

Decrees of Church Councils
against the Jews
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Excluding decrees passed against the
Jews by Church Councils from 4th to 13th centuries

by
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The period of which I shall treat presents a record the saddest as far as it concerns the Jews, the most degrading & disgraceful as far as it concerns their persecutors and oppressors the lords and prelates of the Christian Church triumphant. It tells of a people trampled under foot and ground by the iron heel of religious persecution, it tells of a systematic course of wiping out of existence the confessors of the Jewish religion; it tells a remarkable tale of the longed for extinction of the aged mother by the ungrateful daughter who having grown sufficient unto herself denied her parent the further right of existence; it tells of the appropriation of that much of the old religion as was necessary for the purposes of the new and the loud proclamation that all the rest was antiquated and unnecessary that the new dispensation had made way with the old and it was the duty of all such who had gathered beneath the wings of grace of this new religion to attest their zeal by making way with the old; it tells of a gradual and continuous method of first defense against a strong opponent, then exclusion of an equally matched enemy then persecution and murder of a helpless foe, opposition to Judaism first, to Jews next, with Paul it began, the pruning down, the exclusion from the new religion of everything

which could make it unpalatable to the heathens in whom a
that subtle mind discerned, the future strength of Christianity
would lie and from whom its power would go forth. What cared
he for converting the obstinate Jews, they were but a handful
at best; out into the world must he go, to Antioch, to Greece, to
Rome, there to preach the new religion of the god crucified,
there to offer to the worshippers of the effete paganism a
new paganism veiled and strengthened by elements
borrowed from Judaism; a trinity mysterious and vague
suited to the ideas which prevailed in those first centuries
when neo-Platonism was rife and all minds were affected
with its allegorical and ~~hazy~~ methods, was introduced as a
substitute for the old polytheism; Paul understood the temper
of his contemporaries well; he felt the needs of the times; the
poetic mythology of Greece and Rome, degenerated into a
disgusting man worship had wearied the minds of thinking
men; they were dissatisfied, they longed for something
nobler and for something better; Judaism made many
converts and proselytes but it could not make its way
among the masses; it was too great a step to take from
the worn out polytheism of a pagan world to a sublime
monotheism lofty and pure, bare of all image and statue
worship which in the minds of the nations was the firm

element of religion; they must see their gods; and therefore
 a medium stage was invented, containing what was
 agreeable and pleasant in the old heathen worship modified
 and strengthened by a stream of life blood from the re-
 ligion of the prophets; long waged the struggle between
 the parties of Paul and Peter, the Jew and the heathen
 Christian, the former differing from the Jews only in
 the belief that the Messiah had come, the latter travelling
 an entirely new path; had the former conquered Christianity
 would have formed but a Jewish sect which in time must
 again have been swallowed up by the main stream of
 Judaism; as it was by force of numbers, and by better
 satisfying the wants of the surrounding world, the party of
 Paul carried off the palm of victory and the Jew Christians
 remained but one of the numerous Christian sects of the
 early days of the new religion; the victory gained in their
 own camp, what was now necessary for the Christians to do
 to make as wide a gap as possible between the new dis-
 pensation and the old; to sever all connection with the
 mother religion, to strip the new faith of all those disting-
 uishing elements which belong to Judaism particularly to
 assimilate what was necessary and agreeable, to reject all
 else. Circumcision, the Sabbath, the distinguishing dietary and

ritual laws, all were gradually dropped to prepare the path for the coming of the multitudes into the newly erected shrine. The religion of the Jews, more than the Jews themselves, was the first object of ^{an attack} Christian writers and apologists, still a comparatively small minority persecuted and hounded by the Roman government, mimicked by the people, compelled to perform their religious rites in hidden places, the early Christians had no influence to wield against the Jews; they required all their vigilance and all their power for their own safety; politically they possessed no power therefore it was useless to have any laws against the Jews, their first councils, those of Constantinople Chalcedon, Jerusalem, Carthage, were occupied with the discussion of doctrinal points and dealt chiefly with the suppression of heresy within their own ranks, chiefly the heresy of Arius and his followers, of Pelagius and others of the sectaries of the early Christians, now and then notice was taken of the Jews, prohibitions given not to associate with them nor ^{to} have any connection whatsoever with the accursed race; the Jews in the very early councils in the East, when they are spoken of are usually classed with heretics and pagans as will be seen in the exact references given further on. The great concern with these first councils and synods was to weed out ^{all} the heretical

growths which they considered as parasites clinging to the healthy tree of Christianity, they found sufficient labor within their own camp, they obtained little opportunity to direct their attention elsewhere, it was only after Christianity was firmly established and had no change to fear from within that we find these councils dealing also with the Jews; it is only after Christianity has displaced paganism and become the state religion that it takes upon itself the power to legislate in its ecclesiastical gatherings concerning the Jews; it is not so much in the Eastern councils of the fourth, fifth, sixth and seventh centuries that we meet with these decrees against the Jews for there in the East, the birth place of Christianity was also the birth place of the numerous sects and these had to be combatted and suppressed but in Western Europe whither Christianity was brought as an established religion where none of those religious struggles took place, where the masses were converted at once there and in early days especially in Spain & France do we find the most frequent and harshest legislation against the Jews; later Germany also contributes its quota but the most western lands Spain the home of intolerance and France later the home of liberality of religious sentiment strike in the

church councils that these assembled the key note of the long
exclusion of the poor from their position as men and
as human beings, of that unceasing persecution of the
church and through the church of evil powers, which
in great part ended only with this century and in
some measure has not yet ^{ended} its consummation. At
Athens in 335 it began, to Concordia in 1837 it continued, at
Orleans, Rochester in France, Leeds in Spain and forth the
evil bringing words among the masses and by their
command began that frightful period of degradation which
lasted from the fourth to the present century, but a few
words they are but of awful import calling forth the darkness
of ages somewhat as the small and insignificant looking
funnel shaped object in the heavens is the harbinger of
the dreadful cyclone spreading ruin and desolation
through the land. The Church must answer for these con-
ditions of misery, the Church's servants in their mistaken
zeal and fanaticism caused oceans of blood to be spilled
and brought misery upon myriads of God's creatures
there in those European councils of the fifth, sixth and
seventh centuries when the first words were spoken which
the poor to be less than men, as creatures not fit for human
to be associated with, these began the quenching of the light

of the Jewish intellect, there begins the twilight which preceded the long night of the Dark Ages. I shall not occupy myself with the decrees passed by Christian emperors kings and the civil power against the Jews which beginning with Constantine⁽¹⁾ and Constantine⁽²⁾ continued by Justinian⁽³⁾ received ever new accessions from the reigning powers of all Christian lands ever increasing in cruelty and harshness until resulting in the entire expulsion of the Jews from England under Edward 2 from France under Philippe le Bel from Spain under Ferdinand and Isabella. This would carry me too far, nor will I portray in dark colors the hideous acts of the populace, the nobles and rulers against the Jews, how driven to desperation parents killed children and then themselves, how rather than forsake their faith they willingly consigned their bodies to the flames, how they were subjected to all the indignities, to all the tortures which minds especially adapted for this purpose could invent, how they were hounded and hunted from place to place, how they were never left in peace but were in continual fear that every moment might bring

(1) Grätz IV 381-384

(2) " IV 391

(3) " V 28-30

forth new sufferings and new fangs all of which has been
topographically pictured and concisely stated by the master
Jung. (1) In many if not in most of these sufferings it is true the
Church had a share, if not directly at least indirectly, for the
entire excuse for persecuting the Jews was found in their
difference of faith and the weakness of the devoted people.
The expression and decrees of Church councils usually pre-
ceded the like decrees on the part of the civil powers, whenever
it was seen that the Jews were somewhat humanely treated,
then the Church stepped in and complained and ordered
that no such clemency must be shown the accursed race (2) as seen
from the prison-fraught epistles of Agobard Bishop of Lyons (3) to Louis
le Debonnaire under whom the position of the Jews was more
favorable than under any King or Emperor of France, as one of
the greatest complaints of Innocent III the pope at whose door the
greatest sufferings of the Jews may be laid against Raymond count
of Toulouse the liberal-minded in whose kingdom all of whatever
religious thought and sentiment lived unmolested was that he
was tolerant to the Jews and entrusted them with public offices. (4)

(1) Synagogal Poese Chap. II Leiden

(2) Depping Essai p. 182 & 183

(3) Letters of Agobard in Bouquet Recueil des historiens II 356

(4) Depping Essai p. 205

At times the civil power took the Jews under ^{its} ~~their~~ protection especially if to its own advantage, thus being able to claim the property of the Jews whenever it should be in need of funds. This custom of kings and rulers taking the Jews under their special protection is first noted about the year 900, therefore it became quite general especially in France and Germany. This selfish protection afforded the Jews by the kings and emperors was with all its galling disadvantages still their strongest aid against the ~~sin~~ ^{rabid} attacks of the clergy; for several centuries during the tenth, eleventh and twelfth, their fortunes wavered, a light spot appearing ^{now} and then amid all the darkness, but with the beginning of the thirteenth century and the papal rule of Innocent III their degradation became complete; the crusades were usually inaugurated by a crusade against the Jews at home as the populace of Rouen said we are going to undertake a long and tedious voyage to fight against the enemies of God in the East while we have among us the greatest enemies that God ever had and they concluded that it was first necessary to massacre the Jews before they departed for the holy land. It is from this time that they were compelled

(1) Graetz Geschichte V. 272

(2) Depping Essai p. 125

to wear the Jew-mark on their clothes, it is from this time that the Church, making the most use of her power passed all those exclusive decrees & trampled the Jews ever lower into the dust, it is from this time especially that all the high spirit and pride departed from the Jews and they became the cowering, bowed, fearsome creatures that the eighteenth century took the first steps towards raising into men. From now on it is a continuous, unceasing life of misery, that of this people all over Europe and the 15th. century beginning with the decree of the Lateran council of 1215 may be looked upon as the inauguration period of all that darkest and saddest in the existence of the Jews, it is true there had been exclusive decrees and persecutions before this but not so general, while oppressed in France, they enjoyed liberty in Spain, while persecuted in England they had respite in Germany but now it was universal the suffering in North, in South, in East, in West, it is during the thirteenth century that the most Church councils were held of whose deliberations the Jews constituted a part, in number and name the councils which passed decrees concerning the Jews are as follows, in the fourth century there are three Eliberist⁽¹⁾ in Spain, the

(1) Peltier *Histoire générale et universelle des conciles* I 819. Hefele *Conciliengeschichte* I 162. *Constitio Concilio Sacrosanctas* I 1273-6

earliest Church Council of which notice is preserved in 303 according to Hefele in 306, Nice⁽¹⁾ 325, Laodicea⁽²⁾ of which the exact date is unknown but which took place in the middle of the fourth century; during the fifth century there are again three Carthage⁽³⁾ 419, Chalcedon⁽⁴⁾ 451 and Vannes⁽⁵⁾ in France 461. In the sixth century the number greatly increases for which we will give reason below; in this period the following councils legislated in regard to the Jews all in France with the exception of one Agde⁽⁶⁾ 506, Orléans⁽⁷⁾ 511, the council of Orléans of the years 533,⁽⁸⁾ 535,⁽⁹⁾ 538,⁽¹⁰⁾ 541⁽¹¹⁾

(1) Cosartii II 307

(2) Hefele I 767

(3) Peltier I 519

(4) Peltier I 421, Hefele II 378

(5) Peltier II 1237

(6) Cosartii IV 1390

(7) Hefele II 683, Cosartii IV 1578 Schannat u. Hartzeuer Concilia Germaniae II 683.

(8) Peltier II 104, Hefele II 758, Cosartii IV 1782

(9) Cosartii IV 1804

(10) Peltier II 186-188, Hefele II 776-8

(11) Hefele II 783.

Clermont 525⁽¹⁾, Macon 581⁽²⁾, Karbonne 584⁽³⁾, and Toledo in Spain 589⁽⁴⁾, in
 the seventh century we find the following in France Paris 615⁽⁵⁾,
 Rheims 625⁽⁶⁾ and 635⁽⁷⁾ in Spain the sixth council of Toledo of the
 year 633⁽⁸⁾, 638⁽⁹⁾, 639⁽¹⁰⁾, 646⁽¹¹⁾, 681⁽¹²⁾, 693⁽¹³⁾, 694⁽¹⁴⁾ and that of Constantinople of
 the year 682⁽¹⁵⁾ in the eighth century Rome 744⁽¹⁶⁾, Nice 787⁽¹⁷⁾, in the

(1) Peltier I 563 Hefele II 762

(2) Peltier I 1206, Cosartii V 969, Hefele III 36.

(3) Cosartii VI 1029 Peltier II 34

(4) Hefele III 32, Cosartii V 1012, Peltier II 953, Gratz V 73.

(5) Peltier II 615, Hefele II 70, Löffling 42, Gratz V 65.

(6) Cosartii V 1091, Hefele III 75

(7) Gratz V 66 quoting Mansi.

(8) Cosartii V 1719, Hefele III 85, Peltier II 968

(9) Gratz V. 79 9.

(10) Hefele III 102, Peltier II 975 Gratz V 59

(11) Cosartii VI 463, Peltier II 976 Gratz V 159

(12) Peltier II 983, Gratz V 162

(13) Hefele III 330, Peltier II 987, Gratz V 168.

(14) Cosartii VI 1369, Peltier II 989, Gratz V 169.

(15) Hefele ~~Concilien~~ Geschichte II

(16) Peltier II 625 according to Cosartii held in 741.

(17) Hefele III 478.

ninth Lyons 829,⁽¹⁾ Meaux 845,⁽²⁾ Regensburg 853,⁽³⁾ Toulouse 879,⁽⁴⁾ Metz 888,⁽⁵⁾ in the tenth century we find no decrees passed against the Jews by any church councils as the ninth and tenth centuries were the brightest politically for the European Jews since in the eighth century the power of the fanatic Merovingians was overthrown in France and that of the Goths in Spain to be replaced by milder and more tolerant rule, the effects of which were felt for years afterwards, in the eleventh we have only one Cyprian in Carthage 1050,⁽⁶⁾ the same number in the twelfth ⁱⁿ in Hungary 1114, the Lateran Synod of 1179.⁽⁸⁾

(1) Of this council the only notice is a letter of Agobard Archbishop of Lyons of ^{archb.} Bernard of Vienna and of five bishops of Chalons sur Saone to the Emperor Louis le Belouaire complaining of the protection afforded to the Jews by the officers and of the inconveniences of the Christians reluctant ~~to~~ therefrom Peltier I 1154.

(2) Hefele IV 118 (Art 73) In regard to the Jews the old laws & decrees shall be in force.

(3) Cosartii VIII 68.

(4) This council was held to consider the complaints of Christians against the Jews. Peltier II 1010

(5) Schannat & Hartmann Com. Gr. II 381

(6) Cosartii IX 1065.

(7) Peltier I 965

(8) " I 1057

Then comes the thirteenth with its long and proud list of twenty
nine councils in whose proceedings the Jews were brought
 prominently to notice Arignon 1209⁽¹⁾, the third general Lateran
 council 1215⁽²⁾, a council in Spain of which the exact locality
 is no longer known 1215⁽³⁾, St Jacques in Galicia 1215⁽⁴⁾, Oxford 1222⁽⁵⁾,
 Marlborough 1227⁽⁶⁾, Rouen & Tours 1231⁽⁷⁾, Chateaugontier 1233⁽⁸⁾, Ales 1234⁽⁹⁾,
 Syn. Nigornensis 1241⁽¹⁰⁾, Meaux 1246⁽¹¹⁾, Vincy 1246⁽¹²⁾.

(1) Peltier I 244

(2) Cosartii XI 220, Peltier I 1071

(3) Peltier II 745

(4) Peltier II 729

(5) This council Labr omits in his work ~~as to his work on the Councils~~ but Marsi
 incorporates into his monumental work; see Peltier II 209; also Wilkins Conc. Magna Brit. & Hibernia I 591. & also accepts it, see also in The Quarterly Law Review for April 1886 p. 153.

(6) Cosartii XI 305, Peltier II 39

(7) Mentioned by Cracty VII 34

(8) Cosartii XI 444

(9) Peltier I 215.

(10) Cosartii XI 589, Wilkins I 675

(11) Peltier I 1254

(12) Cosartii XI 685, 686.

Beziers 1246⁽¹⁾, Paris 1248⁽²⁾, Valencia 1248⁽³⁾, Albi 1254⁽⁴⁾, Beziers 1255⁽⁵⁾, Mont-
 pelier 1258⁽⁶⁾, Mainz 1259⁽⁷⁾, Vienna 1267⁽⁸⁾, St Quentin 1271⁽⁹⁾, Langs 1276⁽¹⁰⁾,
 Port Andover 1279⁽¹¹⁾, Ober 1279⁽¹²⁾, Sp. Schenck 1280⁽¹³⁾, Batavia 1284⁽¹⁴⁾, Exeter 1287⁽¹⁵⁾,
 Ushaffenburg 1292⁽¹⁶⁾, Pontonne Anallée 1292⁽¹⁷⁾.

(1) Peltier I 356, Gratz VII 123

(2) " II 258

(3) " II 1220

(4) Coartii XI 737 & 738

(5) Peltier I 357

(6) " I 1325 Coartii XI 781

(7) Schenck & Hagheim Conc. Germ. IV 578

(8) " " " ~~III~~ 635 Coartii XI 863

(9) Peltier II 430

(10) " I 385

(11) " II 407

(12) Mentioned by Gratz VII 111

(13) Coartii XI 1136

(14) Schenck & Hagheim Conc. Germ. III 677

(15) Wilkins II. 155

(16) Schenck & Hagheim Conc. Germ. II 14

(17) Peltier II 408

In studying this list it will be noted that there are two periods which are as the flood tides of Church decrees and ordinances against the Jews while the period between marks a lull, the first is in the sixth and seventh centuries; the second in the thirteenth, after the thirteenth there are no repetitions of the decrees of earlier councils; but in comparing these two periods is extensively dotted by these ecclesiastical gatherings a great point of difference becomes at once apparent and this is that the synods and councils of the sixth and seventh centuries that concerned themselves with the Jews were all held in France and Spain (with the exception of the one at Constantinople) while those of the thirteenth century have become general and wherever held the Jews became subject of notice for degrading ordinances, beginning with the great Lateran council with representation from the Church all over Europe, the decrees are repeated in separate synods in Germany, in England, in France, in Spain. The lesson had worked well, the spirit of oppression and intolerance had spread its wings so that now they overshadowed the whole of Europe. The intolerant councils occurring in Spain and France all took place under the rigid rule of the Merovingians in the one land and the Goths in the other, those dark, fanatical princes who with all the arts

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of a first conversion attempted to root out everything which did not agree with the new light which had flooded in upon them. In France it was in consonance with the whole policy of the Merovingians; it was before the wise and benign rule of Charlemagne and it is undoubtedly due to the noble influence of this greatest ruler of the dark ages, king not only of France but ruler of Germany and nominally of Italy that the decrees against the Jews so wonderfully diminish until the benign effects of his reign died out and the hard and harsh bigotry of priest and prelate gained the upper hand to the great ^{misfortune} of enlightenment among the people everywhere; well has a French writer of the present day ascribed the inglorious inactivity of the Jews in the literary field in France during the rule of Merovingian dynasty to the many indignities to which they were subjected politically, socially and religiously and on the other hand the wonderful awakening which brought forth a Rashi, a Rabbin Isaac a Rabbah a Sumon in the north of France, the Talmud the Dr. Abbona Lozmid and hosts of others in the south of France to the favorable

(1) *Levy Bre Gygue* *Les Juifs françois* *de la destruction* p. 43 seq. v. also *Encyclopédie*

of the Jews under Charlemagne & his successors of the Carolingian Dynasty which favored another condition, although soon changed to the cruelty and harshness of a Philip August and others of his stamp still worked on in its effects and continued to bring forth among the Jews those wonderful products of mind. The same theory may be applied to Spain, under the Goths no literary work, under the first Caliph in Southern Spain notably ⁽²⁾ Abdurrahman III tolerance and happy condition, the effects soon appeared, free the body, free the man and his mind freed likewise from fear and terror will seek the channels of thought and literary activity especially a race like the Jews essentially a contemplating and thinking people. The names of King Isidore, Recemund, Recared Gothic Kings will ever stand as typical for a dark and unnatural fanaticism; as did Justinian so did also they incorporate laws concerning the Jews into their civil code attempting to repress by positive legislation that which was purely religious law and the practice of which affected the Jews alone, bringing no inconvenience upon their neighbors; as in all such cases when law wishes to override the moral feelings and conscience that was practiced secretly which the legislation forbid to be done.

openly and we have the beginning of the Jews in secret, later known as Moriscos who play such an important role especially in the later history of the Spanish Jews, the ~~Unanimous~~ of the Gothic Kings was as intolerant to the Jew as the Catholicism of the later rulers of the houses of Castile. Leon and Aragon the political legislation of these Kings was well supported by Church decrees towards the enactment of which it is true these Kings contributed a great share; as ever, the Jewish religion was felt to be a standing reproach to Christianity and it must be made to disappear by all means; let us enumerate but a few of the laws of the civil power against the Jews and their religion and religious practices Liber **XII** Titulus II of the Laws of the Visigoths has the Caption Concerning the removal of all error of heretics and Jews; laws 4-17 are devoted to the Jews especially some of which enactments are as follows the Jews shall not celebrate the Pasover in the style nor keep the Sabbath or any feasts according to their wont. The Jews shall not celebrate their wedding feasts in a manner different from the Christians. Jews shall not perform the ceremony of circumcision. The Jews shall make no distinctions in different kinds of food; they shall eat what the Christians consider healthy and proper and many others which touch the legal rights of the Jews and doctrinal points of

difference between the two religions⁽¹⁾. These laws were enacted in the reign of Reccard. Titulus III⁽²⁾ of the same book is also concerning the Jews confirming the old laws and adding new ones. These made during reign of King Erwig concerning which the ninth decree of the church council of Toledo of the year 681 says the twenty decrees of King Erwig against the Jews ^(incorporated) in the *Leges Visigothae* are accepted and shall from now on be in force forever⁽³⁾; church and state worked together most harmoniously here. Their desires ran in the same direction and King and priest vied with one another in the trial of giving proof as to who could formulate laws most severe and exclusive; of the intolerant Merovingian Kings I will only mention Dagobert who having been requested by the emperor Heraclius thus advised by his astrologer⁽⁴⁾ to force all the Jews of France to be baptized complied with the wish of the Emperor; all the Jews who consented not to be baptized were killed.

(1) *Bonquet Recueil* II 439 seq.

(2) *Ibid* II 446 seq.

(3) *Isidori* VII 1332, 33

(4) *Chronica* in *Bonquet* II 681

(5) *Leges Dagoberti* I act. 24 in *Bonquet* II 586

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This was in the early days of Church power when perhaps
the thought that the Jews must be baptized was
sincere and the intolerance arose from narrowness
of thought and vision, which could find no salva-
tion for any without the Church; but later persecu-
tion and oppression were not the result of the thought
that the Jews could not be saved but of that selfish-
ness which ever increases with power; the Jews were
as a sponge which church prelates and secular
rulers pressed whenever they required money and
having drained it entirely waited until the pores
were again filled when the same process was re-
peated. Gregory IX plan was not to force the Jews to bap-
tism but to attempt to convince them of their wrong
and blasphemous belief that of Innocent III seven
centuries later to degrade them as far as possible.
I have dwelt upon these decrees of civil power only
because they are so intimately connected with like
decrees issued by the ecclesiastical synods and
because they breathe the church spirit of the times.
Other laws of civil power I will not dwell upon
but now enter upon the subject proper and give
the special decrees ecclesiastical with their penalties.

same and connection. All depends on the same subject

viewed at about the same period of time have some connection for the Church then as later was everywhere found by invisible bonds which made of the whole kinship one great net-work with its lines penetrating everywhere.

I will treat the necessity of unifying them as they were viewed chronologically, it will be seen that the very basis of Unitarianism lies with what was peculiar to the religious

the first, intermarriage association by which Unitarianism might be weakened in their faith for the time were as strongly drawn, the first was not despised, the later for Unitarian on the other hand deal with the people, their

exclusion from all parts of honor, their distinct part, to gather with other special excitement interfering with their familiar rites, meant not like the other mentioning

desires to prevent the association of Unitarians with those for time was accomplished by the continued and continuous work of culture but merely to maintain in front the already is deeply injured and degraded high I will treat the subject under the following heads.

- (1) Position of Unitarians to what was connected with them.
- (2) Intermarriage
- (3) Dependence on Unitarian elements, class & measures

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- (4) Restriction placed on Jews on Christian holidays.
 - (5) Prohibition to Jews to hold office, to testify or to judge.
 - (6) The distinguishing marks to be worn by the Jews.
 - (7) Prohibitions to employ Jewish physicians.
 - (8) regarding Kewy.
 - (9) Special prohibitions and commands not otherwise classified.

I Prohibitions to Christians to eat or associate with Jews.

From the language and expression of most of the prohibitions it is clear that the Christians and the Jews were on equal footing and commonly associated with each another. For fear lest the Jews might unduly influence the Christians the Church early took precaution to prevent this too free intercourse. The earliest prohibitions we meet with in reference to the Jews are those forbidding the Christians to eat with or associate with them in any way. All the early councils incorporated these prohibitions into the body of their statutes. The people were not fanatical, it was the Church that made them so. Not to quote or to refer to individual opinions of Church Fathers and priests on the damned character of the Jews and the evil which would result from association with them, we will at once take up those decrees which were accepted by the Church and which she strove to enforce by means of her most powerful weapon - excommunication. There is a collection of canons known as the Apostolic canons usually incorporated into works on Church Councils. The different canons date from different periods acc. to the best authorities they include decrees made as late as the fifth century. Of these

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is called apostolic canons two the 70 & 71 are devoted to prohibiting too close connection with the Jews according to Dreyer as quoted by Hefele, these two canons may have arisen at the end of the third or the middle of the 4th century since the council of ~~Milane~~ already warned of too close intimacy with the Jews but I do rather think that they are taken from the canons of the council of Laodicea held towards the middle of the 4th century. These two canons are as follows:

70) If any bishop or elder or deacon or anyone of the order of the clergy should feast with the Jews or observe their holidays or receive holiday presents from them like unleavened bread and similar things he shall be deposed. If a layman do these things he shall be excommunicated.

71) If any Christians take oil to the temples of the Gentiles or to the synagogues of the Jews on their feasts or light candles on their feasts he shall be excommunicated.⁽²⁾

These decrees speak for themselves; from them we learn how sociably and intimately the people must have lived together at this time without regard to religious differences.

The oldest Church Council of which notice has been preserved passed several laws regarding the intercourse of Jews & Christians

(1) Hefele I 815

(2) . I 822

This is the council held at Illiberis in Spain whose date has been differently fixed by various authors; Peltier fixes it as early as 303.⁽¹⁾ Hefele 306.⁽²⁾ Frederic de Mendoga 313.⁽³⁾ Gratz as late as 320.⁽⁴⁾ The Jews had settled early in Spain⁽⁵⁾ and had it appears become amalgamated in great measure with the surrounding population, intermarrying with them and otherwise associating with them. The canons passed at this council having reference to the Jews are the 16, 49, 50, 78. The fiftieth belongs here and is as follows:
(50) If any of the clergy or of the faithful eat with the Jews, they shall be excommunicated.

At the great council of Nice the first of the great general councils of the church held in the year 325 the following was instituted.

No priest shall associate nor fraternize with the Jews nor eat nor drink with them.

The next councils in point of time that touch this point are those of France of which the earliest is that of Orléans in 461. There too as in Spain the adherents of the two

(1) Histoire des Conciles I 89

(2) Conciliengeschichte I 162

(3) Constantine I 1028

(4) Geschichte des Judentums 71. (5) Ibid p. 440 note 4

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religions must have associated closely together. When the Jews first came to France according to Gratz⁽¹⁾ unknown, according to Lepping⁽²⁾ they were there in the reign of Constantine, in a law of the Theodosian Code⁽³⁾ directed to the prefect of Gaul a favorable mention of the Jews occurs which would prove that they were already firmly settled and even spread throughout Gaul and Belgium. It may be said that they had been settled there so long and had become so friendly with the Christian population that the council held in the reign of the Merovingians found it necessary to interfere and ordain the following decrees.

Canon year 461 forbids Christians to eat with Jews or to invite them to eat with them because the Jews eat not all the food which the Christians consider permissible. This is the first time that this reason is given; it was considered a disgrace that the Christians should eat whatever the Jew would set before him while the latter had religious scruples about eating all that the Christian might offer and considered clean and edible. This decree

(1) I. 125.

(2) Esar f. 2

(3) Bouquet Recueil I 746.

28.
however seemed to have little effect since it had to be so often repeated and besides from these laws it conclusively appears that the Jews everywhere, even far away from the centre of authority and learning strictly observed their dietary and ritual laws.

Agde year 506 known as Com Agathe Canon 40 All of the Clergy and Laity shall avoid the meals of the Jews nor shall any one receive them to a meal. Because since they do not use the same food as the Christians it is disgraceful and sacrilegious that their food should be consumed by the Christians and those things which are, with the permission of the apostle eat are adjudged forbidden by them and thus the Christians will begin to be less than the Jews if we use what they ~~bring~~^{offer} forth but they despise what we offer.

Spaone in Burgundy year 517 canon (15)

No laymen shall eat with Jews and priests shall not eat with such who had eaten with Jews.

Orleans 3rd. Council year 538 Canon 13.

The Christians are forbidden to eat with the Jews

Wacon year 581 Canon 15

Same decree, the Christians are forbidden to eat with the Jews.

Declaracion of Obedience in the year 1000. Obedience.
The Christian shall live in the same house with the same as he
with them.

Year 1267 Obedience 16718

16 The said year to frequent or enter the same father or mother
of Christians.

17 The said Christians to receive the same as the

make not shall they dare to associate with them or be

present at their marriages; nor shall Christians say mass

or any other part from the same but purchase by the same

all the Christians when they consider their enemies who

the Christians shall be compelled to withhold from all who

come with them, if necessary by ecclesiastical power.

After 1271 since it is not permitted to take food with them nor

forbid the same to participate in the meals of the Christians

and the Christians in those of the same.

the harsh, dark spirit of the thirteenth century breathes in the

deceit; in none of those that we have noticed heretofore is

the malignancy and the absence in this it is but a true reflection

of the general feeling in regard to the same which furnished

especially from the century onward; all their trials and their

actions in the past are but a light suffering compared with
the sufferings which were caused them by the same.

Constantinople sent. In the year 682. Canon 11.

No Christian whether layman or priest may eat the unleavened bread of the Jews nor be intimate with them nor take medicine from them nor bathe with them. The priest who does this shall be deposed, the layman excommunicated.

We have here the first mention of that later so general prohibition not to receive medicine from Jews nor to employ them as physicians.

Nice year 788 Canon 7

In this decree we have mentioned that it was passed at the complaint and request of a prelate of the Church. In full it reads as follows.

Our most head of the Church of Nice has preferred a complaint against the Jews who inhabit Nice. Wherefore it is forbidden by the decree of the holy fathers that no Christian shall feast or drink with them nor receive anything to be eaten or drunk from them. Especially according to what Oceanus Bishop of the Church of Brice says, is it unworthy and sacrilegious that their food should be consumed by Christians since those things which we enjoy, are adjudged forbidden by them ~~re~~ the decree of the council of Agde

and the following centuries, this ~~the last of the decree~~ ~~shall consider on this subject~~ marks a fitting climax of intolerance beginning with the prohibition to the faithful to associate with the Jews because the clergy feared the undue influence of the latter and ending with the dark incrimination that Christians must withhold from all intercourse with them social, commercial & otherwise because the Jews desired to kill the Christians, a fit companion piece to the Passover blood accusation which arose somewhat before this time and forerunner of the horror of the Black Plague era!

II Intermarriage:

The question of intermarriage between Jews and Christians which has been the subject of so much discussion in modern times in Jewish synods and rabbinical gathering was in an earlier day a like subject of general prohibition in Christian Councils. There was no danger of Jews intermarrying commonly with Christians and therefore there are no special provisions made in the Rabbinical Law concerning intermarriage with Christians. The Church on the other hand at first fearing for the safety of its religion and later looking upon contact with Jews as an abomination and a contamination strictly in its various gatherings

(1) Hanbury. Real Encyclopedia II 1316. Traety III. 109

(2) Miesner Jewish Law of Marriage & Divorce p. 46.

forbade all intermarriage with Jews.

There is a collection of canons made by Regino abbot of monastery of Prüm 892-899 for Rath, who bishop of Liège from former councils and laws of which canon 143 Book II reads as follows:

No Jew shall marry a Christian woman, nor a Christian a Jewess. If this be done, they may be accused of adultery.

This law is taken from the Theodosian Code Lib. IX which although not strictly ordained by a Church council still breathed its spirit and is afterwards later incorporated into a collection of canons intended to regulate Church life and church discipline.

Eliberis 503 canon 16.

Forbide the faithful to give their daughters in marriage to heretics who refuse to join the Catholic church ~~church~~, to Jews and to schismatics, parents who disregard this prohibition are excluded from communion for five years.

There is no doubt many Christians in Spain at this time imitated Jews and were connected with them.⁽²⁾ The reason of this prohibition is plain as it is with all those of this council of Eliberis viz. to check this friendly intercourse.

(1) Schannat & Wafzheim Conc. Germaniae II 536.

(2) Hefele Conciliengeschichte I. 178

In the preceding canon it speaks of marriages with heathens, these are discountenanced but not forbidden; those with Jews and heretics dealt with more severely because they were not so indifferent as the heathens nor would they so readily consent to have their children raised as Christians. It was in truth as a safeguard to the church that this council made the laws it did; it is not a spirit of hatred to the Jews as a people that prompted them but the thought of the necessity of protecting their religion and therefore it is not only the Jews that are mentioned but heretics also are included.

Chalcedon year 451 General Council of Eastern Church

Canon 14.

Since in some provinces it is permitted for lecturers and cantors to marry they shall not marry a heterodox woman; those however who have contracted such marriages must bring their children to the communion of the Catholic church even if they have been baptized by the heretics; if they are not yet baptized they may not be baptized by the heretics; nor may they contract marriage with heretics or Jews or heathens unless there promise to accept the orthodox faith. Who disobey this shall be punished.

A protective measure including again not the Jews alone but all who are not Christians.

Orleans 533 in presence of Thierry Childebert and Clotaire three kings of France.

Canon 19. Marriages with Jews are forbidden under pain of excommunication

Orleans 535 Canon 6 to same effect.

If a Christian marry a Jewess or live with her or a Jew live with a Christian woman the Christian shall be excluded from the community of Christians.

Orleans 538 Canon 13

Marriages with Jews are forbidden under pain of excommunication. The tone here changes, it is the dark influence that is appearing which will end in considering it a disgrace and a crime for Christians to marry with Jews.

Toledo 589 in reign of King Recared Canon 14

Jews shall not have Christian wives nor concubines, the children born from such marriages shall be baptized.

Toledo 633 Canon 63

Jews who have Christian wives shall be advised by the bishop to become Christians; if they refuse to do this, they shall be separated from their wives and the children which they shall have had shall follow the condition and faith of their mothers. The children who shall have had a Christian father and a Jewish mother shall also follow the Christian faith.

that children follow the condition of the mother it usually ad-
mitted in law also in the Jewish Law, the first part of this
deceit is then just; but the second fully illustrates the id-
of the church which gathered within its walls persons from
all whom she could obtain as here, ^{the} better ^{the} women ^{the} this
deceit that the poor of Spain at that time were regarded
as slaves who could not decide for the religion nor the con-
tion of their children, the church at any rate had a voice
as strong held and the better ^{the} king was assisting her with
all this power to degrade the helpless Jews.

June 7/44 canon 10

there who may this language to find that it is a
Christian nation who maintain for what it is entitled to
the Church triumphant and powerful in speaking with
the mighty voices of communication in the hands of
which she wielded well-nigh almighty power, the author
calmly forbids all intermarriage.
This is the last mention we have of intermarriage in
the council until the sixteenth century when the
Synod of Combray held in 1530 published a like decree

11 Mon. June 2nd XV. 4

2) Mon. de Grues II 968

And even with Christians and non-Christians alike:

Admonish every good man to be a Christian and to be a Christian.

It is King's desire that what was written in 1791 in which he says: "I am a Christian"

(1) Now common it was in France we learn from a letter of the King
who preceded the flight of Louis and Marie of France and for whom
it a disgrace as expressed in several of the decrees that were
then the Church attempted to prevent, considering
usual commercial activity also in France, France's interest
in Germany, in France the trade flourished, the party with the
countries that in human flesh in Spain in France, in England
Slavery was common in Europe during the Middle Ages, in

III Slaves, servants and nurses

have no need of wearing further decrees.

condition continued, there was no fear of intimidation,
acts were cruel and undisciplined. As long as this
hand that the Christians tried when the time is not
would suffer from such connection and on the other
thought that the luxury of their law and their religion
the time tested when the Christians as their opponents and
well conclude from the double fact that on the one hand
marriages were not so common as formerly as we can
conclude on the subject it would appear that there is no
as did several after that, from the silence of succeeding

Christ did should live in a condition of slavery under those who
had been instrumental in causing the death of the Lord. Those
prophets now extended itself to servants in general and
them with the spirit of equality of a later day to master, it being
announced as forbidden to every Christian woman to give
such to a Jewish child, it is again the thirteenth century when
in the last prohibition first appears. The slaves in regard
to slaves, servants and nurses are as follows:

In the Canon of Regium 1204 we read, how many have we Christians
slaves are permitted to lead him to his religion.

Canon 535 Canon 10 which is just and was undoubtedly given as
a protection, from it it appears that the slave at times thought
highly of when their heads by acting aggressively towards the
Christian religion, but a man's slave is his property and he can
do with it as he will. The slave was however only tolerated and
the Church took it upon herself to act in relation to matters
and slave and exercise his power also over
the slave forbid him to free their Christian slaves to do any
thing contrary to the religion of Jesus Christ
Canon 541 Canon 10.

The law makes a privilege, called a servus a person who is
is connected to Christianity to freedom or has intercourse with
the Christian slave or himself one form of Christian person

his freedom on condition of becoming a Jew, he shall lose all his slaves. If one born of Christian parents has become a Jew and has obtained his freedom on condition of remaining a Jew, this is null, for he cannot remain free, who having been born of Christian parents, wishes to cling to Judaism. The contempt felt for the Jews & Judaism already at this time appears in this last sentence.

Macon 581 Canon 16

Jews shall have no Christian slaves. A Christian may buy a Christian slave from a Jew for twelve sous either to free him or himself use him as a slave. If the Jew is not satisfied and refuses to accept the specified sum, the Christian slave may live with Christians where he will. But if a Jew is accused that he wished to persuade a Christian slave to become a Jew, he shall lose the slave.

Slavery is not considered wrong as the Christian is permitted to employ slaves, it is only wrong for the Jew to have Christian slaves, wrong for the Jew to proselytize although the Church exercised this prerogative to its fullest extent.

Toledo 589 canon 14.

Jews shall have no Christian slaves to serve them, if the Jew circumcise their Christian slaves or initiate them into the rites of Judaism they shall be taken away from them, nor

shall they receive ought for them and the slaves shall be brought back to the Christian religion.

All the decrees of this period have the same tone, all most hostile to the Jews, not granting them any right.

Rheims 625 Canon 11

Christians may not be sold to Jews or heathens. Who does this is excommunicated and the sale is void. If a Jew maltreats his Christian slaves to make them embrace Judaism, the slaves shall be confiscated for the benefit of the king.

Chalons sur Saone 630. It is forbidden to sell slaves outside of France, in order to avoid their falling into the hands of Jewish merchants who hold commerce with foreign countries.

The infamous slave trade was encouraged by Christians who furnished the Jewish merchants with slaves; this decree more humane ^{but} those of the councils of Orleans attempted to put some check upon it by forbidding the sale of slaves outside of the country itself. (")

Toledo 633. canon 66

Jews shall have no Christian slaves but if they acquire them either by purchase or by gift, these slaves shall be set at liberty.

CC. Pipping Decree p. 80. 51.

40

Toledo 680. Canon 7.

This canon forbids Christians and especially priests to sell their slaves to Jews because they can not be ignorant of the fact that the Christian slaves have been redeemed by the blood of Jesus Christ which should cause that they be rather bought from than sold to the Jews.

Rome 744 canon 10.

Those who sell their Christian slaves to Jews are anathematized.

Gran in Hungary 1114 canon 61

forbids Jews to have Christian servants of any kind whatsoever.

Lateran 11th - oecumenical council 1179.

Canon 26 forbids Jews and Saracens to have in their houses Christian slaves under any pretext whatsoever.

Oxford 1222 Jews are forbidden to have Christian slaves which not being observed, the Christian slave shall be censured the Jew heavily fined or expelled from the diocese.

Parboune 1227 Jews shall have in their houses no Christian slaves or nurses.

This is the first time that the prohibition to have Christian nurses meets us

^{Sp. 100}
Wigornensis - England 1241 canon 36

Christian women shall not nurse Jewish boys nor shall Jews have Christian servants remaining in their houses over night.

Utry 1246 canon 38

Jews shall have no Christian servants or nurses.

Mainz 1259

The Jews shall immediately dismiss their Christian servants.

Vienna 1267

Jews shall not presume to retain by day or by night Christian servants or nurses or any Christian workman whatsoever in their houses.

Ord. Audemar in France 1279 Canon 9.

Christians shall not serve Jews or even live with them.

Batavia 1284

Jews are forbidden to have Christian servants, in the holy days, wherever there are Jewish inhabitants all priests shall denounce as excommunicated the nurses and servants of the Jews.

Creter 1287 He forbid the Jews to have Christian servants in their houses either for the purpose of nursing their children, or for service for any other purpose lest by continual association they may draw the minds of the unsophisticated to their error; for often evil associations corrupt good morals. Christians who shall have dared to disregard this shall be excommunicated, Jews shall be subjected to a severe punishment.

42
Aschaffenburg 1292.

The Jews shall have no Christian servants or nurses.

As will be seen from the above decrees it is again the thirteenth century that inaugurates the more cruelly refined restrictions; before that it was no Christian slaves! now it is not even a Christian hired servant, not a Christian nurse for the milk of the Christian was too pure to be sucked by the lips of the Jewish child! backward, ever further backward the cry is, from now on, back into exclusion, into the ghetto until immured within those high and narrow walls the Jews themselves should lose their self-respect and be thankful that it was granted them to breathe the air of heaven permitted only to live a life most precarious; the 14th century of which Jung says "das härteste, das die Juden erlebt, so dass man sich wundern müsste wie noch ein einziger Jude in Deutschland bei dieser grausamen massacre hätte übrig bleiben können", and it is innumerable completed the work which the thirteenth century told in these decrees had begun!

① Synagogale Poesie p. 56.

IV Abolition and indignities placed on Jews in Christian holidays
 In these nations and indignities the full hatred that the
 Church felt for the Jews displays itself for this was a purely
 religious affair and the Church through its councils and
 the civil power subsequent to it took occasion to cause the
 to feel all the bitterness of their position, the day mentioned in
 the brought her into the world died for the redemption of mankind
 and the day on which he was remembered to eternal glory ac-
 cording to the Christian legends, we made the occasion of showing
 how little love, how much bitterness could be received by the
 followers against these Jews when he was dying. The Christian day
~~time~~ and the days of the Holy Week preceding it was that men
 usually select for the friends enlists against the Jews
 then the Church's name with denunciations of lying fanatic
 priests, then the denunciations excited the hatred of Jewish
 at the Jews as there were had inflicted indignities and
 death upon this day, the ignorant populace then raised
 up to the highest pitch with and stirred up the Jews
 and for this reason it was perhaps a wise provision that the
 mandated the Jews not to appear in public during that week
 although the reason given is that the Jews make sport of the
 Christians and by their ridicule excite the people. In Christian times
 that in many communities the Jews were compelled to pay

as to the Church like the ~~Clipping~~ ^{Clipping} in Germany⁽¹⁾, the like in many parts of France⁽²⁾; on Easter it was that in Toulouse a Jew was compelled to stand before the church and receive ear-cuffs from the Christians⁽³⁾; in some councils, the Sunday too is included and the Jews forbidden to work. The decrees relating to this subject are as follows:

Orleans 598 Canon 30

The Jews are prohibited to appear among Christians from the day of the Lord's Supper unto the second day of Easter. Seltzer, the French Abbé gives as the reason of this decree, the first passed on this subject, that there was fear there would be excesses, the Jews might insult the Christian religion, the Christians might harm the Jews in seeking to avenge the death of their Lord; this reason may hold in this case in a time when the Jews were still free to do as they would but not later when they had been degraded well nigh to the rank of slaves or worse; then it was only to heap fresh disgrace upon them, no Jewish face should be seen to desecrate the holiness of the holiday.

(1) Geiger's *Spätere Talmud* IV 302

(2) *vid. infra*

(3) *Life of Theobald Archbishop of Narbonne in Comptes rendus* Vol. IX

Orleans 549

This council forbade the Jews to appear during holy week which point was incorporated by Childbert I into his constitution.

Macon 581 canon 14

This council referred to the ordinance passed by that of Orleans just mentioned and to the fact that Childbert had placed it in the constitution in these terms: The Jews shall not leave their houses from the day of the communion to the first day after Easter according to the ordinance of Childbert of blessed memory.

It is only in France in these early days that this prohibition was exercised and it is not until the thirteenth century that it reappears when it becomes general and is duly passed by the council held throughout Europe. Immediately at the beginning of this century we meet it at

Arignon 1201 Canon 4.

The Jews are forbidden to work on Sunday or to eat meat on the Christian days of abstinence.

Narbonne 1227 Canon 2

The Jews shall not eat meat publicly nor sell it on the days prohibited by the Church.

The Jews shall not work publicly on holidays and on Sunday.

and shall not leave their houses without necessity during
holy week.

The prohibition not to eat meat is so arbitrary and shows
the arrogant and absolute power of the Church, it is somewhat
like that order that the Pope must visit Christian churches
and listen to the confessions as by this it was hoped that
they might be converted; unhappily for the history of the world
conscience of the Church, the Pope generally felt asleep and the
eloquence of the preacher was lost upon them, in the days
this arbitrary measure which would force the Pope to show
the practices of the Church must have been established if it
were other reason than that it was a Catholic custom and
the hatred towards their measures nevertheless was so
deep seated that they could not but show everything which
would even seem like imitating these customs in any way.

Uty 1246 canon 40.

The Pope shall not work publicly on Christian holidays;
41 The Pope shall not leave their houses during holy week.

Albi 1234 canon 68

The Pope shall not work publicly on Christian holidays
these prohibitions forbidding public work on the Christian
holidays are not to be considered as laws for the dominant
Church had the right to demand that the minority should

respect their day, in lands and in times that freedom of worship and of religious opinion were things unknown. It could but add fuel to the already fiercely flaming fire of fanaticism for the Jews to thus act in despite of their powerful enemies.

Vienna 1267

During Lent when the Christians abstain from meat and fast, the Jews shall not carry meat openly and publicly.

Exeter 1287 they shall have their doors and windows closed because they make a habit of mocking the afflicted Christians on that day.

Reichaffenburg 1292 During the days of the Passion, the proscribed people shall not go out but shall lock themselves behind barred doors and windows so that the Christians shall not be mocked by the Jews.

In this decree, the Jews are called *goyim* for the first time, that we meet with the term in the decrees passed by the councils.

This finishes the councils of this period on this subject, it is unnecessary to remark anything further on them as the decrees speak for themselves.

V Prohibitions to Jews to hold office to testify or to judge

These prohibitions were another blow at the dignity and self-respect of the Jews; there were many Jews who stood high even at court; notably in the early days of French history Quercy whom Gregory of Tours mentions as having been intimate with King Chilperic; the Church considered it a disgrace that Jews should be placed above Christians as officers in any capacity whatsoever; the laws of the Visigoths embody the same principle; again there is that same distance of time between the days that these laws were passed; with the exception of one council, there were no laws of this kind obtained between the seventh and the thirteenth centuries; the sixth and seventh centuries intolerant here as in all other cases begin these prohibitions, then is there a remarkable lull until the thirteenth when they are given with great frequency; it is plain why the Church was opposed to having the Jews act as officers or judges but the refusal to receive their testimony which again, like so many of these hard restrictions, originated in this century, put them on a level with slaves, made them less than men; the council of Rouen and near Tours in the year 1231 the reason given why the testimony of the Jews should not be accepted was that

much will arise from the testimony of the pious men they
gradually deprived of all dignity and of all opportunity to
rise and find an outlet for their ambition and their
powers elsewhere than in the unimpaired intellectual attain-
ments of the select-servants, the Church triumphed in one
way, she narrowed the intellect of the pious and succeeded in
degrading them to the lowest point.

Decretum 535 Canon 9

It is forbidden to make false judgments over Christians.

Canon 581 Canon 13.

forbids pious to exercise judicial functions among the Christians
as to the necessity of infants so that the Christian population
might not appear subordinated to them. The pious had to
this time held a respected and honored position in France
and the decree of the council was calculated to relieve
them of the good will and the honor they enjoyed.
Lectio 589 Canon 14

The pious shall exercise no judicial office.

Canon 613 Canon 13.

forbids the pious to have any judicial office even in the army
whereas in the past such an office must first be bestowed
by the bishop with the aid of the family.

Rheims 680. canon 11.

The Jews shall have no public office and their mocking
(~~conviction~~) against the Christians must be entirely suppressed.

Toledo 683 canon 65.

Neither the Jews nor their descendants shall hold public
offices.

These councils all breathe the Gothic, narrow spirit; after
this time the burden of the Jews becomes comparatively
much lighter.

Aquileia 800. Canon 21.

The Jews shall hold no public office nor shall they judge
Christians.

This is the only council between the 7th & 10th centuries
of which we have notice that thus legislated against the
Jews.

Rouen & Tours 1231.

In these councils the Jews were deprived of the right to
testify against the Christians for the reason as given above
that much evil arises from the testimonies of the Jews.

Chateaugantier 1233. Canon 61.

It is forbidden to invest the Jews with any public charge.

③ Jews are deprived of the right to testify against Christians.

Italy 1246. canon 38.

The Jews shall not rule the Christians in any office such as bailiff.

Vienna 1267

The Jews shall not be eligible to receive the taxes or to hold any public office whatsoever.

Crete 1287.

The Jews shall hold no public offices which they use as a pretext to harass the Christians.

Schaffenburg 1292.

The Jews shall hold no public office nor clothe any secular dignities.

These decrees struck the Jews to the very heart-core; not alone was their religion contemned and insulted but they as men were now and for future times banished from amidst their fellows into an exile mid life, a solitude in the crowded cities. But nought so lowered them, nought so distinctly contributed to their speedy social fall, nought so exposed them to the ridicule and mockery of the crowd as the decrees we shall next consider and they are those ordering

VI The distinguishing marks to be worn by the Jews.
 First conceived and passed by the general ~~Latin~~ council of 1215 under the pontificate of Innocent III, it soon spread all over Europe and was repeatedly passed by succeeding Councils. This was the last drop that was needed to fill the cup of bitterness to the Jews. And how they struggled against it! From their twelfth year onward the Jews were to wear a distinguishing mark, the men on the hats, the women on their veils. The better situated in France, in Spain, in Germany attempted to have this order repealed, but to no avail. Some individual families standing high in favor were exempt from it and even succeeded for a time in their respective countries in gaining permission from the rulers to free their coreligionists from obedience to this decree.⁽¹⁾ But only for a time. Soon throughout Europe, the Jew was known by that mark and special ^{laws} were taken by the councils, synods and church gatherings that he should be known; a penalty was placed on all such who should conceal this mark. But the worst result of this decree was as Crantz says⁽²⁾ the degrading

(1) Crantz, V 26

(2) Id. 24

effect it had on the Jews themselves. They lost all respect for themselves, they now went about, like marked criminals well nigh, fearing they knew not what from every one they might meet, exposed to the insults and ridicule of the ignorant populace whose cry of he! he! followed them everywhere. Innocent III and the 4th. general council did their work well! Their word lived for centuries; the bent, cowed, creature of the ghetto could point to the year 1215 as the beginning of his most miserable condition for before that the exclusive decrees were passed only here and there, now they became general and the Jews were brethren indeed brethren in degradation and disgrace as they were in religion and hope for the future that this disgrace could be lifted and they should once again know freedom and enjoy the right to live.

Lateran Council 4th. general 1215 canon 68

The Jews of both sexes shall wear some mark on their clothes which shall distinguish them from the Christians.

Oxford 1222

The Jews of both sexes shall wear a band of linen, two fingers wide and four long on their heads; and it shall be of a different color than the remainder of their dress.

Harbourne 1227 canon 3

The Jews shall wear on their breasts a mark by which they shall be known.

Arles 1234 canon 16.

The Jews and the Jewesses shall wear a sign upon their clothes by which they shall be distinguished from the Christians.

Worms 1246 canon 39.

The Jews shall wear a distinguishing mark.

Albi 1254. canon 64.

The Jews shall not wear round caps, because the clergy wear these and this would be a disgrace to the clergy; the Jews shall wear peaked hats.

⑥5 They shall also wear a wheel 1 finger broad and $\frac{1}{2}$ long.

Mainz 1259.

We decree that in all the states, towns and cities of the diocese & province of Mainz the Jews of both sexes shall within two months after the publication of this statute choose for themselves and wear publicly such marks and clothes by which they can be distinguished from the Christians.

Arles 1260. canon 8

The Jews are forbidden to walk about in cloaks and ~~lunio~~ robes have anything in their costume like that of the priests and they are commanded to distinguish themselves from the

Christians by marks in their clothes.

Vienna 1267

Owing to the growing insolence of the Jews by which the purity of the Catholic Church may be said to be infected we, making not so much new statutes as renewing the old ones of the great Pope order that the Jews must be distinguished in their dress from the Christians. It peaked that which they have been accustomed to in these parts they must continue to wear; and if any have presumed to lay off this they shall again resume it in order to be distinguished from the Christians. Whatever Jew shall be found without such mark shall be fined.

Pont Audemer 1271

The Jews shall be obliged to wear some marks which shall distinguish them Christians.

Jews in Hungary 1277

The Jews of both sexes in Hungarian lands shall wear a wheel of red cloth on the left side of the breast and shall never appear in public without this sign. Such who after a set period should appear without this sign, the Christian under pain of heavy penalty should supply with no fire or water and break off all intercourse with them.

Neuchâtel, Aug. 12. 1792.

The first of 10th series in every Christian language must
near perfectly a mark in agreement by which to distinguish
from the Christians.

October 12. 1792.

He expressly command that the first of 10th series shall be
when their ruler governs the true hands of a series of
percent from the remainder of their harvest, where
shall be the fingers and length four fingers at least so
that they may be distinguished from the Christians and
even of considerable interests between these and those
may be avoided.

Since 12. 1792 Geneva

The first shall mean on their side a mark to distinguish
them from the Christians.

VII. *Instructions to English Jewish Physicians.*

The science of healing was in great measure, as we well know,
during the Middle Ages, specially cultivated by the Jews. The
great medical school of Montpellier and Salern had Jews as
instructors. Many of the greatest Jewish scholars were at the
same time physicians; the great medical works of antiquity
were through the medium of the Jews brought to the notice of
the Christian world. Naturally it is then on the most skillful in

the healing art, the sick would turn for relief, and it is one of the narrowest of prohibitions which forbade Christians to employ Jewish physicians. Rather trust to the prayer of the priest and the efficacy of the mass than to the exact knowledge of one of the accursed people. This would place the patients, cured from disease under obligation to the physician and as in the council of Oxford is the reason given why Jews should not have Christian slaves was that it was not meet that the children of the free woman should serve those of the ~~bond~~ ^{bond} woman so also here the thought was that it was not proper that the children of the free woman should in any way acknowledge the superiority of those of the ~~bond~~ ^{bond} woman and be obligated to them. 'Tis true there were hospitals attached to the various convents and monasteries but medicine and its practice was not much encouraged by the church as e.g. the council of Florence of 1573 forbade physicians to visit for the third time a patient whose sickness had not declared itself and towards none did the antipathy so manifest itself as against the Jewish physicians as may be seen from the following decree again originated in the thirteenth century and continuing thereafter. (at the council of Constantinople 62) it is true, it was forbidden to take medicine from the Jews but this was rather as a prohibition to associate with them for at that

times the Jews were not specially known as physicians nor were decrees to that effect, at all common)

Reims 1246. Canon 43 forbids every Christian under pain of excommunication to employ, in case of sickness, Jewish physicians.

Worms 1246 Canon 43.

Christians shall not, when sick take medicine from the Jews.

Albi 1254. Canon 69.

Christians shall not use Jews as physicians.

Vienna 1267.

Jews shall not visit sick Christians nor in any way practice medicine.

Oxford 1287

If any Christian be sick he shall not take medicine from the Jews.

VIII Usury

This has usually been held up as the great misdemeanor of the Jews - the taking of usury, it was very prevalent but it was the only measure the Jews possessed to protect themselves; they lent their money to the barons and others and it was only by asking an exorbitantly high rate of interest that they could hope to recover any of their money for they were often by force compelled to relinquish their claims. It was not only the Jews who practiced usury for the church councils forbade it in general terms; it is again in the thirteenth century

that we find the Jews specially designated as forbidden to take usury from the Christians. There is no doubt but that the Jews took what advantage they could in the matter of money for they felt that in the possession of large sums of money their power, their only power against willful oppression and even expulsion lay; it was this that procured their return to France after the first expulsion; it was this that helped to satisfy the greed of rulers and sovereigns and gained the Jews thus some protection. They thus wished their money to bring them all the benefit and interest it was capable of and hence deterred by no scruples they extracted it at as high a rate as they could; often complaints would be uttered against the usury of the Jews and it was this that drew upon them the hatred of the people and yet when at one time Louis IX of France, in result of complaints of this kind took steps to prevent usury, the barons who were present in consultation, declared that the people could not do without the loans from the Jews and that it was better to tolerate Jewish usurers than Christian who laid still heavier rates of usury upon the debtors. There is no doubt of the fact but that this practice of usury was wrong but in the light of the circumstances and the times in which they lived, the Jews

may perhaps be pardoned for making use of this their only
weapon against untiring foes and persecutors.

Arignon 1239. canon 4.

The Jews shall be forced under pain of excommunication to
restore to the Christians what they have acquired by usury.

Lateran Council of 1215. canon 67

forbids to the Jews excessive usury against the Christians.
Karlsruhe 1237.

The Jews shall not overwhelm the Christians with immoder-
ate usury.

These two decrees are at least just and protective to the Christians
who may have suffered from the too exorbitant demands
of their Jewish creditors.

^{of the Jews}
Lyons 1241 canon 57 Christians should not entrust money to Jews
lest latter employ it for usury.

Lyons 1246 canon 37

The Jews shall not take usury from the Christians.

Albi 1254 canon 63.

Like the above

Beziers 1255. canons 27, 28, 29 concerning usury of the Jews
Everything more than the capital is considered usury.

Montpelier 1258

The Jews may not demand usury.

Balaria 1284.

The church denounces as excommunicated all Christians who deposit their money with Jews or receive money from the Jews so that the Jews can turn their money to usury.

IX Special Prohibitions & Commands not otherwise classified.

There are quite a number of prohibitions and commands which were passed in reference to the Jews by the councils which do not belong under any of the subjects as above designated. These we will now give as a conclusion to this long list of excluding decrees.

There was a very peculiar decree passed at the council of Eliberis in 303 which shows how very close indeed was the intimacy of the Jews and Christians and demonstrates even the high respect in which the Jews were held and the deference paid them by the Christians, also the high honor in which the religion of the Jews was held and the great power the prayers of its adherents were supposed to have. It appears to have been the custom in that portion of Spain to bless the fields every year to insure their productivity and it further appears that the Christian populace rather employed Jews for this purpose than their own priests, therefore the council passed the following decree the forty-ninth. We forbid the faithful who possess fields to have them blessed by

the Jews as if they wished to render useless the blessing of the priests.

There are some few decrees which might perhaps be classed with those forbidding any connection with the Jews but which do not directly come under that head.

At Laodicea in the 4th century it was forbidden to receive the unleavened bread which the Jews give during their Passover. Undoubtedly at that early period when the question of the time of the Easter celebration was still in doubt and far from being definitely settled, there were Christians who still celebrated Passover with the Jews and received their unleavened bread; as in all the early decrees, the object here is to ensure a separation between the adherents of the two religions.

At Meaux near Paris in 1246 a peculiar decree was passed which forbade butchers to employ Jews to wash their meats.

At Véz in 1246 it was ordered that Jews shall sell no meat on the days that Christians eat it not, their meats they may sell in their own houses but not in Christian markets.

And at Albi in 1254 it was likewise ordered that Jews shall not sell their meats in Christian markets nor shall Christians buy their meats and drinks.

At Macon in 581 a decree was passed which reads as follows;
(it is the fourteenth canon of that council.)

The Jews shall respect the clergy nor sit down before the bishop unless they receive order to do so.

The council of Karbonne in 589, canon 9 forbids the Jews to bury their dead to the singing of psalms under pain of paying to the lord of the city a fine of six ounces of gold.

The fourth council of Toledo of the year 633 passed the following decree besides those already mentioned above.

58 Priests and laymen are prohibited from giving any protection to Jews against the interest of the faith under pain of excommunication.

59 The bishop is commanded to recall to the bosom of the Church the Jews who have left it after having received baptism. It is commanded that their children whom they have circumcised be taken away from them and that their slaves towards whom they have acted in like manner, be set at liberty.

60 Bezele C. I. III 37 understands the ante to refer to time, the Jews shall not sit down before (in time) the bishop.

62
60 The sons and daughters of apostate Jews shall be placed in monasteries or with proper persons in order to be raised as Christians in faith and in morals.

61 Children of Jews who shall have apostatized shall not be deprived of the property of their parents.

62 Christianized Jews shall have no intercourse with infidel Jews. The Council of Toledo of 655 ordained the following in regard to baptized Jews.

The baptized Jews shall be present at the principal holidays in the city in order that the bishop may judge of the sincerity of their conversion and of their faith; those who shall be absent from these feasts shall be punished according to their age either with rods or some other corporal punishment.

Decrees of this kind generated that hypocrisy and secrecy which compelled so many thousands of Jews to be Christians in public while in their own houses they practiced the rites of their own religion the more acriduously.

At the Synodus *Salmensis* in the year 1280 it was ordered that no claims of Jews against Christians are to be entertained by any judge under pain of excommunication. No judge shall compel a Christian to pay debts to the Jews even if the latter are supported by the testimony of letters.

At St. Quentin in 1271 it was ordered that lay magistrates shall

not compel priests to pay tithes they owe them without
first consulting the bishop.

In many districts the tithes were compelled to pay a tax
often consisting of a tithe for the support of the clergy,
several of the council ordered this beginning again in
the thirteenth century.

The Lateran Council of 1215 ordered the tithes to pay the ^{the} and other
offerings for the houses and estates they have bought from
the Christians.

At St. Francis in 1215 a synod ordered that tithes and houses
be forced to pay the tithe like all others.

At a council in Spain held in 1215 mention of the tithes was
of which is lost it was likewise ordered that tithes and houses
pay the tithe like all others.

At Oxford 1222 it was ordered that tithes pay the tithe to the
churches of the diocese wherein they dwell.
that of Rochester of 1221 followed with the command that
the tithes shall pay the church yearly in tithes in tithes
way of offering.

At Oxford 1246 the tithes shall yearly pay the church six denarii
for tithes.

At Oxford in 1247 it was ordered that the tithes inhabiting lands
and houses in a diocese should pay a tithe for the support

of the churches of that diocese.

In the thirteenth century again we first come across that cruel prohibition which forbade the Jews to erect a new synagogue, in England especially we find this mentioned several times both at the council of Oxford and Exeter, but also in a letter of John Bechham, Archbishop of Canterbury, to the Lord Bishop of London urging the destruction of Jewish synagogues within a short period and further urging that Jews be not permitted to build new synagogues.

The Councils of the 13th. century which touch this subject are those of

Oxford 1222 The Jews shall not erect new synagogues.

Vienna 1267 The Jews shall build no new synagogues and should they erect any they shall remove them. They may repair old ones if necessary, but not make them larger, nor more valuable nor higher.

Exeter 1287. The Jews shall erect no new synagogues but if the old ones are falling to ruin they may repair them, they shall not make them larger nor of greater value.

This council of Exeter took place four years before the final expulsion of the Jews from England; in it were revised all the decrees passed by councils in preceding years in other lands.

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and these prohibitions were but the beginning of the final
cruel order to the Jews to leave their homes, their all
and cross the Channel to wander they knew not whither.

These decrees which we have given will offer a sufficient
insight into the condition of the Jews in Europe during
the centuries which we have named the fourth to the thirteenth
what follows is in great measure repetition in but an
aggravated form of what we have described. After reading
and studying these decrees and thinking of all the power
and might which enforced them the wonderful career
and preservation of the Jews cannot but forcibly occur to every
mind. It is indeed well nigh a miracle that any of this
people remained and yet after every severe blow if only the
slightest ray of light, however dim shone, they readily re-
covered even from the most overwhelming misery and
in the days of safety thanked their God for the brief respite
granted them never murmuring against Him even
in the darkest and saddest days. It was this their strong
faith in the God of their fathers that supported them, it
was their religion that whispered hope and consolation, it
was their strong unbending that there was the truth that
filled them with that strength, that made of weak men

and women martyrs, that enabled them to defy torture,
persecution, the torture rack, the funeral pyre, all, all the
sufferings the most keen and intense that men have
ever experienced. Gradually, however, as men's minds were
freed from that narrow dogmatism which found truth
only in their own creed and denounced all others as erro-
neously as the first light of the dawn of the Renaissance turned
into ever broader day the sufferings of the few diminished
and the moment of victory after the long and hard fought
battle of centuries came, the power of ecclesiasticism was broken,
the dense ignorance of the masses in many portions of the
world was lifted; as in earlier days persecutions were preached
so now tolerance was advocated and proclaimed; men's
religious convictions can not be eradicated by force, the more
a sect or creed is persecuted, the more firmly will its
adherents cling to it; there is but one truth, but there are many
aspects of that truth; all religious systems have something
of the truth in them; the error thereof will only be removed
by enlightenment and by time; in our day at least that
great step forward has been made that men are permitted
to believe as they will; no church has that power and
that might to legislate against others of a religious
persuasion different from their own; no church holds the

civil powers in awe, a liberal and broader spirit pervades
all religious creeds which with God's help and in this time
will as grow that error being eliminated truth will rule
all men's convictions and suffering for conviction's sake
will no more be known. Those harmful decrees belong to a
dark and vanished past, they have been collected and given
thus connected merely to show that in spite of all torture,
degradation, bloodshed, martyrdom death the truth,
God's truth must triumph and in the end it alone
will rule o'er the earth and invite all men as brethren
by its benign and gentle influence, or as the prophet ex-
presses it the time will come when God shall be one and
His name one.