

Jewish Historical Studies

Transactions of the Jewish Historical Society of England

Article:

Jews and felony in English communities and courts, 1190–1290

Henry Summerson^{1,*}

How to cite: Summerson, H. 'Jews and felony in English communities and courts, 1190–1290'. *Jewish Historical Studies*, 2021, 52(1), pp. 70-117.

DOI: <https://doi.org/10.14324/111.444.jhs.2021v52.006>.

Published: 03 June 2021

Peer Review:

This article has been peer reviewed through the journal's standard double blind peer-review, where both the reviewers and authors are anonymised during review.

Copyright:

© 2020, The Author(s). This is an Open Access article distributed under the terms of the Creative Commons Attribution License (CC-BY) 4.0 <https://creativecommons.org/licenses/by/4.0/>, which permits unrestricted use, distribution and reproduction in any medium, provided the original author and source are credited • DOI: <https://doi.org/10.14324/111.444.jhs.2021v52.006>

Open Access:

Jewish Historical Studies is a peer-reviewed open access journal.

*Correspondence: henry.summerson@tiscali.co.uk

¹Independent scholar

Jews and felony in English communities and courts, 1190–1290*

HENRY SUMMERSON

The thirteenth-century kingdom of England was a community, by the mid-1260s understood as such at even the lowest social level.¹ It was also honeycombed by other, lesser, communities of various kinds, such as guilds, parishes, boroughs, even whole counties, each with its own rights and responsibilities, but all linked by the overriding allegiance their members owed to the king.

Terms of reference

The word “community” is capable of bearing many interpretations.² In the context of this essay it is primarily understood as a group whose coherence arises from a collective activity. That coherence may be the considered outcome of a group’s formation or it may be imposed by a more powerful external agency. But in some communities coherence may be essentially inherent rather than acquired. Kinship groups offer one example, another is provided by the medieval English Jews. The latter constituted a community at a national level. As such it was able to petition the crown as “la communalte de Ieus”,³ to own property,⁴ and even, on occasion, to raise money to pay taxes,⁵ and it also embraced a number

1 As noted by e.g. David A. Carpenter, *The Reign of Henry III* (London: Hambledon Press, 1996), 309.

2 For a wide-ranging survey see Susan Reynolds, *Kingdoms and Communities in Western Europe, 900–1300* (2nd ed., Oxford: Oxford University Press, 1997).

3 George O. Sayles, ed., *Select Cases in the Court of King’s Bench under Edward I*, vol. 3, *Selden Society* 58 (1939), cxiv.

4 Paul Brand, ed., *Plea Rolls of the Exchequer of the Jews vi: Edward I, 1279–1281* (hereafter, *EJ vi*), (London: Jewish Historical Society of England, 2005), no. 477 (p. 162).

5 *Ibid.*, App. 5, 72.

* I am most grateful to Professor Paul Brand for reading an earlier draft of this paper, and for making a number of valuable comments on it. I am also grateful to Paul and Susanne Brand for giving me the use of transcripts made for their forthcoming edition of *Plea Rolls of the Exchequer of the Jews*, vol. vii, hereafter (B). I am obliged, too, to two anonymous referees for valuable suggestions to improve this article.

of similarly empowered communities, formed by the Jews of the various towns in which they were licensed to live and carry on their business. Jews, too, owed allegiance to the English crown, but their communities differed from all the others on one crucial point, namely their religion, for it was by their beliefs, the liturgies and rituals through which these were expressed, and the culture which developed from them, rather than by any kind of biological configuration, that they were defined.⁶

In 1277 an Oxford Jew named Joce Bundy was charged with theft and currency offences, serious crimes which might well have brought him to the gallows had he been convicted of them. Not only does Joce seem to have been something of a rogue, but he also appears to have been a man on whom the obligations of his religion sat lightly, for it was testified that “he lived not after the manner of a Jew, nor according to the law of Moses”, and so he was asked whether he held to Christian or Jewish law. But when he requested a weekend’s grace in which to think the matter over, “the Masters of the Jews and the entire community of the Jews” responded by declaring that if anyone who was asked such a question “did not forthwith answer that he was a Jew, he would thenceforth no more be held by them as a Jew, therefore they say that he is no Jew, nor of any law”.⁷ This dogmatic pronouncement, one apparently in conflict with the more usual argument that a Jew remained a Jew even when he or she had converted to Christianity,⁸ may have been prompted by temporary exasperation at Joce’s noncommittal stance, for it was not maintained: Joce was subsequently permitted, as a Jew, to abjure the realm for a limited period, variously recorded as two and three years, and then to pay half a gold mark (£3 6s 8d) not to be obliged to leave England at all.⁹ But in a thirteenth-century context it was not possible for him to be of no religion. He had not apostasized from Judaism, and so he remained, in religion and therefore by definition, a Jew, as such distinguished from the Christians

6 There is much that is pertinent here in Robert Bartlett, *The Making of Europe: Conquest, Colonization and Cultural Change, 950–1350* (London: Penguin, 1993), ch. 8.

7 James M. Rigg, ed., *Select Pleas, Starrs, and Other Records from the Rolls of the Exchequer of the Jews, A.D. 1220–1284*, Selden Society 15 (London: Quaritch, 1902), 95–6, referring also to E 9/24, mm. 2, 2d. Unless otherwise stated, all unpublished documents cited are in The National Archives, Kew.

8 Robert C. Stacey, “The Conversion of Jews to Christianity in Thirteenth-Century England”, *Speculum* 67 (1992): 280–81.

9 Sarah Cohen, ed., *Plea Rolls of the Exchequer of the Jews v: Edward I, 1277–1279*, rev. and intro. Paul Brand (hereafter, *EJ v*), (London: Jewish Historical Society of England, 1992), nos. 137 (p. 21), 146 (p. 23).

among whom he lived.

This paper examines the ways in which felonies involving Jews, of the kind alleged against Joce Bundy – primarily homicide and theft, but also violent assault and rape, and what may be loosely called currency crimes – were treated in thirteenth-century England, both by their own communities and by the tribunals appointed by the crown to handle them, and does so both when they were the alleged perpetrators and when they were named as victims. The article then analyses some of the ways in which the treatment of felonies can illuminate the broader issue of relations between Christians and Jews. It does not deal with the so-called “ritual murders”, the killings of boys by torture and crucifixion which were intermittently alleged against English Jews; many of these were products of the twelfth century, and they seldom gave rise to judicial records. Rather it is concerned with what may be called the conventional felonies routinely handled by royal courts. That is not to say that no other courts had a part to play in keeping the peace by and among Jews – the scanty evidence for proceedings in Jewish tribunals is discussed later – only that the survival of sources means that research papers are unavoidably based very largely on records which the king’s courts generated. It is necessary to bear in mind, however, that those records summarize, in Latin, proceedings which were mostly conducted in French, and that their dry phrasing may well conceal often passionate charges and no less forceful rebuttals. Although their evidential value is great, they leave out much that the historian would like to know.

The prevention and punishment of crime, however defined, has been a matter of concern for all societies at all times. By the thirteenth century the maintenance of order and repression of crime in England had come to depend on a system whereby responses to suspicious or lawless behaviour were directed by a growing number of officials and monitored by a complex of local courts, all overseen by eyres, periodic visitations by royal justices.¹⁰ It was a system within which Jews, both as individual men and women and as members of communities, were in most respects readily able to find a place. The extent to which they complied with it is largely assessed by reference to judicial sources,¹¹ with their inevitable emphases

10 See Henry Summerson, “Maitland and the Criminal Law in the Age of Bracton”, in *The History of English Law: Centenary Essays on “Pollock and Maitland”*, ed. John Hudson (Oxford: Oxford University Press, 1996), 115–43.

11 Above all TNA, class JUST 1, catalogued as “Justices in Eyre, of Oyer and Terminer, and of the Peace, etc: Rolls and Files”, hereafter eyre rolls.

on law-breaking. But this study has a wider purpose than the gathering and scrutiny of evidence for criminality. The issues examined include the dealings of Jews with the king and the ways in which his government might affect and direct their lives. But the context in which these are considered is a broad one, which extends beyond the secular institutions and processes regulated by the central government, to the ways in which, under the overarching umbrella of the king's peace, Jews endeavoured to maintain order within their communities, through constraints religious, moral, and institutional, in accordance with their traditions and needs. Their endeavours must in turn be understood as having been shaped by a steady intensification of anti-Jewish feeling on the part of Christians, at every social level, and by the threat of systemic persecution and spontaneous violence which might arise from it.¹²

A minority under pressure

The century of 1190–1290, the second of a Jewish presence in England, has been chosen for the richness of its sources as well as for the light these can shed on the tensions and enmities recorded in them. The documentation is overwhelmingly Christian in origin, and even when written in Hebrew it was usually intended to meet the requirements of royal officials dealing with Jewish affairs; only very occasionally did it originate spontaneously in communities of Jews. Despite the records' fullness, there are some issues which they cannot elucidate with precision, not least that of how many Jews were resident in England. When the Jews were expelled from England in 1290, some chroniclers supplied estimates of their numbers, giving figures which were both crazily exact and absurdly exaggerated – 15,060 according to the Hagnaby Chronicle, 17,511 according to John of Oxnead.¹³ In fact it is clear that Jews always constituted a tiny minority within the country as a whole, that there were probably never more than 5,000 of them, and that from the mid-thirteenth century their numbers appear to have been in steady decline.¹⁴

Separated from the Christian majority by religion, and by suspicion

12 For the growth of hostility towards Jews see e.g. Robert I. Moore, *The Formation of a Persecuting Society: Power and Deviance in Western Europe, 950–1250* (Oxford: Blackwell, 1987), 29–34.

13 British Library, London (hereafter, BL), Cotton Ms. Vesp. B. xi, fol. 33; *Chronica Johannis de Oxenedes*, ed. Henry Ellis (London: Rolls Series, 1859), 277.

14 Robert Bartlett, *England under the Norman and Angevin Kings, 1075–1225* (Oxford: Oxford University Press, 2000), 346; Stacey, "Conversion of Jews", 269–70.

and resentment of Jewish involvement in credit finance (which, although genuine in some cases, was projected by Christian hostility as carrying a weight in Jewish affairs out of all proportion to the reality), Jews nonetheless shared with that majority a morality based on the Ten Commandments (a Jewish text long before it became a Christian one), with its prohibitions against murder and theft, while the peace which both Christians and Jews undertook to uphold was the English king's. Jews prayed for the king and acknowledged the legitimacy of his rule.¹⁵ They had come to England during the reign of William I, and thereafter remained dependent on his successors for protection. They never needed it more than at the moment of a king's coronation, when the peace which had died with his predecessor was authoritatively restored after a period of unease. The terrible massacres of 1189–90 which followed the coronation of Richard I (in London they actually accompanied it) may reflect this time of vulnerability.¹⁶ It was with good reason that as soon as Henry III died in 1272, at least one London Jew fled for safety to the Tower,¹⁷ while the council established to govern the realm in the absence of Edward I proclaimed the new king's peace in the capital for both Christians and Jews.¹⁸

The 1272 proclamation underlined the fact that as the king's subjects, law-abiding Jews were entitled to his peace, and in theory at least received it. When in 1284 a Jew was found killed in Bagley Wood, just outside Oxford, the fact that his identity was unknown did not prevent his killer being named, arrested, and hanged.¹⁹ English Jews paid a high price for their protection, however, in the coin of royal manipulation and control. Never more in evidence than in 1290 when England's Jewish community was exiled *en masse* by Edward I's command, the king's authority constituted an ever-present factor in Jewish lives. In Christian eyes this could be justified by reference to an increasingly constrained relationship which came to make the Jews effectively royal property, so that by the

15 See S. Singer, "The Earliest Jewish Prayers for the Sovereign", *Transactions (Jewish Historical Society of England)* (hereafter, *Transactions*) 4 (1903): 103.

16 See e.g. Cecil Roth, *A History of the Jews in England* (3rd ed., Oxford: Oxford University Press, 1964), 18–25.

17 Zefira E. Rokeah, ed., *Medieval English Jews and Royal Officials: Entries of Jewish Interest in the English Memoranda Rolls, 1266–1293* (Jerusalem: Hebrew University Magnes Press, 2000), no. 430 (p. 107).

18 Thomas Stapleton, ed., *De Antiquis Legibus Liber: Cronica Maiorum et Vicecomitum Londoniarum*, Camden o.s. 34 (1846), 152–3.

19 JUST 1/48 m. 34.

time of their expulsion they, their earnings, and their possessions were entirely at the monarch's disposal. An addition to the legal text known as *Bracton*, declaring that "A Jew indeed can have nothing of his own, because whatever he acquires, he acquires not for himself but for the king", defines succinctly their position by the late thirteenth century.²⁰ But long before then Jews had been exposed to continuous exploitation by royal government, principally in the form of heavy, and ultimately crippling, taxation.

Relief from disabilities could be secured through conversion, and Jews were under pressure to convert throughout the thirteenth century.²¹ Many did so, especially from the 1250s onwards, though there were doubts as to how genuine such conversions were, understandably in those cases where a convert's change of faith also secured his quittance from a charge of felony that might otherwise have brought him to the gallows. Conversion deprived a Jew of all his goods, forfeited to the king who otherwise lost, in a Jew, what was regarded as part of his property, and also involved a change of name, but it wiped the slate clean. In a spectacular case from 1258, in which Elias le Eveske, until the previous year the head of England's Jewish community, was accused of having hired an assassin to kill his successor in that office, proceedings came to a sudden end when Elias announced his conversion to Christianity.²² He forfeited chattels valued at 400 marks, and took the name Henry, either in gratitude to the king who gave him 200 marks back, or because Henry III sponsored him at the font, possibly for both reasons.²³ Abraham of London, despite his toponym a Lincoln Jew, who converted after being charged with offering clipped money for sale in about 1280, was thereafter named John de la Tur – probably he had been imprisoned in the Tower of London, and converted there.²⁴

Jews understandably resented and resisted conversions out of their communities, which could give rise to disorder and violence. A well-known case, recorded in 1235, in which a number of Norwich Jews were accused

20 George E. Woodbine, ed., and Samuel E. Thorne, trans. with revisions and notes, *Bracton De Legibus et Consuetudinibus Angliae*, 4 vols. (Cambridge, Mass: Harvard University Press, 1968–77), vol. 4, 208 n. 3.

21 Discussed by Stacey, "Conversion of Jews", and "The English Jews under Henry III", in *The Jews in Medieval Britain: Historical, Literary and Archaeological Perspectives*, ed. Patricia Skinner (Woodbridge: Boydell Press, 2003), 41–54. For an extended annotated list see Joshua M. Curk, "From Jew to Gentile: Jewish Converts and Conversion to Christianity in Medieval England, 1066–1290" (D.Phil. diss., Oxford University, 2015), appendix.

22 JUST 1/1187 m. 10.

23 E 159/32 m. 7d.

24 JUST 1/497 m. 48d.

of abducting and circumcising a small boy, in the process changing his name from Odard to Jurnepin, seems most easily explicable as a foolhardy attempt (which cost some of those involved their lives) to reclaim for their community the son of one of its members who had converted.²⁵ In the following year an Oxford convert was recorded as complaining that a group of Jews were denying him access to his own children, no doubt to prevent their following their father's example.²⁶ But conversion could be a two-way business. Not only was there a handful of cases in which Christians became Jews, but Jews who became Christians did not always remain in their new faith, unsurprisingly when their conversions resulted from the threat, or actuality, of violence, as seems to have happened with some frequency during the Barons' Wars of the mid-1260s. When Montfortian rebels attacked Bedford, probably in 1266, they destroyed records of debts, and also seized Benedict, son of Peitevin, a Jew of that town, and carried him off to their stronghold at Ely, where he was forcibly baptized. Probably a young man, Benedict renounced Christianity shortly afterwards, and remained at Bedford until he accompanied his fellow Jews into exile in 1290.²⁷

Conversion under threat, and subsequent apostasy, may have been particularly common in London, in the light of a letter which Henry III sent to the constable of the Tower in about 1270, informing him that some converted Jews were returning to the faith they had abandoned and trying to persuade other converts to do the same, and ordering him to have such apostates arrested and handed over to the keeper of the then-vacant see of London.²⁸ As late as 1288 a London Jewess named Swetecota was recorded as complaining that her enemies were maliciously defaming her by giving out that she had been baptized "between the two battles of Lewes and Evesham", that is, in either 1264 or 1265.²⁹

The limits of separateness

Swetecota's complaint was initially made to Edward I, who passed it to his justices for investigation. At a more formal level, relations between crown and Jews were shaped by a charter of Henry II, now lost but recoverable

25 *Curia Regis Rolls xv: 1233–1237* (London: HMSO, 1972), no. 1320 (pp. 333–5).

26 *Close Rolls of the Reign of Henry III preserved in the Public Record Office* (hereafter, CRHIII), 14 vols. (London: HMSO, 1902–38), 1234–1237, 358.

27 E 101/241/27 no. 21.

28 SC 1/14 no. 63.

29 *Calendar of the Close Rolls preserved in the Public Record Office* (hereafter, CCR), (London: HMSO), 1279–1288, 500.

through subsequent charters granted by Richard I and John, which laid down that transgressions arising between Jews should be dealt with in Jewish courts. The exceptions were those which, in the words of John's charter, "pertain to our crown and justice, like homicide and mayhem and premeditated assault and house-breaking and rape and arson"; these, like those between Jews and Christians, were to be reserved to the king and his justices.³⁰ The king's direct involvement in judicial proceedings involving Jews could never be ruled out, especially under the devout Henry III. His personal interest in matters Jewish was most strikingly manifested in his treatment of the Jews allegedly responsible for the death of Hugh of Lincoln in 1255.³¹ Similarly, it was recorded at the 1247 Buckinghamshire eyre that a Jew of Wycombe named Aaron, suspected of killing an unnamed boy, had been outlawed "at the king's suit by his writ".³²

Such cases were usually handled by the king's justices, however, and especially by those who presided in the Exchequer of the Jews. A branch of the main Exchequer at Westminster, established in the years on either side of 1200 to oversee the king's dealings with his Jewish subjects, it was a court as well as a fiscal agency.³³ Other royal courts might sometimes take cognizance of Jewish business, which could be heard in what became the courts of the Common Bench and King's Bench, or at eyres conducted before royal justices itinerant, but proceedings there were liable to be halted or sent to the Jewish Exchequer by royal writ. At the 1250 Norfolk eyre, for instance, an accusation of arson, made in the form of an appeal of felony against a number of Jews by a Norwich chaplain, was stayed both by the chaplain's declining to sue and by the Jews producing a writ forbidding the action to continue.³⁴ However, actions sent to Westminster did not necessarily remain there. In another Norfolk case, recorded at the 1268/9 eyre, proceedings against four Jews who had been appealed of

30 Thomas D. Hardy, ed., *Rotuli Chartarum in Turri Londinensi Asservati, 1199–1216* (London: Record Commission, 1837), 93.

31 David Carpenter, "Crucifixion and Conversion: King Henry III and the Jews in 1255", in *Laws, Lawyers and Texts: Studies in Medieval Legal History in Honour of Paul Brand*, ed. Susanne Jenks, Jonathan Rose, and Christopher Whittick (Leiden: Brill, 2012), 129–48.

32 JUST 1/56 m. 46d.

33 See Henry G. Richardson, *The English Jewry under Angevin Kings* (London: Methuen, 1960), 114–20; R. C. Stacey, "The Massacres of 1189–90 and the Origins of the Jewish Exchequer, 1186–1226", in *Christians and Jews in Angevin England: The York Massacre of 1190, Narratives and Contexts*, ed. Sarah Rees Jones and Sethina Watson (York: York Medieval Press, 2013), 106–24.

34 JUST 1/565 m. 36.

robbery were transferred by royal writ to the Exchequer of the Jews, but since that court was not sitting because of the disturbances resulting from the Barons' Wars, the appeal had after all to be referred back to the eyre.³⁵ The fact that an appeal of homicide against five Oxford Jews seems to have been called into the Jewish Exchequer in 1284 did not prevent either its being prosecuted at the following year's Oxfordshire eyre, or the trial and acquittal of the principal suspect at Newgate in 1286.³⁶

Although felony cases involving Jews could in theory be heard in any royal court, and especially at eyres, there appears to have been a general trend towards reserving them for the justices of the Jews. In 1261 justices conducting an eyre for Northamptonshire were forbidden to hear the appeal which a woman had brought against four Jews for the death of her son, on the grounds that proceedings had been concluded in the Jewish Exchequer, and that in any case they had no jurisdiction "touching the king's Jewry".³⁷ In the years which followed the government intervened several times to send actions from eyres to the Exchequer of the Jews.³⁸ It is not always clear, however, where the initiative lay on these occasions. In 1273 proceedings at Newgate against Hake (or Isaac) Poleyn, a Jew appealed of robbery, were halted by a royal writ directing that they be sent to the Jewish Exchequer, on the grounds that "by ancient custom and concession of our predecessors, kings of England, to our Jews hitherto granted and confirmed, the said Jews are not to plead or be impleaded, to appeal or be appealed, except before our justices assigned to the custody of the Jews". When the case was heard there, Hake presented reasons why he should not have to answer, but then offered to clear himself "by the assize and custom of the Jewry". Proceedings ended without a verdict, with the accuser abandoning his action, and with Hake successfully proffering ten bezants (or 20s) for release from prosecution at the king's suit, undertaking to pay the money next day.³⁹ The way in which this case ended, one not usually found in other royal courts when robbery was at issue, may indicate that it was Hake, rather than anyone representing the crown, who had obtained a writ to ensure that the case was heard in the Exchequer of the Jews, in the belief that he would fare better there than in any other tribunal. Similar considerations may have caused other Jews to do likewise.

35 JUST 1/569A m. 23d.

36 E 9/54 m. 11 (B); JUST 1/710 mm. 54d, 57d, 58; JUST 3/36/1 m. 33.

37 JUST 1/616 m. 27.

38 E.g. CRHIII, 1264–1268, 470; CRHIII, 1268–1272, 336, 379.

39 Rigg, *Select Pleas*, 78.

The treatment of English Jews when they came to court made some allowances for their religious distinctiveness, without doing much to moderate the disadvantages imposed on them. They could pay to have proceedings deferred from the Sabbath to some other day,⁴⁰ and they were permitted to swear on what was referred to as a roll, or a great roll (no doubt a Torah scroll), or the book of Jewish law,⁴¹ rather than on the Gospels – presumably this was “the five books of Moses”, or Pentateuch, on which a litigant took his oath in 1280.⁴² But, although procedure was not entirely consistent, they were usually required to stand trial by a mixed jury, made up of Christians and Jews, sometimes in equal numbers but more often with the Jews outnumbered, by six to twelve or even eighteen. Some defendants declined to accept trial on such terms, but the justices, though perhaps at first uncertain as to procedure, seem eventually to have insisted on it. When in 1273 Joce son of Benedict, a Northampton Jew, was accused of theft by an approver (the medieval equivalent of someone turning queen’s evidence, a self-confessed criminal who hoped to save his own life by securing the conviction of his associates), he refused to put himself on a jury that did not consist entirely of Jews, claiming that “of such a charge the Jews of England are only bound to acquit themselves by oath of Jews”. He was released to pledges willing to guarantee his return to court, presumably while the matter was discussed.⁴³ Joce’s fate is unrecorded, unlike that of another Northampton Jew, one Jacob Sweteman, accused of theft in 1285 when he, too, demanded trial by Jews alone. This time the justices did not hesitate, telling Jacob emphatically that it was “manifestly contrary to the law of the Jews, that any Jew can be acquitted by Jews only”, and remanding him to the starvation diet known as *peine forte et dure*, reserved for suspects who refused to put themselves on a jury’s verdict, until he either pleaded in proper form or died (nothing further is said of him, so he probably died under the *peine*).⁴⁴

Outside the courtroom, Jews were distinguished from Christians, at least at some social levels, by language. A polemical text probably of the mid-thirteenth century represents a Bristol Jew and his sister as speaking

40 JUST 1/1187 m. 16d; see also Fred A. Cazell, ed., *Rolls of Divers Accounts for the Early Years of the Reign of Henry III*, Pipe Roll Society 82 (London, 1982 for 1974–5), 92.

41 James M. Rigg, ed., *Calendar of the Plea Rolls of the Exchequer of the Jews i: Henry III, A.D. 1218–1272* (hereafter, EJ i), (London: Jewish Historical Society of England, 1905), 42; CRHIII, 1247–1251, 375; EJ v, no. 294 (p. 46).

42 EJ vi, no. 724 (p. 203).

43 EJ iii, 56.

44 JUST 1/623 m. 27.

English, French, and Hebrew.⁴⁵ The ability to converse in English must, indeed, have been a necessity, but French appears to have remained the language of daily life for Jews.⁴⁶ That was presumably a matter of choice, but it was under authority that after 1218, in accordance with chapter 68 of the decrees of Lateran IV, they were required to dress differently in public from Christians.⁴⁷ Jews had to sew on their outer garments *tabulae*, cloth badges representing the stone tablets recorded in Exodus as inscribed with the Ten Commandments, and thus emblematic of the “Old Law” which Christianity claimed to have superseded.⁴⁸ In fact they were able for several decades to buy dispensations from the government at modest prices.⁴⁹ But ordinances of 1253, which included the stipulation that “each Jew is to bear a visible [*manifestum*] badge on his chest”,⁵⁰ appear to have brought such exemptions to an end. That the displaying of badges was enforced thereafter is strongly suggested by the case, as early as 1255, of the man described simply as “an unknown Jew” who was said to have been killed on a Hertfordshire road.⁵¹ It is possible that physical examination showed that he had been circumcised, but far more likely that his Jewishness was demonstrated by his clothing.

Historians have sometimes offered grounds for believing that relations between Christian majority and Jewish minority were less fraught than the evidence for religious animosity and other resentments might imply, and indeed it would be wrong to suggest that they were invariably characterized by mutual loathing, for there were undeniably occasions when tolerance, or even something like friendship, can be perceived. The defendants in a 1266 lawsuit plausibly claimed to have taken in the belongings of a Kentish Jew, at risk at the time of Simon de Montfort’s siege of Rochester Castle two years earlier, and to have carried them and their own property for safety to Sittingbourne church, though this did not in the end save

45 Robert C. Stacey, “‘Adam of Bristol’ and Tales of Ritual Crucifixion in Medieval England”, in *Thirteenth Century England*, vol. 11, ed. Bjorn Weiler et al. (Woodbridge: Boydell Press, 2007), 12–13.

46 Roth, *History of the Jews in England*, 93.

47 Harry Rothwell, ed., *English Historical Documents: 1189–1327* (London: Methuen, 1975), 672.

48 F. Maurice Powicke and Christopher R. Cheney, eds., *Council and Synods with Other Documents relating to the English Church, A.D. 1205–1313*, 2 vols. (Oxford: Oxford University Press, 1964), vol. 1, 121.

49 Richardson, *English Jewry*, 178–80.

50 CRHIII, 1251–1253, 312–13.

51 JUST 1/320 m. 32d; for a later example see JUST 1/60 m. 30.

them from pillage, after the villagers had been terrorized into revealing their whereabouts.⁵² Royal justices upheld the protocols of their courts in favour of Jewish litigants, as when they quashed an inquest as “made by Christians alone and not by Jews”,⁵³ and dismissed proceedings against a Jew charged with coin-clipping on the grounds that he had been arrested on the accusation of an under-age maidservant.⁵⁴ And juries apparently made up entirely of Christians might clear Jewish suspects: a Jewess charged with arson at the 1247 Warwickshire eyre was acquitted on the combined verdict of three Christian juries.⁵⁵ An appeal of homicide in King’s Bench in 1271 brought something close to an apology when the accusation turned out to be baseless, with the widow and children of a man of St. Albans acknowledging that in appealing Cok Hagin of London of the death “they were falsely informed of his guilt and appealed him by evil counsel”, and undertaking never to sue against him in future.⁵⁶ In 1244 an Oxford jury, investigating allegations of theft and coin-clipping against one Jacob son of Bonefey, returned that he had been “brought up among them from infancy and always conducted himself honestly [fideliter]”,⁵⁷ and on a well-known occasion in 1286 the Christians of Hereford, strictly forbidden by their bishop to attend the Jewish wedding to which they had been invited, so comprehensively ignored the episcopal ban that they were threatened with excommunication.⁵⁸

It had been observed in the twelfth century that English Jews were willing to drink with Christians, unlike their co-religionists on the Continent. But it was also observed that they risked “great ill-feeling” if they declined to do so.⁵⁹ It is noticeable that the pronouncements and events which could support a more optimistic view of Christian-Jewish relations were often intended to mollify situations which in fact presuppose tensions, from the oft-repeated papal pronouncements forbidding attacks, forced

52 EJ i, 132–3, with some detail added from E 9/6 m. 2d.

53 James M. Rigg, ed., *Calendar of the Plea Rolls of the Exchequer of the Jews ii: Edward I, 1273–1275* (hereafter, EJ ii), (London: Jewish Historical Society of England, 1910), 122–3.

54 Hilary Jenkinson, ed., *Calendar of the Plea Rolls of the Exchequer of the Jews iii: Edward I, 1275–1277* (hereafter, EJ iii), (London: Jewish Historical Society of England, 1929), 291.

55 JUST 1/952 m. 44.

56 KB 26/204 m. 31.

57 EJ i, 88 (translation amended by reference to E 9/3 m. 6d).

58 William W. Capes, ed., *Registrum Ricardi de Swinfeld, episcopi Herefordensis, A.D. MCCCLXXXIII–MCCCXVII*, Canterbury and York Society 6 (Hereford: Wilson and Phillips, 1909), 120–22.

59 Joseph Jacobs, *The Jews of Angevin England* (London: David Nutt, 1893), 269.

conversions, and the disturbance of ritual observances downwards. Around 1253 a Jew fatally wounded by a Christian in York was able to clear other Christians of suspicion by saying that they had come to the scene when the hue and cry was raised; his acknowledgement of their law-abiding conduct has to be set against the murderous assault which led to his making it.⁶⁰ An Oxford jury's declaration in 1261 that the chancellor of the university's jurisdiction enabled him to nourish "peace and tranquillity" between scholars and Jews may demonstrate good intentions,⁶¹ but it also indicates that peace and tranquillity needed to be nourished. That need was certainly felt in 1244 (the same year as the verdict on Jacob son of Bonefey), when there was an attack on the town's Jews by university clerks, with houses broken into and "innumerable" goods stolen.⁶² It is indeed pleasant to read of Hereford's readiness to accept Jewish hospitality at a wedding banquet, but it has been shown that the townsmen were usually at loggerheads with the bishop, and that their persistence in accepting the invitation probably owed as much to their determination to put him in his place as to their anticipation of a good party.⁶³

Internal peace-keeping and restraints

The truth appears to have been less that mutual tolerance, or at least acceptance, between Christians and Jews was impossible than that the deep-rooted factors working to separate them (economic, administrative, and religious), along with the hostility to which these easily gave rise, created a permanent volatility in the responses of the two communities to one another. This in turn constituted a never-ending threat to the continuance of anything resembling good relations. Hence the constant background of danger against which English Jews lived, one which inevitably generated a no less constant preoccupation with doing everything possible to avoid triggering the assaults which their Christian neighbours might be provoked or manipulated into launching against them. That in turn included maintaining law and order within their communities, through such constraints as they could devise for controlling the behaviour of their members. What could happen when they failed to do

60 C 144/7 no. 1; killing recorded at the 1257 Yorkshire eyre, JUST 1/1109 m. 34d.

61 JUST 1/701 m. 15d.

62 Henry R. Luard, ed., *Annales Monastici*, 5 vols. (London: Rolls Series, 1864–9), vol. 4, 91 (Chronicle of Thomas Wykes).

63 Joe Hillaby, "A Magnate among the Marchers: Hamo of Hereford, his Family and Clients, 1218–1253", *Transactions* 31 (1988–90): 74–5.

so, or when the constraints failed, was vividly shown in London in 1262, when the wounding of a Christian by a Jew prompted a massive anti-Jewish riot, in which many houses were broken into and robbed.⁶⁴

The institutions and techniques whereby Jews maintained the king's peace, both among themselves and with the Christian majority, were in some respects the same as those functioning throughout the realm. In particular they were expected to come to the hue, that institutionalized uproar which summoned people to the scene of crime or disorder, and they are recorded as having done so. When, for instance, a brawl broke out in London in 1230 involving a Flemish merchant and three Jews, more than a hundred Christians and Jews were said to have come running to the scene, and during the ensuing investigations the head of the Jewish community, Josceus the priest, issued sentence of excommunication against all who uttered falsehood or concealed truth.⁶⁵ Here too there were similarities, for a Christian community and its priest might have acted likewise, employing excommunication as an instrument of lay discipline by threatening, and if necessary imposing, severance from the community and a complete loss of civil rights. But although the people of either religion who remained contumacious for more than forty days could also be brought to heel through appeal to the secular authorities, the consequent penalty appears to have been considerably more severe for Jews. For whereas Christians faced the prospect of arrest and imprisonment until they submitted to their bishop, Jews were liable to have their goods and chattels confiscated. For example, a writ of Henry III in January 1270 recorded that Sadekin of Northampton had been excommunicated for an unspecified offence, "because of which all his goods and chattels according to the law and custom of our Jewry should be ours", and he therefore gave them to Queen Eleanor.⁶⁶

Excommunication was thus potentially a truly formidable weapon, but not always as effective as those who wielded it might have wished, among Jews as among Christians.⁶⁷ When Master Elias son of Mosse, a leading figure among London's Jews in the early years of Edward I's reign, deployed it against the hardly less eminent Cok Hagin (he became head of England's Jewish community in 1281) he met with so much resistance that

64 Stapleton, *De Antiquis Legibus Liber*, 50–51.

65 *Curia Regis Rolls xiv: 1230–1232* (London: HMSO, 1961), no. 1027 (pp. 209–10).

66 Rigg, *Select Pleas*, 87–8, citing E 9/20 m. 3.

67 Summarized by Robert N. Swanson, *Church and Society in Late Medieval England* (Oxford: Blackwell, 1989), 179–81.

in about 1275 he had to invoke the assistance of Archbishop Kilwardby of Canterbury, who in a letter to Robert Burnell, the chancellor, described Cok as having been excommunicated “for manifold crimes of falsity, deceit and wickedness, for which a Christian, too, is justly excommunicated”, and asked him to appeal to the king. But, despite the backing of high-ranking Christians, proceedings in the Exchequer of the Jews suggest that Master Elias still had considerable difficulty in bringing his opponent to heel.⁶⁸

While Christians and Jews could both incur excommunication, there were institutions devised to control and punish criminality from which the latter were excluded. The most important of these was frankpledge: Jews were not tied into the system of mutual oversight within which Christian Englishmen, having been enrolled in groups known as tithings, were sworn to maintain the king’s peace and to accept responsibility for one another’s good conduct. *Non fuit in decenna quare Judeus* (“he was not in a tithing because he was a Jew”) was recorded of a Norwich Jew who had fled for homicide some time before 1268.⁶⁹ Nor do Jews appear to have been expected to attend local courts in any regular way. A presentment at the 1279 Kent eyre described how in the regnal year 1272/3 a quarrel had broken out at a circumcision party in or near Farningham, which resulted in six Jews uniting to kill Sampson of Norwich and his son. Although the case was also investigated in the Exchequer of the Jews, where proceedings in 1278 raised doubts as to whether the men charged with the crime at the eyre were guilty of it,⁷⁰ they were put in exigent at the eyre, initiating the process in the county court whereby they would be outlawed if they did not surrender to the king’s peace. That process also advertised the names of suspects and so increased the chances of their being arrested. But, although there is some evidence for Jews attending county courts as litigants, especially in pursuit of debts,⁷¹ there is none for their formal presence there. Consequently, they must have been slow to learn of any processes of exigent against their co-religionists there, which would thus have been less effective. Similarly, although it was enacted in 1194 that

68 Eleonore M. F. Sommer-Seckendorff, *Studies in the Life of Robert Kilwardby*, O.P. (Rome: Institutum Historicum Fratrum Praedicatorum Romae, 1937), 63–5; Rigg, *Select Pleas*, 87–8; F. Donald Logan, “Thirteen London Jews and Conversion to Christianity: Problems of Apostasy in the 1280s”, *Bulletin of the Institute of Historical Research* 45 (1972): 224–6.

69 JUST 1/569A m. 21d.

70 JUST 1/369 m. 3d, with some details from JUST 1/371 m. 4d; EJ ii, 44–5, EJ v, no. 685 (pp. 129–30).

71 E.g. E 389/84 m. 3 (entry “Perquisites of the Jews of Warwick”), E 389/141 (entry “de Judeis”).

Jews should swear to reveal the names of any forgers of charters or clippers of money known to them – a requirement repeated in later legislation – no institutional framework was created within which they could have done so, and consequently no evidence survives for their having acted as the ordinance demanded.⁷²

Within the wider context of an obligation to observe and maintain the king's peace, English Jews therefore had to devise methods of peacekeeping and crime prevention, which could both supplement and mesh with those operating in society at large. How they did so is not easy to say with certainty, but there are traces in the records of the methods available to them. Exclusion, with or without excommunication, was one possibility. In 1266 the Jews of Canterbury resolved under oath to keep out any "improper person", to the extent that if the king should send such a person to live among them, they would pay to have the order revoked.⁷³ The Canterbury Jews had suffered badly in the recent civil war (according to the local chronicle they had been all but "destroyed and driven out"⁷⁴), and as they tried to rebuild their community they were clearly determined to keep potential troublemakers away. As observed earlier, King John's charter of 1201 had given Jewish communities the right to decide among themselves, in accordance with Judaic law, disputes that did not involve those serious offences which constituted pleas of the crown. Occasional references to "chapters" probably refer to the tribunals which heard such cases.⁷⁵ The court of the Jews of Northampton (where the community had a particularly well-defined corporate identity, owning its synagogue and cemetery and possessing a seal⁷⁶), in which one Josceus le Arblaster was convicted of "a very great trespass" around 1275, may have been one of them.⁷⁷ The Jews of that town were also recorded shortly afterwards, in a seemingly unique case, as having indicted two Jews for having defrauded some merchants, so that they were arrested by the sheriff.⁷⁸ Whether they did so through their court it is impossible to say.

72 William Stubbs, ed., *Select Charters from the Earliest Times to the Reign of Edward the First*, 9th ed. rev. Henry W. C. Davis (Oxford: Oxford University Press, 1921), 256.

73 Rigg, *Select Pleas*, 35–6; discussed by L. Rabinowitz, "The Origins of the Canterbury 'Treaty' of 1266", *Miscellanies of the Jewish Historical Society of England* 3 (1937): 76–9.

74 *The Historical Works of Gervase of Canterbury*, ed. William Stubbs, 2 vols. (London: Rolls Series, 1879–80), vol. 2, 235.

75 Richardson, *English Jewry*, 129–31.

76 E 101/249/27 no. 29; Cecil Roth, *The Jews of Medieval Oxford*, Oxford Historical Society n.s. 9 (1951 for 1945–6), 37–8.

77 C 144/13 no. 8.

78 E 9/42 m. 6 (B).

It is highly likely that rabbis and synagogue officials exercised great authority within every Jewish community, adjudicating on disputes and maintaining discipline through fines and various degrees of exclusion, with excommunication as the final step.⁷⁹ Naturally their efforts did not always succeed, any more than the institutions intended to maintain order among Christians did. In a case like one recorded at the 1285 Oxfordshire eyre, in which Abraham of Bristol was said to have quarrelled with Abraham son of Cresse of London as they made their way between Henley-on-Thames and Wallingford, with the result that the London Abraham killed the Bristol one, the chances of their doing so may well have been weakened by the two men's having been away from their communities and from such restraints as they and their rabbis could impose.⁸⁰ In fact the rabbis exercised no direct authority where criminality was concerned, but they certainly dealt with issues relating to it. In one ruling a woman named Judith, whose husband was thought to be dead, was allowed to remarry after a Christian had admitted to killing a man identifiable as her husband for the sake of the £10 he was taking from York to Lincoln.⁸¹ In a similar case, datable to the late 1260s, Rabbi Elijah ben Menachem pronounced on the question of whether two Jewish women whose husbands had been killed outside London, apparently by criminals, could likewise remarry. As well as giving an authoritative judgment, he pointed to the existence of what appears to have been some kind of judicial hierarchy by pouring scorn on an earlier decision pronounced by what he called "ignorant small-town judges", and ordering that they be whipped, even though in the end he upheld their decision that allowed the women to remain with their new husbands.⁸²

Marriage gave rise to disputes among Jews, and it also generated felony, though the evidence is not always without ambiguities. In a case from York in 1208, a Jew named Milo was accused of killing his wife, in an appeal made by her brother, who claimed that Milo had been conducting an affair with another woman, also Jewish. Three Christian suspects were cleared by both Jews and Christians, but, as often occurred in lawsuits involving

79 Roth, *History of the Jews in England*, 115–19; Paul Hyams, "Faith, Fealty and Jewish 'Infideles' in Twelfth-Century England," in Rees Jones and Watson, *Christians and Jews in Angevin England*, 125–47.

80 JUST 1/710 m. 36.

81 Isidore Epstein, "Pre-Expulsion England in the Responsa", *Transactions* 14 (1940): 192.

82 Pinchas Roth and Ethan Zadoff, "The Talmudic Community of Thirteenth-Century England", in Rees Jones and Watson, *Christians and Jews in Angevin England*, 198.

Jews, no verdict on Milo's guilt was recorded.⁸³ In 1221, in contrast, an unnamed Jew was taken from Banbury to London and hanged there for killing his wife.⁸⁴ These two cases do at least illustrate the kinds of tensions which could arise within Jewish families and communities, and their potential destructiveness. The same is true of a lawsuit from Warwick in 1244, which reportedly involved a violent confrontation at the synagogue door, with one Jewess being accused of biting the nose of another, and the allegedly injured woman of attempting to give literal colour to her claims by smearing her face with animal's blood. Proceedings ended with the offending party agreeing to leave the town, along with other members of her family who had abetted her assault, and never to return.⁸⁵ But no such settlement could be made when in 1274 one Aaron son of Vives was said to have found buried treasure (a royal right) under another Jew's house in London. An inquest found that the charge had been maliciously brought by a third Jew, Josce of Warwick, who had quarrelled with Aaron and was threatening him with bodily harm; so bitter was Josce in his enmity that he refused to find guarantors for his keeping the peace towards Aaron, and was therefore sent to prison.⁸⁶

These last two cases were heard in the Exchequer of the Jews, and demonstrate not only that Jewish communities could be hard-pressed to retain control over the conduct of their own members, but also that outside forces, above all the royal courts and their officials, usually enjoyed an overriding power over the way allegations of Jewish misconduct were treated. Controls did not always take institutional forms, however. More factors may have moved English Jews to virtue or deflected them from evildoing than fear of punishment or of attack, or even than the teachings of religion, for it is also possible to get glimpses of what may be called secular morality, above all in the mid-thirteenth-century *Fox Fables of Berekiah Ha-Nakdan*.⁸⁷ Aptly translated under the title "Fables of a Jewish Aesop", these moralizing tales, which provide a rare opportunity to hear

83 *Curia Regis Rolls v: 1207–1209* (London: HMSO, 1931), 256.

84 David Crook, ed., *The Great Roll of the Pipe for the Fifth Year of the Reign of King Henry III, Michaelmas 1221*, Pipe Roll Society 86 (1990), 181.

85 Rigg, *Select Pleas*, 11–12, 103–4.

86 EJ ii, 160.

87 *Fables of a Jewish Aesop*, translated from the *Fox Fables of Berekiah Ha-Nakdan* by Moses Hadas (New York: Columbia University Press, 1967). I have read these stories alongside Haim Schwarzbaum, *The Mishle Shu'alim (Fox Fables) of Rabbi Berechiah Ha-Nakdan: A Study in Comparative Folklore and Fable Lore* (Kiron: Institute for Jewish and Arabic Folklore Research, 1979).

Jewish voices unmediated by Christian sources, were once believed to have been written in England, but are now thought to have been composed in France, though among their sources were works of the Anglo-French author Marie de France. But there is no reason to believe that they were understood in different ways by readers on opposite sides of the Channel. They offer no coherent programme for survival, but certain themes recur. The strong will always dominate the weak, the best the latter can hope for is sufferance. Be realistic in your aspirations, if you aim too high you will come to grief. And perhaps above all, intelligence will get you through, better than mere strength, as in the parable of the eagle, the snail, and the raven, described by Berekiah as “very pleasing”, and summarized by him as showing that “Better is wisdom than warrior-strength, and the shrewd and clever can by their counsel destroy what the sons of men have builded.”⁸⁸

Shrewdness can easily be given a twist equating it with guile, which may indeed have come to be regarded as an intrinsically Jewish quality. Hence the letter which Geoffrey of Lewknor, an experienced royal justice, wrote to the chancellor, probably early in Edward I’s reign, complaining of the way some Jews accused by an approver at Oxford had been released, thanks “to the suppression of truth and suggestion of falsehood” and “the astuteness and deceit of the Jews.”⁸⁹ Perhaps Geoffrey was influenced by a suspicion that English Jews, like some German ones, would take a solemn oath while making a mental reservation which they believed invalidated it,⁹⁰ but it seems just as likely that these Oxford Jews had shown the mastery of forensic practice which other Jews displayed when they appeared in court on felony charges, and were able to have appeals dismissed as inadequately presented, or to have charges transferred from one court to another, or claimed the protection of royal charters.⁹¹

Shrewdness could be a double-edged weapon, however, when it took the form of cunning, and there were occasions when Jews displayed it in ways less acceptable in court and more dangerous to themselves, as when they engaged in forgery. There may have been an element of religious

88 *Fables of a Jewish Aesop*, 42–3.

89 SC 1/23 no. 182.

90 A. Owen, “The References to England in the Responsa of Rabbi Meir ben Baruch of Rothenburg, 1215–1293”, *Transactions* 17 (1953): 75–6; Paul Hyams, “The Jewish Minority in Medieval England, 1066–1290”, *Journal of Jewish Studies* 25 (1974): 283–4.

91 Examples include EJ i, 296–7; EJ vi, no. 503 (pp. 167–8); *Curia Regis Rolls* xi: 1223–1224 (London: HMSO, 1955), no. 2644 (pp. 529–30); E 9/54 m. 6 (B), following from JUST 1/497 m. 45; JUST 1/954 m. 58.

antagonism in the cases (of which there were several) when they concocted bonds ostensibly showing that they were owed money by monasteries.⁹² If so, these targets were unwisely chosen, since monks were likely to be expert in the production of written documents, and alert to errors and inconsistencies. In a well-known case from 1220, Mosse son of Brun was found to have forged a bond showing that Dunstable Priory owed him £24, and only escaped the gallows because other Jews raised £100 to enable him to abjure the realm instead.⁹³ But if Mosse's forgery was thorough and ingenious, the one which brought Josce son of Pygge into the Exchequer of the Jews in 1277 was simply inept, attempting to reclaim valuables allegedly deposited in Pershore Abbey on the strength of a receipt issued by a non-existent abbot. The mistake was detected at once.⁹⁴

Causes of conflict

It is in the nature of judicial records that they should emphasize divergences and frictions at the expense of conformity and amity. For much of the time the Christians and Jews of thirteenth-century England probably contrived to rub along together, and no doubt there were occasions when good will and even friendship developed. But the circumstances in which the people of the two religions – precisely because there were two of them – coexisted were such as to make it hard for respect, still less kindness, to put down roots. Even when allowance has been made for the stresses inherent in the records, the evidence for mutual suspicion and enmity remains too strong to be disregarded. It has often been observed that there was no segregation of Jews from Christians in the towns where most Jews lived.⁹⁵ The former tended to live in clearly defined areas, within easy reach of the castle, if there was one, for protection, and of the market-place, for commercial

92 CRHIII 1242–1247, 395–6 (Westminster Abbey); JUST 1/623 m. 27 and *Calendar of Patent Rolls preserved in the Public Record Office* (hereafter, CPR), (London: HMSO), 1281–1292, 142 (Luffield Priory); EJ v, no. 587 (pp. 104–5, Barnwell Priory); H. H. Edmund Craster and Mary E. Thornton, eds., *The Chronicle of St Mary's Abbey, York*, Surtees Society 148 (1934), 21 (St Mary's, York); Roth, *Jews of Medieval Oxford*, 163–4 (Osenev Abbey); Paul Brand, "New Light on the Expulsion of the Jewish Community from England in 1290", *Reading Medieval Studies* 40, special issue, M. Carolina Escobar-Vargas, ed., *Law's Dominion: Medieval Studies for Paul Hyams* (2014), 101–16 (Reading Abbey).

93 Rigg, *Select Pleas*, 4–5, analysed by Vivian H. Galbraith, *Studies in the Public Records* (Oxford: Oxford University Press, 1948), 51–2.

94 Rigg, *Select Pleas*, 96–8.

95 E.g. Roth, *History of the Jews in England*, 123–4; Richard Huscroft, *Expulsion: England's Jewish Solution* (Stroud: Tempus, 2006), 67.

advantage. But there were always Christians close at hand, even next door, a fact which helps to explain the anxiety felt by church authorities over relations with Jews.

Fears that over-close contacts might imperil the faith of their flocks was one justification for the demands that Jews be distinguished from Christians by badges, while ecclesiastical statutes explicitly prohibited physical liaisons: statutes for the diocese of Salisbury in 1257 exclaimed against the “disgrace” (*scandalum*) of Jews sleeping with Christian women, both single and married, and ordered the latter’s excommunication.⁹⁶ Articles drafted in about 1276, apparently intended for inquiries into Jewish misconduct by royal justices or commissioners, included one *De judeis carnalem copulationem cum feminis christianis*.⁹⁷ Amours were certainly possible, as was shown by the affair which notoriously came to light at Oxford in 1221, when a deacon’s love for a Jewess caused him to renounce his faith and undergo circumcision – an act of apostasy which brought him forthwith to the stake⁹⁸ – and by the case of 1236 or 1237 of a Bristol Jew who was found in bed with a Christian woman, recorded as a “crime” for which he abjured the realm, while his lover underwent penance and then abjured the town of Bristol.⁹⁹ But such cases are seldom recorded, possibly because English Jews were aware of Christian sensitivities on the issue, and avoided potentially compromising contacts for that reason. It is probably significant in this context that accusations of rape by Christian women against Jewish men were also extremely rare: only three have been noticed, along with one against a convert, and none of them is recorded as leading to a conviction.¹⁰⁰

Unfortunately there were plenty of other issues which could give rise to conflict. The malice which in 1267 prompted Contessa Croue, an Oxford Jewess, to charge William Wytpeyn with the death of a Jew named Jacob

96 Powicke and Cheney, *Councils and Synods*, vol. 1, 560–61.

97 BL, Ms. Harley 79, fols. 12v–13r; for their date I have followed Paul Brand, “Jews and the Law in England, 1275–1290”, *English Historical Review* 115 (2000): 1144–7, in preference to Don C. Skemer, “King Edward I’s Articles of Inquest on the Jews and Coin-Clipping”, *Historical Research* 72 (1999): 16 n. 61.

98 Chronicle accounts in Powicke and Cheney, *Councils and Synods*, vol. 1, 105–6.

99 Frederic W. Maitland, ed., *Bracton’s Note Book*, 3 vols. (London: C. J. Clay & Sons, 1887), vol. 3, no. 1179 (p. 193). For a case of a suspected liaison (also a “crime”) see CPR 1247–1258, 532.

100 *Curia Regis Rolls* i: 1196–1201 (London: HMSO, 1922), 359; CRHIII 1251–1253, 75; C 60/53 m. 24, available at Henry III Fine Rolls Project, <http://finerollshenry3.org.uk>; EJ v, no. 405A (p. 66).

was found to have been caused by the smoke which constantly drifted from William's cookshop into Contessa's house nearby, giving rise to frequent "quarrels and strife".¹⁰¹ The cheek-by-jowl way in which Jews and Christians could live is given documentary expression in deeds like the one in which Mendant son of Josce of Canterbury in the regnal year 1265/6 granted to Richard the Spicer "my whole tenement . . . lying between the land of Josce son of Sampson and Richard the Spicer to the north, the land of Cresse son of Genta to the south, King's Lane to the west and the land of Master John de Verdun to the east".¹⁰² But neighbourhood provided no more guarantee of neighbourliness in Canterbury than it did anywhere else. When in 1260 one Peter Duraunt was accused of assaulting a Jewess of that city named Trina and causing her to miscarry, an inquest found that the charge had originated in malice, the Jews of the city hating him and all their Christian neighbours.¹⁰³ The ill-feeling was clearly reciprocated, since in the following year there was a determined attack on the city's Jews, with their houses being broken into and attempts made to set them on fire.¹⁰⁴

As this incident shows, like the Oxford one of 1244 noted earlier, and like similar disorders recorded at Norwich in 1235¹⁰⁵ and Bristol in 1275,¹⁰⁶ English Jews lived in constant danger of explosions of violence directed against whole communities. But individuals stood in no less danger. Sometimes Jewish rituals aroused hostility. Among those accused of killing a Hereford Jewess named Floria around 1276 was a couple who came under suspicion precisely because they tried to prevent Jews from having access to "water called Smalprus where they were wont to bathe".¹⁰⁷ Presumably this was the community's *mikveh*, required for ritual purification. But it may have been less overt hostility than ignorance and indifference which accounts for the monetary penalty (amercement) imposed on a Yorkshire Jew in 1251, "as he dug up a woman who had been buried",¹⁰⁸ presumably because he wished to have her fittingly

101 C 144/6 no. 15.

102 Ann Causton, ed., *Medieval Jewish Documents in Westminster Abbey* (London: Jewish Historical Society of England, 2007), no. 21 (p. 37).

103 C 144/6 no. 48; see also CRHIII 1259–1261, 44.

104 Michael Adler, "The Jews of Canterbury", *Transactions* 7 (1915): 39.

105 *Curia Regis Rolls xv: 1233–1237*, no. 1385 (pp. 352–3).

106 Michael Adler, "The Jews of Bristol in Pre-Expulsion Days", *Transactions* 12 (1931): 165–6.

107 C 144/15 no. 23; JUST 1/303 m. 62.

108 JUST 1/1047 m. 11d.

interred in the Jewish cemetery at York. A like insensitivity appears in the account of proceedings against a Stamford Jew charged with coin-clipping in 1258, in which it was claimed that he had been in the synagogue where he “celebrated their mass” (*missam eorum*)¹⁰⁹ – it is impossible to imagine any Jew employing such a phrase to describe his religious observances.

Those observances might, indeed, be regarded as suspicious and associated with magic, as at Richard I’s coronation: it may be significant that in 1258 the sheriff of Yorkshire accounted for an amercement paid by a Jewess named “Slema la Wyche”.¹¹⁰ But sometimes they aroused something closer to contempt, an attitude which could be extended to the bodies of the dead (as it may have done with the York burial just noted), not least to those of Jews who had perished at the hands of the executioner. In 1236 the Jews of Winchester were licensed to inter the body of Abraham Punch, hanged at that year’s Hampshire eyre, but only at the foot of the gallows on which he died.¹¹¹ In 1246/7 the Jews of Nottingham paid six marks (£4) to be allowed to bury the body of Deudoné, recently hanged there; the word used, *cadaver*, is probably more appropriately translated as “carcass”.¹¹² Deudoné may well have been caught up in a drive against coin-clipping. But even when Jews were the victims rather than perpetrators of crime, their bodily remains were still liable to be treated with contumely. It was recorded in 1281 how after a Jew named Joceus of Guildford was killed by unknown criminals near Dartford in Kent, a group of his fellow Jews put the body in a cart to take it to London for burial. When they reached Southwark, however, they were confronted by a group of townsmen demanding a toll for their cartload, and when the Jews protested that they were exempted by royal charter from such levies, a brawl erupted in which they were beaten up, while the corpse was tipped into the road.¹¹³

Joceus had probably been killed for his money, and the same is likely to have been true of Saul son of Samuel of Cambridge, cut down around 1272 at Melbourn, on the road to Royston, leaving chattels valued at £400 (their disposal was still in contention in 1307).¹¹⁴ Licoricia, a celebrated Jewish

109 JUST 1/1187 m. 16d.

110 *Rogeri de Wendover Flores Historiarum*, ed. Henry O. Coxe, 4 vols., English Historical Society 4 (1841–2), vol. 3, 7–8: see also Powicke and Cheney, *Councils and Synods*, vol. 1, 303. For Slema see E 389/146.

111 CRHIII 1234–1237, 341: for the charges against Abraham see JUST 1/775 mm. 20, 20d.

112 E 389/122r.

113 EJ vi, no. 1124 (pp. 274–5); JUST 1/376 m. 18.

114 JUST 1/85 m. 8; E 159/80 m. 21.

businesswoman in Winchester, was killed in 1277 by a saddler of that city; her chattels, together with those which her fellow Jews had deposited with her, were said to be worth no less than £10,000.¹¹⁵ But violence by Christians against Jews was often recorded without any attempt to explain its motivation. Possibly commercial rivalry lay behind the killing of Isaac Clotte by Matthew the merchant in Chipping Sodbury, recorded in 1287.¹¹⁶ Perhaps it was personal enmity which in 1239 caused William son of Bernard, a Londoner, to go with his servant Richard to the house of Joce the Jew, and there to kill him and his wife, though the fact that William was later hanged for theft could point to robbery as a motive.¹¹⁷ But in a case like that of Benedict, a Canterbury Jew killed before 1241 by the picturesquely named William “Chante en boys”, only the bare facts of the crime were recorded.¹¹⁸ On a few occasions, however, religious hatred may be implied by the dates on which killings and brawls occurred. It was on Christmas Day 1232 that the servant of a Jew was fatally knifed in London (since Jews were forbidden to employ Christian servants, the victim should have been Jewish, but the record does not say so),¹¹⁹ while the ransacking of the Oxford Jewry took place on the feast of the Annunciation.¹²⁰ Just two days before the feast of the Assumption of the Virgin in 1270 one Thomas Elman encountered Abigail, the wife of Isaac de Celario, in a Northampton street, and broke the jug of milk she was carrying. An exchange of what the record describes as “gross and insulting words” between Thomas and Isaac followed, generating such ill-feeling that when Isaac died, Abigail accused Thomas of killing him.¹²¹ The incarnation of Christ and the cult of the Virgin were two elements in Christianity especially offensive to Jews, as is made clear by the preamble to ordinances issued in 1279 which were intended *inter alia* to repress Jewish “blasphemies” against Christian beliefs.¹²² For Christians, however, these were doctrines which lay behind

115 JUST 1/789 m. 34; see also Suzanne Bartlet, *Licoricia of Winchester: Marriage, Motherhood and Murder in the Medieval Anglo-Jewish Community*, ed. Patricia Skinner (London: Vallentine Mitchell, 2009).

116 JUST 1/284 m. 31.

117 Helen M. Chew and Martin Weinbaum, eds., *The London Eyre of 1244*, London Record Society 6 (1970), no. 130 (p. 52).

118 JUST 1/359 m. 36.

119 Chew and Weinbaum, *London Eyre of 1244*, no. 79 (p. 33).

120 Luard, *Annales Monastici*, vol. 4 (Chronicle of Thomas Wykes), 91.

121 C 144/6 no. 24.

122 CCR 1272–1279, 529–30. For Jewish hostility towards Christian beliefs see Miri Rubin, *Gentile Tales: The Narrative Assault on Late Medieval Jews* (New Haven and London: Yale University Press, 1999), 93–103; Robert Chazan, *Reassessing Jewish Life in Medieval Europe* (Cambridge: Cambridge University Press, 2010), 218–19.

major festivals, which in turn heightened their animosity towards people who ignored them.

As Abigail's accusation against Thomas Elman shows, Jews were capable of retaliating, of responding in kind to Christian attacks, and in any case it would be wrong to say that Jews never killed Christians. In about 1278 a number of Jews were hanged for strangling Gillian, the daughter of William Roscelyn, in Bristol, in what certainly reads like a premeditated attack.¹²³ And in 1285 Jews were charged with three homicides in and around Oxford – perhaps a reflection of perennial tensions in a clerically dominated town.¹²⁴ Even so, such cases were rare, and have to be treated cautiously. At the 1321 London eyre a jury relying on a coroner's inquest told how as Matthew of Holkham was walking towards the Jewry one day in February 1278, he was attacked by three Jews "out of old hatred", and fatally stabbed by one of them.¹²⁵ The jurors were clearly unaware that the case had been tried more than forty years before, late in 1278, when it was found that the killing was the work of unknown criminals, whom Matthew on his deathbed had himself been unable to identify.¹²⁶

Such ignorance of former proceedings on the part of juries was far from rare, and not in itself a sign of malice.¹²⁷ But the records provide plenty of firmer evidence of Jewish antipathy towards Christians. In London, exchanges of words seem to have been often accompanied by exchanges of saliva, on the evidence of accounts for 1277 kept by the constable of the Tower, which record a number of Jews being amerced both for spitting and for spitting back.¹²⁸ And elsewhere we read of a Jewish play put on in Stamford in 1222 in mockery of the Christian faith;¹²⁹ of a chaplain being assaulted as he took the sacrament to an invalid in the Jewish quarter of Bristol in 1275;¹³⁰ of a Northampton Jew who in 1277 dressed up as a

123 EJ v, no. 802 (pp. 150–1); JUST 1/284 m. 36.

124 JUST 1/710 m. 52d.

125 JUST 1/547A m. 33d

126 Rigg, *Select Pleas*, 106.

127 See Henry Summerson, "A Photograph of English Life?: The Trustworthiness of the Thirteenth-Century Crown Pleas Rolls", in *English Legal History and its Sources: Essays in Honour of Sir John Baker*, ed. David Ibbetson, Neil Jones, and Nigel Ramsay (Cambridge: Cambridge University Press, 2019), 106–8.

128 Henry G. Richardson, ed., *Calendar of the Plea Rolls of the Exchequer of the Jews iv: Henry III, 1272; Edward I, 1275–1277* (hereafter, EJ iv), (London: Jewish Historical Society of England, 1972), 174, 177, 180.

129 Thomas D. Hardy, ed., *Rotuli Litterarum Clausurarum in Turri Londinensi Asservati*, 2 vols. (London: Record Commission, 1833–4), vol. 1, 491.

130 John W. Willis Bund, ed., *The Register of Bishop Godfrey Giffard, 1268–1308*, 2 vols., Worcestershire Historical Society 15 (1902), vol. 1, 71.

Franciscan and preached anti-Christian sermons.¹³¹ In 1268, an Ascension Day procession in Oxford, again in the Jewish quarter, was attacked by a Jew who knocked down the processional cross. When the Oxford Jews failed to identify the culprit, they were collectively punished by being forced to erect a large marble cross on the site of the attack, with images of the Crucifixion on one side and of the Virgin and Child on the other, at the substantial cost of nearly £34.¹³² Given their hostility to graven images, and to the cults which these in particular represented, the Jews might well have regarded the cross's installation as a further insult, coming on top of that of the initial procession. But although their indignation is understandable, it was potentially also highly dangerous.

The issue of money lending

Where relations between Christians and Jews were concerned, what may be called spiritual ill will could rarely be separated from social and economic antagonism. The stress laid by past historians on the prominence of Jews in moneylending businesses, itself often the product of attacks on Jews by medieval churchmen and scholars, has in recent years been subjected to searching criticism, much of it fully warranted.¹³³ But scepticism should not be taken so far as to justify the conclusion that Jews never lent money at interest to Christians. Those who could, did so, just as Christians did. Despite an intermittently massive production of silver coins on the part of thirteenth-century English mints, putting tens of millions of pennies and fractions of pennies into circulation,¹³⁴ there was never as much money available as people wanted, and so those who needed it turned for loans to those who possessed it. These might be great financiers and moneylenders like William Cade in the twelfth century and Adam of Stratton in the thirteenth, whose clients were lords and monasteries, or they could be no more than the wealthier members of village communities, including their parish priests, who provided a similar service for their humbler

131 EJ iii, 311–12.

132 CRHIII 1264–1268, 553–4; CRHIII 1268–1272, 14–15, 22–2; EJ iv, no. 244 (p. 76); incident discussed by Roth, *Jews of Medieval Oxford*, 151–4; Christoph Cluse, “Stories of Breaking and Taking the Cross: A Possible Context for the Oxford Incident of 1268”, *Revue d'histoire ecclésiastique* 90, no. 3–4 (1995): 396–442.

133 See Julie Mell, *The Myth of the Medieval Jewish Moneylender*, 2 vols. (Basingstoke: Palgrave Macmillan, 2017), esp. chs. 4 and 5.

134 James L. Bolton, “Inflation, Economics and Politics in Thirteenth-Century England”, in *Thirteenth Century England IV: Proceedings of the Newcastle upon Tyne Conference, 1991*, ed. Peter R. Coss and Simon D. Lloyd (Woodbridge: Boydell Press, 1992), 6–7.

neighbours.¹³⁵ And people in want of money also turned to Jews.

For that small percentage of the Jewish community whose members were in a position to lend to Christians who possessed influence and power while also needing large subventions of cash, the pledges which Jews received as security were apt to take the form of lands.¹³⁶ If the terms of repayment were not met, the creditor could foreclose, retaining possession of the lands until the debt had been cleared and the interest paid.¹³⁷ (The interest rates attributed to their transactions seem usually to have been penalties for overdue payments, the actual interest having been included in the nominal principal, with additional payments having to be made if repayment was late.¹³⁸) Such transactions might indeed make money for the lenders, but they could also make enemies, in some instances prompting resistance to the extent of outright violence. In 1208 Mosse son of Brun, probably a Colchester Jew, complained that when he tried to take possession of the Essex manor of Standon, awarded to him as the pledge for an unpaid debt, no villager would have anything to do with him, to which the sheriff added that when he had tried to raise the money by selling the manor's livestock, nobody would buy it.¹³⁹ The arrival in Southampton in April 1274 of the sheriff of Hampshire, come on government orders to raise money owed to Deudoné, a Jew of Winchester, triggered a riot in which the town bell was rung and Deudoné was allegedly thrown from his horse, robbed, and wounded (the sheriff, too, sued the townsmen, but the outcome is unknown).¹⁴⁰

Still more violent was the confrontation which followed an order to the sheriff of Yorkshire in 1277 that he should put a Jew named Bonami in possession of the manor of Danby Wiske, the property of Hugh de Neville,

135 For a particularly good example of a usurious parson, see Henry G. Richardson and George O. Sayles, eds., *Select Cases of Procedure without Writ under Henry III*, Selden Society 60 (1941), no. 95 (p. 104).

136 For a detailed study of such a case involving a Jewish lender see Judith Olszowy-Schlanger and Sian Collins, "Samuel of Norwich in the Marshlands of King's Lynn: Economic Tribulations Reconstructed from a newly discovered Thirteenth-Century Hebrew Starr in Cambridge University Library", *Transactions* 50 (2018): 14–44; for other similar documents see Judith Olszowy-Schlanger, ed. and trans., *Hebrew and Hebrew-Latin Documents from Medieval England: A Diplomatic and Palaeographical Study*, 2 vols. (Turnhout: Brepols, 2015).

137 I am grateful to Paul Brand for advice on this point.

138 Robin R. Mundill, *The King's Jews: Money, Massacre and Exodus in Medieval England* (London: Continuum, 2010), 35.

139 *Curia Regis Rolls v: 1207–1209*, 169.

140 *EJ* ii, 130–31, 137–8.

who owed Bonami £180.¹⁴¹ He duly did so, and Bonami proclaimed his title by fishing in the manor's pond. It was nearly the last thing he did, as the parson of nearby Great Langton mustered an estimated eighty men, described as ruffians, poachers, and other evildoers, who were resolved to kill Bonami if they could lay hands on him. The disorder prompted an appeal for intervention to the king's council.¹⁴² At a rather lower social level, it was presented at the 1272 Hampshire eyre that a woman with a child in her arms tried so forcefully to prevent an official putting a Jew in possession of a house in Andover that the infant was crushed to death between them.¹⁴³

Royal intervention could substantially exacerbate the tensions arising from this kind of indebtedness to Jews. In the 1240s and 1250s Henry III imposed a series of very heavy taxes (tallages) on English Jews, and insisted that these be paid in cash. To meet the king's demands, Jews were compelled either to step up pressure on their debtors or to sell the debts owed to them, often at a substantial discount, either to other Jews who had cash in hand or to wealthy Christians. The latter, who were often courtiers or royal officials, were particularly likely to foreclose, and so to take possession of the pledged properties. The king and his government became highly unpopular as a result, but so did such Jews as were involved in these transactions.¹⁴⁴ The rebellions of the 1260s were directed against both. In the period of his supremacy Simon de Montfort cancelled debts to Jews owed by some sixty of his followers,¹⁴⁵ while attacks on Jews and on the records of debts owed to them took place in Canterbury, Worcester, Lincoln, Bristol, Bedford, Kingston-on-Thames, Northampton, Winchester, Nottingham, Cambridge, and above all London, where several hundred Jews perished.¹⁴⁶ To these can be added Bridport, Wilton¹⁴⁷ and Doncaster: it was noted on the roll of the 1293/4 Yorkshire eyre that one William Wyppe had received the chattels of Jews killed there in wartime.¹⁴⁸

141 EJ v, no. 118 (p. 17).

142 SC 1/8 no. 87.

143 JUST 1/780 m. 2d.

144 Robert C. Stacey, "1240–60: A Watershed in Anglo-Jewish Relations?", *Historical Research* 61 (1988): 138–46, and "Jewish Lending and the Medieval English Economy", in *A Commercialising Economy: England 1086–c. 1300*, ed. Richard H. Britnell and Bruce M. S. Campbell (Manchester: Manchester University Press, 1995), 93–8.

145 Huscroft, *Expulsion*, 106.

146 Roth, *History of the Jews*, 61–2.

147 CPR 1258–1266, 442, 521.

148 JUST 1/1098 m. 45d.

Unsurprisingly, some Jews fled to France to escape attack during these years.¹⁴⁹

The men whose borrowings gave rise to such violence during the Barons' Wars were pre-eminently members of the landowning classes – barons, knights, and those who would later be described as gentry. Their social positions, or aspirations, were often supported by Jewish loans, and then threatened when those loans passed into the hands of their superiors, of courtiers, ministers, and later (and notoriously) the mother and wife of Edward I.¹⁵⁰ For such people it was their estates, and with them their social standing, that were primarily at stake. But movable goods, too, were used as security for loans, and it is clear that Jews' ability as pawnbrokers to make such loans, though less researched and not as important as has sometimes been claimed, was nevertheless significant.¹⁵¹ So commonplace, indeed, was this kind of Jewish moneylending that a mid-thirteenth-century formulary, a volume of specimen letters devised to help its possessor meet everyday needs, included one in which a borrower begs a friend for a loan which would enable him to redeem the pledges, valued at four marks, which he had deposited with a Jew in return for a loan of two marks.¹⁵²

In this imagined scenario the value of the pledge considerably exceeded that of the original debt, and the same could be true of real-life cases. When a Devon merchant borrowed 20s (£1) in 1284 from Master Elias, an Exeter Jew, it was on condition that the pledges were to be “good and sound and worth ten marks”, that is, £6 13s 4d.¹⁵³ Such examples show that Jews did not just lend large sums to important people, and indeed they might make loans to decidedly humble ones, as humble, in some instances, as they may have been themselves. In 1292, when there was no longer a Jewish presence in England, one Thomas Trie of Ludlow looked back some twenty years to when he had needed just twenty shillings, and could find nobody willing and able to provide them except an unnamed Bridgnorth Jew, who, however, could supply him with only seven shillings.¹⁵⁴

Almost inevitably, such dealings gave rise to disputes and allegations

149 CRHIII 1264–1268, 77; Rigg, *Select Pleas*, 73–6.

150 Hyams, “Jewish Minority”, 290.

151 Jewish pawnbroking is discussed briefly by Richardson, *English Jewry*, 76–8.

152 Martha Carlin and David Crouch, eds., *Lost Letters of Medieval Life: English Society, 1200–1250* (Philadelphia: University of Pennsylvania Press, 2013), no. 12 (pp. 63–8).

153 Devonshire Record Office, Exeter, Exeter Mayor's Court Roll 2, m. 4.

154 William C. Bolland, ed., *Select Bills in Eyre, A.D. 1292–1333*, Selden Society 30 (1914), no. 27 (pp. 15–16).

of dishonesty, and in 1236 a royal ordinance was issued regulating proceedings in those cases in which London Jews who had lent to Christians allegedly refused to hand back the pledges of the latter, when they came to repay their debts. Jurisdiction belonged to the court of the constable of the Tower of London, which had hitherto been prepared to accept the testimony of Jews “by their single oath on their roll”. In future, it was decreed, such dealings were to take place only in the presence of two honest and lawful Christian men, who could bear authoritative witness concerning disputed transactions. For, declared the king, “We do not wish that in these circumstances the oath of one Jew should prevail against the oath of two Christians.”¹⁵⁵ The contested pledges were said to include gold and silver, as well as “clothes and such movables”, but by 1261 the constable’s jurisdiction had been limited to objects worth up to forty shillings,¹⁵⁶ suggesting that the 1236 decree had had little effect, and that lawsuits over pledges of greater value had been transferred to the Exchequer of the Jews.

The scale of Jewish pawnbroking, and its social range, became apparent in 1279, when large numbers of Jews were convicted and hanged for clipping coins, whereupon their chattels, as was customary, were forfeited to the crown (see pp. 104–10 for more on the coin-clipping trials).¹⁵⁷ It was also customary for goods in the possession of anyone so condemned to be treated as his or her property, except when the rightful possessor was able to prove ownership. Much of the Jewish property which was painstakingly recorded as forfeit in 1279 consisted of objects which had been deposited as pledges for debts, and had then, as royal charters conceded and rabbinic law allowed, will have passed into the hands of creditors because they had not been redeemed within a year.¹⁵⁸ It is this which explains the inventories of confiscated goods like those of Benedict of Winchester, hanged for clipping, which included 196 silver spoons, 134 gold rings, 31 gold brooches, 22 silver cups, 30 silk girdles, 105 garnets, and 24 jaspers, or those of Mendaunt of Bristol, who saved his life by converting

155 E 159/15 m. 18.

156 CRHIII 1259–1261, 285.

157 Michael Adler, “An Unpublished Pipe Roll of 1285: Inventory of the Property of the Condemned Jews”, *Miscellanies of the Jewish Historical Society of England* 2 (1935): 56–71; Zefira E. Rokeah, “Some Accounts of Condemned Jews’ Property in the Pipe and Chancellor’s Rolls”, *Bulletin of the Institute of Jewish Studies* 1 (1973): 19–42; 2 (1974): 59–82; 3 (1975): 41–66.

158 Richardson, *English Jewry*, 109; Epstein, “Pre-Expulsion England”, 195; Pinchas Roth, “New responsa by Isaac ben Perutz of Northampton”, *Transactions* 46 (2014): 5.

to Christianity, but nonetheless forfeited objects which included 10 silver goblets, 68 silver spoons, and 96 silver brooches.¹⁵⁹ Gold rings and silver spoons, of course, were hardly the deposits of the poor, any more than the fine clothes, hangings, and even pieces of armour that were also recorded in the possession of condemned Jews at this time. But students could pawn their books, while lesser folk raised money on the strength of the pots, pans, and wooden cups which also appear in inventories. A Wiltshire Jew who was said to have held 450 pounds of bronze vessels can hardly have needed them all for his own kitchen.¹⁶⁰

Not easily distinguishable from pawnbroking at this social level was another activity frequently attributed to Jews, and sometimes proved against them, namely dealing in stolen property. Many, perhaps most, English Jews were very poor and as such anxious to raise money whenever they could.¹⁶¹ There seems, indeed, to have been little which could not be pawned or sold to a Jewish moneylender, old-clothes man or pedlar, whether it was sheep in Oxford, clothes in Norwich, 6,000 herrings in Lincoln, or a chasuble in Exeter.¹⁶² Christians were several times forbidden to raise money by dealing in ecclesiastical vessels with Jews,¹⁶³ who were also forbidden to accept Bibles and church plate as pledges for debts.¹⁶⁴ But that did not stop such transactions, except when good sense prevented them; in 1276 a Jew was accused of breaking into a church in Kent and stealing two chalices, which, however, his fellow Jews refused either to buy or to accept as pledges for loans of money.¹⁶⁵

The pledges of the humble more often took the form of clothes, which might also have been stolen before being handed over in return for relatively modest amounts of cash. Thus in 1220 an approver accused an accomplice of stealing with him a reinforced coat, a cloak, and a bridle, which they pawned in the London Jewry for 25d, money they then spent on food and drink.¹⁶⁶ In 1258 one William of Kislingbury told how, finding himself short of cash in Stamford, he pawned a coat and a tablecloth to a Jew named Benedict of Colchester for 30d; the coat, he said, was one he

159 Rokeah, "Some Accounts", 2: 65-7, 74-6.

160 Adler, "Unpublished Pipe Roll", 63-4.

161 Vivian D. Lipman, "The Anatomy of Medieval Anglo-Jewry", *Transactions* 21 (1968): 75.

162 JUST 1/701 m. 29d; JUST 1/569A m. 22; JUST 1/497 m. 48; JUST 1/175 m. 50d.

163 Powicke and Cheney, *Councils and Synods*, vol. 1, 55, 131, 149, 177.

164 CRHIII 1242-1247, 475-6.

165 JUST 3/35B m. 56.

166 *Curia Regis Rolls* ix: 1220 (London: HMSO, 1952), 255-6.

had put on for the first time only that day.¹⁶⁷ In William's case the coat was his own, unlike, it seems, the allegedly stolen gown which brought Hake alias Isaac Poleyn into the Exchequer of the Jews in 1273. According to Hake, he had received it from a complete stranger, who pawned it to him in return for a loan of 7s.¹⁶⁸ Probably, Hake accepted that he was unlikely to get his money back, and he may well have guessed that the gown was not in fact his client's to dispose of, but the value of the pledge presumably assured him of his profit (forfeited, in this case, when he paid a fine of 20s to the king to bring proceedings to an end).

Jews were more often charged with receiving stolen goods than with actual theft, but sometimes faced accusations of the latter felony. The goods allegedly taken were occasionally specified. In 1275 two Jews were said to have stolen wool at Lincoln, and then to have bribed the city's coroner to delete their felony from the roll in which he had recorded it.¹⁶⁹ And in 1281 Vives son of Bateman of Bridgewater was charged with taking a shrine from Wilton Abbey, though since he was able to secure freedom from prosecution with a payment of just 5s, the court may not have taken the accusation very seriously.¹⁷⁰ But Jews (like Christians) were more often the object of generalized indictments in which they were simply charged with being thieves, with the result that they were put in exigent, to be outlawed if they did not surrender to the king's peace. A group of five Jews was dealt with thus at the 1285 Northamptonshire eyre.¹⁷¹

Jews and the English coinage

An ordered presentation of alleged crimes and misdeeds, of the kind offered so far, risks giving an impression of serial iniquity on the part of Jews which the sources as a whole are far from supporting. Apart from the occasions on which whole communities of Jews were charged with the deaths of children, the number of cases in which Jews were accused of homicide and theft, even when allowing for gaps in the records, is not cumulatively large or disproportionate to their numbers, especially when compared with the infinitely greater number of felonies attributed to Christians to be found in the same records. Rather, the disparity is

167 JUST 1/1187 m. 16d.

168 E 9/56 m. 5d.

169 William Illingworth, ed., *Rotuli Hundredorum temp. Hen. III et Edw. I*, 2 vols. (Record Commission, 1812–18), vol. 1, 313, 319.

170 EJ vi, no. 938 (p. 236).

171 JUST 1/623 m. 25d.

such as to suggest that the various constraints put forward as potentially operating to prevent criminality by Jews were in fact reasonably effective.¹⁷² But the accusation most commonly brought against Jews was neither homicide nor theft but coin-clipping, and this needs to be considered in a different light – the baleful light cast by Christian assumptions about the involvement of Jews in money-lending, which in turn worked on the undoubted fact that anyone who dealt with English money in any quantity would unavoidably be handling coins which had been mutilated.

Coins were frequently clipped in thirteenth-century England. The currency had a high silver content, and silver being a soft metal it was easy to trim pieces off the rims of pennies, no more being needed than the scissors found in some clippers' possession. For the same reason the resulting fragments were easily melted down, to be recast in the form of silver plates, which could be sold to goldsmiths or other metalworkers, or seemingly used for exchange. An additional offence was the practice of selling such plates as silver when they were really made of tin or other base metal with only a thin layer of silver on the top. This was a deceit of which Jews could be the victims – in 1254 a London goldsmith was pardoned his having fraudulently deposited as silver in the city's Jewry what was in fact copper¹⁷³ – but one which they themselves were also said to have perpetrated.

In 1284 the king of Norway complained to Edward I that one of his subjects, a merchant named Halwardus, had sold wares valued at £120 to a Jew called Abraham at Lynn, receiving in exchange what Abraham assured him was “approved and pure silver”, but which close inspection showed to be “a mass of mixed metals melted together”.¹⁷⁴ Abraham may have been the Norwich Jew of that name recorded in 1286 as having been involved with a Christian goldsmith in a similar deception in 1282 or 1283, when one Aylward Gubbe parted with goods worth £80, again at Lynn, in exchange for ostensibly silver plates which turned out to be made of tin.¹⁷⁵ If the two Abrahams were indeed the same man, his attempt to deceive Halwardus may have cost him his life, since Abraham of Norwich was

172 Here I dissent from Zefira E. Rokeah, “Crime and Jews in Late Thirteenth-Century England: Some Cases and Comments”, *Hebrew Union College Annual* 55 (1984): 136–7: “Their numbers are relatively large for the very small community of Jews present in England before the Expulsion”.

173 CPR 1247–1258, 313.

174 JUST 1/1251 m. 5.

175 JUST 1/579 mm. 64d, 81d.

said to have been hanged by the time Aylward made his complaint. Apart from the possibility that it might arouse the wrath of the king, this sort of trickery may not have been hard to detect, for the quality of the silver used in the English currency appears to have made for easy identification. In 1282 one Aaron of Ireland was described as having tried to sell a silver plate to a Bristol goldsmith, who weighed it and then declared it was made of clippings, whereupon Aaron seized it back and threw it into the Avon.¹⁷⁶

It was presented at the 1255 Kent eyre that a goldsmith named Ralph had been killed at Northfleet in a brawl triggered by the imputation that he was himself a Jew; so enraged (*commotus*) was Ralph by the insult that he struck the man responsible, only to be himself felled by a third party.¹⁷⁷ Jews and goldsmiths probably often worked together; they were certainly apt to be lumped together in allegations of coin-clipping. This was not only a widespread offence but also a very serious one, a form of treason indeed, regarded as highly derogatory to the king's majesty and authority. It was not practised by, or alleged against, Jews alone, but it seems to have been particularly associated with them throughout the thirteenth century. In 1205 measures relating to the currency included a clause explicitly concerned with clipped coins found in the hands of Jews, who were to be arrested, along with all their goods.¹⁷⁸ In 1238 elaborate inquiries were instituted, with (uniquely) several Jews among the commissioners, to investigate throughout England "Jews who are clippers of coins, thieves and the receivers of these", with orders to expel from the country all whom they convicted.¹⁷⁹ It has been suggested that the major recoinage of 1247–50 was justified by reference to the activities of Jewish coin-clippers,¹⁸⁰ and it is certainly true that the late 1240s saw accusations of clipping being brought against Jews in several counties, notably Gloucestershire, where eight Jews were convicted in 1248.¹⁸¹ According to the chronicler Matthew Paris (admittedly an extremely biased source, as he showed by his choice of analogy), the poor state of the English currency at this time, which was such that Louis IX of France forbade its circulation in his realm, was due

176 Rigg, *Select Pleas*, 120–21.

177 JUST 1/361 m. 40.

178 Thomas D. Hardy, ed., *Rotuli Litterarum Patentium in Turri Londinensi Asservati, 1201–1216* (London: Record Commission, 1835), 47–8.

179 CPR 1232–1247, 228.

180 W. Johnson, "Textual Sources for the Study of Jewish Currency Crimes in Thirteenth-Century England", *British Numismatic Journal* 66 (1997): 28.

181 JUST 1/274 m. 14d. For other coin-clipping charges at this time see JUST 1/56 m. 44d; JUST 1/614B m. 38; JUST 1/700 m. 12d.

to its having been “circumcised” by Jews, though he later extended his indictment to cover foreign merchants as well.¹⁸²

Prosecutions then declined for a while without stopping completely – three Jews were put in exigent for clipping at the 1262 Sussex eyre, for instance¹⁸³ – but they re-erupted in the 1270s, as the state of the currency once more began to cause grave concern.¹⁸⁴ By 1277 recognizances (official bonds recording debts) made before the chamberlain of London were commonly providing that payments should be made in “good” or “round” or “whole” pence, epithets to which “unclipped” was frequently added.¹⁸⁵ Predictably, there were consequences for Jews. In February 1276, for instance, twelve Exeter Jews were arrested, “charged with clipping of the king’s money”, and then released on bail,¹⁸⁶ while later that year three Jews were said to have been arrested with coin-clippings in Chichester, and there were apparently numerous arrests in Northampton.¹⁸⁷ In 1277 three Norwich Jews faced similar accusations, as did no fewer than thirty-eight York Jews, women as well as men.¹⁸⁸

The coin-clipping campaign of 1278–79

There was much worse to follow, however, for on 17 November 1278, as a number of chronicles recorded, all the Jews of England were simultaneously arrested “for clipping of money” and imprisoned while their houses were searched, both for evidence against them and for wealth which could be forfeited to the king in the event of its owner’s conviction.¹⁸⁹ The process was capable of abuse. The bailiff of Northampton, indeed, refused the offer of a golden brooch and a silver buckle from the Jews of

182 *Matthaei Parisiensis Monachi Sancti Albani Chronica Majora*, ed. Henry R. Luard, 7 vols. (London: Rolls Series, 1872–83), vol. 4, 608–9; vol. 5, 15–16.

183 JUST 1/912A m. 38.

184 Mavis Mate, “Monetary Policy in England, 1272–1307”, *British Numismatic Journal* 41 (1973): 40–41.

185 Numerous examples in Reginald R. Sharpe, ed., *Calendar of Letter-Books of the City of London: Letter-Book A, circa A.D. 1275–1298* (London: Library Committee of the Corporation of London, 1899), 16–29.

186 CCR 1272–1279, 271.

187 EJ iii, 209, 209–10.

188 *Ibid.*, 264, 277–8.

189 Antonia Gransden, ed. and trans., *The Chronicle of Bury St Edmunds, 1212–1301* (London: Nelson, 1964), 66–7; Luard, *Annales Monastici*, vol. 2, 390–91 (*Annals of Waverley*); vol. 3, 279 (*Annals of Dunstable*); vol. 4, 278 (*Chronicle of Thomas Wykes*); *The Chronicle of Walter of Guisborough*, ed. Harry Rothwell, *Camden 3rd series* 89 (1957), 226–7.

Northampton “to be their friend” at this time,¹⁹⁰ but William of Chelsfield, the under-sheriff of Kent, was later found to have taken advantage of having keys to all the houses of Jews in Canterbury by entering them at night, digging holes in floors and breaking down walls, emerging with gold and silver worth an estimated 200 marks, half of which he kept for himself (his offence cost him £400).¹⁹¹ The owners of those houses were probably then in the Tower of London, where six hundred Jews were recorded as having been incarcerated,¹⁹² and where they were soon joined by a number of goldsmiths, arrested on 7 December.¹⁹³ Commissioners to conduct trials were appointed on 5 January 1279.¹⁹⁴

Although the suspects were principally Jews, the fact that they also included Christians presumably explains why the judges were not chosen from among the justices of the Jews, and why the proceedings (described as “Pleas of trespass of money”) were held at the London Guildhall rather than in the Exchequer of the Jews at Westminster. Convictions and hangings followed in large numbers, until on 8 March proceedings were halted “by reason of the holy time that is coming”, a reference to Easter, which that year fell on 2 April, but they resumed afterwards, until hangings were effectively called off on 7 May.¹⁹⁵ By then 269 Jews were said to have been executed in London.¹⁹⁶ It seems likely that most of the accused had been brought to the capital for trial, but there was at least one session elsewhere, at Lincoln, where the local Hagnaby chronicle recorded the execution of thirty-three Jews in 1279.¹⁹⁷

The evidence suggests that in medieval England a widespread concern for the quality of the coinage, at every social level, led to a higher conviction rate for offences against the currency than for any other felony.¹⁹⁸ The 1278–79 campaign against coin-clippers was ostensibly directed against Christians as well as Jews and, though the latter were its main target, its

190 EJ vi, no. 1179 (p. 285).

191 JUST 1/376 m. 64d.

192 Vivian Lipman, “Jews and Castles in Medieval England”, *Transactions* 28 (1984): 13.

193 Gransden, *Chronicle of Bury St Edmunds*, 66–7.

194 CPR 1272–1279, 338.

195 CCR 1272–1279, 522, 529–30.

196 Zefira E. Rokeah, “Money and the Hangman in Late-13th-Century England: Jews, Christians and Coinage Offences Alleged and Real (Part 1)”, *Transactions* 31 (1990): 98.

197 BL, Cotton Ms. Vesp. B. xi, fol. 27v.

198 Henry Summerson, “Counterfeiters, Forgers and Felons in English Courts, 1200–1400”, in *Expectations of the Law in the Middle Ages*, ed. Anthony Musson (Woodbridge: Boydell Press, 2001), 105–16.

effects on the former were hardly negligible, with numerous convictions. Many were able to save their lives by paying often substantial fines, but twenty-nine were hanged, a figure which would normally be regarded as uncommonly high for a single, albeit extended, judicial session. It is significant in this context that in a separate session in 1279, two mint officials were drawn and hanged for misjudging the amount of copper they added to the silver from which coins were made, while a third, who pleaded clergy, had to pay a thousand-mark fine.¹⁹⁹ But these executions and other punishments were completely overshadowed by the exceptionally large number of executions of Jews, with almost exactly forty-five per cent of the six hundred initially imprisoned in the Tower being sent to the gallows, a figure underlining both the determination of the government to secure convictions and the willingness of juries to supply them.

Those juries were not chosen with equity in mind, on the evidence of the only surviving record of a trial, held on 16 April 1279, which names eighteen Christian jurors and only six Jewish ones. The suspect was acquitted, however, showing that conviction was not inevitable, and that charges against Jews were not always believed.²⁰⁰ And indeed, the reasons given for the temporary stay in executions included “inquisitions procured”. The principal reason given for ending them was that “many Christians, through hatred of the Jews by reason of the discrepancy of the Christian faith and the rite of the Jews, and by reason of divers grievances heretofore inflicted upon Christians by Jews, endeavour from day to day to accuse and indict certain Jews not yet charged with trespasses of money by light and groundless accusations”.²⁰¹ It seems that the proceedings against Jews had led to a flood of accusations, many of them obviously malicious, perhaps on such a scale as to threaten to discredit an operation involving entrapments and *agents provocateurs* which the government may well have set up in the first place.²⁰²

The whole episode nevertheless underlines the overriding power of the king’s government, with its almost complete control of Jewish lives and occupations, the intensity of the antipathy all too often directed against

199 E 101/3011; discussed by Nicholas J. Mayhew and David R. Walker, “Crockards and Pollards: Imitation and Problem of Fineness in a Silver Coinage”, in *Edwardian Monetary Affairs (1279–1344)*, ed. Nicholas J. Mayhew, *British Archaeological Reports* 36 (Oxford, 1977), 133–5.

200 C 260/3 no. 44.

201 CCR 1272–1279, 522, 529–30.

202 As argued by Brand, “Jews and the Law in England”, esp. 1148–53.

Jews, and the extent of their vulnerability in the face of both. Scepticism has been expressed about the possibility of all English Jews being arrested in a single day, and the chroniclers who recorded these events doubtless exaggerated both the scope and the effectiveness of the government's actions. But they are unlikely to have invented the overall impact of a move which clearly reflected the closeness of the English government's hold over Jewish communities. The agents of that government had, after all, been keeping detailed records since 1194 of the whereabouts and activities of Jews, who were required to live in specified places, and could not move from them without official permission. What does seem to require explanation is the rigour with which Jews were treated on this occasion.

Coin-clipping was punishable by death, and a number of Jews were certainly executed for it before 1279. Yet the treatment of Jews accused of it could also be strikingly lenient, even relaxed, so that they were several times allowed to pay to have proceedings against them deferred or even dropped altogether. The coin-clipping inquiries of the late 1240s may have been principally directed against Jews, but on all the known occasions on which Jews so charged came to eyres at this time they were able to give money "to be under pledges to answer at the king's command", even after they had been convicted, like the eight Bristol Jews. The phrasing of the records implies that they might have had to face further proceedings, but there is no evidence that they did so. Lumbard of Cricklade, arrested for clipping money in 1250, was allowed to pay three gold marks (£20) for his release from prison and the return of his chattels.²⁰³ A similar attitude, suggesting that the government was often concerned to take Jewish money rather than lives, prevailed well into the 1270s. In 1276 a London Jew named Samuel or Samson son of Aaron gave 20s "for release from the king's suit" for a trespass which clearly involved a currency offence (the manuscript is damaged), clipped halfpennies worth 60s 5d having been found on him; the king received the fine and the mutilated coins.²⁰⁴ In the same year a Jewess named Floria was not only said to have "long been a clipper of the king's money", but also to have melted down the trimmings in a pot found in her house, "and there appeared some part thereof in the same pot". And yet a year later she was allowed to pay 40s "on account of a certain infamy as to coin-clipping laid to her charge", and then appears to have gone free.²⁰⁵ Also in 1277 three Norwich Jews paid 20s for a similar

203 CRHIII 1247-1251, 298-9.

204 E 9/60v.

205 EJ iii, 124-5, 292.

discharge. As late as Easter term 1278 Jews were able to give money – 12s in one case, just 4s in another – “for having the king’s peace” on charges of clipping coins.²⁰⁶

The missing factor, the cause for the unprecedented severity with which Jews charged with coin-clipping were treated shortly afterwards, seems to have been the perception, under which they increasingly laboured, that their principal, even only, occupation was as lenders of money, in combination with the government’s plans for reforming the coinage. It seems hardly an exaggeration to say that by the 1270s England was awash with clipped money, and that a fair amount of it passed through the hands of Jews. Although a statute in 1275 tried to stop them lending entirely, requiring them instead either to engage in trade or to work as labourers, claims that these measures were effective in more than a few cases are unconvincing.²⁰⁷ At the same time the government’s own further utterances and measures, along with the complaints of the clergy that Jews were continuing to lend money at usury,²⁰⁸ with results hurtful to Christians, provide much clearer evidence for their failure. The result was that Jews who continued to operate as moneylenders needed at all times to possess ready cash, since they could not make a living without it, with the further consequence that they could not afford to be too particular about its condition. It must therefore always have been possible that any Jew who lent money, whether a great financier or a humble pawnbroker, might be found to have clipped coins in his possession.

The inconsistency with which Jews were treated before 1278 may well have been at least partly due to an awareness on the part of the justices who presided at their trials – an awareness clearly not shared by the jurors who often convicted in such cases – that Jews charged with currency offences were being prosecuted as much for possession of clipped coin as for actually clipping it. That said, some Jews do appear to have become involved in clipping money, though to what extent cannot be quantified. To the cases already cited could be added that of Benedict of Colchester, referred to earlier, detected in 1258 when trimmings from the coins he had lent to William of Kislingbury were seen sticking to people’s fingers, or of Simon son of Salomon of Hereford, arrested in 1277 with clippings, a pair of scissors, and an iron vessel “adapted for the same”, that is, for melting

²⁰⁶ *EJ v*, nos. 459–60 (p. 77).

²⁰⁷ As interpreted by Robin R. Mundill, *England’s Jewish Solution: Experiment and Expulsion, 1262–1290* (Cambridge: Cambridge University Press, 1998), 291–3.

²⁰⁸ Powicke and Cheney, *Councils and Synods*, vol. 2, 961–2.

the clippings down.²⁰⁹ Indeed, English Jews seem to have had a reputation abroad for clipping coins, judging by some comments made no later than 1293 by Rabbi Meir ben Baruch of Rothenburg in Bavaria, describing it as a crime, tantamount to theft, and responsible for “the destruction of our people in France and England”.²¹⁰

It is now clear that the involvement of Jews in credit finance was nowhere near as extensive as anti-Jewish writers described it, and that the offences of Jews against the currency were probably no worse, quantitatively, than those of Christians. But when taken together they were still sufficient, at a time of growing Christian hostility, to give plausibility to the government’s onslaught at the end of 1278. The timing of that onslaught can in turn hardly be dissociated from the major recoinage which was also launched by Edward I’s government in January 1279, having been immediately preceded, on 7 December 1278, by an order forbidding anyone, Christian or Jew, to export silver from England, in forms which included silver plates and clipped money.²¹¹ That silver was about to be needed at home, as, indeed, was at least some of the money confiscated from Jews shortly afterwards.

The strike against Jews in 1278–79 was thus a blow against enemies of Christianity (something which Edward as a crusading king could be expected to favour) and a means of replenishing a royal treasury recently drained by a war in Wales: forfeitures and fines, from Christian offenders as well as Jewish ones, raised not far short of £11,000.²¹² (The subsequent pursuit of Jewish chattels, and the fines levied on those convicted of concealing them, raised just over £2000 more, but as the king gave this money to Queen Eleanor, the treasury did not benefit.²¹³) It was immediately followed by a royal proclamation underlining the point made at the cost of well over three hundred Jewish lives, “that there be no clipping of the new money on pain of life and limb”.²¹⁴ Thus the coin-clipping campaign also constituted an emphatic statement of the king’s determination to maintain the value and high standard of the English currency, as one of the defining features of his regality, as well as of his complete mastery of

209 EJ v, no. 147 (p. 23).

210 Owen, “Responsa of Rabbi Meir ben Baruch”, 75–6.

211 CCR 1272–1279, 518.

212 Figure based on Rokeah, “Some Accounts of Condemned Jews’ Property”, vol. 1, 21–5.

213 E 101/119/12.

214 Hubert Hall, ed., *The Red Book of the Exchequer*, 3 vols. (London: Rolls Series, 1896), iii. 982–3.

English Jews. Once that campaign was over, however, and the new coinage in circulation, the government does not appear to have found it necessary to persevere in its harshness towards Jews. Charges of coin-clipping were rarely brought against them after 1279, and when they were, suspects might once more be allowed to pay for licence to abjure the realm, either permanently or for a limited period, rather than face execution.²¹⁵

Decline and expulsion

Not much more than a decade later Edward I displayed his mastery again. By 1290 England's Jewish community was a shadow of its former self, its shrinking population further reduced by executions (there is a notable preponderance of widows in records of Jewish communities from this decade²¹⁶) and also by conversions, not to mention the baptism of presumably orphaned children.²¹⁷ Some converts are known to have apostasized – a group of at least thirteen did so in London,²¹⁸ and backsliding by converts was a cause for ecclesiastical concern in 1285²¹⁹ – but not all did so. In 1282 the sheriff of Wiltshire, ordered to summon jurors from among the Jews of Wilton, reported that the town's bailiffs, to whom he had forwarded the summons, had told him that there was only one Jew living in the town; a year later the sheriff of Northamptonshire, commanded to send six Jews for an inquest at Westminster, returned that he could find no more than three.²²⁰ Although these officials may have been principally concerned to excuse their own sloth or incompetence, their reports nonetheless reflected an underlying truth, the diminished state of England's Jewry.

There are signs that cooperation of Christians with Jews in acts of felony became more common during this decade, as if misery and social disintegration were now combining to push the criminally inclined of the two communities closer together. Thus at the 1281 Wiltshire eyre it was presented that William of Wilcote and a Jew named Koc had together burgled a house at Lambourn in Berkshire, for which they were arrested at

215 EJ vi, nos. 738 (p. 206), 1216 (p. 293); E 9/40A m. 3 (B).

216 Remarkd by Roth, *Jews of Medieval Oxford*, 158–9.

217 E.g., CCR 1279–1288, 25; Rigg, *Select Pleas*, 114; EJ vi, no. 1214 (p. 292); E 9/42 mm. 2, 9 (B; conversions); Rokeah, *Medieval English Jews*, no. 904 (p. 258; baptisms).

218 Full details in Logan, "Thirteen London Jews and Conversion to Christianity".

219 Powicke and Cheney, *Councils and Synods*, vol. 2, 959, 961–2.

220 E 9/40 m. 3d (B); E 9/43 m. 3d (B).

Ramsbury and hanged at Marlborough. Neither had chattels.²²¹ Similarly, when at the 1287 Gloucestershire eyre one Robert of Stafford was put in exigent for abetting a killing by a group of Bristol Jews, neither he nor three of his alleged accomplices had any chattels.²²² In 1284 Robert le Pomer was accused in the Exchequer of the Jews of having dishonestly obtained possession of the quittance for a substantial debt which John Bone, a Kentishman from Rye, had received from Manser son of Aaron, a London Jew, and of then selling it to Manser, so that John, who now had no evidence for his having cleared the debt, could be distrained to pay it all over again.²²³

Of particular interest in this context are two entries on the roll of the 1286 Norfolk eyre, recording three burglaries of churches and attributing them all to Jews and Christians acting together. In the first entry the jurors for Humbleyard hundred presented that three named Jews, one of them “Isaac the chaplain of the Jews of Norwich”, had “with many others, both Christians and Jews”, broken into the churches of “Newenton” (probably Newton Flotman) and Swainsthorpe, two villages eight or nine miles south of Norwich, where they stole chalices, vestments, books, and other valuables, and “disgustingly” (*viliter*) broke open the pyx containing the reserved sacrament and trampled its contents underfoot. Orders for arrests were given, but the suspects were found to have made off, so they were put in exigent, to be outlawed if they remained at large.²²⁴ The second entry, under Guiltcross hundred but one of a number relating to business in other parts of the county, recorded the arrest of three Jews, one of them a woman, for having burgled Loddon church, some twelve miles south-east of Norwich, and also their fine of £10 to be released to pledges. This brief notice is accompanied in the eyre roll by the royal writ, sent to the justices on 15 January 1286 (that is, on the day after their sessions started), commanding them to investigate the “evildoers and disturbers of our peace, both Jews and Christians” who had burgled Loddon church and removed “certain holy things and other goods”, valued at £10, “to the injury of our peace and the scandal and damage of the whole church”.²²⁵ The royal mandate concluded with instructions that the justices should do “swift justice” on those suspected of this felony, but the release of the

221 JUST 1/1005/2 m. 149d.

222 JUST 1/284 m. 36.

223 E 9/54 m. 6 (B).

224 JUST 1/579 m. 2.

225 *Ibid.*, m. 8d.

prisoners to pledges hardly suggests urgency, and as no further mention of them was made at the eyre, their case may have been referred to the justices of the Jews at Westminster.

Burglaries of churches by Christians were common; these are the only recorded occasions involving Jews as well, pointing, perhaps, to a new desperation or recklessness, or both, on the part of the latter. The note of religious outrage in the presentment of the first entry, and in the royal writ accompanying the second, was also without obvious precedent where suspected felony was concerned. It is notably absent, for instance, from the record of proceedings against the Jews of Norwich in the 1235 circumcision case referred to earlier. Antagonisms had not only persisted but had also strengthened, and with them, and perhaps in response to them, the capacity for resistance on the part of Jews, despite the fall in their numbers. It was later recalled how around 1278 Bishop Thomas Cantilupe of Worcester had recommended a preaching campaign, to be followed by the expulsion of Jews who refused to convert.²²⁶ The preaching began in 1279;²²⁷ its impact may be deduced from the fact that expulsion followed only eleven years later.

It has been persuasively argued that the expulsion was part of a deal which Edward I struck with the Commons to obtain a parliamentary tax.²²⁸ The proclamation justifying the final banishment of Jews from England in 1290 (seemingly quoted verbatim by the chronicler Thomas Wykes) inevitably said nothing about this, but justified the government's action by denouncing Jews as enemies of the cross of Christ and blasphemers against the Christian faith, and describing how their usury had so impoverished a Catholic people that some of them had been reduced to beggary.²²⁹ Since Edward I had only just ordered the expulsion of Jews from his duchy of Gascony, he probably felt that no justification beyond his own will was necessary. But he and his advisers may also have regarded exile as a pragmatic response to the problems arising from inflexible religious differences. This was reinforced, perhaps, by the precedents of individual cases of Jews who went into temporary exile as the penalty for coin-clipping, as noted earlier: this was a punishment suffered only by Jews, for

226 *Acta Sanctorum Octobris I* (Antwerp, 1765, repr. Brussels, 1970), 570.

227 CPR 1272–1281, 356.

228 Robert C. Stacey, "Parliamentary Negotiations and the Expulsion of the Jews from England", in *Thirteenth Century England*, vol. 6, ed. Michael Prestwich, Richard H. Britnell, and Robin Frame (Woodbridge: Boydell Press, 1997), 77–101.

229 Luard, *Annales Monastici*, vol. 4, 326–7; CCR 1288–1296, 109.

Christians convicted of the same offence were invariably executed. This time, of course, the banishment was to be permanent.

The departure of the English Jews was for the most part orderly, under safe conducts issued by the king and reinforced, in the northern province, by the Archbishop of York's order that Jews were not to be molested as they left.²³⁰ Their houses were forfeited to the crown, but they could take with them what they could carry, money and valuables included: indeed they had to pay for their passage – the standard rate seems to have been 4d a head, but 2d would carry a poor Jew over the Channel.²³¹ Many chroniclers recorded this display of kingly authority, and although none described it as regrettable, some deplored the acts of violence which accompanied it. Not all Jews made the journey safely, and some were the victims of felony to the last. In a notorious incident, Jews sailing from London were persuaded to disembark for a walk on a sandbank while the tide was out, and then left to drown there when the water returned.²³² A number of presentments at the 1293 Kent eyre seem to bear on this atrocity, with one man being charged, though acquitted, with “the killing of Jews on the Thames when the Jews left England”, and another put in exigent “for the deaths of Jews killed on the Thames”.²³³

There may in fact have been more than one such crime, in the light of a presentment concerning “the money of Jews killed at sea” which was washed up on the north Kent coast.²³⁴ Thomas Wykes suggested that there were a number of attacks on ships carrying Jews by sailors from the Cinque Ports, who robbed and killed them and then threw their bodies into the sea.²³⁵ Probably it was such an attack which lay behind the discovery in November 1290 of a rudderless ship at Burnham in north Norfolk, empty of any crew except for one boy.²³⁶ Believed to be one of the vessels hired to carry Jews out of the realm, it had probably sailed from Ravenser or Grimsby on the Humber, but was intercepted out at sea, where its human cargo was robbed and killed, though goods worth more than £40 were still

230 CCR 1288–1296, 95–6; William Brown, ed., *The Register of John le Romeyn, Lord Archbishop of York, 1286–1296*, 2 vols., Surtees Society 123, 128 (1913–17), vol. 1, no. 290 (p. 109).

231 Jeremy Ashbee, “The Tower of London and the Jewish Expulsion of 1290”, *Transactions of the London and Middlesex Archaeological Society* 55 (2004): 35–7.

232 *Chronicle of Walter of Guisborough*, 226–7.

233 JUST 1/376 mm. 29, 77.

234 *Ibid.*, m. 60. An inquest had already been held in October 1290 or 1291 into “the drowning of Jews”, apparently on the coast of the Isle of Sheppey: E 143/3/2 no. 18.

235 Luard, *Annales Monastici*, vol. 4, 326–7.

236 E 368/62 m. 37d; E 13/16 m. 5d.

on board when it drifted ashore. Wykes also recorded that a number of those responsible for these acts were later hanged, while a few other men were later pardoned for killing or robbing Jews at sea.²³⁷ Those who made a safe crossing went mostly to Paris and northern France.²³⁸

It would be easy to draw the conclusion that the departing Jews went meekly and without protest into exile, and some may have done so, sunk in the kind of despair shown in the late thirteenth-century poems of Meir ben Elijah of Norwich: “They make our yoke heavier, they are finishing us off. They continually say of us, let us despoil them until the morning light”.²³⁹ But others were more resilient, like Rabbi Jacob ben Jehuda, the author of the collection of legal opinions known as *Etz Hayyim*, datable to 1287, who persisted in hope and faith that God would yet save his persecuted people.²⁴⁰ No doubt Jews preparing for exile could have remained in England had they converted to Christianity, but according to the chronicle of John of Oxnead not one was persuaded to do so, “by promise or allurements [blandimento]”.²⁴¹ And for one community, resistance took an active form, hardly constituting felony but perhaps construable as a kind of *lèse-majesté* since it concerned royal property. Following the expulsion of England’s Jews, the sheriffs of counties in which they had lived were required to send in lists of Jewish houses, and record the steps they had taken to let them to new occupants. The sheriff of Nottingham returned that he had taken various houses into the king’s hands, but had not yet been able to find anyone willing to rent them, because, he said, the Jews before they left had wrecked (*devastaverunt*) their own houses by removing doors, windows, and gutters, so that without major repairs nobody could inhabit them.²⁴²

237 Charles Bémont, ed., *Rôles Gascons*, vol. 3: 1290–1307 (Paris: Imprimerie Nationale, 1906), nos. 3048–9, 3063, 3090–91.

238 *The Chronicle of Pierre de Langtoft*, ed. Thomas Wright, 2 vols. (London: Rolls Series, 1866–8), vol. 2, 186–9; William C. Jordan, *The French Monarchy and the Jews: From Philip Augustus to the Last Capetians* (Philadelphia: University of Pennsylvania, 1989), 183–4.

239 Susan L. Einbinder, “Meir b. Elijah of Norwich: Persecution and Poetry among Medieval English Jews”, *Journal of Medieval History* 26 (2000): 157.

240 Rabbi Jacob ben Jehuda Hazan of London, *The Etz Hayyim*, ed. Israel Brodie, 3 vols. (Jerusalem: Mosad HaRav Kook, 1962–7), vol. 3, xi.

241 *Chronica Johannis de Oxenedes*, 277; no conversions at this time are recorded in Curk’s comprehensive list, “From Jew to Gentile”.

242 E 101/249/27 no. 43v.

Conclusions

Any study of medieval felonies is of its nature a study of failures, of failures to heed either the laws of God and man, or the controls devised to reinforce them. When men and women killed or stole, their actions demonstrated that neither fear of punishment in this world or the next, nor the various institutional as well as moral and religious constraints, which had been devised to influence the potentially violent and thievish, had had their intended effect. It has been argued in this article that among thirteenth-century Jews these forces were far from ineffective in securing observance of the king's peace and of the law in general, reinforced as they were by a further consideration, namely the fear of Christian neighbours. Neighbours were of course potentially dangerous to everyone, as any study of medieval judicial records makes only too clear. But for Jews the peril mounted steadily as their separation from those among whom they lived was intensified by the growing religious antipathy felt towards them throughout Christian society, up to its very highest levels, in the persons of successive kings and queens.

That antipathy was of course fuelled by the stories of "ritual murders" allegedly committed by English Jews. As noted at the outset of this study, these have not been taken into account here, not least because being more often recorded in chronicles than in judicial records, they are not readily amenable to the analysis attempted here. But they still need to be kept in mind for their effects, which an entry in the roll of the 1244 Dorset eyre, seemingly unnoticed hitherto, appears to illustrate. According to the Beaminster Forum jury, a Devon lad came to Yetminster, where he stopped for a drink. Four men, two of them employees of William of Bingham, a local landowner, persuaded him to accompany them to William's house at Ryme Intrinseca, where "they bound his head with a knotted cord, and tormented him, and put him on a cross, and held him there all night, and in the morning they released him [*solverunt*] and let him go", after which he departed for Sherborne. The penalty for this "trespass", as it is designated among the financial issues of the eyre, was an amercement of one mark, imposed on all four men together.²⁴³

The youth of the victim, and the knotted cord, together with the torment and mock-crucifixion, bring these unpleasant proceedings so close

243 JUST 1/201 mm. 3d, 9; *solverunt* could also mean "paid", but *pacaverunt* would probably have been more usual for that.

to the sufferings in 1144 of William of Norwich, recorded by Thomas of Monmouth, as to leave little doubt that the one was ultimately based on the other.²⁴⁴ How William's story came to south-west England it is impossible to say, but it could have been mediated through a similar tale, circulating closer at hand, of the killing by Jews at Gloucester of a youth named Harold in 1167 (though there a crown of thorns was said to have been pressed on the victim's head),²⁴⁵ or communicated by the theatrical representations plausibly seen as underlying the mid-thirteenth-century account of the death of Adam of Bristol.²⁴⁶ But what is principally significant here is the way that a breach of the king's peace brought to the attention of royal justices can shed an oblique light on one of the ways in which anti-Jewish feeling could be circulated and responded to. The consequences of this particular case, in which no Jews were involved, were insignificant, but its implications for them were potentially dire.

This study has used the evidence like this from judicial records as a kind of prism in order to illuminate some of the workings of medieval English Jewish society, and its responses to the world in which it had to function. In doing so it has also demonstrated that society's fundamental vulnerability, as something built into its identity. It was not only with Jews that Englishmen might come into conflict. In 1301, for instance, members of the Spini company of Florence were recorded as having spoken contemptuously of Edward I in their London lodgings, thereby triggering a riot so violent that the mayor had to intervene, while afterwards they were accused of multiple rapes, and of being "accustomed to raise uproars in the City of London by night and day to the terror of the whole neighbourhood".²⁴⁷ But the Spini, though always likely to raise English hackles as commercial rivals, were not also separated from their neighbours by their religion. It was precisely that factor which meant that the "uproars" attributed to the Spini were much more likely to be committed against Jews than by them. The pressures making for coexistence by Christians and Jews – allegiance to the crown, a common morality founded on the Decalogue,

244 Thomas of Monmouth, *The Life and Passion of William of Norwich*, ed. and trans. Miri Rubin (London: Penguin, 2014), 16–17.

245 Joe Hillaby, "The Ritual-Child-Murder Accusation: Its Dissemination and Harold of Gloucester", *Transactions* 34 (1997): 69–109.

246 As argued by Stacey, "Adam of Bristol", 13–15.

247 Arthur H. Thomas, ed., *Calendar of Early Mayor's Court Rolls, 1298–1307* (Cambridge: Cambridge University Press, 1924), 115–17.

even shared streets and townscapes – were not strong enough to resist the countervailing pressures, based on religious difference, which pushed in the opposite direction, with unequal force, indeed, but with matching determination. And so the implicit protest of the Jews of Nottingham, along with the attacks to which departing Jews were subjected, brought the sad story of medieval English Jewry to a close on a familiar note of mutual antagonism, sustained to the bitter end.