

ENTANGLED HISTORIES

Knowledge, Authority, and Jewish Culture
in the Thirteenth Century

EDITED BY

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Chapter 8

Nicolas Donin, the Talmud Trial of 1240, and the Struggles Between Church and State in Medieval Europe

Piero Capelli

On 25 June 1240 in Paris, the Babylonian Talmud was put on trial before a jury of bishops, other clerics, and university scholars commissioned by Pope Gregory IX, convened by King Louis IX, and chaired by the queen mother, Blanche of Castile. The jury and judges found the Talmud guilty of several charges leveled against it and, after a delay of one or two years, the king implemented the sentence with the burning of a huge number of copies of the Talmud in the main square of Paris.

This is the second securely documented burning of Jewish books by Christians in the history of medieval Europe, and the first to take place after a regular trial and not at the hands of a raging mob (as had happened only four years earlier in Brittany).¹ The whole procedure of the trial is attested in a collection of Latin documents and in a literary account in Hebrew, the *Vi-kuaḥ rabenu Yeḥi'el* (The Disputation of Our Rabbi Yeḥiel), composed by Yosef Official, a student of the main Jewish defendant in the trial, Rabbi Yeḥiel of Paris.²

Some of the historical questions surrounding the Paris trial still await deeper understanding. Which institutions were involved in the event? What were their respective agendas as represented not just in the trial but in the intense succession of events involving the French and German Jewish

communities in the 1230s and 1240s? And what was the role of Nicolas Donin, the convert from Judaism who prompted the trial, not only in the trial itself but in the other events of his time—particularly the struggles between the church and the state? In this essay I focus on Nicolas Donin, highlighting his background and his connection to contemporary events, in order to understand the role of a convert who became a central figure in the changing relations between Jews and Christians in the thirteenth century.

The main events we know of Nicolas Donin's life unfolded during the 1230s and 1240s, a period that marked a turning point in the web of relationships between the church, the various states of Europe, and the Jews. The German empire granted the Jews the protected status of *servi camerae regis*, "serfs of the imperial treasury," so that, in theory, anyone who caused them harm caused harm to the emperor himself. In France, however, the local barons exerted constant financial pressure on the Jews—particularly violently in the first half of the thirteenth century when the lords grew severely indebted from answering the call to the crusades—and the attendant hostility culminated in 1306 in Philip the Fair's expulsion of the Jews. In Aragon, during the expansion of the kingdom under James I, the monarchy granted the Jews some protection and privileges, while at the same time promoting the mendicant orders' missionizing activity, including forced attendance at Christian preaching.³

These new relationships had both theological and institutional consequences. The Christian perception of the Jews shifted from the traditional Augustinian category of preservers of Scripture to that of heretics;⁴ these were also the years of the crusade against the Cathars and the fall of Montségur, 1244, and of the great Inquisition of the Lauragais, 1245–46.⁵ In sum, the church turned with new aggressiveness toward non-conformists; but it would not have done so without competition with the states and could not have done so without the state's help. A series of events during this nearly two-decade period reconfigured the relationships among church, state, and Jews. Nicolas Donin, a convert who turned against his former co-religionists, was deeply entangled with all of these events, whether through direct involvement, influence, or alleged association:

1230–35 Outburst of polemics in Provence on Maimonides' thought
 and philosophical rationalism versus rabbinic tradition
 ("Maimonidean controversy").

- 1235 Blood libel in Fulda.
- 1236 Frederick II decrees investigations about the Fulda libel in Hagenau and Augsburg. In his *constitutio* of July 1236, he states that he was immediately convinced that the Jews were innocent of the crime of ritual murder, but he nonetheless convened an assembly of converts from Judaism for the benefit of the people and of the law; among them were experts in Jewish law sent by “all the kings of the west.” These experts, being apostates, would have had every reason to expose the Jewish atrocities, including ritual murder, of which they had wished to liberate themselves by converting. On the basis of Scripture and the Talmud, the assembly deems the accusation devoid of truth, and the emperor decrees the statutory protection of the Jews as *servi camerae regis*.⁶
- 1236 The convert Nicolas Donin from northern France brings to Pope Gregory IX a list of thirty-five charges against the Talmud.
- 1239 Pope Gregory IX (in the bull *Si vera sunt*) prompts the Christian kings of western Europe to investigate the Talmud according to Donin’s accusations.
- 1240 Talmud trial in Paris.
- 1241 Probable date of the burning of the Talmud in Paris.⁷
- 1244 Pope Innocent IV (in the bull *Impia iudaeorum perfidia*) prompts a new inquisition, and the confiscation and burning of the Talmud in France.⁸
- 1247 The Jews of France appeal to Innocent IV for restitution of the Talmud; tense exchange of letters between the pope and his legate in France, Odo of Châteauroux.
- 1248 “Sentence”⁹ of Odo of Châteauroux: no restitution of the Talmud to the Jews.

While previous historians have connected many of these events, to the best of my knowledge no one has yet considered the entire succession and its implications, let alone the significance with respect to the activities of Nicolas Donin.

The Life and Career of Nicolas Donin

Nicolas Donin Before the Talmud Trial of 1240

Who was Nicolas Donin? His name was a diminutive of Dedon, in its turn a diminutive of Dieudonné, and therefore the French etymological equivalent of the Hebrew name Matatyah or Matityahu, “given by God as a gift”; according to Henri Gross, it was a fairly common name among Jews from northern France.¹⁰ As for Donin’s provenance, according to the Latin Christian materials about the Paris trial of 1240 that are contained in MS Lat. 16558 of the Bibliothèque nationale de France, he was born in La Rochelle (*Rupella*):

Around the year 1236 of the Incarnation of the Lord, the Merciful Father called to the faith [i.e., baptized] a certain Jew whose name was Nicholas Donin of La Rochelle, purportedly of immense erudition in Hebrew even according to the testimony of the Jews themselves, to the point that one could hardly find his equal in the characteristics and rules of the Hebrew language. He went to the Apostolic See and, in the twelfth year of the pontificate of Pope Gregory IX of blessed memory, he revealed the unspeakable malice of the aforementioned books. He selected some sections in particular and begged the Pope to send an apostolic letter about them to the kings of France, England, and Spain, with the aim that, if they happened to find such things in those books, they should have them burnt.

In the *Vikuaḥ rabenu Yeḥi’el* according to the Paris manuscript (the oldest witness preserved and the basis of Samuel Grünbaum’s standard but faulty edition),¹¹ Rabbi Yeḥiel twice mentions the fact that Donin was expelled or estranged from the Jewish community:

What did you find against us, that you brought us here to defend our lives and fight for our Torah against that sinner, *who already fifteen years ago ceased to believe in the words of the sages*—according to whom the Talmud is one thousand five hundred years old—and believed only in what is written in the Torah of Moses without

interpretation? You know that every word needs commentary. This is why *we separated him from ourselves and excommunicated him*. And since that moment, he has conspired to harm us in order to destroy everything; but in vain.¹²

From the day *you separated yourself from us, fifteen years ago*, you have been looking for a pretext against us in order to attack [us] with false and unjust accusations, but you will not succeed!¹³

According to the Hebrew source, thus, Donin was expelled from the Jewish community in 1225, or rather walked out of it; the same date is confirmed in the Moscow manuscript (the other main witness of the *Vikuaḥ*).¹⁴ The Latin source says that he was baptized only eleven years later, in 1236. If this is true, Donin's criticisms of Judaism preceded his conversion to Christianity. We cannot confidently say the same about other converts who engaged in anti-Talmud polemics, such as Peter Alfonsi, author of the influential *Dialogue Against the Jews* (written around 1109), one of the sources for Donin's polemical arguments. In sum, Donin was critical of rabbinic texts long before he criticized them on behalf of the church: not in every case did anti-talmudic criticism imply straightforward conversion to Christianity.

Another source for Donin's biography is the letter of one Ya'akov ben Eliyah to Pablo Christiani, which Robert Chazan believes was written in Spain shortly before 1263:¹⁵

Do you not know, or have you not heard, what happened to *Donin the apostate, who became a convert from the laws of God and his Torah, and did not even believe in the Roman religion*? The saintly Rabbi Yehiel, moved by the honor of the God of Heaven, pushed him aside with both hands, and separated him for evil to the sound of the *shofar* [ram's horn] and the *teru'ah* [blast of war] because there was no truth in his mouth, faith had been cut out of his heart, and he became a root productive of gall and wormwood. *This apostate went before the king superior to all kings in name and honor, and spoke lies and made false accusations that on Passover nights we slaughter young boys still accustomed to their mothers' breasts, and that the Jews had adopted this custom, and that the hands of merciful women cook the children and we eat their flesh and drink their blood. . . .*

This wicked man sought to destroy us, and gave a sword in the hands of the king to kill us. He lied to him. But God returned his iniquity to him twofold. . . . The honored king, in his piety and cleanness of hands, did not believe his words, and paid no heed to him, knowing that they are folly and nonsense and vanity. Nor did all the kings of the world and the inhabitants of earth believe that anything other than a learned wild-man was speaking. . . . *And our God sent one of his bears* [Elisha and the two bears, 2 Kings 2], *and he returned his reward upon his head because he had rebelled . . . , and the day of misfortune came upon him because he had sent forth his tongue against the wise men. He was struck and he died and there was none to avenge. . . .* So may perish all Thine enemies, Lord; and His lovers [be] like the going forth of the Sun in its strength.¹⁶

After other scholars had variously attempted to identify the “king superior to all kings in name and honor” as Gregory IX¹⁷ or Louis IX,¹⁸ Solomon Grayzel convincingly proposed that what was being discussed was the council of Hagenau-Augsburg, and that the king was therefore Frederick II.¹⁹ It is debated, though, whether Ya’akov’s accusation that Donin supported the blood libel is reliable or not. The *Vikuaḥ* provides a clue on the issue *ex silentio*, in that it never says that Donin perpetrated the blood libel: it is unlikely that such a polemical text would have missed an opportunity to put some more blame on Donin. Nor is the blood libel mentioned in any of the sources directly related to the Talmud trial.

In addition to Frederick II’s *constitutio* of 1236, which recounts that he consulted converts about the blood libel, the other sources that might connect Donin to the emergence of the blood libel are a passage from Thomas of Cantimpré’s *Bonum universale de proprietatibus apum*, whose Dominican author had resided in the monastery of Saint-Jacques in Paris in 1237–40 and composed his work in 1256–63,²⁰ and another from Yosef ben Natan Official’s *Sefer Yosef ha-Mekane’*, an anti-Christian Jewish polemical work composed in Paris only a few years after the Talmud trial. The first passage reads:

Further, I have heard an extremely learned Jew—who converted to Christianity in our days—saying that a certain person, who was almost a prophet, prophesied in his last moment to the Jews: “We know absolutely certainly that there is no other way for us to be

healed from the most shameful torture by which we are punished than by Christian blood.” The blind, haughty and impious Jews seized these words and inferred from them that Christian blood should be shed every year in every region, so that they could be healed by virtue of it. And that Jew added: “They misunderstood those words as meaning ‘the blood of any Christian’; whereas it means that blood that is poured daily on the altar for salvation from sin. Each of you who converts to the Christian faith and properly takes such blood is immediately healed from the curse of his fathers.”²¹

In the *Bonum universale* this passage is immediately preceded by an account of the Pforzheim blood libel of 1261, so here Thomas of Cantimpré might be referring to an episode related to that case, or else attesting the existence of the blood libel in the region (possibly Brabant) where he was composing his work between the 1250s and 1260s, rather than in Paris (or northern France) in the years around the Talmud trial.²² What remains of interest, though, is his claim that his source on the matter was a learned convert from Judaism to Christianity (who espoused the view that the need to sacrifice Christian children was a misunderstanding on the part of the Jews). That doesn’t mean that this convert was Donin himself, but if it wasn’t, it was undoubtedly someone like him.

The passage from Yosef Official suggests that in these early days of the blood libel, not all the rabbis were already acquainted with a repertoire of apologetic counterarguments against Christian accusations:

Until it has drunk the blood of the slain (Num. 23:24). Rabbi Avigdor, the son of Rabbi Yitshak, told me that in his presence the chancellor of Paris said to Rabbi Yehiel and Rabbi Yitshak: “You eat the blood of the uncircumcised, since thus prophesied Balaam: *Until it has drunk the blood of the slain.*” They stood still and did not answer. About them I quoted the verse: *I turn back the wise* (Isa. 44:25), as they should have answered that this “blood of the slain” refers to the beginning of the verse: *Look, a people rising up like a lioness, and rousing itself like a lion! It does not lie down until it has eaten the prey and drunk the blood of the slain* (Num. 23:24), that is, it refers to the “lion” or the “lioness,” which both metaphorically indicate the “people.”²³

The chancellor, that is, Odo of Chateauroux (see below), quotes Numbers 23:24 (Balaam's prophecy about Israel) as a proof-text for the blood libel; the rabbis do not answer; the narrator complains that they should have counter-quoted the first half of the same verse in order to demonstrate that the drinking of blood cannot be understood literally.²⁴

Neither Thomas of Cantimpré nor Yosef Official provides us with positive evidence for Donin's connection to the blood libel. What seems to be beyond doubt is the identification of the "chancellor from Paris" of the *Me-kane'* with the aforementioned Odo of Châteauroux, who was the chancellor of the University of Paris from 1238 to 1244 and would become Innocent IV's legate to France and have a crucial role in the aftermath of the Talmud affair in the late 1240s. For the rest, we cannot precisely identify the Rabbi Yitshak and his son Rabbi Avigdor mentioned by Yosef Official, nor can we by any means be assured that the erudite convert who informed Thomas of Cantimpré of the activities of the Jews was Donin rather than Thibaut de Sézanne—the Dominican convert who possibly directed the editing of the *Extractiones de Talmut*, including the Latin sources about the Paris trial of 1240—or some of the latter's colleagues.²⁵ However, we can conclude that even though the blood libel was not formulated during the Paris trial, and though there is no way to unmistakably connect Donin's thought and activity with it, it is nonetheless very likely to have been a present concern in Jewish-Christian polemics in Paris in the years around the trial and in its milieu—much as it was at almost the same time in the German empire after the Fulda case.²⁶

Donin and the Trial of the Talmud

In 1236, not long after his conversion, Donin took it upon himself to write to Pope Gregory IX with a list of thirty-five charges against the Talmud. Although Petrus Alfonsi and Peter the Venerable had written about the Talmud, Donin's charges went far beyond these earlier criticisms, asserting the Talmud posed a threat to Christianity and should be unlawful for Jews. Gregory responded by issuing the bull *Si vera sunt* (9 June 1239), which called upon the kings of western Europe to investigate Donin's claims. King Louis IX of France offered the most enthusiastic reaction, ordering the mendicants to assist in the confiscation of Jews' books. In 1240, the Talmud trial, a disputation on the legitimacy and contents of the Talmud between Donin and Rabbi Yehiel of Paris, took place at the royal court in Paris. The following year the

Talmud was burned in Paris.²⁷ These events surrounding the trial are only the beginning of a program of opposition to the Talmud that would last for centuries.

The trial against the Talmud is the best-documented event in Donin's life and career. In the wake of the trial, someone close to the events—possibly the converted Dominican Thibaut de Sézanne—compiled a dossier known as the *Extractiones de Talmut*, a vast collection of passages from the Talmud (including hundreds of glosses from Rashi)²⁸ translated into Latin and organized for reference. The oldest manuscript of the *Extractiones* is Lat. 16558 of the Bibliothèque nationale de France, compiled soon after 1248.²⁹ In addition to the talmudic passages and the list of Donin's charges (fols. 211vb–217ra), the manuscript also contains two chancery abstracts of the responses given by the Rabbis Yehiel of Paris (*Vivo Meldensis*) and Yehudah of Melun (*Magister Iudas*) to the tribunal that asked them whether Donin's accusations were actually supported by the Talmud (fols. 230va–231ra): as recounted in the *Vikuah*, Yehiel refused to respond under oath, but both rabbis apparently admitted to almost every article of the case for prosecution.³⁰ There follows (fols. 224va–230rb) a separate dossier of 160 additional glosses of Rashi on the Bible (*De glosis Salomonis Trecensis*), accurately translated into Latin and placed under accusation for their content on the same grounds on which the Talmud was also accused.³¹ All of the material in this manuscript shares an underlying categorization scheme with Donin's original charges, thereby suggesting that Donin's charges formed the basis for it, even though there are significant differences.

Donin's Thirty-Five Charges Against the Talmud

The thirty-five charges leveled against the Talmud by Donin are supported with prooftexts translated from the Talmud itself and from Rashi's commentaries. Following Robert Chazan's recent reappraisal, they can be categorized as follows:

Articles 1 through 9: Jewish claims about the Talmud, presented from rabbinic sources but formulated to prove that the Talmud is a human contrivance and that the Jews favor it over the genuine Torah.

Articles 10 through 14: Talmudic teachings condoning or even requiring anti-Christian behaviors, including extensive arrangements for

the breaking of oaths, making Jews untrustworthy in their relations with Christians.

Articles 15 through 25: Talmudic teachings about God that are blasphemous in their inanity.

Articles 26 and 27: Talmudic teachings that blaspheme Jesus and Mary.

Articles 28 through 30: Talmudic teaching about the Church and its leaders that are likewise blasphemous.

Articles 31 through 33: Talmudic teachings that promise blessings to Jews and the opposite to Christians in the world to come.

Articles 34 and 35: Talmudic teachings that say foolish things about key biblical figures.³²

The typology of these charges against the Talmud corresponds very precisely to the categories of both the anthologies of Rashi's commentaries and of the *Extractiones*, thereby demonstrating that Donin's charges became an important basis for categorizing criticisms of the Talmud. We can thus further group all these texts translated into Latin according to three more general categories:

1. Absurdities or profanities, i.e., passages that fail to conform to the new standards of rationality in European culture and theology.
2. Passages legitimating the doctrine of the dual Torah, rabbinic tradition, and their authoritativeness.
3. Anti-Christian passages that are blasphemous according to Christian standards.

Gilbert Dahan has observed that at least in the dossier of Rashi's glosses, the category most abundantly represented is the absurdities or profanities; also well represented are texts that emphasize the authority of the Talmud and the rabbis,³³ thus exemplifying the shift in the Christian perception of the Jews from keepers of Scripture to followers of a different, potentially heretical source of authority. (The emphasis on the legitimacy of rabbinic authority further explains why a dossier of glosses to the Bible should be included in a plaidoyer devoted to the Talmud controversy of 1240.) The third type of accusation, texts blasphemous according to Christian standards, is historically important because church censors and Jewish printers removed many of the

passages and glosses against the *nationes* from the later recensions or editions of both the Talmud and Rashi.³⁴

The Latin Dossier and the Hebrew Account: A Comparison

Reconstructing what Nicolas Donin and Rabbi Yehiel actually discussed in Paris is not easy. The Latin list of accusations and the Hebrew account do not coincide on the subject of the talmudic passages that were discussed in Paris (see Table 8.1).

The overlap between the two sources is only thirteen prooftexts, roughly a quarter of the material. Thus the Hebrew and the Latin materials tell different stories about the Paris trial. The part of the Latin manuscript related to the debate is, in the main, a chancery document, also relating the questioning of the two rabbis (with a certain bias)³⁵ and the sentence condemning the Talmud to the flames. The Hebrew *Vikuaḥ* is a literary reworking or re-writing whose author and agenda are on the whole clear: the author is in all likelihood Yosef ben Natan Official, the author of the *Sefer Yosef ha-Mekane'*, because at the end of the *Vikuaḥ* in the Paris manuscript we find an acrostic in a poem that reads “*ben ha-rav Natan Ofitsial*,” and also because the same manuscript contains the *Mekane'* itself in the same hand as the copy of the *Vikuaḥ*—which suggests that the Paris manuscript might even be the autograph. The text celebrates Yehiel as the champion of the faith of Israel and

Table 8.1. Prooftexts in MS Paris Lat. 16558 and Paris Hébr. 712

<i>Latin dossier</i>	<i>Hebrew account</i>
52 prooftexts	54 prooftexts
50 from the Talmud	46 from the Talmud
13 with Rashi	none with Rashi
	5 from the Mishnah
	1 from the Minor Tractates
2 from Rashi to the Bible	1 from Rashi to the Bible
	1 of uncertain provenance
(+ 160 glosses of Rashi to the Bible)	

exhorts the Jews to resist Christian proselytizing and persecution, celebrating the purported Jewish dialectical victory in the disputation, and completely omitting the actual sentence. I find myself convinced by Joseph Shatzmiller's contention that the Paris Hebrew manuscript is a plaidoyer prepared by the Jewish representatives on the eve of the second disputation held in Paris in 1269,³⁶ because it also includes, in a different hand, a short list of New Testament passages in Latin written in Hebrew letters with Tiberian vocalization, to serve as a tool in future disputations.³⁷

In sum, the portrait of Donin that emerges from the Paris trial is one of a convert who had not only embraced wholeheartedly the church's previous criticisms of rabbinic authority and rabbinic literature (inclusive of both the Talmud and Rashi on the Bible and the Talmud) but also developed new foundations for criticizing rabbinic literature, which ultimately justified the church's unprecedented intrusion into internal Jewish affairs; and as we have seen above, he seems to have done so even before his conversion to Christianity.

Donin After Paris 1240

The evidence about what became of Donin after the Paris trial is scanty. The last mention made of him appears in the Hebrew account of the second disputation held in Paris in 1269, but no further biographical information is to be found there. Here the narrator states that Pablo Christiani "resumed part of the arguments of the earlier apostate (*min*) from Yehiel's time."³⁸ One of these arguments must have been the late dating of the Talmud, since the Jewish disputant, the otherwise unknown Rabbi Abraham ben Samuel of Rouen, starts the discussion by stressing—as Yehiel had done “around twenty years earlier”³⁹—the antiquity of the Talmud and the fact that no one until now had ever criticized it. The account acknowledges that Donin's knowledge of the Torah was not utterly irrelevant as Christiani's: “You should have followed the ancient example and cursed this apostate, whose words are pointless. And the little finger of the earlier apostate was thicker than the loins of this one, who by comparison is not even worth a garlic-skin,⁴⁰ since his whole life he never really knew what to say.”⁴¹

A long-standing tradition in modern secondary literature, dating from the *Histoire littéraire de la France* (1847), has it that Donin might have become a Franciscan, and identified him with one Nicolas “who, in 1279, wrote a pamphlet against Pope Nicolas III for having changed the rule of the Friars

Minor, and who was therefore condemned in 1287 by Matthew of Acquasparta, Minister General of the order."⁴² However, Franciscan sources from the fourteenth century (the *Chronicon XIV vel XV Generalium* and the slightly later *Chronica XXIV Generalium Ordinis Minorum*) show that the "frater Nicolaus," who had written a commentary on the Franciscan Rule against Nicholas III's prohibition, was officially condemned for it by the Franciscan general Matthew of Acquasparta in 1287 or 1288, and was himself at the time the Minister for the Franciscan region of France: he can therefore be safely identified with Nicholas of Ghistelle (near Ostende), provincial of France from 1285 to 1289, who is known from archival sources.⁴³ If Donin did eventually become a Franciscan (or a Dominican),⁴⁴ there is simply no known evidence of it or of any of his other activities after the trial.

A Social, Religious, and Intellectual Profile of Nicolas Donin

Donin as an Intellectual: The Question of the Talmud's Antiquity

Donin served along with the Friars as one of the most important chess pieces in no fewer than two games developing on the chessboard of *Realpolitik* in Europe: Frederick II versus Pope Gregory IX (if Donin was really involved with the investigation about the Fulda blood libel) and Louis IX versus the Counts of Toulouse. Frederick II used his protection of the Jews as *servi camerae regiae* against papal incursions into his realm. Louis IX, for his part, used the Jews as sources of income, and heretics—talmudic Jews being increasingly perceived as such—as a means of earning the pope's support and the Dominicans' help in expanding into what would soon become southern France. Donin is thus the earliest well-documented example of how the church, the empire, and the rising national states exploited Jewish intellectuals converted to Christianity in their policy of expanding their jurisdiction on the Jews.

Donin's religious identity before conversion does not neatly fit in any of the best-known rubrics of his age. As we saw, in the *Vikuaḥ* Yehiel calls him simply *kofer divrei ḥakhamim*, "one who ceased to believe in the words of the sages." Several scholars have claimed or suggested that he was a Karaite, in generic intellectual inclination if not in group adherence.⁴⁵ Others are rightly more cautious: opposition to the Talmud is not enough to make one a Karaite.⁴⁶ Further, there is no evidence of Karaite groups in northern France in the thirteenth century.

Nor can we define Donin as a full-fledged, philosophically aware “rationalist” on the basis of his accusations against the Talmud. It has been suggested, speculatively, that he *might* have been involved in the translation of the *Guide of the Perplexed* into Latin, which *might* have taken place in Paris in the 1240s.⁴⁷ One element of philosophical rationalism clearly underlies at least one category of charge he brought, that of absurdity (a charge that included anthropomorphic representations of God: Donin may well have taken from Alfonsi the criticism of God wearing phylacteries [BT Berakhot 3a]). But Donin does not articulate this rationalism in philosophical arguments; he merely says that these things are absurd and offend reason. He was certainly influenced by rationalism and the fiery intellectual climate of the Maimonidean controversy in Provence⁴⁸—but only indirectly, as far as our evidence enables us to conclude. We have no evidence that he ever spent any time in southern France, or that he maintained connections with rationalist Jewish intellectuals in Sepharad and Provence, or that he became a friar, or that he contributed to the translation of the *Guide* into Latin.

More plausibly, though this is a point limited to the intra-Jewish context, we can define Donin as someone who opposed classical rabbinic literature as the justification for contemporary rabbinic leadership (as we saw in the case of Donin’s seventh charge). Milan Žonca has suggested a parallel with the *sola scriptura* movements that were agitating the masses in Christian societies of the twelfth and thirteenth centuries, such as the Waldensians in Bourgogne;⁴⁹ John Baldwin has suggested to me another parallel, with the aversion to patristic tradition as manifested in the twelfth century by Peter Cantor.⁵⁰

In order to understand how far Donin’s scripturalism went, let us examine the passage of the *Vikuaḥ* on the dating of the Talmud according to the Paris manuscript:

The Rock of the faithful girded himself with strength and said to the apostate: “Why do you want to dispute with me? And about what are you planning to interrogate me?”

The apostate replied: “I will interrogate you about an ancient question: in this respect, I cannot deny⁵¹ that *the Talmud dates from four hundred years ago*.”

The rabbi said: “*From more than one thousand five hundred years ago!*” Then, turning to the Queen: “I pray you, my Lady, do not force me to respond to his words, since he himself admitted

that the Talmud is extremely ancient. And until now, no one has found anything to say against it. Indeed, Saint Jerome the priest was acquainted with our entire Torah, that is, the Talmud, as all the clergy knows: had there been anything blameworthy in it, [t]he[y] would not have let it alone thus far. Furthermore, haven't there existed prior to now priests and apostates as important as these here? [Yet] for one thousand five hundred years, not a sentence or even a single word has been heard [against the Talmud]."⁵²

According to Israel Ta-Shma,⁵³ the fact that for Donin the Babylonian Talmud was 400 years old does not mean that he did not know his tannaitic and amoraic chronology (an accusation that was actually leveled against him at the dawn of modern research),⁵⁴ but that for him the Talmud dated to the middle of the ninth century, "an era presumed—or traditionally acknowledged—for the arrival of the Talmud in Christian Europe." It is seductive, if speculative, to think that Donin could have been referring to the diffusion of rabbinic tradition in Europe—including Ashkenaz—after Paltay Gaon in the mid-ninth century, his responsum to an Iberian Jewish community against the use of *halakhot ketu'ot* ("decided laws" or "fragmentary *halakhot*"), and the copy of the Talmud he then sent to al-Andalus.⁵⁵ (I discuss Yehiel's early date below.)

The question of the dating of the Talmud is clearly related to that of its real or proclaimed authoritativeness. Donin's revision of the traditional date for the Talmud might also indicate that he opposed a particular aspect of early Ashkenazic rabbinic culture, what Talya Fishman calls the "textualization in written form" of talmudic lore, and the institutionalization of the whole of rabbinic literature as the main text for teaching and legal adjudication, a process that had taken place over the course of the previous two or three centuries in the Rhineland and in northern France (Rashi and tosafists).⁵⁶ Donin and maybe others could perceive this development as a betrayal of the *oral* origin and transmission of rabbinic culture throughout late antiquity and the geonic era. The accusations against the Talmud thus would attest not only to the church's recent awareness of the authoritativeness of the Talmud in Jewish life, but perhaps also to a new form and role the text had taken among Jews themselves.

The dating of the Talmud is more complicated in the account of the discussion according to the Moscow manuscript (Byzantine, fifteenth century).⁵⁷ First, Yehiel dates the committing of the Talmud to writing to fifteen

hundred years earlier, which he says was the age of Ravina and Rav Ashi.⁵⁸ Here Yeḥiel refers to the talmudic statement that “Rav Ashi and Ravina represent the end of the oral teaching of the law” (*Rav Ashi ve-Ravina sof hora’a* [BT Bava Metsi’a 86a]). Then, Donin argues that the Talmud was burnt in the age of emperor Vespasian (an argument that would establish a precedent in Roman law that Christian sovereigns should reenact).⁵⁹ Yeḥiel replies that in Vespasian’s time “they did not burn the Talmud as such, but the whole Bible, since the Talmud was written only a certain number of years later, in the age of Ravina and Rav Ashi” (thus invalidating Donin’s suggested precedent, since Christian monarchs could no longer burn the Bible).⁶⁰ Lastly, at the conclusion of the debate Yeḥiel makes the same point as in the Paris manuscript, that is, the Talmud is “very ancient, more than a thousand years old, and no one has argued anything bad against it till now.”⁶¹ Yeḥiel’s first dating to fifteen hundred years is incompatible with a dating after Vespasian and to the age of Ravina and Rav Ashi, following BT Bava Metsi’a 86a;⁶² some editor or copyist seems to have noticed the inconsistency and corrected it to a more moderate “more than a thousand years” earlier.⁶³

The question of the Talmud’s antiquity was a significant point in medieval polemic because it supported the arguments on behalf of rabbinic authority or against it. Indeed, it wasn’t just the Talmud that went on trial in Paris, but rabbinic tradition as a whole, including the midrashim and Rashi: in the discussion in Paris, according to both the Latin and the Hebrew accounts, Rashi got as much conceptual weight as the Talmud itself. We saw this in the prooftexts (the disputants discuss Rashi as a source even independently of the Talmud). As early as 1963, Herman Hailperin observed, “For the Christians of the *later* Middle Ages, the ‘Talmud’ of the Jews meant the totality of rabbinic literature—including the Midrash (halakhic and aggadic), what *we* know to be the Talmud, and Rashi’s commentaries.”⁶⁴

Donin as a Borderline Jew

At the risk of sliding into dime-store psychohistory, one has to take into consideration the eleven years between 1225 and 1236 that Donin would have spent both as an ex-Jew and a not-yet Christian in a society in which identity and sociability were defined mainly by religious belonging.⁶⁵ Living, as Shlomo Simonsohn put it, “in a sort of religious no-man’s-land (no mean feat in the Europe of his age)”⁶⁶ was exceptional and also exceedingly difficult. It was about precisely this state of mind that another convert, Herman of

Cologne, had written at length around 1150 in his *Opusculum de conversione sua*, expressing his terror of being expelled from the synagogue, or of “being confined,” or of being persecuted by his former co-religionists.⁶⁷ Both Herman’s writing and Donin’s biography exemplify what Caroline W. Bynum defined as the new religious concern of the twelfth century (the thirteenth in Donin’s case) with “how groups are formed and differentiated from each other, how roles are defined and evaluated, how behavior is conformed to models.”⁶⁸ In a different, more contrastive, and quite lachrymose perspective, Kurt Schubert used the Eriksonian category of “identity crisis” to explain Donin’s conversion to Christianity: “The impression is that he did so more out of conflict (*Auseinandersetzung*) with his own Judaism than out of belief in Christian teaching. Thus Donin became a typical example of any Jew *who, because of inner instability, becomes an outspoken enemy.*”⁶⁹

Schubert’s conclusion is similar to Judah Rosenthal’s, that Donin “was basically a rationalist who never became a good Christian”:⁷⁰ a dismissive evaluation, but again a correct one in the main, all the more so if we accept what the Moscow manuscript says in its opening about Donin’s fate (“He was eventually killed in his church”)⁷¹ and Ya’akov ben Eliyah apparently confirms in his letter (“He did not even believe in the religion of Rome” and “He was struck and died and no one avenged his blood”).⁷² This agreement among sources grants important confirmation to the possibility that Donin was heterodox by the standards of Judaism and Christianity alike.

In an insightful essay on Jewish intellectuals converting to Christianity in the Middle Ages, Yossef Schwartz distinguishes between communities of knowledge and communities of discourse: a community of knowledge is the wider frame of communication and transmission of culture across boundaries and ages, while a community of discourse involves interpersonal communication within a circumscribed sociological context. The Jewish apostates of the Middle Ages—Donin among them, I would add—“created a new community of knowledge separated from all their former surroundings, yet at the same time they were involved in a variety of discourse communities, one of which was the inner discursive circle they themselves had formed.”⁷³ One must, then, consider Donin’s inner discursive circles both before and after he converted.

As for Donin’s community of knowledge, I would suggest that it may be a mistake to class him under the same rubric as the Hispano-Provençal converts who preceded and followed him—Alfonsi, Christiani, Abner of Burgos, Pablo de Santa Maria, etc.: their intellectual roots were different, as were their

polemical agendas, and Donin's philosophical and exegetical instruments were more circumscribed than theirs. His realms of action and propaganda were always confined to Capetian France and possibly the German empire, realms in which there would not be important cases of educated Jews converting and remaining active as "public intellectuals" after the conversion, as far as I know, until much later.⁷⁴ But the cultural distance between Sepharad and Ashkenaz would be bridged only slightly after Donin by Pablo Christiani—the convert who became a Dominican and the Christian representative in the most famous of medieval disputations, that of 1263 in Barcelona—who was from Montpellier and whose preaching activity emerged under the sponsorship of the church in Provence, Catalonia, and ultimately northern France too, as in the second disputation in Paris in 1269. As the Hebrew account of Barcelona has it, Donin really was different from his successors. It is also certain that he belonged to a "community of discourse" *distinct* from that of the Sephardic converts. His hometown (La Rochelle) in Poitou was governed for the entire twelfth and thirteenth centuries by a local aristocracy in perennial rebellion against distant rulers, first the Plantagenets, then the Capetians. Among these aristocrats was the duke of Brittany, Pierre de Dreux, who for almost two decades had been conducting his own fight for suzerain rights, at times against his own vassals when they became excessively independent, at others against the bishops who had suzerainty over the Jews and therefore over the assets of Jewish moneylenders. In his oscillating politics, the duke alternately pursued help from the king against the bishops or help from the pope against the barons. One finds a similar convergence of aims and efforts—both political and military—in the *moyenne durée*, from 1215 to the 1250s, between the church, which aimed at repressing the Albigensian heresy, and the Capetian monarchy under Louis VIII and Louis IX, which aimed at expanding into the duchy of Toulouse and Provence. There is also another relevant parallel between Louis IX's politics toward the Jews around the Paris trial—using them as a tool to please and accommodate the pope's political theology—and their exploitation by Pierre de Dreux (and eventually by other suzerains and the Capetian kings themselves) as a financial resource to fund participation in the crusade that Gregory IX had proclaimed in 1234, to which Pierre adhered in 1236.⁷⁵ It thus happened that in 1236, participants in the crusade massacred the Jews of Poitou along with those of Anjou and Brittany. Pierre's son, Jean le Roux, eventually expelled the Jews from Brittany in April 1240, thus wiping out the huge debts his father and his vassals had incurred in order to fund their participation in the crusade. Donin's stance on the

massacres of 1236 appears in the *Vikuah*: “The villain said: ‘How many myriads of you fell by the sword in Brittany, Anjou and Poitou? Where are the portents and the signs that your God wrought for you, if you—as you say—are the chosen people?’”⁷⁶

One can even explain how Donin might have adopted such a position given the status and treatment of the Jews in the region from which he came. In the bull *Lacrimabilem iudeorum in regno Francie commorantium* (5 September 1236)⁷⁷ to all the bishops of northern and western France, Gregory IX admitted that his earlier bull of 7 November 1234 proclaiming the crusade (*Rachel suum videns*) might have been misunderstood, in that the Jews at home had been inadvertently subsumed into the same category of the “enemies of Christ” that the Pope had meant to define only as the Saracens abroad. In the *Lacrimabilem* Gregory graphically describes the massacres, quantifies the loss of Jewish lives as 2,500, and mentions in passing the first securely attested burning of Jewish books by Christian hands in medieval history (the one in which Maimonides’ works were burnt in Montpellier in 1233 seems to have been invented for propaganda by the Maimonidean party).⁷⁸ Such, then, was the condition of the Jews in northern and western France on the eve of the Paris trial and Donin’s participation in it.

Conclusion

The fact that both Donin and Thibaut de Sézanne, the probable editor of the Latin materials on the Talmud trial of 1240 (MS Paris Lat. 16558), were converts from Judaism and extremely well versed in rabbinic tradition, attests to the existence of intra-Jewish polemics about rabbinic authority—polemics that only at a later stage developed into Jewish-Christian disputations.⁷⁹ The trial attests to the growing importance of rabbinic literature for both the church and for Ashkenazic Jews themselves—as does Donin’s resistance to that literature. The trial should be understood as directed not merely against the Talmud as we know it, but against all of rabbinic literature and against its authoritativeness as a corpus—a corpus comprising the Talmud, the main midrashim, and Rashi’s commentaries both to the Bible and the Talmud, which for both the prosecutors and the defendants were of a piece with the rabbinic corpus and one of its main vehicles. Whatever the truth about Donin’s involvement in fabricating or justifying blood libels, his dissatisfaction with rabbinic Judaism started long before he took it to the extreme of

converting to Christianity. Although not explicitly related to a philosophical stance, his criticism of talmudic tradition is best explained when seen against the background of Jewish and Christian polemics about rationalism and Aristotelianism in the 1220s and 1230s. Only after a long period when Donin seemingly did not deem it necessary to go to the extreme of becoming a Christian in order to voice his dissent did he ultimately convert and thus become the deepest, most articulate Christian critic of talmudic tradition before the modern age.

CHAPTER 8. NICOLAS DONIN, THE TALMUD TRIAL OF 1240, AND THE
STRUGGLES BETWEEN CHURCH AND STATE IN MEDIEVAL EUROPE

I wish to thank Marina Rustow for commenting on a previous draft of this essay, the editors for their insightful advice and suggestions, and Katelyn Mesler for her invaluable help in the final redaction. All errors or omissions are mine alone. All transcriptions from manuscripts and translations of sources are mine unless otherwise indicated.

1. Bull *Lacrimabilem iudeorum in regno Francie commorantium* by Gregory IX (5 September 1236); Shlomo Simonsohn, *The Apostolic See and the Jews. Documents: 492–1404* (Toronto, 1988), 163–65, nos. 154–55. On this issue, and on the purported burning of Maimonides' works in Montpellier in 1232 or 1233, see Jeremy Cohen, *The Friars and the Jews: The Evolution of Medieval Anti-Judaism* (Ithaca, N.Y., 1982), 52–61.

2. Translation of the main sources in Robert Chazan, Jean Connell Hoff, and John Friedman, *The Trial of the Talmud: Paris, 1240* (Toronto, 2012).

3. On Jews in Aragon see Yom Tov Assis, *The Golden Age of Aragonese Jewry: Community and Society in the Crown of Aragon, 1213–1327* (London, 1997); Robin Vose, *Dominicans, Muslims and Jews in the Medieval Crown of Aragon* (Cambridge, 2009); Paola Tartakoff, *Between Christian and Jew: Conversion and Inquisition in the Crown of Aragon, 1250–1391* (Philadelphia, 2012).

4. On the categorization of Jews as infidels and heretics in canon law in the years around the Paris Talmud trial, see Benjamin Z. Kedar, "Canon Law and the Burning of the Talmud," *Bulletin of Medieval Canon Law* n.s. 9 (1979): 79–82.

5. On these events, see Mark G. Pegg, *A Most Holy War: The Albigensian Crusade and the Battle for Christendom* (Oxford; New York, 2008); idem, *The Corruption of Angels: The Great Inquisition of 1245–1246* (Princeton, N.J., 2001); Jean-Louis Biget, *Hérésie et inquisition dans le midi de la France* (Paris, 2007); Cohen, *The Friars and the Jews*, 59 and 236n.35; Robert Moore, *The Formation of a Persecuting Society: Authority and Deviance in Western Europe 950–1250* (2nd ed.; Oxford, 2007), 26–42.

6. *Monumenta Germaniae Historica. Leges, Legum section IV*, Tomus II, ed. L. Weiland (Hannover, 1896), 274–76n.204.

7. Thomas of Cantimpré (d. 1272) stated in his *Bonum universale de proprietatibus apum*, I, 3 (Cologne, c. 1478–80 [GW M46647], 7b–8a; cf. idem, *Bonum universale de apibus*, ed. G. Colvenerius [Douai, 1627], 17–18), that the execution of the sentence of 1240 was delayed because the Jews succeeded in bribing one archbishop who was one of the king's counselors. For a full reappraisal of the question, see P. L. Rose, "When Was the Talmud Burnt at Paris? A Critical Examination of the Christian and Jewish Sources and a New Dating: June 1241," *Journal of Jewish Studies* 62.2 (2011): 324–39.

8. I think André Tuilier is right in ascribing this renewal of the church's anti-talmudic policy to the conflict between Innocent IV (and his conception of the unity of Christendom and the church's supreme authority within it) and secular rulers (especially Frederick II, who in the spring of 1244 was threatening central Italy). Such a threat would have prompted the pope to refuse even Louis IX's mediation. See André Tuilier, "La condamnation du Talmud par les maîtres universitaires parisiens, ses causes et ses conséquences politiques et idéologiques," in *Le brûlement du Talmud 1242–1244*, ed. G. Dahan and E. Nicolas (Paris, 1999), 59–78. See also Daniela Müller, "Die Pariser Verfahren gegen den Talmud von 1240 und 1248 im Kontext von Papsttum und Französischem Königtum," in *Interaction Between Judaism and Christianity in*

History, Religion, Art and Literature, ed. M. Poorthuis, J. Schwartz, and J. Turner (Leiden, 2009), 181–99.

9. Thus in Paris, Bibliothèque nationale de France, MS Lat. 16558, fol. 234a (*Sententia Odonis*).

10. Henri Gross, *Gallia Judaica. Dictionnaire géographique de la France d'après les sources rabbiniques* (Paris, 1897), 560–61. The name Donin appears in some manuscripts of Yitsḥak of Corbeil's *Sefer Mitsvot Katan* (*Small Book of Commandments*, 1277), in a sample bill of divorce (*get*) written “according to the order of our teacher Perets” (i.e., the tosafist Perets of Corbeil). Both the place (in northern France) and the date of issue of the *get* vary in the manuscripts (Bray-sur-Seine, Corbeil, Ramerupt; 1247, 1290, 1295, 1342), but the name of the husband repudiating his wife appears consistently as “Matatyah known as Donin, son of Rabbi Ya'akov.” I am grateful to Judah Galinsky for calling my attention to the manuscripts of the *Sefer Mitsvot Katan* and granting me precious information about them. At the end of the Moscow manuscript (Rossiiskaya Gosudarstvennaya Biblioteka, MS Günzburg 1390, fol. 101b) Donin is given the apparently Italian diminutive nickname “Nicoletto” (הנקרא ניקולטו).

11. *Sefer Vikuah rabenu Yeḥi'el mi-Paris*, ed. S. Grünbaum (Grynboym) (Thorn, 1873), reprinted with further mistakes in *Vikuah rabenu Yeḥi'el mi-Pariz*, ed. R. Margalio (Lwów, 1922). For a presentation and discussion of the manuscript tradition of the *Vikuah* see Piero Capelli, “Il *Wikkuaḥ Rabbenu Yeḥi'el*: Problemi di storia del testo,” *Sacra Doctrina* 51 (2006): 148–66; idem, “Editing Thirteenth-century Polemical Texts: Questions of Method and the Status Quaestionis in Three Polemical Works,” *Henoch* 37.1 (2015): 43–52; Judah Galinsky, “The Different Hebrew Versions of the ‘Talmud Trial’ of 1240 in Paris,” in *New Perspectives on Jewish-Christian Relations: In Honor of David Berger*, ed. E. Carlebach and J. J. Schacter (Leiden, 2012), 109–40.

12. Paris, Bibliothèque nationale de France, MS Hébr. 712, fol. 44a–b: ומה מצאתם בנו להביאנו: זה ט"ו שנה לא היה מאמין רק עד פה לעמוד על נפשינו להלחם על תורתינו, לחוטא הלו אשר כפר בדברי חכמים, זה ט"ו שנה ולא היה מאמין רק בכתוב בתורה משה בלא פתרון. ואתם ידעתם כי לכל דבר צריך פשר, ועל כן הבדלנו ונדיננו, ומאז ועד עתה חשב רעה עלינו לעקור הכל ולשוא (emphases mine).

13. MS Paris Hébr. 712, fol. 46a: מיום שנפרדת ממנו זה ט"ו שנה בקשת תאנה עלינו להתגולל בעלילות (emphasis mine).

14. MS Moscow Günzburg 1390, fols. 87a (זה הטמא כבר עבר ט"ו שנה שלא האמין רק בתורה) and 88a (שב כתב תורה בלא פתרון ויתרון ובעת הבינו בו רבות' נדונו והבדלנו מעל עדת ישראל (ט"ו שנה שנתת לבך על כל הדבר' האלה מיום שנפרדת ממנו).

15. Robert Chazan, “The Letter of R. Jacob Ben Elijah to Friar Paul,” *Jewish History* 6.1–2 (1992): 51–63.

16. Trans. Solomon Grayzel, *The Church and the Jews in the XIIIth Century: A Study of Their Relations During the Years 1198–1254* (Philadelphia, 1933), 339–40 (emphasis mine), from the edition by Joseph Kobak, “Igeret (vikuah) R. Ya'akov mi-Venetsi'ah,” *Jeschurun* 8.2 (1868): 1–34 (here 29–30).

17. Thus Adolf Lewin, “Die Religionsdisputation des R. Jechiel von Paris 1240 am Hofe Ludwigs des Heiligen, ihre Veranlassung und ihre Folge,” *Monatsschrift für Geschichte und Wissenschaft des Judentums* 18.3–5 (1869): 97–110, 145–56, 193–210. For a less convincing identification with Pope Gregory IX (based on terminological correspondence with sources from other periods and places), see Joseph Shatzmiller, “Ha-im he'elil ha-mumar Nicolas Donin et 'alilat ha-dam?” *Studies in the History of the Jewish People and the Land of Israel* 4 (1978): 176–82 (here 181–82).

18. Thus Jacob Mann, “Une source de l'histoire juive au XIIIe siècle: la lettre polémique de Jacob b. Elie à Pablo Christiani,” *Revue des études juives* 82 (1926): 63–77.

19. Grayzel, *The Church*, 340, followed by, e.g., Ben-Zion Dinur, *Yisra'el ba-golah*, vol. 2.2 (Tel Aviv; Jerusalem, 1966), 54n.7.

20. Christian Hünemörder, “Thomas v. Cantimpré,” in *Lexikon des Mittelalters*, vol. 8 (Stuttgart, 1997), cols. 711–14.

21. *Bonum universale de proprietatibus apum*, II, 28 (ed. Cologne, c. 1478–1480 [GW M46647], 65a; cf. idem, *Bonum universale de apibus*, ed. G. Colvenerius [Douai, 1627], 305).

22. I am grateful to Katelyn Mesler for her suggestions on Cantimpré’s passage and its context.

23. *Sefer Yosef ha-Mekane’ le-R. Yosef ben R. Natan Ofitsi’al*, ed. J. Rosenthal (Jerusalem, 1970), 53–54 (§36).

24. I thank Luca Benotti for helping me to understand this passage.

25. Gilbert Dahan, “Un dossier latin de textes de Rashi autour de la controverse de 1240,” *Revue des études juives* 151.3–4 (1992): 321–36 (here 324n.19); idem, “Les traductions latines de Thibaut de Sézanne,” in *Le brûlement du Talmud à Paris: 1242–1244*, ed. G. Dahan (Paris, 1999), 95–120 (here 99–106).

26. On Donin and the blood libel see the discussion in Chen Merchavia, *The Church Versus Talmudic and Midrashic Literature (500–1248)* (Hebrew; Jerusalem, 1970), 226–38; Shatzmiller, “Ha-im he’elil,” Chen Merchavia, “Kelum he’elil Donin et ‘alilat ha-dam?,” *Tarbiz* 49.1–2 (1979–80): 111–21.

27. For the date of the burning, see Rose, “When Was the Talmud Burnt.”

28. Merchavia, *The Church*, 307–9.

29. The Latin text of the accusations was published by Isidore Loeb, “La controverse de 1240 sur le Talmud,” *Revue des études juives* 1 (1880): 247–61; 2 (1880): 248–70; 3 (1881): 39–57; English translation by Jean Connell Hoff in Chazan, Hoff, and Friedman, *The Trial*, 102–21. The prooftexts from the Talmud and Rashi are listed in Judah M. Rosenthal, “The Talmud on Trial: The Disputation at Paris in the Year 1240,” *Jewish Quarterly Review* n.s. 47 (1956): 58–76, 145–69 (here 145–66).

30. The text of both “confessions” was published by Loeb, “La controverse,” 3 (1881): 55–57, and again by Merchavia, *The Church*, 453–55; English translation by Hoff in Chazan, Hoff, and Friedman, *The Trial*, 122–25.

31. Partially edited by Gilbert Dahan, “Rashi, sujet de la controverse de 1240. Edition partielle du ms. Paris, BN Lat. 16558,” *Archives juives* 14.3 (1978): 43–54 (glosses to Genesis), and idem, “Un dossier latin” (glosses to Proverbs and excerpts from the glosses to Exodus, Joshua, and 1 Samuel). Some of the glosses to Genesis and some other scattered ones (from Exodus, Deuteronomy, 1 Samuel, Ecclesiastes, and Obadiah) were edited by Herman Hailperin, *Rashi and the Christian Scholars* (Pittsburgh, 1963), 118–28. See Piero Capelli, “Rashi nella controversia parigina sul Talmud del 1240,” in “*Ricericare la sapienza di tutti gli antichi*” (*Sir* 39,1). *Miscellanea in onore di Gian Luigi Prato*, ed. M. Milani and M. Zappella (Bologna, 2013), 441–48; Görg K. Hasselhoff, “The Parisian Talmud Trials and the Translation of Rashi’s Bible Commentaries,” *Henoch* 37.1 (2015): 29–42.

32. Thus Chazan in Chazan, Hoff, and Friedman, *The Trial*, 46.

33. Merchavia, *The Church*, 307; Dahan, “Les traductions latines,” 118.

34. Thus Dahan, “Un dossier latin,” 328–39.

35. See Robert Chazan, “Trial, Condemnation, and Censorship: The Talmud in Medieval Europe,” in Chazan, Hoff, and Friedman, *The Trial*, 17, 20.

36. Joseph Shatzmiller, *La deuxième controverse de Paris. Un chapitre dans la polémique entre chrétiens et juifs au Moyen Âge* (Paris; Louvain, 1994), 21. See also Ursula Ragacs, *Die zweite Talmuddisputation von Paris 1269* (Frankfurt am Main, 2001).

37. Fols. 56b–57b and 66b–68a. The first edition of this text is being prepared by Philippe Bobichon, to whom I am grateful for sharing with me in advance the results of his research.

38. Edition in Shatzmiller, *La deuxième controverse*, 44.

39. The *kaf* (= 20) of the MS (fol. 102b) bears a mark of deletion (Shatzmiller, *La deuxième controverse*, 17, 45n.14, 58n.5).

40. The similitude is taken from a saying of Ben ‘Aza’i in BT Bekhorot 58a.

41. Shatzmiller, *La deuxième controverse*, 45. The last clause echoes 1 Kings 12:10.

42. Emile Littré, “Notices succinctes sur divers écrivains, de l’an 1286 à l’an 1300,” *Histoire littéraire de la France*, Tome XXI (Paris, 1847, repr. 1895), 293. For Donin as a purported Franciscan, see already Lewin, “Die Religionsdisputation,” 106n.4. Thus also Alexander Kisch, “Die Anklageartikel gegen den Talmud und ihre Verteidigung durch Rabbi Jechiel ben Joseph vor Ludwig dem Heiligen in Paris,” *Monatsschrift für Geschichte und Wissenschaft des Judentums* 23.1–5 (1874): 10–18, 62–75, 123–30, 155–63, 204–12 (here 126n.5); Charles Singer, “Hebrew Scholarship in the Middle Ages Among Latin Christians,” in *The Legacy of Israel*, ed. E. R. Singer and C. J. Bevan (Oxford, 1928), 295; Merchavia, *The Church*, 237; Judah M. Rosenthal, “Donin, Nicholas,” in *Encyclopaedia Judaica*, vol. 6 (Jerusalem, 1971), cols. 167–68 (here 167); Philippe Bobichon, “Juifs et convertis engagés dans les controverses médiévales,” in *Les juifs méditerranéens au Moyen Age, culture et prosopographie*, ed. D. Iancu-Agou (Paris, 2010), 83–125 (here 111).

43. The Franciscan sources are the *Chronicon XIV vel XV Generalium Ministrorum Ordinis fratrum Minorum seu Catalogus «Gonsalvinus» dictus Genelalium [sic] Ministrorum Ordinis fratrum Minorum* and the *Chronica XXIV Generalium Ordinis Minorum*, both edited by Quinctianus Müller in *Analecta Franciscana sive Chronica Aliaque Varia Documenta ad Historiam Fratrum Minorum Spectantia edita a Patribus Collegii S. Bonaventurae*, vol. 3 (Quaracchi, 1897), 693–707 (Appendix IV, here 703, ll. 20–22) and I–XXVII, 1–575 (here 408 lines 14–16). On Nicholas of Ghistelle, see André Callebaut, “Les provinciaux de la province de France au XIIIe siècle. Notes, documents et études,” *Archivum Franciscanum Historicum* 10 (1917): 289–356 (here 346–47). On the whole question, see Stefano Brufani, “Matteo d’Acquasparta generale dell’ordine francescano,” in *Matteo d’Acquasparta francescano, filosofo, politico. Atti del XXIX Convegno storico internazionale. Todi, 11–14 ottobre 1992* (Spoleto, 1993), 51–77 (here 68–69).

44. Görg K. Hasselhoff, *Dicit Rabbi Moyses. Studien zum Bild von Moses Maimonides im Lateinischen Westen vom 13. bis zum 15. Jahrhundert* (Würzburg, 2004), 123–24, states that after conversion Donin became a Dominican or was at least close to the Dominican order, but this only on the basis of Donin’s possible closeness to the activity of the Dominican Thibaut de Sézanne as the translator of the *Extractiones*.

45. Grayzel, *The Church*, 340; Yitshak Baer, “Le-bikoret ha-vikuḥim shel R. Yehi’el mi-Paris ve-shel R. Moshé ben Nahman,” *Tarbiz* 2.2 (1931): 172–87 (here 173); Bernard Blumenkranz, “Jüdische und Christliche Konvertiten im Jüdisch-Christlichen Religionsgespräche des Mittelalters,” in *Judentum im Mittelalter. Beiträge Zum Christlich-Jüdischen Gespräch*, ed. P. Wilpert and W. P. Eckert (Berlin, 1966), 264–82 (here 279–80); Simon Schwarzfuchs, *Les juifs de France* (Paris, 1975), 80; Anna Sapir Abulafia, *Christians and Jews in Dispute: Disputational Literature and the Rise of Anti-Judaism in the West (c. 1000–1150)* (Aldershot; Brookfield; Singapore; Sidney, 1998), 80; Hasselhoff, *Dicit Rabbi Moyses*, 124; Fausto M. Parente, *Les juifs et l’église romaine à l’époque moderne (xve–xviii siècle)*, ed. M. Anquetil-Auletta and D. Tollet (Paris, 2007), 251 and 262.

46. Salo W. Baron, *A Social and Religious History of the Jews* (2nd ed.; New York; London; Philadelphia, 1965), 9:64 and 270n.12; Cohen, *The Friars*, 61; Robert Chazan, “The Condem-

nation of the Talmud Reconsidered,” *Proceedings of the American Academy for Jewish Research* 55 (1988): 11–30 (here 16); cf. Marina Rustow, “Karaites Real and Imagined: Three Cases of Jewish Heresy,” *Past and Present* 197 (2007): 52.

47. Thus Hasselhoff, *Dicit Rabbi Moyses*, 122–29. For Donin as a Maimonist, cf. Kisch, “Die Anklageartikel,” 125–26.

48. Merchavia, *The Church*, 233–34; Rosenthal, “Donin, Nicholas,” 167; Kurt Schubert, “Apostasie aus Identitätskrise—Nikolaus Donin,” *Kairos. Zeitschrift für Judaistik und Religionswissenschaft* 30/31 (1988/89): 1–10 (here 4).

49. Milan Žonca, “Apostasy and Authority: The Transformation of Christian Anti-Jewish Polemic in the Twelfth and Thirteenth Centuries,” *Focus Pragensis* 9 (2009): 61–88 (here 79).

50. Personal communication, November 2011.

51. Here, the reading “you cannot deny” from the now lost Strassburg manuscript transcribed by Johann Christoph Wagenseil in his editio princeps of the *Vikuaḥ* (included in his *Tela ignea Satanae* [Altdorf, 1681]) is probably preferable.

52. MS Paris, fol. 44a (emphases mine): על מה תריבני, ויאמר אל המין: על דבר ישן אשאלך, כי בזה לא אכפור כי התלמוד מד' מאות שנה. ויאמר הרב: יותר מט' זה תשאלני? ויאמר המין: על דבר ישן אשאלך, אל נא תכריחיני לענות לדבריו, אחרי כי הודה אשר הוא ישן נושן, ועד הלום מאות שנה. ויאמר אל המלכה: אנא אדונתי, אל נא תכריחיני לענות לדבריו, אחרי כי הודה אשר הוא ישן נושן, ועד הלום אין דובר עליו דבר והנה קד' יריומא הגלח ידע כל תורתנו התלמוד והכל כאשר נדע לכל הגלחות, ואם היה בו דופי לא היה מניחו עד כה, ועוד הכי עד הלום לא היו גלחים ומשומדים חשובים כאלה? ואין אומר ואין דברים בלי נשמע קולם זה ט' מאות שנה.

53. Israel Moses Ta-Shma, “Rabbi Yéhiel de Paris: l’homme et l’œuvre, religion et société (XIII^e siècle),” *Annuaire—Ecole pratique des hautes études, Section-sciences religieuses* 99 (1991): 215–19 (here 217).

54. Lewin, “Die Religionsdisputation,” 101n.1; Merchavia, *The Church*, 232.

55. See Nahman Danzig, “Mi-Talmud ‘al-peh le-Talmud bi-khtav,” *Bar-Ilan: Sefer ha-shanah le-mada‘ei ha-yahadut ve-ha-ruaḥ shel Universitat Bar-Ilan* 30–31 (2006): 49–112; Robert Brody, *The Geonim of Babylonia and the Shaping of Medieval Jewish Culture* (New Haven, Conn.; London, 1998), 230–32.

56. Talya Fishman, *Becoming the People of the Talmud: Oral Torah as Written Tradition in Medieval Jewish Cultures* (Philadelphia, 2011), esp. chaps. 4–5.

57. Galinsky, “The Different Hebrew Versions,” 113 and n. 21 (fifteenth century); Shatzmiller, *La deuxième controverse*, 9 (second half of the fourteenth century).

58. Ms. Moscow Günzburg 1390, fol. 87a (מאות שנה שהעתיקה רבינא) תורתנו הנכונה אשר עבר ט' מאות שנה שהעתיקה רבינא (ורב אשי למען כי בימיהם נשמעטו העלבות ולא היו יכולין לקיימה על פה כבראשונה).

59. Ms. Moscow Günzburg 1390, fol. 98b (ב פנים אחת עשו כן) בימי אספסיינוס קיסר ושרף התורה כל דבריהם דברי רוח וראוים לשרף, כי פנים אחת עשו כן) בימי אספסיינוס קיסר ושרף התורה.

60. Ms. Moscow Günzburg 1390, fol. 101a (בימי אספסיינוס קיסר לא) ועל אשר אמרת ששרפו התורה בימי אספסיינוס קיסר לא) (התלמוד לבדו שרפו אלא כל התורה שרפו שהרי עדיין לא נכתב התלמוד עד לאחר כמה שנים בימי רבינא ורב אשי).

61. Ms. Moscow Günzburg 1390, fol. 101b (לא דבר עליו) התלמוד ישן נושן מיותר מאף שנים ועד עתה לא דבר עליו) (שום אדם דבר רע).

62. In the Barcelona disputation of 1263 Nahmanides would resort to the same talmudic dating, placing Rav Ashi's compilation of the Talmud “around four hundred years after Jesus” (*Sefer Vikuaḥ ha-Ramban*, ed. M. Steinschneider [Berlin, 1860], 6).

63. On the issue of the dating of the Talmud see my “Dating the Talmud in Medieval Europe” (forthcoming).

64. Hailperin, *Rashi and the Christian Scholars*, 103–4 (emphasis mine).

65. Or that, in Jacob Katz's wording, “was expressed almost entirely in religious terms”

(*Exclusiveness and Tolerance: Studies in Jewish-Gentile Relations in Medieval and Modern Times* [New York, 1962], 76).

66. Shlomo Simonsohn, *The Apostolic See and the Jews: History, Studies and Texts* (Toronto, 1991), 279.

67. Hermannus quondam Iudaeus, *Opusculum de conversione sua*, ed. G. Niemeyer (Weimar, 1963), 100, 105, and chap. 13.

68. Caroline W. Bynum, *Jesus as Mother: Studies in the Spirituality of the Middle Ages* (Berkeley, Calif.; London, 1982), 85.

69. Schubert, "Apostasie aus Identitätskrise," 8 (emphasis mine).

70. Rosenthal, "Donin, Nicholas," 167.

71. MS Moscow Güzburg 1390, fol. 84b (לסוף היה נהרג בבית ע"ז שלו). Cf. Grayzel, *The Church and the Jews*, 340.

72. וגם דת רומה לא היה מאמין... הכה ומת אין לו דמים. Cf. Kisch, "Die Anklageartikel," 126n.5.

73. Yossef Schwartz, "Images of Revelation and Spaces of Discourse: The Cross-Cultural Journey of Iberian Jewry," in *Christlicher Norden—Muslimischer Süden. Ansprüche und Wirklichkeiten von Christen, Juden und Muslimen auf der Iberischen Halbinsel im Hoch- und Spätmittelalter*, ed. A. Fidora and M. M. Tischler (Munich, 2011), 267–87 (here 285), based on Bill Hillier and Alan Penn, "Visible Colleges: Structure and Randomness in the Place of Discovery," *Science in Context* 4.1 (1991): 23–49.

74. The first instance I know is Johannes Pfefferkorn (1469–1523) and his polemics against Johannes Reuchlin about the prosecution and destruction of Jewish books; see David H. Price, *Johannes Reuchlin and the Campaign to Destroy Jewish Books* (Oxford, 2011).

75. John V. Tolan, "*Lachrymabilem Judeorum questionem*: La brève histoire de la communauté juive de Bretagne au XIII^e siècle," in *Hommes, cultures et paysage de l'antiquité à la période moderne : Mélanges offerts à Jean Peyras*, ed. I. Pimouguet-Pédarros, M. Clavel-Levêque, and F. Ouachour (Rennes, 2013), 417–32 (here 428–29). In the end, Pierre de Dreux moved to the Crusade only in 1239. See in general William C. Jordan, *The French Monarchy and the Jews: From Philip Augustus to the Last Capetians* (Philadelphia, 1989); Müller, "Die Pariser Verfahren," 181–99.

76. MS Paris Hébr. 712, fol. 51b: ויען הנבל: הלא כמה רבבות נפלו מכם בחרב בריינא ואניוב ופייטוב: 51b. Cf. the mention of the massacres of 1236 in the *Chronicon Britannicum* (or *Britanniae*) quoted by Tolan, "*Lachrymabilem Judeorum questionem*," 432n.35.

77. Simonsohn, *The Apostolic See*, 162–63 (nos. 154–55).

78. Cohen, *The Friars and the Jews*, 52–61. The source is translated in Grayzel, *The Church and the Jews*, 227.

79. See Piero Capelli, "Conversion to Christianity and Anti-Talmudic Criticism from Petrus Alfonsi to Nicolas Donin and Pablo Christiani," in *Transcending Words: The Language of Religious Contact Between Buddhists, Christians, Jews, and Muslims in Premodern Times*, ed. G. K. Hasselhoff and K. M. Stünkel (Bochum, 2015), 89–102.

CHAPTER 9. CULTURAL IDENTITY IN TRANSMISSION

1. There are five manuscripts of the letters. While we are in need of a new critical edition, the best available version is the one printed in Itzhak Blumenfeld, ed., *Otsar Nehmad* (Vienna, 1863), 2:124–42.