

# *On the Language of Conversion: Visigothic Spain Revisited*

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The debate over the identity of “*conversos*” in late medieval Spain is well known. The received wisdom, according to which the converts retained their Jewish faith and practised it in secret,<sup>1</sup> has been questioned by scholars who maintain that the “converso danger” was a product of clerical imagination and inquisitorial practice,<sup>2</sup> and that only after the expulsion of 1492 did this situation change radically.<sup>3</sup> Historians currently exploring the “converso dualities” have contributed to more sophisticated interpretations.<sup>4</sup>

The article examines conversion during the seventh century. Although it does not propose that the processes at work then are the same as those outlined by participants in the historiographical debate over late medieval conversions, it suggests that the seventh century saw the emergence of structures of thought, prejudices and attitudes which were meant to endure.<sup>5</sup>

Table 1 lists the key events in the history of forced conversion and the subsequent apostasy of Jews under the Visigoths.<sup>6</sup>

Table 1<sup>7</sup>

- 506** Alaric II promulgated a Breviarium (the *Lex Romana Visigothorum*) which borrowed much from the Theodosian Code, namely the tolerance of Jewish worship and ceremony. It differed from the latter in that it imposed a penalty for apostates, i.e. baptised Jews who relapsed into their former faith.
- 589** At the suggestion of the bishops at the Third Council of Toledo, King Reccared, who himself converted to Catholicism in 587, stipulated for the first time the forced conversion of a specific category of Jews, namely the children of mixed marriages.
- 612** An edict of King Sisebut ordered the forced baptism of all Jews. A number of Jews consequently emigrated to France.
- 633** The Fourth Council of Toledo, under King Sisenand, decreed specific legislation for the relapsi: once baptised, Jews should be compelled to remain Christian, even if legal favour – under the King Suintila – permitted them to revert to Judaism. The children of baptised Jews who relapsed were to be taken from their parents and given into the custody of observant Christians or placed in convents. In addition, the slaves of the relapsi were to be freed. Moreover, converts could not assume public office and were to refrain from associating with ex-coreligionists.
- 638** The Sixth Council of Toledo confirmed the canons of the Fourth Council. King Chintila committed himself not to allow anyone who is not Catholic to live in the kingdom. Moreover, converts were obliged to make a profession of faith (*placitum*). Moreover, baptised Jews were blamed for any apostates found in their families. They were to kill their relapsed relatives by themselves in public.
- 653** King Recceswinth appeared as a champion of the faith at the Eighth Council of Toledo which ratified the decrees relating to the Jews of the Fourth Council of Toledo. The fundamental practices of Judaism were outlawed.
- 654** In a set of laws that replaced the Breviarium and formed part of the Visigothic Code (*Leges Visigothorum*), Recceswinth consolidated the measures in the canons and the placitum in order to ensure that no baptised Jew would leave the Christian faith.
- 655** The Ninth Council of Toledo ordered converted Jews to spend all Jewish and Christian holy days in the presence of a bishop so as to prove the veracity of their faith.
- 681** The decrees of the Ninth Council of Toledo were integrated into the *Leges Visigothorum* by King Erwig who reaffirmed and extended the existing legislation, with one exception: the death penalty for apostasy was replaced by corporal punishment, exile and the confiscation of property. Within a year of the promulgation of the new law Jews were to abandon their faith under a formula of abjuration prescribed by the king.
- 693** At the Sixteenth Council of Toledo converts were exempted from taxes but were still expected to prove they were sincere Christians if they were to transact with Christian merchants.
- 694** At the Eighteenth Council of Toledo King Egica accused the Jews of Spain of conspiring against Christianity. The bishops decreed that Jews should have their properties confiscated, be enslaved, and distributed throughout Spain.

Some observations are necessary here:

1. The “*relapsi*” were a constant preoccupation (in the years 506, 633, 638, 654, 655, 681 and 693);
2. Baptism in one or another way was ordered four times (in 589, 612, 638 and 681). However, on the whole, the conversion effort was unsuccessful. The decisions of the Sixteenth Council of Toledo state:

*Although numerous resolutions of the ancient fathers, as well as promulgated laws, shine in their condemnation of the perfidy of the Jews, still, as the prediction of the prophet tells us about their stubbornness, the sin of Judah is written with a pen of iron and with a point of a diamond, they have become harder than stone and persevere in the blindness of their obstinacy.*<sup>8</sup>

Finally, by 694, the term “*Iudaei*” itself is far from clear. It refers to Christians of Jewish origin, especially those who preserved some of their ancestral rites,<sup>9</sup> or to those known or suspected of defying royal and episcopal policy.<sup>10</sup>

3. Although the legislation was originally aimed against Judaic practices among Jews, willing or forced converts to Christianity soon became equally subject to controls. Converts were treated as a different class of Christian and preoccupied the Fourth, Sixth, Ninth and Sixteenth Councils. Finally, legislation against Judaic practices evolved into measures against people of Jewish origin.<sup>11</sup>

It would be misleading to assume that the history of laws and canons outlined above is a series of consistent steps leading to a predetermined outcome. While the processes involved may not be explained by diplomatic, economic, or political exigencies,<sup>12</sup> they are interesting on account of ideological nature and, more specifically, for the way the terms “Jew”, “baptism” and “conversion” were defined in the context of Visigothic taxonomies. The sincerity of the converts may be debatable.<sup>13</sup> However, that the Councils’ decrees and the forty-three capitula of the laws concerning Jews were instruments of violence and exclusion is beyond any doubt.

### ***Kings and the Church, or the Question who Initiated the Conversions and why?***

In fifth-century Spain, the Visigoth conquerors – Christians and Arians – had to live with the native *Hispani*, who were Roman by culture and law and Catholic by faith. Visigoths and *Hispani* had their own priests and churches, their own judges, courts and laws. Thousands of Jews had settled in Spain a long time before – while the date of their arrival is unknown, evidence of a significant settlement dating from 300 CE exists – and were culturally and civically identified with the *Hispani*. After King Reccared’s conversion, Arianism was replaced by Catholicism. In the context of Romanisation, Arianism rapidly disappeared. By 654 all distinctions between Gothic and Roman legal status had been suppressed, although Gothic descent was still recognised as one of the prerequisites for election to the royal dignity. Thus, a major ideological distinction that had divided the population and provided opportunities for local struggles and tensions vanished.<sup>14</sup> This opened the way for the Catholic Church to actively rally around a monarchy that itself increasingly relied on its support. Aspirations towards unity created hostility towards those

who would not conform. The new situation implied a new hierarchy. The marginal position the Jews retained before the kings' conversion degenerated into exclusion.<sup>15</sup>

In the historiography of Jewish–Christian relationships in medieval Europe the question is posed frequently whether it was the secular power or the Church that enabled the initiation of measures against Jews.<sup>16</sup> However, the idea that the realm of politics and religion were separate is misleading.<sup>17</sup> As an institution, the monarchy may have been weak, and the Church was strengthened by Roman tradition and culture. On the other hand, as the canons suggest, cooperation worked both ways.<sup>18</sup> Kings not only frequently attended the Councils of Toledo in person, but also convened them and set the agendas in a tome or written speech which they delivered personally. Undoubtedly, the bishops influenced or formulated the kings' priorities. The recurrence of the ideas of Isidore of Seville in the decisions of the Fourth Council, over which he presided, indicates that he formulated them.<sup>19</sup> The issues discussed at the Council are hard to classify on either side of the secular/clerical divide,<sup>20</sup> and the acts of some of the councils were confirmed by royal decree which gave the proceedings force of law and stipulated penalties for their violation.<sup>21</sup>

However, another process taking place at the time may have also been at work. The Visigoths who embraced the Roman legacy also strove to emulate the Byzantine experience.<sup>22</sup> Although direct evidence is lacking, the Visigoths possibly attempted to emulate Byzantine anti-Jewish policy. Such is the case of the Merovingian King Dagobert I who ordered a forced conversion in 632–633 following advice given to him by emperor Heraclius.<sup>23</sup>

### ***Baptism and Conversion.<sup>24</sup> The Sacrament and the Use of Force***

Although theological discussion about Jewish conversion began only in the twelfth century, the problem of forced baptism was posed much earlier. Pope Gregory I, in a letter to the bishops of Arles and Marseilles written in 591, made clear that: “when anyone is brought to the font of baptism, not by sweetness of preaching but by compulsion, he returns to his former superstition, and dies the worse from having been born again”. Five hundred years later, Pope Callixtus II (1119–1124) in a response to a request from the Jews of Rome, reiterated that “no Christian shall use violence to force them into baptism ...”<sup>25</sup>

King Sisebut's order of conversion marked a turning point from a political and theological point of view. His decision was in conflict with Augustine's principles according to which Jews should not be subjected to forced baptism; as Jews provided testimony of the Christian truth in their Scriptures and in their continued compliance with biblical law, they were endowed with a particular historical function in the divine economy of salvation and they would convert at the end of the present age, at the moment of the final judgement and redemption. Nevertheless, canon 57 of the Fourth Council ratified the use of force:

*[Jews] should not be saved unwillingly but willingly ... They should be persuaded to convert, therefore, of their own free choice rather than forced by violence. Since it is clear, however, that those who were formerly forced to come to Christianity, as was done in the days of the most*

*religious prince Sisebut, have been associated in the divine sacraments, received the grace of baptism, were anointed with the chrism and partook of the body and blood of the Lord, it is proper that they should be forced to keep the faith even though they had undertaken it under duress, lest the name of the Lord be blasphemed and the fault they had undertaken be treated as vile and contemptible.*<sup>26</sup>

Isidore, who presided over both the Third Council of Seville in 624, which called for the supervision of Jews who had been ordered to baptise their children, and the Fourth Council of Toledo in 633, had broken with Augustinian tradition. His *De fide catholica*, written at the time of Sisebut's decree and intended for the instruction of the clergy, bespeaks the mutual wish of king and prelate to blend the diverse strains of their society and culture into a single Spanish, catholic unity.<sup>27</sup> In his *Historia Gothorum* Isidore admitted that Sisebut "compelled with force those whom one was supposed to bring to the faith with reason", but he concludes that "in every way, whether in pretence or in truth, Christ is proclaimed".<sup>28</sup>

Isidore upheld a different philosophy of history: the conversion of the Jews, he believed, would soon bring Christian history to its long sought fulfilment.<sup>29</sup> By the end of the century, in 693, any second thoughts concerning the use of force had disappeared:

*It is abundantly clear that the walls of their disbelief are repeatedly shattered by the siege engines of the Catholic Church and that they [the Jews] will be finally either cured against their will or so powerfully destroyed that they shall perish for eternity in God's judgment.*<sup>30</sup>

Canon 57<sup>31</sup> concerns the problems related to baptism as a sacrament.<sup>32</sup> The efficacy of baptism depended neither on the status of the person administering it nor on that of the recipient; it was believed to depend solely on the power of God. However, the authority of the Catholic Church rested on the control of the sacraments. To declare a baptism, even a forced one, invalid would therefore have amounted to contesting the prevailing belief in the effectiveness of the sacrament, to a blasphemous denial of Godly power, and to questioning the authority of the Church. Thus, it is hardly surprising that the popes declared forced baptism to be binding.<sup>33</sup> The characteristic papal position was formulated by Innocent III in 1201,<sup>34</sup> and in 1298 Boniface VIII conferred canonical status to the decree issued against backsliding at the Fourth Council of Toledo.<sup>35</sup>

Insistence on the irrevocability of baptism was probably grounded not only on theological or political considerations. Belief in Christian rituals may have been shaped in the context of a dynamic juxtaposition with Jewish rites. In the framework of religious antagonism, baptism ought to be as indelible as circumcision was irreversible. While this will be discussed below, in reference to mental structures it is worthwhile noting that the usurpation of royal power was also seen as an irrevocable act attributable to divine will. Submission to the new ruler was required, even though he had resorted to violence in order to usurp the throne, as an acceptance of divine will. Above all, political and religious stability was paramount.<sup>36</sup>

It has been argued that in the early Middle Ages conversion was an ongoing phenomenon and that religious identity was not subject to scrupulous scrutiny;<sup>37</sup> only in the twelfth century and in a

framework of a “discovery of the self” did converted Jews come to doubt their new Christian identity.<sup>38</sup> However, evidence from Visigothic Spain indicates a different periodisation. The Visigothic councils and laws which shaped the structures of thought regarding converted Jews drew on attitudes already embedded in early Christianity. In particular, the act of Judaizing – the assumption by Christians of Jewish practices – was in itself a major cause of hostility toward the Jews. The mass conversion attempted in seventh-century Spain and the ensuing legislation represents a decisive step in the construction of the convert identity which took place long before the twelfth century.

### *The Converts: A Suspect Population*

As conversion is a matter of crossing boundaries, it thus poses dangers of pollution.<sup>39</sup> A polluting person is always in the wrong, an object of reprobation first because he or she has crossed the line and second because the transgression committed endangers others and unleashes anxiety. Converts are duplicitous figures that subvert authority by their very indistinguishability from those to whose norms they are to conform. In a different framework, postcolonial theorists have posited a subversive “hybridity” which transgresses traditional ideological boundaries and thus negates, or at least questions and destabilises the assumed distinctiveness of the contrasting entities or categories.

Conversion in general and forced baptism in particular created a real or imaginary suspect population composed of *relapsi* and their accomplices. The *confessio* of 638 contains a powerful image of converts who relapse:

*having finally extricated ourselves from such an enormous abyss of our iniquity thanks to the care of supreme piety, we have been ensnared again and are being bound captive by the snares of Devil, lapsed into infelicitous belief after the holy baptism.*<sup>40</sup>

The discourse of conversion is full of ambiguities and binary oppositions concerning pollution and contagion. King Reccesvinth later declared: “I denounce both the lifestyle and the customs of Jews, whose pestilential contagion alone still pollutes the land under my new rule.”<sup>41</sup>

King Ervig promised in 681 to “eradicate the roots of the Jewish plague which always breaks out again in new madness”. The language of filth becomes violent in a particularly powerful metaphor. The *Professio Judaeorum* obliged Jewish converts to state: “I promise that I shall never return to the vomit of the Jewish superstition.”<sup>42</sup> The image and the phrase “*ad vomitum superstitionis judaice*” is a reminder of Peter’s Epistles (Pet. 2:22). It turns into a topos by virtue of being reiterated again and again in different periods and in similar contexts: in a letter from the Archbishop of Canterbury to the King of England in 1281 on some relapsed Jewish converts,<sup>43</sup> in the Inquisition Record of Bishop Fournier (1318–1325) where the baptised Jew Baruch is said to return to the Jewish rite “like a dog to his vomit”,<sup>44</sup> and in a letter from King Pedro IV of Aragon to the Inquisitor of Provence in 1359.<sup>45</sup> Jews could only be “cleansed in the holy baptismal ablution” from such impurity.<sup>46</sup> It was widely held that at the critical moment of baptism, the purifying waters washed away their foul smell and with it their allegiance to the Devil.<sup>47</sup>

Visigothic legislation was militant: the rhetorical strategies deployed by canons and laws are both traditional and inventive. They are traditional when they deal with Jewish “perfidy”, “stubbornness”, “blindness” and “obstinacy”, or even when they portray Jews as “carnal Israel”,<sup>48</sup> “harmful”,<sup>49</sup> sacrilegious people<sup>50</sup>, “members of the Antichrist’s body” or “ministers of the Antichrist”<sup>51</sup> – a link which is due to Isidore who accused the Jews of being the Synagogue of Satan and the Antichrist himself of being a Jew by birth.<sup>52</sup> But the language of conversion is also inventive. For example, a canon from the Third Council of Seville (624) relates that Jewish parents who had been baptised by force were trying to save their children from baptism with the help of Christian neighbours who lent them their own children who underwent a second baptism. According to the wording of the canon, the Jewish children thus remained “pagan”.<sup>53</sup> The deliberate choice of the term pagan aimed at denigrating Judaism by putting it on a par with idolatry, primitive religion and backward culture. It was moreover a way of relegating Judaism to the sphere of illegality; even though imperial laws presented Jews, heretics and pagans as deviating from the official religion, Judaism retained its status of *religio licita*, whereas pagans and heretics were outlawed. It served the same purpose as Isidore’s characterisation of Judaism as *superstitio*,<sup>54</sup> that is, idolatry inimical to the Christian religion.

In the *Leges Visigothorum* religious deviants of all sorts were lumped together in the category of “heretics”. Within it the most prominent subclass was the *Iudaei*. Concerned about those Jewish pseudo-Christians who were “worse by far than bad Christians or real Jews”, Isidore equated the *synagoga Iudaeorum* (synagogue of the Jews) with the *haereticorum unitas* (unity of heretics). The Jews may have been construed as heretics because they were aware of the truth of Christ and yet deliberately rejected it. However, the link between Judaism and heresy intensified when conversion was at stake. The anxiety that the boundary of conversion might be re-transgressed in the wrong direction later found expression in the Inquisition.<sup>55</sup>

Rhetorical strategies such as those discussed above produced a discourse that blurred the line between baptised Jews and *relapsi*, between converts and Jews. Some moves were decisive: the canons of the Fourth Council of Toledo dealt extensively with *relapsi*, and they also affected an innovation decreeing that “those who were formerly Jews should not seize public offices” (canon 65). In Roman legislation this measure aimed at confirming the subordinate status of Jews and preventing the possibility of them inflicting a penalty on Christians. However, this measure had no bearing on the baptised, who were considered Christian. The Toledan canon represents an innovation. Furthermore, at the Seventh Council of Toledo converts were simply called Jews<sup>56</sup> and in the *Leges Visigothorum* baptised Jews are not called Christians: “Not one of the Jews should either profane or leave the Christian faith of the sacred religion that he embraced by the immersion of holy baptism.”<sup>57</sup> This confusion underlines the fact that baptised Jews were suspect. To put it another way: it points to an immutable Jewish identity which even holy baptism could not erase. Had Christians been aware of rabbinic thought on the inefficacy of baptism,<sup>58</sup> they might have been able to draw further arguments in support of their case.

In sum, Jews and converts were discursively constructed as a danger to the purity of Christian identity. The language of pollution, of evil allegiances and the eternal persistence of Jewish

characteristics, was further upgraded in light of accusations of conspiracy. When Egica accused the Jews of conspiring against Christianity and his kingdom, whether he was referring to the Jews of his kingdom who had never been baptised, to converts who had relapsed, or to those who were merely accused of having done so, one could add another possibility: he was unable to distinguish between these categories (Jews, converts and *relapsi*) because the fear of pollution and the blurring of the lines as a rhetorical strategy worked both ways.<sup>59</sup>

The myth of conspiracy in late seventh-century Spain – also attested in Byzantine sources of the same period – provided the explanation for the Jewish–Mongol “plot” of 1241<sup>60</sup> and the “plot” between lepers, Jews and Muslims to overthrow Christendom in 1321.<sup>61</sup> These were not just “non-events” in medieval history; they were part of structures of thought that turned Jews and Jewish converts into suspects of treason.<sup>62</sup>

### *The Language of Ritual*<sup>63</sup>

Religion in the Middle Ages above all involved ritual participation. Rituals were the means by which people forged relations with each other and with the divine. It is impossible to know the extent to which these rituals created a sense of solidarity in the absence of consensus and whether they produced stories people told themselves about themselves. However, it is interesting to observe how ritual penetrated law and how law deployed ritual in reference to Jewish converts.

The law – oral or written – was also a system of memory and a reservoir of images and symbols.<sup>64</sup> Many of these images and symbols come from the Scriptures and are expressed in their language. Furthermore, jurists, imitating their Roman predecessors, albeit not always faithfully, attempted to set down for posterity unwritten Germanic customs also involving words, symbols and rituals.<sup>65</sup> The canons and laws were obsessively preoccupied with Jewish religious practices such as the dietary or marriage regulations and circumcision. Religious teaching denounced these practices and rituals on the grounds that the advent of Christianity had rendered them obsolete. Upholding them was proof of Jewish disobedience to the order of conversion and ought to be repressed. According to the *Leges Visigothorum* Jews swore “to do nothing at all that the usage, abominable custom and way of life of the Jews comprises” and to “truly hold and sincerely embrace all the usages of the holy Christian religion”.<sup>66</sup> The Fourth Council of Toledo referred to

*many who were elevated from being Jews to the Christian faith [and] are now blaspheming Christ not only by being known to be practicing Jewish rites but even by daring to operate abominable circumcisions ... If those whom they circumcise are their sons they shall be separated from their parents' company, and if slaves, they shall be given liberty in return for the injury done to their bodies.*<sup>67</sup>

The intensity of the phrasing attests to the importance given to circumcision as the bodily inscription par excellence. Secular customs and theological opinions coincided in viewing circumcision as bodily injury. In the history of the rebellion against King Wamba – described by Julian, archbishop of Toledo – all traitors underwent *decalvatio*<sup>68</sup> (decalvation) and public flagellation,



but the king punished disobedient soldiers in his own ranks with circumcision. In the *Leges Visigothorum* the act of circumcision was punishable by amputation – of the genitals in the case of men and of the nose in the case of women. Circumcision, therefore, provides a good example illustrating the polemic mobilisation of ritual, as ritual may not define its own values and meanings. Such a definition is the product of textual struggle.

The Visigoths punished misbehaviour with verbal as well as physical sanctions. From Roman law they inherited the notion that deprivation of office, exile and enslavement were the appropriate penalties for citizens or groups proven unworthy. In addition, the offences of blasphemy against Christ or the Trinity, and the refusal to receive the sacraments were punished by decalvation and flogging – public, humiliating bodily punishments. Such were also the punishments the *Leges Visigothorum* reserved for *relapsi* converts: they were to be stoned to death. The threat of stoning, a dishonouring punishment for serious crimes in the Old Testament, must have been considered effective in eradicating any potential doubts and attachments which might lead to “rejudaising”.

In 637, on the eve of the Sixth Council of Toledo, the former Jews of Toledo were compelled to take an oath, a *professio*, which became part of the Council’s third canon.<sup>69</sup> Its content reveals that they were actually *relapsi* converts. Seventeen years later, a month after the Eighth Council’s conclusion in 654, the converts of Toledo swore a public oath (*placitum*) that was incorporated in the *Leges Visigothorum*.<sup>70</sup> Those who had sworn under King Chintila in 638 now had to confess that because of the “obstinacy of the ancestral deviation”, they did not truly believe in the Lord Jesus. In 681, after Ervig’s ultimatum, baptised Jews undertook the profession of faith abjuring Judaism.

Two remarks are necessary at this point. The first concerns the conviction regarding or fear of the inefficacy of baptism, which was counterbalanced by another ritual which made the convert confess. The ritual profession of faith completed or repaired the possible weakness of baptism or the stubbornness of the converts. The Jewish attitude on this subject is worth noting. As the famous inquisitor Bernard Gui believed<sup>71</sup> and as evidence from Provence concerning popular attitudes suggests,<sup>72</sup> there was indeed a “rejudaisation” rite consisting of an oath of abjuration and an immersion. This belief persisted in later periods. However, the fact that rabbis did not demand such a rite, which in any case was not prescribed in the Talmud, may be due to their refusal to credit the Christian sacrament of baptism with any value whatsoever.<sup>73</sup> Jews and Christians mirrored themselves in each other, and religious conflicts may be seen as cross-pollinating wars over ritual.<sup>74</sup>

The second remark concerns the liturgical aspect of legal speech. Confession is not just the “bringing to speech” of a pre-existing sense of selfhood: it is the construction and performance of subjectivity within contexts of language and power. In 637 the Jews of Toledo, in their oath, declared that having been “warned and admonished” they “spontaneously chose to return” to Christianity. They recited the Credo and they confessed that they “lapsed into infelicitous disbelief”. After exposing the theological truth revealed by Jesus’ resurrection, they promised to keep their oath and “never [to] secede from the unity of the Catholic Church”. They rejected Jewish rites, circumcision and holidays, promised to abstain from associating with non-baptised Jews,

to live like Christians and to make their doctrinal books available for inspection so that “not even a vestige of malodorous suspicion shall remain”. Finally, they promised to alert the authorities about every “prevaricator”. Otherwise, they were to lose their property and be put to death by stoning or fire. In 654, the *relapsi* committed themselves “not to take part in any Jewish observance or rite” and “to hold and sincerely embrace all the usages of the holy Christian religion”. Imposing an oath on the Jews was a technique for producing a discourse of truth, for manipulating social relations by eliciting professions of identity.<sup>75</sup> As in the case of the thirteenth- and fourteenth-century Inquisition, the position of the confessing subject was carved out by a “technology of power” in which the threat of punishment played only a part.<sup>76</sup> The compelled oath of the Jews in Visigothic Spain may be considered as a crucial part of a similar “technology of power”.

The belief in the imperfect conversion of Jews was a dominant perception which was part of the social reality of seventh-century Spain. The use of force, rhetorical devices and the management of ritual reinforced a profound ambivalence about Jews among Christians. The strategy of deploying physical means, rhetorical polemics and long-standing mental dispositions blurred the lines between Jews and converts were and created a vulnerable, suspect population.

## FOOTNOTES

- 1 This opinion was expressed among others by Fritz Baer, *A History of the Jews in Christian Spain*, 2 vols., Philadelphia: Jewish Publication Society of America, 1961, and Haim Beinart, “The Records of the Inquisition: A Source of Jewish and Converso History”, *Proceedings of the Israel Academy of Sciences and Humanities* 2:11 (1967), pp. 211–27; idem, “The Converso Community in 15th Century Spain” and “The Converso community in 16th and 17th century Spain”, in R. D. Barnett (ed.) *The Sephardi Heritage*, London: Vallentine, Mitchell, 1971, pp. 425–56 and 457–78.
- 2 See Benzion Netanyahu, *The Marranos of Spain: From the Late 14th to the Early 16th Century, according to contemporary Hebrew Sources*, Ithaca: Cornell UP, 1999 (1966); idem, *The Origins of the Inquisition in 15th Century Spain*, New York: Random House, 1995; Henry Kamen, *The Spanish Inquisition: An Historical Revision*, London: Weidenfeld & Nicolson, 1997; Norman Roth, *Conversos, Inquisition and the Expulsion of the Jews from Spain*, Madison: University of Wisconsin Press, 1995.
- 3 At that time, there emerged a “converso religion”, a “*condition marrane*” as Natan Wachtel (*La Foi du Souvenir: Labyrinthes marranes*, Paris: Editions du Seuil, 2001) put it, which formed the basis of a new kind of identity, a “message of modernity”, according to Robert Bonfil in “Aliens Within: The Jews and Antijudaism”, in Thom. A. Brady, Heiko A. Oberman, James D. Tracy (eds), *Handbook of European History, 1400–1600: Late Middle Ages, Renaissance and Reformation*, Leiden: Brill, 1994, vol. 1, pp. 263–302.
- 4 See among others: Yosef Hayim Yerushalmi, *From Spanish Court to Italian Ghetto. Isaac Cardoso: A Study in Seventeenth Century Marranism and Jewish Apologetics*, New York: Columbia UP, 1971; Brian Pullan, *The Jews of Europe and the Inquisition of Venice 1550–1670*, Oxford: Blackwell, 1983; Yirmiyahu Yovel, “The New Otherness: Marrano Dualities in the First Generation”, *Jewish Social Studies* 4:3

- (1998), pp. 1–28 [1999 Swig Lecture, University of San Francisco, available at: <http://www.usfca.edu/judaicstudies/yovel.html> (last accessed 14 May 2006)]; Gretchen Starr-LeBeau, *In the Shadow of the Virgin: Inquisitors, Friars and Conversos in Guadalupe Spain*, Princeton: Princeton UP, 2003.
- 5 “The polarized pair Christian–Jew provided medieval theologians and their audiences a powerful hermeneutic through which to comprehend and classify their constantly changing world with phenomena perceived as dangerous mapped into the negative pole of the opposition.” David Nirenberg, “Conversion, Sex and Segregation: Jews and Christians in Medieval Spain”, *American Historical Review* 107:4 (2002), pp. 1065–93 (1086).
  - 6 See E. A. Thomson, *The Goths in Spain*, Oxford: Clarendon, 1969; Jean Juster, “The Legal Condition of the Jews under the Visigothic Kings”, parts I–III, *Israel Law Review* 11 (1976), pp. 259–87, 391–414, 563–90; Bernhard Blumenkranz, *Juifs et chrétiens dans le monde occidental*, Paris: Mouton, 1960.
  - 7 Data compiled from extracts from Karl Zeumer, *Leges Visigothorum*, Hanover: Hahn, 1902, and José Vives, *Concilios visigóticos e hispano-romanos*, Barcelona: España Cristiana, 1963. Reproduced in Amnon Linder (ed.), *The Jews in the Legal Sources of the Early Middle Ages*, Detroit: Wayne State UP, 1997, pp. 257–331, 485–538. All translations of the canons of the Toledo Councils in this article are Linder’s.
  - 8 Canon 1, Toledo XVI.
  - 9 Blumenkranz, *Juifs et chrétiens*, pp. 131–33.
  - 10 Jeremy du Quesnay Adams, “Ideology and Requirements of ‘Citizenship’ in Visigothic Spain: The Case of the Judaei”, *Societas* 2 (1972), pp. 317–33.
  - 11 See Yosef Hayim Yerushalmi, “Assimilation et antisémitisme racial: le modèle ibérique et le modèle allemand”, in Y. H. Yerushalmi, Cyril Aslanov, Eric Vigne, Paul Teyssier, Jean Letroit (eds), *Sefardica: Essais sur l’histoire des Juifs, des marranes et des nouveaux-chrétiens d’origine hispano-portugaise*, Paris: Chandeigne, 1998, pp. 255–292.
  - 12 Du Quesnay Adams, “Ideology and Requirements of ‘Citizenship’”.
  - 13 For the complexity of converso self-perception and loyalties in early modern Europe, see: Yerushalmi, *From Spanish Court to Italian Ghetto*; Jonathan Israel, *Empires and Entrepôts: The Dutch, the Spanish Monarchy and the Jews, 1585–1713*, London: Hambleton, 1990; Miriam Bodian, “Men of the Nation’: The Shaping of Converso Identity in Early Modern Europe”, *Past and Present* 143 (1994), pp. 48–76.
  - 14 Roger Collins, *Early Medieval Spain: Unity in Diversity, 400–1000*, New York: St. Martin’s Press, 1995, pp. 108–9.
  - 15 On the notions of hierarchy, marginality and exclusion as analytical tools for the history of Jewish communities, see Mark Cohen, *Under Crescent and Cross: The Jews in the Middle Ages*, Princeton, Princeton UP, 1994, pp. 107–20.
  - 16 In this case, some historians point to kings’ initiatives either because of their religious zeal or because of their will to turn the Jews into scapegoats and detract attention from their own failures. The Church, they believe, was subordinate to the king. See P. D. King, *Law and Society in the Visigothic Kingdom*, Cambridge: Cambridge UP, 1972, and Thomson, *The Goths in Spain*. Some others see the conversionary policy as an ecclesiastical trap. According to yet another view, forced conversion by some monarchs was intended to end Jewish political power and economic competition when it turned against them; to do so the monarchy used the Church as a tool. See Bernard S. Bachrach, “A Reassessment of Visigothic Jewish Policy, 589–711”, *American Historical Review* 78:1 (1973), pp. 11–34.

- 17 Bat-Sheva Albert, "De fide catholica contra Judaeos d'Isidore de Séville: La polémique anti-judaïque dans l'Espagne du VII<sup>e</sup> siècle", *Revue des Etudes Juives* 141 (1982), pp. 289–316.
- 18 The interdependence between the king and the Church appears clearly in the formulation of the third canon against the Jews of the Sixth Council of Toledo: "... the most excellent and most Christian prince [Chintila] decided together with the priests of his kingdom to eradicate entirely their prevarications and superstitions, nor does he allow anyone who is not catholic to live in his kingdom" (Canon 3, Toledo VI).
- 19 Bat-Sheva Albert, "Isidore of Seville: His Attitude toward Judaism and his Impact on Early Canon Law", *Jewish Quarterly Review* 80:1–2 (1990), pp. 210–11; idem, "Un nouvel examen de la politique anti-juive wisigothique", *Revue des Études Juives* 135:3 (1976), pp. 3–29.
- 20 Canon 3, Toledo VI. De custodia fidei iudaeorum: "... the most excellent and most Christian prince [Chintila], inspired by the supreme God and ablaze with the fire of faith, decided together with the priests of his kingdom to eradicate entirely their prevarications and superstitions, nor does he allow anyone who is not Catholic to live in his kingdom".
- 21 Moreover, the supreme position of the king as head of Christian society is clearly exposed by the employment of excommunication as a penalty for breaking the laws, a fact that may be considered as a service offered by the Church to the king against enemies who attempted to subvert him.
- 22 In the second decade of the seventh century they won conclusive victories over the Byzantines, but towards the end of sixth century, Spain was in close contact with the Eastern Empire. Throughout the existence of Byzantium there must have been a great deal of movement both of officials and of correspondence between southern Spain and Constantinople as well as private visitors. Although this hypothesis finds no direct support in the sources, Byzantium was aware since the fifth century of the use of force against religious dissidents and the practice of forced baptism. See Andrew Sharf, "Byzantine Jewry in the Seventh Century", *Byzantinische Zeitschrift* 48 (1955), pp. 103–15.
- 23 It has been argued that imitating the Byzantines was the cause of "acts of intolerance which were prepared by a latent state of mentalities" in the case of the Merovingian King Dagobert (see: Michel Rouche, "Les baptêmes forcés de Juifs en Gaule mérovingienne et dans l'Empire Romain d'Orient", *Le choc des cultures. Romanité, Germanité, Chrétienté durant le Haut Moyen Âge*, Villeneuve d'Ascq: Presses Universitaires Septentrion, 2003, pp. 223–42). The clergy's obsession with unity could not tolerate the coexistence with another religion and the kings were prisoners of a mental state that identified the supernatural universalism of the Church with the terrestrial universalism of the Empire. A similar explanation for Visigothic Spain should probably not be excluded, but further investigation is necessary.
- 24 The term "conversion" is used here in *lato sensu*, i.e. the process of passing from one religion to another, although medieval texts refer specifically to conversion as a continuous spiritual process which required lifelong contemplation, study and prayer on the part of the convert. On baptism, see Peter Cramer, *Baptism and Change in the Early Middle Ages, c.200–c.1150*, Cambridge: Cambridge UP, 2002.
- 25 This papal bull is known after its opening words as *Sicut Judeis*. See Solomon Grayzel, "The Papal Bull Sicut Judeis", in Meir Ben-Horin et al. (eds), *Studies and Essays in Honor of Abraham A. Neuman*, Leiden: Brill, 1962, pp. 243–80.
- 26 Canon 57, Toledo IV. De discretione iudaeorum qui non vel qui credere coguntur.
- 27 See Albert, "Isidore of Seville", pp. 207–20.
- 28 Isidore, *Historia Gothorum*.

- 29 See Jeremy Cohen, *Living Letters of the Law. Ideas of the Jew in Medieval Christianity*, Berkeley: University of California Press, 1999, pp. 95–122.
- 30 Canon 1, Toledo XVI. *Di iudaeorum perfidia*.
- 31 The Toledan decrees were incorporated into the great 11th and 12th century collections of canon law by Burchard of Worms and Ivo of Chartres.
- 32 Tertullian used the expression *sacramentum* for baptism, both in its original juridical sense of an oath and in its theological sense of *mysterion* or revealed truth. Augustine seems to have seen baptism as a form of exorcism, the negative function of removing original sin from the child or, in the case of adult convert, of both original and personal sins. Baptism, in his opinion, provided no more than the possibility of setting out for journey towards the city of God. See Cramer, *Baptism and Change*, pp. 63–88. While baptism was extended to infants by the 5th century, it was never divorced from a conscious acceptance of faith; the godparents would speak the *professio* on the infant's behalf.
- 33 Benjamin Ravid, "The forced Baptism of Jews in Christian Europe. An Introductory Overview", Guyda Armstrong and Ian N. Wood (eds), *Christianizing Peoples and Converting Individuals*, Turnhout: Brepols, 2000, pp. 157–67.
- 34 As it was considered a sacrament, once a Jew has been baptised he had to be considered a Christian and remain one, even if force was involved. In his papal bull *Turbato Corde* (1267), Pope Clement IV made a crucial further step. He declared that *relapsi* represented an insult to Christianity and a threat to the Christian faith. He empowered Dominican and Franciscans inquisitors to proceed against them and, if necessary, to call on the secular authorities to condemn them to death.
- 35 The ambiguities entailed in the concept of "violence" emerge in relief during the trial of Baruch, a relapsed Jewish convert in France, as it appears in the famous register of Fournier. Baruch held that he had sought the advice of several priests as to whether a forced baptism was valid. Fournier, well versed in canon law, asked the accused whether in the midst of the ceremony "he had protested by word or deed, or shown contrary will by resisting". Baruch replied that he had done no such thing, simply because he was told that to protest would have meant certain death. The bishop declared that since the baptism did not take place under "absolute coercion", Baruch was bound to uphold the Christian faith. Should he remain obstinate, the court was to proceed against him as a heretic. See Yosef Hayim Yerushalmi, "The Inquisition and the Jews of France in the Time of Bernard Gui", *Harvard Theological Review* 63:3 (1970), pp. 317–76.
- 36 See Collins, *Early Medieval Spain*.
- 37 Jonathan M. Elukin, "The Discovery of the Self: Jews and Conversion in the Twelfth Century", in Michael A. Signer and John Van Engen (eds), *Jews and Christians in Twelfth-Century Europe*, Notre Dame: Notre Dame UP, 2001, pp. 63–76.
- 38 On later forced conversions, see Robert C. Stacey, "The Conversion of Jews to Christianity in Thirteenth-Century England", *Speculum* 67 (1992), pp. 263–283; Joshua Starr, "The Mass Conversion of Jews in Southern Italy (1290–1293)", *Speculum* 21:2 (1946), pp. 203–211; Reva Brown and Sean McCartney, "Living in Limbo: the Experience of Jewish Converts in Medieval England", in Armstrong and Wood (eds), *Christianizing Peoples*, pp. 169–91.
- 39 Mary Douglas, *Purity and Danger: An Analysis of the Concepts of Pollution and Taboo*, London: Routledge & Kegan Paul, 1966.
- 40 Toledo VI. *Confessio vel professio iudaeorum civitatis Toletanae*.

- 41 Toledo VIII. The term "pollution" appears in article 16.2.1 of the *Breviarium (Lex Romana Visigothorum)*: "Those who despised the dignity of the Christian religion and name and polluted themselves with the Jewish contagions should be punished for their disgraceful acts." Moreover, Jews could not claim purity: "The detestable customs of the Jews – even more polluted than the Jewish superstition – discriminates between pure and impure foods" (*Leges Visigothorum*, 12.3.7) and "It is appropriate that the detestable life of the Jews and that cleanliness of a dreadful discrimination – far more defiled than any filthy deviation – should be both justly refuted and necessarily terminated. Not one of them should discriminate between pure and impure foods according to the ancient rite of their tradition and their customary usage" (*Leges Visigothorum*, 12.2.8).
- 42 *Professio Judaeorum*. "These which were said by me according to the faith of this creed, I believe truly, hold faithfully and embrace with the whole force of my mind, and I promise that I shall never return to the vomit of the Jewish superstition" (*Leges Visigothorum*, 12.3.14).
- 43 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), pp. 214–29.
- 44 The full text was translated into English with introduction and notes by Solomon Grayzel, "The Confession of a Medieval Jewish Convert", *Historia Judaica* 17 (1955), pp. 89–120.
- 45 Roth, *Conversos*, p. 212.
- 46 The introduction to the canons of Toledo VIII states: "I observe that some of them maintain their ancient perfidy in their customary deviation, while others, cleansed in the holy baptismal ablution [sacri baptismatis expiatis ablutione], relapse into the deviation of apostasy ..." (lines 15–17).
- 47 Joshua Trachtenberg, *The Devil and the Jews. The Medieval Conception of the Jew and its Relation to Modern Antisemitism*, Philadelphia: Jewish Publication Society of America, 1984 (1943).
- 48 "... carnal Israel in the hardness of its heart and the depravity of its mind did not recognise the reality of its life" (*Confessio*, Toledo VI).
- 49 "... concerning the harmful activities that a careful examination has exposed as contrary to piety and proved to be inimical not only to liberty to govern but also to clemency ..." (Canon 10, Toledo VIII).
- 50 "[it is] shameful that a prince of the Orthodox faith should rule sacrilegious people and that the faithful populace should be polluted by associating with the infidels" (Canon 12, Toledo VIII).
- 51 Canons 58 and 66, Toledo IV.
- 52 Isidore, *De fide catholica*, 1.18.1 and 2.6.2, cited by Cohen, *Living Letters*, p. 97.
- 53 Wolfram Drews, "Jews as Pagans? Polemical Definition of Identity in Visigothic Spain", *Early Medieval Europe* 11:3 (2002), pp. 189–207.
- 54 Isidore, *Etymologiae*, VIII.4.9.
- 55 The Inquisition was an institution that used coercion "to give fantasies a legally validated and socially accepted reality", James B. Given, *Inquisition and Medieval Society: Power, Resistance and Discipline in Languedoc*, Ithaca: Cornell UP, 1997. Since its establishment the Inquisition never had any specific jurisdiction over Jews; it was given only one area of competence: the prosecution of former Jews who had accepted baptism and relapsed to Judaism, and their accomplices. They were both treated as ordinary heretics in accordance to the *Turbato Corde* papal bull of 1267, which first equated "judaising" with heresy.
- 56 Canon 9, Toledo XII. "Jews should not remove either themselves, their sons or their servants, from the grace of baptism".

- 57 *Leges Visigothorum*, 12.2.4.
- 58 See Jacob Katz, *Exclusiveness and Tolerance: Studies in Jewish-Gentile Relations in Medieval and Modern Times*, New York: Behrman, 1961.
- 59 Canon 8, Toledo XVII states: "We have recently and undoubtedly discovered from clear confessions that those Hebrews from the regions beyond the sea call on the other Hebrews to act together against Christianity ... among their other crimes [the Jews] had not only chosen to throw the order of the Church into confusion but also attempted to ruin the fatherland and the whole people in tyrannical conspiracy in such a way that they already celebrating their own era and committing various massacres of Christians."
- 60 Sophie Menache, "Tartars, Jews, Saracens and the Jewish-Mongol 'Plot' of 1241", *History* 81 (1996), pp. 319–42.
- 61 See Malcolm Barber, "Lepers, Jews and Moslems. The Plot to overthrow Christendom in 1321", *History* 66 (1981), pp. 1–17; Carlo Ginzburg, *Le Sabbat des Sorcières*, Paris: Gallimard, 1992.
- 62 Similarly, in the tales of the host desecration converts were able to fill the role of betrayers of the Eucharist and to execute crucial roles within the narrative. See Miri Rubin, *Gentile Tales: The Narrative Assault on Late Medieval Jews*, New Haven: Yale UP, 1999.
- 63 The term ritual is used here in spite of the fact that it does not accurately reflect the specificity of contemporaries' actions and that it brings allegedly unexamined assumptions from ethnography. The same applies for all abstractions used in history. See Edward Muir, *Ritual in Early Modern Europe*, Cambridge: Cambridge UP, 1997.
- 64 See Peter Goodrich, *Languages of Law: From Logics of Memory to Nomadic Masks*, London: Weidenfeld & Nicolson, 1990.
- 65 Writing was acculturated and submerged into an oral legal tradition (cf. B. Stock, *Listening for the Text. On the Uses of the Past*, University of Pennsylvania Press, 1997). The law was read for the Jews in the Church (*Leges Visigothorum*, 12.8.28).
- 66 *Leges Visigothorum*, 12.2.17. According to the paragraph 12.2.18 a convert had the freedom to have commercial dealings with Christians but "in such a manner that if any Christian, unaware of their conversion, should wish to buy anything from them, he shall not be allowed to do this until (the converted Jew) say that he is entirely Christian and recite to him before witnesses the Lord's Prayer of the Apostolic Symbol and eat the food of Christians and accept it willingly like all true Christians ..."
- 67 Canon 59, Toledo IV.
- 68 On the meaning of hair in different contexts, see: Edmund Leach, *L'unité de l'homme et autres essais*, Paris: Gallimard, 1980; Robert Bartlett, "Symbolic Meanings of Hair in the Middle Ages", *Transactions of the Royal Historical Society* (Sixth Ser.) 4 (1994), pp. 43–60; Elliott Horowitz, "Visages du judaïsme: de la barbe en monde juif et de l'élaboration de ses significations", *Annales. Économies, Sociétés, Civilisations* 49:5 (1994), pp. 1065–90.
- 69 Canon 3, Toledo VI. *Confessio vel professio judaeorum civitatis Toletanae*.
- 70 *Leges Visigothorum*, 12.2.17.
- 71 Yerushalmi, "The Inquisition and the Jews of France", pp. 363–64.
- 72 Joseph Shatzmiller, "L'Inquisition et les juifs de Provence au XIII<sup>e</sup> siècle", *Provence historique* 23 (1973), pp. 327–38.

- 73** Jospeh Shatzmiller, "Converts and Judaizers in the Early Fourteenth Century", *Harvard Theological Review* 74:1 (1981), pp. 63–77.
- 74** See Israel J. Yuval, "Jews and Christians in the Middle Ages: Shared Myths, Common Language", in Robert S. Wistrich (ed.), *Demonizing the Other. Antisemitism, Racism, Xenophobia*, Amsterdam: Harwood Academic, 1999, pp. 88–107.
- 75** On the demand to speak as a confessing subject, the construction and performance of a particular kind of subjectivity, see John H. Arnold, *Inquisition and Power: Catharism and the Confessing Subject in Medieval Languedoc*, Philadelphia: University of Pennsylvania Press, 2001.
- 76** In *Inquisition and Medieval Society*, Given has shown how the inquisitors could elicit ideas, fears and fantasies previously residing in their own minds, thus turning them into socially accepted, legally validated reality.