal assemblies in attempts to counter the corruption and lack of discipline (concubinage) and lack of knowledge of Latin of the lower clergy. He emphasized on how candidates to the priesthood, had to fulfill the written cultural requirements and that they would have to go to one of the universities to study canon law, theology and the liberal arts. Around 1340, Archbishop Albornoz would compose another catechism in Castilian with some verses in Latin. It consisted of four chapters that dealt with the articles of faith, the

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consecrated wine is spilt (the priest should lick it up) or if an insect or a spider falls into the chalice and comes into contact with the consecrated wine (burn the wine and the spider separately)."

<sup>67</sup> RUIZ (2007), p 186. "Accepting that keeping concubines and being a notorious fornicator is the norm for priest, the text lists other forms of misbehavior, from drinking and eating too much (to the point of habitual drunkenness), missing the singing of the canonical hours, and absenteeism from ecclesiastical duties (seemingly a very common occurrence), to not keeping the ecclesiastically mandated tonsure or style of haircut (and thus passing as a layman), or lacking gravity in one's walk, speech, and demeanor."

<sup>68</sup> FERNÁNDEZ CONDE (1982), p 443.

<sup>69</sup> *Ibid.*, p 444.

<sup>70</sup> PEREZ PASTOR (1772), p 139.

<sup>71</sup> *Ibid.*, p 50

precepts of the God's Law, virtues and sins, and the last chapter dedicated to works of charity and mercy.<sup>72</sup> He would also convene in 1342 an assembly condemning concubinage within the Church.<sup>73</sup>

In the *Libro de Buen Amor*, Archpriest Juan Ruiz, a literary work that is analyzed in Appendices III, Ch. 2.J., reflected this spirit amongst the clergy of having carnal relations with women, as the author himself would recur to a go-between matchmaker, Trotaconventos, to set contacts with different women, including a nun.<sup>74</sup> In fact, Juan Ruiz wrote in a satirical cantica towards the end of the work, how many members of the lower clergy did not like what Archbishop Don Gil Alvarez de Albornoz wanted to achieve.

*Allá en Talavera, en las calendas de abril,  
llegadas son las cartas del arçobispo don Gil  
en las quales venía el mandado non vil,  
tal que, si plugo a uno, pesó más que a dos mil. (1690)*

....

*Cartas eran venidas que dizen en esta manera:  
que clérigo nin casado de toda Talavera,  
que non toviessse manceba, cassada nin soltera;  
qual quier que la toviessse descomulgado era. (1694).*

*Con aquestas rrazones que la carta dezía  
fincó muy quebrantada toda la clerizía;  
algunos de los legos tomaron azedia;  
para aver su acuerdo juntaron se otro día. (1695).<sup>75</sup>*

From the documentation available from the period, it seems that the majority of councils were focused primarily on the lax attitude and corruption of the lower clergy and their lapse in their vows and less on religious minorities per se. However, the part dedicated to the explanation of the concept of transubstantiation in Pedro de Cuellar's manual on catechism from 1325 is of prime importance for the thesis. As Teófilo Ruiz pointed out, the text reflected how both the

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<sup>72</sup> FERNÁNDEZ CONDE (1982), p 449-450.

<sup>73</sup> Ibid., p 445.

<sup>74</sup> RUIZ, Juan (2016). *El Libro de Buen Amor*, ed. G. B. Gibbon-Monnypeny. Clásicos Castalia: Poesía Siglo XIV, p 387-391: [De como Trotaconventos conssejó al Arçipreste que amase alguna monja e de lo que le contescó con ella].

<sup>75</sup> Ibid., p 461-466: [Cántica de los clérigos de Talavera].

clergy and populace viewed the concept and how potentially, the acceptance by the populace of the Holy Host being the actual body of Christ, would have repercussions for the Jewish community, as the said community would be falsely accused of desecrating the Holy Host in satanic rituals. The issue of the desecration of the Holy Host will be dealt with in subsequent chapters.

## ***2.F.2. Synods in Castile and Portugal: 1325-1348***

### ***2.F.2.a. Synods in Castile 1325-1348***

*Segovia* 3<sup>76</sup> – Libro Sinodal, constitutions and declaration of Pedro de Cuéllar, 8 March 1325  
Manuscript: *Libro sinodal*: C fol. 1r-58v; *Constitutions*: fol. 59r-61v; *Declarations*: fol. 62r-63v, [1, 56] – that at the end of time, everyone will convert to the faith of Jesus Christ.<sup>77</sup> This is an indirect claim about the Jews as they are not explicitly stated.

1. Synodal Book [3] – on the first commandment of not worshipping images and other sects and laws, except for the Catholic faith (p 266). It is actually stated from lines 28 to 31 on page 267:

“E en este mandamiento se defiende que non fiziesemos ymagines que adorasemos, e por esto nos reprehenden los judíos que fazemos ymagines en el templo, onde defiendese de fazer para adorar las ymagines, asi commo a ellos.”<sup>78</sup>

[5] The third mandate – maintaining the Sabbath – Sabbath which means “folgura” – this is a day in which the Jews “fuelgan” from all physical labor. The Church claimed that the sabbath means interior “folgura” from all evil “talantos” and evil “cogitaçiones” due to the sins of man. The Church changed the day of rest from Saturday to Sunday, the day that Christ arose from the dead. The Church stated that the Christian can perform physical labor on Saturday as any other day, so as not to say that one is keeping Jewish customs. Saint Paul purportedly told those Jews who had converted to Christianity and that had kept observing the Old Laws that once Jesus had transferred the priesthood to Saint Peter, then everything else had also transferred to him and the Church. The constitution ended the same way it began, by

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<sup>76</sup> *Synodicon Hispanum, v. 6 – Ávila y Segovia* (1993). Edición Crítica dirigida por Antonio García y García. Biblioteca de Autores Cristianos.

<sup>77</sup> *Ibid.*, p 264.

<sup>78</sup> *Ibid.*, p 267.

reiterating that the Sabbath meant inner “folgura” from all of the evil “talantos” and “cogitações” and that the New Testament kept the Sabbath but placed it on the first day of the week, instead of the last one.<sup>79</sup>

[41, 32] – *in terms of matrimony, men and women had to be of the same sect (religion)*, if one is a Moor (Muslim) and the other Christian, then they cannot marry, as the Jews in the Old Testament, God forbade the Jews to marry anyone from another Law. A Christian can marry someone from another religion, as long as they promise to convert.<sup>80</sup>

[46] – *the Pope could not dispense on the Old Law (Judaism) and how Jews married*. However, the Old Law forbade that no one take their own mothers as wives, nor the sister nor the daughter of a sister (niece), nor the sister of a father or mother (aunt). Marriage up to the fourth degree of relation was banned. According to the text, the canons forbade marriage up to the seventh degree.<sup>81</sup>

[74] – *Clerics should live in continence and not have concubines – not even Jewish or Muslims*. In order to keep clerics honest and close to the sacraments and the gospels, they should not undertake relations of the flesh and not have concubines. They should live in chastity. Interesting how the text emphasized on the formula that clerics should not have “amigas” (female friends) or “muger sospechosa” (suspicious woman) as company or living with them. Any cleric caught doing so would lose his benefits for some months and be excommunicated by the bishop. The same would apply with having “amigas” or “muger sospechosa” that were Jewish or Moor (Muslim). The cleric would lose his benefits and face incarceration up to two years.<sup>82</sup>

### **3.F.2.b. Synods in Portugal 1325-1348**

#### **Synod N°6 in Braga<sup>83</sup> called by Bishop D. Gonçalo Pereira, 17 August 1326<sup>84</sup>**

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<sup>79</sup> *Synadicon Hispanum*, v. 6 (1993), p 269-270

<sup>80</sup> *Synadicon Hispanum*, v. 6 (1993), p 315.

<sup>81</sup> *Ibid.*, p 320.

<sup>82</sup> *Ibid.*, p 344-345.

<sup>83</sup> *Synodicon Hispanum*, v. 2 – *Portugal* (1982). Edición Crítica dirigida por Antonio García y García. Biblioteca de Autores Cristianos.

<sup>84</sup> *Ibid.*, p 39. The synod was called by former bishop of Lisbon (1322-1326), D. Gonçalo Pereira, who would govern over the diocese of Braga until 1348. He studied in Salamanca between 1314-1321. He came noble

Constitution 4 forbade Christians in participating with Jews or Moors that involved the grave sin of usury. If so, then it would be considered to be a crime. It warned Christians of the “hidden” usury in the clauses of the contracts and deeds, which have already ruined many an unsuspecting Christian through fraudulent practices.<sup>85</sup>

Constitution 6 forbade Christians in making contracts with Jews or Moors. It stated that numerous clergy members had entered into damaging usury contracts with Jews and had to pawn monastic and ecclesiastical property to pay off their debts. If prelates and other clergy members continued to enter into usury contracts and deeds with the Jews, then they would be submitted to excommunication.<sup>86</sup> See the Appendices II for the charts.

### **Chapter 3. Bubonic Plague: Inflection Point, 1350-1352**

#### ***3. D. 1. a. Castilian Cortes and the Jews***

##### ***1. Administrative and Professional Discrimination and the Reduction of social and political of the Jews.***

No administrative or professional discriminatory legislation was found in the Cortes of 1351.

##### ***2. Judicial Discrimination: Suppression of Jewish Jurisdictional Privileges and Prerogatives.***

Ordinance N° 68 was petitioned to the king that even though in past times, the Jews in their communities (aljamas) in the different cities, towns and localities throughout the kingdom were allowed to choose their own mayors who would deliberate on their own litigations, the Christians claimed that this had caused great harm to the kingdom. It was requested that the Jews no longer choose their own judges in their communities in the cities, towns and localities of the kingdom.<sup>87</sup>

Contrary to the lawgivers of the municipalities, the king denied their request. The king argued that since the Jews were weak and that if they went to the Christian mayors to preside over

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lineage of the Pereira family, which was related to the House of Bragança. He was also involved in resolving the dispute between D. Dinis and his son Afonso IV. Text written in Latin from MS Ba fol. 17r-20v.

<sup>85</sup> *Synodicon Hispanum*, v. 2 (1982), p 41-42.

<sup>86</sup> *Ibid.*, p 43.

<sup>87</sup> *Cortes de los antiguos Reinos de León y Castilla*, v.2 (1863), p 40.

their litigations, they would receive great harm and damage and losses to their property and estates, as the Christians could cause them harm in the charges against them. As such, the king mandated that the Jews be allowed to choose their civil judges in the cities and towns in which they lived and that would listen to their litigations and deliberate sentences. The judges and mayors that they should choose, must swear on the Holy Scriptures that he will not take bribes or gifts from anyone.<sup>88</sup> Here is a clear case of the Crown supporting the Jews by claiming that they were just as harmed as the Christians during this period and granted them the right to choose their own legal representatives in the municipalities.

### ***3. Pragmatic and Interested Regulation of the Economic Activities of the Jews within the scope and credit.***

Ordinance N° 64 King Pedro I in response to the request made about the ordinance that his father, King Alfonso XI, ordered at the Courts of Alcalá de Henares in 1348 in terms of the debts that the Christians owed to the Jews that they were invalid after six years and that the Jews could no longer claim them afterwards. King Pedro I responded that he held this for good and added that the impounded goods during the waiting time for deliberations on debts that the courts and townhalls do not count it as part of the six years and that the Jews had the right to claim the reimbursements of the debts owed to them.<sup>89</sup>

Ordinance N° 65 in terms of the request made to the king in terms of the delivery of impounded belongings of Christians to the Jewish money-lenders that they may only be Christian burghers or good men, as the medieval term was used, and that they reside in the towns where they exercised their profession. The king also mandated that the impounded belongings were solemnly made known to the public, so that the indebted Christian owners have the right to be heard in court. Henceforth that the deliverers receive a tithe or tenth of what they had delivered and no more. If they should have taken more than that amount, then they must return that amount plus double that same amount. Let it be known in all of the cities and towns that they must have deliverers who belong to those cities and towns. The king assented to the request in that the deliverers be Christian burghers and inhabitants of the towns and cities where they exercised their profession and wear the appropriate garments to

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<sup>88</sup> *Cortes de los antiguos Reinos de León y Castilla*, v.2 (1863), p 40.

<sup>89</sup> *Ibid.*, p 38.

distinguish them. They are to deliver the impounded belongings to the appropriate officials and receive their tithe/tenth part of the worth of the belongings.<sup>90</sup>

As qualified in the classification of this category, it is not discrimination per se, but pragmatic and interested regulation of economic activities within the scope and credit. It is not disenfranchisement of Jewish moneylenders. It was to follow simple protocols and that the courts be involved in the process.

**Ordinance N° 66** petitioned King Pedro I to reverse the ordinance of his father, King Alfonso XI, from the Courts of Alcalá de Henares that had forbade that the Jews in lending money involving usury and that instead they be allowed to purchase, inherit and sell land. *The king responded that he would reflect upon it and deliberate on his decision at a later date.*<sup>91</sup>

This decision by the municipal lawmakers to reverse the Ordinance of Alcalá de Henares is striking in that they were requesting a return to the original situation, in which they had continuously complained about the abuses suffered at the hands of the Jewish money-lenders. Perhaps, the reason for this was two-fold. On the one hand, the municipal authorities, tradesmen and noblemen involved in cattle-raising needed the finance for their business transactions that had run out by 1351. On the other hand, the cattle-raising nobility and municipal patricians did not want even more competition from able and skilled rivals that they saw in the Jews. Most likely, as a means of eliminating these rivals, or even potential rivals, they would petition the king to reverse the situation and return to the status quo ante 1348. This way, they could have access to necessary funds for their business activities and eliminate rivals in the rural/agricultural sector. Most likely, they were thinking that the successive kings would continue to pardon one-third of their debts without having to pay any remaining interest, as had been granted by previous kings.

This petition, however, was discriminatory in nature. It was no longer about the regulation of financial and economic activities. It was to leave the Jews at an economic disadvantage by not allowing them to own land and enjoy the usufruct from its cultivation. Instead, it would force

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<sup>90</sup> *Cortes de los antiguos Reinos de León y Castilla*, v.2, (1863), p 39.

<sup>91</sup> *Ibid.*

Jews to rely predominantly on moneylending and expose them to the ire of public frustration with chronic indebtedness. This seemed to be an intent of once again ostracizing and marginalizing the Jews in order to fan the flames of anti-Jewish positions and attitudes by reinforcing stereotypes in the public mind.

Ordinance N° 71 petitioned from the king that the houses and the dwellings that exist in the king's domain are rented to Jews and Muslims (Moors). Even though some Jews and Muslims (Moors) live in them, others rent them out at higher rates. The Christian procurators stated that even though the Jews and Muslims (Moors) have their own quarters are not allowed to raise the rents in a competitive manner as that would be "herem" or sin to do so amongst one another. It was requested that they no longer be allowed to do so. The king mandated that if prior ordinances had established certain rents, then they should be respected. If the Jews or Muslims (Moors) would dare act beyond previous ordinances, then they would be charged 600 maravedis.<sup>92</sup>

Ordinance N° 75 requested a moratorium (espera) on Christian debts to the Jews. The king responded that it was not his nor that of his realm to awaken false hopes with renewals of letters, as all they did with the postponements was to raise the interest rates and cause greater damage to the Christians. As a result, they will end up never being able to repay their debts. Also, the Jews would be financially ruined and impoverished as they could not claim the debts.<sup>93</sup>

Ordinance N° 76 requested from the king that he review the policy of the debts incurred by Christians with Jewish money-lenders and the nature in which they are made. The king responded that since the Jews were weak company (people) and in many instances the officials did not enforce the law and do not deliver the debt claims as they are supposed to. The king ordered that he found it as just that there should be debt collectors, who will deliver the debts that Christians owed from the time of the former king and still owe at the time of Pedro I to Jewish money-lenders as per the Ordinance from the Courts of Alcalá de Henares. According to the King Pedro I, who claimed that the Jews were not well-versed in the

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<sup>92</sup> *Cortes de los antiguos Reinos de León y Castilla*, v.2 (1863), p 41-42.

<sup>93</sup> *Ibid.*, p 44.

municipal charters of rights and that they are of weak (limited) power, they therefore are taken advantage of by Christians, who maliciously make false accusations about them and take them to court. Other allegations are that the Jews abuse royal letters that they have obtained in the past. The king then ordered that these letters be respected unless they have been forged or bought. The king also mandated that no more complaints by Christian debtors were to be heard.<sup>94</sup>

Here the Crown showed its fairness in supporting Jewish moneylenders in the repayment of their loans. The king acknowledged that, as long as the debt letters were correctly written, then the non-payment of loans would financially ruin the viability of prominent Jewish moneylenders and they, in turn, would no longer be able to fulfill their services to the Crown. The king also showed his impatience with the continuous and repetitive demands of the municipal procurators in trying to get indebted Christians from complying to their financial responsibilities of loan repayments.

#### ***4. Foundation of Confessional (Religious) Inferiority and the Discrimination towards the practice of non-Christian religion.***

In another version or copy of the *Cortes* of Valladolid of 1351, which is kept in the Archives of the Order of Santiago in Uclés, under Indiferentes, Cajón 16, n° 23<sup>95</sup> had an entry, Ordinance N° 9 that was not in the original version kept in the Secret Archives of the City of Toledo as mentioned above. This ninth ordinance dealt with the complaint made by municipal lawmakers of the Jews and Muslims (Moors) working and practicing their professions on Sundays and other Christian holidays. Municipal Christian lawmakers made the allegation that such an offense presented a prejudice to Christians. It was requested that this cease and that Jews and Muslims (Moors) no longer work in public. If they should want to work, then they must work in their houses with the doors closed. If they should violate such law, then they be apprehended and pay a fine of 10 maravedis. The king responded that if the event should happen in an independent urban center, that the two-thirds of the fine be paid to the officer in charge of the crime and one-third go to the accuser. If it should happen in the royal

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<sup>94</sup> *Cortes de los antiguos Reinos de León y Castilla*, v.2 (1863), p 44.

<sup>95</sup> *Ibid.*, p 124.

or seignorial domains, that two-thirds go to the royal or seignorial coffers and the remaining one-third to the accuser.<sup>96</sup>

### ***5. Limitations on the daily dealings between Jews and Christians and Segregation of the Jewish Minority.***

Ordinance N° 30 As requested per the king's mercy to excuse some errors and great damage and occasions of sin that could occur in conversation between Christian women and Jewish men, the king mandated that no Christian woman live with Jewish men or women, nor with Muslim (Moorish) men or women. Neither paid nor under any other circumstance that Christian women raise their children. Any Christian woman who did the opposite for the first time, would be fined 50 maravedis if proven guilty, whereas the Jew pay a fine of 100 maravedis. The second time that this should occur, then the two would be flogged and the moneys received from the fines be divided in two: one half would go to the king's coffers and the other half to the nobleman's coffers if it had happened on his domain. The king held the petition as good but that the fine be divided in three: one-third go to the royal coffers or to the coffers of the lord of the domain, the second-third would go to the judge or the royal administrator of fields and cattle (merino) and the last third go to the accuser.<sup>97</sup>

Ordinance N° 31 As petitioned to the king that some Jewish quarters of his kingdom have agreements with some of his cities, towns and localities within his domain, as well as with some prelates, that they keep certain neighborhoods or quarters or streets set apart where the Jews would live. It was requested that these agreements be kept and respected. The king responded that the agreements be sent to him so that he may keep them.<sup>98</sup>

Ordinance N°32 as requested to the king, the Christian municipal lawmakers complained that the Jews and Muslims (Moors) frequented the royal palace and court using Christian names, wearing clothes of deer skin and adorned with much jewelry in order not to be recognized. From then on henceforth, it was demanded that no Jew or Muslim (Moor) above the age of thirteen not use a Christian name nor dress in deerskin nor wear gold or silver. The first time

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<sup>96</sup> *Cortes de los antiguos Reinos de León y Castilla*, v.2 (1863), p 127.

<sup>97</sup> *Ibid.*, p 18-19.

<sup>98</sup> *Ibid.*, 19.

that a Jew or Muslin (Moor) should be caught doing so, should be flogged and that they second time that justice decide. The king responded that he held it for right and that when the Jews or Muslims (Moors) were to be found for the first-time wearing clothes of (deer) or adorned with gold and silver, that they be removed. The second time that it should occur, then they should lose their clothes and spend sixty days in chains (prison). For the third time, that they be flogged 100 times. In terms of Jews and Muslims (Moors) using Christian names, that they have until the following Christmas to stop using those names. If they should be caught still using Christian names or responding to Christian names, that they pay 60 maravedis for the first time caught. For the second time caught, that they pay the 60 maravedis and be flogged sixty times. For each and every time afterwards, that they receive the same sentence.<sup>99</sup>

### ***3.D.2.a. Portuguese Cortes of Lisbon and the Jews, 1352***

The General Chapters of Lisbon of September 1352, Article 4, [folio 35v-36]<sup>100</sup>

[fl. 35 v<sup>o</sup>] iiiij

§ Item. It was not to the kingdom's service or advantage that the Jews write up contracts with Christians or Moors (Muslims). And that the lands would be well tilled and taken advantage of if we ordered the Jews to grow vineyards and take care of estates and raise cattle, as they have much talent and many skills. Therefore, it is to the realm's advantage that the Crown order them to manage our royal domains. *Does not apply as discriminatory towards the Jews.*

[fl. 36] As the Jews make contracts in their own way and manner to the detriment of our people and leave them ruined. Therefore, the Crown saw it that it had to restrain and refrain their malice and wickedness by stopping their contracts of excessive interest rates (onzenas) and other bad contracts that they made that ruined or damaged the subjects of our domain. As such, we expedite these laws to the advantage of our people in order that they no longer suffer the damages that they claimed. They must also understand by not allowing the Jews to write money lending contracts and *letting them till the soil that the Crown would receive less*

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<sup>99</sup> *Cortes de los antiguos Reinos de León y Castilla*, v.2 (1863), p 19.

<sup>100</sup> *Cortes Portuguesas. Reinado de D. Afonso IV* (1982), p 126.

rents.<sup>101</sup> The article ended by stating that the royal fiscal inspectors charged more on the tithe than was expected and that they had to review the contracts with the Jews.<sup>102</sup>

As in the Castilian *Cortes* de Alcalá de Henares of 1348, the article banned the writing of debt contracts and the lending of money by compensating the moneylending Jews with the management of royal domains, the tending of their own vineyards, raising their own cattle and running of estates. This way, the kingdom could take advantage of the Jews' many skills and abilities without causing harm to the Christian subjects. The king reminded the *Cortes* and his subjects that by not allowing moneylending Jews the right to write debt contracts that the royal treasury would receive less taxes from such transactions and needed to compensate these losses. As such, this measure was not discriminatory towards the Jewish minority, as it sought not to ruin the Jews financially, but to remove them from the odious and stigmatizing profession of moneylending at exorbitant rates and from the accusations of usury.

See the Jewish legislation charts in Appendices II, Ch. 3.D.

## **Chapter 4. Dynastic War in Castile & massacre of Jews, Stability in Portugal, 1352-1369**

### **4.D. Normative Laws: The *Fuero Viejo de Castilla***

The first title of our interest is Title IV of Book III that is dedicated to debts. The title "On Debts" is divided into 19 different articles. The first article stated that any nobleman (*fijodalgo*), who owed a debt, either to a Jew or Christian, had to make it known, passed sentencing and render payment for it to the creditor either in goods, or if not, then in real estate. If the payment were to be in movable goods (*mueble*), he would have to sell it in nine days and pay off the debt. If it was in real estate/land (*rais = raíz*), the creditor could enjoy the benefit until the debt were repaid. The creditor cannot sell the land.<sup>103</sup> This law fell into line with other laws current in both Castile and Portugal in the 14<sup>th</sup> century concerning debts being paid off by allowing the creditor to receive the fruits of the land as payment in kind. It merely

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<sup>101</sup> *Cortes Portuguesas. Reinado de D. Afonso IV* (1982), p 126.

<sup>102</sup> *Ibid.*, p 127.

<sup>103</sup> *Fuero Viejo de Castilla* (1771), p 87-88.

regulated how debts were to be paid and not restrictive towards the economic activities of the Jews.<sup>104</sup>

The second article stated that no noblemen (*fijodalgo*) should be imprisoned due to debt nor due to any line of credit (*fiaduría*) extended, nor should his palaces nor dwelling seized, nor his horses, mules nor his weapons and body armor. However, his other goods and belongings can be seized.<sup>105</sup> The third article stated that if a nobleman was indebted to a Jew, who had the debt letter stating that the nobleman was the debtor and owed him everything that he had for that debt, either furniture (movable belongings) or estate, the nobleman could sell or pawn them before the property should be delivered to the Jew. However, once the property is delivered to the Jew by the bailiff, then the property cannot be sold until the debt is repaid.<sup>106</sup>

The next article of interest is IX concerning the testimony of two men about debts owed or paid to Jews with or without a letter. If one of the witnesses declared the opposite of the other witness with or without a letter of writ, then their testimony would not to be considered as valid. If they could not prove the debt owed or paid, then the debtor had to pay the debt.<sup>107</sup> This legislation provides an approach of fairness based on evidence and not hearsay of Christians.

Article XVIII stated that if a Jew sued a townsman, he would have to appear before a judge, and if the townsman wanted to come to terms with the Jew, the judge would have to do so within ten days.<sup>108</sup> Once again, a standard procedure established that did not discriminate against the plaintiff's religion, but strove to achieve legal parity or *equipar*.

In Article XIX, if a Jew demanded/sued a debt by letter and the debtor denied repayment, the judge must receive the letter. If the Jew could prove that the debt was due, the indebted person, who denied repayment, must pay seventy sueldos to the *merino* (royal administrator, tax collector, judicial official appointed by the Crown). However, if the Jew could not

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<sup>104</sup> *Fuero Viejo de Castilla* (1771), p 87-88.

<sup>105</sup> *Ibid.*, p 88.

<sup>106</sup> *Ibid.*

<sup>107</sup> *Ibid.*, p 90-91.

<sup>108</sup> *Ibid.*, p 93.

produce the letter, as required per law, then the debt would be quit and the Jew would have to pay the seventy sueldos to the *merino* (royal official). If the Jew should present a debt letter and the debt should have already been paid, then the judge will tear the letter and the Jew will pay seventy sueldos. If a Christian, who made the letter, would testify with another Jew, should not comply, that without a Christian, should prove it with another Christian or with another Jew.<sup>109</sup>

Title V of Book III dealt with pawning (*De los Peños*). It is of interest how in the first article the emphasis once again was placed on the privileged castes of late medieval Castilian society: knights, squires and ladies of estates (*dueñas*) pawning their possessions.<sup>110</sup> This reflects the dire situation in which this privileged caste found itself in debt a few years after the effects of the Bubonic Plague and the decades of socio-economic crises of diminishing returns from the land or as seen in the case of some knights, debts incurred through gambling.

However, it is article III that is of interest of this thesis, as it dealt with all men and women pawning their belongings to the Jews. The article stated that whosoever had the pawned goods had to say how much they were worth and how much money was paid out and would have to prove it. If the person, who pawned the goods, disagrees, she/he would have to say so and prove it as well. If the person, who pawned the belongings, could prove that she/he did not receive the amount agreed upon, then the pawn shop owner would have to return the pawned goods. If the Christian could not prove how much money the Jew had paid the Christian for the pawned good, then the Christian would have to pay the Jew that same amount and a half over time span of one year.<sup>111</sup>

Article V stated that if a Jew would take a pawned good from a Christian for profit, and should be personal belongings as clothes, silverware or furniture and any person would come and claim the belongings, saying that it was theirs and that they had either lost them or that

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<sup>109</sup> *Fuero Viejo de Castilla* (1771), p 93-94. In a footnote, the editors of the 1771 printed edition wrote that in Castilian jurisprudence was very varied on this point. The previous privilege that the Jews held of not allowing that the testimony of only one Christian be accepted, ended in the Cortes of Madrid in 1331. As of that year, Castile would only allow the testimony of two prominent Christian men in the debts that would occur between Muslims (Moors), Jews, and Christians and without the testimony of a Muslim (Moor) or a Jew.

<sup>110</sup> *Ibid.*, p 94-95.

<sup>111</sup> *Ibid.*, p 95.

they had been stolen and that the Jew had to return them. However, if the Jew can claim that he had received these pawned goods and cannot recall from whom, then the Jew would have to swear in the synagogue that he could not recall from whom he had received the goods.<sup>112</sup>

In Book III, Title VI, Article IV forbade peasants who work on manors to use themselves as a security deposit (*fiar*) or their belongings, except for with Jews. If they should do it under any other manner, then they were to only do it with the permission of the lord of the manor.<sup>113</sup>

In Book IV, Title IV *How to gain or lose the seignory of a manor for a time*, article VI clearly stated that a Christian could not seize or take away the manor or estate from a Jew nor a Jew seize or take away the estate from a Christian.<sup>114</sup> Not only is the fairness and equity demonstrated in this law, it indicates that the Jews were still allowed to own land since the Ordinance of Alcalá of 1348 and that it had not been revoked. The law clearly demonstrates that King Pedro I was not discriminating against the Jews by restricting their economic activities as had been pursued under Sancho IV and the minority rule of Fernando IV.

From the number of laws written in the *Fuero Viejo de Castilla*, it seemed that King Pedro I was not interested in revoking privileges for the sake of leaving the Jews unprotected, but rather in establishing legal procedures in dealing with debts, pawning, providing lines of credit and suing that were to be applied to all subjects. This fell in line with the legal precedents established by his father, Alfonso XI, of removing privileges and replacing them with a standard legal system for all subjects.

#### ***4.E.1. Castilian Legislation towards the Jews***

Prior to the official *Cortes* of 1367, the newly crowned king, Enrique II, summoned to Burgos the municipal procurators from the major towns and cities that had joined his cause. A

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<sup>112</sup> *Fuero Viejo de Castilla* (1771), p 96: the footnote stated that the complicated article was obscure and made no sense (Estas últimas cláusulas, aunque obscuras, y sin sentido...) are also written in a much clearer manner in Law 2, Chapter 23 of the Ordinances of Alcalá de Henares of 1348, which forbade profit of any sort in any contract written by Muslims (*Moros*) and Jews at that time. The footnote would continue on page 97, in which the editors of the 1771 printed edition stated that Alfonso XI banned all types of usury and removed it from the hands of the Jews, as well as extended it to all classes of people, demanding that the Church excommunicate Christians, who should practice usury.

<sup>113</sup> *Ibid.*, p 98.

<sup>114</sup> *Ibid.*, p 112.

manuscript in the National Library of Spain [Mss.13100], recorded the session on 11 May 1366 between the procurators of Toledo and the new king. The petition presented at this assembly will be included in the classification of the different categories of discriminatory laws towards the Jews. At this assembly, the king stated that he would deal with these issues at a *Cortes* in Burgos a year later in 1367.

***Nº 1 Administrative and Professional Discrimination and reduction of social and political influence of the Jews***

The municipal procurators at the Cortes of Burgos in 1367 demanded in ordinance nº 10 that the king not employ any Jew as officials or physicians in his service or that of the queen or the princes, as they had provided bad counsel and had led to the ills and damages of the kingdom. Enrique de Trastámara claimed that he would not acquiesce to such a demand, as it had supposedly never been made before. A statement that was not true, as the municipal procurators had made such requests of Alfonso XI and Pedro I.<sup>115</sup> This is reference to the decades of poor harvests, crop failures, Bubonic plague and subsequent deaths that were laid at the doorstep of the Jews, and how all of this damage was due to the kings having Jewish advisors. In part, it was shaped by rumors and urban legends, which fed into fantastic imaginary of the collective mindset of the commoners, but also, it was a means in which to rid the Jewish competition in commercial and financial affairs.

***Nº 2 Judicial Discrimination. Suppression of privileges and jurisdictional prerogatives of the Jews.***

Perhaps most noteworthy, was the loss of privileges in Ordinance Nº 16 that stated that all Muslims and Jews had to pay their taxes on property and land that they had bought and would buy from Christians.<sup>116</sup> Not only does the law indicate that all subjects had to pay their taxes, but suggested that the Ordinance of Alcalá de Henares of 1348 allowing Jews to own land was still in vigor and had not been revoked. As such, it indicates that Jews were allowed another form of livelihood, such as the cultivation of vineyards and olive groves for the production of grapes, raisins, wine, olives, olive oil and olive soap, besides moneylending.

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<sup>115</sup> *Cortes de los antiguos Reinos de León y Castilla*, t. 2, 1863, p 151.

<sup>116</sup> *Ibid.*

***Nº 3 Pragmatic and Interested Regulation of the Economic Activities of the Jews within the scope of Finance and Credit.***

Item Nº 18 from the assembly of Burgos in 1366. the procurators petitioned that all Jewish debts be cancelled. The king responded that he could only postpone (moratorium) repayment of Christian debts to Jewish moneylenders by one year and not cancel them altogether. King Enrique II agreed to convene a *Cortes* the following year, in which the topic would be addressed.<sup>117</sup>

At the *Cortes* of Burgos in 1367 it was petitioned in Article Nº 2 that from the half of the principal owed that was written in the debt letters be paid and that an extension of time be granted for repayment of three years without any interest payments or penalties to pay. However, Enrique of Trastámara responded that he would forgive a third part of the amount in the debt letters, as well as any penalties. In terms of the remaining two-thirds of the principal that the debtors pay in two years. Half of it to be paid in one year after the ordinances of Burgos and the second half, the year after that. Once again, it was reiterated that there would be no interests and no penalties to pay.<sup>118</sup>

Ordinance Nº 15 accused Jews and Muslims of supposedly deceiving Christians in the retail of commodities. The claim was that both Jews and Moors would buy jewelry and cloth at a certain wholesale price from Christians and then sell them at a higher price (retail) and then not pay the Christians for the purchase of those same items, leaving the Christian wholesalers in financial ruin. As a word of caution, one must take the Christian allegations with a grain of salt, as in most instances, they wanted to eliminate the Jewish competition from the market. Enrique de Trastámara stated the customs from the time of his father, Alfonso XI be continued.<sup>119</sup> In other words, the previous privileges were not revoked.

***Discriminatory petition that did not fit in exactly into Monsalvo Antón's categories***

Even though, it could be argued that the following article would discriminate against the Jews, it did not discriminate against their religious practice as indicated in category nº4.

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<sup>117</sup> *Papeles de Burriel, Mss. 13100*. Biblioteca Nacional de España: Madrid, fol. 195. VALDEÓN BARUQUE, Julio. *Los Judíos de Castilla y la Revolución Trastámara*. Universidad de Valladolid, Secretariado de Publicaciones. Estudios y Documentos. Departamento de Historia, Nº 27, 1968, p 40-41.

<sup>118</sup> *Cortes de los antiguos Reinos de León y Castilla*, t. 2 (1863) Real Academia de la Historia, p 146.

<sup>119</sup> *Ibid.*, p 153.

Article N° 3 was a drastic petition by the municipal procurators to tear down the protective walls of the Jewish quarters, which would have exposed Jews to further harassments and assaults. Enrique de Trastámara refused to acquiesce to the draconian demands, as it would have been both harmful to the towns and cities as the walls were part of the municipal protective defenses, as well as it would have led to the destruction of the Jews.<sup>120</sup>

### ***Castilian Legislation outside of the Cortes***

From the *Colección documental de Pedro I de Castilla (1350-1369)*. There were entries of royal letters and charters providing privileges, services or obligations for the king's subjects, some of them pertaining to the Jewish community. As such, not all diplomas will fall within the five classification categories established by Monsalvo Antón. Only the most extraordinary issues will be presented, especially the king's responses to the assaults on the Jewish quarters and massacre of Jews under the auspices of Enrique de Trastámara, as well as the Crown's response to those actions in the application of royal justice. First the laws that fell into Monsalvo Antón's categories of the classification are to be presented.

N° 3 Pragmatic & Interested regulation of the Economic activities of the Jews w/in the scope of finance and credit.

Soria, 25 September 1352. Letter of privilege granted by King Pedro I confirmed a previous one made by Alfonso XI (Valladolid, 3 May 1335) that recognized the right of knights and squires to collect deliveries for the Jews of the city of Cuenca and, as such, should be considered as "deliverers".<sup>121</sup>

### ***N° 4 Foundation of Confessional Inferiority and the Discrimination towards the practice of non-Christian religion.***

Seville, 2 December 1353

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<sup>120</sup> *Cortes de los antiguos Reinos de León y Castilla*, t. 2 (1863), p 146-147

<sup>121</sup> DÍAZ MARTÍN, Luis Vicente (1999). *Colección documental de Pedro I de Castilla (1350-1369)*, t. III. Junta de Castilla Y León, p 95; from: A M. Cuenca, *Libro Becerro*, f 167r-v. Copia.

Provision made by Pedro I to the justices of Toledo, informing them that the city procurators complained to him that, as was customary, the Jews continued to hold Moors as slaves after they had converted to Christianity. The king replied that in order to decide he needed a municipal procurator and a representative of the Jews' *aljama* (community) to appear together before him, so as to establish the whole truth.<sup>122</sup>

As mentioned above, the other laws found in the collection under Pedro I were not discriminatory in nature.

In the letter ordered by King Pedro I to the town of Arjona on 30 April 1350, he mentioned the murder of Jews during the reign of Alfonso XI. The document started describing how the town had become depopulated due to the Plague, as well as to the massacre of Jews. King Pedro I of Castile ordered the trial and sentencing of those found guilty. The text also let it be known that the king had banned the men and women involved in the murder of Jews in Córdoba y Jaén. The men would serve at the military outpost of Gibraltar for four months. Afterwards, their sentence would have been considered as served. The order was expedited in Seville according to the above date.<sup>123</sup>

Here the investigator can see Pedro I's endeavors for justice to all of his subjects, especially towards the collective group of those, who performed essential tasks for the Crown. Perhaps the punishment for those, who had committed crimes was not harsh enough to correct the crime committed, if it had been murder, but enough for robbery and theft. However, when compared to the sense of justice with his Portuguese counterpart of the same name, the Castilian monarch lacked in thoroughness, as Pedro I of Portugal had two courtesans executed for having robbed and murdered a Jewish merchant.<sup>124</sup> The message conveyed from the Castilian legal diploma is that the murder of Jews would only give a mild sentencing. In other words, the murdering of Jews had no serious consequences.

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<sup>122</sup> DÍAZ MARTÍN (1999), p 202-203; from: A.M.Toledo, cajón 5, leg. 7. Original papel. BNP, Manuscritos, Ms. 13.100, f. 130. Copia.

<sup>123</sup> DÍAZ MARTÍN, Luis Vicente (1997). *Colección documental de Pedro I de Castilla (1350-1369)*, t. I. Junta de Castilla y León, p 61-63.

<sup>124</sup> LOPES, Fernão (2007). *Crónica de D. Pedro*, 2ª edição, revista. Imprensa Nacional-Casa da Moeda, p 27-30.

20 August 1355. Letter from King Pedro I which ordered the judges and bailiffs of Toledo, the seizure of all of the belongings of Gutier Gómez Palomeque and that they be sold and the proceeds of 2070 maravedis be given to Lope Martínez, as Toledo rose up against the king and his service, while the Queen, Doña Blanca, was there. The city council seized the royal treasure of money, gold, silver and jewels that were in the house of the royal treasurer, Don Samuel Leví. The aforementioned queen and council seized much money from the city's Jewish community.<sup>125</sup>

29 August 1355. Royal act that ordered the confiscation of goods from those who took part in the seizure of the royal treasures at the home in Toledo of the royal treasurer, Samuel Leví, under the orders of the queen.<sup>126</sup>

On 2 October 1355, according to provision by King Pedro I, the Crown removed the locality of Aljofrín from Per Alfonso, for having allied himself with the forces of Enrique and Fadrique de Trastámara and facilitated their entry into the city of Toledo and assaulted the Jewish quarters.<sup>127</sup> Once again, the king applied justice towards the Jews.

Real sobre Toro, 2 October 1355. Letter of privilege of Pedro I in which he explained the grounds for why he confiscated the lordship of Ajofrin from Pedro Alfonso, as he had been one of the leaders of the Toledo uprising against the king, maintaining control of the Alcántara bridge and stealing 350,000 maravedís from the royal treasury. The letter specified from what items and from whom he stole [most likely from the Jews]. For him he sells it to Fernán Pérez Portocarrero, Guardia Mayor del Cuerpo del Rey and to his wife, Marina Tizón, the place of Ajofrin and everything that Pedro Alfonso had in Toledo for the 350,000 maravedís that he owed.<sup>128</sup>

Real sobre Toro, 12 October 1355. Privilege of Pedro I granting a general pardon to all the neighbors and inhabitants of Toledo “who suffered in Toledo when Queen Doña Blanca went

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<sup>125</sup> DÍAZ MARTÍN (1999), p 272; from: A. Mon. S. Clemente. Toledo, carpeta 16, n.º 11. En el acta de ejecución del 7 de noviembre de 1355.

<sup>126</sup> Ibid., p 273; from: A. Mon. S. Clemente. Toledo, carpeta 16. n.º 9. Noticia inserta en la ejecución de la sentencia.

<sup>127</sup> Ibid., p 280; from: A. Cat. Toledo, A.I.B.1.4. Traslado en pergamino.

<sup>128</sup> Ibid, p 274; from: A. Cat. Toledo. A.I.B.1.4. Traslado hecho en Sevilla el 30 de octubre de 1366.

from the Church of Santa Maria to the royal Alcázar de Toledo, and to all the others knights and squires and good men from Toledo who later went with them in this deed.” Not included in this pardon were those, who were at that moment in Talavera and in Toro with the Count [Enrique] or with Don Fadrique or in another place that rebelled against the king, nor did it pardon the Moors [Muslims] of Toledo "who professed some curses against my Jews of my Jewish quarter of Toledo", nor ten other characters for attacking the Jews when the king entered said city.<sup>129</sup>

13 September 1358. King Pedro ordered that Juan Alfonso and Ruy González be paid the sum of 18,000 maravedís of penalty that corresponded to the king for the murder of three Jews in Toledo, and if the culprits were not to be found, his majesty ordered that Juan Fernández de Carrión take that amount of the goods of Toledo.<sup>130</sup>

Seville, 13 September 1360. Provision of King Pedro I announcing to the justices of the archbishop of Toledo, how he had seized the belongings of his disgraced treasurer, Samuel Leví, and those of his relatives in the amount equivalent to all outstanding debts due to the Crown. The belongings were sold and the money obtained was given to Tel Fernández, who was in charge of the endeavor.<sup>131</sup>

Seville, 2 May 1362. In a letter addressed to the head merino of Castile, Don Garçi Ferrnandez Manrique, King Pedro I ordered that all of the merinos and judges detain, place on trial and pass sentences on those responsible for the murder of the Jews in the town of Miranda when it was under the occupation of the king’s half-brother, Enrique de Trastámara, whom the king addressed as the treasonous count. Those indicted, who should be found guilty, will have their possessions seized. Until final sentencing has been given, the indicted were not to leave the town or the villages of the district or region.<sup>132</sup>

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<sup>129</sup> DÍAZ MARTÍN, Luis Vicente (1999). *Colección documental de Pedro I de Castilla (1350-1369)*, t. IV. Junta de Castilla Y León, p 274-275. AM. Toledo, Secreto. Gaveta 5.S leg. 6, n.º 1. Original pergamino (No se conserva); A.M. Toledo. *Libro Becerro*, f. CLXXV-CLXXVIv. Copia del siglo XV; BNE, Manuscritos, Ms. 838, f. 226v-228. Copia; BNE, Manuscritos, Ms. 13.100, f. 133-135- Copia; BNE, Manuscritos, Ms. 13.106, f. 112-113. Copia

<sup>130</sup> DÍAZ MARTÍN (1999), t. III, p 373; from: A. Mon. S. Clemente. Toledo, carpeta 17, n.º 2. Noticia inserta en el acta de la incautación de los bienes para proceder al pago.

<sup>131</sup> *Ibid.*, p 44; from: A. Cat. Toledo. Obra y Fábrica. Copia en papel hecha en Toledo el 5 de enero de 1361.

<sup>132</sup> DÍAZ MARTÍN (1999), t. III, p 101-102; from: A.M. Miranda de Ebro, libro 39, doc. 40. Original pergamino.

Toledo, 27 May 1367. Royal letter stating that all debtors in the district of Cartagena had to pay their debts to the Jews. The letters also called for the arrest of those propagating lies and falsehoods about the king and banned the use of the coin minted by Enrique de Trastámara.<sup>133</sup>

The importance of the above documentation is that it corroborates the events that were recorded by royal chronicler Pero López de Ayala. These events included the fall of the royal treasurer Samuel Leví, the assaults of the Jewish quarters and massacres of Jews by Count Enrique de Trastámara and his troops during the different phases of the dynastic war and King Pedro I's endeavors to apply the full force of the law towards those who rebelled against him and used the Jews, who were property of the Crown, as easy targets to extract their money, valuables and other belongings.

#### ***4.E.2. Portuguese Cortes of Elvas of 1361***

As there was only one *Cortes* held during the reign of Pedro I, not all of Mosanlvo Antón's five categories were covered.

### ***3. Pragmatic and Interested Regulation of the Economic Activities of the Jews within the scope of Finance and Credit.***

Article 10 dealing with general laws with the people, discussed how during the reign of Afonso IV, Pedro I father, the Jews were banned from making contracts with Christians and charging interest at exorbitant rates (onzes). Written in the margin of the document was: Jews that made such contracts would be put to death. The king's response was that he did not grant them the right to make other contracts other than with good merchants and true Christians. In the case that contracts demonstrating usury were to be made, the Jew, who had made that contract, would be killed and his property confiscated. As such, the king's father's law was not to be revoked and this was done in order to comply to the demands of the people.<sup>134</sup> This regulation of debt contracts, although extremely harsh and draconian, fit into Pedro I's approach to breeches of the law committed by any of his subjects and it should not be only interpreted as being solely anti-Jewish.

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<sup>133</sup> DÍAZ MARTÍN (1999), t. III, p 263; from: A.M. Murcia, Cart. Real. Eras 1405-1418, f. 5. Copia coetânea.

<sup>134</sup> *Cortes Portuguesas. Reinado de Pedro I* (1986), p 36.

Article 26 refers to a previous law stipulated by Afonso IV that Jews could not confiscate assets or goods from debtors in a different form that was not given to the debtors. Jews could not claim wine or other assets other than collect debt in the form in which they gave the debtors. In this manner, the king's people will no longer be harmed in that their property would be confiscated. According to the article, the Jews demanded the turning over of *property that was worth more than at the time of the signing of the contracts*.<sup>135</sup>

Article 34 stipulated how the king gave letters to the Jews who made contracts with Christians that they collect the debts in such a manner that they leave these Christians [knights or barons] with no arms or horses to defend the realm. The king ordered that the debts be paid off over a longer period of time, as the indebted Christians had to pay for the maintenance of the horses and pay the sergeants their salaries. The article then states that the Christians had to pay their debts, as they had enough time to pay their debts. Those who could not pay would have to ask for permission and explain, within reason, why they could not pay. The king would try to help within his power.<sup>136</sup>

### ***5. Limitations on the daily dealings between Jews and Christians and Segregation of the Jews Minority***

Article 40 reiterates how reports of Moors and Jews are living outside of their designated quarters and live mixed with Christians. Reports of the Moors and Jews doing unsavory acts that scandalize Christians and that they find repugnant had reached the court. As such, the king ordered that *in all towns and cities where there more than ten Moors and Jews that the authorities create respective living quarters for them so that they can live apart*.<sup>137</sup>

### **Non-Discriminatory legislation**

Article 4 from the *Cortes* held in Elvas, dealing with the clergy, stipulated that Christians, Moors and Jews who sought asylum in churches and by Canon Law were protected, could not

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<sup>135</sup> *Cortes Portuguesas Reinado de Pedro I* (1986), p 44.

<sup>136</sup> *Ibid.*, p 48.

<sup>137</sup> *Ibid.*, p 52.

be forced out or pulled out. No one was allowed to impede the sustenance of the asylum seekers in order to force the asylum seekers to leave the churches.<sup>138</sup>

#### *Capítulos Especiais de Torres Novas (1364)*

Other non-discriminatory legislation is Article 9 from the special chapters from the court held at Torres Novas deals with the lack of Jewish butchers in the Jewish quarter of the aforementioned town who could prepare the meats accordingly [In terms of their meat, the Jews had to consume meat from animals that were slaughtered by *basar* following the ritual of *shehitah* or bloodletting and removal of all entrails in appropriate kosher butcheries and performed by kosher butchers<sup>139</sup>]. Article 9 also stipulates that the Jews are to go to judges of the aforementioned town and request that they (the Jews) send their meats to Christian butchers in order to slit the throats of the animals. The article also states that the Jews are to show the town's judges/magistrates the king's letters requesting such a petition. If the Jews should not be happy with the manner in which the meats were prepared, then they can return it to the Christian butchers and sell it to Christians. Since there are so many Jews in the aforementioned town, then the king requested that a Jewish butcher be summoned and cuts/slices the meats for the Jewish inhabitants according to their ways. The king orders that the town's judges/magistrates follow the king's law. Torres Vedras, 24 May 1364.<sup>140</sup>

In terms of the use of the term evildoers and evil deeds, it is worth noting that King Pedro I would not hesitate to arrest prelates and other members of the clergy if they had transgressed the law. In article 49º of the General Chapters of the People [Art. 49º - Capítulos Gerais do Povo], it was brought to the king's attention that when royal justices would apprehend certain members of the clergy when needed, then bishops and the archbishop would excommunicate those justices and inspectors. The king ordered royal justices to apprehend those ecclesiastical *evildoers* or *evil clergymen* (*clerigos malfectores*) if they were found committing acts of evil (*malefícios*) and hand them over to their vicars.<sup>141</sup>

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<sup>138</sup> Cortes Portuguesas Reinado de Pedro I (1986), p 15

<sup>139</sup> GOMES, Pinharanda (2009). *A Filosofia Hebraico - Portuguesa. I. História da Filosofia Portuguesa*. 2ª Edição. Guimarães Editores, p 24.

<sup>140</sup> Cortes Portuguesas Reinado de Pedro I (1986), p 127.

<sup>141</sup> Ibid., p 56.

### ***Cortes of Coimbra (1367? or 1369?) – under the reign of Fernando I***

Unfortunately, there is no documentation for the first Cortes held by the new king Fernando I of Portugal. There is only mention of them in Article 6 of the Special Chapters of Santarém for the Lisbon Cortes of 1371. Following the royal itinerary of Fernando I, the first Cortes under Fernando I could have held the Cortes at Coimbra either in June-July 1367 or December 1369. The content of the Cortes remains unknown.<sup>142</sup>

It must be pointed out, as stated by Professor Monsalvo Antón, the use of negative attributes allocated to the Jewish minority in the legislation of the *Cortes* were selfishness or egotism, cunning, subtlety, sophistry, greed, mendacity, etc. These stereotypes would reinforce pre-existing negative images of the Jews in the collective mindset of the Christian majority, which would further exacerbate the tensions between the two communities.<sup>143</sup> Whereas the Portuguese legislation only once directly associated Jews with evil acts of deceit and malice in Document [569] of the Chancelleries.<sup>144</sup>

### ***Comparison of Portuguese and Castilian Cortes***

Below is a comparison of the Castilian and Portuguese *Cortes*. Their ordinance, article or document numbers are included below. Afterwards, these will be complimented with the comparative charts.

- 1) Burgos (1367), N°10 – Jews accused of having caused damage to the realm due to their poor advice to the Crown and not hold any official positions at Court – king refused<sup>145</sup>. Royal letter of 1360 – seizure of the belongings of disgraced royal treasurer, Samuel ha-Leví and of his relatives.<sup>146</sup>

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<sup>142</sup> *Cortes Portuguesas. Reinado de D. Fernando I, 1367-1383* (1990). Instituto Nacional de Investigação Científica, p 11. To see Art. 6 of the Special Chapters of Santarém of the Cortes of 1371, p 75.

<sup>143</sup> *Ibid.*, p 168-169. “Los atributos de egoísmo, astucia, “sutileza”, argucia, codicia, mendacidad, etc.” “Sobre esta base objetiva... – creando el estereotipo – las actitudes de prejuicio, fundamentadas, cognoscitivamente, en percepciones sesgadas, generalizaciones abusivas y proyecciones de caracterológicas tergiversadas, que levantan odio y hostilidad...”

<sup>144</sup> *Chancelarias Portuguesas, D. Pedro I, 1357-1367* (1984). Instituto Nacional de Investigação Científica, p 258.

<sup>145</sup> MONSALVO ANTÓN (1988), p 154

<sup>146</sup> DÍAZ MARTÍN, Luis Vicente (1999). *Colección documental de Pedro I de Castilla (1350-1369)*, t. IV. Junta de Castilla y León, p 44.

- 2) Burgos (1367), N°15 – Jewish and Muslim merchants deceiving Christians in the resale of the cloth purchased from Christians – privilege of not being imprisoned for not paying what was due to Christians not revoked<sup>147</sup>; N°3 – tear down the protective walls of the Jewish and Muslim quarters and expose the two minority groups to attacks – king refused<sup>148</sup>. Elvas (1361), N°4 – privilege *maintained and not revoked* for all confessions to seek asylum in churches. Chancelleries: Document [978] of 1365 – revoked the privilege from the previous year that allowed Jews from Trancoso not to provide lodging to royal officials or knights in their homes.
- 3) Burgos (1367), N°68 – moratorium of debts to Jews – only extended until January 1368. Royal letter of 1360 – seizure of the belongings of disgraced royal treasurer, Samuel ha-Leví and of his relatives. Elvas (1361), N°10 – death sentence to Jews, who wrote usury contracts; Elvas (1361), N°26 – Jews could not collect goods for debt payments in any other form other than money; Elvas (1361), N°34 – did not restrict Jews in their financial activities, as Christians had to repay their debts. However, Jews could not seize the arms and horses of knights and nobility in debt collection. Chancelleries: Document [569] of 1361: *How contracts were to be made with the Jews* (unlike Article N°10 of the Cortes, the Jewish moneylender was not to be put to death if found guilty of usury, but imprisoned until damages had been paid).
- 4) None for the Castilian Cortes of 1367 held at Burgos;
- 5) None for the Castilian Cortes of 1367 held at Burgos. Royal diploma of 1353 – complaint by municipal procurators that Jews continued to hold Moorish slaves after their conversion to Christianity. King Pedro I would investigate the case.<sup>149</sup> Elvas (1361), N° 40 – place Jews and Muslims into separate quarters in order to avoid contact with Christians. Chancelleries: Document [1131] of 1366 – forbade Christian women from entering Jewish or Muslim quarters under penalty of death.

#### ***4.E.5. Synods in Castile and Portugal 1352-1369***

As presented in the previous chapter, the following list provides the synods held in Portuguese ecclesiastical centers prior to and after the Bubonic Plague:

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<sup>147</sup> MONSALVO ANTÓN (1988), p 166.

<sup>148</sup> MONSALVO ANTÓN (1988), p 168.

<sup>149</sup> DÍAZ MARTÍN, Luis Vicente. *Colección documental de Pedro I de Castilla (1350-1369)*, t. III. Junta de Castilla Y León: Salamanca, 1999, p 202-203

BRAGA: last synod prior to the outbreak of the Plague: 10 September 1342 led by Gonçalo Pereira; First synod after the plague of 1348-49: 29 January 1364 led by João de Cardaillac, in which two synods were held: one held at the Monastery of Pombeiro in 1364 and then another one held at Chambus (?) in 1366 (?), in which he pronounced two of his existing speeches. However, there was no mention of the Jews from this synod.<sup>150</sup>

COIMBRA: last synod prior to the outbreak of the Plague: 9 September 1307 led by Estêvão Anes Borchardo;<sup>151</sup> first synod after the Plague of 1348-49: uncertain date from the end of the 14th century.<sup>152</sup>

ÉVORA: last synod prior to the outbreak of the Plague of 1348: 1 July 1344 led by Durando Pais;<sup>153</sup> first synod after the Plague of 1348-49: João Afonso (1352-55) uncertain date. The document kept makes no references to ordinances, admonitions (warnings) or sentences given by the bishop. Only an entry made in the 17<sup>th</sup> century added to the manuscript: “*Apelação das constituições do Bispo D. João.*”<sup>154</sup> The content mentioned the date and all of these present, including the king’s notary public. It recognized that there was a book with the seal of the aforementioned bishop, in which the content consisted of ordinances, admonitions, sentences, penalties to be paid, suspensions and excommunications. However, there was no mention of the Jews.<sup>155</sup>

GUARDA – only 12 May 1500 led by Pedro Vaz Gavião.<sup>156</sup>

LAMEGO – last synod prior to the outbreak of the Plague: 1252 led by Egas Pais;<sup>157</sup> first one afterwards was summoned by D. Lourenço (1363-1393) on 11 August 1368 and there was no indication of any acts or decisions taken towards the Jews. At the aforementioned synod, D.

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<sup>150</sup> *Synodicon Hispanum*, v. 2 Portugal (1982). Edición Crítica dirigida por Antonio García y García. Biblioteca de Autores Cristianos, p 53.

<sup>151</sup> *Ibid.*, p 194.

<sup>152</sup> *Ibid.*, p 197.

<sup>153</sup> *Ibid.*, p 203-210.

<sup>154</sup> *Ibid.*, p 210-211.

<sup>155</sup> *Ibid.*, p 211.

<sup>156</sup> *Ibid.*, p 223-275.

<sup>157</sup> *Synodicon Hispanum*, v. 2 Portugal (1982), p 279.

Lourenço ordered the transfer of Cathedral lecturer (?) Leituário da Sé, as all of the goods, privileges and rents were recorded and kept there.<sup>158</sup>

LISBOA – last synod prior to the outbreak of the Plague: 1 September 1324 led by Gonçalo Pereira;<sup>159</sup> first one afterwards: 1393-1402 led by João Anes.<sup>160</sup> For content see synod of 1403.

PORTO – last synod prior to the outbreak of the Plague: 1344 (uncertain date) led by Pedro Afonso;<sup>161</sup> first one afterwards: 20 November 1360 led by Afonso Pires, in which some of the rights to the Orders of S. Bento and Saint Augustine were restricted. It barred the beneficiaries from leaving the diocese without permission from the prelate. There is scant information about the synod. No information about the Jews.<sup>162</sup>

## **Chapter 5. Failure to return to normalcy in Castile, Protection in Portugal, 1369-1383**

### ***Ch. 5.C.1. Analysis of the Cortes of Castile and Portugal 1369-1383***

The following section will classify and analyze the further development of anti-Jewish legislation of the two Iberian Cortes of Portugal and Castile, using the model provided by Monsalvo Antón,<sup>163</sup> and then compare and contrast them. The Castilian sources were: *Cortes de los antiguos reinos de León y Castilla*, t. II (1863). Real Academia de Historia. The Portuguese sources were: *Cortes Portuguesas Reinado de D. Fernando I, 1367-1383* (1990). Instituto Nacional de Investigação Científica. Centro de Estudos Históricos da Universidade Nova de Lisboa; and, *Ordenações Afonsinas*, liv. 2 (1984). Fundação Calouste Gulbenkian.

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<sup>158</sup> Ibid., p 280.

<sup>159</sup> PEREIRA, Isaiás da Rosa (Maio 1961). *Sínodos da Diocese de Lisboa. Notas Históricas*. Separata da Revista, *Lumen*, p 11-12. *Synodicon Hispanum*, op. cit., 1982, p 315.

<sup>160</sup> PEREIRA (1961), p 12-14. *Synodicon Hispanum* (1982), p 317.

<sup>161</sup> Ibid., p 346.

<sup>162</sup> Ibid., p 348-349.

<sup>163</sup> MONSALVO ANTÓN, José María (1988). Cortes de Castilla y León y Minorías. In *Las Cortes de Castilla y León en la Edad Media*. Editado por las Cortes de Castilla y León. p 145-191.

### *5.C.1.a. Cortes of Castile*

Already in May 1369, in Article N° 68 the municipal procurators of Toledo demanded complete remission of Christian debts to Jewish money-lenders as a compensation to all of the losses that the troops had caused in their territory. What is noteworthy is how the Jews had to pay for damages caused by others during a civil war that they did not cause. The only fault that they had, was to have sided with the legitimate king. Due to the impoverishment of the Jewish aljamas during the civil war, the ransom fees, the pardoning of one-third of the debts and two-year moratorium, King Enrique II could only extend the moratorium on debt for two more months during the Cortes celebrated in Toro in 1369. However, according to León Tello, almost all of the real estate was Jewish, as purportedly the Jews were the only ones who had the competent personnel and the money to invest into it after the dynastic war. When the municipal procurators reproached the king for his actions and decisions of hiring Jews, the king responded that he was unable to find any Christian competent enough to fulfill these tasks. He reminded the procurators that he had passed a law that punished anyone with public flogging if they allowed Jews to lease public land or goods. This law was never executed or respected.<sup>164</sup>

Once again in 1371, at the Cortes of Toro, in which the anti-Jewish offensive reached its highest and most virulent drive, King Enrique II conceded in Ordinance N° 29 in reducing the debts to two-thirds of the original principal but within fifteen days. The king acquiesced to this demand. Also, the right that Jews had to swear under oath of any litigation, including dealing with impounded property from unpaid loans, was attacked by municipal procurators. This also applied to the amount of money that Christians received from pawning their objects of value to Jewish money-lenders. The king refused to acquiesce to these demands but required that Jews provide proof or evidence of how they had obtained the valuables.<sup>165</sup> It was also established that every time the Jews chose a mayor or representative, they would have to pay 60 maravedis to the royal chancellor. For a new rabbi, the amount of 600 maravedis was to be paid. When the nomination was only temporary, then the amount to be paid was only

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<sup>164</sup> *Cortes de los antiguos Reinos de León y Castilla*, t. II (1863). Real Academia de la Historia, p 182. LEÓN TELLO, Pilar (1979). *Los Judíos de Toledo*. Consejo Superior de Investigaciones Científicas, p 156-158.

<sup>165</sup> *Cortes de los antiguos Reinos de León y Castilla*, t. II (1863), p 203-204. VALDEÓN BARUQUE, Julio (2016). Cap. 30: La Revolución Trastámara. In *Historia de España de la Edad Media*, 6ª impresión. Vicente Ángel Álvarez Palenzuela (coord.). Editorial Ariel, p 678-681. LEÓN TELLO (1979), p 157.

120 maravedis. This same amount would be paid if it were a rabbi or an elderly man from a town without a time limit, then if it were limited, he would only have to pay 30 maravedis.<sup>166</sup>

At the Cortes of Burgos of October 1377, King Enrique II was incapable, and according to Valdeón Baruque *impotent*, in detaining the anti-Jewish avalanche, which reflected the deep hatred embedded of the Jews within the commoners. Once again municipal procurators launched its anti-Jewish campaign accusing the Jews of their rapaciousness. As in previous Cortes, the main focus was on the debts contracted with Jews and the practice of usury and the entrenchment of Jews in royal finances. The municipal procurators claimed that the Jews had left the land in a state of great poverty through their schemes and that they were demanding repayment of sums of money than were actually lent. The municipal procurators demanded that the Cortes of Alcalá be respected and that Jews be forbidden in practicing usury. The procurators also demanded that no Jew be allowed to be a treasurer or royal steward and that they could not live in the same residence of a nobleman. However, the municipal procurators ignored the fact that Christians were also found guilty of usury. The municipal procurators also demanded that a law from the reign of Alfonso XI be reinstated which made any letters of debt payment expire after six years. They also demanded the elimination of compensation for Jews murdered by Christians.<sup>167</sup>

Due to the continuous and intensity of the attacks, the king succumbed to the petition of further debt reductions, which was detrimental to Jewish moneylenders. The king also confirmed the Ordinances of Alcalá that banned usury. Enrique II granted all debt removal for Christians but only after six months of payments. In another law from the same courts, the king forbade both Jews and Muslims (Moors) from making letters of obligation with Christians, communities or councils in maravedis or in kind; such as honey, bread, wine or wax. If purchasing or selling something, the full amount had to be presented to the vendor, who would immediately deliver the specific good or property to the purchaser. A witness to the contract could be requested, as long as it did not require any obligation to the Christian.

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<sup>166</sup> LEÓN TELLO (1979), p 160.

<sup>167</sup> VALDEÓN BARUQUE, Julio (2004). *El Chivo Expiatorio: Judíos, revueltas y vida cotidiana en la Edad Media*, 2ª edición. Ámbito Ediciones, p 71-73.

The king also conceded that no Jew be a treasurer or chamberlain of a nobleman, but allowed for the Jews to live with the noblemen.<sup>168</sup>

It would be at the Cortes of Soria in 1380 that the Crown was at odds with the Jewish communities over the sentencing and execution of the royal treasurer and chief rabbi, Yuçaf Pichón, in 1379 without having consulted the king first. Here the Crown agreed with the municipal procurators that the Jews should not preside over criminal cases, which should be only conducted by royal judges or municipal authorities chosen by the Crown. The Jews were, however, to preside over civil cases and have Jewish witnesses for debt contracts. Jews were also banned from reciting certain Talmudic passages that supposedly attacked Christians.<sup>169</sup>

### ***5.C.1.b. Cortes of Portugal***

According to Maria Helena da Cruz Coelho the socio-economic context of the legislation process of the Cortes was one of intense daily interactions between Jews, Muslims and Christians were intense, as indicated by the number of petitions and complaints presented by municipal procurators of the most developed urban centers. These, in turn, reflect the intense competition and rivalry between the prosperous urban mercantile elites and their Jewish counterparts. The municipal procurators used canon law to justify many of their vindications against their Jewish economic rivals in order to weaken, constrain or even remove the competition.<sup>170</sup> Even though much of the legislation would deal with both religious groups, it would be the Jewish minority that would receive first place in the acts of the Cortes. This approach to the religious legislation is reminiscent of Castilian Cortes acts of the same period as discussed by Monsalvo Antón.<sup>171</sup>

The number of acts of the Portuguese Cortes during this period is not as abundant when compared to other Western European kingdoms, especially when compared to Castile. In fact, the majority of anti-Jewish laws were focused on the professional and administrative

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<sup>168</sup> *Cortes de los antiguos Reinos de León y Castilla*, t. II (1863), p 275-282. VALDEÓN BARUQUE (2004). *El Chivo Expiatorio*, 2ª ed., p 70-71. VALDEÓN BARUQUE (1968), p 72-73, 77. AMADOR DE LOS RÍOS (1876), p 324. LEÓN TELLO (1979), p 157. MONSALVO ANTÓN, José Mª (1985). *Teoría y Evolución de un Conflicto Social: El Antijudaísmo en la Castilla en la Baja Edad Media*. Siglo XXI Editores, p 241-242.

<sup>169</sup> *Cortes de los antiguos Reinos de León y Castilla*, t. II (1863), p 311-312.

<sup>170</sup> COELHO, Maria Helena da Cruz (2011). Le discours sur les minorités religieuses aux Cortès portugaises du Moyen Âge. In *Parliaments, Estates and Representation*. Routledge, p 1.

<sup>171</sup> COELHO (2011), p 2. MONSALVO ANTÓN (1988), p 145-146.

discrimination of Jews holding offices over Christians and one law about wearing distinctive signs on their clothes over their chests. However, these acts are of tremendous historical value for their quality of discourse. The Cortes was also the place or rather the theater *par excellence* where arguments of persuasion were presented and debated. These arguments had to be convincing and persuasive if the representatives wanted to obtain the goals they strove for.<sup>172</sup> In other words, the desired legislation had to be shaped, transmitted via oral arguments using ecclesiastical law to justify these same arguments and received by the Crown in order to achieve the acceptance by the monarch and make it law of the land, which in turn, would be transmitted through written form first and then read aloud in public squares to reach the target audience of the common people.

One must also be reminded that there was a gap between what was decided upon and what was actually executed. The numerous and repetitive petitions for previous legislation to be respected indicates that the Crown did not follow upon prior decisions taken.<sup>173</sup> The number of Cortes acts dealing with religious minorities was relatively limited in number and, as such, would not have the same impact on the recipient audience of the common people as the number of anti-Jewish legislation in Castile and its populace. Hence, a different imaginary within the mindset would develop between the two neighboring Iberian kingdoms.

### ***Classification of Portuguese and Castilian Jewish Legislation into the five categories***

#### **1. Administrative and Profession Discrimination in order to reduce the social and political influence of the Jews**

In terms of the Castilian Cortes of Toro held in 1371, the municipal procurators in Ordinance Nº 2 attacked the fact that Jews were present in the courts of the Crown, nobility, knights and squires. It was also requested that the Jews not be allowed to be royal tax or rent collectors. There purported concern was that the supposed “enemies of God and Christianity” were fulfilling tasks over Christians, which canon law had forbidden. The municipal lawgivers made the claim that Christians were captive, subject to and awestruck of the Jew. As such,

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<sup>172</sup> TRINIDADE, Luísa (2006). Jewish Communities in Portuguese Late Medieval Cities: Space and Identity. In *Religious Communities and Urban Communities, Vol. III Religion, ritual and mythology: aspects of identity formation in Europe*, edited by Joaquim Carvalho. Edizioni Plus – Pisa University Press, p 65. COELHO (2011), p 1-2.

<sup>173</sup> TRINIDADE (2006), p 65. COELHO (2011), p 2.

these aforementioned Jews, as *insolent and evil people*, enemies of God and of all of Christianity, committed evil acts and misdeeds that hurt the land or at least most of it. The allegation was made that the Jews did this disdainful Christians and the Catholic faith.<sup>174</sup>

At the Cortes of Burgos in 1377, Ordinance nº 11 forbade the nobility from having Jews as treasurers or chamberlains of the nobility. However, the king permitted Jews to reside in the same palace as that of the nobility.<sup>175</sup>

In terms of the Portuguese Cortes, discrimination against the Jews in the exercise of administrative and professional expertise, only two articles were found in the official acts of the Cortes during the reign of Fernando I. The date of 1371 from the Lisbon Cortes (General Chapters to the People), Article 58, folio 8 states that neither Jews nor Moors (Muslims) are to have lordship or seigniorship (*senhorio*) over Christians. Article 59 of that same folio stated that Jews had lost the once granted privilege of working as treasurers (*almoxarife*) and as tax collectors. However, the second part of Article 58 demonstrated official court fairness towards the two minority groups, as any legal complaints or disputes filed against Jews or Muslims would be heard on an equal basis as Christians. Although it is not sure, if Christian plaintiffs would actually treat the other two minorities as equals, at least there was an official Cortes' attempt to treat all of the king's subjects as equals.<sup>176</sup> Something that stood in contrast to the manner in which Jews were treated in Castile at that time. Even though it is written into law, such categorizations do play a role in the maintenance or change of a societal mindset and how it is represented in the imaginary. Whereas in Castile, societal attitudes towards the Jews were hardening, it seems that in Portugal, they were not as intransigent. Evidence of this can be seen in the *lack of offensive or abusive language in describing or treating the Jews*.

It must be noted that in the Cortes of Leiria of 1372, King Fernando I protested in the General Chapters about alleged accusations of the Jews under his service. In Article 22, folio 300-300 vº, the record states that the people (municipal procurators representing the interests of urban

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<sup>174</sup> *Cortes de los antiguos Reinos de León y Castilla*, t.2, (1863), p 203-204.

<sup>175</sup> *Cortes de los antiguos Reinos de León y Castilla*, t.2, (1863), p 281-282.

<sup>176</sup> *Cortes Portuguesas Reinado de D. Fernando I 1367-1383* (1990). Instituto Nacional de Investigação Científica. Centro de Estudos Históricos da Universidade Nova de Lisboa, p 42-43. COELHO, (31 April 2011), p 8-9.

patricians) had complained that there were Jews within the king's council, who were collecting rents, had obtained many goods and were not serving the Crown faithfully or loyally. The king proclaimed that there was not a Jew in his council who did not have the trust or honor from the royal court.<sup>177</sup>

Once again, this shows a sharp contrast to the ambivalent and contradictory policy towards the Jews in Castile. During the dynastic war Enrique de Trastámara led an extreme anti-Jewish policy by viciously attacking the Jews and holding certain Jewish communities hostage for extortive ransom money. In spite of the reversal of that policy towards the Jews after the war, the intensely vitriolic anti-Jewish sentiment would remain deeply embedded in the population and would be difficult to subdue at the Castilian Cortes.

Before continuing in the analysis of the anti-Judaic legislation of the Cortes, the aforementioned law was recorded in the *Ordenações Afonsinas* in the mid-15<sup>th</sup> century. Title LXXXXII – In the cases of legal disputes between Christians and Jews. This law dated back to King D. Fernando I when he convened Cortes in Lisbon. No date is given as to when exactly. Only the date that it was compiled in the compendium by D. Duarte on 14 October 1404. It also stated that previous Portuguese kings had granted the minorities special privileges that they could have jurisdiction in special cases and that the current legislation guaranteed them these special privileges. In the civil disputes, and not crime cases, in which the Jew was the defendant and the Christian the plaintiff, the Jew was to be judged by a rabbi, as per right, the plaintiff should follow the legal venue of the defendant. The Crown found it that this practice should continue (*Ordenações*, p 511). However, in the case that the Christian was the defendant against a Muslim or a Jew, then the Christian would have to be judged by a Christian judge. In the case of a criminal charge by a Jew against a Christian, the same principal would apply (*Ordenações*, p 512).<sup>178</sup>

Most likely the aforementioned law is that of Article N° 58 of the Cortes of Lisbon in 1371 in which Muslims (Moors) and Jews should have no jurisdiction over Christians. Muslims (Moors) have their general mayor or al-Cadi (alcaide mor) and the Jews have their Grand

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<sup>177</sup> *Cortes Portuguesas Reinado de D. Fernando* (1990), p 134.

<sup>178</sup> *Ordenações Afonsinas* (1984). Liv. II. Fundação Calouste Gulbenkian, p 510-512.

Rabbi. It was reiterated the forbidding of the other two religious minorities in having jurisdiction over Christians. As such, rabbis and al-Cadis only had jurisdiction over the members of their respective confessions. Anything outside of their confessions would be outside of their jurisdiction and would be heard by Christian judges.<sup>179</sup>

This law dating from the reign of D. Fernando I and updated by Prince Regent D. Duarte, limits the rights of the two religious minorities in terms of the placing charges against Christians. As such, Jews and Muslims have lost their previous jurisdictional privileges and prerogatives and do not have the same legal rights as the subjects belonging to the dominant Christian community.

Not only is this statement a blast against the anti-Jewish members of the dominant Christian society, who wanted to reduce or eliminate the presence of Jewish members in the king's council, but it was a stark contrast towards the official position of the Castilian monarchs under the Trastámaras. Even though Enrique de Trastámara officially ended his anti-Jewish policies after having won the Civil War (1366-69) against his half-brother Pedro I and becoming Enrique II, the poison had been deeply implanted in the collective mindset of the Castilian population, the body politic and social fabric of Castilian society. Enrique de Trastámara did not invent or create anti-Jewish prejudice but he reinforced centuries-old images and stereotypes of the Jew and fanned the hatred and violent actions towards this marginalized minority group. Fernando I of Portugal official position, as recorded in the Courts of Leiria of 1371, stands as testimony to this drastic contrast in the perception of the Jewish minority in both kingdoms.

## **2. Judicial Discrimination. Suppression of Jewish Jurisdictional Privileges and Prerogatives**

At the Portuguese Cortes of Lisbon of 1371, the municipal procurators in Article N° 58 attempted to remove previous jurisdictional privileges, such as lordship or seignory, enjoyed by prominent Jews. They used the excuse that it was banned by Holy scripture. The petition was vaguely phrased and could have been applied to any type of seignory or jurisdictional

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<sup>179</sup>*Cortes Portuguesas Reinado de D. Fernando* (1990), p 42.

privilege. The king responded that he would need to consult his experts about this issue and would get back to the municipal procurators.<sup>180</sup>

At the Castilian Cortes of Toro in 1371, Ordinance N° 18 made reference to the letters of privileges held by Jews and Muslims (Moors) that did not allow the testimony of a Christian, unless there was a Jewish or Muslim (Moorish) witness. Municipal prosecutors claimed that this caused great prejudice to Christians and damage to the kingdom. It was felt that the Jews covered up or concealed much larceny, theft and misdeeds. The Christians incurred great losses, as they could not use any witnesses that were not Jewish or Muslim (Moorish). It was requested that these rights remain with the letters of debts but not in civil or criminal cases, which should be under the jurisdiction of two well-reputed Christian townsmen (good men). The king responded that he held it as just that no testimony of a Christian against a Jew be considered valid without the testimony of a Jew. However, this was limited to the issue of debts. All other cases, civil and criminal, were to allow Christian witnesses, as long as they were from townsmen of good-repute.<sup>181</sup>

At the Castilian Cortes of Soria in 1380 the municipal procurators pleaded in Article N° 2 with the king that Jewish judges and rabbis not rule over criminal cases. Their excuses were how the Jews judged over Christ and how they caused much harm and damage to Christians in the realm. The king acquiesced to the procurators' demands by forbidding Jewish judges or rabbis from presiding over criminal cases, passing death sentences or dismemberment of suspects or criminals. If a Jewish judge or rabbi should happen to preside over a criminal case, then the ruling would be considered invalid and the rabbis or Jewish judges would be fined 6000 maravedis each. The king also forbade the merinos and municipal judges to collaborate with the rabbis and Jewish judges.<sup>182</sup>

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<sup>180</sup> *Cortes Portuguesas Reinado de D. Fernando* (1990), p 42-43.

<sup>181</sup> *Cortes de los antiguos Reinos de León y Castilla*, v.2 (1863), p 210.

<sup>182</sup> *Cortes de los antiguos Reinos de León y Castilla*, v.2 (1863), p 311-312. AMRÁN, Rica (2007). *Judíos y Conversos en el Reino de Castilla. Propaganda y mensajes políticos, sociales y religiosos (siglos XIV-XV)*. Junta de Castilla y León, p 59.

### **3. Regulation of interests and pragmatic (execution) on the Economic Activities of the Jews within the scope of Finance-Credit**

The convening of the Castilian Cortes of Toro in 1369 is historically important as it was the first one after the victory of the Trastámara party in the civil war and after the murder of King Pedro I Ordinance N° 68 requested that in order that the kingdom could be repopulated [allusion to the destruction and devastation of the civil war between 1366-69], it was requested that the installments for the repayment of debts to the Jews be extended, for if they had to pay now, they would not be able to meet their obligations.

However, the new king responded by denying the petition as the Jewish quarters and communities had been severely damaged during the conflict and had not been able to collect their debts. King Enrique II recognized the debt letters held by the Jews but allowed an extension to repayments up until January of the following year (1370). In terms of the debts owed by the heads of the bishoprics and royal officials (merinos), the king granted them an extension of up to two months from the Cortes. If they could not make their payments by then, they should not receive any royal grace period.<sup>183</sup>

At the Cortes of Toro in 1371, Ordinance N° 19 the court had been informed regarding the letters from previous kings that the Jews held in their possession in terms of the belongings that had been pawned by them, even though the letters did not say from whom they had pawned them from. The letters would state a higher amount of money than was actually paid out. Even though the Jew would swear under oath that he could not recall from whom he had pawned the object in question or that the owner of the pawned object was aware for, this lack of information would lead to larceny and theft. The rightful owners had difficulties in repurchasing their goods, as the Jews would double-charge the actual value of the goods as stated in the letters. As a result, the municipal prosecutors demanded that all of these letters and privileges be revoked. The king responded that he held it as good but that it was important that the Jew be listened to and given sworn testimony of whom the author.<sup>184</sup>

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<sup>183</sup> *Cortes de los antiguos Reinos de León y Castilla*, v.2 (1863), p 182.

<sup>184</sup> *Ibid.*, p 210-211.

Ordinance N° 29 dealt with the request of reducing the amount of debt that Christians owed to Jewish money-lenders and repaying the principal by a certain deadline. Due to the situation in the kingdom that occurred and reoccurred (unspecific, can be alluded to the civil war), Christians had found themselves in financial difficulties and could not repay their loans on the installment deadlines. The Jewish money-lenders would collect their accumulated debts in their entirety. The municipal lawmakers petitioned that the debts be removed or that new installment payment deadlines be granted that were more convenient for the Christians to repay. The king responded that the municipal lawmakers upon returning to their localities that they announce that all Christian debtors repay two parts of their debts to the Jews within fifteen days. If they could not, then they would have to repay it at a later date in its entirety.<sup>185</sup>

At the Cortes of Burgos in 1373, Ordinance N° 8 requested that all debt payments in money or in goods and belongings be surrendered and delivered by official debt collectors sent by the municipality and that they receive the appropriate receipts of payment or cancellation of debt. The municipal lawmakers had received many complaints that the Christian debtors that the debt collectors had not asked the Christian debtors had made payments or not, after having made debt payments or surrendered belongings, the deliverers or collectors did not deliver the exact or correct amount to the authorities, which left the debtors in serious legal problems. The king stated that the presenter of the letter of debt, show the exact amount of debt owed and pay the collector the due amount owed and the collector as well.<sup>186</sup>

Ordinance N° 9 of the same Cortes stated that henceforth what had been ordered by King Alfonso XI that all letters of debt between Christians or Jews with Christians and Muslims (Moors) and Christians that were not yet delivered/submitted be requested that they be submitted and kept by royal officials and judges. Anyone who did not keep them would be penalized. Once these letters had been submitted, then it would request that no actions be taken upon them until the debtors had been taken to court and a sentencing had been given.<sup>187</sup> Although not anti-Jewish in nature, this law did restrict previous Jewish ability to take matters into their own hands if Christian debtors did not pay.

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<sup>185</sup> *Cortes de los antiguos Reinos de León y Castilla*, v.2 (1863), p 214.

<sup>186</sup> *Ibid.*, p 261.

<sup>187</sup> *Ibid.*

At the Cortes of Burgos in 1377, Ordinance N° 1 referred to the *bad money allegedly issued by Jews* that had *caused great poverty throughout the kingdom*, as well as the letters and contracts based on amounts of money that were much more than they had actually paid out to their debtors. As such, the indebted were impoverished and could not pay their taxes. Therefore, it had been requested that the king provide some form of forgiveness of the debts and put repayment installments into place that could be achievable.<sup>188</sup> Once again, these allegations were purportedly committed by the Jews without giving any specific incidents, names of culprits, dates or the place where they supposedly had committed these acts. According to Ladero Quesada, those responsible in the minting of bad coin were not Jews, but Christians, including those who were responsible in the king's *Casa de Cuentas*.<sup>189</sup>

Nonetheless, the king's response was that those contracts that could be proven that had actually paid out less than what the debtors had actually received, one-third of the amount written in the contracts would be forgiven. It did not matter in which manner or how these letters or contracts had been written, the Jewish money-lenders had to comply. The remaining two-thirds of the debt had to be repaid in the following manner and according to the following schedule: the first half to be paid by the first day of January of the upcoming year of 1378; and, the second half of the debt to be paid by the first day of May of that same year of 1378. For those contracts, in which the original deadlines have not been met, the debtors had two months to pay, as well as those in which the deadlines are for future repayments.<sup>190</sup>

For the aforementioned regulating type of law, there were no laws regulating or forbidding economic/financial-credit of the Jews *found of the Portuguese Cortes under Fernando I*.

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<sup>188</sup> Ibid., p 275-276.

<sup>189</sup> LADERO QUESADA, Miguel Ángel (2009). *La Hacienda Real de Castilla: 1369-1504: Estudios y documentos*. Real Academia de la Historia, p 772. According to Ladero Quesada these officials were: Don Alfonso Pérez de Guzmán, Fernán Sánchez de Tovar, Ruy Pérez de Esquivel, Alfonso Sánchez, el almojarife Ferrand García Abentall, Alfonso Pérez Martel, el genovés Arguis de Goce, Juan Rodríguez, Lope Vélez, Francisco Bernat, amongst many others. VALDEÓN BARUQUE, Julio. "Un Cuaderno de Cuentas de Enrique II" in *Hispania – Revista Española de Historia*, Tirada aparte del tomo XXVI: Madrid, 1966, p 5. The *Casa de Cuentas* was an authentic Accounts House or office. The *Cuaderno de Cuentas de Enrique II* shows us that the function of the royal treasury was to review and revise the royal accounting. In charge of it were two important officers, the senior accountants, who would annotate in their books the revenue, debts, expenses, etc. As such, the previous notion that the *Casa de Cuentas* came into existence only in 15th century, has been revamped and the *Cuaderno de Cuentas* clearly shows that it already existed in the second half of the 14th century.

<sup>190</sup> *Cortes de los antiguos Reinos de León y Castilla*, t. 2 (1863), p 276.

#### **4. Basis/Foundation of Confessional (Religious) Inferiority and the Discrimination towards the practice of non-Christian religion**

Under the aforementioned legislation, there were none found passed during the reigns of Enrique II of Castile or Fernando I of Portugal. Even though Ordinance N° 2 of the *Cortes* of Toro in 1371 classified the Jews as an insolent and evil people, enemies of God and of all of Christianity, who committed evil acts and misdeeds that hurt the land or at least most of it and that the Jews did this disdaining Christians and the Catholic faith, it did not state that claim that the Jews belonged to a faith that was inferior, although implicit as it accused the Jews to disdain Christ and to be inherently evil, it also did discriminate towards the actual day-to-day practice of Judaism.

In the first article at the *Cortes* of Soria in 1380, the municipal procurators complained that the Jews purportedly would make morning prayers from their scriptures and the Talmud damning Christians. The municipal procurators called the Jews heretics, which is a misconception as Judaism is not a heresy of Christianity. The king banned Jews from reciting such passages and had to cross out such prayers from their recital books. Any Jew caught reciting such prayers would be flogged 100 times and if any Jew would be found with such prayers in their prayer books, then he would be fined 3000 maravedis.<sup>191</sup>

At the *Cortes* of Soria in 1380, the municipal procurators in Article N°3 requested from the king that the Jews not circumcise their Muslim or Tartar slaves. The king acquiesced by stating that any Jew, who would circumcise a Muslim and Tartar slave, would lose their own freedom.<sup>192</sup>

No Acts found in the Portuguese *Cortes* of this period that declared the confessional inferiority and discrimination towards the practice of a non-Christian religion.

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<sup>191</sup> *Cortes de los antiguos Reinos de León y Castilla*, t.2 (1863), p 311.

<sup>192</sup> *Ibid.*, p 312.

## **5. Limitations on the daily dealings between Jews and Christians and Segregation of the Jewish Minority**

At the Castilian Cortes of Toro in 1371, Ordinance N°2 – as a continuation of the aforementioned petition to extract Jewish officials from the courts of the Crown and nobility, the municipal procurators demanded that the Jews wear distinctive signs, as in other Christian kingdoms, so as to distinguish them from Christians and reduce the actual physical contact between the two confessional groups. Another request was that the Jews not wear fine clothes or that they ride on mules, so that they would not be confused with Christians. Finally, that no Jew or Muslim (Moor) have a Christian name. The king responded that he agreed to the request that no Jew or Muslim be that daring to use Christian names. In terms of wearing distinctive signs on their clothes, in order to differentiate them from Christians, the king agreed in principle and that the Jews would have to wear the signs that the Crown would develop.<sup>193</sup> Even though the municipal procurators tried to forbid Jews from residing in the palaces of the nobility, the king refused to concede to such demands and allowed the Jews to dwell in the same homes of the nobility if both parties wanted to do so.<sup>194</sup>

At the Portuguese Cortes of Lisbon in 1371, in art. n° 85, the municipal procurators reminded Fernando I that his father Pedro I had legislated that Jews wear distinctive signs on their clothes over their chests. The king agreed that such an ordinance would be respected. However, the Portuguese kings had granted certain Jews the right not to wear the designating signs on their chests via royal letters. Upon complaints from Christian mothers, King Fernando revoked the further granting of such letters.<sup>195</sup> Once again, no derogatory or pejorative terms were used to describe the Jews, in spite of restrictive laws.

At the Castilian Cortes celebrated in Soria in 1380, Juan I approved in Article 11 the restrictive measures of not allowing Christian children being raised by either Muslims or Jews. However, the king allowed for Christians to reside in the homes or premises of Jews if it was to work on their farms or to accompany them from one area to another in order to provide protection from verbal abuse or physical harm, including dishonor (rape?) and

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<sup>193</sup> *Cortes de los antiguos Reinos de León y Castilla*, t. 2 (1863), p 204.

<sup>194</sup> *Ibid.*, p 281-282.

<sup>195</sup> *Cortes Portuguesas Reinado de D. Fernando* (1990), p 55-56.

death.<sup>196</sup> Here investigators can see, not only how the traditional royal attitude of protecting the Jews, but how the second Trastámara monarch recognized the dangers the Jews were exposed to on a daily basis by possible attacks by Christian mobs, bandits or thieves, who would abuse the fact of the Jews as being non-believers of Christ in order to commit crimes. This is further evidence that the situation after the dynastic war did not return to normal as been hoped for by Enrique II.

In a move to protect former Jews who had converted to Christianity from harassment and persecution from “Old” Christians and Jews, Article 21 of the Cortes of Soria in 1380, the municipal prosecutors petitioned that the king impose punishment, as he deemed fit. The king responded that anyone caught calling converts “marranos” or “tornadiços” (turncoats) would be fined 300 maravedis each time he/she said it.<sup>197</sup> Even though the legal measure was to protect former Jews or “New” Christians from abuse, it demonstrates the desire to maintain law and social order from both the municipal procurators and the Crown.

After the death of wife of Castilian king Juan I, he decided to change the previous treaties or nuptial contracts of Torres Novas of 1380 between the heir to the Portuguese throne, Dona Beatriz, and his son, Infante Don Enrique (future Enrique III)<sup>198</sup> and impose his will by coercing the frail and ailing Portuguese monarch into signing a new nuptial contract, in which the adult Castilian king would marry the child, Dona Beatriz of Portugal in 1383. There are two things noticeable in these two documents. In terms of the situation of court Jews in Portugal, Fernando I entrusted one of his favorites, in this case with Lopo Martins, to act as a witness to an important treaty signed between two kingdoms. In this occasion the marriage between the king of Castile, Juan I, and the daughter of Fernando I of Portugal, Dona Beatriz. According to Marcello Caetano, King Fernando I was not present during negotiations, signing and swearing of the treaty due to his ailment.<sup>199</sup> Also noticeable was that the documentation is only to be found in the General Archives in Simancas (Spain) and not in Torre de Tombo, Lisbon. To some historians, it is believed that most likely the new dynasty of João de Avis,

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<sup>196</sup> *Cortes de los Antiguos Reinos de León y Castilla*, t. 2 (1863), p 305.

<sup>197</sup> *Cortes de los Antiguos Reinos de León y Castilla*, t. 2 (1863), p 309.

<sup>198</sup> *Cortes Portuguesas. Reinado de D. Fernando* (1990), p 167-169.

<sup>199</sup> CAETANO, Marcello (1981). *História do Direito Português (1140-1495)*, Editorial VERBO, p 320.

destroyed the documentation legitimizing such nuptial arrangements as to legitimize the new dynasty and erase the sham to the nation of such accords.<sup>200</sup>

In the *Cortes* of 1383 (Santarém): *Procuração do Concelho de Castelo Bom*, the prominent Jew, Lopo Martins, is mentioned as a *vereador* or member of the municipal chamber of the aforementioned town. The occasion was the signing of the document agreeing to the marriage of the King of Castile, Juan I, and the daughter of the King of Portugal, Fernando I. The document was signed 19 July 1383 and is kept in the Archivo General of Simancas, Patronato Real, leg., 48, fl. 16.<sup>201</sup>

In the *Procuração do Concelho de Lisboa*, once again agreements were signed detailing the reasons behind the marriage between the Infanta (Crown princess) of Portugal and the King of Castile, Juan I, as Fernando I of Portugal did not have a legitimate male heir to inherit the throne of Portugal. Lopo Martins once again was present during the signing of documents, stating that the heirs from the marriage would inherit the throne of Portugal. The document was signed 4 August 1383 and is kept in the Archivo General of Simancas, Patronato Real, leg., 48, fl. 41.<sup>202</sup>

It is these series of treaties that would lead to disagreement amongst the different social orders in Portugal after Fernando I's death of who would be the actual successor of the Portuguese throne. A further analysis of the dynastic crisis and war will be analyzed in the following chapter.

### ***Comparison of Castilian and Portuguese Jewish Legislation***

When comparing Portuguese Court acts and their Castilian counterparts, one finds certain similarities and differences. In terms of the Administrative and Professional discrimination, one can apply Monsalvo Antón's findings in that traditional historiography had exaggerated

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<sup>200</sup> OLIVERA SERRANO, César (2020). Crisis Dinásticas y Parlamentarismo en Castilla, Portugal y Aragón (1369-1412). In *Cortes y Parlamentos en la Edad Media peninsular*. Sociedad Española de Estudios Medievales, 12. Coordinadores: Germán Navarro Espinach y Concepción Villanueva Morte, p 347.

<sup>201</sup> *Cortes Portuguesas. Reinado de D. Fernando*, vol. II (1993). Junta Nacional de Investigação Científica e Tecnológica. Centro de Estudos Históricos. Faculdade de Ciências Sociais e Humanas: Universidade Nova de Lisboa, p 77-82, Lopo Martins appears on p 77.

<sup>202</sup> *Cortes Portuguesas. Reinado de D. Fernando*, vol. II (1993), p 167-172; Lopo Martins appears on p 171.

the amount of Jewish presence in tax and rent collection. In reality, Jewish presence was that of a minority within a minority. This was applicable to both royal, as well as seignorial tax and rent collection. Once again, Jewish presence in these domains was disproportionate to the proportion of Jews of the total population. This, in part, can explain Christian *perception* of the role the Jews played in the collection of taxes and rents. As such, Christians *perceived* Jewish presence in this domain as excessive. Jews would be viewed as dominating, controlling tax and rent collection and arbitrarily exploiting the defenseless Christian majority. In other words, Jews, as an entire social group, would be portrayed as vicious beasts preying on the helpless Christian victims, exposed to the archetypical Christ-hating Jews. This was evident at the Cortes of Toro in 1371, when the Jews were attacked in Article N° 2 as being *insolent and evil* and who were *enemies of God and Christianity*.<sup>203</sup> As a result, Jewish daily contact with the common people would become and remain strained throughout the rest of the late Middle Ages.

This would reflect in the difficulties that some rent and tax payers had in making payments, as well as coming into conflict with those Christian tax and rent collectors in competing for positions in certain districts. It must be pointed out that these positions were semi-official and only temporary, which led to a heavy competition amongst competitors. This, in turn, led to the reinforcement of established anti-Judaic stereotypes amongst the majority Christian population. Making matters worse, was the Jewish role in money-lending and the persistent accusations of committing acts of usury.

However, unlike the Castilian Acts of the Cortes, which constantly demanded that Jews be removed, the Portuguese Acts of the Cortes did not reflect these types of demands until the Cortes of Lisbon of 1371, Article 59, folio 8, in which King Fernando I was requested to revoke the right for Jews and Muslims to collect taxes and rents, as it went against the law in which Jews and Muslims could have positions of office over Christians. This law was encapsulated in the previous article, Article 58 of that same Lisbon Cortes of 1371 in that no Jew or Muslim could have “lordship” (*senhorio*) over Christians. However, the king responded that the municipal procurators would have to wait for a decision as previous kings

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<sup>203</sup> *Cortes de los Antiguos Reinos de León y Castilla*, t. 2 (1863), p 311.

had granted Muslims and Jews these rights.<sup>204</sup> These two Cortes acts, that came out relatively late in comparison to neighboring Castile, testify to what extent the Portuguese monarchy was more tolerant towards its Jewish minority. It must be remembered that these measures were tied with the already existing ecclesiastical legislation in forbidding Jews from exercising their influence over Christians or performing certain tasks that were above the Christians. The difference was that it took over a century and a half to two centuries to be requested in secular Portuguese legislation, as argued by Manuela Santos Silva. In her article, she argued that the affirmation of royal power vis-à-vis the Church was more important to the Portuguese monarchs than submission to ecclesiastical regulations. In this manner, Portuguese monarchs could assert their sovereignty and maintain their jurisdiction over the Jews as their subjects.<sup>205</sup>

However, Monsalvo Antón's, Maria Helena da Cruz Coelho's and Luísa Trindade's explanation of Christian *perception* of the Jewish presence in these financial positions displaced the Christians from occupying these same positions and obtaining financial gains. By removing Jews from such positions, the urban elites could try to separate the privileged group, in this case the Jews, from the powerful landed nobility and the Crown and try to infuse urban tax and rent collectors, as well as maintain the autonomy of the urban centers vis-à-vis the traditional feudal landed elites.<sup>206</sup> The political-economic reason behind removing the Jews from these positions of economic power and political influence would be justified and explained through the reinforcement of the negative Jewish archetype or stereotype of the greedy, avaricious and "blood-sucking" Jew.<sup>207</sup>

It must also be brought up the type of language used to describe Jews and if they were applied to other religious groups, such as Muslims and Christians, especially if these terms were used to describe behaviors and actions and not stereotypes of groups of people. In the Cortes of Porto in 1372, the municipal procurators denounced great landlords (*grandes senhores*), lower nobility (*fidalgos*) and prelates, who would purchase goods at next to nothing and resell them and charge the common people much more. Many instances of such abuses had been taken to

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<sup>204</sup> Cortes Portuguesas Reinado de D. Fernando, vol. I (1990), p 42-43.

<sup>205</sup> SILVA, Manuela Santos (Dec. 2014). Os Judeus e Cultura de Corte em Portugal (séculos XIV e XV). In *O Livro e as interações culturais judaico-cristãs em Portugal no final da Idade Média*, Cátedra de Estudos Sefarditas "Alberto Benveniste", Faculdade de Letras, Universidade de Lisboa, p 63.

<sup>206</sup> MONSALVO ANTÓN, op. cit., 1988, p 158. COELHO, op. cit., 2011, p 1-2. TRINDADE, op. cit., 2006, p 65.

<sup>207</sup> As per Pero López de Ayala's poem in the *Rimado de Palacio* that will be analyzed in next chapters.

the *almotaçaria* (office that fixed prices and measurements) to denounce them. Through such actions, not only were sales taxes lost, but that there would be shortages in cloth, iron, bread and other basic necessities as well. The municipal procurators designated such *acts as maliçia* or *evil*. In other words, the Portuguese municipal procurators were capable of pointing out criminal activities as evil and blame those privileged social orders of such economic abuses and not simply blame the Jews for all of societal ills.<sup>208</sup>

In contrast to the Portuguese Cortes, the municipal procurators at the Castilian Cortes of Burgos in 1377 blamed the Jews for the bad money allegedly issued that had caused great poverty throughout the kingdom, as well as the letters and contracts based on amounts of money that were much more than they had actually paid out to their debtors.<sup>209</sup> These allegations were purportedly committed by the Jews without giving any specific incidents, names of culprits, dates or the place where they supposedly had committed these acts.

To what extent the common people in Portugal were exposed to such negative images or virulent anti-Jewish sermons, anti-Jewish preaching by wandering monks and virulent disputations *based on the available evidence* seems minor compared to Castile. As such, the common people of Portugal were less exposed to the anti-Jewish agitations by official ecclesiastical and secular authorities or people who were accepted as authority figures or leaders. Perhaps, this can explain to a certain extent, why there were less registered demands for the removal of Jews from positions of authority until the third-quarter of the 14<sup>th</sup> century (1371 and 1372) and only three articles were registered in the Acts of the Cortes of Fernando I. In fact, when presented with the unproven allegations that his Jewish council members were not faithfully or loyally serving the Crown, King Fernando I retorted that there was not a single Jew in his council, who did not have his trust or honor (Cortes de Leiria, 1372, Art. N° 22). In terms of how the Portuguese monarchs viewed their Jewish subjects, not only is there the claim made by Fernando I, but also that of João I registered in the *Chancelaria de D. João I*, L°4, fol. 64v, that the Jews were and are an integral part of the royal chambers and, as such, are protected and defended by the Crown.<sup>210</sup>

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<sup>208</sup> *Cortes Portuguesas Reinado de D. Fernando*, v. I (1990), p 84-85.

<sup>209</sup> *Cortes de los Antiguos Reinos de León y Castilla*, t. 2 (1863), p 275-276.

<sup>210</sup> SILVA (2014), p 65.

See Appendices II, Chapter 5.C.1. for the detailed charts comparing the anti-Jewish legislation of the two kingdoms.

### ***5.C.3. Ecclesiastical Legislation 1369-1383***

As in the previous chapter, no entries of any synods were recorded that dealt with the Jewish question in either Castile or Portugal.<sup>211</sup> This lack of information can be due to a lack of written documentation due to loss or destruction of texts. Nonetheless, there was legislation from this period. They consist of dispositions released by the archbishop of Toledo, Don Gutierre, on 19 December 1377.<sup>212</sup> These consisted of a series of bans on any type of daily communication or transactions between Christians and the other religious communities of Jews and Muslims (Moors). The purpose was to exclude, marginalize, segregate, villainize and isolate Muslims and Jews. It demonstrates the continued anti-Jewish (and anti-Muslim) stance of the different social echelons of Castile after the dynastic war and that the kingdom had not reverted to an ante-bellum situation in terms of the population's approach to the Jews.

Under the threat of excommunication, Christians could not protect or defend Jews from being expelled from churches once mass had started. The same applied for allowing Jews or Muslims (Moors) into holding public office. Christian merchants would be excommunicated for delivering food to the Muslims. Any Christian, who had Jewish or Muslim concubines, would be excommunicated. Christians would also be excommunicated if they brought up or reared Jewish or Muslim children or those Jewish and Muslim children that lived in Christian homes. Finally, Christians would be excommunicated if they gave or lent merchandise, money or other things that the Jews or Muslims (Moors) could use for usury and that would share in the profit from such activities.<sup>213</sup> However, not all of the dispositions were targeted at the religious minorities, but towards one of the major issues of the period, which seems to

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<sup>211</sup> MARQUES, A.H. Oliveira (1987). *Portugal na Crise dos Séculos XIV e XV*. Nova História de Portugal, vol. IV. Direcção de SERRÃO, Joel e A.H. Oliveira MARQUES. Editorial Presença, p 376.

<sup>212</sup> RUIZ de la PEÑA, J.I. (1974). La política antijudaica del obispo don Gutierre de Toledo (1377-1389). *Archivos Leonese*, nº 55-56, p 268. MITRE FERNÁNDEZ, Emilio (1994). *Los Judíos de Castilla en tiempo de Enrique III. El Pogrom de 1391*. Secretariado de Publicaciones: Universidad de Valladolid, p 101.

<sup>213</sup> RUIZ de la PEÑA (1974), p 268. MITRE FERNÁNDEZ (1994), p 101.

have been bigamy or having many concubines. Christian men, who had Christian women as second or third wives or as concubines, would be excommunicated.

Besides the traditional ecclesiastical banning of certain contacts between Christians and other religious minorities, these dispositions of 1377 clearly demonstrate the intensity of the anti-Jewish hostility after the dynastic war and Enrique II's attempts to reverse the damage that he had unleashed and inflicted upon the Jewish communities of Castile. As reflected in the numerous legal propositions presented by the municipal procurators at the different Cortes sessions during this period, the ecclesiastical legislation, along with the vitriolic and hateful preaching of Archdeacon Ferrán Martínez in Écija and Seville from 1378 to 1391, indicate that the negative view of the Jews had not peaked nor decreased, but, on the contrary, had intensified and increased. They were so intense, that two Castilian kings, Enrique II and Juan I, as well as the Archbishop of Seville, Barroso, had to intervene through *albalás* and even a trial, in the attempts to stop the indefatigable anti-Jewish crusade of the archdeacon. These developments would continue to worsen as the years would progress and which will be analyzed in the following chapter.

#### **Ch. 5.D. Portuguese Chancelleries under Fernando I**

As mentioned in the main body and in previous chapters, the majority of diplomas expedited were charter rights granted to individuals, families, communities or groups. These could be the right to rent or lease land, buildings or services. Rarely were they anti-Judaic in nature. The most important diploma expedited was on the rights granted to the Chief Rabbi of the Kingdom of Portugal that gave him many plenary rights and privileges, such as having the royal seal for letters. This demonstrates the king's complete confidence in the chief rabbi's decision-making concerning all of the Jewish communities in his realm. This seems to be counter all of the legislation occurring in Castile, not only restricting the Jews, but stripping them more of their rights and privileges.

### ***Charter Rights to Jewish Communities***

Charter rights granting or confirming *forais* of the Jews in the form of letters: Lisbon, Santarém, Beja, Coimbra, Tavira, Elvas, Guarda<sup>214</sup>, Leiria<sup>215</sup> and Trancoso<sup>216</sup>. The Jewish quarter of Alfama was acknowledged as such.<sup>217</sup> In the Old Jewish Quarter (*judiaria velha*), King Fernando I ordered two gates be created, one by the Church of Saint Nicholas (S. Nicolau).<sup>218</sup>

Many of the diplomas written were about the privileges or rights granted to the kingdom's Jews. An important diploma from the chancelleries of Fernando I and his fair treatment of the Jews dealt with the issue of the New Synagogue of the Alfama Jewish quarter in Lisbon. Apparently, there was an investigation that was conducted to resolve the issue if there had been written permission to build it. As there was no clarity in the issue, the Jews of the community did not have to pay the fine of 50 gold pounds.<sup>219</sup> According to M<sup>a</sup> José Ferro Tavares, there is no evidence if the synagogue, which was located by the Saint Peter's tower, was ever shut down.<sup>220</sup>

Cross-referencing the complaints presented at the *Cortes* of certain Jews exempted by royal charter or diploma of not wearing distinctive signs on their clothes, King Fernando I exempted four Lisbon Jews from wearing them as the other Jews were obliged to wear. These two Jews were: José Romão and "Çapateri"<sup>221</sup> and two other Jews who were rent collectors, Isaac Belamy and Adão Almilibi.<sup>222</sup>

### ***Jews in the Portuguese Economy***

Viticulture was an important aspect of Jewish life and their role in the Portuguese economy. Diplomas mentioning Jewish vineyards and warehouses were dispensed by the Crown during

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<sup>214</sup> ANTT, *Chancelaria de D. Fernando*, liv. I, fol. 37; fol. 37v<sup>o</sup>; fol. 38; fol. 38v<sup>o</sup>; fol. 39; fol. 40; fol. 40 in this respective order.

<sup>215</sup> *Ibid.*, liv. IV, fol. 26v<sup>o</sup>.

<sup>216</sup> *Ibid.*, liv. I, fol. 84.

<sup>217</sup> *Ibid.*, liv. I, fol. 21v<sup>o</sup>.

<sup>218</sup> ANTT, *Chancelaria de D. Fernando*, liv. I, fol. 63-63v<sup>o</sup>.

<sup>219</sup> ANTT, *Chancelaria de D. Fernando*, liv. II, fls. 53v<sup>o</sup>-54.

<sup>220</sup> TAVARES (2000), p 60.

<sup>221</sup> ANTT, *Chancelaria de D. Fernando*, liv. IV, fl. 4

<sup>222</sup> ANTT, *Gaveta 10*, maço doc. N<sup>o</sup> 17, fls. 1-2v<sup>o</sup>.

the reign of Fernando I.<sup>223</sup> In Tavira, Jews had extensive vineyards, which was verified by a diploma of 1382.<sup>224</sup> However, there would be certain restrictions placed on certain transactions between Christians and Jews. A prominent Jew from Tavira, D. Juça Cabeçudo, hired the Christian Gomes Galego for some services and was paid with a barrel of wine as his salary, which he could sell outside of the Jewish quarter.<sup>225</sup> The wine barrel that was given by Dom Juça Cabeçudo as payment for services rendered by Gomes Galego was forbidden by the municipal council of Tavira in 1381, as purportedly it went against a municipal ordinance of 1362. The Jewish community placed a formal complaint to the Crown that presented a royal dispensation by the king's father, D. Pedro I, as well as two royal letters from the current king, D. Fernando I, that allowed the Jews to sell or give their wine to whomsoever they chose. King Fernando I confirmed the right that the Jews had been given as the Jews contributed to the royal treasures from the sales of such wines.<sup>226</sup> In terms of other professions, the confirmation of blacksmiths in the Jewish quarter of Lisbon was recorded in the chancelleries,<sup>227</sup> as well as some Jews dedicated to royal professions, such as a certain Isaac, who was the king's shoemaker.<sup>228</sup>

### ***Jewish Quarters***

In terms of Jews residing or working outside of the Jewish quarters, King Fernando leased (*aforamento*) to his treasurer and chief rabbi, Dom Judas, some houses outside of the walls of the Jewish quarters on the Rua de S. Nicolau, right by the main gate.<sup>229</sup> As possible evidence of a Christian living amongst Jews in Jewish quarters, there are some diplomas from the chancellery. In the New Jewish Quarter close to Terreiro do Paço, a shop was leased by the Crown (*aforamento*) to a certain rope maker by the name of Luís.<sup>230</sup> The almoxarife, João Rodrigues rented some houses in this quarter, as well as the merchant, Reinaldo Eanes.<sup>231</sup> The chief rabbi Moisés Navarro rented some houses to the notary public, Francisco Martins.<sup>232</sup>

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<sup>223</sup> ANTT, *Chancelaria de D. Fernando*, liv. I, fls. 185 & 200.

<sup>224</sup> *Ibid.*, liv. III, fl. 51v<sup>o</sup>.

<sup>225</sup> *Ibid.*, liv. III, fl. 53v<sup>o</sup>.

<sup>226</sup> *Ibid.*, liv. I., fl. 53v<sup>o</sup>.

<sup>227</sup> ANTT, *Chancelaria de D. Fernando*, liv. I, fls. 25v<sup>o</sup> & 36.

<sup>228</sup> *Ibid.*, liv. II, fl. 16.

<sup>229</sup> *Ibid.*, liv. I, fl. 173.

<sup>230</sup> *Ibid.*, liv. I, fl. 29v<sup>o</sup>.

<sup>231</sup> *Ibid.*, liv. III, fls. 137-137v<sup>o</sup>.

<sup>232</sup> *Ibid.*, liv. I, fls. 163-163v<sup>o</sup>.

The Royal Chancellery of Fernando I provided evidence that Jews employed Christians, in spite of an ordinance of 1211 from the reign of Afonso II that banned such employment.<sup>233</sup> Through the contracts of the chief rabbi,<sup>234</sup> Jewish renters and rent farmers,<sup>235</sup> there is evidence that Christian officials and magistrates performed services for the Jews. One particular case was that of the notary public, João Vicente, who worked for Jewish rent farmers.<sup>236</sup> In another instance, a prominent Jew from Tavira, D. Juça Cabeçudo, hired the Christian Gomes Galego for some services and was paid with a barrel of wine as his salary, which he could sell outside of the Jewish quarter.<sup>237</sup>

### ***Rights Granted to Lisbon Jews***

The Lisbon Jews were guaranteed their own butcheries and slaughter houses (close to the Fotea well or *poço*),<sup>238</sup> which were destroyed in 1373 due to the invading Castilian forces of Enrique II.<sup>239</sup> Afterwards, they would be built in a different locality close to the Rua Correaria, where cloth was dyed.<sup>240</sup> The large Jewish quarter had many shops that cater to daily needs, such as blacksmiths, dyeing and bookshops.<sup>241</sup> There is documentation of a property exchange in 1376 via an *emprazamento* (lease contract) of a one-story building in *Poço de Fotea* in the Old Jewish Quarter in Lisbon between a certain Jewish merchant, D. Yuhda. The importance of this contract is the locality of the building as it was close to a busy business street, the Rua do Picoto. The Poço de Fotea was also the location of a school, next to a small synagogue of Poio, where Jewish children learned how to read and write. Unfortunately, the contract did not specify which Dom Yuhda it was. Due to the importance of the location of the lease and the date (1376), some investigators have speculated that it

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<sup>233</sup> *Livro das Leis e Posturas* (1971), p 19.

<sup>234</sup> ANTT, *Chancelaria de D. Fernando*, liv. I, fls., 132-132vº.

<sup>235</sup> *Ibid.*, liv. III, fls. 1-1vº, 2, 3-3vº, 7-7vº, 10vº-11.

<sup>236</sup> *Ibid.*, liv. I, fl. 123.

<sup>237</sup> *Ibid.*, liv. III, fl. 53vº.

<sup>238</sup> ANTT, *Chancelaria de D. Fernando*, liv. I, fl. 41 vº. SILVA, A. Viera da (1899-1900). "A Judiaria velha de Lisboa. Estudo topographico sobre a antiga Lisboa" in *O Archeologo Português*, vol. V, p 232. FERREIRA (2018), p 48. TAVARES (2000), p 48.

<sup>239</sup> ANTT, *Estremadura*, liv. XI, fl. 201. TAVARES, op. cit., 2000, p 48.

<sup>240</sup> VIERA da SILVA (1899-1900), p 233.

<sup>241</sup> ANTT, *Chancelaria de D. Fernando*, liv. I, fls. 25vº & 36; liv. II, fl. 63vº. VIERA da SILVA (1899-1900), p 217-230.

could have been Yehuda b. Menir (Yuhda Aben-Menir) or Yuhda Negro, another wealthy Jewish merchant.<sup>242</sup>

### ***Responsibilities of the Chief Rabbi of Portugal***

According to Fernando I's Chief Rabbi (rabi-mor), D. Judas Aben Menir, the responsibilities were: D. Judas could expedite "direct" letters in the name of the king concerning civil matters amongst Jews and signed by the Chief Rabbi and sealed with the royal seal; however, the Chief Rabbi could not grant pardons or safety of conducts; It was within his role to correct in all of the localities under his jurisdiction all of the injustices committed to the Jewish communities (*comunas*) and their belongings/property and to judge over rabbis and some of the powerful Jews that the rabbis of those localities claim that they could not pass judgment. If both parties were satisfied with the sentencing, the Chief Rabbi would write a letter confirming it, sign it in the name of the king and seal it with the royal seal. In case both parties would like to appeal sentences in civil cases to the king, they could do so. However, criminal cases had to be brought to royal justices.<sup>243</sup>

However, it was forbidden to pass judgment on cases outside of the Jewish quarters where they occurred. In case the Chief Rabbi could not be present, he would delegate his responsibility to a prominent Jew of that locality, in which both would be satisfied and assigned at a convenient time without causing damages or harm to the parties.<sup>244</sup> The Chief Rabbi confirmed the yearly election of communal rabbis via a letter in the name of the Crown, signed by the Chief Rabbi and sealed with the royal seal.<sup>245</sup>

The Chief Rabbi was the intermediary between the other rabbis of the different communities, as well as the civil and criminal appeals, as these should only reach the king only after they

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<sup>242</sup> A.N.T.T., *Mosteiro de Chelas*, maço 41, doc. 811.

<sup>243</sup> ANTT. *Chancelaria de D. Fernando*, liv. I, fol. 132. TAVARES (2000), p 31. Also see: ANTT. *Chancelaria de D. Fernando*, liv. III, fol. 6v<sup>o</sup>. TAVARES (2000), p 33. *Ordenações Afonsinas* (1984). Liv. 2, tit. 81, p 476-491. On 22 February 1382 King Fernando I expedited a royal letter from Évora in which he granted the Chief Rabbi, D. Judas Aben Menir, the right to use seal, in the same manner as the *merinhos* and *corregedores* and the capacity to arrest and incarcerate any Jews who would be guilty of a crime. The king also allowed the Grand Rabbi and his *ouvidor* to create a chancellery of letters that should be kept in the same manner as the royal *merinhos*, as well as to incarcerate Jews and levy the tithes the Jews had to pay.

<sup>244</sup> ANTT. *Chancelaria de D. Fernando*, liv. I, fol. 132. TAVARES (2000), p 32. "a huum boom homem judeu do lugar onde os dictos feitos forem, ao mais prazer das partes que o fazer puder, ao qual assigne tempo convinhável a que os possa livrar pera averem acabamentoo sem dapno das partes."

<sup>245</sup> ANTT. *Chancelaria de D. Fernando*, liv. I, fol. 132. TAVARES (2000), p 32.

had gone through the Chief Rabbi. If the community rabbis should not want the appeals to civil cases to reach the Crown and leave it to the decision of the Chief Rabbi, then the rabbis were to send the letters with the sentencing and let the Chief Rabbi pass judgment and seal them with the royal seal.<sup>246</sup>

The Chief Rabbi could bring a Christian or Jewish bailiff to deliver sentences with royal seals and seize goods.<sup>247</sup> They must bring a sworn-in scribe, Christian or Jew, who was trained in his profession and was of solid reputation and who could keep the seals for the letters as ruled by the ordinances of the court scribes.<sup>248</sup> It is the Chief Rabbi's responsibility to facilitate and dispense appeals without delay or malice in that the parties involved do not suffer prejudice and should not feel compelled to complain to the Crown.<sup>249</sup> It is the Chief Rabbi's responsibility to call for an assembly of the Jewish communes, whenever he deemed necessary to resolve issues concerning service to the Crown.<sup>250</sup>

### ***Responsibilities of The Royal Tax and Rent Farmers/Collectors***

There were common clauses that applied to all tax and rent contracts. These ranged from the duration of contracts (usually from 2-3 years but could be of 1 year and up to 5 years); the taxes to be collected were proclaimed in every locality where they were supposed to be collected and the actual collection time would be anything from 2 to 4 months after the publication of the tax and rent collection. Also, the rent or tax farmer acted as a guarantor to the amount of taxes or rents to be paid to the Crown. Actual payments were paid every trimester of each year and to be delivered in arcs with two to three keys. The rent or tax farmers had a scribe, who could either be Jewish or Christian. The most significant problem was that of refusal to pay the *sisas* by the nobility and upper clergy, who felt that they were not obliged to do so, even though *sisas* were applicable to all social orders. Another issue was that of merchants, who sold their goods and wares clandestinely in order to avoid taxes. In that case, the responsibility to investigate fell into the jurisdiction of royal collections.

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<sup>246</sup> ANTT. *Chancelaria de D. Fernando*, liv. I, fol. 132. TAVARES (2000), p 32.

<sup>247</sup> ANTT. *Chancelaria de D. Fernando*, liv. I, fol. 132.

<sup>248</sup> Ibid.

<sup>249</sup> ANTT. *Chancelaria de D. Fernando*, liv. I, fol. 132.

<sup>250</sup> Ibid.

Finally, and most interesting, that the tax and rent collectors were allowed, when travelling between towns and cities, to bear arms.<sup>251</sup>

The royal chancelleries also recorded the awarding of tax and rent collection to certain wealthy Jews.<sup>252</sup> The chancelleries of Fernando I also provided the details of the contract signed by a prominent Jew, Juça Alfaque, in 1383 to become the rent and tax farmer for the entire Algarve region. Many of the clauses and provisions were similar, but more extensive than the ones already mentioned. Once again, what is important to denote was that Juça Alfaque and his accompanying associates could bear any type of arms that they required to travel across the Algarve.<sup>253</sup> This is a major difference to the treatment of Jews at this period in Castile, who did not have the right to bear arms.

## **Ch. 5.E. Municipal Portuguese Legislation**

### ***Ch. 5. E. 1. Lisbon: Livro Dos Pregos 1369-1383***

As previously mentioned, the *Livro dos Pregos* (Book of Nails) is based on the city documents that were transcribed into one compendium from the royal charter granted to the city by the first king of Portugal, Dom Afonso Henriques in 1179 to the final document in 1548. The majority of the documents came from the monarchs and consists of charters, letters, privileges, favors and chapters granted by the royal courts.

Document 98, 15 February 1381, folios 109-119 is a copy of a letter or charter sent to the city councilor of the public treasury to begin an enquiry to clarify certain doubts between the king, Dom Fernando I and the Lisbon council about the charging of certain toll rights (p 201). The

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<sup>251</sup> ANTT, *Chancelaria de D. Fernando*, liv. III, fls. 1v<sup>o</sup>-2, 3-3v<sup>o</sup>, 7-7<sup>o</sup>, 10v<sup>o</sup>-11, 19-19v<sup>o</sup>, 23v<sup>o</sup>, 25v<sup>o</sup>, 28, 33v<sup>o</sup>-34.

<sup>252</sup> One such a case was that of Abraão Selama from Vila Franca de Xira who rented for three years the general *sisas* and the wine *sisas*: ANTT, *Chancelaria de D. Fernando*, liv. III, fl. 30v<sup>o</sup>; Abraão Alfarime from Monsaraz, who rented for two years the almoxarifados of Monsaraz: ANTT, *Chancelaria de D. Fernando*, liv. III, fl. 34v<sup>o</sup>; Isaac Azerique of Santarém, received the post of rent collector of that township that Dom Juda, chief royal treasurer, and Salomão Negro had held years before: ANTT, *Chancelaria de D. Fernando*, liv. III, fls. 71-72; Abraão beladeu and Juça Alfaquiz from Lisbon for the general *sisas* and wine *sisas*: ANTT, *Chancelaria de D. Fernando*, liv. III, fls. 71-72.

<sup>253</sup> ANTT, *Chancelaria de D. Fernando*, liv. III, fl. 80. Also, under Juça Alfaque's authority were all of the royal buildings of customs, tolls, warehouses, wind and water mills, and slaughterhouses. The manuscript went on to explain in detail how bakers, fruit and vegetable merchants, wine and fish vendors, as well as butchers had to pay their respective *sisas*. Perhaps most interesting, was the final clause that stipulated that if the king or any of his successors violated any of the agreed upon conditions, then Juça Alfaquim could abandon the contract and simply pay the amount registered in the books.

text mentions the king's treasurer and Chief Rabbi, Dom Yehuda, before mentioning Lopo Martins as the royal toll keeper since being nominated to that office by the previous king, Dom Pedro I. It seemed that Lopo Martins had been charging too much toll that was not assigned to him, even though he claimed that it was within his rights to do so. However, after sworn testimony from other witnesses and an accounting book that showed discrepancies, the king sought to clarify the lingering doubts he had (p 202-203). Witnesses, who had sworn under oath that Lopo Martins did not have the royal permits (*alvarás*), made them pay different tolls (p 203). Lopo Martins claimed that he could not recall the matter. He was mentioned once again on page 204 about witnesses not remembering about Lopo Martins having permission from the king to charge differently.

What is important about this text is how the record did not judge him or portray negatively due to his Jewish religion. As in other Western European kingdoms, there was no attempt to connect his religion with the apparent discrepancies in accounting and to present it as something "inherent" in the Jewish character of trying to deceive the king. There was no use of terms as "malicious" or "malign" or "deceitful" in the text, nor were pejorative expressions, such as "enemies of God and Christians" used, nor were there any references to Jews as "dogs" or "pigs" as was in the case of many Western European societies. As such, the written record of the portrayal of Jews in Portugal would differ from that of many other kingdoms in Western Europe, especially when compared to neighboring Castile.

#### ***Ch. 5.E.2. Posturas Municipais Portuguesas (Évora)***

The book *Posturas Municipais portuguesas (séculos XIV-XVIII)* published by Maria Filomena Lopes de Barros and Mário Viana at the Centro Interdisciplinar de História, Culturas e Sociedades in 2012 presents the printed texts of laws and ordinances from old manuscripts from the 13<sup>th</sup> to 18<sup>th</sup> centuries in their original archaic language, as well as detailed analysis of these same texts. The book provides the titles and ordinances from the *Livro das Posturas Antigas de Évora* (The Book of Old Depositions of Évora) awarded to certain specific socio-economic groups of the rights, privileges and obligations they had.

These groups ranged from barbers, butchers, bakers, tailors, dyers, tanners, leather and shoemakers, blacksmiths, etc.<sup>254</sup>

***Title of Jewish blacksmiths and set of nails (fl. 46v)***

The document dated 13 October iiiij xbiiij (1378) specifically set a given price to be paid for a set of nails of the currency at the rate of biiij (8) dinheiros (dinars – silver coins) for each nail. The title also set the price for the different types of nails at xbiiij soldos (18 soldos). The title also forbade Jews to use Christians in the collecting of grapes for wine or to have them carry the loads of grapes. Punishment would be the payment of a fine of 10 pounds for those carrying the load or three pounds if they did not know that the contractor was Jewish.<sup>255</sup>

***Ordinance towards the Moors and Jews that would be found afterhours outside of their respective neighborhoods (fl. 64)***

The date bij November mjll e iiiij e xx anos (1382 or 1420) in the Chamber of the Council Palace in the presence of the civil lawyers, Alvaro Mendez and Martim Vicente and criminal justice Lopo Rodriguez Façanha. Also present were Rodrigo Afonso de Brito mayor of the castle and Jassepe Vivas Grand Rabbi (arraby mor) of the aforementioned city. The Grand Rabbi protested how some Jews were arrested and suffered great damages only for having been found outside of their Jewish quarters. As both the Jews and the Moors are servers/servants of the king and would be working /performing services for the monarch far from their respective quarters, then they should be allowed to return to their neighborhoods until they heard the call to prayer would not be punished or brought before a judge. Also, exceptions should be given to physicians, doctors and pharmacists or druggists, who were called by a burgher.<sup>256</sup> This law is reminiscent to the legislation from 1366 under King Pedro I in the *Book of Chancelleries*, item [1147], fol. 126,<sup>257</sup> in which the Jews asked for flexibility

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<sup>254</sup> The codex is a copy that dates to the 17th century (1662) and is deposited at the Arquivo Distrital de Évora (ADE, n° 206). It consists of 80 folios. In terms of its chronology, the book has titles that date back to the end of the 14th century with some municipal council acts that were copied in separate notebooks in 1466.

<sup>255</sup> BARROS, Maria Filomena Lopes de e VIANA, Mário (2012). *Posturas Municipais portuguesas (séculos XIV-XVIII)*. Edição Centro de Estudos Gaspar Frutuoso (CEGF). Centro Interdisciplinar de História, Culturas e Sociedades, p 81.

<sup>256</sup> BARROS (2012), p 97.

<sup>257</sup> *Chancelarias Portuguesas, D. Pedro I* (1984). Instituto Nacional de Investigação Científica, p 544-545.

and leniency towards those Jews merchants, who either travelled afar for business or had their shops far from the Jewish quarters.

In the *Documentos Históricos da Cidade de Évora*, there was a law or postura that dealt with butchers, butcheries and slaughter houses. Although the exact date was not provided, Gabriel Pereira stated that these posturas were from 1375 and 1395, and that the majority were from 1380 to 1382,<sup>258</sup> clearly during the reign of Fernando I.

Postura Nº 3 states the exact times and dates for butchers to bring their cows and oxen to the slaughterhouses to kill. This included the Jews and the Muslims (Moors), where they would have to hang the hides and leather of the animal outside of the doors of their butcher shops and slaughterhouses for one entire day. The law also forbade the slaughter of any sick cattle or any that had wounds.<sup>259</sup>

These laws, besides providing insight into the daily lives and economic activities of Jews and Muslims, also indicate how these religious minorities were treated through the language used to describe them. There was a complete lack of harshness or severity in the terms used to portray the two minorities, but were more rather of fact than descending into vitriol as in many cases in the legislation passed in Castile. These municipal laws also allow investigators to deduce that most likely everyday life between the three confessions was not as tense and hostile as in Castile. Further analysis of legislation, such as diplomas recorded in the royal chancelleries will help provide deeper insight in the treatment of the Jews in Portugal during the reign of Fernando I.

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<sup>258</sup> PEREIRA, Gabriel (1998). *Documentos Históricos da Cidade de Évora*, vol. I. Imprensa Nacional-Casa da Moeda, p 127. BARROS (2012), p 15, according to Francisco Cabral d'Almada in 1662, "Estas posturas antigas, de que no cartorio desta Camara havia pouca ou nenhuma noticia, reduzi a livro, pera que dando o tempo lugar a algum ministro curioso, queira conferi las com as modernas e de todas fazer novo volume, como está pedindo a neccessidade."

<sup>259</sup> PEREIRA (1998), p 129. BARROS (2012), p 16.

## Chapter 6. Dynastic War in Portugal & Increasing Tensions in Castile, 1383-1391

### 6.C. Jewish legislation at the *Cortes* of 1385 in Castile and Portugal

#### 6.C.1. Jewish legislation at the *Cortes* of Valladolid 1385

At the *Cortes* of Valladolid of 1385 that were held towards the end of the catastrophic campaign in Portugal, there were many discriminatory laws towards the Jews. These were petitions N° 3, 9-16. The thesis will classify them according to the five categories established by Monsalvo Antón.

##### ***1. Administrative and Professional discrimination in order to reduce the social and political influence of the Jews.***

Petition N° 9 once again repeated the request that neither Jew nor Muslim could or should hold the positions of officials or treasurer (*almoxarife*) for the king, queen, crown princes, knights, squires, ladies, damsels. Nor were they allowed to be rent or tax collectors, nor accountants that through their subtlety that they would bring through their professions would bring about damage and disservice to the kingdom.<sup>260</sup>

It can be interpreted that through the term *subtlety*, the municipal procurators were implying that Jewish and Muslim officials, treasurers, accountants, etc., were deceiving Christian employers, either the Crown, the aristocracy, knights, squires, noblewomen and damsels. However, there was no actual case or cases presented in these petitions by the municipal procurators, but rather hearsay about the Jews in almost a mechanical and repetitive complaint over the years about the Jews and a continuous attempt to remove the Jewish competition in the official positions of treasurers, rent and tax collectors and accountants.

The king's response was the same as from the *Cortes* de Soria of 1380, that neither the Jews nor the Muslims (Moors) be the treasurers of the King, Queen, Crown Princes nor that they practice any official position in the royal palaces. In order to please the petitioners of this request, neither the Jews nor the Muslims practice any of these professions for the aristocrats,

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<sup>260</sup> *Cortes de los Antiguos Reinos de León y Castilla*, t.2 (1863). Real Academia de la Historia, p 325.

knights, squires, ladies and damsels. Any Jew or Muslim, who did not comply to the law would lose all of their belongings and be physically punished.<sup>261</sup>

## ***2. Judicial Discrimination. Suppression of Jewish Jurisdictional Privileges & Prerogatives.***

In petition n° 16, it was claimed that in certain cities, towns and places in the kingdom that Jews would only use their own judges to try cases between Christians and Jews as they felt that justice would not be served under the municipal judges. The municipal procurators claimed that this caused much harm and damage to the kingdom. It was requested that such Jews appear in front of the municipal judges in order to hear their cases with Christians. The king's response was that the law be applied as it has already been applied.<sup>262</sup>

## ***3. Regulation of interests and pragmatic (execution) on the Economic Activities of the Jews within the scope of Finance-Credit***

Petition n° 11 presented the complaint that certain good men and women (burghers) of good reputation, who were given credit by Jews to purchase clothes and garments and when they were to pay the Jews, the latter claimed that the good men and women had to pay more than what was actually lent or provided as credit for the purchase of clothes and garments. In spite of the Jews swearing what they claimed to be true, this brought much damage to the kingdom, as there was purportedly no truth in what the Jews swore and how much had to be paid. As such, it was petitioned that a good man or good woman (burghers) be believed through their sworn testimony and the testimony of two or three burghers.<sup>263</sup>

In petition n° 12, it was requested that in any debt letters between Christians and Jews, that no such contracts be allowed if there was a Jewish witness. Exceptions would be between Jews, as such contracts caused great damage to the realm. Only contracts that had Christian witnesses and men of good repute are to be allowed. It was petitioned that only debt letters that had been written by the notary public and Christian witnesses of good repute be allowed, as there was no other way to ascertain if the Jew was telling the truth. The king responded that

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<sup>261</sup> *Cortes de los Antiguos Reinos de León y Castilla*, t.2 (1863), p 325-326.

<sup>262</sup> *Ibid.*, p 238-239.

<sup>263</sup> *Ibid.*, p 326.

since in the past under previous kings, Christians had set a precedent by providing false testimony against Jews due to the rivalry and animosity between the two groups, the presence of a Jewish witness would be maintained as established.<sup>264</sup>

In petition n° 13, Christian municipal procurators requested that the previous law that allowed Jews to simply report any stolen or robbed goods and state, who sold it to them, for how much and to retribute the stolen goods to their proper owners. Instead, the municipal procurators stated that such a “privilege” was against the law and claimed that such an attitude allowed for theft and made the Jews complicit in such illegal activities and that there was no punishment for their role in such activities. The municipal procurators wanted Jews to be punished for their part in the crime. The Crown responded that there was no privilege granted in these cases and that the same law be applied to the Jews as to Christians.<sup>265</sup>

Petition n° 14 claimed that Jews were presenting debt letters that were over 10 to 12 years old when they were granted and signed and that were discarded over time. The municipal procurators requested that these letters no longer be considered as valid. King Juan I stated that the laws established by his grandfather, Alfonso XI, at the Cortes de Alcalá de Henares of 1348 be maintained.<sup>266</sup>

Petition n° 15 claimed that in certain parts of the kingdom, Jews had their own collection agents were charging the tithe from the property they had collected from unpaid debts but keeping it for themselves, which led to many court cases. As a result, the municipal procurators petitioned that there should no longer be any collection agents particular to the Jews and that only official collection agents mandated by the municipal judges be allowed. The king responded that it was not an offense or a grievance that the Jews had their own debt collectors. However, the Jewish debt collectors could not claim more than what was owed. If the Jewish debt collectors could not complete the execution of the collection, then they should pay six maravedis<sup>267</sup> (not clear who should pay, if it was the indebted person or the debt collection agent and to whom it should be paid).

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<sup>264</sup> *Cortes de los Antiguos Reinos de León y Castilla*, t.2 (1863), p 326-327.

<sup>265</sup> *Ibid.*, p 327.

<sup>266</sup> *Ibid.*, p 327-328.

<sup>267</sup> *Ibid.*, p 328.

#### ***4. Basis/Foundation of Confessional (Religious) Inferiority and the Discrimination towards the practice of non-Christian religion.***

No such legislation found at the Cortes of 1385.

#### ***5. Limitations on the daily dealings between Jews and Christians and Segregation of the Jewish Minority***

Petition N° 3 attacked the apparent *Convivencia* amongst the three confessions by requesting that they do not eat or drink together, work together or live together. As previous legislation had already established such rules, then it becomes apparent that they were neither followed nor enforced. The king ordered that the previous laws be respected throughout the entire kingdom.<sup>268</sup>

#### ***6.C.2. Jewish legislation at the Cortes of Coimbra 1385***

As there is no register of anti-Jewish legislation from the *Cortes* of Coimbra, in the *Livro dos Pregos* (*Book of Nails*), there appears two pieces of legislation in the Special Chapter of Lisbon that was restrictive towards the Jews in terms of the professions they could exercise (none above a Christian) and to wear distinctive signs on their clothes. The information is found in Document 129, fl. 134v°, Coimbra, 10 April 1385. [*Capítulos especiais de Lisboa das Cortes de Coimbra de 1385*].

#### ***N° 1 Administrative and Professional Discrimination and the Reduction of social and political influence***

Chapter 22 states neither Jews nor Muslims (Moors) are to be employed in any capacity above Christians, either royal or noble. The same applied for being renter collectors or landlords.<sup>269</sup>

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<sup>268</sup> *Cortes de los Antiguos Reinos de León y Castilla*, t.2., (1863), p 322.

<sup>269</sup> *Livro dos Pregos* (2016). Coleção Documentos do Arquivo Municipal de Lisboa 2, p 247.

## ***Nº 5 Limitations on the daily dealings between Jews and Christians and Segregation of the Jewish Minority***

Chapter 23 punishes any Jew or Muslim who refuses to wear the distinctive signs as non-recognition of their religion brought about much damage. No specific type of damage was discussed, which leads the investigator to believe that it was insinuating sexual encounters between members of different religious communities. No specifics were given in terms of the type of punishment.<sup>270</sup>

### ***6.C.3. Portuguese Royal Chancelleries 1383-1385***

What is important from the diplomas of these royal chancelleries was the non-discriminatory attitude of the Portuguese cause led by D. João, Master of Avis, irrespective of religious affiliation. Both Christians and Jews, such as David Negro and Dom Yudá, who sided with the Castilian cause and abandoned the kingdom, had their property confiscated due to disservice to the realm. Those, who chose to remain in service of Dom João were rewarded, regardless of religious confession. An example of that would be Lopo Martins, who was declared squire (escudeiro) of Trancoso in 1385.

#### ***Granting of charter rights to Jewish communities***

As per custom, the chancelleries granted rights and privileges to certain individuals and parties. In the case of the Jews, it was the granting of community rights.<sup>271</sup>

#### **Granting of property to Jews, who remained faithful to the realm**

The granting of property recorded in the royal chancelleries usually involved those property right granted by the Crown. One can see that in document 42 (folio 6 v°.), there was the

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<sup>270</sup> *Livro dos Pregos* (2016). Coleção Documentos do Arquivo Municipal de Lisboa 2, p 247.

<sup>271</sup> *Chancelarias Portuguesas. D. João, v. I, t. 1, 1384-1385*, 1ª edição (2004). Centro de Estudos Históricos: Universidade Nova de Lisboa, p 14-15, p 111, p 195, p 251 – respectively in this order: In document 7 (folio 1), the granting of the right to Alvaro Fernandez Turrechao on 11 February 1384 of providing royal service to the Jewish community of Montemor was recorded. The sheriff and the scribes of aforementioned town are to record the king's decision. In document 219 (folio 26 v°.), the granting charter rights to the Jews of Porto on 20 August 1384. Vasco Gonçalves Camello was granted the right to collect the tributes that the Jews of Porto would owe the king. Gonçalves Camello was also in charge of Gaia and Monxique. Document 376 (folio 50) recorded the charter granting the rights of the Jews of the town of Penamocor on 8 August 1384 and that Martim Vasques de Castelo Branco represented the Crown and was in charge of the community. And finally, document 477 (folio 65 v°.), the rights of protecting the Jewish community of Torre Vedras were granted to João Rodrigues was registered on 2 November 1384.

granting of houses in the Old Jewish Quarter to Judas Navarro that belonged to Davi Algodixe was registered. The document also mentioned that the houses went to Davi Alberto and Samuel Guedalha. Signed in Lisbon: 27 February 1384.<sup>272</sup> The donation of the property and goods in Lisbon and in Chancudo of Samuel Guedelha to João Rodrigues of Lisbon was registered on 8 June 1384. The former had lost his property due to disservice to the kingdom.<sup>273</sup>

### **Confiscation of property of court Jews who left Portugal along with Leonor Teles**

Another important fact of this interregnum period, was the confiscation of property and goods from those members of the nobility and court Jews that sided with the Castilian cause and left the realm to provide their services and loyalty to the King of Castile, Juan I, some of the examples were the confiscation of the property and goods of prominent Jews, such as David Negro and Dom Juda. The first entry in the books of the royal chancelleries dealing with such actions was N° 12 from 6 March 1384, in which David Negro, former almoxarife of King Fernando I, whose property was found after he left the realm and given over to Nuno Alvarez Pereira. The decision had been made due to David Negro's disservice to the king and damages to Lisbon.<sup>274</sup>

Another example can be found in the case of Dom Juda (Yhuda) on 5 April 1384, former royal treasurer to the deceased king Fernando I. All of his property and goods in Santarem were confiscated and handed over to Gonçalo Rodriguez d Abreu. Dom Yuda lost them due to disservice to the realm (o seu deserviço) and for having gone to the king of Castile, enemy and adversary to the kingdom (por se hir pera el rrey de castella emmigo e aversayro destes regnos).<sup>275</sup> Special notice should be given that loss of property was not due to the fact of the two royal officials being Jewish, but to have committed the political crime of disservice to the realm by joining forces with the Castilian cause and abandoning the national territory. In both cases, no pejorative or anti-Semitic terms were used in classifying these two prominent court Jews.

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<sup>272</sup> *Chancelarias Portuguesas. D. João, v. I, t. 1, 1384-1385, 1ª edição (2004), p 32.*

<sup>273</sup> *Ibid.*, p 194.

<sup>274</sup> *Ibid.*, p 16.

<sup>275</sup> *Ibid.*, p 45.

Confirming the neutrality of terms used, other Portuguese officials or noblemen, who lost their property, were designated using the exact same terminology of disservice to the realm by having gone to Castile. Reading the entries into the book of royal chancelleries above and below the entry to David Negro (Nº 12), Pero de Canas of Avis (Nº11) lost all of his landed property and other belongings to Rodrigo Afonso d Oliveira, and in the case of Lopo Rodriguez Patrinho of Santarém (Nº13) lost all of his landed property and other belongings to Rodrigo Annes.<sup>276</sup>

Further evidence of confiscation of real estate and movable property recorded in article nº 73 was that of Abrafã Rico of Villa Frol on 6 May 1384, whose property was donated to Vasco Perez, as the former went to Castile in disservice of the kingdom.<sup>277</sup> Further evidence of confiscation of property of Jews, who abandoned the realm in favor of the Castilian cause, were Jusepe Judeu and his wife Dona Palaçana of Lisbon on 1 July 1384.<sup>278</sup>

These entries into the royal chancellery confirms events as they unfolded and recorded in the chronicle of Dom João written by Fernão Lopes. The cross-referencing of late medieval texts reinforced the recording of events, even if those same events are expressed slightly differently from one another.

In terms of the charter of right granted to Lisbon on 1 April 1384, entry nº 171, one of the petitions was that regardless of their condition or estate (the noblemen, knights and squires) did not spend nights in the homes of prominent burghers or those of the officials, but that they should rest in monasteries, hospitals or in the Jewish quarters.<sup>279</sup>

Perhaps one of the most important legislative acts by the new king, João I, was the declaring of Lopo Martins on 2 June 1385 as squire (*escudeiro*) of Trancoso, Document 949 (folio 141 vº) and recognizing the services rendered to the realm when João I was both regent and king. The king granted him a *herdade* (manor or holding) in a *poboa* = modern *povoado* or village

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<sup>276</sup> *Chancelarias Portuguesas. D. João, v. I, t. 1* (2004), p 16.

<sup>277</sup> *Ibid.*, p 46.

<sup>278</sup> *Ibid.*, p 114.

<sup>279</sup> *Ibid.*, p 93.

in Vila Franca. The king gave him the letters proving such grants.<sup>280</sup> The significance of this document testifies to the fact that a Jew was elevated to the rank of squire, which never went to Jews or Muslims, but to Christians. Not only was João I acknowledging the services rendered to the new dynasty and the realm by Lopo Martins, but he was completely uninterested in what the Church thought or ecclesiastical legislation dictated. João I's message would be that those, who served during his reign, would be rewarded based on merit, and not necessarily based merely on inherited privilege.

#### **6.C.4. *Documentos Históricos da Cidade de Évora***

Entry or Article LII from the year 1384 (9 March) dealt with the alms to the friars of the Order of Saint Francis and the royal services (duties) paid by the Jewish community of the city and the new promise. In a summarized version, the entry mentions how the royal tax and rent collector of the Jewish community of Évora, Álvaro Vasques, was responsible in paying the alms owed to the friars of the Franciscan order since the reign of Fernando I.<sup>281</sup>

Entry LX from the year 1385 was related to rents of the Jewish community. The text explained how a certain Dom Álvaro Pires de Castro had inherited these rights to collect the rents from the Jewish community of Évora. The diploma mentioned that a Joham Fernandes Darca claimed that he had been granted the right to collect Jewish rents and had barred Dom Álvaro Pires de Castro from collecting the six hundred Portuguese pounds. The Crown requested that the aforementioned six hundred Portuguese pounds be disbursed to the Crown and that it was never the king's intention to give Dom Joham Fernandes such responsibility.<sup>282</sup>

#### **6.F. Cortes of Castile and Portugal 1385-1391**

The following material has been retrieved from the *Cortes de los Antiguos Reinos de León y Castilla*, t. 2. Real Academia de la Historia: Madrid, 1863, for Castile. In terms of Portugal, the material on Jewish legislation has been retrieved from the study conducted by Armindo de

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<sup>280</sup> *Chancelarias Portuguesas. D. João I, v. I, t. 2, 1385*, 1a edição (2005). Centro de Estudos Históricos: Universidade Nova de Lisboa, p 248-249.

<sup>281</sup> *Documentos Históricos da Cidade de Évora* (1998). Edição de Gabriel Pereira. Imprensa Nacional-Casa de Moeda, p 93-94.

<sup>282</sup> *Ibid.*, p 97-98.

SOUSA, *As Cortes Medievais Portuguesas*, vol. II. Instituto Nacional de Investigação Científica. Centro de História da Universidade de Porto: Porto, 1990, as well as ANTT, Supl. Cortes, Maço 1, nº 11, documento 2 for the Lisbon Cortes of 1389, and for the Cortes of Coimbra in 1390, Lisboa, AHCM, Códice 5, fols. 66v-69, documento 2 for petition nº9, and Lisboa, AHCM, Códice 5, fols. 66v-69, documento 9 for petition nº13. As per the previous chapters, the legislation from the Cortes will be organized according to the five criteria established by José M<sup>a</sup> Monsalvo Antón. Check below to see the charts.

### ***6.F.1. Restrictive and discriminatory legislation at the Castilian Cortes***

#### ***Nº 3 Pragmatic & Interested Regulation of the Economic Activities of the Jews w/in the Scope of Finance and Credit.***

Cortes Of Segovia 1386

Petition Nº 14, the municipal procurators requested that in the debts owed by Christians to Jews, that neither interest nor profit be paid to the Jews. The King responded that all debts be paid as per the last royal decision made at the Cortes of Soria [1380].<sup>283</sup>

Cortes of Briviesca 1387

In the first petition that dealt with repayment of debts in the currency or coin, known as the *Blancos de Agnus Dei*, issued for financing the campaign in Portugal, it was noted that if a Jew had lent a Christian money in the old coin (currency), then it needed to be proven through witness testimony in front of a judge if there were no written document or debt letter that such transactions had actually occurred.<sup>284</sup> Not discrimination per se, as it only stated that debt payments had to be made in old currency, if and only if, the debt letter clearly stated so.

Cortes of Palencia 1388

At the Palencia Cortes of 1388, the municipal procurators requested in petition nº 6 that through the many complaints presented to them that the Jews had taken advantage of Christians by earning profit through money, bread, gold, silver and other objects and that

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<sup>283</sup> *Cortes de los Antiguos Reinos de León y Castilla*, t. 2 (1863), p 345.

<sup>284</sup> MARTÍN, José-Luis (1988). Cortes de Castilla y León y Cortes de Portugal. In *Las Cortes de Castilla y León en la Edad Media*, vol. II. Editado por las Cortes de Castilla y León, p 360.

certain letters of obligation and debt were granted to them. The municipal procurators petitioned that only the principal be repaid as the interest was 33%.<sup>285</sup>

The king pushed back at the claims presented by the municipal procurators by stating that It would have to be proven first if the Jews were taking advantage of Christians through usury. If it can be proven that the debt letters showed usury, then the indebted Christians only had to repay the principal and not the interest. However, if the Jewish moneylenders could prove that the debt and obligation letters were written correctly, then the entire debt needed to be repaid by the Christians, who had received Jewish credit. In the case that neither case could be proven, then the indebted Christians had to pay two-thirds and the one-third be handed over to the Crown until it would be resolved. Indebted Christians had to pay the two-thirds of the debt within the year (1 June 1389).<sup>286</sup>

However, this measure was not truly discriminatory nor prohibitory. The king's first response was for Christians to prove their claims first prior for debt relief, as many Christians in the past would present false testimony against Jewish moneylenders in order not to repay their debts. The king was conciliatory towards Jews, if it had been proven that there was usury in that the Jews did not lose the money lent but that the indebted Christians only had to repay the principal. However, if it had been proven that the Jewish moneylenders had written proper debt letters, then the indebted Christians had to repay the entire loans including interest. This was an interesting turn in the royal approach towards Jewish moneylending and the treatment towards those same moneylenders if they should have practiced usury in that they would not lose the principal.

#### *Nº4 Basis/Foundation of Confessional Inferiority & the Discrimination towards the Practice of Non-Christian Religion*

In petition nº 2, of the *Cortes* at Briviesca, it was demanded when the procession of the Holy Eucharist was on the streets, Jews and Muslims would either have to leave the street or hide from sight until the body of Christ had continued further down the street. Any Jew or Muslim, who disobeyed the law, could be accused by a Christian and brought before a judge in court

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<sup>285</sup> *Cortes de los Antiguos Reinos de León y Castilla*, t. 2, (1863), p 415.

<sup>286</sup> *Ibid.*

and with the testimony of two other Christians, could then have the clothes worn by that Jew. The law was to be applied to any Jew of the age 14 and above.<sup>287</sup>

In petition n° 7, the municipal procurators requested that throughout the realm, irrespective of social order or confession, no one work in public spaces or have their shops open. This also applied to Jews or Muslims (Moors) that no one see or hear them work on Sunday.

Whosoever should breach this law would pay 30 maravedis. 10 maravedis would go to the accuser, 10 to the Church and 10 to the royal coffers. Any municipal council or official that violated this law and allowed shops to open on Sundays or allowed anyone to work on Sunday would be fined six hundred maravedis.<sup>288</sup> However, this law is not completely anti-Jewish, as it applied to Christians as well. Nonetheless, this petition reiterates the demands of the Cortes of 1351, which prescribed the same prohibitions on the two religious minority groups of Jews and Muslims to give deference to Christian Holy days.<sup>289</sup> Also important to note, is that the petition applied to all three religious confessions and not singled-out Jews. Hence, investigators can assume that even Christians were working on Sundays and had their shops open on the Christian holy day.

### ***Nº 5 Limitations on the Daily Treatment and Segregation of the Jewish Minority***

In the third treatise of the Briviesca Cortes of 1387, the Crown ordered that no one be audacious enough to have a Jew or Muslim, except as a captive, in their home and that no Jew or Muslim hold office or profession or seignory over Christians. It also demanded that there be no conversation between the three confessions, except for the bare and basic necessities and especially in times of need. The law also stated that no one, irrespective of social order, be audacious enough to violate such law. If anyone were to violate such a law, he or she would then be faced with a fine of six thousand maravedis. The law also stated that no Jew or Muslim be audacious enough to live with a Christian nor possess one of their professions (vague – perhaps public office). If a Jew or Muslim should happen to do so, then he or she should lose all of their belongings to the royal coffers and the person's body would be at the

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<sup>287</sup> *Cortes de los Antiguos Reinos de León y Castilla*, t. 2, (1863), p 364.

<sup>288</sup> *Ibid.*, p 365.

<sup>289</sup> MONSALVO ANTÓN, José M<sup>a</sup> (1988). Cortes de Castilla Y León y Minorías. In *Las Cortes de Castilla y León en la Edad Media*, vol. II. Actas de la Primera Etapa del Congreso Científico sobre la Historia de las Cortes de Castilla y León. Cortes de Castilla y León. Simancas Ediciones, p 178.

mercy of the Crown. The law also banned Christians from living with Jews or Muslims. Any Christian, who broke the law, would lose all of his/her property and that one-third of the property go to the accuser.<sup>290</sup> Even though, it segregated Jews and Muslims from Christians, fines for violation of such a law punished Christians as well. The onus was not solely placed on the two religious minorities but on Christians as well.

### ***Legislation that did not fall within the Five Categories:***

At the Guadalajara Cortes of 27 April 1390, it was mentioned in petition n° 8 how both Jews and Muslims in paying their poll taxes in *blancos* (“white” coin) in order to finance the food and supplies of royal troops.<sup>291</sup> This legislation is not anti-Judaic as it refers to a service that all royal subjects had to finance the rising and incurring costs of the Crown in its renewed efforts to conduct war against Portugal.<sup>292</sup>

In petition n° 6, in a very long and detailed explanation referring to the ownership of mules and horses for all societal orders, the Crown allowed that any Jew who did not possess more than one beast was allowed to own a mule without having or brining a horse. If a horse needed a companion, then it was to be a mule. If the Jew had two mules, then the Jew could have a horse.<sup>293</sup> This piece of legislation reiterated what was already established the ownership of beasts of burden at the Valladolid Cortes of 1385. However, ownership does not equate to riding in public of these beasts. It was part of the “militarization of the kingdom” as explained by José-Luis Martín and Julio Valdeón Baruque after the catastrophic defeat of the Castilian forces at the hands of the Anglo-Portuguese forces at Aljubarrota in August 1385. As the wealthy Jews could afford the purchase and maintenance of horses and mules, the king ordered that they do so for the subsequent requisitioning of these beasts of burden for future war efforts.<sup>294</sup> This did not apply to any of the five categories established by Monsalvo Antón,

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<sup>290</sup> *Cortes de los Antiguos Reinos de León y Castilla*, t. 2 (1863), p 369.

<sup>291</sup> *Ibid.*, p 432.

<sup>292</sup> LADERO QUESADA, Miguel Ángel (2009). *La Hacienda Real (1369-1504)*, Real Academia de la Historia, p 772-773.

<sup>293</sup> *Cortes de los Antiguos Reinos de León y Castilla*, t. 2 (1863), p 469.

<sup>294</sup> MARTÍN (1988) vol II., p 426-427. VALDEÓN BARUQUE (1988), vol. I., p 208.

as it was part of the Castilian effort to raise forces for the future military endeavors against Portugal and the Crown needed as many horses and mules to be raised as possible.

### ***6.F.2. Restrictive and discriminatory legislation at the Portuguese Cortes***

As in the case of the Castilian *Cortes*, the Portuguese *Cortes* were analyzed using the five classification categories in the analysis of any possible restrictive and discriminatory legislation towards the Jews.

#### ***Nº3 Pragmatic & Interested Regulation of the Economic Activities of the Jews within the Scope of Finance and Credit***

At the Lisbon *Cortes* of 1389, the municipal procurators requested in petition nº 25 that the Jews should not receive debt letters if such letters had already been written by official scribes and signed, sealed and registered by public notaries. It was recorded as *non innovandum*,<sup>295</sup> which meant that previous legislation would be applied or that the customs of the municipal charter rights would be respected and that no new legislation would be permitted.<sup>296</sup>

Here the Investigator can Interpret this petition as on the one hand removing the prior privilege of Jews writing up debt letters and contracts, giving one to the credit recipient and ensuring that they kept one for themselves. On the other hand, it could be interpreted that the municipal procurators wanted to continue the royal practice of allowing only officially written, signed and registered debt contracts and letters by the public notaries. This way, all parties would be protected and no party could claim fraud through different letters or false testimony of the witnesses. The official kept documents would confirm or dispel any false claims of fraud from any party. This ensured fairness and the rule of law from authorities. However, as noted, this request was not new but rather a demand for reinforcement of previous legislation. As such, it cannot be considered as a new development after the assertion of authority of the new dynasty, but rather a continuation of previous royal policy.

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<sup>295</sup> ANTT, Supl. Cortes, Maço 1, nº 11, documento 2.

<sup>296</sup> SOUSA, Armindo de (1990). *As Cortes Medievais Portuguesas (1385-1490)*, vol. II. Instituto Nacional de Investigação Científica. Centro de História da Universidade do Porto, p 224.

### ***Nº 5 Limitations on the Daily Dealings between Jews and Christians and Segregation of the Jewish Minority***

At the Coimbra *Cortes* of 1390, the municipal procurators requested in petition nº 9 that the Jews and Muslims (Moors) only reside in their respective quarters or boroughs *extra-muros* (*arrabaldes*). The only exception would be if they had royal letters permitting them to live outside of their respective quarters or boroughs. The royal response was deferment.<sup>297</sup>

Perhaps other legislation that, although did not deal with the Jews directly, but indirectly, could be that dealing with collection agents. In petition Nº 13, the municipal procurators requested that the *almocreves* (forced requisitions) regardless of where they might be, could be requisitioned by the royal justices, in spite of possessing royal letters of exemption or seignorial protection. The Crown responded with deferment.<sup>298</sup> Although the Jews were not mentioned, many Jewish moneylenders prior to royal legislation had requisitioned personal goods and belongings in collecting unpaid debt payments. Although previous legislation had banned Jews from sending their own debt collectors to requisition property and only allow official municipal or royal debt collectors to do so, this general petition on debt collection simply reaffirms previous law and could potentially be used against any privately contracted debt collector by Jewish moneylenders.

As can be seen, Portuguese Jewish legislature in this period, was not only less in number when compared to its Castilian counterpart, but also less intense in its acrimony, toxicity and vitriol. Much of the Portuguese legislation in terms of the financial and credit aspects, seemed to be more for achieving clarity and fairness, than to crush or destroy Jewish financiers and moneylenders as a rival to their Christian counterparts by not repaying their loans by the repeated, and at times, futile efforts to deceive the Crown and municipal authorities with their unfounded claims of usury. The divergent tendencies in the handling of their respective Jewish minorities between the two kingdoms only became more accentuated in this period and would reflect in the events of the summer of 1391 and thereafter. The anti-Jewish legislation in Castile would only reconfirm the prejudices and resentment of the common people that had been stoked by the publicly held polemic disputes and incendiary speeches of

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<sup>297</sup> Lisboa, *AHCM*, Códice 5, fols. 66v-69, documento 2. *Livro dos Pregos* (2016), p 283. SOUSA (1990), p 236.

<sup>298</sup> Lisboa, *AHCM*, Códice 5, fols. 66v-69, documento 9. SOUSA (1990), p 237.

fanatical preachers, whereas in Portugal, such a narrative seemed to be missing due to a lack of evidence showing the contrary. As such a narrative was missing, therefore, one could conclude that the collective mindset, as well as the imaginary were not as toxic and contaminated with anti-Judaic messages and images as in their Castilian counterparts.

### ***6.F.3 Afonsine Ordinances: Jews to wear distinctive red signs on their clothes***

Title LXXXVI in Book 2 of the Afonsine Ordinances compelled Jews to wear round red distinctive signs on their chests. The law was dated to 20 February 1391 and it made reference to how many Jews did not respect the existing law of wearing a distinctive red sign with six legs or if they wore them, then they were too small that they could not be seen or that they had only two or three legs or were unsown or were worn where they were not supposed to be. As such, the king ordered that all Jews wear red signs with six legs on their chest above their stomach on all of their clothes and that they could not cover them up. They had to be the size of the king's red seal. Any Jew not wearing such a sign would lose the clothes he or she was wearing and would be arrested until the king's mercy. The same applied to those who wore it below the center of the chest above the stomach or unsown or smaller than the mandatory size. However, jail time would be fifteen days instead of waiting for the king's mercy and the half of the clothes would go to the accuser and the value of the other half would go to help finance roads, wells and bridges.<sup>299</sup>

Although the legislation was restrictive, it was not a newly created law by João I, but rather it was a reminder of a pre-existing law that was not being respected or followed and that by insistence of the municipal procurators, who claimed that not wearing such signs would be harmful for Christian communities, demanded from the Crown that the law be enforced. Most likely, João I, in order to ensure the necessary financing for the defense of the realm through municipal contributions, decided to placate the anti-Jewish demands of the urban elites, who most likely saw the Jews as business rivals and wanted the Jews to be singled out. The dangers in such an approach are the potential of further marginalization and possible denigration of the members of this minority group, as they have become easily distinguishable

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<sup>299</sup> *Ordenações Afonsinas* (1984). Liv. 2, tít. 86. Fundação Calouste Gulbenkian, p 499-500.

from the majority group, which could have led to further stigmatization and leaving the Jews as potential targets for attacks.

#### **6.F.4. Portuguese Chancelleries 1385-1391**

Charter rights granted to the Jewish communities in the Portuguese towns and cities; such as Alcácer in 1386,<sup>300</sup> Leiria in 1386,<sup>301</sup> Faro in 1387,<sup>302</sup> the new Jewish quarters of Lisbon in 1388,<sup>303</sup> once again granting the rights for the Jewish community of Alcácer in 1387,<sup>304</sup> and Évora in 1388.<sup>305</sup>

In terms of granting the rights to houses on the Rua Pubrica in the New Jewish quarters in Lisbon was issued in April 1390.<sup>306</sup> On 3 June 1391, a royal letter granted a charter of half a mezzanine to Abrão Peco and two other people after his death for seventy Portuguese pounds for each year.<sup>307</sup> On 10 March 1391, a royal letter in which the king granted a charter to three people of rustic and dilapidated houses in order to make them into butcher shops in the Jewish quarters of the city of Évora. These houses were adjacent to the house of Isaque Aberçarllom and the Azinhaga and the Rua Pubrica. The recipients were Abraao Abeacar and two other people for fifteen Portuguese pounds per year.<sup>308</sup>

The king also granted the rights to collect taxes and services from the Jewish communities to chosen prominent burghers and squires. Such cases were awarded to Rodrigo Afonso d'Avis to collect the services rendered from the Jewish community from that locality to the Crown on 24 January 1384.<sup>309</sup> Rent collection of the notary publics of the Jewish community of Lisbon was awarded to Dom Nuno Alvares Pireira on 29 April 1386. The Jews could only make their payments to him.<sup>310</sup> A royal letter of 4 September 1389 granting Afonso Gonçalvez the rights

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<sup>300</sup> *Chancelarias Portuguesas, D. João*, vol. I, t. 3, 1384-1388. 1ª edição (2005). Centro de Estudos Históricos: Universidade Nova de Lisboa, Documento 1241 (fol. 181)

<sup>301</sup> *Ibid.*, Documento 1265 (fol. 183).

<sup>302</sup> *Ibid.*, Documento 1237 (fol. 180).

<sup>303</sup> *Ibid.*, Documento 1320 (fol. 189).

<sup>304</sup> *Chancelarias Portuguesas, D. João*, vol. II, t. 1, 1385-1392. 1ª edição (2005). Centro de Estudos Históricos: Universidade Nova de Lisboa, Documento [II-27] (fol.3).

<sup>305</sup> *Ibid.*, Documento [II-312] (fol. 36).

<sup>306</sup> *Ibid.*, Documento [II-85] (fol. 9).

<sup>307</sup> *Ibid.*, Documento [II-519] (fol. 59).

<sup>308</sup> *Ibid.*, Documento [II-524] (fol. 59 vº).

<sup>309</sup> *Chancelarias Portuguesas, D. João*, vol. I, t. 3, 1384-1388 (2005). Documento 1027 (fol. 152).

<sup>310</sup> *Ibid.*, Documento 1176 (fol. 174).

to collect rents from the houses, where Salamam Romaa and other houses where Mousem Rondim resided, as well as shops in the blacksmiths area of the Old Jewish Quarters, and the houses where Isaque Alfaqui dwells, as well as those where Jusepe de Torres lived. Also, the dwellings near the customs, where Samuel Faarom and Mousem Palaçano.<sup>311</sup> In other cases, there was the royal letter of 6 April 1390 granting the king's squire, Alvaro Gonçalvez Taborda rights of the *jantar*<sup>312</sup> do Couto (area) of the city of Viseu, as well as collect the services (taxes paid to the Crown) from the Jewish community of aforementioned city.<sup>313</sup>

On the 26 April 1391, a royal letter donated houses and vineyards of Covilhã to Ruy Vaasquez Refoyos. The king also granted to the aforementioned man and to his children the rights to houses and vineyards in Covilhã. He had the rights to collecting the rents of the Jews of the aforementioned town as well.<sup>314</sup> Other letters from 26 October 1391, indicate a charter granting the king's servant or footman and judge at the castle of Olivença the rights to collect the rents and services (royal taxes) paid by the Jewish community, as well as the tolls from the customs and taxes from the notary publics of the aforementioned town.<sup>315</sup>

As seen through the documentation, there were no diplomas expedited confiscating the property and belongings of Jews as during the dynastic war, in which the property of David Negro and Dom Juda were confiscated for having chosen the Trastámara party and abandoned the realm for the kingdom of Castile. Instead, the investigator can see how previous privileges were recognized and renewed, as well as conceding houses for business practices, such as kosher butcher shops and mezzanines. There is no indication of verbal abuse of physical harassment of the Jews or the orders to destroy the synagogues as was occurring in Castile.

## **6.H. Court Case of 1388 against Ferrán Martínez**

The manuscript, Ms. 13089, "Inmunidad" (0.8.4.2.), reports of the written complaints by the Jewish community of Seville about the archdeacon of Écija, Ferrand Martínez, and of his radical preaching against the Jewish community, which the official document called harmful

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<sup>311</sup> *Chancelarias Portuguesas, D. João*, vol. II, t. 1, 1385-1392 (2005). Documento [II-354] (fol. 40).

<sup>312</sup> *Elucidário de Viterbo (G-Z)*, t. II. Editor Lopes: Lisboa, MCCCCLXV, p 28; *jantar* = certain contribution to the supplies and maintenance that cities, towns, monasteries had to contribute for the expenses of the Crown.

<sup>313</sup> *Chancelarias Portuguesas, D. João*, vol. II, t. 1, 1385-1392 (2005). Documento [II-86] (fol. 9 – 9vº).

<sup>314</sup> *Ibid.*, Documento [II-216] (fol. 26).

<sup>315</sup> *Ibid.*, Documento [II-404] (fol. 45).

and shameful to the Church. The document mentioned how the archdeacon falsely accused the Jewish community of idolatry in their synagogues, and therefore ordered his vicars and clergymen to tear them down.<sup>316</sup> Here one must take notice of the archdeacon's ignorance of Judaism, as it forbids portraying the image of God. Or perhaps, even the archdeacon's false declarations demonstrate his insidiousness and mendacity, as someone of his education, would have known that the Jews were not allowed to have images of god or gods in their temples. The newly appointed Archbishop, Don Pedro Gómez Barroso, ordered the archdeacon to stop with his endeavors as they were against Church rulings and as such heretical. The archbishop also ordered the archdeacon to rebuild the torn down synagogues or repair the damaged ones from his own finances.<sup>317</sup> The archbishop also forbade the archdeacon from making any speeches, sermons or preaching against the Jews.<sup>318</sup> The archbishop continued with his condemnation of the archdeacon and ordered that that if Ferrand Martínez did not comply that he would be excommunicated.<sup>319</sup>

The text narrated how the king had also sent the archdeacon royal warrants (*albalás*) ordering him to stop his incendiary speeches and the destruction of the synagogues and if he did not comply, he would be forced to pay a fine of one thousand gold doubloons.<sup>320</sup> When brought in front of the municipal, royal and ecclesiastical authorities at the Church of Saint Mary, Ferrand Martínez justified his actions by stating that he had received his "sword" from Saint Peter's altar and as such that he had the right to punish heretics.<sup>321</sup>

Here once again, the archdeacon demonstrated not only his fanaticism, but also his sheer ignorance of what the term "heretic" means or at least he feigned his ignorance of what the term meant. Only a person within the same religion can show heresy and not someone from outside that same faith. Ferrand Martínez went on to say that the king himself could not judge or condemn clerics.<sup>322</sup> He continued in his vitriolic diatribe stating that not even the Pope or the Church itself could pass judgment on him or remove him from his post and that he would

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<sup>316</sup> *Aljamas, padrones, arrendamientos y otros papeles pertenecientes a los moros y judíos de Castilla* (Manuscrito - Ms. 13089), ed. S. XVIII. Inmunidad 0.8.4.2., Biblioteca Nacional de España: Madrid, p 79-80.

<sup>317</sup> *Ibid.*, p 81.

<sup>318</sup> *Ibid.*, p 82.

<sup>319</sup> *Ibid.*, p 83.

<sup>320</sup> *Ibid.*, p 86.

<sup>321</sup> *Ibid.*, p 87.

<sup>322</sup> *Ibid.*

not repair or rebuild what he called the “houses of the devil” in which the Jews cursed Jesus Christ. It was at this point, according to the manuscript, that the confrontation between the archdeacon of Écija on the one hand, and the monarchy, Church and the Jewish community on the other hand, became extremely intense. Ferrand Martínez’ fanaticism reached to the point that he called himself “God’s executioner” (*verdugo de Dios*) and had to fulfill the so-called commandments of Christ and punish the enemies of the faith.<sup>323</sup>

After the controversial trial of archdeacon of Écija, Ferrán Martínez, led by archbishop Pedro Gómez Barros in 1388, the archbishop came to his sentencing on 2 August 1389 in the Andalusian town of Carmona of a condemnation *a divinis* of the archdeacon, in which the archdeacon could not preach nor give speeches in public. This meant that if the archdeacon violated such a sentencing, then he would be excommunicated. The document dealt with the archbishop reminding the archdeacon of his mendacious and insidious speeches and preaching that had been admonished by two kings, Enrique II and Juan I, in three *albalás* (royal warrants) in 1378, 1382 and 1383 and then the trial led by the same archbishop in 1388. The archbishop reminded the archdeacon of the many complaints by the Jewish community and the warnings by the two aforementioned kings. The archbishop also reminded the archdeacon that he was not above ecclesiastical law or the pope himself, as Ferrán Martínez boasted during his trial in 1388.<sup>324</sup>

The document began with the archbishop admonishing the archdeacon with his incendiary speeches and preaching that the Pope could not grant the Jews the right to build their synagogues nor keep their rituals nor ceremonies. He reminded the archdeacon that he was forced to appear in court in front of theological and secular legal experts and asked if he had made such claims and statements, in which the archdeacon responded that he had indeed made such statements. The text stated that the legal expert found the contrary to be true in that the Pope could decide if the Jews could build their synagogues and keep their customs and

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<sup>323</sup> *Aljamas...* (Ms. 13089), p 88.

<sup>324</sup> AMADOR de los RÍOS, José (1876). *Historia social, política y religiosa de los Judíos de España y Portugal*. Real Academia de la Historia, p 592-594. According to Amador de los Ríos, the original manuscript is in the Archives of the Holy Primate and Patriarchal Churches in Seville. However, upon consultation on 6 December 2021, there were no such records there. This could be due to misplacement, loss, destruction or theft. The person in charge went and looked herself in the archives and could find no such documents.

rituals. The archbishop reminded the archdeacon that there were papal bulls from Popes Alexander, Clement and other Holy Fathers that upheld papal authority in such matters.<sup>325</sup>

Ferrán Martínez responded that he would not give the reasons or explain his motives for his statements and actions and that he did not recognize their authority and to call in the secular officials. The archbishop responded that he could only refer to the secular legal experts. The archdeacon still refused to respond to the questions. In spite of the archbishop's attempts to proceed in a different manner, the archdeacon's refusal to comply, to dismiss papal bulls and to disparage previous admonishments and warnings led the archbishop to declare Ferrán Martínez as an obstinate rebel and suspicious of heresy. The archbishop went on to say that what was worse was that in spite of the many falsehoods in the archdeacon's preaching, he knew that they were in error. The archbishop scolded the archdeacon that he could not claim that the Pope could not dispense with the cleric. The danger in these statements was that they could mislead the less educated and those who were simple in their thinking to disparage the Pope and the Church.<sup>326</sup>

As a result, the archbishop, in his condemnation *a divinis* of the archdeacon, forbade the Ferrán Martínez from giving mass, sermons, to preach in public or pass sentencing on judgments whatsoever until the lawsuit had been settled as his outrageous and outlandish declarations could lead to the reputation of those he attacked to teeter and falter. Any disobedience from this condemnation *a divinis* would lead to the archdeacon's excommunication from the Church.<sup>327</sup>

### ***6. I. Albalá Issued by Ferrán Martínez: 8 December 1390***

In his order, the archdeacon, stating his name and acknowledging the temporary vacancy of the archbishopric, ordered the clergymen and sacristans of Santolalla de la Sierra under penalty of excommunication to tear down the synagogues that same day before three o'clock, as the so-called Jews, enemies of God, were guilty of idolatry. Ferrán Martínez also ordered that all of the Jewish Holy books and scriptures were to be sent to him so that he could

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<sup>325</sup> AMADOR (1876), p 592-593. CANTERA MONTENEGRO, Enrique (2004). Minorías Religiosas. X. Judíos: El antijudaísmo violento: el siglo XIV. In *Economía y Sociedad en la España Medieval, Historia de España IX, Historia Medieval*. Ediciones Istmo, p 397-398.

<sup>326</sup> AMADOR (1876), p 593.

<sup>327</sup> Ibid., p 593-594.

dispose of them as he saw fit. He also ordered that all rooftiles, wood and lamps be used for the construction of the next church. The *albalá* also stated that no one interfere in the completion of the order. Ferrán Martínez then gave the order to his scribes to copy and send out for the order to be fulfilled.<sup>328</sup>

On one level, the *albalá* demonstrates the archdeacon's efforts to enrage the common people, unversed in Judaism, that the Jews were the enemies of God, as they were involved in idol worship. Most likely, the archdeacon, knew that he was openly deceiving the common people, in order to manipulate them, gain its support and rile their anger for them to physically attack and kill Jews. The archdeacon's desire to murder Jews was seen in the third royal *albalá* of 1383, in which King Juan I admonished the archdeacon for falsely claiming that both king and queen would welcome such lethal actions against the Jews.

## **Chapter 7: Massacres of 1391 and Aftermath in Castile and Portugal until 1412**

### ***7.C.1. Restrictive and discriminatory Secular Legislation***

#### ***7.C.1.a. Castilian Cortes 1391-1412***

The *Cortes* in Castile would follow a pattern of harsh measures to further ostracize and isolate the Jews. This development would be called by Monsalvo Antón as the *spirit of post-1391*. These measures consisted of enclosing the Jews in their quarters and the fulfillment of wearing distinctive signs of a red circles and the forbidding of wearing certain types of clothes, such as velvet.<sup>329</sup>

#### ***Cortes of Madrid 1393, Segovia 1396 and Tordesillas 1401***

These *Cortes* were the first held after the massacres of 1391. The monarch was 14 years old at the time of the Cortes in December 1393 and would declare himself of age only in 1395. Unfortunately, there seems to have been no anti-Jewish legislation in the notebooks (*cuadernos*) of the Cortes of Madrid in 1393, Segovia in 1396 or Tordesillas in 1401. Perhaps the reason was that the Jewish communities were still devastated after the shock of massacres, mass conversions and flight of many Jews and were in the process of recovering and had little

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<sup>328</sup> AMADOR de los RÍOS (1876), p 613-614 from the *Archivo de la Santa Iglesia de Toledo*.

<sup>329</sup> MONSALVO ANTÓN, José M<sup>a</sup> (1988). Cortes de Castilla y León y minorías. In *Las Cortes de Castilla y León en la Edad Media*, vol. II. Editado por las Cortes de Castilla y León, p 190.

influence in Crown affairs, such as tax and rent collecting, and moneylending, as many of those positions would be filled by the recent *Conversos*.<sup>330</sup>

### ***Cortes of Valladolid 1405***

At the *Cortes* of Valladolid, the municipal procurators demanded from the Crown ten anti-Jewish petitions. They were long, vitriolic diatribes of all the purported ills that the Jews had committed to Castilian Christian society.

### ***3. Pragmatic & Interested Regulation of the Economic Activities of the Jews within the scope of Finance and Credit***

Article N° 1 was a petition against usury that made reference to Alfonso XI and his ordinances of Alcalá de Henares of 1348 and how Christians suffered all of the damages and evil-doing committed by the Jews and their profit-seeking of Christian property and belongings. It is reminded that profit was against God and law, as it impoverished and destroyed Christians. It was also reiterated that no Jew or Jewess lend money for profit. The article also reminded those present at the Cortes that Enrique II forbade all debt letters and contracts written up by Jews and Muslims that were not written by official scribes and signed and sealed by notary publics. Any such letters or contracts that were not officially made were to be considered null and void, as Jews and Muslims would write their debt letters using deceptive schemes to deceive Christians, such as a difference in the actual principal paid out then what was written on the documents. These acts damaged both people and the land. The king consented with pleasure to the petition and that it be respected throughout the kingdom, as earning interest on loans was a sin against God and caused much damage to the realm. He forbade that any Jew or Muslim would be defiant to issue such debt letters or contracts, either by public writ or by witness testimony. Any previous letters and privileges granted that allowed gain were to be declared null and void. The same applied to those officials that would confiscate property for unpaid debt to no longer perform such acts. Anyone who refused to comply to the law would be excommunicated.<sup>331</sup>

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<sup>330</sup> SUÁREZ FERNÁNDEZ, Luis (2000). *El Fuero Judiego en la España Cristiana. Las Fuentes Jurídicas siglos V-XV*. Editorial Dykinson, p 107. AMADOR de los RÍOS, Pedro (1876). *Historia social, política y religiosa de los Judíos de España y Portugal*, t. II. Real Academia de la Historia, p 418-419.

<sup>331</sup> *Cortes de los Antiguos Reinos de León y Castilla*, v.2 (1863). Real Academia de la Historia, p 545-547.

The petition seems to be disingenuous and to ignore the fact, perhaps intentionally, that the Ordinances of Alcalá condemned usury as a reprehensible act, irrespective of the religious confession of whomsoever would lend money at exorbitant interest rates. In fact, the ordinances that condemned usury consisted of two articles. The first article condemned Christians of all three social orders lending for profit (clergy members, nobility and Third Estate). The second article condemned both Muslims and Jews for lending at high interest rates. The Ordinance of Alcalá forbade all three religious confessions from lending money and not just the Jews. Here one sees a clear case of anti-Jewish legislation in the Ordinance of 1405, which limited and proscribed the financial activities of Jewish moneylenders.

As usual, these long vitriolic diatribes were full of false accusations, sweeping generalizations and invectives of Jewish evil-doing causing much damage, impoverishment and destruction of Christian subjects and realm due to their deceptive maneuvering in lending money. The municipal procurators believed that these tried accusations would give weight and credence in eliminating their financial and economic rivals from the playing field. This is also important in the reinforcement of established stereotypes in the collective mindset and imaginary of the Christian majority of the purported evil and deceitful intentions of the Jews.

However, the text also alluded to how it was the intention of both Crown and Church that the Jews remain under their seignery in the hopes that one day, they would convert to Christianity. As such, the article reiterated the compensation made for the financial loss of not being able to loan money with interest by reaffirming how Jews could invest in the purchase of land for profitable agricultural production as per the Ordinance of Alcalá of 1348. North of the Duero, Jews could buy for themselves and their heirs land up to 20,000 maravedis, whereas south of the Duero, the Jews could purchase land up to 30,000 maravedis.<sup>332</sup>

##### ***5. Limitations on the daily dealings between Jews and Christians and Segregation of the Jewish Minority***

Article N° 9, the municipal procurators declared how Christians had to suffer living with or among Jews, stating how they lived in captivity. It was requested that the Jews not walk amongst Christians without having any manner in distinguishing them from Christians. As

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<sup>332</sup> Cortes de los Antiguos Reinos de León y Castilla, v.2 (1863), p 547.

such, the municipal procurators demanded that the Jews wear a hat or head garment to distinguish or differentiate them from Christians or that they wear a distinctive sign on their chests as from the period of Enrique II and Juan I.<sup>333</sup>

The Crown gave its approval (in fact the text stated that the petition pleased the king) that Jews would be forced to wear on their chest a red cloth in the shape of a circle the size of the royal seal (the text showed the size of the sign). They would have to wear it next to the right shoulder and could not hide it. If they should not wear it or hide it or of the sign was not of the size required, then the Jew or Jewess would lose the clothes that he or she was wearing. The proceeds from the clothes or the clothes themselves would be divided between the person who denounced the Jew or Jewess and the royal treasury.<sup>334</sup>

The Jews were also banned from wearing shoes of “soleta” (cloth) or clothes made out of velvet. Any violation of the law would be punished in the aforementioned manner. The king requested that these laws be kept in his notebooks (cuadernos) and that they be read aloud in public. The king then proceeded to revoke and nullify all previous privileges and letters granted to the Jews.<sup>335</sup>

### ***7.C.2. Portuguese Afonsine Ordinances, Book 2: 1391-1412***

The following Portuguese anti-Jewish Jewish legislation from the reign of D. João I was found in Book 2 of the legal compendium *Afonsine Ordinances (Ordenações Afonsinas)*<sup>336</sup> that were compiled first by his son, Dom Duarte, and completed by his grandson, Afonso V by the mid-15<sup>th</sup> century. As in previous chapter, the legislation was categorized according to the five different classifications set up by Spanish historian Monsalvo Antón.

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<sup>333</sup> *Cortes de los Antiguos Reinos de León y Castilla*, v.2 (1863), p 552.

<sup>334</sup> *Ibid.*, p 552-553.

<sup>335</sup> *Ibid.*, p 553.

<sup>336</sup> *Ordenações Afonsinas* (1984). Liv. 2, edição facsímile. Fundação Calouste Gulbenkian.

### ***1) Administrative and Professional Discrimination and the Reduction of social and political influence of Jews***

No legislation within the specific time frame of 1391-1412 fit this category, although there were pieces of legislature that were written during the co-regency of Infante D. Duarte (1412-1433).

### ***2) Judicial Discrimination: Suppression of Jurisdictional Privileges and Prerogatives of the Jews***

Title LXXV from the reign of King D. João I (1385-1433) dated 6 March 1402 from the city of Évora that stated that Jews were no longer allowed to bear arms in the presence of the king or when they received him. The law recognized in item 1 that Jewish merchants when travelling long distances had the right to bear arms in order to protect themselves. The first item also stated that the Jews would go to festivals and weddings in which sword fighting took place and in which many people were wounded or even killed. The king thus mandated that the Jews not wear helmets, bear swords or knives to this festivities, celebration, weddings or festivals.<sup>337</sup>

Item 2 reiterated the above but also included that Jews do not bear arms in their own Jewish communities during celebrations and festivities, especially of the Jewish communities were to receive the king, queen, royal princes. Jews were even prohibited in having their arms sheathed in their own celebrations if the royal family was present. Any Jew who broke the law would lose his arms and the Jewish community would pay one thousand gold doubloons to the Crown. Anyone who continued to break the law would be executed.<sup>338</sup>

Item 3 merely states that the aforementioned law passed on 6 March 1402 in the city of Évora was to be delivered to all of the rabbis in the kingdom, as well as all royal judges, justices, bailiffs and chief town magistrates.<sup>339</sup>

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<sup>337</sup> *Ordenações Afonsinas* (1984). Liv. 2, p 451-452.

<sup>338</sup> *Ibid.*, p 452.

<sup>339</sup> *Ibid.*, p 453.

Item 4 dealt with the response of the Jewish communities towards this ban. They found it odious as they found it not reasonable that if only one Jew was found to bear arms or participate in fencing that the entire community had to pay the consequences. The king found this argument reasonable and amended the law in that the Jewish community did not have to suffer the consequences of the act of one individual.<sup>340</sup>

Here we have a certain measure of leniency of the Portuguese monarch towards his Jewish subjects within the restrictions imposed on that same minority group in that the entire community did not have to pay a severe fine for the actions of one community member. However, the law still discriminated against the Jews in that the former practice of allowing them to fence with their own swords in their own communities was banned if the royal family should visit them, whereas that same measure was not imposed on the Christian majority population.

Item 5 reiterated the aforementioned item but included that if the Jew did not have prior consent in bearing an arm, then he would be taken prisoner and his belongings confiscated by the Crown. However, if he were married prior to the breaking of the law, he would still be arrested but his belongings would go to his wife.<sup>341</sup>

Title LXXXIII dealt with how notary publics had to write the writs, deeds and charters for Jews. The law dated from the reign of King D. João I (1385-1433) but there was no specific date written or the place where the law was expedited. It seems that this piece of legislation might have been the original law that banned the use of Hebrew in any legal document that was reversed in 1405 that allowed public documents to be written in Hebrew (*letra Judenga*), as long as they were not grievances and appeals that were to go to Christian judges and auditors.<sup>342</sup>

Item 1 stated that the Jews were writing their documents, deeds, charters and writs in Hebrew, which would leave the Christian subjects at harm and at a disadvantage. As such, the king's

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<sup>340</sup> *Ordenações Afonsinas* (1984). Liv. 2, p 453-454.

<sup>341</sup> *Ibid.*, p 454.

<sup>342</sup> *Chancelarias Portuguesas de D. João I (1385-1419)* (2006) liv. 3, t. I. Centro de Estudos Históricos. Universidade Nova de Lisboa, p 197-199.

council ordered that any Jew that was the notary for the Jewish councils be forbidden from writing any document, deed, charter, contract or writ in Hebrew but that they be written in the Latin language of Portuguese. Anyone who disobeyed this law would pay with his life.<sup>343</sup>

Item 2 stated that such a severe punishment was viewed by D. Duarte as too odious, as the sentence should correspond to the harm caused. As such, it was deemed that the notary public lose his position, be publicly flogged and never allowed to profess the position of notary public for the rest of his life.<sup>344</sup>

Even though, on the one hand, it could be argued that it is discriminatory towards the Jews in writing their documents, contracts, deeds and writs in Hebrew, it did leave non-Jews at a disadvantage as they did not read, write or speak Hebrew and would be at a complete disadvantage as to the content of the document. On the other hand, it could be argued that the demanding that all legal documents be written in Portuguese as part of the unitary, centralizing process of the Crown to unify the administrative process of the realm using the common language of the land: Portuguese and not Latin – the ecclesiastical language of the Roman Church. As such, the Crown would be both distancing itself from the ecclesiastical hold of the Church over the people, as well as the Crown asserting its prerogatives and sovereignty over his subjects.

### ***3) Pragmatic and Interested Regulation of the Economic Activities of the Jews within the scope of Finance and Credit***

Although there is legislation from the reign of João I concerning category nº3, Title LXVIII, there is no specific date for the period 1391-1412 for this category.

### ***4) Basis/Foundation of Confessional (Religious) Inferiority and the Discrimination towards the practice of non-Christian religion***

Title LXXVI of 30 September 1400 could be considered as both 4) Basis/Foundation of Confessional (Religious) Inferiority and the Discrimination towards the practice of non-Christian religion, as well as 5) Limitation of the daily dealings between Jews and Christians

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<sup>343</sup> *Ordenações Afonsinas* (1984). Liv. 2, p 513.

<sup>344</sup> *Ibid.*, p 513-514.

and Segregation of the Jewish minority. In terms of the former, as Jews did not belong to the dominant Christian majority, it was deemed that they were inferior as Jews did not believe that Christ was the Messiah and Redeemer of sins. Jews were to be relegated to separate and enclosed Jewish quarters and could not live outside of those designated areas. In terms of the latter, Jews as a discriminated and marginalized minority should not have unrestricted contact with the dominant Christian majority and must be confined to their own quarters determined by the Christian authorities.<sup>345</sup>

This title stated that there had been numerous complaints (not designated by whom) that the Jews lived amongst the Christian population and not apart in their own Jewish quarters. As a result, King João I decreed that all Jews had to live within the confines of their designated Jewish quarters from sunset to sunrise and if they should happen to be caught outside of their quarters at night, then their property would be confiscated. This law was decreed on 30 September 1400 from the city of Braga.<sup>346</sup> It must be reiterated how these complaints without any specific designation by whom, could have been the tried and overused strategy of the municipal procurators to further ostracize and marginalize the Jews, in order to neutralize them as an economic force.

##### ***5) Limitations on the daily dealings between Jews and Christians and Segregation of the Jewish Minority***

Title LXXX from Lisbon, 12 February 1412 dealt with the punishment of Jews if they were caught outside of their Jewish quarters after the end of prayer. The ordinance began with the claim that a law was found in the royal chancelleries of King D. João I (1385-1433).

Item 1 stated that complaints had been made by the Jewish communities of an ordinance that stated that if a Jew was found outside of his Jewish quarters, that he would be arrested and that all of his belongings would be confiscated. The Jewish communities found this ordinance very odious in that the Jews, for many reasons, could easily fall into this situation even without it being the Jews' fault. The representatives of the communities petitioned the king to lessen the severity of the punishment and lift the ordinance or to revoke it.<sup>347</sup>

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<sup>345</sup> *Ordenações Afonsinas*, liv. 2., op. cit., 1984, p 455.

<sup>346</sup> *Ibid.*, p 456.

<sup>347</sup> *Ibid.*, p 472.

Item 2 stated that the royal council and court revoked the odious ordinance. In its place, a new law was set. Any Jew, aged fifteen and above, who was found outside of the Jewish quarter after the end of prayer, would be arrested and would only be released upon paying a fine of five thousand pounds. On the second occasion that it should occur, the Jew will be imprisoned and fined ten thousand pounds and only released upon paying the fine. On the third occasion, the Jew would be flogged in public. Afterwards, the Jew would be released.<sup>348</sup>

Item 3 stipulated that the money from the fines be divided equally between the mayor of the town or the royal court bailiffs, depending who had arrested the Jew, and the other half with the poor prisoners. The item also allowed others to arrest the Jew who had disobeyed the law and receive half of the money.<sup>349</sup>

Item 4 clarified that the aforementioned law did not apply to Jews who were travelling outside of the town and their way back home from a farm or was a travelling outsider and who was caught after sunset and could not make it in time to the Jewish quarter.<sup>350</sup>

Item 5 assured that if the travelling Jew was caught outside of the Jewish quarter and the Jewish quarter was already closed, then he could sleep at the town's inn or in any other lodging where other men were.<sup>351</sup>

Item 6 explained that if the Jewish merchant arrived to the town or city from the sea by ship, he should immediately make it to the Jewish quarter and if it should happen to be closed, then the Jew would find accommodation at an inn where other Christians are and spend the night there.<sup>352</sup>

Item 7 stated that if the Jew had a farm or estate outside of the city or town that did not have a Jewish quarter, then the Jew could find accommodation in the homes of those who worked for

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<sup>348</sup> *Ordenações Afonsinas* (1984). Liv 2, p 472-473.

<sup>349</sup> *Ibid.*, p 473.

<sup>350</sup> *Ibid.*

<sup>351</sup> *Ibid.*

<sup>352</sup> *Ibid.*, p 473.

him as long as the Jew was not found with Christian women without their husbands or the necessary Christian men.<sup>353</sup>

Item 8 allowed Jewish merchants leeway if they on their way home to the Jewish quarters or inn by the time of the end of prayer and that they should not be arrested.<sup>354</sup>

Item 9 allowed Jews depending on their profession to leave the Jewish quarters at night if called by a Christian in the case of an emergency. This was usually the case for physicians or surgeons.<sup>355</sup>

Item 10 allowed Jews to walk outside of towns and cities at night and even allow them to go through towns if they were part of the road or route to get back home.<sup>356</sup>

Item 11 stated that is certain Jews were tax collectors of the king, especially of the property transactions tax, then they can walk around and collect these taxes at night, as long as they are accompanied by Christians or not found in a house under suspicious conditions.<sup>357</sup>

Item 12 stated that this law was to be fulfilled and became official on 12 February 1412.<sup>358</sup>

Item 13 permitted Jews to be relieved of the penalties of being outside of the Jewish quarters after the end of prayers. If by profession Jews needed to leave town before sunrise to go to their estates or out of town, then they were granted this right to return to their Jewish quarters after the end of prayers.<sup>359</sup>

Title LXXXXI dealt with the cases of Jews drinking in Christian taverns. The original law found dated from the reign of King D. João I that any Jew found drinking in a Christian tavern would have to pay a fine of fifty white reals (*cinquenta reais brancos*).<sup>360</sup> The real was

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<sup>353</sup> *Ordenações Afonsinas* (1984), Liv. 2, p 474.

<sup>354</sup> *Ibid.*

<sup>355</sup> *Ibid.*

<sup>356</sup> *Ibid.*

<sup>357</sup> *Ibid.*, p 474-475.

<sup>358</sup> *Ibid.*, p 475.

<sup>359</sup> *Ibid.*, p 475-476.

<sup>360</sup> *Ibid.*, p 509.

worth thirty-five Portuguese pounds and a gram of gold was worth thirty-five reals. However, the law qualified this law in that it would only be applied if the town or city had a Jewish quarter, in which the Jew could go to a Jewish tavern and drink kosher wine. In the case that the locality did not have a Jewish quarter with its own taverns, then the Jew could have wine only if the tavern had kosher wine in stock.<sup>361</sup>

One must remember that in the case of consuming food and wine, Jews followed a strict dietary code and it was also recommended by the Portuguese rabbis that the laws prohibit Jews from having wine, not only prepared by gentiles but served or the bottle even touched by gentiles.<sup>362</sup> And as such, the law can also be interpreted as responding to a request by the rabbinical leaders of the kingdom to the Crown to safeguard the Jewish community from impurity.

The *Alfonsine Ordinances* reflected the trends that went back and forth during the post 1391 period until 1412. From 1391, in which Jews were required to wear a red circle on their clothes over their chests, it would reach a high point of animosity by 1400, in which severe measures were imposed on the Jews and Moors to remain contained in their respective quarters after evening prayers. Those Jews and Moors, who were caught outside of their designated quarters after evening prayers, would be severely punished. However, these laws would either be reversed or relaxed over time. First in 1402, when Jewish merchants were granted the exception to bear arms when travelling distances in order to defend themselves on the lonely roads. Then in 1405, Jews were allowed once again to write documents in Hebrew. Finally in 1412, the severity of the restrictive laws of the ordinance of 1400 were relaxed for Jewish shop owners, merchants, and estate owners, caught outside of their quarters to either rush to their quarters or, if it should be too late, to find accommodation at the Jewish quarter, where they were conducting business. As such, it seems that, in spite of the original harsh measures, the Portuguese secular leadership realized the severity and un-practicability of implementing such laws were self-defeating.

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<sup>361</sup> *Ordenações Afonsinas* (1984), Liv. 2, p 510.

<sup>362</sup> GOMES, Pinharanda (2009). *A Filosofia Hebraico-Portuguesa, I, História da Filosofia Portuguesa*, 2ª edição. Guimarães Editores, p 24-25.

### 7.C.3. Comparison of Castilian and Portuguese Legislation of 1412

By 1412, the two neighboring kingdoms of Portugal and Castile had two different approaches towards their Jewish minorities reflected through their legislation. In terms of the more restrictive Castilian legislature compared to the more flexible Portuguese laws of the aforementioned year, this thesis analyzed Titles CLIV (1411) and CLXXXIII (1412) of Valladolid for the Kingdom of Castile<sup>363</sup>, and Title LXXX (1412) of Book 2 of the *Ordenações Afonsinas (Alfonsine Ordinances)* of the Kingdom of Portugal.<sup>364</sup>

The Castilian laws were passed during the minority rule of King Juan II under the regency of his mother, Catherine of Lancaster and her brother-in-law, Fernando de Antequera of Aragon, both extremely anti-Jewish in their stances. Influencing and helping in the redaction of the anti-Jewish laws were friar and preacher Vicente Ferrer, the convert Pablo de Santa María (former Salomon ha-Levi) and Pope Benedict XIII (Aragonese Pedro de Luna).<sup>365</sup> The more flexible Portuguese legislature was ordered by King João I in 1412, Title LXXX of Book 2 of the *Ordenações Afonsinas (Alfonsine Ordinances)*, to reform the previous ordinance of 1400, Title LXXVI of that same book.

The previous Portuguese ordinance (Title LXXVI) of 1400 was a restrictive law concerning the physical whereabouts of Jews. They were to reside in their respective Jewish Quarters that were to be walled in and closed with a gate. Jews had to return to their Quarters by sunset or after the evening prayers when the church bells rang and they could not leave before sunrise the following morning. Jews who violated this mandate would have all of their belongings confiscated.<sup>366</sup>

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<sup>363</sup> *Documentos de la minoría de Juan II: La regencia de Fernando de Antequera* (1993). In Colección de Documentos para la Historia del Reino de Murcia XV, Ed. de María Victoria J. Vilaplana Gisbert. Real Academia Alfonso X El Sabio, Consejo Superior de Investigaciones Científicas.

<sup>364</sup> *Ordenações Afonsinas* (1984). Liv. 2.

<sup>365</sup> AMRÁN, Rica (2009). *Judíos y Conversos en el Reino de Castilla: Propaganda y mensajes políticos, sociales y religiosos (Siglos XIV-XVI)*. Junta de Castilla y León, p 108-109; CANTERA MONTENEGRO, Enrique (2012). La legislación general acerca de los judíos en el reinado de Juan II de Castilla. *Espacio, Tiempo y Forma*, Serie III, Hª Medieval, t. 25, p 119-146; PÉREZ, Joseph (2014). *Los Judíos en España*, 5ª reimpresión. Marcial Pons Historia, p 130-135; LADERO QUESADA, Miguel Ángel. *Judíos y conversos de Castilla en el siglo XV: Datos y comentarios*. Dykinson, p 23.

<sup>366</sup> *Ordenações Afonsinas* (1984). Liv. 2, Título 76, p 455-456.

The ordinance of 12 February 1412 (Title LXXX) allowed Jews under certain conditions and circumstances with written permits to be allowed outside of their respective Jewish Quarters after sunset or the ringing of the Church bells signaling the end of Vespers (evening prayers). These permitted circumstances were: Jewish merchants returning home from their shops outside of the Jewish Quarters that were far away from their respective Jewish Quarters; Jewish merchants and traders that were travelling outside of their town or village, could either arrive a bit later or spend the night at a Jewish inn or home in the Jewish Quarter of the town or village, where they were conducting business; Jews tending to their farms outside of their town or village and had to spend more time tending to their crops and harvests; and, Jewish physicians and surgeons that were called at night by any Christian to accompany them to tend to Christian patients outside of the Jewish Quarters. Jews, who did not have written permission to be in transit from their work to their homes in their respective Jewish Quarters or not accompanied by Christians at night to attend a patient outside of the Jewish Quarters, would be fined only and their entire belongings would no longer be confiscated.<sup>367</sup>

The more restrictive Castilian laws of 1411 (CLIV) and 1412 (CLXXXIII) on the other hand, reflected the continuous attempts of both secular and ecclesiastical leadership to restrict and constrain Castilian Jews in their physical whereabouts, confine their businesses within the Jewish Quarters, as well as the professions they could actually practice. As mentioned beforehand, these laws were shaped and passed during the minority rule of the young King Juan II during the regency of his anti-Jewish mother, Catherine of Lancaster, and his anti-Jewish uncle, Fernando de Antequera. Some prominent ecclesiastical leaders from Castile and Aragon influenced the redaction of such laws. These include former prominent Jewish leader, Solomon ha-Levi, who converted in 1390 and took on the name of Pablo de Santa María and would become Bishop of Cartagena (1402 or 1405) and later Archbishop of Burgos (1415), anti-Jewish preacher Friar Vicente Ferrer and Pope Benedict XIII (the Aragonese Cardinal Pedro de Luna). The overzealous anti-Jewish royal mentors and their ecclesiastical advisors, wanted to put as much pressure on the remaining Jewish communities after the massacres of 1391 in order for them to convert to Christianity.

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<sup>367</sup> *Ordinações Afonsinas* (1984). Liv. 2, Título 80, p 471-476.

Title CLIV from 29 April 1411 from the town of Valladolid restricted Jews from having any type of physical contact with Christians. It asked to maintain the banning and prohibition of Jews from performing certain practices and customs. The first item dealt with converts to Christianity, who had moved from one city to another and wanted to join the Jewish community in their new place of residence, were to be rejected from that new Christianity community and not allowed to reside there. The second item banned Christian women from entering Jewish Quarters or Jewish homes, which could lead to bawdry and adultery between Christians and Jews. The third item banned Jews from living amongst Christians and Christians amongst Jews. The fourth item banned Jews from having Christians as servants, except as day laborers. The fifth item banned Christians from eating Jewish food, from bread and rye to meats slaughtered by their rabbis, neither from Jewish marinades to cooked meals. Exceptions to these mandates if Christians received live poultry, lambs and beef. The sixth ban was that Jewish surgeons or physicians not attend Christian patients, as these Jewish practitioners of medicine could cause the death of Christians and not report them.<sup>368</sup>

The seventh item banned Jews from having shops providing spices, cloth or apothecary amongst Christians (outside of the Jewish Quarters), as that could lead Jews and Christians coming into conversation. Jews, however, could have these shops in their own Jewish Quarters, where they could sell only to Jewish customers.<sup>369</sup> The eighth item forbade Jews from becoming godfathers in Christian baptisms nor dine at Christian weddings nor Christians at Jewish weddings. The ninth item banned Jews from living in homes that they might own in Christian Quarters. Jews could either rent them or sell them to Christians.<sup>370</sup>

The ordinance then requested that the aforementioned chapters were to be followed and respected. Any Christian or Jew, who did not follow the aforementioned items/chapters were to be fined two thousand maravedis. These funds would be used to finance the repairs of the city/town walls.

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<sup>368</sup> *Documentos de la minoría de Juan II: La regencia de Fernando de Antequera*, (1993). Título CLIV, p 301.

<sup>369</sup> *Ibid.*, p 301-302.

<sup>370</sup> *Documentos de la minoría de Juan II: La regencia de Fernando de Antequera*, (1993). Título CLIII, p 302

The second piece of Castilian legislation from Valladolid from that period was Title CLXXXIII dated 15 April 1412 (A.M.M. Cart. Real 1391-1412, fl. 150v. – 152 v.) also during the minority rule of the young King Juan II. This law, however, was directed towards both Muslims (Moors) and Jews. It stated that it was a faithful transcript from a previous transcript of the royal chapters and ordinances from the town of Valladolid.<sup>371</sup>

It began with that all Christians, Jews and Moors had to abide with the day's laws from here on forth. Once again, the document reminded the readers that King Juan II, as guardian of the true faith of the Catholic Church ordered that the company and the conversations between Christians, Jews and Moors corrupted the good and devout teachings of the Holy Catholic faith, especially the newly converted from the blind old law to the light of the Holy Evangelists. As a result, the king ordered that all Moors and Jews live in separate living quarters in their respective cities, towns or villages. These quarters were to be enclosed within a wall and have only one gateway entry. Jews and Moors were to only reside within these walled quarters and nowhere else in their respective towns or cities. Once assigned a particular place in their respective quarters, the Jews and Moors had eight days to move into their new living quarters. Those Jews and Moors who had not complied within that timeframe would lose all of their belongings and would be at the mercy of the king to apply corporal punishment.<sup>372</sup>

The next item was how the king banned or forbade Jews and Moors from exercising the professions of spices, pharmacy, practice surgery or that of physician, nor could they sell wine, olive oil or butter or other edibles to Christians. Jews and Moors could not have any shops, pharmacies or tables out in public or hidden from view where they could sell their wares in secret. Any Moor or Jew, who was caught breaking the law was to be fined two thousand maravedis and to be at the mercy of the king for corporal punishment.<sup>373</sup>

Furthermore, the king ordered that if a Moor or Jew wished to become baptized to the Christian faith that no one impede him or her from doing so. This included both men and women and that no one, either parents or siblings can forbid their co-religionaries from

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<sup>371</sup> *Documentos de la minoría de Juan II: La regencia de Fernando de Antequera*, (1993). Título CLIV, p 345.

<sup>372</sup> *Ibid.*, Título CLIV, p 346

<sup>373</sup> *Ibid.*, p 345.

converting to the Catholic faith. Anyone who tries to impede them from accepting the Christian faith will be charged according to civil and criminal law.<sup>374</sup>

The king went further to ban the eating, drinking and dining between Christians, Jews and Muslims. The law also forbade Christians from eating in the homes of Muslims and Jews, and vice-versa.<sup>375</sup>

The law continued by banning Jews and Moors from having Christian squires, servants and servers (mozos) in their homes. Christians were also not to prepare their food in any way. Christians were also not to do housework during the Sabbath or to even turn on a light (candle or fire) or to send them to buy wine or any other chore. They were also not allowed to have young Christian women as nannies or wetnurses. Christians were also not to work as gardeners or shepherds for Moors or Jews. Christians were not to go to any Muslim or Jewish celebrations, weddings or burials. Anyone who disrespected the law would be fined two thousand maravedis. The king did allow that Muslims and Jews contact Christian carpenters and day laborers to make necessary home reparations and to work in their vineyards and farms. As such, Christian day laborers could pluck and stomp the grapes to make the moss for wine.<sup>376</sup>

The law also ordered that Jews and Moors also could not be tax collectors, rentiers, curators, stewards either for the king or any lord or lady or any Christian. The court mentors of the king also banned that Jews and Muslims be brokers, heads/captains of ships and embarkations, sifters, nor are they allowed to carry arms into towns, cities or localities. Any Jew or Moor that goes against the law, will have to pay a fine of two thousand maravedis. Any Christian, who breaks this law as well, will pay the two thousand maravedis fine.<sup>377</sup>

The king then banned that no Jew or Moor dare to have olive groves or places or squares that sell food to Christians or buy food from Christians under the penalty of 500 maravedis. The

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<sup>374</sup> *Documentos de la minoría de Juan II: La regencia de Fernando de Antequera*, (1993). Título CLIV, p 345-346

<sup>375</sup> *Ibid.*, p 346.

<sup>376</sup> *Ibid.*

<sup>377</sup> *Ibid.*, p 346-347.

king allowed the two minority groups to have olive groves and sell foodstuffs to the members of their own communities within the confinement of their walled in living quarters.<sup>378</sup>

No longer were Moors and Jews allowed to have their own judges to pass judgment on civil and criminal cases. Instead, they were to go to the mayors of the cities, towns or localities where they resided. However, the monarch pronounced in terms of civil complaints that the municipal mayors allow that the two minority groups' religious customs be respected.<sup>379</sup>

The ordinance also requested that Jews and Moors (Muslims) not dare to visit sick Christians, nor offer them medicines or syrups or balsams for their baths. Jews and Moors are also not to send Christians presents of spices, wines, baked bread nor slaughtered birds or any other slaughtered meats. Any transgression of the law would cause the fining of 300 maravedis.<sup>380</sup>

The ordinance also ordered that no Christian woman, married or single or engaged or public woman (prostitute) dare enter the enclosed living quarters of the Jews or Moors either during the day or at night. Any Christian woman that entered the enclosed living quarters should pay 500 maravedis. If the woman were single or engaged, then she was to lose the clothes that was wearing upon entering the enclosed living quarters. If she was a public woman, then she would be flogged publicly 100 times and banned from the town or city.<sup>381</sup>

The ordinance also ordered that the accuser, either a town inhabitant or stranger be rewarded one-third of the fine. The other two-thirds be for the royal chambers. The ordinance stated that no Jew or Moor be arrested without having been tried first in court and proven guilty.<sup>382</sup>

The ordinance also banned both Jews and Muslims from using the title Don or Doña. The title of reverence could not be uttered verbally nor used in writing. Any breach of the law would cost the abuser one hundred lashes.<sup>383</sup>

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<sup>378</sup> *Documentos de la minoría de Juan II: La regencia de Fernando de Antequera*, (1993). Título CLIV, p 347

<sup>379</sup> Ibid.

<sup>380</sup> Ibid.

<sup>381</sup> Ibid.

<sup>382</sup> Ibid.

<sup>383</sup> Ibid., p 347-348

The following mandate was on dress and apparel. Jews were not allowed to wear hats with long *chías*.<sup>384</sup> The *chía* was a long and thin piece of cloth that descended from the covered head or hat in two folds. One side went down to the shoulder, whereas the other side went down the back.<sup>385</sup> It was a symbol of nobility and rank. Instead, they were allowed to wear short ones up to the length of a palm and made into the shape of a funnel or a horn. All Jews were forced to wear *tobardos* with wings.<sup>386</sup> A *tobardo* was a long and wide cloak made out of a coarse cloth with wide sleeves.<sup>387</sup> Jews also had to wear on their chest the distinguishing red buckler or circle<sup>388</sup> in order to identify them from the majority Christian community and the Muslim minority.

The ordinance banned both Muslims and Jews from wearing expensive clothes over the price of seventy maravedis. Anyone who disobeyed the law would lose all of their clothes they were wearing. For the second time breaking the law, then the violator would lose all of his/her clothes and receive a hundred lashes. On the third occasion, then the offender would lose all of his clothes that he/she was wearing, receive a hundred lashes and lose all of his/her belongings, which would go to the royal coffers.<sup>389</sup>

In an 18<sup>th</sup> century manuscript of the ordinance found in the National Library of Spain, MSS/10649, *Colección de Cortes y ordenamientos inéditos, pertenecientes a la legislación de España*, the physical appearance of Jews and Moors was further discussed. The ordinance forbade that Jews to shave off their beards with razor blades but that they were allowed to trim them with scissors, as well as their hair was to be kept longer as Jews used to in ancient times. Any Jew, who did not abide by the law would be fined five hundred maravedis.<sup>390</sup> This measure was imposed in order to distinguish Jews from Christians in a further attempt to differentiate, discriminate and isolate the Jews as a marginalized minority group living on the fringes or margins of the Christian majority society.

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<sup>384</sup> *Documentos de la minoría de Juan II: La regencia de Fernando de Antequera* (1993). Título CLIV, p 348.

<sup>385</sup> CANTERA MONTENEGRO (2012), p 126.

<sup>386</sup> *Documentos de la minoría de Juan II* (1993), p 348.

<sup>387</sup> CANTERA MONTENEGRO (2012), p 126

<sup>388</sup> *Documentos de la minoría de Juan II* (1993), p 348.

<sup>389</sup> *Ibid.*, p 348.

<sup>390</sup> *Colección de Cortes y ordenamientos inéditos, pertenecientes a la legislación de España* (MSS/10649), Biblioteca Nacional de España: Madrid, (18th century manuscript), p. 113.

Another demand from the ordinance was forbidding the Jews and Moors (Muslims) from leaving Valladolid to move to another place. Anyone who disobeyed the law would lose their property and their bodies [lives] to the mercy of the king. The ordinance also forbade any lord, squire or knight to take in Jews into their towns or to invite any Jew or Moor to reside in their homes. If these nobles had invited Jews or Moors into their townships, then they are to return them to where they came from. If these nobles do not send them back, then they will lose the townships in which they rule.<sup>391</sup>

The ordinance was proclaimed/announced to the public in the presence of the young king, his mother the regent and all other noblemen in the regency. After mentioning all witnesses present for the signing of the ordinance, the Murcia document mentioned that it was a true and faithful transcript of the original document. The exact day was left out but the month and year were written: January 1412.<sup>392</sup>

As can be seen from the aforementioned Castilian laws from 1411 and 1412, these attempts to constrain the movements of the religious minorities and limit their professions and restrict them to walled in living quarters, were a continuation of the anti-Jewish legislation and stance of both Castilian ecclesiastical and secular leadership since 1391. The purpose was to deprive them as of much livelihood as possible to compel them to convert to Christianity. At the same time, on the other hand, in Portugal, these restrictive laws on the Jews began to become more flexible and tolerant towards their Jews. The analysis has seen how the severe restrictions on the movement of Jews throughout their cities, towns and villages of Portugal was never as restrictive as in Castile. Jews could still leave their quarters and have businesses and shops outside of their living quarters. Jews caught outside of their living quarters after curfew were given a certain amount of leeway, if their shops were far from the living quarters and they were en route to their residences; or if they had been out in the fields, tending to their crops; or if they were returning from a long journey tending to their business; or if they were tax and rent collectors. The same applied to leaving the Jewish quarters early in the morning if he had to tend to his business at a certain distance from the Jewish quarter. Any Jew, who was in a different town or city once the curfew had started, could stay at a Jewish inn or home in the

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<sup>391</sup> *Documentos de la minoría de Juan II* (1993), p 348.

<sup>392</sup> *Ibid.*

Jewish quarter of that same town or city. Jews could also be called out to tend to the sick and perform surgery after the curfew, if any Christian came to them looking for their help and assistance. The Jewish surgeon or physician would have to be accompanied by a Christian.

All of this comes into a stark contrast to the banning, prohibitions and restrictions imposed on Castilian Jews in terms of their residence, movement and professions. Whereas Jewish shop owners and pharmacists could sell merchandise and medicine to Christians and Jewish physicians and surgeons could attend Christian patients. Castilian Jews were completely banned from coming into any contact with Christians.

Even though the harsh Castilian legislation would be suspended by 1418, it still reinforced and hardened the pre-existing notion of marginalizing, ostracizing and isolating the “Jew” as an abomination that was to be avoided at all costs. The legal and official harassment of minorities by singling them out from the dominant majority social group and placing them outside of the heart of the majority community and placing them with other “outside” groups; such as lepers, thieves, sorcerers, soothsayers, prostitutes and Moors (Muslims). As such, Jews were thrust with other sinister, dark and shady characters that were worthy scorn and derision from the dominant Christian society. In fact, Castilian secular and ecclesiastical legislation reinforced the imaginary through literary works of poetry and songs of scorn and derision (*Cantigas de Escarnio y Maldecir*). This, in turn, conditions the collective mindset of the common people to look at Jews with reservation and suspicion during peaceful and stable times and then despisal, hatred and to take violent action against them when socio-economic conditions became difficult and trying.

### ***7.C.3. Chancelarias Portuguesas D. João I 1391-1412***

Investigation did not find any legislation from the chancelleries from this period that was truly anti-Judaic in nature. Instead, the majority of the diplomas expedited were the granting of traditional privileges and rights to individuals, groups or communities. In some instances, they were the granting of the use for property or, as in the case of Évora, the expansion of the surface area of the Jewish Quarters in 1408, which had become too small and near impossible to accommodate to the number of Jews arriving from Castile in the aftermath of the massacres and forced conversions in 1391.

### **Rights and privileges granted or reiterated to Jewish communities**

#### ***On the rights of the Jews of Castel Branco (Documento 634, fl. 71)– N/A***

The royal letter mentioned the rights and privileges that the Jews of Castelo Branco received from the king. Lisbon, 14 January 1393.<sup>393</sup>

#### ***Privileges to the Jewish Community of Miranda (Documento 225, fl. 32)– N/A***

The charter from 27 October 1394 recognized that the Jewish community paid all of its taxes and tributes to the Crown and that it also paid three thousand pounds for the services offered by the lord. It also stated that the Jews should not be charged with more tributes to pay.<sup>394</sup>

#### ***How a Jewish Quarter was granted to the Jews of Villa Real (Documento 314, fl. 47)– N/A***

On 2 July 1392, the notary public, Francisco Dominguez created a public document in the town of Vila Real. The Jewish community received a street as its Jewish quarters outside of the walls where the Jews could live. Villa Real, 10 October [1433 – 38 = 1395].<sup>395</sup>

#### ***Regiment of Grand Rabbi to all the Jews of Portugal (Documento 320, fls. 48 – 48vº)– N/A***

The document makes reference to João I and his chancellor Alvaro Gonçallvez and how they acknowledged the services rendered by Rabbi Dom Yhuda and made him Grand Rabbi of the Kingdom of Portugal. The document also recognized that Jewish judges would deal with all civil and criminal cases between Jews that were within the jurisdiction of the Jewish community and that they did not have to give any accounts, information or letters to the royal judges. All appeals and documents would have to go through the local rabbis first and then to the Grand Rabbi. The document also consented to Jewish scribes writing in Hebrew except for when they had to write documents for Christian officials. Sintra, 16 July [1443 – 38 = 1405].<sup>396</sup>

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<sup>393</sup> *Chancelarias Portuguesas. D. João*, v. II, t. 2, 1387-1402 (2005), 1ª edição. Centro de Estudos Históricos: Universidade Nova de Lisboa, p 18.

<sup>394</sup> *Chancelarias Portuguesas. D. João*, v. III, t. 1, 1385-1410 (2006), 1ª edição. Centro de Estudos Históricos: Universidade Nova de Lisboa, p 137.

<sup>395</sup> *Ibid.*, p 194-195.

<sup>396</sup> *Chancelarias Portuguesas. D. João*, v. III, t. 1, 1385-1410 (2006), p 197-199.

It must be noted how the Rabbis in Portugal were still allowed to run their own affairs, whereas in Castile in that same year, this right had been revoked at the Cortes of Valladolid in 1385. Castilian Jews had also lost the right to rule over criminal cases in their own community since the Cortes of Soria in 1380. From then on, all court cases would have to be presided by Christian judges. Here the investigator can see even more differences between the two kingdoms.

***Privileges of the Jews of Braga (Documento 386, fl. 60 vº) – N/A***

The text itself grants rights and privileges to the Jews of Bragança, which is a completely different city in northern Portugal. [Error of entry or of the original public document by the notary public]. Lisbon, 28 September [1442 – 38 = 1404].<sup>397</sup>

***Expansion of the Jewish Quarters of Évora (Document 517, fl. 85): 1408***

The document discussed at length the measures taken to deal with the expansion and growth of the Jewish Quarter in Évora in the Alentejo region between Lisbon and the border with Castile. It stated that the members of the Jewish community approached the local authorities that their Jewish Quarter had become too small and as such, there was a scarcity of houses and dwelling and that rents had become too expensive and that the poor could not afford them. As a result, many Jews were returning to Castile, as they could not afford such expensive rents. The Jewish community therefore requested that the Jewish Quarters be expanded into the adjacent streets around the Jewish Quarter and that the Christian inhabitants be displaced. The Jewish Community was willing to assume all of the costs in creating new walls and gates to their quarter.<sup>398</sup>

The king acquiesced and summoned the magistrate João Mendez at the court to call on the Rabbi of the synagogue of Évora, the community's counselor and attorney in order to agree upon the actual expansion of the Jewish Quarter and which adjacent streets would encompass such expansion. The king's magistrate went to the Jewish Community in Évora and met with

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<sup>397</sup> *Chancelarias Portuguesas. D. João*, v. III, t. 1, 1385-1410 (2006), p 244.

<sup>398</sup> *Chancelarias Portuguesas. D. João*, v. III, t. 2, 1394-1427, (2006). 1ª edição. Centro de Estudos Históricos: Universidade Nova de Lisboa, p 78-79. Also see: PEREIRA, Gabriel (1998). *Documentos Históricos da Cidade de Évora*. Imprensa Nacional – Casa da Moeda, p 222-223. This text entry was based on documents found in the Torre do Tombo, L. 3º de João Iº fl. 85. Arch. Mun. ebor. Coll. Rivara.

the Rabbi, the Jewish community's counselor and attorney at the synagogue, whereupon they reached an agreement that they could expand the Jewish Quarter. They all went to the adjacent streets and devised how they would actually expand the Jewish Quarter. The exact streets were mentioned and how new gates would be created at the cost of the Jewish Community. The text was written in the year of the Era: 1446 – 38 = 1408.<sup>399</sup>

This document testifies to the attitude and approach of both municipal and royal authorities to the overcrowded living conditions of the Jewish community of Évora due to the arrival of Jews and forced converts as of 1391 and afterwards. The Jewish community did not only expand demographically due to the number of those arrivals from Castile but most likely of the offspring of both Castilian and Portuguese Jews having been born in Évora since 1391 and how the confined boundaries of the Jewish quarter of the city could no longer support such a burden of limited space and overpriced rents. This left both municipal and royal authorities with two options: either remain passive and watch members of the highly skilled Jewish community return to Castile or expand the boundaries of the Jewish quarters to alleviate the physical constraints of an enclosed area that could no longer support the demographic expansion of that Jewish community, as well as the overpriced rents.

### ***Rights and privileges granted to individuals to property including shops***

#### ***Shops in Lisbon (Documento 757, fl. 87 vº) – N/A***

discusses the rights (foro = charter) of ironsmith, Master Isaac to have seven shops (tents = tendas) at the gate of the new Jewish Quarters (Judiaría Nova) via the payment of twenty-seven pounds of old coin per year. 26 June 1431 – 38 = 1393.<sup>400</sup>

#### ***Shops in Lisbon (Documento 818) – N/A***

The royal letter grants a royal charter mentioning the rights of two shoemakers to have their shoe shops in Lisbon. The first person mentioned is Gonçallo Dominguez Banheiro in the Old Jewish Quarters (Judiaría Velha) and the second person mentioned is Domingos Lourenço in the Rua Pubrica. Each had to pay four pounds each of old currency. Coimbra, 1 March 1433 –

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<sup>399</sup> *Chancelarias Portuguesas. D. João*, v. III, t. 2, 1394-1427 (2006), p 79. PEREIRA (1998), p 223.

<sup>400</sup> *Chancelarias Portuguesas. D. João*, v. II, t. 2, 1387-1402 (2005), p 83.

38 = 1395.<sup>401</sup> Even though the two aforementioned shoemakers were perhaps not Jewish, the document gives testimony that Christians worked and had their shops in the Jewish quarters.

***Houses in Lisbon (Documento 819) – N/A***

The royal letter discusses how the king granted a charter for the houses that border in the east with the king's property and in the west with the Church of St. Bartholomew and the Old Jewish Quarters (Judaria Velha). Coimbra, 26 February 1433 – 38 = 1395.<sup>402</sup>

***Old Poor House (Pardieiro em Santarem) [III – 829], fl. 129 v<sup>o</sup> – N/A***

Royal letter granted to Lidiça, Jewess of a charter *pardieiro* [old poor house in ruined conditions] in the town of Sanctarem and two other people [not mentioned in the entry] after her death. The *pardieiro* is on the Rua Direita that starts at the houses of Salamom Belhamim and goes to the old fortress (alcaceva) by the bridge. Santarem 11 July [1444 – 38 = 1406].<sup>403</sup>

***Donation of a canal in Abrantes [III – 830], fl. 129 v<sup>o</sup> – N/A***

Royal letter from the king donating a canal to Diego Ferrnandez, son of Fernand Alvarez, tutor/governor of the royal princes, as well as to the royal services of the Jews of Abrantes. Santarem, 6 July [1449 – 38 = 1411].<sup>404</sup>

***Houses in Porto that were chartered forever to a certain extent. [III – 914] fl. 144 – N/A***

The royal letter mentioned that certain houses in Porto were under royal charter forever and that could only be sold and bought by anyone, who was not a knight, squire, Moor [Muslim], Jew or Jewess nor religious man or woman (clergy member). Lisbon, 22 April [1450 – 38 = 1412].<sup>405</sup>

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<sup>401</sup> *Chancelarias Portuguesas. D. João*, v. II, t. 2, 1387-1402 (2005), p 109.

<sup>402</sup> *Ibid.*

<sup>403</sup> *Chancelarias Portuguesas. D. João*, V. III, t. 3, 1391-1407, (2005). 1ª edição. Centro de Estudos Históricos: Universidade Nova de Lisboa, p 12.

<sup>404</sup> *Ibid.*, p 12.

<sup>405</sup> *Ibid.*, p 69

## 7.D. Municipal Legislation 1391-1412 Portugal

### 7.D.1. Lisbon - Livro dos Pregos, 1391-1412

What is important about the following documents is the absence of any open hostility or animosity towards the Jews as in Castile indicating the desire for violence against them. There is also no indication that there was any anti-Jewish undercurrent that would explode into potential violence. There is no indication of the violence that had occurred in Castile either.

In Document 236 of 18 September 1391, folios 181v. – 182v., King Dom João I ruled against the petition of Lopo Martins and Martim Lourenço, toll collectors of the city, of dispensing them from paying fees for the loading and unloading of wines and other goods. The king stated that the two aforementioned men misinterpreted the charter that was granted to them that did not dispense of the paying the appropriate fees for transporting goods in their favor and that they had to pay the city the appropriate toll and *sisá* (commercial transactions tax).<sup>406</sup>

The city councilor, Alvaro Gonçalves established that the two toll collectors, Lopo Martins and Martim Lourenço, had to pay a fine of seventy-nine thousand Portuguese pounds and that the scribe Rodrigo Eanes write the document. The two men went to city prosecutor and contested the fine stating that it would bring them financial losses and damages, and that they could not pay such a high fee. The king told the city council not to reduce the fine and to strictly abide by the ruling. The city councilor, Alvaro Gonçalves along with the city prosecutor, Gil Martins armed with a power of wit compounded all of the goods, assets and cargo of the indicted men that was worth seventy-nine thousand pounds at the current currency rate of that period. The document explained that the purpose for such action was to discourage any such action from occurring in the future by anyone.<sup>407</sup>

Besides providing a very detailed legal inquiry into dubious practices conducted by the municipal toll collector of Lisbon, Lopo Martins, and his associate, Martim Lourenço, not once did the document present an attack on the former individual's religion during the process. There is no mention of Lopo Martins being a usurer, Christ killer or belonging to a

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<sup>406</sup> *Livro dos Pregos* (2016). Coleção Documentos do Arquivo Municipal de Lisboa. 2ª Edição Câmara Municipal de Lisboa, p 342.

<sup>407</sup> *Ibid.*, p 343.

faith that was classified by the Church as erroneous and heretical. Instead, the document provided a lengthy account of witness testimony of the discrepancies in the accounting books but not a personal attack on the toll collector belonging to a minority religious group. On the one hand, one could argue that for professional purposes, the scribe(s), Rodrigo Eanes, only provided an account of the exact deliberations pertaining to the case and deleted or omitted any possible personal attacks on the accused. On the other hand, one could argue that due to a lack of documentation of official attacks of members Jewish community through the use of slanderous verbal abuse to this date, that such behavior was neither common nor would have been condoned by the monarch, and as such, did not take place. As such, there is no documentation of anti-Judaic stances or positions in the deposition of this case, limiting it to the resolution of the doubts surrounding the accounting practices of Martim Lourenço and Lopo Martins, as well as the fine the two individuals had to pay.

Document 108 of the 1 December 1397-1423, folio 125v, reiterated what other previous laws in other sources stated that by petition from the Lisbon council that the forbidding of Christian women in the Jewish Quarters was to be continued/extended. It was proclaimed throughout the city that any Christian woman, who dared to defy the law by entering the Muslim or Jewish quarters without her husband or other Christian man. Any woman caught would be publicly flogged throughout the city or town where it occurred. The year could not be ascertained, as it was not given in the text. Historians have researched that King João I was in Santarém on 1 December in the years 1397, 1399, 1402, 1413, 1418, and 1423.<sup>408</sup>

#### ***7.D.2. Portuguese Municipal Laws: Évora and Porto, 1391-1412***

An interesting part of the investigation was the coming across parallel developments, not only in the type of law covering similar issues, but the similar language employed when dealing with those issues. This would involve the cities of Porto and Évora and the issues concerned were slaughterhouses, butchers and correct practices.

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<sup>408</sup> *Livro dos Pregos* (2016), p 229.

There is the case of the Bishopric of Porto granting its Jewish community its own slaughterhouse and butcher of their choice of 17 July 1412.<sup>409</sup> In a legal battle between the Porto Jewish community and the bishopric council, the sentencing of 1412 allowed the Jewish community the privilege of having its own butcher and slaughterhouse within the Jewish quarter in exchange for an annual fee of a Castilian gold doubloon to the bishopric council. This compromise, at a nominal monetary price, indicated a relative tolerance and Convivencia between Jewish community, the Porto bishopric and Porto municipal council.<sup>410</sup>

This legislation reminds investigators of a previous legislation in Évora believed to be from 1380-1382, in which both Muslim and Jewish butchers had to follow the same norms and procedures of hygiene as Christian butchers in the keeping of meats, exposing horns and hides of the animals they slaughtered that same day, that no butcher slaughter or sell any sick animal and the maintenance of their slaughterhouses. The ordinance demanded that butchers place their meats in the slaughterhouse Saturday morning and others as of Sunday morning.<sup>411</sup> This could be a reference that Muslims and Christians follow the rule for Saturday, whereas Jews would have to follow Sunday morning, as the Sabbath is celebrated from sunset on Friday until sunset on Saturday. In other words, there was no discrimination against the two minority religions or their days of rest.

In terms of further legislation that treated Jews on an equal foundation as Christians, is to be found in both Porto and Évora, when dealing with goldsmiths and the issue of unethical business practice.

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<sup>409</sup> ID. Doc 692 Arquivo Distrito do Porto (ADP), *Cabido – Originais*, Livro 19, perg. 9 Publicado In Coelho Dias, p. 195-198. Note-se que uns documentos de 1424 e 1479 continuam a contenda e fornecem mais informações. Publicados em Coelho Dias, p. 198- 206. MELO, Arnaldo Rui Azevedo de Sousa (2009). *Trabalho e Produção em Portugal na Idade Média: O Porto, c. 1320- c. 1415*, v. I., p 351.

<sup>410</sup> MELO (2009). v. I, p 294-295. There is also evidence of a Christian butcher, Afonso Peres de Alfena, who lived in the Jewish quarter and slaughtered animals in the Jewish slaughterhouse according to Jewish ritual at the petition of the Jewish Community. MELO (2009). Vol. I, p 16-17. DIAS, Geraldo J. Amadeu Coelho, O.S.B. (2006). *As religiões da nossa vizinhança: História, Crença e Espiritualidade*. Departamento de História. Faculdade de Letras da Universidade do Porto, p 184-190; according to Coelho Dias, the most important thing is that the butcher was able to slaughter animals according to Jewish ritual, as long as it was under rabbinical supervision. Perhaps there was no certified Jewish butcher available at the time or a Jewish butcher willing to exercise his profession.

<sup>411</sup> PEREIRA (1998), p 127. Gabriel Pereira stated that even though some of the legal postures were undated, through reference to certain procurators or mentioning of the New Wall, historians could approximate certain periods or reigns. Hence, it is believed that the aforementioned law was from 1380-82.

The first law is from Évora and the original document, *Hordenação dos hourizes (Ordinance on Goldsmiths)*, was dated Saturday, 27 November 1395. Due to the many complaints presented by the witness to the auditors at the council palace, including Joham Pires, a silver sharpener, auditor of weights and balances, that there were many Jews in the city and others who were goldsmiths, who made many works, such as buttons and belts, and did not bring them before the auditor, because they were not works of which it was necessary to place the mark of the council. However, it was reported that such acts were that of “great wickedness being done in them”, which was notified and shown by the witness. Wanting to impede such malice, it is determined that, henceforth, no goldsmith could take silver from any person to do any work, unless the said seller is present, and whoever did so should receive the penalty of deceit, if found, in some forgery. In the same way that even if no deceit was found, for the displeasure he did in justice, not going before the aforementioned auditor, he should, in both cases, pay 100 pounds for the works to the municipality.<sup>412</sup>

Important to note was that not only were Jews criticized of committing acts of fraud, but *others* as well. It must be noted that not only Christians and Jews lived in Évora, but that there was a substantial Moorish community there as well. *Others* could have denoted the Moors as well. Once again, the act itself was condemned and not merely presenting such acts as being something inherent or intrinsic in the mindset of any particular religious community.

Similar to the case in Évora, was that of Porto from 1402. The original text from 4 January 1402 states that all of the goldsmiths from the city, both Christians and Jews, were summoned by the municipal authorities demanding that no goldsmith sell nor place their finished products at the doors of their shops without having presented them first to the official silver inspector, Gonçalo Stevez, for quality control.<sup>413</sup> Important to note in this law, was how Christian goldsmiths were specifically mentioned and they were *placed before* Jewish goldsmiths at the beginning and at the end of the text. This can denote that perhaps more

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<sup>412</sup> PEREIRA (1998), p 164.

<sup>413</sup> The law in question was from 4 January 1402, Arquivo Municipal do Porto (AMP), *Livro de Vereações de 1390-1395*, Doc. 74, fl. 70v, DM, 40, 78-80, ID. Doc. 96. MELO (2009). vol. 1, p 297-298. MELO, vol. 2, 2009, p 173-174. Arnaldo Azevedo de Sousa Melo was able to interpret from the specific mentioning of the Jews among the Christians in this law, their importance in the goldsmith profession in Porto, p 175. On the same page, he provided an explanation for the “malicia”, which was to gold paint silver objects (gilded) and claim them to be solid gold. He also explained how, if goldsmiths were to do this, they had to do it in front of the purchaser.

Christian goldsmiths were involved in the practice of selling gilded wares than Jews or that there were a greater number of Christian goldsmiths in the city or perhaps even emphasize on the inferior legal status of Jews vis-à-vis Christians. Nonetheless, the most important aspect of the specific denotation of Christian goldsmiths is that they were involved in such practices as the Jews. Most likely Muslims were not mentioned, as the Moorish community would have been very small to non-existent by then. The majority of Muslims lived in the south of Portugal, especially in the Lisbon area, Alentejo and Algarve regions.

Perhaps the most important deduction from these pieces of legislation, besides providing evidence in the negotiations between the two communities in the day-to-day business activities, was the language employed, especially the term *malicia* or malice. Unlike Castilian legislation, which blamed Jews for intentionally practicing malice against Christians in their activities, with exception during the reigns of Alfonso XI and Pedro I, Portuguese legislation since 1340 during the reign of Afonso IV applied the term “malicia” to all three confessions, in that “men seek many paths to use malice”.<sup>414</sup> The term would be framed in that same manner in other pieces of late medieval legislation from then on. This is important when dealing with the late medieval imaginary in that the image of the Jew was not as vicious, callous, heartless, conniving as in Castile. The word choice in the texts condemned the activity, usury, and not solely blame the Jews, but rather all men. As such, Portuguese Jews were not further demonized, ostracized or marginalized as their counterparts in Castile.

## **Ch. 7. E. Anti-Jewish Ecclesiastical Laws (Synods) 1391-1412**

### ***7.E.1. Synods In Castile 1391-1412***

In Castile, the many synods held dealt with the issues of the clergy, its corruption and lack of preparation to give mass, perform baptisms and even read basic texts in Latin. Other topics would be Holy days, celebrations, Corpus Christi, cult of the Virgin Mary, but rarely any issues with the Jews and Muslims. This would change in the 1420s until the final expulsion in 1492.<sup>415</sup>

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<sup>414</sup> *Livro das Leis e Posturas* (1971). Universidade de Lisboa. Faculdade de Direito, p 400. *Cortes Portuguesas. Reinado de D. Afonso IV (1325-1357)* (1982). Instituto Nacional de Investigação Científica, p 114.

<sup>415</sup> *Synodicon Hispanum, IV, Ciudad Rodrigo, Salamanca y Zamora* (1984). Dirigido por Antonio García y García. Biblioteca de Autores Cristianos: Madrid, 1987. *Salamanca 6*, Synod under Diego de Anaya y Maldonado 30 January 1396. This synod did not mention the Jews or Muslims. In the following order, the canons or constitutions dealt with at this synod were: 1) Articles of faith and commandments,<sup>415</sup> 2) Vacant seat; 3)

*Cuenca Synod 3* of 7-8 April 1399 led by Bishop Juan Cabeza de Vaca.<sup>416</sup>

[133] forbade Christians to go to Jewish or Muslim weddings or burials. If they should go against the order, then they ran the risk of excommunication.

[134] on adultery forbade sexual relations between members not belonging to the Christian faith (Muslims and Jews), as well as with young girls, nuns or relatives.<sup>417</sup>

Manuscript: X fol. 29r-43v.

Many of the ecclesiastical legislation controlling and constraining Jewish actions were from the 15<sup>th</sup> century. In terms of the focus and scope of this thesis, these include:

*Cuenca Synod 7* of 19-21 April 1406 presided by Bishop Juan Cabeza de Vaca

Manuscript: X fol. 50r-52v.

[27] 8 – banned or forbade Muslims and Jews from working publicly on Sundays and Christian holidays. The order demanded that no Jew or Muslim dare to work publicly in their professions on Sunday or any other Christian holidays. If they were caught doing so, then they would be fined with a fee of 20 maravedis for each time caught.<sup>418</sup> Most likely, this applied to working publicly in the Christian sector or neighborhood of cities and towns, but not in their own neighborhoods behind the closed gates of their walled-in neighborhoods.

*Cuenca Synod 9* of 14 September 1411 presided by Diego de Anaya y Maldonado

Manuscript X fol. 58r-61v.

[6] 4. Butchers will not slit the throats of the cattle according to Jewish or Muslim ritual. It has become known that in some towns and localities of the bishopric, there are some Jews and

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Election of the bishop; 4) Cleric pilgrims; 5) Clerical Charter; 6) Visits from the Archdean and Archpriest; 7) Celebration of Holidays and Canonical Hours; 8) Canonical Hours; 9) Tithes; 10) Tithes; 11) Tithes; 12) Charity collections; 13) Corpus Christi; 14) Cult of the Virgin Mary; 15) Holidays of some other saints; 16) Clandestine marriages; 17) Number of godparents at baptisms; 18) Permissions for reserved cases; 19) Excommunication Sentences; 20) On the inheritance of defunct clerics; and, 21) the obligation to uphold the present constitutions, p 25-48. *Salamanca 7*, Synod of Bishop Gonzalo de Alba, 6 April 1410: The synod of 1410 made many references to the constitutions of past synods. Five of the constitutions dealt with divine worship, while another four dealt with economic matters. Two dealt with clerical discipline and another two deal with the implementation of the 1410 constitutions, p 49).

<sup>416</sup> *Synodicon Hispanum*, vol. X, *Cuenca y Toledo* (2011). Dir. Antonio García y García. Biblioteca de Autores Cristianos.

<sup>417</sup> *Synodicon Hispanum*, vol. X (2011), p 91.

<sup>418</sup> *Ibid.*, p 130.

Muslim (Moors) that have the local butchers practice and that Jewish and Muslim butchers practice slaughtering cattle according to their rituals and that Christians consume. After they have prepared and seasoned the meat and there are no more Jewish or Muslim customers, then they sell the meat to Catholics. The Church banned this practice, as it reflected the blindness and errors of Jewish and Muslim practices and rites as this is an affront to the Catholic Church. From thereon henceforth, the Church forbade local butchers to practice slaughtering cattle according to Jewish and Muslim rites. Anyone who transgresses the law would be excommunicated. The synod also mandated priests and clerics from these towns and localities to report them to the bishopric.<sup>419</sup>

*Synod Palencia II* – Juan Sánchez, general vicar of Bishop Sancho de Rojas, 3 May 1412.<sup>420</sup>  
Manuscript: Q fol. 37r-44v.

[5] *Ecclesia* (Church) – banned all Muslims and Jews from being in Church mass or holy office (*divinales offiçios*). The exception would be to a dire need. Even in such cases, only after the priest had started the preface. Jews and Moors who would enter the Church during mass and official ceremonies are to be thrown out and locked up in a place close to the church. Whosoever refuses to do so and defends the Jews or Moors will be excommunicated.<sup>421</sup>

[6] *Sicut fidelis* – Christians were banned from attending Jewish or Moorish (Muslim) weddings or to go to their funerals nor to be near or close to their ceremonies. Anyone who would do so, would be excommunicated.<sup>422</sup>

[9] – *Adversus* – banning Christians from attending Jewish or Moorish (Muslim) doctors nor take their medicines nor their foods.<sup>423</sup>

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<sup>419</sup> *Synodicon Hispanum*, vol. X (2011), p 157.

<sup>420</sup> *Synodicon Hispanum*, v. VII, *Burgos y Palencia* (1997). Dir. Antonio García y García. Biblioteca de Autores Cristianos.

<sup>421</sup> *Ibid.*, p 411.

<sup>422</sup> *Synodicon Hispanum*, v. VII, *Burgos y Palencia* (1997), p 411.

<sup>423</sup> *Ibid.*, p 412.

### *7.E.2. Synods in Portugal 1391-1412*

#### **Synod N°11 in Lisbon summoned by Bishop D. João Afonso Esteves de Azambuja, 13 January 1403<sup>424</sup>**

Written in Portuguese, it is the only known early 15<sup>th</sup> century text that has reached historians and investigators in its complete form. Much of the legislation is familiar or known since the end of the 14<sup>th</sup> century. The print copy was taken from a manuscript, which has not been identified. D. João Afonso Esteves de Azambuja took 16 synodal constitutions from his immediate antecessor, D. João Anes and it is believed that it was celebrated sometime between 1393 and 1402.<sup>425</sup>

Constitution 3 considered it a carnal sin for Christians to lay with Jews and Moors and would run the risk of excommunication.<sup>426</sup>

Besides placing importance on the lack cultured learning of the clergy – the bishop expected that the clergy learn Latin grammar and song (canto) – as well as its lack of moral behavior, the synod focused on Item 12 on the forbidding of Christians in having certain contacts with Jews and Moors and of the two minority religious groups had to stay in their own quarters.<sup>427</sup>

Item 11 clearly states that some Christians have lived in scandal and have placed/put their souls into jeopardy by living with Jews and Moors (Muslims). As such, the synod forbade that Christians live or presume to live with Jews and Muslims or that they serve them in their homes or that Christian women act as wet nurses or nannies for them. The constitution also forbade Christians from attending the weddings of Jews or Muslims and that Christians were not allowed to invite Moors and Jews to their own homes.<sup>428</sup>

In item 12, it states how the Jews and Moors should have their homes in their respective quarters but that some of them have their homes amongst Christians outside of their

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<sup>424</sup> *Synodicon Hispanum*, v. II, *Portugal* (1982). Edición Crítica dirigida por Antonio García y García. Biblioteca de Autores Cristianos.

<sup>425</sup> *Ibid.*, p 317-318.

<sup>426</sup> *Ibid.*, p 321.

<sup>427</sup> *Ibid.*, p 328.

<sup>428</sup> *Ibid.*

designated quarters. It also states that what made matters worse, was how some Christians motivated by profit, gain and greed rented or sold homes to Jews at higher rates than to Christians in order to earn higher gains. It also claims that some Christians were living or that it was presumed that Christians live in Jewish and Muslim quarters that would lead to the imperilment of their souls.<sup>429</sup>

As a result, the Synod N°11, Item 12 forbade Christians from renting homes to the Jews and Moors that were outside of their respective quarters and that any Christian that continued to ignore the ruling would be excommunicated and even put to death.<sup>430</sup>

(In this case, the burden of punishment is placed on the Christians and not the members of the two other religious minority groups. One could interpret this as a sign of fairness and equity (*equiparar*), as well as a way of deterring Christians from entering into such illicit dealings with members outside of the Christian faith).

Item 12 continued that in case there was no designated Jewish or Muslim quarters and the religious minorities had to live amongst the Christians, then it was ordered that they do not work or offer their services in public on Sunday and Christian holidays. The Jews and Muslims were also not allowed to cook, roast or eat meat in public during Lent or on any other day that Christians are expected to fast. Any Jew or Moor (Muslim), who would disobey such a mandate, would be brought before an ecclesiastical official in order to impose justice.<sup>431</sup>

In constitution or item 23, the synod forbade Christians from receiving medicine from Jews or anyone from another faith or to call them if they should have an ailment or be in pain. The synod forbade Christians from taking food from people from other faiths.<sup>432</sup> This drastic measure went beyond any Portuguese secular legislation of that time. Instead, it would be similar to Castilian secular legislation from 1412.

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<sup>429</sup> *Synodicon Hispanum*, v. II, *Portugal* (1982), p 328-329.

<sup>430</sup> *Ibid.*, p 329.

<sup>431</sup> *Ibid.*, p 329.

<sup>432</sup> *Ibid.*, p 335-336.

As in the other period documentation, there are differences in the Castilian and Portuguese synods in terms of the amount of restrictions and the types of restrictions that were presented. When looking at the individual articles or items, investigators can discern these nuances. The Castilian synod held in Cuenca in 1411 forbade Christian butchers from slaughtering cattle according to Judaic or Islamic ritual, whereas in 1412 the bishopric of Porto allowed a Christian butcher to slaughter animals for the Porto Jewish community. Although the bishopric allowed this exception in return for a yearly fee, it shows a certain level of flexibility and tolerance when compared to the Castilian intransigency. Another point that differentiated the synods of the two neighboring Iberian kingdoms, was the condemnation of Portuguese Christians, motivated by profit, gain and greed, who rented or sold homes to Jews at higher rates than to Christians in order to earn higher profit. There seems to be no record of Castilian synods condemning such practices by Christians. Either there has been no documentation found until now testifying to such practices or the Castilian clergy was not concerned with such matters, as it did not fit the narrative of the “malicious” Jew, causing damage to Christians.

By and large, the synods of both kingdoms called for restricting as much personal and physical contact between Jews, Muslims and Christians as possible. This fell in line with the secular legislation limiting Christian contact with Muslims and Jews of the period, from banning all three confessions living in the same districts to receiving medical assistance from Jews and Moors. Under no circumstances, however, did the synods incite the common people to use violence to convert the Jews or Muslims, destroy their synagogues or sack their shops or homes. Basically, they called for a very restricted and controlled coexistence between the three different religious communities and not their absolute destruction.

**APPENDIX II**  
**CHARTS OF DISCRIMINATORY SECULAR AND ECCLESIASTICAL JEWISH**  
**LEGISLATION**

## APPENDIX II

### CHARTS OF DISCRIMINATORY SECULAR AND ECCLESIASTICAL JEWISH LEGISLATION

The charts are based on the five categories established by Spanish historian José M<sup>a</sup> Monsalvo Antón of how to classify restrictive and discriminatory secular Castilian laws towards the Jews in the late Middle Ages. This thesis applied this classification to Portuguese secular legislation, as well as ecclesiastical legislation in both kingdoms.

#### Chapter 2. Castile and Portugal: Similar legislative approach to Jews, 1325-1348

##### 2.C.2. Charts Of Anti-Jewish Legislation in Castile from 1325-1350

The following chart categorizes the post-Alfonsine anti-Jewish legislation from 1284-1325. It is based on the actual legislation from the *Cortes de los Antiguos Reinos de León y Castilla*, volume I.<sup>433</sup> It gives the type of legislation petitioned, number of times the municipal procurators petitioned the anti-Jewish legislation. The place and year of the *Cortes* held, and the article number of each anti-Jewish legislation. This chart does not include any legislation that was neutral or pro-Jewish.<sup>434</sup>

| Legislative type petitioned by procurators   | Nº times | Cortes, Year & Art. Nº   |
|--|----------|--|
| <b>1. Administrative &amp; Professional Discrimination &amp; Reduction of social &amp; political influence of Jews. Reviewing Jewish presence in tax &amp; rent collection</b> |          |  |
| Forbid Jews from holding offices in the royal court  | x        | Madrid (1329), nº 37 <sup>435</sup> - king refused                   |
| Forbid Jews from holding offices in the royal chancelleries  | x        | Madrid (1329), nº 37 – king refused                                  |
| Forbidding Jews as royal or municipal tax & rent collectors  | xx       | Madrid (1329), nº 37 – acquiesced; Madrid (1339), nº 2               |
| Total Nº 1   | 4        |  |
| <b>2. Judicial Discrimination: Suppression of Jurisdictional Privileges of the Jews</b>  |          |  |
| Criminal cases involving assault and murder to be dealt with municipal authorities and not that of rabbis  | x        | Madrid (1329), nº 57   |
| Municipal authorities to begin enquiries concerning allegations of fraud or overcharging rents and taxes   | xx       | Madrid (1339), nº 2 & 15   |
| Debtors and lenders to refer municipal authorities for legal action – neutral/fair   | xxx      | Valladolid (1325), nº 12; Madrid (1329), nº 52; Madrid (1339), nº 15 |
| Impounded property due to delinquent debts to be conducted by municipal authorities only   | xx       | Madrid (1329), nº 52; Madrid (1339), nº 13                           |

<sup>433</sup> *Cortes de los antiguos reinos de León y Castilla*, tomo I. La Real Academia de la Historia; Madrid, 1861.

<sup>434</sup> An example of such legislation would be Papal Bulls, which could not be used to excuse debt payments. It was not discriminatory, as it supported Jewish moneylenders in repayments. *Cortes de Valladolid* (1325), nº 14, *Cortes de los antiguos reinos de León y Castilla*, t. I, op. cit., 1861, p 378.

<sup>435</sup> There were only three actual Cortes. Any other sessions were ordinances held separately with prelates, the nobility or municipal procurators.

|  |        |   |
|--|--------|---|
| No debt to be repaid after 10 years even if there is no letter of repayment and if the Jewish moneylenders have not made a claim to the court officials beforehand.  | x      | Alcalá de Henares (1348), nº 32   |
| No beasts of burden or tools to be impounded in debt repayments without prior permission from royal or local authorities   | x      | Alcalá de Henares (1348), nº 32   |
| The produce of indebted farmers not to be seized or impounded without official permission from local authorities <sup>436</sup>  | x      | Alcalá de Henares (1348), nº 33   |
| Total Nº 2   | 11     |   |
| <b>3. Pragmatic &amp; Interested Regulation of the Economic Activities of the Jews w/in the scope of finance and credit</b>  |        |   |
| Forbid Jews from owning land as a source of income – force Jews back to moneylending   | x      | Madrid (1329), nº 58 – king would respect law of 1293   |
| Usury claims in pawned belongings  | x      | Madrid (1339), nº 13  |
| All previous debt letters had to be replaced by official notarized letters   | xxx    | Valladolid (1325); Madrid (1329), nº 52; Madrid, (1339), nº 2   |
| Forbid usury for Muslims and Jews <sup>437</sup>   | x      | Alcalá de Henares (1348) <sup>438</sup> , nº 57   |
| Moneylending permitted only at 33% interest rates established and/or confirmed – Jews accused of charging more. ¼ of debt forgiven by king the remainder had to be repaid in 2 installments  | xxxxxx | Valladolid (1325), nº 14; Madrid (1329), nº 52 & 53; Alcalá de Henares (1348) nº 56 & 18 <sup>439</sup> ; León (1349) nº 11 |
| Jews forbidden to sell debt letter to other Jews   | x      | Madrid (1329), nº 52  |
| <i>Cartas dobladas</i> – folded letters in which a larger amount of money was written in the letter by the scribe than was actually delivered to the debtor. Notaries had to observe the actual amount delivered to the debtor. <sup>440</sup> | xx     | Madrid (1329), nº 53; Madrid (1339), nº 2   |
| Usury claims in pawned belongings  | x      | Madrid (1339), nº 13  |
| Issues with unpaid debts to be claimed within 30 days or they would be declared invalid  | x      | Valladolid (1325), nº 14  |
| Repayment of debt up to 6 years – Jews could not claim debt afterwards. Jews accused of claiming decades’ old debts.   | xx     | Valladolid (1325), nº 14; Madrid (1329), nº 55; Madrid (1339), nº 13 <sup>441</sup> , Alcalá de Henares (1345), nº 9        |
| Horses, armor and weapons of knights cannot be impounded due to unpaid debt <sup>442</sup>   | x      | Alcalá de Henares (1348), nº 35   |
| Total Nº 3   | 20     |   |
| <b>4. Basis of Confessional Inferiority &amp; the Discrimination towards the practice of non-Christian religions</b>   |        |   |
| Forbidding Jews from owning or mounting horses. They could mount mules.  | x      | Alcalá de Henares (1348), nº 75   |
| Total Nº 4   | 1      |   |
| <b>5. Limitations on the daily dealings b/w Jews &amp; Christians &amp; Segregation of the Jewish minority</b>   |        |   |
| Total of all categories  | 36     |   |

<sup>436</sup> The king ruled that farmers’ produce be placed in a holding until the debt was paid off. If farmers’ produce were seized by debt collectors without prior official permission, then the produce be returned to the farmers and the moneylenders pay up to four times the amount seized. Half of the penalty would go the farmers and the other half to the royal coffers (*Cortes*, v.1, pp 517-518).

<sup>437</sup> The king also forbade Christians from practicing usury in Chapter 55 of the same Cortes de Alcalá de Henares. In other words, all subjects of the realm, in spite of religious confession, were banned from practicing usury. The king explained that he wanted the Jews to integrate more into society by investing into land and agricultural production.

<sup>438</sup> The laws were called chapters and not ordinances in the Cortes of Alcalá de Henares of 1348.

<sup>439</sup> Ordinance Nº 18 from *Cortes*, p 598-599.

<sup>440</sup> Any scribe that wrote the false amount of money lent, would have to pay a fine of 100 maravedis for each false letter, those letters would lose any legal validity and the Jewish moneylender would lose his money.

<sup>441</sup> At the Cortes of Madrid of 1339, King Alfonso XI agreed to a year moratorium of debt payments with no interest on those debts.

<sup>442</sup> The king forbade the impounding of knights’ horses, armor or weapons as that would jeopardize the safety of the cities, towns and localities of the realm (*Cortes*, v.1, p 518)

### 2.E.4.a. Chart of Jewish Legislation in the Portuguese Cortes

The following chart, like the one for Castilian anti-Jewish legislature from 1325 to 1350, is divided into the type of anti-Jewish legislation proposed by municipal procurators at the Cortes, the number of times proposed, the year proposed and the article number.

| Legislative type petitioned by procurators  | Nº times | Cortes, year & art. nº  |
|---|----------|---|
| <b>1. Administrative &amp; Professional Discrimination &amp; Reduction of social &amp; political influence of Jews. Reviewing Jewish presence in tax &amp; rent collection</b>                          |          |   |
| Forbid Jews from holding offices in the royal court or work as intendents – formal complaint about Moors & Jews as intendents, but the royal response was do what was best for the land. <sup>443</sup> | xx       | Évora (1325), nº 12; Special Chapter of Lisbon (1331), nº5                                      |
| Total Nº 1  | 2        |   |
| <b>2. Judicial Discrimination: Suppression of Jurisdictional Privileges of the Jews</b>   |          |   |
| Eliminate judicial protection for Jews  | xx       | Special Chapters <sup>444</sup> of Bragança (1331) nº 5; Special Chapters of Lisbon (1331), nº4 |
| Forbid Jews testifying in criminal cases against Christians – only 2 Christians could testify. Jews could only provide witness testimony if verified by a Christian                                     | x        | Évora (1325), nº 12   |
| Total Nº 2  | 3        |   |
| <b>3. Pragmatic &amp; Interested Regulation of the Economic Activities of the Jews w/in the scope of finance &amp; credit</b>   |          |   |
| Moneylending at 33% interest rates established and/or confirmed   | x        | General Chapters of Santarém (1331), nº 22  |
| Anyone caught committing usury would spend 10 years in prison and forfeit the money lent  | x        | Special Chapters of Sintra (1331), nº 11  |
| All previous debt letters deemed as dubious had to be replaced by official notarized letters  | xx       | Santarém (1331), nº 22; Special Chapters of Lisbon (1331), nº35 <sup>445</sup>                  |
| No selling of debt letters irrespective of being Jews or Christians – such letters had already been revoked by D. Dinis. Afonso IV stated that no such letters would be emitted.                        | x        | Special Chapters of Lisbon (1331), nº 49  |
| All debt payments in money or kind to be recorded, signed and sealed by notary public. Not truly discriminatory, as it formalized all debt letters under the jurisdiction of public notaries.           | x        | Special Chapters of Bragança (1331), nº 5   |
| Peasants and serfs could not sell or transfer land as debt payment to Muslim or Jewish moneylenders. Question about knights pawning their weapons, armor and horses.                                    | xx       | Special Chapters of Lisbon (1331), nº 41; 71  |
| Issue with longstanding debts ruining the children or grandchildren of original debtors. No debts could be collected after 20 years as per law established by D. Dinis.                                 | xxx      | General Chapter of Santarém (1331), nº 52 & 53; Special Chapters of Sintra (1331), nº11         |
| Jews not paying porters of impounded property – Jews claimed that those claimants were not their porters  | x        | Special Chapters of Lisbon (1331), nº 6   |
| Total Nº 3  | 12       |   |

<sup>443</sup> “Artigo vº dos Correitores mouros e Judeus. § Item se queixou que Reçebeu agravamento de aver antre eles judeus e mouros por Corretores. e valerem duas testemoyngas. § A este artigoo Respondeu El Rey que sse veia o que he mays proveyto da terra. e assi sse faça.” *Actas das Cortes Portuguesas Reinado de D. Afonso IV (1325-1357)*. Instituto Nacional de Investigação Científica. Lisboa 1982, p 64.

<sup>444</sup> Special Chapters of 1331 refer to those assemblies that occurred in other cities and towns from the General Cortes of Santarém

<sup>445</sup> The deeds or debt letters did not have the names of the original Jewish creditor but that of another Jew. Upon payment of debt, the Jewish moneylender claims that he cannot find the deed and writes a discharge letter instead. Years later, usually after the death of the original debtor, the original Jewish creditor reappears with the original debt letter and demands repayment and does not accept the discharge letter. However, of the heirs cannot find the discharge letter, they are to repay the entire debt and the interests as well.

|  |           |  |
|--|-----------|--|
| <b>4. Basis of Confessional Inferiority &amp; the Discrimination towards the practice of non-Christian religions</b> | N/A       |  |
| Total Nº 4   | 0         |  |
| <b>5. Limitations on the daily dealing b/w Jews &amp; Christians &amp; Segregation of the Jewish minority</b>        |           |  |
| Christian prostitutes could not take Muslim or Jewish clients/customers  | x         | Special Chapters of Lisbon (1331), nº 41 |
| Total Nº 5   | 1         |  |
| <b>Total of all categories</b>   | <b>18</b> |  |

As can be witnessed by the numbers in the chart, Castilian municipal procurators sight more measures to circumscribe, restrict and prohibit Jewish economic and daily activities. It should also be highlighted that not only were there more anti-Jewish laws in Castile, but that Castilian legislation was more acerbic in its attacks of the Jews, with exception to the Ordinances of Alcalá de Henares of 1348. The *Pragmática of 1340* would lay the foundation of most Portuguese laws dealing with usury, in that it was considered as one of the ways or means of men towards malice and not that it was intrinsic in the nature of the Jews.

However, not all legislation was promulgated at the *Cortes*. Many times, the king would receive letters from municipal procurators, who demanded corrective measures against the alleged abuses of Jewish moneylenders. Noteworthy, is how the king recognized that Christians would also falsify documents in order to accuse Jewish moneylenders of usury. The legislation that was not recorded in the *Cadernos das Cortes*, was recorded in the *Livro dos Pregos (LP)*, *Livro das Leis e Posturas (LLP)* and collected in the *Ordenações Afonsinas (OA)*.

#### **2.E.4.b. Anti-Jewish Legislation in the *Livro das Leis e Posturas*; *Ordenações Afonsinas* & *Livro dos Pregos***

| <b>Legislative type petitioned by procurators</b>   | <b>Nº times</b> | <b>Year including document (LLP, LP, AO) + folios</b>   |
|---|-----------------|---|
| <b>2. Judicial Discrimination: Suppression of Jurisdictional Privileges of the Jews</b>   |                 |   |
| Christians and Jews had to have official municipal scribes write debt letters and sealed by notary publics.   | x               | LLP, no date, fl. 152, 1ª col. – 152v. 1ª col.;   |
| Jews had to appear in front of municipal judges and bailiffs and not in front of rabbis   | x               | LP, fl. 37v-37vº, 1327, Lisbon Doc. 42,   |
| All previous debt letters deemed contentious had to be replaced by official notarized letters that Christian magistrates had to respect   | x               | LLP, 1349, fl. 157 1ª col.  |
| <b>3. Pragmatic &amp; Interested Regulation of the Economic Activities of the Jews w/in the scope of finance &amp; credit</b>   |                 |   |
| Forbade Moors, Christians & Jews from lending money   | x               | LLP, 1349, fl. 157, 1ª col.   |
| Moneylending at 33% interest rates established and/or confirmed. Any percentage above it, would be deemed as usury. Any Christians who accused a Jewish moneylender of usury had to produce the debt letter to the judge. King acknowledged that there were falsifiers on both sides. | xxxx            | LLP, no date, fl. 124 v., 2ª col. – 125, 1ª col.; LLP, no date, fl. 144v. 2ª col. – 145 1ª col.; LLP, no date, fl. 152, 1ª col. – 152v. 1ª col., OA, Book 2, Title LXXXXVI. |
| Type of punishment for Christians, Moors and Jews tampering debt letters and contracts  | x               | LLP, 1349, fl. 157 2ª col.,   |

|  |    |  |
|--|----|--|
| Impounded property due to delinquent debts & not auctioning it until court hearing | xx | <i>LLP</i> , 1349, fl. 57-57, 1 <sup>a</sup> col. <sup>446</sup> ; |
|--|----|--|

In spite of the increase of anti-Jewish legislation petitioned by Portuguese municipal procurators (27) compared to previous reigns, they were still much less in terms of number and vehemence as those of their Castilian counterparts (35). Only once was the term “malicious” used in Portuguese legislation during this period and it was to describe the practice of usury itself and not to describe any people in general or the Jews in particular. Afonso IV also made sure that Christians were held accountable for providing false testimony or tampering with legal documents, especially debt letters and contracts.

The Castilian king however, did try in many instances to curb the amount of anti-Jewish legal dispositions presented by Castilian municipal procurators and also tried to apply certain laws to all religious confessions. Alfonso XI also made sure that Christians were also held liable for false testimony and tampering of legal documents, such as debt letters and contracts. The Portuguese monarch, in spite of revoking prior privileges conceded to the Jews, as entitlements and advantages over Christians, ensured that all parties, regardless of religious confessions, were held accountable for their deeds and actions. Anyone committing acts of usury, fraud or contract tampering would be subject to the full force of the law. However, the sanctions applied were harsher to the religious minorities than to criminals belonging to the Christian majority community.

### 2.E.5. Jewish Legislation in the Chancelleries of Afonso IV

| Legislative type petitioned by procurators   | Nº times | Volume                                 | Year, art. nº                              |
|--|----------|--|--|
| <b>2. Judicial Discrimination: Suppression of Jurisdictional Privileges &amp; Prerogatives of Jews</b>   |          |  |  |
| Jews testifying in criminal cases against other Jews in front of municipal judge and not in front of a rabbi   | x        | v. II, [fol. 29vº-30]                  | 1338, nº 112                               |
| All previous debt letters deemed as dubious or up to 20 years had to be replaced by official notarized letters. Applied to Jews, Moors & Christians. | xx       | v. II, [fl. 51-51vº]; v. III, [fl. 52] | 1340, nº 251 <sup>447</sup> ; 1340, nº 256 |
| All debt payments in money or kind or register of property to be recorded, signed and sealed by notary public. Applied                               | x        | v. II, [fl. 51-51vº]                   | 1340, nº251 <sup>448</sup> , nº 252        |

<sup>446</sup> The king ordered that his chancelleries look for such written documents (*scrituras*) that pertain to this issue and to bring them to the king for him to see. The Crown also let it be known that he had contacted the Jewish communities (*comunas desses Judeus*) in order to find out from them what they had to say about these written documents (*scrituras*) so that the king could deliver sentencing as part of his service. The king ordered that all executions of seizure by the Jews be placed on hold, as such seizures could be prejudicial to Christians.

<sup>447</sup> *Chancelarias Portuguesas. D. Afonso IV*, v. II, op. cit, 1992, p 385, 387. Law applied to Jews, Muslims and Christians alike. Exception for the Grand Rabbi to write debt letters and seal them himself

<sup>448</sup> *Ibid.* Law applied to Jews, Muslims and Christians alike.

|  |  |  |  |
|--|--|--|--|
| to Jews, Moors & Christians. Exception for the Grand Rabbi to sign & seal letters. |  |  |  |
|--|--|--|--|

### Comparison of Jewish Legislation: Portuguese and Castilian Acts of the Cortes, Alfonsine Ordinances, Livro das Leis e Posturas: 1325-1348

| Legislative type petitioned by procurators  | Nº x | Castilian Cortes, <sup>449</sup> Year, Article nº                    | Nº x | Portuguese Cortes, <sup>450</sup> OA, <sup>451</sup> LLP, <sup>452</sup> LP, <sup>453</sup> Chancelleries, <sup>454</sup> Art. nº, date |
|---|------|--|------|---|
| <b>1. Administrative &amp; Professional discrimination in order to reduce the social and political influence of the Jews</b>  |      |  |      |   |
| Forbid Jews from holding offices in the royal court   | x    | Madrid (1329), nº 37 - king refused                                  | xx   | Évora (1325), nº 12; Special Chapter of Lisbon (1331), nº5  |
| Forbid Jews from holding offices in the royal chancelleries   | x    | Madrid (1329), nº 37 – king refused                                  |      |   |
| Forbidding Jews as royal or municipal tax & rent collectors   | xx   | Madrid (1329), nº 37 – acquiesced; Madrid (1339), nº 2               |      |   |
| <b>Total Nº 1</b>   | 4    |  | 2    |   |
| <b>2. Judicial Discrimination. Suppression of Jewish Jurisdictional Privileges &amp; Prerogatives</b>   |      |  |      |   |
| Jews had to appear in front of municipal judges and bailiffs and not in front of rabbis.  |      |  | x    | LP, 1327, Lisbon Doc. 42, fl. 37v-37vº  |
| Criminal cases involving assault and murder to be dealt with municipal authorities and not that of rabbis   | x    | Madrid (1329), nº 57   |      |   |
| Municipal authorities to begin enquiries concerning allegations of fraud or overcharging rents and taxes  | xx   | Madrid (1339), nº 2 & 15   |      |   |
| Debtors & lenders to refer to municipal authorities for legal action – neutral/fair   | xxx  | Valladolid (1325), nº 12; Madrid (1329), nº 52; Madrid (1339), nº 15 |      |   |
| Eliminate judicial protection of Jews   |      |  | xx   | Special Chapters of Bragança (1331) nº 5; Special Chapters of Lisbon (1331), nº4  |
| Forbid Jews from testifying in criminal cases against Christians – only 2 Christians could testify. Jews could only provide witness testimony if verified by a Christian. |      |  | x    | Évora (1325), nº 12   |
| Jews testifying in criminal cases against other Jews in front of municipal judge and not in front of a rabbi  |      |  | x    | Chancelleries, v.II, 1338, nº 112, fol. 29vº-30.  |
| <b>Total Nº 2</b>   | 6    |  | 4    |   |
| <b>3. Regulation of interests and pragmatic (execution) on the Economic Activities of the Jews within the scope of Finance-Credit</b>                                     |      |  |      |   |
| Forbid Jews from owning land as a source of income – force Jews back to moneylending  | x    | Madrid (1329), nº 58 – king would respect law of 1293                |      |   |
| Usury claims in pawned belongings   | x    | Madrid (1339), nº 13   |      |   |

<sup>449</sup> Cortes de los antiguos reinos de León y Castilla, t. I (1861). Real Academia de la Historia.

<sup>450</sup> Cortes Portuguesas. Reinado de D. Afonso IV, 1325-1357 (1982) Instituto Nacional de Investigação Científica.

<sup>451</sup> Ordenações Afonsinas, liv. 2 (1984). Fundação Calouste Gulbenkian.

<sup>452</sup> Livro das Leis e Posturas (1971). Faculdade de Direito. Universidade de Lisboa.

<sup>453</sup> Livro dos Pregos (2016). Coleção Documentos do Arquivo Municipal de Lisboa, 2.

<sup>454</sup> Chancelarias Portuguesas, D. Afonso IV, v. II (1992). Instituto Nacional de Investigação Científica; v. III (1992).

|   |            |   |           |  |
|---|------------|---|-----------|--|
| All previous debt letters, including dubious ones, had to be replaced by official notarized letters.  | xxx        | Valladolid (1325); Madrid (1329), nº 52; Madrid, (1339), nº 2   | xxxx      | <i>Cortes</i> , Santarém (1331), nº 22; Special Chapters of Lisbon (1331), nº35; <i>LLP</i> , 1349, fl. 57 1ª col.; <i>LLP</i> , fl. 152, 1ª col. – 152v. 1ª col. <i>Chancelarias</i> , v. II, 1340, nº 251; v. III, 1340, nº 256                                      |
| Forbid usury contracts for Christians, Muslims and Jews.  | x          | Alcalá de Henares (1348), nº 55, nº 57  | x         | <i>LLP</i> , 1349, fl. 157, 1ª col.  |
| Moneylending permitted only at 33% interest rates established and/or confirmed – Jews accused of charging more. ¼ of debt forgiven by king the remainder had to be repaid in 2 installments                                     | xxx<br>xxx | Valladolid (1325), nº 14; Madrid (1329), nº 52 & 53; Alcalá de Henares (1348) nº 56 & 18; León (1349) nº 11 | xxxx<br>x | <i>Cortes</i> , General Chapters of Santarém (1331), nº 22. <i>LLP</i> , no date, fl. 124 v., 2ª col. – 125, 1ª col; <i>LLP</i> , no date, fl. 144v. 2ª col. – 145 1ª col.; <i>LLP</i> , no date, fl. 152, 1ª col. – 152v. 1ª col., <i>OA</i> , Book 2, Title LXXXXVI. |
| Anyone caught committing usury would spend 10 years in prison and forfeit the money lent  |            |   | x         | Special Chapters of Sintra (1331), nº 11   |
| Jews forbidden to sell debt letters to other Jews   | x          | Madrid (1329), nº 52  | x         | Special Chapters of Lisbon (1331), nº 49 – Could not sell to other Christians either   |
| Punishment for Christians, Moors & Jews tampering debt letters & contracts  |            |   | x         | <i>LLP</i> , 1349, fl. 157, 2ª col.  |
| <i>Cartas dobladas</i> – folded letters in which a larger amount of money was written in the letter by the scribe than was actually delivered to the debtor. Notaries had to observe the actual amount delivered to the debtor. | xx         | Madrid (1329), nº 53; Madrid (1339), nº 2   |           |  |
| All debt payments in money or kind to be recorded, signed and sealed by notary public. Regulatory & not discriminatory  |            |   | xxx       | <i>Cortes</i> , Special Chapters of Bragança (1331), nº 5. <i>Chancelarias</i> , v. II, 1340, nº251 & nº252 [fl. 51-51vª].   |
| Impounded property due to delinquent debts to be conducted by <i>municipal authorities only</i>   | xx         | Madrid (1329), nº 52; Madrid (1339), nº 13  |           |  |
| Peasants and serfs could not sell or transfer land as debt payment to Muslim or Jewish moneylenders.  |            |   | x         | Special Chapters of Lisbon (1331), nº 41; 71   |
| No beasts of burden or tools to be impounded in debt repayments without prior permission from royal or local authorities  | x          | Alcalá de Henares (1348), nº 32   |           |  |
| The produce of indebted farmers not to be seized or impounded without official permission from local authorities.   | x          | Alcalá de Henares (1348), nº 33   |           |  |
| Usury claims in pawned belongings   | x          | Madrid (1339), nº 13  |           |  |
| Issues with unpaid debts to be claimed within 30 days or they would be declared invalid   | x          | Valladolid (1325), nº 14  |           |  |
| <i>Repayment of debt up to 6 years</i> – Jews could not claim debt afterwards. Jews accused of claiming decades' old debts.   | xx         | Valladolid (1325), nº 14; Madrid (1329), nº 55; Madrid (1339), nº 13, Alcalá de Henares (1345), nº 9        |           |  |
| No debt to be repaid after 10 years even if there is no letter of repayment and if the Jewish moneylenders have not made a claim to the <i>court officials</i> beforehand.  | x          | Alcalá de Henares (1348), nº 32   |           |  |
| Issue with longstanding debts ruining the children or grandchildren of original debtors. <i>No debts could be collected after 20 years as per prior law</i>   |            |   | xxx       | General Chapter of Santarém (1331), nº 52 & 53; Special Chapters of Sintra (1331), nº11. No debts could be collected after 20 years as per law established by D. Dinis.  |
| Horses, armor and weapons of knights cannot be impounded due to unpaid debt.  | x          | Alcalá de Henares (1348), nº 35   | xx        | Special Chapters of Lisbon (1331), nº 41; 71   |
| Impounded property due to delinquent debts & not auctioning it until court hearing – regulatory not discriminatory  |            |   | xx        | <i>LLP</i> , 1349, fl. 57-57, 1ª col.  |
| Jews not paying porters of impounded property – Jews claimed that those claimants were not their porters  |            |   | x         | Special Chapters of Lisbon (1331), nº 6  |
| <b>Total Nº 3</b>   | 25         |   | 25        |  |
| <b>4. Foundation of Confessional Inferiority and the Discrimination towards the practice of non-Christian religion</b>  |            |   |           |  |

|  |    |                          |           |  |
|--|----|--------------------------|-----------|--|
| Forbidding Jews from owning or mounting horses. They could mount mules.  | x  | Alcalá de Henares (1348) |           |  |
| <b>Total N° 4</b>  | 1  |                          | 0         |  |
| <b>5. Limitations on the daily dealings between Jews and Christians and Segregation of the Jewish Minority</b> |    |                          |           |  |
| Christian prostitutes could not take Muslim or Jewish clients/customers  | 0  |                          | x         | Special Chapters of Lisbon (1331), nº 41 |
| <b>Total N° 5</b>  | 0  |                          | 1         |  |
| <b>Total of all five categories</b>  | 36 |                          | <b>32</b> |  |

As can be seen, it was during the reigns of Alfonso XI of Castile (1325-1350) and the great part of the reign of Afonso IV (1325-1357) that the legislation towards the Jews were similar, not only in terms of the sheer number of laws passed, but in the nature of regulating economic and financial practices under one common guiding law applied to all subjects, removing previous privileges and placing them under royal and municipal authorities and officials, as well as the language employed. In terms of the *Pragmática* of 1340 in Portugal and the *Ordinances of Alcalá de Henares* in Castile, both monarchs condemned usury as a practice conducted by all subjects irrespective of their confession.

### 2.F.2. Diocesan synods concerning the Jews in Castile and Portugal: 1325-1348

The information retrieved was from *Synodicon Hispanum*, vols. II,<sup>455</sup> VI<sup>456</sup>. Classification of laws following Monsalvo Antón's five categories.

| DISPOSITIONS  | Nº | CASTILIAN SYNODS  | Nº | PORTUGUESE SYNODS  |
|---|----|---|----|--|
| <b>3. Pragmatic &amp; Interested Regulation of the Economic Activities of the Jews w/in the scope of finance and credit</b> |    |   |    |  |
| Usury as a sin  |    | N/A   | x  | Braga: 1326 – Constitution N°4 – forbade Christians from participating in usury contracts with Muslims and Jews. |
| <b>Total N° 3</b>   | 0  |   | 1  |  |
| <b>4. Basis of Confessional Inferiority &amp; the Discrimination towards the practice of non-Christian religions</b>        |    |   |    |  |
| Baptism (Conversion) of Jews and Muslims  | x  | Segovia – 1325 [32] Jews and Moors had to convert to Christianity if they wanted to marry a Christian |    | N/A  |
| Images in Churches  | x  | Segovia – 1325: [3] – explained why there were images in churches in spite of God's forbidding it     |    | N/A  |
| No inter-confessional marriages   | x  | Segovia – 1325: [41, 32] men and women had to be of the same sect or religion.                        |    | N/A  |
| <b>Total N° 4</b>   | 3  |   | 0  |  |

<sup>455</sup> *Synodicon Hispanum*, v. II, *Portugal*. Edición Crítica dirigida por Antonio García y García. Biblioteca de Autores Cristianos: Madrid, 1982.

<sup>456</sup> *Synodicon Hispanum*, v. VI, *Ávila y Segovia*. Dir. Antonio García y García. Biblioteca de Autores Cristianos: Madrid, 1993.

|   |          |   |          |   |
|---|----------|---|----------|---|
| <b>5. Limitations on the daily dealing b/w Jews &amp; Christians &amp; Segregation of the Jewish minority</b> |          |   |          |   |
| Christians celebrating the Sabbath on Sunday instead of Saturday  | x        | Segovia – 1325: [5] In order to differentiate Christians from Jews, the sabbath was to be celebrated on Sunday when Christ resurrected. Stated for Jewish converts to Christianity. |          | N/A   |
| Clergymen forbidden in entering into contact with Jews  | x        | Segovia – 1325 [74] – <i>Clerics should live in continence and not have concubines – including Jewish or Muslim concubines.</i>   | x        | Braga: 1326 – Constitution N°6 – forbade Clergy in making contracts with Jews or Moors. |
| Total N° 5  | 2        |   | 1        |   |
| <b>Total of all categories</b>  | <b>5</b> |   | <b>2</b> |   |

The synods from 1325-1350 indicate that the dispositions and constitutions presented were more concerned with the actual contacts with Jews, and to an extent Muslims (Moors), including amicable, amorous, and contractual (usury), than in restricting their physical whereabouts, confining them to enclosed quarters, wearing distinctive signs or demanding that they do not collect rents and taxes. Nonetheless, these measures reflect the local Church's expectations to view religious minorities as individuals to avoid and to emphasize on their differences, such as the Church permitting images in their places of worship.

### Chapter 3. Bubonic Plague: Inflection Point, 1348-1352

#### 3.D.1. Charts of Anti-Jewish Legislation in Castile from 1348-1352

The following chart categorizes the post-Alfonsine anti-Jewish legislation from 1348-1352. It is based on the actual legislation from the *Cortes de los Antiguos Reinos de León y Castilla*, volume II.<sup>457</sup> It gives the type of legislation petitioned, number of times the municipal procurators petitioned the anti-Jewish legislation, the place and year of the *Cortes* held, and the article number of each anti-Jewish legislation. This chart does not include any legislation that was pro-Jewish.

#### *Discriminatory & Restrictive Jewish laws at the Cortes of Valladolid of 1351*

| Legislative type petitioned by procurators   | N° times | Cortes, Year & Art. N°  |
|--|----------|-------------------------|
| <b>1. Administrative &amp; Professional Discrimination &amp; Reduction of social &amp; political influence of Jews. Reviewing Jewish presence in tax &amp; rent collection</b> | N/A      | N/A                     |
| <b>2. Judicial Discrimination: Suppression of Jurisdictional Privileges of the Jews</b>  |          |                         |
| Requested that the Jews should not choose their own judges. King rejected the petition stating that it would lead to abuses by Christian magistrates.                          | x        | Valladolid, 1351, N° 68 |
| <b>3. Pragmatic &amp; Interested Regulation of the Economic Activities of the Jews w/in the scope of finance and credit</b>  |          |                         |

<sup>457</sup> *Cortes de los Antiguos Reinos de León y Castilla*, v.2. Real Academia de la Historia: Madrid, 1863.

|   |   |                                       |
|---|---|---------------------------------------|
| Request that no debts be collected after 6 years. King agreed, but that previously impounded property would not be counted as part of those six years.  |   | Valladolid, 1351, N° 64               |
| Requested that the magistrates & debt collectors could only be prominent Christian burghers & not Jewish moneylenders. The king assented to the request.  | x | Valladolid, 1351, N° 65               |
| Request to reverse the ban on moneylending from <i>Cortes</i> of Alcalá de Henares of 1348. King's response was that he would reflect upon it.  | x | Valladolid, 1351, N° 66               |
| Request to ban Jews & Moors from demanding excessive rents from their houses on royal domains. King responded that Jews & Moors had to follow the rents established in previous ordinances.       | x | Valladolid, 1351, N° 71               |
| Request for debt moratorium. King responded that it would only increase further interest payments, as well as potentially lead to financial ruin of Jewish moneylenders.                          | x | Valladolid, 1351, N° 75               |
| Request to eliminate debt collectors. The king countered it stating that the Jews were in a weak position as municipal authorities did not collect old debts owed prior to the Ordinance of 1348. | x | Valladolid, 1351, N° 76               |
| <b>4. Basis of Confessional Inferiority &amp; the Discrimination towards the practice of non-Christian religions</b>  |   |                                       |
| Request that Jews & Moors not work in public on Sundays or Christian holidays. Jew & Moors could work in their homes. King acquiesced.  | x | Valladolid, <sup>458</sup> 1351, N° 9 |
| <b>5. Limitations on the daily dealings b/w Jews &amp; Christians &amp; Segregation of the Jewish minority</b>  |   |                                       |
| Request that Christian women do not enter into conversations nor live with Jews or Moors. Christian women forbidden to raise Jewish or Moorish children.  | x | Valladolid, 1351, N° 30               |
| Request that Jewish quarters or streets be maintained according to prior agreements. King asked that the agreements be sent to him that he may keep them.   | x | Valladolid, 1351, N° 31               |
| Request to forbid Jews & Moors from wearing deerskin and jewels as well as use Christian names. King agreed.  | x | Valladolid, 1351, N° 32               |

### 3.E.4. Chart of Jewish Legislation in Portuguese Cortes

The following chart, like the one for Castilian anti-Jewish legislature from 1348 to 1352, is divided into the type of anti-Jewish legislation proposed by municipal procurators at the Cortes, the number of times proposed, the year proposed and the article number. There was only one Cortes summoned in Lisbon for that period in 1352.

#### ***Discriminatory & Restrictive Jewish legislation at the Cortes of Lisbon, 1352***

| <b>Legislative type petitioned by procurators</b>  | <b>N° times</b> | <b>Cortes or LLP, year &amp; art. n°</b> |
|--|-----------------|--|
| <b>1. Administrative &amp; Professional Discrimination &amp; Reduction of social &amp; political influence of Jews. Reviewing Jewish presence in tax &amp; rent collection</b> | N/A             | N/A                                      |
| <b>2. Judicial Discrimination: Suppression of Jurisdictional Privileges of the Jews</b>  | N/A             | N/A                                      |
| <b>3. Pragmatic &amp; Interested Regulation of the Economic Activities of the Jews w/in the scope of finance and credit</b>  |                 |  |

<sup>458</sup> *Cortes de los Antiguos Reinos de León y Castilla*, v.2, op. cit., 1863, p 124-127. Archives of the Order of Santiago in Uclés, kept under *Indiferentes*, Cajón 16, nº 23.

|  |     |                             |
|--|-----|-----------------------------|
| Crown had to stop Jews from writing usury contracts and stop Jewish malice & wickedness, as it destroyed the kingdom. In one year the word choice has shifted drastically. | x   | Lisbon, 1352, nº 4 [fl. 36] |
| <b>4. Basis of Confessional Inferiority &amp; the Discrimination towards the practice of non-Christian religions</b>   | N/A |                             |
| <b>5. Limitations on the daily dealing b/w Jews &amp; Christians &amp; Segregation of the Jewish minority</b>  | N/A | N/A                         |

### *Comparison of Portuguese & Castilian discriminatory Acts of the Cortes: 1350-1352*

| <b>Legislative type petitioned by procurators</b>   | <b>Nº x</b> | <b>Castilian Cortes,<sup>459</sup> Year, Article nº</b> | <b>Nº x</b> | <b>Portuguese Cortes,<sup>460</sup> Year, Article nº</b> |
|---|-------------|---|-------------|--|
| <b>1. Administrative &amp; Professional discrimination in order to reduce the social &amp; political influence of the Jews</b>  |             | N/A   |             | N/A  |
| Requested that magistrates could only be prominent Christian burghers & not Jewish moneylenders. The king assented to the request.  | x           | Valladolid, 1351, Nº 65                                 |             |  |
| <b>Total Nº 1</b>   | 1           |   | 0           |  |
| <b>2. Judicial Discrimination. Suppression of Jewish Jurisdictional Privileges &amp; Prerogatives</b>   |             |   |             |  |
| Requested that the Jews should not choose their own judges. King rejected the petition stating that it would lead to abuses by Christian magistrates.                                       | x           | Valladolid, 1351, Nº 68                                 |             | N/A  |
| <b>Total Nº 2</b>   | 1           |   | 0           |  |
| <b>3. Regulation of interests and pragmatic (execution) on the Economic Activities of the Jews within the scope of Finance-Credit</b>   |             |   |             |  |
| Request that no debts be collected after 6 years. King agreed, but that previously impounded property would not be counted as part of those six years.                                      | x           | Valladolid, 1351, Nº 64                                 |             |  |
| Requested that debt collectors could only be prominent Christian burghers & not Jewish moneylenders. The king assented to the request.  | x           | Valladolid, 1351, Nº 65                                 |             |  |
| Request to reverse the ban on moneylending from Cortes of Alcalá de Henares of 1348. King's response was that he would reflect upon it.   | x           | Valladolid, 1351, Nº 66                                 |             |  |
| Request to ban Jews & Moors from demanding excessive rents from their houses on royal domains. King responded that Jews & Moors had to follow the rents established in previous ordinances. | x           | Valladolid, 1351, Nº 71                                 |             |  |
| Request for debt moratorium. King responded that it would only increase further interest payments, as well as potentially lead to   | x           | Valladolid, 1351, Nº 75                                 |             |  |

<sup>459</sup> *Cortes de los antiguos reinos de León y Castilla*, t. II. Real Academia de la Historia: Madrid, 1863.

<sup>460</sup> *Cortes Portuguesas. Reinado de D. Afonso IV (1325-1357)*. Instituto Nacional de Investigação Científica: Lisboa, 1982.

|   |   |   |   |   |
|---|---|---|---|---|
| financial ruin of Jewish moneylenders.  |   |   |   |   |
| Request to eliminate debt collectors. The king countered it stating that the Jews were in a weak position as municipal authorities did not collect old debts owed prior to the Ordinance of 1348. | x | Valladolid, 1351, N° 76                   |   |   |
| Crown had to stop Jews from writing usury contracts & stop Jewish “malice & wickedness”, as it destroyed the kingdom. <sup>461</sup> Drastic word choice shift.                                   |   |   | x | <i>Cortes</i> Lisbon, 1352, n° 4 [fl. 36] |
| <b>Total N° 3</b>   | 6 |   | 1 |   |
| <b>4. Foundation of Confessional Inferiority and the Discrimination towards the practice of non-Christian religion</b>  |   |   |   |   |
| Request that Jews & Moors not work in public on Sundays or Christian holidays. Jew & Moors could work in their homes.   | x | Valladolid, 1351, N° 9 - King acquiesced. |   |   |
| <b>Total N° 4</b>   | 1 |   | 0 |   |
| <b>5. Limitations on the daily dealings between Jews and Christians and Segregation of the Jewish Minority</b>  |   |   |   |   |
| <b>Total N° 5</b>   | 0 |   | 0 |   |
| <b>Overall Total</b>  | 9 |   | 1 |   |

Even though the period of two years since the outbreak of the Bubonic Plague dealt with legislature facing the devastating effects of the Bubonic Plague, there were still discriminatory petitions made and measures taken. Here Castile passed more discriminatory laws than Portugal. In spite of only one known anti-Jewish measure in Portugal in 1352, what was remarkable was the drastic shift in terminology used to describe usury and its association to the Jews. No longer was it the vocabulary or explanations used in the Pragmática of 1340, in which the legal explanation to usury was the many paths taken by men to malice. Instead, the law of 1352 explicitly stated that it had to stop purported Jewish “malice and wickedness” in usury contracts. However, Portuguese the Crown wanted to discourage Jews from the despised moneylending at high interest rates and encourage them to tend to their vineyards and cattle-raising on their estates. Hence, the Portuguese Crown did not want to restrict or circumscribe Jewish economic activities. It wanted its Jewish subjects to focus on other profitable economic endeavors other than moneylending.

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<sup>461</sup> Instead, the Crown stated that it would be in the best interest of the realm that the Jews tended to vineyards on estates and cattle-raising than lending money. See: Cortes de Lisboa, 1352, n° 4 [fl. 36]. In *Cortes Portuguesas. Reinado de D. Afonso IV* (1982)., p 126.

### 3.F. Synods concerning the Jews of Portugal and Castile (1348-1352)

| SYNODS    | LAST SYNOD PRIOR TO 1348                                    | FIRST SYNOD AFTER 1352 |
|-----------|---|------------------------|
| Braga     | Nº 6. 17 August 1326 <sup>462</sup>                         | N/A                    |
| Lisbon    | Nº 7. 27 January 1307- written in 1325                      | Nº 11. 13 January 1403 |
| Segovia   | Nº 3. 8 March 1325 <sup>463</sup>                           | N/A                    |
| León      | Nº 5. 28 November 1328 <sup>464</sup>                       | N/A                    |
| Toledo    | Nº 2. 25 May 1323 <sup>465</sup>                            | Nº 12. 3 May 1356      |
| Cartagena | Nº 1. 18 November 1323 <sup>466</sup>                       | Nº 9. 7 May 1375       |
| Burgos    | Original manuscripts lost no dates available <sup>467</sup> | Compiled b/w 1503-1511 |

As can be witnessed from the information gathered in the *Synodicon Hispanum*, there was a *documentary silence of any synod convened between 1348 and 1352*. The reasons as previously mentioned could range from the affliction, including death, of the clergy by the epidemic, the concern of the clergy for its own congregation in its localities and the fear of contracting the disease by travelling to a major urban concentration during the plague.

## Chapter 4. Dynastic War in Castile & massacre of Jews, Stability in Portugal, 1352-1369

### 4.E.1. Chart of Anti-Jewish Legislation in Castile from 1352-1369

#### *Castilian Cortes*

The following chart categorizes the post-Alfonsine anti-Jewish legislation from 1352-1369. It is based on the actual legislation from the *Cortes de los Antiguos Reinos de León y Castilla*, volume II.<sup>468</sup> Prior to the convocation of the Cortes of 1367, Enrique de Trastámara after his coronation in Burgos, went to Toledo, where he besieged the Jewish quarters. In the meantime, the procurators of Ávila, Cuenca, Madrid, Segovia, Villa Real, along with many other towns and localities met up with those of Toledo to render homage to the new king.<sup>469</sup> A manuscript in the National Library of Spain [Mss.13100], recorded the session on 11 May 1366 between the procurators of Toledo and the new king. Also used is the four-volume

<sup>462</sup> GARCÍA y GARCÍA, Antonio. *Synadicon Hispanum*, v. II, *Portugal*. Biblioteca de Autores Cristianos: Madrid, 1982, p 41-43 (Braga); p 308-309 and p 317-329 (Lisbon: 1325) respectively.

<sup>463</sup> *Ibid.*, v. VI, *Ávila y Segovia*, 1993, p 264

<sup>464</sup> *Ibid.*, v. III, *Astorga, León y Oviedo*, 1984, p 289.

<sup>465</sup> *Synodicon Hispanum*, v. X, *Toledo y Cuenca*, 2011, p 542-543 (1323) and p 581-582 (1356) respectively.

<sup>466</sup> *Ibid.*, v. XI (*Cádiz, Canarias, Cartagena, Córdoba, Granada, Málaga y Sevilla*)., 2013, p 131-132 (1325), and p 154 & 158 (1375) respectively.

<sup>467</sup> *Ibid.*, v. VII, *Burgos y Palencia*. 1997, p 143: Most of the medieval synods of Burgos have been compiled by Pascual de Ampudia de Rebenga between the years of 1503-1511. Unfortunately, the original manuscripts have been lost, making it nearly impossible to give exact dates for the constitutions.

<sup>468</sup> *Cortes de los antiguos reinos de León y Castilla*, tomo II. La Real Academia de la Historia; Madrid, 1863.

<sup>469</sup> *Papeles de Burriel, Mss. 13100*. Biblioteca Nacional de España: Madrid, fol. 195. LÓPEZ de AYALA, Pero. *Crónicas*. Editorial Planeta: Barcelona, 1991, p 322.

work, *Colección documental de Pedro I de Castilla (1350-1369)*, Luis Vicente Díaz Martín assembled a vast number of secular and ecclesiastical texts from the reign of King Pedro I of Castile and organized them chronologically.<sup>470</sup> It gives the type of legislation petitioned, number of times the municipal procurators petitioned the anti-Jewish legislation. The place and year of the *Cortes* held, and the article number of each anti-Jewish legislation.

### **Jewish laws of the Castilian *Cortes* (Enrique II) and Diplomas (Pedro I): 1352-1369**

| <b>Legislative type petitioned by procurators</b>  | <b>Nº times</b> | <b><i>Cortes</i>, Year, Article nº &amp; Letters of Pedro I</b>                   |
|--|-----------------|---|
| <b>1. Administrative &amp; Professional Discrimination &amp; the Reduction of social &amp; political influence of the Jews</b>   |                 |   |
| Forbid Jews from holding offices in the royal court – rejected by Enrique II   | x               | Burgos, 1367, nº 10   |
| Forbid Jews from holding offices in the royal chancelleries  | x               | Burgos, 1367, nº 10   |
| Forbidding Jews as royal or municipal tax & rent collectors  | x               | Burgos, 1367  |
| Force Jewish tax & rent collectors to declare how much was owed & collected & to deliver all collected money to the royal treasury – King stated that royal officials would have to receive receipts with the money  | x               | Burgos, 1367, nº 11   |
| <b>3. Pragmatic &amp; Interested regulation of the Economic activities of the Jews w/in the scope of finance and credit.</b>   |                 |   |
| Knights & Squires allowed to collect impounded goods from unpaid debts to Jews   | x               | Royal letter expedited by Pedro I in Soria for Cuenca, 25 Sept. 1353, fl. 167 r-v |
| Forbid Muslims & Jews from reselling jewels & clothes at higher prices obtained from Christians at a lower price & then refuse to pay the Christian merchants for those goods. Enrique II agreed to the petition and gave his consent for it to become law   | x               | Burgos, 1367, nº 15   |
| All debts to Jews be cancelled due to economic difficulties of recurrence of the Plague and the effects of the dynastic war. Denied by Enrique II, who permitted a year moratorium and forgave only ¼ of debts; Burgos – 1/3 of debt forgiven. Remainder of debt to be paid in another year with no interest payments or penalties | x               | Toledo, 1366, nº 18; 1367, nº 2   |
| All debts owed by the city of Toledo to Jews be reduced & instalments be made that were convenient to those who could make them. Enrique II stated that the petition would be followed up at the <i>Cortes</i> of 1367   | x               | Ordinance of Toledo, 1367, nº 9   |
| <b>4. Foundation of Confessional Inferiority &amp; Discrimination towards the practice of non-Christian religion</b>   |                 |   |
| Forbid Jews from owning Moorish slaves once they had converted to Christianity. King would reflect upon it   | x               | Royal letter expedited by Pedro I in Seville, 2 Dec. 1353, Ms. 13.100, f. 130     |
| <b>5. Limitations on the daily dealings b/w Jews &amp; Christians &amp; Segregation of the Jewish minority</b>   |                 |   |
| Remove protective walls from Jewish hands and tear down those same walls. Although it did not discriminate against daily contact w/ Christians, it was denied by Enrique II as these walls formed part of city defenses & it would have led to the demise of the Jews.   | x               | Burgos, 1367, nº 3  |

<sup>470</sup> DÍAZ MARTÍN, Luis Vicente. *Colección documental de Pedro I de Castilla (1350-1369)*, t. I-IV. Junta de Castilla Y León: Salamanca, 1997-1999.

The following chart deals with the normative legislation of the *Fuero Viejo de Castilla*<sup>471</sup> that was made law of the land under Pedro I. These laws were not anti-Judaic in nature, as they did not remove privileges. Rather, they established legal procedures to regulate economic and financial activities for all subjects to follow.

### *Fuero Viejo de Castilla*

| Legislative type  | Nº times | Book/Title, Year, Article nº  |
|---|----------|---|
| 3. Pragmatic & Interested regulation of the Economic activities of the Jews w/in the scope of finance and credit.   |          |   |
| All debt payments in money or kind to be recorded, signed and sealed by notary public – if debtor had no funds, he had to sell property within 9 days in order to have funds. <sup>472</sup> Dealt with Christian & Jewish moneylenders | x        | Book III, Title IV – “On Debts”, 1356, nº 1   |
| Noblemen could not be imprisoned for their debts, nor their arms nor horses be seized. However, other property could be impounded.  | x        | Book III, Title IV – “On Debts”, 1356, nº 2   |
| In the case that a Jew had a letter stating that the nobleman owed the Jew his property <sup>473</sup>  | x        | Book III, Title IV – “On Debts”, 1356, nº 3   |
| Claims of payment w/ or w/out debt letters. Lack of notarized letter rendered any claims as invalid   | x        | Book III, Title IV – “On Debts”, 1356, nº 9   |
| Any Jew who sued a Christian townsman had to appear before a judge. Settlement before trial would have within 10 days.  | x        | Book III, Title IV – “On Debts”, 1356, nº 18  |
| Refusal of debt repayment and suing – Jew must present formal complaint letter to judge. <sup>474</sup>   | x        | Book III, Title IV – “On Debts”, 1356, nº 19  |
| All pawned goods had to be recorded & how much money had been received. Any disagreement would have to be proven with a notarized letter. <sup>475</sup>  | x        | Book III, Title V – “On Pawns”, 1356, nº 3  |
| Christian pawned goods sold by Jews for a profit, must be returned, if the rightful owners can claim that they were stolen & were theirs <sup>476</sup>   | x        | Book III, Title V – “On Pawns”, 1356, nº 5  |
| No peasant, who worked on a manor, could use himself or his property, as a security deposit for lines of credit from a Jew w/out previous consent from the lord of the manor.   | x        | Book III, Title VI – “On Extending lines of Credit” (Fiadurias), 1356, nº 4                               |
| No Christian could seize or take away the manor or estate from a Jew nor a Jew seize or take away the estate from a Christian. <sup>477</sup>   | x        | Book IV, Title IV - <i>How to gain or lose the seignory of a manor over a period of time</i> , 1356, nº 6 |

<sup>471</sup> *El Fuero Viejo de Castilla*. Ignacio Jordá de Asso y del Río & Miguel de Manuel y Rodríguez, 1ª edición. Ibarra, Jaquín: Madrid, 1771. Extramuros Edición: Sevilla

<sup>472</sup> *El Fuero Viejo de Castilla* (1771), p 87-88. If it was in real estate/land (rais = raíz), the creditor could enjoy the benefit from the land until the debt was repaid. The creditor could not sell the land.

<sup>473</sup> *Ibid.*, p 88. The nobleman could sell or pawn his property before it should be delivered to the Jew. However, once the property was delivered to the Jew by the bailiff, then the property could not be sold until debt repayment.

<sup>474</sup> *Ibid.*, p 93-94. If the Jew could prove that the debt was due, the indebted person, who denied repayment, must pay seventy sueldos to the merino (royal administrator or judicial official appointed by the Crown).

<sup>475</sup> *Ibid.*, p 95. If the person, who pawned the goods, disagrees with the amount of money actually received, she/he would have to say so and prove it as well.

<sup>476</sup> *Ibid.*, p 96. If the personal belongings should be clothes, silverware or furniture and any person would come and claim the belongings, saying that it was theirs and that they had either lost them or that they had been stolen, the Jew had to return them.

<sup>477</sup> *Ibid.*, p 112.

#### 4.E.2. Chart of Anti-Jewish Legislation in Portugal from 1352-1369

The following chart, like the one for Castilian anti-Jewish legislature from 1352 to 1369, is divided into the type of anti-Jewish legislation proposed by municipal procurators, the number of times proposed and the year proposed. During the reign of Pedro I, there was only one Cortes held in Elvas in 1361.<sup>478</sup> However, there were special chapters expedited in following years, such as those of Torres Novas in 1364. Article N° 9 of those special chapters present a law that was not anti-Judaic, but rather respectful of Jewish dietary rules by stating that the aforementioned town needed Jewish butchers to follow the religious precepts of slaughtering cattle, cleaning and slicing meat.<sup>479</sup> There was a reported Cortes held in 1367 or 1369 under Fernando I, but there are no transcripts from those Cortes.<sup>480</sup>

#### Jewish Legislation of the Portuguese Cortes Under Pedro I: 1357-1367

| Legislative type petitioned by procurators   | Nº times | Cortes, Year, Article nº                             |
|--|----------|--|
| <b>3. Pragmatic &amp; Interested Regulation of the Economic Activities of the Jews w/in the scope of finance &amp; credit</b>  |          |  |
| Any Jew caught committing usury (over 11%) would be put to death & property confiscated  | x        | Elvas – General Chapters of the People, 1361, nº 10  |
| All debt payments to be made in the manner the credit was given; i.e., in money and no payments to be made in kind (goods)   | x        | Elvas – General Chapters of the People, 1361, nº 26  |
| Jews could no longer collect debts that would leave Christians destitute or leave knights & noblemen w/out arms or horses. Christians still had to pay their debts. <sup>481</sup> Not anti-Jewish, but rather left the impounding of belongings to municipal authorities. | x        | Elvas – General Chapter of the People, 1361, nº 34   |
| <b>5. Limitations on the daily dealings b/w Jews &amp; Christians &amp; Segregation of the Jewish minority</b>   |          |  |
| Jews and Muslims had to live in their own separate quarters in order to avoid any unsavory contacts with Christians. <sup>482</sup>  | x        | Elvas – General Chapters of the People, 1361, nº 34  |
| Non-discriminatory laws  |          |  |
| Jews & Moors protected as asylum seekers in churches & could not be forcibly removed   | x        | Elvas - Chapters on the Clergy, 1361, nº 40          |
| Although not anti-Judaic, it is worth noting, as the law allowed Jewish butchers to be hired to perform customary kosher slaughtering of livestock   | x        | Elvas - Special Chapters of Torres Novas, 1364, nº 9 |

<sup>478</sup> *Cortes Portuguesas. Reinado de D. Pedro I (1357-1367)*. Instituto Nacional de Investigação Científica: Lisboa, 1986.

<sup>479</sup> *Cortes Portuguesas. Reinado de D. Pedro, 1357-1367* (1984), p 127 [fol. 211 vº].

<sup>480</sup> *Cortes Portuguesas. Reinado de D. Fernando I, 1367-1383* (1990), p 11. To see Art. 6 of the Special Chapters of Santarém of the Cortes of 1371, p 75.

<sup>481</sup> *Cortes Portuguesas. Reinado do D. Pedro* (1986), p 48. The king ordered that the debts be paid off over a longer period of time, as the indebted Christians had to pay for the maintenance of the horses and pay the sergeants their salaries. The article then stated that the Christians had to pay their debts, as they had enough time to do so. Those who could not pay would have to ask for permission and explain, within reason, why they could not pay. The king would try to help within his power.

<sup>482</sup> *Ibid.*, p 56. the king ordered that in all towns and cities where there more than ten Moors and Jews that the authorities create respective living quarters for them so that they can live apart.

## Jewish legislation of the Portuguese Chancelleries under Pedro I: 1357-1367

| Legislative type dispensed by the king   | N° times | Year, Document n°  |
|--|----------|--|
| <b>2. Judicial Discrimination: Suppression of Jurisdictional Privileges of the Jews</b>  |          |  |
| Privileges of the Jews of Trancoso – petitioned that royal officials and knights not encamp in Jewish homes nor requisition their food, beds and clothes                                     | 1        | 1364, [937]  |
| Revocation of the aforementioned privilege of Trancoso as Jews considered to be very wealthy   | 1        | 1365, [978]  |
| <b>5. Limitations on the daily dealing b/w Jews &amp; Christians</b>   |          |  |
| Forbidding Christian women from entering Jewish & Muslim quarters. <sup>483</sup>  | 1        | 1366, [1131]   |
| <b>Not Discriminatory Legislation</b>  |          |  |
| Notary publics had to facilitate Jews in making timely contracts with Christians as long as there was no evidence of deceit  | 1        | 1358, [289]  |
| Notary publics had to facilitate Jews in making purchase agreements with Christians  | 1        | 1358, [289]  |
| Notary publics had to facilitate the purchase, leasing and renting of real estate.   | 1        | 1358, [289]  |
| How contracts were to be made with the Jews <sup>484</sup>   | 1        | 1361, [569]  |
| Privileges granted Jewish merchants the right to own horses & arms as they must travel far and long distances  | 5        | 1365, Santarém, [1107] & Lisbon, [1108]; 1366, Beja, [1142], Coimbra, [1170] & Santiago de Cacém, [1171] |
| Allowing Jewish merchants & shopkeepers of Lisbon, who have shops far from the Jewish quarter not to be punished if caught on their way back to the Jewish quarter after the bells had rung. | 1        | 1366, [1147]   |

It seems that the majority of the diplomas were dedicated to notary publics in *facilitating* economic and financial contract writing between Jewish moneylenders and Christians than discriminating against the actual money lending or collection of debts. It could be interpreted as the Crown's centralizing administrative role in managing the financial and economic activities of its subjects and not as measures focused on discriminating against one group of people. The many diplomas ranging from showing *flexibility* towards Jews caught after evening bells had rung while on their way towards the Jewish quarters in the evening to allowing Jewish merchants to bear arms and ride horses is the *granting of privileges* to facilitate Jewish merchants to travel and protect them from assaults. They seem to be similar

<sup>483</sup> *Chancelarias Portuguesas. D. Pedro I*, Instituto Nacional de Investigação Científica: Lisboa, 1984, [1131, fls. 124-124 vº], p 535-536. This applied to especially for Christian women seeking intercourse with men belonging to other faiths. Christian women could only enter these quarters during the day to purchase merchandise and only accompanied by two Christian men, who are beyond any type of suspicion. Any Christian woman caught unaccompanied having illicit intimate activity with Jews or Moors was to be put to death.

<sup>484</sup> *Ibid.*, p 255-258. If a Christian filed a complaint about usury or deception, then the Christian would have to present the contract to a judge and a trustworthy witness who would swear under oath that the Jew had deceived the Christian and pay damages to the Christian by returning the goods or money to the Christian. The Jew is to be taken into custody and if he cannot pay the Christian damages or return the property, then he is to remain in prison until the damages can be paid.

to laws in Castile during Pedro I, but opposed to the legislation in Castile after 1367 with the *Cortes* held by Enrique II. It would be at that moment when the laws began to diverge.

***Comparison of Portuguese and Castilian Jewish legislation of the Cortes: 1352-1369***

| <b>Legislative type petitioned by procurators</b>   | <b>Nº x</b> | <b>Castilian Cortes,<sup>485</sup> Year, Article nº &amp; Letters of Pedro I</b>  | <b>Nº x</b> | <b>Cortes Portuguesas,<sup>486</sup> Chancelarias,<sup>487</sup> date, Article nº</b> |
|---|-------------|---|-------------|---|
| <b><i>1. Administrative &amp; Professional discrimination in order to reduce the social and political influence of the Jews</i></b>   |             |   |             |   |
| Jews accused of having caused damage to the realm due to their poor advice to the Crown and not hold any official positions at Court – Enrique II refused.  | x           | <i>Cortes Burgos</i> (1367), Nº10   |             | N/A   |
| Forbid Jews from holding offices in the royal chancelleries   | x           | <i>Cortes Burgos</i> , 1367, nº 10  |             | N/A   |
| Forbidding Jews as royal or municipal tax & rent collectors   | x           | <i>Cortes Burgos</i> , 1367, nº 10  |             | N/A   |
| Force Jewish tax & rent collectors to declare how much was owed & collected & to deliver all collected money to the royal treasury – King stated that royal officials would have to receive receipts with the money   | x           | <i>Cortes Burgos</i> , 1367, nº 11  |             | N/A   |
| <b>Total Nº 1</b>   | 4           |   | 0           |   |
| <b><i>2. Judicial Discrimination. Suppression of Jewish Jurisdictional Privileges &amp; Prerogatives</i></b>  |             |   |             |   |
| Revocation of the privilege of Jews of Trancoso not to have knights & Royal officials encamp in their homes as Jews considered to be very wealthy   |             | N/A   | x           | <i>Chancelarias</i> , 1365, [978]   |
| <b>Total Nº 2</b>   | 0           |   | 1           |   |
| <b><i>3. Regulation of interests and pragmatic (execution) on the Economic Activities of the Jews within the scope of Finance-Credit</i></b>  |             |   |             |   |
| Any Jew caught committing usury would be put to death & property confiscated.   |             | N/A   | x           | <i>Cortes Elvas</i> – General Chapters of the People, 1361, nº 10                     |
| All debt payments to be made in the manner the credit was given; i.e., in money and no payments to be made in kind (goods)  |             | N/A   | x           | <i>Cortes Elvas</i> – General Chapters of the People, 1361, nº 26                     |
| Jews could no longer collect debts that would leave Christians destitute or leave knights & noblemen w/out arms or horses. Christians still had to pay their debts. Not anti-Jewish, but rather left the impounding of belongings to municipal authorities. |             | N/A   | x           | <i>Cortes Elvas</i> – General Chapter of the People, 1361, nº 34                      |
| Knights & Squires allowed to collect impounded goods from unpaid debts to Jews  | x           | Royal letter expedited by Pedro I in Soria for Cuenca, 25 Sept. 1353, fl. 167 r-v |             | N/A   |
| Forbid Muslims & Jews from reselling jewels & clothes at higher   | x           | <i>Cortes Burgos</i> , 1367, nº 15  |             | N/A   |

<sup>485</sup> *Cortes de los antiguos reinos de León y Castilla*, t. II. Real Academia de la Historia: Madrid, 1863.

<sup>486</sup> *Cortes Portuguesas. Reinado de D. Pedro I (1357-1367)*. Investigação Nacional de Investigação Científica: Lisboa, 1986.

<sup>487</sup> *Chancelarias Portuguesas. D. Pedro I (1357-1367)*. Instituto Nacional de Investigação Científica: Lisboa, 1984.

|  |    |   |   |   |
|--|----|---|---|---|
| prices obtained from Christians at a lower price & then refuse to pay the Christian merchants for those goods. Enrique II agreed to the petition and gave his consent for it to become law   |    |   |   |   |
| All debts to Jews be cancelled due to economic difficulties of recurrence of the Plague and the effects of the dynastic war. Denied by Enrique II, who permitted a year moratorium and forgave only ¼ of debts; Burgos – 1/3 of debt forgiven. Remainder of debt to be paid in another year with no interest payments or penalties | xx | Toledo, 1366, nº 18; <i>Cortes 1367</i> , nº 2                                |   | N/A   |
| All debts owed by the city of Toledo to Jews be reduced & instalments be made that were convenient to those who could make them. Enrique II stated that the petition would be followed up at the Cortes of 1367  | x  | Ordinance of Toledo, 1367, nº 9   |   | N/A   |
| <b>Total N° 3</b>  | 5  |   | 3 |   |
| <b>4. Foundation of Confessional Inferiority and the Discrimination towards the practice of non-Christian religion</b>   |    |   |   |   |
| Forbid Jews from owning Moorish slaves once they had converted to Christianity. King would reflect upon it   | x  | Royal letter expedited by Pedro I in Seville, 2 Dec. 1353, Ms. 13.100, f. 130 |   | N/A   |
| <b>Total N° 4</b>  | 1  |   |   |   |
| <b>5. Limitations on the daily dealings between Jews and Christians and Segregation of the Jewish Minority</b>   |    |   |   |   |
| Jews and Muslims had to live in their own separate quarters in order to avoid any unsavory contacts with Christians.   |    | N/A   | x | <i>Cortes Elvas</i> – General Chapters of the People, 1361, nº 34 |
| Forbidding Christian women from entering Jewish & Muslim quarters.   |    | N/A   | x | <i>Chancelarias</i> , 1366, [1131]                                |
| Remove protective walls from Jewish hands and tear down those same walls. Although it did not discriminate against daily contact w/ Christians, it was denied by Enrique II as these walls formed part of city defenses & it would have led to the demise of the Jews.   | x  | <i>Cortes Burgos</i> , 1367, nº 3   |   |   |
| <b>Total N° 5</b>  | 1  |   | 2 |   |
| <b>Overall Total</b>   | 11 |   | 6 |   |

As witnessed through the documentation, which was translated to the information in the chart, the turbulent period saw a contradictory “official” policy from the rival bands in the struggle for the Castilian throne. While Pedro I of Castile continued to follow a policy of tolerance and granting of privileges towards the Jews, his half-brother, Enrique of Trastámara, had to contend with the increasing demands from the municipal procurators to limit, restrict, circumscribe Jewish economic activities and even eliminate privileges held by the Jews. In Portugal, the documentation testifies to the demands for the traditional restrictions on Jewish daily dealings with Christians and to force them to live in their own separate quarters. The

royal chancelleries testified to the granting or the continuation of privileges. Only in one case, that of Trancoso in 1365, was a privilege revoked.

## Chapter 5. Failure to return to normalcy in Castile, Protection in Portugal, 1369-1383

### 5.C.1. Jewish legislation of the Castilian Cortes (1369-1383)

The following chart categorizes the anti-Jewish legislation from 1369-1383. It is based on the actual legislation from the *Cortes de los Antiguos Reinos de León y Castilla*, volume II.<sup>488</sup>

They range from 1369 to 1383 and encompass the reigns of Enrique II (1369-1379) and the early years of Juan I (1379-1390). The charts are based on José M<sup>a</sup> Monsalvo Antón's classification of discriminatory legislation towards the Jews.

| Legislative type petitioned by procurators   | Nº times | Cortes, Year, Article nº |
|--|----------|--------------------------|
| <b>1. Administrative and Professional discrimination in order to reduce the social and political influence of the Jews</b>   |          |                          |
| Forbid Jews from holding offices in the royal court – rejected by Enrique II   | x        | Toro, 1371, nº 2         |
| Forbid Jews from holding offices in the courts of the nobility – King allowed Jews to reside in the same palaces with the nobility   | x        | Burgos, 1377, nº 11      |
| Forbidding Jews as royal or municipal tax & rent collectors  | x        | Toro, 1371, nº 2         |
| <b>2. Judicial Discrimination. Suppression of Jewish Jurisdictional Privileges &amp; Prerogatives</b>  |          |                          |
| Rescind letters of privileges held by Jews and Muslims (Moors) that did not allow the testimony of a Christian, unless there was a Jewish or Muslim (Moorish) witness. King assented to the request. Not applicable to debt letters.   | x        | Toro, 1371, nº 18        |
| Jewish judges could no longer rule over criminal cases, but only civil cases. All criminal cases would be presided by royal judges.  | x        | Soria, 1380, nº 2        |
| <b>3. Regulation of interests and pragmatic (execution) on the Economic Activities of the Jews within the scope of Finance-Credit</b>  |          |                          |
| All debts owed to Jews were to be deferred until payments could be made. King allowed only seven months deferral, as the Jews had also been adversely affected by the war.   | x        | Toro, 1369, nº 68        |
| Debt reductions by two-thirds of the original principal within 15 days   | x        | Toro, 1371, nº 29        |
| All debt payments in money or in goods & belongings be surrendered & delivered by official debt collectors sent by the municipality & that they receive the appropriate receipts of payment or cancellation of debt. The king stated that the presenter of the letter of debt, show the exact amount of debt owed and pay the collector the due amount owed. | x        | Burgos, 1373, nº 8       |
| All debt letters between Christians or Jews with Christians & Muslims & Christians that had not yet been delivered be requested that they be submitted and kept by royal officials and judges. Once these letters had been submitted, then no actions would be taken until the debtors had been taken to court & a sentencing had been given                 | x        | Burgos, 1373, nº 9       |
| Debt reductions by one-third of the original principal   | x        | Burgos, 1377, nº 1       |
| <b>4. Basis/Foundation of Confessional (Religious) Inferiority and the Discrimination towards the practice of non-Christian religion</b>   |          |                          |
| Jews banned from reciting certain passages from the Talmud and crossing out of their prayer books that purportedly attacked Christians   | x        | Soria, 1380, nº 1        |
| Jews were banned from circumcising their Muslim and Tartar slaves. Punishment would be the loss of freedom for the Jew   | x        | Soria, 1380, nº 3        |
| <b>5. Limitations on the daily dealings between Jews and Christians and Segregation of the Jewish Minority</b>   |          |                          |
| Jews to wear distinctive signs to distinguish them from Christians and not wear fine clothes   | x        | Toro, 1371, nº 2         |
| Jews not allowed to have Christian names   | x        | Toro, 1371, nº 2         |
| Jews not allowed to ride mules so as not to be confused with Christians  | x        | Toro, 1371, nº 2         |

<sup>488</sup> *Cortes de los antiguos reinos de León y Castilla*, t. II (1863). La Real Academia de la Historia.

### 5.C.1. Jewish legislation of the Portuguese Cortes (1369-1383)

The information was extracted from the *Cortes Portuguesas Reinado de D. Fernando I, 1367-1383* (1990). Instituto Nacional de Investigação Científica. Centro de Estudos Históricos.

| <b>Legislative type petitioned by procurators</b>   | <b>Nº times</b> | <b>Cortes, Year, Article nº</b>   |
|---|-----------------|---|
| <i>1. Administrative and Professional discrimination in order to reduce the social and political influence of the Jews</i>  |                 |   |
| Forbid Jews from holding offices in the royal court (almojarife) – Fernando I asked the municipal procurators for a response at a later time  | x               | Lisbon, 1371, nº 59   |
| Forbid Jews from holding offices in the royal chancelleries – although vaguely stated, the king’s decision would apply here as well. The petition was vague by wanting to prohibit Jews from holding office over Christians | x               | Lisbon, 1371, nº 58   |
| Forbidding Jews as royal or municipal tax & rent collectors – king affirmed his trust in Jewish services  | x               | Leiria, 1372, nº 22   |
| <i>2. Judicial Discrimination. Suppression of Jewish Jurisdictional Privileges &amp; Prerogatives</i>   |                 |   |
| Forbid Jews from holding office over Christians. Rejected by king who stated that these privileges were granted by previous kings   | x               | Lisbon, 1371, nº 58   |
| <i>3. Regulation of interests and pragmatic (execution) on the Economic Activities of the Jews within the scope of Finance-Credit</i>   | N/A             | There were no laws regulating or forbidding economic/financial-credit of the Jews in the Portuguese Cortes under Fernando I   |
| <i>4. Basis/Foundation of Confessional (Religious) Inferiority and the Discrimination towards the practice of non-Christian religion</i>  | N/A             | No Acts found in the Portuguese Cortes of this period that declared the confessional inferiority & discrimination towards the practice of a non-Christian religion. |
| <i>5. Limitations on the daily dealings between Jews and Christians and Segregation of the Jewish Minority</i>  |                 |   |
| Jews to wear distinctive signs on their chests to distinguish them from Christians and no longer grant royal letters to certain Jews in not wearing them  | x               | Lisbon, 1371, nº 85   |

### Comparison of Portuguese and Castilian Jewish legislation of the Cortes 1369-1383

| <b>Legislative type petitioned by procurators</b>  | <b>Nº times</b> | <b>Castilian Cortes, Year, Article nº</b>  | <b>Portuguese Cortes, Year, Article nº</b>  |
|--|-----------------|--|---|
| <i>1. Administrative and Professional discrimination in order to reduce the social and political influence of the Jews</i>   |                 |  |   |
| Forbid Jews from holding offices in the royal court. Rejected by Enrique II.   | xx              | Toro, 1371, nº2  | Lisbon, 1371, nº 59 – rejected by Fernando I  |
| Forbid Jews from holding offices in the courts of the nobility.  | xx              | Burgos, 1377, nº 11: Agreed, but Jews allowed to reside in the same palaces with the nobility. | Lisbon, 1371, nº 58 – Vague petition in prohibiting Jews from holding office over Christians – rejected by king |
| Forbidding Jews as royal or municipal tax & rent collectors  | xx              | Toro, 1371, nº 2   | Leiria, 1372, nº 22: king affirmed his trust in Jewish services   |
| <i>2. Judicial Discrimination. Suppression of Jewish Jurisdictional Privileges &amp; Prerogatives</i>  |                 |  |   |
| Rescind letters of privileges held by Jews and Muslims (Moors) that did not allow the testimony of a Christian, unless there was a Jewish or Muslim (Moorish) witness. | x               | Toro, 1371, nº 18: King assented to the request. Not applicable to debt letters.               | N/A   |
| Forbid Jews from holding office over Christians.   | x               |  | Lisbon, 1371, nº 58: Rejected by king as these privileges were granted by previous kings                        |
| Jewish judges could no longer rule over criminal cases, but only civil cases. All criminal cases would be presided by royal judges.                                    | x               | Soria, 1380, nº 2  | N/A   |
| <i>3. Regulation of interests and pragmatic (execution) on the Economic Activities of the Jews within the scope of Finance-Credit</i>                                  |                 |  | There were no laws regulating or forbidding economic/financial-credit of the Jews under Fernando I              |

|  |    |   |  |
|--|----|---|--|
| All debts owed to Jews were to be deferred until payments could be made. King allowed only seven months deferral, as the Jews had also been adversely affected by the war.   | x  | Toro, 1369, nº 68   | N/A  |
| Debt reductions by two-thirds of the original principal within 15 days   | x  | Toro, 1371, nº 29   | N/A  |
| All debt payments in money or in goods & belongings be surrendered & delivered by official debt collectors sent by the municipality & that they receive the appropriate receipts of payment or cancellation of debt. | x  | Burgos, 1373, nº 8: The king stated that the presenter of the letter of debt & pay the collector the amount owed.   | N/A  |
| All debt letters between Christians or Jews with Christians & Muslims & Christians that had not yet been delivered/submitted be requested that they be submitted and kept by royal officials and judges              | x  | Burgos, 1373, nº 9: Once these letters had been submitted, then no actions would be taken until the debtors had been taken to court & a sentencing had been given | N/A  |
| Debt reductions by one-third of the original principal   | x  | Burgos, 1377, nº 1  |  |
| <b>4. Basis/Foundation of Confessional (Religious) Inferiority and the Discrimination towards the practice of non-Christian religion</b>   |    |   | No Acts found in the Portuguese Cortes of this period that declared the confessional inferiority & discrimination towards the practice of Jewish religion. |
| Jews banned from reciting certain passages from the Talmud and crossing out of their prayer books that purportedly attacked Christians   | x  | Soria, 1380, nº 1   | N/A  |
| Jews were banned from circumcising their Muslim and Tartar slaves. Punishment would be the loss of freedom for the Jew   | x  | Soria, 1380, nº 3   | N/A  |
| <b>5. Limitations on the daily dealings between Jews and Christians and Segregation of the Jewish Minority</b>   |    |   |  |
| Jews to wear distinctive signs to distinguish them from Christians and not wear fine clothes   | xx | Toro, 1371, nº 2  | Lisbon, 1371, nº 85 – king should rescind from granting exemptions   |
| Jews not allowed to have Christian names   | xx | Toro, 1371, nº 2  | Lisbon, 1371, nº 2   |
| Jews not allowed to ride mules so as not to be confused with Christians  | xx | Toro, 1371, nº 2  | Lisbon, 1371, nº 2   |

## Chapter 6. Dynastic War in Portugal & Increasing Tensions in Castile, 1383-1391

### Ch. 6.C. Castilian and Portuguese Anti-Jewish Laws Charts

#### *Discriminatory and restrictive Jewish legislation at Castilian Cortes (1385)*

The following chart categorizes the anti-Jewish legislation from 1383-1385. It is based on the actual legislation from the *Cortes de los Antiguos Reinos de León y Castilla*, tome II.<sup>489</sup> It encompasses the General Petitions from the Cortes of Valladolid in 1385 during the reign of Juan I (1379-1390).<sup>490</sup> The charts are based on José M<sup>a</sup> Monsalvo Antón's classification of discriminatory legislation towards the Jews.

<sup>489</sup> *Cortes de los antiguos reinos de León y Castilla*, t. II (1863). Real Academia de la Historia.

<sup>490</sup> *Ibid.*, p 322, 325-328.

### ***Discriminatory and restrictive Jewish legislation at the Cortes of Valladolid, 1385***

| <b>Legislative type petitioned by procurators</b>  | <b>N° times</b> | <b>Cortes, Year, Article n°</b> |
|--|-----------------|---------------------------------|
| <b><i>1. Administrative and Professional discrimination in order to reduce the social and political influence of the Jews</i></b>  |                 |                                 |
| Forbid Jews from holding offices in the royal court – neither for king, queen nor crown princess – as it would be a disservice to the realm. The king complied to the petition & ordered that the Cortes of Soria of 1380 be followed  | x               | Valladolid, 1385, n° 9          |
| Forbid Jews from holding offices in the courts of the nobility, knights, squires, ladies, damsels – as it would be a disservice to the realm. The king complied to the petition.   | x               | Valladolid, 1385, n° 9          |
| <b><i>2. Judicial Discrimination. Suppression of Jewish Jurisdictional Privileges &amp; Prerogatives</i></b>   |                 |                                 |
| Petition that Jews should not use their own judges in cases b/w Christians & Jews if the Jews felt that justice would not be served. The royal response was that previous laws be applied.   | x               | Valladolid, 1385, n° 16         |
| <b><i>3. Regulation of interests and pragmatic (execution) on the Economic Activities of the Jews within the scope of Finance-Credit</i></b>   |                 |                                 |
| Forbid Jews from purportedly forcing Christians through deceitful letters in buying products from Jews (cloth, silver & arms) in order to service their debts. Municipal procurators requested financial relief  | x               | Valladolid, 1385, n° 10         |
| Debt reductions by one-third of the original principal. King stated that any further reductions would be financially detrimental for the Jews.   | x               | Valladolid, 1385, n° 10         |
| Complaint that the Jews were collecting more money or goods/property than the original sum lent to burghers (good men & women) to buy clothes. In spite of Jews swearing that their letters were not deceitful, municipal procurators wanted only sworn testimony of Christian witnesses. Royal response was forgiveness of 1/3 of the debt. No indication of royal response either in agreement or disagreement | x               | Valladolid, 1385, n° 11         |
| Request that all debt letters between Christians or Jews could not have a Jewish witness but only Christian witnesses. King responded that due to prior false testimony by Christian witnesses, that Jewish witnesses be allowed.  | x               | Valladolid, 1385, n° 12         |
| Petition to revoke prior law that allowed Jews to report who had sold them stolen goods and to retribute to the proper owners the stolen goods & that the Jews be prosecuted for being complicit in the crime. Crown responded that there was no privilege granted to be revoked & that the exact same law be applied to the Jews as to Christians.  | x               | Valladolid, 1385, n° 13         |
| Claim that Jews were presenting debt letters that were 10-12 years old. Municipal procurators requested that these old letters no longer be considered. King responded that the rulings from the Cortes of Alcalá de Henares of 1348 were to be followed.  | x               | Valladolid, 1385, n° 14         |
| Not allow Jews to have their own private debt collectors, as they purportedly would demand the tithe on the belongings collected and would keep it for themselves, instead of giving it to officials. Collectors could not charge more than what was owed.   | x               | Valladolid, 1385, n° 15         |
| <b><i>4. Basis/Foundation of Confessional (Religious) Inferiority and the Discrimination towards the practice of non-Christian religion</i></b>  | N/A             |                                 |
| <b><i>5. Limitations on the daily dealings between Jews and Christians and Segregation of the Jewish Minority</i></b>  |                 |                                 |
| Forbid Jews, Muslims & Christians from eating, drinking, working or living together. The king responded that previous laws be enforced.  | x               | Valladolid, 1385, n° 3          |

### **Discriminatory and restrictive Jewish legislation at the Portuguese Cortes (1385)**

There is evidence of anti-Judaic petitions or legislation in the Portuguese Cortes of Coimbra in 1385 kept in the *Livro dos Pregos*, Document 129, fl. 134v<sup>o</sup>, Coimbra, 10 April 1385, [*Capítulos especiais de Lisboa das Cortes de Coimbra de 1385*]<sup>491</sup>

<sup>491</sup> *Livro dos Pregos* (2016). Coleção Documentos do Arquivo Municipal de Lisboa 2. Edição Câmara Municipal de Lisboa, p 247.

### ***Discriminatory and restrictive Jewish legislation at the Cortes of Coimbra***

| <b>Legislative type petitioned by procurators</b>   | <b>Nº times</b> | <b>Cortes, Year, Article nº</b> |
|---|-----------------|---------------------------------|
| <b><i>1. Administrative and Professional discrimination in order to reduce the social and political influence of the Jews</i></b>                             |                 |                                 |
| Neither Jews nor Muslims (Moors) are to be employed in any capacity above Christians, either royal or noble. The same applied for being renters or landlords. | x               | Coimbra, 1385, nº 22            |
| <b><i>5. Limitations on the daily dealings between Jews and Christians and Segregation of the Jewish Minority</i></b>   |                 |                                 |
| Punishes any Jew or Muslim who refuses to wear the distinctive signs as non-recognition of their religion brought about much damage to Christians.            | x               | Coimbra, 1385, nº 23            |

### **6.F. Castilian and Portuguese Anti-Jewish Laws Charts 1385-1391**

#### ***Discriminatory and restrictive Jewish legislation at the Castilian Cortes (1385-1391)***

The following chart categorizes the anti-Jewish legislation from 1385-1391. It is based on the actual legislation from the *Cortes de los Antiguos Reinos de León y Castilla*, volume II.<sup>492</sup>

They range from the second half of the reign of Juan I (1385-1390) to the first year of Enrique III (1390-1391). The charts are based on José M<sup>a</sup> Monsalvo Antón's classification of discriminatory legislation towards the Jews.

#### ***Restrictive and discriminatory Jewish legislation at the Cortes of Castile, 1385-1391***

| <b>Legislative type petitioned by procurators</b>  | <b>Nº times</b> | <b>Cortes, Year, Article nº</b>            |
|--|-----------------|--|
| <b><i>1. Administrative and Professional discrimination in order to reduce the social and political influence of the Jews</i></b>  |                 |  |
| Forbid Jews from holding offices in the royal court – neither for king, queen nor crown princess – as it would be a disservice to the realm. The king complied to the petition & ordered that the Cortes of Soria of 1380 be followed  | x               | Valladolid, 1385, nº 9                     |
| Forbid Jews from holding offices in the courts of the nobility, knights, squires, ladies, damsels – as it would be a disservice to the realm. The king complied to the petition.   | x               | Valladolid, 1385, nº 9                     |
| No Jew or Muslim hold office or profession or signory over Christians  | x               | Briviesca, 1387, nº 3                      |
| <b><i>2. Judicial Discrimination. Suppression of Jewish Jurisdictional Privileges &amp; Prerogatives</i></b>   |                 |  |
| Petition that Jews should not use their own judges in cases b/w Christians & Jews if the Jews felt that justice would not be served. The royal response was that previous laws be applied.   | x               | Valladolid, 1385, nº 16                    |
| <b><i>3. Regulation of interests and pragmatic (execution) on the Economic Activities of the Jews within the scope of Finance-Credit</i></b>   |                 |  |
| Forbid Jews from purportedly forcing Christians through deceitful letters in buying products from Jews (cloth, silver & arms) in order to service their debts. Municipal procurators requested financial relief  | x               | Valladolid, 1385, nº 10                    |
| Debt reductions by one-third of the original principal. King stated that any further reductions would be financially detrimental for the Jews.   | x               | Valladolid, 1385, nº 10                    |
| Complaint that the Jews were collecting more money or goods/property than the original sum lent to burghers (good men & women) to buy clothes. In spite of Jews swearing that their letters were not deceitful, municipal procurators wanted only sworn testimony of Christian witnesses. Royal response was forgiveness of 1/3 of the debt. No indication of royal response either in agreement or disagreement | x               | Valladolid, 1385, nº 11                    |
| Request only to repay principal & not interest. Rejected by the Crown: all debts to be repaid in full. At Palencia the king demanded that Christians produce evidence of usury. If no evidence provided, then Christians had to repay the debt in full.  | xx              | Segovia, 1386, nº 14; Palencia, 1388, nº 6 |

<sup>492</sup> *Cortes de los antiguos reinos de León y Castilla*, tomo II (1863). La Real Academia de la Historia.

|   |     |                         |
|---|-----|-------------------------|
| Repayment of loans in old currency had to prove that the credit was in that same currency and not <i>blancos</i> .  | x   | Brivesca, 1387, nº 1    |
| Request that all debt letters between Christians or Jews could not have a Jewish witness but only Christian witnesses. King responded that due to prior false testimony by Christian witnesses, that Jewish witnesses be allowed.   | x   | Valladolid, 1385, nº 12 |
| Petition to revoke prior law that allowed Jews to report who had sold them stolen goods and to restitute to the proper owners the stolen goods & that the Jews be prosecuted for being complicit in the crime. Crown responded that there was no privilege granted to be revoked & that the exact same law be applied to the Jews as to Christians. | x   | Valladolid, 1385, nº 13 |
| Claim that Jews were presenting debt letters that were 10-12 years old. Municipal procurators requested that these old letters no longer be considered. King responded that the rulings from the Cortes of Alcalá de Henares of 1348 were to be followed.   | x   | Valladolid, 1385, nº 14 |
| Not allow Jews to have their own private debt collectors, as they purportedly would demand the title on the belongings collected and would keep it for themselves, instead of giving it to officials. Collectors could not charge more than what was owed.  | x   | Valladolid, 1385, nº 15 |
| <b>4. Basis/Foundation of Confessional (Religious) Inferiority and the Discrimination towards the practice of non-Christian religion</b>  | N/A |                         |
| Jews & Muslims banned from being on the street during processions of the Holy Host  | x   | Brivesca, 1387, nº 2    |
| No one, regardless of confession, be caught working in public on a Sunday – not truly anti-Judaic as it applied to Christians, Muslims and Jews   | x   | Brivesca, 1387, nº 7    |
| <b>5. Limitations on the daily dealings between Jews and Christians and Segregation of the Jewish Minority</b>  |     |                         |
| Forbid Jews, Muslims & Christians from eating, drinking, working or living together. The king responded that previous laws be enforced.   | x   | Valladolid, 1385, nº 3  |
| Jews could not have Christians in their homes nor could Jews live with Christians. No conversations between the three confessions to be held  | x   | Brivesca, 1387, nº 3    |

### ***Restrictive and discriminatory Jewish legislation at the Portuguese Cortes (1385-1391)***

The information was extracted from SOUSA, Armindo de (1990). *As Cortes Medievais Portuguesas*, vol. II. Instituto Nacional de Investigação Científica. Centro de História da Universidade de Porto; the ANTT, Supl. Cortes, Maço 1, nº 11 for the Cortes of Lisbon in 1389 and ACHM, Códice 5, fols. 66v-69 for the Cortes of Coimbra in 1390; Document 164, fl. 150-151vº, Coimbra, *Livro dos Pregos*, 4 March 1390 – King Dom João I [Capítulos gerais apresentados nas *Cortes de Coimbra* de 1390] and, the *Ordenações Afonsinas*, Livro 2, Imprensa da Universidade: Coimbra, 1786.

### ***Discriminatory and restrictive Jewish legislation at Cortes of Portugal, 1385-1391***

| <b>Legislative type petitioned by procurators</b>   | <b>Nº times</b> | <b>Cortes, Year, Article nº</b> |
|---|-----------------|---------------------------------|
| <b>1. Administrative and Professional discrimination in order to reduce the social and political influence of the Jews</b>                                    |                 |                                 |
| Neither Jews nor Muslims (Moors) are to be employed in any capacity above Christians, either royal or noble. The same applied for being renters or landlords. | x               | Coimbra, 1385, nº 22            |
| <b>3. Regulation of interests and pragmatic (execution) on the Economic Activities of the Jews within the scope of Finance-Credit</b>                         |                 |                                 |
| Jews should not use debt letters that have not been written by official scribes. Royal response was previous laws to be applied                               | x               | Lisbon, 1389, nº 25             |
| <b>4. Basis/Foundation of Confessional (Religious) Inferiority and the Discrimination towards the practice of non-Christian religion</b>                      | N/A             | N/A                             |
| <b>5. Limitations on the daily dealings between Jews and Christians and Segregation of the Jewish Minority</b>  |                 |                                 |
| Punishes any Jew or Muslim who refuses to wear the distinctive signs as non-recognition of their religion brought about much damage to Christians.            | x               | Coimbra, 1385, nº 23            |

|   |   |                         |
|---|---|-------------------------|
| Jews and Muslims required to live in their respective quarters or <i>extra muros</i> for Muslims. Royal response was deferment and having written letters allowing them to live outside this confinement. | x | Coimbra, 1390, n° 9     |
| Enforce previous law for Jews to wear distinctive red signs with six legs on their chests to distinguish them from Christians   | x | Évora, 1391, n° 86 (OA) |

***Comparison of restrictive and discriminatory Portuguese & Castilian legislation from the Cortes towards the Jews: 1385-1391***

| <b>Legislative type petitioned by procurators</b>  | <b>N°<br/>x</b> | <b>Castilian Cortes, Year, Article<br/>n°</b>    | <b>N°<br/>x</b> | <b>Portuguese Cortes, Year, Article<br/>n°</b> |
|--|-----------------|--|-----------------|--|
| <b><i>1. Administrative &amp; Professional discrimination in order to reduce the social and political influence of the Jews</i></b>  |                 |  |                 |  |
| Jews and Moors could not be tax collectors, rentiers, curators, stewards either for the king or any lord or lady or any Christian.   | x               | Valladolid (1412), Tit. CLIV, Art. N° 1, item 7. |                 |  |
|  |                 |  |                 |  |
|  |                 |  |                 |  |
| <b>Total N° 1</b>  | 3               |  | 1               |  |
| <b><i>2. Judicial Discrimination. Suppression of Jewish Jurisdictional Privileges &amp; Prerogatives</i></b>   |                 | N/A  |                 | N/A  |
| <b>Total N° 2</b>  | 0               |  | 0               |  |
| <b><i>3. Regulation of interests and pragmatic (execution) on the Economic Activities of the Jews within the scope of Finance-Credit</i></b>   |                 |  |                 |  |
| Forbid Jews from purportedly forcing Christians through deceitful letters in buying products from Jews (cloth, silver & arms) in order to service their debts. Municipal procurators requested financial relief  | x               | Valladolid, 1385, n° 10                          |                 |  |
| Debt reductions by one-third of the original principal. King stated that any further reductions would be financially detrimental for the Jews.   | x               | Valladolid, 1385, n° 10                          |                 |  |
| Complaint that the Jews were collecting more money or goods/property than the original sum lent to burghers (good men & women) to buy clothes. In spite of Jews swearing that their letters were not deceitful, municipal procurators wanted only sworn testimony of Christian witnesses. Royal response was forgiveness of 1/3 of the debt. No indication of royal response either in agreement or disagreement | x               | Valladolid, 1385, n° 11                          |                 |  |
| Request only to repay principal & not interest. Rejected by the Crown: all debts to be repaid in full. At Palencia the king demanded that Christians produce evidence of usury. If no evidence provided, then Christians had to repay the debt in full.  | xx              | Segovia 1386, n° 14; Palencia 1388, n° 6         |                 | N/A  |
| Repayment of loans in old currency had to prove that the credit was in that same currency and not <i>blancos</i>   | x               | Briviesca, 1387, n° 1                            |                 | N/A  |
| Request that all debt letters between Christians or Jews could not have a Jewish witness but only Christian witnesses. King responded that due to prior false testimony by Christian witnesses, that Jewish witnesses be allowed.  | x               | Valladolid, 1385, n° 12                          |                 |  |

|   |    |                         |   |                      |
|---|----|-------------------------|---|----------------------|
| Jews should not use debt letters that have not been written by official scribes. Royal response was previous laws to be applied   |    | N/A                     | x | Lisbon, 1389, n° 25  |
| Petition to revoke prior law that allowed Jews to report who had sold them stolen goods and to retribute to the proper owners the stolen goods & that the Jews be prosecuted for being complicit in the crime. Crown responded that there was no privilege granted to be revoked & that the exact same law be applied to the Jews as to Christians. | x  | Valladolid, 1385, n° 13 |   | N/A                  |
| Claim that Jews were presenting debt letters that were 10-12 years old. Municipal procurators requested that these old letters no longer be considered. King responded that the rulings from the Cortes of Alcalá de Henares of 1348 were to be followed.   | x  | Valladolid, 1385, n° 14 |   | N/A                  |
| Not allow Jews to have their own private debt collectors, as they purportedly would demand the tithe on the belongings collected and would keep it for themselves, instead of giving it to officials. Collectors could not charge more than what was owed.  | x  | Valladolid, 1385, n° 15 |   |                      |
| <b>Total N° 3</b>   | 10 |                         | 1 |                      |
| <b>4. Basis/Foundation of Confessional (Religious) Inferiority and the Discrimination towards the practice of non-Christian religion</b>  |    |                         |   |                      |
| Jews & Muslims banned from being on the street during processions of the Holy Host  | x  | Briviesca, 1387, n° 2   |   | N/A                  |
| No one, regardless of confession, be caught working in public on a Sunday – not truly anti-Judaic as it applied to all confessions  | x  | Briviesca, 1387, n° 7   |   | N/A                  |
| <b>Total N° 4</b>   | 2  |                         | 0 |                      |
| <b>5. Limitations on the daily dealings between Jews and Christians and Segregation of the Jewish Minority</b>  |    |                         |   |                      |
| Forbid Jews, Muslims & Christians from eating, drinking, working or living together. The king responded that previous laws be enforced.   | x  | Valladolid, 1385, n° 3  |   |                      |
| Jews could not have Christians in their homes nor could Jews live with Christians. No conversations b/w the three confessions allowed   | x  | Briviesca, 1387, n° 3   |   |                      |
| Jews and Muslims required to live in their respective quarters or <i>extra muros</i> for Muslims. Royal response was deferment and having written letters allowing them to live outside   |    | N/A                     | x | Coimbra, 1390, n° 9  |
| Punishes any Jew or Muslim who refuses to wear the distinctive signs as non-recognition of their religion brought about much damage to Christians.  |    | N/A                     | x | Coimbra, 1385, n° 23 |
| Jews to wear distinctive red signs to distinguish them from Christians  |    | N/A                     | x | Évora, 1391, n° 85   |
| <b>Total N° 5</b>   | 2  |                         | 3 |                      |
| <b>Overall Total</b>  | 17 |                         | 5 |                      |

For the period of 1385-1391, the Castilian municipal procurators petitioned 17 separate pieces of legislation at their *Cortes* to either regulate the economic activities or discriminate them

altogether. In contrast, the Portuguese municipal procurators petitioned only five separate petitions to regulate Jewish economic activities and discriminate them altogether.

## CHAPTER 7. Massacres of 1391 & Aftermath in Castile & Portugal until 1412

### *Charts of Castilian and Portuguese Anti-Jewish Laws 1391-1412*

The Castilian and Portuguese anti-Jewish legislation from 1391 to 1412 was analyzed following the five different types of categories presented by Monsalvo Antón. Some of the legislation overlapped some of the categories, such as economic activities, confessional inferiority and limitations of daily dealing. As a result, some dispositions are repeated in the different classifications in the charts. The legislation retrieved was from: *Cortes de los antiguos reinos de León y Castilla*, t. II; *Ordenações Afonsinas*, Livro II; *Livro dos Pregos*; *Documentos de la minoría de Juan II: La regencia de Fernando de Antequera*, Título CLIV & Título CLXXXIII; *Colección de Cortes y ordenamientos inéditos, pertenecientes a la legislación de España* (MSS/10649).

#### **7.C.1. Castilian Cortes Anti-Jewish Legislation 1391-1412**

| Type of legislation  | Nº of times | Cortes, including article or item numbers, and dates <sup>493</sup> |
|--|-------------|---|
| <b>1º Administrative &amp; Professional Discrimination &amp; the Reduction of social &amp; political influence of the Jews</b> | N/A         | N/A   |
| <b>2º Judicial Discrimination: Suppression of Jurisdictional Privileges &amp; Prerogatives of the Jews</b>                     | N/A         | N/A   |
| <b>3º Pragmatic &amp; Interested Regulation of the Economic Activities of the Jews w/in the scope of Finance &amp; Credit</b>  |             | Valladolid (1405)   |
| Against usury based on Jewish evil-doing and causing damage to Christians  | x           | Valladolid (1405), Art. Nº 1  |
| <b>4º Foundation of Confessional Inferiority &amp; the Discrimination</b>  |             | Valladolid (1405)   |
| Jews forced to wear a red cloth badge (circle) on their chests to differentiate them from Christians                           | x           | Valladolid (1405), Art. Nº 9  |
| <b>5º Limitations on the daily dealing b/w Jews &amp; Christians &amp; Segregation of the Jewish Minority</b>                  |             | Valladolid (1405)   |
| Jews forced to wear a red cloth badge (circle) on their chests to differentiate them from Christians                           | x           | Valladolid (1405), Art. Nº 9  |
| Jews forbidden from wearing <i>soletas</i> (cloth shoes) and clothes made from velvet  | x           | Valladolid (1405), Art. Nº 9  |

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### ***Non-Cortes Castilian Anti-Jewish Legislation 1412 (Tutorship)***

The same type of legislation that was repeated in the two titles are separated by //.

| Type of legislation   | Nº of times | Place of Law and dates   |
|---|-------------|--|
| <b><i>1º Administrative &amp; Professional Discrimination &amp; the Reduction of social &amp; political influence of the Jews</i></b>   |             |  |
| Jews and Moors could not be tax collectors, rentiers, curators, stewards either for the king or any lord or lady or any Christian.  | x           | Valladolid (1412), Tit. CLIV, Art. Nº 1, item 7.   |
| Total Nº 1  | 1           |  |
| <b><i>2º Judicial Discrimination: Suppression of Jurisdictional Privileges &amp; Prerogatives of the Jews</i></b>   |             |  |
| Moors & Jews not allowed to have their own judges to pass judgment on civil & criminal cases. Instead, they were to go to municipal judges, where they resided. However, the king stated that in civil complaints the municipal judges allow that the two minority groups' religious customs be respected.  | x           | Valladolid (1412), Tit. CLIV, Art. Nº 1, item 9.   |
| Total Nº 2  | 1           |  |
| <b><i>3º Pragmatic &amp; Interested Regulation of the Economic Activities of the Jews w/in the scope of Finance &amp; Credit</i></b>  |             | Valladolid (1412), Tit. CLIV, item 7 (included Muslims);                                       |
| Banned Jews & Moors from exercising the professions of spices, pharmacy, practice surgery or that of physician, nor could they sell wine, olive oil or butter or other edibles to Christians. Jews and Moors could not have any shops, pharmacies or tables out in public (Christian quarters) or hidden from view where they could sell their wares in secret.   | xxxxxx      | Valladolid (1412), Tit. CLXXXIII, items 1-2, 6, 11, 19-21.                                     |
| Banned that Jews and Muslims be brokers, heads/captains of ships and embarkations, sifters, nor are they allowed to carry arms into towns, cities or localities.  | x           | Valladolid (1412), Tit. CLIV, Art. Nº 1, item 7.   |
| Banned Jews or Moors to have olive groves on places or squares that sell food to Christians or buy food from Christians. Jews & Moors could sell foodstuffs to their own communities.   | x           | Valladolid (1412), Tit. CLIV, Art. Nº 1, item 8.   |
| Total Nº 3  | 8           |  |
| <b><i>4º Foundation of Confessional Inferiority &amp; the Discrimination</i></b>  |             | Valladolid (1412), Tit. CLXXXIII   |
| Jews & Moors corrupted the teachings of the Catholic faith  | x           | Valladolid (1412), Tit. CLXXXIII, item 1.  |
| Restriction on Jewish attire & hair as they reflected Jewish condition of inferiority.  | xx          | Valladolid (1412), Tit. CLXXXIII, item 13 & 18.  |
| Total Nº 4  | 3           |  |
| <b><i>5º Limitations on the daily dealing b/w Jews &amp; Christians &amp; Segregation of the Jewish Minority</i></b>  |             | Valladolid (1412), Tit. CLIV, items 1-6, 8-9; Valladolid (1412), Tit. CLXXXIII, item 1.        |
| New Christians not allowed to reside with Jews  | x           | Valladolid (1412), Tit. CLIV, Art. Nº 1, item 1.   |
| Banned unaccompanied Christian women from entering Jewish quarters. // The ordinance also ordered that no Christian woman, married or single or engaged or public woman (prostitute) dare enter the enclosed living quarters of the Jews or Moors either during the day or at night.  | xx          | Valladolid (1412), Tit. CLIV, Art. Nº 1, item 2. // Valladolid (1412), Tit. CLXXXIII, item 11. |
| Banned Jews & Christians from living with one another   | x           | Valladolid (1412), Tit. CLIV, Art. Nº 1, item 3.   |
| Forbade Christians from being servants to Jews, except as day laborers. // Banned Jews and Moors from having Christian squires, servants and servers (mozos) in their homes. Christians were also not to do housework in a Jewish home during the Sabbath or to even turn on a light (candle or fire) or to send them to buy wine or any other chore. They were also not allowed to have young Christian women as nannies or wetnurses. Christians were also not to work as gardeners or shepherds for Moors or Jews. Christians were not to go to any Muslim or Jewish celebrations, | xx          | Valladolid (1412), Tit. CLIV, Art. Nº 1, item 4. // Valladolid (1412), Tit. CLXXXIII, item 5.  |

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| weddings or burials. Exceptions: Muslims and Jews could contact Christian carpenters & day laborers to make necessary home reparations & to work in their vineyards and farms. Christian day laborers could pluck & stomp the grapes to make the moss for wine.   |     |   |
| Banned Christians from eating kosher food. // Christians were also not allowed to prepare Jewish food in any way.   | xx  | Valladolid (1412), Tit. CLIV, Art. N° 1, item 5. // Valladolid (1412), Tit. CLXXXIII, item 5. |
| Banned Christian from attending Jewish surgeons & physicians  | x   | Valladolid (1412), Tit. CLIV, Art. N° 1, item 6.  |
| Jews and Moors forced to live in separate quarters – violation of law would lead to loss of property & physical punishment  | x   | Valladolid (1412), Tit. CLXXXIII, item 1.   |
| Banned Jews & Moors from exercising the professions of spices, pharmacy, practice surgery or that of physician, nor could they sell wine, olive oil or butter or other edibles to Christians. Jews and Moors could not have any shops, pharmacies or tables out in public (Christian quarters) or hidden from view where they could sell their wares in secret.   | xxx | Valladolid (1412), Tit. CLXXXIII, item 1, 2, 6 & 11.  |
| Banned the eating, drinking & dining b/w Christians, Jews & Muslims. The law also forbade Christians from eating in the homes of Muslims & Jews, and vice-versa.  | x   | Valladolid (1412), Tit. CLXXXIII, item 4.   |
| Jews & Moors not allowed to visit sick Christians, nor offer them medicines or syrups or balsams for their baths. Jews & Moors are also not to send Christians presents of spices, wines, baked bread nor slaughtered birds or any other slaughtered meats.   | x   | Valladolid (1412), Tit. CLXXXIII, item 10.  |
| Banned both Jews and Muslims from using the title Don or Doña. The title of reverence could not be uttered verbally nor used in writing.  | x   | Valladolid (1412), Tit. CLXXXIII, item 12.  |
| Jews were not allowed to wear hats with long chías, as it was a symbol of nobility and rank. Instead, they were allowed to wear short ones up to the length of a palm and made into the shape of a funnel or a horn. All Jews were forced to wear tobardos with wings. Jews also had to wear on their chest the distinguishing red buckler or circle in order to identify them from the majority Christian community and the Muslim minority. | x   | Valladolid (1412), Tit. CLXXXIII, item 13.  |
| Jews must have beards (trimmed) and long hair   | x   | Valladolid (1412), Tit. CLXXXIII, item 18.  |
| Strict control of movement, displacement & physical whereabouts of the Jews. Forbade clergy & nobility from receiving Jews on their lands.  | xxx | Valladolid (1412), Tit. CLXXXIII, item 16, 17 & 23.   |
| Total N° 5  | 21  |   |

### ***Portuguese Anti-Jewish Legislation 1391-1412***

#### ***Ordenações Afonsinas (AO), Livro II; and, Livro dos Pregos (LP)***

| Type of legislation   | N° of times | Cortes and dates  |
|---|-------------|---|
| <b><i>1° Administrative &amp; Professional Discrimination &amp; the Reduction of social &amp; political influence of the Jews</i></b> | N/A         | Although there is legislation from the reign of João I concerning category n°1, there is no specific date for the period 1391-1412 for this category. |
| <b><i>2° Judicial Discrimination: Suppression of Jurisdictional Privileges &amp; Prerogatives of the Jews</i></b>                     |             |   |
| The king mandated that the Jews not wear helmets, bear swords or knives to Jewish festivities,  | x           | AO, Liv. II, Tit. LXXV, item 1, 6 March 1402. <sup>494</sup>  |

<sup>494</sup> *Ordenações Afonsinas*, liv. 2, op. cit., 1984, p 452. However, in Item 4, The OA, liv. 2, stated that the leaders of the Jewish community found this law as to stringent and unfair, as the entire community should not have to pay for the actions of one individual. The king agreed and modified it by stating that whomsoever should break the law, should suffer the consequences, p 453. Item 5 clarified that if the man, who broke the law were single,

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| celebrations, weddings or festivals in their own quarters. Anyone who violated this, then the entire community would suffer.  |     |   |
| Jews were no longer allowed to bear arms in the presence of the king or when they received him. However, the law recognized in item 1 that Jewish merchants when travelling long distances had the right to bear arms in order to protect themselves.   | x   | AO, Liv. II, Tit. LXXV, item 2, 6 March 1402. <sup>495</sup>  |
| Banned the use of Hebrew for legal documents and how notary publics had to write the writs, deeds and charters for Jews.  |     | AO, Liv. II, Tit. LXXXXIII, no specific date but pre-1405. <sup>496</sup>   |
| <b>3° Pragmatic &amp; Interested Regulation of the Economic Activities of the Jews w/in the scope of Finance &amp; Credit</b>   | N/A | Although there is legislation from the reign of João I concerning category nº3, Title LXVIII, there is no specific date for the period 1391-1412 for this category. |
| <b>4° Foundation of Confessional Inferiority &amp; the Discrimination</b>   |     |   |
| King João I decreed that all Jews had to live within the confines of their designated Jewish quarters from sunset to sunrise and if they should happen to be caught outside of their quarters at night, then their property would be confiscated. Jews did not belong to the dominant Christian majority; it was deemed that they were inferior. Jews were to be relegated to separate and enclosed Jewish quarters and could not live outside of those designated areas. |     | AO, Liv. II, Title LXXVI of 30 September 1400. <sup>497</sup>   |
| <b>5° Limitations on the daily dealing b/w Jews &amp; Christians &amp; Segregation of the Jewish Minority</b>   |     |   |
| King João I decreed that all Jews had to live within the confines of their designated Jewish quarters from sunset to sunrise and if they should happen to be caught outside of their quarters at night, then their property would be confiscated. Jews as a discriminated and marginalized minority should not have unrestricted contact with the dominant Christian majority and must be confined to their own quarters determined by the Christian authorities.         | x   | AO, Liv. II, Title LXXVI of 30 September 1400. <sup>498</sup>   |
| Forbade Christian women from entering Jewish or Muslim Quarters. Any Christian woman, who defied the law would be publicly flogged throughout the city or town where it occurred.   |     | LP, Doc. 108, 1 December 1397-1423, folio 125v. <sup>499</sup>  |
| Any Jew, aged fifteen and above, who was found outside of the Jewish quarter after the end of prayer,   | x   | AO, Liv. II, Title LXXX, Item 2, 12 February 1412. <sup>500</sup>   |

then he would go to prison and his belongings confiscated by the Crown. However, if he should happen to be married, then his belongings would go to his wife.

<sup>495</sup> Ibid., p 451-452.

<sup>496</sup> Ibid., p 513-514. The law dated from the reign of King D. João I (1385-1433) but had no specific date written or the place where the law was expedited. It seems that this piece of legislation might have been the original law that banned the use of Hebrew in any legal document that was reversed in 1405 that allowed public documents to be written in Hebrew (*letra Judenga*), as long as they were not grievances and appeals that were to go to Christian judges and auditors; *Chancelarias Portuguesas de D. João I (1385-1419)*, liv. 3, t. I. Centro de Estudos Históricos. Universidade Nova de Lisboa: Lisboa, 2006, p 197-199.

<sup>497</sup> Ibid., p 455.

<sup>498</sup> *Ordenações Afonsinas*, liv. 2, op. cit., 1984, p 456.

<sup>499</sup> *Livro dos Pregos. Estudo introdutório, transcrição paleográfica, sumários e índices*. Coordenação Inês Morais Viegas. Coleção Documentos do Arquivo Municipal de Lisboa. 2ª Edição Câmara Municipal de Lisboa: Lisboa, 2016, p 229. Historians have found that King João I was in Santarém on 1 December in the years 1397, 1399, 1402, 1413, 1418, and 1423.

<sup>500</sup> *Ordenações Afonsinas*, liv. 2, op. cit., 1984, p 472-473. Item 1 stated that complaints had been made by the Jewish communities of an ordinance (1400) that stated that if a Jew was found outside of his Jewish quarters after vespers, that he would be arrested and that all of his belongings would be confiscated. On the second occasion that it should occur, the Jew will be imprisoned and fined ten thousand pounds and only released upon paying the fine. On the third occasion, the Jew would be flogged in public. The Jewish communities found this ordinance very odious in that the Jews, for many reasons, could easily fall into this situation even without it

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| would be arrested and would only be released upon paying a fine of five thousand pounds. Items 4-13 provided all of exemptions allowed for Jewish merchants or estate owners.  |   |  |
| Any Jew found drinking in a Christian tavern would have to pay a fine of fifty white reals ( <i>cinquenta reais brancos</i> ). Exceptions allowed, if there were no Jewish quarter with a Jewish tavern in the locality. | x | AO, Liv. II, Title LXXXXI, reign of João I (no specific date) <sup>501</sup> |

**Table Comparing Portuguese and Castilian Ordinances of 1412<sup>502</sup>**

| <b>Kingdom of Portugal</b>   | <b>Kingdom of Castile</b>  |
|--|--|
| <i>Alfonsine Ordinance of 1412, Book 2, Title 80 (King João I)</i>   | <i>Ordinance or Pragmatic of Valladolid 1412 (minority rule of King Juan II)</i>                                   |
| Relaxed physical whereabouts of the Jews   | Restricted physical whereabouts of the Jews  |
| Jews could leave their quarters during the day and move around freely in their towns   | Jews could not leave their quarters during the day and could not move freely about                                 |
| Jews could own shops outside of their quarters and conduct business with Christians and Moors  | Jews forbidden to have shops outside of their quarters, conduct any business or have conversations with Christians |
| Jewish physicians and surgeons allowed to treat Christians   | Jewish physicians and surgeons forbidden to treat Christians   |
| Jews allowed to be outside of the quarters after curfew if: <ul style="list-style-type: none"> <li>• they had a shop far away from their quarters and were on their way to return to their quarters</li> <li>• they were returning from their farms outside of the town</li> <li>• they were returning to their town after business travel to other towns</li> <li>• they could stay overnight in the other town if they were conducting business, as long as it was in the Jewish Quarter of that town</li> <li>• surgeons and physicians were called upon by Christians and had to be accompanied by Christians to the patients outside of the Quarter</li> <li>• Jews could leave their quarters early in the morning prior to the lifting of the curfew for</li> </ul> | No exceptions allowed in being caught outside of the Jewish Quarter after the curfew (evening vespers)             |

being the Jews' fault. The representatives of the communities petitioned the king to lessen the severity of the punishment and lift the ordinance or to revoke it. Items 4-13 from the Ordinance of 1412 provided the exemptions for Jewish merchants travelling long distances, Jewish shop owners, who had shops far from the Jewish quarters or Jews tending their groves, orchards or vineyards.

<sup>501</sup> Ibid., 509-510. The law stipulated that it would only be applied if the town or city had a Jewish quarter, in which the Jew could go to a Jewish tavern and drink kosher wine. In the case that the locality did not have a Jewish quarter with its own taverns, then the Jew could have wine in a Christian tavern only if the Christian tavern had kosher wine in stock.

<sup>502</sup> *Ordenações Afonsinas*, Liv. 2, Tít. 80. Fundação Calouste Gulbenkian: Lisboa, 1984; and, *Documentos de la minoría de Juan II: La regencia de Fernando de Antequera*, Tít. 154 & 183. Colección de Documentos para la Historia del Reino de Murcia XV, Ed. de María Victoria J. Vilaplana Gisbert. Real Academia Alfonso X El Sabio, Consejo Superior de Investigaciones Científicas. Murcia, 1993.

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| the same reasons why they might be caught outside of the quarters by evening vespers.  |   |
| No mention of banning Jews from visiting sick Christians or forbidding Jews from giving Christians medicine or syrups  | Jews not allowed to visit sick Christians or give them medicine or syrups to treat them   |
| Even though no mention was made in this law, Christian women could only enter the Jewish Quarter during the day accompanied by a Christian man (relative) or two young Christian men (sons). Christian women could not enter the shops. Jewish vendors had to bring out their wares to the front door and show them to the Christian clients.          | No Christian women allowed in the Jewish quarters either day or night. The law applied to married, single women and prostitutes.  |
| No restrictions mentioned in this law, although restrictions were made on being royal treasurers (almojarifes), royal valets and chamberlains in previous laws. There were no known restrictions of Christians paying for the services of daily necessities as banned in Castile. Christians most likely did not buy kosher meat from Jewish butchers. | Restrictions on many professions: renters, lessors, treasurers (almojarifes), procurators, valets, chamberlains, moneychangers or brokers. Jews could also not serve Christians as carpenters, tailors, butchers, blacksmiths, tanners, cobblers, or as cloth vendors. Jews were also not allowed to transport food items to Christians, especially mentioned were rice, oil and honey. |
| No restrictions made on Jews and Christians to eat and drink together or eat in their company  | Jews and Christians not allowed to eat and drink together or in their company   |
| No mention of forbidding Christians working as servants in Jewish homes, even though such prohibitions were mentioned in previous laws   | Christian servants, wetnurses, attendants and squires not allowed to work in Jewish homes, nor allowed to prepare their food. This restriction would have been accepted by the Jewish community, as non-Jews were not allowed to touch Jewish food or wine (not even the bottle), let alone prepare their food.   |
| No mention of beard and hair length  | Jewish men could not shave off their beards but could only trim them with scissors and had to have longer hair in order to distinguish them from Christians   |
| No mention of it in this ordinance, even though it had been required in previous legislature   | Jews had to wear distinctive insignia   |
| No mention of this dress code in this particular law, even though it had been mentioned in previous legislature. (Check)   | Jews could not wear luxurious clothes and had to cover their everyday clothes with coarse overcoats and long wide sleeves.  |
| Non-compliance with laws amounted to fines. Jews under the age of 15 were exempt from fines.   | Non-compliance with laws amounted to fines, confiscation of goods and public flogging.  |

## 7.E. Charts of Ecclesiastical Anti-Jewish Laws 1391-1412

### 7.E.1. Castilian Synods: Information retrieved from *Synodicon Hispanum*, vols. VII<sup>503</sup>, X<sup>504</sup>.

| Type of legislation   | Nº of times | Synods and dates |
|---|-------------|------------------|
| 1º Administrative & Professional Discrimination & the Reduction of social & political influence of the Jews | N/A         | N/A              |

<sup>503</sup> *Synodicon Hispanum*, v. VII, *Burgos y Palencia* (1997). Dir. Antonio García y García. Biblioteca de Autores Cristianos.

<sup>504</sup> *Synodicon Hispanum*, vol. X, *Cuenca y Toledo* (2011). Dir. Antonio García y García. Biblioteca de Autores Cristianos.

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| 2° Judicial Discrimination: Suppression of Jurisdictional Privileges & Prerogatives of the Jews  | N/A | N/A   |
| 3° Pragmatic & Interested Regulation of the Economic Activities of the Jews w/in the scope of Finance & Credit   |     |   |
| Banned or forbade Muslims and Jews from working publicly on Sundays and Christian holidays. The order demanded that no Jew or Muslim dare to work publicly in their professions on Sunday or any other Christian holidays.   | x   | <i>Cuenca Synod</i> 7 of 19-21 April 1406, [27] 8 <sup>505</sup>  |
| 4° Foundation of Confessional Inferiority & the Discrimination   |     |   |
| Banned or forbade Muslims & Jews from working publicly on Sundays and Christian holidays. The order demanded that no Jew or Muslim dare to work publicly in their professions on Sunday or any other Christian holidays, as they were of an inferior ecclesiastical & secular legal status.  | x   | <i>Cuenca Synod</i> 7 of 19-21 April 1406, [27] 8 <sup>506</sup>  |
| Christian butchers will not slit the throats of the cattle according to Jewish or Muslim ritual. It has become known that in some towns and localities of the bishopric, there are some Jews and Moors that have the local butchers practice and that Jewish and Muslim butchers practice slaughtering cattle according to their rituals and that Christians consume. The Church banned this practice, as it reflected the blindness and errors of Jewish and Muslim practices and rites as this is an affront to the Catholic Church. From thereon henceforth, the Church forbade local butchers to practice slaughtering cattle according to Jewish and Muslim rites. Anyone who transgressed the law would be excommunicated. |     | <i>Cuenca Synod</i> 9 of 14 September 1411, [6] 4 <sup>507</sup>  |
| Banned all Moors & Jews from being in Church mass or holy office ( <i>divinales officios</i> ). The exception would be to a dire need. Even in such cases, Jews & Moors who would enter the Church during mass & official ceremonies were to be thrown out & locked up in a place close to the church. Whosoever refuses to do so & defends the Jews or Moors would be excommunicated.   | x   | <i>Synod Palencia</i> 11, 3 May 1412, [5] <sup>508</sup>  |
| 5° Limitations on the daily dealing b/w Jews & Christians & Segregation of the Jewish Minority   |     |   |
| Forbade Christians to go to Jewish or Muslim weddings or burials. If they should go against the order, then they ran the risk of   | x   | <i>Cuenca Synod</i> 3 of 7-8 April 1399, [133] <sup>509</sup> ; // <i>Synod Palencia</i> 11, 3 May 1412, [6] <sup>510</sup> |

<sup>505</sup> *Synodicon Hispanum*, vol. X, *Cuenca y Toledo* (2011), p 130.

<sup>506</sup> *Ibid.*

<sup>507</sup> *Ibid.*, p 157. After they have prepared and seasoned the meat and there are no more Jewish or Muslim customers, then they sell the meat to Catholics. The synod also mandated priests and clerics to report them to the bishopric.

<sup>508</sup> *Synodicon Hispanum*, v. VII, *Burgos y Palencia*, op. cit., 1997, p 411.

<sup>509</sup> *Synodicon Hispanum*, v. X, *Cuenca y Toledo*, op. cit., 2011, p 91.

<sup>510</sup> *Synodicon Hispanum*, v. VII, *Burgos y Palencia*, op. cit., 1997, p 411.

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| excommunication. // <i>Sicut fidelis</i> – Christians were banned from attending Jewish or Moorish weddings or to go to their funerals nor to be near or close to their ceremonies. Anyone who would do so, would be excommunicated. |   |   |
| Forbade sexual relations between members not belonging to the Christian faith (Moors and Jews), as well as with young girls, nuns or relatives.  | x | <i>Cuenca Synod 3</i> of 7-8 April 1399, [134] <sup>511</sup> |
| <i>Adversus</i> – banning Christians from attending Jewish or Moorish (Muslim) doctors nor take their medicines nor their foods.   | x | <i>Synod Palencia 11</i> , 3 May 1412, [9] <sup>512</sup>     |

### **Portuguese Synods**

The information retrieved was from *Synodicon Hispanum*, vol. 2 on Portugal.<sup>513</sup>

| Type of legislation   | Nº of times | Synods, item nº and dates  |
|---|-------------|--|
| 1º Administrative & Professional Discrimination & the Reduction of social & political influence of the Jews   | N/A         |  |
| 2º Judicial Discrimination: Suppression of Jurisdictional Privileges & Prerogatives of the Jews   | N/A         |  |
| 3º Pragmatic & Interested Regulation of the Economic Activities of the Jews w/in the scope of Finance & Credit  |             |  |
| Forbade Christians from receiving medicine from Jews or anyone from another faith or to call them if they should have an ailment or be in pain. The synod forbade Christians from taking food from people from other faiths.                                    | x           | <i>Lisbon Synod N°11</i> on 13 January 1403, [23] <sup>514</sup> |
| 4º Foundation of Confessional Inferiority & the Discrimination  |             |  |
| Some Christians have lived in scandal and have placed their souls into jeopardy by living with Jews & Moors. Forbade that Christians live or presume to live with Jews & Moors.   | x           | <i>Lisbon Synod N°11</i> on 13 January 1403, [11] <sup>515</sup> |
| Claims that some Christians were living or that it was presumed that Christians lived in Jewish and Muslim quarters that led to the imperilment of their souls.   | x           | <i>Lisbon Synod N°11</i> on 13 January 1403, [12] <sup>516</sup> |
| Ordered that Jews & Moors do not work or offer their services in public on Sunday and Christian holidays. The Jews and Muslims were also not allowed to cook, roast or eat meat in public during Lent or on any other day that Christians are expected to fast. | x           | <i>Lisbon Synod N°11</i> on 13 January 1403, [12] <sup>517</sup> |

<sup>511</sup> *Synodicon Hispanum*, v. X, *Cuenca y Toledo*, op. cit., 2011, p 91.

<sup>512</sup> *Synodicon Hispanum*, v. VII, *Burgos y Palencia*, op. cit., 1997, p 412.

<sup>513</sup> *Synodicon Hispanum*, v. II, *Portugal*. Edición Crítica dirigida por Antonio García y García. Biblioteca de Autores Cristianos: Madrid, 1982.

<sup>514</sup> *Synodicon Hispanum*, v. II, *Portugal* (1982), p 335-336.

<sup>515</sup> *Ibid.*, p 328

<sup>516</sup> *Ibid.*, p 328-329.

<sup>517</sup> *Ibid.*, p 329.

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| 5° Limitations on the daily dealing b/w Jews & Christians & Segregation of the Jewish Minority   |   |  |
| Considered as a carnal sin for Christians to lay with Jews and Moors and would run the risk of excommunication.  | x | <i>Lisbon Synod N°11</i> on 13 January 1403, [3] <sup>518</sup>  |
| Forbade certain contacts b/w Christians, Moors and Jews  | x | <i>Lisbon Synod N°11</i> on 13 January 1403, [12] <sup>519</sup> |
| Both Moors and Jews had to remain in their own designated quarters   | x | <i>Lisbon Synod N°11</i> on 13 January 1403, [12]                |
| Forbade Christians from renting homes to the Jews and Moors that were outside of their respective quarters and that any Christian that continued to ignore the ruling would be excommunicated and even put to death.         | x | <i>Lisbon Synod N°11</i> on 13 January 1403, [12] <sup>520</sup> |
| Forbade Christians to serve Jews in their homes or that Christian women act as wet nurses or nannies for them.   | x | <i>Lisbon Synod N°11</i> on 13 January 1403, [11] <sup>521</sup> |
| Forbade Christians from attending weddings of Jews or Muslims and that Christians were not allowed to invite Moors and Jews to their own homes.  | x | <i>Lisbon Synod N°11</i> on 13 January 1403, [11] <sup>522</sup> |
| Forbade Christians from receiving medicine from Jews or anyone from another faith or to call them if they should have an ailment or be in pain. The synod forbade Christians from taking food from people from other faiths. | x | <i>Lisbon Synod N°11</i> on 13 January 1403, [23] <sup>523</sup> |

### Secular Castilian & Portuguese Legislation: 1391-1412 Comparison of Portuguese & Castilian Acts of the Cortes: 1391-1412

| Legislative type petitioned by procurators  | N° x | Castilian Cortes, <sup>524</sup> Year, Article n° | N° x | Ordenações Afonsinas, <sup>525</sup> Article n°, date   |
|---|------|---|------|---|
| <b>1. Administrative &amp; Professional discrimination in order to reduce the social and political influence of the Jews</b>  |      |   |      |   |
| Jews and Moors could not be tax collectors, rentiers, curators, stewards either for the king or any lord or lady or any Christian.  | x    | Valladolid (1412), Tit. CLIV, Art. N° 1, item 7.  | N/A  | Although there is legislation from the reign of João I concerning category n°1, there is no specific date for the period 1391-1412 for this category. |
| <b>Total N° 1</b>   | 1    |   | 0    |   |
| <b>2. Judicial Discrimination. Suppression of Jewish Jurisdictional Privileges &amp; Prerogatives</b>   |      |   |      |   |
| The king mandated that the Jews not wear helmets, bear swords or knives to Jewish festivities, celebrations, weddings or festivals in their own quarters. Anyone who violated this, then the entire community would suffer. |      | N/A   | x    | AO, Liv. II, Tit. LXXV, item 1, 6 March 1402.   |
| Jews were no longer allowed to bear arms in the presence of the king or when  |      | N/A   | x    | AO, Liv. II, Tit. LXXV, item 2, 6 March 1402.   |

<sup>518</sup> *Synodicon Hispanum*, v. II, Portugal (1982), p 321.

<sup>519</sup> *Ibid.*, p 328.

<sup>520</sup> *Ibid.*, p 328-329. However, it also mentioned how some Christians motivated by profit, gain and greed rented or sold homes to Jews at higher rates than to Christians in order to earn higher gains.

<sup>521</sup> *Ibid.*, p 328

<sup>522</sup> *Ibid.*, p 328

<sup>523</sup> *Ibid.*, p 335-336.

<sup>524</sup> *Cortes de los antiguos reinos de León y Castilla*, t. II (1863). Real Academia de la Historia.

<sup>525</sup> *Ordenações Afonsinas*, liv. 2 (1984). Fundação Calouste Gulbenkian.

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| they received him. However, the law recognized in item 1 that Jewish merchants when travelling long distances had the right to bear arms in order to protect themselves.  |            |  |    |   |
| Banned the use of Hebrew for legal documents and how notary publics had to write the writs, deeds and charters for Jews.  |            | N/A  | x  | AO, Liv. II, Tit. LXXXIII, no specific date but pre-1405.   |
| Moors & Jews not allowed to have their own judges to pass judgment on civil & criminal cases. Instead, they were to go to municipal judges, where they resided. However, the king stated that in civil complaints the municipal judges allow that the two minority groups' religious customs be respected.  | x          | Valladolid (1412), Tit. CLIV, Art. Nº 1, item 9.   |    |   |
| <b>Total Nº 2</b>   | 1          |  | 3  |   |
| <b>3. Regulation of interests and pragmatic (execution) on the Economic Activities of the Jews within the scope of Finance-Credit</b>   |            |  |    | Although there is legislation from the reign of João I concerning category nº3, Title LXVIII, there is no specific date for the period 1391-1412 for this category. |
| Against usury based on Jewish evil-doing and causing damage to Christians   | x          | Valladolid (1405), Art. Nº 1   |    |   |
| Banned Jews & Moors from exercising the professions of spices, pharmacy, practice surgery or that of physician, nor could they sell wine, olive oil or butter or other edibles to Christians. Jews and Moors could not have any shops, pharmacies or tables out in public (Christian quarters) or hidden from view where they could sell their wares in secret. | xxx<br>xxx | Valladolid (1412), Tit. CLXXXIII, items 1-2, 6, 11, 19-21.   |    |   |
| Banned that Jews and Muslims be brokers, heads/captains of ships and embarkations, sifters, nor are they allowed to carry arms into towns, cities or localities.  | x          | Valladolid (1412), Tit. CLIV, Art. Nº 1, item 7.   |    |   |
| Banned Jews or Moors to have olive groves on places or squares that sell food to Christians or buy food from Christians. Jews & Moors could sell foodstuffs to their own communities.   | x          | Valladolid (1412), Tit. CLIV, Art. Nº 1, item 8.   |    |   |
| <b>Total Nº 3</b>   | 9          |  | 0  |   |
| <b>4. Foundation of Confessional Inferiority and the Discrimination towards the practice of non-Christian religion</b>  |            |  |    |   |
| Jews & Moors corrupted the teachings of the Catholic faith  | x          | Pragmática Valladolid (1412), Tit. CLXXXIII, item 1.   |    | N/A   |
| <b>Total Nº 4</b>   | 1          |  | 0  |   |
| <b>5. Limitations on the daily dealings between Jews and Christians and Segregation of the Jewish Minority</b>  |            |  |    |   |
| Jews had to live within the confines of their designated Jewish quarters from sunset to sunrise and if they should happen to be caught outside of their quarters at night, then their property would be confiscated.  | x          | Pragmática Valladolid (1412), Tit. CLXXXIII, item 1.   | xx | AO, Liv. II, Title LXXVI of 30 September 1400. AO, 1412, Liv. II, Title LXXX, Item 2.   |
| Christians could not prepare or eat kosher. Forbade Jews, Muslims & Christians from eating, drinking, working or living together.   | xxx        | Valladolid (1412), Tit. CLIV, Art. Nº 1, item 5. // Valladolid (1412), Tit. CLXXXIII, item 5. // Valladolid (1412), Tit. CLXXXIII, item 4. |    | N/A   |
| Jews could not have Christians in their homes nor could Jews live with Christians. No conversations b/w the three confessions allowed   | x          | Valladolid (1412), Tit. CLIV, Art. Nº 1, item 3.   |    | N/A   |

|   |     |  |     |   |
|---|-----|--|-----|---|
| Forbade Christians from being servants to Jews, except as day laborers. // Banned Jews and Moors from having Christian squires, servants and servers (mozos) in their homes. Christians were also not to do housework in a Jewish home during the Sabbath or to even turn on a light (candle or fire) or to send them to buy wine or any other chore. They were also not allowed to have young Christian women as nannies or wetnurses. Christians were also not to work as gardeners or shepherds for Moors or Jews. Christians were not to go to any Muslim or Jewish celebrations, weddings or burials. Exceptions: Muslims and Jews could contact Christian carpenters & day laborers to make necessary home reparations & to work in their vineyards and farms. Christian day laborers could pluck & stomp the grapes to make the moss for wine. | xx  | Valladolid (1412), Tit. CLIV, Art. Nº 1, item 4. // Valladolid (1412), Tit. CLXXXIII, item 5.  |     | N/A   |
| Banned unaccompanied Christian women from entering Jewish quarters. // The ordinance also ordered that no Christian woman, married or single or engaged or public woman (prostitute) dare enter the enclosed living quarters of the Jews or Moors either during the day or at night.  | xx  | Valladolid (1412), Tit. CLIV, Art. Nº 1, item 2. // Valladolid (1412), Tit. CLXXXIII, item 11. | x   | LP, Doc. 108, 1 December 1397-1423, folio 125v <sup>526</sup> |
| Banned Christian from attending Jewish surgeons & physicians  | x   | Valladolid (1412), Tit. CLIV, Art. Nº 1, item 6.   | N/A |   |
| Restriction on Jewish attire & hair   | xx  | Pragmática Valladolid (1412), Tit. CLXXXIII, item 13 & 18.                                     |     | N/A   |
| Any Jew found drinking in a Christian tavern would have to pay a fine of fifty white reals ( <i>cinquenta reais brancos</i> ). Exceptions allowed, if there were no Jewish quarter with a Jewish tavern in the locality.  |     |  | x   | AO, Liv. II, Title LXXX, Item 2, 12 February 1412.            |
| Banned Jews & Moors from exercising the professions of spices, pharmacy, practice surgery or that of physician, nor could they sell wine, olive oil or butter or other edibles to Christians. Jews and Moors could not have any shops, pharmacies or tables out in public (Christian quarters) or hidden from view where they could sell their wares in secret.   | xxx | Valladolid (1412), Tit. CLXXXIII, item 1, 2, 6 & 11.   | N/A | N/A   |
| Jews and Muslims required to live in their respective quarters or <i>extra muros</i> for Muslims. Royal response was deferment and having written letters allowing them to live outside   | x   | Valladolid (1412), Tit. CLXXXIII, item 1.  | x   | AO, Liv. II, Title LXXXVI of 30 September 1400.               |
| Jews to wear distinctive red signs to distinguish them from Christians  | x   | Valladolid (1405), Art. Nº 9; Valladolid (1412), Tit. CLXXXIII, item 13.                       | x   | Évora, 1391, nº 85  |
| Jews & Moors not allowed to visit sick Christians, nor offer them medicines or syrups or balsams for their baths. Jews & Moors are also not to send Christians presents of spices, wines, baked bread nor slaughtered birds or any other slaughtered meats.   | x   | Valladolid (1412), Tit. CLXXXIII, item 10.   |     |   |

<sup>526</sup> *Livro dos Pregos* (2016). Coleção Documentos do Arquivo Municipal de Lisboa. 2ª Edição Câmara Municipal de Lisboa, p 229. Historians have found that King João I was in Santarém on 1 December in the years 1397, 1399, 1402, 1413, 1418, and 1423.

|   |     |   |    |  |
|---|-----|---|----|--|
| Banned both Jews and Muslims from using the title Don or Doña. The title of reverence could not be uttered verbally nor used in writing.  | x   | Valladolid (1412), Tit. CLXXXIII, item 12.          |    |  |
| Jews were not allowed to wear hats with long chías, as it was a symbol of nobility and rank. Instead, they were allowed to wear short ones up to the length of a palm and made into the shape of a funnel or a horn. All Jews were forced to wear tobardos with wings. Jews also had to wear on their chest the distinguishing red buckler or circle in order to identify them from the majority Christian community and the Muslim minority. | x   | Valladolid (1412), Tit. CLXXXIII, item 13.          |    |  |
| Jews must have beards (trimmed) and long hair   | x   | Valladolid (1412), Tit. CLXXXIII, item 18.          |    |  |
| Strict control of movement, displacement & physical whereabouts of the Jews. Forbade clergy & nobility from receiving Jews on their lands.  | xxx | Valladolid (1412), Tit. CLXXXIII, item 16, 17 & 23. |    |  |
| <b>Total N° 5</b>   | 23  |   | 6  |  |
| <b>Overall Total</b>  | 37  |   | 10 |  |

The last phase of the thesis found that there was more discriminatory legislation in Castile than in Portugal in that time period. Not only were the Castilian measures more restrictive, but more hostile in nature than the Portuguese laws. It should also be emphasized that the tone and nature of the language employed in the texts were less confrontational in the Portuguese laws than the Castilian ones. This fact is not only important for the interpretation of such laws by investigators, but in the impact of those words in the transmission of the laws through heralds when they would proclaim them in public squares to the common people.

### Charts of Ecclesiastical Anti-Jewish Laws 1391-1412 Castilian and Portuguese Synods

The information retrieved was from *Synodicon Hispanum*, vols. II,<sup>527</sup> VII,<sup>528</sup> X<sup>529</sup>.  
Classification of laws following Monsalvo Antón's five categories.

| Type of legislation  | N° of times | Castilian Synods, dates & item n° | N° of times | Portuguese Synods, dates & item n° |
|--|-------------|-----------------------------------|-------------|------------------------------------|
| <i>1° Administrative &amp; Professional Discrimination &amp; the Reduction of social &amp; political influence of the Jews</i> |             |                                   |             |                                    |
| <i>2° Judicial Discrimination: Suppression of Jurisdictional Privileges &amp; Prerogatives of the Jews</i>                     |             |                                   |             |                                    |
| <i>3° Pragmatic &amp; Interested Regulation of the Economic Activities of the Jews w/in the scope of Finance &amp; Credit</i>  |             |                                   |             |                                    |

<sup>527</sup> *Synodicon Hispanum*, v. II, *Portugal*. Edición Crítica dirigida por Antonio García y García. Biblioteca de Autores Cristianos: Madrid, 1982.

<sup>528</sup> *Synodicon Hispanum*, v. VII, *Burgos y Palencia*. Dir. Antonio García y García. Biblioteca de Autores Cristianos: Madrid, 1997.

<sup>529</sup> *Synodicon Hispanum*, vol. X, *Cuenca y Toledo*. Dir. Antonio García y García. Biblioteca de Autores Cristianos: Madrid, 2011.

|  |   |   |   |   |
|--|---|---|---|---|
| Banned or forbade Muslims and Jews from working publicly on Sundays and Christian holidays. The order demanded that no Jew or Muslim dare to work publicly in their professions on Sunday or any other Christian holidays.   | x | <i>Cuenca Synod 7</i> of 19-21 April 1406, [27]   |   |   |
| Forbade Christians from receiving medicine from Jews or anyone from another faith or to call them if they should have an ailment or be in pain. The synod forbade Christians from taking food from people from other faiths.   |   |   | x | <i>Lisbon Synod N°11</i> on 13 January 1403, [23] |
| Total N° 3   | 1 |   | 1 |   |
| <b>4° Foundation of Confessional Inferiority &amp; the Discrimination</b>  |   |   |   |   |
|  |   |   |   |   |
| Banned or forbade Muslims & Jews from working publicly on Sundays and Christian holidays. The order demanded that no Jew or Muslim dare to work publicly in their professions on Sunday or any other Christian holidays, as they were of an inferior ecclesiastical & secular legal status.  | x | <i>Cuenca Synod 7</i> of 19-21 April 1406, [27] 8   | x | <i>Lisbon Synod N°11</i> on 13 January 1403, [12] |
| Christian butchers will not slit the throats of the cattle according to Jewish or Muslim ritual. In some towns and localities of the bishopric, there were some Jews & Moors that had the local butchers practice slaughtering cattle according to their rituals and that Christians consume. The Church banned this practice, as it reflected the blindness and errors of Jewish and Muslim practices and rites as this is an affront to the Catholic Church. The Church forbade local butchers to practice slaughtering cattle according to Jewish and Muslim rites. Punishment was excommunication. | x | <i>Cuenca Synod 9</i> of 14 September 1411, [6] 4   |   |   |
| Banned all Moors & Jews from being in Church mass or holy office ( <i>divinales officios</i> ). The exception would be to a dire need. Even in such cases, Jews & Moors who would enter the Church during mass & official ceremonies were to be thrown out & locked up in a place close to the church. Whosoever refuses to do so & defends the Jews or Moors would be excommunicated.   | x | <i>Synod Palencia 11</i> , 3 May 1412, [5]  |   |   |
| Total N° 4   | 3 |   | 3 |   |
| <b>5° Limitations on the daily dealing b/w Jews &amp; Christians &amp; Segregation of the Jewish Minority</b>  |   |   |   |   |
| Forbade Christians to go to Jewish or Muslim weddings or burials. If they should go against the order, then they ran the risk of excommunication. // <i>Sicut fidelis</i> – Christians were banned from attending Jewish or Moorish weddings or to go to their funerals nor to be near or close to their ceremonies. Anyone who would do so, would be excommunicated.  | x | <i>Cuenca Synod 3</i> of 7-8 April 1399, [133]; // <i>Synod Palencia 11</i> , 3 May 1412, [6] |   |   |
| Forbade Christians to go to Jewish or Muslim weddings or burials. If they should go against the order, then they ran the risk of excommunication. // <i>Sicut fidelis</i> – Christians were banned from attending Jewish or Moorish weddings or to go to their funerals nor to be near or close to their ceremonies. Anyone who would do so, would be excommunicated.  | x | <i>Cuenca Synod 3</i> of 7-8 April 1399, [133]; // <i>Synod Palencia 11</i> , 3 May 1412, [6] |   |   |

|  |   |  |    |   |
|--|---|--|----|---|
| Forbade sexual relations between members not belonging to the Christian faith (Moors and Jews), as well as with young girls, nuns or relatives.  | x | <i>Cuenca Synod 3 of 7-8 April 1399, [134]</i> | x  | <i>Lisbon Synod N°11 on 13 January 1403, [3]</i>  |
| Some Christians have lived in scandal and have placed their souls into jeopardy by living with Jews & Moors. Forbade that Christians live or presume to live with Jews & Moors.  |   |  | x  | <i>Lisbon Synod N°11 on 13 January 1403, [11]</i> |
| Claims that some Christians were living or that it was presumed that Christians lived in Jewish and Muslim quarters that led to the imperilment of their souls.  |   |  | x  | <i>Lisbon Synod N°11 on 13 January 1403, [12]</i> |
| Forbade certain contacts b/w Christians, Moors and Jews  |   |  | x  | <i>Lisbon Synod N°11 on 13 January 1403, [12]</i> |
| Both Moors and Jews had to remain in their own designated quarters   |   |  | x  | <i>Lisbon Synod N°11 on 13 January 1403, [12]</i> |
| Forbade Christians from renting homes to the Jews and Moors that were outside of their respective quarters and that any Christian that continued to ignore the ruling would be excommunicated and even put to death.         |   |  | x  | <i>Lisbon Synod N°11 on 13 January 1403, [12]</i> |
| Forbade Christians to serve Jews in their homes or that Christian women act as wet nurses or nannies for them.   |   |  | x  | <i>Lisbon Synod N°11 on 13 January 1403, [11]</i> |
| Forbade Christians from attending weddings of Jews or Muslims and that Christians were not allowed to invite Moors and Jews to their own homes.  |   |  | x  | <i>Lisbon Synod N°11 on 13 January 1403, [11]</i> |
| Forbade Christians from receiving medicine from Jews or anyone from another faith or to call them if they should have an ailment or be in pain. The synod forbade Christians from taking food from people from other faiths. | x | <i>Synod Palencia 11, 3 May 1412, [9]</i>      | x  | <i>Lisbon Synod N°11 on 13 January 1403, [23]</i> |
| Total N° 5   | 5 |  | 9  |   |
| <b>Total from period</b>   | 9 |  | 13 |   |

In terms of the ecclesiastical legislation, there were more anti-Judaic discriminatory laws in Portugal than Castile. However, ecclesiastical legislation, although playing an important role in the daily lives of Christians, was supposed to be followed, although there were no mechanisms to enforce the laws. They acted more as moral and ethical guidelines. Nonetheless, these laws represent a radicalization of the stance of the Church towards the Jews and its attempts to further ostracize, marginalize and isolate them, in order for them to convert to Christianity.

## Conclusion

### Comparison of Portuguese and Castilian Secular Legislation: 1325-1412

| Legislative type petitioned by procurators  | Nº<br>x   | Castilian Cortes, <sup>530</sup> Royal letters & Ordinances, Year, Article nº  | Nº<br>x | Cortes, <sup>531</sup> Ordenações Afonsinas (OA), <sup>532</sup> Livro dos Pregos (LP), <sup>533</sup> Livro das Leis e Posturas (LLP), <sup>534</sup> Article nº, date   |
|---|-----------|--|---------|---|
| <i>1. Administrative &amp; Professional discrimination in order to reduce the social and political influence of the Jews</i>  |           |  |         |   |
| Forbid Jews from serving the Crown at the royal court   | xxx<br>x  | <i>Cortes Madrid</i> , 1329, nº 37 - king refused; <i>Cortes Burgos</i> , 1367, nº10 – king refused; <i>Cortes Toro</i> , 1371, nº2 – king refused; <i>Cortes Valladolid</i> , 1385, nº 9 – king complied                | xxxx    | <i>Cortes Évora</i> , 1325, nº 12; Special Chapter of Lisbon, 1331, nº5; <i>Cortes Lisbon</i> , 1371, nº 59 – rejected by Fernando I; <i>Cortes Coimbra</i> , 1385, nº 22 |
| Jews not serve in the chancelleries   | xx        | <i>Cortes Madrid</i> , 1329, nº 37 – king refused; <i>Cortes Burgos</i> , 1367, nº 10  |         |   |
| Jews not serve in the court of the nobility or clergy   | x         | <i>Cortes Burgos</i> , 1377, nº 11: Agreed, but Jews allowed to reside in the same palaces with the nobility. <i>Cortes Valladolid</i> , 1385, nº 9 – king complied  | xx      | <i>Cortes Lisbon</i> , 1371, nº58 – Vague petition in prohibiting Jews from holding office over Christians – rejected by king; <i>Cortes Coimbra</i> , 1385, nº 22        |
| Jews could not be royal/municipal rent or tax collectors  | xxx<br>xx | <i>Cortes Madrid</i> , 1329, nº 37 – king agreed; <i>Cortes Madrid</i> , 1339, nº 2; <i>Cortes Burgos</i> , 1367, nº 10; <i>Cortes Toro</i> , 1371, nº 2; <i>Cortes Valladolid</i> (1412), Tit. CLIV, Art. Nº 1, item 7. | xx      | <i>Cortes Leiria</i> , 1372, nº 22: king affirmed his trust in Jewish services; <i>Cortes Coimbra</i> , 1385, nº 22   |
| Requested that magistrates could only be prominent Christian burghers & not Jewish moneylenders. The king assented to the request.  | x         | <i>Cortes Valladolid</i> , 1351, nº 65   |         | N/A – so such specific request found  |
| Force Jewish tax & rent collectors to declare how much was owed & collected & to deliver all collected money to the royal treasury – King stated that royal officials would have to receive receipts with the money | x         | <i>Cortes Burgos</i> , 1367, nº 11   |         | N/A   |
| Jews could not be rent or tax collectors for the nobility or clergy   | x         | <i>Pragmática Valladolid</i> , 1412, Tit. CLIV, Art. Nº 1, item 7.   |         |   |
| Forbid Jews from holding office over Christians.  |           |  | x       | Lisbon, 1371, nº 58: Rejected by king as these privileges were granted by previous kings  |
| <b>Total Nº 1</b>   | 20        |  | 9       |   |
| <i>2. Judicial Discrimination. Suppression of Jewish Jurisdictional Privileges &amp; Prerogatives</i>   |           |  |         |   |
| Eliminate judicial protection of Jews   |           | N/A  | xx      | Special Chapters of Bragança, 1331, nº 5; Special Chapters of Lisbon, 1331, nº4   |
| Jews & Moors had to appear in front of municipal judges and bailiffs and not in front of their own judges in both civil and criminal cases  | x         | <i>Pragmática Valladolid</i> (1412), Tit. CLIV, Art. Nº 1, item 9. However, the king stated that in civil complaints the municipal judges allow that the two minority groups' religious customs be respected.            | x       | LP, 1327, Lisbon Doc. 42, fl. 37v-37vº  |
| Jewish judges could not preside over criminal cases amongst Jews. Municipal authorities were to preside over them.  | xx        | <i>Cortes Madrid</i> (1329), nº 57; <i>Cortes Soria</i> , 1380, nº 2   |         |   |

<sup>530</sup> *Cortes de los antiguos reinos de León y Castilla*, t. I (1861). Real Academia de la Historia; and, *Cortes de los antiguos reinos de León y Castilla*, t. II (1863). Real Academia de la Historia.

<sup>531</sup> *Cortes Portuguesas. D. Afonso IV* (1982), *D. Pedro* (1986), *D. Fernando*, v. 1 (1990) e v. 2 (1993). Instituto Nacional de Investigação Científica.

<sup>532</sup> *Ordenações Afonsinas*, liv. 2 (1984). Fundação Calouste Gulbenkian.

<sup>533</sup> *Livro dos Pregos* (2016). Documentos do Arquivo Municipal de Lisboa 2.

<sup>534</sup> *Livro das Leis e Posturas* (1971). Faculdade de Direito. Universidade de Lisboa.

|   |                 |   |            |   |
|---|-----------------|---|------------|---|
| Jewish judges could not preside over civil cases b/w Christians & Jews  | x               | <i>Cortes Valladolid, 1385, n° 16</i>   |            |   |
| Jewish judges could not preside over civil cases amongst Jews   |                 |   |            |   |
| Forbid Jews from testifying in criminal cases against Christians – only 2 Christians could testify. Jews could only provide witness testimony if verified by a Christian.   |                 | N/A   | x          | <i>Cortes Évora, 1325, n° 12</i>  |
| Jews testifying in criminal cases against other Jews in front of municipal judge and not in front of a rabbi  |                 | N/A   | x          | <i>Chancelarias D. Afonso IV, v. II, 1338, n° 112, fol. 29v°-30.</i>  |
| Municipal authorities to begin enquiries concerning allegations of fraud or overcharging rents and taxes  | xx              | <i>Cortes Madrid (1339), n° 2 &amp; 15</i>  |            | N/A   |
| Debtors & lenders to refer to municipal authorities for legal action – neutral/fair   | xxx             | <i>Cortes Valladolid, 1325, n° 12; Cortes Madrid, 1329, n° 52; Cortes Madrid, 1339, n° 15</i>   |            | N/A   |
| Requested that the Jews should not choose their own judges. King rejected the petition stating that it would lead to abuses by Christian magistrates.   | x               | <i>Cortes Valladolid, 1351, n° 68</i>   |            | N/A   |
| Revocation of the privilege of Jews of Trancoso not to have knights & Royal officials encamp in their homes as Jews considered to be very wealthy   |                 | N/A   | x          | <i>Chancelarias D. Pedro, 1365, [978]</i>   |
| Rescind letters of privileges held by Jews and Muslims (Moors) that did not allow the testimony of a Christian, unless there was a Jewish or Muslim (Moorish) witness.  | x               | <i>Cortes Toro, 1371, n° 18: King assented to the request. Not applicable to debt letters.</i>  |            |   |
| The king mandated that the Jews not wear helmets, bear swords or knives to Jewish festivities, celebrations, weddings or festivals in their own quarters. Anyone who violated this, then the entire community would suffer.                               |                 |   | x          | <i>AO, Liv. II, Tit. LXXV, item 1, 6 March 1402.</i>  |
| Jews were no longer allowed to bear arms in the presence of the king or when they received him. However, the law recognized in item 1 that Jewish merchants when travelling long distances had the right to bear arms in order to protect themselves.     |                 |   | x          | <i>AO, Liv. II, Tit. LXXV, item 2, 6 March 1402.</i>  |
| Banned the use of Hebrew for legal documents and how notary publics had to write the writs, deeds and charters for Jews.  |                 |   | x          | <i>AO, Liv. II, Tit. LXXXIII, no specific date but pre-1405.</i>  |
| <b>Total N° 2</b>   | <b>11</b>       |   | <b>9</b>   |   |
| <b>3. Regulation of interests and pragmatic (execution) on the Economic Activities of the Jews within the scope of Finance-Credit</b>   |                 |   |            |   |
| Banning usury – anything above 33%. Any percentage above it, would be deemed as usury. Any Christians who accused a Jewish moneylender of usury had to produce the debt letter to the judge. Crown acknowledged that there were falsifiers on both sides. | xxx<br>xxx<br>x | <i>Cortes Valladolid, 1325, n° 14; Madrid, 1329, n° 52 &amp; 53; Cortes Alcalá de Henares, 1348 n° 56 &amp; 18; Cortes León, 1349, n° 11; Cortes Valladolid (1405), Art. N° 1 - based on Jewish evil-doing and causing damage to Christians</i> | xxxx<br>xx | <i>Cortes, General Chapters of Santarém, 1331, n° 22. LLP, no date, fl. 124 v., 2ª col. – 125, 1ª col.; LLP, no date, fl. 144v. 2ª col. – 145 1ª col.; LLP, no date, fl. 152, 1ª col. – 152v. 1ª col., OA, Book 2, Title LXXXVI. Cortes Lisbon, 1352, n° 4 [fl. 36]</i> |
| Any Jew caught committing usury would be put to death & property confiscated.   |                 | N/A   | x          | <i>Cortes Elvas – General Chapters of the People, 1361, n° 10</i>   |
| Banning the writing of debt contracts for all three confessions   | x               | <i>Cortes Alcalá de Henares, 1348, n° 55, n° 57</i>   | x          | <i>LLP, 1349, fl. 157, 1ª col.</i>  |
| Forbid Jews from purportedly forcing Christians through deceitful letters in buying products from Jews (cloth, silver & arms) in order to service their debts. Municipal procurators requested financial relief   | x               | <i>Valladolid, 1385, n° 10</i>  |            |   |

|   |          |  |      |   |
|---|----------|--|------|---|
| All previous debt letters, including dubious ones, had to be re-written by official scribes, signed & sealed by public notaries.  | xxx<br>x | <i>Cortes</i> Valladolid, 1325; <i>Cortes</i> Madrid, 1329, n° 52; <i>Cortes</i> Madrid, 1339, n° 2; <i>Cortes</i> Burgos, 1373, n° 9: Once these letters had been submitted, then no actions would be taken until the debtors had been taken to court & a sentencing had been given   | xxxx | <i>Cortes</i> , Santarém, 1331, n° 22; Special Chapters of Lisbon, 1331, n°35; <i>LLP</i> , 1349, fl. 57 1ª col.; <i>LLP</i> , fl. 152, 1ª col. – 152v. 1ª col. <i>Chancelarias</i> , v. II, 1340, n° 251; v. III, 1340, n° 256 |
| Petition to revoke prior law that allowed Jews to report who had sold them stolen goods and to retribute to the proper owners the stolen goods & that the Jews be prosecuted for being complicit in the crime. Crown responded that there was no privilege granted to be revoked & that the exact same law be applied to the Jews as to Christians. | x        | Valladolid, 1385, n° 13  |      |   |
| Request that all debt letters between Christians or Jews could not have a Jewish witness but only Christian witnesses. King responded that due to prior false testimony by Christian witnesses, that Jewish witnesses be allowed.   | x        | Valladolid, 1385, n° 12  |      |   |
| All debt payments in money or kind to be recorded, signed and sealed by notary public. Regulatory & not discriminatory  |          |  | xxx  | <i>Cortes</i> , Special Chapters of Bragança, 1331, n° 5. <i>Chancelarias</i> , v. II, 1340, n°251 & n°252 [fl. 51-51v°].   |
| All debt payments in money or in goods & belongings be surrendered & delivered by official debt collectors sent by the municipality & that they receive the appropriate receipts of payment or cancellation of debt.  | x        | <i>Cortes</i> Burgos, 1373, n° 8: King Enrique II stated that the presenter of the letter of debt & pay the collector the amount owed.   |      |   |
| Banning “folded letters” – <i>cartas dobladas</i> in which a larger amount of money was written in the lower part of the letter by the scribe than was actually delivered to the debtor. Notaries had to observe the actual amount delivered to the debtor.   | xx       | <i>Cortes</i> Madrid, 1329, n° 53; <i>Cortes</i> Madrid, 1339, n° 2  |      |   |
| Requested that debt collectors could only be prominent Christian burghers & not Jewish moneylenders. The king assented to the request.  | x        | <i>Cortes</i> Valladolid, 1351, N° 65  |      |   |
| Not allow Jews to have their own private debt collectors, as they purportedly would demand the tithe on the belongings collected and would keep it for themselves, instead of giving it to officials. Collectors could not charge more than what was owed.  | x        | Valladolid, 1385, n° 15  |      |   |
| Knights & Squires allowed to collect impounded goods from unpaid debts to Jews  | x        | Royal letter expedited by Pedro I in Soria for Cuenca, 25 Sept. 1353, fl. 167 r-v  |      | N/A   |
| Request to reverse the ban on moneylending from <i>Cortes</i> of Alcalá de Henares of 1348. King’s response was that he would reflect upon it.  | x        | <i>Cortes</i> Valladolid, 1351, N° 66  |      |   |
| Request to ban Jews & Moors from demanding excessive rents from their houses on royal domains. King responded that Jews & Moors had to follow the rents established in previous ordinances.   | x        | <i>Cortes</i> Valladolid, 1351, N° 71  |      |   |
| Request for debt moratorium.  | x        | <i>Cortes</i> Valladolid, 1351, N° 75 - King Pedro responded that it would only increase further interest payments, as well as potentially lead to financial ruin of Jewish moneylenders. <i>Cortes</i> Toro, 1369, n° 68 - King Enrique II allowed only seven months deferral, as the Jews had also been adversely affected by the war. |      |   |

|   |          |   |     |   |
|---|----------|---|-----|---|
| Jews or their clerks could not impound or confiscate property as debt collection. Could only be conducted by municipal authorities.   | xx       | <i>Cortes</i> Madrid, 1329, n° 52; <i>Cortes</i> Madrid, 1339, n° 13  |     |   |
| Peasants and serfs could not sell or transfer land as debt payment to Muslim or Jewish moneylenders.  |          | N/A   | x   | <i>Cortes</i> Special Chapters of Lisbon, 1331, n° 41; 71   |
| All debt payments to be made in the manner the credit was given; i.e., in money and no payments to be made in kind (goods)  |          | N/A   | x   | <i>Cortes Elvas</i> – General Chapters of the People, 1361, n° 26   |
| Jews could no longer collect debts that would leave Christians destitute or leave knights & noblemen w/out arms or horses. Christians still had to pay their debts. Not anti-Jewish, but rather left the impounding of belongings to municipal authorities.   |          | N/A   | x   | <i>Cortes Elvas</i> – General Chapter of the People, 1361, n° 34  |
| No beasts of burden or tools to be impounded in debt repayments without prior permission from royal or local authorities  | x        | <i>Cortes</i> Alcalá de Henares, 1348, n° 32  |     |   |
| The produce of indebted farmers not to be seized or impounded without official permission from local authorities.   | x        | <i>Cortes</i> Alcalá de Henares, 1348, n° 33  |     |   |
| Usury claims in pawned belongings   | x        | <i>Cortes</i> Madrid, 1339, n° 13   |     |   |
| Forbid Muslims & Jews from reselling jewels & clothes at higher prices obtained from Christians at a lower price & then refuse to pay the Christian merchants for those goods. Enrique II agreed to the petition and gave his consent for it to become law  | x        | <i>Cortes</i> Burgos, 1367, n° 15   |     | N/A   |
| All outstanding debts had to be declared w/in 30 days.  |          |   |     |   |
| No debts to be collected over 6 years   | xxx      | <i>Cortes</i> Valladolid, 1325, n° 14; <i>Cortes</i> Madrid, 1329, n° 55; <i>Cortes</i> Madrid, 1339, n° 13, <i>Cortes</i> Alcalá de Henares, 1345, n° 9; <i>Cortes</i> Valladolid, 1351, N° 64 |     |   |
| No debts to be collected over 10 years  | xx       | <i>Cortes</i> Alcalá de Henares, 1348, n° 32; <i>Cortes</i> Valladolid, 1385, n° 14 (from 10-12 yrs)  |     |   |
| No debts to be collected over 20 years  | N/A      |   | xxx | <i>Cortes</i> General Chapter of Santarém (1331), n° 52 & 53; Special Chapters of Sintra (1331), n°11. No debts could be collected after 20 years as per law established by D. Dimis. |
| All debts to Jews be cancelled due to economic difficulties of recurrence of the Plague and the effects of the dynastic war. Denied by Enrique II, who permitted a year moratorium and forgave only ¼ of debts; Burgos – 1/3 of debt forgiven. Remainder of debt to be paid in another year with no interest payments or penalties. Same for Valladolid in 1385 | xxx<br>x | Assembly of municipal procurators, Toledo, 1366, n° 18; <i>Cortes</i> 1367, n° 2; <i>Cortes</i> Burgos, 1377, n° 1; <i>Cortes</i> Valladolid, 1385, n° 11                                       |     | N/A   |
| Debt reductions by one-third of the original principal. King stated that any further reductions would be financially detrimental for the Jews.  | x        | Valladolid, 1385, n° 10   |     | N/A   |
| Debt reductions by two-thirds of the original principal within 15 days  | x        | Toro, 1371, n° 29   |     |   |
| All debts owed by the city of Toledo to Jews be reduced & instalments be made that were convenient to those who could make them. Enrique II stated that the petition would be followed up at the Cortes of 1367   | x        | Ordinance of Toledo, 1367, n° 9   |     | N/A   |
| Forbid Jews from owning land as a source of income – force Jews back to moneylending  | x        | <i>Cortes</i> Madrid, 1329, n° 58 – king would respect law of 1293  |     |   |

|   |            |  |     |  |
|---|------------|--|-----|--|
| Banned Jews & Moors from exercising the professions of spices, pharmacy, practice surgery or that of physician, nor could they sell wine, olive oil or butter or other edibles to Christians. Jews and Moors could not have any shops, pharmacies or tables out in public (Christian quarters) or hidden from view where they could sell their wares in secret. | xxx<br>xxx | <i>Pragmática</i> Valladolid (1412), Tit. CLXXXIII, items 1-2, 6, 11, 19-21.   |     | N/A  |
| Banned that Jews and Muslims be brokers, heads/captains of ships and embarkations, sifters, nor are they allowed to carry arms into towns, cities or localities.  | x          | <i>Pragmática</i> Valladolid (1412), Tit. CLIV, Art. Nº 1, item 7.   |     |  |
| Banned Jews or Moors to have olive groves on places or squares that sell food to Christians or buy food from Christians. Jews & Moors could sell foodstuffs to their own communities.   | x          | <i>Pragmática</i> Valladolid (1412), Tit. CLIV, Art. Nº 1, item 8.   |     |  |
| <b>Total Nº 3</b>   | 50         |  | 21  |  |
| <b>4. Foundation of Confessional Inferiority and the Discrimination towards the practice of non-Christian religion</b>  |            |  |     |  |
| Jews not allowed to have Christian names  | x          | <i>Cortes</i> Toro, 1371, nº 2   | x   | <i>Cortes</i> Lisbon, 1371, nº 2   |
| Jews and Muslims could not work in public on Sundays or Christian holidays. However, they could work at home.   | x          | <i>Cortes</i> Valladolid, 1351, Nº 9 - King acquiesced.  |     | N/A  |
| Jews & Muslims banned from being on the street during processions of the Holy Host  | x          | Briviesca, 1387, nº 2  |     | N/A  |
| No one, regardless of confession, be caught working in public on a Sunday – not truly anti-Judaic as it applied to all confessions  | x          | Briviesca, 1387, nº 7  |     | N/A  |
| Banned both Jews and Muslims from using the title Don or Doña. The title of reverence could not be uttered verbally nor used in writing.  | x          | <i>Pragmática</i> Valladolid (1412), Tit. CLXXXIII, item 12.   |     | N/A  |
| Forbid Jews from owning Moorish slaves once they had converted to Christianity. King would reflect upon it  | x          | Royal letter expedited by Pedro I in Seville, 2 Dec. 1353, Ms. 13.100, f. 130  |     | N/A  |
| Jews banned from reciting certain passages from the Talmud and crossing out of their prayer books that purportedly attacked Christians  | x          | <i>Cortes</i> Soria, 1380, nº 1  |     | N/A  |
| Jews were banned from circumcising their Muslim and Tartar slaves. Punishment would be the loss of freedom for the Jew  | x          | <i>Cortes</i> Soria, 1380, nº 3  |     | N/A  |
| <b>Total Nº 4</b>   | 8          |  | 1   |  |
| <b>5. Limitations on the daily dealings between Jews and Christians and Segregation of the Jewish Minority</b>  |            |  |     |  |
| Jew & Moors to live in their own segregated quarters. Any Jew or Moor found outside of their quarters or neighborhoods after evening prayers were to be punished.   | xxx        | <i>Cortes</i> Valadolid, 1351, item 13; <i>Cortes</i> Toro, 1371, item 2; <i>Pragmática</i> Valladolid (1412), Tit. CLXXXIII, item 1. Royal response was deferment and having written letters allowing them to live outside. | xxx | <i>Cortes</i> Elvas – General Chapters of the People, 1361, nº 34; <i>OA</i> , 1400, Liv. II, Título LXXVI; <i>OA</i> , 1412, Liv. II, Title LXXX, Item 2. |
| Jews & Moors corrupted the teachings of the Catholic faith  | x          | <i>Pragmática</i> Valladolid (1412), Tit. CLXXXIII, item 1.  |     | N/A  |
| Wearing of distinctive signs (red circles) on clothes   | xxx        | <i>Cortes</i> of Toro, 1371, nº 2; <i>Cortes</i> Valladolid (1405), Art. Nº 9; <i>Pragmática</i> Valladolid (1412), Tit. CLXXXIII, item 13.  | xxx | <i>Cortes</i> Lisbon, 1371, nº 85 – king should rescind from granting exemptions; <i>Cortes</i> Coimbra, 1385, nº 23; <i>Cortes</i> Évora, 1391, nº 85     |
| Banning of certain clothes for Jews & Moors   | xx         | <i>Cortes</i> Toro, 1371, nº 2; <i>Pragmática</i> Valladolid (1412), Tit. CLXXXIII, item 13  |     | N/A  |

|   |     |  |    |  |
|---|-----|--|----|--|
| Jews had to have a certain hair and beard length  | x   | <i>Pragmática</i> Valladolid (1412), Tit. CLXXXIII, item 18  |    | N/A  |
| Jews, Muslims and Christians could not enter into conversation.   | xx  | <i>Cortes</i> Briviesca, 1387, n° 3; <i>Pragmática</i> Valladolid (1412), Tit. CLIV, Art. N° 1, item 3.                                    |    | N/A  |
| Forbidding Jews from owning or mounting horses. They could own and mount mules.   | xx  | <i>Cortes</i> Alcalá de Henares, 1348, n° 75; <i>Cortes</i> Toro, 1371, n° 2   | x  | <i>Cortes</i> Lisbon, 1371, n° 2                           |
| Jews, Muslims and Christians could not eat or drink with Jews or live in the same house or building with Jews   | xx  | <i>Cortes</i> Valladolid, 1385, n° 3; <i>Cortes</i> Briviesca, 1387, n° 3  |    |  |
| Christians could not prepare or eat kosher. Forbade Jews, Muslims & Christians from eating, drinking, working or living together.   | xxx | Valladolid (1412), Tit. CLIV, Art. N° 1, item 5. // Valladolid (1412), Tit. CLXXXIII, item 5. // Valladolid (1412), Tit. CLXXXIII, item 4. |    | N/A  |
| Christians could not work in the homes of Jews or Moors. Banned Jews and Moors from having Christian squires, servants and servers (mozos) in their homes. Christians were also not to do housework in a Jewish home during the Sabbath or to even turn on a light (candle or fire) or to send them to buy wine or any other chore.   | x   | <i>Pragmática</i> Valladolid (1412), Tit. CLXXXIII, item 13  |    |  |
| Christians were also not to work as gardeners or shepherds for Moors or Jews. Christians were not to go to any Muslim or Jewish celebrations, weddings or burials. Exceptions: Muslims and Jews could contact Christian carpenters & day laborers to make necessary home reparations & to work in their vineyards and farms. Christian day laborers could pluck & stomp the grapes to make the moss for wine. | x   | <i>Pragmática</i> Valladolid (1412), Tit. CLXXXIII, item 5.  |    |  |
| Jews banned from drinking wine at Christian taverns, unless the locality had no Jewish quarter w/ its own tavern & the Christian tavern served kosher wine.   |     | N/A  | xx | <i>AO</i> , Liv. II, Title LXXX, Item 2, 12 February 1412. |
| Jews & Moors not allowed to visit sick Christians, nor offer them medicines or syrups or balsams for their baths. Jews & Moors are also not to send Christians presents of spices, wines, baked bread nor slaughtered birds or any other slaughtered meats.   | x   | <i>Pragmática</i> Valladolid (1412), Tit. CLXXXIII, item 10.   |    |  |
| Banned Christians from attending Jewish surgeons & physicians   | x   | <i>Pragmática</i> Valladolid (1412), Tit. CLIV, Art. N° 1, item 6.   |    |  |
| Christian women could not be the nannies or governesses of Jewish or Muslim children.   | x   |  |    |  |
| Christian women could not enter the Jewish or Muslim quarters unattended by adult Christian men   | x   | <i>Pragmática</i> Valladolid (1412), Tit. CLIV, Art. N° 1, item 2.   | x  | <i>Chancelarias D. Pedro</i> , 1366, [1131]                |
| Christian prostitutes could neither enter Jewish or Muslim quarters nor have Jewish or Muslim customers   | x   | <i>Pragmática</i> Valladolid (1412), Tit. CLXXXIII, item 11.   | x  | <i>Cortes</i> Special Chapters of Lisbon (1331), n° 41     |
| Remove protective walls from Jewish hands and tear down those same walls. Although it did not discriminate against daily contact w/ Christians, it was denied by Enrique II as these walls formed part of city defenses & it would have led to the demise of the Jews.  | x   | <i>Cortes Burgos</i> , 1367, n° 3  |    |  |
| Strict control of movement, displacement & physical whereabouts of the Jews. Forbade clergy & nobility from receiving Jews on their lands.  | xxx | <i>Pragmática</i> Valladolid (1412), Tit. CLXXXIII, item 16, 17 & 23.  |    |  |
|   |     |  |    |  |
| <b>Total N° 5</b>   | 30  |  | 11 |  |
| <b>Overall Total</b>  | 119 |  | 49 |  |

## Charts of Ecclesiastical Anti-Jewish Laws 1325-1412 Castilian and Portuguese Synods

The information retrieved was from *Synodicon Hispanum*, vols. II,<sup>535</sup>; IV,<sup>536</sup> VII,<sup>537</sup> X<sup>538</sup>.

Classification of laws following Monsalvo Antón's five categories.

| Type of legislation  | Nº of times | Castilian Synods, dates & item nº   | Nº of times | Portuguese Synods, dates & item nº   |
|--|-------------|---|-------------|--|
| <b>1º Administrative &amp; Professional Discrimination &amp; the Reduction of social &amp; political influence of the Jews</b>   |             | N/A - No documentation available  |             | N/A - No documentation available   |
| <b>2º Judicial Discrimination: Suppression of Jurisdictional Privileges &amp; Prerogatives of the Jews</b>   |             | N/A - No documentation available  |             | N/A - No documentation available   |
| <b>3º Pragmatic &amp; Interested Regulation of the Economic Activities of the Jews w/in the scope of Finance &amp; Credit</b>  |             |   |             |  |
| Usury as a sin   |             | N/A - No documentation available  | x           | Braga: 1326 – Constitution N°4 – forbade Christians from participating in usury contracts with Muslims and Jews. |
|  |             |   |             |  |
| Total Nº 3   | 0           |   | 1           |  |
| <b>4º Foundation of Confessional Inferiority &amp; the Discrimination</b>  |             |   |             |  |
| Baptism (Conversion) of Jews and Muslims   | x           | Segovia – 1325 [32] Jews and Moors had to convert to Christianity if they wanted to marry a Christian   |             | N/A  |
| Images in Churches   | x           | Segovia – 1325: [3] – explained why there were images in churches in spite of God's forbidding it   |             | N/A  |
| No inter-confessional marriages  | x           | Segovia – 1325: [41, 32] men and women had to be of the same sect or religion.  |             | N/A  |
| Conversion of synagogue to church  | x           | <i>Salamanca 5</i> – 1382-1385. Jewish community wrote to Pope in protest   |             | N/A  |
| Banned or forbade Muslims and Jews from working publicly on Sundays and Christian holidays. The order demanded that no Jew or Muslim dare to work publicly in their professions on Sunday or any other Christian holidays. | x           | <i>Cuenca Synod 7</i> of 19-21 April 1406, [27]   |             | N/A  |
|  |             |   |             |  |
| Total Nº 4   | 5           |   | 0           |  |
| <b>5º Limitations on the daily dealing b/w Jews &amp; Christians &amp; Segregation of the Jewish Minority</b>  |             |   |             |  |
| Christians celebrating the Sabbath on Sunday instead of Saturday   | x           | Segovia – 1325: [5] In order to differentiate Christians from Jews, the sabbath was to be celebrated on Sunday when Christ resurrected. Stated for Jewish converts to Christianity. |             | N/A  |
| Clergymen forbidden in entering into contact with Jews   | x           | Segovia – 1325 [74] – <i>Clerics should live in continence and not have concubines – including Jewish or Muslim concubines.</i>   | x           | Braga: 1326 – Constitution N°6 – forbade Clergy in making contracts with Jews or Moors.                          |
| Forbade Christians to go to Jewish or Muslim weddings or burials. If they should go against the order, then they ran the risk of excommunication. // <i>Sicut</i>  | XX          | <i>Cuenca Synod 3</i> of 7-8 April 1399, [133]; // <i>Synod Palencia 11</i> , 3 May 1412, [6]   |             |  |

<sup>535</sup> *Synodicon Hispanum*, v. II, *Portugal* (1982). Dir. Antonio García y García. Biblioteca de Autores Cristianos.

<sup>536</sup> *Synodicon Hispanum*, IV, *Ciudad Rodrigo, Salamanca y Zamora* (1987). Dir. Antonio García y García. Biblioteca de Autores Cristianos.

<sup>537</sup> *Synodicon Hispanum*, v. VII, *Burgos y Palencia* (1997). Dir. Antonio García y García. Biblioteca de Autores Cristianos.

<sup>538</sup> *Synodicon Hispanum*, vol. X, *Cuenca y Toledo* (2011). Dir. Antonio García y García. Biblioteca de Autores Cristianos.

|   |           |   |           |   |
|---|-----------|---|-----------|---|
| <i>fidelis</i> – Christians were banned from attending Jewish or Moorish weddings or to go to their funerals nor to be near or close to their ceremonies. Anyone who would do so, would be excommunicated.  |           |   |           |   |
| Forbade Christians to go to Jewish or Muslim weddings or burials. If they should go against the order, then they ran the risk of excommunication. // <i>Sicut fidelis</i> – Christians were banned from attending Jewish or Moorish weddings or to go to their funerals nor to be near or close to their ceremonies. Anyone who would do so, would be excommunicated. | xx        | <i>Cuenca Synod 3 of 7-8 April 1399, [133]; // Synod Palencia 11, 3 May 1412, [6]</i> |           |   |
| Forbade sexual relations between members not belonging to the Christian faith (Moors and Jews), as well as with young girls, nuns or relatives.   | x         | <i>Cuenca Synod 3 of 7-8 April 1399, [134]</i>  | x         | <i>Lisbon Synod N°11 on 13 January 1403, [3]</i>  |
| Forbade Christians from receiving medicine from Jews or anyone from another faith or to call them if they should have an ailment or be in pain. The synod forbade Christians from taking food from people from other faiths.  |           |   | x         | <i>Lisbon Synod N°11 on 13 January 1403, [23]</i> |
| Some Christians have lived in scandal and have placed their souls into jeopardy by living with Jews & Moors. Forbade that Christians live or presume to live with Jews & Moors.   |           |   | x         | <i>Lisbon Synod N°11 on 13 January 1403, [11]</i> |
| Claims that some Christians were living or that it was presumed that Christians lived in Jewish and Muslim quarters that led to the imperilment of their souls.   |           |   | x         | <i>Lisbon Synod N°11 on 13 January 1403, [12]</i> |
| Forbade certain contacts b/w Christians, Moors and Jews   |           |   | x         | <i>Lisbon Synod N°11 on 13 January 1403, [12]</i> |
| Both Moors and Jews had to remain in their own designated quarters  |           |   | x         | <i>Lisbon Synod N°11 on 13 January 1403, [12]</i> |
| Forbade Christians from renting homes to the Jews and Moors that were outside of their respective quarters and that any Christian that continued to ignore the ruling would be excommunicated and even put to death.  |           |   | x         | <i>Lisbon Synod N°11 on 13 January 1403, [12]</i> |
| Forbade Christians to serve Jews in their homes or that Christian women act as wet nurses or nannies for them.  |           |   | x         | <i>Lisbon Synod N°11 on 13 January 1403, [11]</i> |
| Forbade Christians from attending weddings of Jews or Muslims and that Christians were not allowed to invite Moors and Jews to their own homes.   |           |   | x         | <i>Lisbon Synod N°11 on 13 January 1403, [11]</i> |
| Forbade Christians from receiving medicine from Jews or anyone from another faith or to call them if they should have an ailment or be in pain. The synod forbade Christians from taking food from people from other faiths.  | x         | <i>Synod Palencia 11, 3 May 1412, [9]</i>   | x         | <i>Lisbon Synod N°11 on 13 January 1403, [23]</i> |
| <b>Total N° 5</b>   | <b>8</b>  |   | <b>11</b> |   |
| <b>Total number of five categories</b>  | <b>13</b> |   | <b>12</b> |   |

The investigator must remember that much of the discriminatory and restrictive ecclesiastical legislation came prior to the period 1325 and after 1412. Such legislation was found in the immediate aftermath of the Fourth Lateran Council of 1215 and the provincial council of Zamora of 1313. As these years are outside of the period under study, they do not appear in the charts. The large gap in documentation of any synods during and in the immediate

aftermath of the Bubonic Plague has not helped. After the Bubonic Plague, the majority of synods dealt with other pending issues, such as the lack of preparation of the clergy. Most likely, this was an aftereffect of the tremendous loss of clergy members due to the Bubonic Plague itself and the hiring of as many new clergy members to replace those, who succumbed to the pandemic.

**APPENDIX III**  
**ANALYSIS OF LATE MEDIEVAL PORTUGUESE AND CASTILIAN LITERATURE**

## **APPENDIX III**

### **ANALYSIS OF LATE MEDIEVAL PORTUGUESE AND CASTILIAN LITERATURE**

The analysis of late medieval literary works from the Kingdoms of Portugal and Castile will be based on the origins, purpose, values and limitations of sources, as well as the shaping, transmission and reception of these same literary works to the target audiences. The focus of these works are the Jews of Portugal and Castile. These literary works range from chronicles, lyrics and poems to polemic literature.

#### **Chapter 2. Castile and Portugal: Similar legislative approach to Jews, 1325-1350**

##### **2.G. Chronicles of Castile during the Reign of Alfonso XI**

During the reign of Alfonso XI, the royal chronicler Fernán Sánchez de Valladolid created a depurated model for royal chronicles and provided a new discourse, in which the image of the monarch was magnified. Such images would include loyalty, religiosity and the chivalrous acts of the knights, as long as the objective of taming the nobility and integrate it into the framework of the royal court.<sup>539</sup> Here is where the creativity and genius of Sánchez de Valladolid played a role in the projection of the image of the nobility. In terms of the disgruntled nobility, it was presented in a negative light, whereas those nobles that expressed their discontent within the legal or legitimate framework of the *Cortes* or private audience with the king were presented in a more positive light.<sup>540</sup>

As previously mentioned, chronicles would also reflect the political relations and tensions between the nobility, municipal procurators and Crown. They would reflect the hard competition between the different social economic and political factions. These efforts have

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<sup>539</sup> GONZÁLEZ MÍNGUEZ, César (2012). *Poder Real y Poder Nobiliar en la Corona de Castilla (1252-1369)*. Servicio Editorial de la Universidad del País Vasco, p 164-165. GÓMEZ REDONDO, Fernando (1999). *Historia de la Prosa Medieval Castellana*, v. II., *La Creación del Discurso Prosístico en el entramado cortesano*. Ediciones Cátedra, p 1260.

<sup>540</sup> ARIAS GUILLÉN, Fernando (2021). *The Triumph of an Accursed Lineage: Kingship in Castile from Alfonso X to Alfonso XI (1252-1350)*. Studies in Medieval History and Culture. Routledge, p 140. GÓMEZ REDONDO (1999). 1260.

been linked to the royal endeavors for the same purpose as political agents and legitimacy. Chronicles are a source in the study of the relations of power in the late medieval period.<sup>541</sup>

### **2.G.1. The Jews in the *Crónica del Rey D. Alfonso Onceno***

The image of Castilian Jews in the *Crónica del rey D. Alfonso Onceno* in general was that of highly educated and esteemed members of a minority religious group outside of the majority Christian societal group. The chronicle did not delve into the livelihood or social-economic conditions of the majority of the Jewish community of that time. Instead, the emphasis was placed on the diverse roles played by prominent and wealthy Jews, who were involved in the administration of the Crown. Also portrayed were the intrigues plotted by rival Christian courtiers, who were envious of the influence the prominent Jews held at court. One of these such Christian intriguants, was Gonzalo Martínez, former royal chamberlain, who was rewarded for his role in the downfall of Don Yuçaf ha-Leví, almoxarife (royal treasurer) and Don Semuel ibn Waqar, royal physician. However, in a twist of events, Gonzalo Martínez would be his own worst enemy and play a major role in his own downfall.<sup>542</sup> A further

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<sup>541</sup> CORRAL SÁNCHEZ, Nuria (2019). Expresiones de Oposición a la injerencia nobiliaria en las ciudades castellanas. Una aproximación discursiva desde la crónística bajomedieval. In *Élites, conflictos y discursos políticos en las ciudades bajomedievales de la Península Ibérica*, José Antonio Monsalvo Antón (ed.). Ediciones de Salamanca, p 189-191.

<sup>542</sup> *Crónica del Rey D. Alfonso Onceno* (1861): Don Yuçaf from the *Crónica de Alfonso XI*: Chapter XLII - *De Como El Rey Ordenó Su Casa, et qué ornes tomó para su Consejo , et lo que fizo dende adelante* (p 82-83), XLIV - *De Como D. Joan Et D. Joan Se Fueron de Valledolit sañudos del Rey, et de otras cosas* (p 85-86), LXIV- *De Lo Que El Rey Fizo En Sevilla, et de otras cosas* (p 116-117), LXXI - *De Como El Rey Envio Por La Infanta su hermana para enviar à Portugal, et de lo que acaesció sobre esto* (p 129-131), LXXII – *De Como El Rey Estando En El Real sobre la villa de Escalona, llegaron à él algunos de los que avian ido con D. Yuzaf, et dixieronle todo lo que avia acaescido* (p 131-132), LXXIII – *De Como El Rey Envio De Su Casa Al Conde , et entró en la villa de Valledolit , et fué luego à ver à la Infanta su hermana, et comió y con ella* (p 135-137), LLXXXIII – *De Como El Rey Fue A Soria, Et Fizo justicia de algunos que fueron en la muerte de Garcilaso de la Vega , que era de su Consejo* (p 152-153), LXXXV – *De Lo Que El Rey Fizo Dende Que guaresció de la dolencia : et de como mandó adereszar algunas cosas para la guerra de los Moros – Don Yuzaf perdió su puesto* (p 155-156), XCIX - *De La Privanza Que Don Simuel Abenhuacar avia en la merced del Rey, et por esto tenia las rentas todas de la frontera* (p 175). Don Simuel Abenhuacar (Ibn Waqar): Chapter XCVIII (p 173-174), XCIX - *De La Privanza Que Don Simuel Abenhuacar avia en la merced del Rey, et por esto tenia las rentas todas de la frontera* (p 175). Gonzalo Martínez de Oviedo, despensero del Rey, Maestre de Alcántara :Chapter CLXXXI – *De Como El Rey Don Alfonso Fizo Maestre de Alcántara d Gonzalo Martínez de Oviedo un su Despensero* (p 337-338), CCIV- *De Como El Maestre Don Gonzalo Martínez se alzó contra el Rey Don Alfonso, et de lo que le envió decir* (p 377-378), CCV- [Maestre Gonzalo Martínez quería dar fortalezas al rey de Portugal para que llevara la guerra contra el rey de Castilla] (p 379-380), CCVI – *De Como El Rey Don Alfonso Sopo Como Gonzalo Martínez Maestre de Alcántara queria dar las villas et fortalezas al Rey de Portugal i et veno y* (p 380-381), CCVII - *De Como El Rey Don Alfonso Llego A Valencia donde estaba Gonzalo Martínez Maestre, et de lo que y acaesció* (p 382-384), CCVIII - *De Como Fue*

analysis and comparison-contrast of two chronicles, one Christian, *Crónica del rey D. Alfonso Onceno*, and the other Jewish, *La Vara de Yehudah (Sefer Shebet Yehuda)*, will be provided in a following subchapter: “Comparison of Two Chronicles”.

### **2.G.1.a. Poema de Alfonso Onceno**

The *Poema de Alfonso Onceno*, also known as *Crónica en coplas redondillas de Alfonso Onceno, o Crónica rimada*, commissioned by Alfonso XI, composed by Rodrigo Yáñez and completed by 1348, intertwined the message of *Crónica del rey Don Alfonso Onceno* with the format of the traditional epic genre. It had been lost for over two centuries and found in 1573. Just as Fernán Sánchez de Valladolid, who wrote the *Crónica del rey Don Alfonso Onceno* and was present at the royal Court, Yáñez was a contemporary and a witness to the events as they unfolded. As royal poet, he had to fulfill the task of conveying the message of the Crown’s ideal as being the *justiciero* or justice bringer after many years of chaos.<sup>543</sup>

The *Poema* was not merely a copy of the chronicle but written in verse, it added more information to the royal narrative.<sup>544</sup> It was more focused on the conquest of Muslim-held territories than on the social conflict and the rivalries between the monarchy and the nobility. It was to praise the military prowess and bravery of Castilian king Alfonso XI and his ally, the Portuguese king, Afonso IV. As in the chronicles, any message that would have portrayed the monarch in a negative light was to be minimalized or silenced.<sup>545</sup>

For purposes of this thesis, is the role of the Jews in the royal narrative and how it projected the image of the king. There were two major episodes in the poem, in which the Jews were present. The first passage was a fictitious speech of the Muslim ruler, Albohaçen, after he had crossed the Straights of Gibraltar to fight against the Iberian Christian rulers.

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*Tomada La Fortaleza de Valencia , et d Gonzalo Martínez Maestre degollaron et quemaron por traydor* (p 384-385).

<sup>543</sup> GÓMEZ REDONDO (1999), p 1262. Observations by JANER, Florencio. *Poema de Alfonso Onceno* by YÁÑEZ, Rodrigo, edición, notas y observaciones de Florencio Janer. Impreso por don Manuel Rivadeneyra: Madrid, 1863, p IX and 335. CATALÁN, Diego (1953). *Poema de Alfonso XI. Fuentes, Dialecto, Estilo*. Editorial Gredos, p 9-10, and 16-18, the manuscript III-Y-9 is in the El Escorial Library, p 19.

<sup>544</sup> GÓMEZ REDONDO (1999), p 1817.

<sup>545</sup> VICTORIO, Juan. *Poema de Alfonso Onceno*, edición de Juan Victorio. Cátedra: Letras Hispánicas, p 24: Only 677 verses were dedicated to the years of internal violence, civil war and the king asserting his rule, whereas 1777 verses were dedicated to “Crusade” against Muslim forces. He would call Ms. III-Y-9, Ms. E, p 29.

La sangre sea vertida, [935]  
Matad viejos e niños,  
Non los dexedes a uida.

Arzobispos e perlados, [936]  
Obispos de la cleresya,  
E santos, sean apedreados,  
Con toda la cleresia.

Monesterios e eglesias [937]  
Quemad con su conuento,  
Dellos faced mesquitas  
Bien labradas del çemiento.

A las sinagogas quemad [938]  
Con los judios e judias,  
E mal ssabado les dad  
Fasta que venga el Mexias.<sup>546</sup>

Here we see the foretelling of death and destruction awaiting the two religious groups, Jewish and Christian, at the hands of the Muslim forces if they should be victorious at battle and impose their will on the population. The purpose of these strophes was to instill fear in the minds of the readers and listeners of the poem and legitimize the military campaign of the Christian crusade against the Muslim invaders in the eyes of the Christians and Jews.

The second passage was during a march or parade of the Castilian and Portuguese monarchs on their path to confront the Muslim forces that would lead to Christian victory with the capture of Algeciras in 1344. The two religious minorities were present in the hopes of their salvation at the hands of the two aforementioned Christian sovereigns:

E los moros e las moras, [1265]  
Muy grandes juegos fasian  
Los judíos con sus toras  
Estos rreys bien resçebian<sup>547</sup>

The message projected the image of praise and joy of Muslims and Jews showing deference to the monarchs of Portugal and Castile. This is key to the narrative that all social groups,

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<sup>546</sup> YÁÑEZ (1863), [935-938]

<sup>547</sup> Ibid., [1265]

including religious minorities, acknowledge the authority of the Crown as the epitome of royal sovereignty. As such, the poem portrays the Jews in a positive light as faithful subjects to the Crown and receives the monarch with the Book of their Laws, the Torah.

The poem fits in with Alfonso XI's attempts to reverse the anti-Jewish legislation and narrative that had begun since the mid-13<sup>th</sup> century and intensified under King Sancho IV and the minority rule of Fernando IV. Alfonso XI's endeavors to change the negative Jewish narrative and integrate them would culminate with Ordinances of Alcalá de Henares in 1348.

### ***2.G.2 Jewish Iberian Chronicle Writing (La Vara de Yehudah)***

The book *Sefer Sebet Yehudah*, (*The Book of Yehuda's Staff*) was written by Selomoh Ibn Verga in the mid-16<sup>th</sup> century. In the introduction to his edition of the work, Francisco Cantera Burgos and María José Cano wrote that the first edition appeared in 1550 and that Selomoh made reference to the efforts of his own father, Yehuda, in the compilation of stories for the final work. The exact dates of Selomoh ibn Verga's birth and death are unknown to us. He was most likely born in the second half of the 15<sup>th</sup> century in Seville, from which his family originated.<sup>548</sup>

Not only is the work original in its vivid style, it is one of the most original medieval Jewish chronicles. According to María José Cano, it belongs to the type of chronicles denominated as "expulsion", as it was written a few years after the expulsion from Sefarad. In terms of its

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<sup>548</sup> CANTERA BURGOS (1927), p 7-9. CANO, María José (1991). *La Vara de Yehudah (Sefer Shebet Yehudas)* by Selomoh Ibn VERGA. Riopiedras Ediciones, p 9. It is believed that the family converted to Christianity in 1492 after the Edict of Expulsion of Jews was decreed. Nonetheless, due to the implantation of the Inquisition in Seville and began the persecution of converts, the family moved to Portugal. After the massacre of converts in Lisbon in 1506, the ibn Verga uprooted his family. According to Bauer, most likely the family went first to Italy, especially the Kingdom of Naples, before continuing on to the Ottoman Empire, as the Catholic Sovereigns applied pressure on the Italian Popes and the aforementioned kingdom to make the life of the converts unbearable. It was in the Ottoman Empire that Selomoh wrote the *Sefer Sebet Yehudah*: p 11-12. The book's title has diverse meanings according to María José Cano. The first allusion to one of its meanings is that the *sebet* or "staff" refers to the afflictions and penalties that the Jews suffered under the staff of Yehuda throughout the centuries. However, *sebet* also means lineage, stock or race. This refers to the select lineage of certain families of the Hebrew Tribes and to the lineage of the Chosen People in general. Finally, the Hebrew word *sebet* or staff in English, in Castilian is *vara* or *verga*, which is an allusion to the author's family name Verga. Taking it to a different level, it could make reference to Selomoh's father, Yehuda, and his lineage, and that the staff has afflicted pain and affliction to his lineage: p 12-13.

structure, the work consists of one short introduction and sixty-three chapters of the most diverse types of content. However, there are four major groups within the work itself. For purposes of this thesis, the first two will be looked at:

1. Dispute – consisting of discussions or conversations of different people that were requested by and in the presence of a monarch or pope. These disputations involved a Christian and a Jewish wiseman. Some of the topics involved theological questions, scientific and historical dissertations, and issues involving Judeo-Christian relations. The chapters dedicated to these questions were: 7, 8, 12, 17, 32, 40, 41, 63, 64, 65, 70 to 73.<sup>549</sup>
2. Spanish Jews (Sephardim) include not only Spanish Jews but Portuguese ones as well. Many of the latter were expelled Spanish Jews or converts, who fled to Portugal and the following chapters dealt with their vicissitudes:
  - a. Jews in Christian Spain: chapters: 6, 8, 9, 10, 12, 15, 16, 27, 29, 38, 44, 45, 47, 48, 49 and 50
  - b. Jews in Muslim Spain: chapters: 5, 37, 64
  - c. Inquisition: 61 and 62
  - d. Expulsion and its Consequences: 50 to 58, 63, 66
  - e. Jews in Portugal: 13, 59 and 60

These stories consisted of either personal accounts or collected from first-hand accounts and contemporary Christian sources. Teresa Martialay Sacristán explained in “Reflexiones sobre la Alteridad en la Edad Media: el Caso Judío” (Reflections on Otherness in the Middle Ages: the Jewish Case), when approaching the Jewish world, the practice of remembrance is basically fueled by personal memories collected, in which many of them are colored by the experiences of historical actors within religious literature. She reminded the reader that memory is transmitted through literary works such as chronicles. These narratives can contain personal stories of the protagonists or reflections on a past time not lived by the compiler and that are the most loaded with ideology.<sup>550</sup> Cano pointed out that some of the chapters shared the characteristics of both religious groups, as chapter 12 that began with the accusation of ritual crime or chapter 32 that included various interdependent accounts as the story of a false Messiah in Persia, a dispute before King Don Pedro, a speech by Josephus at the Walls of Jerusalem and a disputation in front of Dom Afonso, King of Portugal (believed to be Afonso V but could be Afonso IV). The other two groups are explained in the footnote below.<sup>551</sup>

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<sup>549</sup> CANO (1991), p 14

<sup>550</sup> SACRISTÁN (2011), p 37.

<sup>551</sup> CANO (1991), p 14-15. 1.The Jews in Europe: consisted of brief accounts lacking details and anecdotes. In them are descriptions of persecutions and expulsions from France, England, Holy Roman Empire (Germanic territories), Provence and Italy. These chapters include: 11, 14, 18 to 26, 34 to 36, 39 and 43

In his “La historiografía hispano-hebraica”<sup>552</sup> (Hispanic-Hebraic historiography), Enrique Cantera Montenegro supported Cantera Burgos’ assessment that the *Shebet Yehuda* (*La Vara de Yehuda*) is considered not as a chronicle in the traditional sense of narrating events and dates in a chronological order, but rather part of the medieval imaginary of fictitious disputations and controversies that served as moral guides for the readers. In fact, it is considered to be part of the literary genre of *Cronística Hebrea Lacrimosa* or *Lacrimous Hebrew Chronicle*. Cantera Montenegro asserted that in terms of structure, the work lacked an overall plan and did not follow a linear chronological order. The chapters jumped from one period to another without any logical sequence. Even though there could have been characters that were historical, the events, disputations and controversies presented, were, in their majority, fictitious.<sup>553</sup>

Throughout the book, Selomoh ibn Verga wrote about the reasons for the downfall of the Jewish people, their exile and banishment, the envy and resentment of other peoples and persecution. According to Cantera Montenegro, Selomoh ibn Verga had established a few reasons why this had occurred:

3. Pride that had led the Jews to become arrogant and to despise the other people with whom they coexisted by considering the superiority of their lineage within the human race
4. Their excessive wealth, which had its manifestation in the use of a provocative luxury, in their enormous power of acquisition, and in the bad practices used by Jewish merchants, for whom religion concluded where the possibility of obtaining benefit

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The Jews of the Orient and Arab territories. This was the most diverse of the four groups, as they include persecutions from ancient times: in Palestine, chapters 1 and 2; in Persia, chapters 3, 31 and 42; in Turkey, chapter 28; and, in Northern Africa, chapters 4, 30 and 33.

<sup>552</sup> CANTERA MONTENEGRO (2002).

<sup>553</sup> CANTERA BURGOS (1927), p 9-10. CANTERA MONTENEGRO (2002), p 52. In the first chapter, Selomoh wrote about the persecution of the Jewish people under the triumvirate under Marc Antony in 40 BCE. This followed with the second chapter and the persecutions that occurred under Ben Sira, author of Ecclesiastes, in 200 BCE. The third chapter was dedicated to the suffering of the Jewish people under the Persians in 304-303 BCE and the fourth chapter focused on the ordeals suffered under the Almohads in 1142 AD. Chapters 21 and 27 dealt with events of the 13<sup>th</sup> and 14<sup>th</sup> centuries, while chapters 30 and 31 go back to the 12<sup>th</sup> century. CANTERA MONTENEGRO, op. cit., 2002, p 52. CANTERA BURGOS, op. cit., 1927, p 29-30: Cantera Montenegro explained that the purpose of the work, was not so much a strict chronological account of the history of the persecution of the Jews, but rather a “philosophy of the history of the Jewish people.” Selomoh ibn Verga wanted the Jewish people to revert to their original attachment to the Law and lead a more ethical and virtuous lifestyle than the supposed ostentatious one led by the Jewish leaders during the late Middle Ages.

- began. Ibn Verga believed that when the Jewish people lived modestly and were closer to the Laws, they did not receive the accusations laid upon them during the later years.
5. The particular eating habits of the Jews that arose suspicion amongst their Christian neighbors.<sup>554</sup>

The first two points are important as they reiterate the actual visceral debates held amongst the Jewish communities in the Iberian Peninsula that were reflected the written accounts from the period. As we have already seen, these polemic debates were held between the Orthodox and pietists and the Aristotelian Jews, who followed the Maimonidean school of thought. This theological rift between the Jews was taken up by the converts, who used it as fuel in their own personal attacks of Judaism as a whole.

In terms of the content, Cantera Montenegro reiterated that as a typical medieval chronicle, fabulous stories were intertwined with historical accounts. Some of these fantastic narratives included divine intervention to liberate the Jews.<sup>555</sup> As such, phantasy plays a fundamental role in the use of historical events in Salomón ben Verga's *Yehuda's Staff*. Many times, what appear to be historical accounts are merely stories and narratives of the period. Often, the so-called debates between Christians and Jews presided by kings and popes are purely fictitious with the sole purpose as acting as apologies. Their purpose was to show the Jews firm conviction of their religious beliefs and rendered it difficult for secular and ecclesiastical authorities to convert the Jews to Christianity. Even though ben Verga used invented characters and chronicles and that did not exist, the purpose was to explain the secular condition of the Jews and analyze the social situation of Castilian Jews and the causes that motivated their final expulsion. Ben Verga's work presents the historical context of accumulated popular accounts of the Sephardic Jews by three members of the ben Verga family – Yehuda, Salomon and Yosef, but which Salomon is the author.<sup>556</sup> Nonetheless, from

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<sup>554</sup>CANTERA BURGOS (1927), p 36-37. CANTERA MONTENEGRO (2002), p 54-55.

<sup>555</sup> CANTERA BURGOS (1927), p 9-10. CANTERA MONTENEGRO (2002), p 56. These accounts included the sudden and painful death of the Persians in Chapter 3 after they had subdued and humiliated the Jewish people, as well as the drought and scarcity of food in Lisbon after the 1506 massacre.

<sup>556</sup> CANTERA MONTENEGRO (2002), p 57-58. Even though the work has many fictional aspects to it, Cantera Montenegro proceeded to analyze the sources behind *Yehuda's Staff* and the historical value of the work itself. Cantera Montenegro made reference to Yitzhak Baer's analysis of ben Verga's work in that a major source for the work was the *Sefer Yossipon (Book of Joseph)*, as well as the use of Yishaq Abravanel, such as the *Sefer melaquín*, in which the legend of when the Jews established themselves in the Iberian Peninsula during the era of the Babylonian king, Nebuchadnezzar. However, Abraham ben David's *Sefer ha-Qabbalah* was only referenced once. Baer also believes that other sources, such as the chronicles written Abraham ben Salomón

a historiographic point of view, *Yehuda's Staff* is one of the best quality productions within the genre of Jewish chronicling, as well as being one of the most original Hispano-Jewish chroniclers, alongside Abraham ben David and the Portuguese Samuel Usque.<sup>557</sup>

The chapters in the chronicle that are of interest for this period are: Chapters: 7) Conversation between Don Alfonso and Thomas the wiseman; 8) King Don Alfonso. False murder accusation; 10) History of Don Yosef de Écija; 13) Anti-Jewish harangue/allocation by a Portuguese friar; and, 16) Accusation of ritual crime. These chapters present the different types of false allegations and accusations heaped on the Jewish community during this period and reflect the concerns brought up by Jewish religious and literary authorities of the mounting tension between the majority Christian society and the Jewish minority. This chapter will analyze Questions 7 and 10 of *La Vara de Yehudá*.

In the seventh question (Séptima Cuestión) the illustrious and merciful king Alfonso<sup>558</sup> of Sefarad<sup>559</sup> asked his the wiseman Thomas a series of questions. The first question that the king asked Thomas was to provide advice in order to avoid any damage to or the shedding of blood of his Jewish subjects. The king informed Thomas that a bishop had arrived and preached to the crowd that the Jews could only celebrate Pesach with the blood of Christians.

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de Torruviel, Rabbi Yosef den Shaddiq de Arévalo, Abraham Zacut and Seadyah ibn Danan were used in the creation of *Yehuda's Staff*.

<sup>557</sup> CANTERA MONTENEGRO (2002), p 59-61. Ben Verga admitted that he knew of the diaspora of the Sephardim throughout the Mediterranean through personal references. However, ben Verga did not discuss in detail the expulsion of the Jews from Portugal. Perhaps, this was due that he had established himself in Portugal by that time and the recalling of events might have been too painful. Cantera Montenegro pointed out that *Yehuda's Staff* reflected the splendor of past Sephardic culture, as well as the historical transition from the Middle Ages to the Renaissance. Nonetheless, the *Shebet Yehuda* offers a rich onomastic and topographic account of the Sephardic Jews in Castile and Portugal, as well as abundant references to the customs and practices of the Sephardim. It also contains some popular stories of Hebrew origin that have helped reconstruct different facets in Sephardic folklore. Another value of the *Shebet Yehuda* in terms of a source is its literary style, which is clear, concise and careful. Its vivid, dramatic and emotive accounts are also worth praise. Even though the persecutions of the Jews were narrated in previous and contemporaneous chronicles, the *Shebet Yehuda's* accounts were richer and described with more details, as well as with a more spiritual tone. Ben Verga used many oratory accounts, some from his own family, as well as events that occurred during his life. Some of these historical events that he experienced personally are the expulsion of the Sephardic Jews from Spain and the converts in Portugal, as mentioned in Chapter 60, in which they are narrated in detail. CANTERA BURGOS (1927), p 10-19. Cantera Burgos' 1927 edition discussed in lengthy detail the parallels between Samuel Usque's work with that of Salomon ibn Verga's.

<sup>558</sup> CANO (1991), p 35: The characteristics portrayed of this monarch seem to be a fusion of Alfonso X and Alfonso XI and even Juan II. Cano believes that chapters 8 and 10 are more pertinent to Alfonso XI.

<sup>559</sup> Sefarad is the Hebrew term for the Iberian Peninsula or Hispania in Latin.

Even though the monarch noticed more folly and madness than wisdom in that bishop, the king asked Thomas what he should do. The king also stated that issue at hand was fixing a falsehood as a truth and to appear as an infidel or Jew for not have exacted vengeance of the Jews. Even though the monarch knew that the issue was absurd, he still wanted to know how to respond to such madmen.<sup>560</sup>

Thomas responded that he was aware that the king was well versed in the Jewish religion, Jewish traditions and customs and that there was nothing in their Law that called upon the use and consumption of blood, especially human blood in their rituals. As such, the king said that if such allegations were true, then he would banish them from the king, However, if the allegation were false, then he would dedicate his life in saving the Jews as they were his subjects.<sup>561</sup> Thomas told the king that a Jew is not stupid enough to kill a man for his blood, especially in the same city and kingdom where he resides. For if he were captured, he would be ripped to shreds. Thomas also pointed out that murder was forbidden according to Jewish law. Further in his explanation, Thomas stated that Jews do not take or drink the blood of any animal. It is repugnant in their eyes, and, as such, would be even further found abhorrent to consume human blood.<sup>562</sup> Thomas went further to explain that he had a discussion over this issue with one of the Jewish leaders, Don Abravanel from Seville and, even though Christians were not Jewish, they fell within the category of *nosri* or those who believe in Divine Providence, his creation, his Laws, his marvels and miracles and not that of *nokri*, who deny God's existence or do not accept his Divine Law.<sup>563</sup>

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<sup>560</sup> Ibn VERGA (1991), p 35-36.

<sup>561</sup> Ibid, p 36. On p 39-40: Thomas was flabbergasted at the king's fixation on such an irrational and strange idea and was perplexed at how the Castilians should believe in the nonsense and the falsehoods of evildoers that are told in an attempt to ease their sorrows at the expense of others. To Thomas these stories were nothing more than hatred toward the religion, through which these evildoers try to sink the Jews. According to Thomas, these evildoers did not even believe what they say and were not intelligent in terms of how they conduct this persecution. For if there were ever a people that held a Law that brought it close to God, it was the Jewish people.

<sup>562</sup> Ibid, p 40-41. Thomas explained that Jewish butchers could not use dull knives to slit the throats of cattle, as the butcher needs to bleed the animal as much as possible before it dies, so that there is little blood left in the animal's body by the time it dies. This would avoid putrifaction of the animal with blood still in its body.

<sup>563</sup> Ibid, p 41-42. Thomas continued to explain that Abravanel stated that Talmudists claimed that it was forbidden to steal from pagans and that they apparently worse than to steal from an Israelite. In footnote nº 36 on page 42, María José Cano wrote that *Nokri* = atheist; *Nosri* = Christian; *Goy* = gentile.

The king informed Thomas that he was pleased with his response and was indignant with his Christian subjects, who held prejudices against the Jews. The king stated that the Jews, who held virtues such as generosity, justice and solidarity. Thomas added that he had never met an intelligent person, who would hate the Jews. Only the common people with little education hated the Jews, as it believed that the Jews were arrogant and power hungry, who sought favors from the Crown and were granted important positions in the king's court. It was this envy that engendered the hatred of the common people towards the Jews.<sup>564</sup>

This passage from the chapter indicates the knowledge by the Jewish community of the blood libel of the late medieval period in which the Jews were falsely accused of kidnapping Christian children in Satanic rituals throughout Western Christendom and apparently in Castile as well. It reflects the concerns of the Jewish elites of such false allegations and the terrific consequences that could be unleashed if not rejected by Christian rulers and declaring his support for his subjects. Thomas explained that these evildoers were persecuting the Jews, based on hatred towards their faith and in the desire to further sink the Jewish people. It seems that Ibn Verga wanted to set the premise of his narrative that the persecution of the Jews was instigated by those with ulterior motives and manipulated the ignorant and unlearned by appealing to the most basic instincts and emotions.

Question 8 that deals with the set-up of a Jew falsely accused having murdered a Christian will be discussed in a future chapter, as many of the characters in the question are from different reigns, ranging from Alfonso XI, Juan I and Juan II. This confusion could be due to the fact that this chronicle was written in exile centuries after the events and hence the possible errors. Instead, a question that dealt with Yuçaf ben Efraim ben Abi Shabat ha-Leví, Samuel ibn Waqar and Gonzalo Martínez is question n° 10. It shall be compared and contrasted with passages from *Crónica del rey D. Alfonso Onceno* in the next subchapter.

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<sup>564</sup> Ibn VERGA, Selomoh (1991). *La Vara de Yehuda (Sefer Shebet Yehudah)*, ed. María José Cano. Biblioteca Nueva Sefarad, Volumen XVI, Riopiedras Ediciones, p 43.

### 2.G.3. Comparison of Two Chronicles: *La Vara De Yehudah* y *Crónica Del Rey D. Alfonso Onceno*

As previously mentioned in the subchapter, *Jews in the Court of Castile under Alfonso XI*, the two most important Jews in King Alfonso XI's court, Yosef ben Efraim ben Abi Sabat ha-Leví (almojarife or treasurer) and Semuel ibn Waqar (royal physicist), and their fate due to Gonzalo Martínez, the king's Chamberlain, are to be compared and contrasted in Christian and Hebrew chronicles. The Christian chronicle, as previously seen, *Crónica de D. Alfonso Onceno*, was written by Fernán Sánchez de Valladolid and the Hebrew chronicle, *La Vara de Yehuda (Yehuda's Staff)* was written by Selomoh ibn Verga. The first was written around 1343, whereas the second was published in 1555, after the Spanish Jews had been expelled from Spain in 1492.

Ibn Verga's chronicle narrates the intrigues and conspiracies conjectured by Gonzalo Martínez of Oviedo, Royal Despensero (chamberlain) and made Master of Alcántara, as he wanted to eliminate his Jewish rivals from the royal court, seize their wealth, and increase his power. Gonzalo Martínez connived against both men by falsely accusing them of deceiving the king and accumulating wealth at the king's expense.<sup>565</sup> Although both chronicles discuss the vicissitudes of both prominent Jews in the web of intrigues spun by Gonzalo Martínez, each one provides different details and even episodes that do not appear in the other written work. Combining both literary pieces, provides investigators with a broader view of events.

The *Crónica del rey Don Alfonso el Onceno*, describes plots and schemes to kill don Yuçaf, as was the case on Chapter LXXI, in which the common people wanted to kill don Yuçaf, as he was to accompany the Infanta Leonor to her brother from Valladolid to [Burgos]. Doña Sancha ordered the murder of Don Yuçaf. Four members of the town council of Valladolid went up the stairs of a tower, where don Yuçaf hid and tried to break down the doors in order to kill him. The Infanta calmed them down by stating that she would persuade Don Yuçaf to leave the tower. However, after having convinced Don Yuçaf to accompany her to the alcazar, closed its doors and refused to surrender Don Yuçaf.

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<sup>565</sup> Ibn VERGA (1991), p 83-85.

For years since Alfonso XI declared majority rule and named his court in 1325, Don Yuçaf ben Efraim ben Abi Sabat ha-Leví was named almojarife (treasurer), collect all royal tributes and enjoyed the king's confidence. After the intrigues of members of the nobility after the instigations of Gonzalo Martínez, the king removed Don Yuçaf from his position as almojarife, had him arrested, had his goods and belongings confiscated and forbade Jews from royal finances and tax collections and changed the official title of the position from almojarife to treasurer.<sup>566</sup>

In the *Vara de Yehudah (Yehuda's' Staff)*, Don Yuçaf was tortured and died in prison. Unlike in the *Crónica del rey D. Alfonso Onceno*, Ibn Verga's chronicle claimed that the king upon hearing of Don Yuçaf's death was became upset and transferred Don Yuçaf's body with honors to Córdoba. The king also exempted Don Yuçaf's widow and children from paying taxes and tributes. In both chronicles, Samuel ibn Waqar was instrumental in the downfall of Don Yuçaf, which gives investigators insight into the intrigues of Jewish and Christian courtesans.<sup>567</sup> Samuel ibn Waqar was rewarded with Don Yuçaf's former position.<sup>568</sup> It is in the *Vara de Yehudah* that Gonzalo Martínez, envious of ibn Waqar's position and confidence with the king, plotted ibn Waqar's fall from grace. Ibn Waqar was arrested along with two of his brothers. Supposedly large amounts of gold and silver were found in ibn Waqar's residence. He was also tortured and died in prison and his body was placed in an arc. He was not given a proper burial until a year later.<sup>569</sup>

Both chronicles speak of the rapid rise of Gonzalo Martínez from royal chamberlain to Master of Álcantara<sup>570</sup> and how he became arrogant and abused his position to rid himself of potential rivals and enriched himself by plundering treasures and finally rising up against the king. Both narratives told of his final execution.<sup>571</sup> However, prior to his death, the *Crónica del rey D. Alfonso Onceno* did not present Gonzalo Martínez' attempts to expel the Jews from Castile and demand an exorbitant sum of money as an exit fee, as presented in the *La Vara de*

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<sup>566</sup> *Crónica de don Alfonso Onceno* (1787), p 155-156.

<sup>567</sup> Ibn VERGA (1991), p 85. *Crónica de don Alfonso Onceno* (1787), p 175.

<sup>568</sup> *Crónica de don Alfonso Onceno* (1787), p 175.

<sup>569</sup> Ibn VERGA (1991), p 85.

<sup>570</sup> *Crónica de don Alfonso Onceno* (1787), p 337-338. Ibn VERGA (1991), p 86.

<sup>571</sup> *Crónica de don Alfonso Onceno* (1787), p 377-385. Ibn VERGA (1991), p 86, 88-90.

*Yehudá*.<sup>572</sup> The Christian chronicle also did not narrate the argument in front of the king between Archbishop Don Gil and Gonzalo Martínez about the latter's plans to expel the Jews from Castile as presented in the Hebrew chronicle. Apparently, Don Gil told Gonzalo Martínez that the latter was not only an enemy of the Jews but that of the king as the advice to expel the Jews was a faulty one.<sup>573</sup> Nonetheless, the Christian chronicle mentioned that God had punished the French monarchy with many deaths of royal heirs due to the decision of expelling their Jews.<sup>574</sup>

The image of the Jews in the Hebrew chronicle is that of vindicated victims of the self-destructive intrigues of Jewish courtesans and the treachery of Gonzalo Martínez. This narrative, in turn, fits in with historical development of the Jewish community divided between the traditional Orthodox Jews, which were the majority of the Jewish community, and the more mundane, cosmopolitan Jews of the court. This fits in with Cantera Montenegro's breakdown of the stories of the Hebrew chronicle that condemned the excessive wealth of prominent Jews and their hubris and arrogance towards members of their own faith, who did not belong to their lineage. The message transmitted was that those Jews, who remained true to orthodoxy were to be rewarded by Providence, whereas those Jews that gave their backs to orthodoxy were to perish. The image of the Jews in the Christian chronicle is that of protected subjects, as was in the case of the Crown Princess (Infanta), who work in the service of the Crown, as was the case of Don Yuçaf and Semuel ibn Waqar, and could fall due to excessive greed and betrayal to the king's interests.

The message conveyed from both chronicles is that God punishes through his secular vicar on earth those, who are arrogant, proud, conniving, duplicitous and greedy, irrespective of religion. The Hebrew chronicle transmitted the message that those, whose reputation was wronged, were to be corrected, even if it occurred posthumously, as was the case of Don Yuçaf. The Christian chronicle portrayed the deaths of heirs to the French throne as God's punishment towards the expulsion of the Jews from the kingdom of France. As such, the Christian chronicle presented the Jews as God's Chosen People, and as such, were to be protected by Christian monarchs. Gonzalo Martínez' desire, if not obsession, of expelling the

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<sup>572</sup> Ibn VERGA (1991), p 86-88.

<sup>573</sup> Ibid. p 88.

<sup>574</sup> *Crónica de don Alfonso Onceno* (1787), p 326-327.

Jews from Castile and extracting a heavy sum as an exit fee as presented in the Hebrew chronicle. His fate would be similar to that of heirs to the French throne – death.

#### **2.G.4. Chronicles of Portugal during the Reign of Afonso IV**

According to Tiago João Queimada e Silva, the chronicle was the most widely used historical literary genre in late medieval Portugal. It was a means of projecting an ideological message to support the different power elites that had commissioned those chronicles for the contemporaneous generation and future generations as well.<sup>575</sup>

As discussed in the first chapter, the purpose of the first Portuguese chronicle was to establish a narrative that countered the hegemonic attempts of the Leonese and the Castilian Crown in encroaching into Portuguese affairs, limit its autonomy or even end its sovereignty. These attempts by Castilian Crown were met with increasing resistance and hostility from the Portuguese ecclesiastical and secular elites. These literary works were first created through the troubadour poetry in the north of the kingdom. It is believed that the result of these first literary endeavors produced the *Primeira Crónica Portuguesa* in the 1270s during the reign of King Dom Afonso III that were redacted in Galician-Portuguese instead of Castilian, as in the rival hegemonic neighboring kingdom. As such, we see the emergence of a historic that achieved a narrative that was different from the concomitant Castilian one, *Estoria de Espanna*, under the auspices of Alfonso X and further distancing itself from its rival by using the vernacular of Portugal. Even though the incipient Portuguese historiographic endeavors were modest in comparison with the monumental work of Castilian historiography, it was still independent from the Castilian scriptorium.<sup>576</sup>

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<sup>575</sup> QUEIMADA e SILVA (2013), p 33. He presented a succinct but detailed presentation of the origins of Portuguese chronicles to give the reader a foundation to understand the thesis of his article (p 34-37).

<sup>576</sup> For in-depth studies on the development of late Medieval Portuguese chronicles, especially prior to *Crónica de Espanha de 1344*, see: CINTRA (2009) t. I, 2ª ed, cap. VI “A Crónica de 1344 e as Origens da Historiografia Portuguesa” p CCCXVII-CDXIX; DIAS (2000), op. cit., Cap. 4. Reelaborações do modelo afonsino no Ocidente da Península Ibérica, p 72-94; CATALÁN, Diego (1962). *De Alfonso X al Conde de Barcelos. Cuatro Estudios sobre el Nacimiento de la Historiografía Romance en Castilla y Portugal*. Editorial Gredos, cap. II. Una Crónica Portuguesa anterior a la obra Historial de Don Pedro de Barcelos, p 213-288, with a special emphasis on subchapter: (e) La Historia de Portugal en la ‘Crónica Portuguesa de España y Portugal, p 241-253. QUEIMADA e SILVA (2013), p 37-38.

One aspect of this differentiation in the two historiographic interpretations was the use by Portuguese king, Dom Dinis, in translating a text that was not used by his grandfather, King Alfonso X, written by Ahmad al-Razi, an 10<sup>th</sup> century Arabic geographer and historian from Córdoba. The Translation from Arabic to Portuguese was conducted by Gil Peres and Master Mohammed, which helped develop a different interpretation from the Castilian narrative of events from the Arab conquest of the Iberian Peninsula in 711 onward.<sup>577</sup>

As previously discussed in this chapter in the dynastic dispute between the disgruntled Crown Prince or Infante, soon to become Afonso IV in 1325, along with magnates who were jealous to maintain their particularistic aristocratic interests intact, the nobility was able to regain cultural hegemony in the creation of historiographic accounts. This was seen in the *Livro de Linhagens* (Book of Lineages) by the king's half-brother, Dom Pedro, Conde de Barcelos in 1340. This ideological-political and cultural struggle led Dom Pedro, Conde de Barcelos to produce the *Crónica de Espanha de 1344*, which flipped the Alfonsine narrative of the importance of the Crown on its head, and presented, instead, the importance of the nobility in the history of the Christian kingdoms of the Iberian Peninsula with an emphasis on the chivalrous deeds of the most prominent dynasties of the Iberian magnates. The Portuguese historiographic narrative also diluted the original Alfonsine narrative of Castilian hegemony under the rule of one leadership – the king of Castile, as its purpose was to provide emphasis on the separateness and independence of Portugal.<sup>578</sup>

In spite of a unique and separate type of narrative from Portugal, neither *Crónica de Espanha de 1344* nor the *Crónica de 1419* discussed the Jews in any detailed manner for the reign of

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<sup>577</sup> QUEIMADA e SILVA (2013), p 39. CINTRA, op. cit., t. I, 2<sup>a</sup> ed., 2009, p XXXI-XXXII

<sup>578</sup> KRUS, Luís (2011). A vivência medieval do tempo: 1. *A Escrita e o Arquivo: Condicionalidades e Práticas* in *A Construção do Passado Medieval: Textos Inéditos e Publicados* (Luís Krus). IEM – Instituto de Estudos Medievais, p 29. The article was originally published in (1982) *Estudos de História de Portugal. Homenagem a A. H. de Oliveira Marques*, vol. I, Estampa, p 343-355. Also see from the same collection, op. cit., 2. *A Comemoração das Origens: Reis, Santos e Heróis*, O discurso sobre o passado na legitimação do senhorialismo português dos finais do século XIII, p 171-179. HERCULANO, Alexandre (1860). *Portugaliae Monumenta Historica (PMH)*, vol. I. TYPIS ACADEMICIS, p 133. MATTOSO (2015), p 106-107 presented the superiority of certain noble families and the titles and positions obtained through monarchs, p 239-240, 246 within the framework of Ideology and culture, p 792. DIAS (2000), p 76-78. Barros Dias discussed how the Portuguese historic narrative would emphasize on nebulous events or arguable deeds committed by Castilian sovereigns in order to leave them in a negative light. This was argued that it was used to support the anti-Castilian imperialist and hegemonic tendencies, p 88. QUEIMADA e SILVA (2013), p 38-40

Afonso IV. This leaves a gap in information in terms of how the royal or nobiliary narrative wanted to present the Jewish community at the time.

## **2.H. *El Libro de los Estados de Don Juan Manuel***

The book is didactic and part autobiography, as the character, Don Joaquín of Castile, had recently had a falling out with his sovereign. Don Joaquín of Castile meets a clergyman by the name of Julio. The two men retired into the confines of the palace, where they discussed how to reach salvation through which law they were to subscribe to. Julio explained that the first law of the Jews, in spite of having been orally transferred by Abraham and written by Moses, was incomplete.<sup>579</sup> The second Law was that of Jesus Christ, who came to earth as the redeemer of mankind. The Third Law of Mohammed was a false doctrine, which purportedly condoned whims.<sup>580</sup>

The issue with the Old Testament was that God's rewards to the Chosen people were always temporal and worldly, instead of spiritual. If they did not commit themselves to God's will, they would be punished. Hence, the incompleteness of the Old Law, which would be replaced by the New Testament through Jesus Christ. Don Juan Manuel's didactic work was more of a dialogue to clarify and explain the differences between the three Abrahamic religions rather than a vitriolic diatribe against the other two monotheistic religions.

In Chapter 26 Julio explained to Don Joaquín that the only salvation for mortal souls was through the faith in Jesus Christ. The Jews, in spite of having God's Law through Moses, could not go to Paradise, as their Law was incomplete. However, the Jews deserved to be

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<sup>579</sup> YÁÑEZ (1863), p 114: "Et todos estos vivían en ley de natura, et así se mantovieron fasta el tiempo de Abraán, que fue patriarcha. Et a éste dio Dios la ley cierta, así commo la çircu[n]çisión, et otras cosas que le mandó guardar. Et en esta ley que Dios lis dio se mantovieron fasta el tiempo de Moisés. Et a este Moisés dio Dios la ley escripta en que son los dies mandamientos, et en que manda cómo deven fazer sacrificios et cómo deven usar los sacerdotes, et cómo se deven alinpiar las gentes de los pecados, et cómo deven beber et mantenerse las gentes unos con otros, et otras cosas muchas que serían muy buenas de poner en este libro. Pero en cada ley nunca les prometió sinon bienes tenporales, también de galardón de los buenos, si los fiziesen, commo de pena si fiziesen el contrario."

<sup>580</sup> Ibid., p 11-12.

saved if and when they would join the Christian faith, as Jesus fulfilled and completed the Law. If the Jews refused to join the faith, then they will not be able to be saved.<sup>581</sup>

In Chapter 44 of the book, Julio spoke to Don Joaquín about the manner in which Jews could get married, which was once a polygamist religion. Due to this, Jesus ordered that, men should only marry one woman. This discussion was followed by how Jews and Muslims do not eat certain animals and fast, which Julio considered to be much cleaner and healthier. Nonetheless, Julio explained that God had made all animals for man to consume, but in moderation, such as wine. Julio explained that the Jews had only one day in which they fasted, whereas the Muslims one month. Julio also explained that the Muslim fasting did not make sense, as they would eat from sunset to sunrise. Julio went further to explain that Christians did not do their fasting in this manner, but would remove red meat and dairy products from consumption and instead eat fish, vegetables and fruit during Lent.<sup>582</sup>

Don Juan Manuel's work shows once again the spiritual and intellectual issues facing Western Christendom by the second quarter of the 14<sup>th</sup> century. Its purpose, as discussed was to expand the Christian faith by converting Jews and Muslims to the fold and to maintain strength within the Church. Unlike, the mendicant priests, who gave fiery speeches and lectures to the populace, Don Juan Manuel's work is one of balance and calm reflection. It is not a call for attack, but one of discussion and debate. Nonetheless, by presenting Jews and Muslims as enemies of the Faith, Don Juan Manuel projected and perpetuated the negative image of religious minorities as a threat, an imminent danger to the majority Christian society.

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<sup>581</sup>MACPHERSON, op. cit., 1991, p 109-110. On page 142: "Otro sí, en los casamientos, segund ley, podían casar, et casavan, los judíos con quantas mugeres podían tener, et bien así las podían tener et dexar por qualquier achaque. Et esto mismo fazen oy en día los judíos que tienen aquella ley, non parando miente commo es ya conplida et acabada, et que fue toda por figura desta ley que nós los christianos tenemos." The narrative went further to state: "Et en razón del casamiento, mandó nuestro señor Jhesu Christo que non casase omne sinon con una muger solamente, et que non la pudiese dexar sinon por muy pocas cosas, que son señaladas et ordenadas de sancta Egleſia, porque sería pecado si la toviese connta aquellas cosas que son defendidas por el pecado que ha en ellas, et así bien podedes entender si es más linpia cosa. Et ponen los omnes mayor fe et se aventuran más fiando en la merçed de Dios en tomar una muger et non la dexar, por ninguna cosa que acaesca, nin pueda[n] tomar otra, por guardar el sacramento del casamiento, que tomar quantas mugeres pudieren et dexarlas quando quisiere[n], así commo fazen todas las otras gentes que tienen la ley de los judíos, et todas las otras sectas, que semejan más carrera de conplir su deleite que de sacramento."

<sup>582</sup>Ibid, p 142-143. On page 144: In Chapter 45, Julio explained how the Jews do not confess and purportedly do not ask for penitence from anyone, whereas Christians must go to a priest for absolution after they have confessed their sins and expressed their shame. Julio proceeded to explain to Don Joaquín the superiority of the Christian faith through its baptism, communion, marriage, etc. is superior to the other sects

This threat was based on the Jews and Muslims not accepting what the Christian majority viewed as absolute truth, which would be much unsettling for the those, whose way of viewing the world, could be put into question. Hence, the need to eliminate such potential threat by converting the unfaithful to the Catholic fold.

### **2.1. *El Libro de Buen Amor* by Juan Ruiz**

The *Libro de Buen Amor* by Juan Ruiz was not only a satirical romance about a man lusting for carnal pleasures, but a social critique of the change in values and a paradigm shift in Western Christianity in general and the Iberian Peninsula in particular, especially in Castile. It also reflected the issues facing the lower clergy in fulfilling its ecclesiastical vows as previously discussed in this chapter. Juan Ruiz linked the struggle between good and evil, Lent and Lust to the story written by Juan Ruiz in that this struggle was personified by Doña Quaresma (Lent) and Don Carnal (Pleasures of the Flesh): *De la pelea que ovo Don Carnal con la Quaresma (Of the fight that took place between Don Carnal and Lent)* [1067-1127]. The symbolic struggle was a parody of the late medieval conceptual struggle of *values*. One of measure and the other was excess.<sup>583</sup>

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<sup>583</sup> RUIZ, *Libro de Buen Amor* (2016), [1067-1127], p 183-192: The struggle was presented in the traditional medieval parody of the goliards. On the one hand, in the first line of the peonage of Don Carnal, one sees chickens, partridges, rabbits, roosters and geese armed with kitchen ware. Behind them are the crossbowmen: smoked meats, ram cutlets, fresh pig feet and ham. In the third line, there is beef steaks, piglets and kids (baby goats). In successive files, there were squires armed with pots, cauldrons and copper cookware. Also present were the strong boars, countless deer, hares, mountain goats, an ox and Don Tocino (Bacon). Amongst this entourage, Don Carnal was emperor. At his feet was the ensign of one knee on the ground and his hand on a barrel. At midnight, Doña Quaresma made her entrance. She was the enemy of Don Carnal and would assume command of operations. Her forces consist of garlic, salted sardines, alfalfa, trout and tuna. Doña Quaresma's forces fought like crazy against Don Tocino. The Bayonne dogfish defeated the partridges and the shrimp reinforcements and hake chased after the pig, shouting that they would finish him off. The combating troops were numerous. Don Carnal's troops did not take into account Doña Quaresma's ascetic forces, which took his troops by storm. Both the wild boar and the deer took to the hills, leaving the kitchen and the refectory free, forcing Don Carnal to follow Lent. MARTINS (1980), p 79: This mind frame, that each and every individual had to be a soldier of Christ, traversed the winding paths of the Middle Ages and entered the dominion of allegorical parables, as was the case of the *Libro de Buen Amor*. MARTINS (1980), p 179-181. GIRÓN (2017), p 197. MARTINS, 1980, p 181: This minuscule parodying epic is a piece of *psychomachia* or spiritual combat. All humans are in one shape or another like Don Carnal, whereas Doña Quaresma personified the spirit of penitence and the renouncement of worldly pleasures. She tends to impose herself on Christians, as they have all been marked with the sign of the cross at baptism. These allegorical and parabolical battles represent the two worldviews of external and internal battles. Christians live spiritually besieged and life in this world is just an inner war. Christians are encircled by passions, especially lust, as is accentuated by the Archpriest de Hita personified by the struggle of Don Amor in his work, *Libro de Buen Amor*. The Archpriest exclaims to Don Amor how he moves the hearts of many people, kills souls, discredits people, turns men into idiots and has

In terms of the transforming socio-economic structures, one of the many different changes of the period was the emergence of the bourgeoisie as a social group that did not fit exactly into the three traditional orders of the Middle Ages: clergy, nobility (land owning) and peasantry (either landowning or serfs) and that would help erode the old social order. As the bourgeoisie concentrated in urban centers along land, fluvial and maritime trade routes, their base of wealth was based on the production of goods, their commerce/trade and then the accumulation of wealth to be used for further investment or lend at interest. However, as the material conditions of the wealth of the burgeoning bourgeoisie clashed with those of the landed nobility and the clergy, so did their values. The ideals of the nobility of chivalric honor and of the Church of heavenly reward in the afterlife clashed with the earthly values of the here and now in the accumulation of wealth and its ostentation in public by those who could afford it. The Church would frown on the new mindset reflected in the new literature as lacking values and ideals, whereas the bourgeoisie wanted more pragmatic and practical didactic literature that was based more on satire and mockery of the old traditional order.<sup>584</sup>

One of these shifts in mindsets is the bourgeoisie's conception of the role of the Crown. The link of vassalage is to be replaced with a political one, which is based on a contractual agreement rather than one of arbitrary power held by the nobility. The bourgeoisie also had a different approach to religion and the Church, in that the individual had a primordial role to play in society and not only that of the all-embracing Catholic Church and its predominance over the flock of the faithful. This would be one of the fundamental cultural paradigms of the period: the appreciation of the individual over the flock based on his own merits, which led to a rejection of the old, traditional, static and theocentric models and that would slowly replace them with a more secularized and anthropocentric model based on the search and accumulation of wealth.<sup>585</sup>

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something of the devil in him. Where he enters, people tremble and change color and even become blind. Whosoever listens to the sweetness of your words, falls into the trap.

<sup>584</sup> GIRÓN (2017), p 16-17. BOBES NAVES, (1980), p 8. The complaints of ostentation and luxury in the *Cortes* was reflected in the legislation passed at that time in both Castile and Portugal.

<sup>585</sup> GIRÓN, (2017), p 17-18.

Instead of the traditional search for salvation of the soul, the bourgeoisie was more interested in issues of the day, such as treason, nepotism and corruption of justice. This would be reflected in the new literature that by using social satire, would also convey moral norms of conduct for people to learn in order to temper the spirits through practical lessons of coexistence. As such, the satirical stories, which were intended to amuse, would also convey the message of "punishments" or "exemplary" of all kinds.<sup>586</sup>

### **2.1.1. *Libro de Buen Amor: Creation, Transmission and Reception***

The analysis of the *Libro de Buen Amor* helps understand the period, in which Castile underwent in the first half of the 14<sup>th</sup> century, as it narrated many of the conditions that people endured, as well as reflected a harshness of attitudes and the cultural shift in values. Juan Ruiz narration provides the first-hand account of an eye-witness of the different crises that he lived through and portrayed in a literary manner in his work.<sup>587</sup> This shift in values, in turn, will help to understand if there was also a shift in the view of religious minorities, especially the Jews, as they were associated with the money-based economy and financial lending, or if previous biases and prejudices were simply reinforced.

The use of different genres helped in the transmission of the message of the work. These different genres were used to reach to a broader audience. Blecua argued that the burlesque and satirical nature of *Libro de Buen Amor* made the work intended for an urban and bourgeois public that was accustomed to more common and vulgar genres and not as refined as the works of chivalry. Blecua claimed that the author wanted to *teach the public*, hence the *didactic nature* of the work, through comical situations that were colloquial, casual and lively in nature. What Juan Ruiz wanted to teach through his work was that the good type of love was that towards God through doing good deeds, having good thoughts and intentions that would lead people away from the unbridled, crazy and mad love of carnal pleasures of the world.<sup>588</sup> However, G. B. Gybbon-Monnypeny digresses from those who claim that the

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<sup>586</sup> BOBES NAVES (1980), p 9

<sup>587</sup> GIRÓN (2017), p 16

<sup>588</sup> BLECUA (2016), p 312-313: "2 fue compuesto el romance por muchos males e daños/ que fazen muchos e muchas a otros con sus engaños" (1634b-c), p 271. MELKIEL (1973), p 11. GYBBON-MONNYPENY (2016), p 19.

bourgeoisie was the target audience of *Libro de Buen Amor*. She stated that it was the clergy that could understand the many layers of literary genres in the work.<sup>589</sup>

### 2.I.1.a The Arab-Jewish Elements of *Libro de Buen Amor*

In order to understand the nature of the *Libro de Buen Amor*, one must look at the cultural fusion and hybridity of Iberian culture after centuries of Arab and Hebrew/Jewish influence. The literary styles reflected the demographic reality of the Iberian Peninsula of .... By the 11<sup>th</sup> century, the *maqama* literary style was introduced to al-Andalus and became very popular. It was the most ideal style to represent and transmit the complex political, cultural and linguistic reality of the Iberian Peninsula by the 12<sup>th</sup> century. The *maqama* would influence writers and poets in their works, especially in the case of Juan Ruiz' *Libro de Buen Amor*.<sup>590</sup>

The structure of the romance has parallels to the Hispano-Hebrew or Hispano-Arab *maqamat* genre, which is didactic in nature and have many fables from the Near and Middle East. The *maqamat* was a hybrid text that brought in Arab philosophical, medical and erotic knowledge in Latin scholastic audience.<sup>591</sup> This cultural fusion has been classified as *mudejarismo cultural* or cultural Islamic influence under Christian rule.<sup>592</sup> As this *maqamat* was used over centuries in the Iberian Peninsula, the literary elites and their public were accustomed to this form of literary transmission of knowledge and its reception. The use of humor to provide

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<sup>589</sup> GYBBON-MONNYPENY (2017), p 26

<sup>590</sup> HAMILTON, Michelle (2007). *Representing Others in Medieval Iberian Literature*. Palgrave MacMillan, p 37-38: The *maqamat* consisted of an interweaving of different and "decontextualized literary motifs and conventions of traditional classical courtly genres including the love lyric, the wine poem, Quranic commentary, Arab horse lore, and legal discourse.... [However, these stories would] not be a reflection of the nobility of honorable, learned Arabs (the *adib*), but...utilized morally bankrupt scoundrels and thieves. The rhetorical virtuosity, traditionally the talent of the *katib*, courtier, and so esteemed in the Arab courtly milieu, becomes suspect, in the *maqama*, in which the most gifted rhetoricians are the trickster al-Sadusi and the go-between Umm 'Amr." MALKIEL (1973), p 296-298: The teaching of the *maqamat* is, above all, moralizing. It displays literary virtuosity and the diverse knowledge of the author, that is, exactly the three categories of teaching that the *Libro de Buen Amor* offers. Historians of law and of Castilian music and poetry use information from Juan Ruiz. In addition, by following the model of the *maqamat*, the didacticism of the work is not only expressed in the autobiographical romance that serves as a framework, but also in the stories, fables and satires framed within it. Also see: SÁENZ-BADILLOS PÉREZ, Ángel (2015). *Lengua y literatura de los judíos de al-Andalus (siglos X-XII)*, edición de José Martínez Delgado. Editorial Universidad de Granada.

<sup>591</sup> HAMILTON (2007), p 12.

<sup>592</sup> BLECUA (2016), p 308-309. Blecua and Malkiel used the *Book of Delights* or *The Delightful Teachings (Sefer Xaaixuim)* by Ibn Sabarra (ca. 1190). GIRÓN (2017), p 44-45. CASTRO (1996), p 369-398.

didactic messages through entertainment was the most effective method in obtaining Juan Ruiz' purpose.

Part of the effectiveness of the *maqama* in transmitting its didactic message is the role of the go-between, who is not only a matchmaker for men seeking female companionship in amorous liaisons, but a cultural go-between, who could cross over cultural boundaries.<sup>593</sup> The go-between's role reflected the role of the Jews between the formal boundaries of kingdoms via trade and maritime routes, the formal boundaries between the Christian and Islamic worlds, as well as the cultural boundaries within the Iberian Christian kingdoms, between the Christian majority society and the Muslim and Jewish communities. This go-between is defined by her actions and mediation, the "go-between...smooths over differences and successfully crosses linguistic, religious, cultural, and even temporal borders. She shows that borders and limits... are artificial, porous and constantly shifting."<sup>594</sup> Noteworthy, is the name given by Juan Ruiz for his matchmaking "go-between" – *Trotaconventos* or "Trot-Convents", as she could go beyond the walls of homes, convents and monasteries. As a matchmaker, she was constantly on the move, on the go, talking to different people, trying to mediate between them.<sup>595</sup>

The *Libro de Buen Amor* also reflected the skepticism towards the developing money-based economy and its effects on people and their behavior. In the *Libro de Buen Amor*, the root of all evil is Greed. In the *Enxiemplo de la propiedat qu'el dinero á (Example of the property that money has)* [490-527], Juan Ruiz discusses the power and influence that money has over

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<sup>593</sup> HAMILTON (2007), p 7: It is usually a female character, who could go "trotting between convent and monastery, frequenting the public areas as well as private homes.... The go-between's constant motion, moving in the liminal, in-between space of the street, the underworld, or heaven."

<sup>594</sup> Ibid., p 8.

<sup>595</sup> Ibid., p 13: The character of *Trotaconventos*, the go-between, highlighted the intermediacy and hybridity of the *Libro de Buen Amor*. The go-between, as well as the work, has one foot in Christian scholasticism and another in the Arab cultural patrimony of al-Andalus. According to Michelle Hamilton, Juan Ruiz is a Mozarab archpriest, who celebrates this cultural hybridity, instead of having reservations towards it. Hamilton also wrote: "the go-between... in the *Libro de Buen Amor*, Trotaconventos does something new: she creates a narrative of seduction. In her coercions and seductions Trotaconventos successfully translates and transforms the courtly discourse of the erotic lyric into narrative *exempla* and proverbs. As a hybrid text that grows out of the Arabic and Hebrew *maqamat* of medieval Iberia and incorporates other Christian European literary material, the *Libro de Buen Amor*, like the go-between, functions as a cultural intermediary at a moment of intense cultural interaction and exchange."

people.<sup>596</sup> Here, the work mocks and derides the new values of the burgeoning bourgeoisie that placed so much value on money and material objects, such as luxury and to show them off in an ostentatious manner and how so many people succumb to the image conveyed or portrayed of those who have money and, hence, power and influence. This fit into the established Christian narrative of the Jews associated to the money-based economy and providing credit at high interest rates.

The issue with money and a money-based economy was reflected in the Castilian and Portuguese legislation of the time with the relative impoverishment of certain sectors of the population due to the many decades of economic, demographic, climatic crises (crop failures and food shortages) and pillaging by robber barons and knights. As a result, there was an increase in the amount of debts incurred by impoverished people, who would recur to high interest rate credit, some who were Jewish moneylenders.

### ***2.I.1.b. Comparison of Legislature with Libro de Buen Amor***

Important to notice is how Juan Ruiz' work reflected the positions of the municipal procurators in their petitions in the *Cortes* of Castile. These laws tried to place controls and proscriptions, not only Jewish moneylending, but on excesses, from gambling and gluttony to ostentatious demonstrations of luxury and superba in clothing and jewelry, as they were frequently associated as being one and the same. At the *Cortes* de Burgos of 1338, Ordinance Nº 32, the king forbade that knights gamble with dice or card games with their earned money or salaries (sueldo) or on credit (fiado) during their service to the king. Anyone caught

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<sup>596</sup> RUIZ, Juan (2021). *Libro de Buen Amor*, ed. Blecua, [490-527], p 90-96: Money can make the lame walk and the mute speak and those who do not have hands, money he wants to seize. If a man is a rude peasant, money makes him a knowledgeable nobleman. With money, people can buy the most expensive homes, the most luxurious clothes and most delicious feasts. Money can buy pardons from monks who preach against it but then accept it pray for those who pay them. And with money, all men become handsome and people are willing to kiss their hands. MALKIEL (1973), p 3. BLANCO AGUINAGA (1979), p 93. MARTINS, Mário (1980). *Alegorias, Símbolos e Exemplos Morais da Literatura Medieval Portuguesa*, 2ª edição. Edições Brotéria, p 174: Martins would add that for St. Gregory, it was Pride the root of all evil. Martins emphasized the capitalization of the sins as they become personified abstractions. In the spiritual struggle of catechism, the major sin is Pride, accompanied by Vainglory, Envy, Misfortune, Sorrow, Avarice, Gluttony and Lust. Behind each cardinal sin, there is an army of secondary passions. Behind Vainglory, there is Blasphemy, Disrespect, Insubordination, Disobedience, Contempt, Bragging, Boastfulness, Hypocrisy, Oddity and Dissuasiveness, Rebelliousness and Discord.

breaking the law would pay 100 maravedis. If they had won anything from gambling, then they would have to return it. If they should not have the 100 maravedis, then they are obliged to spend 30 days in prison.<sup>597</sup> This law demonstrates that there was an issue with the nobility and knights gambling and being lent money to do so. These laws also reflected the discontent of the municipal procurators with the perceived financial power of Jewish moneylenders over society.

Ordinances N° 33-35 regulated the types of foods and wines the social orders were allowed to consume, whereas N° 36 dealt with the penalties to pay if they were disobeyed. Ordinances N° 37-43 dealt with the types of clothes, length, colors, precious metals, etc. that each social order and gender was allowed to wear. N° 43 dealt specifically what kind of hairstyle Muslim men were allowed to have.<sup>598</sup>

The *Cortes* of Madrid of 1339, Ordinance N° 18 (Compare it to the Pragmática de 1340), the municipal procurators thanked the king for his previous ordinance in regulating the ostentatious clothing and jewelry of the subjects. The procurators also mentioned that many knights and good men and good women (urban patricians) do not dare wear their luxurious clothes for fear of being punished. The king replied that the authorities should arrest those who disobey the law.<sup>599</sup> The *Cortes* de Alcalá de Henares of 1348. Ordinances N° 86 to 95 and 98 regulated apparel and which social order could wear what type of cloth, cut, design and color, as well as what kind of precious stones or metals they could wear as ornaments.<sup>600</sup>

The *Enxiemplo de la propiedat qu'el dinero á* in the *Libro de Buen Amor* reflects this mood and the dissatisfaction felt by many in Castilian society about the worship of money and the obsession with material things. It transmitted the discontent of the average person struggling with the many economic difficulties afflicting them in this period of instability, lower agricultural production, declining returns, rising prices, famine and the reliance on credit at high interest rates to cover losses and the purchase of food supplies. However, the purchase of essentials were not the only things obtained through credit. When looking at the laws

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<sup>597</sup> *Cortes de los antiguos reinos de León y Castilla*, v. I. (1861), *Cortes* de Burgos of 1338, p 453.

<sup>598</sup> *Ibid.*, p 454-456.

<sup>599</sup> *Cortes de los antiguos reinos de León y Castilla*, v. I (1861), *Cortes* de Madrid, 1339, p 468-469

<sup>600</sup> *Cortes de los antiguos reinos de León y Castilla*, v. I (1861), *Cortes* de Alcalá de Henares of 1348, p. 619-621.

passed at the *Cortes*, one of the complaints presented by procurators was the obsession with buying ostentatious luxury items from expensive clothes and jewelry that began to increase during the emergence of a monetarized economy based on the production and exchange of material goods.

As a recourse to quick access to money, people, whose incomes and rents had declined, would go to Jewish moneylenders, who would lend them money at high interest rates (33%).

However, as time passed, the indebted Christians would find themselves in financial difficulties to repay their debt at high interest rates. The municipal procurators would petition the king for cancellation of all debts due to the aforementioned issues afflicting the kingdom. The king would acquiesce only in part by declaring moratoria on debts and forgiving between one-quarter to one-third of debts, as the Jewish money-lenders, in turn, would not have the financial means of servicing their taxes to the Crown. The Jews, in turn, had complained that the indebted Christians would use papal bulls and dispensations in not repaying their debts. The king ordered municipal authorities seize these letters as they were not valid.<sup>601</sup>

The *Libro de Buen Amor* when cross-referenced with the actual legislation of the period, corroborated the many issues in Castilian society in the second quarter of the 14<sup>th</sup> century prior to the Bubonic Plague. Both sources help reconstruct late medieval Castilian society from artistic and legalistic perspectives, the former through the presentation of the caustic effects of excesses, whereas the second was the search for solutions to solve these issues.

Nonetheless, the work also reflected the Archpriest's ambivalent stance towards the Jews. In the passage [1183] Don Carnal took refuge in the Jewish quarters after he escaped from the

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<sup>601</sup> SUÁREZ BILBAO, Fernando (2000). *El Fuero Judiego en la España Cristiana: Las Fuentes Jurídicas siglos V-XV*. Dykinson, p 100-102. ÁLVAREZ PALENZUELA, Vicente y SUÁREZ FERNÁNDEZ, Luis (1988). *La Consolidación de los Reinos Hispánicos (1157-1369)* in *Historia de España*. Editorial Gredos, p 354. *Cortes de los antiguos reinos de León y Castilla*, v. I. (1861), *Cortes de Valladolid* of 1325, Ordinance Nº 14 presented the impoverishment of the indebted Christians due to the many years of shortages, famine, robberies that they could not repay their debts. The king forgave one-fourth of the debts and ordered the repayment of the principal within the year without any interest to be paid (p 178-179); Ordinance Nº 15 ordered that the Jews use municipal authorities to enforce debt payment from letters written during the reigns of Alfonso X and Sancho IV. *Cortes of Madrid* of 1329, Ordinance Nº 52 requested that the Crown forgive half of the debt to Jews and that a debt payment moratorium of three years for the remaining other half. The king pardoned only one-fourth of the debt and that the remaining three-quarters of the debt had to be repaid by the following year, 1330, but the principal only (p 421-423).

Church of a Wednesday during Lent as the Jews do not celebrate Lent. Don Carnal first went to the Jewish butcher shop, where he was given a hearty welcome and preferred a Passover of unleavened bread.<sup>602</sup> Don Carnal, the incarnation of earthly pleasures, preferred to be amongst the marginalized and scorned religious minority, rather than to follow the precepts of his own religion. In fact, the following Monday, the Rabbi Açebín lent Don Carnal his steed in order to get away.<sup>603</sup> The archpriest presented himself as a type of “scoundrel” character, who escaped from the prescriptions of his own religion and faith in order to indulge in earthly pleasures and excesses.

However, the message conveyed here contradicts the criticisms of the Jews written throughout the work by Juan Ruiz. The first occasion was in the preamble, in which he condemned the Jews as a people of perdition/damnation.<sup>604</sup> In *De la Pasión de Nuestro Señor Jesú Cristo (On the Passion of Our Lord Jesus Christ)*, Juan Ruiz called the Jews thieves [1051] and dogmatically obstinate in their denial of Jesus Christ as the Messiah [1053] and whom they wounded when arrested [1063] and spat in his face [1064]. Important to note in that diatribe is how the narrative was changed by the late medieval period that it was no longer the Romans who harmed Christ by the 39 lashes or placing the crown of thorns [and finally nailing his hands and feet to the cross and died on the cross [1064, 1065 and 1066]. There was no mention of Pontius Pilate or the Romans whatsoever. The entire blame was placed on the Jews as a people.<sup>605</sup>

And in full circle, it should be highlighted that the death of the go-between Trotaconventos in the literary piece was symbolic of the eclipse and demise of the relative tolerance between the different cultural and religious groups, ranging from Mozarabs, conventional Catholics, Jews and Muslims in late medieval Iberia. The relative tolerance of the *other* in a varied and pluralistic society would slowly erode, as the role of the go-between, who had previously bridged the gap between the many different groups, would disappear. As a result, the gap

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<sup>602</sup> RUIZ, ed. Gybbon-Monnypeny (2016), p 356: [1183] “Fuyó de la iglesia, fue se a la joderia; rresçibieron lo muy bien en su carniçería; pascua de pan çenzeño, estonçe les venía; plogo a ellos con él, e él vido buen día.”

<sup>603</sup> Ibid., p 356: [1184] “Luego lunes de mañana, don rrabí Açebín, por le poner en salvo, emprestó le su rrozín;”

<sup>604</sup> Ibid., p 101: “Señor Dios, que a los judíos, pueblo de perdición...”

<sup>605</sup> Ibid., p 331: [1051] “los judíos golhines”, p 331; [1053] “pueblo porfiado”, p 332; [1063] “fue preso e ferido de los judíos mal”, p 334; [1064] “En su faz escupieron..., espinas le pusieron de mucha crueldat; en la cruz lo sobieron sin toda piedat...”, p 335; [1065] “Con clavos enclavaron las manos e pies dél...”, p 335; [1066] “En cruz fue por nos muerto, ferido e llagado...”, p 335.

between these different groups would only widen and the once tolerant majority Christian society would end the multicultural society and embrace a monocultural society.<sup>606</sup>

## 2.J. Portuguese Polemic Literary Works 1325-1350

### 2.J.1 *Speculum Hebraeorum/Speculum Disputationis Contra Hebraeos*

The author Friar João de Alcobaça, was a Portuguese Cistercian monk who lived in the first half of the 14<sup>th</sup> century. The works consists of the *Alcobacenses codices CCXXIX/236* and *CCXL/270* from the National Library of Lisbon (Biblioteca Nacional de Lisboa) that, according to Antunes, are essentially equal but with only slight differences. *Codex 236* is more extensive and is the older version, dating back to 1333 and has eight chapters and uses much more Hebrew. *Codex 270*, on the other hand, has only seven chapters and according to its prologue was completed in 1345.<sup>607</sup>

The method and form of dialogue was that of so-called dialogue or *Altercatio*, which is actually altercation or aggressive or hostile dialogue. In the case of the text, the Jew, *Hebraeus*, asked questions, in which the Christian, *Respondeo* answered them in long responses, in which the author believed in well-founded and consistent arguments based on Biblical passages from the Old Testament.<sup>608</sup>

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<sup>606</sup> HAMILTON (2007), p 104-105.

<sup>607</sup> ANTUNES, José (1995). *A cultura erudita portuguesa nos séculos XIII e XIV. (Juristas e teólogos)*. Dissertação de Doutoramento em História, apresentada à Faculdade de Letras da Universidade de Coimbra, p 374. TAVARES, Alice (2010). La Literatura de la polémica religiosa judeocristiana en Portugal antes de la expulsión, en 1497. *Iberia Judaica. Asociación Hispana de Estudios Hebraicos. La Polémica judeo-cristiana en Hispania*, volumen II, Alcobendas, p 7-8. Both are written in Latin but with many passages written in Hebrew with Latin characters. The purpose was to familiarize the less experienced or trained readers with the Hebrew language and prepare them for debates using the language of their religious adversaries. For further studies and comments on João de Alcobaça, see: MARTINS, Mário (1956). *Estudos de Literatura Medieval*. Livraria Cruz, p 320-356. TAVARES, M<sup>a</sup> José (1982), *Os Judeus em Portugal no Século XV*, Vol. I. Universidade NOVA de Lisboa. Faculdade de Ciências Sociais e Humanas, p 439. GOMES, Pinharanda (2009). *História da filosofia portuguesa. A Filosofia Hebraica-Portuguesa*, vol. I. 2<sup>a</sup> edição. Guimarães Editores, p 214-216.

<sup>608</sup> GOMES (2009), p 216. TAVARES, A. (2010), p 9. ANTUNES (1995), p 375. Every now and then, the author would recur to allegories and analogies from nature, as according to the author, the creation was the external word of God, the natural Gospel, the mirror of Divine thought, the indelible mark of the Image of God, especially in man. Due to this method of defending the faith, the Holy Trinity helped him in order to prove this particular interpretation of Christian dogma. On pages 376-377: Antunes wrote that it was important to note that out of the entire work, there are the prophecies and the spiritual intellection of Scripture of the Old Testament and how they would be fulfilled in the New Testament. The promise of complete redemption, not

Under the title of Divine Incarnation, Friar João de Alcobaça developed the concept of the creation of ex nihilo against all Jews that defended the argument that the rational soul derived substantially from Divine essence, as well as the concept of free will and the question of the Incarnation of Christ through the Word. Alcobaça defended his treatise through the Scriptures and attacked the Jews for their refusal to recognize Christ as the Savior, their involvement and conspiracy in his death (Judas' betrayal for thirty coins of silver, Jesus' judgment, his flagellation, crucifixion, death, tearing and sharing of the holy robe and his burial), Christ's descent into Hell in order to save the souls of the Just; resurrection and the hope that that all souls will resurrect; his ascension to heaven and taking his place on the right hand side of the Father. Alcobaça also presented the differences between the two testaments; the proof of the Jews' malpractice or bad intentions of understanding the true Messiah. And last, the diversity. Intelligence and the spirit of the prophecies.<sup>609</sup>

### ***2.J.2 Collirium Fidei Adversus Haereses by Álvaro Pais***

Another intellectual work that fits into the trend of polemic literature of the 14<sup>th</sup> century is *Collyrium Fidei Adversus Haereses* written by the canonist-theologian and Bishop of Silves, Álvaro Pais (1275/1280-1349). The work was not only directed towards the Muslims and Jews but towards all heresies and errors in general. The work was most likely written between 1345 and 1348.<sup>610</sup> The author presented an entire list in alphabetical order of the major sins, errors and blasphemies known in the Catholic Church and makes recommendation of what to do.<sup>611</sup> Afterwards, Friar Álvaro Pais presented himself and wrote how it was important to

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only of the souls but of the bodies on Judgment Day is also one of the points developed in the work. And last, it deals with the Jews' complete inability to understand and correctly interpret the Holy Scriptures.

<sup>609</sup> ANTUNES (1995), p. 378: (Proverbs, Isaias and Zacharias); the creation of the soul through God and that of man through God's own image, the fall of Adam and Eve as consequence of the original sin; the coming of Christ to redeem humankind; the incarnation of the Word, Christ, Son of God and of the Virgin Mary; the testimonies of David, Isaias, Ezekiel and Jeremias as announcers of Christ and the virginity of Mary.

<sup>610</sup> TAVARES, A. (2010), p 6-7. ANTUNES (1995), p 381. It consists of six parts, encompassing a number of different articles. Each article covers a different heresy or error and the respective refutation on the part of the author with arguments taken from the Holy Scripture, the *Corpus Iuris Canonici* and the *Fathers of the Church*. The judicial culture or background of the work is most likely the University of Bologna, where the author studied and became a professor.

<sup>611</sup> *Collyrium Fidei* (1954), p 4-33. GOMES (2009), p 204-205.

please God.<sup>612</sup> Error N°5 stated that salvation cannot come outside of the Catholic Church and that it is an error to believe that salvation can come from any other sect; Judaism, Islam, pagan, schismatic or heretic.<sup>613</sup> Error N°10 claimed that even though the word “synagogue” meant congregation, it was primarily of the Jews, as they congregate around Moses, who treated them as a flock of irrational people with his rough staff.<sup>614</sup>

Error N° 48 reiterates how those who do not believe in the true faith (Christianity) cannot be saved. Not to believe in Christ as sent by the true and one God, would be tantamount to heresy and damnation.<sup>615</sup> Error N° 52 denies that anyone can save him or herself in his or her own manner: Jews, Saracens (Muslims) or pagan philosophers, in spite of living a morally correct life. Pais once again rejected this notion as anything outside of the faith in Jesus Christ is outside of salvation. Again, anything outside of the Catholic Church has no salvation. Also, anyone who does not believe in Christ and has not received baptism will be condemned. Error N° 53 – Pais denied that last wills and testaments could be bequeathed to Jews, Saracens (Muslims) and heretics. Pais stated that anyone who bequeathed inheritance to Jews, Saracens (Muslims) or heretics would be excommunicated. The aforementioned groups should not be allowed to inherit from Christians. Not only did he claim the above, Pais went on to state that anyone praying for deceased infidels or giving alms for their souls would be considered as a form of heresy as the deceased infidels died outside of the true faith and perished in mortal sin.<sup>616</sup>

Error N° 54 – Pais also does not accept the marriage between Christians and Jews or Muslims, as it would be outside the mandate or decree of God. What Álvaro Pais ignored, based most likely on his prejudices and bias of the period that did not accept the other Abrahamic religions as pertaining to the same God, is that these three religions believe in the same God but that Jews and Muslims do not accept the figure of Christ as God. Error N° 55 – Pais condemned those who deny the faith in Christ as heretical, especially those who follow the “sect” of Mohammed, circumcising themselves and that believing that Mohammad was

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<sup>612</sup> *Collyrium fidei* (1954), p 35.

<sup>613</sup> *Ibid.*, p 51.

<sup>614</sup> *Ibid.*, p 69.

<sup>615</sup> ANTUNES (1995), p 394.

<sup>616</sup> *Collyrium Fidei* (1954), 180-181. ANTUNES (1995), p. 395. TAVARES, A. (2010), p 7-8.

the true prophet and friend of God. Pais also claimed that this is apostasy to the Christian faith.<sup>617</sup>

Álvaro Pais seems to confuse what apostasy truly means, which is to renounce one's own faith. Jews and Muslims by not ever being Christians to start with, cannot be apostates. Pais, through his intransigent black and white worldview, also twisted the nature of Islam. Islam does not deny the existence of Jesus Christ or that he was close to God. According to Islam, Jesus, unlike Mohammed, was born knowing and shall return to earth at the end of time. Jesus is considered to be almost as important as Mohammad and is the second most important prophet in Islam. In terms of circumcision, there is nothing in the Holy texts that forbid it. The debate of the early Christian fathers was to allow uncircumcised gentiles into the new faith and not the other way around. Although detractors will argue that one should not judge the mindsets of those from different eras, it seems that Pais, either was not familiar or well versed with Islam or purposefully distorted what Islam is, in order to mislead his readers and have them accept his interpretation of other Abrahamic faiths.

### **Chapter 3. Bubonic Plague: Inflection Point, 1350-1352**

#### **3.A. *Becerro de las Behetrías***<sup>618</sup>

The *Libro del Becerro de las Behetrías* was commissioned by the young King Dom Pedro I, son of Alfonso XI, in 1351 to create a detailed inventory of rights, seigneurial manors and possessions. The area covered is of northern Castile and León. It provides a period source of the abandoned lands due to the endemic economic and demographic crisis of the time.<sup>619</sup> It

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<sup>617</sup> ANTUNES (1995), p 395.

<sup>618</sup> CAETANO, Marcello (1981). *História do Direito Português, vol. I, Fontes-Direito Público (1140-1495)*. Editorial VERBO, p 227-228: the term *behetría* (Castilian) and *beetria* or *beatría* (Portuguese) has its origins in Latin: *benefactoria*, which evolved into *benfeitria* and then into *befetria* and *beetria*. By the Middle Ages the original term had changed into the legal status of a free man, who would solicit the protection of a lord without losing his judicial status of a freeman. See: SANCHEZ ALVORNOZ (1965). Las behetrías. In *Estudios sobre las instituciones medievales españolas, Serie de Historia General, 5c*. Universidad Nacional Autónoma de México. Instituto de Estudios Históricos, p 90.

<sup>619</sup> MONSALVO ANTÓN, José M<sup>a</sup> (2000-2002). Centralización monárquica castellana y territorios concejiles (algunas hipótesis a partir de las ciudades medievales de la región castellano-leonesa). In *Anales de la Universidad de Alicante Historia Medieval*, Nº 13, p 43. CASTÁN LANASPA, Guillermo (2020). *La Construcción de la Idea de la Peste Negra (1348-1350) como catástrofe demográfica en la historiografía española*. Ediciones Universidad de Salamanca, p 226.

was published in 1352. The major Merindad of Castile included 19 merindades. Of these, 15 were inventoried and consisted of 2,100 localities. These included: Aguilar de Campoo, Asturias de Santillana, Burgos con Ubierna, Campos, Candemuño, Carrión, Castilla Vieja, Castrojeriz, Cerrato, Infantado de Valladolid, Liébana con Pernía, Monzón, Saldaña, Santo Domingo de Silos, Villadiego.<sup>620</sup>

Valdeón Baruque pointed out that the *Becerro de las Behetrías* registered an elevated number of depopulated and deserted localities, as well as abandoned land. In the bishopric of Burgos, of 420 localities, 88 had disappeared after the eruption of the Bubonic Plague, which was around 20% of the total amount of localities. However, the abandonment of the rural villages and hamlets needed to take into account the flight of rural laborers to the urban centers of towns and cities in the hopes of finding better employment opportunities that were more remunerative. Nonetheless, these population swings from one area to another cannot deny the fact that there was a true demographic decline in this period.<sup>621</sup>

According to Teófilo Ruiz, the evidence was shocking. In the *Libro Becerro de las Behetrías*, a partial survey of royal, noble, and ecclesiastical fiscal rights was undertaken in northern Castile in 1351 after the outbreak of the Black Death in 1348. The data provided astonishing evidence for the decline in northern Castile's economy and population. By the mid-fourteenth century, between one-quarter and one-fifth of all the villages in northern Castile listed in the census had been deserted (see table 2.2). In those villages that still remained in existence, the criteria for taxation and seigneurial rights had to be reduced from the level prior to the outbreak of the Plague, which reflected the area's loss of population and economic decline. The table reflected the different patterns of desertion. Villages on commercial and trade routes, in which plague and banditry could move quickly from one locality to another, suffered a higher rate of depopulation than relatively isolated and difficult-to-reach mountain hamlets.<sup>622</sup>

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<sup>620</sup> MONSALVO ANTÓN, José M<sup>a</sup> (2014). *Historia de la España medieval*. Ediciones Universidad Salamanca, p 236.

<sup>621</sup> CAUNEDO del POTRO, Betsabé (2004). Grandes transformaciones del siglo XIV. In *Economía y Sociedad en la España Medieval, Historia de España IX*. Director Alfredo Alvar Ezquerra. Ediciones Istmo, 148-149. VALDEÓN BARUQUE, Julio (1975). *Los Conflictos sociales en el Reino de Castilla en los siglos XIV y XV* in *Historia de los Movimientos Sociales*. Siglo XXI de España Editores, p 85-86. CABRILLANA, Nicolás (1972). Los despoblados en Castilla la Vieja. *Hispania: Revista española de historia*, N<sup>o</sup> 120, p 60.

<sup>622</sup> RUIZ, Teófilo (2007). *Spain's Centuries of Crisis, 1300-1474*. Blackwell Publishing, p 33.

Table 2.2 Deserted Villages in the Becerro

| <i>Merindad</i>                | <i>Location</i>    | <i>No. of villages</i> | <i>No. of deserted villages</i> |
|--------------------------------|--------------------|------------------------|---------------------------------|
| Cerrato                        | Plain              | 112                    | 56                              |
| Infantazgo de Valladolid       | Plain              | 98                     | 35                              |
| Monzón                         | Plain              | 97                     | 22                              |
| Campos                         | Plain              | 71                     | 21                              |
| Carrión                        | Plain              | 119                    | 41                              |
| Villadiego                     | Plain              | 107                    | 21                              |
| Aguilar                        | Plain and mountain | 262                    | 40                              |
| Liébana                        | Mountain and plain | 131                    | 15                              |
| Saldaña                        | Plain              | 195                    | 42                              |
| Asturias de Santillana         | Mountain           | 207                    | 12                              |
| Castrojeriz                    | Plain              | 121                    | 30                              |
| Candemuño                      | Mountain           | 79                     | 18                              |
| Burgos-Ubierna                 | Mountain           | 121                    | 22                              |
| Castilla la Vieja              | Mountain           | 534                    | 87                              |
| St. Domingo de Silos (partial) | Plain              | 148                    | 26                              |
| Total                          |                    | 2,402                  | 488                             |

Source: Ruiz, *Crisis and Continuity*, 321.

RUIZ, Teófilo (2007). *Spain's Centuries of Crisis, 1300-1474*. Blackwell Publishing, p 34.

The second chart shows all of the abandoned and unkept lands left fallow due to the Black Death and most likely previous climatic and meteorological changes. The list of localities that had fallow plots of land and abandoned rural houses can help investigators understand the extent of the crisis by 1351-1352 and the relationship between land left fallow and the acute food production crisis as an immediate consequence after years of economic crises culminating with the Bubonic Plague.

**Castiella vieja.**

|   |   |                                    |
|---|---|------------------------------------|
| Derechos del rey.   | Parex.  | Cobiello.                          |
| Pagan al rey monedas e servicios quando los dela tierra. Hay otros dos solares que son cabreros e otros meriniegos e los cabreros dan cada dos mrs e los meriniegos cada seis mrs.  | Quintana.                                     | Quintaniella de los adrianos.      |
| Derechos del señor.   | Sant andres de la drede.                      | Panar.                             |
| Dan al señor de nucion a cada vno en su behetria cada vno segunt se abiene con el señor.  | Ceuares.                                      | Ierrojuela.                        |
| <b>Moruello.</b>  | Poblacion de areba.                           | Hos crespes.                       |
| Este lugar es behetria e abbadengo e realengo e que los dela behetria an por señor a pedro gonzales daguero e a nietos de martin muños de castillo e son naturales estos mesmos e lo abbadengo es del prior de najara.  | Robredo de rio molino.                        | Andiniello.                        |
| Derechos del rey.   | Tuba yerma e ay vn monesterio de fixos dalgo. | Quintaniella de siguenza.          |
| Pagan al rey monedas e servicios quando los dela tierra. otrosi hay solares en la behetria que son cabreros e pagan cada dos mrs Et los solares meriniegos dan seys mrs e otros solares de escucira que dan cada cinco dineros e en lo abbadengo non ay derecho ninguno saluo monedas e serbicios. En lo realengo ha el merino por el sant juan doze mrs de yantar e non ay otros derechos. | Villa vasil behe- tria yerma.                 | Santa Cruz de andriano.            |
| Derechos del señor.   | Villa fria.                                   | Rebolleda.                         |
| Ha el señor dela behetria nucion como otros sus vezinos.  | Ouilla.                                       | Desant.                            |
| <b>Estos son logares yermos de castiella vieja.</b>   | Barasta.                                      | Varrío de san pedro de frias.      |
| Tejuela yerma.  | Ordejon.                                      | Sant medel.                        |
| Ansio yerma.  | Villa nueva.                                  | Toualiniella.                      |
| Quexo yerma.  | Ribota.                                       | Dela otra touanie- lla del rey.    |
| Loberuela del mo- nesterio de obare- nes es quita de los pechos segunt los preuillejes del di- cho monesterio es yerma.   | Cerauo.                                       | Los paulos.                        |
| Quintana maza de labradores.  | Sant estu.                                    | Villanueva del grillo del rey.     |
| Villa verzosa.  | Mena mayor.                                   | Deheso.                            |
| Recuenco.   | La uega.                                      | Quintana lobos del rey.            |
| La mata.  | Fontagon.                                     | Villa suso del rey.                |
| Lobera.   | Villa panillo.                                | Eglesia seleña del rey.            |
| Mondeual yerma que non mora y sinon garci abbat. Cueto.   | Valbuxera.                                    | Palazuelos del rey.                |
|   | Hierre.                                       | La villota.                        |
|   | Vallit.                                       | Musuera luenga.                    |
|   | Villaluenga.                                  | Castriello. 229                    |
|   | Castrijones.                                  | Quintana monte.                    |
|   | Castresana.                                   | Quintana entre ponis.              |
|   | Villa armir.                                  | Husero.                            |
|   | Villa venti.                                  | Santa coloma del obispo e del rey. |
|   | Triena.                                       | Couillera con Sobre peña.          |
|   | Cueba.  | Sant andres de la drede.           |
|   | Modeual.                                      | La puente de fer- nant poles.      |
|   | Husero.                                       | Cenares.                           |
|   | Celada.                                       | Teva el monge.                     |
|   | Couillera con verzosa.                        | Villa vasil.                       |
|   | Sant andres de la drede.                      | Quintana de val- Nava.             |
|   | La puente de fer- nant poles.                 | devieso.                           |

*Libro del Becerro de las Behetrías de Castilla* (1866). Imprenta de la Gaceta del Comercio.

The *Becerro de Behetrías* supports and corroborates the reports and complaints presented at the Cortes of 1351 about the amount of abandoned land, land left fallow, cattle left unattended, decline in rents and rural laborers, who refused to work under previous conditions

and wages. Even though the *Becerro de Behetrías* does not state the latter directly, the portrayal of many plots abandoned land is an indicator of the dire situation that Castile found itself by the mid-14<sup>th</sup> century due to the many different crises it went through and had been accentuated by the Plague.<sup>623</sup>

### 3.B.1. Translation of *il Decamerone* into English:

Many breathed their last in the open street, whilst other many, for all they died in their houses, made it known to the neighbours that they were dead rather by the stench of their rotting bodies than otherwise; and of these and others who died all about the whole city was full. For the most part one same usance was observed by the neighbours, moved more by fear lest the corruption of the dead bodies should imperil themselves than by any charity they had for the departed; to wit, that either with their own hands or with the aid of certain bearers, when as they might have any, they brought the bodies of those who had died forth of their houses and laid them before their doors, where, especially in the morning, those who went about might see corpses without number; then they fetched biers and some, in default thereof, they laid upon some board or other. Nor was it only one bier that carried two or three corpses, nor did this happen but once; nay, many might have been counted which contained husband and wife, two or three brothers, father and son or the like.... and whereas the priests thought to have but one dead man to bury, they had six or eight, and whiles more.... The consecrated ground sufficing not to the burial of the vast multitude of corpses aforesaid, which daily and well-nigh hourly came carried in crowds to every church... there were made throughout the churchyards, after every other part was full,

vast trenches, wherein those who came after were laid by the hundred and being heaped up therein by layers, as goods are stowed aboard ship, were covered with a little earth, till such time as they reached the top of the trench.<sup>624</sup>

3.B.2. Excerpt from the *Libro de Buen Amor* by Juan Ruiz. In stanza XXV, [vs.193-200], death tells the archbishop:

Sennor arçobispo pues tan mal Registes  
Vuestros subdictos e clerezía,  
Gostad amargura, por lo que comistes  
Manjares diversos con grand golosya.  
Estar non podredes en Santa María  
Con palio Romano en pontifical.  
Venit a mi dança, pues soes mortal.

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<sup>623</sup> CASTÁN LANASPA (2020), p 227.

<sup>624</sup> BOCCACCIO, Giovanni (1886). *The Decameron by Giovanni Boccaccio*. Trans. John Payne. John Payne's translation of *The Decameron* was originally published for The Villon Society, p 14-15. The present document was derived from text provided by Project Gutenberg (document 23700). Styled by LimpidSoft. The American edition from which this e-text was prepared is undated.

Pase el condestable por otra tal vía.<sup>625</sup>

3.B.3. Excerpt from the *Libro de Buen Amor* by Juan Ruiz.

[1520]

¡Ay muerte! ¡Muerta seas, muerta y mal andante!  
Mataste a mi vieja, ¡matasses a mí ante!  
Enemiga del mundo, que no has semejante,  
de tu memoria amarga no es que no se espante.

[1521]

Muerte, al que tú fieres, llévastelo de belmez,  
al bueno y al malo, al rico y al refez,  
a todos los egualas e los lievas por un prez,  
por papas y por reyes no das una vil nuez....

[1527]

De padres y de madres los hijos tan queridos,  
amigos y amigas, deseados y servidos,  
de mujeres leales los sus buenos maridos,  
desque tú vienes, muerte, luego son aborridos.

[1528]

Fazes al mucho rico yazser en gran pobreza,  
no tiene una meaja de toda su riqueza,  
el que vivo es bueno e con much nobleza,  
Vvl fediondo es muerto, abnorrida vileza...

[1548]

Tiras toda Vergüença, desfeas Fermosura,  
desadonas l agracia, denuestas la Mesura,  
enflaqueces la fuerza, enloquesçes Cordura,  
lo dulce fazes fiél con tu mucha amargura....

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<sup>625</sup> SOLÁ-SOLÉ, J. M. "En torno a *La dança general de la muerte*" in *Hispanic Review*, Vol. 36, No. 4 (Oct., 1968), p 306. Santa María is Santa María de Zaragoza, currently the Basilica of El Pilar, p 306-307.

[1554]

Tú yermas los poblados, pueblas los çiminterios,  
refazes los fosarios, destruyes los imperios  
por tu miedo los santos fizieron los salterios,  
sinon Dios, todos temen tus penas e tus lazerios.<sup>626</sup>

### 3.C. The Iberian Peninsula: The Pogroms in the Crown of Aragon

In terms of the Iberian Peninsula, the immediate repercussions for the Jews were the assault of the Jewish quarters in the Crown of Aragon – especially hard hit were the Jewish quarters or *Call*<sup>627</sup> in Catalonia. It is important to establish the consequences of anti-Jewish disturbances and massacres in the Iberian Crown of Aragon and how the anti-Jewish violence spilled over the Pyreneans as a consequence of the Bubonic Plague and the spread of the false allegations that the Jews had poisoned the waters and that Jewish astronomers through witchcraft had aligned the stars to affect the Christians.<sup>628</sup> Even though there had been disturbances and assaults on Jews prior to 1348, such as in Navarre in 1321 and 1328 and Girona in 1331, these were relatively contained compared to those outbursts of violence in 1348. In the case of the attack on the *Call* of Girona of 1331 during the Holy Week ritual of throwing stones at the

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<sup>626</sup> RUIZ, Juan (2021). *Libro de Buen Amor*, 18ª ed. Edición de Alberto Blecuá. Ediciones Cátedra, [1520-1521], p 391-392; [1527-1528], p 393-394; [1548], p 400; [1554], p 402.

<sup>627</sup> There is much debate on the origins of the word *Call* that came to denote the Jewish Quarters in the Catalan regions of Spain. Some experts believe that it is from the Latin *callis* (narrow path between rocks or walls) or *callum* (hardness). Others believe that it comes from the Hebrew *qahal* (believers or assembly of believers). See: MAGDALENA NOM DE DÉU, Josep-Ramon. "Etimología no semítica de 'Call'" in *Calls*, Nº 2, 1987, p. 7-16.

<sup>628</sup> NIRENBERG (1998), p 233: King Pedro IV, el Ceremonioso, "had already received a letter dated the 10<sup>th</sup> April from the governor of Roussillon and Cerdanya, who had been informed by the *sénéchal* of Carcassonne and the vicar of Narbonne...about the pestilence raging there. The pestilence...was spread by confessed poisoners and had killed a third of the people of Carcassonne, a 'great infinity' of those in Narbonne, and half in certain towns of Roussillon. Municipal officials too, had heard of the plague afflicting the south of France and written to their counterparts across the Pyrenees for information. This André Benedict, vicar of Narbonne, wrote directly to the sworn men of Girona, who had asked him what steps they could take to counter the disease; whether it had been spread by poison or by other causes; whether anyone had been arrested or had been confessed to the crime." ABERTH, John (2010). *The Black Death: The Great Mortality of 1348–1350. A Brief History with Documents*. Palgrave MacMillan; p 182, wrote that Jacme d'Agramont, physician in Lleida, prior to his death due to the plague, was in correspondence with other physicians at the medical School of Montpellier (Alfonso de Córdoba), Roussillon, Carcassonne, Narbonne and Avignon and was informed about the allegations of the poisoning of waters, and astronomers and conjunction of the planets, especially from Alfonso de Córdoba, who was the main proponent of the poisonous potion tales. LÓPEZ de MENESES, Amada (1959). Una consecuencia de la Peste Negra en Cataluña: el pogrom de 1348. *Sefarad*, 19, p 97-131.

*Call*, only the gates and walls of the *Call* were attacked. Although there were some injuries, no one was killed.<sup>629</sup> This would not be the case for 1348.

Pérez reminds the reader that the conjunctural change was not only in the Iberian Peninsula but throughout Europe as well. Throughout the European continent, a virulent anti-Jewish sentiment spread through an aggressive hate propaganda in presenting the religious minority as monsters by ill-intentioned political leaders, fanatical friars and preachers. These sermons infuriated the common people, who would assault Jewish quarters and commit atrocities including massacres. Pérez used Delumeau in presenting the uniqueness of Spanish anti-Judaism in that it appeared later than in the rest of Western Christendom and that it became widespread by the mid-14<sup>th</sup> century, whereas in Western Europe, it appeared much sooner, as far back as the First Crusades in the late 11<sup>th</sup> century.<sup>630</sup>

Nirenberg presented a partial explanation for the *paradigm shift towards the Jews* from the earlier medieval “Augustinian” tolerance to a *harsher clerical intolerance* which would spread to the populace and how a symbolic ritual of throwing rocks at the walls of the *Calls* would develop into a license to physically harm and kill Jews.

This tolerant paradigm... was replaced in high and medieval polemics by an insistence that medieval (rabbinic) Jews had strayed from the truth of their own ancient tradition, that they were irredeemably evil and inveterate enemies of Christendom, and that they should be eliminated from the Christian community.

It is this double register of rituals like the Holy Week stoning of Jews that gives them their greatest value in explaining ...[the] violence contained within them made possible both stasis and explosive historical change. The same idioms that provided stability by ritualizing the sacrificial conquest of “Jerusalem” gave ritual form to the massacre of Jews in 1348 and 1391....<sup>631</sup>

According to Rabbi Hayyim Galipapa, the cities were decimated by the plague and for every Jew that fell to the disease, a hundred gentiles perished, which caused envy and resentment

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<sup>629</sup> NIRENBERG (1998), p 207-208.

<sup>630</sup> PÉREZ (2005), p 109. For an in-depth study of the role of mendicant friars and their anti-Jewish preaching, see: COHEN, Jeremy (1983). *The Friars and the Jews. The Evolution of Medieval anti-Judaism*, 2<sup>nd</sup> printing. Cornell University Press. See: DELUMEAU, Jean (1978). *La Peur en Occident (XIVe-XVIIIe siècles): Une cité assiégée*. FAYARD.

<sup>631</sup> NIRENBERG (1998), p 229-230.

from the dominant Christian community and a series of persecution of the Jews throughout Aragon and Catalonia during the absence of the king. The common people, fed by the speeches and/or preaching of some popular figure would make the Jews responsible for the poisoning of wells. The massacres would occur two weeks into the outbreak of the Plague in Barcelona of 2 May 1348. The attacks took place in Girona, Cervera, Lleida, Tàrraga and Barcelona. 300 Jews were killed in Tàrraga alone. Hundreds of Jews died in Tàrraga, Tarragona and Solsona, whereas dozens died in Barcelona and Cervera. The Jews of the Lérida, Huesca and Monzón were luckier as they were able to lock themselves in their walled quarters and “castles”. The disconcerted Christian populace unleashed its anger, fear and frustration onto the Jewish inhabitants of Barcelona and other Catalan localities. The situation became so violent that Pedro IV the Ceremonious of Aragon arrested the Christian transgressors and imposed severe punishments. In 1349, he ordered that his notaries help the Jews reconstruct financial records after the mobs had destroyed them. The persecutions of the Jews were so cruel and intense that Pope Clement VI had to defend the Jews through his Papal Bulls of 4 July, 26 September and 1 October 1348 by denying the false claims of Jewish involvement or guilt in creating and spreading the disease.<sup>632</sup> See further down in the Appendix to Chapter 3.C. for the translated Papal Bulls of Clement VI of 1348 and King Alfonso IV’s royal order of 1349.

Pilar León Tello, Yitzhak Baer and David Nirenberg, amongst others, pointed out that the rioters proceeded to burn deeds and debt contracts and that it seemed that the anti-Jewish fanaticism of the popular classes was linked to economic motives, *leading some of the murderers to believe by killing their Jewish creditors that there were debts would be free of their debts*. However, the Christian kings had different ideas about the Jews and of the services rendered to the Crown in terms of administrative and tributary affairs. Nirenberg arguing the intertwining of financial debt as one of the many causes of the assaults on the Jews, stated that loan activity prior to the Plague seemed to be normal but ceased altogether by 15 May 1348. The riots broke out in Barcelona on 17 May 1348, when some thatch from

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<sup>632</sup> Ha-KOHEN, Yosef (1989). *El Valle del Llanto ('Emeq ha-Bakha): Crónica hebrea del siglo XVI*. Introducción, traducción y notas de Pilar LEÓN TELLO. Riopiedras Ediciones, p 99-101. AMADOR DE LOS RÍOS (1876), p 260-261. CANTERA MONTENEGRO, Enrique. (2004). El antijudaísmo violento: el siglo XIV. In *Economía y Sociedad en la España Medieval, Historia de España IX*. Ediciones Istmo: Madrid, 2004, p 395. VALDEÓN BARUQUE, op. cit., 2000, p 27. LEÓN TELLO (1979), p 112. FERNÁNDEZ CONDE (2004), p 113-114. ABERTH (2010), p 182. TRACHTENBERG (2001), p 103. NIRENBERG (2015), p 237.

the Jewish *Call* fell onto a funeral cortege. The mourners left the cortege and incited the mob to attack the *Call*, burned debt documents and killed around 20 Jews. As a result of the violence and deaths, loan activity would only resume at a very limited pace by 26 May.<sup>633</sup>

Fernández Conde, like Pérez, supports the arguments presented by León Tello and Nirenberg, by stating that it would be erroneous to merely blame the anti-Judaic outbursts simply on religious propaganda of those, who attributed the *malitia temporum* to the *malicia Judaica*. The root to this conflict, claims Fernández Conde, like most societal ruptures, were based on economic factors and as Nirenberg would promote, the actual dealings and actions of everyday human beings and not just abstract concepts. With the decades of economic crises, there increased a pauperization of the lower classes and the elites were seen to have increased their wealth. Among these elites, were the prominent Jews. The economic power that had propped some Jews to positions of prominence in public administration, provoked the hatred of urban elites that were on the path to *aristocratization* and saw the Jews as socio-economic rivals. Especially old Christian families could not stand how members of another religious community or race could enjoy a more fortunate administrative and/or economic situation than their own. It would be the elites promoting violence and the common person taking them that would bring about the demise of the floundering Convivencia or coexistence between the two communities.<sup>634</sup>

### 3.C. Pope Clement VI on Persecuting Jews for Well-Poisoning, 1348<sup>635</sup>

Recently, however, it has been brought to our attention by public fame—or more accurately, infamy—that numerous Christians are blaming the plague with which God, provoked by their sins, has afflicted the Christian people, on poisonings carried out by the Jews at the instigation

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<sup>633</sup> BAER, Yitzhak (2001). *A History of the Jews in Christian Spain*, vol. II. VARDA Books, p 24-25. LEÓN TELLO (1979), p 112. NIRENBERG, op. cit., 2015, 237-238. The burning of debt letters and documents is well documented. ACA:C 887:45v (1348/7/14) and López de Meneses' "Documentos acerca de la peste negra en los dominios de la Corona de Aragón" en *Estudios de Edad Media de la Corona de Aragón* 6 (1956): 291-447; also ha-Kohen mentioned the 20 murdered victims in "Emeq ha-Bakha, p. 147.

<sup>634</sup> FERNÁNDEZ CONDE (2004), p 114. NIRENBERG (2015), p 5-6 and p 247-248. LÓPEZ DE MENESES (1959) wrote how long it took to put the guilty men on trial and that even the king became impatient. These accused men included, Bernat Ferrer, sayón (executioner) of Barcelona and Pere Çabella, citizen of Centelles.

<sup>635</sup> *Sicut Judeis*, in SIMONSOHN, Shlomo. *The Apostolic See and the Jews, Vol. I: Documents, 492-1404* (Toronto: Pontifical Institute of Mediaeval Studies, 1991).

of the devil, and that out of their own hot-headedness they have impiously slain many Jews, making no exception for age or sex; and that Jews have been falsely accused of such outrageous behavior so that they can be legitimately put on trial before appropriate judges—which has done nothing to cool the rage of the Christians but has rather inflamed them even more. While such behavior goes unopposed it looks as though their behavior is approved.

Were the Jews, by any chance, to be guilty or cognizant of such enormities a sufficient punishment could scarcely be conceived; yet we should be forced to accept the force of the argument that it cannot be true that the Jews, by such a heinous crime, are the cause or occasion of the plague, because throughout many parts of the world the same plague, by the hidden judgment of God, has afflicted and afflicts the Jews themselves and many other races who have never lived alongside them.

We order you by apostolic writing that each of you [bishops] upon whom this charge has been laid, should straightly command those subject to you, both clerical and lay, when they are assembled in worship at Mass, not to dare (on their own authority or out of hot-headedness) to capture, strike, wound, or kill any Jews or expel them from their service on these grounds....

BYRNE, Joseph (2006). *Daily Life during the Black Death*. Greenwood Press, p 199.

### 3.C. POPE CLEMENT VI

*Sicut Judeis* (Mandate to Protect the Jews) October 1, 1348<sup>636</sup>

*The papacy had a standard bull, Sicut Judeis, which it periodically reissued beginning in the twelfth century to declare the Church's protection of the Jews. Pope Clement VI accordingly reissued it on July 5, 1348, but on September 26 he ordered his clergy to take measures to stop the Jewish pogroms. His reissue of the order on October 1, which is the one included here, adds an important clause about economic motivations for the pogroms. It is possible that Clement personally identified with the Jews as scapegoats. According to Konrad of Megenberg, people blamed the pope for the plague after he removed himself from the people, apparently on the advice of his physician, Gui de Chauliac.*

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<sup>636</sup> *The Apostolic See and the Jews*, ed. Shlomo Simonsohn, 8 vols. (Toronto: Pontifical Institute of Medieval Studies, 1988–91), 1:396–99.

Even though we justly detest the perfidy of the Jews, who, persisting in their stubbornness, refuse to interpret correctly the sayings of the prophets and the secret words of their own writings and take notice of Christian faith and salvation, we nevertheless are mindful of our duty to shelter the Jews, by reason of the fact that our Savior, when he assumed mortal flesh for the salvation of the human race, deemed it worthy to be born of Jewish stock, and for the sake of humanity in that the Jews have called upon the assistance of our protection and the clemency of Christian piety. . . . Recently, however, it has come to our attention by public fame, or rather infamy, that some Christians out of rashness have impiously slain several of the Jews, without respect to age or sex, after falsely blaming the pestilence on poisonings by Jews, said to be in league with the devil, when in fact it is the result of an angry God striking at the Christian people for their sins. And it is the assertion of many that some of these Christians are chasing after their own profit and are blinded by greed in getting rid of the Jews, because they owe great sums of money to them. And we have heard that although the Jews are prepared to submit to judgment before a competent judge concerning this preposterous crime, nevertheless this is not enough to stem Christian violence, but rather their fury rages even more. As long as their error is not corrected, it seems to be approved. And although we would wish that the Jews be suitably and severely punished should perchance they be guilty of or accessories to such an outrageous crime, for which any penalty that could be devised would barely be sufficient, nevertheless it does not seem credible that the Jews on this occasion are responsible for the crime nor that they caused it, because this nearly universal pestilence, in accordance with God's hidden judgment, has afflicted and continues to afflict the Jews themselves, as well as many other races who had never been known to live alongside them, throughout the various regions of the world.

We order all of you by apostolic writing, and each of you in particular who will be asked to do so, to warn your subjects, both the clergy and the people, during the service of the mass in your churches, and to expressly enjoin them on pain of excommunication, which you may then inflict on those who transgress, that they are not to presume to seize, strike, wound, or kill Jews, no matter what the occasion or by what authority (more likely their own rashness), or to demand of them forced labor. But we do not by these presents deprive anyone of the power to proceed justly against the Jews, which they may do concerning this or any other excesses committed by them, provided that they have grounds for proceeding against them,

either in this or any other business, and that they do so before competent judges and follow judicial procedure.<sup>637</sup>

### 3.C. Pedro IV of Aragon Response to Jewish Pogrom of Tárrega, 23 December 1349

*The arrival of the Black Death in Catalonia in May of 1348 coincided with assaults upon Jewish communities in several towns in the region. The bloodiest pogroms took place at Barcelona, Cervera, and Tárrega; in the last town, three hundred Jews are alleged to have died. This description of the attack upon the Jews of Tárrega comes from an order dated December 23, 1349, and issued by King Pedro IV of Aragon (1336–1387) to his notaries and scribes to help reconstruct the financial records of the Jews that had been destroyed in the attack*<sup>638</sup>

A complaint on behalf of the Jewish *aljama* [quarter] of the village of Tárrega and of each of the Jews there has been laid before us in a serious accusation. In the year just elapsed [1348], several men of the village, after whipping up the populace to a fever pitch, cast aside their fear of God and of our correction, and did not shrink from offending our majesty. Spurred on by a diabolic spirit, with arms in their hand and a determined mind, they were bent on malice and acted on a rash impulse. They marched on the street of the *aljama* in a war-like manner, and with bold daring, they violently broke down and destroyed the gates of the street, in spite of the fact that these were secured and defended by all kinds of armed men. And all at once they entered the street and shouted loudly with raucous voices, “Muyren los traydors!” [“Kill the traitors!”]. And not content with this, but going from bad to worse, they wickedly broke into the houses of the Jews with lances, stones, and bows and arrows, and then entered them. Like hypocritical robbers, they carried off all their goods and possessions, and they tore up and also burned many debt instruments and records that had been contracted with various Jews. And they foolishly killed many Jews of the *aljama*, and they cruelly beat and even wounded some others. And they committed and inflicted many other grave and immense damages, injuries, offenses, robberies, molestations, and violent acts against the Jews, concerning which we are most displeased.

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<sup>637</sup> ABERTH (2005), p 158-159.

<sup>638</sup> LÓPEZ DE MENESES (1959): 336–38.

Indeed, on the above occasion the Jews lost all their goods and as a result they do not have the instruments with which they can bind their debtors—some of these instruments being burnt, some torn up, and others lost—and they lack Jewish witnesses who can clearly and legitimately prove their debts in the absence of their instruments and records. Some of these witnesses have died during the subsequent mortality, so that they have humbly beseeched us that we see fit to reconstruct their instruments which were taken away from them for the reasons above and to enforce the observance of those destroyed and torn up instruments. We grant their request and feel for the Jews' misery and loss, and we give heed to the immense hardships and damages that they have truly sustained and suffered. Therefore, in order that their wives and families may be able to survive in the future, we expressly instruct and command each and every one of you, in a manner consistent with the violence noted above, to reconstruct, or cause to be reconstructed, whatever instruments were robbed from the Jews at that time, or which their heirs swear on the ten commandments were lost in all the above upheaval and were taken away by the perpetrators of the aforesaid excesses. This is provided that the instruments were contracted within five years of the acts wickedly committed and perpetrated, as above.<sup>639</sup>

### *3.C. The Epitaph of Asher Aben Turiel, Toledo, Spain, 1349*

This stone is a memorial  
That a later generation may know  
That 'neath it lies hidden a pleasant bud,  
A cherished child.  
Perfect in knowledge,  
A reader of the Bible,  
A student of the Mishnah and Gemara.  
Had learned from his father  
What his father learned from his teachers:  
The statutes of God and his laws.  
Though only fifteen years in age,  
He was like a man of eighty in knowledge.  
More blessed than all sons: Asher-may he rest in Paradise -  
The son of Joseph ben Turiel - may God comfort him,  
He died of the plague, in the month of Tammuz, in the year 109 [June or July, 1349].  
But a few days before his death  
He established his home;  
But yesternight the joyous voice of the bride and groom

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<sup>639</sup> ABERTH (2005), p 142-143.

Was turned to the voice of wailing.  
[Apparently he had just been married.]  
And the father is left, sad and aching.  
May the God of heaven  
Grant him comfort.  
And send another child  
To restore his soul.

From:

*Jewish History Sourcebook:*  
*The Black Death and the Jews 1348-1349 CE*<sup>640</sup>

### 3.G. Chronicles from Castile and Portugal on the Bubonic Plague

#### *Crónica de Alfonso Onceno*

During the siege of Gibraltar of 1350 by Castilian forces led by King Alfonso XI, there was an outbreak of the plague. As noted by Sánchez de Valladolid in *Crónica de Alfonso Onceno*:

Estando asi el fecho desta cerca de Gibraltar, fué voluntat de Dios que rescresció pestilencia de mortandad en el real del Rey D. Alfonso de Castiella muy grande en el año siguiente que pusiera su real sobre Gibraltar : et esta fué la primera et grande pestilencia que es llamada mortandad grande; como quier que dos años antes desto fuera ya esta pestilencia en las partes de Francia , et de Inglaterra , et de Italia , et aún en Castiella , et en León , et en Extremadura, et en otras partidas.<sup>641</sup>

The passage from the Chronicle, not only mentions how the deadly plague reappeared (rescresció pestilencia) but how it was the first plague that caused a huge mortality that had begun two years prior (1348) in different parts of France, England, Italy and even in Castile, León, Extremadura and other places. Continuing with the dangers presented with the outbreak of the plague, the king's noblemen and knights pleaded with the king to break the siege and leave the locality.

...et otros Condes, et Maestres , et grandes señores, et ricos-omes, et Perlados , et caballeros que estaban con el Rey Don Alfonso en el dicho real sobre Gibraltar , le fué

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<sup>640</sup> Jacob Marcus, *The Jew in the Medieval World: A Sourcebook, 315-1791*, (New York: JPS, 1938), 43-48. Later printings of this text (e.g., by Atheneum, 1969, 1972, 1978) do not indicate that the copyright was renewed). This text is part of the [Internet Jewish History Sourcebook](https://sourcebooks.fordham.edu/jewish/1348-jewsblackdeath.asp). The Sourcebook is a collection of public domain and copy-permitted texts for introductory level classes in modern European and World history. © Paul Halsall, July 1998. <https://sourcebooks.fordham.edu/jewish/1348-jewsblackdeath.asp>.

<sup>641</sup> *Crónica de Alfonso XI*, (1787). 2ª edición, Real Academia de la Historia, p 625.

dicho et aconsejado que se partiese de la cerca, por quanto morian muchas compañías de aquella pestilencia , et estaba el su cuerpo en grand peligro.<sup>642</sup>

However, the King would refuse to do so, claiming that it would have been a sign of cowardice and continued the siege, until he would succumb to the plague that same year of 1350.

The first chapter of the *Chronicle of Pedro I*, by Pero López de Ayala, was almost identical to Sánchez de Valladolid's account in the *Crónica del rey Don Alfonso Onceno*:

Fue voluntad de Dios que recresciese pestilencia de mortandad en el real del rey don Alfonso muy grande en el año siguiente que pusiera su real sobre Gibraltar. E ésta fue la primera e grand pestilencia, que es llamada la grand mortandad; como quier que dos años antes desto fuera ya pestilencia en las partidas de Francia, Inglaterra, e de Italia, e aun en Castilla y León, e Estremadura, e otras partidas.<sup>643</sup>

Pero López de Ayala, as did Sánchez de Valladolid, also reiterated how the plague had spread across many kingdoms throughout Western Europe besides Castile.

E él estaba en grand peligro de su cuerpo, ca muchos de sus caballeros eran ya muertos de aquella pestilencia; empro por todo eso nunca el rey se quiso partir del dicho real, diciendo a los señores e caballeros que esto le consejaban.<sup>644</sup>

E agora tornando a nuestra entención, después de muchos consejos e afincamientos que los dichos señores e caballeros, segunda avemos dicho, hicieron por levantar al rey don Alfonso de aquel real de Gibraltar, por la pestilencia que allí era, el rey adolesció, e ovo una landre, de la qual finó viernes santo... veinte e siete días de marzo, año del nascimiento de nuestro señor Jesu-Christo de mil e trecientos e cincuenta.<sup>645</sup>

From Portuguese chronicler Rui de Pina's *Crónica de ELREY Dom Afonso o Quarto*:

E como entrou o anno de Christo de 1350 durando o cerco, sobreveyo no arreyal, & gentes do cerco muy grande pestelença, et foy no tempo em que ouve a memoranda, et a maravilhosa mortandade de Espanha, de que por grande espanto nas memorias antigas muito se fala & sendo elRey por todos los grandes senhores, & riquos homens aconselhando que por segurança de sua pessoa, & da muyta, & nobre gente sua, & estrangeira que com sigo tinga, & de que polos ares corrutos era já muyta falecida, alevantasse e cerquo, & o

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<sup>642</sup> *Crónica de Alfonso XI*, (1787), p 625.

<sup>643</sup> LÓPEZ de AYALA (1991), p 7-8.

<sup>644</sup> *Ibid.*, p 8.

<sup>645</sup> *Ibid.*, p 9.

leixasse pera outra melhor tempo, & mais seguro, ele o nam quis fazer,  
& se escusava dizendo....<sup>646</sup>

E estando nesta determinação, a doceco de huma levação  
pestilencial que lhe deu, de que no mesmo Arrayal, sem lhe  
aproveytar algum remédio de muytos que lhe fizeram, morreo sexta  
feyra de Endoenças, vinte, & sete dias da Março da hera... de Christo  
de 1350.<sup>647</sup>

In terms of the deaths in a Castilian city, there are the: *Annals of Seville* compiled by Ortiz de Zúñiga.

La era de 1349 fue de grandes dolencias e calamidades en Sevilla, ca murio mucha gente, e la mas era doliente e mal guarida de fiebres, e fallecieron muchos por mengua de cura, e de mantenimiento, por el hambre que ende había, a que no se esperaba remediar, ca el año era esteril, e no naçia cosecha para mantenerse la tercia parte de la gente, e la laceria de las monedas para traer pan de allende are muy grande.<sup>648</sup>

### ***Portuguese Sources on the Bubonic Plague***

Portuguese documents from the city of Coimbra in 1348 consist of the *Livro da Noa* from the Monastery of Santa Cruz and the *Statutes* or *Constitutions* of the Collegiate of San Pedro de Almedina.

According to the *Livro da Noa* from the Monastery of Santa Cruz in Coimbra:

Era de mil e trezentos e oitenta e seis anos [1348] por São Miguel de Setembro se começou esta pestilência, foi grande mortandade pelo mundo assy que igualmente morrerom as duas partes das gentes.<sup>649</sup>

From the Statutes or Constitutions of the Collegiate of San Pedro de Almedina in Coimbra:

Por que em o Ano da Era de Mil e trezentos e oyteenta e sex Anos veo a pestilência e a mortandade de door de levadiças per todo o mundo tam grande. Que nom ficou hi viva a dizma dos homes e molheres que entom hi avia. E em o dicto ano morrerom o pirol e o chantre e todos os Raçoeryros da Egreia de sam Pedro da Almidinha de Coimbra huns depos outros todos hu mês.<sup>650</sup>

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<sup>646</sup> PINA, Rui de (1936). *Crónica de ELREY Dom Afonso o Quarto*. Edições Biblión, p 192-193.

<sup>647</sup> Ibid., p 193.

<sup>648</sup> ORTIZ de ZÚÑIGA, D (1988). *Anales de Sevilla*, t. 2, p 45.

<sup>649</sup> ANTT, Mosteiro de Santa Cruz de Coimbra, liv. 99 [*Livro da Noa*], fl. 21v-22. SOUSA, António Caetano de (1739). *Provas da historia genealógica da Casa Real portuguesa*, I, p 383. RAU, Virgínia (1986). *Estudos de História Medieval*, 1ª ed. Editorial Presença, p 159-160.

<sup>650</sup> RAU, Virgínia (1986). Un document portugais sur la peste noire de 1348. *Annales du Midi : revue archéologique, historique et philologique de la France méridionale* 78 :77-78 (1966), p. 331-334.

Despoys que morreo el rey dõ Afonso no arrayal de sobre Gybraltar, foy alevãtado por rey dom Pedro, seu filho primogenyto, e da rainha dona Maria, e começou de reynar no ãno do Senhor de mil e IIIc e çincoenta.<sup>651</sup>

However, manuscript P of the *Crónica Geral de Espanha de 1344*, that is believed to have been written around 1460, and is a summarized history of Portugal and Castile, neither mentioned the Bubonic Plague affecting either Portugal or Castile or the cause of death of King Alfonso XI.<sup>652</sup> It limited to commenting that King Alfonso XI of Castile died in 1350 and that his eldest son had been acclaimed king.

Despoys que morreo el rey dõ Afonso no arrayal de sobre Gybraltar, foy alevãtado por rey dom Pedro, seu filho primogenyto, e da rainha dona Maria, e começou de reynar no ãno do Senhor de mil e IIIc e çincoenta.<sup>653</sup>

### **3. H. Jewish Chronicles from Castile on the Bubonic Plague**

In the *'Emeq ha-Bakha* or *The Valley of Tears, Chronicle from the 16<sup>th</sup> century*, Yosef ha-Kohen stated in [85] that during the grave epidemic that afflicted the Levant to the West and that there was not a city that could be maintained safe from it. Yosef ha-Kohen made reference to the work, *The Valley of Shadows*, written by Rabbi Hayyim Galipapa, who witnessed the events first hand. There was much sorrow and tears from end of the earth to the other as it had never been seen before. The city that counted with one thousand inhabitants would be reduced to one hundred.; and that of one hundred would be reduced to ten. For each and every Jew that became bedridden or died, one hundred of the people from the country fell ill and died. This would lead to the envy of the Christians, who could not peacefully treat the Jews.<sup>654</sup>

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<sup>651</sup> RAU (1986), p 518.

<sup>652</sup> BARCELOS, Dom Pedro, Conde de (2009). *Crónica Geral de Espanha de 1344*, ed. Luís Filipe Lindley Cintra, vol. IV, 2ª ed. Imprensa Nacional-Casa da Moeda, p 497.

<sup>653</sup> Ibid., p 518.

<sup>654</sup> Ha-KOHEN, Yosef (1989). *El Valle del Llanto ('Emeq ha Bakha) Crónica hebrea del siglo XVI. Biblioteca Nueva Sefarad*, Vol. XIII. Introducción, traducción y notas por Pilar León Tello. Riopiedras Ediciones, p 99.

Historians and investigators must be reminded that such numbers are highly exaggerated, either for literary purposes or the chronicler did not know better. Either way, historians need to take caution when reading such numbers.

In [83] ha-Kohen narrated how in the Kingdom of Aragon, especially in the regions of Catalonia, many calumnies and falsehoods were heaped onto the Jews that they had poisoned the waters (Jacob's sin of deceitful scheming) that had caused the affliction of the time and that if God had not intervened, then there would not have been any Jewish survivors or fugitive. The Jews trembled and feared for the worst and prayed to God as there was anguish and punishment brought upon the Jews that year [1348]. Yosef ha-Kohen continued in his narrative in that on a particular Saturday, although he did not specify the date, it is the Jewish day of rest, the Christian mob rose against the Jewish community of Barcelona and killed twenty people and robbed much booty. There was no legal authority that stopped the looters.<sup>655</sup>

Ha-Kohen then turned to a dramatic narrative and claimed that supposedly the Lord let out a clap of thunder, the rain poured down and there was lightning. Apparently, the assaulters of the Jewish quarters began to speak in different tongues and could not understand each other. This was followed with the authorities appearing on the scene and saved those Jews, who had not succumbed by then to the hands of the assailants. Yosef ha-Kohen wrote that the authorities appeared only after it began to thunder and rain and that prior to it, they did not have the valor to show up, as the mob was large and was shouting. "Let us march and exterminate the Jews so that the name of Israel will never be mentioned again." Ha-Kohen went on to praise how Yahve was fair to the Just.<sup>656</sup>

Days later in the town of Cervera, the mob killed 18 people and looted the Jewish quarters. The survivors fled. Three days afterward, the 10<sup>th</sup> day of Ab, Day of Lamentation, the inhabitants of Tárrega rose up against the Jews, causing a massacre of more than three hundred people and that their bodies were dragged to the cistern (water tank) and then sacked the Jewish quarters. The survivors hid in the homes of their acquaintances [not sure if they

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<sup>655</sup> Ha-KOHEN (1989), p 100.

<sup>656</sup> Ibid.

were Jewish or Christians as the Jewish quarters were sacked]. The same occurred in Solsona and Tarragona. Ha-Kohen interpreted these attacks on the Jewish populations of these localities due to their sins and used many Biblical references. Once again, another three hundred people succumbed to the violence of the mob of Christian commoners.<sup>657</sup>

Ha-Kohen continued his narration of events that unfolded as well in Provence and used Biblical references of drinking from the cup of poison. As the news of the events reached the Jewish inhabitants of Monzón, the Jews panicked and resolved to pray and fast as a reaction to what they perceived as their sins. Afterwards, they barricaded the streets and patios of their walled quarters. They were vigilant and kept watch during the day and at night. They dared not leave their quarters until the death of those Christian men who wanted to take Jewish lives.<sup>658</sup> There were apparently no assaults of the Jewish quarters in Lleida or Huesca as the Jews there had fortified walls, double doors and locks. As in Monzón, they established a watch with guards until God watched over them.<sup>659</sup>

What comes to mind is how ha-Kohen interpreted the assaults on Jewish quarters and the massacres of Jews as being divine retribution for supposed Jewish sins.<sup>660</sup> As discussed in the previous chapter, this most likely is reference to the internal division of the Jewish communities between the pious followers of the Law and those who followed the precepts of Maimonides, who wanted to combine faith with reason through an Aristotelian approach to religion. The latter were associated with the prominent court Jews, who lived in splendor and were distant to the common Jewish people, who dedicated their livelihood to small trade, artisanry and shopkeeping. The former interpreted all of the trials and tribulations as God's punishment for the division of the Jewish community and its leaders have gone astray from the true faith. The issue with such an approach was to place the real issue of the growth of Christian intolerance reservations, bias, prejudice, envy, resentment and anger in the background and to blame themselves for issues that were beyond their control, such as

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<sup>657</sup> Ha-KOHN (1989), p 100-101.

<sup>658</sup> Ibid., p 101.

<sup>659</sup> Ibid.

<sup>660</sup> NIRENBERG, David (2015). *Communities of Violence. Persecution of Minorities in the Middle Ages*. New Paperback edition. Princeton University Press, p 239.

moneylending at high interest rates (usury) and holding prominent positions in the collection of rents and taxes for the Crown, the Church and the nobility.

The second Hebrew chronicle reporting events during the Bubonic Plague is Selomoh ibn Verga's *La Vara de Yehudah (Sefer Shebet Yehudah)*. As discussed in Chapter 3, the chronicle was written centuries after many of the events had occurred and, as such, a certain degree of discretion should be taken when reading numbers of victims recorded or the dates given. It seems that these chroniclers took artistic license in the creation of these texts in order to impress and shock their public or audience through the transmission of exaggerated recounts of horrific events. Perhaps the incorrect Christian dates can be interpreted as a misreading of the Jewish calendar that begins in September and not January, and hence a mistranslation of dates recorded under the Jewish calendar into the Christian calendar.

Chapter 26 was dedicated to the persecutions committed in Ashkenaz, Provence and Cataluña. In the year of 1348, a hard and desolating pestilence spread throughout the regions of France, Provence, Germany and in all of the provinces of Catalonia. In no other book of chronicles was anything similar recorded. As a result of the desolation caused by the plague, some of the gentiles of these regions rose up against the Jews, claiming that the Jews had thrown mortal powders into the rivers and from there the plague had started.<sup>661</sup>

The gentiles then went to the king [most likely the King of Aragon] and complained. The king asked if among the dead due to the plague were Jews? The common people replied that there were none. The king then asked if the Jews threw poison into the rivers, where do they drink from? The common people replied that water from the wells. The king then asked that in the regions where there is no well, where do the Jews get their water to drink? The king then replied that it was impossible that the plague could have originated in the waters, as it would have required so much poison to have been thrown into the river in order to poison people, as the flowing waters would have flown into a multitude of waters. The waters of the rivers are continuously replenished from other sources that do not have poison. Another fact is that the

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<sup>661</sup> Ibn VERGA, Selomoh (1991). *La Vara de Yehudah (Sefer Shebet Yehudah)*. *Biblioteca Nueva Sefarad*, Vol. XVI. Introducción, traducción y notas por María José Cano. Riopiedras Ediciones, p 122.

victims of the plague do not show any ulcers. The king then commanded that the common people drink the water from the wells and see if they would be free from becoming sick.<sup>662</sup>

The common people understood the king's wishes and desires and left. Upon leaving the palace, they came upon an elderly Jew, who apparently mocked them and asked them to what purpose did their calumnies serve them? As a result of this question, the common people rose up against the Jews a second time and searched for witnesses that would provide false testimony against the Jews that purportedly had gone to the rivers around midnight to throw something into them but that they did not know what. These witnesses also falsely accused the Jews of reciting incomprehensible incantations to the rivers.<sup>663</sup>

Ibn Verga wrote in his narration that apparently so many witnesses appeared providing false testimony against the Jews that the king stated that the Jews then were worthy of contempt and being detested. The common people asked how the Jews were to be punished after having murdered so many Christians? The commoners spoke and claimed that since they are rich and full of fruit of the work of the Christians that they had usurped from them through usury. They petitioned the king that the Jews convert to Christianity or be executed. The nobility purportedly supported the petition that the Jews leave their Law. Afterwards there were general persecutions throughout the lands of Germany and Provence. There had never been before so much affliction and torment. In all of the lands of Germany, the Jews remained true to their faith.<sup>664</sup>

It must be reminded that the purpose of Selomoh ibn Verga's chronicle was to relate moral stories and accounts than to provide accurate historical events. None of the documentation from the official chancellery of the Crown of Aragon support such stories passed down on by Selomoh ibn Verga. As noted previously, Amada López de Meneses discovered a trove of thirty-five documents from the royal chancellery of the Crown of Aragon that do not mention ibn Verga's story.<sup>665</sup> As previously mentioned, the purpose of ibn Verga's narrations was not historical, but instructive and moral in nature.

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<sup>662</sup> Ibn VERGA (1991), p 122-123.

<sup>663</sup> Ha-KOHEN (1989), p 123.

<sup>664</sup> Ibid.

<sup>665</sup> LÓPEZ de MENESES (1959).

From the two Hebrew chronicles available to us, the nature was more of high moral conduct and how, in the case of ha-Kohen's *Valley of Sorrow*, the cause of the events was the lack of faith in God that led to God's wrath. In the case of the Staff of Yehuda, although ibn Verga did write about the plague, where it ravaged Europe and about the false legends of the Jews poisoning the waters, he went astray in his narration of the common people appearing before the King of Aragon and discussing the plausibility or not of the Jews poisoning the waters, a situation, in which there is no other documentary evidence to support it.

## **Chapter 4. Dynastic War in Castile & Massacre of Jews, Stability in Portugal, 1352-1369**

### **4.A.1.**

The words written in **bold** were done by François Foronda.

Como el pueblo deve **temer** al Rey, e que departamento ha entre **temor** y **miedo**. Mostraron los sabios por derechas razones, que **temor** es cosa que se tiene con el amor, que es verdadero, ca ningún ome puede, non puede amar si non **teme**. E como quier que **temor** e **miedo** es naturalmente una cosa, empero segund razón, departimiento ha entre ellos, ca la **temencia**, viene del amor, e el **miedo** nasce de **espanto** de premia, e es como desamparamiento. *Partidas*, II. 13. 15.

Del interpretamiento de otras palabras [...] Otrosi dezimos, que *metus* en latín tanto quiere dezir en romance, como **miedo** [...] Ca por tal **miedo**, non tan solamente se mueven a prometer, o fazer algunas cosas los omes que son flacos: mas aun los fuertes. Mas en otro **miedo**, que non fuesse de tal natura, a que dizen vano non escusaria al que se obligasse por el. *Partidas*, VII. 33.7.<sup>666</sup>

### **4.F. Chronicles of Castile and Portugal, 1352-1369**

#### ***Comparison of Pero López de Ayala and Fernão Lopes***

Nothing could be more different between the two chroniclers than their backgrounds and personal experiences. Pero López de Ayala (1332-1407) was a nobleman, soldier, ambassador, counselor, royal chancellor, royal bailiff of Toledo, royal chronicler, poet and moralist. He would report the events that he actually witnessed in person. From court

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<sup>666</sup> FORONDA (2013), [Anejo documental], p 96.

intrigues to the battles of the civil war (1366-1369) between King Pedro I and his half-brother, Enrique de Trastámara, to the Battle of Aljubarrota in Portugal in August 1385, in which he was captured and held captive until his ransom was paid over a year later. It was during his captivity in Portugal that he began his reflective poetic work, *Rimado de Palacio*, which would be his memoirs and confessions as well. As chronicler, López de Ayala would narrate the reigns of Pedro I, Enrique II, Juan I and the early years of Enrique III. As chancellor, López de Ayala would have access to innumerable state documents and earlier chronicles. As bailiff of Toledo, he would witness the arrest and execution of Gutier Fernández de Toledo, the arrest, torture and subsequent death of the royal treasurer, Samuel el Leví, the expulsion of the archbishop of Toledo, Vasco Fernández, and the poisoning of the queen, Blanche of Bourbon. It was the series of abuses by the king, as well as the king's temporary abandonment of realm in the search of English assistance that led Pero López de Ayala to side with Count Enrique de Trastámara in 1366 in the struggle to overthrow King Pedro I.<sup>667</sup> Once given the task to write the chronicles of Pedro I and Enrique II, López Ayala was to justify the uprising of the rebellious noblemen against the legitimate king. Nonetheless, López de Ayala was able to present a very discrete justification of the dynastic war that would finally end with the murder of the legitimate king and the establishment of a new dynasty.<sup>668</sup>

Fernão Lopes has been known as being the first “modern” historiographer of Portuguese history, as well as a propagandist in justifying the emergence of the new dynasty of the House of Avis after the death of Fernando I, half-brother of Dom João, Master of Avis through the writing of the trilogy of chronicles of Pedro I, Fernando I and João I.<sup>669</sup> Unlike López de

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<sup>667</sup> MARTÍN, José-Luis in the prologue of *Crónicas de Pero López de AYALA* (1991). Edición, Prólogo y notas de José-Luis Martín. Editorial Planeta, p XLVI, XLIX-L. GUZMÁN, Fernán Pérez de (1965). *Generaciones y Semblanzas*. Edición Crítica by R.B. Tate, p 15. VALDALISO CASANOVA, Covadonga (2009). La Dimensión Política de la Obra Cronística de Pero López de Ayala. In *Autour de Pedro López de Ayala*. Coordination de Rica AMRAN. INDIGO & côté-femmes éditions, p 189. MARTÍNEZ, H. Salvador (2000). Introduction of *Rimado de Palacio* by Pedro López de AYALA. Peter Lang Publishing, p XLI, XLVIII-LIII. SUÁREZ FERNÁNDEZ, Luis (2009). Don Pedro López de Ayala. Un Alavés Clave de Tres Reinados. In *Autour de Pedro López de Ayala*. Coordination Rica AMRAN. INDIGO & côté-femmes éditions, p 10-11, 35-36, 39-40, 43, 46-47. MONTES ROMERO-CAMACHO, Isabel (2016). El mito del filojudaísmo de Pedro I. Leyenda y realidad. In *El rey don Pedro I y su tiempo (1350-1369)*. Manuel García Fernández (coord.) Editorial Universidad de Sevilla, p 127.

<sup>668</sup> LACARRA, María Jesús y CACHO BLECUA, Juan Manuel (2012). *Historia de la Literatura española. 1. Entre oralidad y escritura: La Edad Media*. Editorial Crítica, p 491-492. GONZÁLEZ MÍNGUEZ (2012), p 169-170.

<sup>669</sup> SARAIVA, António José. (1998) *O Crepúsculo da Idade Média em Portugal*, 5ª edição. Gradiva-Publicações, p 170, 178. COELHO, António Borges (2017). *A Revolução de 1383*. Editorial Caminho, p 117-119, 121-122: For a

Ayala, Fernão Lopes was not alive during the reigns of D. Pedro I and Fernando I or was too young to have registered and even remembered the early years of the reign of D. João I, as he was born in 1380 (?). Fernão Lopes would have been five years old when João I was acclaimed king of Portugal (April 1385) and the Battle of Aljubarrota (August 1385). Fernão Lopes was born as a commoner, although from a minor but educated burgher family, he would rise up the ladder to become Chief archivist of Torre de Tombo, where all of the royal documentation was kept. It was his direct contact with original documents in his care that he would be able to reconstruct the narrative of three Portuguese kings: Pedro I, Fernando I and João I. The consulted documents consisted of the letters recorded in the chancellery, acts of the Cortes, testaments and other texts. Fernão Lopes would claim that it was his role as a historian to present different views, but to declare which ones were the “correct” ones. He would try to explain it with differentiating between what could be considered as the truth and what could be certified or ascertained to be certifiable based on documents.<sup>670</sup> Nonetheless, anyone who claims to certify which documents are to be established as correct, ran the risk of showing bias towards supporting only one particular interpretation.

However, despite the differences in style, both chroniclers created a literary narrative that effectively portrayed their commissioners in a positive light and their rivals in a corresponding negative one. Both chroniclers had to legitimize two kings who had established new dynasties on faulty or weak foundations of legitimacy. In the case of López de Ayala, the case had to be made to legitimize the murder of King Pedro I by his half-brother, Enrique de Trastámara (Enrique II) through propagandistic means and establishing the dynasty under that same name by portraying Pedro I as a cruel tyrant.<sup>671</sup>

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more detailed account of the propagandistic mastery of Fernão Lopes, read: Fernão Lopes e a 1ª Revolução Burguesa Nacional: Prólogo da 2ª edição, 1975, p 117-127; and, Fernão Lopes: A Conceição da História: Prólogo da 5ª edição, 1984, p 208-221. MARQUES, A.H. de Oliveira (2010). *História de Portugal, vol. I, Das Origens ao Renascimento*, 14ª edição. Editorial Presença, p 321-322. SERRÃO, Joaquim Veríssimo (2003). *História de Portugal, vol. II, A Formação do Estado Moderno (1415-1495)*, 8ª edição. Editorial VERBO, p 339. SOUSA, Armindo de (1997). *História de Portugal, 2ª vol. A Monarquia Feudal*. Editorial ESTAMPA, p 454.

<sup>670</sup> SCHIAVINATO, Rodrigo Barbosa (Junho 2018). Cronística medieval em Portugal: Fernão Lopes e o modelo de justiça régia. *Revista Diálogos Mediterrânicos*, Nº 14, p 299-300. SARAIVA (1998), p 166, 175-178. COELHO (2017), p 119, 126-127, 208-209. MONTEIRO, João Gouveia (1987). *Fernão Lopes. Texto e Contexto*. Livraria Minerva, p 87-90. LOPES, Fernão (2017). *Crónica de Dom João I. Primeira Parte*. Edição crítica e notas de Teresa Amado, com a colaboração de Ariadne Nunes, Carlota Pimenta e Mário Costa. Imprensa Nacional-Casa da Moeda, p 22.

<sup>671</sup> MONSALVO ANTÓN, José Mª. (2019) Capítulo 9: Ideologías en disputa y desarrollo del imaginario regio con los Trastámara. In *La Construcción del poder real en la Monarquía castellana (siglos XI-XV)*. Marcial Pons,

Fernão Lopes, on the other hand, had a less difficult task in legitimizing the rule of the new dynasty of Avis under João I, who was the half-brother of the recently deceased king, Fernando I. As the declared defender of the realm in 1383, Dom João, Master of Avis, refused to accept that the King of Castile, Juan I, son of Enrique II, dominate the Portuguese throne through the marriage of the deceased Portuguese king's daughter. Fernão Lopes created a narrative that portrayed Dom João as a hero that rallied the nation against the domination of a foreign power and there was no question of murdering the legitimate sovereign in power. His style, contrary to other chroniclers that would appeal to privileged circles of the Crown or nobility, Lopes appealed more to the common people with what would be called "*amor da terra*" or "love of the land", which, in turn, reflected the ideology of the new dynasty – a Portuguese dynasty that had its support in the urban populace, countryside and lower nobility. The upper Portuguese nobility, on the other hand, had a transborder Iberian identity and tended to side with the Castilian claims to the Portuguese throne. By April 1385, Dom João would be acclaimed king of Portugal in Coimbra as the war against Castile still raged.<sup>672</sup>

#### ***4.F.1 Castilian chronicles and the Jews***

López de Ayala first wrote about Enrique de Trastámara's attempt in Chapter VI of the year 1355 to rise against his brother, Pedro I and arrived in Toledo in Chapter VII, where Enrique found resistance to his plans. The municipal representatives sent letters to the king, who was five leagues away in Torrijos to come to their aid. Enrique's companies began to sack the unwalled (unprotected) Jewish quarter of Alcana and began to murder Jews. According to López de Ayala up to 1,200 men and women, young and old, were killed. However, the major Jewish quarters that was fortified by walls could not be taken by Enrique's troops. Many of

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Ediciones de Historia, p 435. Monsalvo Antón mentioned that a pro-Pedro or *petrista* chronicle existed as the *Crónica verdadera* and that any documentation that presented Pedro I in a positive light was destroyed. GÓMEZ REDONDO, Fernando (1999). *Historia de la prosa medieval castellana, vol. II, El desarrollo de los géneros. La ficción caballeresca y el orden religioso*. Ediciones Cátedra, p 1783. Gómez Redondo also discussed how the *petrista* documentation seems to have been destroyed once Enrique de Trastámara was able to secure as Enrique II in 1369 and to start a new chronicle narrative that favored the victorious half-brother. The *petrista* chronicle seems to have been written by the bishop of Jaén, Juan de Castro, as there have been allusions to his writing of it, p 1777-1780. DEYERMOND, Alan (1999). *Historia De La Literatura Española, v. I, La Edad Media*. 18ª edición. Editorial Ariel, p 266.

<sup>672</sup> FERNANDES, Fátima Regina (2013). A construção da identidade monárquica portuguesa: dinâmicas de apoio e resistência. *Signum*. Belo Horizonte, *Revista da ABREM*, vol. 14, n. 2, p. 40-53, p. 43-45. SARAIVA (1998), p 166-170, 174-175, 178. SCHIAVINATO (2018), p 300-302. COELHO (2017), p 126, 134-138.

King Pedro's troops and archers helped the Jews protect themselves and fight off the Trastámara forces.

E el conde [Enrique de Trastámara] e el maestre [Fadrique – Enrique's brother], desdeque entraron en la cibdad, asosegaron en sus posadas; pero las sus compañías comenzaron a robar una judería apartada que dicen el Alcana, e robáronla, e mataron los judíos que fallaron fasta mil e docientas personas, omes e mujeres, grandes e pequeños. Pero la judería mayor non la pudieron tomar, que estaba cercada, e avía mucha gente dentro: e algunos caballeros que tenían ya la partida del rey ayudaban a los judíos, e todos en uno defendían la judería mayor.<sup>673</sup>

On 8 May, king Pedro I arrived on the scene and was received by the local populace. Around three hundred of the king's men climbed up the ramparts with hemp rope to the Jewish quarters to fight off the Trastámara forces and dislodge them before they could finish digging tunnels beneath the walls.<sup>674</sup>

E traía el rey muchas gentes consigo:... e algunos de los suyos comenzaron luego a pasar por las azudas que eran en derecho de la judería... Pasaron fasta trecientos omes de armas, ayudándoles los judíos que en la judería estaban con cuerdas de cáñamo que les daban, e pasaban el río por las azudas teniéndose a las cuerdas. E éstos que así pasaron entraron en la judería mayor, e juntáronse con los que estaban en el castillo de la judería, que ya la comenzaban los del conde a entrar haciendo grandes portillos, e derribando las paredes.<sup>675</sup>

Count Enrique, his entourage and forces fled the city and went into exile in Aragon.<sup>676</sup>

Enrique de Trastámara's second attempt to seize the throne from his half-brother came in 1360, when he entered Castile from his exile in Aragón. In Chapter VII of that year (1360), López de Ayala wrote that Enrique and his forces entered Nájara and slaughtered the Jews and that the slaughter was committed under the auspices of Count Don Enrique because *it was what the people wanted*:

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<sup>673</sup> LÓPEZ de AYALA, Pero (1991). *Crónicas*. Edición, prólogo y notas de José Luís Martín. Editorial Planeta, p 145-146.

<sup>674</sup> Ibid.

<sup>675</sup> Ibid., p 146

<sup>676</sup> Ibid., p 146-148.

Cómo el conde don Enrique... e los otros caballeros... llegaron a Nájara, e ficieron matar a los judíos. E esta muerte de los judíos fizo facer el conde don Enrique, porque las gentes lo facian de buena voluntad....<sup>677</sup>

In 1366, Count Enrique de Trastámara and his supporters re-entered Castile from the Kingdom of Aragón [Chapter I].<sup>678</sup> In Calahorra, by the border of the Kingdom of Navarre, Enrique de Trastámara was acclaimed King of Castile, Enrique II, by his supporters. Also present was French marshal, Bertrand Du Guesclin. In order to ensure his supporters loyalty, the rival king offered them many domains and titles [Chapter III].<sup>679</sup> Enrique de Trastámara afterwards departed with his entourage for Burgos, where he entered the Royal Monastery of the Dueñas and was officially crowned king [Chapter VII]. According to López de Ayala, many municipal procurators from different towns and cities went to Burgos to render Enrique II homage. Now Castile had two rivaling monarchs and a divided nobility. Supposedly after twenty-five days after his coronation, almost all of Castile had sworn its allegiance to him, except for certain regions in Galicia, the castles of Soria and Arnedo, and the cities of Logroño, San Sebastián and Guetaria. The rival king was able to obtain the treasures held in the royal coffers of Burgos that were handed over to him by the mayor, Rui Pérez de Mena. Enrique de Trastámara was also able to extract much money out of the Jews: one million maravedis (un cuento).<sup>680</sup>

E otrosí ovo el rey don Enrique muchos dineros de la judería de Burgos, que le dieron los judíos en servicio un cuento.<sup>681</sup>

Enrique de Trastámara continued his path to Toledo [Chapter VIII]. According to López de Ayala, many knights joined his retinue and offered him their cities, towns and localities. Upon reaching the outskirts of Toledo, there was an uproar between those who remained faithful to King Pedro I and those who wanted Enrique de Trastámara, Enrique II, to enter. After much negotiations and bribery (domains and 50,000 maravedis), those in charge of the city allowed

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<sup>677</sup> LÓPEZ de AYALA (1991), p 239.

<sup>678</sup> Ibid., p 311-312.

<sup>679</sup> Ibid., p 313-314.

<sup>680</sup> Ibid., p 319-320. For the equivalency of one cuento, see: VALDEÓN BARUQUE, Julio. *Los Judíos de Castilla y la Revolución Trastámara*. Universidad de Valladolid. Secretariado de Publicaciones. Estudios y Documentos, Departamento de Historia Medieval, Nº 27, 1968, p 44.

<sup>681</sup> Ibid., p 320.

Enrique de Trastámara and his retinue to enter the city. Once again, the Jews were forced to pay one cuento (one million maravedis) that served in paying Enrique's mercenaries.<sup>682</sup>

El rey don Enrique entró en Toledo, e todos los rescibieron con grand placer... e estovo allí quince días pagando sus gentes: e estonce el Aljama de los judíos de Toledo le sirvió para pagar las compañías que venían con él de un cuento, que fue pagado en quince días.<sup>683</sup>

In spite of the supposed support the rival king had received, Enrique could still not defeat Pedro I in battle. In fact, the following year of 1367, Enrique de Trastámara suffered a smashing defeat at the hand of his half-brother, Pedro I, and his English allies at the Battle of Nájara. Du Guesclin and Pero López de Ayala were captured and Enrique had to flee the battle scene in order not to be captured, he fled to Aragón and then to the south of France to Villeneuve, close to Avignon [Chapters XII and XIV].<sup>684</sup>

Enrique de Trastámara would return for one last try for the throne that same year and succeed in 1369. In 1367, Enrique de Trastámara returned to Burgos, where he besieged the Jewish quarters. Seeing that Pedro I was not coming to their rescue, the Jews of Burgos negotiated terms with Enrique de Trastámara. The rival king demanded once again one cuento or one million maravedis from the Jewish community of that city.<sup>685</sup>

E los judíos, desque vieron que non se podían defender, pleytaron con el rey, e fincaron con todo lo suyo, e en su merced salvos e seguros, e sirviéronle con un cuento.<sup>686</sup>

In 1368, the forces of Enrique de Trastámara besieged Toledo once again starting on 30 April of that year. Enrique de Trastámara also took over the cities and towns of Cuenca, Villareal, Uclés, Talavera and Buitrago. Other localities provided him with money, such as Segovia, Ávila, Valladolid and other localities in Castile and León.<sup>687</sup>

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<sup>682</sup> LÓPEZ de AYALA (1991), p 321-322.

<sup>683</sup> Ibid., p 322.

<sup>684</sup> Ibid., p 351-354, 357-358.

<sup>685</sup> Ibid., p 402.

<sup>686</sup> Ibid., p 402.

<sup>687</sup> Ibid., p 406-407.

Once having murdered his own half-brother, Pedro I, in 1369, Enrique II would once again hold the Jewish community of Toledo hostage and demand a ransom of twenty thousand gold doubloons. If they could not pay it, then they would have been sold off into slavery.

Nos el rey mandamos... á qui esta nuestra albalá fuere mostrada, que vendades en almoneda públicamente por Toledo, por escribano público, los cuerpos de todos los judíos y judías de la Aljama de los Judíos de Toledo, é los bienes muebles e raíces fasta cumplimiento de veynte mil doblas de oro, á razón de quarenta é quatro mrs. por cada uno de ellos.... La qual vëndida o vëndidas, que de los dichos judíos é Judías é de sus bienes é de qualquier de ellos ó parte de ellos fisieredes por nuestro albalá é por el traslado de él, signado ó firmado de Escribano público, gelos fasemos sanos los dichos bienes á ellos, é aseguramos á todos aquellos é aquellas, así cristianos como judíos é moros, que los compraren, para que sean los dichos judíos é judías por la dicha compra....

Fecho seis días de Junio, Era de mil é quatroçientos é siete años. Nos el Rey.<sup>688</sup>

#### ***4. F. 2. Portuguese chronicles and the Jews***

The message and image portrayed by Fernão Lopes of Pedro I was that of a righteous punisher (justiceiro). Pedro I was thorough in the harsh application of law and justice and did not spare anyone in spite of position, rank or order. This was found in the prologue written by the chronicler himself, stating that amongst the many virtues that people should have, such as temperance and chastity, the king should possess the sense of justice. Without justice, a king cannot create laws that allow his subjects to live correctly and if his subjects see that they are ruled justly, then they will comply and live by the law. However, Fernão Lopes also viewed Pedro I as a semi-crazy, being very common in manners and extremely violent in his fits of anger and rage in his pursuit of justice.<sup>689</sup>

#### ***4.F.3. Comparison between Portuguese and Castilian Chronicles on Samuel Levi***

Here a comparison-contrast of Portuguese and Castilian chronicles is analyzed to see how the same incidents with a prominent court Jew, Don Simuel Leví, were created or re-created in

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<sup>688</sup> AMADOR de los RÍOS (1876), p 571-572.

<sup>689</sup> LOPES, Fernão (2007). *Crónica de D. Pedro*, 2ª edição, revista. Imprensa Nacional-Casa da Moeda, p 3-4. SÉRGIO, António (1976). *Obras Completas. Breve Interpretação da História de Portugal*, 5ª edição. Clássicos Sá da Costa, p 25-26. OLIVEIRA, Fernando de (1970). "D. Pedro I de Portugal e a sua justiça psicopática." Em *Subsídios para a história portuguesa: Três ensaios sobre figuras medievais*, de Fernando de Oliveira. Academia Portuguesa da História, p 19-41.

order to transmit different messages, albeit minor on the surface, could slightly change the image portrayed of the Jews in the collective mindset and imaginary of each kingdom.

As mentioned in the Cortes of 1367, there were entries into the Castilian *Crónica del Rey Don Pedro* by Pero López de Ayala, Chapter XV (*In which manner don Simuel el Leví, Grand Treasurer of the king, amassed a treasure for the king*) and Portuguese *Crónica de D. Pedro* by Fernão Lopes, Chapter XIII (*In which manner Dom Pedro of Castile began to amass wealth*) mentioned how Castilian treasurer, Samuel Levi (Simuel el Leví in the Castilian chronicle, Samuel Levi in the Portuguese chronicle), had amassed a wealth of only 20,000 gold doubloons for King Pedro I of Castile.<sup>690</sup>

Both chronicles presented how Castilian King D. Pedro I had mocked the Castilian treasurer, in the presence of some noblemen while playing dice that under his current treasurer, Samuel Levi, that he had *only 20,000 doubloons instead of more*. The two chroniclers' styles come to light as discussed at the beginning of the subchapter. Pero López de Ayala's narration style was more in-depth, providing exact names of the main characters involved and exact amounts of money. The Castilian chronicle stated that the event occurred in the sixth year of the king's reign, whereas the Portuguese chronicle claimed that it was in the seventh year of the Castilian king's reign. The Castilian chronicle wrote that in the town of Toro, the king's mother and his rival half-brothers were there. The Portuguese chronicle did not mention them. Whereas the Castilian chronicle did not state who the other gamblers were, the Portuguese chronicle stated that the king was playing dice with some of his knights. However, the Castilian chronicle presented the name of the royal confectioner, Gutier Fernández de Toledo, whereas the Portuguese counterpart did not.<sup>691</sup>

Later on, as Samuel Levi heard of the king's comments, he went to the king's private chambers. In the Castilian chronicle, Levi was accompanied by the royal confectioner and

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<sup>690</sup> LÓPEZ de AYALA (1991), p 155-157. LOPES (2007), p 55-57.

<sup>691</sup> LÓPEZ de AYALA (1991), p 155. LOPES (2007), p 55-56. According to Yitzhak Baer, there is ample royal documentation proving confirming the chronicle's narrative. However, Baer failed to reference this claim correctly. Baer would only make an endnote (Nº 49 on page 364 of vol. I) after the arrest of Samuel ha-Levi and his family, Samuel ha-Levi's torture and death in 1360-61. Endnote Nº 49 states: "Baer II, nos. 189, 197, 202, 207, and the documents belonging to the reign of Pedro I." Upon looking at vol. II, these notes under those numbers could not be found – neither as endnotes nor as page numbers. In fact, not a single endnote went as high as the numbers referenced by Baer. The content material as page numbers did not coincide either.

chamberlain, Juan Fernández de Henestrosa and confessed to the king that his rent collectors (tax farmers) had conducted some business that they should not have [no specifics were given] and that Samuel Levi should have watched over judiciously but had not. Samuel Levi reminded the monarch that it was the king himself, who had requested Levi's services, as Levi prior to working for the king had worked for Juan Alfonso de Albuquerque. The Portuguese chronicle did not mention that Samuel Levi had previously worked for Juan Alfonso de Albuquerque or that he was accompanied by the royal confectioner or chamberlain that evening.<sup>692</sup>

Fernão Lopes in his narration was focused more on the nature of the events and occurrences than on the details of other characters present for the specific occasions. Ayala, however, did mention these actors, as one will later see, the confectioner would also be arrested and executed later on (1360) by King Pedro I. Perhaps, by including these important actors, Ayala was foreshadowing events that would later happen and link them together in some type of conspiracy of the "court Jew" with the *tyrant's* confectioner. It most likely was a way of presenting King Pedro I's court as in disarray and wracked with scandals and yet another reason to remove him forcefully from power.

In order to compensate for the losses, Samuel Levi propositioned to the king that he allow him to use two castles to fill with treasures in a short manner of time as a form of restitution. The king consented and these castles were the alcazar Trujillo and Fita (Hita). That is where the two chronicles coincided. However, the Portuguese chronicle did not state that the chancellor of the seal, Martín Martínez, was placed in charge of the alcazar of Trujillo, and a royal rent collector, Juan Díaz de Illescas, was put in charge of the castle of Hita. Ayala's account went into great detail in how don Simeul's plan was to work,<sup>693</sup> whereas the Portuguese narrative provided a superficial overview of how the plan was to function and only stated that men who he confided in were placed in charge of the castles.<sup>694</sup>

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<sup>692</sup> LÓPEZ de AYALA (1991), p 155-156. LOPES (2007), p 55-56.

<sup>693</sup> LÓPEZ de AYALA (1991), p 156.

<sup>694</sup> LOPES (2007), p 56.

After one year, don Simuel was able to extract from the rent collectors' money that had not been delivered to the king and to fill the two castles with treasures. In this manner Samuel Levi was able to amass a huge fortune (no exact quantity was specified) for King D. Pedro I of Castile.<sup>695</sup> This issue must have been quite controversial or even scandalous at the time that it would be recorded many years later in a chronicle of the neighboring kingdom. What is also important in terms of issues dealing with Jews, is that the Castilian king did not have his treasurer at that moment removed and then executed. The Portuguese narrative presented the Castilian king as quite content with Samuel Levi's efforts to return the missing money.

However, Don Simuel el Leví would not stay in the Castilian king's graces. By 1360, he had fallen from the king's grace and would be arrested, all of his possessions confiscated, imprisoned and tortured, where he would die. In chapter XXII of the year 1360 of Ayala's *Crónica del Rey Don Pedro en Castilla (How the King don Pedro had don Semuel el Leví and his relatives arrested)*, Don Pedro I ordered his arrest, as well as members of don Simuel's family, friends and other Jewish rent collectors. It was discovered that don Simuel had in his residence in Toledo one hundred and seventy doubloons, four thousand marks of silver, one hundred and twenty-five arcs (wooden chests) of cloth made of silk and goldthread, other jewelry and eighty Moorish slaves. From don Simuel's relatives, the king found three hundred thousand doubloons, which had been collected for the king. Don Simuel was taken to Seville, where the king was holding court and then thrown into prison, where he was tortured to death. Afterwards, the king named Martín Yáñez de Aponte as his new royal treasurer.<sup>696</sup>

Fernão Lopes in his chronicle, dedicated only a sentence to the fate of dom Samuell Levi within chapter XXXII with a broader heading, *Of a few things that King don Pedro of Castile ordered to do and how he made peace with the King of Aragon*. Fernão Lopes only mentioned in his sentence how King Pedro I of Castile ordered the arrest of dom Semuell Levi, who had been until then the king's treasurer and private in his council, as well as the arrest of Samuell's relatives throughout the kingdom. Fernão Lopes wrote that a great amount of riches was found without giving any specifics of the exact amount or what type of riches. The

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<sup>695</sup> LÓPEZ de AYALA (1991), p 156-157. LOPES (2007), p 56-57.

<sup>696</sup> LÓPEZ de AYALA (1991), p 256.

Portuguese account also did not mention who replaced dom Samuell, Martín Yáñez.<sup>697</sup> The same chapter did, however, mention at the beginning that the king's former confectioner, Goterre Fernandez de Tolledo, had fallen from grace and was apprehended, beheaded and that his head was sent to the king. The Portuguese account did not explain the reason for the execution.<sup>698</sup>

López de Ayala, on the other hand, wrote about the fate of the royal confectioner, Gutier Ferrández de Toledo, in a chapter previous, Chapter XVI, to the one dedicated to Simeul el Leví. López de Ayala went into more detail in the days prior to the royal confectioner's arrest, who arrested him, his sentencing and beheading, whereas Lopes did not.<sup>699</sup>

From these entries, investigators can see how, not only were Lopes' narrations shorter with very few details, but seemed to be mere summaries of the Castilian chronicles written by López de Ayala years before. A reason could be that the Portuguese monarchy did not want to give too much attention to events in Castile over those in Portugal, which was the reason Fernão Lopes was hired, which was to create and project a heroic narrative of the kings of Portugal.

#### **4.F.4. Hebrew Chronicles**

The Hebrew chronicle written by Samuel Çarça or Zarza is *Makor Hayyim* or *Fountain/Source of Life*. It is found in Francisco Cantera Burgos' edition of Salomón ben Verga's *Chébet Jehuda (La Vara de Judá)* from 1927.<sup>700</sup>

Çarça or Zarza began his account of events during the Civil War between King Pedro I and his half-brother, Enrique de Trastámara, when the latter erupted into Castile with the force of large armies. Zarza emphasized the questionable origins of these forces that showed no respect or reverence to the old or the new and that spoke in unintelligible languages.

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<sup>697</sup> LOPES (2007), p 148.

<sup>698</sup> Ibid., p 147.

<sup>699</sup> LÓPEZ de AYALA (1991), p 247-249.

<sup>700</sup> ZARZA, Salomón in ben VERGA, Salomón (1927). *Chébet Jehuda (La Vara de Judá)*. Traducción española con un estudio preliminar por Francisco Cantera Burgos. Librería López-Guevara, p 277-279.

According to Zarza, King Pedro fled to England. In reality, he went to English-held territory in southwestern France, where he appealed for support against his half-brother.<sup>701</sup>

The first massacre committed by the troops in support of Enrique de Trastámara occurred in the Spring of 1366, when they entered Briviesca and in which the entire Jewish community perished. Supposedly, not a single household of two hundred was left and that the corpses were left for the birds of prey and beasts to feast upon. Upon reaching Burgos, Enrique de Trastámara extorted 50,000 doubloons from the Jewish community there. In order to fulfill this ransom fee, the Jewish community had to sell all of the crowns and silver ornaments of their scrolls and holy texts, with exception of the Book of Ezra. The Jews were only able to sell the gold and silver ornaments for less than one-fourth of their value.<sup>702</sup>

Zarza also claimed that Enrique de Trastámara told his Christian subjects, who owed debts to the Jewish moneylenders not to pay their debts.<sup>703</sup> In reality, he only forgave one-fourth of the debt and placed a one-year moratorium, so as not to negatively affect Jewish finances.

Immediately after that, the inhabitants of Ávila, Segovia and other towns and cities rose up against the Jews, robbed and destroyed all of the debt letters and obligations.<sup>704</sup>

King Pedro I, upon his return to Castile in 1367 accompanied with the mercenary troops of the Black Prince, were able to defeat the troops of Enrique de Trastámara. Unfortunately, the mercenary troops assaulted Jewish quarters and committed atrocities, such as that of Villa de Dueñas.<sup>705</sup> Another Jewish community that was assaulted was that of Aguilar de Campo, in which the mercenary troops from beyond the Pyreneans (English) played a prominent role in their demise. Not only were many slaughtered but many were forced to convert.<sup>706</sup> A few later, the inhabitants of Valladolid rose up against King Pedro I and assaulted the Jewish quarters, robbed them of their belongings, knocked down the walls of their homes and left their bodies underneath. Purportedly, eight synagogues were also destroyed and all of the

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<sup>701</sup> ZARZA (1927), p 277. Zarza had written the year according to the Hebrew calendar of 5120, which would correspond to 1360. Wiener corrected the date to 5128, which would be 1366. Perhaps Zarza confused the dates of Enrique de Trastámara's second attempt to overthrow his half-brother and claim the throne in 1360.

<sup>702</sup> ZARZA (1927), pág. 277. "Lo que valía 1200 siclos lo vendieron por doscientos, porque no había comprador."

<sup>703</sup> Ibid., p 277.

<sup>704</sup> Ibid., p 277-278.

<sup>705</sup> Ibid., p 278. In the original text, "Vila-dianno" appeared. Wiener posed the question if it was Villa Reyna.

<sup>706</sup> Ibid., p 278.

silver and gold ornaments of the Holy texts were stolen and the sacred books were torn to shreds and were thrown throughout the markets and streets of the city. The violence spread to the nearby town of Paredes, where the Jews in the township were attacked.<sup>707</sup>

Jaén and the surrounding townships rebelled against King Pedro I when the inhabitants realized that his English mercenary troops were going there. Enrique de Trastámara took advantage of the changing situation and that the inhabitants from Zamora to Madrid had requested his presence in order to pledge allegiance to his cause.<sup>708</sup> Having basically no funds to continue with his campaign, Enrique de Trastámara demanded once again huge sums of money from the Jews. Zarza wrote that Enrique de Trastámara reached Valencia (?) and demanded huge sums.<sup>709</sup> Perhaps Zarza confused Valencia with Burgos or Toledo, where he actually he held the two Jewish communities as hostage and demanded a huge ransom from them. Valencia, on the other hand, was part of the Crown of Aragon, which Enrique de Trastámara had no jurisdiction and was not fighting.

After the inhabitants of Jaén had rebelled against King Pedro I, the monarch called for the emir of Granada to come to his aid, which he did by taking Jaén and leaving many dead. However, as Pedro I had no more funds to finance the emir's troops, the Castilian monarch allowed the emir to capture the town's Jews and sell them off into slavery. Supposedly, three hundred families were enslaved.<sup>710</sup> However, Pedro López de Ayala did not mention this event in his chronicle of Don Pedro. López de Ayala did mention how the cities of Andalucía, Córdoba, Jaén and Úbeda, were attacked, besieged and sacked by Pedro I and the emir Mohamad of Granada. He discussed how Christians were slaughtered, churches destroyed and the towns and cities set to torch.<sup>711</sup>

As can be observed, the Jewish communities suffered from both sides of the conflict. First from the troops and the rabble of the Trastámara camp and then by the mercenary troops of Pedro I. Finally, the Castilian king, in a desperate move to finance the emir's forces, allowed

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<sup>707</sup> ZARZA (1927), p 278.

<sup>708</sup> Ibid., p 278-279. Zarza committed the mistake of calling Madrid both a city (ciudad), when it was only a town (villa), and claimed that it was the capital of Castile.

<sup>709</sup> Ibid., p 279.

<sup>710</sup> Ibid.

<sup>711</sup> LÓPEZ de AYALA (1991), p 249.

that his faithful and loyal Jewish subjects be sold off into slavery. The consequences of the many years of open anti-Jewish hostility, violence, and the holding of entire communities as hostages, while demanding huge ransoms was that it normalized such conduct in the minds of the common people, especially after they were incited to physically assault, rob and murder Jews with impunity.

#### **4.F.5. *Sem Tob de Carrión: Proverbios Morales***

The purpose of the *Proverbios* was two-fold. First, it was to act as a moral and spiritual guide for the young monarch (by 1355, Pedro I was only twenty-years old); and second, it was to act as a kind reminder of the financial debt that the Crown still owed Sem Tob that can be read in the dedicatory. It is the dedication to the monarch, which can also explain why it was redacted in Castilian. The Jewish sage dedicated the first twelve and last three verses to the monarch. The dedicatory has the four basic elements of a dedicatory: the person dedicating the work, the person receiving the dedication, the objective and the motive of the dedicatory. The mentioning of the debt is in verse 7, *la deuda mía* (my debt), which most likely was contracted during the reign of Alfonso XI.<sup>712</sup>

In terms of its genre, the *Proverbios Morales* is considered to be a long poem of sapiential content.<sup>713</sup> It dealt with, through much literary agility and originality, many serious moral topics and themes. The result of his poetic work, although may appear to be meandering, but has an overall coherent message. What helped in convey his message, was the use of personal pronouns, such as *yo, tú, nosotros* (I, you, we/us) in order to allow a closer familiar link to the readers that would create a communitarian feeling and facilitate the transfer of the moral message.<sup>714</sup> Theodore Perry compared Sem Tob's use of personal pronouns as linking the different pieces of practical advice, *exempla* and learned wisdom as a string binding pearls

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<sup>712</sup> LACARRA, María Jesús y CACHO BLECUA, Juan Manuel (2012). *Historia de la Literatura española. 1. Entre oralidad y escritura. La Edad Media*. Editorial Crítica, p 122-123. DÍAS-MAS, Paloma y MOTA, Carlos (1998). *Proverbios Morales de Sem Tob de Carrión*. Ediciones Cátedra, p 23, 63-64. SHEPARD, Sanford (1985). *Proverbios Morales de Sem Tob de Carrión*. Editorial Castalia, p 10-11. PERRY, Theodore (1986). *Proverbios Morales* by Santob de Carrión. Spanish Series, 21. Hispanic Seminary of Medieval Studies, p I.

<sup>713</sup> SHEPARD (1985), p 11.

<sup>714</sup> DÍAZ-MAS y MOTA (1998), p 62-63, 65.

together. Perry would argue that Sem Tob's work was more in line with modern discourse, such as Michel de Montaigne's work, than traditional medieval moralizing.<sup>715</sup>

Sem Tob's work transmits the same philosophy as in Arab and Hebrew moral treatises.<sup>716</sup> It explored, from a position of religious syncretism, the limits and possibilities of human wisdom.<sup>717</sup> According to Gómez Redondo, the *Proverbios* was a masterwork of rabbinical clerisy, as the hybridity of its compositional schemes demonstrate the fusion of poetic traditions found in other texts of the 14<sup>th</sup> century. Its meter corresponds to the alejandrino style but its rhyme is found in other models of Hebrew poetry.<sup>718</sup> Important in Sem Tob's work is what Perry considers as a *Judaic conception of life*. Purportedly, it is Sem Tob's search for truth, which would be following Maimonides' dictum to "seek the truth wherever it may be found."<sup>719</sup> The objective was not to teach man how to reach God, but to prepare him for earthly reality, to warn him of the deceptions of life and the need to cultivate knowledge, and that the pursuit of riches for itself, only brought problems.<sup>720</sup>

The sources for the *Proverbios Morales* seem to be varied. On the one hand, there is the Bible, while, on the other hand, there is the influence of medieval Iberian Hebrew literature. In terms of the former, it seems that Sem Tob used verses from *Ecclesiastes*, *Proverbs*, *Psalms* and *Song of Songs*. In terms of the latter, some of the medieval Iberian Jewish works included the *Ben Mislé* poems of Semuel ibn Nagrel-la of the 10<sup>th</sup> to 11<sup>th</sup> centuries, the *Kéter malijut* or *Corona del Reino* and the *Mibar hapeninim* or *Selección de Perlas* by Selomó Gabirol of the 11<sup>th</sup> century, the *Séfer hatarsis* by Mosé ibn Ezra of the 11<sup>th</sup> to 12<sup>th</sup> centuries, the *obot halebabot* or *Deberes de los corazones* by Bahya ibn Pacuda of the 11<sup>th</sup> to 12<sup>th</sup> centuries, the poetic works of the philosopher and rabbi Meir Abualfia from the 13<sup>th</sup> century.<sup>721</sup>

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<sup>715</sup> PERRY (1986), p I.

<sup>716</sup> LACARRA y CACHO BLECUA (2012), p 123.

<sup>717</sup> GÓMEZ REDONDO (2020), p 645.

<sup>718</sup> GÓMEZ REDONDO (2020), p 656 & 658.

<sup>719</sup> PERRY (1986), p IV.

<sup>720</sup> GÓMEZ REDONDO (2020), p 658.

<sup>721</sup> DÍAZ-MAS y MOTA (1998), p 78-81.

It seems that Sem Tob's work was appreciated by a broad intellectual circle in Castile, that the Marqués de Santillana praised it in the 15<sup>th</sup> century. As both Sem Tob and the marquis were both from Carrión, it would help explain why the latter knew of the former. In fact, the Marqués de Santillana would recommend it to Don Pedro, the Constable of Portugal.<sup>722</sup>

Another indicator of the circulation of the *Proverbios* is the number of manuscripts available inside and outside of Jewish circles.<sup>723</sup> As the Marqués de Santillana would write:

Concurrió en estos tiempos un judío que se llamó rabí Santá; escribió muy buenas cosas, e, entre las otras, proverbios morales, en verdat de asaz comendables sentencias. Púselo en cuento de tan nobles gentes por grand trobador, que, así como él dize en uno de sus proverbios: “Non vale el açor menos/por nacer en vil nío,/ ni los exemplos buenos/por los dezir judío.”<sup>724</sup>

According to Shepard, Carrión, as Lucena and Écija, was predominantly Jewish by the mid-14<sup>th</sup> century. During the reign of Alfonso VI, the Jewish aljama had declared its support for Castile in its war against Aragon. As a reward, the Castilian monarch rewarded the Jewish community with many privileges in its self-governance and promotion of its commercial and economic activities.<sup>725</sup>

The sapiential work was divided into three major categories that were introduced by a pair of couplets. These categories were: 1) the deceptions of life, ranging from the instability of fortune and punishment of envy, ire and greed; 2) human nature, ranging from knowledge versus ignorance to council and the causes of man's perdition; and, 3) the value of knowledge ranging from the limitations of pleasure and the value of friendship and good works.<sup>726</sup>

In Sem Tob's criticism of unsatiable accumulation of wealth and greed, falsehood, lies, deception and theft, one can find them in the following couplets [306-312]:

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<sup>722</sup> LACARRA y CACHO BLECUA (2012), p 122. GÓMEZ REDONDO (2020), p 642-643. DÍAZ-MAS y MOTA (1998), p 16-17. PERRY (1986), p I.

<sup>723</sup> GÓMEZ REDONDO (2020), p 641-642. LACARRA y CACHO BLECUA (2012), p 123. PERRY (1986), p I. DÍAZ-MAS (1986), p 21. Gómez Redondo, Lacarra, Cacho Blecuá, Díaz-Mas and Mota discussed that besides the availability of manuscripts that were written a century after the work's original creation, there are the direct references of Sem Tob's work from the late Middle Ages.

<sup>724</sup> LACARRA y CACHO BLECUA (2012), p 122. DÍAZ-MAS y MOTA (1998), p 17. The final verse from Sem Tob is couplet 64, found in SEM TOB de CARRIÓN, p 137.

<sup>725</sup> SHEPARD (1985), p 11-12.

<sup>726</sup> REDONDO GÓMEZ (2020), p 648.

|   |   |     |
|---|---|-----|
| ¿Eres rico? No.t fartas<br>Com cobdiçia non catas     | e tiéneste por pobre;<br>que lazras por otre.             | 306 |
| E de tu algo, tocas<br>abrás, e verás pocas           | para envolver tus güesos<br>de algunos lenços gruesos.    | 307 |
| Lo ál eredará<br>Para ti fincará                      | alguno que non te ama<br>sola la mala fama                | 308 |
| del mal que, en tus días,<br>en las plaças fazías     | e la mala verdat<br>e en tu poridat.                      | 309 |
| Cuando las tus cobdiçias<br>por muy sabio te preçias, | ganas por ser mintroso,<br>e tienes por astroso           | 310 |
| al que non quier engaño<br>e fases d'él escarño,      | nin en don nin en preçio<br>razónsale por neçio           | 311 |
| por algo alegar,<br>e la verdat negar                 | falsando e robando<br>e sobr'ella jurando. <sup>727</sup> | 312 |

Sem Tob would continue with his moral recommendations in his work and focus on how the Crown should act and behave in terms of keeping his subjects in line through law and order:

|  |  |     |
|--|--|-----|
| E otro bien par d'este:<br>que mantiene la gente | el serviçio del rey<br>a derecho a ley. <sup>728</sup> | 109 |
|--|--|-----|

Other references of the king working in service of his people are the following couplets [313-315, 321], which place an emphasis on serving his people, if he wanted to be served, on the measure and limitation of personal pride and arbitrary rule, keeping his word and honor:

|   |   |     |
|---|---|-----|
| Conoçe tu medida<br>E em toda tu vida         | e nunca errarás,<br>sobervia non farás.         | 313 |
| Cual quieres reçeibir,<br>Conviénete servir   | atal de ti reçiban;<br>si quieres que te sirva; | 314 |
| Conviénete que onres<br>faz pagados los omres | si quieres ser onrado;<br>e fazer t'na pagado.  | 315 |
| En el rey mete mientes,                       | toma enxemplo d'el:                             | 321 |

<sup>727</sup> SEM TOB de CARRIÓN (1998), p 175-176

<sup>728</sup> Ibid., p 144.

más lazra por las gentes      que las gentes por él.<sup>729</sup>

Again, there is reference to the Crown maintaining its honor by keeping its word and repaying its debt. In this particular case, to Sem Tob de Carrión.

Perhaps the most important couplets [718-725] regarding the purpose of the monarch's rule is that it should not be arbitrary, full of a false sense of pride (soberbia) and without any limits or measure. Rather, it should be based on law and order in order to protect the weak and the meek from the strong. Any monarch, who did not follow this order that God had created and placed monarchs to rule, would fall into shame.

|  |   |     |
|--|---|-----|
| El poder con mesura<br>Como en rostro blancura         | es cosa muy apuesta,<br>con bermejura vuelta:             | 718 |
| mesura que levanta<br>e poder que quebranta            | simpleza y cordura<br>sobervia e locura.                  | 719 |
| Dos son mantenimiento<br>que es ordenamiento,          | mundial: una, ley,<br>e, la otra es el rey,               | 720 |
| que.l puso Dios por guarda<br>contra lo que Dios manda | que ninguno non vaya<br>-sin non, que en pena caya-;      | 721 |
| por guardar que las gentes<br>e que los omnes fuertes  | fazer mal non se pongan<br>a los flacos non coman.        | 722 |
| Dé Dios vida al rey,<br>que mantiene la ley            | nuestro mantenedor,<br>e es defendedor.                   | 233 |
| Las gentes de su tierra<br>Traiga, e aparte guerra     | todas a su servicio<br>d'ella, e mal bolliçio.            | 724 |
| E la merçed qu'el noble,<br>La terná, como cumple,     | su padre, prometió,<br>al Santob el judío. <sup>730</sup> | 725 |

Notice, once again, how Sem Tob reverts to the monarch, not only maintaining law and order and protecting his subjects from harm as part of his responsibilities and services to his

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<sup>729</sup> SEM TOB de CARRIÓN (1998), p 176-177.

<sup>730</sup> Ibid., p 242-243.

subjects, but also of keeping his word and fulfilling the promise made by the king's father, Alfonso XI, of repaying the debt owed to the Jewish sage.

## **Chapter 5. Failure to Return to Normalcy in Castile, Protection in Portugal, 1369-1383**

### **5.C.2. *Cuaderno de Cuentas***

What the *Cuaderno* confirmed was the occupation of royal chief treasurer or *almojarife mayor* by prominent Jews, in this case, Yuçaf Pichon during the reign of Enrique II. Valdeón Baruque asserted that this position had been granted out of royal trust and confidence to people of economic means and solvency. It was throughout the later medieval period that the distinction between the administration of the king's personal belongings and that of the kingdom in general would be established. The *Casa de Cuentas* (Accounting House or Office) was a specialized body with specific tasks and functions that ran parallel to those of the royal chancellery or royal audience. Leading it would be officials of a new stamp. The two royal officials leading this body were, Ruy Pérez de Esquivel and Pero Fernández, who did not have the typical Jewish surnames usually associated with such functions.<sup>731</sup> The *Cuaderno de Cuentas* also provided limited information on the reduced amount of revenue contributions from the Jewish *aljamas* that had been sacked and impoverished during the Trastámara War.<sup>732</sup> Once again, these facts break the myth of the Jews' supposed stranglehold on royal finances and indirect control of the monarchs.

The *Cuaderno* contains a body of different types of debts from different types of collections; i.e., from Jews, Muslims, etc. As such, the scale of officials of the Royal Treasury can be reconstructed: senior accountants, treasurers, general tax collectors and particular tax collectors. However, a missing element needed to be added: that of lessors of rents or rent farmers (*los arrendadros*). The general taxes that increased the public treasury were leased out to third parties, who were usually Jews. These third parties would acquire the rights to collect taxes in order to earn a profit for their service. This practice, however, would lead to social tension, as the main tax contributor was the common people, either peasants or

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<sup>731</sup> VALDEÓN BARUQUE, Julio (1966). Un Cuaderno de Cuentas de Enrique II. *Hispania – Revista Española de Historia*, Tirada aparte del tomo XXVI, p 5-6. LADERO QUESADA (2009), p 447-449.

<sup>732</sup> REID, Cecil (2021). *Jews and Converts in Late Medieval Castile: Breaking wit the Past*. Routledge, p 71.

craftsmen, who were burdened with an ever-heavier tax load. The common person would come into direct contact with the Jewish tax collectors/lessors. The increasing social tension would finally explode years later.<sup>733</sup>

### ***5.F.1. The Albalás issued against Ferrán Martínez***

The origin of this source is an 18<sup>th</sup> century manuscript (Ms. 13089) based on an earlier one at the *Biblioteca Nacional de España* (National Library of Spain). As it is an official government document based on the original from the 14<sup>th</sup> century, its purpose was to maintain an official record of the religious communities, rents and other relevant documents concerning the Moors and Jews of Castile. The content of this source that concerns this chapter is *Aljamas A.A.1.12* starting on page 64 of the book, as it gives us the annotated date of 11 February 1388 and denotes the public scribe as Martín Sánchez, who was to read the three albalás to Archdeacon Ferrán Martínez. In spite of the date of 1388, the text transcribes prior events and three *albalás* (royal warrants) of Castilian kings Enrique II (1378) and his son Juan I (1382 & 1383) presented to the archdeacon, Ferrand Martínez, as well as the complaints of Archbishop of Seville, Pedro Gómez Barroso, who later die in August 1390. The text presents the original complaints presented to King Enrique II and develops into a summary of the trial of Ferrand Martínez brought by the archbishop in 1388 bringing out the main points or those of contention. Present at the tribunal was the representative of the Jewish community of Seville, Don Judáh Aben-Abraham, who placed the formal complaints to the archbishop and the king.<sup>734</sup>

The first *albalá* expedited by Castilian King Enrique II in 1378 reports of the written complaints by the Jewish community of Seville about the archdeacon of Écija, Ferrand Martínez, and of his radical preaching against the Jewish community, as well as his presiding over judicial matters concerning the Jews, in which he had absolutely no jurisdiction. The king stated that it was harmful and shameful to the Church and as providing a disservice to the kingdom. The archdeacon's sentencings were arbitrary and against the law, as well as

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<sup>733</sup> VALDEÓN BARUQUE (1966), p 7.

<sup>734</sup> *Aljamas, padrones, arrendamientos y otros papeles pertenecientes a los moros y judíos de Castilla* (Manuscrito - Ms. 13089), ed. S. XVIII. A. A. 1. 12. Biblioteca Nacional de España, p 64-65. AMADOR de los RÍOS (1876). t. II, p 579-581. AMRÁN, Rica (2009). *Judíos y Conversos en el Reino de Castilla. Propaganda y mensajes políticos, sociales y religiosos (siglos XIV-XVI)*. Junta de Castilla y León, p 60-61.

against the will of the Crown. The king also claimed that such actions caused much harm to the bodies and belongings of the Jews.<sup>735</sup> What is quite remarkable, already by 1378, the Crown and the Jewish community had recognized the irreparable damage that the archdeacon with his incendiary speeches could cause to the Jewish communities and were trying to put a halt on the verbal assault conducted by Ferrán Martínez. This demonstrates the awareness of the transmission of hostile messages with extremely negative images that was projected into the collective mindset and imaginary of the common people. It also demonstrates the lack of action taken by the Crown and its limiting itself to only verbal reprimand. As such, this could be interpreted as a lack of concrete leadership in resolving a recurrent problem.

As such, the king hereby forbade Archdeacon Ferrán Martínez from presiding over cases involving Jews and passing sentences against them in whatever manner. The king also forbade the archdeacon from threatening Christians with excommunication if they lived amongst the Jews and if they conducted daily business with the Jews. The archdeacon had been preaching such malicious sermons at the Church of Santa María in Seville, the council of Alcalá de Guadeira and other localities in townships in the archbishopric of Seville.

...que fesistes é ordenastes vuestra carta é de otros ofiçiales de la dha. Iglesia de Sancta María de Sevilla, en que enviastes amonestar só pena descomunió á los conçeyos de Alcalá de Guadeyra é á otros conceyos de otras villas é logares del Arzobispado de Sevilla, que non consintiessen á judíos morar entrellos, nin participassen con ellos é que fuistes vos el dho. Arcediano al dho. lugar de Alcalá á los amonestar desto, é dix que todo esto que lo fasedes maliciosamente syn ley é syn derecho.<sup>736</sup>

The above passage demonstrates the archdeacon's outreach to many towns and localities besides the city of Seville and his own town of Écija, and how he was transmitting his message of rejection, hate, intolerance towards an audience of an extensive range.

The king also reminded the archdeacon that the Jews belonged to the royal patrimony and that nothing could be done to them without the Crown's prior knowledge and consent.<sup>737</sup>

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<sup>735</sup> *Aljamas...*, (Ms. 13089), p 66. AMADOR de los RÍOS (1876), p 581.

<sup>736</sup> *Aljamas...*, (Ms. 13089), p 66. AMADOR de los RÍOS (1876), p 581.

<sup>737</sup> *Aljamas...*, (Ms. 13089), p 66-67. AMADOR de los RÍOS (1876), p 581-582.

...sabiendo que los judíos son de nuestra cámara é todos sus fechos requieren á nuestro mandado é á la nuestra merçet, é otro alguno non ha nin deve aver logar nin poder á faser ningunos movimientos en fecho de los dhos. judíos, sin nuestro çierto mandado.<sup>738</sup>

The King ordered the archdeacon to reverse any decisions or threats of excommunication of Christians if they lived amongst the Jews or conducted daily activities with them. If the archdeacon refused to follow the royal warnings and continued to harass Jews and threaten Christians with excommunication, then the archdeacon would be tried and punished by the municipal officials of the city of Seville. The *albalá* was signed and sealed on 25 August, era of 1416<sup>739</sup> [1416 – 38 = 1378].

Unfortunately for the Jewish community of the archbishopric of Seville, King Enrique II died in May 1379. A young king, Juan I, would replace Enrique II, and Ferrán Martínez took advantage of the transition period between the death of the old king, coronation of the new king and the period of settling into power of the latter in order to continue with his verbal assaults of the Jewish community. Due to events in neighboring Portugal and the failing health of Portuguese King Fernando I, Juan I of Castile would become absorbed in negotiating at Torres Novas in 1380, his desires of guaranteeing a Castilian Trastámara as sharing the Crown of Portugal by marrying his infant son, Don Enrique (future Enrique III) to the Portuguese Crown Princess, Dona Beatriz.<sup>740</sup> This distraction with the unstable situation in the neighboring kingdom, allowed Ferrán Martínez to conduct his vicious and vitriolic verbal abuse of the Jews to continue unabated. By 1382, the Jewish community would once again beseech the Crown to intervene against the archdeacon. Juan I sent a harsh missive to the archdeacon via the second *albalá* of 3 March 1382. Once again, the Crown reminded the archdeacon that the Jews were the king's Jews and, as such, had to be respected.<sup>741</sup>

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<sup>738</sup> *Aljamas...*, (Ms. 13089), p 67. AMADOR de los RÍOS (1876), p 582.

<sup>739</sup> *Aljamas...*, (Ms. 13089), p 67-68. AMADOR de los RÍOS, (1876), p 582-583.

<sup>740</sup> *Cortes Portuguesas. Reinado de D. Fernando*, vol. I. (1990), p 187-188. LÓPEZ de AYALA, Pero (1991). *Crónica del Rey Don Juan, Primero de Castilla y de León* in *Crónicas*. Editorial Planeta, p 515-516. LOPES, Fernão (2004). *Crónica de D. Fernando*. Imprensa Nacional-Casa da Moeda, p 405-409.

<sup>741</sup> AMRÁN (2009), p 59. According to Rica Amrán, Enrique II left the throne to a minor. However, Juan I would have been almost 21 years old upon his father's death, as he was born in August 1358.

For the second official complaint and the writing of the second *albalá* of 1382, the representatives of the Jewish community of Seville presented Papal bulls that protected the Jewish community from harassments and verbal assaults, as traditionally kept and maintained according to custom and law. It had been brought to the Crown's attention that the archdeacon's incendiary preaching could create riots that could cause to the Jews, and that he was presiding over judicial cases involving the Jews and passing harsh sentences over them, even though he was banned from doing so as dictated per the previous *albalá* expedited by the king's father, Enrique II.

...é otrosi que en las vuestras pedricaciones que decides contra ellos muchas cosas, de que pueden recrecer alborotos contra los dhos. judíos; é otrosy que por el poder que de Nos tenedes en los juyos que Nos vos encomendamos, que dades contra ellos sentencias muy agraviadas.<sup>742</sup>

Once again, the Crown ordered the archdeacon to respect the Jews, not to preach against them and not to preside over judicial matters over said community and not to pass sentencing whatsoever. If there should be a case that needed to be judged, then it would be conducted by the archbishop himself. If he should disobey the *albalá*, then the royal officials with the assistance of the twenty-four knights and prominent burghers or goodmen (*omes buenos*), who formed part of the municipal council to come to the assistance and aid of the Jews.<sup>743</sup>

...é de aquy á delante que non digades en vuestras pedricaciones nin en otra manera tales palabras, que sean en damno nin en perjuicio de los dhos. judíos, nin de que pueda nascer escándalo entre ellos.<sup>744</sup>

...que non conosciades de ningund pleyto que pertenesca á judío nin á judía en qualquier manera; é qualquier pleyto que tanga á la Iglesia, que sea contra judío ó judía, tenemos por bien é es nuestra merced que lo libre el Arzobispo de la dha. Cibdat, ó aquel ó aquellos, á quien lo él encomendare, é non vos. É non fagades ende al, só pena de la nuestra merced. É por este nro. *albalá*, ó por el su traslado sygnado de Escribano público, mandamos á los Alcaldes é Alguasil é á los veyntiquatro, caballeros é *omes buenos*, que han de ver fasienda del conçepto de la dha. Cibdat, que agora son ó serán de aquí á delante, á qualquier ó qualesquier dellos, que amparen é deffiendan á los dhos. judíos de la dha. Aljama...<sup>745</sup>

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<sup>742</sup> *Aljamas...*, (Ms. 13089), p 68. AMADOR de los RÍOS (1876). Vol. 2, p 583.

<sup>743</sup> AMADOR de los RÍOS (1876), p 584.

<sup>744</sup> *Ibid.*

<sup>745</sup> *Ibid.*

The albalá was signed and sealed by the king on 3 March of 1382.<sup>746</sup>

Once again, the archdeacon chose to ignore the royal warrants demanding that he desist from attacking the Jews in his preaching and presiding over court cases and passing harsh sentences against them. As discussed earlier in the chapter, the archdeacon most likely felt comfortable in his social status of a member of the new Trastámara elite after the civil war, in which the new dynasty depended upon. His family's wealth and his own newly economic status made him quite self-reliant and feel "safe" from royal retaliation. As a member of the Andalusian elite, he most likely had powerful connections to protect him from legal troubles.<sup>747</sup> This became apparent with the archdeacon's dealing with a young monarch, who was quite occupied with other state affairs, especially coming out of a recent war with Portugal (1381-1382). Besides the question of resolving the peace to end the Third Fernandine War, there was the continuous issue with the inheritance of the Portuguese throne, as discussed earlier in this chapter.<sup>748</sup>

By taking advantage of the Crown's preoccupation with other pending matters, the archdeacon once again reverted back (that is, if he ever relented in the first place) to attacking the Jewish communities of the archbishopric of Seville. The verbal assaults once again became so virulent that the Jewish representatives had to appeal to the Crown to intervene. This would be the case of the third *abalá* of 25 August 1383. Notice should be made in how this date coincided with negotiations with the representatives of the ailing Portuguese monarch in respect to the terms of the inheritance of the Portuguese throne after his death.<sup>749</sup>

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<sup>746</sup> *Aljamas...*, (Ms. 13089), p 70. AMADOR de los RÍOS (1876). Vol. 2, p 585. [Era 1420 – 38 = 1382].

<sup>747</sup> SOIFER IRISH, op. cit., 2018, p 311-312.

<sup>748</sup> SERRÃO, Joaquim Veríssimo (2001). *História de Portugal (1080-1415)*, vol. I *Estado, Pátria e Nação*, 6ª edição. Editorial VERBO, p 285-287. ARNAUT, Salvador Dias (1960). *A crise nacional dos fins do século XIV. A Sucessão de D. Fernando*. FLUC, p 34-35. VASCONCELOS e SOUSA, Bernardo (2021). I Parte – Idade Média (Séculos XI-XV). In *História de Portugal*, Rui Ramos, (coord.), 1ª Edição. Publicações Dom Quixote, p 129. SOUSA, Armindo de (1997). *História de Portugal*, vol. II, *A Monarquia Feudal*. Coordenação de José Mattoso. Editorial Estampa, p 412.

<sup>749</sup> *Cortes Portuguesas. Reinado de D. Fernando I, 1367-1383*, vol. II (1993). Junta Nacional de Investigação Científica e Tecnológica. Centro de Estudos Históricos. Faculdade de Ciências Sociais e Humanas, p 9. Unfortunately, there are no surviving acts of the 1383 Cortes of Santarém available that took place between the end of August 1383 to the beginning of September 1383. However, there are the manuscripts of the procurations of 66 municipal councils dating between 5 July to 21 August 1383 that are preserved in the archives of Simancas, Spain. LÓPEZ de AYALA (1991), p 538-539, 542-543. LOPES (2004), p 533-536-540, 545-546, 547-551, 553-554, 555-557, 563-564, 565-566, 567-569.

In the third *albalá* of 25 August 1383, King Juan I let it be known that after strong complaints from the Jewish community that the Archdeacon Ferrán Martínez was preaching on a daily basis and that the aforementioned archdeacon claimed that any Christian who wounded or killed Jews would please the king and queen, and that these Christians would be pardoned by royal justice and that the archdeacon would save them if they forced the Jews to convert, as well as their Muslim slaves. The royal response was shock and dismay that the archdeacon would say such things.<sup>750</sup>

Nos, el Rey, fasemos saber á vos Ferran Martínez, Arçediano de Écija, que el Aljama de los judíos de la muy noble Cibdad de Sevilla se nos enbiaron querellar muy fuertemente, disiendo que vos que andades de cada dia pedricando contra ellos munchas malas cosas : otrosy amenasádoles é disiendo que vos que sabedes de Nos é de la Reyna que qualquicr xstiano. que matare ó firiere mal á judíos, que nos plaseria de ello é que Nos lo perdonaremos en nra. justicia, c eso mesmo que vos le salvaredcs dello: otrosy que fasedes tornar xpstianos. sus moros que tienen por cativos, encubiertamente é sin derecho, non les guardando en esta rason los previllejos que tienen de los Reyes, onde Nos venimos. Somos muncho maravillado de vos de cuándo fustes tan privado nro., por qué sopiésedes nuestra entynçion é de la Reyna, é por qué fagades tales cosas como estas.<sup>751</sup>

The king went on to forbid Ferrán Martínez from further preaching about sanctioned collective murder, as it would lead to the destruction of the *aljama*. If the archdeacon should not desist, then the king promised him severe punishment that he would regret for ever having defied the king.<sup>752</sup>

Por qué vos mandamos que vos guardedes de andar fasiendo estas pedricaçiones, que fasedcs, é de desir estas cosas que desides contra ellos, é que sy buen cristiano queredes ser, que lo seades en vuestra casa: mas que non andedes corriendo con nros. judíos desta guisa, por quel Aljama desa Cibdad sea destroyda por vuestra ocasión é pierdan lo suyo. Si non, set çierto que sy desto non vos guardades, que Nos vos lo castigaremos en tal manera, por qual vos arrepyntades dello, é porque otro alguno non se atreva á lo faser.<sup>753</sup>

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<sup>750</sup> *Aljamas...*, (Ms. 13089), p 70. AMADOR de los RÍOS (1876), vol. 2, p 585.

<sup>751</sup> *Aljamas...*, (Ms. 13089), p 70. AMADOR de los RÍOS (1876), vol. 2, p 585.

<sup>752</sup> *Aljamas...*, (Ms. 13089), p 70. AMADOR de los RÍOS (1876), vol. 2, p 585.

<sup>753</sup> *Aljamas...*, (Ms. 13089), p 70. AMADOR de los RÍOS (1876), vol. 2, p 585.

These passages indicate, not only a resumption of hostile verbal attacks from the archdeacon, but a new and more dangerous and deadlier approach to the Jews. Not only was Ferrán Martínz outright lying about knowing the intentions of the monarchs, but he also proposed to Christians to murder Jews and that it would please the Crown as well and that the murdering Christians would receive royal protection. This points out to a level of depravity and fanaticism not known in the Crown of Castile until that point on time. Lack of action from leadership would leave such fanatics with psychopathic tendencies a green light to continue with such calls for collective murder and that there would be little to no consequences. Unfortunately, the king did not clearly state what kind of punishment. As accountability for continued defiance of royal warrants was left open, this allowed the Ferrán Martínez to believe that this loophole gave him further opportunity to attack the Jews.

As can be seen from this section on the available documentation on the royal warrants forbidding Ferrán Martínez from verbally attacking the Jews, it shows how the fanatical crusade of the archdeacon against the Jews was both widespread within the archbishopric of Seville and not just in Seville and Écija, as well as how the preaching devolved from not only living amongst Jews and not conducting daily activities with them, to the calls for collective murder. What worsened matters was the lack of actual physical punishment for the archdeacon and how the *albalás* seemed to be merely empty threats of possible or potential future punishment. An unscrupulous individual like Ferrán Martínez would only take these royal warrants as empty threats and he would continue to cajole the common people in the years to come to attack the Jews. As will be seen in the next chapter, relations between the two neighboring kingdoms of Portugal and Castile would lead to open war (1383-1385) and would distract Juan I from the unresolved dangerous issue of Ferrán Martínez and the exposed Jewish communities in the archbishopric of Seville.

Juan I's distraction with events in Portugal could be interpreted as neglect or dereliction of duty to his faithful subjects the Jews, who were in increasing danger due to the intensifying vicious and onerous verbal attacks inciting Christian commoners to harm and murder Jews. Juan I's hegemonic projects to dominate the Iberian Peninsula through a forced marriage with the Crown Princess Beatriz of Portugal misled the Castilian king from dealing with the more pending domestic issues of potential outbursts of violence and bloodshed as continuously

mentioned in the manuscript. By focusing his entire time and energy, if not obsessing, with the Portuguese throne, Juan I allowed an already precarious situation since the reign of his father, Enrique II, to worsen and by not taking any action towards the archdeacon after he escalated his fanatical preaching to calling for the outright murder of Jews and that they would be sanctioned by the Crown, only showed an unwillingness to bring accountability to such an insidious and mendacious character as Ferrán Martínez. What remains astonishing is how the king took no action after Ferrán Martínez took the liberty to lie about the Crown's intentions towards its Jews. This would show weakness in leadership and authority in the eyes of the archdeacon and perhaps a green light for the common people that there would be little to no punishment for attacks on Jews in the future.

### **5.G. *Coloquio entre un Cristiano y un Judío***

In his analysis of the social order of 14<sup>th</sup> century Castile, García Moreno was able to accentuate on the *convivencia* or cohabitation of Jews and Christians portrayed in the *Coloquio*. He was able to accentuate the errors or misconceived assumptions of medieval Christians on folios 106r-106v that the early male Jews, who settled in the Iberian Peninsula, had supposedly intermarried with gentiles. The Jewish counterpart corrected his Christian partner by stating that Judaism was culturally transferred through the maternal side, and as such, it was impossible that the earliest Jewish settlers had intermarried with gentiles.<sup>754</sup>

Moving on in their conversation, the Jew acknowledges in folios 69v-70r the Christian's judicial superiority over the Jewish community in medieval Christian society by stating that "Vosotros soodes nuestros señores, e por ende dezides lo que queredes..." (You are our lords, and as a result, you can say as you please). García Moreno cross-references this claim by the Jew by referring to the *Ordenamiento de Alcalá* of 1348, in which it is written that the Jews were under the lordship or seigniorship of the Christians. Nonetheless, in spite of the judicial inferiority, Christians respected Jewish holy days (Sabbath) and their religious practices. Here

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<sup>754</sup> GARCÍA MORENO, Aitor (2002). *El Coloquio entre un cristiano y un judío (1370): Estampas de un conflicto medieval. Judaísmo hispano: Estudios en memoria de José Luís Lacave Riaño*, p 164-165.

García Moreno confirms the legal status of such religious tolerance by making reference to the *Fuero de Briviesca* of 1313 or *Charter of Briviesca*.<sup>755</sup>

In terms of making reference to certain professions held by late 14<sup>th</sup> century Jews, the Christian states that the Jews are goldsmiths. García Moreno points out that the Colloquium did not indicate any other of the common professions that the Jews practiced, such as merchants, tax collectors, land leasers (lessors), accountants and treasurers.<sup>756</sup>

However, the dispute took a negative turn, when the Christian criticized Jews as fleeing from the *truth* and that the rabbis deceived the Jewish community by denying the truth of the Christian faith. This refers back to the theological disputes that were performed in the open between rabbis and bishops, not only for a mere exercise of which law as the truth but to ensure that they were public. García Moreno indicates how the Christian in folio 60v accused the rabbis as deceitful to the Jewish community by running away or fleeing from the Truth that Christians show to the Jews and that the rabbis mock and ridicule the Truth of the New Law.<sup>757</sup> This accusation goes from merely not being aware of the so-called truth of the New Law but allegation that rabbis willfully and knowingly rejected what Christians perceive as the truth, deceived its own community and cynically laughed at the Word of Jesus.

Here the historian can find the typical traditional approach of the contentious theological disputes of the late medieval period, in which the Christian starting point was that of Jewish error. From the Christian standpoint, Christian theology consisted of absolute truth and that anyone who did not accept it was living in error. This approach fits in the medieval Christian *ideario* of projecting the negative image of the Jew unto the majority Christian society and how Jews live in error for not accepting the Christ as their Lord. The *Coloquio* reinforced preconceived notions, biases and prejudices held by members of the Christian community towards the Jews.

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<sup>755</sup> GARCÍA MORENO (2002), p 165-166

<sup>756</sup> Ibid., p 166.

<sup>757</sup> Ibid., p 167.

In his *Critical Edition*, García Moreno stated that the *Coloquio* offered a junction between a literary tradition and socio-cultural practices within the dimension of religious controversy in general and public dispute in particular. All in all, they created a situation of social and ideological confrontation between the two religious communities.<sup>758</sup>

These socio-cultural practices were to highlight differences and present them as awkward, strange and erroneous, from the celebration of the Sabbath or Day of rest on a Saturday, how rabbis can marry unlike Christian clergymen, who must remain celibate, and the dietary restrictions that Jews cannot eat pork, entrails or fat of meat, blood or shellfish.

In his critique of Jewish dietary rules on folios 95r-95v, the Christian mocks the Jewish practice of not eating pork that according to the Christian has more flavor than goat and does not stink. The Christian interrogates the Jew, if the entrails and fat were so bad, then why did God tell the Jews to burn the entrails and fat on his own altar and spread the animal's blood on that same altar? The Christian then ridiculed the Jews as having been deceived by Moses. The Christian went on to claim that Christians, Muslims and other gentiles state that Moses was not a prophet and that what he claimed did not come from God and that it was mockery. The Jew later concedes in folios 94v-95r to the Christian's argument that what the Jewish forefathers did was sheer madness.<sup>759</sup>

Here the Christian errs in making such false statements about the other two other monotheistic religions not accepting Moses as a prophet. The importance of this passage gives the historian insight into the thinking, views and mindset of medieval Castilian Christians of the late 14<sup>th</sup> century and how they frowned upon the Jews and their daily customs. These views were that of mockery, derision and ridicule, once again reinforcing the negative stereotypes that the Christians held of the Jews. The Jews, and in the case of the *Coloquio*, the Jew was left with nothing else but to give the reason to the Christian. The historian can tell that the *Coloquio* was pure fiction, that no learned Jew would agree to the Christian's weak argument and that the intent of the work was to show a Christian audience of readers that the only solution for Jews was conversion to Catholicism.

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<sup>758</sup> *Coloquio entre un Cristiano y un Judío* (2003). Edición crítica de GARCÍA MORENO. Papers of the Medieval Hispanic Research Seminar 40. Department of Hispanic Studies, Queen Mary, University of London., p 20.

<sup>759</sup> GARCÍA MORENO (2002), p 169-170.

The debate went further into clothing and how the Christian ridiculed in folio 93 the banning of mixing the threads of linen and wool and how wearing clothes woven from both threads would not be a disservice to God. In terms of the difference between the Jews and Christians in the interior of their dwellings, the Jew criticized the Christian in folio 83v for having statues and images in their homes and that such an act was tantamount to idol worship or idolatry.<sup>760</sup>

The dispute would take a sharper tone in folios 88r-88v when it came to the absolving of sin and how they related to the acts of baptism for Christians and circumcision for Jews. The Jew criticized the Christian in believing that the act of pouring water over a child's head would remove original sin from the soul, whereas the Christian criticized the Jews for believing that it would clean the babies of the sins of their fathers.<sup>761</sup>

The discussion then moved on to burials and how the two religious communities differed in their approach to death and the final rest of the bodies of the deceased. In the exchange of opinions in folios 91v-92r, the Christian raised the tone of aggression by stating that the Jews had a bad opinion in that they believed if that the body was buried intact and whole at the final Day of Judgement, the body will not be corrupt. The Christian went on further to criticize the Jews for burying bodies far away from temples of worship, whereas the Christians buried their deceased in parochial/parish cemeteries that are created in honor of God. The Christian went further to make the false claim that the Jews buried their deceased anywhere in the fields that were unclean and dirty, where the beasts would leave their dung.<sup>762</sup>

Once again, the purpose of this particular dialogue within the controversy was to paint an extremely negative image of the Jews in a false narrative by presenting the Jews as dirty and unconcerned about the fate of the bodies of their deceased.

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<sup>760</sup> GARCÍA MORENO (2002), p 171-172.

<sup>761</sup> Ibid., p 173.

<sup>762</sup> *Coloquio entre un Cristiano y un Judío* (2003), p 136.

Professor García Moreno compared and contrasted the passages from the *Coloquio* with other medieval Castilian texts that not only reinforced the claims in the *Coloquio* but were more negative and acerbic in their attacks on the Jews. As previously analyzed in Chapter 1, the *Dispute between a Christian and a Jew (Disputa entre un Cristiano y un Judío)* a 13<sup>th</sup> century text that was a blistering attack on the Jewish practice of circumcision, in which the foreskin is cut off and blood is drawn from the rabbi.<sup>763</sup> The author of the Dispute compared the mouth of the rabbi with that of a woman's womb as the rabbi sucks out the blood from the infant's penis. The author used the extremely harsh word of *coño* (cunt) to describe the mouth of the rabbi during the ceremony: *que la boca de vuestro rabí, que conpieça vuestra oración, feches coño de mujer...e demás veedes cuál fonta de sugar sangre de tal lugar* (that the mouth of your rabbi that begins your oration, is made into the cunt of a woman...as well as you see what place from which you suck blood).<sup>764</sup>

The purpose of this passage was to once again place the Jews in a highly negative light in terms of associating circumcision with blood rituals involving infants and the drinking of their blood. The text ignores the fact that the rabbis or Jewish doctors who perform the ritual do not actually drink the blood but spit it out. Although the *Coloquio* did not use such harsh and vulgar terms as in the *Disputa* to describe Jewish circumcision, it reinforced the medieval Christian *ideario* of the negative image of Jewish religious practices as Black Magic.

The dispute between the Christian and the Jew in the *Coloquio* would tone down in the discussion of the community holidays and festivities. In terms of the Sukkot, the Christian asks the Jew in folio 83v why they still celebrate it by building the booths or tabernacles. The Christian merely asked why the Jews were still practicing a ritual that seemed antiquated and unnecessary. The dialogue continued in folio 105v with the Christian asking the Jew, why his community continued to celebrate the Shavuot or Feast of Weeks that coincides with the Christian Pentecost. The Shavuot commemorates the delivery of the Laws to Moses in the Sinai and for the Christians the descent of the Holy Spirit onto the Apostles. Most likely the intent was to demonstrate to the Christian readers that the New Laws of the New Testament had superseded the Old Laws and sealed by the descent of the Holy Spirit onto the apostles.

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<sup>763</sup> CASTRO, Américo (1914). *Disputa entre un cristiano y un judío*. *Revista de Filología española*, I, p 173- 180.

<sup>764</sup> CASTRO (1914), p 64. GARCÍA MORENO (2002), p 174.

However, the Christian erred once again about the Jews by stating that the Jews would make the sign of the cross with palm leaves during Shavuot, when in actuality it was part of the ritual of Arba'a minim or four species of plants to celebrate Sukkot. These plants consist of palm, myrtle, willow and citrus and symbolize the four main parts of the human body and shows the Jewish desire to consecrate their entire bodies to God.<sup>765</sup> Finally, the Jew questions the Christian why his community kept Sunday as the Holy Day when God commanded that the seventh day or Sabbath be kept as the Day of Rest.

García Moreno pointed out that the *Coloquio* within the genre of disputes in medieval Castilian literature brought out the daily aspects of customs and rituals through the lens of religious precepts. He also stated that in the works of medieval Christian literature there was the obsession of vindicating the success of the New Testament over the Old one by casting out or reinterpreting specific passages from the Old Testament.<sup>766</sup> As concluding remarks to the *Critical Edition of the Colloquium* García Moreno stated that the manuscript not only presented the Judeo-Christian arguments of theological controversy but also brought the readers closer to the socio-cultural world of late 14<sup>th</sup> century Castile.<sup>767</sup>

The assumed date of the text, 1370, could be related in part to Enrique II's attempt to restore normalcy between Jewish-Christian relations after the years of bloodshed during the dynastic war (1355, 1360, 1366-1369). After the new monarch noticed at the convening of assemblies and Cortes in 1366 and 1367, it had become apparent that pent up anti-Judaic hostility had been released in the form of physical assaults conducted by the commoners on many Jewish quarters and in the number of legislative petitions from the municipal procurators and the vitriol in the depiction of the Jews. Perhaps it was the king's attempt to propagate this idealized image of an amicable discussion between two merchants at their stalls in the market or shopkeepers in an attempt to push aside the extremely negative and hostile images that were projected and widely received by the commoners for so many years. If it should have been the case, then the desired effects of calming passions and reducing tensions would be very limited as will be seen. Most likely, the text had little reception, as there would have

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<sup>765</sup> GARCÍA MORENO (2002), p 175.

<sup>766</sup> Ibid., p 177.

<sup>767</sup> *Coloquio entre un Cristiano y un Judío* (2003), p 34.

been a limited audience within an erudite elite of readers. It seems very unlikely that it would have been read to a broader audience at public squares or gatherings and would have remained in the hands of a very few literate people. Nonetheless, *Coloquio* remains an excellent literary piece reflecting the ideas and thoughts shared in the second half of the 14<sup>th</sup> century, as well as an insight in how interfaith relations at times took place.

## **Chapter 6. Dynastic War in Portugal & Increasing Tensions in Castile, 1383-1391**

### ***6.C.5. Jews in the Chronicles of Castile and Portugal***

The first part of the chronicle has several passages that mentions the measures taken by João, Master of Avis in protecting the Jewish quarters of Lisbon from attack by the mob and how certain prominent Jews, such as Lopo Martins, became members of the newly constituted municipal council, once hostilities between Portugal and Castile had commenced and Portuguese society had become divided between the supporters of the pro-Castilian faction of Queen Leonor, Regent of Portugal and the Master of Avis.

Chapter 14 “Como os da Cidade quiserom roubar os judeus e o Mestre os defendeo que Lhe foi feito” (How those of the City wanted to rob the Jews and how the Master defended them from it taking place) discusses the sense of insecurity in the city after the murder of the Castilian born Bishop of Lisbon and how the common people wanted to take advantage of the uncertainty reigning in the city and rob the Jewish quarters in order to give the stolen wealth to Dom João de Avis. According to Lopes, the leaders of the mob had specified which prominent and rich Jews they wanted to rob; such as Dom Judah, former royal treasurer of King Fernando I and Dom David Negro, the king's personal valid. Upon hearing the crowd's uproar, the Jewish representatives went to the house of João Gil, where they knew that Master of Avis was staying and pleaded for his protection as they knew that they could not count on Queen Leonor's aid. As a result, the Master of Avis, accompanied by the Counts Dom João Afonso and Dom Alvaro Perez, went to the Jewish quarters on horseback. Upon arrival, Dom João de Avis asked the crowd what they were doing? The crowd responded that the Jews were traitors and formed part of Queen Leonor's band. As such, they wanted to rob them and give their wealth to Dom João, whom they designated as their leader. Dom João responded to leave it to him to resolve the issue. The two counts that had accompanied Dom João told him

to part with the crowd, as it would automatically follow him, which it did. Upon reaching the Rua Nova (New Street)<sup>768</sup>, the crowd began to disperse and it was here that the Master of Avis sent criminal justice Antam Vasquez to inform the crowd of the severe penalties it would suffer if it would attack the Jewish quarters.<sup>769</sup>

Although quite a remarkable act, there is no other corroborating evidence of this feat attributed to the Master of Avis and his entourage of noblemen purportedly riding to the gates of the main Jewish quarter and convincing the crowd not to assault the Jewish quarter, as the majority of the Jews had nothing to do with the individual actions of the former royal treasurer Dom Juda or David Negro. The purpose of the chronicler is to highlight the role of decisive leadership embodied by the Master of Avis, after the death of his half-brother and the flight of the Queen regent to the Castilian camp. It shows Dom João filling in the power vacuum or void left with the lack of leadership from the legitimist camp and the desire to avoid that the city and the realm descend into chaos and violence.

Two chapters further, Chapter 16, Fernão Lopes narrated the flight of Queen Leonor Teles with her entourage from Lisbon to Alenquer. Amongst those members of her court, were Dom Juda, chief treasurer and budget overseer of her deceased husband, Fernando I. Purportedly, Dom Juda fled with the queen out of fear for what the commoners would accuse him of having committed grievances against the people through his positions. According to Fernão Lopes, Dom Juda did not dare leave in the open, but left disguised as a page with a helmet cap and spear.<sup>770</sup> The description provided by the official chronicler is not so much an anti-Semitic one, but rather that of disparaging all of the former royal household that sided with the Castilians and abandoned the realm. Fernão Lopes did not attack the former royal treasurer for his religion nor did he assign Dom Juda any negative traits as something intrinsic or inherent of Jews in general.

Chapter 27 “Como o Mestre tomou oficiais pera sua casa e que ditado ordenou de se poer em nas cartas” (How the Master took officials to his house and what he ordered to be put in to the

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<sup>768</sup> The Rua Nova was one of the main arteries of the city and where the new Jewish quarter was located

<sup>769</sup> LOPES, Fernão (2017) *Crónica de João I: Primeira Parte*. Imprensa Nacional-Casa da Moeda, p 48-49.

<sup>770</sup> *Ibid.*, p 51.

letters) narrated how Joao, Master of Avis, once he became keeper of the realm, chose many qualified men for his provisional government, including a Jewish merchant, Lopo Martins, amongst others. Lopo Martins would become city magistrate in charge of tolls.<sup>771</sup>

Chapter 48 “Como a cidade de Lixboa deu hu serviço ao Mestre pera ajuda de fazer moeda” (How the city of Lisbon provided a service to the Master in order to help create money) discusses how the city, through the payment of taxes paid by the Jewish and Muslim communities, was able to provide funds to help support the Master of Avis in his endeavors to defend the realm, as when he assumed such role, he had no means of financing the war. This was due to the terrible monetary policies of the former king and his countless and senseless wars that he led that brought no benefit to the kingdom. These funds added up to one hundred thousand pounds or one thousand doubloons. Fernão Lopes also wrote how the Master of Avis borrowed sixty silver marks from the Jewish community, besides having received the money from Jewish royal taxes or services to finance his military endeavors.<sup>772</sup>

The chapter, besides narrating the traditional role of Jews in finance and money-lending, portrayed the prominent members of the Jewish community in providing a key role in the financing of the military operations of the Master of Avis against the Castilians. It transmitted the message that the Portuguese Jewish community, in its own way, supported Dom João’s cause in maintaining Portuguese independence from being absorbed into Castile. As such, there is transmission of the image of the “bad” Jew, as Dom Juda, who fled the kingdom as a scoundrel in disguise to join Castilian forces, and that of the “good” Jew, who supported the Master of Avis in safeguarding Portuguese sovereignty. Once again, no purported “intrinsic” or “inherent” negative characteristics were assigned to the Jews, but rather that of moral character in deciding which side to take in the historical events as they unfolded.

In Chapter 76, “Por que se gerou o desprazimento antre a rainha dona Lionor e elRei de Castela” (Why the displeasure arose between the Queen Dona Leonor and the King of Castile) Fernão Lopes narrated how Queen Leonor Teles was displaced to Castile. In it, the

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<sup>771</sup> LOPES (2017), p 66.

<sup>772</sup> Ibid., p 103-104. In COELHO, António Borges (2017). *A Revolução de 1383*, 6ª edição. Editorial Caminho, p 228, the sum was 287 silver marks. Borges Coelho did not explain how this amount differs from the amount in Lopes’ chronicle.

chronicler maligned further the widowed queen by stating that “malice drinks most of its own poison” (*a malicia bebe gram parte da sua peçonha*). From Portugal arrived the former Chief Rabbi of Portugal, David Negro, who purportedly wandered throughout Castile. He was an honorable and wealthy Jew, who began to serve Queen Leonor in Santarém. However, once in Castile, she could not offer him the position of Chief Rabbi as he had petitioned.<sup>773</sup>

In Chapter 81, “Das falas que se tratavom antre o conde dom Gonçalo irmão da Rainha e o conde dom Pedro” (On the conversations that were dealt between Dom Gonçalo, the Queen’s brother and Count Dom Pedro), a particular Franciscan friar, who was good friends with “that Jew, Dom David Negro” (*aquel Judeu, Dom Davi Negro*) told David Negro how he would receive the position of Chief Rabbi in Castile. The text went further to claim that the friar feared the anger of the crowd if the queen would go outside into the town of Santarém with her brother and Count Pedro to murder the king of Castile, that damage might fall upon “this Jew” (*este Judeu*) and the small children in his company. The friar shared a secret about the queen regent along with the two aforementioned counts to abandon the palace without consent of the king of Castile and have him murdered. The friar guaranteed David Negro that he would find a path for him to take to put him in safety but that he had to keep the secret of the plot to commit regicide. They bid each other farewell and parted ways.<sup>774</sup>

The following Chapter 82 continued the story of David Negro, simply classified as “the Jew” (*O judeu*). As soon as he could, “the Jew” went to tell the king of Castile, Juan I. The king, then told his young queen, Dona Beatriz, everything that “the Jew” (*o Judeu*) had told him. The young queen, Dona Beatriz, then retorted that she always had reservations towards that man, in spite of her mother, Dona Leonor Teles, having showed affection towards him.<sup>775</sup>

In the following Chapter 83, the king called for those who knew of the plot to assassinate him to his chambers. These were Dom Juda, the regent queen’s chambermaid, the Infante of Navarre, Dom David and a scribe. “The Jew” (*o Judeu*) said that there was no reason to dishonor him but that he would confess the truth. He told those present that the plan was for

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<sup>773</sup> LOPES (2017), p 144-145.

<sup>774</sup> Ibid., p 151-152.

<sup>775</sup> Ibid., p 153.

the queen and her brother Dom Pedro to go through all of the towns of the planned itinerary and that the count would declare himself king and have the king of Castile murdered. Maria Perez, the regent queen's chambermaid, confirmed what David Negro stated, which was written and ratified by both of them. The king of Castile then asked if these same witnesses would testify in front of the queen and they agreed upon doing so.

Queen Regent Leonor Teles was called for and entered the king's chambers and when she saw "the Jew", she cried out, "So here you are, Dom David, and you have me called here!" The king of Castile answered that there was a reason for having called her as Dom David had saved the king's life against the plot to have the king murdered. The king had the scribe read "the Jew's" testimonies against her. The queen shouted out at Dom David Negro, "You treacherous dog! You said all of this against me?" Dom David responded that he did and insisted that it was the truth. The queen shouted at him that he lied and that he was a treacherous dog. Leonor Teles' daughter, Queen Beatriz, scolded her mother that she wanted her to become widowed and deserted. Upon hearing this, King Juan I of Castile ordered that Leonor Teles not be executed but be banished to a convent, where widowed queens are sent and that she would receive financial support. The queen regent defiantly retorted that she had turned against him after he had broken the sworn oaths he had made on the Holy Host when he took communion with her in Santarém. Afterwards, the queen regent was sent to a monastery in Castile.<sup>776</sup>

There are several points to be made on these chapters. On one level, those court Jews, who joined the Castilian camp in disservice to the realm were referred to as "that Jew" or "the Jew" and not by their proper names, as was the case of those Jews, who remained in the realm and provided their service to the "national" cause of Dom João, the Master of Avis. It could be argued that once Dom David had realized the plan was to commit regicide, he realized that he had to make the moral choice of informing the king of Castile of the plot. On the other hand, it could also be argued that those same Jews, in order to gain favor in the changing political situation during the upheavals in the land, would switch their so-called allegiances

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<sup>776</sup> LOPES (2017), p 154-157. Unfortunately, Maria Perez, the queen regent's chambermaid was tortured to see if the queen had hidden treasures of gold, silver and jewels. She confessed that in Santarém there was a prominent burgher (homem bom), who the king trusted and the king was able to seize a great part of it, p 157.

when convenient and advantageous to their careers. This was inferred when the young queen, Dona Beatriz, claimed that she always had reservations towards Dom David. Queen Regent Leonor Teles called Dom David, who she professed that she cared about him, a treacherous dog in his face when confronted with the allegation of plotting to commit regicide. The lesson received from such a narrative is that all of these characters were to be interpreted as opportunists, who were willing to use each other for personal gain and benefit, as well as willing to abandon each other at a whim, when the other was no longer convenient for their personal endeavors. This did not exclude anyone from their social condition, confession or kingdom. It disparaged aristocrats, like Leonor Teles and her brothers, the king of Castile, who were Christians, and Dom David, who was Jewish. No one was spared from this critique.

Chapter 181 “Como o Mestre chegou a Coimbra e foi recebido de todos da cidade” (How the Master arrived in Coimbra and was received by all in the city) narrates how the Master of Avis arrived in Coimbra with his provisional government, including Lopo Martins, *corregedor* of Lisbon, and was acclaimed King of Portugal.<sup>777</sup> This chapter demonstrates the Master of Avis’s trust in the prominent court Jew, Lopo Martins, to accompany him and be present during the Coimbra Cortes, in which Master João was acclaimed king of Portugal. It also further demonstrates, how Lopo Martins, had the trust of the previous king, who allowed him to be present at the signing of the nuptial agreements between the Crowns of Portugal and Castile in 1383. In spite of such prior attachment to the previous monarch, Lopo Martins showed his allegiance to what would be considered as the “national party” that ultimately rejected such accords and vied for Master João to receive the Crown of Portugal.

One could also argue that the Master of Avis’ decision was not based on a sense of integrating the Jewish community into Christian society but most likely dictated by practical purposes. Dom João most likely was well aware of the economic benefits the Jewish community could bring to his cause. These benefits included not only financial support, but also administrative purposes, including managing the royal treasury and the mints, collecting taxes, running warehouses, etc. Evidence of this is the naming of the prominent Jewish merchant, Lopo Martins, as a city magistrate of Lisbon in charge of tolls.

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<sup>777</sup> LOPES (2017), p 348.

Teresa Amado's edition of Fernão Lopes' account of events provides historians with an intense and detailed narration of the socio-political crisis that Portugal underwent with the dynastic change between 1383-85. As Castilian king, Juan I, laid claim to the throne of Portugal after the death of Portuguese king, Fernando I, it most likely struck panic in the Jewish community of Portugal. The investigator needs to recall that it was Juan I's father, Enrique de Trastámara, later Enrique II, who led a virulent anti-Jewish campaign during his fight against his half-brother, Pedro I, for the throne of Castile between 1366-69. During that dynastic war, Enrique encouraged his troops and the common people to attack Jewish quarters and rob and murder at will. As a result, many massacres of Jews occurred throughout Castile during the conflict. Therefore, as Queen Leonor announced that she was respecting the accord between Castile and Portugal, and that Juan I of Castile would enter Portugal to claim the throne, the Lisbon Jews, with exception to Dom Juda and David Negro, chose the Master of Avis. Unlike what had occurred in Castile with the wanton sacking of Jewish quarters and the holding entire Jewish communities as hostage in order to demand exorbitant funds from the Jews, Master João of Avis, later King João I, protected the Jewish community of Lisbon, did not accuse the Portuguese Jewish communities as a whole in siding with Leonor Teles and the Castilian cause, and did not use pejorative or derogatory terms to describe them in official documents. As such, not only was the treatment different, but the message transmitted to the collective mindset and imaginary as well. The projected image of the Jews continued to diverge between the two neighboring Iberian kingdoms.

As previously discussed in the sub-chapter on royal chancelleries, some of the events narrated by Fernão Lopes were corroborated by the royal diplomas expedited by the chancellery. Although the language employed by Fernão Lopes was more detailed, vivid and colorful, the entries in the royal diplomas from the chancelleries also inform the reader that the regency under Dom João and the new dynasty of the Avis, did not denigrate the Jews and use pejorative terms to describe them. As seen, those Jews, whose property was confiscated was due to abandonment and disservice to the realm. Fernão Lopes, in contrast to the official royal diplomas, would categorize those Jews, who had abandoned the realm and lost their property and belongings due to disservice to the kingdom, were simply classified as "the Jew" - losing their formal names and becoming a mere stereotype of negative attributes given to the minority religious group over centuries by the Church, secular legislation and popular

legends. It seems that Fernão Lopes wanted to make a clear distinction between those individuals belonging to the Mosaic faith, who were true to the “national” cause, were spoken positively and retained their names, whereas, those who chose the “legitimist” or Castilian cause were denigrated and portrayed in not so positive terms or light. This point is important, as chronicles were most likely read by the educated elites of the clergy, nobility and upper echelons of the urban patricians. Whereas the legislation from the Crown and the Cortes would be proclaimed to the commoners throughout the realm at public squares and nailed to the doors of city and town halls.

### ***6.G. Rimado de Palacio by Pero López de Ayala***

According to Gómez Redondo, the *Rimado de Palacio* or *Libro de los Rimos* would form part of the confessional or devotional literature that the Castilian nobility would write in the late 14<sup>th</sup> and throughout the 15<sup>th</sup> century. This was due to the serious and grave social, moral and political crises that shook the kingdom since the mid-14<sup>th</sup> century. Pero López de Ayala criticized the corruption of the Church, its schism, as well as the greed and indifference of the different social orders, especially that of the Castilian court nobility in the late 14<sup>th</sup> and early 15<sup>th</sup> centuries. In his work, López de Ayala, in criticizing himself, reflected the frivolity of the nobility wasting its time reading or listening to the stories of chivalry and believing them. Perhaps most important is that many of the events that he referred to in his book were actually lived and experienced by the chancellor.<sup>778</sup>

In terms of its contents, the book is divided into two parts. The first part are short poems based on varied thematic topics, whereas the second part is based on longer poems discussing the development of social and cultural life in 14<sup>th</sup> century Castile. The short poems of the first part are divided into: the ten commandments, the seven sins, the seven works of mercy, the five senses, seven spiritual works, on governance, on merchants, on lawyers, on war, on justice, on tax collectors, justice, forgiving, frankness, scarcity, temperance, humility, fortitude and malice. The longer societal commentaries consist of: the facts of the palace, advice on governance, the nine things to know the power of the king and a reflective

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<sup>778</sup> GÓMEZ REDONDO, Fernando (2020). *Historia de la prosa medieval castellana: La Creación del discurso prosístico: el entramado cortesano*, v. I, Ediciones Cátedra, p 659.

soliloquy. The second part is much longer and consists of “The Book of Job” and the “Moralia”.<sup>779</sup>

In terms of its transmission, most likely was within the curial and religious environments (San Miguel del Monte) from the end of the 14<sup>th</sup> century to early 15<sup>th</sup> centuries. The exact date of the first transmission is difficult to ascertain, as the work was not completed within a narrow time frame but over a long period of time. It is believed that like the *Libro de Buen Amor*, there were two major versions to the work.<sup>780</sup>

The focus will be on four poems from the book, *El Pecado de la Avaricia, Del Gobierno de la República, Aquí Comienza de los Arrendadores* and *Fechos de Palacio* (*Sin of Greed, On the Governance of the Republic, Here Come the Rent Collectors* and *Palace Events*) in which Jews are presented in a very negative light. These verses reinforced the less than flattering image of late medieval Christian society held of Jews, which were that of “greedy” moneylenders practicing usury, “heartless” tax collectors and treacherous Judas. (See the Appendices to Chapter 8 for the poems written in Castilian).

The first poem is the “Sin of Greed” in which López de Ayala presented the sinister acts of greed. He presented how greed always brought wars and destroyed peoples, as well as led to the downfall of good men. Greed led merchants to lose their fame and their souls, as well as turned them into liars and deceivers. The example that he used was that these merchants in couplet 81 would “sell wool for linen”, hence deceiving their customers due their greed. López de Ayala then stated that usury was attached to greed and that it was tantamount to robbery. A note must be made that in medieval society the “sin of usury” was automatically attached to Jews, as the Church forbade Christians from lending money and charging interest but could not forbid Jews from doing so. Further to this indirect criticism of Jews, López de Ayala in couplet 76 also stated Judas sold Christ due to greed. This act was viewed as the ultimate act of betrayal and associated Judas (a Jew) selling his master for thirty pieces of silver paid by the Jewish High Priests. This refers to the traditional medieval Christian accusation that the Jews were Christ killers and associated greed, deception and usury to the

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<sup>779</sup> GARCIA, Michel (1974). El Rimado de Palacio: Datos para la historia del texto. In *AIH*, Actas, p 402-405.

<sup>780</sup> GÓMEZ REDONDO (2020), p 660-661.

Jews as their primal motive for that act and all other transactions with Christians. This is not accurate as the Bible states that Judas had felt that Jesus would lead a rebellion against Rome and felt that Jesus had betrayed the cause of the Zealots. However, in the Middle Ages, Jews were commonly accused of being Christ killers, greedy and practicing usury by charging in Castile 33% interest rate on loans extended to tradesmen, guildsmen, nobility and royalty.

### **Pecado de Avariçia**

[74]

Avariçia es pecado, raíz e fundamento  
de todos los males, éste e muy grant çimiento;  
esquivar lo debe omne de buen entendimiento;  
ca deste nasçe al alma mut grant destruímento.

[75]

E a este pecado se cuenta la usuría,  
e las fuerças e furtos e toda robería,  
echar los grandes pechos, falsa mercaduría,  
aquí son abogados en esta cofradía.

[76]

Por aqueste pecado fue vendido el Señor,  
por los treinta dineros, por Judas, el traidor:  
por ésta fue de muerte [Acab] merescedor  
el que tomara su viña al pobre servidor.

[77]

Ésta trae las guerra, destruye lo poblado;  
a la viuda e al pobre tiene desheredado;  
e fase de buen pleito, muy malo el abogado;  
el huérfano chiquillo dexa mal aconsejado...

[79]

Esta trae los pechos en los pueblos cuitados,  
monedas, alcabalas, enpréstidos doblados;  
sueldo a cavalleros e omnes escudados,  
galeotes, ballesteros, por ella son echados...

[81]

Esta fase perder a muchos mercadores  
su alma e su fama e los faze mentidores:  
venden lana por lino e son engañadores;  
quieren con una tinta teñir quatro colores.

[82]

Esta trae usuras, que lleval con engaño,  
por çiento, quastroçientos, antes del medio año;  
si le tomares fiado la vara de su paño,  
aunque muy bueno sea, llévaslo con grant daño.

[83]

En aquesta cobdiçia peco de cada día;  
con mucha avariçia vivo la vida mía;  
parto mal con los pobres de toda mi quantía;  
después, quando me duele, llamo “¡Santa María!”

[84]

Nuesrtro Señor consiente e es muy sofridor;  
non acaloña al culpado luego en el fervor;  
después de que le pide corro el pecador ,  
non recabda en un día por ser muy rezador.<sup>781</sup>

The poem “Sin of Greed” provides historians with an insight into the mindset, ideas, biases and even prejudices of not only Pero López de Ayala and late medieval Castilian nobility in particular but of late medieval Castilian society in general. The poem reflects how both greed and usury were directly linked to one another and how these two vices were automatically associated with the Jews. These negative attributes project the beliefs of not only the Castilian nobility of that time period but also those of most members of medieval Christian society. By writing and publishing his work, López de Ayala reinforced these prejudices and would spread them, albeit to a limited audience as many people in medieval society could not read, had limited access to books due to financial constraints as books were expensive and considered as luxury items, or could not appreciate literary works.

The second poem is “On the governance of the Republic” is about how monarchs and rulers have relied on the assistance of the Jews to collect taxes from the subjects in order to maintain their rule. The author presents the Jews in a ghoulish manner in that they drink the blood from the common people. The Jews are presented as imposing an ever-heavier tax burden on the people who were being victimized and were dying due to lack of support from their rulers. The Jews responded to such allegations that they were only serving the interests of the king. The people retorted that the Jews were excellent collectors, who served the king well by

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<sup>781</sup> LÓPEZ de AYALA (2000), p 15-16. LÓPEZ de AYALA (1991), p 133-135; LÓPEZ de AYALA (2019), p 149-151.

raising the taxes above the ceiling of financial tolerance. The Jews respond to the king that they would provide good financial services by acting as guaranteed moneylenders with the appropriate written documents. López de Ayala criticized the king by stating that the monarch was well aware that these rents that had been raised, were at the cost of his people and that their blood came from their sides. The poet continued in his critique that the Jews were well aware of the cries and wailing of the people and were not dismayed by them for if the people did not pay, they ran the risk of losing everything that they owned to the Jewish “traitors.”

### **Del governmento de la rrepublica**

[235]

Quando, en otro tiempo, los judíos pidieron  
a Nuestro Señor rey, d'Él entonces oyeron  
lo que, después, por fecho e por los ojos vieron:  
si algo recabdarón, en su pro lo sintieron...<sup>782</sup>

[242]

Los huérfanos e viudas, que Dios quiso guardar  
en su grant encomienda, véoles bozes dar:  
“¡Acórrenos, Señor, non podemos durar  
“los pechos e tributos que nos fazen pagar!”

[243]

De cada día veo asacar nuevos pechos  
que demandan los señores, demás de sus derechos;  
e a tal estado son llegados ya los fechos  
que quien tenía trigo non le faltan afrechos.

[244]

Ayúntase privados con los procuradores  
de çibdades e villas; fazen repartidores  
sobre los inocentes, cuitados pecadores;  
luego que han acordado, llaman arrendadores.

[245]

Allí vienen los judíos, que están aparejados  
para beber la sangre de los pobres cuitados:  
presentan sus escriptos, que tienen conçertados,  
e prometen sus joyas e dones privados.

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<sup>782</sup> LÓPEZ de AYALA (2000), p 42. LÓPEZ de AYALA (1991), p 165. LÓPEZ de AYALA (2019), p 176.

[246]

Perlados que sus eglesias devrían gobernar,  
por cobdiçia del mundo allí quieren morar,  
e ayudan rebolver el regno a más andar,  
como rebuelven tordos un pobre palomar.

[247]

Allí fazen judíos el su repartimiento  
sobre el pueblo que muere por mal defendimiento  
e ellos luego apartan entre sí medio cuento,  
que han de aver privados, qual ochenta, qual çiento.

[248]

[E] dizen los privados: “Servimos cada día  
“al rey, quando yantamos, es más de mediodía,  
“e velamos la noche, que es luenga e fría,  
“por concertar sus cuentas e la su atasmía.

[249]

“E así sin conçiençia e sin ningunt otro mal  
“podemos nos sacar, de aquí algunt cabdal;  
“ca dize el Evangelio e nuestro decretal  
“que digno es el obrero de levar su jornal.”

[250]

Dizen luego al rey: “Por cierto, vos tenedes  
“judíos servidores e merçed les faredes;  
“ca vos pujan las rentas por çima las paredes:  
“otorgad gelas, señor, ca buen recabdo avredes.”

[251]

“Señor – dicen judíos –, servicio vos faremos:  
“tres cuentos más que antaño por ellas vos daremos,  
“e buenos fiadores llanos vos prometemos,  
“con estas condiciones que escriptas vos traemos.”

[252]

Aquellas condiciones, Dios sabe quales son:  
para el pueblo mesquino, negras como carbón.  
“Señor –dizen privados– faredes grant razón  
“de les dar estas rentas, ençima gualardón.”

[253]

Dize luego el rey: “A mí plaze de grado  
“de les fazer plazer, que mucho han pujado  
“ogaño en las rentas”, e non cata el cuitado  
que toda esta sangre sale del su costado.

[254]

Después d[acu]esto llegan don Abrahan e don Simuel  
Con sus dulçes palabras que vos paersçen miel,  
e fazen una puja sobre los de Israel,  
que monta en todo el regno cuento e medio de fiel...<sup>783</sup>

[262]

[E] tienen para esto judíos muy sabidos  
para sacar los pechos e los nuevos pedidos;  
non lo dexan por lágrimas que oyan, nin gemidos;  
demás, por las esperas, aparte son servidos...<sup>784</sup>

[269]

Conviene que lo gasten los pobres labradores;  
beverlo o verterlo; non les valdrán clamores,  
e fagan luego pago a los judíos traidores  
o lo sacan a logro de buenos mercadores.<sup>785</sup>

The second poem “On the governance of the republic” is the harshest, if not most brutal, criticism of the Jews, as it portrays them as merciless bloodsuckers at the expense of the common people. Although López de Ayala may have been alluding to the Jews as bloodsuckers in a metaphorical manner in that they were imposing an unbearably heavy burden on the common people, the image of “bloodsuckers” fit in with the medieval Christian narrative that the Jews performed sacrificial acts of killing Christian children and used their blood for their rituals. The dangers in these allusions are that the illiterate masses could interpret it as the Jews actually performing macabre acts on innocent Christians and could lead to shock, anger and subsequent acts of violence. However, there is no evidence that the masses ever came into contact with this work. Moreover, it was read in private by members of the upper clergy or nobility or aloud amongst courtesans.

The third poem is “Here begins the rent collectors” discusses when the rents from the leases had to be collected; the mayors of the towns were at a loss in how they would raise the rents. A Jew appears and tells the mayor that he will collect the raised rents, in spite of the townsmen crying of who would do such a thing. Once again, the Jew is portrayed as the

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<sup>783</sup> LÓPEZ de AYALA (2000), p 43-45. LÓPEZ de AYALA (1991), p 166-170. LÓPEZ de AYALA (2019), p 178-180. It is believed that Don Abrahan and Don Simuel refer or allude to Abraham Abenzercer and Samuel ha-Levy.

<sup>784</sup> LÓPEZ de AYALA (2000), p 46. LÓPEZ de AYALA (1991), p 171. LÓPEZ de AYALA (2019), p 181.

<sup>785</sup> LÓPEZ de AYALA (2000), p 47. LÓPEZ de AYALA (1991), p 172. LÓPEZ de AYALA (2019), p 182.

stereotype of heartless money-grubbing beings, who volunteer to raise rents and take away the livelihood of the common people.

### **Aquí Comiença de los Arrendadores**

- 364 Pues las rentas de la villa, quando se han de arrendar,  
allí llegan los alcaldes para en ellas encarnar:  
fablan unos con otros por las sienpre abaxar;  
pues í veen ofiçiales, ¿quién las osará pujar?
- 365 Al través viene un judío e dize: “Alcalde, señor,  
“pues vos deven el salario, a la villa es mejor  
“que ayudes vos las rentas por algunt presçio menor  
“antes que otro ninguno, e seré yo el cogedor.”
- 366 “Ayades buena ventura, responde luego el alcalde,  
“las rentas deste conçejo non las quiero yo de balde;  
“mas vos, dadles por mí tanto, por la villa e arrabalde;  
“si vierde que puja alguno, fablad con él e pechalde.”
- 367 Ay algunos buenos omnes que les pesa mucho desto;  
fablan entre sí llorando: “Amigos ¿qué será esto?  
“¿quién pujará tal renta?; ca bien vemos en su jesto  
“qu’el alcalde se las toma, por ende anda tan presto.”<sup>786</sup>

Although the couplets of the fourth poem *Aquí Comiença de los Fechos de Palaçio* (Here begins the *Palace Events*) are not solely dedicated to the Jews, they are a reflection of the state of affairs of the royal court of the Trastámara kings that had allegedly fought against the corruption of the tyrant and despot, Pedro I, but were just as corrupt and despotic as the previous regime. The couplets portray the trials and tribulations of a minor nobleman trying to collect the payment for his three months of services [couplets 441] and how he had to constantly recur to bribery payments to the royal gatekeepers, privates, treasurers to the point of losing almost all of his property and belongings to receive his just payment. The minor nobleman would finally have to recur to the services of a Jewish rent or tax collector [couplets 473], a member of a marginalized societal group in order to be heard and hopefully receive his earned pay.<sup>787</sup>

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<sup>786</sup> LÓPEZ de AYALA (2000), p 63-64. LÓPEZ de AYALA (1991), p 193-194. LÓPEZ de AYALA (2019), p 200-201.

<sup>787</sup> GÓMEZ REDONDO (2020), p 670. LACARRA y CACHO BLECUA (2012), p 379.

### Aqui Comiença de los Fechos de Palaçio

[423]

Grant tiempo de mi vida pasé mal despendiendo;  
a señores terrenales con grant cura sirviendo;  
agora ya lo veo e lo vó entendiendo,  
que quien í más trabaja más irá perdiendo.

[424]

Las cortes de los reyes ¿quién las podría pensar?  
¡quánto mal e trabajo el omne ha de pasar!:  
perigros en el cuerpo e el alma condenar,  
los bienes e el algo, siempre lo aventurar.

[425]

Si mill años los sirvo e un día fallesco,  
dizen que muchos males e penas les meresco;  
si por ellos en cuitas e cuidados padesco,  
dizen que como neçio, por mi culpa, peresco....<sup>788</sup>

[427]

Fallo porteros nuevos, que nunca conoscí,  
que todo el palacio quieren tener por sí;  
si llevo a la puerta, dizen: ‘¿Quién esta í?’  
“Señores, digo, yo, que en mal día nascí”.

[428]

“Grant tiempo ha que cuidava esta corte saber;  
“agora me pareçe que non sé qué fazer;  
“querría, si pudiese, al rey hablar e veer”.  
Dizen: “Estad allá, ca ya non puede ser.

[429]

“Está el rey en consejo sobre fechos granados,  
“e non están con él, si non dos o tres privados;  
“e a todos mandó que non fuesen osados  
“de llegar a la puerta, aunque sean onrados”.

[430]

“Señor, le digo yo, de ver al rey non curo;  
“mas acojedme allá, siquiera en eso escuro,  
“e de mí vos prometo, e por mi fe vos juro,  
“de vos dar um tabardo, desto vos aseguro”.

[431]

Dize el portero: “Amigo, non podedes entrar;  
“ca el rey mandó agora a todos de aquí echar;

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<sup>788</sup> SALVADOR MARTÍNEZ (2000), p 73-74. ORDUNA (1991), p 203. ADAMS (2019), p 210.

“esperad allá un poco, podredes después tornar;  
“allá están otros muchos con quien podedes falar”....<sup>789</sup>

[440]

Pero allego a él, así como a morir.

“Señor, digo, merçed, queredme agora oír:

“yo só vuestro vasallo e mandásteme venir

“aquí a vuestra guerra, e agora mandástesme ir.

[441]

“De sueldo de tres meses non puedo ser pagado;

“de la tierra de antaño dos terçios no he cobrado;

“he perdido mis bestias, mis armas enpeñado;

“ha dos meses que yago doliente, muy lazado”....<sup>790</sup>

[444]

Dígole: “Señor, non sé en qué está la mi fazienda;

“de todo quanto perdí, non puedo aver emienda;

“pero aquí moraré, esperando que entienda

“él cómo le serví, aunque non tengo qué espienda”.

[445]

Dize el portero: “Amigo, fulano es muy privado:

“esperaldo a la salida, de vos sea conpañado;

“id con él a su posada e dezidle que de grado

“le daredes alguna cosa, que seades ayudado....<sup>791</sup>

[467]

“Faremos, diz, la cuenta, que sodes buen escudero,

“e librarvos hemos luego en Johán Núñez tesorero;

“ca sed çierto que bien deve al rey este dinero;

“es omne bueno e llano, non vos será refertero.

[468]

“O en Aben Verga podedes, si quisierdes, ser librado,

“o en Aben Caçi a osadas, arrendador del bispado,

“o en diezmos de la mar, que es dinero bien contado:

“escojed dó vos quisierdes, luego seredes pagado.

[469]

“Por çierto vos libraremos muy bien e sin engaño,

“e queremos vos librar bien así de cada año;

“guadaremos vuestra cuenta, que non resçibades daño,

“e agora, de vos, queremos de Ipre tomar un paño”.<sup>792</sup>

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<sup>789</sup> SALVADOR MARTÍNEZ (2000), p 74. ORDUNA (1991), p 204. ADAMS (2019), p 210-211.

<sup>790</sup> SALVADOR MARTÍNEZ (2000), p 76. ORDUNA (1991), p 206. ADAMS (2019), p 212-213

<sup>791</sup> SALVADOR MARTÍNEZ (2000), p 76-77. ORDUNA (1991), p 213. ADAMS (2019), p 210.

<sup>792</sup> SALVADOR MARTÍNEZ (2000), p 80-81. ORDUNA (1991), p 211-212. ADAMS (2019), p 217.

[473]

Vóme para la posada; yo non sé qué me fazer;  
viene a mí un judío e dize: “¿Querés aver  
“recabdo d’estos dineros? Vos avredes de poner  
“ende algo de lo vuestro, e non vos deve doler”.

[474]

Véome desanparado, que daría quanto he;  
“Señor, digo, tomad; ca vos juro en buena fe  
“que si el algo me diere, esta cuenta tal faré  
“que me lo da de lo suyo, e así gelo gradesçeré”.

[475]

El que en la corte anda así pasa, ¡mal pecado!;  
si a uno va bien, un millar pasa penado;  
quien de allí lieva dinero asaz lo ha lazado:  
esto digo porque el mundo así está mal ordenado.

[476]

Suma de las razones: su pena tiene cresçida  
quien en la corte del rey ha de andar a buscar vida;  
non sé en este mundo qué cosa omne pida,  
en que non aya dolor e cuita asaz conplida.<sup>793</sup>

According to Gómez Redondo, López de Ayala transmitted the message in these last couplets, that a frustrated nobleman was forced to rely on the supposed unscrupulous means of conducting business of a Jew in order to reach the king and be paid for services rendered. It reinforced the image of the ascent of moneyed Jews and their power that they reached in the royal administration.<sup>794</sup> A reference to this is the mentioning in couplets [468-469] of fictitious characters, Abenverga and Abencaçi, as rent collectors, who could possibly do the nobleman’s bidding. In return, the two wealthy Jews wanted the impoverished nobleman to purchase expensive cloth from Ypres, Flanders.<sup>795</sup>

Joseph Pérez in his analysis of Pero López de Ayala’s anti-Jewish poems, *Rimado de Palacio*, quoted a passage in *Aquí comiença de los Arrendadores* portraying the Jewish rent and tax

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<sup>793</sup> SALVADOR MARTÍNEZ (2000), p 81-82. ORDUNA (1991), p 212-213. ADAMS (2019), p 218.

<sup>794</sup> GÓMEZ REDONDO (2020), p 670.

<sup>795</sup> ADAMS (2019), p 217: According to Kenneth Adams, many documents have produced the prefix Aben-, and that a Abenberga from 1383 was found in the municipal archives. However, Adams did not state which municipality. SALVADOR MARTÍNEZ (2000), p 80. ORDUNA (1991), p 212. GARCIA (2019), p 181.

collector as a blood sucker of the poor people. This was a quintessential reflection of popular anti-Jewish sentiment of the 14<sup>th</sup> century. Pérez explained the plight of the poor common people during economic crises as there is not enough money to pay for scarce food during droughts, crop failures and famines, in which prices are driven up to exorbitant levels, not enough money to pay for secular and ecclesiastical rents, let alone for the royal taxes that are even higher than the aforementioned ones. As a result, many commoners need to borrow scarce money that, in turn, is lent at high interest rates. Here, Pérez explains, where the stereotypical image of the money lending Jew comes in. It was the replaying of this stereotype into the imaginary of the common people that would and did set off acts of violence towards the Jews as they were portrayed as the cause and the beneficiaries of people's misery.<sup>796</sup>

Here the central theme of usury comes into play. Pérez explained how the Church had forbidden Christians from lending money with interest as an illicit way of earning a living. According to Pérez, the Church did not ban or prohibit the large operations of credit but the pawning of clothes, jewelry and other personal objects and items.<sup>797</sup> Gómez Redondo expanded on this theme by stating that López de Ayala expressed how the nobility could not earn interest through usury, as well as their own indolence, allowed the Jews to do so in order for themselves to enrich themselves through easy earnings.<sup>798</sup>

A very important point that must be made is that according to Pérez, the Talmud also banned usury – Jews could not lend money with interest to other Jews.<sup>799</sup> Look for exact document or law that states this. “There are three Biblical passages which forbid the taking of interest in the case of ‘brothers,’ but which permit, or seemingly enjoin, it when the borrower is a Gentile, namely, Ex. xxii. 24; Lev. xxv. 36, 37; Deut. xxiii. 20, 21” (Jewish Encyclopedia).

The discussion of usury according to the Jewish Encyclopedia continues with “Lending on usury or increase is classed by Ezekiel (xviii. 13, 17) among the worst of sins”:

The Talmud (B. M. 61b) dwells on Ezek. xviii. 13 (Hebr.): "He has lent on usury; he has taken interest; he shall surely not live, having done all these abominations"; on the

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<sup>796</sup> PÉREZ, Joseph (2014). *Los Judíos en España*, 5ª reimpression. Marcial Pons Historia, p 117-118.

<sup>797</sup> PÉREZ (2014), p 118.

<sup>798</sup> GÓMEZ REDONDO (2020), p 670.

<sup>799</sup> PÉREZ (2014), p 118.

words with which the prohibition of usury in Lev. xxv. 36 closes: "Thou shalt be afraid of thy God"; and on the further words in which Ezekiel (*l.c.*) refers to the usurer: "He shall surely suffer death; his blood is upon him"; hence the lender on interest is compared to the shedder of blood.<sup>800</sup>

According to Pérez, the Jews simply performed a social function, as the Christians were banned from lending money with interest. Prominent Jews performed duties as the collectors and administrators of rents for the nobility, Church and the monarchs. In this manner, the king freed himself from the actual collection of rents and let others do it for him. As a result, the Jews became the hated figure in the collective mindset of the common people. It was these duties that allowed some Jews to achieve positions of economic prominence, while at the same time popular animadversion.<sup>801</sup>

## **Chapter 7. Massacres of 1391 and Aftermath in Castile and Portugal until 1412**

The following appendices provide the detailed analysis of late medieval Castilian and Portuguese sources, including Castilian Jewish sources. These sources not only include chronicles, but elegies and polemic literature as well. The appendices also include the comparative charts of secular and ecclesiastical anti-Jewish legislation from the kingdoms of Portugal and Castile from the time frame of 1391-1412.

### **7.A. The Massacres of 1391 in Castile and Aragon:**

#### **An Analysis and Cross-Reference of Castilian Jewish and Christian sources**

The massacres of the Jewish communities of the Crowns of Castile and Aragon of July and August of 1391 have been documented by both Christian and Jewish sources. However, it seems there have been only separate analyses of either Christian sources or Jewish sources, but no comparison-contrast of these different sources. The thesis chapter will examine the Jewish massacres of 1391 through the perspectives of Christian and Jewish sources of the time period and those written thereafter. The purpose then is to attain both a holistic view of the events, as well as cross-reference the accounts of those same sources to find either

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<sup>800</sup> *Jewish Encyclopedia*. [Online]. <https://jewishencyclopedia.com/articles/8136-interest>

<sup>801</sup> PÉREZ (2014), p 118.

supporting reports or discrepancies in their accounts. The chapter will not only look at chronicles and official accounts but also at literary material from Jewish sources, known as “Books of Memory.” It is important to reiterate, when studying an era, that one type of source material, such as chronicles and official government documents, is insufficient to understand the mindset or frame of mind of that time period. It is here that literary pieces play a fundamental role. Not only do literary accounts provide a more vivid description of the events, but a different approach to them as well. Whereas state documents tend to screen and filter events that are not convenient to expose to contemporary audiences or future generations, and hence provide a more prescribed and limited view, literary pieces, on the other hand, present information differently by conveying messages with literary devices and word choice, to their audiences. These literary pieces reflect the convictions, bias and even prejudices of its authors, thus giving the reader a different and perhaps even skewed view of events. By combining the two forms of narrative, however, historians come closer to a more accurate view of the unfolding of events and the mindset of a period.

This chapter will use eight different sources in order to examine different perspectives in order to come closer, within the possible, to a more objective view of events. All biases and prejudices of the time period must be taken into account and weighed into the analysis. It is only after an evaluation of the selected sources used, can one come to a more objective conclusion of the aforementioned events. The sources that will be analyzed are: (Christian sources) *Crónica de Don Enrique III* from *Crónicas de Pero López de Ayala* edición de José-Luis Martín (1991); *Crónica Anónima de Enrique III de Castilla: (1390-1391)* edición de Michel García (2013); Enrique III’s instructions to intercept the wave of anti-Jewish violence in July 1391; and, Titles 77 and 94 from Book 2 of the Portuguese legal compendium *Ordenações Afonsinas* from 1391-1392 narrating the entry of many Jews from Castile in the aftermath of the assaults on the Jewish quarters, protecting the Jews and *Conversos*, allowing the *Conversos* to reconvert to Judaism and not forcing Jews to convert to Christianity. The last Christian source will be an anonymous Portuguese work of polemic literature known as the *Livro da Corte Imperial*. (Jewish sources) *Elegy on the martyrs of Toledo 1391* written by Jacob ibn Albaneh; the *Chebet Yehudah (Scepter/Staff of Judah)* by Salomón ibn Verga translated and commented by Francisco Cantera Burgos (1927); and, *El Valle del Llanto (Valley of Tears)* by Yosef ha-Kohen from 1391.

Before looking at the actual sources, it must be discussed how Christian historiography differed from Jewish historiography during the Middle Ages. Both Enrique Cantera Montenegro and Francisco Cantera Burgos explain how Jewish historiography was extremely limited, if not deficient, compared to Christian historical sources. According to Francisco Cantera Burgos, this occurred when the Jews lost their nation or statehood after the fall of Jerusalem and the destruction of the Temple. As a result, the Jewish people lost an interest in keeping factual records or accounts of events. Instead, it became more interested in maintaining the religious identity and unity of its faithful while moving from territory to territory and being a “guest” in a host nation.<sup>802</sup> Enrique Cantera Montenegro supports this claim, stating that it was amazing how the Jewish culture lacked a factual account of its own history, whereas the Jewish Community excelled in questions of philosophy, theology, literature, science and medicine.<sup>803</sup> Both historians discuss how there are two schools of thought on why the Jews lost interest in relating past events in written form that were not religious in nature.

The first school of thought led by Amos Funkenstein, states that the Jewish leaders of the Talmudic school had a disinterest, if not disdain for the “present” and focused more on liturgical and religious questions. The second school of thought, led by Hayyim Hillel Ben-Sasson and Ron Bakai, believe that this lack of interest in keeping a record of events was linked to not having a national territory per se. Bakai argued that medieval historiography (dispensing of royal decrees, charters and letters) was linked to the historical development of a specific political and geographical identity, which the Jews at the time lacked. Ben-Sasson supports this idea by stating that it was the lack of political leadership of the Jewish community in state affairs that led to this disinterest in keeping archival records of events concerning its own community.<sup>804</sup> Nonetheless, during times of difficulties and hardships, historical events, such as the massacres during the First Crusades, the massacres in Castile and Aragon, and the expulsion of the Jews from Spain and Portugal, were recorded in literary texts.<sup>805</sup> This historiographic genre became known as “Books of Memory” or martyrology, in

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<sup>802</sup> CANTERA BURGOS, Francisco (1927). Ibn VERGA, Solomon. *Chebet Yahuda*. Librería López-Guevara, p 4.

<sup>803</sup> CANTERA MONTENEGRO, Enrique (2002). La Historiografía hispano-hebrea. *Espacio, Tiempo y Forma*, t. 15, p 11.

<sup>804</sup> Ibid., p 13-14.

<sup>805</sup> Ibid., 117.

which Jews who died for their faith are remembered by registering their names. Of this genre, two books stand out: Emeq ha-Barka or “Valley of Sorrow” and the Shebet Jehudah or “Staff of Judah”, the last being known as the most original and complete account of medieval Jewish history<sup>806</sup>.

### 7.A. Castilian Christian Sources

#### ***Crónica de Don Enrique III, from Crónicas de Pero López Ayala, edición de José-Luis Martín (1991); Chapters 5 and 20***

The origins of the source are the royal chronicles of the court of King Enrique III of Castile and Leon written by Pero López de Ayala in the late 14<sup>th</sup> century. Pero López de Ayala (1332-1407) was a Castilian nobleman from a prominent Castilian family. He was warrior, poet, chronicler, ambassador to France, and chancellor to the King of Castile. He served for four Castilian monarchs: Pedro I, Enrique II, Juan I and Enrique III. Editorial Planeta published the José-Luis Martín edition of Ayala’s *Crónicas* in 1991. The purpose of the two chapters in the chronicles was to give a brief account of the events of the anti-Jewish disturbances and massacres of 1391 for contemporaries who lived through the events and to leave an official written record for posterity.

The content of the two chapters of the *Crónicas* are short accounts that describe the outbreak and development of events of 1391. Chapter 5 narrates how the archdeacon of Ecija, Ferrand Martínez had preached against the Jews and instigated the common people to rise up against the Jewish community of Seville. The chapter briefly discussed the role of the city dignitaries of Seville, the mayor of the city, Count Niebla and the sheriff, Pedro de Guzmán, and how they tried to prevent the disturbances and the massacres. The chronicler López de Ayala went on to discuss how the mob rose up against the city authorities who had to take refuge in their palace as the mob then went on to ransack and pillage the Jewish quarter and then force them to convert or be butchered. Important to note is that the royal chronicler placed the full blame of the events on the archdeacon Ferrand Martínez and that the disturbances spread from Seville to Córdoba and then throughout the Kingdom of Castile to the Kingdom of Aragon.<sup>807</sup>

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<sup>806</sup> CANTERA MONTENEGRO (2002), p 20.

<sup>807</sup> LÓPEZ de AYALA, Pero (1991). *Crónica del Rey Don Enrique, Tercero de Castilla y León* in *Crónicas*. Edición, prólogo y notas de José-Luis Martín. Editorial Planeta, p 713.

Chapter 20 begins with the royal chronicler narrating how the king sent messengers with letters in an attempt to stop the disturbances in Seville and Córdoba and to prevent them from spreading to other cities and towns. López Ayala wrote that by the time the young king arrived in Segovia, news of the common people having sacked the Jewish quarter of Seville had reached the king and how the majority of Jews were forced to convert to Christianity and that there were many murdered. The royal chronicler went on to narrate how the Jewish communities of Seville, Córdoba and Toledo had been destroyed. Regardless of how the king sent his letters and archers to impede further riots, the situation had become so fiery that nothing could stop it. The riots spread to the Kingdom of Aragon. Unlike in Chapter 5, Chapter 20 discussed how the mob tried to pillage the Muslim quarters but out of fear of retaliation towards Christian captives in the Kingdom of Granada and in Northern Africa, refrained from attacking these Muslim quarters. Also, unlike Chapter 5, López de Ayala discussed how the archdeacon Ferrand Martínez had been preaching against the Jews during the reign of Juan I. The royal chronicler also discussed how the common people went into its frenzy in its desire to rob and plunder. Finally, López de Ayala briefly tried to explain how Ferrand Martínez exploited the young king's age under regency and the discord amongst the Castilian nobility as it was divided over the former king's last will and testament.<sup>808</sup>

The values of the *Crónicas* de Lopez de Ayala, is that it is the official record of the court during the events and as such represent the court's view or interpretation of the events. The chronicles provided a written account of the events as they occurred and narrated how the disturbances spread from Seville throughout the Kingdom of Castile into the Kingdom of Aragon. The chronicles also indirectly reflect the author's views of events by offering how much information he thought should and should not be recorded. The author screened and filtered the amount of information of events of what we would call official state censorship. That being said, limiting the amount of information to how much should be reported is a form of manipulation. As such, chronicles are a form of state propaganda. The intent may be to portray the king as strong, resolute and unwavering, especially as the young king at the time, Enrique III, was only 11 years old, sickly and under the regency of his relatives. Castile was also going through turmoil as part of the nobility contested the last will and testament of the young king's father, Juan I. Narrating the events of 1391 as having gone out of control would

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<sup>808</sup> LÓPEZ de AYALA (1991), p 738-739.

have given the impression that the king was too young, naïve, weak and not resolute in managing the affairs of the state. Any presentation of the king as weak might have provoked further rebellion from the Castilian nobility and unleashed further upheavals and riots from the common people. López de Ayala also did not (and most likely could not) criticize the limited role of the king sending letters as a means of stopping the massacres and preventing their spread throughout the kingdom. Other issues or limitations with chronicles are their reliability as objective sources even if they were written during the time of the events. Since chronicles are written to portray their contractor, the sovereign in this case, in a positive light, their authors may lack objectivity and present a limited, biased and even one-sided view of the events through language, word choice and when and where to place certain actors in the narrative. Even though Pero López de Ayala did present towards the end of chapter 20 the issues plaguing the kingdom at the time of the massacres and placed the blame on the shoulders of the archdeacon of Ecija, these accounts were very brief and scant. Another possible limitation may be López de Ayala's anti-Jewish bias, which he demonstrated in his *Libro Rimado del Palacio* or "Rhymes of the Court" or "Palace Verses". As analyzed in the previous chapter, he wrote a biting poem of the "Recaudadores Judíos" or "Jewish collectors" coming to collect debt and taxes from the poor people and how these Jews, who were in the king's favor, came to "drink the people's blood" by pushing up rents to the ceiling. This bias might have given the account in the official chronicles a lack of objectivity and perhaps might have led the chronicler to leave out details that would have given the reader a fuller picture of the events.

***Crónica Anónima de Enrique III de Castilla (1390-1391) edición de Michel García (2013)***

The origins of this source are believed to be one of the earlier drafts of the official chronicle of Enrique III of Castile. It is known as the "Códice Ms. II/755 de la Biblioteca Real." Marcel Pons Historia published this edition in 2013. According to Michel García, its origins are still an enigma, as it is still not ascertained if the author is someone other than Pero López de Ayala. As mentioned above, its purpose was to serve as a draft for the official chronicle, which in turn, would serve as the royal record of events during the period of 1390-1391. However, there are differences in penmanship, spelling and structure that differentiate it from the final official chronicle. In terms of its structure, the anonymous chronicles are organized differently in terms of the content of the chapters. For example, the account of the anti-Jewish

riots and massacres do not follow the same chapter numbers as in the official chronicle of Enrique III. In the official manuscript, the anti-Jewish riots are in chapters 5 and 20. In the anonymous one, the same riots are in chapters 7, 9 and 21. Not only are there more chapters relating to the events, but the accounts are lengthier as well. The content of the anonymous chronicles is also more detailed in substance than the official ones. It is this more detailed account that will be the subject of interest and further analysis by cross-referencing it with the official account by Pero López de Ayala.<sup>809</sup>

The beginning of Chapter 7 discusses the discontent and unrest of the Castilian nobility regarding the recently deceased king, Juan I, and the contested last will and testament before it moved onto the account of the anti-Jewish riots in Seville.<sup>810</sup> This is a remarkable difference in terms of the official chronicle, which only briefly mentioned the situation of the nobility and the monarchy at the end of chapter 20. It is as if López de Ayala wanted to downplay any possible interpretation of unrest in Castile or weakness of the young monarch and his status as ruler in the kingdom. However, unlike the official chronicle, the anonymous one described the archdeacon of Écija, as a learned, holy man, whose intentions were only to convert the Jews to the “true faith.” According to the anonymous chronicler, it was only when his sermons to convert the Jews were not taken into regard by the Jewish community that he began to preach against the Jews.<sup>811</sup>

According to the anonymous chronicler, the common people did not need much effort on the part of the archdeacon’s sermons to become angry and attack the Jewish quarters of Seville. The crowd, which quickly turned into a mob, was motivated by greed and the desire to rob and pillage. Also differing from the official chronicle, the anonymous chronicle mentions that the rabble-rouser was a poor silversmith whose motivation was to organize the looting and led the angry mob to the homes of the most prominent Jews in Seville. The anonymous chronicle, unlike the official account by López de Ayala, discussed the role of Rabbi Samuel Lentin, who was a prominent man of high standing and favored by the powerful families of Seville. Aware of the silversmith’s intentions to lead the mob to his home, the rabbi had his home

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<sup>809</sup> *Crónica Anónima de Enrique III de Castilla (1390-1391)* (2013). Edición de Michel Garcia. Marcial Pons Historia, p 148-161.

<sup>810</sup> *Ibid.*, p 54-55.

<sup>811</sup> *Ibid.*, p 55.

guarded with armed men and had sent for help from the city's mayor, Don Juan Count of Niebla and the city's sheriff, Alvaro Perez de Guzman. The silversmith was arrested and was flogged in a public square when the angry mob turned against the city officials, who had to flee for their lives and take refuge in their palace. Here the anonymous chronicle, unlike its "official" counterpart, makes note of the sudden collapse of city authority over the unruly mob and of the consequences of this sudden power vacuum. Noticing their strength in numbers, the angry mob turned against the unprotected Jewish quarters. The wanton pillaging and sacking of Jewish homes were extensive with much loss of life, forced conversions and many Jews fleeing for their lives. The chapter ended narrating how the violence spread to other towns and cities.<sup>812</sup>

Chapter 9 began with the news of the events in Seville reaching the court and how the court Jews entered the council and discussed how the archdeacon had provoked the popular uprising and how the city officials had to take refuge from the angry mob. The sudden turn of events placed the monarchy in a difficult position, as the court-appointed Jews could not collect taxes, as it was feared that the common people might turn against them and cause more uprisings. The court Jews reminded the court that they were faithful vassals of the king and had faithfully served him in managing his estate, and as such demanded and expected protection. The court responded by emitting royal letters to stop the violence, to restitute all private belongings to the Jews, and to punish anyone who would provoke more violence or desist from committing more acts of violence.

Unfortunately, the mob was so incited by the preaching of the archdeacon and moved by an insatiable greed that such royal letters did little to impede further attacks. It is in this chapter that the anonymous chronicler placed the full blame of the continued violence on the shoulders of the archdeacon. As a result of the continued violence and death threats that many Jews began to convert to Christianity. The anonymous chronicler stated that it was at that moment that there was the largest wave of forced conversions in Castile. The chronicler also mentioned that the violence began to spread throughout the kingdom and that the Jewish communities in Córdoba, Toledo and Burgos were decimated as Jews were either killed, had converted or fled, leaving the Jewish quarters empty of Jews. And those Jews who did convert

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<sup>812</sup> *Crónica Anónima de Enrique III de Castilla* (2013), p 55-57.

with the promise that their property would be returned were later denied the restitution of their stolen property. The chronicler made the comment that it was the common people who started the violence and that it took the nobility to end it. The chapter ended with the violence spreading to the Kingdom of Aragon, mainly hitting the cities of Valencia and Barcelona.<sup>813</sup>

Chapter 21 discusses the mob uprisings against the Jews in mid-chapter, unlike in the official chronicle that begins its narration of the anti-Jewish riots in chapter. The two documents, however, discuss how the king and his court received further news of the riots upon arrival in Segovia. Once again, the archdeacon of Ecija is blamed for the outbreak of violence but contrary to the official chronicle, the anonymous chronicle mentions and blames the archdeacon twice as if to ensure that the source of the crimes committed are left without any doubt. Like chapter 20 of the official chronicle, chapter 21 of the anonymous chronicle discussed the extension of damage throughout the kingdoms of Castile and Aragon and how the mob was dissuaded from attacking the Muslim communities out of fear of retaliation on the lives of Christian captives in the Kingdom of Granada and beyond the seas (Northern Africa). Chapter 21 of the anonymous chronicle ended similarly as chapter 20 with a mention of the difficult situation of the rebellious nobility in the Kingdom of Castile and how the monarchy had to deal with these problems at the same time.<sup>814</sup>

As previously mentioned, it is believed that the anonymous chronicle was the draft version of the document that was used as the official chronicle. As the draft was not meant for public disclosure, it provides a more candid, detailed and perhaps more accurate view of the events that occurred in 1391. It also provided more actors in the development of the events, such as the silversmith who organized the looting or the prominent rabbi of Seville, Samuel Lentin. The anonymous chronicle also discussed in the aforementioned chapters the context of the political conflict between the young monarch and Castilian nobility in greater detail, in order to understand the tenuous situation in 1391. By mentioning that the nobility was needed to stop the riots is an indicator that the noblemen realized the threat that the angry mob posed to the existing order and rallied to the support of the young king. The official chronicle, on the other hand, would avoid discussing in detail certain events of 1391 that exposed the young

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<sup>813</sup> *Crónicas Anónimas de Enrique III* (2013), p 60-62.

<sup>814</sup> *Ibid.*, p 101-102.

monarch as being weak or not being resolute enough; such as the complete collapse of city authority in Seville or the ineffectiveness of emitting letters to cities and towns in the realm, thinking that it was the most effective way in dealing with the crisis. As a result, the official chronicles have less information than the anonymous ones. The discovery of the anonymous chronicles now offers historians with a more detailed account of events as they occurred and provides a glimpse into the inner-workings of the monarchy of what it knew and when it knew about it, in spite of this detailed account not being used for the final “official” version.

According to Michel García, most likely the author of the anonymous chronicle was not López de Ayala, as the former writer took many liberties that the latter would never have taken in regards of writing so many details of the events. Instead, Michel Garcia believes that the anonymous chronicler was the Converso, Alvar García de Santa María, who would replace López de Ayala as the official chronicler around 1406-1407. Michel García based his hypothesis on the writing style of the anonymous chronicler with the official published work by Alvar García, the anonymous chronicler’s familiarity with the Jews of the period and Jewish culture, as well as the author’s sharp perception of the transcendence of such historic events as from the perspective of someone from the court.<sup>815</sup>

Limitations to the anonymous chronicle could be the intentions of its unknown author. It is still not known if the author screened and selected many pieces of information that might have presented the young monarch in a negative light or by writing such a candid view in the draft, the author wanted the opposite effect of presenting the young monarch as weak and ineffective. As such, the young king’s lack of resolve or those in charge of the regency, in not suppressing the archdeacon strong enough from the beginning, could have been an indirect cause of the outbreak of the uprising, which was to be anticipated after years of anti-Jewish sermons by Ferrand Martínez.

### ***Enrique III’s Instructions to Intercept the Anti-Jewish Wave***

The document is a letter dictated by the young king Enrique III or dictated in his name in Segovia on 16 June 1391. The manuscript is found in the Municipal Archives of Burgos,

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<sup>815</sup> *Crónicas Anónimas de Enrique III* (2013), p 178-182.

registered under document nº 2959. It was in response to the Crown that was made aware of the recent events that had occurred in Seville and Córdoba due to the inducements and inductions of the archdeacon of Écija to the rustic common people of little understanding of the aforementioned cities to attack the Jews, cause them harm and kill a great number (piece) of them. Those, who were not killed, were forced to convert. The letter stated that such actions showed no respect or fear of God or royal justice. It also took advantage of the king's young age. As a consequence, these actions depopulated the Jewish communities and created a huge disservice to the king.<sup>816</sup>

The king then ordered to send royal officials to impose justice by imposing justice and making an example of those who committed such audacious and horrendous acts, knowing that previous kings and the Church had protected the Jews. The king ordered that the letter be read aloud throughout the kingdom and to put it into effect that no one be audacious or daring enough to attack the Jews, cause them harm or damage to their belongings under the penalty of physical punishment. If it should be discovered that anyone should take action against the Jews or desire in taking such actions to cause the Jews any harm, then royal action will be taken. The letter was granted in the royal council in the city of Segovia on 16 June 1391.<sup>817</sup>

Unlike the purpose of official chronicles, royal decrees, letters and warrants tend to be more neutral and focus more on the information available. However, this does not mean that they cannot be biased and want to portray a certain image of those, in this case the Crown, expediting such letters, warrants or decrees. Through word choice and structure of these letters, the image portrayed can be that of legitimacy, justice, strength and power. The letter let it be known for the public record that the young king and his council rejected and condemned the activities of the archdeacon of Écija and the rustic, common people that followed his inducements and inductions to attack the Jews and their property.

Nonetheless, the royal letter was merely an admonishment and demand to cease and desist in taking further actions against the Jews. The letter did not spell out in clear terms what the

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<sup>816</sup> *Archivo Municipal de Burgos*, Doc. 2959. MITRE FERNÁNDEZ, Emilio (1994). *Los Judíos de Castilla em Tiempo de Enrique III. El Pogrom de 1391*. Secretariado de Publicaciones. Universidad de Valladolid, p 114.

<sup>817</sup> *Archivo Municipal de Burgos*, Doc. 2959. MITRE FERNÁNDEZ (1994), p 114.

exact punishment would be. The forms of punishment could have included, besides arrest and imprisonment, public flogging, imposing heavy fines and even public execution. Once again, this omission to include the exact forms of punishment most likely was interpreted by Ferrán Martínez and his fellow fanatical preachers as empty threats. In other words, the letter simply consisted of words that were hollow of any meaning and that there would be no true consequences for their activities. The archdeacon had seen over many years the similar threats of punishment and nothing came out of them. Once again, here is a stark failure in leadership in actually stopping the preaching and actions of these fanatical anti-Jewish preachers and their followers among the common people, not only in the years prior to the attacks, but during the wave of anti-Jewish assaults of the Jewish quarters. The question remains, what effect did these royal officials expect, as the king was a young and inexperienced minor, after years of the archdeacon violating all previous royal warrants (1379, 1382 and 1383) and ecclesiastical ban from the previous archbishop of Toledo, Pedro Gómez Barroso (1389).

The lack of leadership has been placed at the feet of the royal council members, who were divided on who would be part of the group in the regency of the young monarch during his minority. As such, their focus was more on promoting their private and particular interests of who would be on the regency council and sway the decisions of the young monarch and less on the pending affairs of state. It was exactly this division that was exploited once again by the archdeacon and his fellow travelers in abusing this lack of strong and unified leadership to push their agenda of the destruction of the *aljamas*.

#### ***7.A. Portuguese Christian Sources***

##### ***Ordenações do Senhor Rey D. Affonso V, Book 2***

***Title LXXVII – That Jews are not to be imprisoned for having converted to Christianity in Castile – No date available. Perhaps 1391 or 1392.***

This legal title ordered by Portuguese King João I and found in his Chancellery book, states that the Jews who were forced to convert to Catholicism in Castile should not be arrested. It acknowledges that in the Kingdoms of Castile and Aragon there were massacres, looting and crimes committed towards the Jews and that in many instances, they were forced to convert in

order to escape death. The document also recognizes that many of these forced converts entered the Kingdom of Portugal seeking refuge.<sup>818</sup>

The document also recognizes that some of these forced converts were arrested in Portugal and their property confiscated. The king ordered that if these former Jews came to Portugal to escape torment and sure death, then they were to be respected, released from prison and their property returned to them without delay. If the confiscated property could not be restituted or had been damaged in any way, then the guilty had to compensate the losses with money and pay fines of up to one hundred thousand pounds. The forced converts were allowed to reconvert to Judaism as the so-called baptisms were under duress.<sup>819</sup>

Besides being a testimony of the Portuguese monarch's willingness to allow fleeing Jews to seek refuge in Portugal from Castile after the events of 1391, was the level of fairness and justice displayed by the Portuguese sovereign to the persecuted minority. Not only did he provide protection to them but that any injustice was to be corrected and if the fleeing Castilian Jews had suffered any harm or loss of property, they were to be compensated.<sup>820</sup> However, as it is only a law, there is no mention of any particular cases of restitution that had actually taken place. Title LXXVII also provides historians with evidence how the Kingdom of Portugal approached the Jewish question in a completely different manner as the neighboring kingdoms of Castile and Aragon. Whereas Castile had persecuted its Jewish minority with ever-higher taxes and excluding them from municipal offices since the end of the 1370s, Portugal had either maintained its level of tolerance or increased its tolerance of the aforementioned minority. This was witnessed in the Avis revolution of 1383-85, in which João of Avis demonstrated his resolution in stopping the potential sacking of the Jewish quarters of Lisbon and allowing Lopo Martins in the municipal council of Lisbon.

The ordinances showed how the Portuguese ruling elite and inhabitants of the kingdom, as most likely heralds would have publicly announced the ordinances, were well aware of the massacres of Castilian and Aragonese Jews, of the influx of Jewish refugees or forced

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<sup>818</sup> *Ordenações Afonsinas* (1984). Liv. 2. Fundação Calouste Gulbenkian: Lisboa, p 457. Unfortunately, there was no reference to the actual title or Chancellery book where this law could be found.

<sup>819</sup> *Ibid.*, p 458-459.

<sup>820</sup> *Ibid.*, p 458-460.

converts into the kingdom of Portugal, that some were unfairly treated or mistreated and that the Portuguese authorities took measures to remedy any and all abuses committed to the Jews and their property.

***Title LXXXVIII (94) That no Jew be forced to turn/convert to a Christian (1392)***

This law, written on 17 July 1392, discussed how the Jewish community sent a letter/charter by the Grand Rabbi, Master Moses, to King João I reminding him of the rights that Pope Boniface IX had granted privileges to said community. This document was the papal bull itself written in parchment with the lead seal of red and yellow ribbons of the Holy See. The letter contained the translation from Latin to Portuguese for the Royal Chancellery. This bull stated how help and assistance should be provided to the Jews whenever requested and that their rights should be kept and that no harm should be done to them.<sup>821</sup>

Title 94 continued with how the royal chancellery was well aware of the previous Papal Bulls from Pope Clement IV (Avignon, 1342-1352) and Boniface IX (Rome, 1389-1404) that requested that Jews be protected and defended. It requested that their synagogues be protected and that they should have nothing more in them than is allowed by their laws. It continued to state Christians, who had to show their piety in their defense, could not deny that help/assistance to Jews. It went on to state that not a single Jew should be forced to convert.<sup>822</sup>

The document also ordered that no Christian harm, murder or rob Jews of their money or property. Christians were also not allowed to disturb Jewish celebrations, services or festivities with arms, sticks or stones. Christians were also not allowed to force Jews to provide service or work. Christians were also forbidden to neither desecrate nor destroy Jewish cemeteries nor dig out tombs in order to look for gold, silver or money.<sup>823</sup>

The document went on further to state that if Christians after having known the content of such rights, privileges and laws would act against them, would suffer excommunication. However, Jews were not allowed to exploit or abuse such privileges and protections and cause

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<sup>821</sup> *Ordenações Afonsinas* (1984). Liv. 2, p 514-515.

<sup>822</sup> *Ordenações Afonsinas* (1984). Liv. 2, p 516. CAETANO, Marcello (1981). *História do Direito Português (1140-1495)*. Editorial Verbo, p 509.

<sup>823</sup> *Ordenações Afonsinas* (1984). Liv. 2, p 517. CAETANO (1981), p 509.

harm of any sort to Christians. The title ended that the previous laws, letters and charters were to be renewed and to protect and defend the Jews and that no one dare go against these ordinances if they did not want to incur the damnation of God and the apostles.<sup>824</sup>

### **7.A. Castilian Jewish Sources**

#### ***A Hebrew Elegy on the martyrs of Toledo, 1391 by Jacob ibn Albaneh***

The content of the verses begins with the perpetrator of the onslaught (Ferrand Martínez) taking advantage of the death of King Juan I and agitating the masses against the Jews in Seville. The riots soon spread to Córdoba and Toledo. Unlike the Christian chronicles, the elegy mentions the names of many prominent members of the Jewish community of Toledo who were slaughtered, as well as provide a detailed account of how they were murdered – beaten, stoned to death, set on fire or committed suicide rather than convert. The verses also specified which Toledan synagogues and midrashim (liturgical schools), as well as how the Torah was desecrated and libraries were destroyed. The elegy goes further to narrate how the violence spread to Valencia, Majorca and Barcelona. The verses end with the horrible condition of the Sephardic Jews in Spain.<sup>825</sup>

The *Elegy on the Martyrs of Toledo, 1391* is an extremely valuable source as it not only provides a Jewish interpretation of the events but gives historians the names of prominent Jews and the names of the synagogues, rabbinical schools and libraries that were destroyed and lost forever. This is important in reconstructing not only the medieval Jewish past of Toledo but the city's former infrastructure as well. Also important is that Cecil Roth compared these verses with the anonymous verses of the De Rossi de Parma manuscript.

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<sup>824</sup> *Ordenações Afonsinas* (1984). Liv. 2, p 518. CAETANO (1981), p 509.

<sup>825</sup> Ibn ALBANEH, Jacob (October 1948). A Hebrew Elegy on the martyrs of Toledo, 1391. *The Jewish Quarterly Review*, v. 39, No.2, p 125-126. This poem, written by Jacob ibn Albaneh and translated from the original Hebrew by Cecil Roth, who categorized the manuscript as MS 74, is from a prayer book according to the Sephardic rite. The elegy is found in the service for the day of fasting of the Ninth of Ab. The translation of the poem, along with the original Hebrew verses, was published in "The Jewish Quarterly Review", v. 39, No.2 of October 1948. The purpose of the poem was to elucidate to a Jewish and perhaps even Sephardic audience, as it was originally written in Hebrew, the outbreak of violence in Seville and how it rapidly spread throughout the Crowns of Castile and Aragon. Until now, the translated synopsis of ibn Albaneh's original Hebrew verses is the only one available. One must take note that the poem uses the Hebrew calendar, which was then translated into the Christian calendar when the verses were translated into English. Cecil Roth noted that the Jewish dates were correct, such as the year 5151 corresponding to 1391.

According to Roth the *Elegy on the martyrs of Toledo, 1391* was written in clearer manner than the anonymous verses of the De Rossi de Parma manuscript, which contains many errors in terms of the events and the synagogues and midrashim (religious or liturgical schools) that were actually destroyed or not. Cecil Roth was able to notice that the Christian account of the Jewish community of Toledo being attacked on 5 August 1391 on the Sabbath was incorrect, as Hebrew sources state that the attacks occurred on a New Moon, which corresponds with a Tuesday of August 1391.<sup>826</sup> In terms of its possible limitations, as the text is a poem, there is the risk that the author was not solely concerned with providing a completely factual account of events. There remains the possibility that a certain degree of imagination and creative license might have been involved, and, therefore, perhaps a note of caution is to be taken that the poem is not solely a factual account of history. Nonetheless, the poem provided historians with information that had not been disclosed in other sources and broadening historical knowledge.

**Ben VERGA, Solomon (1927). *Chébet Jehud*. Translated by Francisco Cantera Burgos. Librería López-Guevara.<sup>827</sup>**

The book offers three chapters dedicated to the massacres of 1391. These are chapters 27, 47 and 48. In Chapter 27, ben Verga narrated that there were persecutions of Jews throughout most of Spain, especially of the most learned and wealthiest communities. Unlike the other written accounts on the massacres, ben Verga stated that the common people “suddenly” rose up against the Jews. Taking into consideration that the archdeacon Ferrand Martínez had been preaching against the Jews since 1378, this remark seemed very odd and out of place. Other than that, ben Verga’s account resounds with the other sources on the massacres and how the common people would rob the Jews, strip them and kill them if they did not renounce their

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<sup>826</sup> Ibn ALBANEH (1948), p 127, 129.

<sup>827</sup> The text is a 1927 translation from the Hebrew into Spanish by Francisco Cantera Burgos, who wrote an extensive prologue on the book, its author and their place within Jewish historiography. The text is a collection of 64 stories on the persecutions suffered by the Jewish people since they began to record their own history. Solomon ben Verga was born to a prominent Sephardic family from Seville around 1460 and was a well-known mathematician, astronomer and historian in his community. He learned of the many persecutions, including of the massacres of 1391, via oral tradition. The origins of the text are still disputed amongst scholars. It is believed that Yehuda ibn Verga began the work and that Solomon ben Verga continued the compilation and editing of the book, which was finally published by Solomon’s son, Yusef, after Solomon’s death in 1550. The purpose was to inform its Jewish audience, since it was written in Hebrew, of the history of persecution of the Jewish people.

faith. Ben Verga went further on to say that many of the most faithful to their religion preferred to die than convert. The author continued with his narration that the massacres spread to the kingdom of Aragon, where the communities of Valencia, Mallorca, Barcelona and Lérida were decimated due to the majority of Jews who converted to Christianity. Ben Verga asserted that these victims then fled to other kingdoms, where they reverted back to their own religion.<sup>828</sup>

Ben Verga ended the chapter with a reference to those Jews who fled to Arab held territories. He wrote that these Jews suffered unspeakable horrors as the Muslim villagers rose up against them, placed them in chains and only released them when the Jews offered them their money and belongings.<sup>829</sup> Chapter 47 focused more on the communities of northern Castile, mentioning how the common people attacked the communities of Toro, Logroño, Carrión and especially Burgos, as it was well known for its knowledge and wealth. Ben Verga mentioned how these communities abandoned their faith in order to survive. Those members of communities that did not convert were burned alive. The author ended the chapter stating how from that moment on, the majority of the Jewish community in Spain lived in anguish and oppression as the common people only thought of exterminating the Jews.<sup>830</sup> Chapter 48 began with a reference to the Sephardic moralist and poet, Shem Tob ben Shem Tob, who wrote about how the common people took advantage of the minority rule of the young king Enrique III and rose up against the Jews in order to force them to abandon their religion. Due to the amount of torture and tormenting afflicted onto the Jews, many of them abandoned the Law of Moses, especially in Seville, Écija and the rest of Andalucía. Ben Verga ended the chapter with a list of the townships whose communities were decimated due to the amount of conversions to Christianity. These towns were Madrid, Illescas, Ocaña, Huere, Castillo de Garci-Munoz, Torrijos and Escalona.

According to Montenegro, Ben Verga's *Scepter of Judah* is, from a historiographic point of view, one of the highest quality productions within the Jewish chronological genre. It has a

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<sup>828</sup> Ben VERGA, Solomon (1927). *Chébet Jehuda*. Translated by Francisco Cantera Burgos. Librería López-Guevara, p 132.

<sup>829</sup> Ibid., p 133.

<sup>830</sup> Ibid., p 205.

clear and careful literary style.<sup>831</sup> It not only confirmed the events of 1391; it coincided with and corroborated many of the accounts provided by the Christian chronicles. It added how the fleeing Jews were mishandled in the Muslim held territories and had to ransom their way out of captivity. It also discussed how many of the Jews who were able to take refuge in other kingdoms were able to convert back to their faith. This would imply Portugal, as King João I protected the fleeing victims, allowed them to reconvert and restituted their property. Most important, it provided a Jewish perspective to the massacres. The book's limitations are that it is more of a literary narrative than a factual account of the events. And as such, may offer a less reliable account of what happened during those fateful months of 1391. The book is also not organized in a chronological order but rather by the different persecutions suffered by the Jewish people over time. This is most likely a reflection of the book having been written by three members of the ben Verga family over three generations and as such, it could also have suffered from alterations and affected its factual account of the events.

### ***El Valle del Llanto* by Yosef ha-Kohen**

The document, '*Emeq ha-Bakha, the Valley of Sorrow*,<sup>832</sup> was composed by the Sephardic Jew, Yosef ha-Kohen, born in 1496 in Avignon and who was the son of Jews, expelled from Spain in 1492. The father was originally from Cuenca in the southern Castilian Meseta, whose ancestors, in turn, had to flee the Christian mob in 1391 into the castle of Huete in the same province.<sup>833</sup> For purposes of this thesis, information on his historiographic work, '*Emeq ha-Bakha, the Valley of Sorrow*,<sup>834</sup> will only be discussed here. For purposes of this chapter, the dates concerning the events of 1391 will be related here.

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<sup>831</sup> CANTERA MONTENEGRO (2002), p 59, 61.

<sup>832</sup> Ibid., p 17; on p 20: This historiographic genre became known as "Books of Memory" or martyrology, in which Jews who died for their faith are remembered by registering their names. Of this genre, two books stand out: *Emeq ha-Barka* or "Valley of Sorrow" and the *Shebet Jehudah* or "Staff of Judah", the last being known as the most original and complete account of medieval Jewish history.

<sup>833</sup> LEÓN TELLO, Pilar (1989). Introducción, traducción y notas in *El Valle del Llanto ('Emeq ha-Bakha). Crónica hebrea del siglo XVI*. Ha-KOHEN, Yosef. Biblioteca Nueva Sefarad, vol. XIII. Riopiedras Ediciones, p 11-14. After Yosef's birth, around the age of five, the family would emigrate to Novi, in the Genova region and then in Genova proper in 1509. CANTERA MONTENEGRO (2002), p 62.

<sup>834</sup> LEÓN TELLO (1989), p 21-22. Yosef ha-Kohen finished the first version in 1558 in Voltaggio and would write subsequent versions in 1560, 1563 and 1575, the final date being the most complete version. The work covered Jewish events from the destruction of the Second Temple until 1573. The exact date of composition is still disputed as there are several manuscripts from different dates, some having grammatical errors. Hence the belief that the oldest manuscript available dated 1560 was not written by the author, but rather by a copyist

Chapters 89-90 and 92 were dedicated to the wave of anti-Jewish violence in Castile and Aragón with special reference to Dominican friar Vicente Ferrer. As in the case of many of the Hebrew chronicles, dates are at times incorrect and there is a confusion of the main actors or characters of the main events. In the case of the aforementioned chapters, the date of the anti-Jewish violence was given as 1394, when in reality it was 1391. Also, in the case of many other Hebrew chronicles, there is a conflation of characters. In the case of the aforementioned chapters, it was that of the fanatical archdeacon Ferrán Martínez of Écija and the preacher Vicente Ferrer from Valencia in the Crown of Aragon. It must be noted that, whereas the former preached violence, the latter preached conversion through peaceful means. In spite of these errors, the work corroborates the events in general, relating the wave of anti-Jewish violence, the massacres and the high level of mass conversions. It also mentions the tribulations of the author's family in Cuenca and Huete during those fateful events of 1391.<sup>835</sup>

#### Chapter 89

The text began with a reference to the death of Pope Urban and the election of a new Pope, the Spaniard, Álvaro de Luna in the year of 1394. In Rome, another Pope was chosen as Innocence. Afterwards, ha-Kohen discussed how religious persecution spread throughout Spain due to the rise of a monk Friar Vicente from the city of Valencia, from the Dominican sect, who was an enemy of the Jews and excited against them the inhabitants of the country. The common people rose up to devour the Jews alive and that many perished by the blade of the sword, others burned in flames and many others were separated by force from Yahweh, Lord of Israel. As such, Israel was impoverished in that disastrous period. Many books of the Law of the Lord were burned and were stepped on as if they were mud in the street; the mother was crushed on her children on the day of Divine Wrath.<sup>836</sup>

In spite of the inaccuracy of the date and the confusion of Friar Vicente Ferrer with the archdeacon Ferrán Martínez, Yosef ha-Kohen did present an accurate image of the events that

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(Rabbinowicz, *Catalogue*, Paris 1886, nº 128). The final known copy (Almanzi Collection, British Library, Add. 27, 122), which is also the most complete, was written by 1575, p 27-29. CANTERA MONTENEGRO (2002), p 63, 65.

<sup>835</sup> LEÓN TELLO (1989), p 9-12.

<sup>836</sup> HÁ-KOHEN (1989), p 105.

occurred during those deadly summer days in the Crowns of Castile and Aragon. Not only in terms of the many deaths, but in terms of the many forced conversions to Christianity. Also accurate was the destruction of Jewish holy texts by the rabid mob that sacked and pillaged many Jewish quarters. This is the importance of the message transmitted to the target audience of Sephardic Jews in exile that reinforced other accounts of the violence and how future generations would learn about the irrational violence unleashed against the Jewish communities in the two Hispanic kingdoms.

## Chapter 90

This chapter was dedicated to Yosef ha-Kohen's recollection of the information passed down from two generations of his ancestors, who were caught in the wave of anti-Jewish violence of 1391 in Cuenca and had to flee to the castle in Huete. Those, who were not able to escape and remained behind in Cuenca, many committed suicide and killed their children beforehand, in order that they not change their religion. Others turned away from Yahweh, God of Israel. Yosef ha-Kohen then claimed that 150,000 Jews were killed and those that were led astray (converted) was 15,000. There were many who fled to Muslim territories (Ishmaelites) and to Portugal, where they remained.<sup>837</sup> Here the investigator can see some elements that were factual in regards to the origin of the ha-Kohen family coming from Cuenca and how the family members had to flee to the Huete fortress. It would apply to the fate of many members of the Jewish community. It was also accurate in how many Jews and forced converts fled to Portugal<sup>838</sup> and Muslim territory, where they remained. However, there were issues in the second paragraph in terms of the number of victims presented. 150,000 deaths seem to many historians to be an elevated number, even if those numbers included both Crowns of Castile and Aragon. Most historians also agree that there were more conversions to Christianity than deaths.<sup>839</sup> The second paragraph, however, was accurate in stating that Vicente Ferrer wrote to the Portuguese king in order to allow him to preach against the Jews and how the Portuguese king responded in the affirmative, but only if Vicente Ferrer would wear hot iron crown on his head. The only issue in the second paragraph was that the Portuguese king was João I and not his son, Dom Duarte.

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<sup>837</sup> Há-KOHEN (1989), p 105.

<sup>838</sup> *Ordinações Afonsinas* (1984). Liv. 2. Título 77, p 457-461.

<sup>839</sup> LADERO QUESADA, Miguel Ángel (2016). *Judíos y Conversos de Castilla en el siglo XV. Datos y Comentarios*. Editorial Dykinson, p 22.

Yosef ha-Kohen then proceeded to narrate the attempts of Friar Vicente Ferrer to enter Portugal and preach against the Jews there. Here ha-Kohen confused the kings of Portugal, João I with his son, Dom Duarte. However, the response of the Portuguese monarch to the Dominican friar was accurate: Friar Vicente Ferrer could come to Portugal and preach as long as he wore on his head an iron crown recently brought out of the fire. The Dominican friar withdrew his petition.<sup>840</sup> The author finally stated that only the King of Aragon attended the voice of God and made an effort to stop the massacres. There were many who turned away from God in those disastrous days in Catalonia, Aragon and Seville. After that many returned to the Lord once the rage had passed. However, the authorities sent the Inquisition against them until today. The Jews [in Castile] resided in the fortresses of Huete, Soria and others wherever they escaped, until they left that land that Yahweh had damned.<sup>841</sup>

The third paragraph did acknowledge the role of the King of Aragon, who did react to the plight of the Jewish people and how many Jews converted, which seems to be a contradiction to the claim that there were many more deaths than conversions in the first paragraph. The issue with that paragraph was the claim that the Jews were able to revert to Judaism once the terror abated. However, that is not completely true. Jews, who wanted to reconvert were not allowed. The forced converts either practiced at home in secret, becoming crypto-Jews or left their respective kingdoms and went to Portugal or the Emirate of Granada in order to revert to Judaism. In Portugal, as per documented proof of legislation under João I, Jews fleeing Castile and Aragon were permitted to reconvert to Judaism.<sup>842</sup>

## Chapter 92

This chapter simply reiterated in an encapsulated manner the wave of violence against the Jews as it mentioned the disastrous days in which there was gloomy darkness in the lands of Spain. It also presented the events within a Biblical context of God's wrath through his accusatory finger pointing at the Jewish people and that once that same wrath had been appeased, the Jews were able to "return to the country" as if they were talking about the

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<sup>840</sup> Ha-KOHEN (1989), p 105.

<sup>841</sup> Ibid., p 106.

<sup>842</sup> *Ordinações Afonsinas* (1984). Liv. 2, p 457-461.

Promised Land, where “they multiplied and became numerous.” It must be emphasized that once the Jews left the kingdoms of Castile and Aragon, very few returned, the exception was found in Mallorca. Therefore, it is questionable that the Jews became numerous in Castile and Aragon after 1391.<sup>843</sup>

As in other Hebrew sources, although there are discrepancies in terms of dates, exact numbers of victims and the actual characters portrayed, these sources transmitted the same message of violence towards the Jewish communities in the Crowns of Castile and Aragon in the first half of the 1390s, with the same outcomes: mass murder, forced conversions or flight to other kingdoms on the Iberian Peninsula, either the Kingdom of Portugal or the Emirate of Granada. Even though the recipient or target audience was limited to Sephardic Jewish intellectuals in the diaspora, ha-Kohen’s work would help transmit and perpetuate the record of the horrific events of 1391 for posterity. It has helped investigators to reconstruct, not only the events of the day, but that of the Sephardic imaginary and how it interpreted those same events.

### ***Conclusion of the analysis of sources***

The different historical records from Christian and Jewish sources provide both a holistic view and detailed account of the events of 1391. The *Anonymous Chronicles of Enrique III* and the *Account of the Religious Communities (Aljamas)* provide a more elaborate and detailed narrative of the events with a measure of reflection and analysis. Unlike the royal chronicles written by Pero López de Ayala, which provided a basic account of the events, was most likely meant to be what the state authorities wanted to be accepted as the sole interpretation of the massacres. In terms of the Jewish sources, the *Elegy of the Martyrs of Toledo* and the *Shebet Yehuda* provided the historical account from a different perspective and, in the case of the former, gave the names of the prominent members of the Jewish community, as well as the names of the synagogues, liturgical schools and libraries that were destroyed in the uprising. In the case of the latter, it provided information on how the Jews

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<sup>843</sup> HÁ-KOHEN (1989), p 106-107. BAER, Yitzhak (2001). *A History of the Jews in Christian Spain*, vol. II, *from the Fourteenth Century to the Expulsion*. Varda Books, p 121. According to Baer, a small number of Mallorcan Jews who had fled to Algiers returned to the island. In early 1394, 150 Jews from Portugal settled in Mallorca. In 1395, King Joan of Aragon pledged to protect all the Jews who had fled during the anti-Jewish violence and decided to return and settle in the Crown of Aragon, especially in the Balearic Islands.

that converted were able to revert to their former religion, as well as the names of the places that were attacked by the angry mobs that were not mentioned in the aforementioned Christian sources.

In spite of their differences, when placed together, these sources provide the historian or reader of history, not only with a broader knowledge of the events, but a deeper understanding of how the causes to the massacres became acute over time and how they unfolded to their tragic conclusion. The paper demonstrated the importance of using sources from different perspectives and interpretations in order to attain not only a holistic view of the events, but to cross-reference the accounts of those same sources to find either supporting accounts or discrepancies in their narratives. The paper was able to show that when studying an era, one type of source material, such as chronicles and official government documents, is insufficient to have a full picture or image of that time period. Literary sources, such as poems and the “Books of Memory,” provide a more vivid account of the events, irrespective of belonging to a discipline other than history. Literary sources help historians understand mindsets or frames of mind from different periods in order to understand why people behaved or reacted as they did. These literary sources also provide different interpretations than those from official state documents, which tend to, as we have seen when comparing the anonymous and published chronicles of Enrique III, screen and filter events that were not convenient to expose to contemporary or future audiences. Thus, as a result of using these different types of sources, the historian can put in the different pieces of a puzzle in order to get a clearer image and understanding of the events, so as to reach a more objective conclusion.

The anti-Jewish poems reflected, not only the author’s own views or that of the secular Castilian elite, but also to an extent that of the common people in general. As Valdeón Baroque would assert, the popular anti-Jewish climate was captured and reflected in the *Rimado de Palacio* by López de Ayala.<sup>844</sup> López de Ayala’s portrayal of the plight, struggles and suffering of the common person in trying to meet the ever-increasing tax burden and the

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<sup>844</sup> VALDEÓN BARUQUE, Julio (1968). *Los Judíos de Castilla y la Revolución de Trastámara*. Estudios y Documentos. Departamento de Historia Medieval. Universidad de Valladolid, p 54, 87. VALDEÓN BARUQUE, Julio (1975). *Los Conflictos Sociales en el Reino de Castilla en los Siglos XIV y XV*. *Historia de los Movimientos Sociales*. Siglo XXI Editores, p 136.

rising of prices<sup>845</sup> due to the circulation of the weak currency to finance the king's failed hegemonic endeavors to seize the Portuguese crown that caused inflation.

It was in this vein that López de Ayala composed both his poetry, *Rimado de Palacio* and his Chronicles of the Castilian monarchs from 1350 to 1394. And as mentioned earlier, the role of chronicles was to present the chronicler's sponsors in a positive light by embellishing the roles they played and underplaying any act or event that was not flattering. Here we see, as Rica Amrán and Valdeón Baruque pointed out that López de Ayala failed to present the years of anti-Judaic propaganda of Enrique of Trastámara as a major short-term cause to the events of 1391. Through his direct writing style and use of literary devices, who was able to obfuscate the major political role the first Trastámara ruler had in reinforcing anti-Jewish sentiment and calling out and justifying physical violence against the Jewish population.<sup>846</sup> It also indicates that López de Ayala did not want to point out the complete failure of both ecclesiastical and secular leadership in quelching the uncontrollable archdeacon in his complete and continuous disrespect of that same leadership and violation of royal warrants.

#### **7.F. Portuguese Polemic Literature 1391-1412 – *O Livro da Corte Imperial***

As an anonymous piece of work, *O Livro da Corte Imperial* is believed to have been written in the late 14<sup>th</sup> century or early 15<sup>th</sup> century. Some experts have speculated that it might have been commissioned by King. D. João I. It was written in Portuguese, instead of Latin, in order to reach a larger audience of lay people, rather than a reduced and select group of lettered people (letrados)<sup>847</sup>. *O Livro da Corte Imperial* is also a piece of religious and, to a great extent, political propaganda written by an anonymous author to reinforce or confirm the supremacy of the Christian faith and the Catholic Church to a Christian audience, as well as an attempt to try to convince a Jewish audience of the supremacy of that same faith. Through the intervention of the Militant Church, the New Law was demonstrated to be superior to the

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<sup>845</sup> VALDEÓN BARUQUE, Julio (2004). *El Chivo Expiatorio. Judíos, revueltas y vida cotidiana em la Edad Media*, 2ª edición. Ámbito Ediciones, p 79.

<sup>846</sup> AMRÁN, Rica (2014). *Judíos e Conversos en las Crónicas de los Reyes de Castilla (Siglos XIII al XVI)*. Editorial Dykinson, p 69-73. AMRÁN, Rica (2009). *Judíos y Conversos en el Reino de Castilla: Propaganda y mensajes políticos, sociales y religiosos (siglos XIV-XVI)*. Junta de Castilla y León, p 64-65. AMRÁN (2019), p 106-107.

<sup>847</sup> *O Livro da Corte Imperial* (1910). *Collecção de Manuscriptos inéditos agora dados à Estampa*. Real Biblioteca Pública do Porto. Introduction by José Pereira de Sampaio, p 1-2.

Old Law and the prophecy of Mohammed. It was also to show the errors of the Orthodox Church. The Militant Church purportedly was able to bring Jewish rabbis to silence through her arguments of the superiority of the Christian faith through theological reasoning and logic.<sup>848</sup> The investigator must be reminded of the historical context, in which the work was written, in that the Jewish community, whose ranks had risen due to the arrival of many of their brethren from Castile, began to enjoy economic prosperity, but suffer from legislative pressure to disenfranchise them socio-economically.<sup>849</sup>

An important point to notice is that the 14<sup>th</sup> century polemic literature written in Portuguese was either hypothetical situations of analogous debates, as in the case of the Imperial Court, or based on past events that occurred outside of Portugal, as in the case of the Disputation of Barcelona of the late 13<sup>th</sup> century. Even though these polemic writings had the intention of projecting the image of the Jew as a dangerous heretic, whose beliefs were false or in error, the audience of these writings would be limited to a certain societal group consisting of the clergy, royalty, nobility and perhaps the upper echelons of the affluent urban middle classes or burghers, who would have access and could afford such luxury items as books.<sup>850</sup>

The issues with this piece of religious propaganda were the flaw in its logic and premise that will be discussed in this subchapter that Muslims and Jews did not follow the precepts of Catholicism. As they were not Christian, how would and could they follow Catholic precepts? This was more of an intellectual exercise on “wishful thinking” than actual polemic dispute, which hardly ever convinced Jews to convert to Christianity in the 13<sup>th</sup> and 14<sup>th</sup> centuries. As António José Saraiva would state, the author’s knowledge of Jewish religion was second hand.<sup>851</sup> Only after the massacres of 1391 and the decimation of the Jewish communities of Castile and Aragon, did the cajoling and forceful preaching of Vincent Ferrer begin to convert the Jews *en masse*.

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<sup>848</sup> TAVARES, Alice (2020). Literatura de Controversia religiosa judío-cristiana medieval en Portugal (siglos XIII-XV): estado de la cuestión. Discursos y Motivaciones. *Perichoresis*, Vol. 18.4, p 63-79. SARAIVA, António José (1998). *O Crepúsculo da Idade Média em Portugal*, 5ª edição. Gradiva Publicações, p 141.

<sup>849</sup> SARAIVA (1998), p 143.

<sup>850</sup> TAVARES (2020), p 72, 75-76. SARAIVA (1998), p 143.

<sup>851</sup> SARAIVA (1998), p 143.

According to Alice Tavares of the University of Lisbon, there is little evidence of the religious Judeo-Christian polemic or controversy in Portugal in the 13<sup>th</sup> and 14<sup>th</sup> centuries, although there exist few examples of them from the 13<sup>th</sup> century. Professor Tavares believes that the few examples of such literature in Portugal most likely is due to the absence of public disputations (at least registered) as in the other Iberian kingdoms, mainly in Castile and Aragon where these debates did take place. Another reason for the lack of polemic literature was due to the relative peaceful coexistence (*convivência*) in Portugal between the two ethno-religious communities until the end of the 14<sup>th</sup> century. After the ascension of João I to the throne, there would be small, insignificant incidents more related to urban crime and that were immediately placated by royal authority. This stood in stark contrast to what occurred in Castile and Aragon by the end of the 14<sup>th</sup> century.<sup>852</sup>

She explains that the reason for the lack of Portuguese Christian apologetics literature is perhaps due to the absence of registered theological discussions between the two monotheistic religions in Portugal at that time. Professor Tavares believes that the absence of any evidence proving to the contrary can explain in part the lack of actual acts of violence in Portugal in the late 14<sup>th</sup> century compared to other Iberian kingdoms, such as Castile.<sup>853</sup>

The first chapter was a monologue by the anonymous author who claimed the superiority of the great mystery, which is the Holy Trinity and that Christ, who knew all things, could explain such mysteries. The author also explained how the book would be like the court of a king or prince, in which he would hold audience to his subjects and listen to their arguments.<sup>854</sup> The second chapter (*Das cousas que fez Ihezu Christo* = the things that Jesus Christ made) was a description of the court, which was in a field full of flowers of varied colors and wonderful smells and how this wonderful garden was surrounded by trees, which

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<sup>852</sup> TAVARES, Alice (2010). La literatura de la polémica religiosa judeocristiana en Portugal antes de la expulsión, en 1497. In *Iberia Judaica. Asociación Hispana de Estudios Hebraicos. La Polémica judeo-cristiana en Hispania*, volumen II, Alcobendas, p 177-192. It is important to note that this text was believed to be part of the Royal Library of King D. Duarte and it is assumed that Princess Dona Beatriz had another exemplar. As a result, one could interpret that such polemic religious literary works would have had a limited scope in transmitting its message to other sectors of Portuguese society, as such expensive luxury items would have been out of the financial range of the majority of the population, p 187. GOMES, Saul António (2009). A Questão Judaica nos autores medievais portugueses. *Cadernos de Estudos Sefarditas*, nº 9, p 114-115. SARAIVA (1998), p 141-143.

<sup>853</sup> TAVARES, op. cit., 2010, p 177.

<sup>854</sup> *O Livro da Corte Imperial* (1910), p 1-4.

bore sweet fruit. There were chairs or thrones of different fine materials, from the royal chair made out of jasper to ivory and alabaster. Sitting in the jasper throne was a handsome man (Christ) of fine proportions and of medium height. The color of his hair was that of ripe chestnuts and its length reached his ears and in the back of his head, they were curly. He showed great prudence and judgment.<sup>855</sup>

This image of Jesus and of the Church Triumphant and Church Militant came into stark contrast with the Jews presented in the debates on the Gospels. Instead of a handsome young man in his prime with fine proportions and wearing a beard of chestnut color, the Jewish rabbis were presented as old, with long beards, long noses, yellow complexion, wearing long dark robes. These representations were caricatural in nature and the purpose was to present the Jew, not only as being of flawed character of questionable repute, believing in an erroneous faith, but to present him also as physically deformed and unattractive, reinforcing the perceived image of preconceived notions, biases and prejudices of the Christian majority's imaginary.<sup>856</sup>

However, the most information pertinent to the thesis begins on page 38, in which the book dealt directly with the issue of the Jews and would continue to focus on the Jews until page 54:

- On how a Jew said that he did not believe in the Trinity and how the Queen responded (*De como dise huum Iudeu que nom cria a trinidad e de como lhe a rreynha rrespondeu*) – p 38 (fl. XIX)
- How the Queen responded (*Como rrespondeu a rraynha*) – p 40
- When that Jewish Rabbi(?) heard it he became quiet (*Quando aquelle Iudeu rreby ouuio esto calou*) – p 45 (fl. XXII)
- These words said the second Jew became quiet (*Ditas estas palavras calouse o segundo Iudeu*) – p 46 (fl. XXII)
- How the third rabbi went quiet and another rose (*Como se calou o terceiro rrabby E levantouse outro*) – p 48 (fl. XXIII)
- How the fourth rabbi Moses went silent and another Jew rose up alleged Isaias when the Law was given to Moses (*Como se calou o quarto rrabby E se alevantou outro que alegou Isaias cando foy dada a ley a mouses*) – p 52 (fl. XXV)
- How Rabbi Moses became quiet and another Jew rose up (*Como se calou rrabby moyses e alevantouse outro Iudeu*) – p 54 (XXVI)

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<sup>855</sup> *O Livro da Corte Imperial* (1910), p 5-6.

<sup>856</sup> *Ibid.*, p 38, 46, 48, 52 and 58. Each page number represents the beginning of each chapter in which each rabbi began his dispute with the Church. GOMES (2009), p 117.

*De como dise huum Iudeu que nom cria a trinidad e como lhe a rrenhya rrepondeu*

Amongst those seated, a Jew with a large beard and long nose, dressed in black stood up and said in a loud voice to the Queen that he could not believe in the trinity nor could he understand how God could have a son nor how there could be three persons, which contradicted the Holy Scripture. The Queen responded that she would prove the Trinity that the Jew denied and that she would use scripture that the Jew professed to believe in. The Queen also claimed that she would use the necessary reasons to prove herself.<sup>857</sup>

After a long debate, in which the Catholic Queen used circular arguments. The Jew, who in the middle of the discussion/debate was classified as a rabbi, stated that if Jesus was the Messiah, then the rabbinical doctors would have realized it by then and converted. The Catholic Queen claimed that the rabbi had known that many learned Jews had received the law of Jesus Christ. The Catholic Queen only mentioned three names, Nicomedos, Nathaniel and Guamaliel who apparently were doctors in Jewish law.<sup>858</sup>

At this point the investigator begs the question, *since when* did these learned Jews in this polemic literary piece actually receive this law? *Where* was it that they actually received it? This is pure conjecture and invention of the anonymous author. By mentioning three learned Jews, does *not make many*. The Catholic Queen then mentioned Paul and Apollo. Who was this Apollo? The Greco-Roman God? There was no clarification or explanation. However, Paul, previously Saul, was not a Doctor in Jewish Law. She claimed that they did not announce their belief so that they would not be thrown out of the synagogue. That seemed to be a convenient response, as it did not require debate. The Catholic Queen continued with “many” wisemen later accepted the law of Christ as Josephus and others. Was the Jewish Roman historian meant by Josephus? Once again, who were these others? How many others?

The Catholic Queen then stated that there were three reasons why so many Jews deviated from the law of Christ:

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<sup>857</sup> *O Livro da Corte Imperial* (1910), p 38.

<sup>858</sup> *Ibid.*, p 39.

1. As so many Jews were greedy and feared for their property and that their law encourages them to accumulate material and temporal belongings. As such, they hated and abhorred the teachings of Christ;<sup>859</sup>

Once again, these claims only reinforced anti-Judaic prejudices of Jewish material greed in the Christian imaginary and reinforced through each and every literary work. Jews are viewed as greedy and wanting only material gain and lacking any spiritual values.

2. Since birth, Jews are brought up to hate Jesus Christ and the Christian Law, and hold it to be false and in this way of thinking they are brought up. The Queen claimed that because of this upbringing, Jews are turned away from reason and judgment towards the Truth;<sup>860</sup>

Once again, further reinforcement of anti-Judaic prejudice and ignorance of Judaism. Jews were and are not taught to “hate” other religions or Jesus Christ. They are simply taught that he could not be the Messiah according to Jewish scripture, as the Messiah is a temporal savior and his kingdom would be on earth and not in heaven. The Queen’s faulty reasoning and fallacy that only Christianity is the “Truth” and anyone brought up in other religion is “wrong” – reinforces medieval Christian prejudice of anything outside of the majority Christian society is alien, foreign, sinister and to be feared and rejected.

3. Another reason is the high stature that things and concepts are placed in the Catholic faith, such as the Holy Trinity, that three entities can be in one or that of the Holy Sacrament of the body of Christ, which Jews cannot believe in no manner possible. The Militant Church accused the Jews for believing that Christians believed in three gods. The Queen also stated that since the Jews believed that Christians worshipped three gods, the Jews think that Christians are evil idol worshippers, and hence practice Idolatry. As such, Jews do not want to accept the Christian faith or those who were baptized, turned away from it. They hold the Catholic faith as false. The Militant Church accused the Jews of not wanting to reset/regear their thinking or hearing to what is the “truth”- the Queen then asked the Rabbi to listen with the “heart” and ears to things concerning the Catholic faith that are true in Jewish Scriptures.<sup>861</sup>

Yet another anti-Judaic prejudice that Jews are irrational and cannot comprehend abstract concepts that justify the Catholic faith. Fallacy in the Church’s logic in that the Jews created or held many abstract concepts of an indivisible God, who cannot be represented in an image, the concept of *herem*, etc. Another fallacy is the accusation that Jews do not use reason, but then the Militant Church asked the rabbi to listen with his “heart” and not his mind. Here we see a fallacy in the author’s argument by presenting the Militant Church asking the Jews to use emotion (heart) and not to use reason, after it had accused the Jews of not using reason.

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<sup>859</sup> *O Livro da Corte Imperial* (1910), 39.

<sup>860</sup> *Ibid.*

<sup>861</sup> *Ibid.*, p 39.

The above is a mere sample of the type of theological *altercatio* between the two faiths, with the Militant Church twisting the interpretations of Old Testament books to silence the rabbis. This is another sample of wishful thinking of the author, as the rabbis would have argued their interpretations on the exact wording of their Holy texts and not using Christian interpretations.

Afterwards, there were other parts of the work dedicated to the Jews:

- How the Queen proved with much authority to the Jews the Coming of Christ of Nazareth as the Messiah (Como a rraynha prova per muytas autoridades aos Iudeus a vynda da Ihezu da nazare que he seu mysias Ia vyndo) (fl. LXXXIV)<sup>862</sup>
- How Ezekiel's prophecy was fulfilled and those of other prophets about the Coming of Christ and how the Jews were reduced to captivity (Como se conprio a profiçia do profeta Ezechiell e dos outros profetas pela vynda de Christo E como os Iudeus foram reduzidos do cativeiro) (fl. LXXXIX)<sup>863</sup>

The work then focused on the passion and crucifixion of Christ, his death, descent into Hell, his resurrection, how he ascended to heaven, how humans are to emerge after death with their bodies on the Day of Final Judgment and how they will be judged. Then there is an isolated chapter focused on the Jews again:

- How it fell hard on the Jews the conversion of philosophers who received the [Christian] faith (Como pesou muyto aos Iudeus do convertimento dos fylosofos por que rreçebiam a ffe) (fl. CV).<sup>864</sup>

The work then focused on the Holy altar and the Trinity, the Holy Sacrament at the Holy Altar, how the Militant Church proves to the gentiles the sacrament during mass, how the gentiles firmly believed in the faith of Christ, how all of the laws of the world said that a prophet was to be born from a virgin and how those who believe in the word of God are blessed. Then the Militant Church spoke to both Muslims and Jews:

- How the Queen pronounced the Christian faith to the Jews and Moors (Muslims) and argued against them – p 247 (fl. CXII)<sup>865</sup>

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<sup>862</sup> *O Livro da Corte Imperial* (1910), p 180.

<sup>863</sup> *Ibid.*, p 192

<sup>864</sup> *Ibid.*, p 229.

<sup>865</sup> *Ibid.*, p 247.

The work only dedicated a few chapters to the Muslims (Moors) at the end of the work in how the Militant Church proved that Mohammed's Law is false (fl. CXIV),<sup>866</sup> how they have Easter, how they do not have the sacrament of the keys of the Apostles and how the Muslims (Moors) do not use the sacrament as a sign of Christian faith (fl. CXVIII), how through the seven virtues and penitence, she proved that Moorish law is false (fl. CXIX)<sup>867</sup> and how the Moors are to believe that Christ was the Word of God (fl. CXXII).<sup>868</sup>

Most important about these disputations was that they were hypothetical and that the Portuguese ecclesiastical or secular authorities did not force the members of their Jewish communities to public displays of justifying their faith as in Castile and Aragon, and possible humiliation of refuting their religious beliefs in case of having lost the debate. By not forcing their own Portuguese Jewish communities to public disputations, the outreach of such polemics would not go beyond the literary circles of the realm, which in most cases in the late medieval world was still limited. As a result, the projection of the image of the Jew as an evil heretic that needed to be publicly exposed to its errors would be contained to a small group and would not permeate into the larger collective psyche of the popular masses, reinforcing past images from previous centuries that were projected by other forms of transmission, such as song, sculpture, murals, miniatures, recitals. The limited scope of these literary disputations can in part explain, why late medieval Portuguese society was relatively more tolerant than its Castilian counterpart, as the Portuguese authorities did not force Portuguese Jewish liturgical leaders to debate their dogma and faith in public and expose them to the ridicule, derision, taunting and mockery of the common people.

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<sup>866</sup> *O Livro da Corte Imperial* (1910), p 253.

<sup>867</sup> *Ibid.*, p 265.

<sup>868</sup> *Ibid.*, p 273.

**APPENDIX IV**  
**LATE MEDIEVAL ICONOGRAPHY WITHIN THE CONTEXT OF THE IBERIAN**  
**PENINSULA**

## APPENDIX IV

### LATE MEDIEVAL ICONOGRAPHY WITHIN THE CONTEXT OF THE IBERIAN PENINSULA

Although iconography is beyond the scope of this thesis, it is important to acknowledge the role it played in late medieval society, especially within the context of the Iberian Peninsula. A body of work that encompassed written text, illustrations and music was the *Cantigas de Santa María* that was present at the courts of Castile and Portugal. The texts and lyrics were written in Galician-Portuguese, which was the cultivated language for writing lyrics in the two aforementioned kingdoms. The Códice Rico at the Escorial Library is the body of work that will be used to analyze the role that the illuminations were supposed to play in projecting the image of the Jews into Christian society. Before proceeding into the definition and role of medieval iconography, one must define what iconography is. By deconstructing the term into its two main components, icon and graphics, one can come closer to a definition. In terms of the suffix -graphy, one can define it as the process of recording, writing, drawing and representing. It originates from the Greek *graphos*, which means written or drawn and *graphia*, which denotes abstract nouns and or functions.<sup>869</sup> In terms of icon, it consists of symbols, small pictures and images. It can also mean a very famous person or thing that can represent a way of life or a set of beliefs.<sup>870</sup> It is the merging of the first and second definitions of icon that befits the role of medieval iconography the best; images, pictures or symbols that represent a set of beliefs, ideals, prototypes, archetypes and stereotypes within the imaginary of the Middle Ages.

In terms of iconography consisting of images, Jérôme Baschet clarified that images throughout history were not only important because they were the product of what is considered as real and the ideal, but rather that *they produced the ideal and the real*.<sup>871</sup> In other words, the role of iconography was to produce societal archetypes, prototypes and stereotypes, to transmit these images so that they would be received and accepted by the majority of society. As such, iconography reinforced and supported the role of late Medieval imaginary. One of the main medieval institutions that used iconography was the Catholic

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<sup>869</sup> [www.dictionary.com/browse/-graphy](http://www.dictionary.com/browse/-graphy)

<sup>870</sup> [dictionary.cambridge.org/us/dictionary/english/icon](http://dictionary.cambridge.org/us/dictionary/english/icon)

<sup>871</sup> BASCHET, Jérôme (2008). *L'icographie médiévale*. Éditions Gallimard, p 9.

church. It would be Pope Gregory the Great around the year 600 CE, who would set down the rules for median positioning of icons and the importance of their placement in the overall image or picture.<sup>872</sup>

Baschet would help define the term image into two Latin terms: *imago* and *imaginatio*. The notion of *imago* is at the heart of Christian anthropology, as it would help define the rapport between God and mortals, as humans were created from the image of that same God. This notion is also embodied in the incarnation of God through the Christ, as well as through the image of the Holy Trinity, in which the Son is in the visibility of the Father.<sup>873</sup> The *imago* (visible) would then play a fundamental role in the production of mentally constructed images or *imaginatio* (imaginary or imagination) in Medieval society.

Baschet would further claim that the Medieval world was rich in images and that this world was rich in senses that had many obscured and veiled messages. It was a world of figures awaiting to be revealed or interpreted. It was also a multifaceted world of interwoven and at times tangled images and messages that needed to be unknotted and interpreted by others, especially by the clergy. Important to denote is that the *imago* qualifies as a relation of the senses to the rapports woven into the heart of the image. These rapports are serial in nature and that they interconnect with other images.<sup>874</sup>

Iconography would complement the written with the image in a society that was predominantly illiterate and depended on the senses – both oral and visual.<sup>875</sup> As previously mentioned, the Christian image was not only a taught and transmitted message, but also social practices to be followed by the Christian community.<sup>876</sup> This is important, as such messages to be followed by the Christian flock, will play a fundamental role in the rapport between Christians and Jews, the latter being outside of the officially accepted majority society. The Church through its oral and written preaching, as well as supporting iconography would

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<sup>872</sup> BASCHET (2008), p 11.

<sup>873</sup> Ibid., p 16-17.

<sup>874</sup> Ibid., p 20.

<sup>875</sup> Ibid., p 27.

<sup>876</sup> Ibid., p 31.

project a negative image of the Jews in many forms – from the symbolic image of the fallen Synagogue to the vicious looking Jews suspected of having committed many crimes.<sup>877</sup>

In terms of late Medieval Iberian society, the iconography in the *Cantigas de Santa María* (CSM) play a fundamental role in how the image of the Jew was projected into the majority Christian society. According to María Dolores Bollo-Panadero, the *Cantigas de Santa María* need to be understood as “an ideological instrument of cultural codification that reaffirms the established Christian social order in relation to three principal groups: heretics, Muslims, and Jews.”<sup>878</sup> She would argue that upon a focused look at the *Cantigas de Santa María* (CSM), they demonstrate a tight social control by the Church of moral conduct, including that of the majority Christian society and heretics and religious minorities of Muslims and Jews. The latter would fall into the categories of marginalized groups, who derided the practices of Catholic liturgy or erred in the interpretation of Holy Scripture from Church Canon law.<sup>879</sup> The purpose of the *Cantigas* was to reinforce the relationship between the sender (shaper and transmitter), which was the Crown (Alfonso X) and royal composers, and the recipients of the message, which was the target audience, in order to reinforce community ideals. These messages were to maintain the Christian social order through cultural codification.<sup>880</sup>

According to John E. Keller, the CSM were short stories written in verse, set to music, and illustrated for the greater appeal of listener and viewer. The threefold approach to the CSM form an essential link in the history of late medieval Castilian and Portuguese societies, as the fables of classical antiquity once did. Keller would emphasize on the role of the luminaries that were to provide visual representations to help illustrate to an illiterate audience the stories

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<sup>877</sup> CANTERA MONTENEGRO, Enrique (1998). La imagen del judío en la España medieval. In: *Espacio, Tiempo y Forma, Serie III, H.ª Medieval*, t. 11, p 17. RODRÍGUEZ BARRAL, Paulino (2007). Contra caecitatem iudeorum: el tópico de la ceguera de los judíos en la plástica medieval hispánica. In: *Revista de Ciencias de las Religiones*, 12, p 181-209.

<sup>878</sup> BOLLO-PANADERO, María Dolores (2008). Heretics and Infidels: The Cantigas de Santa María as Ideological Instrument of Cultural Codification, *Romance Quarterly*, 55:3, p 163.

<sup>879</sup> Ibid., p 164.

<sup>880</sup> Ibid., p 169.

of accepted moral conduct.<sup>881</sup> According to Rocío Sánchez Ameijeiras, the images in the CSM represent *figurative rhetoric* or visual parallels to the written text.<sup>882</sup>

Important to inspire the *imaginatio* (mental images) was the aspect of music and sound. Medieval music with its rhythms gave a sense of proportion to the harmony of the cosmic order. Certain images were to be endowed with a sound materiality. This way the image-object could be conceived as a whole and attain an active presence for the target audience and achieve a type of social interaction. Music and sonority would increase and enhance the perception of mental images and the projection of pre-existing representations.<sup>883</sup>

Before continuing with the short analysis of the CSM miniatures, is the setting and placement of these same images. Baschet would designate this as iconography, which, in his opinion, is only one aspect of an overall approach to the object-image. Baschet would go beyond E. Pankofsky's definition of iconography as a branch of Art History that focuses on the subject matter or meaning of works of art. Instead, the placement of object-images is also important, as it assists in the interaction of these object-images and the target public, as well as determine their efficacy in the projection, transmission and reception of the messages created. Their placement would also influence the interaction of certain object-images with other object-images or relational-iconography.<sup>884</sup> Brendan Cassidy would emphasize on the complex relations between texts and images, especially on placing attention on the specificity of the visual field or camp and not merely relying on the text alone in understanding the message projected and transmitted to the target audience.<sup>885</sup> Hubert Damisch reinforces the notion of the reciprocity between text and image and image with text of transmitting messages.<sup>886</sup> Michael Camille would take the argument even further by claiming that the

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<sup>881</sup> KELLER, John E. (1987). The Threefold Impact of the *Cantigas de Santa Maria*: Visual, Verbal and Musical in *Studies on the Cantigas de Santa Maria: Art, Music, and Poetry*, Co-Editors: KATZ, Israel J. and John E. Keller. Proceedings of the International Symposium on the Cantigas de Santa Maria of Alfonso X, el Sabio (1221-1284) in Commemoration of Its 700th Anniversary Year – 1981. The Hispanic Seminary of Medieval Studies, p 2-3.

<sup>882</sup> SÁNCHEZ AMEJEIRAS, Rocío (2002). A imaxe e teoría da imaxe nas *Cantigas de Santa María* in *As Cantigas de Santa María*, Elvira Fidalgo editor. Edicións Xerais de Galicia, p 251.

<sup>883</sup> BASCHET (2008), p 59-61.

<sup>884</sup> BASCHET (2008), p 155-156. Also see: HOLLY, Michael A. (1984). *Pankofsky and the Foundations of Art History*. Cornell UP.

<sup>885</sup> CASSIDY, Brendan, ed. (1993). *Iconography at the Crossroads*, Princeton UP, p 10.

<sup>886</sup> DAMISCH, Hubert (1976). Sémiologie et iconographie in *La Sociologie de l'art et sa vocation interdisciplinaire. L'œuvre et l'influence de Pierre Francastel*. Denoël, p 29-39.

dividing line between image and text in the Middle Ages was not as clear-cut as in later historical periods. He would remind one how often images would carry inscriptions and letters were ornate or how historiated manuscripts themselves became images. This was especially the case in a culture that was marked by orality, writing and images.<sup>887</sup>

One further aspect in the analysis of images and/or icons is the placement of the image-objects in the image field of the artwork – up-down, left-right or center-margins. Also, important to take into account, are the gestures and postures of the images within the modal scale of the artwork. The image-objects are all placed according to their relative visual importance according to the median axis of the field of the artwork. As such, the importance of the visual representation is not the individual parts of the image, but the rapport between the interwoven parts as a whole that produce an interaction between those same parts.<sup>888</sup> Depending to where the images are placed from the median axis, as well as the colors used, the image-objects then take on certain values that can be interpreted as distance, tension or even transgression. These attributed values can be reinforced with distinctive celestial or worldly signs.<sup>889</sup> It is within this structural framework that one can study the iconography of the Jews in the *Cantigas de Santa Maria* (CSM).

In order to understand the intended role of the *Cantigas de Santa Maria*, one must look at the ambitious political, ideological and cultural efforts of Alfonso X of Castile-León in uniting his subjects under one crown. Not only the Christian subjects of the north and center, but those of the recently conquered south. These subjects not only included Christians, but Jews and Muslims as well. As such, Alfonso X chose the popular musical form of the Andalusian *zajal* for the *Cantigas*, as the means to propagate or transmit his ideological, political and cultural message of his royal authority. The intended means of propagating the royal message would have been through troubadours and local minstrels, who would have given a “popular” aspect to the CSM.<sup>890</sup>

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<sup>887</sup> CAMILLE, Michael (1985). Seeing and Reading: Some Visual Implications of Medieval Literacy and Illiteracy in *Art History*, 8, p 26-49.

<sup>888</sup> BASCHET (2008), p 166-168.

<sup>889</sup> Ibid., p 169-170.

<sup>890</sup> FERREIRA, Pedro Manuel (2016). The Medieval Fate of the *Cantigas de Santa Maria*: Iberian Politics Meets Song. In *Journal of the American Musicological Society*, Vol. 69, Number 2, p 296. Emphasis is placed on the term “intended”, as there is little to no evidence that the CSM were actually performed to a broad audience.

In terms of the representation of the Jews in the CSM, there were 39 cantigas. However, Jews played a primary role in 11 of those same CSM. These CSM are 4, 6, 12, 25, 27, 34, 85, 89, 107, 108, 286.<sup>891</sup> Jean-Claude Schmitt stated that for many years the images were only analyzed within the realm of History of Art and that only recently, they have been looked at as historical sources within a sociological and cultural anthropological framework. The images communicate and express human senses and are charged with symbolic values and fulfill religious, social and political functions and, as such, reproduced the image of late medieval Iberian society.<sup>892</sup> David Nirenberg and Maria Cristina Pereira asserted how the CSM and their projection of the Jews and Muslims are to be seen within the socio-cultural context of the mid-13<sup>th</sup> century Iberian Peninsula.<sup>893</sup> In terms of the *Cantigas de Santa Maria*, John Keller, along with Pereira and Nirenberg, claimed that there is a complex rapport between image, music and text. All three media are explicitly related and narrate the same miracles, as well as help shape the actual real-life relations between Jews, Christians and Muslims.<sup>894</sup> Due to the brevity of this section, as not being an integral part of the thesis and only to demonstrate the role of iconography in the projection of images, prototypes, archetypes and stereotypes, it will focus on the Jews only CSM 4, 6, 12 and 108.

Part of the message of the *Cantigas de Santa Maria*, besides the praise and miracles of the Virgin Mary, was their message in upholding the so-called truth of the Catholic faith vis-à-vis the other Abrahamic faiths of Judaism and Islam. Jews would be physically represented in

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<sup>891</sup> RODRÍGUEZ BARRAL, Paulino (2007). La Dialéctica Texto-Imagen a Propósito de la Representación del Judío en las Cantigas de Santa María de Alfonso X. In: *Anuario de Estudios Medievales (AEM)* 37/1, p 215.

STELMACH, Yuri Leonardo Rosa (2019). *A representação dos judeus nas ilustrações da obra Cantigas de Santa Maria, do rei Afonso X de Leão e Castela (1252 – 1284)*. Trabalho de Conclusão de Curso apresentado ao Departamento de História do Instituto de Filosofia e Ciências Humanas da Universidade Federal do Rio Grande do Sul, p 12.

<sup>892</sup> SCHMITT, Jean-Claude (2007). O Corpo das Imagens. *Ensaio sobre a cultura visual na Idade Média*. Tradução de José Rivair Macedo. Bauru, SP: EDUSC, p 11.

<sup>893</sup> PEREIRA, Maria Cristina (2011). Da conexão entre texto e imagem no Ocidente Medieval. In *Leituras e imagens da Idade Média*. OLIVEIRA, Terezinha; VISALLI, Angelita M. (Orgs.). Eduem, p 131-148. NIRENBERG, David (2017). Medieval media and minorities: Jews and Muslims in the Cantigas de Santa Maria. In *Authority and Spectacle in Medieval and Early Modern Europe Essays in Honor of Teófilo F. Ruiz*. Edited by Yuen-Gen Liang and Jarbel Rodríguez. Routledge, p 147.

<sup>894</sup> KELLER, John Esten (1987). The Threefold Impact of the Cantigas de Santa Maria: Visual, Verbal, and Musical. In: *Studies on the "Cantigas de Santa Maria": Art, Music, and Poetry*, edited by Israel J. Katz and John E. Keller, 7–33. Madison, WI: Hispanic Seminary of Medieval Studies, p 11. NIRENBERG (2017), p 148. PEREIRA (2011), p 131-148. However, Paulino Rodríguez Barral claimed that there was still a certain amount of autonomy between text and images. See: RODRÍGUEZ BARRAL (2007), p 214.

stereotypical manners that would help support negative attitudes held by members of the Christian majority society.<sup>895</sup> These stereotypical traits and outwardly appearance of Jewish men in Gothic art were small and beady eyes, sardonic smiles, long beards, hooked and crooked aquiline noses, pointed hats and almost always portrayed in profile view. The Jew was portrayed as an individual that did not belong to any particular place or world, but rather as an alien that is a hybrid being, and who straddles between different worlds. These “foreign” beings were not to be fully trusted by members of the Catholic faith, as they incorporated late medieval “otherness” by not belonging to the accepted Christian fold. The ultimate sin or crime of Jewish men was boundary crossing and active transgression of Christian social norms.<sup>896</sup>

In the idealized world of Christian imagery... the Jew could be restored to his proper role. Tokens of archaic authority display the Jew’s affiliation with an obsolete law and the outmoded past. Signs of ugliness proclaim his misunderstanding of that law and consequent carnality and perfidy and fiendishness. The male Jew’s repeated failure to see demonstrates graphically his own exegetical and spiritual blindness and the superiority of Christian vision. By heightening visible distinctions and highlighting the importance of proper vision and visual response, the images of the *Cantigas* present a “corrected” image of a recognizably erring Jew, who eternally glares at and yet fails to recognize the truth and who is properly punished for his presumption when he dares to challenge Christian superiority.<sup>897</sup>

Jewish women, on the other hand, were not presented in the same negative light as Jewish men according to Sara Lipton’s study of images of Jews in the *Cantigas de Santa Maria*. Lipton argues that Jewish women were not concerned with the interpretation of Holy Scripture and thus not at fault in not recognizing the truth of the Christian faith. As a result, Jewish women in the CSM would be dressed in indistinctive white clothing, have neutral facial expressions and hand gestures, and portrayed as midwives and mothers caring for their children. Christian theologians claimed that Jewish women, in contrast to Jewish men, subconsciously believed in the Mother of God without having had actually seen her.<sup>898</sup>

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<sup>895</sup> BOLLO-PANADERO (2008), p 166.

<sup>896</sup> LIPTON, Sara (2008). Where Are the Gothic Jewish Women? On the Non-Iconography of the Jewess in the *Cantigas de Santa Maria*. In *Jewish History*, Vol. 22, No. 1/2, The Elka Klein Memorial Volume, p 145-148. RODRÍGUEZ BARRAL (2007), p 215. CANTERA MONTENEGRO (1998), p 13-16, 19 and 35.

<sup>897</sup> LIPTON (2008), p 156.

<sup>898</sup> *Ibid.*, p 151-154, 156.

Some of the alluded crimes that Jews, through the acts of Jewish men, committed in the *Cantigas de Santa Maria* were infanticide (CSM 4, 6 and 8), ritual crime of kidnapping Christian children for blood rituals (CSM 12), the defamation of the Holy Host (CSM 104, 128 and 208) and the defamation of images (CSM 34).<sup>899</sup> Another crime was the rejection of Holy Scripture as interpreted by the Church (CSM 108).

Nonetheless, the *Cantigas de Santa Maria* would show an ambivalence in their approach to the Jews. On the one hand, they could show mercy and acceptance of Jews, who embraced the Catholic faith, and on the other hand, a complete intolerance to those Jews, who maintained their position to their Jewish faith. Cantigas 4, 6 and 8 depict a merciful and forgiving Virgin Mary. In the top row of the CSM 4, a young Jewish boy in Bourges attended mass with his Christian friends and innocently took the Holy Wafer following the example of his friends. Upon telling his father in the second row, a glassmaker, of his deed, the man in a fit of rage, threw his son into the oven to make glass. The Virgin Mary interceded and saved his boy, who kept on singing in the furnace, until he was rescued unscathed by his neighbors. In the third row of panels, the Christian neighbors throw the Jewish father into the furnace, where he perishes as a non-believer, who tried to kill a believer of the Christian faith.<sup>900</sup> The father, who is the villain of the narrative, is portrayed in the stereotypical manner of cruel beady eyes, hooked nose and pointed conical hat.

The CSM 6 is a case of a Christian child that is murdered by a Jew because the boy sang songs of praise to the Virgin Mary. In the first row of illustrations, one sees the boy in a church surrounded by the faithful intoning his songs of praise to the Virgin Mary. The boy would continue to sing outside of the Church which purportedly upset a Jewish man. In the second row, one sees the Jewish man kidnap the boy and murder him in the Jew's basement with the strike of an ax to the head and buried the boy in the warehouse. In the third row, the mother is told by others that they had seen the child leave with the Jewish man and she set off in search of the child with a group of Christians. The mother and the group (or mob) of Christians forcefully enter the Jewish man's home and hear the boy singing his hymns in

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<sup>899</sup> RODRÍGUEZ BARRAL (2007), p 218, 220, 221, 224

<sup>900</sup> BOLLO-PANADERO (2008), p 167. For a view of the illustrations of the CSM 4, see: LIPTON (2008), p 140. RODRÍGUEZ BARRAL (2007), p 219-220. For a view of the miniatures, see page 11.

praise of the Virgin Mary. The mob murder the Jew and persecute the Jews. Once again, the Jewish antagonist was portrayed in the stereotypical manner of crooked nose, vicious smirk and beady eyes, as well as the distinctive clothing and headgear.<sup>901</sup>

The CSM 12 deals with how the Virgin Mary intervened in punishing a certain group of Jews of Toledo for having mockingly crucified a wax image of Jesus. As such, the entire Jewish community of Toledo had to pay with death for the alleged crime.<sup>902</sup> The CSM 12 consists of six panels, in which the first two panels in the top row are dedicated to images of the archbishop of Toledo giving mass dedicated to the Virgin's Assumption to heaven in August. The following third panel in the middle row shows the Archbishop of Toledo speaking to the congregation after hearing the complaints from the statue of the Virgin Mary of Toledan Jews re-enacting the passion of Christ with a wax figure. The fourth panel in the middle row shows armed men setting off to find the culprits of the alleged crime. The bottom row of panels 5 and 6 are of interest in the presentation of Jews in stereotyped manner. The fifth panel shows how the armed Christian men erupted into the room, where the group of Jewish men were tormenting the wax figure of Christ with placing a crown of thorns and beating it with a stick. Two Jewish men are extending the wax figure's arms in preparation of hoisting it onto a Cross. The sixth and final panel show the armed Christian slay the Jewish perpetrators of deicide. Both panels present the Jewish men in typical pointed hats and hoods, crooked aquiline noses, evil smirks and beady, slanted eyes.<sup>903</sup>

An example of dissent between Christians and Jews is CSM 108, in which Merlin, representing a defender of Christian faith and a Jewish doctor (alfaquín)<sup>904</sup>, who contradicts Merlin's interpretation of Holy scripture. Merlin prays to the Virgin Mary to punish the Jew, whose son is born with his face facing backwards. This punishment, which is portrayed in miniatures accompanying CSM 108, portrays the child with his face looking backwards. This is to symbolize how Jews saw, viewed or interpreted Holy Scripture incorrectly, backwards, or the wrong way. However, being a propaganda piece, the particular cantiga claimed that as a

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<sup>901</sup> RODRÍGUEZ BARRAL, (2007), p 220-221. See page 12

<sup>902</sup> BOLLO-PANADERO (2008), p 167.

<sup>903</sup> RODRÍGUEZ BARRA (2007), p 221-222. See: Códice Rico Biblioteca de El Escorial, Ms. B. I. 1, fol. 20 v. Page 13

<sup>904</sup> LIPTON (2008), p 147. Alfaquín can mean, "secular philosopher/sage or religious legal authority." Lipton would point out that Cayphas is not just a theological doctor, but seems to be a medic as well, as the miniatures show that there are shelves in the background full of jars and vials.

result of this punishment, many Jews converted to Christianity. However, there is no such evidence of such an occurrence.<sup>905</sup>

In terms of the physical placement of the characters, Cayphas, the Jewish doctor is in the middle of the pictorial presentation in the first row of the miniatures. Perhaps this is the case since it is Cayphas' rejection of Christian theology that the artist decided to present him as the villain of the story and the target of divine wrath. In the second row of the illustrations, it is the baby with its face turned backwards that is in the center of the view in the third illustration. In the fourth miniature in the second row, the viewer can observe how Cayphas tried to murder his own baby, but is stopped from committing the crime through the intervention of Merlin, who, in the bottom row of illustrations, uses this example as a way of converting Cayphas to Christianity.<sup>906</sup>

As can be seen through the analysis of the four CSM (Nº 4, 6, 12 and 108 respectively), the illuminations of the Cantigas reinforced the negative image of the Jew projected by both religious and secular Christian elites in order to achieve a homogenous Christian community, as well as maintain social cohesion under the rule of one sovereign. These images demonstrate the ambivalent attitude of the Castilian Crown of intolerance towards Jewish religious obstinance in not acknowledging the purported truth of the Christian faith, but also the Crown's (and Church's) willingness to accept non-believers into the Christian fold. Until then, non-believers (heretics, Muslims and Jews) would be portrayed as despicable, cruel, untrustworthy and fiendish creatures that were to be rejected, abhorred and punished through the actions of Divine intervention. The Jews would be portrayed with small beady, slanted eyes, cynical or sardonic smirks and hooked aquiline noses. The pointed conical hats would help Christians in distinguishing Jews in order to avoid any possible contact with them. These illustrations were to support and reinforce the projection of negative images of Jews that were written in text and that would either be read silently or sung aloud in public in order to convince the Jews to convert to the one apparent "true" faith. The ultimate goal was to

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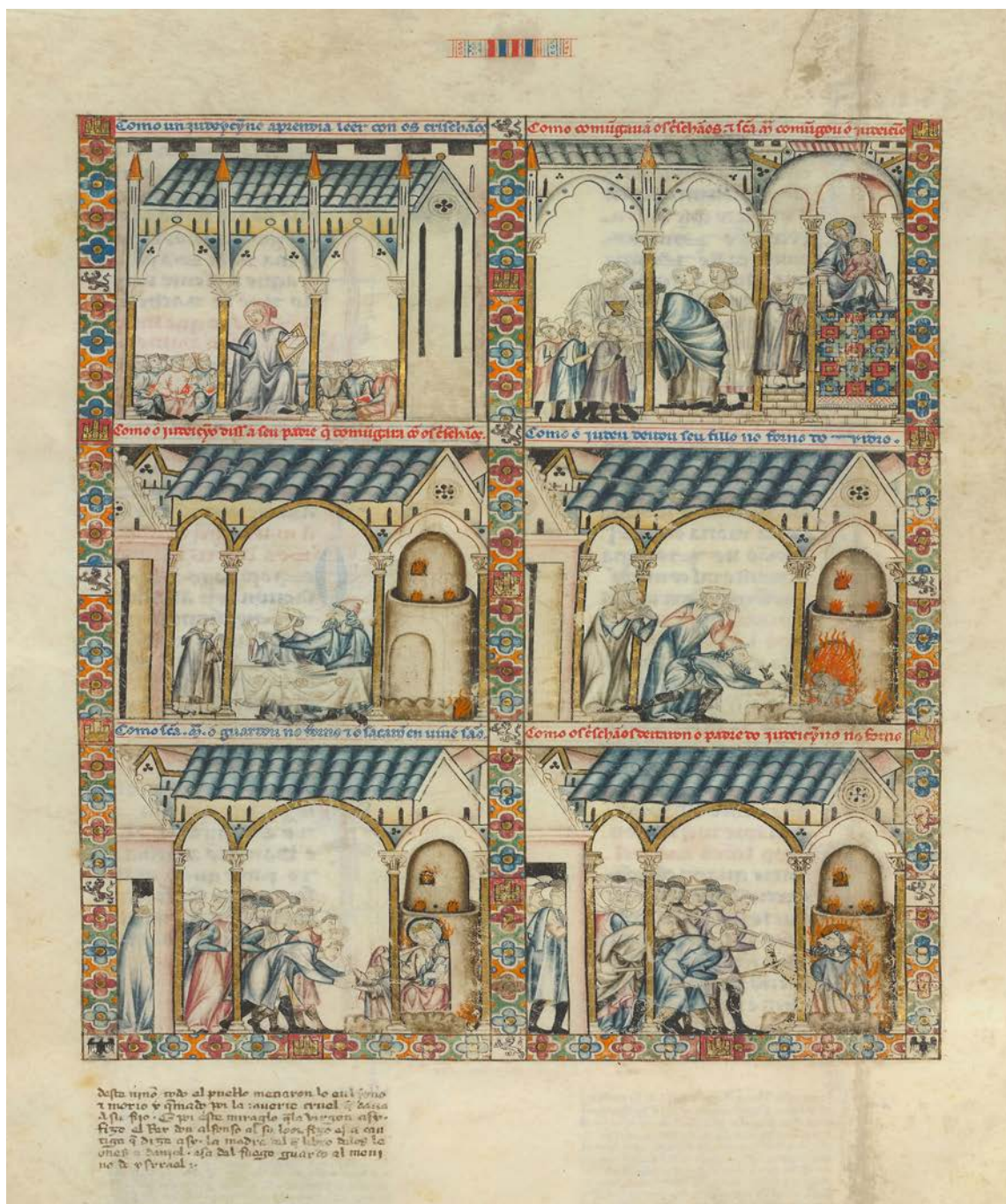
<sup>905</sup> BOLLO-PANADERO (2008), p 166-167. Bollo-Panadero would argue further that the CSM 108 is a mere reflection of the famous Barcelona Dispute of 1263 between Christian theologians and Jewish doctors.

<sup>906</sup> LIPTON (2008), p 141. See: image on page 14.

achieve social cohesion and control amongst the multi-confessional subjects in the hopes of achieving one faith under one Crown.

Illustrations from the Códice Rico<sup>907</sup> of the *Cantigas de Santa María*

CSM 4 – “Este é como Santa María guardou ao fillo do judéu que non ardesse, que séu padre deitara no forno”



Biblioteca de El Escorial, Ms. B. I. 1, fol. 9v.

<sup>907</sup> The Códice Rico of the Cantigas de Santa María (Ms. B. I. 1) are found in the Escorial Library, Spain.

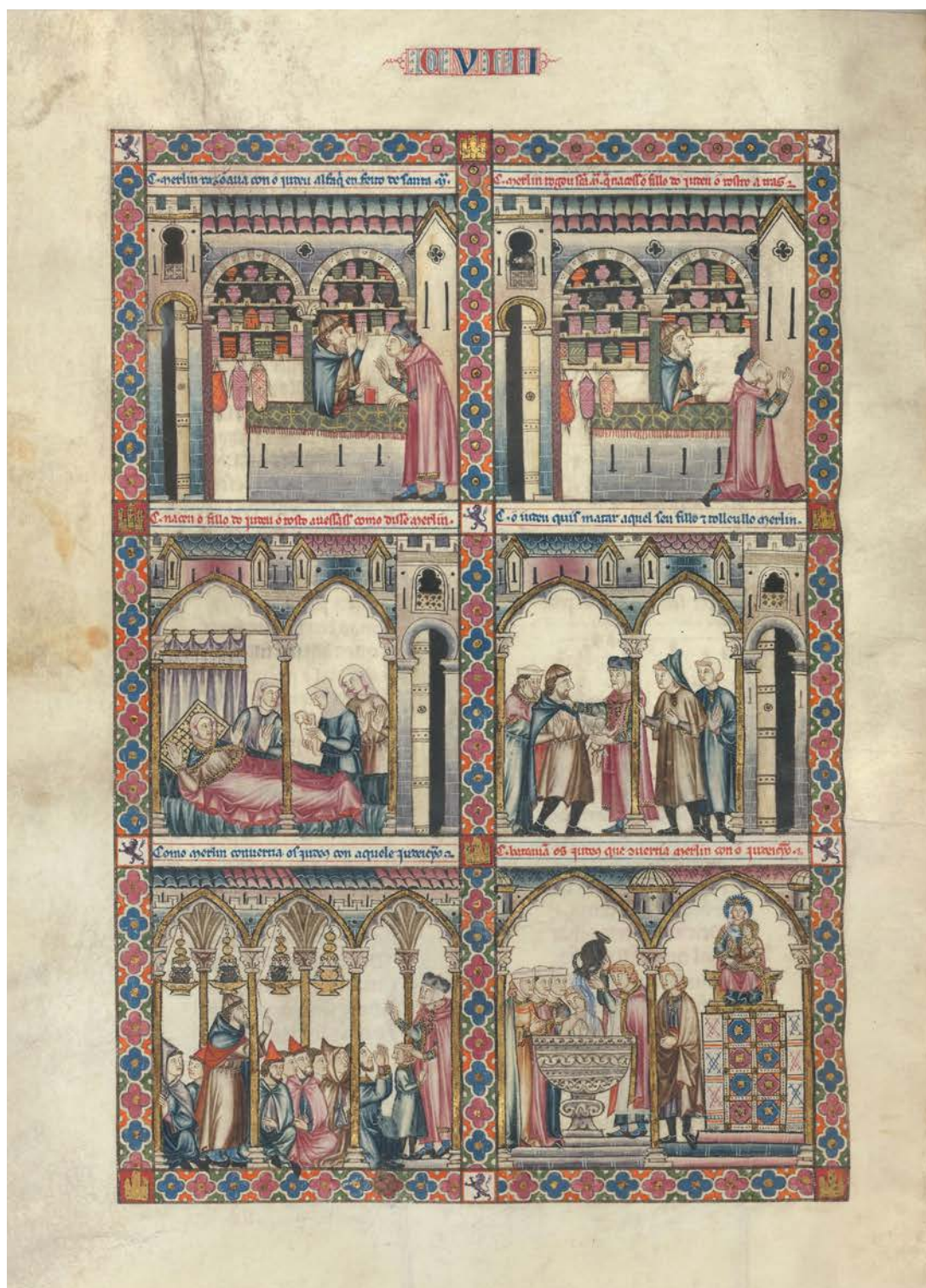
CSM 6 – “Este é como Santa María ressoucitou ao menino que o judéu matara porque cantava ‘Gaude Virgo María’”



Biblioteca de El Escorial, Ms. B. I. 1, fol. 13 v.



CSM 108 – “Como Santa María fez que nacesse o fillo do judéu o rostro atrás, como llo Merlín rogara”



Biblioteca de El Escorial, Ms. B. I. 1, fol. 155 v.

## APPENDIX V

### CONDE DE BARCELOS ON THE JEWS IN THE *CRÓNICA GERAL DE ESPANHA DE 1344*

This section will be dedicated to the late Medieval Portuguese literature of the 14<sup>th</sup> century to the projection of the image of the Jews that was originally Castilian sources written in Castilian. This section is also separate from the other chapters, as the majority of the narratives, poems, lyrics, stories and events occurred prior to the historical focus of 1325-1412, even though they were recorded in Portuguese in the 1340s. One could also argue that they were not originally events that occurred in Portugal and first written by Portuguese authors, the fact that they were eventually written in Portuguese, allowed these events, stories and narratives to be easily transferred to a Portuguese audience that perhaps did not read or understand Castilian. Even though the elite in 14<sup>th</sup> century Portugal did speak and understand Castilian, Portuguese authors, composers and writers desired to maintain a record in their own language, as part of their cultural patrimony. This section will look at the texts that projected the image of the Jews either elaborated or gathered by Dom Pedro, Conde de Barcelos, in his *Crónica Geral de Espanha de 1344*.

#### *Crónica Geral de Espanha de 1344*

In the *Crónica Geral de Espanha de 1344*, the work presented many chapters dedicated to El Cid, especially in the last chapters of volume III and the first chapters of volume IV.<sup>908</sup> In contrast to the original Castilian work, which was an epic poem written in verse, the Portuguese chronicle is written in prose. The story concerning Jews here is that of two Jewish merchants, who were tricked by El Cid in order to obtain 600 marks (300 silver marks and 300 gold marks) in order to finance his military campaigns. El Cid, conspiring with one of his noblemen, Martín Antolínez, filled two heavy chests with sand claiming that it was filled with gold and jewels, and would use it against obtaining the 600 gold marks from the Jewish merchants. In order to dupe the Jewish merchants, the covers of the chests were bejeweled.<sup>909</sup> The original Castilian version of the episode with the Jewish merchants was much more extensive in the details of the conversation between the Cid and the Jewish merchants. In fact,

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<sup>908</sup> CINTRA, Luís Filipe Lindley, ed. (2009). *Crónica Geral de Espanha de 1344*. Imprensa Nacional-Casa da Moeda, vol. III, p 322, 375-454; and vol. IV, p 3-192. The Chronicle was elaborated under the supervision of the Conde de Barcelos. The current text, that Cintra used, was the one that was redone or rewritten around 1400.

<sup>909</sup> *Ibid.*, p 420-421.

the original Castilian version<sup>910</sup> mentioned the names of the Jewish merchants, Rachel e Vidas, whereas the Portuguese version did not. (For more detailed information, refer to Chapter I.B.1).

Nonetheless, the importance of the Portuguese version in the *Crónica de Espanha de 1344*, as the original Castilian epic version, was the projection of a negative image of the Jews being easily duped in their so-called greed for riches that they were easily blinded from actually looking into the chest and seeing if there were any jewels at all. This somehow plays into the Medieval narrative of the blindness of the Jews in seeing the “truth” in the Christ being the Messiah and his New Testament. This has been symbolized in the allegorical representation of the synagogue or *Sinagoga*, a blindfolded woman, bearing in one hand a broken scepter or staff, representing Moses’ scepter, and in the other hand, the ten commandments, representing the old and outdated laws of the Lord.<sup>911</sup>

However, on the other hand, the story could also project the image of Jews respecting and trusting the word of such a military hero as El Cid. This respect, if not outright awe of such a hero, shows how even non-Christians held El Cid in high regard and would not doubt his word. This can be seen in the passage:

Os judeus eram muyto ricos e fiavam muyto do Cide, por que núca e elle acharo méтира é cousa que com elle ouvessem de fazer. E vendo os judeus as fremossas palavras do Cide e como era home de grande verdade, receberom é sy as arcas....<sup>912</sup>

Instead of Jewish greed, one could read Christian duplicity in the deception of unsuspecting Jewish merchants in lending 600 marks for two chests full of sand.<sup>913</sup> Unfortunately, the Portuguese version, which was shorter than the Castilian version, did not get into detail of the speeches of reverence and the mannerisms of the Jewish moneylenders/merchants. In the Castilian heroic epic version, Rachel kissed the Cid’s hands out of reverence of such a

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<sup>910</sup> *Poema de Mio Cid* (2019). Ed. Ian Michel. Clásicos Castalia, p 83-91. *Poema de Mio Cid* (2015). Ed. Colin Smith. Cátedra Letras Hispánicas, p 161-165.

<sup>911</sup> CANTERA MONTENEGRO, Enrique (1998). La imagen del judío en la España medieval. In: *Espacio, Tiempo y Forma, Serie III, H.ª Medieval*, t. 11, p 17.

<sup>912</sup> BARCELOS (2009), *Crónica Geral de Espanha de 1344*, vol. III, p 421.

<sup>913</sup> CHASCA, Edmund de (1980). “Fórmulas, contextos y estructuras épicas” in *Historia y Crítica de la Literatura española, 1/1, Edad Media*. Editorial Crítica, S.A., p 112-115.

respected military leader, as well as possibly showing his humility and subservience to such an honored person.<sup>914</sup> As such, this perhaps more positive image of one of the Jewish moneylenders would not be projected into the Portuguese imaginary as the Castilian version, unless members of the Portuguese elite would have both versions and compare and contrast the two.

Unlike in the original Castilian version attributed to having been written by Per Abbé or Abbat in 1207,<sup>915</sup> the Portuguese version elaborated or collected by Conde de Barcelos, is more aligned with the Castilian *Primera Crónica General de España* in which there was written the story of a Jew, who touched the beard of El Cid and how El Cid reacted to the Jew's touch. Apparently, the event had occurred upon the seventh year after the Castilian hero's death. El Cid's body was laid out in a church in order for the multitudes, including Muslims and Jews to see. The abbot García Tellez was giving a sermon outside of the Church. Contrary to the Castilian version of the story, the Portuguese version claimed that a Jew (perhaps it was Conde de Barcelos' own opinion?), was motivated by malice, as per Christian imaginary the Jews were enemies of Christ and preoccupied with engineering stories against Christians. However, both chronicles mentioned that the Jew said to himself that he would grab El Cid's beard to see what would happen. Jesus Christ, unwilling that a Jew humiliate a Christian hero, entered into the body of El Cid. The right arm of the deceased Castilian hero moved and went to unsheathe his sword at his side. The terrified Jew fell on his back and began to shout in horror, which interrupted the prayers of the Christian faithful in the church. The faithful found the Jew, who could not speak, laying in front of the corpse of El Cid. The abbot noticed that the right hand of El Cid was on the sword's handle and with the sword slightly unsheathed. The abbot and the faithful threw cold water on the Jew, who, upon

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<sup>914</sup> CHASCA (1980), p 113.

<sup>915</sup> Many philologists and historians believe that the narrative of Rodrigo Dias de Vivar began during his life and proliferated after his death. Ramón Menéndez Pidal believed that they began between 1140 and 1160. The written record of legends surrounding the historical figure date back to a panegyric in Latin, titled *Carmen Campidoctoris*, from a monastery in Ripoll (Catalonia) dating back to 1093-1094(?) and the Latin *Historia Roderici* from around 1100 (?); from: *Poema de Mio Cid*, Edición de MICHAEL, Ian. Clásicos Castalia Ediciones. Barcelona, 2019, p 12; also see: CATALÁN, Diego. Capítulo IV "El Mío Cid de Alfonso X y el del Pseudo Ibn al-Faray" in *La Estoria de España de Alfonso X. Creación y Evolución*. Seminario Menéndez Pidal, Universidad Complutense de Madrid y Universidad Autónoma de Madrid: Valencia, 1992, p 108; DEYERMOND, Alan. *El "Cantar de Mio Cid" y la Épica medieval española*. Sirmio, Barcelona, 1987, p 20-22. Deyermond argued that the archaisms in the manuscript were only restorations that Menéndez Pidal had made for the critical edition and that did not exist in the manuscript. Deyermond, instead insists that the legal and jurisdictional institutions indicate that the poem was most likely from the second half of the 12<sup>th</sup> century.

gaining conscious, told the Christians what had happened. Those present praised the Lord for such a miracle and left El Cid in his exact position for three years.<sup>916</sup>

According to the *Primera Crónica General de España*, the Jew who had tried to desecrate the corpse of El Cid by trying to pull on his beard, would convert to Christianity and would take the name of Diego Gil. The Castilian version of the story also stated that Diego Gil remained with El Cid's valet, Gil Diaz.<sup>917</sup> However, the Portuguese *Crónica Geral de Espanha de 1344*, did not mention, or at least, it was not made clear, that the Jewish convert to Christianity was apparently the same Jew, who had tried to pull El Cid's beard.<sup>918</sup> Both chronicles state that the Jewish convert, Diego Gil, remained in the service of Gil Diaz. However, the Portuguese chronicle claimed that, even though Gil Diaz was a good person and accomplished many good deeds, the Jewish convert, Diego Gil, was even better than Gil Diaz.<sup>919</sup>

Continuing with the portrayal of Jews in the *Crónica Geral de Espanha de 1344*, Conde de Barcelos dedicated an entire chapter to the affair that King Alfonso VIII of Castille with a beautiful Jewess in Toledo. According to the official narrative, the Castilian king went from Burgos with his wife the queen to Toledo, where he was enraptured with the beauty of the Jewess and would spend seven months alone with the Jewess and ignored the affairs of the realm. It was rumored that the Christian king could only have been so in love with the Jewess due to witchcraft. The counts, barons, knights and other aristocrats feared that the realm was in grave danger as the king ignored his duties. They agreed to murder the Jewess. The aristocrats pretended to speak to the king and entered his chambers. As some of the noblemen surrounded the king, others entered the other chamber where the Jewess was and slit her throat, as well as the throats of those who were in her company. Upon hearing the news, the king was so afflicted of his loss that he did not know what to do, as he deeply loved his Jewess. The knights took him away from Toledo to Ilescas. One night, the king saw an angel

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<sup>916</sup> CINTRA, ed. (2009), vol. IV, p 190-191. *Primera Crónica General de España* (1955), t. II. Publicada por MENÉNDEZ PIDAL, Ramón. Editorial Gredos, p 640-641.

<sup>917</sup> *Primera Crónica General de España* (1955), p 643: "Otrossi dize la estoria que aquel judio por quien Dios mostro aquella virtud por el cuerpo del Çid, por esto que vio et porque gelo metio Dios en voluntad, convirtiosse a la fe de Jhesu Cristo en voluntad, et fizose batear, et pusieronle nombre Diego Gil."

<sup>918</sup> BARCELOS, *Crónica Geral de Espanha de 1344*, vol. IV (2009), p 191-912.

<sup>919</sup> *Ibid.* (2009), p 192: "E conta a estória que Gil Diaz foy muito bem mas que muito melhor foi Diego Gil."

that reproached him for grieving the loss of the Jewess and that the king was committing a great disservice to God and that the Lord would make him and his kingdom pay a great price. In spite of the king begging for forgiveness on his knees, God's angel told him that he would be cursed without a male heir to his throne and then vanished. The king, nonetheless, would proceed to do good acts in order to appease the wrath of God.<sup>920</sup> However, in the Castilian *Primera Crónica General de España*, a bookbinder added in brackets to the text the three reasons why King Alfonso VIII built a monastery by Huelgas de Burgos. The third reason was because the king had extramarital relations with a beautiful Jewess from the Jewish quarters of Toledo and had ignored the affairs of the realm and in order to calm the ire of God, the king ordered that the monastery be built. As in the Portuguese chronicle, an angel of God appeared to the king and told him that because he had left his queen for the Jewess and betrayed God, the king had the battle of Alarcos de la Frontera and that he would not have a direct male heir to his throne but that through his daughter and the king of León.<sup>921</sup> Perhaps the original transcript had a lengthier narration of the king's affair with the beautiful Jewess and that it had been deemed unworthy or as too controversial for the official chronicle to narrate for then and future generations, and that only later, the bookbinder believed that the story was worthy to summarize in brackets.

According to Professor Enrique Cantera Montenegro, the story of Rahel la hermosa (the Beautiful) is based on legend that was used to justify the defeat of the Castilian king at Alarcos in 1195.<sup>922</sup> In terms of the narrative in the Portuguese chronicle, perhaps it was to portray the Castilian nobility as conniving, vicious and cruel. It could be speculated that the Conde de Barcelos' purpose was to differentiate the Portuguese nobility from their Castilian counterpart, as to create a wedge between the two bodies. Even though the Conde de Barcelos's work on Iberian nobiliary lineages (*Livro de Linhagens*) was to show how the noble families of both kingdoms were related by blood, the chronicle could also be seen as to justify how the Portuguese elites were not part of a greater Peninsular monarchy under one Crown (Castilian), but as being distinct and unique under a Portuguese Crown.

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<sup>920</sup> BARCELOS (2009), p 281-283.

<sup>921</sup> MENÉNDEZ PIDAL (1955), p 685.

<sup>922</sup> CANTERA MONTENEGRO, Enrique (07/02/2024). Interview with Professor Cantera Montenegro, UNED. Professor Cantera Montenegro recommended going to the following sources: MARRACHE, Abraham S. (2009). *La Historia de Ferosa*. Madrid: Hebraica Ediciones; Jewish Encyclopedia. <https://www.jewishencyclopedia.com/articles/6085-fermosa>

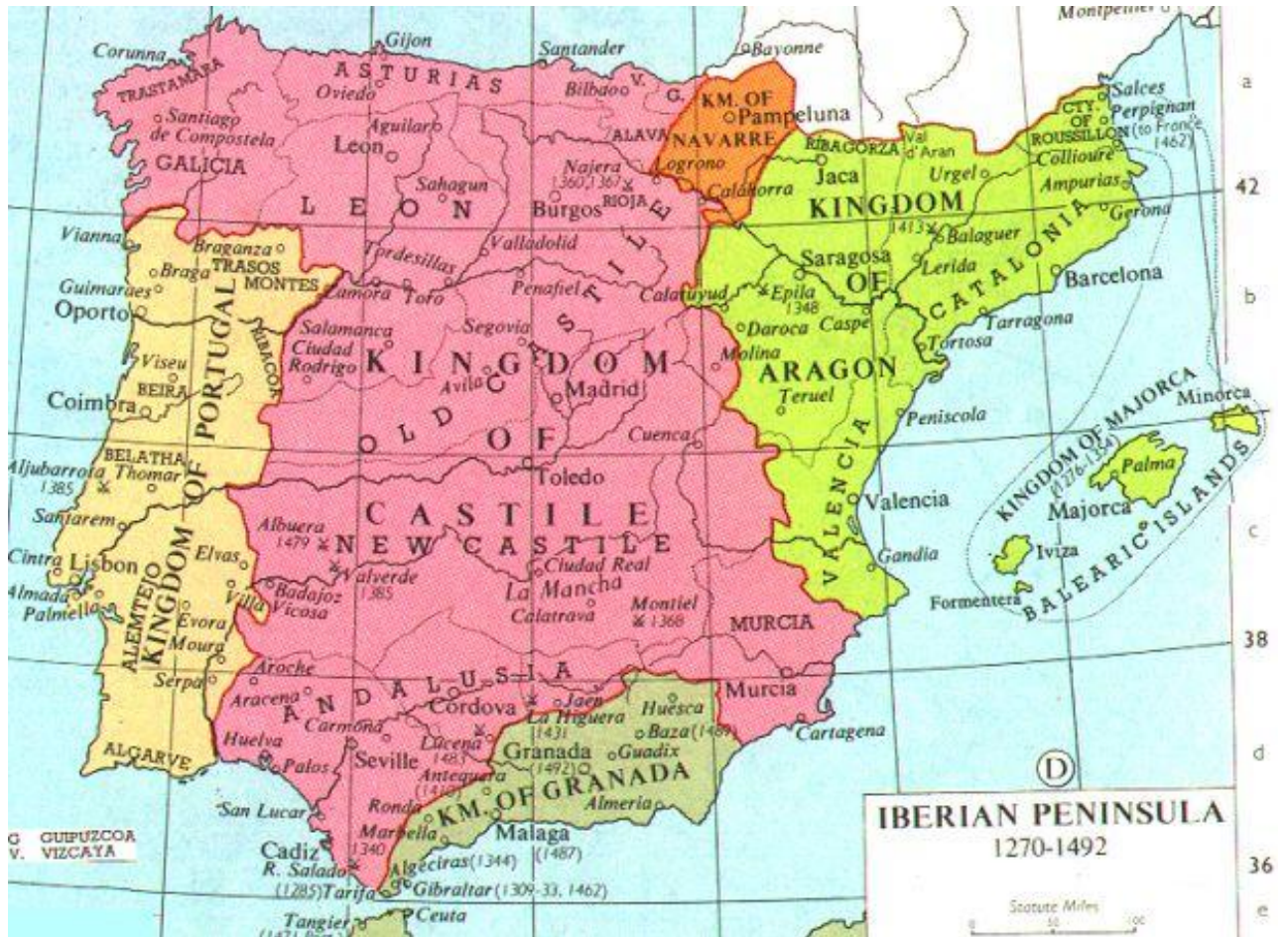
**APPENDIX VI**

**MAPS OF THE IBERIAN PENINSULA AND JEWISH QUARTERS**

## APPENDIX VI

### MAPS OF THE IBERIAN PENINSULA AND JEWISH QUARTERS

Map of the Iberian Peninsula, 1270–1492, showing the kingdoms of Portugal, Castile, Navarre, Granada, Aragon, and Majorca.



<https://www.ncpedia.org/media/map/iberia-1492>

## Antisemitic violence in the territories of the Crown of Castile (14<sup>th</sup>-15<sup>th</sup> centuries)



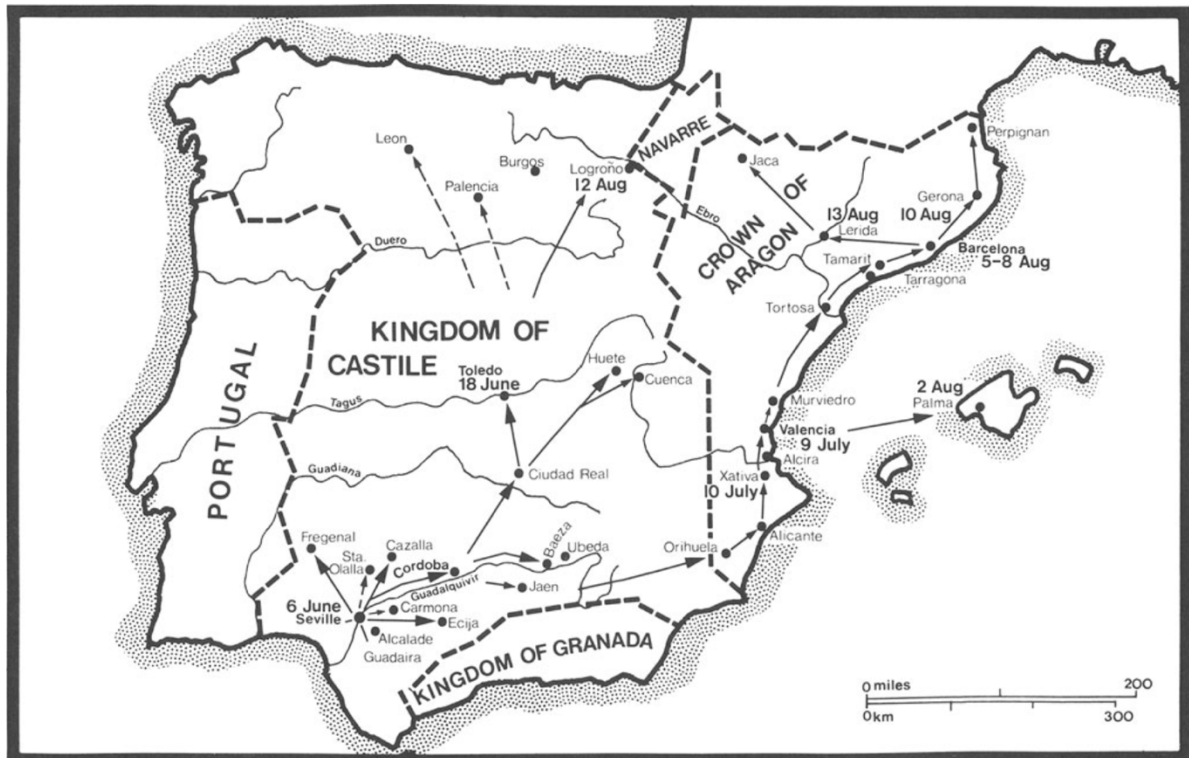
Source: MONSALVO ANTÓN, José M. (2010). *Atlas histórico de la España medieval*. Editorial Síntesis, p 270.

**Jewish quarters in the Iberian Peninsula in the late 14<sup>th</sup> century showing the outbursts of anti-Jewish violence in 1391**



Source:  
 LÓPEZ-DAVALILLO LARREA, Julio (1999). *Atlas histórico de España y Portugal Desde el Paleolítico hasta el siglo XX*. Edit. Síntesis.

## The geography and spread of anti-Jewish violence of 1391 in Castile and Aragon



Source: MACKAY, A. (1977). *Spain in the Middle Ages: from Frontier to Empire: 1000-1500*, MacMillan Press, p 6.

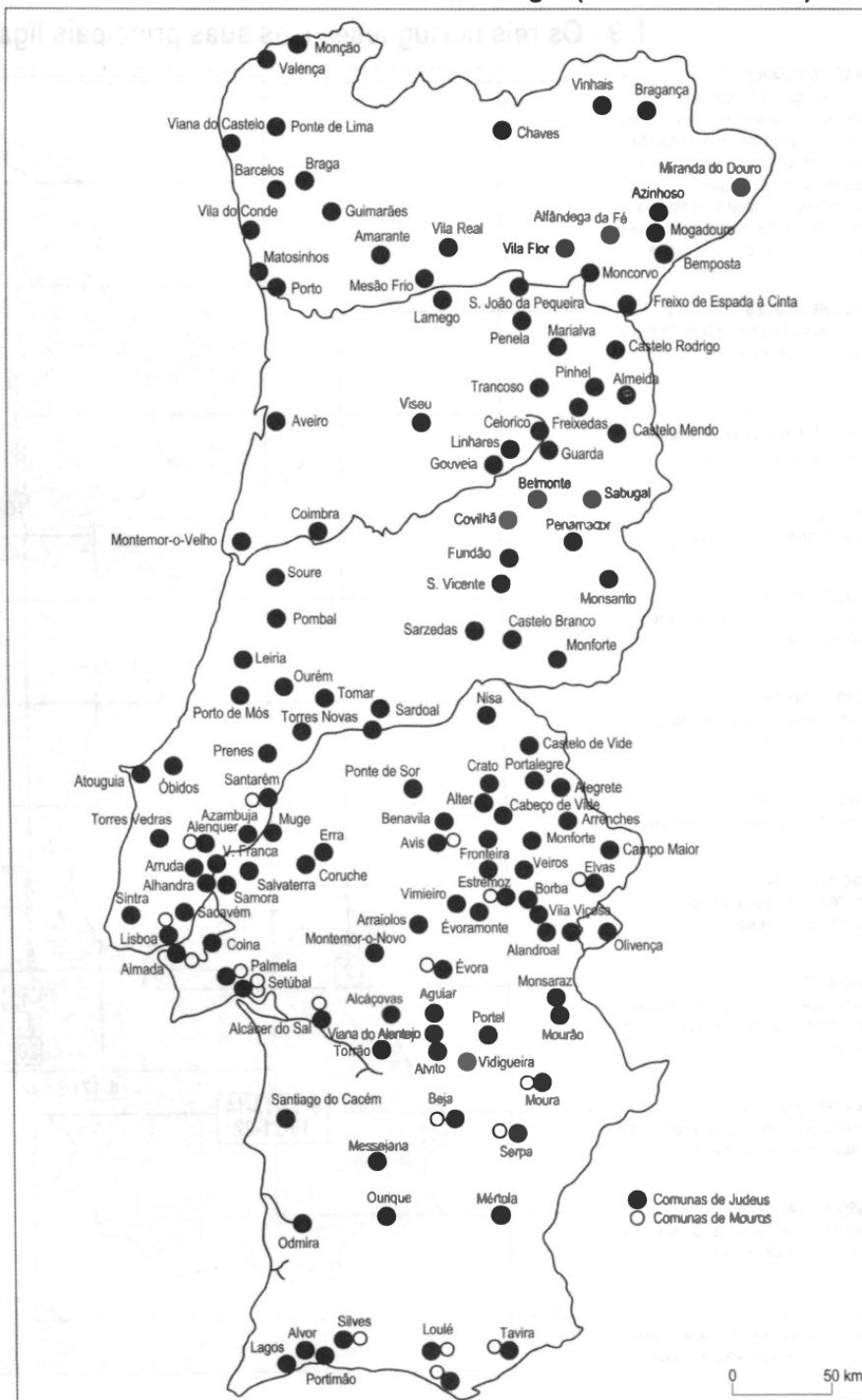
**Jews and Converts (conversos) in the 15<sup>th</sup> century**  
**Jewish quarters designated with a Star of David**  
**Converts designated with a black dot**



Source:  
 GARCÍA de CORTAZA, Fernando (2005). *Atlas de Historia de España*. Edit.Planeta.

## Jewish (Judiarias) and Moorish (Mourarias) quarters in Portugal in the 14<sup>th</sup> and 15<sup>th</sup> centuries

### I. 8 - Judiarias e mourarias em Portugal (Séculos XIV e XV)



Fonte: Maria José Ferro Tavares, «Judeus e Mouros no Portugal dos Séculos XIV e XV»,  
*Revista de História Económica e Social*, n.º 9, Jan - Jun., 1982, p. 83.

## The Jewish Quarters (Judiarias) of Lisbon in the late Middle Ages

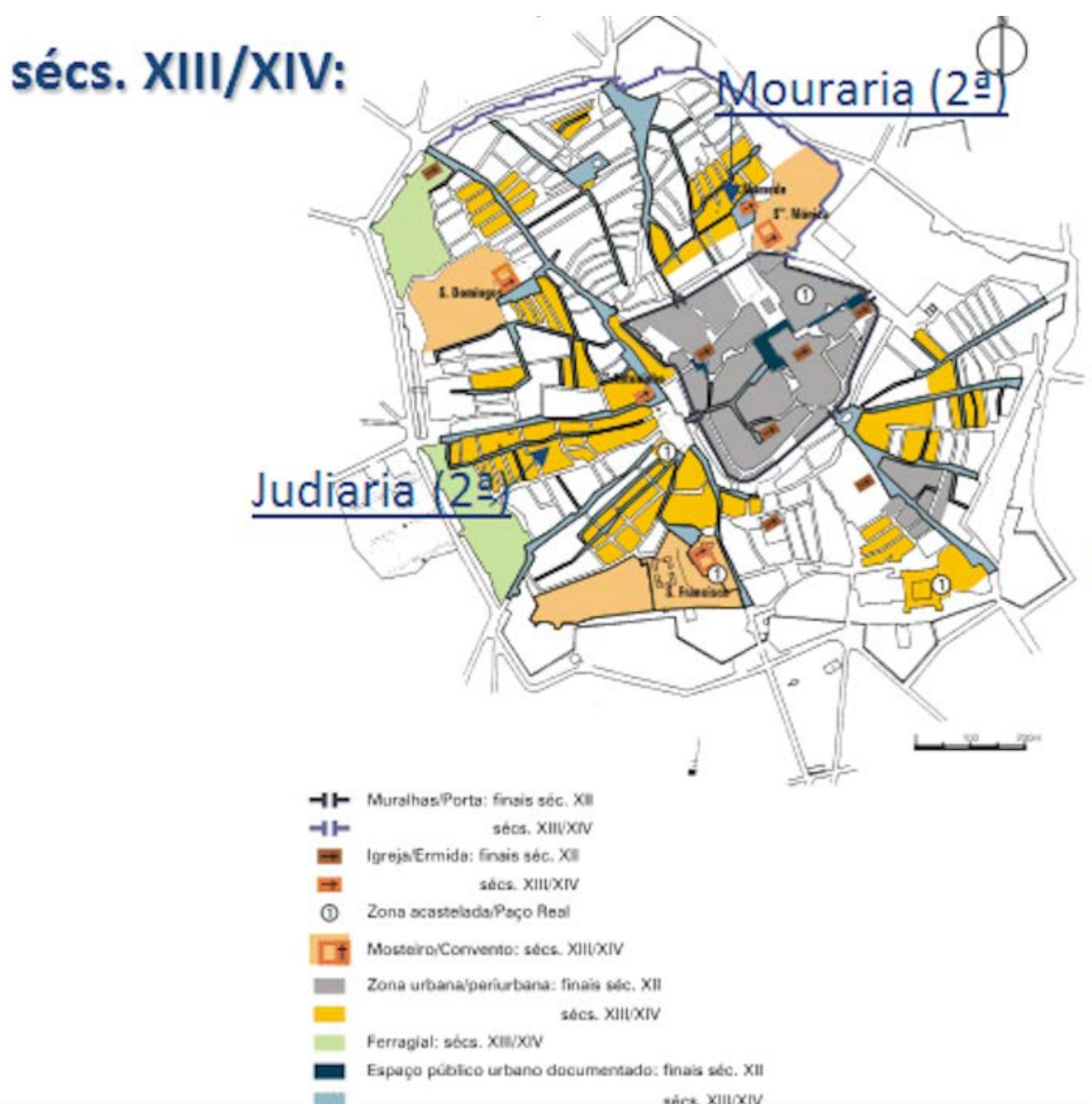


**Source:**

SILVA, Manuel Fialho (2019), "Morfologias urbanas na Lisboa Medieval: o caso das judiarias", in *Inclusão e Exclusão na Europa Urbana Medieval*, IEM/Câmara Municipal de Castelo de Vide, p 289-306.

<https://geo.cm-lisboa.pt/index.php?id=7518>

Jewish and Moorish Quarters of Évora in the 13<sup>th</sup>-14<sup>th</sup> centuries  
 Jewish quarter (Judiaría) and Muslim quarters (Mouraria)

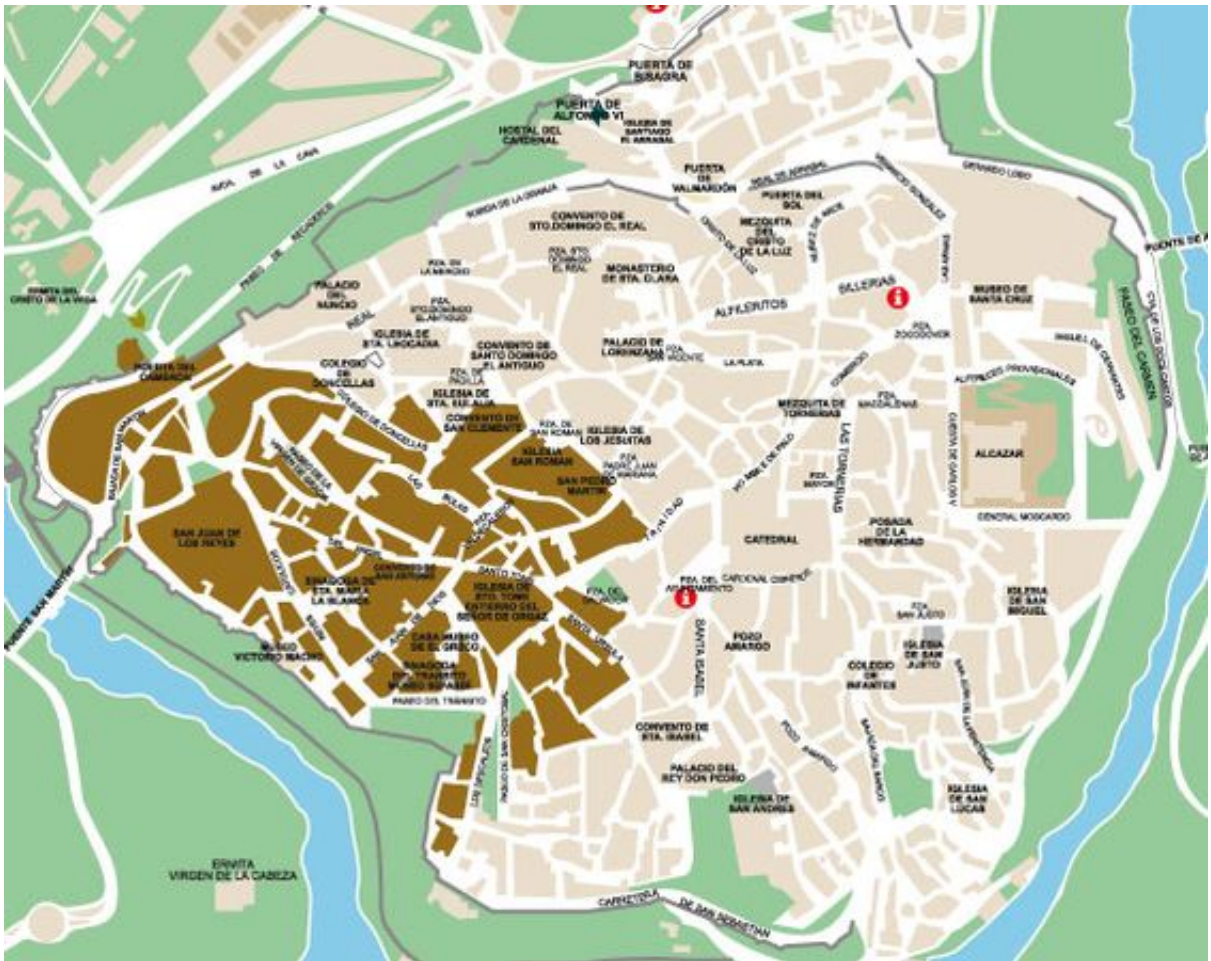


Source:

MONTEIRO, Maria Filomena Mourato and TERENO, Maria do Céu Simões (April 2018). Mosteiro de Santa Clara e judiaria: dois espaços de religião na cidade de Évora-Portugal. In: *ResearchGate*.

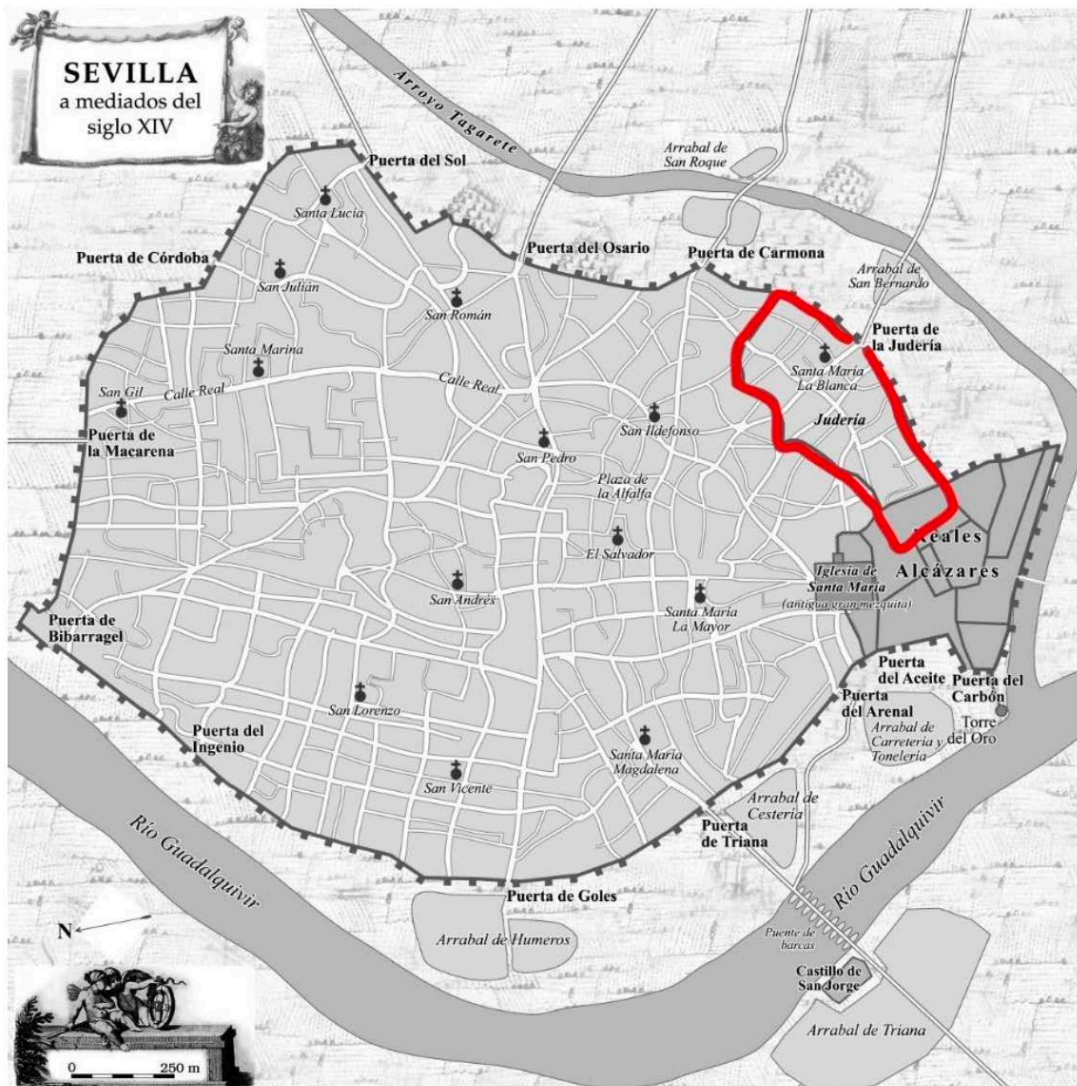
[https://www.researchgate.net/figure/Figura-3-Evora-Judiaría-e-Mouraria-Localizacáo-nos-seculos-XIII-e-XIV\\_fig1\\_324227550](https://www.researchgate.net/figure/Figura-3-Evora-Judiaría-e-Mouraria-Localizacáo-nos-seculos-XIII-e-XIV_fig1_324227550)

## Jewish Quarters of Toledo prior to 1391



<https://www.pinterest.es/pin/235383518007957372/>

## Jewish quarter of Seville in the mid-14<sup>th</sup> century



Judería en la ciudad de Sevilla en el siglo XIV. Fuente:

[http://www.blasmalopoyatos.com/castilla/ESDC\\_Sevilla.jpg](http://www.blasmalopoyatos.com/castilla/ESDC_Sevilla.jpg)

**APPENDIX VII**

**A PICTORESQUE DESCRIPTION OF THE FOUR CITIES ANALYZED IN THE  
THESIS (LISBON, ÉVORA, SEVILLE, TOLEDO):**

**A BRIEF GEOGRAPHIC, TOPOGRAPHIC, POPULATION AND ECONOMIC  
DESCRIPTION**

## APPENDIX VII

### GEOGRAPHIC, TOPOGRAPHIC, POPULATION AND ECONOMIC CONTEXT OF THE FOUR CITIES ANALYZED IN THE THESIS (LISBON, ÉVORA, SEVILLE, TOLEDO)

Appendix VII is dedicated to the geographic, topographic, population and economic context of the four cities analyzed in the thesis: Lisbon, Évora, Seville and Toledo. This is not an extensive or exhaustive analysis of the sources or studies about the aforementioned cities, but simply to provide some context and understanding of the chosen late Medieval localities. It was the petition of a member of the jury during the defense to present a *picturesque image* of the aforementioned late Medieval Iberian cities.

Before starting, the nature of the physical boundaries of late medieval cities, both in a broader Western European context, as well as the narrower Iberian context must be mentioned. These boundaries were established by the walled enclosure of urban centers, both large towns and cities. This was the physical boundary that separated the inhabitants of the urban center from its surrounding rural area, as well as the demarcation of town and city privileges enjoyed by their inhabitants vis-à-vis the rest of the rural medieval society.<sup>923</sup>

The nature of the city layout and the duality of the private-public space must be pointed out. In terms of the public space, there are the streets and public squares, where people interacted with one another. These public areas included the daily and weekly markets at public squares, where inhabitants not only bought their goods, but interacted with one another and shared news. At the public squares the smell and scent of food and fermented alcoholic beverages would fill the air. The public square was where town criers and heralds made official announcements. It was the place for public official buildings, such as the city and town halls and judicial courts that dealt with the administration of city life and passed sentences. As in the majority of late Medieval urban centers, there were streets and squares dedicated to the

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<sup>923</sup> BEIRANTE, Maria Ângela (2008). *O Ar da Cidade. Ensaios de História Medieval e Moderna*. Edições Colibri, p 53; GUINOT RODRÍGUEZ, Enric (2003). *La Baja Edad Media en los siglos XIV-XV. Economía y Sociedad*. Editorial Síntesis, p 275-276.

selling of specific products or services, such as cobblers (shoe makers), leather (from hides to shoes, boots and gloves), textiles (from cloths to tailor shops), butcher shops, bakeries, etc.<sup>924</sup> The late Medieval Iberian towns and cities, however, also had restricted spaces for their religious minorities, such as the Jews and Muslims in their respective neighborhoods (For Jews: *Juderías* – Castilian, *Judiarias* – Portuguese, and for Muslims: *Morerías* – Castilian, *Mourarias* - Portuguese). Another point that did not make urban life easier was the lack of or insufficient sanitation and hygiene in late Medieval towns and cities. Many times, town and city inhabitants would throw out their trash and human waste into the streets that mixed with the feces of horses, cats and dogs. Even though municipalities had streets cleaners using straw and huge brooms to sweep away the waste, the stench during the summer could become unbearable. The existence of many narrow and winding streets with dead ends, as witnessed in Seville, Lisbon (Alfama), Toledo or Évora today that dates back to the period of Al-Andalus, did not help the unhealthy living conditions.<sup>925</sup>

Focusing on the aforementioned late Medieval Iberian cities, they share certain physical characteristics, albeit not identical. Both Lisbon and Évora are found in the Medieval kingdom of Portugal, whereas Seville and Toledo were to be found in the kingdom of Castile. Lisbon itself is located in western Portugal, on the river Tagus near the Atlantic Ocean. Its geographic coordinates are: 38.7223° N, 9.1393° W.<sup>926</sup> Évora, on the other hand is in south eastern Portugal, along the route to the Castilian (today Spanish) border. Its geographic coordinates are: 38.570980° N, 7.909600° W.<sup>927</sup> Toledo is located in central Castile. Its geographic coordinates are: 39.856758° N, 4.024530° W.<sup>928</sup> Seville is located in Andalucía. Its geographic coordinates are: 37.3891° N, 5.9845° W.<sup>929</sup>

Two of these cities are built around or along the same river, the Tagus: Toledo and Lisbon. Seville is also built along a river, the Guadalquivir. Medieval Évora, on the other hand, was not built around a river. Toledo is built on a plateau at a juncture of the river Tagus that winds around that plateau providing more natural defenses to the city. The Tagus also functioned as

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<sup>924</sup> BEIRANTE (2007), p 57-63; GUINOT RODRÍGUEZ (2003), p 276.

<sup>925</sup> GUINOT RODRÍGUEZ (2003), p 276-277; BEIRANTE (2007), p 54, 58-59.

<sup>926</sup> <https://www.latlong.net/place/lisbon-portugal-804.html>

<sup>927</sup> <https://www.latlong.net/c/?lat=38.568569&long=-7.909062>

<sup>928</sup> <https://www.latlong.net/c/?lat=39.856758&long=-4.024530>

<sup>929</sup> <https://www.latlong.net/place/seville-andalusia-spain-4086.html>

a mean of transport of people and goods. Lisbon was also built along the river Tagus that provided in part defense, as well as a source of water and transportation.

## LISBON

Lisbon, as a hub for trade and commerce for Iberian and African products, possessed a singular geographic position in the western Iberian Peninsula. The city finds itself at an intermediate geographical space between the north and south of Portugal and at the mouth of the longest river of the Iberian Peninsula, the Tagus. This, in turn, made the fields along the river to be fertile for economic use. The city also rested on an estuary that was almost unparalleled in its attributes for river and maritime navigation. Ships from many different lands docked at Lisbon's port to exchange their merchandise with goods from Portugal.<sup>930</sup>

### MAP 1 of Lisbon in the 16<sup>th</sup> century with the late Medieval urban layout



<https://www.gettyimages.fi/detail/kuvitus/medieval-maps-and-illustrations-i-view-of-lisbon-rojaltivapaa-kuvitus/170618705>

## URBAN LAYOUT

Like its Iberian counterparts, Lisbon also had an Islamic urban layout with a labyrinth of many intricate winding streets. What would be the cathedral (Sé) during the late Medieval

<sup>930</sup> MIRANDA, Flávio and Diogo FÁRIA (2016). Lisboa e o comércio marítimo com a Europa nos séculos XIV e XV. In: *Lisboa Medieval: Gentes, Espaços e Poderes*. Coord.: FONTES, João Luís Inglês, et.al. IEM – Instituto de Estudos Medievais. Coleção Estudos 15, p 241, 243-244. The aforementioned authors based their findings on the Medieval sources; such as, the chronicle, *De Expugnatione Lyxbonensi*, written by Raol/Randulfus after the Christian conquest of Lisbon from the Muslims, *A Conquista de Lisboa aos Mouros. Relato de um Cruzado* (2001). BRANCO, M<sup>a</sup> João (introdução), NASCIMENTO, Aires (tradução e notas); and the Chronicle of Fernando I of Portugal: LOPES, Fernão, *Crónica de D. Fernando* (2004), 2<sup>a</sup> ed. Imprensa Nacional-Casa da Moeda. SILVA, Carlos Guardado da. (2010). Lisboa Medieval. A Organização e a estruturação do espaço urbano, 2<sup>a</sup> tiragem. Edições Colibri, p 158-159.

period was previously the Grand Mosque during Muslim rule. Similar to the case of Toledo, Lisbon's major castle was built on a high point. In the case of Lisbon, it was built on one of its seven hills. In the case of Toledo, the entire city was built on a plateau. Unlike Toledo, Lisbon expanded into the valleys below from the hill of the old Muslim city (Alfama) into the area called Baixa (low) and spread to other hills, such as the current burroughs of Chiado and Bairro Alto. In order to protect these relatively new additions to the city, the decision to build a more extensive protective wall under the auspices of King D. Dinis (Muralha Dionisina) was made.<sup>931</sup> In the aftermath of the Third Fernandine Wars (1373-1375) and the ravages of the Castilian invasions, King D. Fernando I of Portugal decided to build a much larger and extensive protective wall (Cerca Nova) around the growing city of Lisbon. These walls had 77 towers and 38 gates. According to Portuguese chronicler, Fernão Lopes, this monumental endeavor took three years to completion and was financed by placing a levy (sisa) on wine sales.<sup>932</sup> See Map 2 below.

**MAP 2 Panoramic view of Lisbon in the mid-16<sup>th</sup> century showing the Fernandine Walls**



<https://sanderusmaps.com/our-catalogue/antique-maps/europe/spain-and-portugal/antique-map-bird-s-eye-view-plan-of-lisbon-lisboa-by-braun-and-hogenberg-14601>

<sup>931</sup> SILVA (2007), p 166. See: LOPES, Fernão. *Crónica de D. Fernando I*. Edição crítica, introdução e índices de MACCHI, Giuliano, (2004), p 2ª edição revista. Imprensa Nacional-Casa da Moeda, p 307-310.

<sup>932</sup> SILVA (2007), p 179, 184.

## POPULATION OF LISBON

One must remember that exact count of the population was difficult in the Middle Ages, as most sources are not that reliable. There is the order made by King D. Fernando I to create new lists of people in 1383.<sup>933</sup> Based on the numbers provided by the census of 1383, Professor Oliveira Marques calculated Lisbon's population at 35,000 for the end of the 14<sup>th</sup> century.<sup>934</sup>

## ECONOMY AND COMMERCIAL CENTER

In terms where the center of business activity was focused in late Medieval Lisbon (1251-1383), it was found in the Baixa region between the Rua Nova (New Street), the Rua dos Mercadores (Merchants Street). It has been calculated that the parish of Sta. Maria Madalena had 304 shops, constituting 67% of all shops in Lisbon, whereas the parish of São Nicolau had 22% of all shops. Under no circumstances, does this mean that there were no shops throughout the city. This means that the majority of shops were concentrated between the parishes of Madalena, São Julião and São Nicolau. Other areas were the *Branços da Sé* (Cathedral) and the Judiaria Pequena (Small Jewish Quarter) in the parish of São Pedro de Alfama.<sup>935</sup>

Lisbon's crafts and trade were dominated by the guilds. These were divided amongst: cobblers, tailors, cutlery makers, carpenters, belt makers, butchers, rod and shaft makers, tanners, coopers (barrel makers), blacksmiths, and (wine) cellar leasers. As in many late medieval urban centers, Lisbon's professions were assigned to specific streets with the name of their trades (micro-toponymy). Some examples are: Rua dos Sapateiros (Cobbler Street), Rua da Correeiria (Beltmakers Street), Rua da Ferraria (Black Smith Street), Rua da Facaria (Knives Street), Rua da Carinçaria Velha (Old Butchers Street). As mentioned earlier, these streets with the names of their respective professions were joined by the Rua Nova, Rua dos Mercadores, Rua das Fangas (Beads) Velhas and Rua das Fangas Novas, Rua da Alfândega (Customs Street).<sup>936</sup>

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<sup>933</sup> SILVA (2010), P 268. See: Frei Manuel dos Santos, *Monarquia Lusitana*, parte VII, Liv. 22, 1732, p.195.

<sup>934</sup> SILVA (2010), p 267. For a detailed breakdown of how Lisbon's population was calculated, see pages 268-269 of Silva's work. See: MARQUES, António Henrique de Oliveira (1988). *Lisboa Medieval: uma visão de conjunto*. In: *Novos Ensaios de História Medieval*. Editorial Presença, p 85.

<sup>935</sup> *Ibid.*, p 273.

<sup>936</sup> *Ibid.*, p 281.

## ÉVORA

MAP 1 of Évora in 1506



[https://upload.wikimedia.org/wikipedia/commons/f/f2/Foral\\_Evora\\_1.jpg](https://upload.wikimedia.org/wikipedia/commons/f/f2/Foral_Evora_1.jpg)

### POPULATION

Évora was one of the most important cities in late Medieval Portugal. In fact, by the second half of the 15<sup>th</sup> century, it was considered the second city of the kingdom with a population that was around 10,000 inhabitants.<sup>937</sup>

### URBAN LAYOUT

Situated at a crossroads, Évora was from its foundation a commercial settlement.<sup>938</sup> The city's growth began in the 13<sup>th</sup> century and continued throughout the 14<sup>th</sup> century that many new neighborhoods were established outside of the old city walls (*arrabaldes*). Part of the reason for its growth was due to its prosperity. As such, the city built new walls that embraced the new neighborhoods. These strong walls were built in the 14<sup>th</sup> century, as part of the urban

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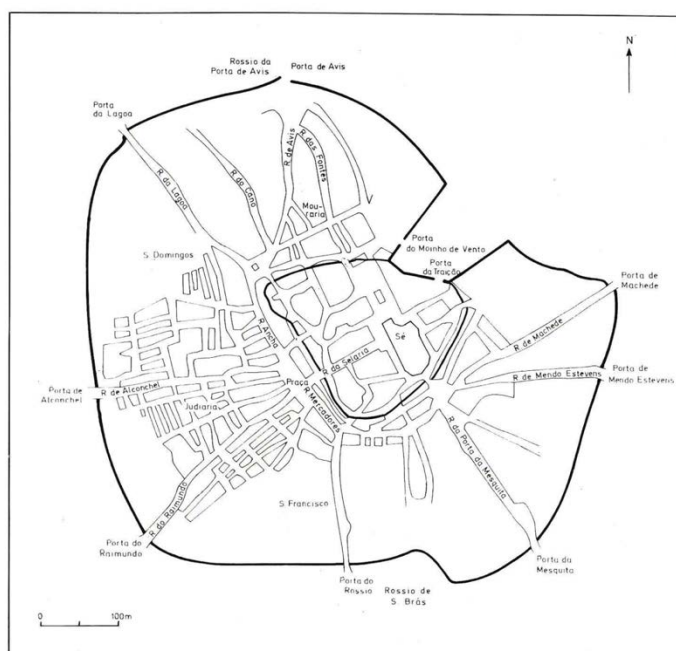
<sup>937</sup> BEIRANTE (2008), p 195.

<sup>938</sup> *Ibid.*, 196.

expansion as the city's population grew exponentially. As a result, Évora increased its area six-fold. However, the expanded surface area not only accommodated new housing, but also included previously existing fields dedicated to grain and pasture, as well as orchards.<sup>939</sup>

The cathedral or Sé, located east of the city, is where the main mosque stood. Further north of the cathedral, along the city walls is the Mozarab church of São Mamede, which was next to the Moorish or Muslim Quarter. Crossing the entire city to the west, was the Jewish Quarter, which extended from the main square or Praça to the Porta Alconchel (city Gate of Alconchel).<sup>940</sup> In terms of its hydraulics and water systems, the city had four public wells, six public fountains and many private wells. The city also had three public baths, which attested to the persistence of Roman and Muslim hygiene.<sup>941</sup>

**MAP 2 of ÉVORA**



MARQUES, A.H. de Oliveira, et. al. (1990). *Atlas de cidades medievais portuguesas: séculos XII-XV*. Centro de Estudos Históricos da Universidade Nova de Lisboa, p 88.

Typical Évora housing consisted of a single-story house (*casa térrea*) divided into two parts: a front part and a barn or granary in the back. These buildings had gabled roofs with tiles. The

<sup>939</sup> BEIRANTE (2008), p 194.

<sup>940</sup> *Ibid.*, p 193.

<sup>941</sup> *Ibid.*, p 195.

larger terraced townhouses (*casa sobradada*) with their porches and balconies, were concentrated within the perimeter of the old wall, where the affluent burghers lived.<sup>942</sup>

## ECONOMY

Évora's economic importance rested on an agricultural-pastoral basis. Much of its agricultural production was dedicated to cereals. Évora also focused on grinding its own wheat into flour, which was stored in warehouses. As such, the city had an abundance of bread. The surrounding countryside was also covered with orchards and vineyards with some olive groves. The local economy was also supplied by a variety of different types of meats. The local hills and moors provided the ideal ground for sheep and cows to feed and transit, while there were many pigsties that provided much porcine meat.<sup>943</sup> The city's slaughterhouses and butcheries were found around the Roman temple (east of the city and north of the cathedral) and at the main square (*Praça*) at the city's center. The main market was also held at the *Praça* on a daily basis, in which cattle and artefacts were sold. Finished and fine products, such as gold smithery, spices and apothecaries were sold in the shops around the *Praça* underneath the arches. These crafts were leased by the king to the Jews.<sup>944</sup>

Évora, however, did not rely solely on agricultural production and pastoral raising. The city also excelled in crafts, such as ceramics, leather and hides. The oldest ceramic shops or potteries were located at the barbican at the *Porta Nova* (New Gate) and were rented out to Muslims. The town council would set up new ones by the exit of the *Porta de Alconchel*, *Porta de Moura* (Moorish woman), the *Rua do Forno das Talhas* (Hoist Oven) and a ceramic rooftiles oven at the *Chão Domingueiros*. The oldest shops that treated hides and leathers were found at the exit of the *Porta da Moura*. As the city walls were expanded, these shops were transferred to the *Rua das Alçaçarias* (Tannery Street). The names of streets reflected the professions in which their shops were to be found: *Sapataria* (cobbler), *Correaria Velha* (old belts), *Selaria* (saddlery), *Odreiros* (smiths).<sup>945</sup>

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<sup>942</sup> *Ibid.*, p 194.

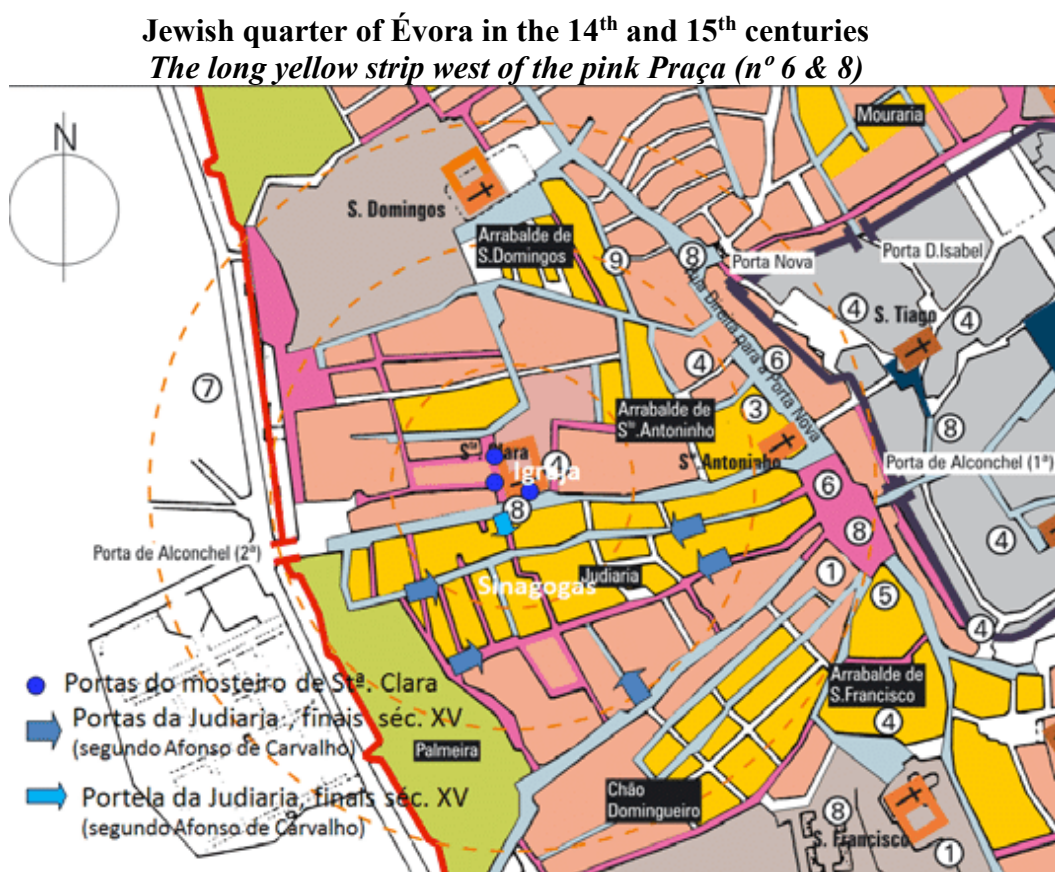
<sup>943</sup> BEIRANTE (2008), p 195.

<sup>944</sup> *Ibid.*, p 196.

<sup>945</sup> *Ibid.*, p 196.

## JEWISH QUARTERS (JUDIARIA) OF ÉVORA

By 1408, the Jewish authorities of the city of Évora, which had the second largest Jewish community, had to negotiate with the municipal and royal authorities for the expansion of the surface area of the Jewish quarter in order to accommodate to the arrival of many Castilian Jews and forced converts (Conversos) as a consequence of the assaults of Jewish Quarters in Castile of 1391. The continuous inflow of Jews and Conversos into the overcrowded Jewish Quarters of Évora made rents skyrocket. In order to ease the stress of tight living conditions and high rents, the decision was made to expand the area of the Jewish quarters.<sup>946</sup> [See Appendices I, II and III, Ch. 7.C.2. for an analysis of the Portuguese *Afonsine Ordinances*].



[https://www.researchgate.net/figure/Figura-8-Evora-Mosteiro-de-St-Clara-e-Judiaria-Acessos\\_fig3\\_324227550](https://www.researchgate.net/figure/Figura-8-Evora-Mosteiro-de-St-Clara-e-Judiaria-Acessos_fig3_324227550)

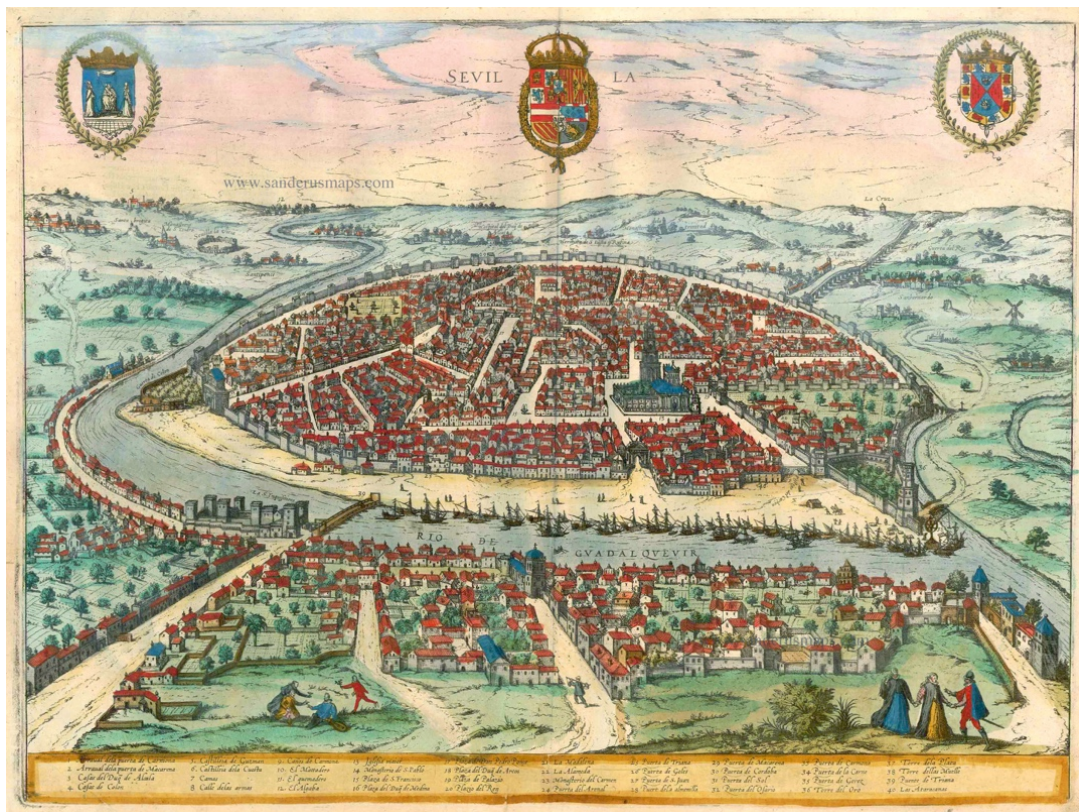
<sup>946</sup> *Chancelarias Portuguesas D. João*, V. III, Tomo 2, 1394-1427, 1ª edição (2006). Centro de Estudos Históricos. Universidade Nova de Lisboa, p 78-80. TAVARES (1982), p 55-56.

## SEVILLE

### POPULATION

Seville was another important commercial city along a river that provided a fluvial route that led to the Atlantic for maritime trade.<sup>947</sup> Seville's population was calculated by Collantes de Terán at 2,613 inhabitants in 1384, around 4,970 to 5,000 inhabitants in the first half of the 15<sup>th</sup> century and about 6,896 to 7,000 inhabitants by 1485.<sup>948</sup> These numbers only included Christians and not the religious minorities of Jews and Muslims. The city walls encompassed 276.15 hectares, which did not include the three extramural neighborhoods, such as Triana.<sup>949</sup>

MAP 1 of Seville of the mid-16<sup>th</sup> century



<https://sanderusmaps.com/our-catalogue/antique-maps/europe/spain-and-portugal/antique-map-of-seville-sevilla-by-braun-hogenberg-13208>

<sup>947</sup> CAUNEDO DEL POTRO, Betsabé (2004). Reinos Occidentales, 1250-1480. In: *Economía y Sociedad en la España Medieval. Historia de España Medieval IX*. Ediciones Istmo, p 187.

<sup>948</sup> COLLANTES de TERÁN, Antonio (1984). *Sevilla en la Baja Edad Media: La Ciudad y sus Hombres*, 2ª edición. Servicio de Publicaciones del Ayuntamiento de Sevilla, p 156, 160, 162; VALDEÓN, Julio (1989). La Corona de Castilla en los siglos XIV y XV. Crisis y transformaciones. In: *Feudalismo y Consolidación de los Pueblos Hispánicos (siglos XI-XV)*, 3ª ed. Editorial Labor, p 104.

<sup>949</sup> COLLANTES de TERÁN (1984), p 181.

## URBAN LAYOUT

When the Castilians conquered Muslim Seville (Ishbilīya) from the Muslims, they found a city built along a Muslim conception of cities. The city did not follow the classical (Greco-Roman) layout of a grid. Instead, Seville's urban pattern consisted of many winding narrow streets with a proliferation of dead ends. This labyrinth of streets was localized between the Puerta del Osario in the east to the Alcázar in the south, including the Jewish Quarters. This entire Islamic urban layout was centered around the Great Mosque (current Cathedral) and that was not changed for centuries. In fact, the city had gone through very few changes in the 14<sup>th</sup> and 15<sup>th</sup> centuries.<sup>950</sup> Only in the north and north-western districts of the city did the Islamic urban pattern dissipate and follow a more regular grid layout that was built after the Christian conquest of the city in 1248. These streets were also broader, which allowed for more traffic of pedestrians and merchants as the city would continue to grow in the late 14<sup>th</sup> and 15<sup>th</sup> centuries.

In terms of town squares, Seville had around 80 small and large ones by the 16<sup>th</sup> century. The Plaza San Francisco, north of the Cathedral, acted as the Plaza Mayor (Main Square) in Seville. Not only was it the site of different markets, but also the site of the Cuadra de la Justicia (Justice Hall). Many of Seville's squares were the confluence of streets, such as the Plaza de Santa María or Plaza de Alfalfa. These squares served as market places where vendors would sell their wares, ranging from meats to spices at the center of the squares. An important market was at the Plaza de Santa Catalina. Some squares had markets that focused on selling specific items, such as El Salvador, which was dedicated to selling candles and candlesticks. An interesting anecdote is how some market stalls were placed close to the buildings and doors, which blocked passageway for the inhabitants to access their homes instead of being placed in the center of the squares.<sup>951</sup> (See Map 2 below with the Christian urban layout of Seville in red).

Some of the changes were conducted by King Pedro I of Castile, who chose to build upon Seville's previous Roman, Islamic and Christian buildings, squares, bridges, patios, gates and

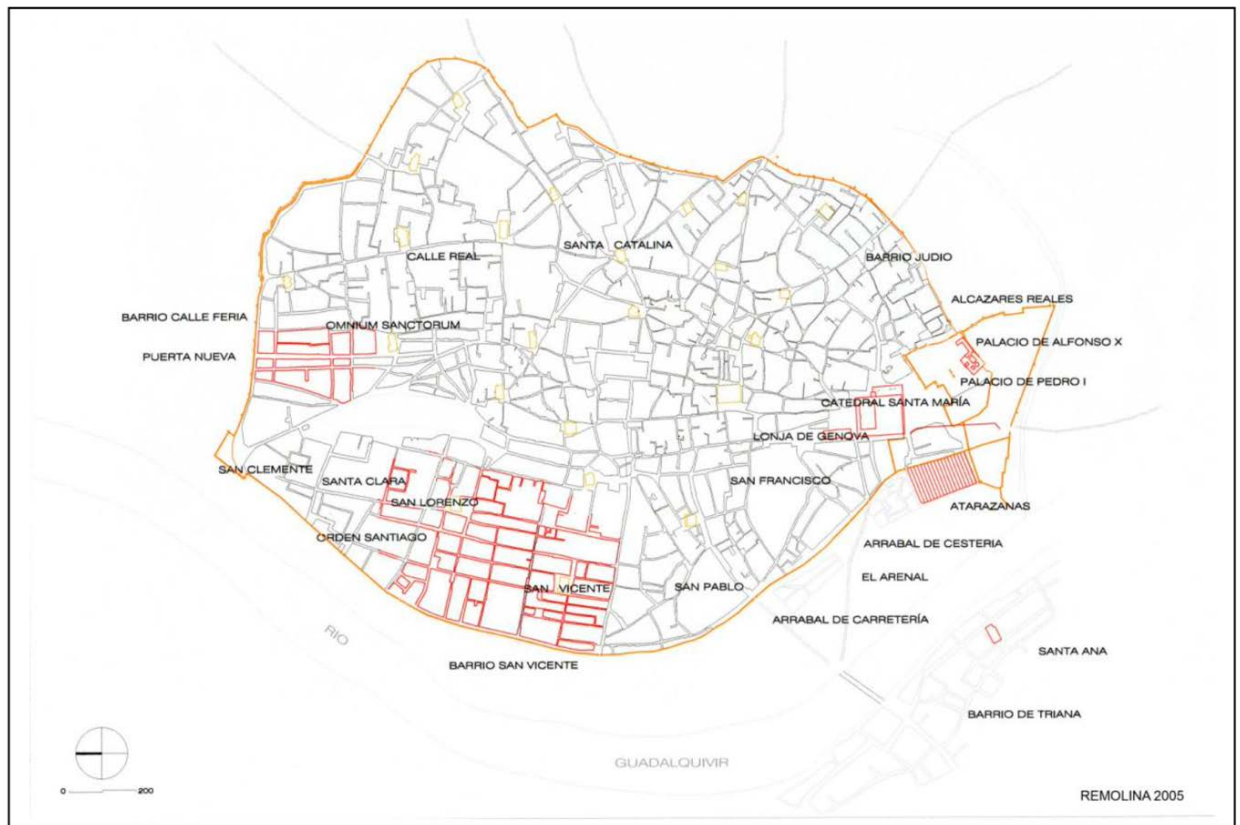
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<sup>950</sup> COLLANTES de TERÁN (1984), p 72-74.

<sup>951</sup> COLLANTES de TERÁN (1984), p 75, 77-78. There is the case of the Duke of Medina Sidonia that sued the municipality due to the difficulty in accessing entry and exit to and from his houses.

monuments. Instead of tearing down the buildings of previous civilizations, he decided to highlight the esthetic beauty and functionality of the many complex structures of the city. Pedro I of Castile hired mudejar (Muslims living in Christian territories) as engineers, architects, craftsmen and artists to build his famous palace (Alcázar) in the mid-14<sup>th</sup> century.<sup>952</sup>

**MAP 2 of the street layout of Seville**



However, initial beautification through monumental buildings began under the auspices of King Pedro I's father, Alfonso XI (1313-1350), who ordered the construction of the Sala de Justicia (Hall of Justice) in mudejar style.<sup>953</sup> Both buildings are in the southern part of the city at the confluence of the River Guadalquivir and Arroyo Tagarete.<sup>954</sup> (See Map 2 and 3). What

<sup>952</sup> ROBADOR GONZÁLEZ, María Dolores (2016). El Alcázar de Sevilla del Rey Don Pedro I. In: *El rey don Pedro I y su tiempo*. Coord. Manuel García Fernández. Editorial Universidad de Sevilla, p 167-169.

<sup>953</sup> ROBADOR GONZÁLEZ (2016), p 169.

<sup>954</sup> Ibid., p 171.

resulted was a hybrid of different styles as *mujedarismo*, a cultural and artistic phenomenon that continued to be fostered and developed throughout the 14<sup>th</sup> century.<sup>955</sup>

These would include the hydraulic system, the buildings and homes with colorful or white façades that had indoor patios with fountains to cool off inhabitants during the extremely hot summers, the beautiful Giralda (former Minaret of the Grand Mosque transformed into the Cathedral tower and belfry) was kept as a landmark. In terms of how the Alcázar left its imprint on the city itself, was the site chosen for its construction. Pedro I chose a space that was practically square, attached to the Gothic palace of his forefathers and bordering on the south to the royal orchards. The main gate to the Palace, (Puerta del León – Lion’s Gate) had not only a functional purpose to allow privileged subjects in and out of the palace, but a political-ideological symbolic one in imposing the Crown’s presence in the city’s heart.<sup>956</sup>

## ECONOMY

In terms of its businesses, Seville offered a large variety of crafts and services to its inhabitants and people, who would visit and look for products and goods to take back to their small town, village or hamlet. Miguel Ángel Ladero Quesada created a double-page chart dividing the Seville economy into three sectors: primary (agricultural), secondary (crafts and manufactured goods), and tertiary (services). Amongst the primary sector, there were gardeners, horticulturists, lumberjacks, vineyard workers, hunters, cattlemen and shepherds. In the secondary sector, there were subsectors, such as textile (spinners, dyers, knitters, confection and tailoring, hats, blankets, carpet weavers), tannery (coats, shoes, boots, straps, belts, gloves), metals (blacksmiths, locksmiths, silversmiths and goldsmiths, cutlery makers, pans, pots and cauldron makers), maritime (shipbuilding, sailors, pilots, fishermen and fish processing), construction (carpenters, masons, plasterers, drywallers, glassmakers, tilemakers, painters).<sup>957</sup>

In terms of the tertiary sector, there were a number of activities offered. These included trade and commerce of different types of merchants ranging from cloth merchants to cattle

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<sup>955</sup> Ibid., p 168-169.

<sup>956</sup> ROBADOR GONZÁLEZ (2016), 172, 174.

<sup>957</sup> LADERO QUESADA, Miguel Ángel (2017). *España a Finales de la Edad Media. 1. Población. Economía*. Editorial Dykinson, S.L., p 162-163

merchants, money exchange and bankers, butchers, cooks, fryers, olive vendors and olive oil sellers, fresh and dried fruit vendors. Some of the artistic crafts were once again silver and goldsmiths, enamellers, book makers and sellers, sculptors and carvers. In terms of the liberal professions, there were lawyers, scribes, notary publics, teachers, professors, medics and surgeons, apothecaries, midwives and barbers (teeth pullers). Other tertiary professions were bread and pastry bakers, millers, flour makers. Finally, there was the entertainment and spectacles people, such as singers, minstrels, dance and musical instrument instructors).<sup>958</sup>

Seville was renowned for its hats and bonnets, which would be sold abroad as of the 15<sup>th</sup> century. Seville also had a supply of iron from the northern Sierra, which provided the necessary iron for its own and local supply of iron made goods.<sup>959</sup> In terms of ceramics and pottery, the objects made in Triana (the extramuros borough across the Guadalquivir River) were of the best quality. Seville also excelled in the production of olives, excellent olive oil and olive soap production. Its processing techniques went back to the Al-Andalus period. The same applied to its dyeing techniques and textile production, as well as to its honey and beeswax production. Last but not least, Seville and the surrounding countryside excelled in its wine production, which allowed a wide access to many people. Seville would also be a major exporter of lead, silver, mercury (*argent vivo*) and cinnabar (*bermellón*).<sup>960</sup>

In terms of both internal and foreign trade, Seville was the undisputed protagonist in both sectors, as the city laid at a crucial point on the Guadalquivir River between the nearest important city of Córdoba and the Atlantic. The city had both commercial elites involved in trade and finance, as well as the aristocratic elites that had consolidated and dominated land throughout the 14<sup>th</sup> century dedicated to the cultivation of vineyard and olive groves.<sup>961</sup>

### **JEWISH QUARTERS (LA JUDERÍA) OF SEVILLE**

In terms of the city's infrastructure, Collantes de Terán placed the Jewish Quarters (Judería). According to documentation, it seems that the Jewish quarters were established by the royal palace (Alcázar) after the Christian takeover of the city in 1248. However, the exact date for

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<sup>958</sup> LADERO QUESADA (2017), p 163.

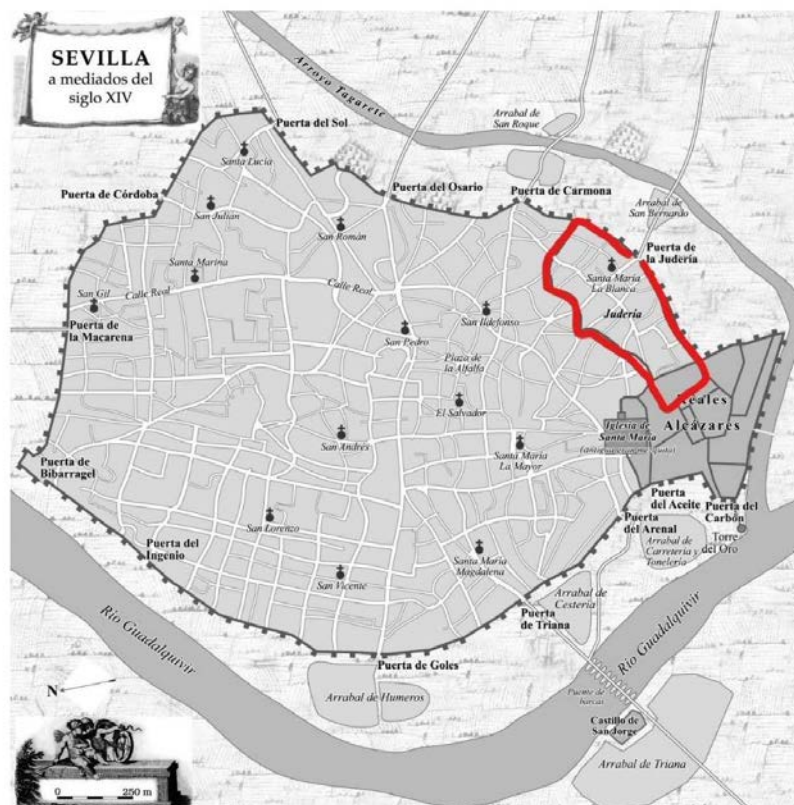
<sup>959</sup> Ibid., p 170, 171.

<sup>960</sup> Ibid., p 174, 175.

<sup>961</sup> GUINOT RODRÍGUEZ (2003), p 229.

the building of a wall around the Jewish Quarters remains unknown. The interior city wall began at the Alcázar to reach the Mateos Gago street, probably in confluence with the Rodrigo Caro street. It would continue until it reached Fabiola y Federico Rubio, then it would cross in front of the Church of San Nicolás, where one of the interior gates was located. Afterwards, the wall would continue along Conde Ibarra, Plaza de la Mercedarias, Vidrio, Armenta and Tintes streets.<sup>962</sup>

### MAP 3 of Seville with the Jewish quarter



Judería en la ciudad de Sevilla en el siglo XIV. Fuente:

[http://www.blasmalopoyatos.com/castilla/ESDC\\_Sevilla.jpg](http://www.blasmalopoyatos.com/castilla/ESDC_Sevilla.jpg)

As such, the Jewish Quarter extended over 16 square hectares. This is only the walled-in perimeters of the quarter and not shops and houses outside of the walled-in perimeter or the cemetery outside of the walls. There was also the Huerta de la Alcoba that included the synagogue known as “sinagoga de la Alcoba” The dimensions of this area were 5.8 % of the city. There was a synagogue in the Corral de Tromperos and in the Barrera de “Enrique

<sup>962</sup> COLLANTES TERÁN (1984), p 87-88.

Antiguas”. The Jews owned property outside of the Jewish Quarters throughout the city. In 1371, Enrique II conceded to Alfonso Fernández Portocarrero all of the shops of la Alcaicería that belonged to the king, which did not include those that were given to Don Simuel el Leví by King Pedro I. These were, in turn, sold to Yuçaf Picho, the city’s head accountant.<sup>963</sup> Yitzhak Baer claimed that the city had 23 synagogues<sup>964</sup> and Collantes Terán calculated that there were around 450 to 500 Jewish households prior to 1391.<sup>965</sup>

### CONSEQUENCES OF 1391

It has been calculated that by 1391, Seville counted with 500 Jewish households (hogares), whereas by 1437, that number had fallen to 60.<sup>966</sup> The Jewish quarter was broken up within the perimeters of the former large Jewish Quarter. Conversos would reside in their former homes and the abandoned homes of murdered Jews or those who had fled. Old Christians moved into the former large Jewish quarters to take up the abandoned buildings. If these homes happened to be next to each other, then doorways between the two buildings were made and palace-houses came into being. Muslims (Mudejares) were transferred to the Jewish quarters by the city authorities. Nonetheless, in spite of the breaking up of the once large Jewish quarters, many public buildings of the Jewish community, such as houses that acted as synagogues in front of the former synagogue (Santa María la Blanca) as well as kosher shops remained, such as the butcher shops.<sup>967</sup>

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<sup>963</sup> COLLANTES TERÁN (1984), p 88-89.

<sup>964</sup> BAER, Yitzhak (2001). *A History of the Jews in Christian Spain*, vol. I. Varda Books, p 312.

<sup>965</sup> COLLANTES TERÁN (1984), p 207.

<sup>966</sup> LADERO QUESADA, Miguel Ángel (1999). *Andalucía a finales de la Edad Media: Estructuras, Valores y Sucesos*. Edita: Servicios de Publicaciones de la Universidad de Cádiz, P 174-175.

<sup>967</sup> COLLANTES TERÁN (1984), p 74, 89-92, 206-208. MONTES ROMERO-CAMACHO, Isabel (1993). Los judíos sevillanos en la Baja Edad Media. Estado de la cuestión y perspectivas de la investigación. In: *Espacio, Tiempo y Forma, Serie III, H. Medieval*, t. 6, p 122-125, 127.

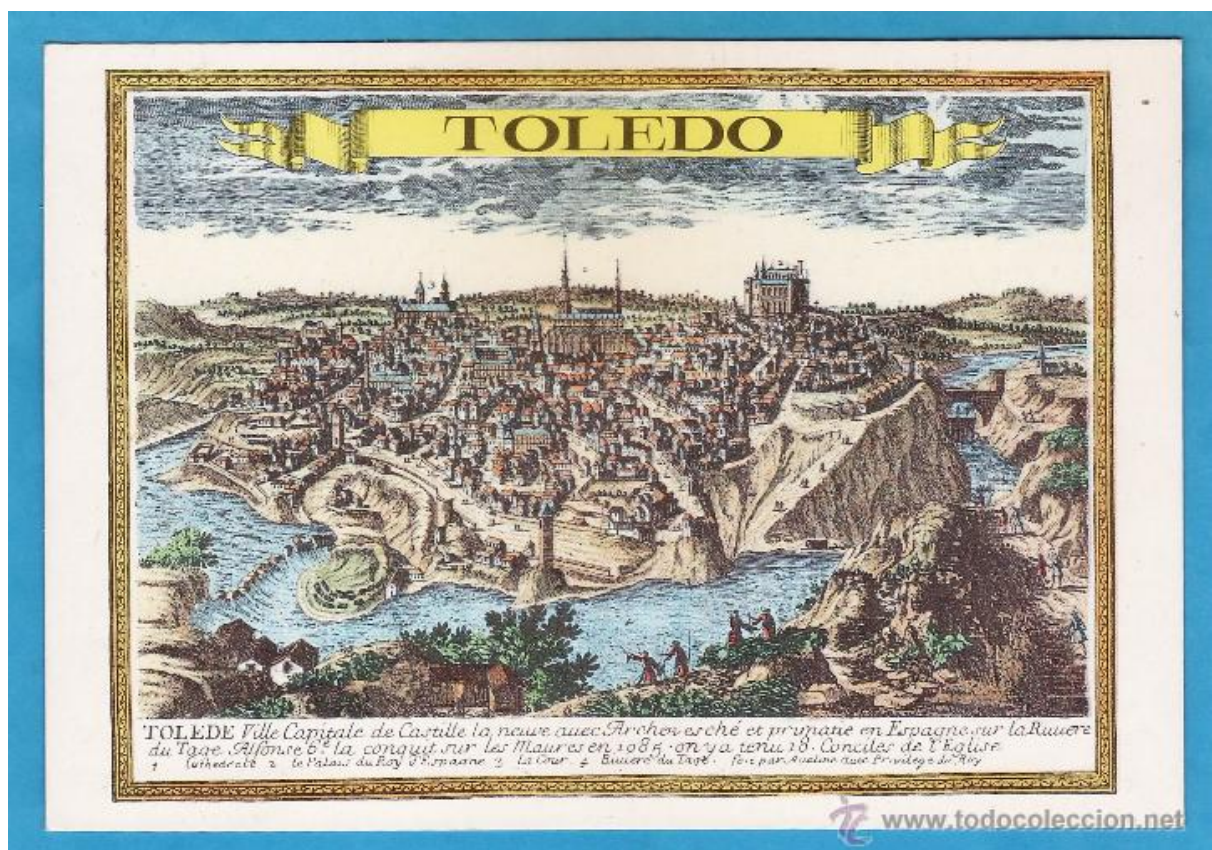
## TOLEDO

Toledo, located on a plateau in central Castile, provided an important protected fortress city at the crossroads for commercial transactions and cattle transhumance. It also was a center of crafts and agricultural production. The Tagus River wrapped around the plateau providing a source of water and transportation. The weather is sunny and extremely hot in the summer, but bitterly cold, windy and gray in the winter.

## POPULATION

In terms of its population, it has been to calculate how many inhabitants the city had in the late Medieval period. Ladero Quesada claimed that by 1530, Toledo had a population of 30,000 inhabitants.<sup>968</sup> Unfortunately, there are no statistics for the population prior to that date.

## MAP 1 Toledo



<https://i0.wp.com/arteliteraturaymusica.com/wp-content/uploads/2021/03/Mapa-antiguo-de-Toledo.jpg>

<sup>968</sup> LADERO QUESADA (2017), p 101.

## ECONOMY

Toledo and its surrounding area had many olive groves that produced excellent quality olive oil.<sup>969</sup> Toledo excelled in wool cloth production, as it was on the different crossroads of the transhumance of cattle, especially sheep.<sup>970</sup> Other types of cloth making was that of silk.<sup>971</sup> Toledans used the silk worm, *morus nigra*, and followed the traditional Al-Andalus silk production mode dating back to the 8<sup>th</sup> – 12<sup>th</sup> centuries. Not only was silk produced for local and regional use, but was also exported to the Italian Peninsula.<sup>972</sup> Other types of wares crafted in Toledo were leather goods, dyed products, silver smithing, jewelry, dried fruit, wine and olive oil.<sup>973</sup> As in Seville, Toledo excelled in the production of quality hats and bonnets that were exported. The city was also famous since the 13<sup>th</sup> century for its paper production, known as cloth parchment (pergamino de paño), as it was elaborated from strips of linen, hemp or burlap that were ground together and then mixed with water to make a paste. Toledo also benefitted from the iron deposits around Ávila, known as the *ferrerías*, which provided the quality iron for its famous swords admired for their mettle and design.<sup>974</sup>

In terms of domestic trade, Toledo, along with other cities and towns of central Castile, was involved with the production and the supply and delivery to other urban centers of wheat, wone, hides and leather goods, as well as raw materials for the textile industry, ranging as near as Valencia to the Italian Peninsula.<sup>975</sup> Throughout the 14<sup>th</sup> century, Toledo, as well as Seville and other Castilian cities, developed cloth making of medium to poorer quality, which reduced the need for imports of this type. This situation, however, would change as Flemish production techniques would be introduced and improved the quality of Castilian cloth making throughout the 15<sup>th</sup> century.<sup>976</sup> Toledo provided for itself and local markets quilts, bedspreads, blankets and cloth.<sup>977</sup>

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<sup>969</sup> LADERO QUESADA (2017), p 130.

<sup>970</sup> CAUNEDO DEL POTRO (2004), p 189 and 199. LADERO QUESADA (2017), p 144-150.

<sup>971</sup> CAUNEDO DEL POTRO (2004), p 182.

<sup>972</sup> LADERO QUESADA (2017), p 169.

<sup>973</sup> CAUNEDO DEL POTRO (2004), p 189.

<sup>974</sup> LADERO QUESADA (2017), p 170, 171 and 173.

<sup>975</sup> GUINOT RODRÍGUEZ (2003), p 231.

<sup>976</sup> *Ibid.*, 238.

<sup>977</sup> *Ibid.*, p 241.

Besides having its weekly markets, Toledo was also granted the privilege of holding its annual fairs since 1394. These annual fairs brought in craftsmen and merchants, not only from the city itself and its surrounding localities, but from farther regions in Castile.<sup>978</sup>

### MAP 2 of Medieval Toledo



<https://www.toledo.es/wp-content/uploads/2017/02/plano-ciudad-1610-2.jpg>

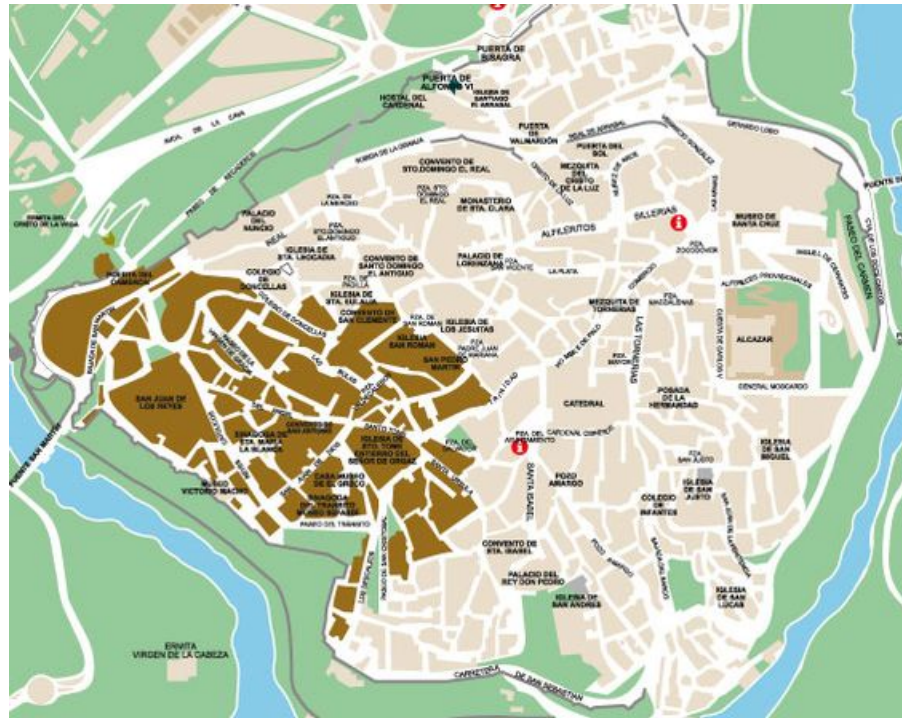
### JEWISH QUARTERS (JUDERÍA) OF TOLEDO

According to Pilar León Tello there is much documentation from 1313 to 1350 in the Chronological Inventory in the second volume of her work. Some of the documents simply register the sale and purchase of buildings, which are indicated through the names of the neighbors. The documentation also includes the prices or amount of the purchases of homes and warehouses. The common oven of the Jewish Quarters, near the Iron Gate (Puerta del Hierro), seems to indicate that there was an expansion of the quarters towards the Tránsito. It was on a street that was called until recently La Tahona, towards the Plaza del Conde de Fuensalida. Another oven used to bake bread belonged to the councilman, above the Puente

<sup>978</sup> Ibid., p 234.

(bridge) of San Martín.<sup>979</sup> Also, on the upper part of the bridge (San Martín) was the Jewish slaughterhouse. The Jewish mill was close to the slaughterhouse by the Tagus River. León Tello believes that most likely there were many other mills by the slaughterhouse on the Tagus River.<sup>980</sup>

### Jewish Quarters of Toledo prior to 1391



<https://www.pinterest.es/pin/235383518007957372/>

### CONSEQUENCES OF 1391

One of the major consequences of the anti-Jewish uprisings was the expression in the official documentation of the Jewish quarter having disappeared as such. In a public writing in 1394, Pedro Gómez received from his wife Juana Fernández, amongst other dowery gifts, some houses in the Alacava, close to where the Jewish quarters once were, by the walkway called “Gustan”. In 1397, Battolomé Sánchez, servant of infanta Doña Constanza, in the name of the prioress of Santo Domingo Real, took charge of a few houses in the Figuera in once was the Jewish quarters close to the dyers, bordering the houses of Mosé Ytzrael and the synagogue of Sofer. These houses had once belonged to Çuleman Jarada and had been seized after a fine

<sup>979</sup> LEÓN TELLO, Pilar (1979). *Los Judíos de Toledo*, t. 1. Consejo Superior de Investigaciones Científicas: Instituto B. Arias Montano, p 129-130.

<sup>980</sup> *Ibid.*, p 130.

had been imposed on the prioress by the royal treasurer. In a writ from 1402 in which the same houses of la Figuera that were bought by Diego González Aben Çum, silk weaver, were mentioned to be in what was once the Jewish quarter of mentioned city, bordering the houses of the atahona and the synagogue known as the “Sofer”.<sup>981</sup>

## **CONCLUSION**

The request to write a picturesque description by a member of the jury of the thesis’ four cities, Lisbon, Évora, Seville and Toledo under no circumstances should be considered as an in-depth analysis of all of the characteristics of these urban centers. The purpose once again, was to provide an image or reflection of the basic characteristics of urban life of these Iberian cities in the late medieval period by looking at their geographical location, their topography (if built on a plateau or hill or several hills, if found at a major river), the urban street layout, population (if reliable sources were to be found), and their economic foundation (agricultural production, services, trade, commerce). This picturesque description is also not to be misconstrued as some sort of late Medieval tourist guide, which would have been beyond the focus and scope of the thesis.

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<sup>981</sup> LEÓN TELLO (1979), p 179.