

NO RETURN

JEW, CHRISTIAN USURERS,
AND THE SPREAD OF
MASS EXPULSION
IN MEDIEVAL EUROPE

ROWAN DORIN

HISTORIES OF ECONOMIC LIFE

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For Neir



ALCIBIADES: Banish me?
Banish your dotage, banish usury,
That makes the senate ugly!

—SHAKESPEARE, *TIMON OF ATHENS*

with usura the line grows thick
with usura is no clear demarcation
and no man can find site for his dwelling.

—EZRA POUND, "CANTO XLV"



CONTENTS

A Note on Usage xi

Introduction	1
PART I	
1 Expulsion, Jews, and Usury: Trajectories of Christian Thought and Practice	27
2 Inventing Expulsion in England, 1154–1272	51
3 Inventing Expulsion in France, 1144–1270	80
PART II	
4 Canonizing Expulsion: The Second Council of Lyon, 1274	107
5 Disseminating Expulsion: Synods, Summas, and Sermons	123
PART III	
6 Emulating Expulsion: England and France, 1274–1306	145
7 Ignoring Expulsion: Episcopal Evasion and Papal Inaction, 1274–1400	171
8 Expanding (and Impeding) Expulsion: Jews, Usury, and Canon Law, 1300–1492	198
Conclusion	226
<i>Acknowledgments</i> 235	
<i>Appendix A: Timeline of Expulsions of Jews and Christian Usurers, 1100–ca. 1350</i> 243	

x CONTENTS

<i>Appendix B: Usury and Expulsion in Local Ecclesiastical Legislation, 1200–ca. 1400</i>	249
<i>Abbreviations</i>	255
<i>Notes</i>	259
<i>List of Manuscripts and Archival Series Consulted</i>	347
<i>Index</i>	359

A NOTE ON USAGE

A BEWILDERING VARIETY of dating systems were in use during the Middle Ages. To avoid confusion, all dates in this book appear in the so-called "new style," with the New Year beginning on January 1.

Where the dating of a event or text is not known precisely but falls within a certain range, the interval is marked by an "×" (for example, 1230×1250). Where alternate dates are possible, they are separated with a "/" (for example, 1245/47).

Names of people and places generally appear in the form most familiar to anglophone readers (hence Thomas Aquinas rather than Tommaso d'Aquino), with clarity taking precedence over consistency.

Unless otherwise indicated in the notes, all translations are mine.



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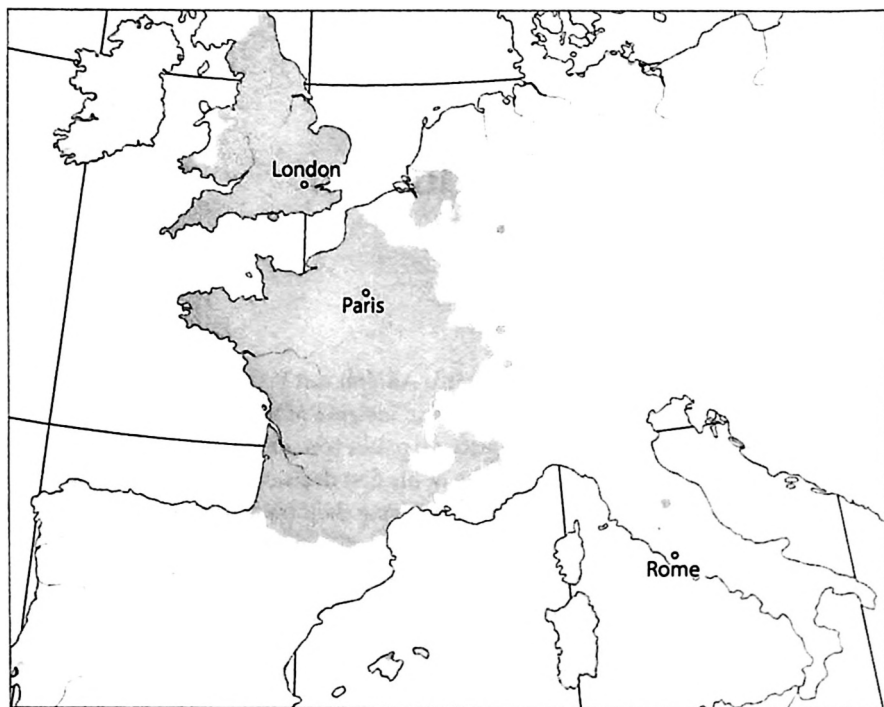


Introduction

SOMETIME IN THE AUTUMN of 1302, Adolph van Waldeck, the bishop of Liège, girded himself with the robes and insignia of his office, gathered his retinue, and marched out of his episcopal palace toward the house of the city's moneylenders. A year earlier, in one of his first decisions as bishop, Adolph had prohibited the moneylenders from plying their trade within his diocese, but they secured a reprieve through a well-placed bribe to the city's aldermen. With his initial efforts thwarted, Bishop Adolph took matters into his own hands. As later chroniclers recounted, "armed not with shield and helmet, but with mitre and staff, he broke down the doors to the usurers' house" and expelled them from the city "like dogs."¹ The event would long be remembered as one of the most memorable features of Adolph's brief episcopate, alongside his zealous concern for justice, his quick temper, and his penchant for drunkenness.² But the bishop's triumph was short lived. Adolph died within weeks—poisoned, some whispered, by his vengeful victims—and with their adversary gone, the moneylenders soon returned to the city and resumed their business.³

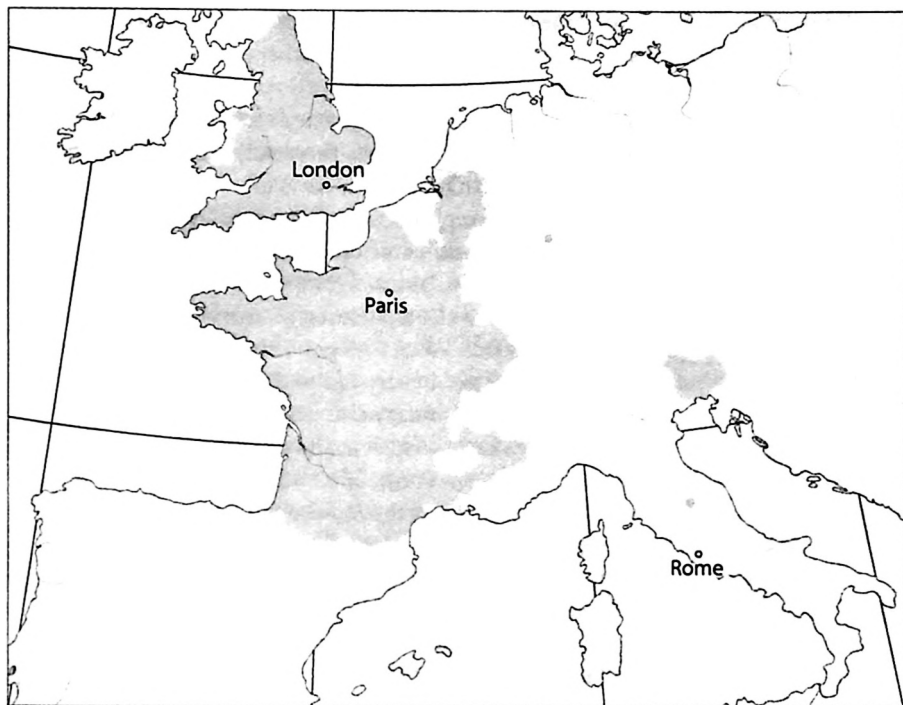
For many modern readers, this episode likely brings to mind the bitter travails of medieval Jews. By the turn of the fourteenth century, there was already a thousand-year tradition of hostile Christian rhetoric likening Jews to dogs.⁴ Moreover, within only a few decades of the events in Liège, similar allegations of poisoning would start being leveled against the Jewish communities of western Europe.⁵ Most salient of all is the episode's association between usury and expulsion, and for good reason: from the late twelfth century onward, as kingdoms and communities throughout western Europe banished Jews from their midst, accusations of usurious lending became a tragically familiar refrain.

Yet the targets of Bishop Adolph's wrath were not Jews. Rather they were Christians, natives of the town of Asti in northwestern Italy who had left their homes and crossed the Alps in search of economic opportunities. In establishing credit operations in Liège, they were emblematic of a broader historical



MAP 1. Expulsions of Jews, 1100–ca. 1350. The shaded areas show the regions in which temporal authorities ordered the expulsion of Jews (above) or Christian foreigners accused of usury (map 2) from the twelfth century until the advent of the Black Death. (Not all of these expulsion orders were ultimately enforced; for an annotated roster, see Appendix A, *Timeline of Expulsions*.) As the two maps make clear, the geography of expulsion was nearly identical for both groups during this period. *Source*: Administrative boundaries adapted from EurAtlas Georeferenced Historical Vector Data © Christos Nüssli, 2008.

phenomenon, namely, the rapid spread of professional Christian moneylenders across much of western Europe in the thirteenth and fourteenth centuries. Commonly known as “Lombards,” these foreign moneylenders also found themselves insultingly labeled as dogs by contemporaries, most famously in the opening pages of Giovanni Boccaccio’s *Decameron*.⁶ In the later Middle Ages, Lombards would also be maligned as experts in poisons and other dark arts.⁷ And as Bishop Adolph’s efforts reveal, they would likewise be expelled on charges of usury—and not only from Liège. Within the kingdom of France alone, a fluctuating blend of moral opprobrium, political expediency, and fiscal



MAP 2. Expulsions of Foreign Usurers, 1100-ca. 1350. *Source:* Administrative boundaries adapted from EurAtlas Georeferenced Historical Vector Data © Christos Nüssli, 2008.

concerns spurred rulers to order the expulsion of Lombard usurers on at least ten occasions before the middle of the fourteenth century. Furthermore, at the insistence of the church hierarchy, which issued a conciliar decree in 1274 urging all Christian authorities to expel foreign usurers from their lands, similar expulsion orders found their way into statute-books from Portugal to Poland.

Thanks to the painstaking work of generations of scholars, we know a great deal about the recurring expulsions of Jews that scar the history of late medieval Europe. Entire books have been devoted to the circumstances and aftermaths of individual expulsions, while other studies have explored the dynamics of successive expulsions within particular regions.⁸ Historians studying the Jewish diaspora have meticulously retraced the pathways of exile and the destinations of refugees, while specialists in literature and liturgy have movingly evoked the impact of such forced dislocations on the shared rituals and cultural life of Europe's Jewish communities.⁹ Until the late fifteenth century,

many of those responsible for ordering such expulsions—indeed, the vast majority—justified them by invoking the specter of Jewish usury and the evils that supposedly followed in its wake. By contrast, the recurring expulsions of Lombards and other foreign moneylenders have attracted scant scholarly attention, and what little has been written about them is frequently wrong. Even the very existence of professional Christian moneylenders is often overlooked, an oversight that reflects modern misconceptions rather than medieval realities.

As is clear from the geographical and chronological overlap depicted in maps 1 and 2, the recurring medieval expulsions of Jews cannot be fully understood without taking into account the wider association of usury and expulsion in contemporary rhetoric and practice. From the beginning of the thirteenth century to the middle of the fourteenth, every major European polity that ordered the expulsion of its Jewish community also ordered the expulsion of foreign Christian usurers. In some cases—such as the duchy of Brabant and the county of Anjou—the expulsions were ordered simultaneously. Elsewhere the banishment of foreign usurers often preceded the deportation of Jews. English kings, for instance, had already been expelling Italian merchants on charges of usury for half a century when they began to entertain the possibility of doing likewise to their Jewish subjects. In the lead-up to his ill-fated final crusade, the saint-king Louis IX of France sought to purge his kingdom of usury by expelling Lombard pawnbrokers, while at the same time refraining from his earlier threats to expel Jews. In the fifteenth century, influential authorities would insist that the canonical demands for the expulsion of foreign Christian usurers ought to apply to Jewish usurers as well, a position that others would flatly deny. Embracing this broader comparative framework thus reveals not only unnoticed parallels and precedents, but also roads not taken and choices not made.

The following chapters trace the association between usury and expulsion over the course of the Middle Ages, from its earliest attestations in the middle decades of the twelfth century to its sharp resurgence in the fifteenth. They explore how the same idea of expelling usurers emerged in different places from differing configurations of anxieties and traditions. They track how this idea spread across the intellectual and legal landscape of late medieval Europe, and how it mutated and evolved along the way, shifting back and forth across Christian and Jewish targets. They look too at how this idea expressed itself in practice, and how the ensuing expulsions were enforced or evaded. Finally, they show how individual episodes of expulsion inspired and shaped those that followed, such that what was once considered exceptional could at last become entrenched.

For expulsion *had* been exceptional—and not only where usurers were concerned. This might seem surprising. After all, for the men and women of medieval Europe, and for many others before and since, history itself began with a banishment: that of Adam and Eve from Paradise. Although human

societies have developed a roster of other techniques of exclusion, from imprisonment and legal infirmities to disfigurement and death, practices of expulsion continue to feature prominently in the arsenal of modern politics. The twentieth century has rightly been called the "Century of Expulsions," while debates over deportation blaze with renewed urgency in the United States and beyond.¹⁰ Under these circumstances, it is easy to imagine expulsion as common to all periods and places.

As historian Benjamin Kedar first observed, however, it was during the high and later Middle Ages that mass expulsion—here understood as the enforced removal of entire categories of persons from the boundaries of the expelling authority—emerged as a characteristic feature of European political practice. This is not to deny the existence of similar expulsions in earlier periods, in particular the occasional driving out of foreigners from the city-states of the ancient Mediterranean (typically in times of war or famine). Among ancient empires, however, the prevailing practice was to relocate subject populations to other places within their dominions, rather than outside of them. While Roman authorities frequently banished offending groups from the precincts of the capital or even from peninsular Italy as a whole, the expulsion of whole classes of people *beyond* imperial boundaries was almost unknown under Roman rule, and it remained equally rare in the successor kingdoms that followed.¹¹ In contrast to the penal banishment of individuals and the exile (or remote confinement) of political opponents, both of which are widely attested in early medieval Europe, the proliferation of mass—or more precisely, "corporate" or "collective"—expulsion was a new development in the High Middle Ages.¹² The absence of contemporary parallels in the Byzantine and Ottoman empires or even further afield underscores the comparative novelty of this phenomenon: only in medieval western Europe did rulers widely embrace the practice of driving entire classes of people from the lands under their control.¹³ The survival and spread of this practice in subsequent centuries surely ranks among the unhappiest legacies of the European Middle Ages.

Given the weight of scholarly attention to the banishment of Jews (and, to a lesser extent, of heretics), explanations of expulsion as a medieval phenomenon often emphasize religious divides and the quest for spiritually purified polities.¹⁴ Such explanations are all the more persuasive in light of the central importance of religious conflicts to the early modern forced migrations in Europe and the Mediterranean, whether of Jews and Moriscos or Anabaptists and Huguenots.¹⁵ But while religious divides will play a recurring role in the pages that follow, their importance will be somewhat tempered by an attentiveness to more sublunary concerns, even as mundane as administrative habits and scribal slips. The reason for this is simple: if the collective expulsion of classified groups is taken not as a timeless and inevitable feature of human societies, but instead as a novel practice that emerged and spread within a

particular set of historical circumstances, then it is crucial to reconstruct both the conditions under which it emerged and the mechanisms by which it spread. It is equally crucial to recognize that ideas and practices that emerged in one context could be imitated and repurposed in others, or could even lie dormant for a time, only to suddenly erupt anew. Here the importance of law and legal commentaries looms large, for the embedding of the usury-expulsion nexus within the shared legal culture of Latin Christendom allowed it to be copied, recopied, and ultimately revived in periods and places very different from those in which it first arose.

Those looking for a simple answer as to why expulsion became so widespread in late medieval Europe will not find it here. Before we can understand *why* expulsion became widespread, it is first necessary to understand *how*—and to date, this question has not even been asked, let alone answered. Here the association between usury and expulsion offers a particularly illuminating case study for four reasons. First, it is during the twelfth century that one first encounters the argument that usurers deserved to be not only spiritually excluded from their communities, but physically expelled from them. Unlike for other targeted groups, there were no direct biblical or late antique precedents to serve as inspiration or legitimation for expelling usurers. Medieval readers knew, for instance, that the Bible had called for lepers to dwell “outside the camp.”¹⁶ Some medieval authorities (especially in Italy) also drew inspiration from late Roman legislation ordering that heretics be driven from cities.¹⁷ In contrast, the association between usury and expulsion was a novel development in the Middle Ages, which makes it all the more revealing to explore the matrix of precedents and pressures from which it arose. Second, the motivations underpinning this association straddled both secular and ecclesiastical contexts, thus showcasing their mutual role in fostering expulsion’s rise. In a similar fashion, the medieval classification “usurer” could encompass Jews and Christians alike, which serves as a reminder of the need to look beyond conventional categories in charting the shifting contours of expulsion’s domain. Finally, the novelty and ubiquity of these expulsions provoked theoretical quandaries and practical conflicts, all of which left behind a rich trail of written evidence for historians to explore.

In grappling with ideas and practices of expulsion in medieval society, this book builds on decades of research that has sought to explain the apparent rise in outbreaks of violence, repression, and persecution from the twelfth century onward. For some scholars, these events reflect the systematic transformation of medieval Europe into a society where difference was perceived as deviance, and deviance was seen as dangerous—with terrible consequences for those classed as heretics, homosexuals, prostitutes, lepers, and beggars, to say nothing of the fate of Europe’s Jewish communities. Others have vigorously

contested the explanatory power of such a pan-European framework, insisting instead on the vagaries and varieties of local contexts for understanding outbreaks of hostility against those construed as "others."¹⁸ While partisans of each approach have often framed them as being in opposition to one other—a choice between overarching paradigms and local specificities—it should already be clear that this book eschews such a false dichotomy. One cannot explain local instances of expulsion without considering how the association between usury and expulsion first came to be thinkable, and eventually normative. Conversely, one cannot account for the spread of this association without considering why it clusters in some places and not others, is discussed in some genres and not others, is applied to some targets and not others, and so forth.

The resulting historical canvas is necessarily broad, stretching across much of western Europe over nearly four centuries. Broad, too, are the themes that will be encountered along the way: from the circulation of manuscripts to the migrations of merchants; from contests over political jurisdictions to the ambiguities of commercial practices; from the resilience of biblical exegesis to the flexibility of legal logics; and from competing definitions of foreignness to the distinction between moneylenders and usurers. Most of these themes will be introduced in due course, but given the central importance of the latter, the following overview of medieval moneylending and usury (and the relationship between them) offers necessary groundwork for the chapters to come.

Moneylenders and Moneylending in Medieval Europe

In 1336, a Burgundian count welcomed a family of Piedmontese moneylenders into his lands. In return for a fixed annual fee, the new settlers, whom the charter describes as "Lombards, citizens and merchants of Asti," were to enjoy for fifteen years the right to "lend their money" (*prester leur pecune*) within the territory of Montbéliard. The count bolstered this privilege with a litany of immunities, exemptions, and safeguards, among them an explicit promise that he would ignore any orders from the pope or any other prince to arrest the newcomers or seize their property. The count further assured them that he would allow "neither any merchant of Ypres, Cahors, Provence, or Tuscany, nor Jews or other Lombards, nor anyone else who lends money," to settle in his lands, save a certain "Sanche the Jew" and his associates, who were present already.¹⁹

This charter exemplifies many of the characteristic features of late medieval professional moneylending, an occupation whose practitioners fell at the center of contemporary debates over the moral and religious implications of a rapidly expanding credit economy. In many parts of western Europe, publicly carrying out such activities required a formal license from a local authority, which the lenders secured with the promise of lucrative regular payments. The

charter's assurances of protection against the forcible intervention of other ecclesiastical or secular authorities reflects a caution born from experience and so too do the many other privileges and exemptions that the moneylenders negotiated for themselves. In addition, the Montbéliard charter's monopoly clause, with its enumeration of potential competitors, highlights the degree to which professional moneylending in the thirteenth and fourteenth centuries was the preserve not only of Jews, but also of Christians originating from particular regions, especially southern France and northern Italy.

Recent scholarship has stressed the pervasiveness of credit-debt relationships across the entire social spectrum of medieval Europe. Highlighting the wide variety of credit arrangements and the centrality of local lending networks, historians have pushed back against a vision of the late medieval economy that saw monetary credit as a scarce commodity, with Jews and Lombards its only—and much maligned—providers.²⁰ Even where lending at interest is concerned, close studies of administrative records have revealed widespread clandestine interest taking among nonprofessional lenders, amply bearing out the theologians' fears that such sinful behavior was running rampant in all sectors of society.²¹ Taken collectively, this scholarship has made it clear that the landscape of medieval credit extends far beyond professional moneylending.

Even so, there is little question that professional moneylenders—Jewish and Christian alike—were vital nodes within the social and economic systems of the towns and regions they served.²² A trio of interlocking trends underpinned their rising presence in high medieval Europe: the surging growth of trade and commerce; the increasing ease of mobility and migration; and the expanding fiscal needs of princes and prelates (and the taxes imposed to meet them). Together these generated a rampant need for economic services that the moneylenders were poised to fulfill—for a price. The nature of these needs and services varied enormously across time and place. Often the same moneylenders lent to borrowers from a wide variety of social classes, though in some regions they lent extensively to local elites, while in others their borrowers were mostly poor. In twelfth- and thirteenth-century England, Jewish loans were often backed by landholdings as collateral, with assurances of government support for the recovery of outstanding debts. In many parts of Europe, loans were backed by pledges of movable goods (that is, pawnbroking), though often they rested simply on oral promises of repayment and the creditors' faith in the borrowers' solvency. In some places, public moneylending was heavily regulated, with fixed ceilings on interest rates (commonly 43.3% *per annum*) and formal mechanisms of governmental oversight; elsewhere the arrangements were left to the discretion of the parties themselves. Professional moneylenders in any period face the dangers of defaulting debtors and a measure of

popular resentment, but their medieval counterparts faced a raft of additional occupational hazards. Preachers regularly reminded Christian lenders of the threat of eternal damnation should they fail to make amends for their sinful practices, while cash-strapped princes were quick to see moneylenders as ready sources of revenue, whether through forced loans, arbitrary fines, threats of expulsion, or worse. Yet it is a testament to the centrality of these moneylenders within their local economic systems that their enforced departure often prompted popular laments, bemoaning the sudden scarcity of credit and coin.²³

North of the Alps, Jewish moneylending—and indeed, Jewish settlement more generally—appears in earnest from the late tenth century onward. The two phenomena were often interlinked, with Christian authorities frequently welcoming Jews to settle in their towns with the aim of expanding both commerce and credit. There is little doubt that moneylending's potential profitability played a significant role in spurring many to take it up as a profession. That said, it is worth emphasizing that neither during this early period nor in later centuries was moneylending the sole economic activity of these young Jewish communities in northwestern Europe. Notwithstanding contemporary accusations and modern misunderstandings, in many of these communities it was probably only a minority of Jews who made it the core of their business affairs. (This is even truer of Jews in Mediterranean Europe, who, through to the end of the Middle Ages, drew their livelihoods from a wide range of activities.) By the thirteenth century, however, the repeated fiscal exactions levied on the Jews of northwestern Europe (especially in England and France) and the increasing restrictions on their legal and economic freedoms rendered moneylending almost obligatory for those with sufficient means to engage in it, since few other economic activities could generate profits substantial enough to satiate princely greed.²⁴

In the latter decades of the twelfth century, Christians likewise began moving to other parts of western Europe for the purposes of supplying credit. In the early stages, these migrating Christians often hailed from Flanders and southern France, but it was northern Italians—those from Tuscany and Piedmont above all—who proved the most successful, the most far-reaching, and the most enduring. Often building on existing mercantile networks, these Italian newcomers quickly established themselves within the kingdom of France, the Low Countries, Burgundy, the Rhineland, and Savoy. As the Montbéliard charter suggests, the newcomers often set up operations in places where Jewish moneylenders were already active, sometimes competing directly with them for clients, sometimes building new networks of borrowers. Elsewhere (in many parts of the Low Countries, for instance), they competed against robust existing networks of Christian lenders.²⁵ In addition, the middle years

of the thirteenth century saw Tuscan lenders—many of them driven into exile on account of factional divides in their native cities—setting up operations across central Italy, followed by northeastern parts of the peninsula, where they were joined by others from Piedmont and Lombardy.²⁶ By the year 1300, Italian moneylenders had established themselves across vast swaths of western Europe, both in Italy itself and across the Alps.²⁷ The impact of their geographic diffusion is still visible in the urban topographies of twenty-first-century Europe: London's Lombard Street is merely the most famous of the many streets and districts that bear the name by which these Italian moneylenders were commonly known. Even more striking, and a touch ironic, is the fact that *lombard* eventually came to serve as the word for pawnshop in several European languages, among them Yiddish.²⁸

If the very existence of these professional Christian moneylenders is largely forgotten, it is due in part to the stubborn (and often pernicious) narrative according to which medieval Jews held a near-monopoly over medieval moneylending. This narrative is often accompanied by facile assumptions about the nature and efficacy of the medieval church's condemnation of Christian usury, which (among other weaknesses) ignore the simple fact that repeated condemnations are usually a sign of persistent practices. Moreover, the narrative is so entrenched that even some distinguished modern scholars have effaced medieval records of Christian moneylenders by mistakenly assuming that these concerned Jews.²⁹ But the limited awareness of these professional Christian moneylenders also stems from both the highly localized nature of most relevant studies, and their absence from the canonical studies of medieval economic history.³⁰ Throughout much of the twentieth century, vigorous debates over the rise of modern capitalism and the development of modern commercial techniques led scholars to focus on the great banking firms of Siena and Florence, rather than on the "pawnbrokers" whom they saw as disconnected from the animating force of international finance.³¹ Yet the analytical clarity of such distinctions poorly captures the complex medieval realities, in which members of the Malabaila family of Asti could serve as the principal bankers and wool merchants for the fourteenth-century papacy, even as their cousins continued to run the family's longstanding pawnbroking operations in Savoy.³²

Beyond such scholarly sidelining, three features of the surviving sources further contribute to lingering uncertainties about the spread and activities of these Italian moneylenders. The first is the challenge of identifying them. The term "Lombard," for instance, could be equally a geographical or occupational designation, and in both cases the meaning is often ambiguous.³³ Administrative records from thirteenth-century France use "Lombard" (*lombardus/lombart*) to designate any Italian within the kingdom, whatever his occupation

or origin, whereas in fourteenth-century England, the term could describe any Italian who was active in commerce. Meanwhile, the associated term "Cahorsin" (*Caorsinus/Caorsin/Kawertschen*) gradually shed its association with moneylenders from the French town of Cahors. North of the Alps, the term came to refer to foreign (Christian) moneylenders in general, while in Italy it developed into a pejorative epithet for bankers.³⁴ Throughout this book, the use of the terms "Lombard" and "Cahorsin" will mirror the language of whatever sources are being discussed; where the terms are invoked more generally, it is in the sense of Christians (usually from northwestern Italy) who were operating public, professional moneylending operations outside of their own native communities.

As a second complicating factor, contemporary sources (especially in the thirteenth century) often describe these foreign moneylenders simply as "merchants" (*mercatores/mercheanz*). In some cases, this might hint at a willful caginess concerning the nature of their activities. On the whole, however, the fact that this is more common in the thirteenth century than afterward suggests that the definition of "merchant" was more capacious in this earlier period, and that it could embrace the nascent category of "moneylender" rather than simply being in apposition (let alone opposition) to it. This certainly aligns with intellectual trends: in the late thirteenth century, theologians and other learned commentators were only just beginning to articulate a vision of Christian economic ethics that distinguished "virtuous" merchants from usurers and other suspect classes.³⁵ The same ambiguity applies to economic realities. There is considerable evidence showing that many of the Jews and Christians who were professionally active as moneylenders did not shy from engaging in other commercial pursuits. The converse is also true: many of those whose principal commercial interests lay elsewhere nevertheless lent money at interest on a regular basis.³⁶ (That commerce often depended on credit is a further complicating factor.) Moreover, it is clear from the language of many thirteenth-century sources concerning Lombards—not least the Montbéliard charter quoted above—that their moneylending was often seen as a branch of mercantile activity, rather than a different class of activity altogether. Only in later centuries, and even then only in specific towns and regions, do more clear-cut divisions arise.

The third challenge of the sources concerns Jewish and Lombard moneylenders alike: given the near-total disappearance of their account-books, it is only through oblique evidence that one can reconstruct their networks of borrowers and the internal working of their financial operations.³⁷ The loss of these sources is due in part to the repeated disruption and dislocation of the lenders themselves; even more destructive was the indifference of later generations, to whom such musty volumes seemed hardly worth preserving. On

occasion the moneylenders themselves took active measures to suppress these materials: having used their newfound wealth to purchase their way into the feudal nobility of their native regions, some Lombards deliberately purged their family archives of all evidence concerning their mercantile origins.³⁸ In Mediterranean Europe and the cities of the Low Countries, these losses can partly be compensated by the notarial registers and urban charters that survive in vast numbers from the late thirteenth century onward.³⁹ Elsewhere scholars must rely on the extant records of governmental and judicial oversight: the registrations of Jewish debts in thirteenth-century England, the reports of royal investigators in contemporary France, the sentences of late medieval ecclesiastical courts, and so forth. These records are necessarily distorting, insofar as much lending activity necessarily escaped official notice. So rich are the surviving materials from the Exchequer of the Jews in England, for instance, that scholars have largely overlooked the hints of widespread Jewish pawnbroking carried out beyond the Exchequer's gaze.⁴⁰

These records are distorting for another reason too: many of them (especially those resulting from investigations and judicial proceedings) owe their existence to allegations of usury, with all the preconceptions and prejudices that implies. In modern English, the term "usury" generally refers to exorbitant rates of interest on a loan. In contrast, medieval Latin writers often referred to usury in the plural (*usurae*), and much of the scholarship on the topic would be clearer if modern scholars followed suit, for despite the strenuous efforts of rigorist theologians, there was no uniform medieval definition of usury. Rather, multiple definitions were in competition, shifting in rigor and reach over time. While straightforward moneylending could easily fall afoul of ecclesiastical and secular sanctions against usury, so too could many other mercantile activities in late medieval Europe—depending on the definition of usury in play. In other words, a given transaction might be usurious to one observer but not to another, and what one authority might blithely allow might be vociferously condemned by another. To make this clearer, it is worth taking a closer look at medieval ideas about usury and how these mapped onto social and economic realities.

"You Are All Usurers!":

Modern Approaches and Medieval Ambiguities

If thirteenth-century theologians, following Aristotle, denounced usury as inherently sterile and unproductive, the same charge cannot be laid against the modern scholarship that the topic has generated. From the late nineteenth century onward, scholars interested in the history of economic thought have delved into the abundant scholastic and canonistic materials in order to

reconstruct the development of the medieval church's teaching on usury. In the middle decades of the twentieth century, debates over the impact of these teachings on medieval commercial techniques (which themselves were part of larger conversations about the rise of capitalism) injected additional vigor into this line of research. Recent work on the history of usury in the Middle Ages has carried further these early frameworks and expanded in four new directions. The first treats usury within the more general context of credit and debt. The second focuses on the rise of anxieties over usury, their interaction with other contemporary concerns (simony or heresy, for example), and their diffusion from learned clerical elites into popular contexts through art, preaching, literature, and other genres.⁴¹ The third approach explores these anxieties as a driving force in the elaboration of a systematic vision of economic ethics on the part of theologians and other late medieval intellectuals.⁴² Meanwhile, a fourth strand of scholarship has revealed the existence of contemporary Jewish debates over the permissibility of lending among Jews, and even over the licitness of Jewish lending to Christians.⁴³

Within the Christian tradition, the effort to define usury exercised the ingenuity and learning of many of the most towering figures of medieval intellectual life, theologians and preachers whose words frequently carried well beyond the confines of the classroom or the reaches of the pulpit. Patristic authorities had bequeathed to their medieval successors a set of sweeping definitions of usury, namely, "whatsoever is added to the principal," "wherever more is required than has been given," and other variations on these themes. Building on these foundations, twelfth- and thirteenth-century theologians erected a rigorist framework in which almost any form of return beyond the principal of a loan qualified as usurious, and hence both sinful and forbidden. Exceptions were gradually articulated, but none of these disturbed the fundamental principle that seeking certain profit from a loan was a sin. Yet this is only part of the story. By limiting the church's legal sanctions against usury to those who were considered "public" or "notorious" usurers, canon lawyers effectively adopted a less stringent standard than did the theologians. In addition, Roman civil law had permitted moderate levels of interest, and in the Middle Ages many secular jurisdictions followed suit, banning as "usurious" only interest rates that exceeded a certain threshold.

In effect, this meant that for a medieval Christian engaging in moneylending, the same actions might count as usurious in a theological context of sin and repentance even as they did not fall afoul of canonical sanctions; they might equally count as usurious in the eyes of the church while remaining licit under secular law. The situation was somewhat more straightforward for medieval Jews, who were relatively (though not entirely) immune from the sanctions of church courts, as the next chapters will show. But whatever the formal

definition of usury in theology and law, its expression in practice depended on a host of factors, from the perceived social status of the moneylenders, to the strength and nature of their relationships within their communities, to the intensity of fears about indebtedness and otherness (whether geographic or religious), or all of these together. Notwithstanding the threat of divine judgment, the return on a loan became "usurious" only when it was condemned as such.⁴⁴

This equivocality is even more pronounced where the definition of usurer is concerned. One was not simply a usurer because one engaged in usurious practices; here too the meaning of the word lay very much in the eye of the beholder. Just as one could hold views that some might consider heretical without necessarily being denounced as a heretic, so too could one engage in practices that some might consider usurious without necessarily being condemned as a usurer.⁴⁵ The opposite was also true, such that one could be labeled a usurer simply by association, or by profiting indirectly from practices that an observer deemed usurious. It was this expansive conception that underpinned thirteenth-century arguments that all Jews were usurers, or that led the Franciscan preacher Bernardino of Siena to berate a Florentine audience in 1425 with the chastising claim, "You are all usurers!" (*tutti siete usurari!*)⁴⁶ Over the course of the Middle Ages, moreover, the figure of the usurer came to embody qualities that extended far beyond mere moneylending. To call someone a usurer was less a representation of their practices than a claim about their identity. In short, it was an accusation rather than a description, and it is in this sense that the term will be used in the chapters that follow. To be sure, the Lombards and Jews who were engaging in public moneylending were especially vulnerable targets for such accusations. But the category of "usurer" was essentially relational, rather than abstract; one therefore cannot speak of someone being a "usurer" without implying the question "To whom?"

This disjuncture between moneylending as a practice and usury as an accusation is necessary to understand a central paradox in the history of medieval European Jews. Even where they carried out their moneylending in accordance with secular regulations, and even where the returns on their loans did not exceed the traditional limits as accepted (however grudgingly and nebulously) in church doctrine, Jews were nevertheless widely accused of usury. Meanwhile, Christians who engaged in activities that church doctrine condemned as illicit—and which in some cases were also forbidden under secular law—regularly went unpunished. In the case of Jews, contemporary arguments that the taint of usury could extend even to those who did not directly profit from it enabled hostile voices to condemn all Jews as usurers, regardless of their individual activities. Only much more rarely—as in the case of Bernardino of Siena lambasting his Florentine listeners—did critics level similarly

broad charges against entire Christian communities. Here the Lombards offer a valuable comparison case: outsiders within their host societies, they engaged openly in moneylending in defiance of church strictures and sometimes even in winking contradiction of secular laws as well. Unlike Europe's Jews, however, the Lombards were unburdened by centuries of theological hostility and its attendant fears. Their experiences therefore help to gauge the specific weight of usury within the larger constellation of fears and accusations that ultimately led to the disappearance of Jewish communities from much of western Europe over the course of the later Middle Ages.

However misguided such fears might now appear, the sense of alarm, even hysteria, that usury provoked among many late medieval churchmen is undeniable. So too is the impact of these fears on commercial practices and economic life more broadly. Yet as the following chapters will repeatedly argue, the intensity and impact of these fears differed markedly across space, time, audiences, and authorities. Even in modern specialist works, there is a worrisome tendency to subsume the complexities of medieval attitudes beneath the strident claims of the most vocal critics. Allegations made by a twelfth-century French cleric about the "judaizing practices" of Christian moneylenders thus become representative of all subsequent clerical thought, while the harsh strictures of a local church council are taken as an expression of canon law as a whole.⁴⁷ In a similar fashion, the subtle reasonings of scholastic thinkers are too often made synonymous with church teachings writ large, ignoring the much cruder formulations that circulated among priests and their parishioners.

Even more distorting is the scholarly tendency to treat northern France as paradigmatic rather than exceptional, especially where attitudes toward Jewish usury are concerned. In part, this reflects the abundance of superb scholarship focusing on Paris and surrounding regions, as well as on neighboring England, where French influence was strong.⁴⁸ For anglophone readers, moreover, this tendency is reinforced by the fact that the careful studies of Jewish and Christian moneylending (and associated ideas about usury) in other parts of western Europe—Germany, the Low Countries, Catalonia, Italy, and beyond—have largely appeared in languages other than English.⁴⁹ As these studies make clear, the presence of moneylenders did not necessarily overlap with concerns about usury, or at least not always according to the same chronology.

This is not to deny the influence of Parisian ideas or the impact of northern French practices. To the contrary, the reconstruction of their diffusion across regions and genres is one of the threads that ties together all of the chapters in this book. Rather, it is a reminder that the relationship between moneylending and usury did not play out the same way everywhere in medieval Europe, just as the figure of the usurer did not always map onto the same targets. It is for this reason that the first part of the book is heavily weighted toward England

and France, for it is in these two kingdoms that anxieties about usury first began to be articulated most strongly—and where the association between usury and expulsion first emerged. Over time these anxieties and this association began to spread, and the book's later chapters broaden their scope accordingly.

As these later chapters will show, new ideas circulated unevenly, and old ones could be unexpectedly rediscovered. The same was true of repressive practices. As a result, the expulsion of usurers was not a phenomenon confined to those who lived permanently in the margins or beyond the edges of medieval Christian society. Its reach was much greater than that, and much less predictable too, such that even those who had lived comfortably amidst their host societies for decades could suddenly find themselves recast as usurers and driven from their homes. But this in turn raises a new question, namely, of all the possible responses to usury, how did expulsion become so accepted and so widespread?

Toward a Connected History of Expulsion

This same question could be asked of many other groups in medieval Europe, for beggars, foreigners, heretics, lepers, and prostitutes all faced contemporary threats of collective expulsion, and this list is hardly exhaustive. Expulsion was even more ubiquitous in its individual penal form: by the early fourteenth century, judicial sentences of banishment were being imposed for contumacy, debt, heresy, leprosy, petty crime, political missteps, prostitution, sodomy, vagabondage, and a host of other misdeeds. Although the chronology and context vary considerably, as does banishment's frequency relative to other sanctions, the ubiquity of expulsion in late medieval society is indisputable.

To date, this characteristic of late medieval Europe has attracted little sustained attention, even though it stands in marked contrast to the relatively restrained use of expulsion in other premodern cultures. Even rarer is scholarship that encompasses the variety of practices that the English language divides up (quite arbitrarily) among the terms banishment, exile, deportation, and so forth. Studies of individual episodes and specific practices abound, but comparison and synthesis are rare.⁵⁰ This pattern extends well beyond scholarship on the European Middle Ages. Expulsion is usually treated either as the archetypal expression of exclusion and hence devoid of historical specificity, or else its varied forms are examined in isolation from one another, obscuring their potential connections and shared influences. In a 1972 article, the distinguished legal anthropologist Sally Falk Moore observed that "though expulsion is often mentioned in ethnographies, too little attention has been given to the theoretical implications of expulsion as a legal measure in pre-industrial

society."⁵¹ Only recently have historians and social scientists begun to grapple with the shifting dynamics of expulsion from archaic times to the present.⁵²

To be sure, there are important distinctions between practices of expulsion, even if these map awkwardly onto modern and premodern vocabularies. An expulsion might be temporary or permanent, individual or collective, legally mandated or arbitrarily imposed. The target might be banished to a particular place, or the space of expulsion might be left open-ended. Expulsion might be a penalty in and of itself, or it might be an institutionalized means of avoiding a still-graver penalty. As one recent scholar has stressed in a provocative study of modern deportation and its historical analogs, "there is no singular expulsion."⁵³ Yet all of these practices, as with any social practice, have their histories, and it is worth considering that many of these histories may be shared—or at least connected.

The general lack of scholarly attention to the forms and implications of expulsion is all the more striking when compared to the explosion of studies on confinement.⁵⁴ Over the past half century, scholars of nearly every place and period have mapped the emergence, growth, and global dissemination of practices of confinement, tracing how we have moved from a premodern world in which incarceration was exceptional, or even unknown, to one in which it is endemic.⁵⁵ Many of the resulting studies have also sought to illuminate the historical connections between different forms of confinement, such as the influence of monastic discipline on later European models of imprisonment, or the Nazi appropriation of British colonial institutions for the development of concentration camps.⁵⁶

So far as the Middle Ages are concerned, only the expulsion of Jews has been the subject of such a comparative and connective approach.⁵⁷ In linking together each of the medieval expulsions—from the late twelfth century to 1492 and beyond—modern scholars are mirroring (or in some cases, invoking directly) a venerable tradition of Jewish historiography and commemoration, in which each successive expulsion is added to the long chain of forced dislocations that together constitute the Exile. The resulting insights are powerful, not least because this approach aligns so closely with the ways in which the victims themselves made sense of these events.⁵⁸

As this book argues, however, there are further insights to be gained by following other common threads that tie together individual episodes of expulsion, even if this often means seeing these events through the eyes of their perpetrators rather than the experiences of their targets. There is a meaningful difference between an expulsion that allowed Jews to remain only if they agreed to abandon their moneylending, and an expulsion that allowed them to remain only if they agreed to abandon their faith. Although the end results were sometimes the same, their motivating logics were not. A similar point

might be made about an expulsion order that banished Jews outright versus one that forcibly relocated them from smaller communities to larger ones within the same jurisdiction. And there is likewise a difference between an expulsion that cited usury to justify expelling Jews and Lombards alike and one that targeted Jews while leaving Christian usurers untouched (or vice versa). Such distinctions might have mattered little to those who were being forcibly driven from their homes, but they surely illuminate the aims of those demanding expulsion.

Even in those cases where Jewish usury served merely as a pretext for expelling Jews, it matters that authorities saw fit to invoke this pretext rather than others. In seeking to recover the precipitating causes of medieval expulsions, modern historians have been rightly wary of lending too much weight to official rhetoric; rulers were unlikely to announce that a particular expulsion was a means of asserting their authority amidst internal power struggles or that they were chiefly interested in replenishing their coffers. (As for deeper social, economic, and intellectual trends, these were unlikely to be recognized by contemporaries, let alone publicly acknowledged by the expelling authorities.) But one can be skeptical of stated motives without denying their contemporary salience. According to longstanding church doctrine, rulers could not licitly expel Jews simply because they refused to become Christian, or because they otherwise held to their traditional practices. Down to the end of the Middle Ages, this remained a powerful (if far from insuperable) deterrent to arbitrary banishments. As a result, few medieval authorities ever framed expulsion as resulting simply from anti-Jewish animus, and most instead took pains to proffer nominally credible (and sometimes compelling) justifications for their decision.⁵⁹ To trace the arguments that made such expulsions legitimate in the eyes of contemporaries is therefore, in a very real sense, to understand the circumstances that made them possible.⁶⁰ Much recent scholarship has aimed to reveal the motivations that authorities did *not* articulate when ordering the expulsion of Jews; the following chapters will devote renewed attention to those that they did.

Recovering the underlying logics of expulsion, along with their internal contradictions and their inconsistent applications, is one of the central tasks of this book. Doing so means leaving aside much of the scholarly edifice that has grown up around historian R. I. Moore's influential characterization of medieval Europe as a "persecuting society."⁶¹ As the first part of this book will show, for example, the initial emergence of expulsion in England bears little sign of the anxieties that drove the expansion of repressive practices elsewhere. This is not to deny the power and prominence of such anxieties in other contexts, not least in the escalation of anti-Jewish rhetoric, or in ecclesiastical efforts to link usury with heresy. Moreover, many of Moore's key

insights—especially about the ambiguities of classification and learned anxieties over social contamination—will be echoed in the pages that follow. But as an explanation for the general rise and spread of expulsion, the resort to persecution is insufficient. The reason for this is simple. For all that Moore's model has inspired scholars to seek out connections linking the repressions of various marginalized groups, including Jews, heretics, and lepers, its language of "persecution" leaves little room for those whose suffering does not elicit modern sympathies. Although we are less likely to mourn the vicissitudes of wealthy Flemish merchants and Piedmontese moneylenders, they too faced repeated expulsions in the high and late Middle Ages. To understand how expulsion could be normalized, it is therefore crucial to consider the experiences not simply of those who fall within our modern definitions of the persecuted, but of the many others who similarly fell within expulsion's reach.

This reach had its limits. In light of the Deuteronomic prohibition, by which one could lend at usury only to a stranger (נכרי/*alienus*) and not to one's brother (אח/*frater*), there is a certain irony to the fact that medieval rulers never punished with expulsion their Christian subjects who were engaging in usury, instead expelling only Jews and foreigners accused of doing the same.⁶² As might be expected, this differentiated treatment is due in part to the vulnerability of these latter groups to allegations of usurious wrongdoing. But it also aligns with two emergent strands of medieval thinking about usury and its resulting evils. First, secular rulers were increasingly considered to be personally responsible for the usurious activities of Jews and foreigners within their domains, in contrast to local Christian usurers, who fell exclusively under the purview of the church. The focus of secular repression was therefore on those—to wit, Jews and foreigners—who enjoyed secular protection. Second, for all that medieval theology held usury to be destructive of wealth in general, the usurious activities of Jews and foreigners prompted specific concerns, insofar as they appeared to funnel local wealth either out of Christian hands or away to foreign lands. Exploring the evolving connections between expulsion, foreignness, and usury thus reveals pathways and roadblocks that otherwise lie hidden if one considers only the connection between expulsion and Jews.⁶³

Structure and Sources

This book starts from the assumption that shifts in social practices correspond not only to larger shifts in social structures and patterns of thought, but also to the repetition and emulation of the practices themselves.⁶⁴ As new reports of expulsion spread across communities and genres, they made thinkable what had previously never been contemplated. Expulsion—like any other social

practice—could be contagious. It was also protean, with its forms and targets shifting as it spread. But as the following chapters will emphasize, understanding the spread of a phenomenon also requires an attentiveness to the limits of that spread. In other words, under what circumstances was the association between usury and expulsion resisted, rejected, or ignored? Where were the false starts, the dead ends, and the places where it failed to take root at all?

The book is accordingly divided into three parts, with the first part exploring the different paths by which the expulsion of usurers first arose as a possibility and a practice; the second part examining how this phenomenon was normalized and disseminated across Latin Christendom; and a final part tracing how it was enforced, resisted, and redirected over the course of the late Middle Ages.

Part I opens with an overview of the twelfth-century church's teachings on expulsion, Jews, and usury, before showing how these three themes became increasingly entangled in theology and canon law over the course of the thirteenth century. The following two chapters explore these same themes within the kingdoms of England and France, respectively, focusing in particular on royal policies toward Jews, the regulation and repression of moneylending, and the rising resort to expulsion from the middle decades of the twelfth century to the closing decades of the thirteenth. It was in these two kingdoms that secular and ecclesiastical authorities first began to order expulsions on grounds of usury, but in strikingly dissimilar contexts. Where a strong tradition of expelling foreigners proved a driving factor in England, royal concerns about purity and purgation proved determinative across the Channel. Together, these three chapters establish how the association between usury and expulsion emerged in western European thought and practice over the course of the thirteenth century.

Part II opens with the Second Council of Lyon in 1274, where the assembled church leadership drew on French royal precedent in ordering all Christian authorities to drive foreign usurers from the lands under their jurisdiction. This conciliar decree—known by its incipit *Usurarum voraginem* (“*The Abyss of Usury*”)—universalized, at least in theory, the normative connection between usury and expulsion. Chapter 4 analyzes both the drafting of the decree and the subsequent academic debates over its interpretation. Chapter 5 then turns to the decree's dissemination, looking at the many channels through which *Usurarum voraginem's* canonization of expulsion reached a wider audience within western Christendom. Resting on the systematic analysis of more than two thousand texts, ranging from legal compendia to sermon collections and even vernacular poetry, this chapter traces how a new legal norm could circulate to its intended audiences across late medieval Europe. As this broad survey reveals, awareness of the decree ebbed and flowed over the course of

subsequent centuries, while its scope and meaning transformed dramatically as it moved into new textual contexts.

Part III then charts the shifting course of the usury-expulsion nexus from the late thirteenth century onward, showing how it was alternatively instrumentalized, emulated, ignored, or reworked down to the end of the Middle Ages. Chapter 6 examines the immediate response to the Lyonese decree, with early royal action in England and France contrasting markedly with widespread non-compliance elsewhere in western Europe. Secular authorities gradually found ways to wield the decree's provisions in service of local aims, while earlier traditions of expulsion continued to develop and spread, with devastating results for long-established Jewish communities.

Meanwhile, as revealed in Chapter 7, ecclesiastical implementation of the new decree proved markedly uneven. For all the heated clerical rhetoric around the evils of moneylending, and notwithstanding the threat of severe sanctions for non-compliance, many bishops were reluctant to enforce expulsion within their dioceses—a finding that challenges persistent assumptions about the dynamics of the medieval church's campaign against usury. Through a series of case studies drawn from the Low Countries, the Rhineland, and Italy, the chapter explores the reasons for this widespread episcopal reluctance, as well as the continuing secular opposition to expulsion across most of western Europe.

Building on these foundations, Chapter 8 explores how late medieval legal scholars and ecclesiastical authorities began to question the limits of the church's traditional opposition to the expulsion of Jews in light of new ideas about Jewish usury and new interpretations of legal doctrine. Could canon law—long a bulwark against expulsions of Jews—instead require them? By the fifteenth century, with calls for expulsion resurgent throughout Germany and Italy, the popes themselves would begin to weigh in on this topic. Their conflicting responses vividly reveal the role of law and legal reasoning in both furthering and impeding expulsion's expanding embrace. Moreover, the impact of these shifts would be felt even in the halls of the Alhambra in 1492, as the Catholic Monarchs deliberated over the fate of Spain's Jews.

As these brief summaries suggest, the book draws on a wide array of high and late medieval sources, including unpublished material from 150 archives and libraries scattered across sixteen countries. This breadth reflects in part the geographic range of Jewish and Christian moneylenders in late medieval Europe, as well as the wide variety of genres in which ideas about their expulsion could circulate. But this breadth is also an attempt to overcome specific methodological challenges. Even a minor expulsion could have a catalyzing effect on others, for instance, and it is therefore only through an expansive survey that chronological and spatial patterns can emerge. In a similar vein, to trace

the shifting thresholds of possibility one must look beyond the expulsions that were ultimately enforced and consider too those that were merely mooted or else thwarted early on. The chapters that follow (and their accompanying notes) therefore reference every known instance in which Christians were expelled on charges of usury from the late twelfth century until the middle of the fourteenth; they likewise cite every attested expulsion of Jews for the same period, whether or not accusations of usury were at play; and they finally consider many instances in which such expulsions were urged or threatened, even where such efforts led to naught.

As anyone who has broached this topic can attest, to hunt for expulsions is constantly to encounter phantom episodes resulting from earlier misdatings and misreadings, inadvertent conflation, or even just the inevitable uncertainty over whether a threatened expulsion was indeed carried out.⁶⁵ This is especially true for the expulsions of Lombards and other Christian moneylenders, since these have never before been studied in detail.⁶⁶ For this reason, the accompanying notes seek—wherever possible—to cite the specific medieval evidence for these events, while also paying tribute to the careful labors and compelling arguments of earlier scholars.

In attempting to trace the association of usury and expulsion over the course of nearly four centuries, the book necessarily gives only a passing glance to many other related themes. Foreign merchants and moneylenders suffered sudden confiscations and arrests, forced loans and indemnity payments, and innumerable petty insults and injuries that went mostly unrecorded. Threats of banishment often served simply as a means to extort further revenues, and banishment itself was often preceded by imprisonment and accompanied by despoliation. The Jews of Latin Christendom faced all of these menaces, and often much, much worse. From the late twelfth century onward, false accusations of child murder, host desecration, and well poisoning spurred violent assaults against Jewish communities throughout much of western Europe. While expulsion occupies center stage in this study, other repressive practices lurk in the wings.

The voices of the expulsions' victims also go largely unheard in the pages that follow, which focus instead on the rhetoric of those denouncing usury and demanding expulsion. This reflects above all the aim of this book, which seeks to explain the spread of this phenomenon, not the sufferings that followed in its wake. It reflects as well the achievements of other scholars, who have already evoked the laments and legacies of the Jews' repeated expulsions with remarkable insight and learning. But for the Lombards, at least, it also reflects the surviving sources, which—for all their richness—are inescapably partial and incomplete. For all the tens of thousands of surviving references to the activities of these migrating moneylenders, their private world is largely

obscured: their business records are lost or destroyed, their letters to each other and to their families are all but non-existent, and the chronicles of their native regions are largely mute on the experience of expulsion. As a result, their responses to expulsion must instead be reconstructed mainly from the patterns of their movements and the safeguards they sought from their official protectors.

Finally, it bears emphasizing that this book is not intended as a history of credit and debt in the Middle Ages, nor as a study of the evolution and enforcement of the medieval church's usury doctrine, nor as a general account of the expulsions of Jews between the twelfth and fifteenth century. Those books all remain to be written. Nor does this book pretend to offer a comprehensive account of mass expulsions in the high and late Middle Ages. Although it aims to shed light on the pathways by which expulsion came to entrench itself in medieval thought and practice, many contemporary manifestations of expulsion are alluded to only briefly, or not at all. Yet just as "certain exclusionary ideas had a snowballing effect" in medieval society, to borrow Barbara Rosenwein's vivid formulation, so too did exclusionary practices.⁶⁷ The practices of expulsion, like all social practices, could be observed, repeated, taught, and imitated—across space, across time, and across different categories of targets. Administrative procedures, intellectual categories, and linguistic habits molded and reinforced one another. With each successive expulsion serving to further disseminate and normalize the practice, the expulsion of any one group made it more likely that others would suffer the same fate. If the following chapters seek to illuminate one particular set of associations and logics that propelled expulsion's spread, it is in full knowledge that many others remain to be explored.



PART I



1

Expulsion, Jews, and Usury

TRAJECTORIES OF CHRISTIAN THOUGHT AND PRACTICE

AT THE START OF THE twelfth century, western European rulers almost never resorted to the collective expulsion of wrongdoers from their domains; ecclesiastical authorities evinced little concern about the Jewish communities living under Christian rule; and the church's efforts to repress usury focused largely on clerics who engaged in moneylending. By the late thirteenth century, expulsion had become a recurring tool of royal governance in both England and France; bishops across Latin Christendom were advocating for harsh restrictions on Jewish life; and popes, theologians, and canon lawyers had recast usury as menacing the whole of society, with usurers—whether clerical or lay, Christian or Jewish—subject to a host of stringent sanctions.

The following three chapters trace the evolution and gradual interweaving of these themes, first at the level of Christian thought and practice, then within the kingdoms of England and France, respectively. Although a venerable tradition within Christian doctrine insisted that that Jews should be able to live, work, and practice their religion peaceably within Christian society, the closing decades of the twelfth century saw scattered clerical voices begin to question this presumptive toleration. Even as such attitudes found limited support (and occasional pushback) from the highest echelons of the ecclesiastical hierarchy, they found more receptive audiences among local secular authorities. By the middle of the thirteenth century, amidst the rapid spread of foreign Christian moneylenders and vocal clerical condemnations of the supposed threat of Jewish usury, secular and ecclesiastical authorities on both sides of the Channel issued orders expelling foreigners and Jews alike on charges of usury. Each chapter accordingly begins in the middle decades of the twelfth century and concludes around 1270, an ending point that marks the first explicit enunciation of the usury-expulsion nexus in learned Christian thought, as well as the deaths of the two kings (Henry III of England and Louis

IX of France) during whose reigns usury and expulsion came to be tightly linked in practice.

The focus on England and France is not arbitrary: throughout the twelfth and early thirteenth centuries the association between usury and expulsion was confined almost exclusively to these two realms. More striking still, until the middle of the fourteenth century every recorded attempt to expel Jews from a major European polity occurred either within the kingdom of France or in one of its immediate neighbors: the duchy of Brabant, the kingdom of England, the county of Burgundy, and the Dauphiné.¹ Furthermore, during this same period every one of these polities likewise ordered the expulsion of foreign usurers, usually either before or alongside the expulsion of Jews. This geographical clustering does not simply correspond to the landscape of Jewish and foreign moneylending, both of which extended well beyond the territories that lay subject to these expulsion orders. Nor does it correspond to the general distribution of anti-Jewish violence, which manifested itself across much of Latin Christendom in the two centuries before the Black Death.

In accounting for the spatial overlap between expulsions of Jews and foreign usurers within this corner of western Europe, the following chapters will emphasize the influence of intellectual developments that first took shape in northern France, which were then embraced by nearby ecclesiastical and secular authorities—especially the saintly king of France, Louis IX. Yet it will quickly become clear that the association between usury and expulsion did not follow a single, steady path. Its initial emergence in both England and France resulted from different precedents and pressures, followed different chronologies, and aimed at different targets—a reminder that shared outcomes need not imply similar trajectories. Moreover, for all that papal letters, theological treatises, and canonical collections promulgated new ways of thinking about expulsion, Jews, and usury, such universalizing claims often stemmed from localized concerns. It is to these claims and concerns—and their consequences—that we now turn.

Exclusion, Exile, and Expulsion in the Medieval Christian Tradition

Practices of exclusion and expulsion featured as part of the ordinary fabric of Christian life across much of the medieval world, from the Irish custom of penitential exile to the Lenten shunning of public sinners in thirteenth-century France. Occasionally these carried over into Christian death as well, via the grim practice of exhuming the bodies of those who had been improperly buried in consecrated ground. Many of these practices had a long pedigree, most notably the ecclesiastical sanction of excommunication, which dated back to

the earliest Christian communities and the religious landscape from which they sprang.²

Such practices found ample support in biblical texts. Both the Old and New Testaments were rife with the language of purification and exclusion, from the Levitical warnings that those who “defiled the land” with their abominations would be “vomited out from it,” to Paul’s calls to “purge the old leaven” and “expel the wicked person from among you.”³ Particularly suggestive in this regard were the gospel accounts of the Cleansing of the Temple, in which Jesus overturned the tables of the moneychangers and the tables of the dovesellers, and wielded a small whip to chase away the merchants and their livestock. Patristic and early medieval exegesis devoted considerable attention to this episode, often identifying the Temple with either the individual self or the wider Christian community, following 1 Corinthians 3:17: “For the temple of God is holy, which temple you are.” Many commentators—notably Augustine—interpreted it as legitimating forceful action against the church’s enemies. Here was Christ as persecutor of the wicked, scourging the reprobate merchants as he drove them from the temple.⁴

The notion that biblical texts could offer guidelines for contemporary behavior was a mainstay of medieval exegetical discourse, even if the popularity of such a moralizing (or “tropological”) approach waxed and waned with respect to that of other exegetical modes over the course of the high and late Middle Ages.⁵ In the eleventh century, for instance, clerical reformers adopted the Cleansing as a rallying cry in demanding the eradication of simony (that is, the buying and selling of spiritual gifts or church offices) and the banishment of secular influence from church affairs. Twelfth-century chroniclers, for their part, celebrated the First Crusade as a second Cleansing, equating Christ’s banishment of the impious from the Temple with the crusaders’ purging of infidels from Jerusalem.⁶

Alongside the Bible and its attendant commentaries, the late Roman penal framework of exile and deportation also left an imprint on the disciplinary landscape of the medieval church. Throughout late antiquity, and continuing into the early Middle Ages, *exilium*—a term that could denote both banishment and confinement—was a common sanction for misbehaving clerics (and other classes of wrongdoers too).⁷ The legacy of Roman law was particularly important in shaping medieval responses to heretics. By the late fifth century, imperial constitutions had repeatedly fixed exile as the appropriate penalty for heresy. Many of these texts were subsequently taken up into medieval collections of canon law, along with a spurious papal letter that echoed their insistence that heretics be sentenced to perpetual exile on pain of death. Starting in the middle decades of the late eleventh century, ecclesiastical authorities throughout much of Latin Christendom accordingly pressed their secular

counterparts to follow the example of their Roman forebears in banishing condemned heretics from their domains.⁸

Clerical writers of the high and late Middle Ages grappled at length with the spiritual, social, and temporal consequences of this constellation of practices. What was the balance between punishment and penance? Did the effects of excommunication persist after death? If someone was condemned as a heretic, should the ensuing sanctions extend to his family and heirs? Was a sentence of exile reckoned as permanent, or might it eventually be relaxed? By contrast, the spatial elements of these practices went largely undiscussed. The punishing of heretics with exile, for instance, had first emerged within a late Roman world that already boasted a longstanding and highly articulated system of penal exile, and in which the boundaries of the Christian community were largely coterminous with those of a unitary empire.⁹ But what exactly did it mean for heretics to be exiled in a medieval world of fragmented and overlapping jurisdictions? Were they merely to be banished *from* somewhere, or could they be banished *to* a particular place? And if exiled heretics arrived in a new place, should they immediately be driven from there too, or did they have to be found guilty anew?

With both theology and canon law resting on universalizing conceptions of the Christian community, neither was adequately equipped to wrestle with the implications of sanctions whose expression in practice rested on secular divisions of space. So far as heretics were concerned, this issue became moot once the church began advocating execution instead of exile. The Fourth Lateran Council of 1215, for example, called for temporal rulers to “exterminate” (*exterminare*) heretics and “purge” (*purgare*) them from their lands. Although early commentators interpreted these terms as calling for heretics to be driven from the bounds of earthly territories, by the 1230s they were commonly understood as an injunction to drive them from the bounds of earthly life.¹⁰

This shift eliminated the most prominent example of secularized banishment within the roster of the church’s disciplinary tools. As a result, by the middle decades of the thirteenth century canonical calls for exile and expulsion were largely limited to spaces under direct ecclesiastical control. Misbehaving monks and nuns might be forcibly transferred from one monastery to another, for instance, and clerics across western Europe were regularly urged to evict “concubines” from their homes.¹¹ One finds occasional exceptions, with local prelates promulgating novel punishments framed in reference to urban boundaries. An early thirteenth-century legatine statute from northern France insisted that that prostitutes be barred from living within city walls “according to the custom concerning lepers,” since proximity to them was “more harmful than the plague.”¹² To the east, a collection of legatine statutes issued in 1267 for the church provinces of Salzburg and Gniezno declared that if a

Christian woman slept with a Jewish man, she should be thrashed and expelled from the city with no hope of return.¹³ But these exceptions were decidedly unusual and invariably local, and throughout most of the thirteenth century their example was never generalized to the level of church discipline writ large. The right ordering of the Christian community was to be achieved largely through spiritual rather than spatial sanctions.

The Place of Jews in Medieval Christian Thought

What of those who lay outside the Christian community, chief among them the Jews? Over the course of the Middle Ages, church thinkers embraced a wide range of attitudes toward the relationship between Christianity and Judaism, and an even wider range of attitudes toward the appropriate treatment of Jews living within Christian society. The twelfth and early thirteenth centuries saw a general hardening of these attitudes, marked by increasingly vocal denigrations of Judaism and a growing insistence that Jews be distinguished and segregated from their Christian neighbors, within homes, marketplaces, and beyond.¹⁴ But while theologians and canon lawyers alike grappled with how broadly Jews ought to be excluded from mainstream Christian society, they generally held firm to the view that Jews could not be expelled outright—or, more precisely, that Christian authorities could not expel Jews simply for adhering to Judaism and to the traditional practices that it entailed.¹⁵

As scholars have long recognized, the competing impulses to exclude Jews from Christian society while simultaneously preserving their place within it reflected (and to a large extent, rested on) the tensions found in the writings of the apostle Paul, along with other New Testament texts. Influential too was Saint Augustine's subsequent elaboration of Pauline doctrine, which emphasized the notion that Jews owed perpetual servitude to Christians. These foundational writings garnered renewed attention in the eleventh and twelfth centuries, as theologians and ecclesiastical authorities confronted the escalation of anti-Jewish violence. Starting in the early twelfth century, a long series of popes would reissue a bull reconfirming various protections for Jews that Pope Gregory the Great had first advocated half a millennium earlier. Known by its opening words *Sicut Iudeis* ("Just as the Jews . . ."), each successive iteration of the bull declared that just as Jews ought not to act in ways beyond what was already permitted to them by law, so too must their traditional privileges be honored. The popes therefore prohibited forced conversions, unlawful violence, arbitrary extortions, and disruptions of the Jews' religious rites, threatening excommunication for those who knowingly disobeyed. Although these papal threats often went unheeded and unenforced, the diligent efforts of Europe's Jewish communities to secure the bull's reissue upon the election of

each new pope suggests that the promise of papal protection was meaningful nevertheless.¹⁶

Papal writings on Jews frequently invoked the association between Jewish subservience and Christian protection. In a 1063 letter to the bishops of Spain, for instance, Pope Alexander II echoed Augustine in insisting that while Christians could justly fight against Muslims, Jews were “everywhere ready to serve” the needs of Christianity and henceforth merited protection.¹⁷ A 1205 letter of Pope Innocent III opened with the declaration that Jews had been “reduced to perpetual servitude on account of their wrongdoing,” but went on to note that Christians allowed Jews to reside in their midst, in contrast to the Muslims who expelled Jews from their lands. (This was presumably a reference to the recent vicissitudes of Jews living under Almohad rule.) In Innocent’s formulation, Jewish expulsion thus became a distinguishing characteristic between Islam and Christianity, with Christian toleration of Jewish presence serving as a demonstration of Christian piety.¹⁸

The continuing persuasiveness of the Augustinian and Gregorian framework rested on the presumption that Jews were indeed maintaining their subservient position and keeping to their traditional practices. In the words of one early thirteenth-century English theologian, insofar as Jews were “peacefully willing to be under the yoke of servitude to us [. . .], they ought to be preserved among us.”¹⁹ Implicit in such a framework, however, was the possibility that Jews might reject such servitude or breach its conditions, thereby obviating the Christian responsibility to harbor them. Already in the mid-twelfth century, influential voices within the church—mainly in England and northern France—were arguing that contemporary Jewish behavior was exceeding its set bounds.²⁰

It is therefore not surprising that when expulsions of Jews first began to occur toward the end of the twelfth century, they were concentrated almost exclusively in this northwestern corner of Latin Christendom. Nor is it surprising that with the early and notable exception of the expulsion of Jews from the French royal domains in 1182 (to be further discussed in Chapter 3), nearly all of these early instances were directly instigated by clerics—including some powerful figures in the church hierarchy. Around 1200, a preaching campaign by the French priest Fulk of Neuilly spurred several northern French barons to drive Jews from their lands. Soon thereafter, the long-serving dean of the cathedral of Notre-Dame in Paris successfully petitioned the queen mother to remove a Jew from the precincts of the abbey of Saint-Spire in Corbeil, claiming that the Jew’s presence violated the abbey’s traditional liberties. Around the same time, the bishop of Auxerre—a staunch opponent of Jewish moneylending—pressured the local count to banish Jews from the town. And across the Channel, it was the abbot of Bury St Edmunds who ordered the first

recorded expulsion of English Jews, amidst a dispute over the abbey's privileges in the face of royal interference.²¹

In most of western Europe, and throughout the twelfth and thirteenth centuries, the weight of learned ecclesiastical opinion remained committed to the established church doctrine according to which Jews were to live unmolested in Christian society. But as these episodes reveal, by the turn of the thirteenth century an increasing number of clerical authorities in England and France were insisting that contemporary Jewish practices—whether individual or collective, proven or alleged—effectively nullified this presumptive toleration and warranted the Jews' expulsion.

Starting with the pontificate of Innocent III (r. 1198–1216), these developments began to make themselves felt in the papal curia. Innocent himself had studied in Paris as a young man, and he proved especially receptive to the new intellectual currents. In reissuing *Sicut Iudeis* at the start of his pontificate, he revised its opening phrase to denounce Jewish perfidy and added a final clause restricting papal protection to those Jews “who did not presume to scheme for the subversion of the Christian faith.”²² For Innocent and most of his immediate papal successors, the appropriate response to perceived Jewish transgressions was to enact measures that would restore Jews to their appropriate (that is, weak and subservient) position vis-à-vis their Christian neighbors. But it was only natural to wonder whether any of these transgressions might in fact abrogate the very conditions by which the church suffered them to live within Christendom. After all, in distinguishing between the “children of the promise” (that is, Christians) and the “children of the flesh” (that is, Jews), had not the apostle Paul urged his readers to “cast out the servant woman and her son”?²³

The increasingly narrow limits of papal protection are clearly expressed in a letter that Pope Gregory IX sent to the bishops of France in 1233. Echoing the revised terms of Innocent III's *Sicut Iudeis*, the pope emphasized that Jews should be allowed to “live in pursuance of their laws and their former status, as long as they do not presume to insult the Christian Faith.” Gregory therefore ordered the bishops to warn the Christians of their dioceses against inflicting violence on Jews or stealing their property. Furthermore, the pope continued, it was forbidden for Christians “to drive Jews from their lands for the sake of plunder, without some reasonable cause or clear wrongdoing on their part.”²⁴

The implication of the latter statement, of course, was that certain causes or wrongdoings were sufficient grounds for expelling Jews. Gregory did not attempt to define these further; his goal, after all, was to limit expulsion, not to justify it. But the university masters tasked with explicating church doctrine responded to such equivocal formulations by debating what these sufficient causes or wrongdoings might be. Amidst the proliferating condemnations of the Talmud around 1240, for instance, a cluster of Franciscan scholars at the

University of Paris asked whether Jews ought to be expelled for possessing such offensive volumes. The answer, they concluded, was no—though individual Jews could be punished for blasphemy and the books themselves ought to be burned.²⁵ Their Dominican contemporary Gueric of Saint-Quentin, who likewise taught theology at Paris, pushed the issue even further, offering a public discussion of the question: “Whether Jews ought to be killed by the faithful, like pagans, rather than tolerated?” In keeping with longstanding church doctrine, Gueric came down against such killing—as did another French Dominican theologian, writing a few decades later.²⁶ But the mere fact that such questions were being raised in an academic setting was a sign of increasing clerical dissension over the rightful place of Jews within Christian society.

Toward the middle of the thirteenth century, in response to events in the ecclesiastical province of Vienne (in what is now southeastern France), the papal curia was forced to grapple with the grounds on which Christian authorities might justly expel Jews from their domains. In 1247, Pope Innocent IV had written to the archbishop of Vienne to vociferously condemn a wave of anti-Jewish violence that broke out following an accusation of ritual murder in Valréas, a town at the southern edge of the archbishop’s jurisdiction.²⁷ Among other remonstrations, the pope insisted that the Jews of the region be allowed to dwell freely as before. Six years later, however, the archbishop of Vienne complained to Pope Innocent IV that the Jews of his province were “gravely threatening the souls of Christians [and] causing scandal by not observing the papal statutes concerning them.”²⁸ Given the scandal and impoverishment that the Jews were causing, the archbishop grumbled, it was only because of the papal mandate that he was still tolerating them in his lands—and he therefore sought papal permission to expel them. Apparently, the pope was persuaded by the archbishop’s concerns, and he agreed that the Jews should be expelled from the province. But what exactly were the transgressions that spurred Innocent IV to become the first pope of the High Middle Ages to authorize an expulsion of Jews?

Like many other thirteenth-century expulsions, the motivations and outcomes of the entire episode are murky. The brief papal reply mentioned simply the contravening of unspecified papal statutes and the grave threat to Christian souls resulting from interactions with Jews. According to one early modern source, the expulsion targeted only the “learned ones” among the Jews (presumably rabbis), in which case the purported transgressions might have related to the recent papal offensive against the Talmud.²⁹ Regardless, it is telling that the papal reply is presented as a decidedly routine matter, with little effort given to justifying the decision—perhaps because it aligned so closely with the pope’s own published views on the topic. Innocent IV was among the most distinguished jurists of the thirteenth century, and earlier in his career he had

already ruminated on the question of papal protection for Jews living under Christian rule. "The pope," he had maintained, "was obliged to tolerate [infidels] so far as he was able, but only so long as this neither posed any danger to Christians, nor caused any grave scandal."³⁰ In what was surely a strategic choice, the archbishop's initial report evidently featured nearly identical phrasing, and the pope duly agreed to strip the local Jews of the church's protection.

Notwithstanding the archbishop's laments over Christian impoverishment, there is no evidence that anxiety over Jewish usury factored into Innocent IV's decision to countenance expulsion. (At the very least, he did not see fit to mention it in his response). Indeed, throughout the thirteenth century, no pope explicitly suggested that Jews might be banished for engaging in usury, even as they came to insist on the expulsion of foreigners guilty of the same. Yet papal silence on this matter did not prevent prelates and preachers—particularly in England and France—from insisting that this was indeed sufficient justification for expelling Jews. To understand these divergent paths, it is first necessary to examine more carefully the evolution of ecclesiastical attitudes toward usury.

"Whatsoever is added to the principal"

Although the medieval church's anxieties about usury had solid roots in Old Testament prohibitions and patristic condemnations, it was only with the commercial development of the High Middle Ages that the topic began to attract sustained clerical attention.³¹ The origins and mechanism of this widespread commercialization remain much debated, as does its precise relationship to the broader economic expansion then underway. What is clear is that the economy of western Europe looked quite different at the end of the thirteenth century than it did at the beginning of the eleventh, and that much of this change manifested itself in new commercial institutions, intensified trade networks, increased monetization, and a growing cadre of urban mercantile elites.³² No longer was landed wealth the sole path to riches; indeed, commerce and trade could generate profits far exceeding the annual rhythms of agrarian rents and tithes. This quickening of economic life sparked unease among many clerical observers, wedded as they were to the traditional structures on which their own wealth and power relied, and their unease expressed itself in a renewed concern with the sin of avarice and the dangers that it posed—not only to the sinner himself, but to society as a whole.³³

Much of this concern centered around the still-amorphous concept of usury. Particularly during the eleventh and early twelfth centuries, those who invoked the term *usura* used it as something of a catch-all for any economic practices that ran counter to their ideas of acceptable Christian behavior, often

overlapping with discussions of simony or even heresy.³⁴ Although the term never fully shed these broader semantic associations, under the twin influences of Roman law and Aristotelian philosophy its meaning gradually crystallized around the practice of interest-bearing loans. The resulting intellectual engagement with the licitness of moneylending (along with a host of other commercial practices) is already perceptible in the 1130s, but it began accelerating notably toward the end of the twelfth century. Particularly influential was the decision of Pope Urban III (r. 1185–87) to embrace the gospel injunction, “Lend, expecting no return” (Luke 6:35) as an argument against lending at interest, thereby transforming Jesus himself into an opponent of usury.³⁵ While Urban’s novel interpretation contrasted markedly with Jesus’s avowed approval of interest elsewhere in the Gospels, and furthermore seems to have been based on a variant reading in the Latin Vulgate translation of the Bible, it was followed by nearly all subsequent medieval commentators.³⁶

The increasing ecclesiastical concern with usury was further amplified by the teaching of the Parisian theology master Peter the Chanter (d. 1197) and the students who came into his orbit. Not only did he denounce usury’s sinfulness and destructive effects in vivid terms, but he also drew from contemporary trends in moral theology to highlight its contagious nature. Beyond afflicting the usurers themselves, the taint of usury also sullied the family members whose livelihoods rested on usurious profits, the officials who drew up or enforced usurious contracts, the authorities under whose aegis the usurers plied their wicked trade, and so forth. This novel approach presented usury as a spiritual threat to society writ large, making its repression all the more urgent.

Among the Chanter’s students was Fulk of Neuilly, whose fiery preaching was the impetus for several baronial expulsions of Jews around 1200. Other disciples went on to hold influential positions within the church, carrying with them their teacher’s uncompromising opposition to usury. Robert of Courçon, who later served as chancellor of the University of Paris and papal legate, wrote at length on the subject and even suffered papal censure (at the prompting of the French king) for his overly impassioned anti-usury preaching. Before becoming archbishop of Canterbury, Stephen Langton—also one of the Chanter’s students—led preaching campaigns on the Continent that were later celebrated (with obvious exaggeration) for having “largely cleansed Italy and France of usury.”³⁷

By the turn of the thirteenth century, all learned Christians would have agreed that usury was individually sinful, socially threatening, and economically destructive (even if the latter point was more asserted than explained). Many were coming to see it as a serious ecclesiastical crime as well. But it was one thing to acknowledge usury as a problem, and quite another to do something about it. To this end, the ecclesiastical hierarchy faced three challenges.

The first was to determine what exactly constituted usury. The baseline definitions, which medieval commentators inherited from unimpeachable patristic sources, included "whatsoever is added to the principal," "wherever more is required than has been given," and other variations on these themes.³⁸ All of these definitions left considerable room for debate and dissension. Twelfth-century thinkers made notable advances on this front, but characteristically it was the thirteenth century that saw the systematic elaboration of the concept of usury, with most of the leading thinkers of the age contributing to this achievement. For the most part, the details of their arguments need not be repeated here. What is important is that thirteenth-century theologians and canonists (that is, the university-trained cadre of specialists in canon law) both developed, along somewhat separate lines, sophisticated intellectual frameworks for classifying usury and distinguishing it from licit forms of economic activity.³⁹

The second challenge—which flowed from the first—was to determine who exactly was to be punished for engaging in usury. The vast majority of earlier canonical legislation against usury, for example, had applied only to clerics. The laity was discouraged from usurious lending on various moral grounds, but for the most part only clerics were forbidden outright from taking interest. In Byzantium, this distinction would hold throughout the Middle Ages, with interest taking by the laity periodically forbidden under civil law but never under Eastern canon law.⁴⁰ In western Christendom, by contrast, the twelfth century saw the usury ban gradually expand to encompass all Christians, whether clerical or lay. This posed little difficulty for the theologians, who merely needed to add another sin to the lengthy roster of dangers facing Christians as they went about their daily lives, and for which they would need to make proper repentance (and in this case, restitution). Canon lawyers, however, appear to have been wary of casting too broad a net by developing a regime of ecclesiastical sanctions that would apply to anyone who engaged in any sort of lending activity. Instead, they focused their attention on a particular subset, namely, the "manifest usurer" (*usurarius manifestus*). Some subsequent commentators held that this referred to one whose usury was made clear either through confession or conviction. Others saw it as denoting the public nature of the usury: as the early fourteenth-century *Summa Astesana* put it, a manifest usurer "waits at his lending table, ready to lend usuriously to all, just like the prostitute in the brothel is open to all." Although canonists developed rather elaborate procedures for determining whether a usurer was manifest or not, they handled the distinction itself with some unease, perhaps because the underlying motives seem to have been largely pragmatic. The distinction took firm root all the same, and virtually all of the canonical sanctions against usurers issued from the late twelfth century onward limited their reach to this subset of wrongdoers.⁴¹

This distinction met with loud protests from many prominent theologians, including Peter the Chanter and Robert of Courçon. As they lamented, the canonists' focus on manifest usurers meant that the church's formal sanctions were effectively restricted to public pawnbrokers and other professional moneylenders, whose notoriety could be established by law. Whole swathes of usurious activity—at least as understood among the more rigorist theologians—were thereby immune to canonical censure.⁴² The theologians were entirely correct in their criticism, and there is plenty of evidence from later centuries that even flagrant moneylenders could evade canonical punishments by denying their membership in the category of “manifest usurers.”⁴³ The theologians had to settle for hoping that the pangs of conscience would compensate for the shortcomings of canon law, and that even those who could not be punished for their crimes would nevertheless feel compelled to do penance for their sins.

The third challenge was to determine the appropriate sanctions. Here again the legacy of patristic and early medieval condemnations of usury was only partially helpful. These laid out a range of possible punishments for clerical usurers, from denial of communion through to deposition or degradation, but they offered few precedents for lay offenders.⁴⁴ An early twelfth-century decree, possibly issued at the Second Lateran Council in 1139, called for all usurers to be excommunicated and denied Christian burial, but the text was not widely disseminated and its proposed sanctions attracted little notice among subsequent commentators.⁴⁵ It was instead the sanctions spelled out at the Third Lateran Council, held in 1179, that established a general baseline: in what amounted to a sentence of minor excommunication, the decree *Quia in omnibus* (“Since nearly everywhere . . .”) declared that manifest usurers could not receive communion, make offerings to the church, or be granted Christian burial.⁴⁶

Over the course of the following century, there were various localized attempts to impose even stronger penalties. Robert of Courçon proved especially inventive. Worried that too few usurers were being brought before church courts, he suggested that parishioners be required to accuse usurers as their penance, in lieu of the usual atonements of fasting or alms. Drawing inspiration from contemporary sanctions against heretics, Robert's legatine statutes for Paris prohibited usurers (along with simoniacs and thieves) from making valid testaments or bequeathing any property to their heirs. He even insisted that the wives of usurers should refuse to accept anything from their husbands and should instead beg for food and clothing from their friends and others; only if they were decrepit, leprous, abandoned, or starving to the point of death could they turn to their husbands for support.⁴⁷ But such zeal was rare, and none of Robert's innovations was imitated widely. Moreover, despite his entreaties, the Fourth Lateran Council of 1215 conspicuously refrained

from escalating the existing penalties for usurers.⁴⁸ For all the high-pitched ecclesiastical rhetoric, few church authorities were willing to apply to usurers the even harsher measures that canon law was enacting against heretics. As a result, for most of the thirteenth century the triple sanctions of *Quia in omnibus* remained fixed as the authoritative canonical penalties for those condemned as manifest usurers.

None of these three sanctions (namely, refusal of communion, alms, and church burial) could be applied to Jews accused of usury. This point may seem banal. Setting aside the obvious inappropriateness of the penalties themselves, there is the simple fact that as a general principle, again drawing on Pauline language, the church did not presume "to judge those outside" (1 Corinthians 5:12-13). From the early twelfth century until at least the beginning of the fifteenth, the church's theological and legal campaign against usury was overwhelmingly directed toward Christians, with the specific aim of deterring them from engaging in illicit economic practices. The vast majority of extant texts that discuss the nature and dangers of usury—a corpus that includes theological treatises, legal compendia, sermon collections, confessors' manuals, episcopal statutes, popular songs, and more—say little or even nothing about Jews. Moreover, many of those who invoked the specter of Jewish usury were less concerned with suppressing Jewish moneylending than with deterring Christians from engaging in the same. If preachers and theologians in early thirteenth-century Paris frequently figured usury as "Jewish," their intent was often to classify certain economic behaviors as being fundamentally "un-Christian," rather than offer a concerted attack on Jews.⁴⁹ But if the sins of Jews fell outside the purview of the church, how did Jewish moneylending (negatively cast as Jewish usury) become first a source of clerical anxiety and then a target of ecclesiastical repression?

The Campaign against Jewish Usury

Scholars continue to argue over the causes, chronology, extent, and economic significance of Jewish moneylending in high medieval Europe. Given the distorting lens of contemporary rhetoric and centuries of subsequent anti-Jewish writings, it bears repeating that in much of western Europe, and for much of the Middle Ages, moneylending was of limited importance to Jews and their communities. Prior to the mid-thirteenth century, it is only in England and northern France that lending at interest served as a critical source of Jewish revenue, and even there this was a recent development, as the following two chapters will discuss. Elsewhere it was not until the turn of the fourteenth century, or even the beginning of the fifteenth, that local Jewish communities came to rely heavily on moneylending (whether in its humblest form, pawnbroking,

or in more sophisticated arrangements) in order to support themselves and satisfy local rulers' fiscal exactions. Moreover, in many parts of Mediterranean Europe, this shift never took place at all.⁵⁰

It is also worth reiterating once again the distinction between moneylending and usury, and by extension between moneylenders and usurers. It was quite possible for medieval Christians to resent their indebtedness to Jewish lenders without resorting to the theologically-inflected vocabulary of usury, though such conflation became increasingly common over time. Conversely, because of the unstable meanings of the term usury, coupled with the church's categorical insistence that *any* interest on a loan might be illicit, it was also possible for medieval Christians (and especially clerical observers) to condemn all Jewish lending as usurious, even where it fell within the bounds permitted by secular law.

Before the late twelfth century, there is little evidence that Jewish moneylending seriously bothered church authorities, especially if one dismisses the predictable grumbings of indebted prelates. In part, this reflects the comparatively circumscribed nature of Jewish moneylending before this period, in terms of both its geography and scale. Furthermore, there seems to have been a general consensus that Jewish moneylending was to be tolerated, either because it had traditionally been permitted or because it discouraged Christians from doing likewise. Even if one saw Jewish moneylending as tantamount to usury, the prevailing conception of usury as a private threat to the usurer's soul (rather than a public threat to their community) obviated any grounds for clerical censure.

Within the space of a few decades, new and vociferous clerical condemnations began to supplant such accommodating views. These condemnations were concentrated especially (though not exclusively) in French ecclesiastical circles, and their dominant themes were presaged in a letter which Peter the Venerable, abbot of the powerful monastery of Cluny, sent to King Louis VII of France around 1146. Although Peter's letter nowhere mentions Jewish lending specifically, he warned the king that Jews were depleting the wealth of Christian territories through their wicked and fraudulent dealings. In addition, he argued that the Jews' wealth should be confiscated in order to finance the king's impending crusade.⁵¹

Over the course of the next century, the cost of crusading and the ruinous debts entailed by many crusaders were a recurring ecclesiastical concern, with Jews featuring ever more prominently in the associated rhetoric. In calling for the Second Crusade in 1145, for example, Pope Eugene III had proclaimed that crusaders were to be forgiven any outstanding debts and absolved of any oaths they had made to pay interest (*usura*) on their loans. His appeal paid no attention to the identities of the creditors, however, and referenced the debts only

in generic terms.⁵² Half a century later, by contrast, Pope Innocent III specifically mentioned both Christian and Jewish lending in *Post miserabile*, the 1198 bull announcing the Fourth Crusade. Bishops were to compel Christian creditors to renounce any interest on crusader loans using the usual array of ecclesiastical sanctions. As for Jewish creditors, they were urged to do the same, if necessary under threat of secular pressure. If the Jews failed to comply, the bishops were to excommunicate any Christians who did not immediately cease all contact with them. Nearly identical language appeared in the next call for crusade, which was issued as a decree of the Fourth Lateran Council in 1215.⁵³

The significance of these crusading texts was profound. First, if Jews refused to remit the interest on their loans, their obstinacy would be reckoned as impeding the success of the crusades, thus amplifying the anti-Jewish hostility that frequently accompanied the launch of new expeditions. Second, in yet another example of the destructive legacy of the crusades for Europe's Jewish communities, these texts firmly established Jewish lending as a matter falling within the remit of popes and councils.⁵⁴ More damaging still, Innocent III's bull *Post miserabile* had originally concerned only loans made to crusaders, but the heavily redacted version that entered into circulation as an authorized source of canon law omitted this detail. As a result, from the early thirteenth century onward it was a staple of the church's legal doctrine that Jewish lenders should be compelled to make restitution for usury exacted from any Christian borrowers, not simply those who had taken the cross.⁵⁵

As for Peter the Venerable's second complaint, regarding the depletion of Christian wealth at the hands of Jews, this vaguely formulated claim garnered new intellectual heft toward the end of the twelfth century, thanks to the teachings of Paris theologians. If usury was not merely a sin threatening the soul of the usurer, but instead a corrosive spiritual and economic danger to society as a whole—as Peter the Chanter and his circle maintained—then it was necessary to suppress all usury, regardless of the identity of its practitioners. Unlike in the calls for crusade, which focused on Jewish usury as embedded in particular loans made to particular borrowers, this language rendered usury as a phenomenon that was collective, diffuse, and universally damaging. No matter the grounds on which it might once have been justified, Jewish usury was now a systemic threat to Christianity itself—at least for those who subscribed to these new patterns of thought.

Although it was a matter of established doctrine that the church should not interfere in Jewish practices, this forbearance did not extend to practices that imperiled Christian well-being. It was on this basis that the thirteenth-century church began mandating an ever-widening set of restrictions against Jews, from the wearing of distinguishing garb to the suppression of the Talmud.⁵⁶

The evolving attitudes toward usury furnished similar grounds for the church to insist on the regulation of Jewish lending practices, as was made clear first via the canonical reworking of *Post miserabile*, and then with even greater clarity at the Fourth Lateran Council, with the conciliar decree *Quanto amplius*. The decree opened by declaring that Jews were profiting from the Christian repudiation of usurious practices, and thereby draining away Christian wealth; Christian piety thus afforded an opportunity for Jewish perfidy. The decree went on to insist that Jews who exacted "heavy and immoderate usury" (*graves et immoderatas usuras*) were to make appropriate satisfaction for their rapacity or face the nebulous threat of being cut off from Christian contact. Secular rulers, for their part, were exhorted to curb such excesses.⁵⁷

Within the span of two decades, corresponding roughly to the pontificate of Innocent III, crusading bulls, conciliar decrees, and canonical collections all broadcast sharp condemnations of Jewish usury across the whole of Latin Christendom. These texts took attitudes and anxieties that had previously been restricted to the immediate intellectual orbit of northern France and generalized them into binding Christian doctrine. Fears of a dangerous and illicit association between Jews and usury were thus introduced into large swathes of western Europe, including the many regions where Jews played little part in either moneylending or crusade finance, or even where they had not yet settled at all.

For all that this period witnessed a dramatic hardening in the church's doctrinal response to the perceived threat of Jewish usury, a combination of secular obstruction and ecclesiastical indifference limited the immediate practical consequences for Jewish lenders. Notably, the bishops of western Christendom made almost no attempt to restrict Jewish moneylending in the statutes that they subsequently issued for their jurisdictions. More than two hundred episcopal statutes survive from the half-century following the Fourth Lateran Council, of which only six reiterated the conciliar condemnation of Jewish usury—and four of these were issued for the French ecclesiastical province of Narbonne. Even in France, it was only in the wake of royal legislation against Jewish usury that bishops began embracing expansive prohibitions in their statutes.⁵⁸

It is telling that in opposing these new measures, French Jews did not simply draw on the usual arguments about the interpretation of Biblical strictures and the preservation of their long-standing customs. They also protested that even the popes allowed them to lend at interest.⁵⁹ The protesting Jews were entirely correct—assuming one took *Quanto amplius*'s prohibition of "heavy and immoderate usury" to suggest that *some* interest on Jewish loans might indeed be permissible. After all, aside from the fact that the licitness of

Jewish lending had been recognized in many earlier canonical texts, there was also the stumbling-block of the Deuteronomic prohibition (Deut. 23:19–20), which permitted Jews to lend at interest to strangers even as it forbade them from lending to their brethren. Defenders of Jewish lending regularly adduced this text in response to repressive measures, and despite the best efforts of Peter the Chanter and his disciples, it took until the mid-thirteenth century for theologians to develop a persuasive rejoinder.⁶⁰

But what if the adjectives “heavy and immoderate” were instead meant to intensify *Quanto amplius*’s condemnation of Jewish usury, rather than carve out a negative exception? The decree’s ambiguous language was likely intentional, a means for Innocent III to accommodate the fervor of anti-usury campaigners like Robert of Courçon while not provoking a showdown with the many authorities (both secular and ecclesiastical) who refused to countenance an outright ban on Jewish lending at interest. Whatever Innocent’s intentions, his thirteenth-century papal successors steadfastly refused to decide the issue one way or another, and subsequent conciliar decrees offered no further clarification. Furthermore, the fact that later popes did not explicitly *defend* the permissibility of moderate Jewish interest allowed rigorist positions to flourish, with most thirteenth-century theologians and canonists interpreting the Lateran decree as solid grounds on which to prohibit all Jewish moneylending.⁶¹ So even as the ecclesiastical hierarchy across most of western Christendom continued to tolerate Jewish lending at interest throughout the thirteenth century, many influential church thinkers propounded a much more uncompromising position to all who would listen.

One final point is worth making with regard to the spate of new canonical norms promulgated under Innocent III: although they enshrined into church law a strong condemnation of Jewish usury, they also established the corresponding sanctions: if Jewish usurers refused to make satisfaction for their wrongdoing, Christians were simply to refrain from further dealings with them, if necessary under threat of ecclesiastical censure. What exactly this meant in practice was open to interpretation, but in no way could it be construed as a mandate for expulsion. In the years preceding the Fourth Lateran Council, the absence of any formal church position on the licitness of Jewish lending at interest left room for figures like Fulk of Neuilly or the bishop of Auxerre to wield accusations of usury as grounds for expelling Jews. Perhaps it is more than coincidence that the years immediately following the Council saw such clerical initiatives fall temporarily into abeyance. While hostile preachers might still thunder against the evils of Jewish usury, the highest authorities in the church had now set forth in law how such usury ought to be restrained or repressed—and these measures did not extend to expulsion.

“Usurers from beyond the Alps”

In the middle decades of the thirteenth century, ecclesiastical authorities also began confronting what some saw as a new species of usurer. This was the “Cahorsin” or “Lombard,” the professional Christian moneylender who left his native town in Italy or southern France to set up credit operations further north, generally with the approval (or even active solicitation) of authorities in the host community. Far from denouncing these newcomers, many clerics proved eager clients, as attested by the surviving records of ecclesiastical indebtedness.⁶² To the even greater consternation of anti-usury campaigners, many of the welcoming authorities were themselves fellow churchmen. In 1251, for example, the abbot of Saint-Germain-des-Prés granted a local moneylending monopoly to three Sienese merchants and their associates. Not long afterward, the bishop of Würzburg allowed a group of “Lombards or Cahorsins” to settle in his city. And in November 1262, the archbishop-elect of Trier not only granted four Astigiani merchants a ten-year residence permit, but also insisted that they be treated “as if they were true and proper burghers and citizens” of Trier and forbade any other Lombards or Cahorsins from competing with them within the town. As for the merchants’ business practices, the prelate washed his hands of any responsibility, opting instead to “leave this matter to their consciences.”⁶³

Not all church authorities were so sanguine. Sometime before late January 1230, a complaint was lodged at the papal curia about the presence of “some Cahorsins (*Caturcenses*) and other foreigners (*alienigene*)” who were publicly lending at interest in the Flemish city of Ypres, to the peril of their souls and the scandal of the community. In response, Pope Gregory IX ordered the bishop of Tournai to impose the sanctions of *Quia in omnibus* on all of the city’s usurers (*generatores*), “whether newcomers or natives” (*tam advenas quam indigenas*). The civic officials of Ypres were also to refrain from carrying on any business with the usurers, on pain of suffering the same sanctions. Notably, the pope did not push for any novel measures to be taken against the moneylenders from Cahors. Instead, he lumped them together with local offenders and insisted that all of them face the established canonical penalties against manifest usurers.⁶⁴

Five years later, the bishop of London attempted to take more dramatic measures in his diocese, in what marks the first recorded expulsion of foreign usurers in medieval Europe. Enraged by the practices of the so-called “Cahorsins” (*Coursini*) who were infecting the land with their usury under the pretext of serving as papal merchants and moneychangers, the bishop reproached them as if they were schismatics, demanding that they abandon their sinful ways and attend to the salvation of their souls. When the Cahorsins scoffed at

his admonishments, the bishop proceeded to excommunicate them and ordered them to leave London, lest they further stain his diocese with their wickedness. Unbowed, the Cahorsins turned for help to their protectors at the papal curia, who summoned the aged bishop to Rome to defend his actions. At this point, the bishop decided to let the matter drop, in order to avoid bringing shame upon the church.⁶⁵

This, at least, is the story as reported by Matthew Paris, the prolific monk of St. Albans whose chronicles have so markedly shaped our understanding of his age. Given the breadth of his interests, his friendships with the leading English political figures of his day, his love of colorful detail, and his penchant for copying out relevant documents, Paris is an incomparable guide to the history of England and western Europe from the 1220s until his death in 1259. Yet he is also a frequently unreliable guide, not only on account of his often inexact chronologies and willingness to tamper with his transcriptions, but especially (to quote one historian's memorable description) "by the extravagance of his prejudices and the constant intrusion of his own personality."⁶⁶ The list of these prejudices is long: he was steadfastly opposed to the mendicant orders, for example, as well as anything that smacked of royal centralization. His most passionate invectives, however, were reserved for overmighty foreigners, the venality of the Roman curia, and the scourge of usury. So, when it comes to an incident involving the expulsion of foreign usurers bearing close ties to the papacy, one cannot be too trusting of Paris's account. But since his is the only record of the event, let us see what can be made of it.

To begin with, who were these "Cahorsins"? Given that Paris further describes them as "usurers from beyond the Alps" (*ultramontani usurarii*), it is clear that he is not referring here to merchants from the southern French town of Cahors, though these were certainly active in England throughout most of the thirteenth century.⁶⁷ Rather, these were Italians who, among other commercial and mercantile interests in England, assisted in the collection of papal revenues.⁶⁸ According to one account (which Paris faithfully recorded), they had earlier been active in France but had fled to England in the wake of the widespread preaching campaign against their usury led by Peter the Chanter's disciples. These Cahorsins, Paris claimed, referred to themselves initially as "merchant-bankers" (*mercatores denariorum*) and later as "papal merchants and moneychangers," but such titles were merely a pretext for "concealing their usury beneath the appearance of commerce."⁶⁹

Although very little is known for certain about Italian activities during this early period, it is clear that the resident Florentine and Sieneese firms were indeed engaging actively in moneylending, with ecclesiastical borrowers figuring prominently among their clients. Few of these firms appear to have operated directly on behalf of the papacy, but since English ecclesiastical

institutions often had to borrow money in order to meet their curial commitments, it is likely that most of the resident Italian firms were engaging in papal business to some extent. In any event, if the bishop was indeed targeting only those Italians who carried out operations on behalf of the papacy, then we are dealing with a very small number of victims, indeed probably no more than a handful.⁷⁰ If instead the bishop's wrath fell on all Italian merchant-bankers then residing in London (together with their associates), then the numbers are somewhat increased, though still no more than several dozen at the most.

As for Roger Niger, who served as bishop of London from 1228 until his death in 1241, he appears to have been an able and respected figure during his lifetime, and his reputation for holiness prompted popular veneration following his death. If, as has been suggested, Niger studied in Paris in the early thirteenth century, it is perhaps to this experience that he owed his strong views on usury (assuming they are not simply a projection of Matthew Paris's own views on the subject). There are also good reasons to suspect that the bishop held little affection for the papal curia and its representatives, and an ill-fated trip to Italy likely left him with a rather dim view of the peninsula and its people.⁷¹

In light of this context, and assuming that Matthew Paris's account is approached with skepticism but not outright incredulity, what can be discerned about the event itself? It seems entirely plausible that the bishop did indeed excommunicate some Italian merchant-bankers for usury, although there is no way to know for sure whether the bishop shared Paris's obsessive concern with usury, or whether usury was simply a convenient pretext for attempting to rid his diocese of some Italian merchant-bankers whom he disliked for other reasons. The bishop may also have ordered them to leave his diocese, as Paris claims, though there is nothing in Paris's account to imply that they actually left. Indeed, the fact that the targets appealed to Rome rather than Westminster suggests otherwise; had they actually been forced to leave London, they would presumably have sought redress from the king, under whose protection they fell. The appeal to Rome suggests that it was only the spiritual sanctions—that is, the sentences of excommunication—that required lifting, rather than an expulsion order.

Whether or not the Italians felt compelled to obey the bishop's order, it is significant that the bishop thought to expel them at all. As noted above, expulsion rarely figured as a penalty within canon law, and in recent decades it had been largely reserved for heretics. In this light, it is worth returning to Matthew Paris's account, which recorded that the bishop first "reproached them as if they were schismatics," before proceeding to expel them. Whether Paris was faithfully reporting the bishop's opinions or ventriloquizing his own

sentiments, the rhetorical association between usury and schism, followed by the imposition of a punishment generally associated with heretics, is striking. Given the frequent connection between usury and heresy in ecclesiastical rhetoric over the preceding half-century, it seems plausible, even probable, that traditional ecclesiastical responses to heretics inspired Bishop Niger's unprecedented response to usurers.⁷²

This episode is exceptional not only for the resort to expulsion, but also for applying a specific punishment to *foreign* usurers that was distinct from the ordinary canonical sanctions against manifest usurers. It is clear from Gregory IX's mandate concerning the Cahorsins of Ypres that the papacy was aware of professional foreign moneylending as a new phenomenon, and a German penitential handbook composed around this time explicitly condemns the Lombards' customary lending practices.⁷³ Moreover, as the following chapters will demonstrate, the middle decades of the thirteenth century saw secular rulers on both sides of the Channel enact repressive measures against foreign usurers, some of which bear the imprint of clerical pressure. Until the late 1260s, however, there is little evidence of other ecclesiastical authorities or church thinkers openly grappling with Lombards and Cahorsins as a problem that required a distinctive solution, beyond what was already afforded by the resources of theology and canon law.

"What has already been said about Jews . . ."

It is only in 1269—more than three decades after Roger Niger's putative banishment of Cahorsins from London—that there is new evidence of a bishop advocating an innovative punishment against foreign usurers. At a provincial council of Sens held in October of that year, Archbishop Pierre de Charny took aim at "Lombards and other newcomers (*advenas*) commonly called Cahorsins," barring his flock from harboring these "manifest usurers" in any place that lay under church control.⁷⁴ Although it was expressed in less forceful terms than Niger's insistence on expulsion, the Sens canon reflected a similar impulse to purge these foreign usurers from ecclesiastical jurisdictions, while "local" Christian usurers simply remained subject to the standard sanctions.

At nearly the same time, some prominent scholars at the University of Paris received an inquiry from the countess of Flanders, who was seeking their guidance on the proper administration of her domains. The countess's initial inquiry has long since vanished, but it seems likely that it was sent in late 1269 or 1270, perhaps during her stay at the abbey of Longchamp, just outside of Paris.⁷⁵ Three responses survive: from the Dominican (and future saint) Thomas Aquinas; the Franciscan John Peckham, (later archbishop of Canterbury); and an anonymous expert in canon law.⁷⁶ Whether the countess sent

identical inquiries to each of these three respondents is unknown, but it is clear from their replies that in each case, roughly half of her questions concerned the proper treatment of Jews, with one further question about the licitness of accepting payments from Lombards and Cahorsins, and the remainder addressing various fiscal matters.

Although their three replies differed markedly in length and tone, Aquinas, Peckham, and the anonymous canonist all concurred on certain points, including the necessity of tolerating Jews and ensuring that they were not deprived of their basic needs (housing, food, etc.). In response to the countess's question about whether it was a sin to rent houses to Jews, both Peckham and the canonist reassured her that it was not, with the canonist further insisting that it would be a sin for Christians *not* to rent houses to Jews in cases of need. Regarding Jewish usury, in keeping with prevailing trends among Parisian thinkers all three respondents condemned it unambiguously and insisted on the necessity of restitution. Not one of them echoed the language of "moderate" or "immoderate," nor did any of them mention the existence of exceptions or competing interpretations in the church's teachings on usury. Perhaps echoing the countess's own language, both Aquinas and the anonymous canonist also invoked the presumption that all Jewish wealth ultimately derived from usury and was thus tainted. Each of the writers accordingly urged that Jews be compelled to earn their living through manual labor or licit trade, with Aquinas pointing to the Jews of his native Italy as an example of model behavior.

As for Lombard and Cahorsin moneylenders, the countess evidently inquired about both the restitution of revenues that she gleaned from them, and the licitness of renting houses to them and their assistants. Aquinas's response was cursory: what he had already said about Jews applied equally to Cahorsins and anyone else persisting in the depravity of usury. In other words, the countess should compel the usurers to make restitution for whatever they had extorted from others, and she should also make restitution (or devote to pious purposes) whatever she had received from them. For Aquinas, all usurers—whether Jewish or Christian, foreign or local—were to be treated equally with regard to restitution, and he did not push the matter further.⁷⁷

Peckham's response lumped together Cahorsins with "any other usurers who falsely boast of being Christian." The church ought to excommunicate those whose misdeeds were notorious, while the countess was to compel them to make proper restitution. If the usurers' activity was concealed, then she could follow the example of King Louis IX of France, who had recently launched a systematic investigation into illicit Jewish lending. Peckham at least drew a partial distinction between the treatment of Jewish and Christian usurers (since only the latter were subject to excommunication), but he again did not suggest any specific penalties for foreigners.⁷⁸ For both theologians, the

shared category of usury largely trumped any distinctions among its practitioners. This is not surprising, as it simply echoed the same patterns of thought that had led previous generations of theologians to disparage Jewish and Christian usury as equally unacceptable.

Only the anonymous canonist offered a tailored response to the countess's query, focusing squarely on foreign usurers rather than treating them in tandem with others. Like his counterparts, the canonist began by asserting that restitution had to be made of whatever had been illicitly extorted. It was forbidden to rent houses to Lombards and their servants for the purposes of usury, he argued, and any authorities who permitted such usurers to dwell in their lands were themselves complicit in the wrongdoing. Here he cited a maxim of canon law, according to which those who consented to a crime merited the same punishment as those who committed it. None of this was novel; Peter the Chanter's circle had made these same claims almost a century earlier, with regard to usurers in general. But the canonist concluded his advice with a dramatic flourish: citing a passage from Roman law, he declared that it was a ruler's duty to eliminate all filth and pollution from the boundaries of the community. As such, no earthly gains justified allowing such abominable wrongdoers to remain in one's lands.⁷⁹

In this anonymous response one can detect the legacy of the canonistic tradition—so distasteful to the theologians—of punishing usury differently depending on the identity of the practitioner (for example, "manifest" usurers versus others). Faced with the same problem four decades earlier, Pope Gregory IX had simply ordered the bishop of Tournai to impose on the Cahorsins the standard canonical penalties for manifest usurers. Aquinas and Peckham were similarly unimaginative in response to the countess's question, treating the Cahorsins as either equivalent to other Christian usurers or analogous to Jews. By contrast, the anonymous canonist effectively urged the countess to banish the foreign usurers from her domains, a suggestion that he pointedly did *not* make in reference to other usurers (whether Jewish or Christian).

Yet it is also clear that the anonymous author was in some sense making it up as he went along, for the citations that he mustered up to support his recommendations were purely decorative. As discussed above, as of the mid-thirteenth century canon law offered few clear precedents for demanding the banishment of wrongdoers. Moreover, neither theology nor canon law offered much intellectual support for the differential punishment of foreign versus local usurers. Existing church doctrine certainly encompassed various concepts of foreignness, some of them echoing biblical language and others drawn from Roman law. On the legal front, the relevant texts largely concerned questions of jurisdiction and protection: under which ecclesiastical authority, for instance, did travelers fall? What privileges did merchants enjoy while they were away from home? After how long in a particular place did a sojourner

become subject to local church laws? But while these texts offered many precedents in support of heightened ecclesiastical protections for foreigners, they offered no support for heightened ecclesiastical penalties against them. The same was true for theology, which provided no obvious reasons for why the appropriate penalty for a particular sin might depend on the secular jurisdiction in which one was sinning.⁸⁰

Indeed, if one skipped over the canonist's restatement of the countess's query—which made specific reference to the Lombards—there is nothing in his response that necessarily restricted its relevance to foreigners alone. The necessity of restitution and the contagious taint of usurious revenues could apply equally well to all usurers, whether foreign or local, Christian or Jewish. The same was true for the canonist's closing insistence that rulers were bound to cleanse their communities of filth and pollution; nothing in his argument established that *foreign* usurers were uniquely “abominable to God and mankind,” with other usurers being somehow less offensive. In short, the canonist could have followed the two theologians in suggesting that the countess treat Lombards analogously to Jews and other Christian usurers. Instead, he framed his recommendations solely in reference to Lombards, and left it at that.

Unlike Aquinas's response, which circulated widely throughout late medieval Europe, the other two responses attracted little attention. Yet the dossier piqued the curiosity of at least one theology student at Paris in the late 1270s: this was Godfrey of Fontaines, who would rise to become one of the university's most eminent regent masters by the close of the century. While Godfrey seems to have hired a professional scribe to copy the full text of Aquinas's response in his personal notebook, he added excerpts from the other two responses in his own hand. Quoting Peckham's response (and citing the relevant decree of the Fourth Lateran Council), Godfrey noted first that Jews were required to wear distinguishing garb.⁸¹ He then copied down Peckham's argument that it was not a sin to rent houses to Jews, nor to engage in business with them. Yet—and here Godfrey began quoting the anonymous canonist—if the house was being used for usury, then the landlord was guilty of abetting such usury. The same was also true for a lord who allowed these usurers to dwell in his lands.⁸²

Of course, neither Peckham nor the anonymous canonist (nor Aquinas, for that matter) had made such a claim. In their original context, these arguments about housing and harboring usurers had concerned only Lombards, not Jews. But in the process of extracting interesting snippets for further reference, Godfrey ignored, or perhaps overlooked, this distinction. He thus silently extended to Jewish usurers a line of reasoning built around Christian ones, one which provided clear justification for rulers to expel Jews accused of usury. Whether intentional or not, Godfrey's reworking was an early example of an elision that would subsequently prove widespread.

2

Inventing Expulsion in England, 1154–1272

IF EDWARD THE CONFESSOR is remembered at all today, it is usually as the pious founder of Westminster Abbey whose death in 1066 precipitated the Norman conquest of England. The last king of the venerable House of Wessex, Edward remains the only English monarch to have been formally canonized—a tribute not so much to his piety as to the persistence of his biographers, who mustered up some minor miracles and recast his childlessness as proof of his chastity. In the twelfth century, however, Edward's memory was also closely associated with "good laws and good customs," the *Laga Edwardi* that a succession of Norman rulers swore to uphold upon their accession to the throne.¹

Among these laws, if we accept the testimony of the legal compilation that later circulated under Edward's name, was one that sought to cleanse his realm of usurers:

Edward also forbade usurers, so that there would be none such in his kingdom. And if anyone thereupon was convicted, he would lose all his possessions and be considered an outlaw. Moreover, he used to say that he often had heard this in the court of the king of the French when he had been staying there, nor was it without merit: usury should be regarded as the greatest root of the vices.²

As a record of Edward's own actions, the passage is about as trustworthy as contemporary claims concerning the king's prophetic visions and his perpetual virginity. No other evidence suggests that he (or his royal French counterparts, for that matter) paid much attention to usury. Edward's eleventh- and twelfth-century biographers trumpeted even the faintest traces of royal virtue in their quest to promote his saintly cult, but not one of them mentions this conspicuous display of Christian piety.³ Far from recording the bold action of a saintly ruler, the passage is likely a mid-twelfth-century invention, crafted by a clerical author with a virulent distaste for usury who—in trying to conjure

up a fitting (however fictive) secular response to usury—opted for one of the severest punishments in English law. This imaginative effort had little immediate effect: for all the continuing interest in the so-called *Laws of Edward the Confessor* in the late twelfth and thirteenth centuries, their novel association between usury and outlawry long remained a dead letter.

In one of history's dark symmetries, however, it would be another King Edward—named in honor of his saintly predecessor—who would officially forbid usury throughout the realm, and so justify the banishment of England's entire Jewish community in 1290. Notwithstanding ongoing debates over the deeper causes of the Edwardian expulsion, recent scholarship is unanimous in seeing it as a watershed moment in Jewish history, as well as in the history of medieval England. This was the first total expulsion of Jews from a European kingdom, and it would be nearly four centuries before Jews were again allowed to settle in England. The expulsion also contributed to emerging ideas of English nationalism, with the longstanding English self-identification as the Chosen People made all the more persuasive through the erasure of the kingdom's Jewish population. Already in the Anglo-Saxon period England had come to define itself as a New Israel; henceforth it would also be free from the contaminating presence of the Old.⁴ In the words of an eminent recent scholar of medieval Anglo-Jewry, "this was a transfiguration of significance and magnitude in Western Europe."⁵ But such insights are born of hindsight. However devastating it might have been for the victims, most of the period's chroniclers saw fit to record it rather perfunctorily, and some made no mention of it at all. Only a handful of contemporary sources discuss the expulsion in much detail, and none dwells on it as the end (or beginning) of an era.⁶

In fact, expulsion was a staple of royal governance in thirteenth-century England, a fact too easily obscured by the long shadow of 1290. Like his father and grandfather before him, for example, Edward had repeatedly threatened to banish Jews who failed to accede to his fiscal demands. In addition, England's Jews had repeatedly been the victims of small-scale local expulsions and forced relocations over the course of the preceding century. Looking beyond the confines of medieval Anglo-Jewish history, there was a well-established English tradition of demanding (and sometimes implementing) the expulsion of resident foreigners from the realm: Flemish mercenaries and merchants, French courtiers, and even Italian clerics would all be the targets of expulsion efforts in the twelfth and thirteenth centuries. Legally speaking, of course, the expelled Jews were not foreigners: they were the king's subjects, even his serfs.⁷ But the combined weight of cultural difference and religious hostility often overwhelmed such legal niceties, such that England's Jews could readily be imagined—and attacked—as lying outside the community of the realm. As a result, the very possibility of expelling Jews from the

kingdom owed much to established English practices of expelling unwanted foreigners.

Furthermore, both Edward I and his father Henry III had cited usury as grounds for expelling (Christian) foreigners. These thirteenth-century expulsions of foreign usurers are well documented, with references scattered across chronicles, administrative records, and more. But although medieval English sources, from the chronicler Matthew Paris to the dream-poem *Piers Plowman*, frequently associated Jews with such “Cahorsins” or “Lombards”, as these foreigners were known, modern scholars have paid scant attention to the implications of their repeated expulsions.⁸ In part, as was argued in the Introduction, this general silence reflects the weight of “persecution” as a framework for thinking about medieval expulsions. It also reflects scholarly efforts to look beyond Edward I’s own rhetorical insistence on usury as the motivating force behind the expulsion of 1290; this dovetails with recent trends to look beyond the prism of moneylending in studying medieval England’s Jewish population. But royal rhetoric should not be too quickly discarded as a window into royal habits of mind. That Edward could even invoke Jewish usury as justification for his action raises the question of how expulsion came to be normalized as a response to usurious lending. This chapter duly tracks the emergence of expulsion as a political practice in England, along with the contemporaneous rise of moneylending, the accompanying anxieties about usury, and the shifting logics that inspired and justified the forced removal of Jews and foreigners from the accession of Henry II in the mid-twelfth century through the long reign of his grandson Henry III.

Early Expulsions: Mercenaries and Merchants

In December 1154, after nearly two decades of civil war and political upheaval, Henry II was crowned king of England in Westminster Abbey. Immediately thereafter, Henry set about restoring royal authority within his kingdom by destroying recently built castles “and above all by expelling the Flemings from the realm.” Such was the account of Henry’s inaugural deeds, as reported contemporaneously by Robert of Torigni, the abbot of Mont Saint-Michel in Normandy and one of the most diligent chroniclers of his time.⁹ These Flemings (and other foreigners who were expelled alongside them) had apparently flocked to England during the tumult of the preceding years, offering their services as mercenaries in return for the promise of booty. Modern historians have largely downplayed the effectiveness of Henry’s expulsion, pointing to the many Flemings who somehow managed to stay in the realm as well as to Henry’s own efforts to encourage commercial ties with Flanders.¹⁰ Twelfth-century observers, however, were united in seeing the event as a crucial step

in the restoration of England's "pristine condition and former dignity," and the expulsion came to be remembered as the first concrete expression of Henry's royal will. Writing toward the end of the century, for instance, the Yorkshire historian William of Newburgh described the episode at length, presenting it as Henry's very first action as king and marveling at the speed with which the hated Flemings had vanished from the realm, "as quickly as a phantom."¹¹

If Henry's expulsion of Flemings made such an impression on his contemporaries, this was due not only to its speedy implementation, but also to the dramatic nature of the act itself. To be sure, plenty of individuals were forced to leave England during the tumultuous middle decades of the twelfth century. The long civil war had prompted considerable dislocation, with many of King Stephen's aristocratic opponents fleeing into exile in Scotland or France, and others seeking refuge on their Norman estates after being stripped of their English possessions. Meanwhile, a stint in exile became almost a requirement of office for those elevated to the archbishopric of Canterbury, as claims of ecclesiastical privileges increasingly collided with assertions of kingly prerogatives. In addition, felons could avoid punishment at home in exchange for accepting perpetual banishment abroad, a process known as abjuration that became increasingly widespread from the mid-twelfth century onward.¹²

Henry's action stood apart from these instances, for the expulsion of an entire category of people from the kingdom was unprecedented within living memory. The ancient *Laws of Edward and Guthrum* may have called for "wizards, sorcerers, perjurers, murderers, and foul, polluted manifest whores [. . .] to be driven from the country," while the *Laws of Aethelstan* similarly called for magic-workers and idol-worshippers to be expelled from the realm.¹³ Yet such fantasies of expulsion remained just as much a dead letter under the Norman kings as they had been under their Anglo-Saxon predecessors. For the remainder of his reign, Henry never again resorted to wholesale expulsion, whether of foreigners or of his own subjects. Yet in associating the restoration of good order with the expulsion of foreigners, Henry established a template that his eventual successors would be pressured to follow. At Runnymede in 1215, the assembled barons forced King John to expel his foreign allies and mercenaries. Several decades later, the English barons forced Henry III to expel his Poitevin half-brothers and their associates, and continuing pressure to dismiss the rest of the king's "alien" favorites would be among the principal sticking points in the lead-up to the civil war of the 1260s.¹⁴

Generations of scholars have accordingly characterized the thirteenth century—and above all the reign of Henry III (r. 1216–1272)—as a particularly and increasingly xenophobic period. Examples of popular hostility are easy to find. In 1231–32, simmering English resentment over the papal bestowal of ecclesiastical benefices on foreigners erupted into widespread assaults against

resident Italian clergy.¹⁵ The 1258 Provisions of Oxford, which restive barons forced on a reluctant king, were interpreted by many contemporaries as an effort to purge all foreigners from the realm.¹⁶ During the Second Barons' War of 1264–67, urban mobs pillaged the houses of resident foreigners and prompted others to flee the country in fear for their lives.¹⁷ And throughout the period, native English merchants were ever ready to denounce alien competition. It bears noting that recent scholarship has emphasized the variety of contemporary attitudes toward foreigners, as well as the spasmodic, politicized nature of anti-foreign outbursts.¹⁸ In 1215, 1258, and 1264, for instance, the English nobility demanded the expulsion of the king's foreign advisors while simultaneously insisting on the importance of welcoming foreign merchants.¹⁹ To resort to the broad brush of "xenophobia" is to gloss over such complexity. Moreover, the very category of "foreigner" was (as ever) unstable; thus could the French-born Simon de Montfort lead the anti-alien movement of the 1260s.²⁰ That said, it is indisputable that complaints over the presence and prominence of foreigners (however loosely defined) often loomed large in thirteenth-century public discourse in England, especially in comparison to the Continent.

It was also in the first half of the thirteenth century that expulsions of foreigners became a regular feature of English governance, with merchants in particular falling within royal crosshairs. The notion that the king bore a special responsibility to protect visiting foreigners was well established, with specific promises to this effect dating back to the Anglo-Saxon law codes.²¹ Post-Conquest rulers upheld this tradition, often singling out foreign merchants for special mention: in 1180, for example, Henry II promised that French merchants would enjoy the king's peace when visiting his realm, and two decades later his son John offered similar assurances to the merchants of Flanders and Hainaut.²² Such efforts bore fruit, and the reign of Henry III saw foreign merchants arriving in greater numbers and in more variety than ever before: Flemish traders crisscrossing the Channel, ferrying English wool to the weavers of Arras and Douai; Baltic cogs bringing wax and furs to Boston and other eastern ports; Gascon and German wine-merchants sailing up the Thames bearing cargoes of claret and hock; and Spanish and Provençal pepperers haggling with London grocers over the price of spices. Throughout most of the later Middle Ages, English kings and their officials sought to welcome such visitors.

Whenever political winds began to blow in the wrong direction, however, the rising numbers of these foreigners, not to mention their growing economic and political weight in their home communities, made them ripe targets for royal retaliation. When hostilities broke out between England and its continental rivals, foreign merchants who happened to be in England might find

themselves imprisoned, or their merchandise impounded. Starting at the very end of the twelfth century, and with increasing frequency thereafter, foreign merchants could also find themselves expelled outright from the realm. Around 1196, Flemish merchants were apparently ordered to leave England after the count of Flanders allied himself with England's French enemies. In 1208, King John retaliated against the newly imposed papal interdict by ousting Roman merchant-bankers from the realm.²³ In 1214–15, French and Flemish merchants were expelled following the disastrous English defeat at Bouvines, and they were expelled again in 1225 and 1226, following the outbreak of war with France.²⁴ In July 1229, as England's two-year truce with France was set to expire, Henry III sweepingly ordered all foreign merchants to leave the kingdom. Three days after the deadline the king limited the sanctions to subjects of the French king, though the reversal came too late for an unfortunate Flemish merchant who was arrested for contravening the royal order and who languished in jail until a royal reprieve was issued in late August. The king would subsequently allow French merchants to return as well—only to expel them once again in January 1231.²⁵ Similar expulsions took place throughout the rest of Henry III's reign, as well as during those of his son and grandson.²⁶ In short, what was exceptional in the twelfth century became routine in the thirteenth.

This rising resort to expulsion as an instrument of international politics has not been much noted, let alone satisfactorily explained. This may be a result of the swiftness with which such practices became routine in moments of political conflict. It also occurred as part of a more general trend that saw European rulers—both secular and ecclesiastical—seize on the vulnerability of foreign mercantile communities in service of broader political aims, whether this was achieved through arrests, confiscations, embargoes, or expulsions. That threats and seizures of merchandise could also serve as a quick source of cash surely added to their appeal. In the early decades of the thirteenth century, however, the English Crown appears to have been unusual in its readiness to banish foreign merchants. No doubt this reflects, at least in part, the combined effect of England's precocious centralization and advantageous geography, both of which allowed royal administrators to exert a relatively high degree of control over foreigners; this in turn made their expulsion more readily achievable (and hence more effective as a bargaining chip). It bears emphasizing, however, that this royal embrace of expulsion had little to do with the steady drumbeat of anti-foreign complaints from local guilds in London and other commercial centers. Thirteenth-century English rulers proved quite willing to expel merchants in service of diplomatic aims, but not as a sop to protectionist laments. Affairs of state were one thing; the complaints of cloth merchants quite another.

“Unless he does service to the King”:
Exploiting and Expelling England’s Jews

In the latter decades of the twelfth century, there were certainly some in England who hoped that Jews would also be driven from the realm. Even St. Peter and the Archangel Gabriel were pushing for their expulsion—at least according to the ravings of a Lincolnshire knight, Roger of Asterby. As recounted by the prolific and peripatetic chronicler Gerald of Wales, sometime around the year 1185 Roger began hearing voices, warning that King Henry II would die a miserable death within four years if he failed to fulfill the seven commandments that were being conveyed to Roger. The first six were rather generic, concerning the protection of the church and the upholding of justice. The seventh, however, insisted that “the Jews be expelled from his realm, a portion of their money being left to them, that they might be able to depart and to live with their families, but that they should have none of their pawns or title-deeds.”²⁷

Gerald’s account is rich with detail, replete with animated crucifixes, fiery orbs, and magically multiplying beans, but it nowhere indicates whether the heavenly visitors offered any justification for expelling England’s Jewish community. Roger himself might well have drawn inspiration (whether consciously or not) from recent events across the Channel: as will be discussed in the next chapter, the French king Philip Augustus had expelled Jews from the royal domain in the summer of 1182, only two years or so before Roger began hearing voices. It is also clear that Jewish moneylending was much on Roger’s mind: he had borrowed money from a prominent local Jew, and Roger in fact refused to do the bidding of his divine interlocutors until they miraculously restored to him the breastplate that he had pledged as security. Ultimately, Roger traveled to Normandy in order to relay the commandments to the king, but his message fell on deaf ears—and the king duly died miserably a little over three years later.

Soon thereafter, amidst the coronation festivities for the new king Richard I, a wave of anti-Jewish violence broke out in London and rapidly spread across England. The violence reached its peak in March 1190 with the total destruction of the once-flourishing Jewish community of York, the worst tragedy to befall European Jews since the massacres of the First Crusade a century earlier.²⁸ That same month, a mob in the Suffolk town of Bury murdered dozens of local Jews. Although the new king proved unable to quell the spreading unrest, he responded furiously to the ensuing massacres, sending royal officials to York and elsewhere to investigate. At Bury, the officials’ arrival prompted a showdown with the abbot of St. Edmund’s, Samson of Tottingham, whose insistence on the abbey’s exclusive jurisdiction over the town collided with royal assertions of exclusive jurisdiction over Jews. As Samson’s

biographer Jocelin of Brakelond succinctly put it, "everything in the town . . . belonged by right to St. Edmund: therefore, either the Jews should be St. Edmund's men or they should be banished from the town." Rather than compromise the abbey's traditional liberties, Abbot Samson opted for the latter solution, successfully petitioning the king for permission to expel the Jews from Bury—the first recorded expulsion of English Jews, albeit only on a local scale.²⁹

Many factors might have underpinned Samson's decision, from internal power struggles to anxieties over the abbey's indebtedness to local Jews, and even the metaphysical dynamics of the translation of St. Edmund's relics.³⁰ Yet there is no reason to discount Samson's stated motives, namely, the safeguarding of Bury's traditional rights against the insidious threat of royal encroachment. As every conscientious prelate knew (and Samson was conscientious indeed), liberties, immunities, and privileges as sweeping as Bury's were expensively won and easily lost. Uncontested infringements in one matter could easily serve as precedents for later interventions in others. In the last decade of his reign, moreover, Henry II took significant strides toward asserting universal and exclusive royal jurisdiction over England's Jewish communities, and Richard followed suit upon his accession.³¹

For all the appeal of connecting the Bury expulsion of 1190 to the final expulsion of English Jews that was ordered exactly one hundred years later (and there is no denying the chronological tidiness), it is essential to resist the temptations of teleology. There is no sign that the event attracted much notice, either at the time or anytime thereafter. Aside from Jocelin's account, no other contemporary source even mentions the expulsion, let alone singles it out as a seminal event. (This is true even of those chroniclers who otherwise showed consistent interest in Jewish affairs.) Indeed, its importance lies chiefly, and somewhat paradoxically, in its very ordinariness. Jocelin praises the expulsion as an example of Samson's "integrity" (*probitas*), celebrating it in the same breath as such laudable but decidedly conventional acts as recovering an alienated estate and endowing a hospital. As his account makes clear, it was possible to narrate a local expulsion of Jews as purely an expression of immediate institutional concerns. To eject (*eicere*) them from a town, as Samson did, was not yet an act fraught with public meaning.

Moreover, for all that the expulsion reveals the weakened position of the Jews in Bury itself, it also highlights the strengthening relationship between English Jews and the Crown. In forcefully responding to the violence of the preceding year, the Crown had made clear its support for the continued Jewish presence in the realm. As such, the ouster of Bury's Jewish community simply underscores that throughout the twelfth century, what was true for foreigners and other groups was also true for Jews: to wit, that expulsion—of all sorts—remained exceptional.

Starting in the early thirteenth century, however, English kings began wielding threats of expulsion to coerce Jewish compliance with their ever-increasing fiscal demands. While the Crown remained firmly opposed to the mass exodus of Jews from the realm, it also made clear that their continued presence depended on their continuing payments to the royal treasury. In 1210, as part of a broader effort to bolster his finances, King John ordered the general arrest of England's Jews (or at least of Jewish men) and the seizure of all documents relating to their outstanding debts. Following the scrutiny of these documents, he then demanded that the Jewish community pay a tallage (that is, an arbitrary tax) of £40,000—a sum considerably higher than the annual royal revenues from the whole of England.³² One of England's wealthiest Jews was ordered to contribute one-sixth of this sum; when he refused, John insisted that he be tortured until he gave way. Not surprisingly, as one chronicler reported, “many Jews fled the realm on account of their terrible suffering.”³³ Some of these did so voluntarily, but others were apparently expelled by royal command. To judge from a later administrative mandate, those Jews who could not muster the minimum “service” (*servicium*) of 40 shillings were ordered to leave the realm, and many were reported as having duly departed.³⁴ The first expulsion of Jews from the kingdom of England was therefore justified and carried out as an undisguised form of extortion.

A decade later, in the spring of 1221, King Henry III issued a writ to the sheriff of Cambridge and ten other towns, ominously declaring that insofar as the kingdom's Jews valued their lives and property, and “wished to reside in our land,” they were immediately to send to the Exchequer the outstanding balance of the recent tallage.³⁵ The writ went on to specify imprisonment and confiscation of chattels, plus a doubling of the outstanding balance, for those who failed to pay their share of the tallage within the allotted time-frame. In this instance the threat of expulsion merely loomed in the background, and it is unclear whether any Jews were indeed forced to depart from the realm as a result.

A more direct approach was taken in April 1233, when Henry III promulgated the following order:

No Jew may remain in our kingdom unless he is such that he can be of service to the king and find good pledges for his loyalty. Other Jews, who have nothing with which they can be of service to the king, shall leave the kingdom before Michaelmas [. . .] If they stay longer let them be cast into prison and not released without the king's special mandate.³⁶

The text survives amidst an unofficial compilation of writs and legislation, first produced by a chancery clerk in the mid-1230s and then recopied later in the thirteenth century. Since its discovery nearly a century ago, scholars have

focused mainly on the three other accompanying provisions, which introduced new regulations for Jewish moneylending.³⁷ These moneylending provisions may well reflect ecclesiastical pressure to comply with the canonical norms promulgated at the Fourth Lateran Council in 1215, which forbade Jews from exacting “immoderate” usury.³⁸ The expulsion threat, however, stemmed from the usual (rather less pious) impulses. Not long before, Henry had imposed a new tallage on England’s Jewish community, the latest and largest in a series of fiscal exactions levied since the start of his reign. This time, the kingdom’s Jews proved unable—or perhaps unwilling—to meet the royal demands, so that an installment plan had to be arranged, starting in March 1233 and extending over the next four years. Such was the backdrop to this text, which the king issued a month later: in insisting on the duty of Jews to “serve” him and brandishing the prospect of expulsion for those who pleaded impoverishment, Henry was signaling that he would brook no resistance when it came to implementing the tallage.³⁹

On at least three occasions in the early thirteenth century, then, the king declared that Jewish residence in England rested on the Jews’ ongoing fiscal service to him. In two instances, furthermore, he asserted outright that those Jews who were too poor to satisfy his demands were to be expelled from the realm. And at least in the earliest of those instances, many Jews did in fact end up leaving. This series of events reflects the intersection of two distinct frameworks by which medieval Christians understood the place of Jews within their society: servitude and foreignness.

Just like church thinkers, so too did thirteenth-century secular rulers invoke the language of Jewish servitude, though whether these invocations were inspired by theological language is a topic that prompted much debate among twentieth-century scholars. Even more contentious is the extent to which such language signaled a corresponding Jewish legal status: put simply, were Jews considered serfs, or merely associated with them? As usual, the answers to such sweeping questions turned out to vary with time and place. On the whole, it seems that northern European rulers (and the officials who drafted their documents) increasingly took it for granted that Jews were obliged to provide useful service to them. So far as England is concerned, Henry III’s 1233 provision—with its requirement that Jews be “of service to the king”—is often invoked as an early and explicit manifestation of this trend.⁴⁰ It bears noting, however, that as early as John’s 1210 tallage, the sum demanded from the Jews was referred to as a *servicium*. Canonists and theologians (and their modern counterparts) may have debated at length the legal and doctrinal subtleties of Jewish servitude, but in the hands of secular officials, “service” usually meant “money.”

Regarding foreignness, the very language of the 1221 writ and the 1233 provision—with its emphasis on the precarity of Jewish settlement—reflects

an underlying official understanding of Jews as outsiders to the community of the realm, or at best impermanent additions. As noted already, until this period collective expulsion—rare as it was—was a sanction that English kings meted out against foreigners rather than subjects. Merely to threaten Jews with expulsion was therefore to mark them out as being in some sense foreign. Such an understanding might have been shared by many of the king's Christian subjects, too, for cultural reasons as much as religious ones. Although Jews had immigrated to England from Normandy in the wake of the Conquest, it was only in the middle decades of the twelfth century that Jewish communities began to establish themselves outside of London. Moreover, England's Jewish community retained close familial and economic ties not only to their coreligionists in Normandy, but also throughout northern France and the Rhineland. Among the more public expressions of these Continental ties was the fact that right up to their expulsion in 1290, English Jews continued to use French rather than English as their daily vernacular.⁴¹

To judge from the 1233 provision, the specified procedure for the expulsion of penniless Jews was essentially identical to the one regularly used for foreigners, namely, the fixing of a terminal date, the penalty of imprisonment for anyone who failed to leave in time, and the necessity of a royal intervention for their subsequent release.⁴² Even the requirement that Jews present personal pledges for their loyalty echoes the system of guest law that prevailed throughout much of Europe in the high and later Middle Ages, by which foreign merchants were obliged to find locals willing to stand surety for their creditworthiness and good behavior.⁴³ None of this, it should be stressed, is meant to imply that the Jews' increasingly distinct legal status within the realm was somehow assimilated to that of foreigners. (In any case this would have been impossible, as thirteenth-century English law did not classify foreignness as a distinct category.⁴⁴) Yet with Christian theology and law becoming ever more strident about the metaphysical "otherness" of Jews, and with popular discourse readily framing the Jews as an alien community within the realm, it is hardly surprising that royal officials seeking to put pressure on Jews drew inspiration from a practice that they were already using against foreigners.

These two frameworks—of servitude and foreignness—did not sit easily together. After all, *servi* existed to be exploited, not expelled. When King John ordered that Jews who could not meet the minimum payment of 40 shillings were to leave England, it is unlikely that he or his officials were aiming chiefly to expel penniless Jews. Rather, they were wielding expulsion as a threat in order to pressure each and every Jew into mustering up the requisite contribution. Some of the Jews who ended up departing the realm in 1210 might well have been penniless, but many others were simply trying to escape England's worsening conditions. In response, far from continuing his father's policy of

expulsion, Henry III instructed his port authorities in 1218 both to welcome Jews immigrating from the Continent and to arrest any English Jews who tried to leave without royal license. Fifteen years later, as quoted above, Henry would shift tack again and order the expulsion of any Jews who were too poor to contribute to the tallage. In this case, there is no evidence of a Jewish exodus from the realm, but the results cannot have been encouraging, for Henry never again mandated expulsion. Instead, he resorted to other threats, all aimed at preventing Jews from leaving the realm and keeping them under royal control. In 1244, having imposed another £40,000 tallage, Henry ordered that any Jews who were caught fleeing, or who could not be found in their customary town, would be "outlawed" (*utlagentur*). A year later, he instructed the Exchequer officials that if the recent tallage were not paid in full by Michaelmas, some of the wealthiest Jews were to be arrested and deported to an Irish jail. In 1253, Henry echoed his provision of two decades earlier, declaring in the so-called Statute of Jewry that "no Jew should remain in England unless he does service to the king"; every Jew born in England, whether male or female, was bound to such service.⁴⁵

For all that historians have made of this passage, it was little more than a rote reiteration of themes that Henry had already emphasized earlier in his reign—but without the explicit penalty of expulsion for wrongdoers. Indeed, when the leader of England's Jewish community begged the king a year later to allow the Jews to quit the realm on account of their collective impoverishment, Henry refused the request outright. Moreover, the king again sent notice to his sheriffs and bailiffs that if any Jews tried to leave England, they were to be arrested immediately.⁴⁶ In asserting that Jewish service was the basis for Jewish settlement, Henry's intention was to compel service (that is, revenue), not to encourage migration.

Clearly, neither John nor Henry envisaged the total expulsion of England's Jewish community, an expulsion of the sort that Edward I would achieve at the end of the thirteenth. But they ordered expulsions of Jews, all the same. Whatever Henry's ultimate intentions, in 1233 he had indeed mandated the expulsion of any Jews who were too poor to be tallaged, demanding that they leave the realm by Michaelmas. Even if his order may have gone unenforced, the same cannot be said of the similar mandate issued by his father some two decades earlier, which had prompted the departure of many English Jews. Moreover, these orders were justified on entirely materialistic grounds: Jews could be expelled from England simply because they were poor. So far as the chronicle and documentary evidence reveals, nobody (perhaps not even the Jews themselves) contested the legitimacy of such a move. As with Bury in 1190, the expulsions were not freighted with eschatological significance or theological weight; they were instead drafted and enacted within the context of routine royal practices toward undesirable outsiders.

This in turn raises the question of why Edward I did not follow suit when he expelled England's entire Jewish community in 1290. Rather than invoke the logic used by his father and grandfather before him—for instance, by claiming that the Jews had failed to render the *servicium* due to him—Edward would justify the expulsion on the grounds that the Jews were both Christ-killers and criminals, focusing in particular on their covert usury. To understand this shift, it is first necessary to trace the earlier development of moneylending in twelfth and thirteenth-century England, together with the anxieties—and the expulsions—that it provoked.

Moneylending and Usury in Twelfth-Century England

Evidence is slim concerning the nature and extent of early twelfth-century moneylending in England. That said, it is clear from the tale of a Cambridgeshire villager that robust local credit networks were present outside of purely urban and mercantile contexts. According to one version of his story, Bricstan of Chatteris “lent money to his needy neighbors, but not at usury,” while the other version claims that he earned his livelihood exclusively “from unhappy usury.”⁴⁷ What made Bricstan worthy of mention was not his moneylending, however, but rather his miraculous rescue by Saint Etheldreda after he was thrown into jail by a rapacious royal official. While both versions of the story evince a clear disdain for usury, neither one suggests that Bricstan's moneylending was unusual in and of itself. Indeed, insofar as local credit networks are concerned, Bricstan's lending activity would have put him in the company of many ecclesiastical institutions, wealthy landowners, and (at least until the mid-twelfth century) moneyers, all of whom served as sources of credit to their local communities throughout the early and High Middle Ages, in England as on the Continent.⁴⁸

In drawing his livelihood chiefly from “usury,” however, Bricstan might be better seen as a modest avatar of the professional moneylenders who burst into view in the middle decades of the twelfth century, and who made their fortunes primarily (though not exclusively) through loans. The most famous of these was the Jewish financier Aaron of Lincoln: when he died in 1186, the face value of his outstanding bonds—distributed among 430 debtors—amounted to roughly £15,000, comparable to the annual revenue of the English Crown. Even this enormous sum was merely a fraction of Aaron's total estate, which Henry II confiscated on decidedly shaky pretenses.⁴⁹

Aaron of Lincoln's financial success was exceptional in his own time and unequalled by later generations. Yet it nevertheless serves as a sign of shifting economic realities, for it was precisely during this period that moneylending began to emerge as a significant—and ultimately essential—economic pursuit

for England's Jewish community as a whole. For at least a half century after Jews began settling in England, it seems that moneylending played a relatively circumscribed role in their affairs. There is convincing evidence that many Jews were instead serving as intermediaries in the bullion trade, securing supplies of silver for the diffuse network of English mints. They were also active as moneychangers, a lucrative and essential occupation that was facilitated by their Continental connections. Moneylending was a natural complement to these other pursuits, insofar as they all relied on ready access to liquid capital, and there is no question that many Jews were lending at interest in the early decades of the twelfth century. Nevertheless, it was only after Henry II's reorganization of the coinage early in his reign—which saw the mints brought under direct royal control, thereby reducing the role of independent intermediaries—that lending at interest became central to the Jews' collective livelihood.⁵⁰

While it is certainly true that not all English Jews were active as moneylenders in the late twelfth and thirteenth centuries, it is equally incontrovertible that moneylending played a dramatic and disproportionate role in the economic activities of Jews as compared to the English population as a whole.⁵¹ As the example of Aaron of Lincoln suggests, the growth of Jewish moneylending in England was spurred not simply by shrinking opportunities in other sectors (as is often argued), but also by the spectacular profits that lending could produce. It was also assisted by the relatively light hand of the fisc under Henry II, especially as compared to his thirteenth-century successors: Jewish moneylending was little regulated before the reign of Richard I; tallages on England's Jews were all but unknown before the mid-1180s; and with the dramatic (and legally questionable) exception of Aaron of Lincoln, the reliefs paid to the Crown by the heirs of Jewish estates do not appear to have been particularly punitive during the second half of the twelfth century. All of this—combined with the ever-pressing need for credit among all levels of society—facilitated the accumulation of Jewish capital and with it the expansion of Jewish lending.⁵²

It is worth emphasizing that the early growth of Jewish lending occurred alongside Christian moneylending, not as a response to its absence. Among the most successful of twelfth-century Christian financiers was William Cade, who had outstanding loans to some two hundred individuals worth a total of £5000 at the time of his death (ca. 1166). Cade was a native of Saint-Omer in Flanders, but there were prominent English-born moneylenders too, such as Robert fitzSawin, who lent large sums to Henry II, or William fitzIsabel, who was recorded as the largest creditor of the Abbey of Bury St Edmunds in the early 1170s. Some of these Christian moneylenders appear to have enjoyed close professional ties with their Jewish counterparts. Among these was Gervase of Cornhill, an Anglo-Norman royal official who served as sheriff of

London, Kent, and Surrey, but who was particularly noted for his moneylending: one contemporary observer lamented that Gervase "cared more for his usurious two-thirds and hundredths than for what was good and just."⁵³

The extant evidence suggests that the age of flourishing Christian moneylenders did not long outlast the lifetime of William Cade; the abundant evidence for large-scale Christian lending in the 1150s and 1160s drops off sharply thereafter. Part of this reflects a shift in the recorded patterns of royal borrowing. In the first decade of his reign, Henry II had borrowed extensively from Christian lenders, whereas from 1163 until the late 1170s, he borrowed almost exclusively from Jews. (In the final decade of his reign, Henry barely resorted to borrowing at all, either from Christians or Jews.) As a result, the Pipe Rolls—the source of most of the surviving evidence concerning moneylenders' activities during this period—shed much less light on Christian lending within the kingdom after the mid-1160s than for the previous period. From time to time, Henry's sons would turn to foreign merchants for loans, but it is clear that no new generation of Christian financiers emerged to take the place of the old. While Christian lending clearly continued in local contexts and through informal networks, through to the early reign of Henry III it seems that large-scale lending operations were largely in Jewish hands.⁵⁴

The ebbs and flows of Christian moneylending in twelfth-century England took place against the background of the church's increasingly strident campaign against usury. As far as England is concerned (and for reasons that remain unclear), clerical anxiety over usury seems to have picked up noticeably in the late 1130s. The first biography of Edward the Confessor, for instance, which was composed around 1067, has nothing whatsoever to say about usury. A reworked version of the text from around 1138, however, adds a passage denouncing usury and lauding Edward for his supposed refusal to engage in it. The second recension of the *Laws of Edward the Confessor*, which contains the earliest reference to the saint-king's purported outlawry of usurers, likely dates to the late 1130s as well.⁵⁵ In both 1125 and 1138, legatine councils at Westminster condemned clerics who engaged in usury, ordering that offenders be stripped of their rank and deprived of their benefices. Yet the latter strictures, and virtually all subsequent canonical pronouncements on usury until the Third Lateran Council in 1179, focused almost exclusively on clerical offenders, as opposed to laymen.⁵⁶

The swift decline of professional Christian moneylending starting in the mid-1160s seemingly owes less to ecclesiastical sanctions than to contemporary shifts in secular practices and penalties. In the early part of his reign, Henry II seems to have treated usury as yet another domain in which to assert royal jurisdiction against the claims of the church. In the summer of 1163, for

instance, he had banned the newly elected bishop of Poitiers from hearing cases about usury. A year later, Henry's insistence that pleas of debt be heard exclusively in royal courts (and not, therefore, in ecclesiastical ones) would become one of the many sticking points in his quarrel with Thomas Becket over the Constitutions of Clarendon.⁵⁷ There is also scattered evidence that usurious lending by Christians could be punished as a criminal offense in English law throughout much of the twelfth century. According to one version of the tale of Bricstan, for instance, he was "guilty of the crimes of larceny and usury."⁵⁸ In the 1160s, moreover, the Pipe Rolls of Henry II include multiple references to fines being imposed on usurers; among these was a certain Godfrey of Bridport, who fled into hiding and managed to evade the reach of royal justice for at least a decade.⁵⁹ It is not at all clear what qualified as "usury" in this period, nor is it clear what made someone a "usurer" for the purposes of royal justice. But by the 1160s, if not earlier, anyone who was indeed declared a usurer was liable to have their movable wealth confiscated by the Crown upon their death. Among the early victims of this penalty was William Cade, whose loyal service as a royal financier did not prevent Henry II from seizing much of Cade's vast estate following his death around 1166. Such dramatic fiscal windfalls were rare, and most of the contemporary evidence for confiscations of usurers' chattels involves rather small sums, often no more than a few shillings.⁶⁰ Even so, Cade's fate surely had a chilling effect on other would-be lenders.

By the mid-1170s, a solution to the competing secular and ecclesiastical claims over usury was hammered out: the Crown ceded jurisdiction over living (Christian) usurers to the church but asserted its prerogative to seize their movable property after their death. As for determining what exactly counted as usury (and, by extension, who was to be reckoned a usurer), that too fell to the church. Two legal and administrative treatises from the late twelfth century accordingly held that secular concern with usury extended only to the confiscation of the property of deceased usurers.⁶¹ This arrangement persisted largely unchallenged and unchanged for the rest of the Middle Ages.⁶² In many respects, the arrangement represented a victory for the English church, since it brought the regulation of usurious lending squarely within its purview, at least where the parties were all Christians. But it also meant that the Crown—which in fact stood to gain from usury through postmortem confiscation of the usurers' movable property—had little means and even less incentive to assist the church in repressing it altogether. Perhaps accordingly, there is little subsequent evidence to suggest even fleeting royal concern with Christian usury before about 1240, and not until the reign of Edward I did royal officials seriously investigate usurious lending on the part of the king's own subjects during their lifetimes.

As for Jewish moneylending, the Crown stood to benefit directly from it, both through the regular revenues from the reliefs paid upon the postmortem transfer of Jewish estates, and through general tallages levied on England's Jewish community. It is not surprising, then, that the Crown's response to the expansion of Jewish moneylending was regulation rather than repression. Particularly important was Richard I's establishment of the Exchequer of the Jews, which served both to adjudicate disputes between Jews and Christians and to record Jewish commercial transactions. (The latter was in part a response to the widespread destruction of Jewish financial records that had accompanied the violence of 1189–1190.) So far as Richard and his successors were concerned, Jewish lending was a source of wealth rather than worry. Despite hostile royal measures against Jews in other respects—Henry III, for instance, pushed energetically for the Jews' conversion and aggressively prosecuted charges of ritual murder—Jewish moneylending continued to enjoy legal and administrative support through to the late 1260s.⁶³

If medieval English church law said little about Jewish usury, this was not because the bishops were uniformly indifferent to it but rather because English kings firmly asserted that the bishops had no say in the matter.⁶⁴ Still, there was plenty of clerical grumbling about the fact that royal coffers were being filled with the profits of Jewish moneylending. Among the most brazen critics was Thomas of Chobham, sub-dean of Salisbury Cathedral in the early thirteenth century and author of a widely read penitential treatise. Thomas had studied in Paris as a young man, likely under Peter the Chanter, and he shared the latter's vehement opposition to usury. "It is astonishing," thundered Thomas, "that rulers go unpunished for turning to their own uses the wealth of Jews, since usury is the sole source of Jewish wealth." Such rulers were not merely accomplices to usury, he asserted, they were usurers themselves—and although their power spared them from the church's sanctions, it would not excuse them before God.⁶⁵

This view ran counter, of course, to royal logic: insofar as Jewish moneylending (and by extension, Jewish usury) was the most important source of the Jews' riches, it provided the basis for the "service" on which their continuing residence ostensibly depended. According to the main manuscript tradition of Thomas's treatise, rulers also defended such practices on the grounds that since they protected their Christian subjects from being dispossessed by Jews, they could rightly profit from Jewish wealth. A later reviser, however, reversed the logic: in this new version, rulers instead justified their taking of Jewish property on the grounds that they "defend Jews against their subjects and other wicked men, who would expel them from the realm were they not thus defended."⁶⁶ For at least some later scribes and readers, then, expulsion was understood as an ever-present threat for Jews, forestalled only by the

bulwark of princely authority—a quintessential example of the so-called “royal alliance” between Jews and rulers.⁶⁷ It would not be long before that bulwark began to crumble.

“For the Sake of My Soul”: The Expulsion of Jews from Leicester

For all that the anti-Jewish assaults of the late twelfth century were amplified by economic factors (whether local indebtedness or unvarnished greed), it is not until the ousting of Leicester’s Jewish community that one finds English authorities openly invoking usury to justify expulsion. Simon de Montfort, Sixth Earl of Leicester, is best known to history as the leader of the baronial uprising against Henry III and a seminal figure in the development of the English Parliament. He was also among the most virulent antagonists of England’s Jewish population in the middle decades of the thirteenth century. Born and raised in France, Montfort crossed over to England in 1229 in order to lay claim to his father’s earldom. Two years later, in his earliest extant act as lord of Leicester, Montfort issued a charter ordering the permanent expulsion of all Jews living in the town of Leicester. The charter itself offers no grounds for the expulsion, specifying only that Montfort was acting “for the sake of [his] soul and those of [his] ancestors and heirs,” and presenting it as a concession to the burghers of the town.⁶⁸ Soon thereafter, however, Robert Grosseteste (later the bishop of Lincoln but at the time the archdeacon of Leicester) wrote a letter to Montfort’s great-aunt, Countess Margaret de Quincy, describing the expulsion as an effort to liberate Christians from the oppression of Jewish usury. The countess had welcomed the expelled Jews into her own lands, which lay just to the east of Leicester, and Grosseteste wrote in order to warn her against becoming complicit in Jewish usury.

Given Grosseteste’s connection to Leicester and his detailed knowledge concerning the fates of the expelled Jews, there is little reason to doubt his assertion that Montfort’s action was driven by anxieties over usury. Montfort’s charter, as already noted, presents the expulsion as a salvific act. It is possible, to judge from Grosseteste’s description, that Montfort had in mind his lordly duty to protect his Christian townsfolk from harm; to spare them from the dangers of usury might therefore be reckoned an act of lordly piety (as well as a means of securing loyalty). But it is also telling that the culmination of Grosseteste’s letter to Countess Margaret is a vivid warning against receiving any of the usurious profits “extorted by Jews from Christians,” lest she herself thereby be “guilty of the sin of the Jews and . . . share in their punishment.” Those who could prevent wickedness and failed to do so, he wrote, were understood to be consenting to it—and as the Apostle Paul had written (Romans 1:32),

"not only those who behave like this but those who consent thereto deserve to die."⁶⁹

Such a view—clearly derived from the arguments first articulated by Peter the Chanter and his disciples—might well have spurred Montfort's decision to expel the Jews, and to thereby protect himself from the sinful taint of usurious revenues.⁷⁰ Perhaps it was Grosseteste himself who alerted Montfort to the spiritual dangers that he faced as the lord of a town with a resident population of Jewish moneylenders. In any case, Montfort's own upbringing had likely exposed him earlier to such arguments, for the anti-usury campaigner Robert of Courçon had been a close companion of his father during the Albigensian Crusade.⁷¹ Moreover, by the standards of Montfort's own family, expulsion was a comparatively moderate fate: his mother, Alice de Montmorency, had reputedly forced all of the Jews of Toulouse to choose between conversion and death in the summer of 1217, relenting only after a papal legate intervened.⁷² Given such familial precedents, the young Simon de Montfort might well have been receptive to the most hostile strand of contemporary attitudes toward Jewish usury.

Whatever the specific influences on Montfort's thinking, his order must have come as a shock to the Jews of Leicester, who had previously lived under the watchful protection of Ranulf de Blondville, Earl of Chester and one of the most powerful barons in the realm. So jealous was Ranulf of his prerogatives that he had managed to shield the Jews of Leicester from the general Jewish tallages that the Crown imposed throughout the 1220s, as well as from royal interference more generally.⁷³ Unlike earlier instances of virulently anti-Jewish measures, moreover, the Leicester expulsion did not take place against a backdrop of crusading fervor or ritual murder accusations. The 1230s saw Henry III adopt a series of increasingly harsh measures against Jews, but all of these postdate Montfort's expulsion.⁷⁴ In contrast to many later expulsion orders, there is also no suggestion here that the Jews were being punished as lawbreakers—nor could they have been, since Jewish moneylending was permitted by the king. Finally, although the theological concerns that seem to have underpinned Montfort's action were widely shared among English bishops (and perhaps many others as well), the English barons had so far proved less receptive. It is surely no coincidence that it was an ambitious newcomer who first turned these concerns into action.

In light of Montfort's future role as Henry III's most dangerous rival, it is tempting to interpret the expulsion as a pointed affront to royal claims of jurisdiction over Jews.⁷⁵ Such an interpretation not only overlooks the relative autonomy of the Leicester Jewry vis-à-vis the Crown, but also ignores Montfort's own circumstances. Newly arrived from the Continent, and in a precarious political and financial position, Montfort was entirely dependent on the

king's favor throughout his early years in England. Moreover, he repeatedly appeared at Henry's court throughout the summer and fall of 1232—hardly the behavior of someone who was openly flouting royal authority—and continued to receive expressions of the king's favor.⁷⁶ So although the expulsion surely came at Montfort's own initiative, bolstered perhaps by anti-Jewish agitators in Leicester itself, it is very unlikely to have taken place in defiance of the royal will.

Leicester was an unusual case, of course, as one of the few remaining Jewish communities under seigneurial rather than royal control. Even if other barons or town councils were inspired by Montfort's example, few possessed the jurisdiction to emulate it without royal approval. At most, they could buy the right to prevent Jews from settling in their community in the future, as did the town of Newcastle in July 1234, paying 100 marks to the king in exchange for this privilege.⁷⁷ That same year, however, Henry III appears to have sent a notice to sheriffs throughout the realm, ordering that no Jews be allowed to reside in any towns except where they had been accustomed to live in the past.⁷⁸ This restriction was part of a broader and long-standing royal effort to control the distribution of Jewish settlements within the realm, and a version would later be enshrined in the 1253 Statute of the Jewry. In the short term, it provided towns with a weapon they could wield against Jewish newcomers. Over the course of the next decade, at least five towns, along with much of the county of Northampton, forced Jews to return to the communities where they had customarily resided.⁷⁹

None of the surviving sources for these expulsions makes any direct reference to the underlying motivations. In the cases of such mercantile centers as Newcastle and Southampton it is possible that local protectionist impulses were at work, while elsewhere anxieties over Jewish claims to mortgaged lands seem to have been at play. It is important to note that this wave of local expulsions does not map onto a broader wave of popular anti-Jewish violence in England; there is little evidence to suggest that general English attitudes toward Jews were any harsher in the 1230s than they had been in earlier decades. The difference, rather, lay in the availability of new techniques and new logics of expulsion, brought about by the Crown's increasing efforts to regulate the distribution of Jewish settlement, and the ability of local communities to co-opt such efforts in service of their own exclusionary aims.

What *was* new, however, was the idea that collective expulsion was a fitting response to usury. This marked a dangerous new development. Calls for the relocation of newly-settled Jewish communities were certainly disruptive for the Jews themselves, and squabbles over jurisdictional claims could likewise lead to expulsion, as in the case of Bury. But the logics underpinning such efforts were necessarily local in scope, as were the expulsions they generated. By

contrast, the threat of usury was more expansive in scale. This would become clear over the next two decades, in response to the appearance of a new phenomenon in England's economic landscape: the arrival of foreign merchant-bankers. Their purportedly usurious profits would spark royal avarice, baronial ire, and ecclesiastical condemnation. Repeated expulsions would be the result, such that by the time Henry III's son Edward acceded to the throne in 1272, the crime of usury would be firmly linked to the penalty of expulsion from the realm.

Extortion and Expulsion: Henry III and the Italian Merchant-Bankers

It was only a few years after Robert Grosseteste had lauded the expulsion of Jews from Leicester that the Bishop Roger Niger launched his unsuccessful effort to banish "Cahorsins" from London. The showdown between the bishop and the Italian merchant-bankers might have rattled some figures at the papal curia, since it is some years before Italians were again serving as papal agents in the kingdom. The affair did not put much of a damper on the broader activity of Italian merchant-bankers in England, and the king continued to resort to their services when it came to funding the business of his own representatives in Rome.⁸⁰ Yet in the summer of 1240 the Italians once again found themselves facing expulsion—this time by order of the king.

According to Matthew Paris, this came about because Henry III at last came to recognize the extent to which the "Cahorsins," and above all the Sieneese, had polluted his kingdom with their usury. In Paris's recounting, not much came of his threat; the Italians, "troubled by the prospect of losing such pastures," simply resorted to bribery and the greater part of them accordingly managed to remain in the kingdom.⁸¹ Surviving administrative documents largely corroborate Paris's version of the event, though a detailed reconstruction is considerably hindered by the loss of the principal administrative records from much of this period.⁸² The activities of Italian merchant-bankers evidently provoked official concern at least a year before the expulsion order, since in the summer of 1239 the king ordered the arrest of Sieneese merchants, along with the seizure of their strongboxes and other property, "on account of the merchants' trespass."⁸³ The nature of the trespass is not recorded, though it seems likely that usury was somehow involved, especially since the king subsequently ordered their strongboxes to be gathered at the Tower of London, presumably to facilitate a careful examination of their account-books.⁸⁴

It is unclear why the king singled out the Sieneese as opposed to their counterparts from other Italian cities, though it may reflect the conspicuous and enduring prominence of moneylending in Sieneese affairs.⁸⁵ Yet it seems

more than coincidence that the summer and fall of 1239 likewise saw the king launch a series of repressive measures against Jews, including the imprisonment of a number of Jewish leaders and the imposition of a series of exorbitant tallages, in an effort to replenish royal finances.⁸⁶ Whatever spurred the sudden royal interest in the lending practices of Sienese merchants, the decision to arrest them, confiscate their goods, and scrutinize their accounts was surely predicated in part on the hope of extracting fines and other revenues—a strategy that had for decades been wielded successfully against England’s Jewish community.

The extent of the resulting windfall is unknown. In any case, the king and his council subsequently decided to pursue a much broader course of action. At some point in early 1240, the king ordered all foreign merchants to cease any lending at usury by Easter. Then, on June 30, the king drafted a letter to the mayor and sheriffs of London ordering all “transalpine merchants” residing in London to leave the realm within a month. Those same merchants were also to send word to their associates throughout the kingdom, warning them that any who remained past that date would no longer enjoy royal protection.⁸⁷ The ensuing sequence of imprisonments, deadlines, postponements, expulsions, and exemptions is bewildering, and much remains murky—not least the motivation behind the expulsion of all foreign (or rather, Italian) merchants, even those who had not engaged in any moneylending following the king’s prohibition on usury. Presumably this dramatic gesture was intended merely as a means of raising revenue through the widespread concession of exemptions (as did indeed occur), but given the loss of the relevant administrative records for these exact years, this must remain a matter of speculation. What is clear is that in 1240 Henry III did indeed order the general expulsion of Italian merchant-bankers on grounds of usury, and that few (if any) of the targets ended up leaving the realm for very long.⁸⁸

Modern scholars, following Matthew Paris’s lead, have interpreted the whole episode as yet another failure for a king whose reign was filled with so many. It is true that, as Paris grumbled, the expulsion order did not produce a perceptible exodus of Italians from the kingdom, and he is probably correct in assuming that bribery played a role.⁸⁹ The Florentines continued to have regular financial dealings with the king and other leading figures, and there is evidence for an ongoing Bolognese presence as well. Even the Sienese, whose activities seem to have inspired the entire affair, continued to provide financial services to the ever-impecunious king, his agents, and English ecclesiastical institutions.⁹⁰ But to evaluate the events of 1239–40 in terms of whether or not the threatened expulsion was fully implemented is to adopt too narrow a lens.

In associating the practice of usury with the punishment of expulsion, the king had asserted his right—and his readiness—to drive from the realm those

whose business practices he deemed usurious. For the better part of a century England's rulers had been content to cede their jurisdiction over living (Christian) usurers to the church. As *Glanvill* had put it, "it is not customary (*non solet*) for a living person to be appealed or convicted of the crime of usury."⁹¹ And in other respects, Henry III proved willing to follow domestic practice where the punishment of usury was concerned: in 1245, for instance, the movable property of a deceased Sieneese merchant was confiscated by the fisc on grounds of usury, just as was done for the king's own subjects.⁹² One must be wary of drawing too sharp a distinction between foreign and domestic merchants, in terms of the legal protections they enjoyed under contemporary English law. But Henry III's decision to expel Italian merchant-bankers for usurious lending, while his own subjects remained more or less immune from secular sanctions during their lifetimes, marked a sharp departure from English and Continental practice alike.

Amidst all of the reversals and exemptions that marked relations between the English Crown and the various communities of Italian merchant-bankers during these two years, one constant stands out, namely, the persistent assertion that all of the Italians were engaging in usury. If the king and his officials did not go quite so far as Matthew Paris, who considered the Italians' mercantile activities to be nothing more than a thin veil for their moneylending, they nevertheless framed the Italians as evidently and universally engaging in usurious practices. In later years, even the royal chancery would come to treat the phrases *mercator transmontanus* (transalpine merchant) and *mercator usurarius* (merchant-usurer) as synonymous.⁹³ Together with the absence of any indication of what exactly counted as "usurious," or any concern for how such a charge was to be proven, this rendered the Italians' continuing presence in the kingdom fundamentally unstable. Although they had managed to maintain their access to the kingdom's fertile commercial pastures, their footing was now much less secure. In February 1242, for instance, when a Benedictine prior sought a loan from some Sieneese merchants, the would-be lenders deemed it necessary to first secure royal permission for the transaction, for fear that they might otherwise be in breach of the king's prohibition. The phrasing of Henry III's reply, which granted the request "notwithstanding his earlier mandates against Italian merchants," underscores the continuing validity of the mandates themselves.⁹⁴ The royal intervention established an exception, not an abrogation.

The Italian merchant-bankers who maintained their activity in the kingdom following the 1240 expulsion order therefore found themselves operating under circumstances that were politically, legally, and semantically different from what they had previously enjoyed. Discretion was now the order of the day, and although the Italians certainly continued to lend money at interest,

they no longer did it as openly as before. The effects are clearly visible in the Canterbury cathedral priory accounts. For loans received before 1241, the treasurers consistently recorded the amount of interest paid to the Italian lenders, describing it explicitly as “for usury” (*de usura*). In 1241, however, they began using a more euphemistic phrase, “for profit” (*de lucro*), and thereafter they stopped mentioning the amount of interest altogether.⁹⁵ Still, it took until 1242—two years after the initial widespread measures against Italian merchant-bankers in the realm—for the king to announce a return to the earlier status quo. In April of that year, he wrote to the mayor and sheriffs of London, along with his treasurer, ordering that the Italians be permitted to carry out their commercial activities as they had previously been accustomed to do, without obstruction.⁹⁶

Many of the Italians who had suffered through the uncertainties of 1239–40 probably hoped that the 1242 proclamation would signal a return to more favorable conditions, with the sudden royal interest in usury no more than a passing concern. If such was their hope, they were bound for disappointment, as two events in 1244 would make clear. First, according to a late thirteenth-century chronicler, Henry III ordered a kingdom-wide inquest into the “total revenues of the Romans and other Italians.” The reported total of £28,000, not including prebends and donatives—a sum exceeding the king’s own ordinary revenues—was likely greeted with a mixture of surprise, envy, and opportunism in the royal council chambers, and with trepidation in the merchants’ counting rooms.⁹⁷

Second, in April 1244 the king wrote to all of the sheriffs in England, ordering them to proclaim that merchants throughout the kingdom were henceforth forbidden to lend money in return for any sort of gain, including penalties for late repayment (a common method of evading outright usury). Those who did otherwise would be forced to appear before the royal courts, with the offending debt made payable to the king. As an effort to repress usury, the measure was poorly conceived: it excluded the problem of loans made in kind, and it applied only to a single class of potential lenders, leaving others apparently free to carry on as before. But it signaled unambiguously that the king’s focus on moneylending, far from dissipating, was in fact broadening in scope.⁹⁸

Further evidence for the king’s broadening focus is to be found in the eyre (circuit court) records. In 1244, the presiding justices for the London eyre not only asked the customary question about the identity and movable property of deceased usurers, but also inquired about living ones.⁹⁹ The respondents were not especially forthcoming on either front: concerted questioning was required for the city’s representatives to admit knowledge of a local usurer who had died some time before, and on the topic of living usurers, the representatives repeatedly declared that they knew of no Christian usurers, save some

"overseas" (*in partibus transmarinis*) along with "Roman and Sieneſe merchants (*mercatores*) and thoſe of the like country."¹⁰⁰ As in royal records, the category of "uſurer" is here aſſociated deliberately (and in this caſe excluſively) with the Italian *mercatores*.

Neither the inqueſt, the lending ban, nor the eyre ſeems to have inſpired immediate meaſures againſt Italian merchant-bankers. A year later, however, Henry III concocted a new ſcheme for replenishing the royal coffers—one perhaps inſpired by tactics he had recently uſed againſt Jews. The heading in the Cloſe Rolls deſcribed it bluntly: "On the extracting of money from overſeaſ merchants." Within a month, "all Sieneſe, Cahorſin, and Florentine merchants, together with any others [...] accuſtomed to trade and lend at intereſt, ſave thoſe who are under the power of the king of France," were to appear at Weſtmiſnſter.¹⁰¹ The king's officials were then to exhort the merchants to donate (or failing that, loan) £4000 as a ſhow of their ſupport. If the merchants reſuſed, they would be ordered to leave the realm within forty days. Apparently, the negotiations did not go well, as the king ſoon announced that all tranſalpine merchants were to depart the realm within two weeks, on pain of arreſt and confiſcation. Unfortunately for the king, by 1245 the Italians were evidently too conſcious of his long-term dependence on their ſervices to take credibly the threat of expulſion. Although many Italian merchants ultimately gave way, Henry had to ſettle for receiving a fraction of the hoped-for £4000. In return, the king granted the merchants permiſſion to reſide in the kingdom and carry on their buſineſs, ſo long as they did not lend at uſury. They were alſo allowed to renew their old debts with new contracts, with the proviſo that neither the principal nor the intereſt could be increaſed.¹⁰²

In the autumn of 1251, the king adopted a different approach. Having firſt announced that Florentine, Sieneſe, and other Italian merchants were henceforth barred from lending money in England or from demanding uſury from anyone, the king then arreſted numerous Sieneſe and Florentines and impriſoned them in the Tower of London.¹⁰³ According to Matthew Paris, the king declared himſelf to be "ſorely afflicted in his conſcience, having ſworn to uphold the holy teachings of the church," while the impriſoned merchants were accuſed of being "ſchiſmatics or heretics and traitors to the king's majeſty" on account of having "tainted the whole kingdom of England with their moſt ſhameful uſury."¹⁰⁴ Although the more extreme charges can probably be chalked up to Paris's flair for the dramatic, it is certain that numerous Sieneſe and Florentines were formally accuſed of uſury. Others, if Paris is to be believed, managed to conceal themſelves and evade puniſhment. Eventually the king ordered the priſoners and their goods to be released from the Tower, with the royal accounts ſimultaneously recording the receipt of loans from Florentine and Sieneſe merchants (which Matthew Paris characterized, no doubt

correctly, as bribes).¹⁰⁵ One can only wonder whether the slight easing of the king's financial straits compensated for the continuing affliction of his conscience.

A year later, in June 1253, the king once again resorted to the threat of expulsion, in a new ploy to wring further financial support from the Italian communities of the realm. This time usury went entirely unmentioned in the written record, with the Close Rolls entry noting simply that despite the king's request, Florentine and Sienese merchant-bankers dwelling in London had refused to grant him a loan, and they were accordingly expelled from the realm. Unlike in previous years, the expulsion seems to have been thoroughly implemented. The Willelmi firm, which had enjoyed a close financial relationship with the Crown for over a decade, disappeared from the principal administrative records for over a year, while two Sienese merchants who had evaded the earlier expulsion orders of 1240 and 1245 both appear to have left the realm temporarily.¹⁰⁶

Henry III's piety was renowned among his contemporaries, and good Christian that he was, he surely looked upon usury with disdain. This disdain, furthermore, may well have been a factor in the measures he took against Italian merchant-bankers and other suspected usurers between 1239 and 1244, even if the specific timing of these measures appears to have been prompted by fiscal considerations. But his subsequent exactions had nothing to do with the fact that he was pious, and everything to do with the fact that he was poor. Whatever the balance between ideology and self-interest in the king's initial efforts to investigate and repress moneylending within his kingdom, from the mid-1240s his pecuniary motivation was unambiguous. Equally clear was the king's willingness to embrace whatever approaches might prove most effective at extracting revenues from these foreigners: within a span of fifteen years, he twice ordered their imprisonment or expulsion because they were lending at interest (in 1240 and 1251), and twice ordered their expulsion because they refused to lend to him (in 1245 and 1253).

It is somewhat ironic that of all Henry III's measures against Italian merchant-bankers, it was the one that made no mention of usury—namely, the threatened expulsion of 1253—that had the most visible impact on their activity in the realm. It also set the pattern for the remainder of Henry III's reign: although the king periodically ordered the arrest or expulsion of resident Italian communities in the 1250s and 1260s, usury no longer appears as a motivating royal concern. The mass arrest of Piedmontese merchants in 1255 and a threatened expulsion of Florentines in 1262 were both by-products of political conflicts between their home communities and the king's Savoyard kinsmen. The king also ordered the expulsion of Sienese merchant-bankers sometime before December 1261, probably in response to the papal sanctions

imposed against the city's citizens as punishment for their pro-imperial sympathies.¹⁰⁷ Yet whatever the disruptive consequences of these measures on Italian economic activities in England during the last two decades of Henry III's reign, it is clear that (unlike in earlier decades) these activities were incidental to the measures themselves.

If Henry III was no longer inclined toward expelling foreigners on grounds of usury, it was not for lack of outside pressure. Italian merchant-bankers, long an object of popular resentment and suspicion, naturally found themselves caught up in the anti-foreign discourse that arose in the late 1250s and 1260s as factional court politics erupted into open conflict between the king and his barons. In a petition of grievances drawn up in May 1258, the disaffected barons asked for "a remedy in the matter of Christian usurers, such as the Cahorsins who dwell in London," lamenting that their usury had caused many to be "impoverished and ruined" and asserting that it was "contrary to Christian religion to maintain and favor men of this kind, especially as they profess and call themselves Christians." The complexity of contemporary mercantile practices seems not to have troubled the barons, who were content to assert a distinction between "good" foreign merchants (who were to be welcomed and protected) and "bad" Cahorsins.¹⁰⁸

The petition left the nature of the desired "remedy" unspecified, but since the foreign merchants depended on ongoing royal protection and goodwill, they could not long remain in the kingdom should the king cease "to maintain and favor" them. In any case the issue proved to be moot; although the barons succeeded in driving the king's Poitevin favorites from the realm, there is no sign that any immediate measures were taken against foreign merchant-bankers.¹⁰⁹ Five years later, however, the latter found themselves swept up in the violence of widespread xenophobic uprisings orchestrated by rebel leaders. In the spring of 1263, London mobs stormed and despoiled the houses of the "Cahorsins," and many foreigners apparently fled to the Continent in fear of their lives. Riding high on such popular unrest, the rebels pushed for England to be "completely purged of foreigners," and they forced Henry III to accept a stipulation that "foreigners were to depart the realm, never to return."¹¹⁰ Although this sweeping language was tempered by an exception for those whom "the faithful men of the realm would collectively accept," such distinctions were easily overlooked: observing these disputes from a distance, nearly all contemporary chroniclers recorded only the demand for expulsion, not the possibility for exemption.¹¹¹

While a number of Florentine firms received safe-conducts to return to the realm in the fall, the resumption of hostilities the following year saw renewed calls for the expulsion of foreigners and new threats to the remaining community of Italian and southern French merchant-bankers. This time, at least,

the ordinance imposed by the victorious rebels in June 1264 made explicit provision for merchants to “conduct their business and . . . stay in peace, provided they come peacefully.”¹¹² For all the threats and disruption to their business, foreign merchants emerged from the civil war relatively unscathed.

For England’s Jews, in contrast, the political unrest proved devastating. The breakdown of royal authority left local Jewish communities unprotected, and throughout the 1260s they faced repeated threats and assaults. These culminated in a brutal attack on the London Jewry in April 1264; some Jews managed to seek refuge in the Tower, but scores of others—perhaps even hundreds—were massacred and their houses ransacked. The London riots were purportedly sparked by wild rebel rumors that Jews were planning to deliver the city to the royalist forces, or even burn the city down altogether, but clearer-headed contemporaries pointed to greed as the underlying factor.¹¹³ Anxieties over knightly indebtedness to Jews also played a role in spurring the initial opposition movement, with the reform of the Exchequer of the Jews and restrictions on the appropriation of mortgaged lands featuring among the barons’ early demands.¹¹⁴ Simon de Montfort—the leading figure in the movement—wielded these anxieties to his advantage: during his abortive 1260 uprising, his partisans broke into the Exchequer and stole records of Jewish debts, while Simon himself issued dozens of writs of debt relief during the period of his ascendancy.¹¹⁵

It is worth noting, however, what the barons did *not* demand. They did not, for instance, call for Jewish moneylending to be suppressed altogether. While they sought to curb some of the resulting abuses (particularly those perpetrated by predatory magnates, rather than the Jewish creditors), there is no evidence to suggest that the leaders of the baronial opposition called into question the basic fact of Jewish lending. The barons also did not call for Jews to be expelled from England. They were, of course, quite willing to incite (or even lead) brutal assaults on the kingdom’s Jewish communities. Moreover, it seems likely that many of those who rallied to the rebels’ virulently anti-alien rhetoric had no qualms about lumping Jews together with the hated foreigners. As one contemporary chronicler noted, the angry populace “scorned and despised whoever could not speak the English tongue”—and given their continuing use of the French vernacular, many of England’s Jews might have fallen into this category.¹¹⁶ But neither the barons who insisted on the expulsion of all foreigners from the realm, nor the chroniclers who reported their demand, envisioned that this would extend to the kingdom’s native-born Jews. By 1275, a prohibition of Jewish moneylending would be in place; the expulsion of the Jews would follow fifteen years later. But amidst all of the turmoil and protests of the late 1250s and 1260s, there is no sign that the baronial opposition pushed for such strong measures, or even considered them at all. The king’s favorites

might be ripe targets for expulsion, and so too the king's bankers—but not yet the king's Jews.

As the English evidence reveals, the medieval nexus between usury and expulsion could arise from differing pressures and traditions. In lauding the expulsion of Jews from Leicester, Robert Grosseteste drew on a vocabulary of complicity and consent that had taken shape within the circle of Peter the Chanter a half century earlier. For King Henry III, who looked enviously at the wealth of Italian merchants, the resort to expulsion was conditioned by established royal practices concerning undesirable foreigners. And for Bishop Roger Niger, as discussed in the previous chapter, his ire at the greed of papal agents likely led him to draw inspiration from long-standing ecclesiastical responses to heretics. The middle decades of the thirteenth century saw many of these strands come together, with ecclesiastical practices, royal precedents, and baronial demands collectively reinforcing the presumption that foreigners engaging in usury should be expelled from the realm.

That usury could serve as a potent accusation in the first place reflected its growing weight in thirteenth-century theological discourse. Just as Edward the Confessor purportedly developed a hatred of usury after a stay at the French royal court, so too did English clerics studying across the Channel carry back with them the hostilities toward Jewish usury that were brewing in Parisian university circles. Through to the death of Henry III, however, the English Crown remained impervious to these new ideas, preferring to exploit rather than eradicate Jewish moneylending. While Henry proved willing to forcibly relocate particular Jewish communities in response to local or noble pressure, he (like his father before him) reserved the threat of outright expulsion for those Jews who failed to meet his exorbitant fiscal demands. Throughout the late twelfth and early thirteenth centuries, only mobs and madmen contemplated the wholesale elimination of Jews from England.¹¹⁷ Across the Channel, by contrast, French kings showed themselves to be far more receptive to new currents of thought around the dangers of Jewish lending. As the next chapter will show, their resulting embrace of expulsion set an example that neighboring rulers would prove only too willing to follow.

3

Inventing Expulsion in France, 1144–1270

SOMETIME IN THE mid-1280s, a minor official in the French royal chancery began compiling a collection of materials to aid him in his duties. Only a table of contents now survives, but its serried entries evoke what must have been a substantial volume, containing more than five hundred letters and administrative documents.¹ The compiler's interests were eclectic, and his ordering is sometimes inscrutable: a mention of Aesop's fables precedes an edict on the minting of half-pennies, while instructions for procurators at the papal curia appear alongside a description of the wonders to be found in the far-away lands of a mythical Christian king. For the most part, however, the compiler seems to have grouped together texts of a similar nature. One large cluster, for instance, pertains to the bitter struggle between the empire and the papacy that had flared up repeatedly in the middle decades of the century. Another centers on the heated dispute between the mendicant orders and the secular clergy over their respective influence at the University of Paris. Other clusters concern correspondence among friends, ecclesiastical elections, the management of royal forests, and a host of other themes.

Toward the end of the collection appears a small gathering of edicts concerning Jews: one on the authorized mass seizure of Jewish wealth (the so-called *captio*), another on the investigation of Jewish usury, two on the wearing of the Jewish badge, and a final text ordering Jews to attend the sermons of a zealous convert.² All of these likely date to 1268–69, and together they testify to the increasingly precarious status of Jews at the end of the long reign of King Louis IX of France—or Saint Louis, as he would soon be known. Their tidy thematic coherence is seemingly interrupted, however, by an entry “On the expelling of Lombard usurers from the realm.” Since the corresponding royal ordinance was issued in January 1269, the compiler's decision to place this text amidst the Jewish edicts might simply have been a matter of chronological convenience. More likely the placement is an early example of the association

of Jews and Lombards in late medieval French record-keeping. Originating in their perceived mutual involvement in moneylending, this persistent archival association would continue through the early modern period and beyond.³

The collection's ordering is therefore an invitation to follow contemporary practice by considering Jews and Lombards as a linked pair. As this chapter will argue, the emergence of collective expulsion as a French royal practice from the late twelfth century onward was inextricably interwoven with anxieties surrounding the usurious lending of both Jews and foreigners. To that extent, at least, France resembles its neighbor across the Channel. But if pre-existing hostility toward foreigners played a prominent role in the spread of expulsion in England, the same was not true of contemporaneous French developments. Here clerical concerns—especially those associated with new trends in Parisian theological circles—played a much larger role in dictating the targets and boundaries of expulsion.

Modern scholars have devoted considerable attention to the evolution and impact of the Capetian kings' policies toward Jews and Jewish moneylending, particularly for the period running from 1182 to 1306. The former year saw Jews temporarily expelled from the royal domains; the latter saw them thoroughly expelled from the kingdom as a whole. In the intervening decades, Jews faced not only the systematic repression of their moneylending activities, but also a standing royal threat of banishment for anyone who persisted in usury. As for foreign usurers, they too came to face expulsion, not only in the 1269 ordinance issued by Louis IX, but for nearly a century afterward as well. All told, five successive generations of French kings would order Lombard moneylenders to be driven from the realm.⁴ Nowhere else in Europe would the association between usury and expulsion prove so close, or so enduring. The goal of this chapter is to explain how this association came to be, beginning with the reign of Louis VII in the mid-twelfth century, and ending with the death of his great-grandson Louis IX on the shores of Tunisia in 1270.

Banishment and Expulsion in High Medieval France

In France, both individual banishment and collective expulsion remained largely localized phenomena throughout the twelfth and early thirteenth centuries. Political exile was rare, and criminal banishments usually took place at the level of towns or local lordships. This makes for a marked contrast with England, where (as discussed in the preceding chapter) the combination of royal centralization and natural geography readily enabled the kingdom-wide expulsion of political opponents and petty criminals. Over the course of the thirteenth century, French kings proved increasingly willing to assert their prerogative to banish convicted or contumacious wrongdoers from the realm

as a whole, but on the whole, banishment remained intimately linked with local legal regimes down to the end of the Middle Ages.⁵

There is little evidence for the enforced departure of entire groups during this period. The recurring expulsions of foreign communities that were so characteristic of contemporary England, for instance, found few echoes across the Channel. Parisian students may have mocked each other's ethnic origins, sometimes even to the point of inciting violence, but such disputes never spilled over into the sort of anti-foreign riots that rocked London at repeated intervals in the thirteenth century.⁶ Nor was there any concerted popular resentment against beneficed foreign clergy, for the simple reason that the phenomenon was comparatively circumscribed in France (at least with respect to England), and the abuses correspondingly reduced. Although foreign merchants were periodically arrested *en masse*—usually in response to broader political conflicts—they do not seem to have been forcibly driven from the kingdom.⁷ From the mid-twelfth century onward, pressure from ecclesiastical authorities led certain towns and local lords in southern France to adopt the practice of expelling heretics, but such efforts were generally sporadic and small in scale.⁸ In the north, moreover, French kings long refrained from issuing any general ordinances on the repression of heresy. While successive late twelfth-century kings of Aragon ordered that heretics be driven from their lands, their French counterparts resisted calls to do the same. And when they did command the punishment of heretics, French kings generally demanded that they be burned rather than banished.⁹

So far as the surviving evidence suggests, only once in the twelfth century did a French king issue a kingdom-wide expulsion order. In 1144/45, having heard that some converted Jews had returned to their traditional faith after being baptized, Louis VII forbade all such relapsed converts from remaining in the realm. Transgressors were to be punished with death or dismemberment.¹⁰ This edict—which survives intact, along with its seal—has long been recognized as exceptional. Its harsh penalties far exceeded contemporary secular practices, and they also stand in sharp contrast to the relative restraint that Louis otherwise showed toward Jews during his reign.¹¹ More importantly still, it is the earliest known example of a Capetian ruler issuing an edict that (at least rhetorically) applied generally throughout the kingdom.¹² The revival of French royal legislation, in other words, began with an act of collective banishment.

Louis VII's edict was surely the result of ecclesiastical pressure rather than royal initiative. To begin with, longstanding clerical anxieties over Jewish apostasy had assumed newfound importance in the wake of the forcible mass conversions that accompanied the early crusading movement.¹³ Moreover, the very language of the document shows strong traces of clerical dictation.¹⁴ That

the king had only recently managed to release his lands from a lengthy papal interdiction no doubt rendered him unusually beholden to church demands. As for the introduction of banishment, this may well have been modelled on late Roman imperial legislation, which had prescribed expulsion "from the very soil of the Roman Empire" as a penalty for apostasy. If so, then the edict represents an early attestation of Louis's noted embrace of Roman law to augment his own sovereign authority.¹⁵ Whatever its initial motivations, however, the edict had little long-term effect. Stored away in the cathedral archives of Notre-Dame de Paris for the next six hundred years, there is no indication that it was remembered or rediscovered by later rulers.

While Louis sought to cleanse his realm of relapsed converts, his son Philip II tried to rid his lands of Jews in general, ordering what is widely accepted as the first expulsion of Jews in high medieval Europe. Dubbed "Augustus" by his admiring biographer Rigord, Philip launched his reign by raiding Jewish homes, ransacking synagogues, and holding the confiscated goods to ransom. "Moved by pity" at the crushing indebtedness of his Christian subjects, and at the recommendation of a saintly hermit, Philip then declared a general cancellation of all outstanding Jewish loans, with the caveat that one-fifth of the principal was to be paid to the royal treasury.¹⁶ Worse was to come the following year: in April 1182, Philip ordered all Jews to depart from his lands. Only those who agreed to convert were allowed to remain. The text of the expulsion order does not survive, and Rigord's detailed account is distorted by both his personal hatred of Jews and his fawning approach toward the king.¹⁷ Evidently the expulsion (along with all of Philip's other early measures against Jews) applied only to the royal domains, which at the time consisted of a modest cluster of lands around Paris and Orléans. Where the sweeping language of Louis VII's expulsion order had (at least in theory) encompassed the entire kingdom, Philip limited his effort to the lands under his immediate control.¹⁸ In all other respects, however, Philip's expulsion far exceeded his father's. Most obviously, it applied to all Jews, not simply those who had fallen afoul of ecclesiastical strictures by relapsing to Judaism after converting to Christianity. Furthermore, there is clear evidence that Philip's expulsion was enforced—and thoroughly so. For the next sixteen years, until the lifting of the expulsion order in 1198, Jews appear to have disappeared entirely from the French royal domains.¹⁹

In Rigord's telling, the expulsion was prompted in large part by the king's righteous outrage at various offenses committed by Jews, ranging from ritual murder to the "judaizing" of their Christian servants and the desecration of Christian sacred objects. Although there is ample evidence that Philip's piety could manifest itself in fearsome and aggressive ways, righteous outrage does not in itself explain the resort to expulsion.²⁰ After all, the king could equally

have decided to seek out and punish particular offenders, rather than banish the Jewish community as a whole, an act almost unprecedented in French history. Almost, that is, because as Rigord recalled (and as Philip himself might well have known), Jews had reputedly been expelled from France half a millennium earlier by order of the Merovingian king Dagobert. Like Dagobert, Philip also forced the Jews to choose between conversion and exile, and it is possible that the Capetian ruler consciously modelled his actions on those of his royal forebear.²¹

Other factors probably militated in favor of expulsion as well. It was a dramatic display of royal authority, the sort of act that would make an impression on the powerful (and power-hungry) barons of Philip's realm without making enemies of any of them. In addition, the ensuing confiscation of the Jews' houses and landholdings not only made expulsion lucrative, but also facilitated the king's ambitious efforts to reshape the Parisian urban landscape.²²

There was also the matter of Jewish moneylending, which features prominently in Rigord's account of the motivations underpinning expulsion. As discussed in Chapter 1, Paris was fast becoming the epicenter of rigorist theological opposition to the legitimacy of Jewish usury, and Philip and his advisors were surely exposed to such attitudes. Yet there is good reason to be skeptical of Rigord's claims, or at least of the sincerity of royal opposition to usury. Given that Philip ordered the amnesty on Jewish debts long before announcing the expulsion, it may well have been a vehicle to profit from Jewish moneylending (via the fifth that he claimed for himself) before the Jews' forced departure effectively annulled all outstanding claims—assuming, that is, that he was already contemplating the Jews' expulsion in advance.²³ Furthermore, whatever the weight of moneylending in spurring the Jews' expulsion in 1182, it clearly proved no impediment to their return in 1198. Upon their resettlement in the royal domains, Philip allowed Jews to continue lending at interest, albeit under stricter regulation in order to avoid the perceived excesses of the past.²⁴

The renewed royal accommodation of Jewish lending occurred amidst a simultaneous proliferation of local expulsions of Jews, driven largely by anti-usury sentiment. It was right at this moment that Fulk of Neuilly was leading his preaching campaign throughout northern France, and his vigorous condemnations of usury evidently inspired some local barons to expel Jews from their lands. (In an ironic reversal these expelled Jews apparently found refuge in the newly welcoming royal domains.) Intense opposition to Jewish moneylending also seems to have underpinned the bishop of Auxerre's push to banish Jews from his city around 1204.²⁵ These episodes further underscore the fact that during the twelfth and early thirteenth centuries, virtually every

instance of collective expulsion in France was either driven by religious pressure or justified according to religious concerns. In England, expulsion remained closely intertwined with anti-foreign sentiment throughout this period. In Italy, it would soon emerge as a characteristic feature of communal governance.²⁶ But in France, where the targets consisted of heretics, Jews, and relapsed converts, the shadow of clerical concerns looms large. This is not to absolve secular rulers of responsibility; Philip's expulsion was Philip's own handiwork. Nor does it mean that pious motives underpinned every instance of expulsion. The point is rather that in France, expulsion as a secular punishment was operable only against groups who already fell outside the boundaries of the Christian community.

Jewish and Christian Moneylending in the Early Thirteenth Century

Despite ecclesiastical condemnations, Jewish moneylending continued to enjoy royal and baronial support throughout the first quarter of the thirteenth century, albeit with increasing restrictions. Soon after the Jews' return to the royal domains, Philip Augustus established a ceiling on the permissible interest rate, of two pennies per week per pound (roughly 43% *per annum*). Other neighboring rulers followed suit. In addition, widespread complaints (including a blistering letter from Pope Innocent III) led to the gradual prohibition of compound interest.²⁷ Within this overall framework, interest-bearing loans remained enforceable in court. Moreover, there is evidence to suggest that Philip quashed the efforts of local prelates to punish Christians who borrowed money from Jews, pursuant to new canonical norms.²⁸ Starting in 1223, however, the French crown began taking serious measures against Jewish lending. That year, in concert with a host of French barons, King Louis VIII ordered a temporary halt on the accrual of interest, while outstanding debts were made payable not to the Jewish creditors, but to their local lord.²⁹ Other confiscations and prohibitions swiftly followed, and in 1230 King Louis IX issued an ordinance declaring that henceforth neither he nor any other barons within the kingdom would enforce debts owed to Jews.³⁰ While this did not bring an end to Jewish lending—far from it—the so-called Ordinance of Melun effectively stripped it of legal support.³¹

The same ordinance also established that neither the king nor his barons would enforce the payment of usury to Christians, with usury here defined as anything beyond the principal. Given that nearly all previous royal and baronial regulations on moneylending concern Jewish lending, it is easy to overlook the widespread practice of Christian moneylending within the realm. Direct evidence for such moneylending is admittedly scarce in the twelfth and

early thirteenth centuries, and much of it must be inferred from the cautionary tales of clerical chroniclers, or the thunderous remonstrations of indignant churchman.³² These might exaggerate the scale of such activity, and they certainly overstate its ill effects. Indeed, the feverish rhetoric of anti-usury campaigners like Fulk of Neuilly or Robert of Courçon even provoked satirical responses among contemporaries. But if traveling preachers could win praise for persuading great numbers of usurers to abandon their errant ways, or equally could provoke royal censure for pursuing too zealously their anti-usury efforts, it is because moneylending was embedded in the fabric of everyday life within Christian communities.³³

As elsewhere in the medieval world, much of this moneylending was carried out on a small scale, a matter of occasional opportunity rather than professional pursuit. In some areas of France, however, Christians engaged in sophisticated and expansive lending activity. By the early thirteenth century, for example, the residents of the northern city of Arras had become so prominent in regional credit markets that a French poet could characterize the city as "eager for profit and delighting in usury." Despite vigorous and repeated papal condemnations, moneylenders from that city continued to flourish up to the turn of the fourteenth century.³⁴ Meanwhile, the moneylenders of the southern city of Cahors were so active and widespread in the late twelfth and thirteenth centuries that most western European vernacular languages came to use "Cahorsin" as a generic term for professional Christian moneylenders, regardless of their actual place of origin.³⁵

Although lending at interest was both a sin to be atoned for and a crime punishable within the ecclesiastical courts, it was generally not a secular offense. The Ordinance of Melun in 1230 deprived Christian lenders of governmental and judicial backing, but it notably did not impose any sanctions on the lenders themselves. A later treatise on customary law observed that lords who prohibited Christians from lending in their lands could exact fines for disobedience and force restitution of any usurious gains, but otherwise usury was not directly actionable in secular courts.³⁶ Only in Normandy did Christian lenders face stiffer consequences: there (as in England) the movable property of dead usurers was forfeit to the crown. It is unclear, however, what qualified as usury prior to the Ordinance of Melun, nor is it clear from the early customary evidence how someone was to be deemed a usurer.³⁷

Louis IX's royal predecessors therefore did little to repress Christian lending within the kingdom. In fact, his father did just the opposite. In 1225, a year before his death, Louis VIII granted permission to the citizens of the Piedmontese town of Asti to settle in Paris for the next five years, on the explicit understanding that they would set up pawnbroking operations in the city. The

timing was propitious: the availability of Jewish credit had been sharply restricted by the mass appropriation of the Jews' outstanding debts in 1223, while the Astigiani had recently concluded a treaty that facilitated their movement across the Alps. Soon they expanded into Champagne as well.³⁸ By the middle of the century, the Astigiani and other Piedmontese lenders (generally called Lombards by their contemporaries) had spread still further. Although some Sienese appear to have been active in moneylending in the vicinity of Paris in the 1250s, and both Sienese and Lucchese merchants were offering credit services in Champagne around 1260, Piedmontese pawnbrokers covered a much broader territory, with lending activity attested in Burgundy, Normandy, and Flanders.³⁹

As with the northward migration of Jews in the preceding centuries, it was the formal welcoming on the part of competent authorities—whether kings, archbishops, municipal councils or local lords—that enabled Lombard moneylenders to cross the Alps and take up residence (at least temporarily) in new towns.⁴⁰ Louis VIII's privilege of 1225 would be followed by hundreds of others over the course of the next two centuries, each of them promising varied protections for the Lombards and their business operations in return for a fixed annual payment. The Lombards' swift expansion therefore underscores not only the widespread contemporary demand for credit, but also the ruling authorities' willingness to respond to this demand. Their expansion equally testifies to the lucrative nature of their business, both for the Lombards and for those who harbored them, even as it fell afoul of church teachings on usury. As a Piedmontese chronicler recorded toward the end of the century, "in the year 1226 the citizens of Asti began to lend and engage in usury in France and other places beyond the Alps, where they made much money." Nevertheless, the chronicler continued, "they also suffered many evils there, both to their persons and their property."⁴¹ Among those responsible for such "evils," none would have a more lasting impact than the young king who ascended to the throne just as the Lombards arrived in his kingdom.

Purgatio and *Reparatio*: The Reign of Louis IX

The France of the mid-thirteenth century was the France of Saint Louis, whose subsequent veneration rested not so much on his private piety (for in this he was rivaled in many respects by Henry III of England) as on his unprecedented integration of that private piety with his public duties as king.⁴² Throughout much of his reign, and especially after the Seventh Crusade of 1248–54, Louis IX embraced a vision of kingship that focused not only on the dispensing of justice, but also on making amends for his own wrongdoings and those of his

agents and officials. *Reparatio*—the redress of wrongs—was a central ideal of his reign, and Louis paired his fearsome regime of self-disciplining with sustained efforts to atone for the failings of his royal administration.⁴³

The ideal of *purgatio*, the cleansing of the kingdom from corrupting elements, also figured prominently in the rhetoric and practice of the saint-king. This was not novel; Philip Augustus's biographers had drawn on this same language to laud his achievements.⁴⁴ But no other medieval French king showed such pervasive concern for the moral and religious purity of his realm, or such willingness to achieve it through very concrete measures of purification. Heresy is perhaps the most obvious example. On the day of his coronation, Louis likely became the first French ruler to promise to drive out (*extirpare*) heretics from his kingdom.⁴⁵ This oath was inspired by a decree of the Fourth Lateran Council of 1215, and Louis's diligence in fulfilling it would be celebrated in the bull that made him a saint: "He abhorred those infected with the stain of heretical depravity, expelling them with efficacious zeal from the limits of his kingdom so that they would not spread the stain of the contagion to the true believers of the Christian faith."⁴⁶ It was not only heretics who had to be eliminated. In the advice tract that Louis compiled for his son before setting forth on crusade in 1270, he urged his heir to remove sins from the kingdom, including blasphemy and gambling, and encouraged him to chase not only heretics from the realm, but also "other evildoers, such that [his] land might be well purged."⁴⁷

In this respect, Louis certainly practiced what he preached. Both upon his return from the disastrous Seventh Crusade in 1254, and in the lead-up to the Tunis Crusade of 1270, the king issued ordinances aimed at suppressing sinfulness and ridding the kingdom of wrongdoers, in order that his kingdom could be "fully purged of wickedness, and wicked men, and public wrongdoers."⁴⁸ On both occasions, he took active measures to halt prostitution, whether by banishing prostitutes from cities and their suburbs, or by ordering that brothels be shut down.⁴⁹ In a series of ordinances issued in 1268–69, the king demanded that the ecclesiastical crime of simony be "fully driven from the realm," and so too the offense of blasphemy.⁵⁰ To be sure, these two waves of purgative measures both appeared in the immediate context of a crusade, but given that much of Louis's later reign was spent either preparing for a crusade or recovering from one, purgation remained a consistently prominent theme throughout.⁵¹

As these examples indicate (and so too Louis's advice to his son), the king's understanding of purgation was twofold, targeting as it did both evil deeds and evil doers. In the case of blasphemy, it was the practice that must be purged. In the case of heretics or prostitutes, the deed and the doer were bound up together; it is by driving out those who abetted or embodied the perceived

wickedness that the wickedness itself would be eliminated. This distinction is helpful in considering how Louis and his officials sought to achieve their goal of *purgatio*, and to understand how it could move from a metaphorical ideal to an administrative practice. But there is a further distinction to consider. Notwithstanding Louis's general demand that his land be cleansed of wicked men and public wrongdoers, there is no evidence that he pressed for blasphemers, prostitutes, or simoniacs to be formally expelled from the kingdom. Blasphemers faced stiff fines, scourging, or temporary imprisonment.⁵² Prostitutes were to be ousted from cities and their surrounding spaces, but no further. Heretics, meanwhile, were to be burned alive. Under Louis IX, expulsion from his domains was a penalty generally reserved for usurers, or more precisely, particular subsets thereof.

Louis's ideological opposition to usury was unequivocal. Immersed in an intellectual milieu that virulently denounced usury as a vehicle of mass impoverishment (not to mention a host of other ills), the king was naturally conditioned to see its effects in such terms. Paris had been a hotbed of anti-usury writings and sermons since the reign of his grandfather, and although few theologians or preachers of the mid-thirteenth century rivaled the invectives that Peter the Chanter and his followers had leveled against usury, they nevertheless found frequent opportunities to condemn it forcefully.⁵³ One prominent theologian and royal advisor, for instance, compiled a set of model sermons that featured repeated denunciations of usury, and even compared a murderer possessed by demons to a usurer who kills his wife and family through his sinfulness.⁵⁴ The influence of the mendicant orders on the king was especially pronounced, and they too made usury (and in particular, its Christian practitioners) a central theme in their preaching. Even as leading Franciscan and Dominican thinkers laid the foundations for the more nuanced and capacious economic ethics that became their orders' hallmark from the late thirteenth century onward, their opinion on the sinfulness of usury was unambiguous.⁵⁵

It was one thing to denounce usury, and quite another to punish its practitioners. While there is considerable contemporary evidence for the persistence of local Christian moneylending during Louis's reign, he did not make much effort to push for its repression. The king's main concern was rather to ensure that neither he nor his officials were encouraging or profiting from it. The 1230 Ordinance of Melun, issued during the regency of his mother, is the most significant example, though later in his reign Louis also forbade municipal governments from borrowing at interest.⁵⁶ Prior to his first crusade, he seems to have willingly retained the property confiscated from Norman usurers, notwithstanding a nascent expectation that these would be handed over to local bishops for the purposes of restitution. After his return, however,

Louis made provision for these sums to be restituted to the original debtors or their heirs.⁵⁷ Others, including his brother Alphonse of Poitiers, seem to have followed his example.⁵⁸ Apart from such efforts at dissociation, the king showed limited concern with usurious lending among his Christian subjects. The series of kingdom-wide investigations (*enquêtes*) that the king ordered from the mid-1240s onward pay almost no attention to such lending, suggesting that the *enquêteurs* did not trouble themselves with this offense.⁵⁹ There is also little sign that Louis tried to impose additional secular penalties on those who were convicted of usury in the church courts; only toward the very end of his reign, or perhaps not even until afterward, did the Norman custom of confiscating the chattels of dead usurers spread to other parts of northern France.⁶⁰ All of this suggests that the king's attitude toward native Christian usurers was similar to that of his counterparts across the channel. It also bears out a remark recorded by William of Chartres, the king's confessor and biographer: Christian usurers were a matter for the church, Louis maintained, and the bishops could therefore deal with them as they wished.⁶¹

Louis's limited efforts to suppress the usurious lending of his Christian subjects stand in sharp contrast to the vigorous measures he took against his Jewish ones. This was in keeping with his general approach to Jews, in which he generally proved a zealous follower of church teachings. He was the only major European ruler to effect a widespread seizure of Talmud manuscripts, pursuant to papal instructions, and toward the end of his reign he also became the first French king to mandate that Jews wear distinctive marks on their clothing, as prescribed by the Fourth Lateran Council of 1215.⁶² So far as Jewish usury was concerned, the first two decades of Louis's reign saw him abolish governmental support for the enforcement of all Jewish loans and impose new restrictions on Jewish pawnbroking.⁶³

Sometime in the early 1230s, the king also expressed his wish that Jews should "live by their own labor or commerce, without usury," a wish that he subsequently formalized in a 1235 ordinance.⁶⁴ Whether Louis intended this as a pious hope or a veiled threat is unclear, but contemporaries seem to have interpreted it as the latter. Louis's uncle, Philip Hurepel, echoed the royal language in his will, but sharpened it by explicitly threatening transgressors with expulsion from his lands.⁶⁵ Another powerful French baron did likewise in a 1234 charter: out of concern for his salvation and that of his predecessors, he ordered that any Jews "who wished henceforth to dwell in [his] land were to live by their own labor and licit commerce, abstaining fully from all usurious exactions."⁶⁶ Moreover, the charter also stated that Louis IX himself had granted his approval for its terms, suggesting that the king did not see expulsion as too harsh a penalty for Jewish usury. If the royal ordinance contained similar sanctions, however, no record of them has survived. The framework of

the Ordinance of Melun remained in place: Jewish loans could not be enforced in court, but Jewish usury was not punishable in itself. This would remain true across most of northern France up through the king's departure on crusade in 1248.⁶⁷ In the south, Louis opted for a harsher approach: wishing to persuade Jews "to choose a livelihood in which they would not lend at usury," he threatened those who persisted in such lending with arrest, confiscations, or worse.⁶⁸

Elsewhere in the kingdom, Jews faced worse than mere threats. Already in 1233, Pope Gregory IX had written to all the bishops of France to protest the widespread mistreatment of Jews in the kingdom. In particular, he castigated local lords who were expelling Jews from their lands in order to seize their money and their goods. In the absence of appropriate grounds or clear wrongdoing on the part of the Jews, the pope insisted, such expulsions were prohibited. Jews should be permitted to live according to established custom, and their preceding contracts and agreements were all to be honored—except insofar as these were usurious.⁶⁹ While much of this simply restated traditional papal arguments, two details are noteworthy.

First, it is clear that small-scale expulsions of Jews were already taking place in the early 1230s, for the first time since the turn of the century. As in England, then, the 1230s saw an upsurge in local French efforts to banish Jews. More would soon follow, both within the royal domains and elsewhere in the kingdom.⁷⁰ None of the extant records of these expulsions spells out its purported justification, and the underlying motivations remain a matter of speculation. It is important to note, however, that this was not a period of generalized economic crisis, nor of intensified religious feeling in northern France (or England, for that matter). Royal power was strong and stable, and the church's teachings on Jews were no different in the 1230s than they had been a decade earlier. In short, none of the general arguments that have often been deployed (whether singly or in combination) to explain other instances of Jewish expulsion can explain the proliferation of local expulsions that arose on both sides of the Channel starting in the 1230s. No doubt each individual expulsion reflected particular conjunctions of power and hostility, but this on its own cannot account for the chronological clustering. Rather, it seems that the practice itself was becoming more thinkable, with each successive episode rendering expulsion more readily imaginable as a vehicle to express opposition to Jewish moneylending as well as more general hostility toward Jews.

Second, the ambiguity embedded in papal phrases such as "appropriate grounds" or "clear wrongdoing" left ample room for hostile local clerics to press for such expulsions. In 1240, the bishops of Brittany would apparently do precisely that, lending their support to Duke John I's decision to banish Jews from his lands and annul their outstanding debts.⁷¹ Only a few years earlier, the region's bishops had collectively affirmed the church's duty to

protect Jews from harm and despoliation, following a wave of brutal massacres at the hands of crusaders setting forth from western France.⁷² According to the text of the 1240 edict, however, the bishops and abbots of Brittany not only requested the expulsion (in tandem with other Breton barons and vassals), but also swore never to allow Jews to dwell in their lands in the future. Admittedly, Duke John was not known for respecting the niceties of clerical opinion, and his edict might well have overstated ecclesiastical enthusiasm for the measure. But given that the edict offered no other formal justification (notwithstanding its detailed discussion of how to dispose of Jewish debts), the very fact that expulsion could be framed as a response to clerical pressure underscores the shrinking limits of the French church's commitment to protecting Jews. That the duke also asked Louis IX to confirm his expulsion edict suggests that the same was true of the French crown as well.

When Louis IX acceded to the throne in 1226, Christian and Jewish lending at interest was legal throughout the realm and expulsions (whether of Jews or anyone else) were decidedly exceptional. By the time he set sail for the Holy Land in August 1248, Christians were forbidden from lending at interest and Jewish loans were no longer legally recognized. Official disapproval of Jewish usury, moreover, had escalated to royal threats of punishment in parts of the south and local edicts of expulsion elsewhere. Under such circumstances, it is not surprising that Lombards began to worry about their own fates. Arriving in the central French town of Montluçon in 1244, three Astigiani moneylenders solicited from the local baron a promise that he would not expel them from the town before their ten-year privilege had expired. Such caution was surely merited, given that the baron's father was among those threatening Jewish moneylenders with expulsion a decade earlier.⁷³ A few years later, fears of royal intervention prompted the abbot of Saint-Germain-des-Près, located just on the outskirts of Paris, to warn some newly welcomed Sieneese moneylenders that he would be unable to honor his promises of safeguard should the king forcefully compel him otherwise.⁷⁴ Such concerns proved premature; for the time being, foreign moneylenders in France seem to have carried on their business unhindered. For their Jewish counterparts, however, grim news would soon arrive from the East.

“Lest it be further befouled by their filth”:

Royal Expulsions of Usurers

The Seventh Crusade marks a watershed in Louis IX's reign. Despite careful planning and extraordinary expense, the crusade ended in humiliating defeat, with the French forces annihilated and the king himself held for ransom. Interpreting the outcome as a display of divine disfavor, Louis turned his gaze

inward, castigating himself for his own personal failings and launching a new campaign of moral reform for his kingdom. The campaign began even before his return to France, with Jewish usury as its first target. According to the English chronicler Matthew Paris, while Louis was still in the Holy Land, he issued an edict expelling all Jews from the realm who would not take up trade or manual labor.⁷⁵ Two decades after warning Jews to abandon moneylending, Louis had evidently decided to follow the lead of his barons and punish transgressors with expulsion. Although the text of the edict does not survive, its reach was certainly more limited than Paris's account implied. Some Jews living in the royal domains seem to have fled to neighboring jurisdictions, but there is no evidence of enforcement in the kingdom as a whole.⁷⁶

Following his return from the crusade in 1254, the king reiterated this threat as part of a series of reforming measures. According to the so-called *Grande ordonnance* of that year, Jews were henceforth to make their living by legitimate commerce or manual labor, while any Jews who refused to refrain from usury, blasphemy, magic, and necromancy were to be expelled.⁷⁷ Notably, unlike some of the ordinance's other provisions (particularly those drawn from the 1230 Ordinance of Melun), the expulsion threat was not made explicitly binding on all the barons of the realm. Moreover, the ordinance did not specify from *where* Jews were to be expelled; the penalty was left in general terms. As later administrative records indicate, this effectively limited the ordinance's reach to Jews living under Louis's direct jurisdiction within the royal domains. Some royal officers may have enforced the ordinance zealously, but others seem to have wielded it simply as a pretext for confiscating Jewish property.⁷⁸

Starting in the fourteenth century, royal propaganda maintained that Louis had driven Jews from the realm, only to welcome them back soon afterward.⁷⁹ Both claims can be readily dismissed. While Louis did threaten Jews with expulsion, the penalty applied only to a particular class of Jewish wrongdoers living under his direct jurisdiction. As for the purported recall, this was simply invented to explain why Jews remained in the kingdom after supposedly being banished *en masse*. Louis's goal was to purge his lands of Jewish usury (and of reputed Jewish religious offenses), not to rid them of Jews altogether. This distinction is apparent in the protests lodged by the Jews themselves, which denounced the royal crackdown on Jewish lending as an unprecedented assault on their established customs, but nowhere implied that the king had ordered a general expulsion.⁸⁰ It is further attested by the king's own words. In the same conversation reported by his confessor, Louis asserted that his jurisdiction over Jews meant that it was his duty "to see that they oppress no Christians by usury and that they not be allowed to commit such depravity under his protection and infect [his] land with their poison." The king

therefore insisted that Jews "either abandon usury or leave [his] land, lest it be further befouled by their filth."⁸¹

It is telling that Louis here justified his decision not by his duty to the church, but by his obligations to his subjects. If senior churchmen were coming to endorse similarly harsh restrictions on Jewish lending, this was in response to royal decisions, not the reverse.⁸² Yet as noted already, many clerics—especially those shaped by the Paris theological tradition—espoused much more rigorist views, and their insistence on the fundamental impermissibility of *all* Jewish interest-taking evidently proved persuasive in shaping Louis's program of repression. Already in the 1230s the king had solicited papal advice on how to dispose of royal revenues deriving from Jewish usury; the response then had been to devote it to the defense of the Latin Empire of Constantinople.⁸³ Louis also seems to have embraced emerging arguments about restitution, a topic that had begun to attract the systematic attention of Parisian scholars in the 1240s.⁸⁴ Not only were usurers obligated to restore all usurious profits to the original debtors, it was argued, but those who profited indirectly from such usury (by taxation or confiscation, for example) were similarly required to make amends.⁸⁵

These views did not prevent Louis from ordering a new *captio* of Jewish property around 1256, but in order to ease his conscience, Louis subsequently appointed a commission to investigate the usurious origins of confiscated wealth and to make appropriate restitution. Recognizing the challenges involved in such a large-scale effort, the king also solicited the permission of the French bishops to redirect any outstanding sums toward pious ends, whether religious foundations or the crusade.⁸⁶ In his remit to the commissioners, the king explicitly limited the scope of their inquiry to property seized either from Jews or from deceased Christian usurers in Normandy. Apart from the latter case (a textbook example of tainted revenues requiring restitution), the instructions were neatly in accordance with Louis's stated opinion that Christian usury was a problem for the bishops to resolve, while Jewish usury was a matter of royal responsibility. Given that Jews lived under royal protection, maintained the king, it was hardly fitting that they should avail themselves of this protection while engaging in such destructive practices.⁸⁷

But what of Lombard moneylenders, to whom Louis's logic applied even more strongly? After all, it was under his father's auspices that they had entered the realm in the first place, and it was during the early decades of Louis's own reign that they had dramatically expanded their activities. Thanks to the chance survival of a tax roll from 1252, the Lombards' presence is best documented for the county of Champagne, but it is clear that they were widely active within the royal domains as well.⁸⁸ This was amply demonstrated in September 1256, when Louis bowed to the wishes of his wife's uncle (who was

then at war with a coalition of Piedmontese towns) and launched reprisals against the Astigiani citizens within his lands. One hundred and fifty of them were arrested and handed over to the count, while many others hurriedly fled France.⁸⁹ Perhaps at the same time, or else very soon thereafter, the king appears to have taken further measures against professional Christian moneylenders. The only surviving reference to the event comes from a 1258 decision of the Parlement of Paris concerning the northern French city of Beauvais. Acting "on the king's orders," the bishop of Beauvais had expelled some "Cahorsins" (*Kahoursinis*) from the city and then placed guards in their residence, presumably to safeguard their pledges and other property. In response, presumably out of concern over episcopal interference in municipal affairs, the civic authorities of Beauvais had violently thrown out the bishop's guards. After conducting an investigation, the Parlement ruled that the city was to make amends to both the king and the bishop.⁹⁰

The entire episode has gone largely unnoticed, and its context and consequences are uncertain. To begin with, who were these moneylenders? The Cahorsins expelled from London in 1235 were predominantly Florentine and Siense merchant-bankers. The identity of those expelled from Beauvais two decades later is less certain. That they were described as *Kahoursini* suggests that they did not in fact originate from Cahors itself, since the Parlement records of this period consistently described natives of that town using the traditional Latin form *Caturcenses*.⁹¹ By the late 1240s, however, Piedmontese moneylenders were already being characterized as "Cahorsins" in parts of northern Europe.⁹² It therefore seems probable that the expelled moneylenders hailed from northern Italy, perhaps even from Asti itself. As in England, the first formal action against foreign Christian moneylenders in France evidently consisted of a bishop driving "Cahorsins" from his city, though in this case the expulsion was carried out at royal behest.

With expulsion already fixed as the punishment for Jewish usurers who would not abandon their illicit trade, it was presumably an obvious response for foreign Christian usurers as well. In the absence of further evidence, it is impossible to know whether the Beauvais expulsion was connected to the king's other measures against the Astigiani, or whether the expulsion order also applied to foreign moneylenders elsewhere in the realm. There is no doubt, however, that after three decades of unhindered expansion, Lombard moneylending had suddenly become a matter of royal concern. In February 1258, Louis announced that the Astigiani were once again permitted to come and go freely within the realm to reclaim their confiscated property, collect any "legitimate" debts, and pursue new business. They were strictly prohibited, however, from engaging in any sort of usurious lending, whether for themselves or on behalf of others.⁹³

Perhaps this formal restriction was sufficient to alleviate any pangs of conscience that Louis might have felt in allowing professed moneylenders to return to his kingdom. It certainly proved no hindrance to the resumption of Astigiani lending, nor did Louis's sudden campaign of confiscations and expulsion have any noticeable impact on the activities of other foreign moneylenders within the realm. The city of Rouen continued to borrow from Lombards in the following years, two Astigiani families openly established moneylending operations in Tournai, and Italian moneylending activity continued unchecked in the county of Champagne.⁹⁴ Moreover, following the flurry of anti-usury measures enacted in the 1250s, Louis's attention seems to have turned to other matters. As in earlier decades, the 1260s witnessed sporadic local efforts to banish Jews, but none of these involved the king, and there is no sign that any of them were in fact carried out.⁹⁵ Not until the end of that decade, as Louis IX launched the preparations for a new crusade, did usury emerge anew as a topic of active royal concern within France.

Louis's actions attracted the attention of his contemporaries, to judge from the testament of Duke Henry III of Brabant. Two days before his death in late February 1261, Duke Henry recorded his wish that "Jews and Cahorsins be expelled and fully extirpated from the land of Brabant, so that none might remain therein, save only those who were willing to engage in trade like other merchants, without lending and usury."⁹⁶ While recent scholarship has rightly underscored the Franciscan and Dominican influences that underpin the ducal testament, it is the shadow of recent French practice that looms largest over this particular clause.⁹⁷ Not only had Louis and other French barons threatened expulsion for those who would not abstain from usury, but the preceding decade had also seen Louis take action against Jewish and Cahorsin moneylenders alike. Given that the young duke had previously imitated his royal neighbor in taking a crusading vow, it is hardly surprising that he again sought to emulate Louis's pious example as he readied himself for his approaching death. So far as the extant evidence suggests, the duke's successors ignored his final wishes. Yet in its explicit pairing of Jewish and foreign moneylenders, and its concomitant demand for expulsion, Duke Henry's testament was a harbinger of events to come.

"Let them be removed and expelled":

Louis IX's Final Purge

On March 25, 1267, Louis IX took the cross for the second time.⁹⁸ The legacy of his failed first crusade inspired, indeed demanded, a new campaign of kingdom-wide purification and royal restitution. Over the course of the following three years, as he prepared for his departure, Louis commissioned a

new round of inquiries into abuses of royal authority and issued new ordinances against blasphemy, prostitution, bribery, and official corruption.⁹⁹ At papal bidding, the king also denounced the merchants of Pisa, Siena, and Verona as "persecutors of the church" on account of their home cities' support for the pope's Hohenstaufen enemy, and ordered them to leave the realm.¹⁰⁰ (That the pro-papal forces were being led by Louis's youngest brother might have also militated in favor of the merchants' expulsion.) Furthermore, after a decade of relative quiet, the king once again began taking measures against Jews. These began in the autumn of 1268, when the king—in concert with other leading barons of the realm—ordered a widespread arrest of Jews and the seizure of their property.¹⁰¹ Soon thereafter, the king and his barons evidently sent out teams of investigators throughout the kingdom, charging them with the task of identifying victims of Jewish usury and overseeing the necessary restitution.¹⁰² Moreover, at the instigation of a zealous Dominican friar who had converted from Judaism, Louis enacted two further anti-Jewish measures in June 1269. First, royal officials were to force Parisian Jews to attend Christian sermons aimed at persuading them of the truth of Christianity.¹⁰³ Second, in accordance with a decree of the Fourth Lateran Council (which the king and his predecessors had previously ignored, ecclesiastical pressure notwithstanding), Louis ordered the Jews in his domains to wear a yellow badge on their clothing.¹⁰⁴

Collectively, these measures marked the bitter culmination of a reign that had wreaked devastation on the kingdom's Jewish communities. It bears noting, however, that the king did not renew his earlier threats of expulsion. Due to a misleading heading in an early modern collection of royal documents, a number of scholars have mistakenly posited that Louis ordered Jews to be expelled from his realm in 1269.¹⁰⁵ He did not. Even so, there is some evidence to suggest that contemporaries were alert to the possibility of such an expulsion. When the countess of Flanders turned to Parisian experts in late 1269 or 1270 for advice on the appropriate governance of Jews, no Jews were living in her lands. Her concern with the regulation and taxation of Jews is most easily explained by the expectation that she might soon welcome them into her domains. Insofar as the Ordinance of Melun prohibited any lord from harboring the Jews of another (and in fact qualified such an action as treasonous), the countess was surely not contemplating a voluntary migration from elsewhere within the kingdom of France. Even to raise the topic was politically fraught. But if Louis were to expel Jews from his lands . . . that was another matter entirely.¹⁰⁶

If this was indeed the countess's thinking, it proved premature. Louis died within a matter of months, and the next major expulsion of French Jews lay almost four decades in the future. But although Louis did not take active steps

to purge his kingdom of Jewish usurers in the run-up to his second crusade, he did order the banishment of foreign ones. An ordinance issued in January 1269 opened with the following words:

We have learned that Lombards and Cahorsins, and indeed many other foreign usurers (*Lombardi et Caorcini, ac etiam quam plures alii alienigene usurarii*), are openly lending usuriously on pledges within our realm, having set up houses especially for this purpose, in which they greatly impoverish our realm through their usurious extortions, and they are said to commit many evils within their houses.¹⁰⁷

The king therefore ordered his bailiffs to expel all such usurers from their jurisdictions within three months. An exemption was granted for "Lombard and Cahorsin merchants, and all others whatever their origins" who pursued legitimate commerce within the kingdom, engaging neither in usury nor in any other injurious pursuits; they were allowed to come and go freely, and to stay in the realm as before. As for debtors who had pledged goods to the money-lenders, they were to redeem these within the allotted time frame, without paying any interest.

One can wonder whether Louis was truly shocked to find that usurious pawnbroking was going on in his realm. Even so, he might well have been angry that his warnings from a decade earlier had gone unheeded, and with the crusade on the horizon, the king had ample reason to take action. Moreover, whatever one makes of the preamble's claim that Lombards and Cahorsins were privately engaging in nefarious activities, there is no reason to doubt the sincerity of Louis's belief that usury was damaging to the wellbeing of his people. Although specific evidence from his reign is lacking, contemporary records from neighboring regions along with French sources from later decades all attest to the fact that many borrowers did indeed rack up ruinously large debts to Italian lenders.¹⁰⁸ Whatever the general economic benefits of expanding credit, the pleas of impoverished peasants and the sob stories of insolvent seigneurs surely made a more immediate impression on the king. So far as the evidence suggests, Louis also seems to have avoided profiting from the expulsion. The ordinance provided a three-month grace period for the pawnbrokers to wrap up their operations, and in contrast to his less-saintly successors, Louis seems not to have claimed either their property or their outstanding loans for himself.

It bears emphasizing that the ordinance did not signal a serious effort to stamp out Christian usury within the kingdom as a whole. Most obviously, it was limited to foreigners. The usurious activities of Louis's native-born Christian subjects continued to be matter of exclusively ecclesiastical concern. The ordinance also left untouched large swathes of lending activity that most

contemporary theologians or canonists would have roundly condemned. Instead, the sanctions fell only on pawnbrokers, whose usury was particularly public and unambiguous. It is possible that these limits were dictated by practical concerns. Pursuing a vigorous campaign against the entrenched communities of local moneylenders in Arras, Cahors, and elsewhere would have led to serious social and economic disruption. Foreigners offered a much easier target for an ostentatious display of royal righteousness. As for the focus on pawnbrokers, the emphatically public nature of most pawnbroking made its practitioners readily visible to royal officials. By contrast, punishing all foreigners who had engaged in any sort of usurious activities would have required systematic and time-consuming investigations of account books.

Beyond such practical considerations, Louis's own purported remarks about usury help explain the ordinance's restricted focus. As noted already, the king considered usurious lending on the part of his Christian subjects as a problem for the bishops to deal with. Jewish usury was a matter of royal concern, however, because Jews were "subject to him by the yoke of servitude;" their actions therefore touched him directly.¹⁰⁹ The latter logic likely accounts for Louis IX's particular concern with foreign usurers. Over the course of the thirteenth century, the idea gradually arose that all foreign merchants in the kingdom were under royal protection, even in the absence of specific privileges received from the king or local authorities. Though these merchants were certainly not likened to servants or serfs, their wrongdoing nevertheless implicated their hosts. Later in the century the theologian Godfrey of Fontaines (d. 1306/9) offered a detailed exposition of this view, arguing that foreigners could reside in a territory only by the will of the prince, and moreover that the prince's protection and backing was necessary for them to carry out their lending activities. As such, any ruler who allowed foreigners to lend at usury was in fact complicit in all of the resulting evils. By contrast, where local usurers were concerned, the prince might be guilty of negligence (that is, by failing to repress their activities), but he was not an active participant in the practice of usury itself.¹¹⁰

It is clear that Louis was unusually intent on the thorough enforcement of the ordinance. Not only did the king order his bailiffs to expel those usurers who fell under his direct jurisdiction; he also ordered them to pursue usurers living under the jurisdiction of other lords within the royal domains, whether secular or ecclesiastical. If these other lords refused to cooperate with the bailiffs, the king threatened to take personal action against them. Even taking into account the expanding reach of royal authority during Louis's reign, this threat marked a significant break from conventional practice. As a general principle, the king's bailiffs (and in the south, his seneschals) were expected to respect the territorial and jurisdictional privileges of local lords.

Although royal officers often overstepped these bounds on their own initiative, aggrieved lords could and did seek redress from the Parlement of Paris.¹¹¹ The 1269 ordinance did not explicitly order royal officials to run roughshod over the wishes of local lords, but the king made it clear that any opposition would ultimately prove futile. For later critics of royal absolutism, this ordinance therefore marked a significant step in the encroachment of monarchical power over traditional local privileges.¹¹²

There is no evidence that the ordinance's enforcement met with resistance within the royal domains. Leading church authorities seem to have enthusiastically endorsed it, to judge from a provincial council held later that year at which the archbishop of Sens barred his flock from harboring "Lombards [or] Cahorsins" in any place that lay under church control.¹¹³ The timing of the ordinance presumably also explains the countess of Flanders's concern with the licitness of harboring Lombards and Cahorsins in her lands and renting houses to them. Elsewhere in the kingdom, the French barons who accompanied Louis on crusade seem to have followed his lead, whether by expelling foreign moneylenders from their lands, or by otherwise suppressing their public activity.¹¹⁴ In the duchy of Burgundy, references to Lombards disappear for several years after 1270. There is also no trace of foreign pawnbroking activity in Champagne in the wake of the royal expulsion order, though the local evidence is spotty in general. To the north, in the county of Artois, municipal accounts from Calais show a break between 1268 and 1272 in the city's resort to foreign moneylenders. To the west, officials of the count of Anjou confiscated goods belonging to some Astigiani moneylenders sometime before the spring of 1270.¹¹⁵ Admittedly, the ordinance's impact did not prove long-lasting. The count of Artois, for example, acknowledged extensive debts to Lombards in a 1274 account. The count of Anjou, for his part, issued a privilege in 1273 to moneylenders from the Piedmontese city of Alba, allowing them to set up lending and pawnbroking operations anywhere within the counties of Anjou and Maine. Yet the privilege's terms reveal the lingering memory—or at least fear—of expulsion, for the count promised that if he decided to expel the Lombards from his lands before the six-year term had run its course, he would have to warn them at the beginning of that year or else forfeit that year's payment.¹¹⁶

Later authors, such as the sixteenth-century Huguenot pamphleteer Innocent Gentillet, memorialized Louis's ordinance as having successfully purged Italian usurers from the realm.¹¹⁷ Such claims are obviously overstated. Given the ordinance's restriction to pawnbrokers, for instance, it is not surprising that it had no discernable impact on the large resident Italian banking and commercial firms, even though a number of these engaged regularly in moneylending.¹¹⁸ Furthermore, even holding to a formal reading of the ordinance's

terms, expulsion was not the only possible outcome, since the final clause left room for Lombards to refrain from usury and thereby remain in the royal domains.

The chance survival of detailed records concerning Astigiani lending in Tournai, at the northern edge of the French royal domains, reveals that some Lombards did precisely that—at least temporarily. Although a German bombing campaign in 1940 destroyed the city's vast medieval archives, a meticulous Belgian historian had previously published brief summaries of the many documents recording Lombard commercial activities in the closing decades of the thirteenth century. The two years preceding Louis's expulsion order show lively Lombard lending activity, with twenty-one recorded loan contracts. Between March 1269 and February 1270, Lombard lending ceases altogether, thus showing the immediate impact of Louis's ordinance. Thereafter their lending resumes hesitantly, with four contracts for 1270 and three for 1271, followed by a rapid expansion in 1272–73, for which 53 loan contracts survive.¹¹⁹ As for what happened to the Lombards in the intervening year, one might look to the brothers Tommaso and Bonifacio da Bene, who had been regularly lending in Tournai since 1260. Between May 1268 and March 1269, they appear as parties in seven loan contracts. They then disappear from the record, reappearing in September 1269 as parties in a contract for the sale of cloth. Over the course of the following months, they continued their involvement in the cloth and textile trade, before slowly resuming their moneylending activity in the spring of 1270. In short, the promulgation of the expulsion ordinance in January 1269 prompted a sharp but temporary drop-off in public moneylending in Tournai. Evidently, the Astigiani turned to other commercial activities until the immediate threat of expulsion had subsided.

It is impossible to know whether Lombards elsewhere in the kingdom pursued similar strategies, lying low or pursuing other business opportunities until the immediate threat had passed. It is also possible that those in Tournai were better shielded from royal efforts to expel them outright, thanks to the city's unusually privileged status vis-à-vis the king's officers.¹²⁰ But even if the ordinance led to only a partial exodus of foreign pawnbrokers from France, it is clear that it led to the widespread suppression of their public activities. This held true both in the royal domains, to which the ordinance formally applied, and in many of the neighboring jurisdictions. Soon the Lombards would return, in greater numbers than ever before. But as the king set sail from Aigues-Mortes in July 1270, he left behind a kingdom in which—as the ordinance had demanded—foreigners were no longer engaging openly in this particular form of usury. Six weeks later, as Louis lay dying of dysentery on the outskirts of Tunis, perhaps this brought him some comfort.

Pathways to Expulsion: France and England Compared

Louis IX's ordinance against Lombards, Cahorsins, and other foreign pawnbrokers was evidently the first systematic attempt to drive a particular community from the kingdom of France. Unlike earlier collective banishments, such as Philip Augustus's expulsion of Jews in 1182 or Louis IX's threats against Jewish moneylenders in the early 1250s, the 1269 ordinance seems to have been embraced and enforced throughout much of the realm. Underpinning this ordinance, however, was a robust conceptual association between usury and expulsion. Already palpable in the closing decades of the twelfth century, this association took on increasing vigor within the twin frameworks of *purgatio* and *reparatio* that structured much of Louis IX's later reign. The ideal of *purgatio*—of purifying the realm—established usury as an object of royal concern. In turn, the necessity of *reparatio*—of making amends for royal abuses—defined the mode of royal action. Insofar as the Jews of the royal domains lived under Louis's explicit protection, he was ultimately responsible for the ill effects of their usurious lending. The same logic held true for Lombard moneylenders. When banning their usury proved ineffective, the king resorted to banishing the usurers themselves.

Here the comparison with the English case is illuminating. On the surface, the nearly-contemporaneous reigns of Henry III (r. 1216–1272) and Louis IX (r. 1226–1270) witnessed similar developments: both kings threatened Jews with expulsion and repeatedly sought to banish Italian usurers from their respective realms. Yet closer examination reveals that these phenomena arose from different traditions, responded to different pressures, and aimed at different targets. Whereas in England the early history of expulsion was driven by anxieties around foreigners, in France its contours were instead defined by spiritual concerns. In England, Henry III wielded the threat of expulsion against Jews and Italian merchant-bankers as a solution to his persistent fiscal woes. For Louis IX (if not for his grandfather Philip Augustus) the pecuniary potential of expulsion was generally incidental to its purifying aims. Put simply, it was theology, rather than xenophobia or greed, that spurred the rise of expulsion in thirteenth-century France.

This distinction spilled over into the two kings' choice of targets. While Louis's expulsion focused on the most scandalously public of professional foreign usurers, namely, pawnbrokers, Henry III of England tarred a wide array of Italian commercial activities with the broad label of usury. The very capaciousness of Henry's language meant that even those foreigners who were only tangentially involved in suspect dealings could find themselves facing the prospect of expulsion—which in turn increased the potential fiscal yield of the expulsion orders themselves. As this comparison underscores, secular

authorities enjoyed considerable flexibility in determining what sorts of economic activities counted as “usurious” and what sorts of “usurers” they were going to condemn.

As for Jews, the kings responded very differently to the strident clerical claims about the evils of Jewish usury. Henry III steadfastly resisted these claims throughout his long reign. Insofar as he threatened Jews with expulsion, it was because they were failing to satisfy his exorbitant fiscal demands. Otherwise, he firmly backed the activities of Jewish moneylenders and freely plundered their profits. Louis IX, for his part, threatened Jewish moneylenders with expulsion, but never went so far as to characterize all Jews as usurers. For all his repressive measures against the Jews of his domains, Louis consistently held to a distinction between Jews and their lending practices. So long as they abandoned the latter (and did not engage in other forbidden behavior), he maintained, the Jews of his lands would be allowed to dwell in peace, if not prosperity.

In 1306, Louis’s grandson Philip the Fair would shatter this compact, expelling tens of thousands of Jews from the kingdom in a sudden and staggering display of royal power.¹²¹ It has recently been argued that Louis IX entertained similar ambitions, and that only the lack of sufficient resources and authority prevented him from enacting a total expulsion of Jews during his own reign.¹²² This is simply untrue. Whether or not Louis had the means to carry out such an expulsion is a moot point, for there is no evidence indicating that he hoped to do so. At no point in his reign, for instance, did Louis seek to emulate his grandfather’s complete (albeit temporary) expulsion of Jews from the royal domains. Although Louis pressed for the banishment of recalcitrant Jewish moneylenders while returning from his first crusade, he did not repeat this effort in the lead-up to his second one. Instead, he opted for a new confiscation of Jewish wealth, followed by a restitution of Jewish usury. It bears repeating that so far as expulsion was concerned, Louis targeted neither Jews nor foreigners writ large; rather, he took measures against those Jewish and foreign moneylenders who engaged in usury under his direct jurisdiction and in whose wrongdoing he was therefore implicated. By this standard, the fact that Louis did not order a renewed expulsion of Jewish moneylenders in 1269—even as he opted to expel Lombard ones—underscores the degree to which Jews maintained a presumptive right to remain in the realm.

There is little doubt, however, that Louis IX’s embrace of expulsion as a tool of governance marked a watershed in French practice. Philip Augustus may have been the first Capetian king to order an expulsion of Jews from his domains, but it was Louis’s example that later French rulers would cite as precedent.¹²³ As for the Lombards, at least seven of Louis’s descendants—ruling in France, Burgundy, and Lorraine—would mandate the expulsion of foreign

moneylenders from their domains.¹²⁴ More generally (and here echoing existing English practice), the expulsion of foreign communities would become a recurring tool of French royal policymaking over the course of the following century.¹²⁵

Just as Parisian preoccupations led to shifts in church teachings across the whole of Latin Christendom, so too did French influence spur expulsion beyond the boundaries of the kingdom. Philip Augustus's expulsion of Jews in 1182 might have inspired contemporary calls for expulsion across the Channel, and the rigorist teachings of Parisian theologians on the evils of Jewish usury almost certainly shaped the thinking of Simon de Montfort (not to mention a host of English churchmen). Louis IX's expulsions, as noted above, likely served as a model in Brabant, and his demand that Jews either abandon moneylending or leave the realm would soon provide a template for King Edward I of England. Yet such neighboring emulations marked only the beginning of Louis's influence. Just as Louis drew inspiration from the church's teachings, the church's leadership drew inspiration from his actions. Within a few years of the saint-king's death, what began as an effort to purge Lombard pawnbrokers from the royal domains would be transformed into a template for expelling foreign usurers from Christendom as a whole.

PART II



4

Canonizing Expulsion

THE SECOND COUNCIL OF LYON, 1274

IN THE SPRING AND SUMMER of 1274, the city of Lyon played host to a general church council for the second time in thirty years. Hundreds of bishops, abbots, and other dignitaries answered the papal summons, making the Second Council of Lyon among the largest of medieval ecclesiastical gatherings.¹ Although the reconquest of the Holy Land and the reconciliation of the Greek church dominated the proceedings, the council addressed a wide range of issues over the course of its six official sessions, from the reform of papal election procedures to the suppression of any religious orders that had not received papal approval.² On July 16, the penultimate day of the council, the assembled prelates also approved an array of dramatic new sanctions against Christian usurers.³ While an early draft had clustered all of these sanctions together, the promulgated version of the conciliar canons saw them split them into two separate decrees.⁴ One of the decrees preyed on usurers' deathbed anxieties by threatening harsh penalties for any clerics who dared to grant them church burial, and by invalidating the usurers' testaments if they failed to make proper restitution.

It is the other decree, however, that is of interest here. Subsequently known by its opening words *Usurarum voraginem*, the decree began by denouncing "the abyss of usury, which devours souls and drains riches," an image derived perhaps from the Roman writer Lucan.⁵ The decree then renewed the canonical sanctions against usurers that had been set forth a century earlier at the Third Lateran Council of 1179, among them the refusal of communion and church burial. So far all of this was entirely conventional. What followed was new:

We order that neither a college, nor other community, nor an individual person, of whatever dignity, condition, or status, may allow foreigners and others not native to their lands (*alienigenas et alios non oriundos de terris ipsorum*), who engage in usury or wish to do so, to rent houses for that

purpose [. . .] or to dwell otherwise within their lands. Rather, they must expel all such manifest usurers from their lands within three months, and never welcome any in the future.”⁶

In short, the assembled church leadership was ordering authorities across western Christendom—both lay and clerical, and of every rank—to banish foreign usurers from their jurisdictions. Those who failed to comply within the stated timeframe faced an articulated hierarchy of punishments, with ecclesiastical transgressors automatically subject to excommunication, interdict, or suspension from office, and everyone else liable to censure at the hands of their local bishops.

Given how deeply the Christian tradition was saturated with the language of exclusion and purification, it is easy to overlook the novelty of the decree’s demands. Within the existing framework of canon law, only heretics had previously been subject to such a sweeping call for expulsion. As this chapter will argue, this widening of expulsion’s reach owed even more to secular models—specifically Louis IX’s recent ordinance—than it did to the church’s internal traditions. More generally, the council’s embrace of secular sanctions alongside the existing spiritual ones marked a significant escalation in the medieval church’s campaign against usury. Anyone who engaged publicly in usury risked dying intestate, while foreigners who did likewise risked eviction from their houses and expulsion from their host communities. The original drafters had evidently harbored even more expansive ambitions: in their earlier form, *Usurarum voraginem*’s sanctions encompassed all “manifest usurers” (*manifesti usurarii*), not just foreign ones. Only toward the end of the council (or perhaps even afterward) was the penalty of expulsion restricted to foreigners, a decision that left academics and authorities alike grappling with the question of how exactly this category was to be construed.

Beyond circulating as part of the council’s constitutions, both *Usurarum voraginem* and its companion decree (known as *Quamquam usurarii*) were also included verbatim in the next major collection of canon law, the so-called *Liber Sextus* promulgated by Pope Boniface VIII in 1298.⁷ This entrenched the decree’s association of usury and expulsion into the common legal culture of western Europe down to the end of the Middle Ages and beyond; indeed, it was only with the publication of the revised *Code of Canon Law* in 1917 that the *Liber Sextus* was formally abrogated. Moreover, the decree’s inclusion in the new papal codification guaranteed that its language and provisions would continue to circulate widely, not just within the hundreds (or even thousands) of manuscript copies of the *Liber Sextus* that made their way to the furthest corners of Latin Christendom, but also as part of the constellation of texts that it precipitated: commentaries, summaries, lecture notes, and more. Ideas

that had previously found little uptake outside of England and France therefore ended up circulating throughout the whole of Latin Christendom, though their reception proved uneven across both time and space. This theme will be discussed in the next chapter, which explores the dissemination of *Usurarium voraginem*'s expulsion mandate during the course of the decades and centuries following its promulgation. Here the focus will be on the crafting of the decree itself, followed by the interpretative challenges that it provoked for specialists in canon law.

The Canon at the Council: Drafting, Sources, and Language

A year before the start of the Second Council of Lyon, Pope Gregory X wrote to sixty bishops and senior churchmen, inviting them to submit proposals in support of the upcoming council's reforming mission.⁸ Although the few surviving responses make only passing mention of usury, one participant in the council later reported that a number of prelates had pushed for the council to address the issue.⁹ From the perspective of the concerned ecclesiastical authorities, there was little more that could be done on the spiritual front, given that usurers were evidently undaunted by the fear of excommunication. Since the threat of spiritual exclusion had failed to halt the spread of usury, perhaps earthly penalties might prove more successful. After all, to quote the resulting decree, "the less convenient it is for usurers to lend, the more their freedom to practice usury is curtailed."¹⁰

In their original form, the council's two anti-usury decrees formed a single text. This draft version prohibited Christian authorities of every sort from renting houses to manifest usurers, on pain of excommunication. It furthermore commanded them to expel any such usurers from their lands, threatening a variety of canonical sanctions for those who failed to comply. In addition, manifest usurers had to make appropriate restitution if they wished to receive church burial upon their deaths, and the draft laid out specific instructions for ensuring that this restitution was done properly. Finally, having reconfirmed the canonical sanctions introduced at the Third Lateran Council a century earlier, the draft decree suspended from office any cleric who granted church burial to a manifest usurer who had not complied with the restitution requirements. The same penalty applied to any cleric who heard the usurer's confession, offered him absolution, or allowed him take communion, without restitution first having been made.¹¹

The council's participants evidently balked at the prospect of such extraordinarily broad and severe sanctions, and the decree underwent two rounds of revision prior to its official promulgation later that year. The first revision

softened the sanctions on clerical transgressors: now only those who illicitly granted burial to manifest usurers faced suspension. More significantly for the history of the decree's later implementation, this revision also limited the expulsion order to foreign usurers. According to the eyewitness report of a canonist who was present at the council, this reflected ecclesiastical concerns about the "many Florentines, Pistoians, Lucchesi, and Astigiani who were traveling to diverse regions and provinces in order to lend at excessive usury." Another well-placed contemporary observer singled out for the special condemnation "the Florentines and Sieneese and those from many other nations who lend money and accept pawns in different parts of the world."¹² Rather than attempting to uproot all usurers, the revised text now focused on driving these foreigners from the communities in which they had settled. To judge from an otherwise cryptic remark in a mid-fourteenth century Italian chronicle, this first round of edits must have occurred either very late in the council's proceedings or soon after its conclusion, since the chronicle notes that the restriction to foreigners was made without the council's knowledge.¹³ (It is not surprising that the only chronicle to draw attention to this change was composed in northern Italy, from which most of these "foreign" usurers hailed.) The decree's other penalties, however, continued to apply generally to all manifest usurers, and anyone who rented houses to a usurer remained liable to excommunication.¹⁴

The final promulgated version included several further changes. Most notably, the text was divided into two separate decrees. The first of these—what became *Usurarum voraginem*—now focused entirely on foreigners, with both its rental ban and expulsion order restricted accordingly. As for the second decree—*Quamquam usurarii*—it contained a clause that automatically nullified the testaments of manifest usurers unless they had made appropriate restitution before their deaths. This was the only element in the final decrees that was harsher than the original draft; in all other respects, the changes either limited the decrees' reach or softened the penalties for those who failed to enforce them. Yet even with these modifications, the two decrees marked a major development in the church's efforts to suppress usurious lending. The sanctions for such activity were no longer purely spiritual; those who persisted in their usury now also faced a variety of secular penalties as well.

No explicit evidence survives concerning the authorship of the council's anti-usury decrees, nor of the debates that led to their subsequent modification. Northern Italian influence probably shaped *Quamquam usurarii*'s provisions regarding restitution.¹⁵ As for the crucial elements in *Usurarum voraginem*, it seems very likely that the archbishop of Sens, Pierre de Charny, played a prominent role in their drafting. To begin with, the archbishop was among those whom the pope invited to contribute proposals for the council, and he had

already shown his clear concern with usury. At the Sens provincial council of 1269, for instance, Pierre had ordered that the Lateran sanctions against usurers be firmly enforced, a demand that would be repeated in the opening lines of the Lyonese decrees in both their draft and final forms.¹⁶ Furthermore, it was at that same council that the archbishop showed his support for Louis IX's recent measures by prohibiting his clergy from harboring Lombards and Cahorsins in homes or properties under church control. While the Lyonese decree obviously went much further than the Sens provincial canon in barring all authorities (not just clerics) from renting houses to foreign usurers or harboring such usurers in their lands, the overlap between the two texts strongly points to the archbishop's influence in the drafting process. Unfortunately, whatever satisfaction the archbishop might have taken from seeing his proposal transformed into binding canon law was short-lived: he outlasted the council only by a matter of weeks, dying on the return journey from Lyon to Sens.

The clearest sign of French influence, however, lies in the decree's debt to Louis IX's 1269 ordinance expelling Lombards and Cahorsins from his kingdom. Perhaps it was Pierre de Charny who proposed this as a model. The idea might equally have come from the members of the commission charged with analyzing the reform proposals submitted in advance of the council, one of whom—Eudes Rigaud, Archbishop of Rouen—had been among Louis IX's closest advisors.¹⁷ Regardless of who provided the initial impetus, the result was a conciliar decree that echoed the sanction, timeline, and targets of the French ordinance. This can be seen most clearly in their shared resort to expulsion. As discussed in Chapter 1, there was virtually no canonical precedent for this sanction, especially since earlier sources concerning the extermination of heretics were now being interpreted as a call for burning rather than banishment. In addition, just like the royal ordinance, *Usurarum voraginem's* expulsion provision was to be implemented within three months, a departure from canonical norms that prompted much head-scratching among later commentators.¹⁸ Finally, although their stated targets were not identical—Louis's ordinance limited its reach to foreign pawnbrokers, whereas the Lyonese decree took aim at all foreigners who could be classed as manifest usurers—both texts resorted to the term *alienigena*, which had only limited resonance in earlier canon law.

It is worth dwelling on the decree's language of foreignness since it prompted much discussion among medieval scholars and has led to persistent misunderstandings among modern ones. The contemporary accounts make clear that *Usurarum voraginem's* sanctions were designed to stymie the continuing spread of professional moneylenders hailing mainly from northern Italy. The archbishop of Sens was not the only prelate to have expressed concerns about their activities; only a year before the council, the bishop of Lausanne had revoked a moneylending license that he had earlier granted to some

Cahorsins, claiming that his earlier decision was made to the “imperilment of his salvation and the detriment of his soul.”¹⁹ To this end, the drafters could have followed Louis IX’s 1269 ordinance in specifying that Lombards and Cahorsins were the intended targets. The Sens provincial canon had similarly resorted to the terms “Lombard” and “Cahorsin,” as had the trio of responses to the countess of Flanders (perhaps echoing the terms of her inquiry). Perhaps the drafters saw these terms as too rooted in regional practices, or perhaps too polysemous, to be appropriate for the decree of a general church council. Instead, the final text of the conciliar decree set its crosshairs on “foreigners” (*alienigene*) and those who were “not natives” (*non oriundi*) of the lands in which they were carrying out their usury.

The canonistic meaning of these terms was hardly clear-cut.²⁰ Classical canon law did have an all-purpose word for foreigner/stranger/outsider, namely, *extraneus*, which appears over forty times in the two main collections of earlier canon law, the *Decretum* and the *Liber Extra*. Yet those responsible for revising the draft of *Usurarum voraginem* did not draw on this more familiar term. Instead, they opted for *alienigena*, which is rarely attested in these earlier canon law collections, and *oriundus*, which appeared occasionally in Roman legal texts but never in canonistic ones.²¹ Presumably the drafters’ decision stemmed from the fact that *extraneus* was closely tied to the existing discourse of foreignness within canon law. In contrast to Roman law, canonical definitions of foreignness generally took domicile rather than ancestral birthplace (*origo*) as the determining factor.²² Since Lombard and Cahorsin moneylenders often took up residence in a particular place for years or even decades, few would have qualified as foreigners according to this discursive framework. It is therefore unsurprising that the drafters opted for more unconventional vocabulary in order to distinguish their intended targets from existing canonical definitions.

The word *alienigena* carried its own semantic baggage, of course, especially given its recurring use in Latin translations of the Bible. One can only wonder whether any of the decree’s drafters—or for that matter, its targets—noted the seeming incongruity of imposing harsher sanctions on *alienigene*, given that the Deuteronomic prohibition on lending expressly allowed one to demand interest from them. (Any objections on this front would have been swiftly brushed aside by theologians, who by this point were unanimous in maintaining that this exception was no longer valid, either for Christians or Jews.)²³

There is no evidence to suggest that the drafters were also envisioning *alienigena* in a more metaphysical sense, as a condemnation of a certain alienness embedded in the nature of usury itself. While such a discourse can be discerned in fifteenth-century texts, especially the sermons and writings of Observant Franciscans, there is little trace of it in this earlier period.²⁴ Moreover, as the decree’s drafting history makes clear, the language of foreignness

was not meant as a characterization of usury writ large, but was instead introduced as a means of narrowing the decree's reach to a particular subset of usurers, to wit, the Lombards and Cahorsins who were establishing professional lending operations far beyond their native regions.

That the drafters of a late thirteenth-century conciliar decree turned to outside sources for inspiration is unremarkable; such borrowings had been integral to the development of canon law from its very beginnings, and the late thirteenth century was far from exceptional in that regard.²⁵ Biblical passages, patristic texts, earlier canonical collections, papal decretals, and Roman law—all of these supplied ready materials for the elaboration of conciliar decrees and of canon law more generally. *Usurarum voraginem* is exceptional, however, in that both the textual and substantive inspiration were coming from a piece of contemporary secular law (*ius proprium*), rather than from any of the traditional wellsprings. This is not to suggest that the canon law of the so-called "classical period" was devoid of secular legal influences. Gratian's use of Roman law has been much discussed, and Carolingian and Ottonian material also made their way into his collection.²⁶ Secular concerns and pressures left their mark throughout the period, though perhaps with less force than in earlier centuries. Traces of contemporary secular law also crept indirectly into the great codifications of canon law, particularly via the inclusion of decretals concerning the temporal administration of the papal patrimony.²⁷ But cases of clear borrowing from the *ius proprium* are exceptionally rare in canon law from the late twelfth century onward, and virtually non-existent where conciliar legislation is concerned. In the case of *Usurarum voraginem*, language and practices developed by secular authorities in response to particular conditions in northern France were now transformed into a universal norm, to be extended to Latin Christendom as a whole.

The Canon in the Classroom: Interpreting the Decree

For the formal promulgation of the council's decrees on November 1, 1274, they were first read out to the members of the curia still gathered in Lyon before being copied into a papal register. The pope then issued an encyclical proclaiming their universal validity and ordered that official copies be sent to the leading European universities. By conciliar standards, this whole process was unusually well organized. The previous general church council (also held in Lyon, in 1245) had somehow managed to produce three competing versions of its decrees, while those of the next general council (held in Vienne, in 1311–12) did not appear until five years after the council's conclusion.²⁸ By comparison, the curial officials charged with making the final revisions in 1274 carried out their task quickly and well.

Even such efficiency was not enough to forestall the widespread circulation of unofficial versions of the decrees. By the time the council came to a close at the end of July, some of the assembled prelates were already well on their way home, having packed into their satchels private copies of the conciliar legislation that differed in various respects from the eventual codified version. Perhaps the bishop of Passau was among those who left early, for his diocese would soon see the circulation of what appeared to be a record of the council's decrees but was in fact a copy of an earlier draft.²⁹ In October of that year, all the prelates of the Salzburg province were ordered to repeatedly publish the new Lyonese decrees within their diocese (notwithstanding the fact that they had not yet been officially promulgated). As a result, many of those living in Passau would have encountered a version of *Usurarum voraginem* that differed significantly from that being published elsewhere, most notably in that its provisions extended to all manifest usurers, with no hint of the decree's later restriction to foreigners.³⁰

As this example demonstrates, the dissemination of the Lyonese decrees—*Usurarum voraginem* among them—was underway well before their formal promulgation. More importantly, it underscores the fact that the text of the decrees that radiated outward from Lyon in the months following the council could differ markedly from what would ultimately be codified in the formal compilations of canon law. To be sure, most of the circulating copies of the Lyonese decrees closely resembled the officially promulgated version, but the Passau case is hardly exceptional: idiosyncratic ordering and major editorial interventions characterize at least two dozen extant manuscripts copied during the late thirteenth and fourteenth centuries.³¹

The decrees issued at Lyon in 1274 generated an unusually intense degree of academic attention: within a decade, at least seven commentaries had been produced, and dozens more would follow upon the publication of the *Liber Sextus*.³² So far as *Usurarum voraginem* was concerned, both its dependence on a secular model and its repeated redrafting led to considerable challenges for the canonists who undertook to gloss its terms and situate its provisions within the shared tradition of Roman and canon law. With regard to enforcement, the decree's sweeping demand for rulers to take collective action against a class of wrongdoers sat awkwardly with the concern for individual procedural justice that was becoming a hallmark of Romano-canonical jurisprudence.³³ That the sanction of expulsion was to be restricted to foreigners raised further issues, inasmuch as neither theology, nor canon law, nor any other branch of church tradition offered clear precedents for treating foreign usurers differently from local ones; indeed, the very concept of distinguishing foreigners from locals proved a juridical stumbling block.

Consider first the sanction of expulsion. Among the participants at the Second Council of Lyon was William Durand the Elder (d. 1296), who was not

only among the most distinguished papal diplomats of the late thirteenth century but also an acclaimed expert in both liturgy and canon law. In his commentary on the council's decrees, he assembled a motley array of citations in search of precedents for *Usurarum voraginem's* dramatic new penalty.³⁴ His most apposite example was a late Roman law expelling pimps from Constantinople and the surrounding area.³⁵ Otherwise he had to make do with passing canonical references to the biblical expulsion of lepers, or a variety of patristic examples invoking the metaphor of infected sheep. Writing just after the turn of the fourteenth century, the influential Italian canonist Giovanni d'Andrea managed to locate an actual canonical analogy, but it was decidedly strained: according to a new papal decretal (which in any event postdated *Usurarum voraginem*), any monk who attended lessons on law or medicine without the permission of his superior was to be excommunicated, as was any teacher who failed to expel him.³⁶ Another early fourteenth-century canonist failed to do much better, mustering up only two papal decretals that discussed the circumstances under which tenants could be evicted before the end of a lease.³⁷ Such strained efforts to find canonistic parallels for the decree's expulsion provision make clear the rarity of the penalty within earlier canon law.

Two early fourteenth-century diocesan statutes from Lucca and Pisa suggested another model for *Usurarum voraginem's* penalties: Christ himself. In introducing new sanctions against usurers, both statutes opened with the same phrase: "Since according to the doctrine of Holy Scripture, no usurer is to remain in the Lord's temple . . .," a clear reference to the gospel narratives of the Cleansing of the Temple. The statutes then declared a general ban on usury within the diocese, along with an order that usurers be turned out from the houses they had rented. The nod to *Usurarum voraginem* is unmistakable, but even more striking is the way that the provisions are framed with respect not to the decree, but to the gospel narrative. The city and its buildings are rhetorically equated with the Temple, and the eviction of usurers thus becomes the logical and necessary response, an opportunity for a civic *imitatio Christi*.³⁸

Yet the Tuscan statutes stand alone, both in associating *Usurarum voraginem* with the Cleansing and in using Christ's actions to justify the secular (as opposed to spiritual) banishment of usurers. None of the early canonistic commentators on the decree embraced the gospel narrative as precedent for its provisions. On its own, this might simply reflect the conventions of late thirteenth-century canonistic jurisprudence, which generally invoked biblical examples only insofar as these were quoted in earlier legal sources. In fact, this absence reflects a broader pattern in medieval interpretations and invocations of the Cleansing. Throughout the early Middle Ages, usury (and commercial activity in general) figured very rarely in gospel commentaries on this episode.³⁹ Tellingly, usury merited only a passing mention in the so-called *Glossa*

ordinaria, an immensely popular twelfth-century digest of exegetical reflections on the entire Bible, whose discussion of the episode centered on simony and clerical venality.⁴⁰

Starting in the middle of the twelfth century, the Cleansing gradually became a locus for discussions of such economic concepts as usury, just exchange, and the licitness of various mercantile practices among the laity.⁴¹ Nevertheless, a certain exegetical inertia (together with audience interest, perhaps) long prevented these new themes from displacing the established interpretative framework. Dominican commentators, for instance, often mentioned usury in the literal explication of the activity of the moneychangers (*nummularii*) whom Christ expelled. Their tropological reading, however, generally identified those who were “buying and selling” in the temple (and who were therefore to be expelled from the church) as simoniacs or clerics engaging in commerce, rather than usurers.⁴² Some Franciscan writers, building on a rediscovered fifth-century treatise, used their moralizing interpretations to insist on the spiritual exclusion of avaricious merchants from the community of the faithful, but they paid little attention to usury specifically.⁴³ The writings of Peter John Olivi, the brilliant and controversial late thirteenth-century Franciscan theologian, offer a striking example. Although his treatise on contracts was perhaps the most profoundly original contribution to the landscape of later medieval economic thought, he made only a passing reference to usury in his commentaries on the Cleansing, otherwise keeping largely to well-beaten exegetical paths.⁴⁴ In brief, for all the interpretative potential of the gospel accounts as exemplified in the preamble to the Tuscan statutes, it is clear that the example of Christ’s actions served neither to inspire nor justify the church’s formal pairing of usury and expulsion.

Usurarum voraginem’s focus on foreigners offered further interpretative hurdles for the canonists. Here it is worth recalling that in the original draft of the Lyonese decree, the vivid preamble introduced sanctions against *all* manifest usurers, not simply foreign ones. Even after the drafters narrowed the decree’s reach, they left its justificative framing unchanged. The decree therefore offered no explanation for its particular focus on foreigners, and canonists duly struggled to explain it. William Durand, for example, argued that the decree’s distinction was due to the fact that there was both greater scandal in usury being carried out by foreigners than by locals, and less scandal in their expulsion.⁴⁵ The concept of scandal was quite well developed in contemporary canon law, which defined the term broadly as an action or statement drawing others toward mortal sin, and the avoidance of scandal was valid grounds for permitting actions that otherwise ran contrary to canon law.⁴⁶ Yet Durand offered no support for his position—no citations of authorities, nor any explanation of why foreign usurers posed more of a threat than local ones, nor

any analysis of why their expulsion would cause less scandal. In the hands of a less formidable canonist, this silence might not be noteworthy. But Durand, unlike many contemporary commentators, readily criticized those canons that he felt were ambiguously phrased or inadequately thought through.⁴⁷ Moreover, as shown by his treatment of the expulsion provision, Durand was willing to turn to highly varied sources to support his explications of difficult points. In this context, therefore, the threadbare presentation of Durand's argument underscores that while he might have endorsed the distinction made at Lyon, it was not one for which he could find any support within the existing framework of canon law. Durand's argument also failed to impress later writers: Giovanni d'Andrea, for instance, suggested that the scandal explanation was less than convincing, arguing instead that since men were more afraid to demand usury from their neighbors than from outsiders, the latter had to be especially guarded against. Like Durand, however, Giovanni d'Andrea again offered no further substantiation for his position.⁴⁸

The lone contemporary commentator to craft a compelling theoretical defense of the decree's distinction between local and foreign usurers was not a canonist, but a theologian: the same Godfrey of Fontaines who, as a young student in Paris in the late 1270s, copied into his personal notebook extracts from the trio of responses to the countess of Flanders. Although best known as a metaphysician, Godfrey's early interest in usury persisted throughout his later career. Responding in 1296/97 to a question about whether it was a sin to not expel usurers, Godfrey first noted that a certain amount of wickedness could be permitted in a well-ordered city if it ultimately served the common welfare.⁴⁹ A ruler was therefore called upon to judge whether the extirpation of a particular evil would not result in even greater evils in the community, which would prove even more difficult to cure. Even God, Godfrey declared, permits evil in order to bring about good, and secular law allowed usury on these same grounds.⁵⁰ He concluded, however, that if no good could result from the usurers' presence, then "they ought to be thoroughly expelled."

Here Godfrey was not only expanding the threat of expulsion beyond the limits set forth in canon law; he was pushing further than any earlier theologian in crafting a justificative framework for the appropriate treatment of usurers. In this one can already see the degree to which *Usurarum voraginem* had normalized a penalty that had previously existed only at the fringes of church doctrine: rather than simply centering on the extirpation of usury, theological debate could now center on the expulsion of its practitioners.

Having established that any usurer might be justly expelled in the absence of any common benefit, Godfrey turned his attention to the question of foreign usurers. His arguments revolved around the theme of impoverishment and loss, here echoing the opening words of *Usurarum voraginem*, with their

evocation of souls being devoured and wealth being consumed. This theme had long been a staple of anti-usury discourse and it would remain so in the centuries to come. Typical in this regard is a quatrain about usurers by the fourteenth-century Benedictine theologian Pierre Bersuire:

All the laws do they ignore
 All the joys do they deplore
 All their friends they freely cheat
 And earthly riches they deplete.⁵¹

The great Italian jurist Baldo degli Ubaldi (ca. 1327–1400) pushed the image even further: misquoting the opening of the Lyonese canon as *Usurarum voracitas* (rather than *voraginem*), Baldo declared that “the word ‘voracity’ is apt indeed, for the usurer is like a woodworm, which appears soft to the touch but has extremely hard teeth that gnaw and devour all wood; and in such a way is the usurer a property-gnawing maggot.”⁵² These and other late medieval anti-usury writings all took it for granted that usury led to the destruction of wealth, afflicting not only individual borrowers, but the Christian community as a whole. But how exactly did this general destructiveness of usury justify the differential punishment of foreign usurers?

In answering this question, Godfrey broke new ground in medieval economic thought. The Second Council of Lyon, Godfrey argued, had rightly called for the expulsion of foreigners, since they impoverished their communities by draining wealth to other places, and even in death the usurers’ gains were not restituted to their original communities. Thus, the ruler who harbored them did indeed sin, for he countered not only the precepts of canon law (that is, *Usurarum voraginem*) but also of natural law, insofar as he was held to protect his subjects’ property. Even in the absence of pertinent canon law, therefore, the ruler would be bound by natural law to expel foreign usurers. By contrast, usurers who were natives (*oriundi*) or who had established their domicile in a given land (*incole*) did not impoverish it in the same way, for their families and friends were there and their property and wealth would thus remain there as well. Moreover, many of these usurers would ultimately make restitution for their gains, thereby returning their wealth to their community. Accordingly, while the virtuous ruler had to limit the harm caused by native usurers, he was not bound to expel them.⁵³

Godfrey’s approach here is representative of a lively strand of contemporary political thought concerning the duties of princes toward their subjects. It also anticipates the later fourteenth-century emphasis on the prince’s responsibility for the economic as well as moral well-being of his lands.⁵⁴ More significantly, in moving beyond prevailing conceptions of usury that saw it purely as a vehicle for the destruction of wealth, and treating it instead as a means by

which wealth might be transferred elsewhere, Godfrey's argument heralds a major theme in later political economy, namely, the preservation of "national" wealth and the prevention of its export at the hands of foreigners. Later theologians, faced with the same challenge of explaining *Usurarum voraginem's* distinction between locals and foreigners, would follow his lead; so too would later authorities in demanding the expulsion of Lombards.⁵⁵

In addition to their efforts to find compelling justifications for the decree's restriction to foreigners, canonists also sought to clarify its terminology, with vigorous debates over who exactly counted as *alienigena* or *non oriundus* for the purposes of the decree's implementation. Some canonists held to the canonical preference for domicile, while others followed Roman law's emphasis on one's ancestral birthplace. Neither approach could be neatly reconciled with the decree's terms. For instance, what if usurers moved from their birthplace to another town under the jurisdiction of the same ruler, making them foreigners with respect to the town but not with respect to the ruler?⁵⁶ (This was not mere legal casuistry; the moneylenders of Cahors who set up operations in northern France fell into this category.)

The question of citizenship was especially problematic: if Lombards were made citizens of the community in which they were lending at interest, were they still considered foreigners? In other words, what was the relationship of the emerging civic designation *civis* or *burgensis* vis-à-vis the indeterminate notion of *alienigena*? Could these statuses co-exist, or did one invariably trump the other? In welcoming Astigiani lenders to his city, the archbishop-elect of Trier had insisted that they be treated as if they were "true and proper burghers and citizens" of his city, while successive kings of France declared that members of the Scarampi family of Asti "were not to be treated as Lombards," but rather "as the king's own burghers and born of our lands."⁵⁷ Those who sought such privileges (and records of them survive in great numbers) were usually seeking the fiscal advantages that the resulting status conveyed. But could these also carry with them a means of evading expulsion? Most canonists said no, arguing that such evasion was a form of fraud, or that such privileges produced "citizens in name only."⁵⁸ While their conclusions are not surprising, the tension was real.

One thing on which almost all contemporary commentators would have agreed was that *Usurarum voraginem's* penalties applied only to Christian wrongdoers. To be sure, the decree's final text did not specify that it was to apply exclusively to Christian usurers, as opposed to Jewish ones. The need for such a distinction probably did not even occur to those responsible for drafting it. For all that the Fourth Lateran Council had condemned the excessive usury that Jews were supposedly extorting from Christians, earlier canonical penalties on manifest usurers had clearly—if implicitly—concerned only Christians. In ordering that such usurers be refused communion and church burial, for instance, *Quia*

in omnibus pointed unambiguously to Christian rather than Jewish wrongdoers.⁵⁹ These same penalties were then reiterated in *Usurarum voraginem* itself, which insisted in its opening lines that the earlier Lateran decree be strictly observed. The drafters' intentions are even clearer if one considers the earliest version of the text, which specifically forbade the hearing of usurers' confessions and the granting of absolution without appropriate restitution. Both canonistic precedent and conciliar intent therefore led naturally to the presumption that *Usurarum voraginem* was concerned only with Christian usurers.

The strength of this presumption is apparent from the silence of the canonists. In the half-century following the decree's promulgation, no canonist even thought to raise the question of whether its penalties might apply to Jews, let alone conclude that they should. Given that canonists otherwise seized eagerly on terms or provisions carrying even a whiff of ambiguity, their silence is significant. Modern scholars, who have perhaps been too ready to see implications of Jewishness beneath every medieval reference to usury, have often mischaracterized *Usurarum voraginem*'s original meaning, seeing it as an attack on Christian and Jewish usurers alike.⁶⁰ It is certainly true that medieval exegesis (and through it, anti-Jewish discourse more generally) regularly framed Jews as strangers and aliens.⁶¹ Within this framework, it might have been possible for canonists to equate Jews with the *alienigene* of the decree, and thus to interpret it as an assault against society's "usurious others." Indeed, Part III will show how the drafters' choice of language ultimately paved the way for a radical reconsideration of the decree's targets. But in the late thirteenth century, at least so far as the church's cadre of legal experts was concerned, it was Christian usurers who remained the chief object of ecclesiastical concern and the chief targets of ecclesiastical sanctions.

The Abyss Widens: Reworking the Decree

In seeking to slow the spread of Christian moneylending, the drafters of the Lyonese decrees had created a battery of novel secular punishments to bolster the existing cluster of spiritual sanctions. In particular, following the recent example of King Louis IX of France, the drafters had embraced expulsion as a punishment for usurers. Deliberations during the council, however, led to the narrowing of the new sanction's reach: in order to target more precisely the Lombards and Cahorsins who were provoking ecclesiastical angst, the final promulgated version specified that it was "foreign" usurers who were to be expelled. While this revision aligned the new decree even more closely with its royal exemplar, it also introduced into canon law a secular distinction that could not easily be expressed with existing canonistic vocabularies or reconciled with existing ecclesiastical traditions. Over the coming decades, canonists

(and even some theologians) would seek to explicate *Usurarum voraginem's* expulsion sanction, specifying who exactly should be punished and how it ought to be implemented. But while canonists enjoyed a privileged status when it came to the interpretation of new church laws, theirs was no monopoly—and within weeks of the council's conclusion, those tasked with implementing the decree began drawing their own conclusions about its scope and sanctions.

On October 18, 1274, in the western French town of Angers, Bishop Nicolas Gellent gathered together the clergy of his diocese, as he did twice a year through most of his three-decade episcopate. In keeping with his usual custom, the bishop used the occasion of the synod to promulgate a set of diocesan statutes addressing matters of particular concern. Earlier that year he had issued statutes concerning harvesting practices and the need for clergy to abstain from eating meat during Lent. On this occasion, Bishop Nicolas focused his attention on clandestine marriage, the accumulation of benefices, monastic discipline, and lastly, the problem of usury.⁶²

As the bishop noted in the preamble to the anti-usury statute, "it had been ordered by the Apostolic See" that no individuals or communities should rent or lease houses "to those who were openly engaging in usurious lending." Gellent's statute went on to restate *Usurarum voraginem's* lengthy sanction clause nearly verbatim, while omitting its reference to lay transgressors—the earliest example of what would become a common pattern in the decree's transmission. The bishop did not stop there. "Since it is manifest," declared Gellent, "that the Jews of the diocese of Angers openly engaged in the depravity of usury," all clergy and ecclesiastical institutions within the diocese were henceforth forbidden from renting houses to Jews or indeed allowing Jews to reside anywhere on their lands.

To judge from his earlier episcopal legislation, Gellent evidently had few reservations about reworking conciliar decrees to suit his own purposes.⁶³ Furthermore, Jewish usury had long been a matter of concern to ecclesiastical authorities in Angers.⁶⁴ Yet the thoroughness with which Gellent singles out Jewish usurers as the targets of the decree suggests that he was well aware that his reading of the decree was hardly self-evident, and that it furthermore ran counter to the prevailing weight of canon law. It is telling, for instance, that he omitted the decree's repeated mention of "manifest usurers," which throughout the thirteenth century was a term used exclusively in reference to Christian offenders, and instead lifted the word "manifest" into a different context. The most obvious red flag, however, is the absence of any overt reference to *Usurarum voraginem's* expulsion provision. Gellent's restatement of the decree cited only its housing ban, and his enumeration of his own statutory penalties correspondingly barred Jews from residing on church-owned property rather than calling for their expulsion outright.

Gellent's silence here is significant. Good Christian authorities could impose all sorts of unpleasant restrictions on Jews, and church law actively encouraged them to do so. But expelling them was another matter altogether. Even as papal, canonistic, and theological attitudes toward Jews hardened over the thirteenth century, the presumption against the expulsion of Jews remained strong. Given that the bishop of Angers was careful to omit any direct reference to expulsion in either his summary of the decree's provisions or in the penalties he imposed within his diocese, he clearly seems to have recognized that as conceived by its drafters, *Usurarum voraginem* was not intended to apply to Jews. Moreover, in light of the accepted doctrine that episcopal statutes could not overturn or contradict papal constitutions, Gellent evidently did not dare go so far as to suggest that the decree's expulsion penalty *should* apply to Jews, even if this would have been the logical outcome of his reading of the conciliar decree. Instead, he promulgated a weakened version of *Usurarum voraginem* that allowed him to target Jews without directly challenging established church norms concerning their expulsion.

It is unclear how Gellent had learned of the council's decision, since his name does not feature in the (admittedly incomplete) roster of the bishops who were present at the Second Council of Lyon. It is clear, however, that Gellent was relying on an early draft version of *Usurarum voraginem*, since his statute quotes phrasing that was dropped from later redactions.⁶⁵ This, at least, explains the absence of any mention of foreignness in Gellent's reworking of the decree. One can only wonder whether knowledge of this restriction would have forestalled his efforts to apply its sanctions against the local Jewish community, though given the bishop's willingness to twist the decree's text in other ways, the end result might well have been the same.

In the short run, the bishop's statute had no discernable effect. The Lombards of Angers seem to have carried on with their business, despite the council's strictures, and there is no evidence that the bishop's prohibitions had any effect on local Jewish life. Moreover, when the Angevin bishops gathered a few years later for a provincial council in Tours, they included a restatement of *Usurarum voraginem* in the ensuing provincial canons that specifically mentioned both the decree's focus on manifest usurers and its penalty of expulsion, while saying nothing at all about Jews.⁶⁶ Among these episcopal colleagues, at least, Gellent's tendentious reading of the decree does not seem to have carried the day. Regardless, the Angers statute offers further evidence of the premature circulation of the Lyonesse decrees, as unofficial texts were incorporated into local legislation. More ominously, the Angers statute showed how the text and meaning of *Usurarum voraginem* could be reworked and reinterpreted as news of the decree began to spread. If Gellent's statute for Angers was among the earliest demonstrations of this textual and interpretative flexibility, many more would follow.

5

Disseminating Expulsion

SYNODS, SUMMAS, AND SERMONS

Et vous dirai des usuriés:	As for usurers, I say to you:
Ne presteront més, ce sachiés.	They'll lend no more, that much is true.
S'ils prestant, més qu'il soit seü,	Let it be known that if they lend,
Il seront por bougres tenu	Like heretics they'll meet their end.
Et li seigneur esconmenié	The lord of where'er they are located
En cui terre et en cui contree	Will be excommunicated
Il presteront més a usure	If they do not cease their interest
Car Dex de cel mestier n'a cure.	For such a trade does God detest.

—LE DIT DU CONCILE DE LYON, LINES 789–96¹

SOMETIME IN THE LATE SUMMER or early fall of 1274, an eyewitness to the church council at Lyon decided to commemorate the event by rendering its proceedings and decrees into rhyming French verse. His enthusiasm clearly outstripped his talent, and the result was 856 lines of uninspired couplets and strained syntax. Yet at least one later reader thought the effort worthwhile, for around 1300 a certain Antonio—a medical doctor from the Italian city of Padua—decided to copy out the poem onto some blank folios at the end of a miscellany that was then in his possession. The text as copied contains several obvious lacunas, as well as numerous orthographic slips that betray both Antonio's own Italian origins and his limited mastery of the poet's Picard-inflected dialect—but then he could hardly have realized that his working copy would end up being the sole extant copy of the poem.²

One can only speculate what an Italian doctor would have found interesting in this ungainly vernacular versification of the Second Council of Lyon. But assuming that he had not encountered its decrees elsewhere, Antonio would have learned—among much else—that usurers ought to be treated as *bougres*,

by which the poet likely intended "heretics," though the word might already have begun developing associations with sodomy as well.³ He would have learned, too, that any authorities who harbored usurers would be excommunicated, for such an activity was displeasing to God. He would have learned nothing, however, of *Usurarum voraginem's* distinction between foreign and local usurers, nor would he have learned of the distinction between the penalties falling on ecclesiastical versus secular authorities. No mention is made here of the decree's housing ban, and likewise absent are the provisions set forth in the council's other anti-usury decree, *Quamquam usurarii*, regarding the proper procedures for the restitution of usury and the nullity of usurers' testaments. Nor was it entirely clear what it meant for usurers to be treated like *bougres*; were they to be handed over to secular authorities to be burned alive, as in contemporary French practice? Or were they to be exiled, and their houses levelled, as was the practice elsewhere?⁴ Some of these elisions and ambiguities can be ascribed to the constraints imposed by the rhyme scheme, together with a degree of poetic license on the part of the author. Other aspects, such as the complete omission of *Quamquam usurarii*, show a more pronounced editorial intervention. Collectively, however, these changes considerably expanded the scope of *Usurarum voraginem's* targets, while omitting almost every other element of the council's anti-usury measures. Even if the versification did not present itself as a formal statement of law, it nevertheless served as a means of disseminating awareness of the council's enactments.

The previous chapter hinted at the complexities of *Usurarum voraginem's* circulation, pointing to both the decree's subsequent codification in the *Liber Sextus* as well as the persistence of early draft versions. It noted too the lively conversations among canonists over its terms, suggesting the interest that the decree inspired within learned contexts. But what was *Usurarum voraginem's* role in spreading the idea that usury ought to be punished with expulsion, thus furthering the normalization of expulsion itself? What was the relationship, in other words, between the claims made in a decree of a general church council, and the subsequent awareness of those claims beyond the council's participants and the cadre of professional scholars charged with the teaching and interpreting of church doctrine?

While most studies of medieval canon law look no further than formal compilations and canonistic commentaries, the thirteenth century witnessed a proliferation of new and reinvigorated channels for the dissemination of church teachings, among them a heightened focus on confession, public preaching, and episcopal lawmaking. To trace how *Usurarum voraginem's* association of expulsion and usury spread into written traditions and popular consciousness, it is therefore necessary to look beyond the circulating collections

of the Lyonese decrees, and to explore instead the less well-charted terrain of diocesan statutes, pastoral literature, sermons, and other genres.

As might be expected, awareness of the new decree was marked by considerable variations across time, space, audience, and genre. Moreover, as the opening poetic example suggests, within mere weeks of the council's adjournment the nature of the canonical association between usury and expulsion was already being reimagined. While the versification is an especially conspicuous example of textual reworking, the phenomenon occurs throughout the history of *Usurarum voraginem*'s dissemination. As seen already with Bishop Nicolas Gellent's synodal statute for Angers, some renderings dispensed with expulsion altogether; others would considerably expand its reach. In addition, the manuscript culture of medieval Europe meant that any transmission of a written text involved the possibility (indeed, the near-certainty) of scribal errors and editorial adjustments—resulting in a sort of telephone game *avant la lettre*. Even in legal contexts, the notion of a stable, authorized text was slow to emerge, as recent scholarship on the transmission of the acts of high medieval church councils has amply shown.⁵ Much of this scholarship has limited itself to learned contexts and legal codifications, without looking at the ways in which formal sources of law might be taken up into other genres, be they sermon collections or confessors' manuals.⁶ The same is true for most studies of the impact of the rising tide of papal and conciliar legislation from the twelfth century onward. While historians have systematically explored the diffusion of doctrinal teachings among the laity and lesser clergy, they have paid far less attention to the dissemination of legal innovations across all levels of society.⁷ Furthermore, the work that has been done on this theme frequently stops at the point of identifying that such-and-such a canon is referenced in such-and-such a text, without paying much attention to the ways in which the text transmitted or transformed its source.⁸

It is crucial to remember that what was settled in the council chambers of Lyon was not necessarily what was proclaimed from the pulpits of Christendom. As *Usurarum voraginem* spread across western Europe and beyond, its language and provisions underwent unconscious elisions, deliberate editorial variations, and even radical reworkings. Moreover, references to the decree did not simply peak in the immediate wake of its promulgation and then fade away thereafter; rather, they ebbed and flowed in response to shifting regional pre-occupations and broad movements in the creation and circulation of texts. The following reconstruction of the decree's dissemination therefore sheds light not simply on the nexus of expulsion and usury, but also on a much broader theme, to wit, how new legal and religious norms traveled in late medieval Europe and what could happen to them along the way.

Synods and Statutes

In total, roughly eighty manuscript copies of the Lyonese decrees survive, attesting to the widespread diffusion of what would become known as the *Constitutiones novissime* ("Recent Constitutions") of Pope Gregory X. A quarter century later, all but one of the Lyonese decrees would be promulgated anew as part of the *Liber Sextus*, the official collection of canon law published in 1298 at the bidding of Pope Boniface VIII.⁹ In contrast to the last major canonical compilation (published in 1234), whose section on usury contained nineteen chapters, that of the *Liber Sextus* contained only two: *Usurarum voraginem* and its companion decree, *Quamquam usurarii*. For anyone wondering what the new papal collection had to say about usury, the Lyonese provisions were impossible to miss.

For the most part, access to these canonical collections (and the ability to understand them) was limited to the learned clerical elite and those who had studied at least a smattering of canon law.¹⁰ There were, of course, exceptions. The 1276 civic statutes of Verona, for instance, provided for the hiring of a qualified canonist who would give public lectures on the decretals "for the good of those wishing to hear them."¹¹ Other cities may have had similar institutions, though whether anyone showed up for such lectures is unknown. Generally speaking, however, only a relatively circumscribed (albeit influential) population would have encountered *Usurarum voraginem* in its codified context. Similarly restricted in terms of their potential audience were the letters that indignant popes sent out to insist on the decree's enforcement. Although the recipients likely shared the letters' content with their entourages and certain local authorities, there is no evidence that the letters circulated much more widely than that.¹²

One of the great achievements of the thirteenth-century church, however, was the development of new channels for the dissemination of doctrine and the instruction of the clergy. Modern scholarship has done much to reveal how new religious orders, new textual genres, and new institutional practices interacted to order the beliefs and practices of the faithful, from the teaching of the Apostle's Creed to the laity, to the regularization of annual penance, to the shaping of popular and clerical norms concerning sex, marriage, and much else. To what extent, then, did this emergent didactic complex reflect and foster awareness of *Usurarum voraginem*'s novel call for expulsion?

The canon *Sicut olim* of the Fourth Lateran Council (1215) had ordered metropolitan bishops to gather all of their suffragans for annual provincial councils "for the correction of excesses and the reform of morals"; it had also ordered that decrees issued at the general council be read out to the assembled prelates, a tradition that persisted in the wake of later councils as well.

Individual bishops were similarly expected to gather together the clergy of their dioceses for annual synods. Through such revitalized institutions, as one distinguished scholar has described the process, the church's law "gradually made its way down to even the remotest of rural priests." That, at least, was the ideal; the reality was decidedly otherwise.¹³ Still, given such expectations, it seems reasonable to assume that *Usurarum voraginem* enjoyed an initial flush of publicity in the wake of the Second Council of Lyon throughout much, though certainly not all, of Latin Christendom. The prelates assembled at a Salzburg provincial council in October 1274 were urged to "assiduously and frequently strive to publicize [the Lyonese decrees] to both their clergy and laity, insofar as these pertain to them, such that repeated proclamation might imprint them in the minds and practices of their subjects." And just in case any of the prelates had decided that *Usurarum voraginem* was not in fact pertinent to themselves or their community, new Salzburg legislation in 1288 ordered that the Lyonese decrees against usurers be read out three times a year in every church in the province.¹⁴ Similar provisions are to be found in a handful of French dioceses, reflecting the zeal with which some bishops welcomed the new sanctions.¹⁵

Such earnest concern for the repeated announcement of new decrees was not new. Throughout the thirteenth century, many bishops issued similar orders concerning the Lateran IV decree *Omnis utriusque sexus*, which mandated annual confession and communion for all the faithful.¹⁶ Some of the Lyonese decrees were likewise singled out for special publication in the wake of the council.¹⁷ Few instances, however, were as evocative as a provincial canon of Tours from 1282, which insisted that *Usurarum voraginem*'s penalties be proclaimed in every church on every Sunday until the next provincial council "so that transgressors might be identified by their blushing."¹⁸ In this case, the drafters went on to spell out the decree's penalties explicitly, but it is worth noting that many of the other local statutes ordering the publication or enforcement of *Usurarum voraginem* assumed prior knowledge of its content on the part of their intended audiences.¹⁹ Some diocesan statutes from northeastern Spain, for instance, simply ordered that the "laws and constitutions issued by Pope Gregory X against usurers at the council of Lyon" be observed by priests and their parishioners.²⁰ Such laconic references suggest that some awareness of *Usurarum voraginem* could indeed be taken for granted in these jurisdictions, whether because copies of the Lyonese decrees were readily at hand or (more likely) because their contents had been conveyed orally at the synod—though it is also possible that the drafters had unrealistic assumptions about their audience's familiarity with recent canon law.

The simple act of proclaiming new papal and conciliar law at provincial councils and diocesan synods was among the most direct means of disseminating

such law to wider audiences, both clerical and lay. It seems safe to suppose that much of the early transmission of *Usurarum voraginem* occurred through such clerical gatherings and the further publicity that they enjoined. But there is another important avenue by which these gatherings could contribute to broadened awareness of new laws, namely through incorporating their wording and provisions (whether wholly or in part) into the local legislative corpus of the province or diocese—especially into provincial canons and diocesan statutes. The former were typically issued by all the bishops of a province gathered together under the authority of a metropolitan, the latter by a bishop in the context of a diocesan synod.²¹ Ranging in length from a few lines to many dozens of pages, these canons and statutes collectively constitute the vast bulk of late medieval local ecclesiastical legislation, though their content and distribution varies greatly across time and place.²² The surviving examples from thirteenth-century Germany, for instance, largely focus on ecclesiastical immunities, clerical discipline and the boundaries between the laity and the clergy, whereas those from contemporary France are more much concerned with pastoral responsibilities. And while fourteenth-century French prelates regularly issued new legislation, their English counterparts did not.²³

Local publication brought with it the promise of increased publicity. Bishops were supposed to bring back copies of newly promulgated provincial canons to their home dioceses, and parish priests were expected to do the same with diocesan statutes. In many jurisdictions, priests were explicitly required to possess their own copies of diocesan legislation and faced sanctions if they did not.²⁴ At the very least, parish priests (or their deans) would have listened as the bishop or official read out new statutes during the synod, whose provisions they could then convey to their parishioners as appropriate. In some dioceses, earlier statutes continued to be read out at synods even hundreds of years after their original promulgation.²⁵ So in the same way that *Usurarum voraginem* could be circulated and announced alongside the other decrees of the Second Council of Lyon, its incorporation into provincial canons and diocesan statutes enabled its continued written and oral circulation within these new normative contexts.

The importance of local legislation went far beyond increased publicity. Bishops and their officials could also signal their enthusiasm for (or at least willing reception of) legal innovations by integrating them into their local legal traditions. They could equally express their reticence or even outright resistance by refusing to promulgate them further, or, more subtly, through selective editing of the original texts.²⁶ As Part III will show, there were plenty of reasons why ecclesiastical authorities might wish to avoid implementing *Usurarum voraginem*'s provisions. These same prelates therefore had good reason to avoid publicizing them further. While the bishop of Lisieux may have

ordered all of the priests within his diocese to possess personal copies of *Usurarum voraginem* and *Quamquam usurarii*, and the bishop of Noyon insisted that these same decrees be read out at each synodal gathering, most of their episcopal brethren proved less enthusiastic. Consequently, not only do the surviving records of ecclesiastical legislation shed light on the patterns of *Usurarum voraginem*'s dissemination throughout the whole of Latin Christendom, they also bear witness to the ways in which prelates used their lawmaking authority to reinforce or downplay the decree's association of usury and expulsion.

Needless to say, the interpretation of such legislation is fraught with pitfalls and uncertainties, and one must be especially wary of reading too much into individual cases. For instance, the absence of any reference to *Usurarum voraginem* in a given set of statutes can be chalked up to any number of factors, of which resistance on the part of the issuing prelate is only one. Many statutes focused exclusively on internal clerical affairs, for instance, or concerned a single topic. Other statutes are simple confirmations and reissues of those drafted by episcopal predecessors, wholesale copies of those issued for other jurisdictions, or even drafts that were never formally promulgated.²⁷ But even if individual cases often elude precise reckoning, and much evidence has surely been lost, the sheer scale of the surviving material largely compensates for such shortcomings. With statutes surviving for roughly fifteen hundred diocesan, provincial, national, and legatine synods held from 1274 until the mid-fifteenth century, analysis of the corpus as a whole allows more robust conclusions than the study of isolated instances could otherwise sustain.

This local ecclesiastical legislation survives from nearly the entire breadth of Latin Christendom, from the Isle of Man to the island of Cyprus, though the distribution is far from uniform. Usury features regularly but not consistently within these texts, often being mentioned only in the context of a long list of crimes for which only the bishop could offer absolution. Around one-fifth of the texts, however, contain substantive discussions of usury, whether to indicate the proper sanctions, spell out proper restitution procedures, or generally denounce its wicked and sinful effects. Among these substantive references to usury, roughly one hundred statutes draw on *Usurarum voraginem*, whether by citing it directly, spelling out its provisions, or merely quoting its incipit as part of a general condemnation of usury. What is especially striking is that only thirty statutes specifically mention the decree's expulsion provision. These numbers collectively suggest that much of the ecclesiastical hierarchy greeted *Usurarum voraginem* with indifference or even outright resistance—but testing the strength of this impression requires a more careful look.

Many of the statutes that include a substantive reference to usury cite only the penalties set forth in the 1179 decree of the Third Lateran Council, *Quia in*

omnibus: namely, the denial of communion and ecclesiastical sepulture to manifest usurers along with the refusal of their oblations. Often the preference for these earlier sanctions reflects the use of pre-1274 source material. In many instances, however, there is little doubt that the drafter was familiar with *Usurarum voraginem*, even as its provisions go uncited. The 1276 provincial canons of Bourges, for instance, took inspiration from *Quamquam usurarii* in strengthening the penalties for clerics who knowingly buried manifest usurers, and elsewhere they cite three other Lyonese decrees—but not *Usurarum voraginem*. Similarly, the late thirteenth-century *Liber synodalis* of Arras contains six direct references to Lyonese decrees (including *Quamquam usurarii*), but *Usurarum voraginem* goes unmentioned. Other texts omit any mention of *Usurarum voraginem* even as they spell out the rest of the existing canonical sanctions against usurers.²⁸

Much of this pattern can be explained in terms of responsiveness to local conditions. Take, for instance, the fact that references to *Quamquam usurarii* appear twice as often as mentions of *Usurarum voraginem* in the ecclesiastical legislation from late medieval Italy. Where *Usurarum voraginem* sought to obstruct the activities of foreign usurers during their lifetimes, *Quamquam usurarii* targeted all usurers as they lay on the brink of death, specifying how they might make due restitution for their illicit gains and punishing clerics who knowingly buried those who died unshriven. Notwithstanding the migration of Tuscan and Lombard moneylenders to many cities in central and north-eastern Italy, dying moneylenders were considerably more common than foreign ones. It is therefore not surprising that Italian ecclesiastical authorities troubled by the problem of usury often decided to promulgate *Quamquam usurarii* but not *Usurarum voraginem*. Similar concerns about the decree's perceived irrelevance could also explain, to a certain degree, why some drafters drew on the decree's redolent opening lines while ignoring its substantive provisions.²⁹

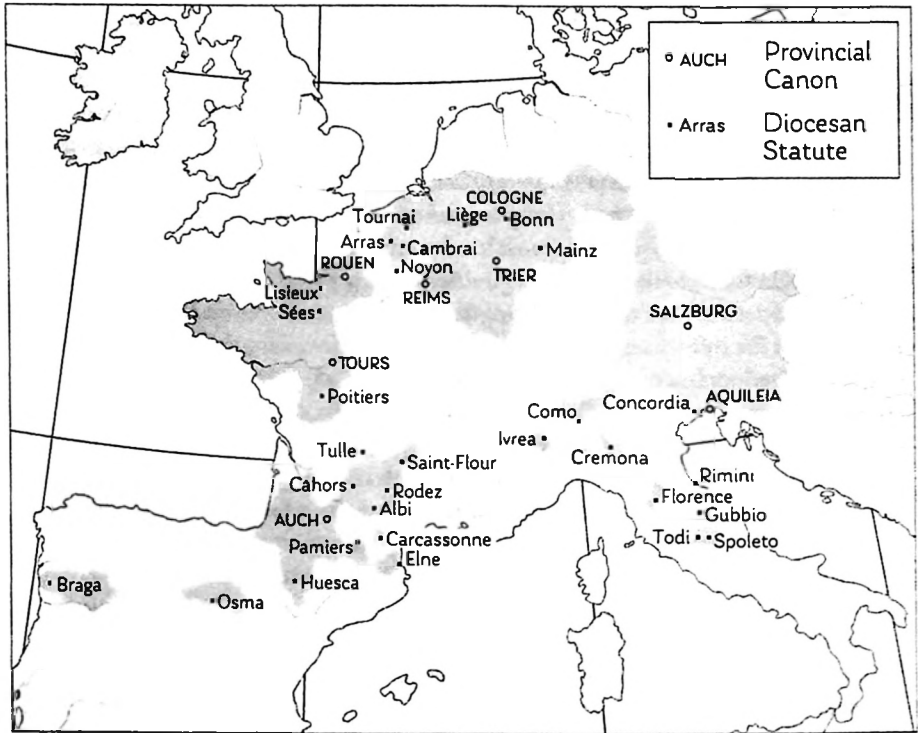
As this latter variation suggests, there were many ways in which *Usurarum voraginem* might appear in local legislation, aside from a verbatim rendering of its language and provisions. In some cases, for example, the drafters of local ecclesiastical legislation specifically targeted foreign usurers while ignoring the rest of the decree's provisions. The 1293 diocesan statutes of Utrecht specifically condemned usurers who were "Cahorsins and other foreigners," but then only invoked the penalties of *Quia in omnibus*.³⁰ Some twenty cases specifically invoke the decree's housing ban but ignore its general call for expulsion; many of these also abandon the decree's restriction to foreign usurers, thereby broadening its reach while weakening its penalties.³¹ In all of these instances, it is clear once again that whatever steps the local ecclesiastical authorities were willing to take in order to hinder usurers' commercial activities, these did not

extend to calling for their outright expulsion. As a result, the dissemination of the decree into local ecclesiastical legislation did not necessarily entail the dissemination of its connection between usury and expulsion.

How often, then, did local ecclesiastical legislation broadcast the decree's normative connection between usury and expulsion? Out of the fifteen hundred extant texts issued from 1274 to the middle of the fifteenth century, some thirty statutes explicitly reference *Usurarum voraginem's* expulsion penalty, while another fifteen call in general terms for the enforcement of the decree's provisions.³² In terms of their chronological breakdown, as one might expect, there is an initial peak in the decade following the Second Council of Lyon. Roughly two-thirds of the references fall within the half-century following the decree's initial promulgation. Interest seems to drop off quite quickly after the 1320s, with only sporadic mentions thereafter. (This chronological trajectory holds true for references to the Lyonese decrees more generally.) There is also very little in the way of straightforward imitation or inspiration either within or across jurisdictions. A handful of dioceses and provinces reissued earlier invocations of *Usurarum voraginem* or its expulsion provision as part of broader compilation efforts, but otherwise there are few clear instances of textual borrowing.³³

As for the geographic distribution of expulsion orders (see map 3), starting from a cluster in southwestern France, the references follow a broad arc running from northwestern France to the Rhineland, and then descending southeastward through the sprawling province of Salzburg and the diocese of Aquileia. By comparing the jurisdictional reach of the promulgated expulsion provisions against the contemporary landscape of Lombard activity (see map 4), it is clear that many bishops ignored *Usurarum voraginem* for the simple reason that foreign moneylending was of no concern in their dioceses. (There is little evidence for foreign moneylending activity in Iberia, for example.)

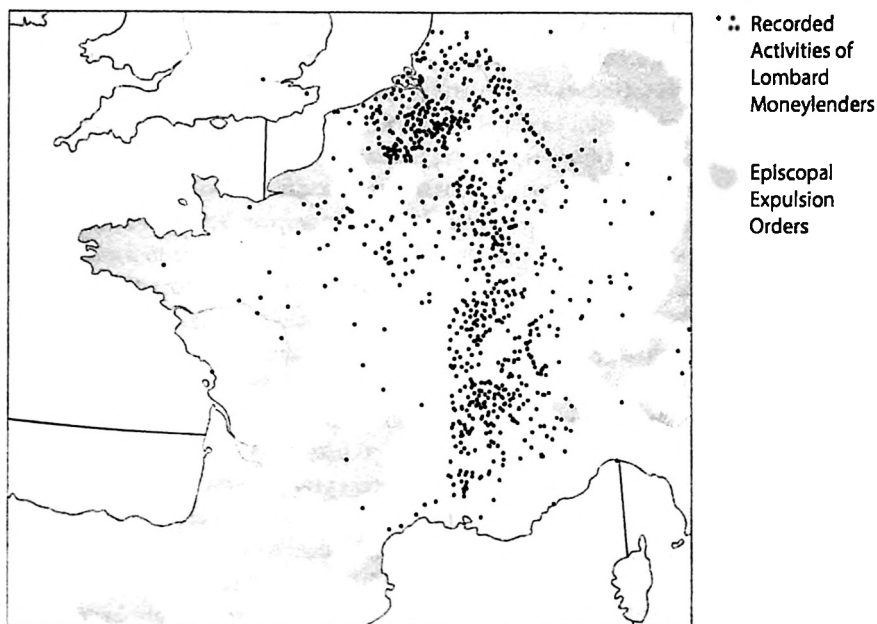
This explanation, however, hardly accounts for *Usurarum voraginem's* general absence in areas where foreign moneylenders were indeed active. Considerable ecclesiastical legislation survives from the north-south corridor running from Lorraine through the County of Burgundy, and spreading from there into Switzerland, the County of Savoy, and down along the Rhône. This same region harbored some of the densest Lombard settlements throughout the late thirteenth and fourteenth centuries, to judge from the surviving archival records.³⁴ Yet this same region is almost entirely devoid of local legislative references to *Usurarum voraginem's* expulsion provision. Moreover, the pattern does not differ much if the decree is considered in its entirety, and not only with regard to the expulsion provision; the housing ban appears only twice in the surviving statutes from these regions, and its incipit appears only once.³⁵ In short, prelates in this broad region showed what appears to be consistent



MAP 3. The Expulsion of Usurers in Local Ecclesiastical Legislation, 1274–ca. 1400. The shaded regions depict ecclesiastical jurisdictions whose provincial or diocesan statutes explicitly mandate the expulsion of usurers, or otherwise insist on the general observance of *Usurarum voraginem*'s provisions. For a detailed list, see Appendix A. Source: Ecclesiastical boundaries from *Digital Atlas of Dioceses and Ecclesiastical Provinces in Late Medieval Europe (1200–1500)*, eds. Rowan Dorin and Clara Romani (Stanford, 2021).

and widespread resistance toward further disseminating the Lyonese decree within their jurisdictions. It is perhaps for this reason that all of the surviving letters sent by popes to demand the enforcement of *Usurarum voraginem*'s provisions were addressed to prelates in Burgundy and its neighboring regions.³⁶ Put simply, the absence of references to the decree in synodal statutes and provincial canons from throughout this region meant that many of the lesser clergy charged with instructing their flocks about the canonical penalties falling on foreign usurers may have had no idea that specific penalties even existed.

Even where the decree's penalty of expulsion did make its way into local ecclesiastical legislation, its scope and implementation could vary considerably.



MAP 4. Ecclesiastical Expulsion Orders and the Geography of Foreign Moneylending, 1274–ca. 1400. Although there are certain areas of overlap (for example, the Low Countries), many episcopal expulsion orders were issued for areas where no moneylenders were active, while many areas of intense moneylending activity were never subject to episcopal expulsion orders. *Source:* The data for foreign moneylending activity are drawn primarily from Winfried Reichert, *Lombarden in der Germania-Romania: Atlas und Dokumentation*, 3 vols. (Trier: Porta Alba, 2003), with edits and additions by the author. For the ecclesiastical boundaries, see the note to map 3 above.

Changes to the decree's enforcement clauses were especially common, with drafters often omitting any reference to the laity and refocusing the decree's provisions as a matter of exclusively clerical concern.³⁷ Given the primary audiences of local ecclesiastical legislation, it is not surprising that these reframings generally led to a focus on clerical misdemeanors. But many bishops might also have found it expedient to downplay the decree's demands on local secular authorities. Insofar as such texts were also an important (if sometimes indirect) vehicle for the transmission of the general law of the church into local contexts, those readers or listeners who encountered only this clericalized version of *Usurarum voraginem* might have remained conveniently unaware of the decree's implications for secular authorities.

Other statutes broadened *Usurarum voraginem*'s reach, sometimes unwittingly. The early fourteenth-century synodal statutes of Carcassonne banned clerics from renting houses to foreign usurers on pain of excommunication, while also ordering them to expel *all* manifest usurers from their jurisdictions. This same distinction was then taken up in the later statutes of some nearby dioceses. It is quite possible that this resulted from an inattentive reading of the decree, or perhaps even from a faulty exemplar. Yet even if this was an instance of editorial sloppiness on the part of the Carcassonne drafters, it is notable that none of the subsequent redactions saw fit to correct it.³⁸ An even more striking example is found in the archdiocese of Mainz, where one of the earliest copies of the decree—perhaps even the one belonging to the archbishop himself—contained a scribal error. Here the expulsion order accordingly applied to “foreigners or even those who were native to their lands (*alienigenas aut alios etiam oriundos de terris ipsorum*).” With the crucial word “not” (*non*) replaced by “even” (*etiam*), the decree's targets effectively expanded to include all usurers rather than only foreign ones. Since the archbishop (and much of his entourage) had been present for the council's deliberations, perhaps the effective overlap with *Usurarum voraginem*'s initial draft form helped the slip to pass unnoticed. Taken by itself, moreover, the scribal error might have had little effect. But in drafting new statutes for the diocese in late 1274 or early 1275, the archbishop (or his staff) evidently relied on this flawed copy of the decree. As a result, all competent authorities within the diocese were duly ordered to expel any “foreigners or even those native to their lands” who were manifest usurers.³⁹ Scribal error thus led to legal change, a phenomenon too rarely noted or acknowledged among scholars of medieval law.⁴⁰

In other cases, the broadening was deliberate. This was clearly the case for a set of previously unnoticed statutes from the diocese of Spoleto in central Italy, which were issued in 1325 in the name of Bishop Bartolomeo Bardi, a member of the powerful Florentine banking family. Aside from requiring distinguishing attire for Jews (one of the earliest instances in Italy), the statutes also contain several provisions against usury. One of these was a long excerpt from *Usurarum voraginem*, in which the decree's text was quoted almost verbatim—with one notable change. In prohibiting anyone from renting houses to foreign usurers and ordering authorities to expel them from their lands, the decree's drafters explicitly stated that these measures applied to Jewish usurers as well as Christian ones.⁴¹

In inscribing such an expansive reading of *Usurarum voraginem* into the local diocesan statutes, Bartolomeo Bardi was following in the footsteps of Nicolas Gellent a half-century earlier—though where Gellent shied away from insisting on the decree's expulsion provision, Bardi showed no such reticence. Moreover, as Chapter 8 will show, Bardi's statute was part of a broader trend

in the 1320s, whereby ecclesiastical officials on both sides of the Alps began pushing for *Usurarum voraginem's* penalties to be wielded against Jews. Fortunately for the Jews of Spoleto, at least, Bardi's strictures had little long-term impact; in 1342 the city commune welcomed Jewish moneylenders to settle in the city and even offered them explicit protection against episcopal harassment.⁴²

What conclusions can be drawn from this survey of the decree's appearance or absence in the surviving corpus of local ecclesiastical legislation from the two centuries after its promulgation? First, it is clear that there was considerable indifference toward *Usurarum voraginem* among much of the ecclesiastical hierarchy, with most prelates choosing not to make any mention of its language or provisions even where they were otherwise demonstrating an interest in repressing usury. In addition, even where drafters did make reference to the decree, they often drew on the decree's language while softening its penalties or excising them altogether. This is especially true where the expulsion provision is concerned, suggesting a degree of unease or resistance toward this new policy. Finally, while references to *Usurarum voraginem's* provisions are extremely rare in areas where no foreign moneylenders were to be found, references are equally rare in some of the areas where Lombard activity was most entrenched and intense. In other words, the very places where the decree's provisions were most salient were also among the least likely to incorporate those provisions into their local ecclesiastical legislation.

Of course, as discussed earlier, provincial councils and diocesan synods contributed in other ways toward the decree's dissemination, with *Usurarum voraginem* surely being read out at many of the gatherings that took place in the years following the decree's initial promulgation. Such moments rarely left traces in the local legislative tradition, or in other written sources. But it is also likely that such oral reminders became ever rarer as the years went on, and even local promulgation did not guarantee continuing familiarity. Overall, in light of the relative infrequency, textual instability, and uneven geographic distribution of references to *Usurarum voraginem*, it seems fair to conclude that local ecclesiastical legislation did as much to suppress or distort this general law of the church as it did to reinforce and supplement it.

Summas and Sermons

Had bishops alone been responsible for spreading knowledge of the decree (as they were for enforcing its provisions), general awareness of its association between usury and expulsion would have been decidedly limited. Yet there were other channels through which the late medieval church sought to spread its teachings, the most important of which were surely the so-called *pastoralia*: the wealth of literary aids and manuals compiled for the use of priests and

other members of the clergy to aid them in their ministry. These works ranged from learned treatises on the art of preaching to simple instructions for administering the sacraments.⁴³ Especially salient, in the context of usury, were the texts written to instruct confessors, which ranged from brief explications of the vices and their remedial virtues to systematic treatises on penance (the so-called *summas*). Throughout most of the thirteenth century, the *Summa* of Raymond of Penyafort (d. 1275), compiled in 1225 and revised a decade later, enjoyed undisputed primacy in terms of its scope and prestige. Starting at the very end of the century, however, new *summas* were composed in order to incorporate the theological advances and canonistic material that had accumulated in the intervening decades.⁴⁴

The earliest and most influential of the new penitential treatises was the *Summa Confessorum* of the Dominican John of Freiburg (d. 1314).⁴⁵ Completed in 1298, it inspired six Latin reworkings, as well as a late fourteenth-century alphabetized vernacular translation by a German friar, and its impact can be felt in nearly all subsequent penitential literature up until the Reformation.⁴⁶ The work's ample section on usury consists of 83 questions, among them "What penalty is incurred by those who welcome public usurers (*publicos usurarios*) in their lands or rent houses to them?"—the response to which was a lengthy extract from *Usurarum voraginem*.⁴⁷ Later penitential treatises—by John of Erfurt,⁴⁸ Peter Quesnel,⁴⁹ Astesano da Asti,⁵⁰ Martin Pérez,⁵¹ Bartolomeo da San Concordio,⁵² and William Paull⁵³ in the fourteenth century, and by Johannes Nider⁵⁴ and Niccolò da Osimo⁵⁵ in the fifteenth—also include either lengthy extracts or detailed summaries of the decree.

There is still much that is unknown about the reach and impact of such texts among the lower clergy; most parish priests, for instance, were content to know the basics of penitential practice and the appropriate responses to the most frequently arising cases.⁵⁶ Furthermore, most of these texts were deliberately constructed so as to allow readers to flip quickly to whatever topic caught their interest, rather than requiring them to work their way systematically through the text. Many of those who consulted these volumes, therefore, would never have encountered their discussions of usury and its associated sanctions. In addition, the disseminative force of *Usurarum voraginem*'s inclusion in the most successful fourteenth-century confessors' handbooks and *summas* was tempered by the continuing appeal of earlier works, as well as by the competition offered by texts inclining more toward moral theology than law.⁵⁷ But such pessimism should not be taken too far. Almost every penitential treatise and confessional manual written in the fourteenth and fifteenth centuries that incorporated recent canon law made reference to *Usurarum voraginem*, often quoting it in its entirety.⁵⁸ Taken together, these texts survive in more than a thousand manuscripts, with countless others having been lost

in the intervening centuries. Even for the large proportion of friars and clerics who were comfortably literate but lacked any formal legal training, this proliferation of texts meant that the decree's provisions often lay well within their reach.

Turning from penitential manuals to homiletic works, quite a different picture emerges. With few exceptions, late medieval handbooks for preachers made little or no mention of canon law, consisting rather of collections of *exempla* or introductions to moral theology.⁵⁹ As such, *Usurarum voraginem* and its penalties go mostly unmentioned.⁶⁰ Furthermore, even if some preachers did have access to the text or provisions of *Usurarum voraginem* (whether via preaching handbooks or other *pastoralia*), there is little sign that they incorporated it into their sermons in the centuries following the decree's promulgation. This conclusion must necessarily be accompanied by a host of caveats: to begin with, there are at least a hundred thousand extant Latin sermons from the later Middle Ages, and untold more survive in the vernaculars.⁶¹ This, in turn, represents only a small fraction of what was actually preached. And the fact that *Usurarum voraginem*'s penalties go unmentioned does not mean that they went unannounced from the pulpits; surely many priests dutifully followed mandates (such as those issued for the province of Salzburg) ordering them regularly to publicize the decree to their congregations. But to judge from the surviving sermons of roughly forty preachers from the late thirteenth century through to the late fifteenth (including several anonymous works), *Usurarum voraginem* attracted little homiletic attention, even in those places where its provisions—or at least its language—seem most pertinent.⁶²

High on this list is the gospel narrative of the Cleansing of the Temple, in which Jesus overturned the tables of the moneychangers and drove out the merchants. Since the accounts of Matthew and John both featured within the late medieval cycle of Lenten themes, homilies on the Cleansing were a staple of sermon collections.⁶³ As previously discussed, from the mid-eleventh century onward this episode underpinned much of the reformist polemic against simony and clerical venality, with the purified Temple being easily equated with the church as a whole. By the middle of the thirteenth century, some biblical commentators were pushing beyond a purely clerical perspective, following the lead of patristic authors in using the Cleansing to denounce the baneful influence of new commercial practices among the laity. But even where homilists mention usury explicitly in their discussion of the Cleansing, the conclusion is almost invariably the same: they call for usurers to be excluded from the spiritual community but make no mention of expelling them from the secular one. The Dominican preacher Giordano da Pisa offers a typical example. In a sermon preached to a popular audience in Pisa in 1309, he declared that the Cleansing signified that three kinds of men were excluded

from the congregation of the faithful and (by extension) from Divine Grace: usurers, false merchants, and simoniacs. Giordano did not bother to elaborate further on the forms of this exclusion; it is presented as a fact to be acknowledged rather than a goal to be pursued. Only toward the very end of the fifteenth century did the Cleansing come to be used as a vehicle to call for the physical expulsion of usurers from secular jurisdictions, rather than simply their spiritual exclusion from the church.⁶⁴

This silence is not entirely surprising. For one thing, it mirrors contemporary trends in biblical exegesis. Most theologians were not trained as lawyers, and their moralizing interpretations of Scripture were inspired by the precepts of moral theology rather than the dictates of canon law.⁶⁵ In addition, the traditional focus on simony in the exegesis of the Cleansing continued to loom heavily throughout the later Middle Ages, regardless of genre. In his influential *Vita Christi*, for instance, the Carthusian Ludolph of Saxony includes usurers alongside hypocrites, tyrants, and simoniacs in a list of those whom prelates were to repress (according to a moralizing reading of the Cleansing), but he then focuses exclusively on the last of these in the ensuing discussion. Other fourteenth-century theologians similarly mention usury only in passing, or not at all, in their handling of the episode.⁶⁶ While fifteenth-century preachers proved more willing to wield canon law in their discussions of usury, references to *Usurarum voraginem* or its penalties remained extremely rare in late medieval sermons across most of western Europe.⁶⁷ Most preachers instead cited *Quia in omnibus*'s penalties while omitting any mention of later anti-usury canons. On the whole, this pattern suggests the influence of *pastoralia* that predated the Second Council of Lyon or that were otherwise outdated in their canonistic material.⁶⁸

Fifteenth-century Italy stands as a marked exception to the general absence of expulsion references in late medieval preaching on usury, thanks largely to the efforts of the Observant Franciscans. Under the influence of such charismatic figures as Bernardino of Siena, this religious movement addressed contemporary social ills—usury among them—with astonishing force and fervor. Thousands upon thousands of listeners gathered to hear Bernardino's sermons, and similar crowds awaited the arrival of other prominent preachers.⁶⁹ The reach of their preaching was not confined to the Italian peninsula: the Franciscan John of Capistrano famously delivered sermon cycles throughout central Europe, and as far north as Kraków. Although the vast majority of these sermons are lost or imperfectly preserved, the surviving texts demonstrate that nearly all of the leading Italian Observant preachers drew on *Usurarum voraginem* in their sermon campaigns.⁷⁰ To a certain extent, these references testify to the unusual level of canonistic learning among many of the leading figures of the Observance: both Bernardino of Siena and John of Capistrano,

for example, had pursued formal training in law.⁷¹ They also reflect a more general resurgence of learned interest in usury and commercial ethics that started around the early fifteenth century, especially, though not exclusively, in Italy. Above all, they serve as a reminder of the importance of *Usurarum voraginem*'s incorporation into the shared legal tradition of medieval Europe: even after a century and a half in which the decree had barely resonated in medieval sermons, its continuing presence in legal compendia and a range of *pastoralia* meant that its provisions remained ever ready to be rediscovered and brandished by a new generation of preachers.

Rather strikingly, a similar pattern can be seen even in contemporary treatises on usury. Put simply, until the early fifteenth century most of those who consulted a treatise on usury in order to determine the appropriate penalties for usurers would have found no reference to *Usurarum voraginem* (nor to its companion decree *Quamquam usurarii*, for that matter). As with sermons, this is because most of the treatises either adopted predominantly theological approaches, or else relied on pre-1274 canonistic material.⁷² Once again, however, fifteenth-century Italy proved a more fertile environment for the decree. The earliest reference is to be found in the Florentine Lorenzo Ridolfi's *Tractatus de usuris* (written 1402–1404), a work that directly inspired Bernardino of Siena's own writings on the subject.⁷³ Other economically minded thinkers would follow in their wake.⁷⁴ To a certain extent, the frequent references to *Usurarum voraginem* in the writings of Observant Franciscans and other fifteenth-century Italian authors simply underscore the decree's absence in anti-usury texts produced earlier and elsewhere. Yet they equally highlight the fact that learned and popular awareness of *Usurarum voraginem* did not simply peak in the years following the decree's initial promulgation, only to decline steadily and irreversibly thereafter.

For those who did encounter *Usurarum voraginem*, whether stumbling over it in a handbook or listening to it in a sermon, what did they think it entailed? Or, from a different perspective, when confessors and preachers made reference to the decree, what elements of its language and sanctions did they invoke? The premature circulation of *Usurarum voraginem*'s draft version, the versification of its provisions, and its reworking in local ecclesiastical legislation have all underscored the unstable nature of the decree's text as it circulated across Latin Christendom. Just as this textual instability could mark even those genres that were specifically intended to relay news of the council's decisions, so too could it shape *Usurarum voraginem*'s appearance in other contexts, such as the sermons, treatises, and handbooks encountered so far. In short, even in those instances where authors and compilers did indeed make mention of the decree, their rendering of its language and provisions could differ markedly from those of the officially promulgated version. While these other genres may

have lacked the juridical force of legal codifications, they nevertheless played a role in shaping popular understandings of the normative association between usury and expulsion. A fifteenth-century German manuscript containing summaries and abbreviations of canons noted both *Usurarum voraginem*'s reiteration of the Lateran penalties and its rental ban but said nothing about its broader expulsion order.⁷⁵ The same selective omission is found in contemporary Observant Franciscan sermons, as well as several late medieval theological writings.⁷⁶

Even where expulsion was explicitly mentioned, nearly every aspect of its reach and implementation was subject to reworking—deliberate or otherwise. Take, for instance, the question of who exactly was to be expelled. For Thomas Wilson, a sixteenth-century English rhetorician and judge, the decree's provisions concerned any usurer dwelling "in any other shyre then where hee was borne." Whatever this may reveal about the meaning of foreignness in Elizabethan England, it is a very long way indeed from the intentions and worldview of the decree's drafters, with their concerns about wandering Italians.⁷⁷ More commonly, the reference to foreignness was simply omitted altogether, just as in a number of episcopal statutes.⁷⁸ Such changes are all the more striking in light of the debates over the precise meaning of the terms *alienigena* and *non oriundus* that had exercised the minds of canonists from the moment of the decree's formal promulgation. Although some individual instances might be chalked up to haste or carelessness, they collectively suggest the diffusion of a shorthand understanding of the decree that simply glossed over its restriction to foreigners.

When fifteenth-century preachers ignored the decree's distinction between locals and foreigners, their interpretative looseness obviously shaped the way that their listeners understood the canonical penalties falling on usurers—and perhaps awakened new anxieties in the hearts of local moneylenders who had never imagined that they themselves might be subject to expulsion. But while these preachers thereby shaped prevailing norms, their sermons could not create new law. By contrast, when a bishop declared that all usurers were to be expelled, he was not merely introducing a new variation into understandings of the church's general law; he was in fact issuing a new normative text that could henceforth take on a juridical life of its own, complementing or perhaps even competing with its exemplar. Although such elisions, rephrasings, and variations often had little discernible effect, the interpretative flexibility that flowed from such textual instability could on occasion bear dramatic consequences. Bishop Nicolas Gellent's reworking of *Usurarum voraginem* has already revealed that the ways that observers and authorities construed the decree could profoundly affect the lives of those who fell within its reach. While Gellent's statute was the first time that the decree was turned against

Jews, rather than the northern Italian moneylenders that the drafters had envisioned, it was certainly not the last.

Dissemination and Divergence

All of the channels that spread *Usurarum voraginem* and its expulsion provision have their own internal histories, which in turn shaped the speed and patterns of the decree's dissemination. There was surely an initial flurry of familiarity as the decrees of the Second Council of Lyon were read out at subsequent provincial councils and diocesan synods, with diligent priests and deans then spreading the news of the decree yet further among the faithful. Over the next half century, a smattering of ecclesiastical authorities reinforced knowledge of the decree within their jurisdictions by incorporating its language or penalties into their local legislation. Examples of the latter were relatively rare, and thereafter they become rarer still. Yet starting around 1300, a constellation of new confessional treatises and other *pastoralia* brought summaries of the decree within ready reach of countless friars, priests, and other clerics. Then, a century later, Observant Franciscan preachers began to draw on the decree in their sermons. On the whole, then, popular awareness of the decree did not simply spike in the immediate aftermath of the council and then steadily drop off thereafter; rather, it presumably mirrored the fluctuations of these several genres and their respective reach. Geography also mattered. In the first half of the fourteenth century, clerics in southwestern France likely encountered the decree more often than their counterparts across the Pyrenees or north of the Loire, to judge from the distribution of the decree's incorporation into synodal statutes. Similarly, to judge from the Observant Franciscans' regular references to the decree in their sermons and writings, Italian audiences in the mid-fifteenth century were probably better informed about *Usurarum voraginem* than their ancestors a century earlier.

Here and there echoes of the decree hint at its penetration into popular consciousness. When the civic authorities in the Umbrian town of Foligno sought to impose a ban on usury within their jurisdiction, they quoted the language of *Usurarum voraginem* to justify their policy, declaring that such usury was rapidly consuming the town's resources.⁷⁹ When the biographer of an early fourteenth-century bishop of Hildesheim sought to sing his subject's praises, he declared that "the bishop had vigorously closed up the abyss of usury, which devours souls and drains riches," lifting his words directly from the decree's incipit.⁸⁰ Such extracts or echoes do not necessarily imply an awareness of the decree's expulsion provision. In many cases, these may not be echoes of the decree itself so much as echoes of echoes; indeed, the more often authors drew on *Usurarum voraginem*'s language to denounce usury in

general, the less certain it is that any of them had ever encountered the full text of the decree, rather than a brief quotation in some other context. It is precisely for this reason that one cannot study the dissemination of late medieval law by looking only at lawbooks, or by considering it only in its codified form. Furthermore, as *Usurarum voraginem* traveled outward from Lyon, its text was transformed in ways both subtle and striking, each transformation introducing in turn new interpretative possibilities and constraints. Even the most basic questions—whom exactly the decree targeted for expulsion, for instance, or who was bound to enforce it—were a matter of dissension, debate, and doubt. Whatever the decree may have looked like to the budding jurists sitting in the lecture halls of Bologna, it would have looked very different to the parishioners of Basel, for whom the decree concerned only the lodging of foreign usurers, or the lower clergy of Chalon-sur-Saône, for whom the decree prohibited renting houses to all manifest usurers but again said nothing about their outright expulsion. The view from Bologna, as it were, does not extend much beyond that city's walls.

These caveats serve as a necessary corrective to scholarly invocations of late medieval law that too readily (if often unconsciously) assume a tight relationship between official pronouncements and public knowledge. Even within learned contexts, new laws did not necessarily penetrate into established textual traditions: fifteenth-century authors drew on early thirteenth-century penitentials, not worrying much about whether their material was sufficiently up-to-date. Still, it is crucial not to underemphasize the importance of the decree's promulgation and codification. That *Usurarum voraginem* was included in both later canonical codifications and major penitential handbooks meant that its text was copied into thousands of manuscripts, stored safely in libraries and private book collections across the whole of western Christendom. Even in times and places in which there is little evident awareness of the decree, *Usurarum voraginem* did not simply disappear. Instead, it simply lay waiting, ready for new readers to discover its language, reflect on its meaning, and—perhaps—demand its enforcement.

PART III



6

Emulating Expulsion

ENGLAND AND FRANCE, 1274–1306

USURARUM VORAGINEM'S DEMANDS MARKED a milestone: while previous medieval expulsion orders had concerned cities, duchies, or kingdoms, the decree's provisions theoretically embraced all of western Christendom. Not since the age of Justinian had a European authority issued such a sweeping and categorical call for the collective banishment of wrongdoers. Drawing on secular precedents, the church had given spatial form to its longstanding calls to exclude usurers from the community of the faithful, even if the deliberations during the council had whittled down the decree's reach from all manifest usurers to foreign ones.

By the late summer of 1274, the idea that usury might justly be punished with expulsion was thus bolstered by both the pious prestige of Louis IX and the canonical authority of a conciliar decree. Just as Louis IX's standing threat of expulsion had rendered Jewish life precarious within his royal domains, so too did *Usurarum voraginem's* enduring validity turn expulsion into a perpetual possibility for anyone who might fall within its reach. Moreover, the new decree's association of usury and expulsion was taken up into the elaborate textual and institutional structures that the high medieval church had created to disseminate its normative claims, thus fueling (however haltingly and unevenly) the dissemination of this association across much of western Europe, and among lay and clerical audiences alike.

The Lyonese decree met with a swift response in the two kingdoms (namely, England and France) in which usury was already associated with expulsion. Over the course of the following three decades, as this chapter will show, rulers on both sides of the Channel would draw inspiration from one another in further embracing expulsion and expanding its targets. Along the way, they reckoned with new questions: whose usury should be so punished, and by whom? Could expulsion be profitable, as it had been for Henry III of England, or did the demands of piety outweigh the appeal of profit, as with Louis IX?

Departing from earlier practice, English royal rhetoric would soon condemn all Jews as usurers, while French measures against foreign usurers would broaden to encompass all Italian merchants within the realm. Although the histories of expulsions in both kingdoms have often been told separately, and the expulsions of Jews and foreign usurers have never been compared, analyzing all of these episodes alongside one another reveals shared precedents, patterns, and choices that otherwise remain obscured.

Elsewhere in western Europe the usury-expulsion nexus left little impact in the closing decades of the thirteenth century and the early years of the following one—an outcome that sits uneasily with interpretations of late medieval society as being ever-more ready to embrace the arsenal of persecution. The previous hundred years had seen clerical thinkers grow ever more unanimous in their denunciation of usury and the demonization of the usurer, with earlier arguments for the toleration of Jewish lending losing ground before the onslaught of rigorist opposition. Although the scattered church voices calling for the expulsion of Jewish usurers could still adduce only scanty doctrinal grounds to support their demands, the measures taken by Louis IX now offered a template for other secular rulers to follow, while the Lyonesse decree established the expulsion of foreign usurers as a duty incumbent on every Christian authority.

Yet as the following two chapters will show, few authorities availed themselves of these newfound possibilities. Temporal authorities across much of western Europe continued to welcome foreign moneylenders into their lands into the fourteenth century and beyond, with local prelates only rarely mounting serious opposition—and sometimes even protecting the Lombards directly. For all that *Usurarum voraginem* transformed the expulsion of foreign usurers into a universal obligation, in most of Latin Christendom it was local configurations of power and precarity that determined their fate. As for Jews, the fourteenth century saw hundreds of their communities decimated and dislocated in the wake of horrific outbreaks of violence, but it was only toward the turn of the fifteenth century that government-ordered expulsions began to proliferate anew—buttressed in many cases by new interpretations of canon law. If the first two parts of this book have shown how the pairing of usury and expulsion emerged and spread in the twelfth and early thirteenth centuries, this final part explores how it could alternatively be emulated, evaded, ignored, reworked, or revived thereafter.

After Lyon:

The Expulsion of “Merchant-Usurers” in England

As Edward I made his way from Dover to Westminster to be crowned King of England in August 1274, news of the proceedings at Lyon followed swiftly behind. Many of the kingdom’s bishops had been in attendance at the council,

and at least seven of them—including the archbishops of Canterbury and York—hurried back to attend his coronation on August 19.¹ Given the repeated exactions, expulsions, and injuries that foreign merchants in England had experienced during the long reign of Henry III, one can only wonder how they greeted his son's accession. At the very least they knew that the new king was likely to take an interest in their affairs, since even as heir-presumptive he had assumed responsibility for overseeing the presence of foreign merchants in the realm. In 1266, with royal power largely restored and mercantile activity resuming, Henry III had placed such merchants under his son's protection, declaring that they would henceforth "dwell and trade in the realm by [Edward's] authority and license," and they could equally be "removed from the realm" at Edward's will.²

As in previous decades, the latter was no idle threat. In 1270, a spat between Henry III and the countess of Flanders over some long-unpaid debts led the countess to expel all English merchants from her domains and confiscate their merchandise—which she promptly sold off. Edward had already set forth on crusade, but when the news reached him, he urged his father to take a hard line against the countess. Three years later, Edward returned from the Holy Land to find that the dispute had still not been resolved, despite a continuing English embargo on wool exports to Flanders. He immediately ordered that all Flemish merchants be driven from the realm, even those who had managed to secure special privileges from Henry III in the intervening years. It was an early sign of the new king's willingness to resort to expulsion in order to achieve his political aims.³

A year later, it would be the Italians who faced expulsion. On November 9, 1274, Edward sent a mandate to the mayor and sheriffs of London, declaring that "the king wills that merchant-usurers (*mercatores usurarii*) shall not stay in the city or elsewhere in the realm." Any who remained in the kingdom past the twenty-day limit would face arrest and confiscation of their property.⁴ The timing of the order—only a few months after *Usurarum voraginem* began circulating—clearly betrays the decree's influence. Yet in taking aim at these "merchant-usurers," Edward was also following paternal precedent, namely, the expulsion orders that his father Henry III had issued against Italian usurers between 1240 and 1253.⁵ Some Italians evidently fled the kingdom in response to Edward's mandate. In May and June 1275, for example, Edward issued safe-conducts to four Florentine and Sieneese merchants to come to the kingdom "to treat with the king on certain business." Since he shortly thereafter granted them pardons for their trespasses for usury, it seems probable that these merchants had left the realm following the expulsion order and had since decided to return and secure a royal pardon that would allow them to resume their business dealings.⁶

Many others seem to have ignored the royal expulsion order. In January 1275, Edward complained that some merchant-usurers apparently remained in London and elsewhere "contrary to the prohibition." He therefore ordered two officials, John de Lovetot and Geoffrey de Newbold, to inquire "circumspectly and diligently" into the matter and imprison any transgressors, along with their property. Lovetot and Newbold were well-qualified for the task at hand. To begin with, they had previously managed to disguise the interest when recording the repayment of a Florentine loan that the king had contracted while returning from crusade; this suggests a certain facility with contemporary account books. Furthermore, Lovetot and Newbold were already in the process of investigating foreign merchants for alleged violations of the Flemish wool embargo.⁷ Over the coming weeks, they seized merchants' strongboxes in order to review their account books for any signs of wrongdoing. In addition, the Crown sent letters to monasteries and other ecclesiastical institutions across England, inquiring about any debts they may have contracted with foreign merchants as well as any associated wool dealings.⁸

One can only speculate as to why so few merchants complied with the initial expulsion order. Some might have assumed that it would not be enforced, or that a speedy bribe would spur royal forbearance; Henry III, after all, had repeatedly dropped his threats once the merchants paid up. Others might have received royal assurances that they would be spared from the official penalties. Many merchants might also have hoped to evade the official sanctions until they could recall their outstanding loans from monasteries and other debtors.

It is also possible that many foreign merchants simply did not think that the expulsion order concerned them. Decades earlier, Henry III's efforts to extort or expel moneylenders had adopted reasonably transparent language, explicitly mentioning "transalpine merchants" or "Florentine and Sienese merchants" or "merchants from beyond the seas . . . who lend money at usury." Edward's mandate instead used a much more derogatory description, "merchant-usurers (*mercatores usurarii*)." The term was not novel—Matthew Paris had made regular use of it—but it belonged to the language of insult, not of administration.⁹ Many, perhaps most, of the foreign merchants whose activities focused on the wool trade would have been unlikely to self-describe as "usurers," even though they may have engaged occasionally in moneylending and many of the advance contracts that they drew up with monastic institutions and other wool-producers functioned in effect as loans. Moreover, many of these merchants were associated with larger firms, within which moneylending (whether in its own right, or the context of the wool trade) was but one of many commercial undertakings—thus affording any given member a further buffer against self-identifying as a "usurer." For them, it was probably easy to assume

that the king's intended targets lay elsewhere. By contrast, the much smaller number of merchants whose individual or collective activities focused on moneylending (such as the Sieneese) presumably perceived the royal threat much more clearly. Tellingly, of the merchants who fled swiftly, none had any attested dealings in the wool trade, with all of their known activities instead concerning moneylending and other credit operations.

By mid-May 1275, Lovetot and Newbold had wrapped up their work. Soon thereafter, the king pardoned two dozen Florentines, Sieneese, and Pistoians for their usurious trespasses. In each case, the merchants and their associates were henceforth allowed to remain in the kingdom and engage freely in trade and commerce on condition that they abstained from usurious dealings of all sorts; failure to comply would result in the confiscation and forfeiture of their merchandise and other property. The pardons naturally came at a price. Two Sieneese merchants paid the highest fine (£400), while others paid sums ranging from £20 to £133.¹⁰ The violations of the wool embargo proved even more lucrative to the Crown; the total penalties paid by foreign merchants (roughly £13,000) rivaled Edward's annual revenues from the Crown lands and dwarfed by nearly a hundredfold the attested penalties on his native-born subjects found guilty of the same offenses.¹¹

The king surely welcomed such revenues, but in contrast to his father, there is little evidence that Edward conceived his expulsion order as a scheme to bolster royal finances. He did not, for instance, wield the expulsion in order to renege on his own debts. Only a few weeks after the expulsion deadline, for instance, Edward ordered Lovetot and Newbold to repay part of his debts to two Florentine merchants.¹² The merchants had loaned him money during his return from the Holy Land, and despite the expulsion order, they were evidently willing to remain in the realm while awaiting repayment. Nor did the king try to extort gifts or loans from foreign merchants in the immediate aftermath of the expulsion order, as Henry III had repeatedly done. Furthermore, the results of the inquiry suggest that the investigators were quite scrupulous in identifying wrongdoers. Where Henry had directed his ire at entire communities (such as the Sieneese), Lovetot and Newbold's penalties focused on individual offenders. Among the associates of the Florentine Cerchi firm, for example, four were ultimately fined for usury, three were fined for wool, and four were fined for both. Even if some merchants clearly escaped punishment due to royal favor, it is clear that the inquiry was not simply a front for a general levy on foreign merchants.

Given Edward's dismay at the news that merchant-usurers were still lurking in London well after the departure deadline, as well as the thoroughness of the subsequent inquiry, he seems to have taken quite seriously his duty to comply with the Lyonese expulsion decree. Although the king ultimately relented on

the expulsion of offenders, instead offering pardons in return for payments, these pardons explicitly required the recipients to refrain from usurious transactions in the future. To judge from their subsequent lending behavior, most Italians took the warning quite seriously. A study of the Canterbury cathedral priory's loans from Italian merchant-bankers showed that even disguised usury charges seem to disappear in the years following 1274.¹³ Edward's mandate to expel foreign usurers may not have resulted in a large-scale departure of foreigners, but the Canterbury evidence suggests that it did have a marked effect on usury.

Edward's concern with usury extended to his own Christian subjects as well. In the weeks prior to the expulsion order, for instance, the king had ordered a royal official to inquire into the usurious activities of two London neighbors (one of them a Jewish convert), which resulted in their temporary imprisonment in the Tower.¹⁴ And not long after John de Lovetot had wrapped up his initial inquiries into foreign usurers and wool violations, the king commissioned him to investigate Christians in several counties who were "acting like Jews" (*judaizantes*) by lending usuriously to poor Christians.¹⁵ To judge from the surviving evidence, such systematic royal attention to Christian lending practices was unprecedented. While this attention does not seem to have persisted beyond the early years of Edward's reign, the extensive investigations had served to broadcast the king's opposition to usury to communities throughout England. The consequences may be seen in a parliamentary petition from ca. 1278, in which some monks contested a contract they had made with a Florentine firm on the grounds that it ran counter to the king's statutes on usury.¹⁶ While the king's decision went unrecorded, the complaint underscores that those who dared resume their earlier lending practices now did so from a more vulnerable position.

After Lyon:

The Expulsion and Extortion of Lombards in France

Across the Channel, King Philip III of France moved even more swiftly to expel foreign usurers from his realm following the conclusion of the church council at Lyon. In an ordinance issued in August 1274 at the Parlement of Paris, the king called on his bailiffs to expel from their jurisdictions any "Lombards, Cahorsins, and other foreigners" who were publicly engaging in usurious pawnbroking, and to push neighboring lords to do the same. Given the ordinance's timing—less than three weeks after the Council of Lyon's final session—there is little doubt that it was spurred by the conciliar decree; Philip might even have discussed this topic with the pope during an earlier meeting in Lyon. As the ordinance's first article explicitly acknowledged, however, its

language and structure both imitated the expulsion order that Philip's father, Louis IX, had issued five years earlier. Among the few differences between these two ordinances was the specification of a two-month implementation window in 1274, rather than the three months set forth in 1269. Philip's ordinance also exempted from expulsion those who thoroughly forswore their usury. Finally, perhaps reflecting lessons learned from the enforcement of the previous ordinance, Philip explicitly threatened transgressors with the loss of their lives and property and warned his bailiffs about fraudulent evasion.¹⁷

Philip evidently pushed for the ordinance to be enforced not only within his northern bailiwicks, but also in his southern domains and in the county of Brittany as well.¹⁸ For the most part, the evidence concerning foreign money-lending activity either before or after the expulsion order is too scanty to draw even tentative conclusions about the thoroughness of its enforcement. A later source, probably from the reign of his son Philip the Fair, reveals that the Lombards in France were accustomed to seek asylum whenever royal commissioners investigating usury approached.¹⁹ According to the Florentine chronicler Giovanni Villani, after Philip VI banished the Florentines from France in 1345, many of those who did not leave the realm similarly "hid themselves in asylums or in churches," albeit at their peril.²⁰ Whether their forebears were already doing so in 1274 is unclear, and so too is the nature of the places in which they may have sought refuge, but the practice certainly points to the Lombards' abilities to evade royal attempts at their repression.

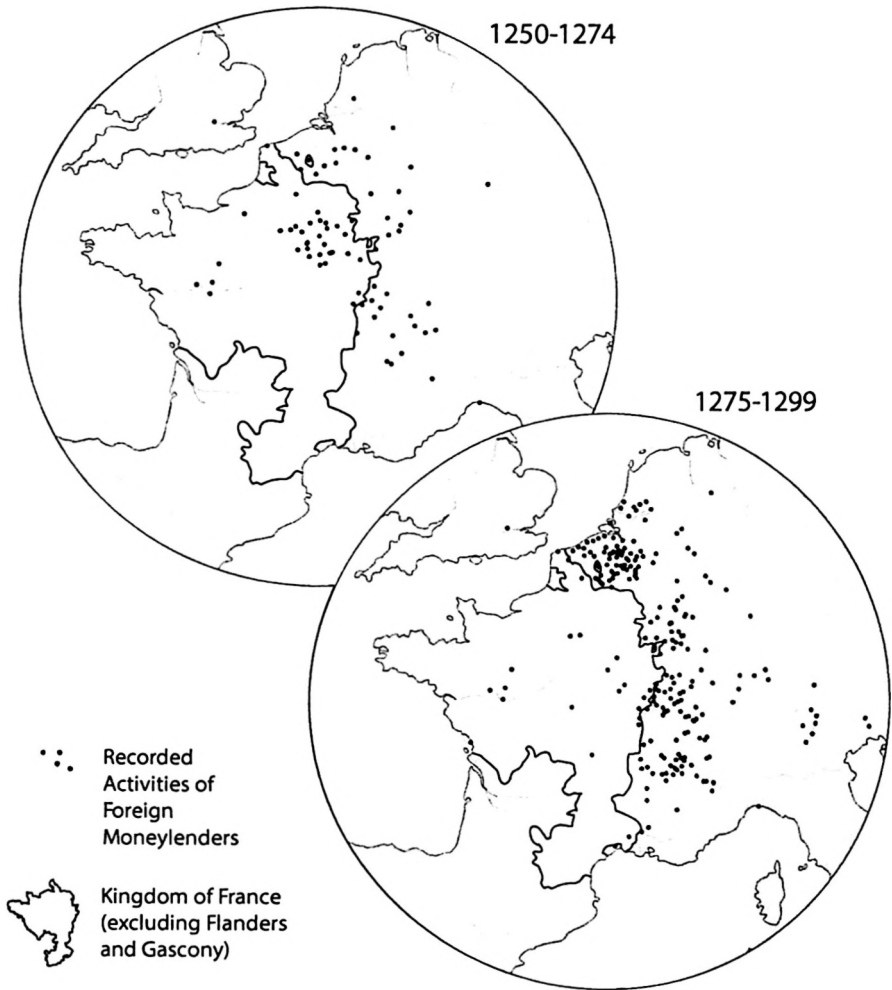
Fortunately, the same Tournai contracts that shed light on the impact of Louis IX's ordinance offer valuable evidence here as well.²¹ The 1269 ordinance, as noted earlier, had led to a sharp but temporary drop-off in Lombard moneylending in the city. From 1272 onward, such moneylending resumed rapidly, only to come to a sudden stop in the summer of 1274. Not until 1282 is there evidence for renewed lending activity, and it never again reached its earlier heights. As for the Lombards themselves, some of them remained in the city, shifting their business interests instead toward the grain and cloth trade. Others crossed over into the neighboring county of Flanders, where they resumed their moneylending activities.²² One of these has been introduced already, namely, Tommaso da Bene of Asti, who had temporarily switched his interests from moneylending to the textile trade following Louis IX's ordinance. Tommaso disappeared altogether in the wake of Philip III's 1274 expulsion order, reappearing in 1281 as a resident of the Flemish town of Geraardsbergen (Grammont), some thirty miles northeast of Tournai.²³ Over time he came to resume some of his lending activity in Tournai, but he did so while remaining resident in Flanders.²⁴ On the whole, the years following 1274 saw a marked shrinking of Tournai's Lombard community, which dropped to half of its former size in the 1280s and disappeared almost entirely thereafter.

Philip III's subsequent policies also played a considerable role in encouraging foreign moneylenders to pursue opportunities outside the realm. As reported by the Florentine chronicler Villani, over the course of a single day—April 24, 1277—royal agents seized and imprisoned all of the Italians within the kingdom, merchants and moneylenders alike. The king then apparently ordered them all to leave the realm on the grounds that they had transgressed Louis IX's ban on usury. Although the documents ordering the arrest and expulsion do not survive, the swift implementation and lucrative outcome of the event strongly suggest that royal officials were drawing on their past experience with the Jewish *captio*. Indeed, as Villani noted, Philip's true interests were revealed by the fact that he subsequently agreed to free the prisoners and waive their expulsion in return for the hefty sum of almost 50,000 *livres tournois*, which they duly paid.²⁵

The mass arrest prompted widespread outrage. Within a month of the initial crackdown, Siena sent ambassadors to negotiate the release of their imprisoned countrymen along with their property.²⁶ The town of Saint-Omer, near Calais, complained bitterly that in arresting the local Lombards, the agents of the bailiff of Amiens had infringed on the town's traditional liberties.²⁷ Even Pope Nicholas III joined the fray, sending five letters to the king to demand that royal agents refrain from further molesting thirty Florentine merchants and their associates. While acknowledging that the king had acted out of a hatred of "the abyss of usury (*voraginem usurarum*)," the pope insisted that the Florentines be relieved of the indignity of contributing to an indemnity for crimes they had not in fact committed.²⁸

The event also spurred a widespread exodus of Lombard moneylenders from the realm. This had not been the case in 1274: neither *Usurarum voraginem*'s threatened penalties nor Philip's expulsion ordinance seem to have immediately disrupted foreign moneylending outside the royal domains. There was no evident break in Lombard lending activity in Anjou, Artois, or Champagne, for example, while the evidence from Burgundy is ambiguous.²⁹ After 1277, however, there was a marked decline in foreign moneylending throughout all the lands subject to French suzerainty. Aside from Tournai, only in Arras (in the county of Artois) and Seurre (in the duchy of Burgundy) is there clear evidence for a settled community of Lombard moneylenders during the 1280s.³⁰ This disappearance is all the more striking in light of simultaneous developments beyond the kingdom's borders: in neighboring Flanders, Lorraine, and the county of Burgundy, all of which lay effectively beyond the authority of the French Crown, Lombard moneylending was vibrant and waxing in importance throughout the last quarter of the thirteenth century (see map 5).

Notwithstanding the general emigration of Lombard moneylenders to more welcoming jurisdictions during the reign of Philip III, his son Philip IV



MAP 5. The Shifting Geography of Foreign Moneylending Activity, 1250–1299. Comparing the recorded activities of foreign moneylenders in the Kingdom of France and its neighboring territories reveals a sharp increase after 1274 in areas falling beyond the effective reach of French royal authority. *Source:* Administrative boundaries adapted from EurAtlas Georeferenced Historical Vector Data © Christos Nüssli, 2008. For foreign moneylending activity, see the note to map 4.

(the Fair) proved quite adept at wielding usury accusations to squeeze revenues from foreign merchants following his accession in 1285. In 1288, royal officials conducted an inquiry into usurious practices among the large community of Italian merchants in Nîmes; conveniently for the king, the resulting depositions all concurred that most of these merchants were “usurers and thieves” whose greed was “destroying the land and its people.” Encouraged by such accusations, Philip the Fair ordered the simultaneous arrest of all “Tuscans and Lombards” in the kingdom on May 1, 1291, followed by a systematic inquest into their commercial activities and their purported violations of the anti-usury ordinances issued by his father and grandfather. Here again the Florentine chronicler Villani was dismissive of the royal pretext: while the king claimed to be cracking down on usurers, he in fact rounded up merchants and moneylenders alike.³¹ It is unclear whether the king even bothered to threaten the transgressors with expulsion; his primary goal, after all, was to extort revenues, not extirpate usury. In the end, most of the imprisoned Italians were duly compelled to pay up, resulting in a staggering windfall of roughly 150,000 *livres tournois*—substantially more than Philip the Fair earned from a simultaneous *captio* of the kingdom’s Jews. It is therefore hardly surprising that when Philip assumed effective control of the county of Burgundy in 1295 nearly all of the resident Lombards appear to have fled.³²

Comparing the English and French responses to foreign usurers during the closing decades of the thirteenth century, one is immediately struck by the instability or ambiguity surrounding the targets themselves. For all the shared concern about foreign usurers, the definitions of both terms were decidedly flexible. In England, as discussed earlier, it is likely that many Italian merchant-bankers initially ignored Edward I’s 1274 expulsion mandate because they did not consider themselves to be “usurers” for the purposes of its enforcement. In France, the early royal focus on foreign pawnbrokers in the 1269 and 1274 ordinances expanded to encompass all Italian merchants in 1277 and 1291, with seemingly little regard for their actual commercial practices (at least so far as the initial mass arrests were concerned). Well-connected victims could solicit the intervention of influential figures—like Pope Nicholas III—to free themselves from the charge of being a usurer. In other cases, local actors could challenge royal definitions of foreignness. In 1291, for example, the consuls of Narbonne petitioned for the release of four Italians on the grounds that they were longstanding “citizens and burghers of the city.” Although royal officials had evidently considered them “Lombards and Tuscans” for the purposes of enforcing the decree, the consuls disagreed, claiming that their civic status exempted them from the order’s reach. All four Italians, the consuls argued, resided in the city with their families, and their wives all came from respected families in the city. One had lived in Narbonne for over twenty-five years, and

the others for at least twelve or fourteen. As a final flourish, the consuls insisted that according to local knowledge (*fama*), the four merchants all engaged in honest commerce, avoiding usurious lending.³³ Setting aside this latter claim, the consuls' petition underscores that however convenient as administrative shorthands, categories such as "Lombard" or "foreign" were neither exclusive nor clear-cut in practice.

Also notable is the royal preference for fining rather than expelling offenders. This emerges quite clearly from the pardons that Edward I granted to Italian merchants in England, and Philip III stated the principle unambiguously in a letter to the archbishop of Bourges in November 1277, sent on behalf of a family of Lombards from the Piedmontese town of Asti. Since they had made appropriate composition for their earlier usury, wrote the king, the archbishop was to allow them to come and go freely within the realm and carry out "any proper and legitimate trade and commerce."³⁴ In England, this preference was longstanding; Henry III, after all, had repeatedly wielded accusations of usury in order to extract fines and bribes from the Italians in his realm. In France this preference evolved more gradually. Following in the footsteps of his saintly father, Philip III did not attempt to profit from his first expulsion order in 1274; he simply ordered Lombard and Cahorsin pawnbrokers to leave the realm and barred other foreigners from lending at interest in the future. In 1277, however, the mass arrest of Italian merchants was clearly meant to facilitate the confiscation of their wealth, rather than encourage their departure. The same was even more true for Philip the Fair: his instructions to the agents overseeing the 1291 usury investigation said nothing at all about expulsion, and instead simply ordered them to seize half (later reduced to one-third) of the transgressors' property.³⁵ For the next six decades, French kings continued to alternate between these two stratagems, either threatening and then rescinding expulsion upon the payment of an indemnity, or else arresting foreign merchants and imposing fines directly. Not until 1347 would a French ruler thoroughly enforce expulsion against the kingdom's Lombard residents, and in this instance he also strove to confiscate as much of their property as he could.³⁶

That kings generally preferred fines to expulsion is hardly surprising: kings were always short of money, and foreign moneylenders were vulnerable and rich. Although the drafters of *Usurarum voraginem* had made no provision for such commutation-through-composition, many ecclesiastical authorities seem to have been quite comfortable with these arrangements. Around 1282, for instance, the ranking clerics of the diocese of Utrecht wrote to the count of Holland to complain about the longstanding presence of Lombards within his county, urging him to uphold the Lyonese decree. Rather than expel them, the count arrested the Lombards, confiscated their property, then used some of the resulting proceeds to reimburse the victims of their usury. This response

seems to have proved entirely satisfactory to the prelates, who subsequently summoned the Lombards before them and made them swear never to demand reparations for the losses they had suffered.³⁷ Even Pope Clement V, in addressing the sums that Philip the Fair had extorted from foreigners (as well as his Jewish and Christian subjects), simply ordered the king to make restitution as best he could for the usurious revenues, and to employ the rest for pious purposes.³⁸ At no point did he suggest that the expulsion of the usurers might also be required.

Jewish Perfidy, Princely Grace: Experimenting with Expulsion in England and France

In contrast to the events discussed above, the expulsions of English and French Jews that were ordered in the closing decades of the thirteenth century and the opening years of the fourteenth have received sustained scholarly attention in recent decades. This is especially true of the kingdom-wide expulsions—first from England in 1290, and then from France in 1306—whose causes, implementation, and consequences have been repeatedly scrutinized and compared. What follows is not an attempt to narrate these expulsions in all of their historical complexity. Rather, it aims to recover the role of usury in shaping the reach, rhetoric, and mechanics of these dramatic expulsions. By looking first to the regional expulsions of Jews that erupted in the late 1280s, and then turning to the kingdom-wide expulsions, the following sections show how the usury-expulsion nexus that had been established over the previous decades fueled its continuing development thereafter. Moreover, comparing these expulsions of Jews not only with each other, but also with contemporary expulsions of foreign usurers (some of which were ordered simultaneously), reveals both the precedents that rulers embraced and the paths that they rejected.

Within England, the late 1260s and early 1270s saw a dramatic transformation in the royal regulation of Jewish lending practices. Under Henry III, and in sharp contrast to contemporary developments in France, Jews had continued to lend at interest with support from the Crown and under the supervision of its officials. In this, as in so many other aspects of medieval English history, the reign of Edward I proved a turning point. Along with the protection and taxation of foreign merchants, Jewish moneylending was among the topics that had attracted Edward's interest even before he became king. In 1269, he had evidently played a major role in persuading his father to issue an ordinance restricting the alienability of Jewish debts, thereby limiting the ability of wealthy magnates (among them Edward's mother, Queen Eleanor) to buy up lands pledged by the Jews' defaulting debtors. Over the next two years, in an effort to secure parliamentary assent for a new tax, the Crown imposed further

restrictions on Jewish lending and introduced measures for their enforcement.³⁹ Yet the new regulations ultimately did little to ease the pressure on indebted landowners. As such, when Edward—now king—turned to Parliament in October 1275 to seek assent for yet another round of taxation, he faced demands for the outright suppression of Jewish moneylending. Edward gave way, and the resulting Statute of the Jewry forbade Jews from lending at interest. Whether by coincidence or design, the effective date of the interest ban was set as the preceding Feast of Saint Edward the Confessor, the royal namesake who had reputedly outlawed usurers some two centuries earlier.⁴⁰

Although contemporary observers recognized the prohibition on Jewish lending as the price Edward had paid to secure his new tax, the statute presented it as being issued “for the honor of God and the common benefit of the people.”⁴¹ The latter claim is straightforward enough, even if “the people” who stood to benefit from the effective suppression of Jewish moneylending represented a rather limited share of the king’s subjects. More suggestive is the reference to divine honor, for it rested on the assumption that Jewish moneylending—at any level of interest—was offensive to God. This was hardly a new idea; it had already been loudly asserted by Thomas of Chobham, Robert Grosseteste, and other English clerics who were likewise influenced by the Parisian theological tradition. While Henry III had long resisted this strand of theological reasoning, Edward evidently proved more receptive.⁴²

At the same time, in taking the Jews “under his protection” and granting them “his peace,” Edward also claimed to be deferring to the church’s desire “that they may live and be preserved.” One wonders what contemporaries made of this pious claim; a surer guide to the king’s motivations probably lay in the statute’s reference to the profits that Jews had brought him in the past, and the taxes they would owe him in the future. Following the lead of his father and grandfather, Edward had proven quite willing to threaten expulsion for Jews who could not pay the taxes that he imposed. In November 1274, for instance, he had ordered that any Jew who defaulted on the recent tallage was to be compelled “to leave the realm with his wife and children [. . .] never to return.” Three years later, in the wake of a new tallage on the kingdom’s Jews, Edward renewed this penalty.⁴³

Royal promises of protection and peace in fact served to underscore the Jews’ uneasy status within the realm. Unlike the king’s Christian subjects, who enjoyed his protection and peace as a matter of right, Jews (like foreign merchants) enjoyed them only as a privilege.⁴⁴ Only a few years earlier the Crown had forcefully affirmed the precariousness of Jewish settlement: the preamble to Henry III’s 1271 legislation restricting Jewish lending had asserted that “the perfidious Jews, enemies at all times of the Christian faith, liv[ed] in the realm solely by the grace of the prince.”⁴⁵ This assertion was not entirely novel:

Henry III, like his father John before him, had repeatedly emphasized the conditional nature of Jewish settlement. But where previous formulations had emphasized that Jewish residence in England depended on continuing Jewish service to the king, the 1271 preamble—here embracing the language of canon law—framed it purely as an act of grace.⁴⁶

The implications of such hardening attitudes were made clear in January 1275, when Edward granted his mother the right to expel Jews from her dower towns, and then made provision for each of the four Jewish communities to be relocated elsewhere.⁴⁷ Unlike the other examples of Jewish displacement in Edward's early reign, this was not a case of suppressing new Jewish settlements and enforcing traditional residency restrictions; all of the affected communities were well-established, and three of them dated back to the mid-twelfth century.⁴⁸ The laconic entry in the Patent Rolls offers no justification for the decision, and there is no evidence whatsoever that the targeted Jews were guilty of any wrongdoing. As the queen mother prepared to retire to a convent, perhaps she (like Simon de Montfort before her) feared the sinful consequences of continuing complicity in Jewish usury. Sheer hatred might also have played a role; the queen mother's increasing antipathy toward Jews was so notorious that one later chronicler framed her as the driving force behind the expulsion of 1290.⁴⁹ Regardless of the motivations, and notwithstanding the assurances of "peace" and "protection" that Edward included in the Statute of the Jewry later that same year, the king had made it clear that long residence was no protection against either forced relocation or even outright expulsion.

As for the key provision of the 1275 Statute of the Jewry—namely, the usury prohibition—the text's wording betrays its clear debt to French precedent. In declaring that England's Jews were henceforth to "live by lawful commerce and by their labor," the statute followed almost verbatim Louis IX's ordinance from four decades earlier, which had demanded that Jews "live by their own labors or commerce."⁵⁰ As duke of Aquitaine and Gascony, Edward was a vassal of the French king, and it is hardly surprising that he turned to the example of the pious (and recently deceased) Louis IX for inspiration. But given that Louis's 1254 reissue of the ordinance had explicitly threatened transgressors with expulsion, it is all the more noteworthy that Edward omitted this threat—or indeed any specific penalty—from his reworking of the usury prohibition. For Edward's Christian subjects, as noted earlier, being convicted of usury could lead to the confiscation of one's movable property, to say nothing of the various ecclesiastical sanctions. As for foreign usurers, it was less than a year since Edward had ordered them expelled. But if Jews violated the 1275 statute by continuing to lend at interest, their trespass was instead punishable "at the king's will" (*a sa volente*), a phrase that apparently authorized only fines or

imprisonment, rather than capital or corporal punishment.⁵¹ Such reticence might have reflected the king's own limited enthusiasm for the prohibition, which stemmed from knightly pressure rather than royal interests. But it might equally have reflected Edward's desire to assert his power over the kingdom's Jews, whose punishment—like their continuing residence in the realm—lay at his discretion.

Twelve years later, Edward exercised that discretion, ordering all Jews to be expelled from his French domains in Gascony in the early summer of 1287. This was the first effective regional expulsion of French Jews in half a century (the last having occurred in Brittany in 1240), and Edward's agents seem to have enforced it quite thoroughly. Moreover, Edward's action seems to have unleashed a series of similar measures that would result in the near-complete disappearance of Jewish communities from western France within five years. Despite the expulsion's impact, its immediate circumstances are shrouded in mystery, not least because the principal Gascon administrative records for these years have long been lost.⁵² It is clear, at least, that Edward intended it as an act of piety. He had only recently recovered from a harrowing accident, in which he had fallen eighty feet after a tower floor collapsed beneath him on Easter Sunday 1287. During his convalescence the king had also taken a vow to go on crusade for a second time. Furthermore, despite the financial demands of the proposed crusade (to say nothing of other royal debts), the king did not use the expulsion as a vehicle to drum up ready cash. Instead, Edward directed that most of the revenues from the sale of the Jews' property and the appropriation of their outstanding debts be donated to the Dominicans and Franciscans in the duchy.⁵³

How Edward justified the Gascon expulsion is unknown. Louis IX's example had already established the extirpation of usury as a moral precondition for crusading, and it is also suggestive that Edward's expulsion of Jews from Gascony would soon be followed by two other regional expulsions of French Jews, both of which invoked usury as their principal or even exclusive justification. Given Edward's refusal to profit from the despoliation of Jews and the evident influence of the mendicant orders, anxieties over usury might well have been at play. All of this is necessarily speculative. What is certain is that Edward's expulsion order extended to all of the duchy's Jews. Elsewhere on the continent, there had been no general expulsions of Jews since Duke Henry III of Brabant's abortive testamentary demand in 1261 (which was likewise underpinned by mendicant influence).⁵⁴ In England, meanwhile, earlier expulsion threats had been limited to those Jews who failed to render their due tallage. In contrast, Edward's 1287 order applied collectively to all Jews living in his Gascon domains.

Two years later, Edward's cousin followed his lead. In December 1289, the Angevin ruler Charles II expelled Jews together with "Lombards, Cahorsins, and other foreigners" from his counties of Anjou and Maine. His lengthy expulsion order, which survives in full, began with an extended denunciation of the Jews: not only were they impoverishing his subjects through their usury, but they were also leading faithful Christians away from the truth, and worst of all, seducing young Christian women. In ordering their expulsion, Charles therefore declared himself to be placing spiritual concerns before pecuniary self-interest. As for the foreign moneylenders, they too were to be expelled, so that Charles's "sincerity might shine forth even more clearly." As with Edward I in Gascony two years earlier, Charles did not seek to draw profit directly from the targets of his expulsion order: he made no specific provision for seizing the wealth of fleeing Jews, and he instructed local lords to confiscate the Lombards' property for themselves. But expulsion proved profitable all the same, for to compensate for the losses resulting from the departure of the Jews and Lombards, Charles imposed a new tax on all of his Christian subjects.⁵⁵

A clear echo of the Lyonese decree can be heard in Charles's invocation of the "abyss of usury" (*usurarum voragine*) among the grounds for expulsion. In addition, in calling for the expulsion of the Lombards the order lifted its vocabulary of foreignness directly from the earlier royal ordinances of Louis IX and Philip III.⁵⁶ Most notably, however, Charles noted that he had issued the expulsion order "upon consultation with his reverend bishops and other clerics." In the roster that followed, the name of Nicolas Gellent, the now-aged bishop of Angers, figured at the very top of the list. Fifteen years earlier, Gellent had been the first to twist *Usurarum voragine*'s language against Jews, though he seized only upon its housing ban rather than embracing its penalties in full. In the 1289 order, however, one does not need to look too hard to see Gellent's influence at work, prodding the prince to carry out the expulsion from which the bishop himself had once shied away.

"In Requit of their Crimes":

The English Expulsion of 1290

Three years after driving Jews from his Continental domains, Edward I decided to expel them from England as well. The official expulsion order (issued sometime in July 1290) does not survive, but a writ issued just after the Jews' departure justified the decision chiefly through the specter of widespread and clandestine Jewish moneylending in defiance of the royal prohibition. Because the "wicked" Jews had abased his people through their persistent usury, declared the king, he had driven them from the realm "in requital of their crimes

and for the honor of the Crucified."⁵⁷ Some contemporary observers embraced alternative explanations for the Jews' expulsion, such as the influence of the queen mother, or a purported request from the papacy, or the rash of coin-clipping accusations that had led to the arrest and execution of hundreds of Jews a decade earlier.⁵⁸ But most chroniclers associated the expulsion with a political quid pro quo: Edward sought parliamentary consent for a new tax, and Parliament (motivated, some said, by continuing knightly anger about Jewish lending) demanded that the Jews be expelled. Edward secured his tax—the largest ever granted to him—while Parliament secured the expulsion.⁵⁹

Modern scholars have generally accepted parliamentary pressure as the precipitating cause of the expulsion. At the same time, they have also underscored the importance of broader historical developments, from the increasing impoverishment of England's Jewish community to a rising sense of English national identity, and from hardening theological attitudes to the evolving relationship between nascent political institutions and royal authority. But as for Edward's official reasoning—that is, the Jews' persistent violation of the usury ban established in the 1275 Statute of the Jewry—recent historians have found it no more persuasive than did their medieval counterparts.⁶⁰

Such widespread skepticism raises the question of why Edward thought to invoke usury at all as justification for the expulsion. The question is especially salient given Edward's pronounced desire—which he manifested throughout his reign—to assert the legal legitimacy of his royal actions.⁶¹ He could, for instance, have accused England's Jews of failing to render their due *servicium*, which he (like his father and grandfather) had already established as grounds for forced removal. The most recent tallage on the Jews, after all, had produced rather desultory returns, far short of the stated royal demands.⁶² Edward could equally have highlighted the collapsing ecclesiastical support for continued Jewish residence in the realm. In 1275, and then again in unpublished legislation from the mid-1280s, the king had claimed the church's traditional sufferance of Jews as the chief reason for allowing them to remain in England.⁶³ Yet under the rabidly anti-Jewish leadership of Archbishop of Canterbury John Peckham, the English bishops had demanded that the king impose "horrible punishments" on Jews in order to restrain their wickedness, and one bishop reportedly pressured him directly to expel the Jews if they would not convert.⁶⁴ As a third option, Edward could even have dispensed with any justification whatsoever. After all, as his father's 1271 legislation had put it, the Jews' continued residence depended solely on princely grace, and such grace could be revoked at will.

Instead, Edward presented expulsion as the necessary response to the persistence of Jewish usury, which he framed as both an affront to divine honor and a threat to his subjects' well-being. Even if many contemporary observers

turned to other explanations to account for Edward's expulsion of England's Jews, the king and his advisors evidently considered usury to be the most cogent available grounds on which to legitimize the decision. Although the degree to which Jews were in fact transgressing the usury prohibition remains controversial, the royal accusations certainly reflected contemporary popular, ecclesiastical, and governmental opinion on this point.⁶⁵ Furthermore, the recurring ouster of foreign moneylenders from England over the past half-century had clearly established expulsion as a just response to illicit lending—if not for the king's Christian subjects, then at least for those who dwelt in the realm at royal pleasure.

As shown by its implementation, the 1290 expulsion order was a political rather a judicial act. There was no attempt to ascertain the guilt of individual Jews; the trespass was attributed to the community as a whole. This differed from the contemporary practice of abjuration, which required an individual confession of guilt before the wrongdoer could depart the realm.⁶⁶ Similarly, while the king claimed the Jews' outstanding debts for himself, he allowed them to keep their chattels, in marked contrast to the ordinary treatment of felons.⁶⁷ In these respects, the expulsion of the Jews closely resembled earlier expulsions of Italian merchant-bankers. Moreover, given that many of the latter had been forestalled or revoked through negotiations and bribes, it is not surprising that some Jews continued to hope for a reprieve right up to the departure deadline.⁶⁸ To be sure, there were important differences between the expulsion of the Jews and the earlier expulsions of foreign usurers. Perhaps as many as three thousand Jews were driven from the realm in 1290, a figure that far exceeds any previous instance of collective expulsion in England.⁶⁹ (By comparison, earlier expulsions of Flemish and Italian merchants probably affected at most a few hundred people.) In addition, any Jews who stayed in the realm faced decapitation rather than the usual arrest, despoliation, or loss of the king's peace.⁷⁰ But even taking such differences into account, it bears emphasizing that when Edward agreed to punish England's Jews for their alleged usury, he did not inflict on them the criminal penalties incurred by his Christian subjects who were guilty of the same. Rather, he invoked the collective punishment traditionally, indeed exclusively, associated with foreigners.

Given this association, it is surely no coincidence that a coordinated popular campaign to rid the realm of foreign merchants directly preceded Edward's decision to expel the kingdom's Jews. In the late spring of 1290, the citizens of London presented a petition to the king in Parliament, seeking remedy against the "alien merchants" who were dominating the city's commerce, impoverishing its citizens, and carrying off its wealth. The curt royal response left no doubt about what sort of remedy the petitioners had in mind—and also made clear

that Edward had no intention of acceding to it: "The king understands that the foreign merchants [were] suitable, and useful to the magnates, and he is not advised to expel them."⁷¹ Evidently foreign merchants could count on powerful defenders among Edward's counselors to guard them from expulsion. England's Jews could not.

Philip the Fair's Jewish Expulsions, 1291-1306

The death of Louis IX brought a temporary end to threats of expulsion against the Jews living under French royal rule. In contrast to Philip III's repeated campaigns against Lombards, the royal sources from his fifteen-year reign are virtually silent with regard to the expulsion of Jews. While he was hardly enthusiastic about Jewish moneylending, he did not follow his father's lead in threatening to banish those who engaged in it. Instead, royal measures concerning Jewish migration focused on restricting new settlements and corraling existing communities into cities where their activities could be supervised more closely.⁷²

As for Philip the Fair, throughout the early years of his reign he mostly held to his father's policy of consolidating Jewish settlements, though this of course frequently involved the forced relocations of Jews from small towns into larger ones. The new king also strove to deter new arrivals of Jews into his kingdom, a concern prompted by the sudden influx of impoverished Jewish refugees from the counties of western France (following the Gascon and Angevin expulsions of 1287 and 1289) and then the kingdom of England (following the expulsion of 1290).⁷³ It is in this context—namely, anxieties over Jewish immigration—that scholars have traditionally understood Philip the Fair's first expulsion of Jews. In July 1291, purportedly at the behest of local authorities, the king ordered Jews to depart from the seneschalsies of Poitou and Saintonge within two months. With Jews already having been expelled from the lands to the north and south over the course of the four previous years (as well as Brittany a half-century earlier), Philip's order was a final blow to the longstanding Jewish communities of western France.⁷⁴

On the whole, this expulsion has attracted little notice, perhaps because it was long believed that the king had swiftly revoked the expulsion order following a large payment from the Jews.⁷⁵ This error can be traced back to a sixteenth-century chronicler, who likely confused the events of 1291 with an episode from decades earlier.⁷⁶ In fact, the royal order was thoroughly implemented. Philip himself later recorded that the Jews had been "fully expelled" as a result of his edict, and there is no sign that any Jews returned to these regions for the next twenty-five years. The expulsion also proved lucrative. While the king does not seem to have made any effort to confiscate the property of the

expelled Jews, he did take inspiration from recent Angevin and English precedents: in recompense for acceding to the local entreaties, Philip imposed a heavy new tax on the people of Poitou and Saintonge.⁷⁷

Both the reach and reasoning of the 1291 expulsion are far more significant than has previously been realized. In issuing his edict, Philip said nothing about recent migration, nor did he restrict his measures to those Jews who were newly arrived in the region (as he did in other contemporary cases). The king also did not invoke fears of sexual commingling, as had Charles II of Anjou, or insult them as Christ-killers, as had Edward I of England. Instead, Philip justified the expulsion on the sole grounds that the Jews of these regions were inflicting "immense damage and many burdens [through their] usurious depravity and other illicit dealings." According to the expulsion order, this concern had been relayed to him in numerous reports, and he was therefore ordering expulsion in response to local wishes.

On its surface, Philip's order might seem to have resembled the expulsion mandates issued by his saintly grandfather in the mid-1250s. But while Louis IX had formally prescribed expulsion as the punishment for individual Jews who refused to abandon their usurious lending, he had never extended this expulsion mandate to the Jewish population as a whole. In Poitou and Saintonge, however, Philip the Fair used the accusation of usury to justify the forced and immediate removal of all Jews within the two seneschalsies—a collective punishment much more akin to the recent measures of his royal cousins. Not since the reign of Philip Augustus had a French king mandated such a sweeping expulsion of entire Jewish communities.

In its thoroughness and profitability, this regional expulsion was merely a preview of what would follow fifteen years later. Over the course of a few weeks in the summer of 1306, Philip's agents arrested every Jew within the kingdom of France. This aggressive manifestation of royal might was followed by the systematic despoliation and forced exodus of tens of thousands of Jews from the realm. The king's motives have been much discussed; like Philip himself, they were probably complicated.⁷⁸ Equally unclear is the role of his principal counselors in advocating for the expulsion. Notably, the official expulsion order does not survive, and there is little evidence that Philip publicized any formal justification for his action. None of the administrative sources concerning the enforcement and aftermath of the decree even hints at the underlying grounds. To judge from the laconic reports of contemporary chroniclers, the royal propaganda machine that Philip had earlier deployed so effectively in his bitter struggle against the papacy, and which he would soon turn against the Templars, was silent when it came to the expulsion of the Jews. Few early fourteenth-century French chroniclers sought to explain the king's action, and fewer still attempted to defend it.⁷⁹

Perhaps little explanation seemed necessary. Half a century earlier, the king's grandfather (by now officially a saint) had proclaimed that any Jews who persisted in usurious lending should be driven from the realm. Following his lead, Philip had invoked the evils of Jewish usury in explaining his earlier expulsion of Jews from Saintonge and Poitou. The same reasoning had also served well enough for both Edward I of England and Charles II of Anjou. As a result, it is not surprising that most of the contemporary observers who reflected at any length on the 1306 expulsion associated it somehow with Jewish lending.⁸⁰

Yet if Philip did proffer such a justification for his decision, his entourage put little effort into trumpeting it. This royal discretion—or even outright silence—presumably stemmed from the king's intention to claim most of the confiscated Jewish wealth for himself. Over the previous decades, Philip had extorted massive sums from Jews, foreigners, and even his own Christian subjects on charges of usury. Moreover, only a few months earlier the pope had urged the king to make restitution of any revenues derived from the illicit practices of "Jews and other usurers," and use for charitable purposes whatever could not be returned to its rightful owners.⁸¹ While Philip officially annulled any outstanding interest on the Jewish debts that he appropriated in the wake of the expulsion, there was no shortage of those who claimed that all Jewish wealth derived from usury, and was therefore tainted. Such sentiments had probably played an important role in dissuading rulers from undertaking similarly rapacious confiscations in earlier expulsions of Jews. Duke John I of Brittany's 1240 edict, for instance, had annulled Jewish debts but made no provision for the seizure of the Jews' other wealth. Louis IX had famously pursued a campaign of restitution following the expulsions and confiscations of the 1250s and then again before his final crusade. In Anjou, Charles II had allowed local lords to confiscate the property of the expelled Lombards, but he settled for a new tax on his Christian subjects in lieu of systematically despoiling the banished Jews. Edward I had donated most of his revenues from the Gascon expulsion to the mendicant orders, and in 1290 he had allowed the departing Jews to carry their chattels with them. Even Philip seems not to have profited directly from the expulsion of Jews from Saintonge and Poitou, instead settling once again for a compensatory tax. In short, throughout the thirteenth century, nearly every ruler who expelled Jews on charges of usury had consciously (and publicly) refrained from profiting too directly from Jewish wealth.

No doubt the actual unfolding of these earlier expulsions proved more destructive and costly for the fleeing Jews (and more lucrative for the expelling authorities) than the surviving administrative records suggest. Nevertheless, the expulsion of 1306 stands apart. According to one chronicler, Philip allowed the Jews to keep only enough money to pay for their journey out of the

kingdom.⁸² While many of the outstanding debts proved impossible to collect, and much of the confiscated wealth evidently made its way into the pockets of the king's agents, the revenues that did make their way into the royal treasury were unquestionably substantial.⁸³ Furthermore, although one fawning report maintained that Philip devoted the resulting windfall to pious purposes, he in fact directed only negligible amounts to the church and other charitable causes.⁸⁴ The great exodus of French Jews was thus unprecedented not only in its scale, but also in the royal rapacity that accompanied it.

Under such circumstances, it is unsurprising that few contemporaries saw fit to cloak the expulsion in a pious aura. While the same fawning report claimed that Philip was motivated above all by his wish "that no unbeliever should live in the kingdom of France," retrospective accounts simply lumped the expulsion together with the king's measures against the Lombards and the Templars, all of which had served mainly to replenish the royal coffers. Even those who were willing to believe that Philip had intended to rid the kingdom of usury nevertheless observed that the absence of Jews had simply forced borrowers to turn to Christian lenders, who demanded even higher rates of interest. As a result, "the kingdom took a turn for the worse, and Christians suffered for it."⁸⁵

Expelling Usurers in the Late Thirteenth Century: Themes and Variations

The preceding discussion has revealed considerable variety in the many expulsions of usurers that were threatened or implemented in England and France during the closing decades of the thirteenth century. To begin with, their execution reveals differing admixtures of piety and profit. The mass despoliation of Italian merchants that King Philip III of France ordered in 1277 had much less in common with his father's measures against Lombard pawnbrokers in 1269 than with King Henry III's extortionate tactics in England several decades earlier. In the same way, Edward I's conspicuous generosity to the mendicant orders in the wake of the Jews' expulsion from Gascony stands in stark contrast to Philip the Fair's imposition of a tax on his Christian subjects in Saintonge and Poitou, to say nothing of the French king's aggressive confiscations of Jewish property in 1306.

The same ruler could also adopt different approaches for different domains. Edward I proved quite willing to expel Jews from Gascony while taking no simultaneous measures against those in England. Philip the Fair did likewise, ordering the expulsion of Jews from the two seneschalsies of Saintonge and Poitou while allowing the continuing presence of Jews elsewhere in his kingdom for another fifteen years. Although Charles II launched investigations

into the usurious practices of Jews and Lombards within his county of Provence in the early 1290s, he did not attempt to replicate the expulsion that he had earlier carried out in his counties of Anjou and Maine.⁸⁶ To the contrary, he actively shielded foreign merchants from harassment by royal and ecclesiastical officials who proved overzealous in their pursuit of usury.⁸⁷ In addition, far from following Philip the Fair's lead in 1306, Charles II instead welcomed many of the fleeing Jews into his Provençal domains and affirmed his general protection.⁸⁸

Some of these differences carried over in the choice of the targets themselves. Where Philip III had followed his father's example in targeting only Lombards and Cahorsins in 1274, he and his son both began denouncing all Italian merchants as potential usurers from 1277 onward. Edward I, meanwhile, launched systematic investigations of foreign usury in 1275, with the resulting fines calibrated to the scale of the offender's transgressions rather than simply to their wealth (the latter being Philip the Fair's preferred tactic when squeezing money from the Italians in 1291). And unlike Louis IX, whose legislation had consistently upheld a distinction between "Jews" and "Jewish usurers", both Edward I and Philip the Fair collapsed these categories, characterizing all Jews as usurers, and justifying thereby their collective expulsion. The ease with which the category of "usurer" could be thus broadened underscores its capaciousness as an accusation, and in almost all cases the trend lay toward the expansion of expulsion's reach: from Italian pawnbrokers to all Italian merchants and moneylenders; from Jews engaging in usury to Jews *tout court*. It is telling, in this regard, that when the archbishop of Besançon attempted to imitate Philip the Fair's 1306 expulsion order within his own diocese, he extended its reach to include not only Jews, but Lombards too.⁸⁹

Alongside this variety, one also finds a host of similarities across the expulsions, which cumulatively reveal the many ways in which they drew from each other as well as earlier precedents. In 1290, for example, the parliamentary push to expel England's Jews was accompanied by a renewed (albeit rebuffed) call for the expulsion of foreign merchants. In establishing the extirpation of usury as the precondition for crusade, Louis IX crafted a template that may have inspired Edward I to expel all Jews from his French domains, even though the saint-king himself had refrained from such a move. Edward's own actions in Gascony were followed in quick succession by the further expulsion of Jews from neighboring French territories, while his expulsion of Jews from England precipitated their subsequent expulsion from Saintonge and Poitou at the hands of Philip the Fair—the latter serving as a prelude to Philip's kingdom-wide efforts fifteen years later.

Even more concretely, it was a French royal ordinance that provided the language for the English statute whose purported violation served to justify

the expulsion of England's Jews. And it was another French royal ordinance that served as the basis for the conciliar decree that in turn prompted the renewed expulsion of Italian merchant-bankers from England in 1274. Past practices around the Jewish *captio* provided the administrative framework for Philip III's mass arrest of Italian merchants in 1277, while Charles II's royal neighbors quickly adopted the expulsion tax that he had imposed on his counties of Anjou and Maine. Finally, the same bishop who reworked *Usurarum voragine* against the Jews of his diocese would later counsel the expulsion of Jews and Lombards alike from his county. All of these connections pass unnoticed unless one looks across boundaries, across targets, and across the divide of what was enforced as opposed to merely mooted.

Such connections were not limited to the French kingdom's western flank. In 1261, evidently drawing inspiration from his neighbor Louis IX of France, Duke Henry III of Brabant had made provision in his testament for the expulsion of Jews and foreign usurers from his lands. Nearly four decades later, Henry's brother-in-law Duke Robert II of Burgundy followed his lead, cautiously noting in his 1298 testament that if he "had done anything wrong in minting money in his lands, harboring Jews and Lombards, or accepting money from them," his executors should make amends accordingly. To express concern over the Lombards' presence was one thing, and the renunciation of usury (whether Jewish or otherwise) had long since become a litmus test for lordly piety. The moral dangers attendant on the minting of money were also well known, especially in relation to the debasement of coinage. Yet the fact that Duke Robert could express anticipatory remorse over the simple fact of harboring Jews in his lands shows just how precarious their status had become over the course of the preceding decades.⁹⁰ Four years later, evidently concerned by the open-ended nature of his earlier language, the duke added a codicil to his will. Concerning the agreements he had made with Lombards, his executors were to consult with the pope as how best to proceed. As for Jews, he declared that "unless he received better advice, Jews could continue to live in his lands." Quoting the ordinance of his father-in-law Louis IX, however, he added a further proviso: Jews were to refrain from usury and live by their own labor.⁹¹ In the end, the codicil proved of little use to the duchy's Jews: within a few months of Robert's death in 1306, his widow expelled them all in compliance with Philip the Fair's orders.⁹²

Looking collectively at these many late thirteenth-century expulsions of usurers, perhaps the only constant is that they never extended to native-born Christians. The persistent activity of these local Christian usurers is beyond doubt. In 1303, for instance, Philip the Fair even imposed a special levy on Christian usurers living in the seneschalsies of Saintonge and Poitou (as well as elsewhere in the kingdom), underscoring the degree to which he was quite

content to allow Christian usurers to dwell in the same regions from which he had earlier expelled Jews on these very grounds. In both kingdoms, moreover, the usurious lending of local Christians was and remained a matter of ecclesiastical concern and sporadic royal repression throughout the late thirteenth and early fourteenth centuries.⁹³

Whatever the punishments incurred by such local usurers, expulsion was limited to those—namely, foreigners and Jews—who lived under the formal protection of secular rulers, and whose continuing presence therefore lay at secular discretion. As a result of the privileged status (whether articulated or assumed) that distinguished Jews and foreigners from rulers' Christian subjects, rulers were held to be particularly responsible for their misdeeds. This point was reiterated by all those who criticized authorities for protecting foreign and Jewish usurers, including King Philip III's Dominican confessor in a widely copied moral treatise composed toward 1280. In condemning as sinners those "who harbor and support Jews and Cahorsins, who lend and destroy the country," the Dominican made explicit the pious logic that led rulers to punish Jews and foreigners for usury while largely ignoring the transgressions of their Christian subjects: insofar as it was by the rulers' own authority that Jews and foreigners alike resided in their lands, the rulers themselves shared in the guilt of any resulting wrongdoing.⁹⁴

So far as patterns of expulsion were concerned, the continuing resonance of these arguments in the fourteenth century was perhaps less important than the precedents they had underpinned in the thirteenth. Particularly within the orbit of French royal authority, the memory of past royal actions provided an ever-useful template for demanding and legitimizing subsequent expulsions, whether of Jews, Lombards, or both together. In the mid-1340s, for instance, the ruler of a county on the kingdom's southeastern border sought to expel Jews and foreign usurers from his domains before setting forth on crusade, in a clear imitation of Saint Louis. The following decades witnessed renewed attempts to expel Jews and Lombards from the duchy and county of Burgundy, and further afield as well.⁹⁵

For all that this geographic concentration of expulsions demonstrates how a once-exceptional penalty had come to be normalized, their staggered chronology reveals the continuing limits of expulsion's appeal, and the corresponding importance of local conditions in spurring or restraining its expression in practice. While Edward I's expulsion of Jews from his Gascon domains sparked a succession of further expulsions in neighboring regions within France, Philip the Fair's dramatic actions in 1306 did not inspire imitations beyond the

boundaries of his realm. Instead, the rulers of adjacent territories rebuffed calls for expulsion and even actively welcomed the fleeing Jews (albeit for a price).⁹⁶ Elsewhere in thirteenth- and early fourteenth-century Europe, few rulers followed Louis IX's initiative in criminalizing Jewish lending, let alone expelling Jews for usury.

As for foreign moneylenders, *Usurarum voraginem's* universalization of French precedent met with firm resistance among secular rulers in many of the regions where Lombard activity was most intense. While it served to catalyze renewed expulsion efforts in the two kingdoms with prior traditions of expelling foreigners for usury, it had little uptake further afield. Indeed, notwithstanding the decree's stringent demands and automatic sanctions, the closing decades of the thirteenth century saw Lombard moneylenders expand their geographic range in the Low Countries and the Rhineland, while Tuscan moneylenders established operations throughout northeastern Italy. These developments make clear that the ecclesiastical authorities tasked with enforcing the decree's sanctions failed miserably in their duties. The goal of the next chapter is to explain why.

Ignoring Expulsion

EPISCOPAL EVASION AND
PAPAL INACTION, 1274–1400

THROUGHOUT MOST OF THE later thirteenth century and well into the fourteenth, quodlibetal disputations were among the highlights of the Parisian academic calendar. Twice each year, during Advent and then again during Lent, Parisian theology students crowded into lecture halls to watch as the university's leading thinkers put their intellectual virtuosity on full display, publicly fielding questions from anyone (*a quolibet*) and on any topic (*de quolibet*), from the metaphysical to the mundane. The unpredictable nature of these exercises made them both arduous and risky for the participating masters. But while some masters accordingly avoided them altogether, others readily seized upon these opportunities to demonstrate the range and versatility of their thought.

Among the latter was Godfrey of Fontaines, who has been introduced already as an incisive commentator on *Usurarum voraginem*'s novel distinction between native and foreign usurers. He participated in at least fifteen disputations during his decades as a regent master in Paris, through which he demonstrated his enduring interest in the topic of usury, including the interpretation and enforcement of the Lyonese decree.¹ In a 1287 quodlibet, for instance, Godfrey observed that if *Usurarum voraginem* was taken as binding, "countless transgressors would be in a state of damnation and irregularity," while the many prelates who lay automatically under suspension or interdict would be unable to grant absolution to excommunicates. It would seem that the church "could in no way permit such a situation," yet it was equally true that the persistence or frequency of sinful acts heightened disobedience, rather than excusing it.² His conclusion left this tension largely unresolved, but his very invocation of the decree indicates that to a learned Parisian audience in the late 1280s, the limited enforcement of its expulsion provision was apparently a matter of some notoriety. A decade later, Godfrey returned to the topic of

Usurarum voraginem in two further quodlibets. As he noted pointedly, “nobody was expelling usurers, or at least very few were doing so.” But how could prelates be immune from the decree’s penalties if foreign usurers were dwelling within their lands? Rejecting various potential excuses, Godfrey conceded that he could not see any grounds for exemption. His conclusion, though formally prudent, was laced with disgust: on this particular issue, as well as on the general failure of many prelates to extirpate sin, “judgment was left to God.”³

Godfrey was far from alone in observing that ecclesiastical authorities were failing to enforce the decree. Around 1297, his Parisian colleague Eustache de Grandcourt faced a quodlibetal question asking whether prelates sinned in knowingly permitting foreign usurers to dwell in their lands. Eustache’s answer (namely, that they were indeed sinning) was predictable, and it seems safe to assume that whoever posed the question was more interested in embarrassing the ecclesiastical hierarchy than in raising an especially thorny theological point.⁴ Contemporary canonists also criticized ecclesiastical inaction. Two years after *Usurarum voraginem*’s promulgation, the Avignonese canonist Francesco d’Albano complained that bishops were failing to frequently recite the decree, and that transgression was accordingly widespread.⁵ A half-century later, the Bolognese jurist Giovanni d’Andrea observed that “there are very few places in which foreign usurers do not dwell for the purposes of moneylending,” from which he concluded that much of the church hierarchy was technically either suspended from office or excommunicate. As he dryly noted, “it therefore follows that it is dangerous for prelates to exercise temporal jurisdiction over lands.”⁶

Taken collectively, the remarks of these observers all point to the same tension: however dramatic *Usurarum voraginem*’s penalties, its public enforcement was decidedly less so. Not only is there limited evidence of ecclesiastical pressure on secular authorities, but many bishops continued to harbor (or even actively welcome) foreign moneylenders in the lands under their direct temporal jurisdiction. Even some bishops who vociferously denounced usury in their statutes refrained from taking any action against the Lombards and Cahorsins in their dioceses. As theologians and canonists alike pointed out, such transgressions meant that large swathes of Christendom theoretically lay under interdict, to say nothing of the individual consequences for the bishops of these areas. Beyond the walls of the lecture-hall, however, practical concerns outweighed theoretical consistency, and most interested parties proved quietly willing to disregard the sanctions that ostensibly followed from episcopal inaction. Throughout the late thirteenth and fourteenth centuries, few ecclesiastical authorities are known to have expelled foreign moneylenders, and even fewer incurred formal censure for their failure.

This inaction poses a significant challenge to conventional treatments of the medieval church's campaign against usury. Most of the scholarship on this topic (especially where Christian practices are concerned) has focused either on the erection of the normative edifice or its impact on the evolution of commercial institutions and mercantile behavior. Much less attention has been paid to the question of ecclesiastical enforcement, in part because of the paucity of church court records from before the late fourteenth century.⁷ As the limited implementation of *Usurarum voraginem's* expulsion mandate makes clear, however, even the most public manifestations of Christian moneylending met with a decidedly muted response from local church authorities during the late thirteenth and fourteenth centuries. Whatever the doctrinal teachings of canonists and theologians, or the fulminations of preachers and popes, there were many within the church hierarchy who were quite prepared to tolerate (or in some cases, even actively encourage) professional Christian moneylenders within their domains. Moreover, in looking closely at the rare instances in which late medieval bishops and prelates pushed to drive foreign usurers from their lands, it becomes clear that expulsions only rarely stemmed from earnest ecclesiastical opposition to usury. Far more potent were the decree's stringent sanctions for non-compliance, which savvy actors could use to undermine their ecclesiastical rivals. In scrutinizing ecclesiastical responses to the new Lyonesse decree, this chapter not only illustrates the practical consequences that resulted (or failed to result) from its formalization of the usury-expulsion nexus; it also exposes the dangers of studying the economic teachings of the medieval church without an eye to when, where, and by whom they were enforced.

The chapters in Part I have shown how clerical thinkers in the late twelfth and thirteenth centuries denounced usury and (sometimes quite literally) demonized usurers, while those in Part II have shown how the drafters of *Usurarum voraginem* appropriated earlier secular associations of usury and expulsion, thus ensconcing them into canon law. For all the unevenness of the decree's subsequent dissemination, most bishops (or the trained canonists in their entourages) were surely familiar with its demands, especially in those parts of western Europe where foreign moneylenders were most active. With expulsion now mandated via a decree of a general council, the most authoritative text that the medieval church could produce, ecclesiastical authorities now possessed a powerful weapon for purging the most flagrant Christian usurers from their midst.

Why this new weapon ended up being used so rarely against its intended targets is a problem that this chapter seeks to explain. Aside from the quick (and temporary) compliance of the kings of England and France, the promulgation of *Usurarum voraginem* was not followed by sudden waves of expulsion. The Lombards and Cahorsins who were already active across large swathes of

western Europe—including the Low Countries, the Rhineland, Burgundy, and much of northern Italy—continued to ply their trade over the course of the coming decades, and in many regions their numbers actually increased. There is little evidence of bishops censuring recalcitrant secular rulers, and even less evidence of prelates mustering mobs to drive out the offending usurers by force. As for the papacy, most of Gregory X's successors stayed on the sidelines, with some even intervening to block or blunt the decree's enforcement. Beyond its salience for the history of usury, the limited ecclesiastical enthusiasm for expulsion therefore demonstrates the limits of treating persecution as a structuring force in late medieval society.

The earlier chapters have focused largely on developments in England and France, for the simple reason that it was there that the association between usury and expulsion first emerged. Moreover, through to the end of the thirteenth century, expulsions of both Jews and foreign usurers were likewise confined to these regions. In this chapter the geography will become much broader, stretching from the North Sea to the northern Adriatic, while the chronology will extend from *Usurarum voraginem*'s promulgation in 1274 through to the final decades of the fourteenth century. This obviously reflects the universalizing nature of the decree's provisions, which theoretically extended to all foreign manifest usurers (whatever that meant in practice), wherever and whenever they were engaging in their usurious activities.

Even more importantly, this shift in scale underscores the changing dynamics in the diffusion of expulsion. As shown in the previous chapter, following its initial emergence in both England and France, the practice of expelling usurers spread largely through imitation and analogy: measures taken against Lombards could be repurposed against Jews (and vice versa), while expulsions in one jurisdiction could spark further expulsions in neighboring ones. By embedding a normative association between usury and expulsion into general church law, however, the promulgation of *Usurarum voraginem* facilitated the dissemination of this association throughout western Europe. Furthermore, the decree's roster of automatic sanctions for transgressors, coupled with its standing validity, meant that the pressure for compliance could come from below as well as from above. Anyone with an interest in repressing Lombard activity, or in embarrassing complicit authorities, could now trumpet the decree to buttress their position. All of this meant that demands for expulsion could pop up quite suddenly, at quite disparate times and in quite disparate places, amidst circumstances and conflicts that are only dimly visible. Most of these demands left no traces in written records, especially when the demands were rebuffed. The evidence that does survive, however, is sufficient to suggest the broader dynamics shaping the collective episcopal response to the decree, and it is to this evidence that we now turn.

The Abbess, the Bishop, the Chapter, and the Duke: A Case Study in Enforcement

As a canon of the cathedral of Liège in the latter decades of the thirteenth century, Godfrey of Fontaines might well have been aware of a bitter conflict that broke out in that diocese over the implementation of *Usurarum voraginem*.⁸ The epicenter lay in the town of Nivelles, some twenty miles south of Brussels, and more precisely in its venerable Abbey of Saint Gertrude. Over the course of the early 1280s, four powerful institutions come into conflict over the decree: the abbess of Saint Gertrude's, the abbey's chapter, the bishop of Liège, and the duke of Brabant. Not only did this reveal considerable confusion over how the decree's provisions were to be carried out, who was responsible for doing so, and the penalties for inaction or resistance; it also fed into a long-running jurisdictional dispute that ultimately escalated to the attention of emperors and popes. The resulting documentation duly offers a rare glimpse into the local dynamics of enforcing or thwarting the decree's demands, while the episode as a whole serves as a microcosm of the ways in which ecclesiastical and secular authorities across Latin Christendom responded to the new expulsion mandate.⁹

As recorded in a deposition that was later submitted to the papal curia, sometime before the autumn of 1280, the bishop of Liège was passing through the town of Nivelles, where he noticed that some "Cahorsins" had settled there and were publicly lending at interest. Since the Abbey of Saint Gertrude held temporal jurisdiction by virtue of longstanding imperial privilege, the bishop summoned to him three of the abbey's canons. He then sent them back to their chapter with an order to immediately suspend the celebration of divine service, pursuant to the penalties spelled out in the Lyonese decree. Naturally alarmed by the bishop's action, the abbess, Elizabeth de Bierbais, set off in person to the house of the Cahorsins. There, after supposedly overturning their lending tables (a narrative imitation of Christ's Cleansing of the Temple), the abbess banned the moneylenders from lending at interest within the town of Nivelles.¹⁰

Although the moneylenders duly halted their activities, it was not long before they resumed lending as before. Back went the abbess, but this time the Cahorsins locked their doors before her. The abbess tried once again to order them to abandon their usury and leave the town. At this point, however, she was countered by two bystanders, agents of the bailiff of the duke of Brabant. The bailiff's men told the Cahorsins that they were to continue their activities as usual, notwithstanding the abbess's demands, since they dwelled in the city by the authority of the duke, not the abbess. At this point Elizabeth decided to confront the duke in person. Asserting that the city of Nivelles lay under

her jurisdiction as the abbess of Saint Gertrude's, she demanded that he refrain from violating her liberties by harboring Cahorsins in Nivelles. The duke was unmoved by her claim, informing her that he possessed exclusive jurisdiction over all foreign moneylenders who fell within his lands and protectorates, adding furthermore that if this posed any danger to his soul, he would sort it out with the bishop of Liège or the pope himself. The abbess retorted that she possessed an imperial privilege, subsequently given papal confirmation, by which no foreigner could settle in Nivelles without her consent. Moreover, she argued, as the abbey's formal protector, it was the duke's duty to protect the abbey from harm, not impose it. But the duke held firm, and the abbess returned to Nivelles, where she informed the chapter of her powerlessness in the face of ducal opposition.¹¹

In September 1280, the abbess and chapter jointly sent a letter to the bishop of Liège. Ascribing to the bishop the role of "executor of the decree" (that is, of *Usurarum voraginem*), they asked him to compel the removal of the usurers through ecclesiastical censure of the duke and, if necessary, through an interdict on all of the duke's territories. They likewise asked the bishop to excuse the abbey and chapter from the decree's penalties, in light of the circumstances. The bishop responded by sending two envoys to inquire into the matter, one a canon of Liège, and the other a canon of Nivelles. Their resulting report dashed any hopes of immediate resolution. The envoys concluded that the abbess of Nivelles held the rights of both high and low justice in Nivelles, that fear of ducal retribution was no excuse for inaction, and that the duke of Brabant had superiors, to wit, the German emperor and the pope, who could be called upon to force him to redress this injury. As a result, so long as the "Cahorsins or Lombards" continued to dwell in Nivelles, the abbess was held to be automatically excommunicated, with all of her lands under interdict.¹²

The envoys' decision surely came as a blow to the abbess. To make matters worse, the chapter, whose relations with Elizabeth de Bierbais had been fractious ever since her election three years earlier, took the opportunity to halt all divine services at the abbey, citing her failure to expel the usurers along with a host of alleged infringements of the abbey and chapter's traditional privileges. In keeping with new papal regulations, the chapter sent a record of their actions to the curia in Rome.¹³ Not until two years later, in November 1282, did the bells of the abbey again ring forth, after the chapter agreed at last to restore the celebration of divine services and the administration of the sacraments. In return, the abbess agreed to address several of the chapter's chief complaints, including the repair of the cloister and dormitory. As for the chapter's request that "foreign usurers desist from lending at interest in the town of Nivelles, or else that they be expelled from the aforesaid town," the abbess promised that she would strive to ensure that this was carried out, whether by

the lord duke of Brabant, the abbey's protector (*advocatus*), or by others.¹⁴ Conspicuously, the abbess did not promise to expel the usurers. In what was essentially an acknowledgement of her continuing weakness vis-à-vis the duke, she instead committed herself to pressuring him or unspecified others to make redress.

Whether the abbess did indeed continue to agitate against the Cahorsins is uncertain, but it is clear that they remained in Nivelles all the same, with references to their activity surviving from 1286 and 1290–91.¹⁵ Either the chapter lost interest in the matter, or else it was satisfied with the abbess's efforts to dislodge the moneylenders, for although it again halted divine services in 1286 in response to a new series of purported indignities, the Cahorsins' presence features neither in the enumeration of grievances nor in the peace agreement drawn up a year later.¹⁶ Of course, so long as the moneylenders remained in Nivelles, the abbess herself technically remained excommunicate, and the town itself under interdict. But nobody seems to have paid much attention to such technicalities, and religious life appears to have proceeded normally.

Elizabeth de Bierbais died in 1293, and a new abbess, Yolande de Steyne, was elected in her place. While the matter of the Cahorsins remained dormant for at least a decade, it resurfaced sometime in the early fourteenth century, appearing among a roster of grievances that the abbess sent to the duke.¹⁷ The duke's continuing protection for the foreign moneylenders in Nivelles, complained the abbess, was contrary to both her wishes and the abbey's liberties. Again, the duke refused to give way, and once again, the chapter halted divine services. Fortunately for Abbess Yolande, on this occasion the bishop of Liège proved more accommodating. In April 1315 the bishop wrote to the dean and chapter of Nivelles to inform them that he was satisfied with the abbess's efforts to dislodge the usurers, and that her failure was indeed due to her powerlessness before the duke's superior temporal power. The bishop accordingly suspended the chapter's sanctions. This is the last that is heard of the conflict over the presence of foreign moneylenders in Nivelles, though their continuing activity is attested well into the fifteenth century.¹⁸

In many respects, this conflict between the abbess and chapter of St. Gertrude's was merely the latest in a series of internal squabbles that would end only with the abbey's suppression in 1794.¹⁹ It is clear, moreover, that among all of the involved parties, only the chapter showed any real desire to expel the Cahorsins from Nivelles. In fact, the chapter seems to have been rather unconcerned about the moneylending itself; what mattered instead were the automatic sanctions that theoretically resulted from the moneylenders' presence in the town, and which the chapter could instrumentalize as yet another failing of an already unpopular abbess. For her part, Abbess Elizabeth de Bierbais made no attempt to dislodge the Cahorsins until the bishop of Liège explicitly

threatened to impose an interdict. Meanwhile, Duke John I of Brabant evidently inherited none of the piety that had led his dying father to mandate the expulsion of Jewish and Cahorsin usurers in 1261. Instead, both he and his son actively supported the Cahorsins of Nivelles, just as they encouraged the settlement of foreign moneylenders elsewhere in their lands throughout the late thirteenth and early fourteenth centuries.²⁰

As for the bishop of Liège who supposedly sparked this episode by insisting on the expulsion of the Cahorsins, his involvement was certainly more complicated than the deposition suggested. It is highly unlikely that Bishop Jean d'Enghien simply "discovered" the presence of the Cahorsins in Nivelles while riding through town, and even less likely that any such discovery would have spurred him to action. Not only were Cahorsin moneylenders already active in his episcopal city of Liège, but he gladly claimed half the annual operating fees paid by the Lombard moneylenders in the Brabantine town of Malines.²¹ A more likely scenario is suggested by the fact that as early as 1278, the chapter of St. Gertrude's was already assembling a list of grievances against the abbess.²² It therefore seems plausible that the three canons whom the bishop supposedly summoned to report on the Cahorsins' presence had in fact sought him out in order to draw attention to the abbess's supposed maladministration.

The bishop's own priorities are reflected in the fact that he worked strenuously both to keep the dispute from spreading beyond the town of Nivelles, and to avoid implicating himself any further in its resolution. Here it bears recalling that in responding to the abbess, the duke had said that he would sort out the matter with the bishop (or, failing that, with the pope) if it turned out that his soul was imperiled. Moreover, the letter that the abbess and chapter sent jointly to the bishop had recommended that he lay sanctions on the duke (and if necessary, on his lands). After all, did *Usurarum voraginem* not declare explicitly that ecclesiastical authorities were to compel lay transgressors? The episcopal envoys, however, carefully omitted any reference to the bishop's authority in their report, declaring instead that the duke's superiors were the German emperor and the pope, and suggesting that it was to these that the beleaguered abbess of Nivelles ought to turn. In other words, although both the duke and the abbess considered the bishop to have some sort of authority in this affair, the bishops' officials sought to free him from any direct responsibility for enforcing expulsion within the duchy.²³

Three broad themes emerge from this episode. The first is the simple fact of widespread secular flouting of the decree's demands, and episcopal reluctance to compel compliance. While bishops were evidently willing to constrain weaker ecclesiastical institutions under their jurisdiction, they generally balked at sanctioning secular authorities. The second is the episcopal

avoidance of the decree's automatic sanctions. At the same time that the bishop of Liège was imposing these sanctions on the abbess of Nivelles for refusing to remove Lombard moneylenders from her jurisdiction, he was continuing to profit from the presence of Lombards in his own—and he was far from alone in this regard. Finally, there is the local instrumentalization of the decree's demands. That the conflict erupted in the first place was due to the existing tensions within the abbey community, with the chapter invoking *Usurarum voraginem* as a means to bolster its case against an unpopular abbess. Given the decree's automatic penalties, similar dangers faced any ecclesiastical authority who tolerated the local presence of foreign moneylenders. The following sections will explore each of these themes in turn.

Secular Protection

In most parts of western Europe, it was secular authorities who claimed (and exercised) jurisdiction over foreign moneylenders. For all the weightiness of a conciliar decree, these authorities continued to hold their own opinions regarding the appropriate boundaries of ecclesiastical jurisdiction. Just as Henry III of England had long resisted any suggestion that Jewish usury fell under the church's purview, so too did many rulers (at least tacitly) reject the church's efforts to hold them responsible for the usurious practices of the foreign moneylenders whom they welcomed into their lands. This is shown most obviously in the fact that throughout the late thirteenth and fourteenth centuries, there is no evidence that any secular authority ever expelled foreign moneylenders under the explicit banner of *Usurarum voraginem*. While Edward I of England and Philip III of France both ordered the expulsion of foreign moneylenders from their realms in the immediate wake of the Second Council of Lyon, neither ascribed their actions to the mandates of the church. Instead, they framed their responses using language and substantive provisions drawn from internal legal and administrative traditions, and especially from precedents set by their fathers. They could therefore show themselves to be faithful sons of the church while asserting their autonomous jurisdiction in this sphere. Other rulers cited the counsel of local prelates in ordering expulsion, as did Charles II when he jointly expelled Jews and Lombards from Anjou and Maine in 1289, or Countess Joan I of Auvergne when she did the same from her Burgundian domains in 1349.²⁴ In these and other cases it is certainly possible to detect the decree's looming presence. But while the prelates who assembled at Lyon may have deemed it necessary to pile secular penalties onto the existing spiritual ones, most princes were no more ready to abandon their autonomy in this area than they had been in earlier instances of ecclesiastical overreach.

Some authorities at least paid lip service to ecclesiastical concerns. In 1334, for example, the count of Flanders welcomed some Lombards from Asti to settle in Bruges for a period of twelve years. While he allowed the Lombards to lend however they pleased, he forbade them from making “wicked agreements of manifest usury.” If they violated the prohibition, they were to pay a fine of £20 for the offense. So far this was all perfectly respectable. But the count went on to reassure the Lombards that he could only punish them once per year, thereby revealing that this supposed “fine” was effectively part of the annual fees that the Lombards rendered to the count in return for the lending license.²⁵

Other rulers simply brushed aside the church’s strictures. In the infamous series of forgeries that the Habsburg dukes commissioned in the 1350s to augment their status within the Holy Roman Empire (the so-called *Privilegium maius*), the dukes asserted the right to harbor in their lands “Jews and public usurers, who are commonly called Cahorsins.” That the Habsburg dukes would invent such a claim in the mid-fourteenth century makes it clear that they had no intention of bowing to the dictates of canon law.²⁶ Similarly, the dukes of Brabant were not alone in insisting on their right to welcome Lombards into any ecclesiastical lordships for which they served as guardian or advocate. The dukes of Lorraine forced the venerable abbey of Gorze (near Metz) to tolerate the presence of Lombards in several towns that fell under abbatial jurisdiction, an arrangement that periodically led to conflicts.²⁷ In contrast to the outcome in Nivelles, the abbey of Remiremont’s resistance to the presence of both Jewish and Lombard moneylenders in its territories ended with a victory for the abbey—but such victories were rare.²⁸ Further to the south, the archbishop of Besançon took inspiration from Philip the Fair’s expulsion order and attempted to expel Jews and Lombards alike from his diocese in 1306, but the countess-regent Mahaut of Artois intervened forcefully to spare both communities from further harm.²⁹

Usurarum voraginem not only provided ecclesiastical authorities with a legal basis for mandating expulsion; it expressly ordered them to ensure the compliance of secular rulers through whatever censures might be necessary. Yet Jean d’Enghien was far from alone in his reticence toward enforcing the decree’s demands against the duke of Brabant. Even in 1315, when a later bishop of Liège explicitly conceded that the abbess’s failure to expel foreign usurers was due to ducal opposition, he nowhere suggested that he might accordingly take action against the duke. This restraint was just as pronounced in the neighboring diocese of Cambrai, whose bishops held spiritual jurisdiction over much of western Brabant. Bishop Enguerrand II de Créqui, for example, attended the Second Council of Lyon and twice issued synodal statutes inspired by *Usurarum voraginem*, even going so far as to insist that he would impose an

interdict on the lands of uncooperative authorities. Yet there is no evidence whatsoever that he even threatened the duke of Brabant with ecclesiastical censure, to say nothing of actually carrying it out.³⁰ A later bishop of Cambrai, Pierre de Lévis-Mirepoix, incorporated nearly the entire text of *Usurarum voraginem* into his statutes for the diocese, but when his efforts to punish foreign moneylenders met with resistance from ducal agents, he protested to the pope rather than apply sanctions against the duke.³¹

The Lombards themselves often sought assurances that their secular patrons would defend them against ecclesiastical efforts to harass or expel them. Only a year or two after the bishop of Cambrai incorporated almost all of *Usurarum voraginem* into his diocesan statutes, the count of Hainaut promised the Lombards of Valenciennes and Marly—both towns only a day's walk from Cambrai itself—that he would ignore “any order, command, or request [that] should come to us from any secular lord or from the Holy Church or from any other person, whosoever it should be, to seize or arrest the aforesaid Lombards [. . .] or their goods, or to drive them from our cities or our land.”³² Over the next century, the count and his successors repeatedly offered these same assurances to other foreign moneylenders within their domains.³³ Nearby rulers followed suit, including Duke Rudolph the Valiant of Lorraine, who lived up to his sobriquet in swearing to defend the Lombards against the assaults of the church “as if they were his own burghers” and promising furthermore that he would neither expel them nor allow anyone else to do so.³⁴

Even the kings of France would eventually come to offer safeguards against expulsion, though of a decidedly more restricted sort. Three decades after Philip VI had systematically driven Lombards from the kingdom in 1347, his grandson Charles V allowed them to resume their moneylending activities under the aegis of royal protection. *Rex christianissimus* as he was, Charles was unwilling to repudiate outright the demands of canon law. That said, the king assured the Lombards that if any ecclesiastical authorities requested him to seize and expel them, he would give them sufficient time to gather their property and allow them to depart unmolested.³⁵ In the 1270s, King Philip III of France had showed himself reluctant to concede to the church any authority over the expulsion of foreign usurers; a century later, his royal successor asserted only a willingness to mitigate its force.

Two points are worth noting in regard to these privileges. First, only from the early fourteenth century onward do Lombard privileges begin to contain explicit safeguards against expulsion or other forms of church harassment. Perhaps it was only then that the initial force of *Usurarum voraginem* had waned sufficiently that secular authorities felt confident disavowing its demands—or that the Lombards themselves felt secure enough to broach the topic. Yet the fact that the Lombards sought such safeguards at all is itself proof that

Usurarum voraginem was not a dead letter. That most European rulers had ignored or evaded its demands in the past was no guarantee that they would continue to do so in the future. The threat of expulsion continued to hang overhead.

Second, while contemporary Jewish privileges and settlement charters share many features with those issued for Lombards, they conspicuously lack analogous protections against expulsion.³⁶ Many later medieval Italian privileges (*condotte*) to Jews offered general assurances of protection against church officials and inquisitors, but these again did not specify expulsion among the threats.³⁷ The absence is especially noteworthy in those cases where the same authority was issuing privileges for both communities, as with Count William I of Hainaut, whose 1337 charter for Jews included none of the sweeping anti-expulsion guarantees that had featured in at least five of his earlier privileges to Lombards.³⁸ This discrepancy most likely reflects the differing nature of the threats facing the two groups. Lombards and Jews alike knew from repeated experience that the very rulers who protected them might suddenly shift tack. In the event of such caprice, formal protests about past promises were likely to fall on deaf ears. Yet unlike Jews, Lombards also faced a standing expulsion order that loomed over their public economic activities throughout all of western Christendom. Even if Lombards (and those who harbored them) could not foresee whether or when this expulsion threat might be invoked, they at least knew the direction from which the threat was likely to come.

Episcopal Evasion

Usurarum voraginem's drafters were not naïve. In eschewing automatic sanctions against secular authorities, they were tacitly acknowledging that this ambitious effort to "close up the abyss of usury" was likely to face widespread resistance. By delegating the challenge of enforcement to bishops and other prelates, the drafters effectively turned non-compliance into a strictly local affair, one that could be best addressed through the discretion of local actors. They surely predicted that some secular authorities would prove intractable and that many bishops would prove spineless. But one can only wonder whether they foresaw that many ecclesiastical authorities would continue allowing Lombards to reside in the cities and lands that fell under their direct jurisdiction—as did Bishop Jean d'Enghien of Liège, who sanctioned the abbess of St. Gertrude's for tolerating the Cahorsins of Nivelles even as he himself harbored Lombard communities in Malines and elsewhere. Such widespread transgressions are all the more noteworthy in light of the automatic sanctions that they ostensibly engendered, whether excommunication, suspension from office, or a general interdict on the communities and territories that persisted in hosting the foreign usurers.

Whether as a display of academic ingenuity or at the behest of anxious prelates, some learned commentators sought ways to restrain the scope of the decree's sanctions for transgressors. Thanks to a syntactical quirk introduced in the first revision to the draft decree, it was possible to argue that *Usurarum voraginem*'s automatic sanctions fell only on ecclesiastical offenders who rented houses to such usurers, and not on those who failed to expel them from the lands under their jurisdiction. This tendentious interpretation met with opposition from both William Durand, who had been present at the Second Council of Lyon, and Godfrey of Fontaines, who considered it a deliberate effort to avoid the decree's more stringent requirements.³⁹ It was nevertheless adopted by the author of the most widely-disseminated early commentary on the decree, as well as by a leading French canonist of the early fourteenth century.⁴⁰ While the diffusion of Giovanni d'Andrea's ordinary gloss gradually led to the suppression of this narrow reading, its impact lingered on both in northern French academic circles and in local legal traditions that imposed penalties for those who rented houses to usurers while sidestepping the duty to expel them.⁴¹

No matter the scope of its sanction clause, the final text of *Usurarum voraginem* was unambiguous in requiring all Christian authorities to expel foreign moneylenders from their lands. Yet as Godfrey and other critics pointedly observed, few prelates followed suit. In Godfrey's native diocese of Liège, for instance, there is no evidence that Jean d'Enghien or his immediate episcopal successors took action against any foreign moneylenders in the diocese, beyond their fruitless fulminations about the Cahorsins in Nivelles. Jean de Dampierre, who succeeded to the bishopric of Liège in 1282, issued such stringent anti-usury statutes in 1288 that the city's councillors successfully appealed to the pope to have them relaxed.⁴² (Among the new statutes was one calling for *Usurarum voraginem* to be firmly observed.) Yet he too continued to earn annual revenues from the Lombards of Malines, and he also borrowed heavily from those in Liège.⁴³ In neighboring Cambrai, as mentioned above, Bishop Pierre de Lévis-Mirepoix integrated the Lyonese decree into his diocesan statutes and grumbled to the pope about secular obstruction. In 1323, he promulgated an even stiffer version of the penalties that had been set forth in the Lateran III decree *Quia in omnibus*.⁴⁴ On the surface, such active lawmaking around usury might suggest a concerted episcopal campaign to suppress moneylending within his diocese. Yet in 1324, the abbot of a local Cistercian monastery denounced Bishop Pierre for his extensive dealings with foreign moneylenders, which he had used to expand the political and economic clout of his see over smaller ecclesiastical institutions. Furthermore, it seems that Pierre personally protected the local Lombards from ecclesiastical sanctions, since it was only after he left Cambrai to become bishop of Bayeux that diocesan officials finally took formal action against them.⁴⁵

To judge from the surviving evidence from elsewhere in northwestern Europe and beyond, the bishop of Cambrai's close ties to foreign moneylenders were representative rather than exceptional. Ecclesiastical borrowers not only featured regularly among the Lombards' most prominent clients; they were often the ones who invited the moneylenders to set up lending operations in the first place. This was especially true in the powerful prince-bishoprics along the Rhine, where—just as in Liège and Cambrai—bishops proclaimed their antipathy toward usury in their diocesan statutes even as they welcomed foreign moneylenders into their lands. Over the course of the late thirteenth and fourteenth centuries, the archbishops of Trier repeatedly issued provincial canons insisting that *Usurarum voraginem* be observed.⁴⁶ Yet during this same period (and in return for large annual payments), the archbishops also issued repeated privileges to Lombards allowing them to settle and lend both in Trier itself and elsewhere in their lands.⁴⁷ The same is true for Cologne, where successive archbishops granted pawnbroking licenses and settlement privileges to Lombards, while also calling for the enforcement of *Usurarum voraginem* on at least three occasions in the late thirteenth and fourteenth centuries.⁴⁸

These disjunctures between norms and practice were hardly confined to the Rhineland. While the foregoing discussion of foreign moneylenders has focused mainly on the Lombards and Cahorsins who established their operations north of the Alps, the thirteenth and fourteenth centuries saw a similar phenomenon unfold in northern Italy, with Tuscans playing the starring role. Consider the sprawling patriarchate of Aquileia, whose temporal jurisdiction extended across much of what is now Slovenia and northeastern Italy. In the second half of the thirteenth century, the great wealth—and greater debts—of a sequence of patriarchs attracted representatives of the leading Sieneese and Florentine banking firms to the region. In addition, the long patriarchate of Raimondo della Torre (r. 1273–1299), a scion of one of the most powerful families in Lombardy, saw a dense network of Florentine moneylenders spread across Friuli and other lands under patriarchal jurisdiction.⁴⁹ Although Raimondo had not attended the Second Council of Lyon, he was clearly familiar with its decrees, for sometime before 1284 he promulgated a statute demanding that all foreigners engaging in usurious lending within his lands leave within fifteen days, on pain of arrest and the confiscation of their property.⁵⁰ Notwithstanding this statute, Florentine moneylenders continued to carry out their lending activity with the tacit or even active support of the patriarch. It must therefore have come as quite a shock to them when, in the summer of 1298, the patriarch suddenly banished all Tuscans from Friuli. The Tuscans protested, but he stood firm, giving them less than a week to pack their belongings, recover outstanding debts, dispose of pawned goods, and leave his lands. The precipitating circumstances are unclear. The patriarch might have been

moved to action by Pope Boniface VIII's repromulgation of *Usurarum voraginem* as part of the *Liber Sextus* earlier that year. His failing health might also have made him newly solicitous of his spiritual and canonical responsibilities. There might also have been political or financial rivalries between the large banking firms, which enjoyed close ties to the patriarch, and the moneylenders who were targeted by his banishment order.⁵¹ Regardless, Aquileia offers yet another example of a prince-bishop who long tolerated or even encouraged the spread of foreign moneylenders within his lands, while simultaneously legislating their expulsion in his statutes. Taken collectively, these examples offer a necessary caution against widespread scholarly tendencies to take episcopal statutes as evidence of episcopal zeal. It was one thing for prelates to mandate that others expel foreign moneylenders from their lands, and quite another to actually enforce it themselves.

Local Instrumentalization

The third theme that emerges from the Nivelles episode is the readiness with which communities could weaponize *Usurarum voraginem's* automatic sanctions amidst broader conflicts with local ecclesiastical authorities. Among the more notable examples is a struggle that erupted in Utrecht in the closing years of the thirteenth century. In 1298, the recently appointed bishop of Utrecht found himself embroiled in a bitter conflict with the city council over his efforts to restore episcopal finances through heavy fiscal exactions. In an attempt to bring his opponents to heel, the bishop placed the city under interdict, but the wily burghers declared his sentence null and void. Since the bishop had long tolerated and even rented houses to "alien manifest usurers hailing from foreign parts, who were publicly engaging in usurious lending," the burghers declared that he was automatically suspended from office "on account of the canon." He therefore "could not impose any sentences of suspension, excommunication, or interdict," nor exercise any other aspect of episcopal jurisdiction. Although the bishop eventually succeeded in reestablishing his authority in the city (apparently without having to expel its resident Lombards), the episode proved both humiliating and expensive.⁵²

The lesson was not lost on the bishop's next-in-command, Adolph van Waldeck, who would soon be promoted from archdeacon of Utrecht to bishop of Liège. This was the same Adolph van Waldeck who featured in this book's opening vignette, donning his episcopal regalia and dramatically evicting Lombard moneylenders from his new episcopal see in 1302, only to die shortly thereafter under suspicious circumstances. In seeking to explain this expulsion, scholars have varyingly emphasized the chronic indebtedness of the prince-bishops of Liège, the opposition of local moneychangers, or even

Adolph's notoriously volatile temper.⁵³ The timing of the event might also have been dictated by the arrival of a papal bull reminding the bishop of his obligations under *Usurarum voraginem*, as recorded by a later fourteenth-century chronicler.⁵⁴ Yet in light of the political tensions brewing within the principality (which would erupt into violent conflict a decade later), Adolph likely saw the expulsion of the Lombards as a necessary measure to forestall attacks of the sort that had hamstringed his counterpart in Utrecht.

If this was indeed Adolph's reasoning, then the experience of his successor, Thibaut de Bar, bore him out. Within a year or two of his election as bishop of Liège, some local opponents evidently denounced Thibaut to the pope for allowing foreign moneylenders to dwell in his lands. This transgression—coupled with Thibaut's failure to pay his outstanding debts to the papal curia—led Pope Clement V to suspend him from office. Not surprisingly, after securing a papal dispensation in February 1306, Thibaut showed himself to be considerably more diligent in enforcing *Usurarum voraginem*, imposing an interdict on three local towns that refused to expel their resident communities of Lombards.⁵⁵ One might have thought that Thibaut's experiences would have offered a cautionary tale to his brother Renaud, who had been elected bishop of Metz a few years earlier. But in 1308, only two years after Thibaut had managed to lift his own suspension, the clergy of Metz flagged Renaud's harboring of foreign usurers as one of many grievances against their bishop, noting for good measure that he had thereby brought upon himself the penalties specified by law.⁵⁶

Like the abbeys of Nivelles before them, the bishops of Utrecht, Liège, and Metz therefore learned to their chagrin that disgruntled opponents could seize on *Usurarum voraginem*'s automatic sanctions to neutralize, or at least undermine, their authority. While most prelates were too timid or too weak to enforce the decree against secular authorities, other actors proved quite willing to invoke its sanctions against complacent or complicit prelates. Widespread familiarity with the decree's provisions and penalties not only put Lombard moneylenders in a precarious position; it did the same to their ecclesiastical protectors as well.

Even those prelates who might seem to have enforced the decree on their own initiative (rather than acting out of threat of censure) were often coopting it to serve other ends. Sometime around 1349, for instance, Archbishop Gerlach von Nassau laid an interdict on his city of Mainz, citing among other wrongdoings the city council's failure to expel its resident Lombards within three months. Chief among these "other wrongdoings" was the city's support for the recently deceased Emperor Louis IV, whose long-running quarrel with the papacy had led to considerable conflict and confusion in German ecclesiastical circles. Only once the city had at last transferred its allegiance to the

papal side and the offending usurers had been duly expelled did the archbishop agree to lift the interdict.⁵⁷

It is possible, of course, that Archbishop Gerlach was sincerely concerned about the presence of foreign usurers in Mainz, though this is somewhat hard to reconcile with the series of concessions that he soon began granting to Astigiani moneylenders in nearby Bingen. More likely the Lombards of Mainz were mere pawns in the broader struggle between Gerlach and his rival archbishop of Mainz, Heinrich III von Virneburg, a partisan of Louis IV who had refused to relinquish his see despite being formally deposed by the pope in 1346. Heinrich had himself granted the Lombards their initial privileges in 1341, and ordering their expulsion may well have been a means for Gerlach to punish them for their financial support of his rival over the preceding decade.⁵⁸ The same Astigiani whom Heinrich had classified as "merchants" were therefore condemned as "usurers" by his rival and successor.

Notwithstanding *Usurarum voraginem's* strictures, Lombards sought the same assurances from ecclesiastical authorities as they did from secular ones. In 1356, for example, the archbishop of Mainz assured the Lombard Giovanni da Montefia and his Astigiani associates that he would defend them from any harmful orders or statutes issued by "dukes, counts, prelates, or anyone else of equal or lesser rank, whether ecclesiastical or lay." Giovanni secured similar assurances from the archbishop of Cologne a few years later.⁵⁹ Tellingly, neither prelate proved quite as accommodating as a German duke who promised to protect Giovanni even from orders that were backed by imperial or papal authority.⁶⁰ For the prince-bishops of the Rhineland, such preemptive defiance of their secular and ecclesiastical superiors was evidently a step too far.

Failures and Forbearance: Avoiding Expulsion

For all the vociferous contemporary condemnations of moneylending and its attendant evils, none of the conflicts discussed above seems to have arisen from deep-seated ideological opposition to usury. Whatever the private (or even public) attitudes of the conflicting parties, it was the intricacies of local power struggles that spurred most ecclesiastical compliance with the provisions of *Usurarum voraginem*. Yet this simply raises the question of why bishops throughout western Europe failed to enforce the decree on their own initiative. It seems hard to believe that Elizabeth de Bierbais was unaware of the Lombards' lending practices until the bishop of Liège came riding through town. It seems even less likely that the bishop of Utrecht was unaware of the foreign lenders in his city until the aldermen denounced him for supporting them. And given the posthumous acclaim that Adolph van Waldeck received

for actually expelling foreign moneylenders from Liège, it is inconceivable that his successor Thibaut de Bar blithely overlooked the other Lombard communities in his diocese until he suddenly found himself suspended from office for harboring usurers within his lands. Yet none of them acted until spurred by external pressure.

From a cynical perspective (and one shared by a host of contemporary critics), many ecclesiastical authorities might simply have found the moneylenders too useful, or too lucrative, to drive away. But other possibilities are also worth considering. To begin with, many contemporary bishops were probably not especially concerned about usury. For all the angst that the issue raised among thirteenth-century Parisian theologians and those who fell under their influence, others evidently took a more sanguine approach toward its dangers.⁶¹ Especially in those areas where Lombards operated under secular protection, many prelates likely deemed the issue too minor to risk open conflict; they were better off husbanding their political and spiritual capital for use in other struggles.

Other prelates might have taken the same attitude toward usury that many observers took toward prostitution: insofar as the demand for credit was ubiquitous and inescapable, it was better to concentrate its dangers in the hands of a few practitioners operating under strict supervision than to allow it to tempt the unwary faithful. Similar sentiments had long been used to defend the presence of Jewish moneylenders: it was better, so the argument went, that such sinful business be carried out by Jews than have it corrupt good Christians. With anti-Jewish attitudes growing ever harsher, however, perhaps some thought it preferable to leave moneylending in the hands of a few foreigners rather than welcome Jews into the community for the same purpose. (Of course, many fourteenth-century communities proved quite content to welcome both—or neither.⁶²) Such attitudes might also explain the many instances in which bishops issued strong anti-usury measures in their statutes while not explicitly calling for the expulsion of usurers (foreign or otherwise). Even when it was advisable to tolerate the Lombards' presence, there was no need to condone their lending, and it was especially important that the example of these foreigners not spur emulation among the locals.

That the decree's automatic sanctions were generally ignored surely helped to mitigate any associated anxieties. Even so, the experiences of the bishops of Utrecht and Liège served as a warning to complacent ecclesiastical authorities elsewhere. It is therefore not surprising that in making agreements with foreign moneylenders, many prelates adopted strategies to defend themselves from charges that they were thereby harboring usurers. Like their secular counterparts, some ecclesiastical authorities granted citizenship privileges to the Lombards such that they might no longer be considered foreigners for the

purposes of the decree's enforcement. While canonists condemned such maneuvers as fraudulent or ineffective, their remonstrations had little effect.⁶³

Others sought to absolve themselves in advance of any complicity in the usurious transactions that might arise. The long-serving archbishop of Trier Baldwin of Luxembourg was surely familiar with *Usurarum voraginem*, since in 1310 he reissued an earlier provincial canon ordering that it be strictly enforced in the diocese. Twenty-five years later, in offering his protection to a certain "Paolino Testa, Lombard of Asti," the archbishop extracted from him an oath that he "would not engage in any usury or kind of usury, either by himself or through another in his name, whether clandestinely or openly."⁶⁴ It is possible that the archbishop took Paolino at his word. The same could be true for the many other prelates who received similar assurances from the foreign moneylenders whom they welcomed into their lands. But such measures were more likely a means of deflecting responsibility for any subsequent usury, insofar as such illicit activity technically voided the promise of episcopal protection.

Other prelates simply declared that the foreigners whom they were welcoming into their lands were merchants rather than usurers. In 1375, for example, the civic leaders of Utrecht invited a dozen Astigiani Lombards to settle in the city for a period of twenty years, promising that they would be treated as burghers. Their decision evidently stirred up much opposition among the city's clergy, with some claiming that these Lombards were engaging in usurious lending and others denying it. To put the issue to rest, the bishop summoned before him the senior members of the clergy and other dignitaries and announced "that he did not consider these foreigners to be subject to the provisions of the decree *Usurarum voraginem*."⁶⁵ On its face, the bishop's ruling was patently absurd. The newly-welcomed Lombards all hailed from three venerable Astigiani families—the Roero, Isnardi, and Asinari—whose transalpine expansion in the 1260s and 1270s epitomized the phenomenon that the decree's drafters had sought to suppress. In setting up moneylending operations in Utrecht in 1375, the Lombards were engaging in precisely the same practices as their forebears a century earlier.

It is unclear how the bishop of Utrecht justified his ruling (or whether he even justified it at all), but he too was carrying on a long tradition. In the late 1290s, Godfrey of Fontaines had already been grumbling that some authorities sought to sidestep *Usurarum voraginem*'s provisions by claiming that such-and-such a person was not a usurer but a merchant, as he engaged not in straightforward lending but in (fictitious) sale contracts. Since such contracts were "clearly fraudulent," Godfrey acidly remarked that he did not see how this argument could possibly serve as sufficient excuse for prelates whose lands were home to such usurers.⁶⁶ Aside from such stratagems, the example of the Lombards in Tournai reveals that it was common practice for foreign moneylenders

to engage in a wide variety of other commercial and mercantile practices alongside pawnbroking and other forms of lending. This variety, coupled with a degree of discretion in the Lombards' actual lending activities, offered both secular and ecclesiastical authorities a measure of wiggle-room in allowing them to classify the Lombards as "merchants" rather than simply "moneylenders."⁶⁷ In the same way, as suggested by the evidence from Cambrai and Mainz, Lombards could be *mercatores* to one bishop and *usurarii* to his successor or rival. In some cases, this flexibility reflected simple self-interest on the part of the bishops. But it is symptomatic too of their complicated—and in some cases, even contradictory—responses to the rapidly changing landscape of credit practices and the economic pressures that lay beneath them.

Bishops seeking to sidestep *Usurarum voraginem*'s provisions could also seize upon a further legal loophole in its wording. Had the Lyonese decree followed Louis IX's 1269 ordinance in mandating the expulsion of "Lombards, Cahorsins, [and] other foreign usurers," the bishop of Utrecht would have been hard pressed to declare that it did not apply to the newcomers, who openly described themselves as "Lombards" and were explicitly designated as such in their privilege. But while *Usurarum voraginem* retained the ordinance's restriction to foreigners, it dropped any mention of Lombards or Cahorsins. Even more significantly, the decree's expulsion provision applied only to "manifest usurers." This was hardly noteworthy in itself; the same was true of all of the church's other canonical sanctions against usurers, starting with the Third Lateran Council's decree *Quia in omnibus*. But what exactly made a usurer "manifest"? Throughout the later Middle Ages, canonists made various attempts to define the term more precisely. A handful of bishops also tried to provide clear guidelines in their local statutes. Yet the most straightforward definition (as articulated by no less an authority than Pope Innocent IV) maintained that a usurer became "manifest" after being duly convicted by an ecclesiastical court.⁶⁸ The judicial authority of these courts, moreover, was vested in the hands of the bishop himself, or his delegated representative. By preventing the Lombards from being convicted of usury in their own courts, complicit bishops could keep from falling formally afoul of *Usurarum voraginem*. There is little doubt that many bishops deliberately availed themselves of such tactics, which explains why the Lombards with whom Pierre de Lévis-Mirepoix had collaborated during his tenure as bishop of Cambrai could suddenly find themselves hauled before an episcopal court on charges of manifest usury as soon as Pierre had been translated to another see. For all the severity of the decree's automatic sanctions, the bishops could protect themselves simply by failing to prosecute the Lombards.

As the Lombards were fully aware, whether they would be condemned as manifest usurers depended less on their actual activities than on the

continuing forbearance of church authorities.⁶⁹ Unsurprisingly, they went to great efforts to cultivate their relationship with local ecclesiastical actors, not only through their financial services (just as they did for secular authorities), but even—at least in parts of the Low Countries—by encouraging their relatives to join the ranks of local clergy. These relationships frequently proved helpful in other respects as well. In 1391, when a German nobleman reversed his longstanding support for the Lombards of his domains and invoked *Usurarum voraginem* as a means to suppress their activity (and, more concretely, to erase his outstanding debts), the targeted Lombards successfully appealed to a host of local allies—including members of the ecclesiastical hierarchy—to exact reprisals against their erstwhile protector.⁷⁰

In some cases, it was not local relationships that spared foreign moneylenders from being punished as usurers, but rather the connections they enjoyed at the papal curia. Just as Pope Nicholas III intervened on behalf of the imprisoned Florentines in the wake of Philip III's mass arrest in 1277, so too did later popes step in to protect favored Lombards from usury sanctions. In 1319, for example, Pope John XXII wrote to the archbishops of Cologne and Reims and their suffragans, ordering them all to reverse measures taken against numerous Astigiani on the pretext of the recently promulgated anti-usury decree *Ex gravi*. Such actions, claimed the pope, ran counter to the aims of the decree. The pope's intervention probably resulted from the intercession of one his papal chaplains, who was both a native of Asti and a close relative of the victims.⁷¹ Yet in 1322, the same pope wrote to the bishop of Cambrai, complaining that the count of Blois, "as a result of ignorance and led by evil counsel" had permitted some "public usurers" to settle in one of his towns. As a precaution, the pope first released the count from any oaths he may have sworn in granting such permission, then ordered the bishop to compel the count to expel the usurers from his lordship of Avesnes.⁷² The outcome of this papal pressure is unknown. It demonstrates, however, that the same pattern of protecting individual Lombards while simultaneously calling for the general expulsion of foreign moneylenders obtained even at the very highest levels of the church.

Rebukes and Reversals: The Role of the Papacy

Pope John XXII's letter to the bishop of Cambrai raises the question of the papacy's role in insisting on the expulsion of foreign usurers. In the two decades following the Second Council of Lyon, there is no sign that the papacy made any effort to enforce *Usurarum voraginem*'s expulsion provision, or even to remind secular and ecclesiastical authorities of their obligations on this front. In this regard, the accession of the energetic Boniface VIII to the papal

throne in 1294 marked a noted shift. Boniface was no hypocrite, and he duly took it upon himself to enforce the decree within the lands under his temporal jurisdiction, twice ordering the expulsion of foreign usurers from the papal lands surrounding Avignon, first in 1300 and then again in 1303.⁷³ In addition, soon after becoming pope he sent admonishing letters to eight Burgundian bishops, insisting that they first warn the “nobles and barons” in their cities and dioceses of their duty to expel foreign usurers, and then “compel them through apostolic censure” if necessary. He subsequently included *Usurarum voraginem* in his new legal codification, the *Liber Sextus*, and in 1302 he seems to have sent out a new round of letters insisting on its enforcement.⁷⁴

For all Boniface’s efforts to remind bishops of their responsibilities, only Adolph van Waldeck of Liège is known to have heeded the papal strictures. Moreover, there is no sign that Boniface himself took further action against any transgressors other than the bishop of Utrecht—and the papal decision to uphold the latter’s suspension was likely tied to the bishop’s failure to repay his outstanding debts to the papal curia. Boniface was decidedly not one to steer from away from conflict, where infringements of ecclesiastical law or privileges were concerned. Yet when it came to enforcing *Usurarum voraginem*’s sanctions for non-compliance, Boniface settled for chastising missives rather than concrete measures. In his letter to the Burgundian bishops, Boniface condemned local secular authorities for having “disregarded the fear of God and spurned their reverence toward the Apostolic See.” He might have said the same of the bishops themselves.

Boniface VIII’s successors largely followed his lead, sporadically pressuring bishops to take action against foreign moneylenders but rarely adopting a more muscular approach toward the decree’s enforcement. Clement V’s suspension of Bishop Thibaut de Bar of Liège represents a marked exception, but it is again doubtful whether the bishop would have suffered such a penalty had he not fallen into arrears in his payments to the papal curia. In 1307, at the request of Duke John II of Brabant, Clement V voided all of the agreements that the duke had made with Lombards when he was “young and surrounded by the counsel of bad men,” which had allowed the Lombards to openly lend at interest within his lands.⁷⁵ But if the pope hoped that this would prompt a general expulsion of Lombards from Brabant, he was to be disappointed. The duke seems to have used the dispensation from his oaths as an excuse to shake off old debts and issue new licenses, and within two years Lombards were attested in at least thirty Brabantine cities and towns.⁷⁶ In 1322, as noted already, John XXII pushed the count of Blois to expel the Lombards from his domains, though it is unclear how their presence came to his attention or why he singled them out among countless others. The same pope also launched an investigation into usury within the papal county of the Comtat Venaissin

(surrounding Avignon), focusing particularly on the activities of "Tuscans and Lombards," but there is no sign that he pushed for the expulsion of the offenders.⁷⁷

Fifteen years later, his successor Benedict XII wrote to a cluster of bishops in what is now southeastern France, urging them to enforce *Usurarum voraginem* within their dioceses "insofar as it concerned [them]" and reminding them of their duty to compel other competent authorities to follow suit. The same pope took a noticeably more direct approach in a letter sent in 1339 to the archbishop of Tarentaise, pointing out that the foreign usurers were residing not only within his diocese, but in its principal city of Moutiers, "which is directly subject to the church of Tarentaise." The implication here was clear, namely, that the archbishop was personally responsible for the expulsion of the Lombards. The pope duly ordered him to ensure that *Usurarum voraginem* was "inviolably observed."⁷⁸ Here again, however, papal admonishments appear to have had little effect, given the continuing activity of Astigiani moneylenders throughout the region from the mid-1330s to the 1350s and beyond.⁷⁹

Benedict XII was the last fourteenth-century pope to push for the strict enforcement of the decree. His successor, Clement VI, simply gave up the fight against usury, as shown by his response to an episode in the Dauphiné, an imperial fief sandwiched between the Rhône River and the Alps, in what is now southeastern France. From the turn of the fourteenth century onward, Florentine and Piedmontese bankers and moneylenders had settled in considerable numbers throughout the Dauphiné, reaching a high point by the early 1330s.⁸⁰ The welcoming climate changed dramatically upon the accession of Dauphin Humbert II in 1333. Within a year of his accession, Humbert II summoned "Italian, Tuscan, and Florentine usurers" to appear before him to make amends for their misdeeds (presumably via a substantial fine); otherwise they and their families were to depart from his lands after relinquishing all of their property and forfeiting any goods they held in pawn.⁸¹ The Italians evidently reached an arrangement with the dauphin, but over the following decade, both they and the local Jews found themselves repeatedly subject to systematic investigations and heavy exactions. This shift in climate was ostensibly the result of the new dauphin's concerns about usurious lending and its damaging consequences on rural communities throughout his domains—and the reports of his investigators did indeed reveal considerable indebtedness among the peasantry, as well as frequent excesses on the part of the moneylenders themselves.⁸² More immediately pressing, perhaps, were the dauphin's own financial difficulties. By 1349, his profligacy would force him to sell the Dauphiné itself to King Philip VI of France. In the meantime, however, Humbert found it more appealing to squeeze extra revenues from Jews and Lombards than to cut back on his expenditures.

In 1345, the dauphin set off on a crusade against the Turkish Emirate of Aydin, in western Anatolia. Like Saint Louis before him, he decided that he had to purge his lands of usury before setting sail. He began by sending a commission of investigators into the territories that he held in the kingdom of France, in order to root out usurious lending there.⁸³ Six weeks later, before embarking from Marseille, Humbert sent a letter to the archbishop of Lyon, whom he had appointed as governor of the Dauphiné during his absence. Proclaiming his desire "to fully extirpate from our land the vice of usury that eats away at the wealth of our subjects, along with those engaging in this sin," Humbert ordered all Jews and Lombards to leave the Dauphiné before the following Good Friday. Any Lombards who personally foreswore usury before the archbishop might be allowed to remain; no such relief was offered to Jews. In addition, the dauphin requested that the pope absolve his subjects of their outstanding debts to the aforesaid Jews and Lombards. Notably—and again following in the footsteps of Saint Louis—the dauphin took no action against his many Christian subjects who were lending usuriously; his repressive efforts focused exclusively on Jews and foreigners.⁸⁴

Some of the dauphin's subjects apparently shared his zeal, and a landlord in the town of Saint-Bonnet violently expelled the Lombards from a house that they had rented from him. Fortunately for the rest of the Jews and Lombards, neither the archbishop nor anyone else on the governing council was inclined toward expulsion, believing—as they put it in a subsequent letter to the dauphin—that "it would prove damaging to his lands." As they reported to the dauphin, they had therefore written to the pope for his advice. In his reply, Clement VI declared that the dauphin "could well bear what the church itself bore," and that it was "better to make good use of the revenues that the Lombards provided than to force them to leave his lands." The same was true for the Jews. The council accordingly settled for demanding 1000 florins from the Jews and doubling the amount that the Lombards were expected to pay for that year.⁸⁵

So far as Jews are concerned, the papal response is unsurprising. While some of his immediate predecessors had adopted harsh measures against Jewish usury, Clement would distinguish himself for his firm defense of traditional Jewish privileges, particularly in the face of the explosive violence that accompanied the outbreak of the Black Death in 1348.⁸⁶ With respect to the Lombards, however, the papal response is truly striking. It was less than a decade since Benedict XII had written sharp letters to prelates in the Dauphiné and neighboring regions, demanding that they carry out the very expulsion that Clement himself was now opposing. More generally, the papal response directly contradicted a conciliar decree that had since entered into the formal compilation of canon law.

Whether Clement actually intended to nullify *Usurarum voraginem* is unclear; the record of his reply does not mention it specifically. His accommodating response might also have reflected his own dependence on Astigiani merchant-bankers, who had come to dominate papal finances during his pontificate.⁸⁷ Perhaps Clement feared that insisting too strongly on the decree's enforcement might redound upon the papacy's own international financial network. Moreover, given the ubiquitous grumbling across Latin Christendom about the unending stream of papal agents and appointees who siphoned away local wealth toward the coffers of the Apostolic See, perhaps some curial officials questioned the wisdom of trumpeting too loudly a decree that called for the expulsion of foreigners who were "draining riches" from their host communities.⁸⁸ Regardless, it reveals that while local prelates such as Archbishop Gerlach of Mainz might continue to wield *Usurarum voraginem*'s provisions to suit their own aims, so far as the papacy was concerned the decree was (at least for now) a dead letter.

In the late thirteenth and fourteenth centuries, hundreds of bishops presided over the dioceses in which foreign moneylenders were plying their trade. Few enforced expulsion within their own temporal jurisdictions, and fewer still showed any willingness to censure lay transgressors. Much quiet resistance to foreign moneylending presumably went unrecorded, with prelates choosing to chastise secular authorities in private for aiding and abetting such sinful behavior.⁸⁹ The absence of widespread enforcement does not mean that all ecclesiastical authorities stood idly by as foreign moneylenders went about their business. But some bishops embraced expulsion only as a means of punishing lenders who fell on the wrong side of local political squabbles, while others who mandated expulsion in their diocesan statutes failed to implement it within their domains—a salutary reminder of the limits of normative texts as windows into private attitudes or actual practices.

Secular stonewalling obviously played a major role in hampering the decree's enforcement. As medieval bishops knew all too well, ecclesiastical censures were often no match for lordly obstinacy. Ecclesiastical complicity was also at work. Many bishops profited directly from the presence of foreign moneylenders in their jurisdictions, while others depended on the ready supply of credit that they provided. It is therefore unsurprising that some prelates embraced new interpretations of the decree that minimized their own responsibility for enforcing it, or else latched onto various stratagems that allowed them to avoid categorizing Lombards as usurers. Finally, one must also reckon with a decided degree of ecclesiastical apathy. While the Second Council of

sinful ways, and that they could therefore be driven from a new region even if no new transgressions had yet been proven. Ultimately, however, Jacques came down against further expulsion: the fact that the Jews had previously broken the laws of another jurisdiction did not in itself establish a legitimate presumption against them, and they ought not to be expelled from their new homes without proof of renewed wrongdoing. He subsequently added a brief coda to his opinion: if it proved necessary to expel Jews in order to keep them from causing grave harm to Christians, such a measure should be undertaken only after deep reflection—and it should not be permanent. In one sense, Jacques's conclusion was in keeping with patristic tradition, which held that authorities should not arbitrarily expel Jews from their lands. But the reasoning of his *quodlibet* clearly implied that usury—if proven—was indeed just cause for expulsion, even if only temporarily.¹⁰

Only a few years earlier, in fact, Pope Boniface VIII had issued an order that left little doubt about his own opinion on this issue. In his capacity as ruler of the Comtat Venaissin, the papal county surrounding the city of Avignon, he had come to learn that many foreigners and Jews were lending publicly at interest in the county, "causing much damage and great loss of property for its inhabitants." Out of paternal affection and wishing to prevent any further suffering to the county's residents, the pope sent a letter to the county's rector in June 1300, demanding the permanent expulsion of "foreigners and others not native to the aforesaid county, as well as Jews," who were engaging in moneylending. The papal order hewed closely to the wording of *Usurarum voraginem*, and it is clear that Boniface was seeking to uphold its provisions. Yet in adding the phrase "as well as Jews" (*ac Iudeos*) to his order, the pope was deliberately pushing beyond the decree's formal requirements. Even if he was not bound to expel them by law, it is clear that the pope saw the Jews' moneylending as sufficient justification for their forced removal from the county.¹¹

The papal order has gone almost entirely unnoticed, perhaps because there is no evidence that it was carried out. Fortunately for Europe's Jewish communities, knowledge of his order did not circulate widely, and Boniface soon changed his mind. Perhaps he was persuaded that usury was not in fact legitimate grounds for expelling Jews, or perhaps he simply decided that ridding the county of Christian usury was sufficient. Either way, in 1303 he issued a new expulsion order for the Comtat that dropped the earlier mention of Jews. Foreign usurers were again ordered to leave the county, never to return, while native usurers (*indigene*) were to be warned against further transgressions.¹²

Subsequent efforts to treat Jewish usurers under the same canonical framework as Christian ones gained particular impetus with the widespread dissemination of the conciliar decree *Ex gravi*, which was first issued at the

Council of Vienne in 1312, and then formally promulgated in 1317 as part of the so-called Clementine Constitutions.¹³ Among other provisions, the decree called for the immediate abrogation of all statutes that permitted the taking of usury and threatened excommunication for anyone who enforced a usurious contract. Moreover, it declared that those who stubbornly affirmed that usury was not a sinful practice would be considered heretics and were to be prosecuted accordingly. Like all of the earlier decrees imposing canonical sanctions on manifest usurers, *Ex gravi* did not explicitly limit itself to Christian offenders. As noted earlier, however, the decree *Quia in omnibus* of the Third Lateran Council had unmistakably indicated its Christian focus by spelling out penalties for usurers that could only have applied to the faithful (refusal of Christian burial and so forth), penalties which were implicitly reiterated in the two Lyonese decrees. In contrast, most of *Ex gravi*'s threats focused not on the usurers themselves, but on those who regulated, enforced, or defended usurious loans. It was usury, rather than usurers, that lay in its crosshairs.

What if it was Jewish moneylenders who were engaging in this usury? Did *Ex gravi*'s reach also encompass Jews? An episode in Iberia shows how swiftly competing interpretations arose. In 1313, the bishops gathered at a provincial council in Zamora, on the eastern frontier of León, issued a raft of stridently anti-Jewish canons. One of these declared that at the recent council in Vienne, the pope had forbidden Jews from lending at interest to Christians. A few months later, however, the representatives who gathered at the Cortes of the kingdom of Castile refused to countenance such a reading of *Ex gravi*. Instead, they permitted Jews to continue charging moderate interest while piously insisting on the enforcement of *Ex gravi*'s provisions—thereby indicating that in their judgment, the decree concerned only Christians.¹⁴ In light of such interpretative uncertainty, it is not surprising that several Iberian Jewish communities took the threat seriously enough to secure precautionary exemptions from *Ex gravi*'s provisions.¹⁵

Unlike for *Usurarum voraginem*, no further evidence survives concerning the intentions of *Ex gravi*'s drafters. Moreover, Pope Clement V, who had presided over the Council of Vienne, died too soon to promulgate its decrees himself. That task fell to his successor, John XXII, whose mercurial relations with Lombards have already been discussed in the previous chapter. The new pope was not only an experienced canonist, but also the scion of a noted family of merchant-bankers from Cahors. He was therefore well acquainted with the topic of usury, and he did not wait long to reveal his own interpretation of *Ex gravi*. In 1320, John sent a letter to one of his officials in response to concerns about the indebtedness of the townsfolk of Macerata, then part of the Papal States. Once again showing the degree to which Jewish communities were engaging with canon law to defend their traditional privileges (as had the

Yet no such surge materialized. To be sure, the mid-fourteenth century proved catastrophic for Jewish communities throughout western Europe, with accusations of well-poisoning and ritual murder leading to widespread massacres. Countless Jews fled their homes, and many of them never returned. But outright expulsions were few and far between, and rarely did these rely on accusations of usury.²⁵ Within the German Empire, for instance, only a handful of cities formally banished their Jewish communities during the fourteenth century, and no regional expulsions took place until 1390. In Mallorca, laments of indebtedness spurred the temporary expulsion of Jews from the town of Alcúdia in 1331, but other local efforts to uproot Jewish communities met with repeated royal rebuffs.²⁶ In Castile, a high-ranking official purportedly sought to convince King Alfonso XI to expel Jews in the wake of a Marinid invasion in 1339, but the archbishop of Toledo came to their defense, reminding the king of both the wealth he derived from the Jews' presence and the importance of respecting their traditional privileges within the kingdom.²⁷ Moreover, for all of the discussion around Jewish moneylending in the Iberian kingdoms during the fourteenth century (and the genuine social tensions that could result from indebtedness), only rarely did anyone invoke usury as grounds for expelling Jews. Indeed, with the exception of the possibly apocryphal Castilian episode of 1339, there is little evidence that royal authorities in Aragon and Castile even considered the possibility of expulsion at all.²⁸

By the end of the 1320s, the rapid proliferation of arguments for the expulsion of Jewish usurers had evidently come to a halt. Although this sudden drop-off is not easily explained, contemporary developments in canon law likely played a significant role. As noted above, *Ex gravi* had elicited varied interpretations upon its promulgation, with some authorities arguing that it did not concern Jews and others (including Pope John XXII himself) arguing that it did. Among canonists, a handful of early commentators adopted the latter position, variously arguing that the inquisitors could punish Jews as heretics if they denied the sinfulness of usury,²⁹ that the church could compel Jews to hand over their account books for inspection,³⁰ or that civic officials who enforced the repayment of Jewish usury fell under the decree's sentence of excommunication.³¹

These views were swiftly overpowered, however, by vigorous denials of *Ex gravi*'s applicability to Jews. The most important of these came from the Bolognese jurist Giovanni d'Andrea, whose commentary on the Clementine Constitutions (which he completed around 1322) was swiftly accepted as the standard interpretative gloss on the collection. Although he maintained that Jews could indeed be punished as heretics if they tried to convince Christians that usury was not a sin, Giovanni otherwise maintained that Jews were in no way encompassed by the decree's provisions.³² Given that the vast majority of

subsequent copies of the Clementines included his commentary, the importance of his restrictive reading of *Ex gravi* is hard to overstate.³³ From the mid-1320s onward, almost every student of canon law who encountered the decree learned from its accompanying gloss that its reach was limited to Christian offenders, thus undercutting incipient claims that Jews could be subject to the canonical penalties against usurers. Whatever John XXII's opinion on the matter, his fourteenth-century successors on the papal throne held almost uniformly to Giovanni d'Andrea's position—and to judge from the surviving evidence, so did most other church officials.³⁴

As for the interpretation of *Usurarum voraginem*, here again Giovanni d'Andrea played a crucial role in stifling emerging arguments about the decree's targets. Having already produced the standard commentary on the *Liber Sextus* at the turn of the century, he then produced a new commentary around 1338, which he named after his daughter Novella (reputedly an accomplished jurist herself). In this second version, Giovanni opened his discussion of *Usurarum voraginem* by reprising an observation that the canonist Francesco d'Albano had made six decades earlier, to the effect that the decree's drafters had produced it in response to the growing numbers of Italian moneylenders throughout Europe.³⁵ This observation was significant, for it implied that the decree's original purpose was to restrain Christian usury. Although late medieval jurists did not consider *intentio* to be strictly binding, they accorded it considerable weight. Indeed, it was a commonplace of medieval jurisprudence that the intention or purpose of a text took interpretative precedence over the strict meaning of its words, insofar as these did not align.³⁶ It is clear that Francesco d'Albano's observation on the underlying intent of *Usurarum voraginem* had not been entirely forgotten by the early fourteenth century, since a prominent Dominican had echoed it in explaining the decree's distinction between local and foreign usurers.³⁷ That Giovanni d'Andrea repeated this observation in the *Novella*, however, ensured that it enjoyed renewed circulation across western Europe. Moreover, he placed it at the very beginning of his commentary on *Usurarum voraginem*, making it almost impossible for readers to overlook. The publication of the *Novella* therefore raised a new (or rather, renewed) intellectual hurdle for any subsequent canonists who might have wished to turn the decree's penalties against Jews.

Given the highly technical nature of medieval legal commentaries, jurists' debates can easily seem far removed from the realities of everyday life. Most of them probably were irrelevant in practice, or at least had minimal effect beyond the classroom walls. In this case, however, their potential impact should not be too quickly dismissed. Had Giovanni d'Andrea followed some of his contemporary colleagues in arguing that *Usurarum voraginem* required the expulsion of Jewish usurers, almost every student of canon law in almost every

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Expanding (and Impeding) Expulsion

JEWS, USURY, AND CANON LAW, 1300-1492

THE FOURTEENTH AND FIFTEENTH CENTURIES witnessed dramatic changes in the geography of Lombard and Jewish settlements in northern Europe. For the Lombards, the repeated sequence of royally mandated confiscations and expulsions from France and Burgundy led many professional moneylenders to relocate to Switzerland, Savoy, and the Low Countries during the second half of the fourteenth century. Although shifting political circumstances at home gradually led many Piedmontese families to abandon their longstanding transalpine moneylending operations in the early decades of the fifteenth century, the Low Countries remained a lively site of Lombard activity for another two hundred years—the strictures of canon law notwithstanding.¹

For Jews, the decades after 1306 witnessed sporadic French royal efforts to welcome them back into the realm. The reestablished communities fell far short of their thirteenth-century peak, and a renewed expulsion at the close of the fourteenth century marked the definitive end to the Jewish presence within the medieval kingdom of France.² More devastating still were the vicious pogroms that accompanied the spread of the Black Death, which led to the destruction or dislocation of hundreds of Jewish communities north of the Alps. In the aftermath of the plague, Jews disappeared almost entirely from the medieval Low Countries, and elsewhere in the Holy Roman Empire many once-flourishing Ashkenazic communities remained permanently dispersed.³

Outside of France and Burgundy, however, government-ordered expulsions of Jews remained very rare in fourteenth-century Europe. It was instead during the following century that these once again arose as a widespread phenomenon: beyond the Iberian cataclysm of 1492, nearly one hundred

expulsions are attested in German lands during the fifteenth century, and the same period saw recurring efforts to oust Jews from the cities of central and northern Italy, largely (though not exclusively) at the urging of hostile preachers.⁴ While the justifications for these expulsions drew on an ever-wider range of supposed misdeeds—apostasy, host desecration, ritual murder, and much else—the ravages of Jewish usury continued to loom large in the accompanying rhetoric.

As in earlier expulsions, allegations of usury and its corrosive effects could serve to mask any number of other motivations. Moreover, attitudes toward both the relative dangers of legalized moneylending (whether by Christians or Jews) and the contaminating threat of Jewish presence continued to differ widely across Latin Christendom and within individual communities. Some late medieval authorities accordingly banished Lombards while inviting Jewish moneylenders to settle in their towns.⁵ Others expelled Jews and Lombards alike under the shared banner of usury.⁶ That many Jews were not in fact engaging in moneylending proved no more of an obstacle to such collective punishments than it had in earlier periods, and indeed the assumption that *all* Jews were in some sense usurers—an idea that had once been confined largely to northern French critics—spread ever further during these centuries, with predictable consequences.

The goal of this chapter is to chart the shifting role of canon law in buttressing (or thwarting) late medieval demands for the expulsion of Jewish usurers. To what extent could those calling for these expulsions assert the authority of canon law to defend their claims, and what resistance did they face from those committed to the church's traditional protections for Jews? By the turn of the fourteenth century, the kings of England and France had established clear secular precedents for prohibiting Jewish moneylending and then making transgression punishable by expulsion, whether of individual offenders (as under Louis IX) or of entire Jewish communities (as under Edward I). Meanwhile, the church's position on the normative legitimacy of such expulsions remained undefined. So far as the surviving evidence suggests, throughout the latter part of the thirteenth century neither the papacy nor any leading members of the ecclesiastical hierarchy questioned whether secular rulers *could* expel Jews on grounds of usury—but this silence left open the question of whether they *should*. The papacy likewise remained silent on the righteousness of inflicting such a drastic punishment against Jewish communities as a whole, rather than simply against individual transgressors. Unlike Gregory IX warning the bishops of France against the mistreatment of the kingdom's Jews in the early 1230s, or Innocent IV demanding that the archbishop of Vienne continue to harbor and protect the Jews of his province in 1247, no pope protested the repeated expulsions carried out at royal behest.

Jews of France before them), the Jews of Macerata had apparently insisted that they were not bound by the provisions of *Ex gravi* or the church's other anti-usury decrees. In this case, however, the pope summarily dismissed the Jews' objections and ordered that they be compelled to observe the canons. It is also possible that a roughly contemporary papal expulsion of Jews from the Comtat Venaissin likewise invoked usury as justification, though the order itself does not survive and the entire episode is murky. John XXII also showed sustained interest in the repression of Jewish usury even outside his temporal domains, repeatedly ordering local ecclesiastical authorities to punish local Jews according to "the decrees of the sacred councils and the Apostolic See promulgated against usurers"—though it is unclear whether he reckoned *Usurarum voraginem* among the applicable decrees.¹⁶

Whatever John XXII's position on the topic, a variety of sources reveal that by the early 1320s, bishops and church officials throughout western Christendom were beginning to extend *Usurarum voraginem*'s provisions to Jews. In Italy, the archbishop of Ravenna—himself an experienced jurist—barred Christians from renting houses to Jews in a provincial canon from 1317 that hewed closely to the language of *Usurarum voraginem*, while Bishop Bartolomeo Bardi's 1325 diocesan statutes for Spoleto went even further in specifying that all foreign usurers—whether Jewish or Christian—were subject to the decree's expulsion provision.¹⁷ (Perhaps it is more than mere coincidence that in the early fourteenth century, two of the most senior church figures to embrace an expansive reading of canonistic sanctions against usurers—Pope John XXII and Bishop Bartolomeo Bardi—both hailed from families that were deeply involved in banking operations. Was their uncompromising attitude toward Jewish usury a means of assuaging their consciences or silencing potential critics?)

Further to the north, a certain Hermann, dean of St. Mary's in the Thuringian city of Eisenach, was one of several local church officials delegated by the Apostolic See in 1319 to investigate cases of usury in the Rhineland.¹⁸ In February 1320, Hermann ordered the parish priest, the mayor, and the city council of Mühlhausen to expel the local Jewish usurers within fifteen days, on pain of interdict. Although he does not specifically cite *Usurarum voraginem* in the surviving letter, the penalty of expulsion together with the threat of interdict betray its influence.¹⁹ In 1322, an episcopal official in Basel forbade a local nobleman from renting or leasing a house to either "Jews or Cahorsins," which again points to a shifting popular understanding of the Lyonese decree.²⁰ The same is true of a bitter dispute between the abbey of Remiremont and the duke of Lorraine that erupted in the mid-1320s, in which one of the sticking points was the abbey's insistence that Jews and Lombards alike be barred from settling in any of the towns under its jurisdiction.²¹

To judge from a set of student lecture notes, during the early fourteenth century a cluster of jurists in southern France were also arguing for *Usurarum voraginem*'s applicability to Jews. In 1339, Jacques Imbert, a decidedly obscure professor of canon law in Montpellier, was tasked with delivering the university lectures on the *Liber Sextus*, the canonical codification that included the decree.²² Imbert was not a very original thinker, which may explain why he never published any formal commentaries of his own. For the most part, his lectures simply summarized the positions of earlier canonists, including his own teachers. In glossing *Usurarum voraginem*, Imbert drew on several simple arguments to explain why its penalties fell even on Jewish manifest usurers. To begin with, usury was forbidden in both the Old and New Testaments. Moreover, usury was a form of theft, which was likewise prohibited in the Old Testament. Finally, the church could indeed punish Jews under certain conditions, as Pope Innocent IV had argued a century earlier. In one lecture cycle, Imbert attributed this line of reasoning to the canonist Jesselin de Cassagnes; in another, he attributed the same arguments to Rolando Scarampi of Asti. Both of these men had taught law in southern France in the 1320s before becoming judges at the papal curia, and Imbert likely studied under one or both of them. Tellingly, the surviving writings of these two earlier jurists show no signs of such arguments, nor do they suggest in any other way that *Usurarum voraginem* ought to apply to Jews.²³ It is possible, of course, that Imbert was simply inventing authoritative precedents to support his claims, but his interpretation of *Usurarum voraginem* was an unusually bold position for a jurist who was otherwise so banal. Rather, it seems more likely that Jesselin and Rolando had been willing to test out ideas in their lectures that they ultimately refrained from circulating in their formal commentaries.²⁴ If so, then Imbert's lectures reveal that the arguments expressed orally in the early 1320s continued to be remembered and invoked at Montpellier in the following decades.

The early 1320s therefore witnessed a sudden flurry of efforts across much of Europe to apply *Usurarum voraginem* against Jews, from the statutes of Italian bishops to the strictures of German ecclesiastical officials and the purported arguments of southern French jurists. As suggested above, this convergence reflected two developments within ecclesiastical circles: first, the increasing need to reflect on possible justifications for the expulsion of Jews; and second, the growing tendency to efface any distinctions between Jewish and Christian usury. Together, these made it easier to reimagine *Usurarum voraginem*'s intended targets. Had this trend continued, the middle decades of the fourteenth century could well have seen a surge in expulsions of Jews. This is especially true for the lands of the German Empire, where Jewish money-lending was widespread and bishops often wielded independent temporal authority.

But if successive popes failed to condemn these expulsions, they also refrained from condoning them. Lesser prelates might applaud the banishment of Jewish usurers, as did Robert Grosseteste in endorsing Simon de Montfort's ousting of Leicester's Jewish community, but they would have been hard pressed to find support for their position in canon law. Following the promulgation of *Quanto amplius* at the Fourth Lateran Council of 1215, neither popes nor councils had offered any further rulings on the licitness of Jewish moneylending, and the church's formal teachings on the Jews' presumptive right to remain in Christian society remained similarly unchanged. To suppress usury was one thing; to expel its practitioners quite another.

At the start of the fourteenth century, however, the spate of recent expulsions prompted jurists and other learned observers to begin considering the circumstances under which such measures could be justified. Contemporary realities, in other words, generated theoretical quandaries. Second, particularly in the wake of the Council of Vienne (1311–1312), canonists and church authorities began reconsidering the reach of earlier canonical sanctions for usury, questioning whether these might apply to Jewish as well as Christian offenders. By the middle of the fifteenth century, Pope Eugene IV would conclude not only that usury was sufficient grounds for expelling Jews, but that *Usurarum voraginem* actually required such expulsions.

Although the pope reversed course a few years later, his initial decision undermines the accepted view that the medieval papacy consistently opposed the expulsion of Jews.⁷ Moreover, other late medieval jurists and officials held fast to this expansive reading of the decree, brandishing its provisions to dislodge existing Jewish communities and block the creation of new ones. Just as the Lyonesse decree's universal validity and automatic sanctions rendered it a convenient weapon for disgruntled observers to wield against those harboring Lombard moneylenders, so too could it be easily invoked against those protecting Jews. This was especially true in Germany and northern Italy, where proactive civic efforts to welcome Jewish moneylenders collided with increasingly strident denunciations of Jewish usury.

Perhaps counterintuitively, tracing the shifting pathways of canonistic interpretation also reveals the intellectual and legal roadblocks that impeded new arguments about expulsion. By the end of the Middle Ages, it was widely accepted that *Usurarum voraginem*'s rental ban fell on Christian and Jewish usurers alike—a position first espoused by Bishop Nicolas Gellent of Angers. So entrenched was this interpretation in late medieval legal discourse and social practice that even modern scholars have failed to recognize its contested canonical origins.⁸ Yet extending this same logic to the decree's expulsion provision proved less straightforward, and even many of those who were

aggressively hostile to Jews proved reluctant to push for an interpretation of the decree that so clearly broke with established church tradition. This was especially true given the knowledge—widely circulated, at least in learned circles—that the decree's promulgation was originally inspired by ecclesiastical fears over the spread of Christian moneylenders, not Jewish ones.

These roadblocks were not insuperable, and there were moments when new interpretations of canon law threatened to dismantle completely whatever protection church doctrine still provided against expulsion. That such hostile interpretations failed to triumph throughout all of the fourteenth century and much of the fifteenth was due in no small measure to patterns of manuscript circulation and the structures of teaching in late medieval universities—factors too rarely considered in analyzing the evolution of anti-Jewish ideas and practices in the later Middle Ages. In addition, in order to understand how certain arguments failed to take root, it is necessary to look at what sorts of questions were being asked. As a result, this chapter draws not only on such familiar sources as papal letters and popular sermons, but also student notebooks, civic deliberations, and penitentiary supplications, among others. Collectively, these reveal both the paths through which new arguments about Jews, usury, and expulsion could spread across late medieval Europe, and the barriers that stood in the way.

Intent and Interpretation:

Arguing over Expulsion in the Early Fourteenth Century

Although thirteenth-century popes and theologians had acknowledged that certain offenses might be sufficient cause to expel Jews, they had studiously avoided the question of whether usury was among them. The continuing uncertainty is evident in the writings of two leading canonists of the early fourteenth century, Oldrado da Ponte and Pierre Bertrand, who both took a notably evasive tack in grappling with the issue. So long as Jews lived quietly and did not cause scandal to Christians, they argued, the pope could not justly urge princes to expel them. Only if Jews rebelled against princely authority or otherwise abused their "privilege" of alien status did they merit expulsion. Neither canonist, however, indicated whether usurious lending could in itself be considered sufficiently scandalous, rebellious, or abusive to justify this penalty.⁹

In a quodlibet delivered immediately following the 1306 expulsion of Jews from France, the Cistercian theologian Jacques de Thérines offered a somewhat clearer answer to the question. Asked "whether Jews expelled from one region ought to be expelled from another," Jacques began by mooting the argument that Jews who had been expelled for usury were likely to resume their

Lyon had established the expulsion of foreign usurers as a universal norm within the church, the Lombards' practices evidently did not spark universal concern. For all that the decree's drafters had forged new weapons to bolster the institutional church's longstanding campaign against usury, there were plenty of prelates in western Europe who bore little desire to join the fight.

Despite the severe automatic sanctions imposed by the decree, only a handful of bishops suffered any formal rebuke for their inaction. By contrast, in the early thirteenth century, Pope Innocent III had suspended or deposed two archbishops and seven bishops after judging them to be insufficiently committed to the church's anti-heresy campaign.⁹⁰ The comparison might seem forced, given that Innocent (like many others of his age) saw heresy as an existential threat to the very foundations of the church. Yet the rhetoric of anti-usury polemics was pitched extremely high, and at the Council of Vienne in 1311–12 the assembled leaders of the church declared outright that defenders of usury were to be condemned as heretics. While no later pope could match Innocent's towering status and authority, it is significant that even his most powerful successor, Boniface VIII, proved reluctant to punish bishops for their complacency toward the spread of foreign usurers.

It is possible that the papacy had never expected *Usurarum voraginem* to be widely enforced, notwithstanding its threat of automatic sanctions for clerical transgressors. In the early thirteenth century, Innocent III had counseled the bishop of Arras to exercise restraint in imposing the existing canonical sanctions on usurers, claiming that usurers had become so common in the bishop's diocese that "if all of them were punished, it would be necessary to close up many churches." In this instance, Innocent recommended that the bishop instead make an example of a few, in order to frighten the others into submission. But if Gregory X and the conciliar fathers gathered at Lyon had similarly hoped that a few ostentatious expulsions would put brakes on the spread of foreign usurers, they were to be sadly disappointed. Instead, as Boniface VIII remonstrated, secular and ecclesiastical authorities alike "harbored and protected them, to the peril of their souls and the scandal of many."⁹¹

It is clear from the surviving Lombard privileges that many foreign moneylenders took seriously the decree's threat of sanctions, however infrequent their enforcement. Pope John XXII's attempt to drive Lombards from the lordship of Avesnes in 1322 marks the last known instance of expulsion (whether real or threatened) anywhere in the Low Countries before the early modern period, but this is clear only in hindsight. To the Lombards in Holland and Hainaut in the closing decades of the fourteenth century and the early decades of the fifteenth, it still seemed necessary to seek guarantees that they would be protected from secular or ecclesiastical efforts to expel them. Similarly, King Charles V of France's declaration that he would yield to the church's will where

expulsion was concerned reveals that he did not see *Usurarum voraginem* as entirely moribund, even if he was not about to honor its provisions himself. And a century after the decree's promulgation, the clergy of Utrecht were sufficiently familiar with its contents to protest the arrival of Lombard money-lenders, forcing their bishop to exempt the newcomers from its reach. Such was the importance of *Usurarum voraginem's* incorporation into the common legal culture of western Europe: even as its provisions went unenforced, its threats were not forgotten.

university in western Europe would have heard this argument expressed in their lectures, down to the end of the Middle Ages and beyond. No doubt some students would simply have forgotten it, but others might well have invoked its authority in their future careers as episcopal advisors, curial officials, or simply learned members of their communities. Instead, Giovanni d'Andrea (along with a handful of other influential canonists) extinguished incipient efforts to extend still further canon law's claims over Jewish moneylending—at least for a while.

“For All the Gold and Silver in the World”:

Legitimizing Expulsion in the Later Fourteenth Century

Although the horrific violence accompanying the Black Death led to the dislocation of many Jewish communities across western Europe, the decades immediately following saw little academic discussion over the legitimacy of expelling Jews. Only two notable texts survive, one by an eminent Italian jurist and another by one of his French students. Together these demonstrate both the lingering ambiguities of legal language and the persistence of Jewish usury as the principal grounds for justifying Jewish expulsion.

At the time of his death in 1383, Giovanni Oldrendi da Legnano was the most famous law professor in Europe. Lauded by Chaucer for his skills in both law and philosophy, he penned dozens of texts on subjects as diverse as comets and political economy, as well as both canon and civil law. His marriage to a granddaughter of Giovanni d'Andrea affirmed his position within the legal elite of his adopted city of Bologna, and over the course of his lifetime he earned the trust of several popes as well as a host of civic honors. His grandiose funerary monument celebrated him as “a second Aristotle and Hippocrates,” and even those who criticized the failings of his scholarship acknowledged his political and professional preeminence. It is not surprising, then, that contemporaries frequently sought his expert opinion on a range of legal issues, and his responses (or *consilia*, as they are known) survive in dozens of manuscripts across Europe.³⁸

The licitness of Jewish usury and its appropriate treatment in canon law was evidently a topic of recurring interest, for over the course of the 1360s and 1370s Giovanni da Legnano produced three *consilia* of varying length on the topic.³⁹ Although little can be deduced as to their original context or their respective dating, all three overlap considerably in their reasoning and conclusions. On the whole, he firmly dismissed any notion that a bishop could punish Jewish usury or compel Jews to make restitution under existing canon law. In all three *consilia*, he noted that the penalties for manifest usurers set forth in *Quia in omnibus*—to wit, barring them from communion at the altar,

denying them ecclesiastical burial, and refusing their oblations—did not apply to Jews. Nor did the threat of excommunication apply to them, since those who had never been within the body of the church could not be driven out from it. Similarly irrelevant was *Quamquam usurarii*'s threat of withheld absolution for usurers who failed to make appropriate restitution on their deathbeds. Jews were bound to obey the dictates of secular authorities, but ecclesiastical authorities could not on their own force Jews to make restitution for usurious lending.

In the two shorter consilia, Giovanni passed over *Usurarum voraginem* in silence. His third consilium, however, was four times as long, and offered a veritable conspectus of church teachings on Jews, with references to forty different canonical texts.⁴⁰ Here he offered a slightly less categorical position on the inapplicability of canon law, observing for instance that the decree *Quanto amplius* allowed bishops to forbid Christians from interacting with Jews, as a means to compel restitution from the latter. Turning to *Usurarum voraginem*, he noted that it both prohibited renting houses to foreigners for the purposes of usury and required the expulsion of manifest usurers. "These penalties," he concluded, "could apply to Jews."⁴¹ He stated this point bluntly, with no hint that it might be especially novel or controversial. On other contentious points, moreover, Giovanni consistently came down in favor of Jewish exemption from canonical jurisdiction, so there is no reason to believe that he was trying to twist his material to serve a hostile agenda. How then did he come to break with the longstanding canonical precedent that limited the decree's reach to foreign Christian offenders?

In fact, this interpretation likely reflected mere carelessness. As one of his students later remarked, Giovanni da Legnano was an upstanding scholar, but not a diligent one.⁴² His arguments in this consilium were based on brief summaries of the decrees themselves, rather than a methodical consideration of their complete text and associated commentaries. When considered in isolation, neither the text of the rental ban nor that of the expulsion order included any language limiting their reach exclusively to Christian foreigners. Giovanni's consilium accordingly reveals just how easily the venerable canonistic reticence concerning the expulsion of Jews could give way in the face of atomized or decontextualized readings of *Usurarum voraginem*.

Whether Giovanni himself ever appreciated the novelty of his claim is unknown. Two centuries later, however, those charged with preparing the printed edition of the consilium quietly replaced "expel" (*expellere*) with "exclude" (*excludere*), a much more semantically ambiguous term.⁴³ As a result, early modern readers could construe this consilium as arguing simply that Jewish usurers should be shunned from Christian homes and social contexts—an interpretation fully in keeping with canonistic tradition. Yet this emendation

came too late to affect the many students and jurists who encountered the consilium over the course of the late fourteenth and fifteenth centuries. One of these was Johannes von Heldburg, a Bavarian student at the University of Padua in the 1430s, who copied it into his personal notebook for future reference.⁴⁴ A decade later, as a cathedral canon in Eichstätt, he would join in a push to expel the city's Jewish community, forcing the newly-elected bishop to swear not to tolerate any Jewish moneylenders within his temporal jurisdictions.⁴⁵ One can only wonder whether the canon relied on the consilium to justify this demand.

In the mid-1370s, one of Giovanni da Legnano's students, the French jurist Évrart de Trémaugon, produced a lengthy political treatise at the request of King Charles V of France. Written in the form of a dialogue between a cleric and a knight, the *Songe du Vergier* ("Dream of the Orchard") included a detailed exchange over the licitness of Jewish usury and the authority by which kings could expel Jews and seize their property.⁴⁶ The cleric begins by complaining bitterly that the king not only permitted Jews to "lend at usury" in his realm, but granted it legal backing through his courts, thereby abetting the impoverishment of his Christian subjects. The cleric goes on to assert that the king could essentially expel Jews "at his pleasure [. . .] for he is their lord and they are his serfs." This was all the more true insofar as Jews "abused the privilege and grace" by which they king allowed them to dwell in the kingdom, here echoing a decretal of Innocent III.⁴⁷ The knight responds by observing peckily that even the pope himself permitted and profited from Jewish moneylending in his city of Avignon, then proceeds to lay out all of the established arguments in favor of allowing Jews to live in peace. That said—and again echoing earlier debates—the knight concedes the right of kings and other secular authorities to confiscate Jewish property and banish Jews from their lands, so long as they had "just and reasonable cause." If the Jews' presence was perilous to Christians, then the prince had the duty to send them away from his subjects. Furthermore, since the Jews of France were growing richer by the day as they fed themselves on the wealth of the poor, the knight concludes by insisting that if the king "only knew one-tenth of the harm that Jews were causing to his people, he would not tolerate their presence for all the gold and silver in the world." Although this pointed plea evidently failed to move Charles V, his son proved more receptive. In 1394, Charles VI once again banished Jews from the kingdom of France. Unlike earlier such orders, this one proved definitive; outside of Provence and a few isolated cities, it would be nearly three centuries before Jewish communities began to reestablish themselves in the realm.⁴⁸

As the *Songe* reveals, toward the end of the fourteenth century learned arguments for expelling Jews relied on almost exactly the same textual sources as they had at its outset, namely, a motley array of biblical passages, patristic

writers, Roman and canon law, juristic commentaries, and appeals to natural law. But where Oldrado da Ponte and Pierre Bertrand had evaded the question of whether usurious lending might count as legitimate justification for expulsion, the *Songe's* author was more direct. Both of his protagonists agreed that Jewish lending was leading to widespread Christian impoverishment, and both saw this as sufficient reason for secular rulers to expel Jews (even while differing on other points). Significantly, however, the *Songe's* author framed expulsion as a lordly duty, not a canonical demand. The cleric's claims, sweeping and uncompromising as they are, make no mention of *Usurarum voraginem* (nor, for that matter, of *Ex gravi*). A concerned prince might opt for expulsion to protect his people from further economic ruin, but for all the anti-Jewish hostility of the *Songe's* author, he could adduce no law that obliged the lord to do so. In this, at least, the *Songe's* author was typical. From the 1330s through to the early fifteenth century, thanks largely to the arguments of Giovanni d'Andrea and other likeminded canonists, almost no rulers or jurists maintained that canon law required the expulsion of Jewish usurers. As for the few learned exceptions, Jacques Imbert was relying on earlier materials, while Giovanni da Legnano was simply being sloppy.

Expulsion and Exclusion in the Fifteenth Century

The closing decades of the fourteenth century saw large-scale Jewish migrations, with the devastating impact of the Black Death compounded by the anti-Jewish assaults that erupted across Castile and Aragon in 1391, and the definitive expulsion of Jews from the kingdom of France that followed soon thereafter. As Jews sought either to reestablish their former communities or seek out more welcoming homes elsewhere, discussions of *Usurarum voraginem's* reach once again began to pick up steam. This was especially true in Germany and northern Italy, where civic leaders often fixed moneylending (particularly in the form of pawnbroking) as the condition for the Jews' admission. As Paduan officials observed in 1430, "it was advantageous and necessary to ensure that, following custom, there should be moneylenders." While Jews in both regions continued to engage in a wide variety of economic activities, their ability to settle in new communities (or in some cases, return to old ones) often depended on their ability to supply credit to their Christian neighbors. Such arrangements hardly met with unanimous approval, however, and many of the dissenting voices turned to canon law to bolster their objections.⁴⁹

In 1396, for instance, members of the Florentine commune proposed that Jewish pawnbrokers be invited to settle in the city to mitigate a continuing shortage of petty credit. The question was raised whether *Usurarum voraginem* applied to Jews, and it was decided to seek the opinion of an expert jurist.

While the response apparently held that Jews were not subject to the decree's provisions, the proposal nevertheless fell through. Ten years later, moreover, the city seems to have rejected the consilium's conclusions outright, decreeing that "no Hebrew or Jew, regardless of whence he came, could . . . lend at interest" anywhere within Florentine dominions. Although the ordinance did not invoke canon law explicitly, its influence is palpable in the reference to the Jews' places of origin.⁵⁰

Strikingly, in the years around 1400 most of the learned experts who grappled with the Lyonese decree's applicability to Jews seized upon its housing ban while sidestepping its call for expulsion, echoing the approach that Nicolas Gellent had taken more than a century earlier. In response to a question on "whether someone who rented a house to a Jew was to be excommunicated," an anonymous jurist concluded that clerics who rented houses to Jewish usurers were automatically excommunicated, while secular offenders could be sanctioned following the appropriate legal process.⁵¹ Crucially, the author seems to have taken it as self-evident that *Usurarum voraginem* was applicable to Jews, at least as far as the housing ban was concerned. (Expulsion went unmentioned.) Similarly, a late fourteenth-century sermon declared bluntly that Christians were not to rent houses to Jewish usurers, without offering any further discussion—and again without raising the question of expulsion. This anonymous sermon went on to circulate in two immensely popular collections, which together survive in more than two hundred medieval manuscripts and numerous early modern printed editions.⁵²

It is possible that some of those calling for bans on renting houses to Jewish usurers were relying on summaries or bowdlerized versions of the Lyonese decree that already edited out its expulsion provision.⁵³ In other cases, however, the canonistic expertise of the proponents is unquestionable. In the late 1370s, the archdeacon of Augsburg mandated that any Christians who rented houses to foreign Jews were to be deprived of the sacraments; they were permitted, however, to rent houses to native-born Jews, even if these did not enjoy local citizenship.⁵⁴ (He seems to have taken it as axiomatic that Jews were usurers, no matter their origin.) The archdeacon was clearly well trained in canon law, since in clarifying the birthplace/citizenship distinction he drew directly on *Usurarum voraginem*'s commentary tradition, which had dealt at length with the definition of foreignness. Yet he too was quite willing to wield the decree's rental ban against Jews while staying silent on its expulsion provision.

More striking still is the case of the eminent early fifteenth-century canonist Domenico da San Gimignano, who addressed the reach of *Usurarum voraginem*'s provisions as part of his systematic commentary on the *Liber Sextus*. While acknowledging several opposing arguments, Domenico ultimately used

the absence of any limiting language in the decree's text to conclude that the housing ban applied to foreign-born Jewish usurers. Tellingly, he too said nothing about expulsion. If foreign Jews were subject to the housing ban, just like their Christian counterparts, then by the same reasoning they ought to be subject to expulsion as well. But Domenico did not—perhaps would not?—spell this out clearly. Equally striking is his refusal to engage with the problem of the drafters' intentions. Although Domenico otherwise drew repeatedly on Giovanni d'Andrea's *Novella* in his commentary on the decree, he nowhere mentioned the decree's original context. Given the interpretative weight of *intentio*, it is hard to see Domenico's silence as anything other than a deliberate effort to ignore—and thereby suppress—a devastating counterargument.

Not all later jurists followed Domenico in extending *Usurarum voraginem*'s reach to Jews. Domenico's younger contemporary Floriano Sampieri, who was also a professor of law at Bologna, argued that the decree did not in fact apply to Jewish usurers, though his reasoning does not survive.⁵⁵ A secular court in Magdeburg likewise insisted that Christians could rent houses to Jews, despite rising claims to the contrary.⁵⁶ Many simply ignored the debate altogether. Still, the majority of canonists who took up the question of the decree's reach seem to have decided that *Usurarum voraginem* did indeed forbid Christians from renting houses to Jewish usurers, while avoiding the question of the drafters' intent and sidestepping entirely the decree's expulsion provision.⁵⁷

The intellectual tension generated by this artificial distinction between *Usurarum voraginem*'s housing and expulsion provisions did not seem to trouble its proponents. In two consilia from the late 1440s, the German Dominican Siegfried Piscator (who had studied canon law at Bologna and served briefly as auxiliary bishop of Mainz) arrived at markedly different conclusions about the decree's reach. So far as the housing ban was concerned, Piscator confidently asserted that the legal sanctions of *Usurarum voraginem* could be applied to Jews. Where expulsion was at stake, however, Piscator adopted a more cautious position. Although he had actively supported the expulsion of Jews from Mainz a decade earlier, in this legal opinion he argued that the decree established only a moral presumption rather than a legal requirement.⁵⁸ The decree's language hardly supported such hair-splitting, but Piscator—like Domenico and so many others—was evidently intent on applying *Usurarum voraginem* to Jews, and willing to strain legal convention in order to do so. At the same time, the proponents of this expansive reading were only willing to push their interpretative latitude so far. It was one thing to call for Christians to cease renting houses to Jewish usurers; after all, canon law laid out any number of other restrictions on appropriate relations between Christians and Jews. But to call directly for their expulsion would have been a much bolder move, and no fifteenth-century jurist proved willing to take it.⁵⁹

The competing approaches to the interpretation of *Usurarum voraginem* emerge clearly from a comparison of two Observant Franciscan preachers, both of whom were born in central Italy in the 1480s, studied law, and were later canonized as saints. John of Capistrano was renowned for his strident condemnations of Jews, and his calls for their exclusion and expulsion formed a central theme of the preaching campaigns that he carried out across Italy, Germany, and eastern Europe in the first half of the fifteenth century. As such, it is striking that in the lengthy discussion of *Usurarum voraginem* in his treatise on avarice, he nowhere mentioned the question of its applicability to Jews. Moreover, in refuting another jurist's arguments about Jewish butchering, he compiled a list of all the canons that concerned relations between Christians and Jews. Tellingly, neither *Usurarum voraginem* nor *Ex gravi* appears in the list. Given his reputation as a learned canonist, together with his obsessive concern with Jews and usury, this repeated silence suggests a reluctance to support the expansive reading of either canon. However expedient such a reading might have been for his broader aims, it was clearly further than his legal scruples allowed him to go.⁶⁰

A very different position was taken by John of Capistrano's colleague and contemporary, the indefatigable and indomitable Bernardino of Siena. He too was a fierce opponent of Jewish moneylending, and it is entirely plausible that *Usurarum voraginem* was among the canons that Bernardino read aloud in Vicenza in 1443, when—according to a later report—he carried some volumes of canon law up to the pulpit and used their contents to insist on the expulsion of the city's Jews. He certainly embraced an expansive reading of the decree's housing ban, repeatedly asserting in his sermons that it was to be understood with reference to Christian and Jewish usurers alike. In his first Padua sermon of 1423, for instance, Bernardino posed the question of whether it was a sin to rent houses to Jews, then declared that it was indeed a mortal sin to rent houses to either Jews or Christians for the purposes of usury. He reiterated this point in his next sermon, then proceeded to spell out *Usurarum voraginem*'s articulated hierarchy of sanctions as they pertained to prelates, religious communities, and so forth. In each case, the specified sanction—whether suspension, excommunication, or interdict—was framed as the consequence of renting houses to Jewish or Christian usurers.⁶¹

To Bernardino's Paduan audience, and likely to many others as well, the decree's perceived reach was broad indeed. Not only did the preacher insist on a broad reading of its targets, but in both Padua sermons he omitted any reference to foreignness, whether in regard to Christians or Jews. He was hardly alone in embracing such a loose reading of the decree's language. Chapter 5 has already noted the frequent disappearance of *Usurarum voraginem*'s focus on foreigners as the decree was transmitted into a variety of contexts, from

poetic verse to civic statutes. The same phenomenon is to be found in many writings that extended the decree's housing ban to Jewish usurers, including even systematic canonistic commentaries on the decree.⁶² For some writers, such as those addressing the legitimacy of granting new settlement privileges to Jewish moneylenders, the context of the discussion made the question of foreignness redundant.⁶³ Others might have imagined Jewish identity in less legalistic terms, seeing all Jews as quintessentially foreign, no matter their place of residence or origin. (In a similar fashion, government officials in later centuries would ignore statutes that distinguished between "foreign Gypsies" and "citizens," instead treating all Roma as fundamentally alien.⁶⁴) In this respect, the deeper frameworks of Christian thought could easily efface the nuances of legal language. In most cases, however, the absence of the decree's language of foreignness can once again be attributed to haste, simplification, or a reliance on reworkings of the decree in which the restriction had already been omitted.⁶⁵

Notwithstanding the frequency of such omissions, it bears emphasizing that the majority of fifteenth-century canonists who favored applying *Usurarum voraginem* (or at least its rental ban) to Jews did indeed specify that the sanction applied only to foreign Jews as opposed to local ones. The implications of this distinction were far from academic. In 1458, opponents of Jewish moneylending in Siena sought advice from a distinguished local jurist as to whether the city could permit such activities. The jurist concluded that official support for Jewish lending was forbidden under *Ex gravi*, but since the moneylender in question was a longtime resident of the city rather than a foreign newcomer, the penalties of *Usurarum voraginem* did not apply.⁶⁶ In this case, at least, the decree's restriction to foreigners continued to prove meaningful, even as its general reach was being expanded.

"Once the Jews have been Expelled":

The Papacy Intervenes

Amidst the increasing dissension among late medieval civic authorities over the licitness of harboring Jewish moneylenders, it is hardly surprising that some turned to the papacy for clarification. Around the same time that Florence was first debating whether to welcome Jewish pawnbrokers, the lord of Mantua, Francesco I Gonzaga, also grew concerned that his subjects were suffering from a shortage of credit. In response, he decided to invite "foreign moneylenders" (*generatores alienigene*) to settle in the city. In due course, Francesco became worried that he had thereby incurred ecclesiastical penalties, but he was reluctant to expel the moneylenders, whose services remained as critical as ever. He therefore wrote to Pope Boniface IX in the hope of securing a dispensation. In February 1401 the pope granted the Mantuan ruler's request,

noting that until the church should decide otherwise, the moneylenders' presence could be tolerated so long as their crime was not condoned.⁶⁷ The identity of the moneylenders is ambiguous: modern scholars have uniformly assumed that the moneylenders were Jewish, but the papal response—which is the sole surviving record of the event—says nothing about their religious identity.⁶⁸ It is not impossible that some of them were Christian, in which the papal dispensation was clearly necessary (at least to the extent that Francesco was genuinely concerned about acting in accordance with canon law).

Insofar as some (or all) of the anxiety-producing moneylenders were Jewish, however, the episode becomes more complicated. Under Francesco Gonzaga's rule, Mantua had indeed developed a sizeable Jewish population from the 1380s onward. Yet up to this point, no pope had called for *Usurarum voraginem* to be extended to Jews. Although John XXII insisted that canonical sanctions on usurers be applied to Jews throughout the early 1320s, not once did he specifically cite the Lyonese decree. Continued silence on this front characterized the remainder of the fourteenth century: if any popes did indeed believe that the decree's provisions applied equally to Jewish usurers, they made no attempt to enforce it accordingly. If Gonzaga felt the need to secure a dispensation, this reflected the emerging arguments of jurists rather than any shift in papal position. The papal response, for its part, was a masterpiece of legal dexterity: in neither requiring expulsion nor defining the religious identity of the moneylenders, the papal draftsmen managed to relieve Gonzaga's concerns while also sidestepping anything that could be construed as a clear statement of law.

Over the next three decades, a succession of popes and antipopes showed renewed willingness to impose *Ex gravi*'s sanctions against Jewish moneylenders and the authorities who protected them.⁶⁹ At the same time, they steered clear of ruling definitively on the proper interpretation of *Usurarum voraginem*. In 1429, troubled by the rabble-rousing antics of Bernardino da Siena and his fellow Observant preachers, Pope Martin V promulgated a bull ordering them to stop stirring up the masses against Jews. Contrary to some of the sweeping claims made by the preachers, the pope insisted that Christians and Jews were indeed permitted to interact with one another, "except in those cases prohibited by law." Christians and Jews were also allowed to engage in trade with one another, so long as it was done "in a licit and honest fashion." Furthermore, declared the pope, Jews were allowed to buy, sell, and rent any homes and landholdings from Christians.⁷⁰ This was once again a feat of papal draftsmanship, in that it left room for both opponents and defenders of Jewish moneylending to hold to their positions and offered no clear resolution of *Usurarum voraginem*'s reach.

Five years later, however, a new pope on the throne of St. Peter abandoned this earlier ambivalence. Sometime in early 1434, two northern Italian counts, Francesco Pico della Mirandola and his brother Giovanni, sent a letter to Pope Eugene IV. Out of concern for their subjects, who had long suffered from a shortage of credit, Francesco and Giovanni had allowed some Jews to settle in their lands and lend at interest. In addition, the brothers had rented a house (or allowed a house to be rented) to these Jews for the purpose of moneylending. At the time, the noblemen stressed, they had not believed their actions to be unlawful. They had since come to fear, however, that their actions had violated the provisions of *Usurarum voraginem*, inadvertently bringing down a sentence of excommunication upon themselves. The brothers' uncertainty, the petition noted, reflected the varied opinions of contemporary jurists (presumably those at the University of Bologna, a mere thirty miles away), who disagreed on whether the decree was to be understood in reference to Jewish as well as Christian moneylenders. Deciding to err on the side of caution, the brothers petitioned the Holy Father to grant them absolution if they had indeed incurred ecclesiastical censure through their actions. In addition, they asked to be granted a dispensation allowing the Jews to remain in their lands, so as to spare their subjects from even greater economic misfortune. In his response, issued on July 15 of that same year, the pope granted them the desired absolution, thereby implying that the brothers had indeed incurred excommunication, even if unintentionally. The papal absolution, however, was a conditional one: it was to be granted only once the Jews had been expelled.⁷¹

No evidence survives concerning the aftermath of Eugene's reply, and the fate of the Jews of Mirandola is unknown. Nor have modern scholars treated the event as anything more than a footnote to the history of Jews in fifteenth-century Italy. But if the brothers were presumably both relieved and disappointed by the outcome of their petition, other contemporary observers—including the Jews of Mirandola themselves—were surely surprised. The brevity of the surviving record of the papal response belies its importance as a marked departure from earlier papal practice. For the first time in the history of the medieval church, a reigning pope had declared that canon law not only allowed, but in fact *required* the expulsion of Jewish usurers. Moreover, in insisting that the Jews of Mirandola be expelled, Eugene had gone well beyond the positions of Domenico da San Gimignano and others, who had focused exclusively on the decree's housing provision. If the canonists had been reluctant to push their interpretation to its logical end, the pope showed no such reticence. The brief record of the papal response—only eleven words of summary—offers no direct insights into Eugene's reasoning. Indeed, having only just arrived in Florence after hastily fleeing an insurrection in

Rome, he might simply have been suffering from a case of bad temper, and he certainly had more pressing concerns on his mind. But whatever the grounds for his decision, the pope's opinion was unambiguous: *Usurarum voraginem's* provisions applied to Jews, including—indeed, especially—its penalty of expulsion.

Two similar cases came to Eugene's attention in 1437. The provost of a church in Parma had apparently permitted some Jews to use his house for the purposes of moneylending, and had apparently been struck with a sentence of excommunication as a result of this and other sins. The fate of the Jewish moneylenders is not mentioned in the papal response—perhaps the provost had already evicted them from his house—but in any event, the pope ordered that the provost be absolved, provided that he did proper penance. That same year, the Florentine government secured papal authorization for Jews to settle in the city for the purposes of moneylending. Here again, it is clear that Eugene saw Jews as falling within the reach of *Usurarum voraginem*, even as he was willing to dispense with its penalties.⁷²

Soon thereafter, however, the pope changed his mind. In the winter of 1439–40, a leading member of the Observant Franciscans asked Eugene to clarify whether or not the Lyonese decree applied to Jews. In his response, dated January 10, the pope replied that it did not. The grounds for his decision were straightforward: citing Giovanni d'Andrea's *Novella*, Eugene observed that *Usurarum voraginem* had been promulgated as a response to Florentines and Pistoians and others who were traveling about and lending at interest. He accordingly ruled that neither the penalty of excommunication for those renting houses to foreign usurers, nor the penalties for rulers who failed to expel them from their lands, were to be understood in reference to Jews.⁷³

If Eugene was willing to defer so easily to legislative intent in 1440, why had he concluded otherwise on the two earlier occasions? Had he made his previous decisions solely on the text of the decree itself, without consulting its accumulated commentaries? Had he consulted only the commentaries of Domenico da San Gimignano or his followers? Or had he come to fear that his earlier, perhaps overhasty, decision might result in the expulsion of many of western Europe's remaining Jewish communities, an outcome contrary to established church teachings? Whatever his motivations, it serves as a reminder of the importance of Giovanni d'Andrea's invocation of the decree's context. Had the pope not been swayed by that information, he would presumably have upheld his earlier decision, giving hostile voices even further ammunition in their campaigns against Jewish moneylending.

Still, Eugene's response did not put an end to the issue. For one thing, the legal force of his opinion was uncertain, not least because it was delivered orally rather than promulgated in writing.⁷⁴ In addition, although the text

survives in several manuscript copies, it was only from the early sixteenth century onward that it came to be widely disseminated.⁷⁵ Even Bishop Antonino Pierozzi of Florence, whom the pope may have consulted on the matter, does not mention it in any of his writings on *Usurarum voraginem*. Indeed, Antonino argued explicitly that the decree's housing ban should apply to foreign Jewish usurers, even as he also rejected the possibility of outright expulsion.⁷⁶

Eugene's response also seems to have gone unnoticed—or unacknowledged—by his successor, Pope Nicholas V. Although Nicholas at no point embraced *Usurarum voraginem* as grounds for expelling Jews, he evidently considered that the decree forbade the renting of houses to Jewish usurers. That said, he repeatedly proved willing to grant dispensations to transgressing rulers and even to lift sanctions imposed by zealous ecclesiastical officials.⁷⁷ Among these officials was the pope's own legate, Nicholas of Cusa, who had traveled throughout Germany pushing for the suppression of all Jewish moneylending and even endorsing the expulsion of Jews. So extreme were his measures that German authorities ultimately persuaded Nicholas V to suspend or annul many of them.⁷⁸ It seems that the legate relied on *Usurarum voraginem* in campaigning against Jewish usury, for his strictures on this topic subsequently prompted a concerned cleric to appeal to Rome for help. As recorded in his supplication, Arnold von Brende was a canon of Würzburg who, with the consent of his chapter, had previously welcomed "perfidious Jews, who are rightly deemed foreign and manifest usurers," into the city for the purposes of lending publicly at interest. Not long after Nicholas of Cusa's visit to Würzburg, Arnold petitioned the Apostolic Penitentiary, ruefully confessing that he had not realized his transgression at the time. He therefore sought absolution from both the automatic excommunication that he had presumably incurred and the resulting canonical irregularity. The Apostolic Penitentiary duly granted his request.⁷⁹ It is unclear how much thought went into the Penitentiary's decision; it might simply have been issued as a matter of course. Yet it underscores the continuing interpretative instability surrounding *Usurarum voraginem*. Not only was a papal legate encouraging a broad reading of the decree, but in granting the absolution, the Penitentiary officials—most of whom were experts in canon law—were implicitly upholding an interpretation that Eugene IV had unambiguously condemned a decade earlier.

The Penitentiary's accommodating response allowed church officials in Würzburg to persist in their belief that the city's Jewish moneylenders were subject to the full sweep of the Lyonese decree's provisions. Among these was Rudolf von Scherenberg, who spent three decades as a cathedral canon prior to becoming bishop of Würzburg in 1466. As bishop, he proved a zealous opponent of usury. Beyond reiterating the canonical sanctions falling on

Christian usurers and their supporters, Bishop Rudolf also drew extensively on *Usurarum voraginem*'s text in a 1475 episcopal mandate prohibiting anyone in the diocese from providing housing to Jewish moneylenders. Although the bishop lacked the necessary authority to bar Jews from the city itself, he directly quoted the decree's language of expulsion in demanding that Jewish usurers be driven from any Christian-owned lodgings. He took further measures against Jewish usury in 1477 (once again invoking canon law), and a decade later he finally succeeded in his quest to expel Jews entirely from the city and its surrounding region.⁸⁰

Learned authorities elsewhere in late fifteenth-century Germany similarly drew inspiration from *Usurarum voraginem* in ordering expulsions of their local Jewish communities. In 1457, for example, a Pavia-trained canonist inserted an echo of the decree in the statutes that he drew up for the newly created University of Freiburg, forbidding the masters and students from providing lodgings to Jews or other public usurers and insisting furthermore that Jews and usurers be barred from the city of Freiburg and its jurisdiction. The same provision would recur in the statutes issued for the new university in Tübingen in 1477.⁸¹ All of this serves to reinforce earlier findings that have emphasized the role of legal learning, academic networks, and cathedral chapters as driving factors in the proliferation of late medieval German expulsions.⁸²

Across the Alps, most contemporary Italian authorities hewed closely to the widespread canonistic position that had emerged earlier in the century, in which renting houses to Jewish moneylenders was prohibited under canon law but expelling them was a step too far. Still, the consensus was hardly unanimous: in the winter of 1471–1472, the Piedmontese town of Chivasso endured the repeated harangues of a Franciscan preacher who invoked the decree to demand the expulsion of the town's Jews.⁸³

Notwithstanding the arguments of jurists, many Italian civic authorities continued to insist on the licitness—indeed, the necessity—of Jewish moneylending. Some even pushed this position to surprising extremes: in the late fifteenth century, civic officials in both Florence and the Piedmontese town of Alessandria sought to expel their resident Jewish communities, while simultaneously insisting that Jewish moneylenders should be allowed to remain on account of their crucial economic role.⁸⁴ In these cases, at least, Jewish usury served not as grounds for expulsion, but rather as a defense against it.

The Road to 1492

This chapter has focused particularly on the limits and possibilities of legal language: on the arguments over what canon law did or did not require of faithful Christians; on the interpretation of *Usurarum voraginem*'s wording; on

the implications of dividing up the decree's several provisions for separate consideration. Those seeking arguments for the further marginalization of European Jews certainly found ways to exploit textual ambiguities, in keeping with the late medieval trend toward subjecting Jewish usurers to the same canonical sanctions as Christian ones. Significantly, when most late medieval jurists and authorities sought to apply *Usurarum voraginem* against Jews, it was in the context of eviction rather than expulsion.⁸⁵ Throughout the second half of the fifteenth century, the assumption that canon law forbade the renting of houses to Jewish moneylenders remained widespread on both sides of the Alps. This was compounded by the strong and continuing canonistic consensus in favor of this position, notwithstanding its internal inconsistencies; when a prominent jurist tried to argue that Christians ought not to be excommunicated for such behavior, he was hit with a withering onslaught of competing arguments.⁸⁶ What had once been a contentious rereading was now an accepted norm.

As for the decree's expulsion provision, its fate proved more varied. The majority of late medieval canonists, preachers, and authorities who sought to include Jews among *Usurarum voraginem*'s targets refrained from challenging the longstanding theological and canonical presumption against their expulsion. Despite the widespread willingness to extend the reach of the decree's housing ban, there was continuing and conspicuous reluctance—in classrooms and council chambers alike—to interpret its expulsion provision as a legal mandate for expelling Jewish moneylenders. Even so, there were many others who did embrace an expansive reading, including a papal legate, a cluster of preachers, and a host of local church officials, many of them with training in canon law. Neither the weight of canonistic consensus nor the papal about-face was sufficient to prevent such interpretations from taking root throughout much of Germany and in parts of Italy as well.

This disjuncture between learned commentaries and local interpretations proved ruinous to many Jewish communities. To be sure, many other factors contributed to the proliferation of local and regional expulsions of Jews during the fifteenth century. Complaints about Jewish usury were often no more than a convenient cover for festering resentment about indebtedness, while reports of ritual murder and host desecration amplified Christian anxieties about their Jewish neighbors and fed into increasingly common eruptions of anti-Jewish violence.⁸⁷ Moreover, it is clear that widespread claims of the general destructiveness of usury often served as sufficient pretext for mandating expulsion, without any need for specific canonistic support. Yet as the foregoing examples make clear, whether by instrumental appeals to the decree itself or through the persistent circulation of decontextualized snippets, *Usurarum voraginem* both provoked and buttressed calls for the expulsion of Jews from their

remaining homes in western Europe—and as previous chapters have shown, each successive expulsion could spur others in turn.

An Iberian coda serves as a final tragic reminder that the decree could encourage even what it did not demand. The peninsula has been largely absent from the preceding chapters, for the association between usury and expulsion that emerged in England and France in the thirteenth century, and which then spread elsewhere in western Europe over the course of the fourteenth and fifteenth, found little resonance south of the Pyrenees during the later Middle Ages. This reflects, in part, the absence of foreign moneylenders in the Iberian kingdoms.⁸⁸ Tellingly, in all three instances in which local prelates reissued *Usurarum voraginem*'s penalties for their jurisdictions, they extended its reach to all manifest usurers rather than just foreign ones—and only one of these statutes mentioned expulsion explicitly.⁸⁹ Moreover, in contrast to England and France, foreign merchants rarely found themselves tarred with the general accusation of being usurers. While protectionist impulses led to the recurring expulsion of Italian merchants from Barcelona, Valencia, and Mallorca, only once did the corresponding royal edicts cite the merchants' usurious dealings as justification for their expulsion—and even there usury was but one accusation amidst a litany of others.⁹⁰

Within both Castile and the Crown of Aragon credit remained a decidedly local affair, albeit one subject to differing regulations and shifting levels of official and popular concern. In Castile, royal law forbade all Christian lending at interest by the mid-thirteenth century, and recurring parliamentary complaints led to the temporary extension of this prohibition to Jews and Muslims in 1348. The latter measure was effectively repealed three years later, with the Crown reverting to a ceiling on permissible interest rates rather than a blanket ban on Jewish moneylending. Despite such restrictions, every gathering of the Castilian parliaments through to the late fifteenth century continued to present complaints about the destructive effects of Jewish usury and the need for its restraint.⁹¹ In the Crown of Aragon, by contrast, secular law never officially prohibited lending at interest, though Christian lenders were subject to more stringent restrictions than Jewish ones. Although Jewish usury emerged as a topic of recurring public complaint during the fourteenth centuries, by the turn of the fifteenth century it faded from view, thanks largely to the rise of a new form of licit Christian credit (the so-called *censal*) and other economic shifts that collectively minimized the importance of Jewish lending.⁹²

As elsewhere in Latin Christendom, Iberian bishops often complained about Jewish usury, and some also took active measures to restrain Christian usury within their dioceses, summoning before their courts those whom their fellow parishioners accused of illicit lending. In addition, secular rulers in both kingdoms launched periodic campaigns against usury, which typically resulted

in large fines being made to the royal fisc rather than the suppression of moneylending itself.⁹³ But neither in Castile, nor Aragon, nor in any of the other parts of the Iberian peninsula did usurers face threats of expulsion. This can clearly be seen in the *Fortalitium Fidei*, a virulently anti-Jewish treatise by the fifteenth-century Franciscan preacher and courtier Alphonso de Espina. In this work, usury earns only rare mentions amidst the pages upon pages of slanderous tales, hostile accusations, and lurid accounts of past expulsions.⁹⁴ Furthermore, there is little trace of the expansive reading of *Usurarum voraginem* that spread across Germany and northern Italy during this period: no papal dispensations issued to assuage local alarm over the presence of Jewish moneylenders; no petitions for absolution for having rented houses to usurers; no circulating copies of consilia on the licitness of Jewish usury or the permissibility of expulsion. Even the most notoriously anti-Jewish preachers and writers of late medieval Iberia seem not to have invoked the decree's demands in pushing for the further marginalization of the peninsula's Jewish communities.⁹⁵

It is conceivable—though unlikely—that the intellectual networks that spread new interpretations of *Usurarum voraginem* from Italy northward across the Alps simply did not extend westward to the Iberian peninsula.⁹⁶ At least in Aragon, the silence more likely reflected the broader absence of concerns around Jewish usury during most of the fifteenth century. Jurisdictional arrangements may also have played a role: in marked contrast to Germany and northern Italy, governmental oversight of Jewish settlement and the regulation of Jewish economic activities were more fully consolidated in royal hands by the early fourteenth century and remained so thereafter, sparing local officials in Iberia the anxieties over canonical sanctions that plagued the counts of Mirandola or Arnold von Brende.⁹⁷ Above all, however, the absence of the usury-expulsion nexus in fifteenth-century Iberia reveals the extent to which contemporary discussions of Jews were consumed with the question of Jewish conversion and the lurking danger of judaizing influences. A cataclysmic wave of popular violence in 1391 had devastated many of the peninsula's Jewish communities and had prompted thousands of the survivors to convert to Christianity. Particularly in Castile, the uneven commitment of these so-called *conversos* or “New Christians” to their new faith, coupled with persistent fears over their lingering ties to those who held fast to Judaism, dominated contemporary discourse to an extent unparalleled elsewhere in western Europe.⁹⁸

Only in the closing decades of the fifteenth century did royal concerns about usury resurface, an outgrowth of the broader reformist campaign accompanying the accessions of Ferdinand and Isabella to the thrones of Aragon and Castile. New restrictions on lending were promulgated in 1476, followed by renewed condemnations of Christian usury and investigations into

usurious practices among Christians, Jews, and Muslims in Castile.⁹⁹ In 1487, Ferdinand launched further investigations into Jewish lending in Aragon. Having learned to his dismay of the local suffering resulting from the Jews' "immoderate usury," the king feared that he would be an "accomplice to this crime of inhumanity" if he failed to render due justice—here echoing the same logic of complicity that had troubled so many others before him.¹⁰⁰ Yet such measures pale in comparison to the actions taken by the Catholic Monarchs in response to fears of rampant judaizing: the establishment of the Spanish Inquisition in 1478 was soon followed by an edict mandating the strict segregation of Jews and Muslims from their Christian neighbors, and then a further edict expelling Jews from the whole of Andalucía in 1483. Other local and regional expulsions followed in turn, touting the same allegations of clandestine Jewish "heresy" among those who had converted and the contaminating influence of those who had not.¹⁰¹

Finally, on March 31, 1492, the king and queen ordered all Jews who would not convert to Christianity to depart from their realms. The Jews' representatives pleaded for the decree to be rescinded, but the Catholic Monarchs stood firm. By the end of the summer, mass exodus and a flood of forced conversions destroyed what had been the most vibrant and venerable Jewish community in Europe. Although some contemporary Jewish and Christian observers saw resentment over the Jews' usurious riches as a contributing factor, the most famous of the Edicts of Expulsion—the one issued for the kingdom of Castile—made no mention of usury. Instead, it adhered closely to an expulsion order that the head of the Grand Inquisition had drafted ten days earlier for the diocese of Girona, with both texts focusing exclusively on the wicked consequences of ongoing communication between Jews and *conversos*. The Castilian edict notably laid much more stress on legal grounds for the expulsion, emphasizing both the earlier royal efforts to suppress such apostasy and the justice of collective punishment even in the absence of universal guilt. With segregation and local expulsions having failed to put an end to such judaizing, so the Castilian edict declared, the total banishment of the kingdom's Jewish population was now being ordered as a last resort.¹⁰²

In the expulsion edict issued for his Kingdom of Aragon, Ferdinand carried the legalism even further, no doubt in expectation of greater local resistance (a lesson learned from the tumultuous establishment of the Aragonese Inquisition a decade earlier).¹⁰³ In addition, perhaps because anxieties over backsliding converts were less intense than in Castile, the king went beyond spiritual dangers in defending his decision to expel the Jews. As with its Castilian counterpart, the Aragonese edict began by enumerating the forms of Jewish subversion and apostasy, here embellished with the language of leprosy and contagion. Drawing on the canonistic association of Jewish service and princely

grace, Ferdinand reminded his subjects that since Jews were his servants and captives, it was only out of piety and goodwill that he tolerated their presence in his realms.¹⁰⁴ The king then turned to the matter of Jewish usury, hoping perhaps that this enduring accusation would resonate even among those untroubled by the illicit ritual practices of their neighbors. After excoriating Jews for “wickedly and mercilessly consuming the wealth and property of Christians through their enormous and unbearable usury,” the edict once again trumpeted the demands of law:

Given that those Christians who have come to another land to be manifest usurers must be expelled from cities and towns . . . how much more should infidel manifest usurers, seducers of Catholics and abettors of heretics, be expelled and kept apart from Catholics for the preservation and protection of both their souls and the Christian religion?

Usurarum voraginem's influence had at long last made itself felt in Spain. The royal reasoning was simple but new: if even foreign Christian usurers merited banishment, then surely the penalties for Jews—here collectively denounced as manifest usurers—ought to be at least as severe. It was irrelevant that the original decree did not target Jews; in this transformed logic, whatever punishments fell on Christians, Jews should suffer the same or worse. Thus did a canonical sanction devised two centuries earlier to slow the spread of Italian moneylenders come to play a supporting role in the great act of intolerance against Jews that signaled the end of one age and the beginning of another.

Conclusion

AS THE NEAPOLITAN JURIST Luca da Penne (d. ca. 1390) worked his way through the last three books of Justinian's *Code*, writing the commentary that would eventually make his name famous across Europe, he came to the topic of pimps. Citing one of Justinian's decrees, Luca observed that such men were to be expelled from cities. But who else was to share their fate? Late Roman law, Luca noted, specified that the same punishment was to befall diviners and those who conducted religious services in their own houses without proper authorization. The decrees of a sixth-century Iberian church council provided another example, namely, those fostering sedition. More recent centuries contributed only a single exemplar to Luca's roster of expulsion: citing *Usurarum voraginem*, Luca concluded that usurers, too, were to be expelled.¹ As he noted elsewhere in his commentary, it was even permitted for a mob "to rise up against a manifest usurer, in order to drive him from a city."²

Luca's commentary survives in only one contemporary manuscript copy, and it was not until the rise of print that the work came to be widely disseminated, appearing in ten editions over the course of the sixteenth century.³ In this, it serves as a final reminder of the uneven circulation of new ideas and the sudden resurgence of old ones, a theme that has recurred throughout this book. But Luca's commentary also encapsulates many of the other themes encountered in the preceding chapters, and it can thus serve as a framework for gathering them together: from the importance of precedents and parallels in normalizing expulsion, to the eventual entrenchment of the usury-expulsion nexus into the shared legal tradition of medieval Europe; and from the impact of theological developments in determining expulsion's shifting reach, to the interplay between local contexts and broad developments in spurring and slowing its spread.

Precedents and Parallels

For medieval jurists such as Luca, the compilation of formal comparands was not simply a means of showcasing their erudition; it also offered a powerful interpretative framework. Thirteenth- and fourteenth-century canonists scoured their sources to find precedents for *Usurarum voraginem's* penalty of expulsion, drawing on such varied (if not always apposite) examples as pimps, lepers, overeducated monks, and misbehaving tenants. In this case, the canonists were seeking to reconcile the novel penalty with the existing canonical tradition. In other contexts, authorities and observers sought to normalize the expulsion of usurers by associating it with other familiar practices. Here one might think of the French vernacular versification of the canons of the Second Council of Lyon, with its simple declaration that usurers were to be "treated as heretics."⁴ A fourteenth-century Italian civic statute apparently ordered all usurers to be expelled from the city "like lepers," while a contemporary jurist similarly equated usurers with "lepers, who infected others with the contagion of their sickness"; they thus deserved to be "expelled from the community of the healthy, since wicked customs were to be extirpated from the *res publica*."⁵ By linking usurers to all of these groups through patterns of metaphor and analogy, such rhetoric justified their exclusion, and more specifically, their expulsion.⁶ And as one might expect, usurers came in turn to serve as the conceptual point of reference. A fifteenth-century German preacher, for instance, declared that those who brought harm, rather than utility, to the church were to be expelled "like usurers"—an indication of the degree to which the practice of expelling usurers had normalized itself in contemporary patterns of thought.⁷

For modern scholars, Luca's motley roster of expellable subjects demonstrates the need to look to all of the precedents and parallels that might have shaped medieval action, even those that transcend or transgress our conventional categories of analysis. It is common, in seeking to explain medieval expulsions of Jews, to understand them in the context of other repressive actions taken against Jews during the same period. The preceding chapters have sought to demonstrate, however, that expulsions of Jews can also be understood in the context of contemporary expulsions of other groups. Focusing in particular on the collective expulsion of those lambasted as foreign usurers has revealed one set of chronological, geographical, rhetorical, and administrative overlaps; looking at other forms and targets of expulsion would surely reveal still more. Harder still, but no less necessary, is a willingness to look beyond contiguities of time or place in tracing the spread of new ideas and arguments about expulsion. These could long remain tucked away in manuscripts, only to be rediscovered and revived in later periods; and they could be debated in the lecture-halls of Paris or Bologna, with attentive students then carrying

them back to their far-off hometowns once their schooling was done. While the evidence for such pathways is easily effaced and often impossible to recover, the surviving examples point clearly toward their cumulative importance.

In looking for possible (if often unarticulated, or even unconscious) influences and connections, it is also crucial to consider expulsions from the perspective of those who were advocating or ordering them. The recurring English and French royal efforts to suppress small Jewish settlements and corral their residents into larger towns might well have been experienced as a form of expulsion by those who found themselves forcibly relocated. Yet from the perspective of the authorities who were ordering and enforcing these resettlements, such efforts were driven by a desire to supervise and control Jewish communities, not eliminate Jewish presence altogether.⁸ Relocation and banishment might jointly belong to the history of the spatial regulation of Jewish communities, but so far as the history of expulsion is concerned, these were often distinct phenomena; to lump them together risks obscuring their differing dynamics. Something similar might be said for an expulsion (like that ordered by Louis IX) that formally threatened only those Jews who refused to desist from usury, versus one (like that ordered by Edward I) that accused all Jews of being usurers and expelled them outright. To treat these collectively under the shared banner of "expulsions of Jews" reveals one set of precedents and parallels, but being attentive to the distinctions between them allows other connections to reveal themselves too.

For any given episode of expulsion, searching for precedents and parallels—like the search for causation in general—can easily devolve into an overly mechanistic approach. Rather than focusing on the matrix of causes that underpinned individual instances of expulsion, the preceding chapters have instead sought to explore how the accumulation of certain ideas and practices came to make expulsion ever more likely as a historical outcome, while also noting the forces that prevented the threshold of possibility from falling even lower.⁹ To track such shifting thresholds, it is necessary to examine all of the moments where expulsion was a possibility—when it was demanded, debated, and thwarted, as well as when it was put into effect—and to look too to the contexts where it established itself only slowly or not at all. Much more work of this sort must be done, however, in order to trace how a phenomenon that was once exceptional in medieval Europe ultimately became routine.

Law and Legality

Heretics, prostitutes, lepers, beggars, and many others faced collective threats of expulsion over the course of the high and later Middle Ages, and a fuller history of the rise of expulsion during this period must necessarily incorporate

their experiences as well. As Luca's list reveals, however, these local practices were never universalized through inclusion in the so-called *ius commune* of medieval western Europe. Thanks to the codification of French secular practice into the corpus of canon law, usurers constituted the sole contemporary addition to Luca's assortment of late Roman precedents—which in turn raises the question of law's particular role in demanding, and thus legitimating, expulsion.

Given the widespread secular prohibitions on Christian usury, to say nothing of the canonical strictures, it is perhaps unsurprising that legal claims came to play a recurring role in the expulsions of Christian usurers. More striking (and too rarely noted) is the prominence of law and legal language in the medieval expulsions of Jews. There were certainly exceptions. In banishing Leicester's Jewish community in 1231, Simon de Montfort did not accuse the Jews of being criminals, nor did he anchor his actions in the dictates of higher law. Instead, he presented the expulsion as an act of personal piety and lordly benevolence toward his impoverished Christian subjects. Other authorities did likewise, invoking the common good or the various ills that resulted from the Jews' continuing presence, instead of cloaking their decisions in the demands of law. But from Pope Innocent IV's approval of the Vienne expulsion in 1253, to King Edward I's banishment of England's Jews in 1290, to the carefully constructed juridical claims of the Castilian and Aragonese edicts of 1492, a persistent concern for formal legality marks many of the texts that enforced or approved the expulsion of Jews. By extension, as argued in the previous chapter, the difficulty of mustering cogent legal arguments that could override long-established ecclesiastical protections likely hindered the continuing spread of Jewish expulsions in the fourteenth and fifteenth centuries, even if it clearly did not halt them altogether.

Law was therefore important not simply for the disseminative force of its institutional and textual structures, which enabled new legal norms—among them the legitimacy of a particular form of expulsion—to spread far beyond their originating contexts. Law also helped to define the available rhetorical justifications for expulsion, and the availability of such justifications helped in turn to define the shifting thresholds by which expulsion became more or less likely. This can clearly be seen in the shifting attitudes of ecclesiastical authorities toward the expulsion of Jews. For all that church doctrine insisted (at least in theory) upon the right of Jews to live according to their traditional customs, it was much less explicit about their right to dwell in any given community. Moreover, the increasingly pervasive assumption that *all* Jewish wealth derived in some fashion from usury made it possible for hostile observers to classify Jews collectively as usurers, regardless of their individual involvement in money-lending. Even if "Jew" was a protected category, "usurer" was not—and at no

point in the later Middle Ages did the church hierarchy clearly determine how far the increasing repression of the latter could infringe on the established protections of the former.

For some late medieval observers, the dictates of canon law appeared to offer a clear resolution to this conflict. Whatever the traditional theological protections afforded to Jews, powerful voices across Latin Christendom readily assumed that these were trumped by the canonical penalties falling on "foreign usurers." By the fifteenth century, Jews on both sides of the Alps therefore found themselves facing eviction from their homes and expulsion from their communities not because they were Jewish, but because (at least from a legal perspective) they were foreigners. Modern scholars have rightly drawn attention to the ways in which "judaizing" discourses came to be attached to Christians who engaged in contested economic practices.¹⁰ But if Christians could thus become Jews (at least in metaphorical terms), the evolving interpretation of *Usurarum voraginem* shows how Jews could equally become Lombards.

Jews and Foreigners

Although he cites *Usurarum voraginem*, Luca da Penne makes no mention of its restriction to foreigners in referring to its demands, extracting instead the general principle that manifest usurers were to be expelled. His language underscores the degree to which expulsion came to be associated with usury and usurers in general, at least at the level of rhetoric and ideology. Normative texts occasionally ordered the banishment of usurers writ large, and late medieval preachers frequently resorted to similarly expansive language.¹¹ Yet in a striking inversion of the Deuteronomic stricture, it was lending by "outsiders" that came to be punished more severely in practice, with the sanction of expulsion falling almost exclusively on Jews and foreigners.¹² While accusations of usury could lead to any number of unpleasant consequences for native Christian moneylenders, expulsion was not among them.

For all its redolence, medieval anti-usury rhetoric rarely offered a transparent justification for punishing local Christian usurers differently than foreign or Jewish ones, especially where expulsion was at stake. Over the course of the Middle Ages, opponents of usury invoked a wide range of epithets to denounce its practitioners, associating them with simoniacs, Saracens, sodomites, and a host of other sinful miscreants.¹³ As for usury's wicked consequences, few invectives expressed contemporary claims as succinctly as did the opening words of *Usurarum voraginem*: put simply, the abyss of usury posed both a spiritual and economic threat, with souls and riches alike being lost to its depths. But if all usury was economically destructive, then why did only *some* usurers merit expulsion—to wit, foreigners and Jews? Moreover, if the souls

being lost to the abyss of usury were those of the usurers, why should secular or ecclesiastical authorities show greater concern for the souls of foreigners than for those of locals? And with regard to Jews, throughout the Middle Ages the church maintained the position that the fates of their souls fell outside of its direct concern, at least so long as they obstinately refused to embrace Christian truth. How then can the distinctive punishment of foreigners and Jews be explained?

As discussed in Chapter 4, the theologian Godfrey of Fontaines was evidently the first to offer a cogent explanation for the differential treatment of foreign usurers, in a *quodlibet* delivered in 1296/97. Since these foreigners siphoned away the wealth of local communities toward their native lands, and since their accumulated riches were less likely to be restored to these communities upon their deaths, they rightly deserved the added penalty of expulsion. Later medieval authorities would come to wield this same logic against Jews, with civic officials accusing them of “stealing the wealth and riches of our people [. . .] and delivering them to foreigners,” and Observant Franciscan preachers similarly insisting that Jews conspired to send their usurious gains to infidel lands on account of their hatred of Christians.¹⁴ In breaking free of earlier mindsets that saw usury as utterly destructive, such arguments marked an important conceptual development: Jewish and foreign usurers could make money move as well as cause it to disappear. But whatever the impact of these arguments in the fourteenth and fifteenth centuries, the extant evidence suggests that they began to be articulated only toward 1300, by which time the pattern was already firmly in place. In other words, although such economic reasoning might have reinforced expulsion’s disparate reach, there is little sign that it contributed to its emergence.

One must instead look to other developments to explain how the usury-expulsion nexus came to focus almost exclusively on foreigners and Jews. The most important of these was the connection between official protection and sinful complicity. As discussed in Chapter 1, the decades around 1200 saw Parisian theologians develop an increasingly broad conception of usury’s perilous consequences, in which anyone who abetted or profited from usury—from the families of usurers to the officials who enforced their contracts—was tainted by the same sin. Whether intentionally or not, this more capacious vision of usury’s corrupting effects served to expand the pool of those whom the church could hold accountable for the persistence of usury, even when (as in the case of Jews) the usurers themselves lay beyond the reach of ordinary ecclesiastical sanctions.

This line of reasoning raised potential concerns for secular and ecclesiastical authorities alike. If they collected taxes from usurers, did this implicate them in the chain of sinful contamination? To what extent could they be

reckoned as spiritually complicit in the usurious misdeeds of those living under their official protection? Notwithstanding the strident assertions of certain rigorist theologians, it is important to recognize that late medieval church thinkers never came to a clear consensus on these questions, and many simply sidestepped them altogether. Meanwhile, the vast majority of contemporary rulers (even conspicuously pious ones, such as Henry III of England) simply ignored or rejected the notion of guilt-through-association, especially where Jewish lending was concerned. But for those rulers who *did* accept these novel arguments—especially Louis IX and those who followed his lead—the implications were clear. Not only would they have to make restitution for any usurious revenues they might have received, but they would also have to strip their protection from anyone who persisted in usurious lending.

The cogent logic of guilt-through-protection provided a compelling argument for rulers to expel a particular category of usurers, namely, those who relied on the rulers' formal permission and protection in order to dwell in their lands. This helps to explain the early focus on Jewish and foreign usurers as targets for expulsion, as well as the corresponding absence of this sanction for native Christian ones. It also helps to explain why many late medieval authorities ordered the expulsion of these same classes of moneylenders against the vociferous wishes of their broader communities: the same people who were considered economically necessary by their clientele could be deemed spiritually dangerous by those who formally harbored them.¹⁵

That formal protection could give rise to sinful complicity serves as yet another reminder of the fraught ambiguities of Jewish status in the later Middle Ages. The more that Jewish communities took refuge in separate legal safeguards or the shielding embrace of powerful rulers—the so-called “royal alliance”—the more their presence in a given polity could be framed as an act of grace, a privilege conditional on official goodwill. And the more that the Jews' presence was seen to depend on such a privilege, the greater the presumed responsibility of the governing authorities for Jewish misdeeds (whether individual or collective). Something similar was true for foreign merchants; although England was unusual in the precociousness of its oversight structures, merchants throughout western Europe relied on temporal authorities for privileges and protections. As for foreign Christian moneylenders, their dependence on secular support was unambiguous, insofar as they almost always required a formal license from the competent local authorities in order to carry out their lending activities. Moreover, by the end of the thirteenth century, the entrenchment of expulsion as a penalty targeting Jews and foreigners had established legal and historical precedents that could continue to shape subsequent practice, even in the absence of their originating logic.

Like all of the reasonings discussed over the preceding chapters, the logic of complicity-through-protection could serve as pretext as well as inspiration. It could also be applied selectively or ignored outright. In the 1230s, Louis IX allowed his barons to menace Jewish usurers with expulsion even as he allowed Lombard moneylenders to settle within his kingdom; the following decade witnessed Henry III of England ordering the expulsion of Italian usurers while granting royal support for Jewish moneylending in his realm. Such divergent approaches underscore yet again the malleability of the category of “usurer.” As this book has repeatedly argued, the term is best understood as an accusation about someone’s identity, rather than as a description of their actual deeds. As a result, its reach could extend far beyond those who were directly engaging in moneylending, while excluding many who were. These discrepancies are lost if one looks only at the rhetoric of usury without examining how it came to be applied in practice; or if one focuses only on those who suffered the slurs and sanctions that followed upon accusations of usury, without considering those who were left unscathed.

Violence, Persecution, and the Pathways of Expulsion

In asserting that “the people might rise up” to drive a manifest usurer from the city, Luca da Penne was repeating an argument that he had made elsewhere concerning heretics, which in turn stemmed from his reliance on a corrupted text of Justinian’s *Code*.¹⁶ (Here again the impact of scribal errors and flawed readings reveals itself.) Whether or not such actions were justified in law, crowds did occasionally rise up to take action against usurers. Yet it bears noting that popular violence rarely led directly to expulsions, even if violence often followed in expulsion’s wake. This too can partly be explained by the juridical status of Jews and Lombards: insofar as both resided in their communities under the aegis of temporal authorities, it was only with the consent of these authorities that the settlement privileges could be revoked—and most authorities proved unwilling to acquiesce to the demands of angry mobs.

Throughout the high and later Middle Ages, expulsion was almost always a political and administrative act, the result of the decision-making processes of authorities rather than a consequence of relations between moneylenders and their neighbors.¹⁷ Whatever the impact of clerical condemnations or popular pressures, expulsion was ultimately a sanction imposed by officials upon those who fell within their power. The preceding chapters have thus paid scant attention to the intra-community dynamics that led to outbreaks of violence against vulnerable minorities, focusing instead on the influences that shaped official thinking around the targets, mechanics, and legitimacy of expulsion—for it is these that explain how the phenomenon emerged and

spread.¹⁸ As a result, the history of expulsion has here been told largely from the perspective of its proponents and perpetrators, not its victims.

Historians rarely seek out the events that did not happen or the beliefs that failed to take hold. Despite the proliferation of scholarship concerning persecuting mentalities and practices in late medieval Europe, we still know too little about the conditions under which they could be stopped or slowed. In charting the spread of the usury-expulsion nexus in late medieval Europe, the preceding chapters have therefore flagged the false starts, roadblocks, and divergences. Demands for expulsion could flare up and then fade amidst shifting pressures and concerns. New ideas could proliferate in one learned genre while remaining largely absent from others. Those who had long thought themselves safe from expulsion's reach might suddenly be driven from their homes, while others could live in fear for decades and ultimately escape unharmed.

Even as this book has uncovered many individual instances in which expulsion was rejected, resisted, or thwarted, it has sought above all to retrace the pathways by which the very idea of collective banishment was disseminated and normalized throughout late medieval society. Buttressed by saintly precedent and canonical prestige, mass expulsion entered the arsenal of European politics, with consequences that would continue to reverberate for centuries to come. We do not need to look to the past to see how exclusionary thoughts can express themselves in repressive actions, and how these actions can in turn reorder the landscape of what is thinkable; the present offers sufficient evidence of both. But history can at least remind us of how quickly exceptional practices can become entrenched possibilities—and perhaps warn us against making the same mistakes anew.

ACKNOWLEDGMENTS

MY FIRST college history paper was a short analysis of the medieval church's teachings on usury. Given that I had no intention of becoming a history major—let alone a history professor!—I never imagined that I would still be grappling with this topic nearly two decades later. (I occasionally wonder where my career would have led had I chosen a different paper theme or waited until my senior year to fulfill my Historical Reasoning distributional requirement.) Over the intervening years I have accumulated many intellectual and personal debts, far exceeding what I could ever hope to repay. Yet in contrast to the many disgruntled borrowers who appear in the preceding chapters, I gladly acknowledge how much I owe to the teachers, mentors, colleagues, friends, and family members who have supported me on this long journey.

A photograph of Angeliki Laiou overlooks my desk, a bittersweet reminder of the inspiring and demanding teacher who first introduced me to the economic history of the Middle Ages and, in particular, to the Italian merchants who crossed the Alps and sailed the Mediterranean. So too did she spark my interest in the history of economic thought, the interaction of legal norms and social practice, and the integration of foreigners into their host societies. Like her wit, Angeliki's criticism could be sharp, and I am certain that she would find much to criticize in this book (not least my excessive use of parentheses). But I hope she would also find in this book a few reassuring glimpses of the historian she believed I could become.

Without the early encouragement of Adam Beaver, Thomas Bisson, David Chan Smith, and Paul Dutton, I would probably have abandoned medieval history in favor of less forbidding fields of study. Charlie Donahue did his level best to make the history of medieval law accessible to an eager undergraduate and has been patiently correcting my missteps ever since. Through her teaching and mentorship, Emma Dench showed me just how humane (and occasionally even hilarious) the historian's craft can be. I first encountered Michael McCormick at my senior thesis presentation, when he peppered me with questions about everything from Mediterranean wind patterns to Venetian contract law. From the thickets of Latin philology to the (literal) trenches of

late Roman Gaul, he has never stopped pushing me beyond my intellectual comfort zone, while also equipping me to face whatever surprises lay in store.

My Cambridge supervisor David Abulafia guided me to the material that first sparked my interest in the topic of expulsion and has continued to lend his support at every turn. Having helped me find my footing during a period of uncertainty, Cécile Morrisson has watched over me from afar, serving always as a model of intellectual rigor and scholarly collegiality. Like countless others on both sides of the Atlantic, I have benefited from Emma Rothschild's uncanny sense of where interesting discoveries might lie hidden, along with her ability to ask precisely the right question at exactly the right moment. And although my *Doktorvater* Dan Smail is too self-effacing to accept any of the thanks that are properly due to him, anyone who has ever met him will appreciate how much I owe to his candor, curiosity, imagination, kindness, patience, intellectual ecumenism, rigorous craftsmanship, and all-round *humanitas*. The years I have spent in his orbit have made me not only a better historian, but a better person too.

I vividly recall my excitement at receiving an invitation from Noah Feldman to present my research at a conference at Harvard Law School in 2013. Little could I have foreseen how much the resulting conversations—first at the conference, and then over many lively dinners and late-night whiskeys at the Harvard Society of Fellows—would transform the scope of my research. Twice I nearly gave up on transforming my project into a book, thinking instead to publish an article or two and move on to something else. To Paul Brand and Eric Nelson, thank you for convincing me to stay the course even when I was plagued with doubts myself. I owe similar thanks to Fiona Griffiths, who has been the most supportive colleague and mentor that any young scholar could hope for. She somehow understood the implications of my dissertation even more clearly than I did, and over the course of many, many conversations (most of them opening with “do you have five minutes?” and lasting far longer than that), she helped me map out the different directions that the revisions might take.

From our days together as MPhil students at Cambridge, Shane Bobrycki has been the best of friends and the wittiest of critics; I wish we weren't now living six thousand miles apart. Menachem Butler welcomed me into the field of Jewish Studies with his characteristic exuberance, circulating my work and ensuring that no relevant publication escaped my notice. Since our first email exchange nearly a decade ago, Christoph Cluse has shared archival findings and work-in-progress with uncommon openness. Bill Jordan and Bob Stacey both responded kindly to the repeated queries of a newcomer, and I am grateful to them for agreeing to chair the two sessions on medieval expulsions that I organized at the 2015 and 2020 Annual Meetings of the American Historical

Association. The book's endnotes only hint at the many ways that Giacomo Todeschini has inspired and improved my work, even (or perhaps especially) on the points where my interpretations diverge from his.

To the successive generations of students at Harvard and Stanford who enrolled in my seminars on "Deportation, Exile, & Expulsion from Antiquity to the Renaissance" and "The Origins of Antisemitism," thank you for your willingness to explore unfamiliar terrain and grapple with uncomfortable texts. To Kevin Holden, Jed Lewinsohn, and Daniel Williams, who gamely agreed to establish a reading group on "Debt and Usury" during our shared time at the Society of Fellows, thank you for so many stimulating and wide-ranging conversations. And to the dozens of other colleagues who came to my rescue during the research and writing of this book, whether by guiding me through the minutiae of canon law, sermon collections, and papal administration; sharing copies of hard-to-find publications; photographing archival materials; confirming variant manuscript readings; or double-checking my interpretations of texts written in unfamiliar vernaculars—if I have not yet bought you a coffee or a cocktail (or frankly, even if I have), the next one is on me.

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I feel exceptionally lucky to have encountered so many wonderful librarians and archivists during the research for this book, both at my home institutions and further afield. The Special Collections staff at the Harvard Law School Library took an eager interest in my project from its very beginning, while the Special Collections staff at Stanford's Green Library (especially John Mustain, Ben Albritton, and Tim Noakes) have fostered what must surely be the world's most welcoming environment for the study of rare books and manuscripts. I owe particular thanks to the miracle-working Interlibrary Loan staff at Harvard and Stanford, as well as to Kathleen Smith and Eitan Kensky, who doggedly hunted down countless books and articles on my behalf and continued to do so even amidst the challenges of a global pandemic. Among many other acts of archival heroics, let me acknowledge Marie Van Eeckenrode at the Archives ecclésiastiques du Brabant in Louvain-la-Neuve, who tenaciously tracked down a charter for which I had only the sketchiest of references; Isabelle le Masne de Chermont at the Bibliothèque nationale de France, who devoted considerable effort to locating an enquête record that had gone astray in the 1970s; the archivist at the Archivio storico diocesano in Lucca who let me work at her own desk because every seat in the reading room was already occupied; and the staff at the Archivio di Stato in Torino who quietly waived the ordinary document request limits so that I could finish all of my research during my visit.

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It is a genuine honor to have my book appear in the *History of Economic Life* series, and I extend heartfelt thanks to Francesca Trivellato, who first suggested that I submit a book proposal to the series; and to Emma Rothschild, Sunil Amrith, and Jeremy Adelman, who greeted it so enthusiastically. To everyone at Princeton University Press, especially Priya Nelson, Barbara Shi, Nathan Carr, and David Wilton, thank you for shepherding this book efficiently through the production process during a period of much disruption. Cambridge University Press kindly granted permission to include in Chapter 8 portions of my earlier article, "Once the Jews have been Expelled: Intent and Interpretation in Late Medieval Canon Law," *Law and History*

Review 34, no. 2 (2016), 335–362; and Ausonius Editions did likewise for material previously published as “Migrant Moneylenders in Late Medieval Europe,” in *L’expérience de la mobilité de l’Antiquité à nos jours. Entre précarité et confiance*, eds. Claudia Moatti and Emanuelle Chevreau (Bordeaux: Ausonius Editions, 2021), 49–66. Finally, I thank New Directions Publishing Group and Faber and Faber Limited for permission to reprint “Canto XLV” by Ezra Pound, from *THE CANTOS OF EZRA POUND*, copyright ©1937 by Ezra Pound.

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To my extended family in Canada and Maryland, it is finally safe to ask me how the book is coming, without fear that I will dissolve into inarticulate wails or uncharacteristic grouchiness. And while I know that most of you will only read these Acknowledgments, every page in this book was made possible by your love and encouragement. Starting with my first trip to Europe when I was nine years old, my mother has nurtured my love of history, and much of the research for this book depended on her willingness to chauffeur me all over the French and Italian countryside in search of out-of-the-way archives. My father was always eager to hear how the book was coming along; I wish that he had lived long enough to see it finished. Just as my Uncle Ron continued to open doors even when they were leading me down unexpected paths, so too did my grandparents urge me to follow my passions even when it became clear that this would take me far from home. My father-in-law Itzik repeatedly came to my rescue in deciphering Hebrew sources and scholarship, and I am grateful to him and all the Eshels for welcoming me so joyously into their family. And while John Robinson introduced me to both economics and medieval history, these are among the least of the ways that he transformed my life.

Some debts cannot even be adequately reckoned, let alone repaid. Through all of the ups and downs of the past twelve years—the uncertainties of graduate school, the anxieties of the job market, the disruptions of extended travels

and a cross-country move, the stresses of the tenure track, the strains of a pandemic, and the loss of beloved family members—my husband has been a steadying force, always reminding me of what matters most. Despite his limited interest in the Middle Ages, he has read over every iteration of this book multiple times, flagging fuzzy thinking and sharpening my prose as best he could. And having promised me years ago that we could build a family once my book was done, he kept his word: our beautiful little Eleanor arrived the day after I sent off the final revisions to the press. With thanks for love, laughter, and happiness beyond measure, this book is for Neir.



APPENDIX A

Timeline of Expulsions of Jews and Christian Usurers, 1100—ca. 1350

THIS TIMELINE includes all recorded instances in which authorities in western Europe ordered the expulsion of Jews from the twelfth century until the advent of the Black Death, as well as instances in which expulsion was actively considered but ultimately forestalled. The timeline also includes all known instances in which temporal authorities ordered the expulsion of Christians (invariably foreigners) on grounds of usury during roughly the same period. (A separate list of local ecclesiastical expulsion orders is given in Appendix B.)

The timeline excludes instances in which communities barred Jews and/or Christian moneylenders from settling there in the future, except when these were accompanied by a simultaneous expulsion. It also excludes instances in which popular violence rather than formal expulsion orders led to the disappearance of existing settlements of Jews and foreign Christian moneylenders.

To help orient the reader, a rough geographical region is indicated at the beginning of each entry. Further details on each of these expulsions can be found in the chapters above and their accompanying notes.

- 1144: (France) King Louis VII of France bans relapsed Jewish converts from dwelling in his realm
- 1182: (France) King Philip II Augustus of France expels Jews from the royal domains, with a contemporary account pointing to royal concerns over Jewish usury as one motivating factor (among many)
- 1190: (England) Abbot Samson of St Edmund's expels Jews from the town of Bury in Suffolk
- 1190s: (France) The chronicler Robert of Auxerre reports the expulsion of Jews from unspecified places in northern France, perhaps as a result of the preaching campaign of Fulk of Neuilly

- 1203: (France) The Abbot of Saint-Spire in Corbeil (on the outskirts of Paris) successfully petitions the queen mother to remove a Jew from the abbey's precincts and bar any Jews from settling there in the future, in keeping with the abbey's traditional liberties
- 1204 ca.: (France) At the urging of Bishop Hugh of Noyers (a noted anti-usury campaigner), Count Peter II of Courtenay expels Jews from the town of Auxerre
- 1210: (England) King John of England orders any Jews who cannot pay a *servicium* of 40 shillings to leave the realm
- 1230s/40s: (England) In the wake of a royal effort to corral Jewish settlements, several English towns evict recently established Jewish communities
- 1231/32: (England) Simon de Montfort, Earl of Leicester, orders the expulsion of Jews from the town of Leicester, with a contemporary account suggesting concerns over Jewish usury as a motivating factor
- 1233: (England) King Henry III of England threatens expulsion for any Jews who cannot render the necessary *servicium*
- 1233: (France) Pope Gregory IX writes to French bishops, reminding them that Christians are forbidden from expelling Jews "for the sake of plunder" (the implication being that such expulsions were indeed taking place in parts of France)
- 1234 ca.: (France) Count Philip I Hurepel of Boulogne, uncle of King Louis IX of France, declares in his will that any Jews who do not abstain from usury are to be expelled from his lands
- 1234: (France) With the assent of King Louis IX of France, Archambaud VIII, Lord of Bourbon, threatens to expel from his lands any Jews who do not abstain from usury
- 1235: (England) Bishop Roger Niger expels Cahorsin usurers (probably Italian merchant-bankers) from London
- 1240: (England) King Henry III of England orders the expulsion of Siennese and other Italian merchant-bankers on grounds of usury
- 1240: (France) With the assent of King Louis IX of France and the local bishops, Duke John I of Brittany expels Jews from Brittany
- 1245: (England) King Henry III of England orders the expulsion of Italian merchant-bankers on grounds of usury after they refuse to grant him a loan
- 1245: (France) Jews are expelled from the town of Saint-Quentin in Picardy
- 1245 × 1267: (France) The archbishop of Lyon, Philip of Savoy, reputedly expels Jews from the city of Lyon
- 1249: (France) Count Alphonse of Poitiers, brother of King Louis IX of France, orders Jews to be expelled from the counties of Poitou and Saintonge, but the order is never implemented
- 1251, or perhaps 1252/1253: (France) While absent on crusade King Louis IX of France orders that Jews who do not abstain from usury, blasphemy, or sorcery are to be expelled (perhaps from the realm, though the order is implemented only within the royal domains)
- 1253: (England) King Henry III of England declares that only Jews who can render the necessary *servicium* can remain in the kingdom
- 1253: (Savoy) With the assent of Pope Innocent IV, the archbishop of Vienne expels Jews (perhaps only rabbis?) from his ecclesiastical province
- 1254: (France) As part of the so-called *Grande ordonnance*, King Louis IX reissues his threat of expulsion for Jews who do not abstain from usury, blasphemy, or sorcery

- 1258: (France) By order of King Louis IX of France (but against the wishes of local civic officials), the bishop of Beauvais expels Cahorsin moneylenders from the city
- 1261: (Low Countries) Duke Henry III of Brabant declares in his will that Jews and Cahorsins are to be expelled from his land unless they abstain from usury
- 1262: (Italy) The civic magistrates of Perugia expel Jews and foreign moneylenders from the city; an exception is made for Roman moneylenders
- 1264: (Germany) Duke Barnim I of Pomerania promises to expel Jews from the town of Greifswald
- 1266: (France) The abbot of Saint-Savin-sur-Gartempe unsuccessfully petitions Count Alphonse of Poitiers to expel Jews from his town
- 1269: (Comtat Venaissin) Jews are expelled from the city of Carpentras, evidently by order of the local bishop; it is possible that a similar expulsion was also ordered earlier in the century
- 1269: (France) King Louis IX of France orders the expulsion of Lombards, Cahorsins, and other foreign usurers from the realm unless they abstain from further usury
- 1270s/1280s: (England) In the wake of continuing royal efforts to corral Jewish settlements, several English towns evict recently established Jewish communities
- 1271: (France) Count Alphonse of Poitiers orders Jews to be expelled from the town of Moissac
- 1274: (England) King Edward I of England orders the expulsion of any Jews who fail to pay the royal tallage
- 1274: (France) King Philip III of France orders the expulsion of Lombards, Cahorsins, and other foreign usurers from the realm unless they abstain from further usury
- 1274: (Papacy) Following the Second Council of Lyon, Pope Gregory X issues a conciliar decree (*Usurarum voraginem*) ordering authorities throughout Latin Christendom to expel foreign usurers from their lands within three months
- 1274–75: (England) King Edward I of England orders the expulsion of foreign merchant-usurers from the realm
- 1275: (England) King Edward I of England grants his mother the right to expel Jews from her dower towns; the affected communities are relocated elsewhere in the kingdom
- 1275: (Italy) The civic magistrates of Perugia renew the expulsion of Jews from the town
- 1276: (France) King Philip III of France orders Jews to live only in cities and large towns, with various local expulsions occurring as a result
- 1277: (France) King Philip III of France orders the expulsion of Italian merchant-bankers from the realm on grounds of transgressing his father's prohibition on usury
- 1280: (Low Countries) The abbess of St. Gertrude's temporarily expels Cahorsin moneylenders from the town of Nivelles, but they are reinstated by order of Duke John I of Brabant
- 1281: (England) According to a possibly apocryphal later account, King Edward I considers expelling Jews from the kingdom only to reverse course following a large payment from the Jewish community
- 1283: (France) King Philip III of France prohibits Jews from living in small towns and places where they have not customarily resided in the past; a resulting expulsion is recorded for the northern French town of Angy (and presumably occurred elsewhere as well)
- 1287: (England/France) King Edward I of England expels Jews from the duchy of Gascony
- 1289: (France) Count Charles II of Anjou expels Jews together with Lombards, Cahorsins, and other foreign usurers from his counties of Maine and Anjou

- 1290: (England) King Edward I of England expels all Jews from the realm, citing illicit Jewish usury as a motivating factor
- 1290: (France) King Philip IV of France expels Jews from the town of Saint-Pierre-sur-Dives (in Normandy) at the request of the abbot of Saint-Pierre
- 1291: (France) King Philip IV of France expels Jews from the counties of Poitou and Saintonge on grounds of usury
- 1291: (France) King Philip IV of France orders the seneschal of Carcassonne to expel all of the Jews recently arrived from England
- 1291: (France) King Philip IV of France prohibits Jews from living in small towns and places where they have not customarily resided in the past
- 1294: (France) Count Louis I of Nevers expels Jews from the county of Nevers, with the approval of King Philip IV of France
- 1294: (Switzerland) Jews are expelled from the city of Bern following a ritual murder accusation
- 1296: (Papacy/Burgundy) Pope Boniface VIII urges the bishops of Burgundy to enforce the expulsion of foreign usurers from their jurisdictions
- 1298: (Italy) The Patriarch of Aquileia, Raimondo della Torre, orders the expulsion of Tuscans and other usurers from Friuli
- 1300: (France) At the request of the chapter of Saint-Frambourg, King Philip IV of France expels Jews anew from the northern French town of Angy, pursuant to his restrictions on new Jewish settlements
- 1300: (Papacy/Comtat Venaissin) Pope Boniface VIII orders the expulsion of foreign and Jewish moneylenders from the Comtat Venaissin
- 1302: (Low Countries) Bishop Adolph van Waldeck expels Lombard moneylenders from the city of Liège, perhaps at the urging of Pope Boniface VIII
- 1303: (Papacy/Comtat Venaissin) Pope Boniface VIII renews his order expelling foreign moneylenders from the Comtat Venaissin, while omitting his earlier reference to Jews
- 1306: (France) King Philip IV of France expels all Jews from the kingdom of France
- 1306: (Burgundy) Countess Mahaut of Artois blocks an effort by the archbishop of Besançon to expel Jews and Lombards from his diocese
- 1306: (Low Countries) The bishop of Liège, Thibaut de Bar, lays an interdict on the cities of Dinant, Huy, and Sint Truiden in order to compel them to expel their resident Lombards
- 1311: (France) King Philip IV of France orders the expulsion of all Italian usurers from the realm
- 1316 ca.: (Burgundy) Countess Mahaut of Artois expels Lombards from the town of Arbois, and perhaps from elsewhere in the county of Burgundy as well
- 1320: (Germany) Hermann, dean of St. Mary's in Eisenach and papal judge-delegate for cases of usury, orders the civic authorities of Mühlhausen to expel Jewish usurers from the city (pursuant to *Usurarum voraginem*)
- 1320: (Papacy/Italy) According to a probably apocryphal later account, the sister of Pope John XXII nearly convinces him to expel Jews from Rome and the papal states, but the plan is dropped following the intervention of Robert of Anjou and a large payment from the Jews
- 1321: (France) King Philip V of France perhaps issues a deathbed order for the renewed expulsion of Jews from the kingdom of France as well as the county of Burgundy; the order is never implemented

- 1322/1323:** (Papacy/Comtat Venaissin) Pope John XXII expels Jews from the Comtat Venaissin
- 1322:** (Low Countries/Papacy) Pope John XXII orders the bishop of Cambrai to enforce the expulsion of foreign usurers from the lordship of Avesnes
- 1325:** (France) Lombards are apparently expelled from the town of Montbrison (in central France)
- 1326:** (Germany) Amidst a conflict with the archbishop of Trier, the municipal council of Boppard expels from the town all of the Jews living under the archbishop's jurisdiction
- 1326–27:** (France) King Charles IV of France orders the expulsion of Italian and other foreign moneylenders from the kingdom, unless they agree to settle at the fairs of Champagne and Brie
- 1331:** (Iberia) King Jaume III approves the expulsion of Jews from the Mallorcan town of Alcúdia at the request of town officials
- 1334:** (Savoy) Dauphin Humbert II threatens Italian usurers with expulsion from the Dauphiné unless they agree to pay him a large fine
- 1337:** (Savoy/Papacy) Pope Benedict XII urges the bishops of the ecclesiastical province of Vienne to expel foreign usurers from their jurisdictions
- 1339:** (Iberia) According to a probably apocryphal later account, a high-ranking royal official nearly convinces King Alfonso XI of Castile to expel Jews from his kingdom in the wake of a Marinid invasion, but the plan is thwarted by the intervention of the archbishop of Toledo
- 1339:** (Savoy/Papacy) Pope Benedict XII orders the archbishop of Tarentaise to expel foreign usurers from his diocese
- 1345:** (Savoy) In preparation for his impending Crusade, Dauphin Humbert II orders the expulsion of Jews and Lombards from the Dauphiné, though the Lombards are allowed to remain on condition that they abstain from usury; the expulsion is halted after consultation with Pope Clement VI
- 1347:** (France) King Philip VI of France expels Lombard usurers from the kingdom
- 1347–1353:** (Germany/Burgundy) Several towns in Germany and the county of Burgundy expel their Jewish communities in the wake of the Black Death
- 1349:** (Burgundy) Joan Countess of Boulogne and Auvergne, orders the expulsion of Jews, Lombards, and other usurers from the county of Burgundy
- 1349:** (Germany) The civic officials of Mainz expel Lombard moneylenders at the bidding of Archbishop Gerlach von Nassau
- 1356:** (Lorraine): The Estates-General of Lorraine order the expulsion of Lombards, Italians, and other usurers from the duchy



Usury and Expulsion in Local Ecclesiastical Legislation, 1200-ca. 1400

THE FOLLOWING is a list of all known diocesan statutes, provincial canons, and other local ecclesiastical legislation issued from 1200 to ca. 1400 that threatened usurers with expulsion. In many of these instances the threat was made explicitly, while others simply mandated the local observance of the Lyonese conciliar decree *Usurarum voraginem* (abbreviated as *UV* below). In only two cases (namely, a 1255 canon for the province of Narbonne, and a 1325 statute for the diocese of Spoleto) are Jewish usurers targeted specifically.

The list is arranged chronologically by the year the statute was first issued. Where the issuing year is not known precisely, the plausible date range is given instead. The location of the issuing synod or council is listed next, followed by the ecclesiastical province to which it belonged. Under *Type*, diocesan statutes are marked as 'D'; provincial canons as 'P'; and legatine statutes as 'L'. (The three entries marked as 'D*' represent diocese-level texts that belong to associated genres, for example, episcopal instructions for archpriests and deans.) The *Source* field cites a modern critical edition of the text where one exists; otherwise it lists the most widely available printed version, or (in the case of unpublished texts) the most important manuscript witness(es). Further information concerning each text can be found via the online *Corpus Synodaliium* project (www.corpus-synodalium.com).

Year	Location	Province	Type	Source	Provision
1255	Béziers	Narbonne	P	Mansi 23.882 (c. 23)	Citing Louis IX's 1254 ordinance, orders expulsion for Jews who persist in usury (as well as blasphemy or sorcery)
1274-X 1275	Mainz	Mainz	D	Oxford, Bodleian, MS Laud 401, f. 3r; Leipzig, Universitätsbibliothek, lat. 1085, f. 34v; P. Johaneke, "Synodalia: Untersuchungen zur Statutengesetzgebung . . ." (Univ. Würzburg, Habilitationsschrift, 1978), Bd. 3, Anh. 1, 85-87 (c. 13)	Orders expulsion of usurers who are "alienigenas vel etiam oriundos" (non missing in both MSS)
1275	Como	Aquileia	D	<i>Le carte di San Fedele in Como</i> , ed. S. Monti (Como 1913), 264	UV quoted verbatim
1275	Cambrai	Reims	D	<i>Statuts synodaux</i> 4.98 (cc. 21-23)	Prohibits authorities from harboring foreign usurers
1277 (reissued 1310)	Trier	Trier	P	<i>Statuta synodalia . . . Trevirensis</i> , ed. J. J. Blattau (Trier 1844-59), 1.25-26 (c. 10) and 1.88 (c. 34)	Calls generally for enforcement of UV
1278	Cambrai	Reims	D	<i>Statuts synodaux</i> 4.105 (cc. 11-12)	Calls generally for enforcement of UV
1279	Pont-Audemer	Rouen	P	Mansi 24.221 (c. 3)	Orders monthly recitation of UV
1280 (or after)	Sées	Rouen	D	Paris, BnF, lat. 10402, f. 133v	Orders monthly recitation of UV
1280	Huesca	Tarragona	D	SH 14.47 (c. 22)	Calls for local publication of UV

1281	Braga	Braga	D	SH 2.15 (c. 15)	Prohibits the harboring of "public usurers" (as well as those guilty of adultery and incest)
1282	Tours	Tours	P	<i>Les conciles de la province de Tours</i> , ed. J. Avril (Paris 1987), 282 (c. 6)	Orders all manifest usurers to be expelled
bef. 1284 (reissued 1338)	Aquileia	Aquileia	P (?)	<i>Sinodi aquileiesi</i> , ed. G. Marcuzzi (Udine 1910), 361 (c. II.16)	Foreign usurers ordered to leave within 15 days
1284	Portogruaro (dioc. Concordia)	Aquileia	D	Pordenone, Arch. storico diocesano, Codice della catena, f. 15v	Foreign usurers ordered to leave within 15 days
1287	Würzburg	(National Council)	L	CG 3.730-31 (c. 23)	Calls generally for enforcement of Lyonese usury decrees, without specific reference to UV or expulsion
1288	Liège	Cologne	D	<i>Les statuts synodaux de Jean de Flandre . . .</i> , ed. J. Avril (Liège 1995), 135-36 (tit. <i>De usurariis</i> , §6)	Calls generally for enforcement of Lyonese usury decrees, without specific reference to UV or expulsion
1288	Salzburg	Salzburg	P	Vorau, Stiftsarchiv, Ms. 329, ff. 137v-142r; Johaneke, "Synodalia," Bd. 3, Anh. 2, 125-26 (c. 13)	Calls generally for enforcement of Lyonese usury decrees, without specific reference to UV or expulsion
1289	Rodez	Bourges	D	<i>Statuts synodaux</i> 6.178 (c. XVII.10)	Prohibits prelates and clergy from harboring foreign usurers
1290	Ivrea	Milan	D	Ivrea, Arch. storico diocesano, x/6, HM. 3240302; G. Alfonsi, "Ricerche sulle costituzioni sinodali . . ." (Univ. Torino, Fac. di giurisprudenza, tesi di laurea, 1982), 138 (c. 24)	Prohibits clergy from harboring foreign usurers

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Year	Location	Province	Type	Source	Provision
Late 13 th century (reissued 1444)	Osma	Burgos	D	SH 12.74 (c. 82)	Orders all manifest usurers to be expelled
Late 13 th century (?) (reissued 1366)	Tournai	Reims	D	<i>Summa statutorum synodaliūm</i> . . . , ed. J. Le Groux (Lille 1726), 64–69 (c. 13)	Quotes intermediate draft of UV verbatim
1298 × 1303	Cologne	Cologne	D	<i>Die Synodalstatuten der Kölner Kirche im Spätmittelalter 1261–1523</i> , ed. H. Wolter (Vienna 2022), n° 6 (c. 9) <i>Statuts synodaux</i> 4.278	Calls generally for enforcement of UV
1274 × 1312	Noyon	Reims	D*		Orders Lyonese usury decrees to be read out at synods
1303	Gubbio	-	D	P. Cenci, "Costituzioni sinodali della diocesi di Gubbio dei secoli XIV-XV", <i>Arch. per la storia eccl. dell'Umbria</i> 1 (1913), 317 (c. 10)	Quotes UV incipit, then calls generally for enforcement of papal constitutions against usurers and their protectors
1304	Poitiers	Bordeaux	D*	<i>Statuts synodaux</i> 5.126 (c. 20)	Orders foreign usurers to be expelled
1300 × 1322	Carcassonne	Narbonne	D*	Paris, BnF, lat. 1613, f. 56r	Excommunication for those who fail to expel manifest usurers
bef. 1308	Auch	Auch	P	<i>Le 'Livre rouge' du chapitre métropolitain de Sainte Marie d'Auch</i> , ed. J. Duffour (Paris 1907), 1.67–68 (c. 3)	All parish rectors ordered to possess copies of UV

bef. 1311	Cambrai	Reims	D	CG 4.240-41	UV quoted verbatim
ca. 1318	Cahors, Rodez, and Tulle	Bourges	D	Mansi 24.1033 (c. 25); <i>Thesaurus novus anecdotorum</i> , eds. E. Martène & U. Durand, (Paris 1717), 4.744 (c. 25)	UV quoted nearly verbatim, minus lay sanctions
bef. 1321	Lisieux	Rouen	D	Paris, BnF, lat. 15172, f. 142v	All parish rectors ordered to possess copies of Lyonese usury decrees
1320 × 1328	Tulle	Bourges	D	<i>Thesaurus novus anecdotorum</i> , 4.791	Excommunication for clerics who fail to expel foreign usurers
ca. 1322 (reissued 1477)	Rimini	-	D	Rimini, Arch. storico diocesano, cc. 102, f. 25v	Orders expulsion of foreign usurers within one month
1325	Spoletto	-	D	Rome, Bib. Casanatense, Ms. 774, f. 65v (c. 76)	Orders expulsion of foreign usurers, "whether Christian or Jewish"
1326	Elne	Narbonne	D	Perpignan, BM, MS 79, f. 86rv	Excommunication for those who fail to expel manifest usurers
1326	Saint-Flour	Bourges	D	Paris, BnF, lat. 1595, f. 48v	Excommunication for those who fail to expel manifest usurers
1327	Florence	-	D	<i>I capitoli del comune di Firenze</i> , ed. A. Gherardo (Florence 1893), 2.39 (c. V5)	Orders expulsion of foreign usurers within one month
1329	Bonn (dioc. Cologne)	Cologne	D	<i>Synodalstatuten der Kölner Kirche</i> , n° 33 (c. 6)	UV quoted nearly verbatim

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Year	Location	Province	Type	Source	Provision
1330/31	Reims	Reims	D	<i>Les actes de la province ecclésiastique de Reims</i> , ed. T. Gousset (Reims 1842-44), 2.552 (c. IV.S)	Orders expulsion of foreign usurers, pursuant to UV
1326×1347	Pamiers	Toulouse	D	Toulouse, BM, MS 402, f. 13rv	Excommunication for those who fail to expel manifest usurers
1340	Albi	Bourges	D	<i>Sinodale dioecesis Albiensis</i> ... (Lyon 1499), f. 42v (c. II.7)	Excommunication for clerics who harbor foreign usurers
1370×1372	Cologne	Cologne	P	CG 4.502-3 (c. 9)	Calls generally for enforcement of UV (and other anti-usury decrees)
1375	Arras	Reims	D	CG 8.274 (art. 3)	Orders expulsion of foreign usurers within one month
1373×1436	Todi	-	D	<i>Constitutiones synodales ecclesiae Tudertinae</i> (Perugia 1576), f. H1v	UV quoted nearly verbatim
1401×1402	Cremona	Milan	D	Alba, Arch. storico dei vescovi, cart. 2600, racc. 69, p. 75	All parish rectors ordered to possess copies of UV
1420	Salzburg	Salzburg	P	<i>Concilia Salisburgensia provincialia et dioecesana</i> , ed. F. Dalham (Augsburg 1788), 197 (c. 20)	Prohibits authorities from harboring foreign usurers in their lands

ABBREVIATIONS

References to the major compilations of Roman and canon law are given according to the modern form of citation, beginning with the name of the compilation (given in abbreviated form), then proceeding from the largest unit to the smallest, hence: VI 5.5.1 = *Liber Sextus*, Book 5, Title 5, Chapter 1. For Roman legal sources, the numbering follows *Corpus iuris civilis*, edited by Theodor Mommsen et al., 6th ed., 3 vols. (Berlin: Weidmann, 1954). For canon law, the numbering follows *Corpus iuris canonici*, edited by Emil Friedberg, 2 vols. (Leipzig: Tauchnitz, 1879–81). For a fuller treatment of citation conventions, see James A. Brundage, *Medieval Canon Law* (London: Longman, 1995), 190–205.

Episcopal statutes (particularly those issued at diocesan synods or provincial councils) are cited in the form *Location (Year), Chapter, Source*, e.g. Spoleto (1325), c. 67, in Rome, Biblioteca Casanatense, Ms. 774, ff. 55v–58r. In cases where the dating of a particular statute is not known precisely but falls within a certain range, the interval is marked by an “x” (e.g. 1274 × 1278). Where alternate issuing years are possible, they are separated with a “/” (e.g. 1274/75).

- a. (in dates) *annus* (year)
- AAV Archivio Apostolico Vaticano
 - AEB Louvain-la-Neuve, Archives de l'État, Archives ecclésiastiques du Brabant
 - AN Archives nationales (Paris)
 - ASJ Shlomo Simonsohn, editor, *The Apostolic See and the Jews*, 8 vols. (Toronto: Pontifical Institute of Mediaeval Studies, 1988–91)
 - att. attributed to
 - BAV Biblioteca Apostolica Vaticana
 - BM Bibliothèque municipale
 - BnF Bibliothèque nationale de France
 - BSB Bayerische Staatsbibliothek

- ca. (in dates) circa
- CG *Concilia Germaniae*, edited by Johann Friedrich Schannat and Joseph Hartzheim, 11 vols. (Cologne: Krakamp & Simon, 1759-90)
- ch. chapter
- CIC *Corpus iuris canonici*, edited by Emil Friedberg, 2 vols. (Leipzig: Tauchnitz, 1879-81)
- CJ Solomon Grayzel, editor, *The Church and the Jews in the XIIIth Century: A Study of their Relations during the Years 1198-1254*, 2nd ed. (New York: Hermon Press, 1966)
- Clem. [1.1.1] *Clementinae Constitutiones* [Lib. 1, tit. 1, cap. 1]
- CLR *Calendar of the Liberate Rolls Preserved in the Public Record Office*, 6 vols. (London: H. M. Stationery Office, 1916-64)
- CM Matthew Paris, *Chronica maiora*, edited by Henry Richards Luard, 7 vols. (London: Longman, 1872-83)
- Cod. *Codex Iustinianus*
- COGD *Conciliorum oecumenicorum generaliumque decreta. Editio critica*, edited by Giuseppe Alberigo and Alberto Melloni, 4 vols. (Turnhout: Brepols, 2006-13)
- CR Edward I *Calendar of the Close Rolls Preserved in the Public Record Office. Edward I (1272-1307)*, 5 vols. (London: H. M. Stationery Office, 1900-08)
- CR Henry III *Close Rolls Preserved in the Public Record Office: Henry III (1227-1272)*, 14 vols. (London: H. M. Stationery Office, 1902-38)
- CSJ Robert Chazan, editor, *Church, State, and Jew in the Middle Ages* (Springfield, NJ: Behrman, 1980)
- CTh. *Codex Theodosianus*
- d. (in dates) died
- DBM R. F. Treharne and I. J. Sanders, editors, *Documents of the Baronial Movement of Reform and Rebellion, 1258-1267* (Oxford: Clarendon Press, 1973)
- Dig. *Digesta Iustiniani*
- Engl. tr. English translation
- f. / ff. folio / folios
- HF *Recueil des historiens des Gaules et de la France*, edited by Martin Bouquet et al., 24 vols. (Paris, 1738-1904)

- HGL** Claude de Vic and Joseph Vaissette, editors, *Histoire générale de Languedoc*, revised edition by Auguste Molinier, 15 vols. (Toulouse: Privat, 1872–92)
- Kan. Abt.** *Kanonistische Abteilung*
- Mansi** *Sacrorum conciliorum nova et amplissima collectio*, edited by Gian Domenico Mansi, rev. ed., 53 vols. (Paris: Welter, 1901–27)
- MGH SS** *Monumenta Germaniae Historica. Scriptores* (in folio)
- Nov.** *Novellae Constitutiones*
- Ord.** *Ordonnances des roys de France de la troisième race . . .*, edited by Eusèbe Jacob de Laurière et al., 23 vols. (Paris: Imprimerie royale, 1723–1849)
- p.j.** pièce(s) justificative(s)
- PL** *Patrologiae cursus completus . . . series Latina*, edited by Jacques-Paul Migne, 221 vols. (Paris: J.-P. Migne, 1844–64)
- PR Edward I** *Calendar of the Patent Rolls Preserved in the Public Record Office. Edward I, A.D. 1272–1307*, 4 vols. (London: H. M. Stationery Office, 1893–1901)
- PR Henry III** *Patent Rolls of the Reign of Henry III Preserved in the Public Record Office*, 6 vols. (London: H. M. Stationery Office, 1901–03)
- PRO** Kew, National Archives, Public Record Office
- r. (in dates)** reigned
- Reg. Inn. III** *Die Register Innocenz' III*, edited by Othmar Hageneder et al., 15 vols. (Graz: Böhlau, 1964–<2022>)
- REK** *Die Regesten der Erzbischöfe von Köln im Mittelalter*, edited by Friedrich Wilhelm Oediger et al., 12 vols. (Bonn: Hanstein, 1901–2001)
- REM** *Regesten der Erzbischöfe von Mainz von 1289–1396*, edited by Goswin Freiherr von der Ropp et al., 2 vols. (Leipzig: Veit, 1913–58)
- RG** *Rôles Gascons, 1242–1307*, edited by Francisque Michel, 3 vols. (Paris: Imprimerie nationale, 1885–1906)
- SH** *Synodicon Hispanum*, edited by Antonio García y García et al., 15 vols. (Madrid: Biblioteca de autores cristianos, 1981–2023)
- Statuts synodaux** *Les statuts synodaux français du XIII^e siècle*, edited by Odette Pontal and Joseph Avril, 6 vols. (Paris: Bibliothèque nationale / C.T.H.S., 1971–2011)

- s.v. *sub verbo* (under the word/heading)
tit. *titulus* (title)
VI [1.1.1] *Liber Sextus* [Lib. 1, tit. 1, cap. 1]
X [1.1.1] *Liber Extra / Decretales Gregorii IX* [Lib. 1, tit. 1, cap. 1]
ZRG *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte*

NOTES

Introduction

1. Jean de Hocsem, *La chronique de Jean de Hocsem*, ed. Godefroid Kurth (Brussels: Kiessling, 1927), 108–10; and Jean de Warnant, “Chronique (extraits),” in *Chroniques liégeoises*, eds. Sylvain Balau and Émile Fairon, 2 vols. (Brussels: Kiessling, 1913–31), 1.28–66, at 55. For the canine reference, see the characteristically embellished account by the late fourteenth-century chronicler Jean d’Outremeuse, *Ly myreur des histors*, eds. Adolphe Borgnet and Stanislas Bormans, 7 vols. (Brussels: Hayez, 1864–87), 6.10–11.

2. Jean de Hocsem, *Chronique*, 103.

3. For the poisoning rumors, see *La chronique liégeoise de 1402*, ed. Eugène Bacha (Brussels: Kiessling, 1900), 248–49. The renewal of lending activity is clear from a notarial record of November 1303, for which see Antoine Bonnivert, “L’attitude ambivalente des évêques de Liège à l’égard des prêteurs lombards aux XIII^e et XIV^e siècles: autour d’un acte notarié de 1303,” *Bulletin de la Commission royale d’Histoire* 181 (2015), 149–208.

4. Kenneth R. Stow, *Jewish Dogs: An Image and its Interpreters* (Stanford, CA: Stanford University Press, 2006). To judge from two late fourteenth-century examples, expelling wrongdoers “like dogs” was a stock phrase in the period; see Arturo Segre, “I dispacchi di Cristoforo da Piacenza, procuratore mantovano alla corte pontificale [part 1],” *Archivio storico italiano*, ser. 5, 43, no. 1 (1909), 27–95, at 53 and 87; and Wilhelm Wostry, “Ein deutschfeindliches Pamphlet aus Böhmen aus dem 14. Jahrhundert,” *Mitteilungen des Vereines für Geschichte der Deutschen in Böhmen* 53 (1915), 193–238, at 232.

5. See now Tzafir Barzilay, *Poisoned Wells: Accusations, Persecution, and Minorities in Medieval Europe, 1321–1422* (Philadelphia: University of Pennsylvania Press, 2022).

6. Giovanni Boccaccio, *Decameron*, ed. Vittore Branca (Turin: Einaudi, 1980), 56–57, §1.1.26; Engl. tr. *The Decameron*, tr. Wayne A. Rebhorn (New York: W. W. Norton, 2013), 28.

7. Franck Collard, “Une arme venue d’ailleurs. Portrait de l’étranger en empoisonneur,” in *L’étranger au Moyen Âge* (Paris: Publications de la Sorbonne, 2000), 95–106. The association with poison fell more on “Lombards” in a geographical sense (that is, anyone from northern Italy) than an occupational one (that is, as professional moneylenders).

8. Recent book-length treatments of individual expulsions include Robin R. Mundill, *England’s Jewish Solution: Experiment and Expulsion, 1262–1290* (Cambridge: Cambridge University Press, 1998); Céline Balasse, 1306: *L’expulsion des Juifs du royaume de France* (Brussels: de Boeck, 2008); and Gilbert Dahan, ed., *L’expulsion des juifs de France de 1394* (Paris, Cerf, 2004). For regional studies, see Markus J. Wenninger, *Man bedarf keiner Juden mehr: Ursachen und Hintergründe ihrer Vertreibung aus den deutschen Reichsstädten im 15. Jahrhundert* (Vienna:

Böhlau, 1981); Gerd Mentgen, "Die Judenvertreibungen im mittelalterlichen Reich. Ein Forschungsbericht," *Aschkenas* 16, no. 2 (2006), 367–403; and Juliette Sibon, *Chasser les juifs pour régner* (Paris: Perrin, 2016).

9. See Robert Chazan, *Refugees or Migrants: Pre-Modern Jewish Population Movement* (New Haven, CT: Yale University Press, 2018); and Susan L. Einbinder, *No Place of Rest: Jewish Literature, Expulsion, and the Memory of Medieval France* (Philadelphia: University of Pennsylvania Press, 2009).

10. For this phrase, see Gregor Thum, *Uprooted: How Breslau Became Wrocław during the Century of Expulsions*, trans. Tom Lampert and Allison Brown (Princeton, NJ: Princeton University Press, 2011). For the United States, see Daniel Kanstroom, *Aftermath: Deportation Law and the New American Diaspora* (New York: Oxford University Press, 2012); and Adam Goodman, *The Deportation Machine: America's Long History of Expelling Immigrants* (Princeton, NJ: Princeton University Press, 2020). On the "deportation turn" more generally, see Matthew J. Gibney, "Asylum and the Expansion of Deportation in the United Kingdom," *Government and Opposition* 43, no. 2 (2008), 146–67; and the collected essays in "The Power to Expel: Deportation and Denationalisation in Historical, Legal and Normative Perspective," *Citizenship Studies* 24 no. 3 (2020), 265–403.

11. Benjamin Z. Kedar, "Expulsion as an Issue of World History," *Journal of World History* 7, no. 2 (1996), 165–80.

12. For the term "corporate expulsion," see Kedar, "Expulsion," 178–79. The language of "collective" expulsion is instead drawn from modern international law, on which see Guy S. Goodwin-Gill, *International Law and the Movement of Persons Between States* (Oxford: Clarendon, 1978). For late antique and early medieval practices, see (among many) Julia Hillner, *Prison, Punishment and Penance in Late Antiquity* (Cambridge: Cambridge University Press, 2015); and Steven Stofferahn, "Banished Worlds: The Political Culture of Carolingian Exile, 750–900," (unpublished PhD dissertation, Purdue University, 2003).

13. Collective banishments of prostitutes from cities appear occasionally in medieval Islamic contexts; see Christian Lange, *Justice, Punishment, and the Medieval Muslim Imagination* (Cambridge: Cambridge University Press, 2008), 89–97. For the persistence of earlier imperial practices of forced relocation (rather than expulsion), see Peter Charanis, "The Transfer of Population as a Policy in the Byzantine Empire," *Comparative Studies in Society and History* 3, no. 2 (1961), 140–54; and Ömer Lütfi Barkan, "Les déportations comme méthode de peuplement et de colonisation dans l'Empire Ottoman," *Revue de la Faculté des sciences économiques de l'Université d'Istanbul* 11, no. 1–4 (1949–50), 67–131.

14. See, for instance, Dirk Hoerder, *Cultures in Contact: World Migrations in the Second Millennium* (Durham N.C.: Duke University Press, 2002), 92–107; Heather Rae, *State Identities and the Homogenisation of Peoples* (Cambridge: Cambridge University Press, 2002); Ariel Salzmann, "Is there a Moral Economy of State Formation? Religious Minorities and Repertoires of Regime Integration in the Middle East and Western Europe, 600–1614," *Theory and Society* 39, no. 3/4 (2010), 299–313, especially at 300.

15. Nicholas Terpstra, *Religious Refugees in the Early Modern World: An Alternative History of the Reformation* (Cambridge: Cambridge University Press, 2015); *Religious Diaspora in Early Modern Europe: Strategies of Exile*, eds. Timothy G. Fehler et al. (London: Pickering & Chatto, 2014); and Isabelle Poutrin and Alain Tallon, eds., *Les expulsions de minorités religieuses dans l'Europe des XIII^e–XVII^e siècles* (Pompignac: Éditions Bière, 2015).

16. For biblical references, see especially Leviticus 13:46; and Numbers 12:14–15. For the complex medieval attitudes toward lepers, compare Françoise Bériac, *Histoire des lépreux au Moyen Âge: une société d'exclus* (Paris: Imago, 1988), and Carol Rawcliffe, *Leprosy in Medieval England* (Woodbridge, UK: Boydell, 2006).

17. For late Roman legislation see especially *CTh* 16.5.6.3 and *Cod.* 1.1.2. For medieval echoes, see the examples gathered in Peter D. Diehl, "Overcoming Reluctance to Prosecute Heresy in Thirteenth-Century Italy," in *Christendom and Its Discontents: Exclusion, Persecution, and Rebellion, 1000–1500*, eds. Scott L. Waugh and Peter D. Diehl (Cambridge: Cambridge University Press, 1996), 47–66; and Julien Havet, "L'hérésie et le bras séculier au Moyen Âge jusqu'au treizième siècle," *Bibliothèque de l'École des chartes* 41 (1880), 488–517, 570–607, especially at 572–93.

18. For classic expressions of each approach, see R. I. Moore, *The Formation of a Persecuting Society: Power and Deviance in Western Europe, 950–1250* (Oxford: Blackwell, 1987, 2nd ed. 2007); and David Nirenberg, *Communities of Violence: Persecution of Minorities in the Middle Ages* (Princeton, NJ: Princeton University Press, 1996, 2nd ed. 2015).

19. Montbéliard (1336): in George-Auguste Matile, ed., *Monuments de l'histoire de Neuchâtel* (Neuchâtel: Attinger, 1844), 1.428–35 (no. 410), at 431.

20. For a synthesis of recent work on urban credit (along with further references), see Martha C. Howell and Claire Billen, "Le crédit au quotidien," *Histoire urbaine* 51, no. 1 (2018), 5–17. For rural credit, see the studies in *Endettement paysan et crédit rural dans l'Europe médiévale et moderne*, ed. Maurice Berthe (Toulouse: Presses Universitaires du Mirail, 1998); and *Dynamiques du monde rural dans la conjoncture de 1300. Échanges, prélèvements et consommation en Méditerranée occidentale*, eds. Monique Bourin, François Menant, and Lluís To Figueras (Rome: École française de Rome, 2014). For the intersection of credit, debt, and legal institutions, see Julie Claustre, "Du crédit à la dette. Remarques sur l'apport de la documentation judiciaire à l'histoire économique du Moyen Âge," in *Richesse et croissance au Moyen Âge: Orient et Occident*, eds. Dominique Barthélemy et Jean-Marie Martin (Paris: Centre de recherche d'Histoire et Civilisation de Byzance, 2014), 225–44; and Daniel Lord Smail, *Legal Plunder: Households and Debt Collection in Late Medieval Europe* (Cambridge, MA: Harvard University Press, 2016). For the active involvement of women in credit networks, see the essays gathered in *Dare credito alle donne: Presenze femminili nell'economia tra medioevo ed età moderna*, eds. Giovanna Petti Balbi and Paola Guglielmotti (Asti: Centro studi Renato Bordone sui Lombardi, sul credito e sulla banca, 2012); and *Women and Credit in Pre-Industrial Europe*, ed. Elise M. Dermineur (Turnhout: Brepols, 2018).

21. See, among many others, Jacques Bolsée, "Une enquête sur les usuriers dans l'ammianie de Bruxelles en 1393," *Bulletin de la Commission royale d'Histoire* 102 (1937), 141–210; Christopher Vornefeld, "Einheimische und lombardische Wucherer im Frankreich von Charles VI. Eine neue Quelle zur Sozialgeschichte des Wuchers," *Journal of Medieval History* 15, no. 3 (1989), 269–87.

22. Among the handful of studies comparing the activities of Jewish and foreign Christian moneylenders, see especially Franz Irsigler, "Juden und Lombarden am Niederrhein im 14. Jahrhundert," in *Zur Geschichte der Juden im Deutschland des späten Mittelalters und der frühen Neuzeit*, ed. Alfred Haverkamp (Stuttgart: Hiersemann, 1981), 122–62; Remi Van Schaik, "On the Social Position of Jews and Lombards in the Towns of the Low Countries and Neighbouring German Territories during the Late Middle Ages," in *Core and Periphery in Late Medieval Urban*

Society. Proceedings of the Colloquium at Ghent (22nd–23rd August 1996), eds. Myriam Carrier et al. (Leiden: Garant, 1997), 165–91; and Miri Rubin, *Cities of Strangers: Making Lives in Medieval Europe* (Cambridge: Cambridge University Press, 2020), ch. 3.

23. For examples concerning Jews, see James Parkes, *The Jew in the Medieval Community: A Study of his Political and Social Position*, 2nd ed. (New York: Hermon Press, 1976), 336–38. For Lombard examples, see Paul Morel, *Les Lombards dans la Flandre française et le Hainaut* (Lille: Université de Dijon, Faculté de Droit, 1908), 231 and 287 (p. j. 41, 58).

24. See Robert Chazan, *Reassessing Jewish Life in Medieval Europe* (Cambridge: Cambridge University Press, 2010), 107–32; and the essays gathered in Michael Toch, ed., *Wirtschaftsgeschichte der mittelalterlichen Juden. Fragen und Einschätzungen* (Munich: Oldenbourg, 2008). For a recent effort to challenge this general consensus, see Julie Mell, *The Myth of the Medieval Jewish Moneylender*, 2 vols (New York: Palgrave Macmillan, 2017), along with the critical responses in “The Myth of the Medieval Jewish Moneylender: A Forum,” in *Marginalia: Los Angeles Review of Books* (May 2020) <https://marginalia.lareviewofbooks.org/the-myth-of-the-medieval-jewish-moneylender-a-forum/>.

25. See, in general, Renato Bordone and Franco Spinelli, eds., *Lombardi in Europa nel Medioevo* (Milan: Francoangeli, 2005). For changing settlement patterns in the fourteenth century, see Winfried Reichert, “Juden und Lombarden im Maas-Rheingebiet während der ersten Hälfte des 14. Jahrhunderts. Siedlungsgefüge und Raumerfassung im Vergleich.” in *Geschichte der Juden im Mittelalter von der Nordsee bis zu den Südalpen*, eds. Alfred Haverkamp et al., 3 vols. (Hanover: Hahnsche Buchhandlung, 2002), 1.275–92.

26. For central Italy, see (among many) Guido Zaccagnini, “I banchieri pistoiesi a Bologna e altrove nel sec. XIII,” *Bullettino Storico Pistoiese* 20 (1918), 26–55, 131–44, 188–204; 21 (1919), 35–46, 96–207; 22 (1920), 25–38; and Maria Emilia Garruto, “Prestatori ebrei e prestatori cristiani nella San Gimignano del Trecento,” *Miscellanea storica della Valdelsa* 321/323, no. 1/3 (2012), 121–52. For northeastern Italy, see Camillo de Franceschi, “Esuli fiorentini della campagna di Dante: Mercanti e prestatori a Trieste e in Istria,” *Archivio storico veneto*, ser. 5, 23 (1938), 83–178; Anna Maria Nada Patrone, “Uomini d'affari fiorentini in Tirolo nei secoli XIII e XIV,” *Archivio storico italiano* 121, no. 2 (1963), 166–236; and the essays gathered in *I toscani in Friuli. Atti del Convegno (Udine, 26–27 gennaio 1990)*, ed. Alessandro Malcangi (Florence: Olschki, 1992). For exile as a factor in Lombard migration, see Luisa Castellani, “Tra finanza e politica: prestatori astigiani in Terra d’Impero al principio del ‘300,” in *Credito e società. Le fonti, le tecniche e gli uomini (secc. XIV–XVI)* (Asti: Centro Studi sui Lombardi e sul credito nel Medioevo, 2000), 37–44, at 40–41.

27. Three months of searching through the royal and notarial archives in Barcelona and Mallorca confirmed that Lombard moneylenders were conspicuously absent from the Crown of Aragon. The reasons for this absence are unclear, but it may reflect the strength of existing local lending networks.

28. I am grateful to my colleague Gabriella Safran for this insight.

29. William C. Jordan’s oft-cited article, “Jews on Top: Women and the Availability of Consumption Loans in Northern France in the Mid-Thirteenth Century,” *Journal of Jewish Studies* 29, no. 1 (1978), 39–56, relies heavily on a fragmentary record of Christian moneylending activity in Cambrai (a deposition preserved in the binding of Paris, BnF, Latin 16471) under the mistaken assumption that the lenders concerned were Jewish.

30. See the bibliography compiled by Giulia Scarcia and Luisa Castellani in *L'uomo del banco dei pegni: 'Lombardi' e mercato del denaro nell'Europa medievale*, ed. Renato Bordone (Turin: Scriptorium, 1994), 171–81. Only starting in the late 1970s, first in the work of Robert-Henri Bautier, and then through the sustained efforts of Renato Bordone in Asti and Franz Irsigler in Trier, did scholars begin to devote renewed attention to the history of the Lombards. Almost none of the resulting work has appeared in English.

31. Armando Saporì is a notable exception to the above; although he never engaged in depth with the history of the Lombards, he treats the moneylenders of Asti alongside other Italians active in international trade in his important essay on *Le marchand italien au Moyen Âge* (Paris: Armand Colin, 1952). For a general discussion of this literature, see the special issue on "Italy and the Origins of Capitalism," *Business History Review* 94, no. 1 (Spring 2020), 5–251, especially the contributions by William Caferro and Francesca Trivellato.

32. See Mario Chiaudano, "Note sui mercanti astigiani: i Malabaila," *Bollettino storico-bibliografico subalpino* 41 (1939), 213–28.

33. For what follows, I have drawn mainly on Renato Bordone, "I 'lombardi' in Europa. Primi risultati e prospettive di ricerca," *Società e storia* 63 (1994), 1–17, at 4–9, which offers the clearest discussion of the various meanings of "Lombard."

34. Noël Denholm-Young, "The Merchants of Cahors," *Medievalia et Humanistica* 4 (1946), 37–44; Philippe Wolff, "Le problème des Cahorsins," *Annales du Midi* 62, fasc. 3 (1950), 229–38; Yves Renouard, "Les cahorsins, hommes d'affaires français du XIII^e siècle," *Transactions of the Royal Historical Society*, ser. 5, 11 (1961), 43–67; Natalie Fryde, "Die Kaufleute aus Cahors im England des 13. Jahrhunderts," in *Kredit im spätmittelalterlichen und frühneuzeitlichen Europa*, ed. Michael North (Cologne: Böhlau, 1991), 25–38; Carlos Wyffels, "Les cahorsins en Flandre au XIII^e siècle," *Annales du Midi* 103 (1991), 307–21; and Alexandre Martínez, "'Cahorsins': un problème historique," *Bulletin de la Société des études littéraires, scientifiques et artistiques du Lot* 126 (2005), 7–21. For Italy, see Domenico di Cambio's warning to Francesco Datini that he will be considered a "chaorsino" should he start engaging in financial dealings beyond his existing mercantile ones: Prato, Archivio di Stato, Fondo Datini, busta 337, inserto 15, codice 3412 (30 August 1378).

35. Giacomo Todeschini, *I mercanti e il tempio: la società cristiana e il circolo virtuoso della ricchezza fra medioevo ed età moderna* (Bologna: il Mulino, 2002); and Todeschini, "Morale economica ed esclusione sociale nelle città di mercato europee alla fine del Medioevo (XIII–XV secolo)," in *El mercat. Un món de contactes i intercanvis* (Lleida: Pagès editors, 2014), 43–56.

36. This diversification is especially well-documented for Christian lenders: see Thomas Blomquist, "The Early History of European Banking: Merchants, Bankers and Lombards of Thirteenth-Century Lucca in the County of Champagne," *Journal of European Economic History* 14, no. 3 (1985), 521–36, at 529–33; Winfried Reichert, "Lombarden als 'merchant-bankers' im England des 13. und beginnenden 14. Jahrhunderts," in *Landesgeschichte als multidisziplinäre Wissenschaft: Festgabe für Franz Irsigler zum 60. Geburtstag*, eds. Dietrich Ebeling et al. (Trier: Porta Alba, 2001), 77–134; and David Kusman, *Usuriers publics et banquiers du prince: le rôle économique des financiers piémontais dans les villes du duché de Brabant (XII^e-XIV^e siècle)* (Turnhout: Brepols, 2013).

37. For rare survivals of Jewish ledgers, see Daniel Carpi, "The Account Book of a Jewish Moneylender in Montepulciano (1409–1410)," *Journal of European Economic History* 14, no. 3

(1985), 501–513; Annegret Holtmann, “Jewish Settlement and Economic Activity in the Medieval Franche-Comté: The Account Books of Heliot of Vesoul,” *Jewish Studies* 40 (2000), 69–82; and Michael Toch, “Geld und Kredit in einer spätmittelalterlichen Landschaft. Zu einem unbeachteten hebräischen Schuldenregister aus Niederbayern (1329–1332),” *Deutsches Archiv für Erforschung des Mittelalters* 38, no. 2 (1982), 499–550. For a Lombard example, see *Lombardi oltralpe nel Trecento: il Registrum 9, I. dell'Archivio di Stato di Friburgo*, ed. Giulia Scarica (Pisa: ETS, 2001).

38. See Renato Bordone, “Una famiglia di ‘Lombardi’ nella Germania renana alla seconda metà del Trecento: gli Asinari di Asti,” in *Hochfinanz im Westen des Reiches (1150–1500)*, eds. Friedhelm Burgard et al. (Trier: Trierer Historische Forschungen, 1996), 17–48, at 19–21.

39. Classic works include Richard W. Emery, *The Jews of Perpignan in the XIIIth Century. An Economic Study Based on Notarial Records* (New York: Columbia University Press, 1959); and Joseph Shatzmiller, *Shylock Revisited: Jews, Moneylending, and Medieval Society* (Berkeley: University of California Press, 1990). For more recent studies, see Juliette Sibon, *Les Juifs de Marseille au XIV^e siècle* (Paris: Cerf, 2011); Michael Schraer, *A Stake in the Ground: Jews and Property Investment in the Medieval Crown of Aragon* (Leiden: Brill, 2019); and Sarah Ifft Decker, *The Fruit of Her Hands: Jewish and Christian Women's Work in Medieval Catalan Cities* (University Park: Penn State University Press, 2022).

40. For hints of Jewish pawnbroking in the surviving evidence, see Michael Adler, “Inventory of the Property of the Condemned Jews (1285),” *Jewish Historical Society of England, Miscellanies* 2 (1935), 56–71, at 59–64; Joe Hillaby, “London: The Thirteenth-Century Jewry Revisited,” *Jewish Historical Studies* 32 (1990–92), 89–158, at 136–37; and Barrie Dobson, “The Medieval York Jewry Reconsidered,” in *The Jews in Medieval Britain: Historical, Literary, and Archaeological Perspectives*, ed. Patricia Skinner (Rochester, NY: Boydell Press, 2003), 145–56, at 154.

41. Above all, see Lester K. Little, *Religious Poverty and the Profit Economy in Medieval Europe* (Ithaca, NY: Cornell University Press, 1978); and Jacques Le Goff, *Your Money or Your Life: Economy and Religion in the Middle Ages*, trans. Patricia Ranum (New York: Zone Books, 1988).

42. This is especially associated with the work of Ovidio Capitani and Giacomo Todeschini; for a synopsis, see Todeschini, “Usury in the Christian Middle Ages. A Reconsideration of the Historiographical Tradition (1949–2010),” in *Religione e istituzioni religiose nell'economia europea, 1000–1800 / Religion and Religious Institutions in the European Economy, 1000–1800. Atti della Quarantatreesima Settimana di Studi' (8–12 maggio 2011)*, ed. Francesco Ammannati (Florence: Firenze University Press, 2012), 119–30.

43. As a starting point, see Haym Soloveitchik's classic (and much-discussed) essay on “Pawnbroking: A Study in Ribbit and of the Halakhah in Exile,” as reworked and updated in his *Collected Essays*, 2 vols. (Oxford: Littman Library of Jewish Civilization, 2013), 157–166. I am grateful to Pinchas Roth for his advice on this topic.

44. See David Kusman, “Quand usure et Église font bon ménage. Les stratégies d'insertion des financiers piémontais dans le clergé des anciens Pays-Bas (XIII^e-XV^e siècle),” in *Bourguignons en Italie, Italiens dans les pays bourguignons (XIV^e-XVI^e s.)* (Neuchâtel: Centre européen d'études bourguignonnes, 2009), 205–25; David Kusman, “Shylock reconsidéré dans le comté de Hainaut: une intéressante affaire d'usure en 1319–1321,” in *'Trulla et cartae'. De la culture matérielle aux sources écrites. Liber discipulorum et amicorum in honorem Michel de Waha*, eds. Frédéric Chantinne, Paulo Charruadas and Philippe Sosnowska (Brussels: Le Livre

Timperman, 2014), 313–40; and Ezio Claudio Pia, “Ai limiti della cittadinanza: credito e appartenenza per Ebrei e Lombardi,” *Mélanges de l'École française de Rome. Moyen Âge*, 125, no. 2 (2013). For similar arguments in an early modern context, see Emma Rothschild, “An Alarming Commercial Crisis in Eighteenth-Century Angoulême: Sentiments in Economic History,” *Economic History Review* n.s. 51, no. 2 (1998), 268–93; and Laurence Fontaine, *The Moral Economy: Poverty, Credit, and Trust in Early Modern Europe* (Cambridge: Cambridge University Press, 2014), 68–69.

45. For a forceful (if perhaps overstated) rejoinder to the reflexive equation of “Lombards” with “usurers,” see Renato Bordone, “Lombardi come ‘usurai manifesti’: Un mito storiografico?,” *Società e storia* 100–101 (2003), 255–72. For similar arguments regarding Jews, see Shatzmiller, *Shylock Revisited*.

46. Bernardino of Siena, *Le prediche volgari*, ed. Ciro Cannarozzi, 5 vols. (Florence: Libreria editrice fiorentina, 1940–58), 4.359–80, at 363 (Sermon 41: “De’ ma’ contratti”).

47. For allegations of Christian lending as “judaizing,” see Bernard of Clairvaux, *Epistolae*, ed. Jean Leclercq and Henri Rochais (Rome: Editiones Cistercienses, 1977), 311–317, at 316 (no. 363, §7); Engl. tr. *The Letters of St. Bernard of Clairvaux*, trans. Bruno Scott James (Kalamazoo, MI: Cistercian Publications, 1998), 460–463 (no. 391).

48. The work of Anna Sapir Abulafia, John Baldwin, Robert Chazan, William Chester Jordan, Jacques Le Goff, and Robert C. Stacey has proven especially influential; see too Sara Lipton’s brilliant study, *Images of Intolerance: The Representation of Jews and Judaism in the Bible moralisée* (Berkeley: University of California Press, 1999).

49. For the Low Countries and the Rhineland, see especially the work of Claire Billen, Christoph Cluse, Martha Howell, Franz Irsigler, David Kusman, and Winfried Reichert. For German responses to usury and moneylending, see Gerhard Rösch, “Wucher in Deutschland, 1200–1350. Überlegungen zur Normdidaxe und Normrezeption,” *Historische Zeitschrift* 259, no. 3 (1994), 593–636; along with the many studies of Hans-Jörg Gilomen. For southern France and the Crown of Aragon, see the works cited above (n. 39), along with the valuable studies of Yom Tov Assis, Claude Denjean, and Kathryn Reyerson. The relevant literature for Italy is vast, but it awaits a general synthesis.

50. Notable exceptions include Hanna Zaremska, *Les bannis au Moyen Âge*, trans. Thérèse Douchy (Paris: Aubier, 1996); and Robert Jacob, “Bannissement et rite de la langue tirée au Moyen Âge: Du lien des lois et de sa rupture,” *Annales. Histoire, Sciences Sociales* 55, no. 5 (2000), 1039–79.

51. Sally Falk Moore, “Legal Liability and Evolutionary Interpretation,” in *The Allocation of Responsibility*, ed. Max Gluckman (Manchester: Manchester University Press, 1972), 41–107, at 95. Raymond Firth made a similar point in a roughly contemporary essay, “Banishment and Exile: Reflections on a Tikopia Practice,” *Paideuma: Mitteilungen zur Kulturkunde* 24 (1978), 247–58, at 247.

52. Aside from Benjamin Kedar’s 1996 article, “Expulsion as an Issue of World History,” see also William Walters, “Deportation, Expulsion, and the International Police of Aliens,” *Citizenship Studies* 6, no. 3 (2002), 265–92; Benjamin Gray, “From Exile of Citizens to Deportation of Non-Citizens: Ancient Greece as a Mirror to Illuminate a Modern Transition,” *Citizenship Studies* 15, no. 5 (2011), 565–82; Paul Dresch, “Outlawry, Exile, and Banishment: Reflections on Community and Justice,” in *Legalism: Community and Justice*, eds. Fernanda Pirie and Judith Scheele (Oxford: Oxford University Press, 2014), 97–124; and Matthew J. Gibney, “Banishment and the

Pre-History of Legitimate Expulsion Power," *Citizenship Studies* 24, no. 3 (2019), 277–300. Saskia Sassen's provocative study, *Expulsions: Brutality and Complexity in the Global Economy* (Cambridge, MA: Harvard University Press, 2014.) adopts a capacious definition of expulsion that goes well beyond the practices considered here.

53. Walters, "Deportation, Expulsion," 272.

54. Some modern criminologists classify both banishment and imprisonment under the general heading of "incapacitative sanctions"; see Terance D. Miethe and Hong Lu, *Punishment: A Comparative Historical Perspective* (Cambridge: Cambridge University Press, 2003), 30–33. For insightful reflections on their differences, see Gibney, "Banishment," 294–95.

55. See generally Mary Gibson, "Global Perspectives on the Birth of the Prison," *American Historical Review* 116, no. 4 (2011), 1040–63. For the Middle Ages, see Edward M. Peters, "Prison before the Prison: the Ancient and Medieval Worlds," in *The Oxford History of the Prison: The Practice of Punishment in Western Society*, eds. Norval Morris and David J. Rothman (Oxford: Oxford University Press, 1995), 3–43 and Guy Geltner, *The Medieval Prison: A Social History* (Princeton, NJ: Princeton University Press, 2008).

56. As a cross-section of exemplary recent work, see the essays gathered in *Enfermements: Le cloître et la prison (VI–XVIII^e siècle)*, eds. Isabelle Heullant-Donat, Julie Claustre, and Élisabeth Lusset (Paris: Publications de la Sorbonne, 2011); Aidan Forth, *Barbed-Wire Imperialism: Britain's Empire of Camps, 1876–1903* (Oakland: University of California Press, 2017); and Laleh Khalili, *Time in the Shadows: Confinement in Counterinsurgencies* (Stanford, CA: Stanford University Press, 2013).

57. Notable comparative examples include Maurice Kriegel, "Mobilisation politique et modernisation organique. Les expulsions de Juifs au bas Moyen Âge," *Archives de sciences sociales des religions*, 46, no. 1 (1978), 5–20; Sophia Menache, "Faith, Myth, and Politics—the Stereotype of the Jews and their Expulsion from England and France," *Jewish Quarterly Review* n.s. 75, no. 4 (1985), 351–74; Sophia Menache, "The King, the Church and the Jews: Some Considerations on the Expulsions from England and France," *Journal of Medieval History* 13, no. 3 (1987), 223–36; Gerd Mentgen, "Die Vertreibungen der Juden aus England und Frankreich im Mittelalter," *Aschkenas* 7, no. 1 (1997), 11–53; William C. Jordan, "Administering Expulsion in 1306," *Jewish Studies Quarterly* 15, no. 3 (2008), 241–50; and Chazan, *Refugees or Migrants*, especially ch. 4. For studies emphasizing connections between expulsions, see the works cited above, n. 8; as well as the essays in Friedhelm Burgard, Alfred Haverkamp, and Gerd Mentgen, eds. *Judenvertreibungen in Mittelalter und früher Neuzeit* (Hanover: Hahnsche Buchhandlung, 1999); and Kerice Doten-Snitker's forthcoming study of "The Temporal and Spatial Structure of Medieval Expulsions of Jews."

58. Yosef Hayim Yerushalmi, "Exile and Expulsion in Jewish History," in *Crisis and Creativity in the Sephardic World, 1391–1648*, ed. Benjamin R. Gampel (New York: Columbia University Press, 1997), 3–22, especially p. 21 (here quoting the late fifteenth-century Portuguese scholar-statesman, Isaac Abravanel). In his recent *Refugees or Migrants*, Robert Chazan persuasively breaks this chain into several shorter pieces.

59. This point has recently been stressed by Elsa Marmursztejn, "Débats médiévaux sur l'expulsion des juifs des monarchies occidentales," in *Les expulsions de minorités religieuses, 19–44*.

60. Here I am drawing inspiration from Quentin Skinner's dictum that "any principle which helps to legitimate a course of action must also be amongst the enabling conditions of its

occurrence," as formulated in his essay on "Some Problems in the Analysis of Political Thought and Action," *Political Theory* 2, no. 3 (1974), 277–303, at 299. See too Skinner's further elaboration of this argument in his revised essay on "Augustan Party Politics and Renaissance Constitutional Thought," in *Visions of Politics*, 3 vols. (Cambridge: Cambridge University Press, 2002–04), 2:344–67.

61. See Moore, *Formation of a Persecuting Society*. I have found the following three works especially helpful in thinking through the implications of Moore's framework: Christine Caldwell Ames, "Does Inquisition Belong to Religious History?" *American Historical Review* 110, no. 1 (2005), 11–37; John Sabapathy, "Some Difficulties in Forming Persecuting Societies before Lateran IV Canon 8. Robert Courson thinks about Communities and Inquisitions," in *The Fourth Lateran Council: Institutional Reform and Spiritual Renewal*, eds. Gert Melville and Johannes Helmuth (Affalterbach: Didymos-Verlag, 2017), 175–200; and the retrospective appraisal of John Arnold, "Persecution and Power in Medieval Europe," *American Historical Review* 123, no. 1 (2018), 165–74.

62. Deuteronomy 23:19–20. For the interpretation of this passage and its stranger/brother distinction, see Benjamin Nelson's classic discussion in *The Idea of Usury* (Princeton, NJ: Princeton University Press, 1949).

63. Only two scholars have broached this topic in recent work: Benjamin Kedar, in his foundational 1996 article on "Expulsion as an Issue in World History" (where his treatment is necessarily cursory, given the broad scope of his investigation); and Christoph Cluse, in a stimulating and underappreciated essay, "Zum Zusammenhang von Wuchervorwurf und Judenvertreibung im 13. Jahrhundert," in *Judenvertreibungen in Mittelalter und früher Neuzeit*, 135–63.

64. I have been particularly inspired by Michael Tonry's "Symbol, Substance and Severity in Western Penal Policies," *Punishment and Society* 3, no. 4 (2001), 317–36, and by related work on what criminologists (and others) refer to as policy transfer, as well as by the sociological literature on diffusion. I am grateful to Christopher Muller for patient guidance and many stimulating conversations on this topic.

65. For a classic example, see Elizabeth A. R. Brown, "Philip V, Charles IV, and the Jews of France: the Alleged Expulsion of 1322," *Speculum* 66, no. 2 (1991), 294–329.

66. The painstaking research of Winfried Reichert into the movements and activities of foreign moneylenders in transalpine Europe was an indispensable starting point for my research into their expulsion; see his *Lombarden in der Germania-Romania: Atlas und Dokumentation*, 3 vols. (Trier: Porta Alba, 2003).

67. Barbara H. Rosenwein, "Foreword," in Dominique Iogna-Prat, *Order and Exclusion: Cluny and Christendom Face Heresy, Judaism, and Islam (1000–1150)*, trans. Graham Robert Edwards (Ithaca, NY: Cornell University Press, 2002), ix–x.

Chapter 1: Expulsion, Jews, and Usury: Trajectories of Christian Thought and Practice

1. This excludes a handful of city-level expulsions of Jews within the medieval German Reich, including Greifswald (1264), Bern (1294), and Mühlhausen (1320); for these, see respectively Klaus Conrad et al., eds., *Pommersches Urkundenbuch*, 12 vols. (Cologne: Böhlau, 1881–2000), 2:118–19, no. 757; Conrad Justinger, *Die Berner-Chronik*, ed. Gottlieb Studer (Bern: Wyss, 1871),

29–30; and *Urkundenbuch der ehemals freien Reichsstadt Mühlhausen in Thüringen*, ed. Karl Herquet (Halle: Waisenhaus, 1874), 355–56, no. 756. In the mid-thirteenth century, the city of Perugia also ordered the expulsion of both Jews and foreign moneylenders; see Ariel Toaff, ed., *The Jews in Umbria*, 3 vols. (Leiden: Brill, 1993), 1.2–15 (nos. 3, 5–8, 10–17).

2. Göran Forkman, *The Limits of the Religious Community: Expulsion from the Religious Community within the Qumran Sect, within Rabbinic Judaism, and within Primitive Christianity* (Lund: Gleerup, 1972). For later practices, see Thomas M. Charles-Edwards, "The Social Background to Irish *Peregrinatio*," *Celtica* 11 (1976), 43–59; Mary C. Mansfield, *The Humiliation of Sinners: Public Penance in Thirteenth-Century France* (Ithaca, NY: Cornell University Press, 1995), 92–98; Anthony Perron, "The Medieval Cemetery as Ecclesiastical Community: Regulation, Conflict, and Expulsion, 1000–1215," in *Dealing with the Dead: Mortality and Community in Medieval and Early Modern Europe*, ed. Thea Tomaini (Leiden: Brill, 2018), 253–73, at 267–70; Christian Jaser, *Ecclesia maledicens: Rituelle und zeremonielle Exkommunikationsformen im Mittelalter* (Tübingen: Mohr Siebeck, 2013).

3. Leviticus 18:24–28; 1 Corinthians 5:7–13.

4. The most detailed account (and the only mention of the scourge) is found in John 2:13–16. For the synoptic versions, see Matthew 21:12–13; Mark 11:15–17; and Luke 19:45–46. For Augustine's reading, see his *Contra litteras Petiliani*, ed. Michael Petschenig, *Corpus Scriptorum Ecclesiasticorum Latinorum* 52 (Vienna: Tempsky, 1909), 33–4 (§2.10.24) and 109–10 (§2.81.178). More generally, see Christina Metzendorf, *Die Tempelaktion Jesu. Patristische und historisch-kritische Exegese im Vergleich* (Tübingen: Mohr Siebeck, 2003), 45–127; and Emmanuel Bain, "Les marchands chassés du Temple, entre commentaires et usages sociaux," *Médiévales* 55 (2008), 53–74.

5. Gilbert Dahan, *L'exégèse chrétienne de la Bible en Occident médiéval, XII–XIV siècle* (Paris: Cerf, 1999).

6. See, for example, Bruno of Segni's denunciation of simony in his *Commentaria in Lucam*, in *PL* 165, cols. 333–452, at 440. For the reformist rhetoric of purity and pollution more generally, see Amy Remensnyder, "Pollution, Purity, and Peace: An Aspect of Social Reform between the Late Tenth Century and 1076," in *The Peace of God: Social Violence and Religious Response in France around the Year 1000*, eds. Thomas Head and Richard Landes (Ithaca, NY: Cornell University Press, 1992), 280–307. For Jerusalem, see Katherine Allen Smith, "The Crusader Conquest of Jerusalem and Christ's Cleansing of the Temple," in *The Uses of the Bible in Crusader Sources*, eds. Elizabeth Lapina and Nicholas Morton (Leiden: Brill, 2017), 19–41.

7. See Julia Hillner, "Confined Exiles: An Aspect of the Late Antique Prison System," *Milennium* 10 (2013), 385–433; the essays in Julia Hillner, Jörg Ulrich and Jakob Engberg, eds., *Clerical Exile in Late Antiquity* (Frankfurt: Peter Lang, 2016); and Lotte Kéry, *Gottesfurcht und irdische Strafe. Der Beitrag des mittelalterlichen Kirchenrechts zur Entstehung des öffentlichen Strafrechts* (Cologne: Böhlau, 2006), 184–90.

8. For late Roman practice, see Henri Maisonneuve, *Études sur les origines de l'Inquisition*, 2nd ed. (Paris: Vrin, 1960), 29–91; and Laurette Barnard, "The Criminalisation of Heresy in the Later Roman Empire: A Sociopolitical Device?," *Journal of Legal History* 16, no. 2 (1995), 121–46. The Pseudo-Isidorian false decretal of Liberius was taken up into Gratian's *Decretum* as C.24 q.1 c.32; see *Corpus iuris canonici*, ed. Emil Friedberg, 2 vols. (Leipzig: Tauchnitz, 1879–81) [hereafter *CIC*], 1.978. As an example of a twelfth-century call for generalized expulsion, see Henry of Marcy's 1178 letter to Louis VII of France, in *PL* 204, cols. 234CD.

9. See especially Daniel Washburn, *Banishment in the Later Roman Empire, 284–476 CE* (New York: Routledge, 2013).

10. Lateran IV, c. 3 (*Excommunicamus*), in *Conciliorum oecumenicorum generaliumque decreta. Editio critica*, 4 vols. (Turnhout: Brepols, 2006–13) [hereafter *COGD*], 2.1.166–68. Two summaries of the Lateran canons compiled in the 1220s (the *Casus Parisiensis* and the *Casus Fuldenses*) rendered them as calling for expulsion; see *Constitutiones Concilii quarti Lateranensis una cum commentariis glossatorum*, ed. Antonio García y García (Vatican City: Biblioteca Apostolica Vaticana, 1981), 467 and 483–84. For the shift to execution, see Julien Havet, "L'hérésie et le bras séculier au Moyen Âge jusqu'au treizième siècle," *Bibliothèque de l'École des chartes* 41 (1880), 488–517, 570–607; Giovanni Miccoli, "La storia religiosa," in *Storia d'Italia*, vol. 2: *Dalla caduta dell'Impero romano al secolo XVIII* (Turin: Einaudi, 1974), 431–1079, at 692–96; and Irene Bueno, "False Prophets and Ravening Wolves: Biblical Exegesis as a Tool against Heretics in Jacques Fournier's *Postilla* on Matthew," *Speculum* 89, no. 1 (2014), 35–65.

11. For monastic relocation, see Lateran IV, c. 64 (*Quoniam simoniaca labes*; *COGD* 2.1.197). For early thirteenth-century examples of eviction, see the 1211 legatine statutes for Lombardy: Nicolò Sormani, *Gloria de' santi milanesi* . . . (Milan: Giambattista Bianchi, 1761), 217; the 1213/14 diocesan statutes of Canterbury, in *Councils and Synods, with other Documents Relating to the English Church*, eds. Christopher R. Cheney et al., 2 vols. (Oxford: Clarendon Press, 1964–81), 2.1.25 (cc. 3–4); and Robert of Courçon's 1213 legatine statutes for Paris, in *Sacrorum conciliorum nova et amplissima collectio*, ed. Gian Domenico Mansi, rev. ed., 53 vols. (Paris, 1901–27) [hereafter *Mansi*], 22.817–44, at 820 (c. 4).

12. Paris (after 1213), tit. *De meretricibus*, in *Mansi* 22.854. For the dating and transmission of these statutes, see Odette Pontal, *Les conciles de la France capétienne jusqu'en 1215* (Paris: Cerf, 1995), 397.

13. For Salzburg, see *Concilia Salisburgensia provincialia et dioecesana*, ed. Florian Dalham (Augsburg: Rieger, 1788), 105–11, at 110 (c. 17); for Gniezno (held at Wrocław), see *Codex diplomaticus majoris Poloniae documenta*, 11 vols. (Poznań, 1877–1999), 1.370–75, at 375 (no. 423, c. 14).

14. For general overviews, see Robert Chazan, *The Jews of Medieval Western Christendom, 1000–1500* (Cambridge: Cambridge University Press, 2006), especially 43–76; Kenneth R. Stow, *Alienated Minority: The Jews of Latin Christendom* (Cambridge, MA: Harvard University Press, 1992), 242–73.

15. A notable exception is Pope Leo VII's letter to the archbishop of Mainz (ca. 937), counseling him to expel from his diocese any Jews who refused baptism, but this letter evidently did not circulate widely. See Harald Zimmermann, ed., *Papsturkunden, 896–1046*, 3 vols. (Vienna: Österreichischen Akademie der Wissenschaften, 1984–89), 1.133–34, no. 79; and Jessie Sherwood, "Interpretation, Negotiation, and Adaptation: Converting the Jews in Gerhard of Mainz's *Collectio*," in *Jews in Early Christian Law: Byzantium and the Latin West, 6th–11th Centuries*, eds. John Tolan et al. (Turnhout: Brepols, 2014), 119–29.

16. For general discussions, see Kenneth R. Stow, "The Church and the Jews: St. Paul to Pius IX," in *Popes, Church and Jews in the Middle Ages: Confrontation and Response* (Farnham, UK: Ashgate, 2007), art. I, 1–76; and Rebecca Rist, *Popes and Jews, 1095–1291* (Oxford: Oxford University Press, 2016).

17. This passage would be taken up into Gratian's *Decretum*, as C.23 q.8 c.11 (*Dispar nimirum*; *CIC* 1.955); Engl. tr. in Robert Chazan, ed., *Church, State, and Jew in the Middle Ages* (Springfield, NJ: Behrman, 1980) [hereafter *Chazan, CSJ*], 99–100. On Jewish servitude, see Anna Sapir

Abulafia, *Christian-Jewish Relations, 1000–1300: Jews in the Service of Medieval Christendom* (New York: Longman, 2011).

18. Innocent III, "Etsi iudeos" (15 July 1205), in *Die Register Innocenz' III*, eds. Othmar Hageneder et al., 15 vols. (Graz: Böhlau, 1964–<2022>) [hereafter *Reg. Inn. III*], 8.220–22, no. 122; later X 5.6.13 (CIC 2.775–76); Engl. tr. Solomon Grayzel, ed., *The Church and the Jews in the XIIIth Century: A Study of their Relations during the Years 1198–1254*, 2nd ed. (New York: Hermon Press, 1966) [hereafter Grayzel, *CJ*], 115–17, no. 18. On the Almohad anti-Jewish measures, see Maribel Fierro Bello, "A Muslim land without Jews or Christians: Almohad policies regarding the 'protected people,'" in *Christlicher Norden—Muslimischer Süden: Ansprüche und Wirklichkeiten von Christen, Juden und Muslimen auf der Iberischen Halbinsel im Hoch- und Spätmittelalter*, eds. Matthias M. Tischler and Alexander Fidora (Münster: Aschendorff, 2011), 231–47.

19. Thomas of Chobham, *Summa confessorum*, ed. F. Broomfield (Louvain: Nauwelaerts, 1968), 434 (art. 7, dist. 3, q. 5, c. 11).

20. See especially Peter the Venerable, *Adversus iudeorum inveteratam duritiam*, ed. Yvonne Friedman (Turnhout: Brepols, 1985); together with the discussion in Robert Chazan, "Twelfth-Century Perceptions of the Jews: A Case Study of Bernard of Clairvaux and Peter the Venerable," in *From Witness to Witchcraft: Jews and Judaism in Medieval Christian Thought*, ed. Jeremy Cohen (Wiesbaden: Harrassowitz, 1996), 187–201.

21. For Fulk, see Rigord, *Histoire de Philippe Auguste*, ed. and trans. Elisabeth Charpentier et al. (Paris: Éditions du CNRS, 2006), 336 and 349–50 (§116 and 133); and Robert of Auxerre, *Chronicon*, ed. Oswald Holder-Egger, *MGH SS* 26 (Hanover: Hahn, 1882), 219–76, at 258. For Corbeil (1203), see *Cartulaire de Saint-Spire de Corbeil au diocèse de Paris*, ed. Émile Couard-Luys (Rambouillet: Douchin, 1882), 50. For Auxerre (ca. 1204), see Robert of Auxerre, *Chronicon*, 270; and "Innocentii III (et ad ipsum) epistolae . . .," in *Recueil des historiens des Gaules et de la France*, eds. Martin Bouquet et al., 24 vols. (Paris, 1738–1904) [hereafter *HF*], 19.347–605, at 479n. For Bury (1190), see Chapter Two below.

22. Innocent III, "Constitutio pro iudaeis," (15 September 1199), in *Reg. Inn. III*, 2.535–36, no. 276/302; Engl. tr. Grayzel, *CJ*, 93–95, no. 5. For a valuable discussion of Innocent's hardening position, see Anna Sapir Abulafia, "The Fourth Lateran Council through the Lens of Jewish Service," in *Jews and Muslims under the Fourth Lateran Council. Papers Commemorating the Octocentenary of the Fourth Lateran Council (1215)*, eds. Marie-Thérèse Champagne and Irven M. Resnick (Turnhout: Brepols, 2018), 81–96.

23. Galatians 4:30, quoting Genesis 21:10. On this passage as a locus for thinking about the repression and expulsion of Jews, see Deana Klepper, "Historicizing Allegory: The Jew as Hagar in Medieval Christian Text and Image," *Church History* 84, no. 2 (2015), 308–44. For contemporary illustrations of the scene, see Walter Cahn, "The Expulsion of the Jews as History and Allegory in Painting and Sculpture of the Twelfth and Thirteenth Centuries," in *Jews and Christians in Twelfth-Century Europe*, eds. Michael A. Singer and John Van Engen (Notre Dame, IN: University of Notre Dame Press, 2001), 94–109, at 105.

24. Gregory IX, "Etsi iudeorum," (6 April 1233), in *Les registres de Grégoire IX*, ed. Lucien Auvray, 4 vols. (Paris: Fontemoing, 1896–1955), 1.691–92, no. 1216; Engl. tr. Grayzel, *CJ*, 201–3, no 70.

25. *Doctoris irrefragabilis Alexandri de Hales Summa theologica*, 4 vols. (Quaracchi: Coll. S. Bonaventurae, 1924–48), 3.729–32 (Lib. 2, pars 2, inq. 3, tract. 8, q. 1, tit. 2, memb. 1, c. 1); Engl.

tr. Chazan, *CSJ*, 43–46. Despite the work's traditional attribution to Alexander of Hales, it was evidently a collective effort, with the third book written largely by John of La Rochelle; see the recent summary in Lydia Schumacher, *Early Franciscan Theology: Between Authority and Innovation* (Cambridge: Cambridge University Press, 2019), 5–8.

26. Gueric of Saint-Quentin, *Quaestiones de quolibet*, ed. Walter H. Principe (Toronto: Pontifical Institute of Mediaeval Studies, 2002), 222–23 (§3.3); and Humbert of Romans, “Opusculum tripartitum,” in *Concilia omnia tam generalia, quam particularia*, ed. Pierre Crabbe, 2nd ed., 3 vols. (Cologne: Quentel, 1551), 2.967–1003, at 970 (§I.5) and 977 (§I.15).

27. Innocent IV, “Divina iustitia” and “Si diligenter” (both dated 28 May 1247), in *Les registres d’Innocent IV*, ed. Élie Berger, 4 vols. (Paris: Thorin, 1884–1920), 1.420–21, 424 (nos. 2815, 2838); Engl. tr. Grayzel, *CJ*, 263–67, nos. 113–14. On this event, see Magda Teter, *Blood Libel: On the Trail of an Antisemitic Myth* (Cambridge, MA: Harvard University Press, 2020), 35–39.

28. Innocent IV, “Sicut tua nobis,” (23 July 1253), in *Registres d’Innocent IV*, ed. Berger, 3.314, no. 6980; Engl. tr. Grayzel, *CJ*, 293, no. 293.

29. Cesare Baronio et al., *Annales ecclesiastici*, 37 vols. (Paris: Barri-Ducis, 1864–83), 21.446 (a. 1253, §34). Similar concerns might also have underpinned the purported expulsion of Jews from Lyon around this time, but the only evidence for this expulsion is a passing remark by a seventeenth-century antiquarian, and the expulsion might have been ordered at any point during the long archbishopric of Philip of Savoy (r. 1245–1267); see Jean-Marie de La Mure, *Histoire ecclésiastique du diocèse de Lyon* (Lyon: Gautherin, 1671), 176.

30. Innocent IV, *Apparatus super V libros decretalium* (Venice: Johann Herbort, 1481), ad 3.34.8 (*Quod super his*).

31. For patristic responses to usury, see Thomas Moser, *Die patristische Zinslehre und ihre Ursprünge: Vom Zinsgebot zum Wucherverbot* (Winterthur: Schellenberg, 1997). For the early Middle Ages, see Harald Siems, *Handel und Wucher im Spiegel frühmittelalterlicher Rechtsquellen* (Hanover: Hahnsche Buchhandlung, 1992), which, despite its length, mainly underscores the rarity of references to usury in early medieval legal sources.

32. The proliferation of local and regional studies over the last half century awaits a general synthesis. For recent trends, see *La crescita economica dell’Occidente medievale: un tema storico non ancora esaurito: venticinquesimo Convegno internazionale di studi, Pistoia, 14–17 maggio 2015* (Roma: Viella, 2017).

33. See the classic account of Lester K. Little, “Pride Goes before Avarice: Social Change and the Vices in Latin Christendom,” *American Historical Review* 76, no. 1 (1971), 16–49. For earlier concern with avarice, see Richard Newhauser, *The Early History of Greed: The Sin of Avarice in Early Medieval Thought and Literature* (New York: Cambridge University Press, 2001).

34. See especially Giacomo Todeschini, “La razionalità monetaria cristiana fra polemica antisimoniaca e polemica antiusuraria (XII–XIV secolo),” in *Moneda y monedas en la Europa medieval, siglos XII–XV. Actas de la XXVI semana de estudios medievales de Estella, 19 al 23 de julio de 1999* (Pamplona: Gobierno de Navarra, Departamento de Educación y Cultura, 2001), 369–86; and Giuliano Milani, *L’uomo con la borsa al collo: Genealogia e uso di un’immagine medievale* (Rome: Viella, 2017), 73–90.

35. Urban’s decretal *Consuluit* (in which this interpretation first appears) was later incorporated into the *Liber Extra*, as X 5.19.10 (*CIC* 2.814).

36. For Jesus's seeming approval of interest-bearing loans, see Matthew 25:14–30; and Luke 19:11–27. For the two Vulgate readings of Luke 6:35 (namely, *nihil inde sperantes versus nihil desperantes*) and their respective textual traditions, see *Nouum Testamentum Domini Nostri Iesu Christi latine secundum editionem Sancti Hieronymi. Pars prior: Quattuor Euangelia*, eds. John Wordsworth and Henry White (Oxford: Clarendon, 1889–98), 344; and *Biblia Sacra iuxta vulgatam versionem*, eds. Bonifatius Fischer, Robert Weber, and Roger Gryson, 5th ed. (Stuttgart: Deutsche Bibelgesellschaft, 2007), 1618. Peter John Olivi offered a rare rejection of this reading; see his *Lectura super Lucam et lectura super Marcum*, ed. Fortunato Iozzelli (Grottaferrata: Coll. S. Bonaventurae, 2010), 344–46; and *De emptionibus et venditionibus, de usuris, de restitutionibus = Traité des contrats*, ed. and trans. Sylvain Piron (Paris: Les Belles Lettres, 2012), 182, §2.59.

37. See generally John Baldwin, *Masters, Princes, and Merchants: The Social Views of Peter the Chanter and his Circle*, 2 vols. (Princeton, NJ: Princeton University Press, 1970); and Jessalyn Bird, “Reform or Crusade? Anti-Usury and Crusade Preaching during the Pontificate of Innocent III,” in *Pope Innocent and his World*, ed. John C. Moore (Aldershot: Ashgate, 1999), 165–85. On Robert of Courçon, see *Le Traité ‘De usura’ de Robert de Courçon*, ed. Georges-Joseph Lefèvre (Lille: au siège de l’Université, 1902); and Innocent III, “Quanto melior est” (14 May 1214), in *PL* 217, no. 190 (Potthast, no. 4922); Engl. tr. Grayzel, *CJ*, 139–41, no. 30. On Stephen Langton, see Matthew Paris, “Vita sancti Stephani archiepiscopi Cantuariensis,” in *Ungedruckte Anglo-Normannische Geschichtsquellen*, ed. Felix Liebermann (Strasbourg: Trübner, 1879), 318–29, at 327, drawing on a now-lost work of the early thirteenth-century English writer Gervase of Melkeley.

38. See Gratian, *Decretum*, C.14 q.3 cc.1–4 (*CIC* 1.735).

39. For classic overviews, see Gabriel Le Bras, “Usure. La doctrine ecclésiastique de l’usure à l’époque classique (XIII^e-XV^e siècle),” in *Dictionnaire de théologie catholique*, 15 vols. (Paris: Letouzey & Ané, 1950), 15.2336–72; and Thomas P. McLaughlin, “The Teaching of the Canonists on Usury (XIIth, XIIIth, and XIVth Centuries),” *Mediaeval Studies* 1 (1939), 81–147, and 2 (1940), 1–22. Giacomo Todeschini offers a provocative reframing in his “Ecezioni e usura nel Duecento. Osservazioni sulla cultura economica medievale come realtà non dottrinarìa,” *Quaderni storici* 44, no. 131:2 (2009), 443–60.

40. Angeliki E. Laiou, “God and Mammon: Credit, Trade, Profit and the Canonists,” in *Byzantium in the 12th Century: Canon Law, State and Society*, ed. Nicolas Oikonomidès (Athens: Society of Byzantine and Post-Byzantine Studies, 1991), 261–300.

41. Astesano da Asti, *Summa de casibus conscientiae* (Venice: Johannes de Colonia & Johannes Manthen, 1478), 3.11.6. Other descriptors, such as “public” (*publicus*) or “notorious” (*notorius*), were also used to single out particular categories of usurers, often (though not always) as synonyms for “manifest”; see McLaughlin, “Teaching of the Canonists [part 2],” 12–13; and more generally, Hans-Jörg Gilomen, “Das kanonische Zinsverbot und seine theoretische und praktische Überwindung? Mitte 12. bis frühes 14. Jahrhundert,” in *Die römische Kurie und das Geld. Von der Mitte des 12. Jahrhunderts bis zum frühen 14. Jahrhundert*, ed. Werner Maleczek (Ostfildern: Thorbecke, 2018), 405–49.

42. Baldwin, *Masters, Princes, and Merchants*, 1.300–1.

43. See, as examples, the cases discussed in Baldo degli Ubaldi, *Consiliorum, sive Responsorum*, 5 vols. (Venice: Domenico Nicolino, 1580), nos. 1.17, 3.10, 4.459, and 4.465.

44. McLaughlin, "Teaching of the Canonists [part 2]," 1–12. Many earlier sanctions are cited in Gratian's *Decretum*, particularly in D.47 c.1–5 and C.14 q.4 cc.2, 4, 7 (CIC 1.169–71, 736–37).

45. Lateran II, c. 13 (*Porro detestabilem*; COGD 2.1.109). For the decree's curious transmission, see Martin Brett and Robert Somerville, "The Transmission of the Councils, 1130–1139," in *Pope Innocent II (1130–1143): The World vs. the City*, eds. John Doran and Damian J. Smith (Farnham, UK: Ashgate, 2016), 226–71, at 242 and 256–66.

46. Lateran III, c. 25 (*Quia in omnibus*; COGD 2.1.144–5).

47. Mansi 22.849–52 (Paris, aft. 1213, tit. *De usurariis et raptoribus*, cc. 1, 10); *Le Traité 'De usura'* ed. Lefèvre, 81.

48. For Robert's push for a general council against usury, see *Le Traité 'De usura'*, 34–35.

49. See especially Sara Lipton, *Images of Intolerance: The Representation of Jews and Judaism in the Bible moralisée* (Berkeley: University of California Press, 1999), 30–53. For analogous developments in early modern Europe, see Francesca Trivellato, *The Promise and Peril of Credit: What a Forgotten Legend about Jews and Finance Tells Us about the Making of European Commercial Society* (Princeton, NJ: Princeton University Press, 2019).

50. For a balanced overview with further references, see Robert Chazan, *Reassessing Jewish Life in Medieval Europe* (Cambridge: Cambridge University Press, 2010), 107–32.

51. "Epistola ad Ludovicum VII regem Francorum," in *The Letters of Peter the Venerable*, ed. Giles Constable, 2 vols. (Cambridge, MA: Harvard University Press, 1967), 1,327–30. For a discussion, see Yvonne Friedman, "An Anatomy of Anti-Semitism: Peter the Venerable's Letter to Louis VII, King of France (1146)," in *Bar-Ilan Studies in History*, ed. Pinhas Artzi (Ramat Gan: Bar-Ilan University Press, 1978), 87–102; and Chazan, "Twelfth-Century Perceptions," 197–99.

52. Eugene III, "Quantum predecessores," (1 December 1145), in PL 180, cols. 1064–66; and see Giles Constable, "The Financing of the Crusades," in his *Crusaders and Crusading in the Twelfth Century* (Aldershot: Ashgate, 2008), 117–41.

53. Innocent III, "Post miserabile," (15 August 1198), in *Reg. Inn. III*, 1.499–504, no. 336 (Engl. tr. Grayzel, *CJ*, 87, no. 1); Lateran IV, c. 71 (*Ad liberandam*; COGD 2.1.200–4).

54. See generally Stow, *Alienated Minority*, 102–20.

55. Comp. III, 5.10.2; later X 5.19.12 (CIC 2.814–15).

56. On the extension of canonical jurisdiction over Jews, see Walter Pakter, *Medieval Canon Law and the Jews* (Ebelsbach: Rolf Gremer, 1988).

57. Lateran IV, c. 67 (*Quanto amplius*; COGD 2.1.198); subsequently X 5.19.18 (CIC 1.816).

58. French royal legislation is discussed in Chapter Three. The provincial councils of Narbonne in ca. 1227 and 1246 limited their prohibition to "immoderate usury," with a total ban introduced in 1255 and further restrictions in 1258. For these, see respectively Mansi 23.20–6, at 21 (c. 2); 23.689–704, at 701 (c. 37); 23.875–84, at 882 (c. 23), and 23.989–94, at 992 (c. 5). A total ban was also issued for the southern French diocese of Albi in 1254: Mansi 23.829–52, at 850 (c. 63). Outside of France, the 1267 legatine statutes for the province of Gniezno condemned "immoderate" Jewish usury: see *Codex diplomaticus majoris Poloniae documenta*, 1370–75, at 374 (no. 423, c. 10).

59. See R. Meir ben Simeon of Narbonne, *Milhemet Mitzvah*, in Parma, Biblioteca Palatina, Cod. Parm. 2749, ff. 33v, 70r–71r; the latter excerpt is now edited and translated in *Lettre à Louis IX sur la condition des Juifs du royaume de France*, ed. and trans. Judith Kogel (Paris: Éditions de l'éclat, 2017), 23–25. I am grateful to Itzik Eshel for his assistance with the Hebrew text. See also

Robert Chazan, "Anti-Usury Efforts in Thirteenth-Century Narbonne and the Jewish Response," *Proceedings of the American Academy for Jewish Research* 41/42 (1973-74), 45-67; and Haym Soloveitchik, "The Jewish Attitude in the High and Late Middle Ages (1000-1500)," in *Credito e usura fra teologia, diritto e amministrazione. Linguaggi a confronto (sec. XII-XVI)*, eds. Diego Quagliani, Giacomo Todeschini and Gian Maria Varanini (Rome: École française de Rome, 2005), 115-27.

60. See especially Benjamin N. Nelson, *The Idea of Usury* (Princeton, NJ: Princeton University Press, 1949), 3-28.

61. For the early commentaries, see *Constitutiones Concilii quarti Lateranensis una cum Commentariis glossatorum*, ed. Antonio García y García (Vatican City: Biblioteca Apostolica Vaticana, 1981). For subsequent developments, see Kenneth R. Stow, "Papal and Royal Attitudes toward Jewish Lending in the Thirteenth Century," *AJS Review* 6 (1981), 161-84; and Stefan Schima, "Die Entwicklung des kanonischen Zinsverbots. Eine Darstellung unter besonderer Berücksichtigung der Bezugnahmen zum Judentum," *Aschkenas* 20, no. 2 (2010), 239-79.

62. As examples: Matthew Paris, *Chronica maiora*, ed. Henry Richards Luard, 7 vols. (London: Longman, 1872-83) [hereafter CM], 6.220-21, no. 110; *Le livre de l'abbé Guillaume de Ryckel (1249-1272)*, ed. Henri Pirenne (Brussels: Hayez, 1896), 14, 23, and 109; and J. L. Charles, *La ville de Saint-Trond au Moyen-Âge: des origines à la fin du XIV^e siècle* (Paris: Les Belles Lettres, 1965), 94-97 and 238 n.117.

63. For Saint-Germain, see Françoise Lehoux, *Le Bourg Saint-Germain-des-Prés depuis ses origines jusqu'à la fin de la Guerre de Cent Ans* (Paris: Lehoux, 1951), 413, p.j. 1. For Würzburg, see Wilhelm Levison, "Aus englischen Bibliotheken. I," *Neues Archiv der Gesellschaft für ältere deutsche Geschichtskunde* 32 (1907), 377-456, at 442, no. 1 (a. 1254 × 1265). For Trier, see *Quellen zur Wirtschafts- und Sozialgeschichte mittel- und oberdeutscher Städte im Spätmittelalter*, ed. Gisela Möncke (Darmstadt: Wissenschaftliche Buchgesellschaft, 1982), 56-61, no. 3.

64. Gregory IX, "Cum ex injuncto," (30 January 1230), in *Registres de Grégoire IX*, 1.2.41, no. 392.

65. There are two detailed accounts, both by Matthew Paris: see his CM, 3.328-32; and *Historia Anglorum*, ed. Frederic Madden, 2 vols. (London: H. M. Stationery Office, 1866), 2.382-84.

66. V. H. Galbraith, "Roger Wendover and Matthew Paris," in *Kings and Chroniclers: Essays in English Medieval History* (London: Hambledon Press, 1982), Essay 10, 5-48 at 13.

67. Natalie Fryde, "Die Kaufleute aus Cahors im England des 13. Jahrhunderts," in *Kredit im spätmittelalterlichen und frühneuzeitlichen Europa*, ed. Michael North (Cologne: Böhlau, 1991), 25-38. As Carlos Wyffels observed, it is not entirely clear why English writers came to associate Cahorsins so strongly with usury, especially given the earlier prominence of Flemish moneylenders; see Carlos Wyffels, "Les cahorsins en Flandre au XIII^e siècle," *Annales du Midi* 103 (1991), 307-21, at 320.

68. See, in general, Robert Jowitt Whitwell, "Italian Bankers and the English Crown," *Transactions of the Royal Historical Society* n.s. 17 (1903), 175-233; and Édouard Jordan, *De mercatoribus camerae apostolicae saeculo XIII* (Rennes: Oberthur, 1909). For specific communities, see Federico Patetta, "Caorsini senesi in Inghilterra nel sec. XIII con documenti inediti," *Bullettino senesi di storia patria* 4 (1897), 311-44; Elisabeth von Roon-Bassermann, *Sienesische Handelsgesellschaften des XIII. Jahrhunderts mit besonderer Berücksichtigung ihres internationalen Handels*

(Mannheim: Bensheimer, 1912); Roon-Bassermann, "Die ersten Florentiner Handelsgesellschaften in England," *Vierteljahrsschrift für Sozial- und Wirtschaftsgeschichte* 39, no. 2 (1952), 97–128; and Marco Venditelli, "In partibus Anglie. Cittadini romani alla corte inglese nel Duecento: la vicenda di Pietro Saraceno (Rome: Viella, 2001), 34–37.

69. Matthew Paris, *CM*, 5.404, reporting a deathbed remark of Robert Grosseteste; and Matthew Paris, *Historia Anglorum*, 2.382.

70. These may have been the Siense associates of Angiolieri Solaficu whom Gregory IX cites in a 1233 quittance: Lodovico Muratori, ed., *Antiquitates Italicae medii aevi*, 6 vols. (Milan: Società Palatina, 1738–42), 1.889; summary in *Regesta pontificum romanorum inde ab a. post Christum natum 1198 ad a. 1304*, ed. August Potthast, 2 vols. (Berlin: Decker, 1874–75), 1.782, no. 9132.

71. For a biographical sketch of Roger Niger, see *English Episcopal Acta*. 38: London (1229–1280), ed. Philippa Hoskin (London: British Academy, 2011), xxxvii–xli; and R. M. Franklin, "Niger, Roger," in *Oxford Dictionary of National Biography*, 60 vols. (Oxford: Oxford University Press, 2004), 40.903–4. For his trip to Italy, see Matthew Paris, *Historia Anglorum*, 2.352.

72. Matthew Paris, *CM*, 3.332. For the contemporary pairing of usury and heresy, see Clément Lenoble, "L'économie des hérétiques: Note sur le rapprochement entre usure et hérésie," in *Aux marges de l'hérésie. Inventions, formes et usages de l'accusation d'hérésie au Moyen Âge*, eds. Franck Mercier et Isabelle Rosé (Rennes: Presses universitaires de Rennes, 2017), 111–52; and Deborah Shulevitz, "Heresy, Money, and Society in Southern France, 1175–1325" (PhD dissertation, Columbia University, 2017), 59–139.

73. "Summula Magistri Conradi," in *Trois sommes de pénitence de la première moitié du XIII^e siècle*, ed. Jean Pierre Renard, 2 vols. (Louvain-la-Neuve: Centre Cerfaux-Lefort, 1989), 2.106–14 (§38.4). The work dates to 1226 × 1229.

74. Mansi 24.3–8, at 3 (c. 2): "Prohibentes, ne quis in domibus, vel in locis, aut terris ecclesiarum, Lombardos vel alios advenas qui vulgariter <caorsini> dicuntur, usurarios manifestos, recipere praesumat. . . ." Mansi's edition omits the word *caorsini*, but it is found in a thirteenth-century copy of the canons: Paris, BnF, lat. 5526, f. 113r. I am grateful to Eric Nemarich for the latter reference.

75. I am grateful to Sean Field for alerting me to the countess's stay at Longchamp; see *The Writings of Agnes of Harcourt: The Life of Isabelle of France & the Letter on Louis IX and Longchamp*, ed. and trans. Sean L. Field (Notre Dame: University of Notre Dame Press, 2003), 74–75.

76. For Aquinas's response, see "Epistola ad Ducissam Brabantiae," ed. Hyacinthe-François Dondaine, in *Sancti Thomae de Aquino Opera Omnia iussu Leonis XIII P.M. edita*, t. 42 (Rome: Editori di San Tommaso, 1979), 357–78; Engl. tr. *St. Thomas Aquinas: Political Writings*, ed. and trans. R. W. Dyson (Cambridge: Cambridge University Press, 2002), 233–38. Peckham's response is edited in Annamaria Emili, "De regimine judeorum. Una proposta di edizione dell'epistola *De Judeis* del minorita Giovanni Peckham," *Franciscana: bollettino della Società internazionale di studi francescani* 13 (2011), 158–91, at 178–91. For a discussion of the attribution, dating, and context of the entire dossier, along with an edition of the third (anonymous) response, see my article on "Les maîtres parisiens et les Juifs (fin XIII^e siècle): Perspectives nouvelles sur un dossier d'avis concernant le regimen judaeorum," *Journal des Savants* 2016, no. 2 (2016), 241–82.

77. Aquinas, "Epistola ad Ducissam Brabantiae," ed. Dondaine, 376.

78. Emili, "De regimine Judeorum," 188–89 (at lines 105–16).
79. Dorin, "Maitres parisiens," 280–81. The citations are to X 5,39.47 (CIC 2.909); and Dig. 1.18.13.
80. For theological reflections, see Gerhart B. Ladner, "Homo Viator: Mediaeval Ideas on Alienation and Order," *Speculum* 42, no. 2 (1967), 233–59. For canonistic approaches, see Willy Onclin, "Le statut des étrangers dans la doctrine canonique médiévale," in *L'Étranger*, 2 vols. (Brussels: De Boeck, 1958), 2.37–64; and Vito Piergiovanni, "Il Mercante e il Diritto canonico medievale: 'Mercatores in itinere dicuntur miserabiles personae,'" in *Proceedings of the Ninth International Congress of Medieval Canon Law (Munich, 13–18 July 1992)* (Vatican City: S. Congregatio de Seminariis et Studiorum Universitatibus, 1992), 617–34.
81. Lateran IV, c. 68 (*In nonnullis provinciis*; COGD 2.1.199).
82. The extracts of the responses are found in Paris, BnF, lat. 16297, ff. 102v–103v; this fascicle likely dates to the first months of 1277, according to Andrea Aiello and Robert Wielockx, *Goffredo di Fontaines, aspirante baccelliere sentenziario. Le autografe 'Notule de scientia theologie' e la cronologia del MS. Paris BNF Lat. 16297* (Brepols: Turnhout, 2008), 136.

Chapter 2: Inventing Expulsion in England, 1154–1272

1. Frank Barlow, *Edward the Confessor* (Berkeley: University of California Press, 1970), 256–85; see also the coronation charters of Henry I and Stephen, in *Select Charters and Other Illustrations of English Constitutional History*, ed. W. C. Stubbs, 9th ed., rev. by H. W. C. Davis (Oxford: Clarendon, 1913), 117–19 and 142.
2. *Leges Edward Confessoris*, c. 37; see the edition and translation by Bruce R. O'Brien, *God's Peace and King's Peace: The Laws of Edward the Confessor* (Philadelphia: University of Pennsylvania Press, 1999), here p. 200–1 (I have slightly modified O'Brien's translation).
3. See the anonymous *Life of King Edward Who Rests at Westminster, Attributed to a Monk of Saint-Bertin*, ed. and trans. Frank Barlow (Oxford: Clarendon Press, 1992); Osbert of Clare's *Vita Beati Edwardi*, ed. Marc Bloch, "La vie de S. Édouard le Confesseur par Osbert de Clare," *Analecta Bollandiana* 41 (1923), 5–131; Aelfred of Rievaulx, *Vita sancti Aedwardi Regis et Confessoris*, in *Opera omnia*, vol. 7, ed. Francesco Marzella, *Corpus Christianorum Continuatio Mediaevalis* 3A (Turnhout: Brepols, 2017); and *La Vie d'Édouard le Confesseur by a Nun of Barking Abbey*, ed. and trans. Jane Bliss (Liverpool: Liverpool University Press, 2014).
4. See especially Sophia Menache, "Faith, Myth, and Politics—the Stereotype of the Jews and their Expulsion from England and France," *Jewish Quarterly Review* n.s. 75, no. 4 (1985), 351–74, at 360. For recent work in this vein, see Lisa Lampert-Weissig, "The Transnational Wandering Jew and the Medieval English Nation," *Literature Compass* 13, no. 12 (2016), 771–83; and Geraldine Heng, *The Invention of Race in the European Middle Ages* (Cambridge: Cambridge University Press, 2018), ch. 2.
5. Robin R. Mundill, "Banishment from the Edge of the World: The Jewish Experience of Expulsion from England in 1290," in *Expulsion and Diaspora Formation: Religious and Ethnic Identities in Flux from Antiquity to the Seventeenth Century*, ed. John Tolan (Turnhout: Brepols, 2015), 85–101, at 99.
6. For the most part, scholars have sidestepped this issue. Sophia Menache is a notable exception, but her explanation for this widespread ambivalence—namely, that it reflects monastic

dependence on Jewish business dealings—is unconvincing. See Menache, “Faith, Myth, and Politics,” 357–60; along with her more nuanced discussion in “The King, the Church and the Jews: Some Considerations on the Expulsions from England and France,” *Journal of Medieval History* 13, no. 3 (1987), 223–36.

7. See especially John A. Watt, “The Jews, the Law, and the Church: The Concept of Jewish Serfdom in Thirteenth-Century England,” in *The Church and Sovereignty, c. 590–1918. Essays in Honour of Michael Wilks*, ed. Diana Wood (Oxford: Blackwell, 1991), 153–72.

8. See Matthew Paris, *CM*, 5.15–16; William Langland, *Piers Plowman: The B Version*, rev. ed. George Kane and E. Talbot Donaldson (Berkeley: University of California Press, 1988), 320–21 (“Coveteise,” lines 238–39). Robin R. Mundill, *The King’s Jews: Money, Massacre and Exodus in Medieval England* (London: Continuum, 2010), 145, briefly mentions these expulsions, but does not develop the idea further.

9. *The Chronography of Robert of Torigni*, ed. Thomas N. Bisson, 2 vols. (Oxford: Oxford University Press, 2020), 1.190–91 (a. 1155).

10. See Henry II’s charter of 1155 × 1158, in *Calendar of Documents Preserved in France*, ed. J. Horace Round (London: H. M. Stationery Office, 1899), 491; and more generally, Emilie Amt, *The Accession of Henry II in England: Royal Government Restored, 1149–1159* (Woodbridge, UK: Boydell, 1993), 90–93; and Eljas Oksanen, *Flanders and the Anglo-Norman World, 1066–1216* (Cambridge: Cambridge University Press, 2012), 241–48.

11. William Fitz Stephen, *Vita Sancti Thomae*, in *Materials for the History of Thomas Becket*, ed. James Craigie Robertson, 7 vols. (London: Longman, 1875–85), 3.1–154, at 19; Gervase of Canterbury, *The Chronicle of the Reigns of Stephen, Henry II, and Richard I*, ed. William Stubbs (London: Longman, 1879), 161; William of Newburgh, *Historia Rerum Anglicarum*, in *Chronicles of the Reigns of Stephen, Henry II, and Richard I*, ed. Richard Howlett, 4 vols. (London, 1884–89), 1.101–2.

12. See the example of Baldwin de Redvers, noted in Orderic Vitalis, *The Ecclesiastical History of Orderic Vitalis*, ed. Marjorie Chibnall, 6 vols. (Oxford: Clarendon Press, 1969–80), 6.510; and *Gesta Stephani Regis Anglorum*, in *Chronicles of the Reigns*, ed. Howlett, 3.3–138, at 29, 35, and 37. For abjuration, see William Chester Jordan, *From England to France: Felony and Exile in the High Middle Ages* (Princeton, NJ: Princeton University Press, 2015).

13. *Laws of Edward and Guthrum*, c. 11 and VI *Aethelstan*, c. 7, in *Die Gesetze der Angelsachsen*, ed. Felix Liebermann, 4 vols. (Halle: Niemeyer, 1903–16), 1.134–35, 248–49. Both laws were composed in the early eleventh century and translated into Latin (in a collection known as the *Quadripartitus*) around 1100.

14. *Magna Carta*, cc. 50–51, in J. C. Holt, *Magna Carta*, 3rd ed. (Cambridge: Cambridge University Press, 2015), 390–92; David A. Carpenter, “King Henry III’s ‘Statute’ against Aliens: July 1263,” *English Historical Review* 107, no. 425 (1992), 925–44.

15. See Hugh MacKenzie, “The Anti-Foreign Movement in England, 1231–1232,” in *Anniversary Essays in Mediaeval History by Students of Charles Homer Haskins*, eds. Charles H. Taylor and John L. La Monte (Boston: Houghton Mifflin, 1929), 183–203; and Pascal Montaubin, “Étrangers en chrétienté: clerics italiens en France et en Angleterre (fin XII^e-mi XIV^e siècle),” in *L’étranger au Moyen Âge* (Paris: Publications de la Sorbonne, 2000), 233–44.

16. Huw W. Ridgeway, “King Henry III and the ‘Aliens’, 1236–1272,” in *Thirteenth Century England II: Proceedings of the Newcastle Upon Tyne Conference 1987*, eds. Peter R. Coss and Simon D. Lloyd (Woodbridge, UK: Boydell and Brewer, 1988), 81–92, at 90.

17. Arnold Fitz-Thedmar, *De antiquis liber legibus, Cronica maiorum et vicecomitum londoniarum* (London: Camden Society, 1846), 55; Matthew Paris et al., *Flores historiarum*, ed. Henry Richards Luard, 3 vols. (London: H. M. Stationery Office, 1890), 2.481.

18. Nicholas Vincent, *Peter des Roches: An Alien in English Politics, 1205–1238* (Cambridge: Cambridge University Press, 1996), 37; Ridgeway, "King Henry III," 86; and generally, Samuel K. Cohn, Jr., *Popular Protest in Late Medieval English Towns* (Cambridge: Cambridge University Press, 2013), ch. 13.

19. Magna Carta, c. 41 (ed. Holt, 388–89); R. F. Treharne and I. J. Sanders, eds., *Documents of the Baronial Movement of Reform and Rebellion, 1258–1267* (Oxford: Clarendon Press, 1973) [hereafter DBM], 84–87, 274–75.

20. Lucy Hennings, "Simon de Montfort and the Ambiguity of Ethnicity in Thirteenth-Century Politics," in *Thirteenth Century England XVI: Proceedings of the Cambridge Conference, 2015*, eds. Andrew M. Spencer and Carl Watkins (Woodbridge, UK: Boydell & Brewer, 2017), 137–52.

21. See VI *Aethelred*, c. 48 (marked by the influence of Archbishop Wulfstan of York); VIII *Aethelred*, c. 33; the so-called "Peace of Edward and Guthrum," c. 12 (forged by Wulfstan); and II *Cnut*, c. 40, all in *Gesetze*, ed. Liebermann, 1.134–35, 258–59, 267, 340–41.

22. For the 1180 treaty, see Thomas Rymer et al., eds., *Foedera, conventiones, litterae, et cujuscunque generis acta publica . . .*, 4 vols. (London: Eyre & Strahan, 1816), 1.16–17; for John's 1200 privilege, see *Rotuli chartarum in Turri Londinensi asservati*, ed. Thomas Hardy (London: Eyre & Spottiswoode, 1837), 1.1.60–61, 64.

23. *Chronicon abbatiae de Evesham ad annum 1418*, ed. William Dunn MacRay (London: Longman, 1863), 225.

24. T. H. Lloyd, *The English Wool Trade in the Middle Ages* (Cambridge: Cambridge University Press, 1977), 14–22.

25. *Close Rolls of the Reign of Henry III Preserved in the Public Record Office*, 14 vols. (London: H. M. Stationery Office, 1902–38) [hereafter CR Henry III], 1.202, 244–47, 576.

26. Henry III's subsequent expulsions are discussed below. For the repeated expulsions of Flemish merchants under Edward I and Edward II, see Fitz-Thedmar, *De antiquis liber legibus*, 159–60; *Annales Londinienses*, in *Chronicles of the Reigns of Edward I. and Edward II.*, ed. William Stubbs, 2 vols. (London, 1882–83), 1.1–251, at 133; *Calendar of Letter-Books Preserved among the Archives of the Corporation of the City of London at the Guildhall*, ed. Reginald R. Sharpe, 11 vols. (London: J. E. Francis, 1899–1912), C.141 (a. 1305), D.249–50 (a. 1311), and E.52 (a. 1315); and Lloyd, *Wool Trade*, 100–8.

27. Gerald of Wales, *Instruction for a Ruler (De principis instructione)*, ed. and trans. Robert Bartlett (Oxford: Clarendon Press, 2018), 488–95, §2.13.

28. See the essays gathered in Sarah Rees Jones and Sethina Watson, eds., *Christians and Jews in Angevin England: The York Massacre of 1190, Narratives and Contexts* (York: York Medieval Press, 2013); along with Robert C. Stacey, "Crusades, Martyrdoms, and the Jews of Norman England, 1096–1190," in *Juden und Christen zur Zeit der Kreuzzüge*, ed. Alfred Haverkamp (Sigmaringen: Thorbecke, 1999), 233–51; and Mundill, *King's Jews*, 75–83, with further references.

29. Jocelin of Brakelond, *Chronica . . . de Rebus Gestis Samsonis Abbatis*, ed. John Rokewode (London: Camden Society, 1840), 33; English translation from *Chronicle of the Abbey of Bury St. Edmunds*, trans. Diana Greenway and Jane Sayers (Oxford: Oxford University Press, 1989),

41–42. Several other Jewish communities in East Anglia that had traditionally fallen under local seigneurial jurisdiction similarly disappeared in the years around 1190, but the evidence is oblique and the chronology unclear; see Robert C. Stacey, “Jews and Christians in Twelfth-Century England: Some Dynamics of a Changing Relationship,” in *Jews and Christians in Twelfth-Century Europe*, eds. Michael A. Signer and John van Engen (Notre Dame, IN: Notre Dame University Press, 2001), 340–54, at 350; and Joe Hillaby, “Jewish Colonisation in the Twelfth Century,” in *The Jews in Medieval Britain: Historical, Literary, and Archaeological Perspectives*, ed. Patricia Skinner (Rochester, NY: Boydell Press, 2003) 15–40.

30. The indebtedness argument goes back to Joseph Jacobs, *The Jews of Angevin England* (London: Putnam, 1893), 141, and persists in later work, for example, Robin R. Mundill, “Medieval Anglo-Jewry: Expulsion and Exodus,” in *Judenvertreibungen in Mittelalter und früher Neuzeit*, eds. Friedhelm Burgard, Alfred Haverkamp, and Gerd Mentgen (Hanover: Hahnsche Buchhandlung, 1999), 75–97, at 81–82. For other arguments (and references to other recent scholarship), see Michael Widner, “Samson’s Touch and a Thin Red Line: Reading the Bodies of Saints and Jews in Bury St Edmunds,” *Journal of English and Germanic Philology* 111, no. 3 (2012), 339–59; and especially E. M. Rose, *The Murder of William of Norwich: The Origins of Blood Libel in Medieval Europe* (New York: Oxford University Press, 2015), 187–206.

31. For other instances of Samson forcefully defending the abbey’s liberties, see Antonia Gransden, *A History of the Abbey of Bury St Edmunds, 1182–1256: Samson of Tottington to Edmund of Walpole* (Woodbridge, UK: Boydell Press, 2007), 39, 51–55. On royal jurisdiction over Jews, see Stacey, “Jews and Christians,” 349–51.

32. See generally Henry G. Richardson, *The English Jewry under Angevin Kings* (London: Methuen, 1960), 168–72. John’s measures are paralleled by the arrest and despoliation of Jews ordered by Philip Augustus of France that same year, as noted in William Chester Jordan, *The French Monarchy and the Jews, from Philip Augustus to the Last Capetians* (Philadelphia: University of Pennsylvania Press, 1989), 63–68.

33. Roger of Wendover, *Chronica, sive Flores historiarum*, ed. Henry Coxe, 4 vols. (London: English Historical Society, 1841–42), 3, 231–32; Matthew Paris, *CM*, 2, 531.

34. *Rotuli litterarum clausurarum in Turri londinensi asservati*, ed. Thomas Hardy, 2 vols. (London: Eyre & Spottiswoode, 1833–44), 1.186b (a mandate to the Keeper of the Jews dated February 1214), with reference to the “poor Jews who have left England.” Many might have fled to Brittany; see Jordan, *French Monarchy*, 70–1.

35. Richardson, *English Jewry*, 287 and 291–92.

36. Richardson, *English Jewry*, 293–94; translation from *English Historical Documents*, vol. 3: 1189–1327, ed. Harry Rothwell (London: Eyre & Spottiswoode, 1975), 350, no. 28.

37. For its initial discovery, see H. G. Richardson, “Glanville Continued,” *Law Quarterly Review* 54 (1938), 381–99. For a recent discussion of its moneylending provisions, see Dean A. Irwin, “The Materiality of Debt to Jews in England, 1194–1276,” *Jewish Historical Studies* 49, no. 1 (2017), 56–71.

38. Lateran IV, c. 67 (*Quanto amplius*; COGD 2.1.198). The specific provisions may also have been modelled on earlier French legislation; see Nicholas Vincent, “Jews, Poitevins, and the Bishop of Winchester, 1231–1234,” in *Christianity and Judaism. Papers Read at the 1991 Summer Meeting and the 1992 Winter Meeting of the Ecclesiastical History Society*, ed. Diana Wood (Oxford: Blackwell, 1992), 119–32, at 126 and 130.

39. *Patent Rolls of the Reign of Henry III Preserved in the Public Record Office*, 6 vols. (London: H. M. Stationery Office, 1901–03) [hereafter *PR Henry III*], 3.12–13; and see Robert C. Stacey, “Royal Taxation and the Social Structure of Medieval Anglo-Jewry: The Tallages of 1239–1242,” *Hebrew Union College Annual* 56 (1985), 175–249, at 178–79.

40. For Jewish “service” in thirteenth-century English political and theological discourse, see John A. Watt, “The Jews, the Law, and the Church,” 153–72; and Anna Sapir Abulafia, “Notions of Jewish Service in Twelfth- and Thirteenth-Century England,” in *Christians and Jews in Angevin England*, 204–21. For Continental uses of the term, see David Abulafia, “The Servitude of Jews and Muslims in the Medieval Mediterranean: Origins and Diffusion,” *Mélanges de l’École française de Rome, Moyen-Âge*, 112, no. 2 (2000), 687–714; and William Chester Jordan, “Jew and Serf in Medieval France Revisited,” in *Jews, Christians, and Muslims in Medieval and Early Modern Times. A Festschrift in Honor of Mark R. Cohen*, eds. Arnold E. Franklin et al. (Leiden: Brill, 2014), 248–56.

41. For the languages of medieval England’s Jewish community, see Stacey, “Jews and Christians,” 343–44.

42. Abjuration likewise involved a terminal date for departure, but otherwise the procedural parallels are much weaker; see Jordan, *From England to France*, 7–32.

43. See Sheilagh Ogilvie, *Institutions and European Trade: Merchant Guilds, 1000–1800* (Cambridge: Cambridge University Press, 2011), 288–89, with further references.

44. For the evolution of Jewish legal status and its implications, see Paul Brand, “Jews and the Law in England, 1275–90,” *English Historical Review* 115, no. 464 (2000), 1138–58. For English legal conceptions of foreignness, see Keechang Kim, *Aliens in Medieval Law: The Origins of Modern Citizenship* (Cambridge: Cambridge University Press, 2000); and Christian D. Liddy, *Contesting the City: The Politics of Citizenship in English Towns, 1250–1530* (Oxford: Oxford University Press, 2017).

45. *PR Henry III*, 1.180–81; *CR Henry III*, 5.275, 339; J. M. Rigg, *Select Pleas, Starrs, and Other Records from the Rolls of the Exchequer of the Jews, A.D. 1220–1284* (London: Quaritch, 1902), xviii; *CR Henry III*, 7.312–13.

46. Matthew Paris, *CM*, 5.441; *CR Henry III*, 9.227 (4 October 1255).

47. See Orderic Vitalis, *Ecclesiastical History*, 3.344–356; and *Liber Eliensis*, ed. E. O. Blake (London: Royal Historical Society, 1962), 266, §3.33.

48. Chris Briggs, *Credit and Village Society in Fourteenth-Century England* (Oxford: Oxford University Press, 2009), has convincingly demonstrated the ubiquity of small-scale lending in the later Middle Ages, but the evidence for earlier periods is inconclusive.

49. See Joseph Jacobs, “Aaron of Lincoln,” *Transactions of the Jewish Historical Society of England* 3 (1896–98), 157–59; and Nick Barratt, “The English Revenue of Richard I,” *English Historical Review* 116, no. 467 (2001), 635–56, at 637.

50. For the arguments in this paragraph, I follow Robert C. Stacey, “Jewish Lending and the Medieval English Economy,” in *A Commercialising Economy: England 1086 to c. 1300*, eds. Richard H. Britnell and Bruce M. S. Campbell (Manchester: Manchester University Press, 1995), 78–101.

51. This view has recently been challenged by Julie Mell, *The Myth of the Medieval Jewish Moneylender*, 2 vols. (New York: Palgrave Macmillan, 2017). For reservations about her analysis of the English material, see my review, “On Myths and Moneylenders,” *Marginalia: Los Angeles*

Review of Books (22 May 2020) <https://marginalia.lareviewofbooks.org/on-myths-and-moneylenders/>.

52. See Richardson, *English Jewry*, 118–34 (on the *archae* system), and 161–75 (on tallages); along with Robert C. Stacey, “1240–60: a Watershed in Anglo-Jewish Relations?” *Historical Research* 61 (1988), 135–50, at 136–37.

53. See the thorough discussion in Hazel Gray, “Money Lending in Twelfth-Century England” (PhD dissertation, King’s College London, 2007), especially 56–60 (on fitzSawin) and 97–128 (on Cade); I am grateful to the author for sharing her unpublished work with me. For Cade, see also Amt, *Accession of Henry II*, 94–98. For fitzIsabel, see Jocelin of Brakelond, *Chronica*, 2. For Gervase, see William of Canterbury, *Vita et passio S. Thomae*, in *Materials for the History of Thomas Becket*, 1.100; and Joe Hillaby, “London: The Thirteenth-Century Jewry Revisited,” *Jewish Historical Studies* 32 (1990–92), 89–158, at 104.

54. Stacey, “Jewish Lending,” 90–2; Gaston Dept, “Les marchands flamands et le roi d’Angleterre,” *Revue du Nord* 48 (1926), 303–24, at 319–22.

55. For Osbert of Clare’s reworking, see Bloch, “La vie de s. Édouard,” 67. For the second recension of the *Laga Edwardi*, see O’Brien, *God’s Peace*, 44–61; and his revised dating in “Legal Treatises as Perceptions of Law in Stephen’s Reign,” in *King Stephen’s Reign (1135–1154)*, eds. Paul Dalton and Graeme J. White (Woodbridge, UK: Boydell, 2008), 182–95, at 187.

56. Westminster (1125), c. 14: in *Councils and Synods, with other Documents Relating to the English Church*, eds. Christopher R. Cheney et al., 2 vols. (Oxford: Clarendon Press, 1964–81), 1.2.741; Westminster (1138), c. 9, in *Councils and Synods*, 1.2.776. In 1175, the English bishops considered a general ban on Christian usury, but the draft text was omitted from the final version of the provincial canons: see Westminster (1175): in *Councils and Synods*, 1.969, 979; together with Mary G. Cheney, “The Council of Westminster, 1175: New Light on an Old Source,” *Studies in Church History* 11 (1975), 61–68.

57. For the bishop of Poitiers, see *Materials for the History of Thomas Becket*, ed. Robertson, 5.38 (*Epistolae*, no. 25); for the Constitutions of Clarendon, see *Select Charters*, eds. Stubbs/Davis, 167, §15. Henry II’s efforts are discussed in an unpublished paper of Robert C. Stacey, “The Becket Conflict and the Origins of Crown Jurisdiction over Usury,” first presented at the 1998 Annual Meeting of the American Society for Legal History and then revised in January 2002. I am grateful to the author for his kindness in sharing this paper with me.

58. Orderic Vitalis, *Ecclesiastical History*, 3.344–56. In the second version, he is accused only of theft, or, to be precise, of concealing hidden treasure that rightly belonged to the king; see *Liber Eliensis*, 267, §3.33.

59. The earliest reference to Godfrey is found in 1164/65; his outstanding fine was then recorded every year until 1174/75; see *The Great Roll of the Pipe for the Eleventh Year of the Reign of King Henry the Second, A.D. 1164–1165* (London: Wyman, 1887), 65; and *The Great Roll of the Pipe for the Twenty-First Year . . . A.D. 1174–1175* (London: Wyman, 1887), 22.

60. The confiscated chattels of two Cornish usurers, for instance, amounted to only 8 shillings each; see *The Great Roll of the Pipe for the Thirtieth Year . . . A.D. 1183–1184* (London: St. Catharine Press, 1912), 89.

61. *The Treatise on the Laws and Customs of the Realm of England, Commonly Called Glanvill*, ed. G. D. G. Hall (London: Nelson, 1965), 89, §7.16; *Dialogus de Scaccario / The Dialogue of the Exchequer*, ed. and trans. Emilie Amt (Oxford: Oxford University Press, 2007), 146–51. *Glanvill*

suggests that the Crown might confiscate the usurer's entire estate (*res omnes*), but the *Dialogue* specifies that only money and movables were to fall to the fisc.

62. Richard H. Helmholz, "Usury and the Medieval English Church Courts," *Speculum* 61, no. 2 (1986), 364–80, especially 368–70, where he observes that for all the canonistic denunciations of usury, usury trials formed a comparatively small part of the routine business of ecclesiastical courts.

63. Robert C. Stacey, "King Henry III and the Jews," in *Jews in Medieval Christendom: "Slay Them Not,"* eds. Kristine T. Utterback and Merrall Llewelyn Price (Leiden: Brill, 2013), 117–27; Stacey, "The Conversion of Jews to Christianity in Thirteenth-Century England," *Speculum* 67, no. 2 (1992), 263–83; Stacey, "Watershed," 135–50; and Brand, "Jews and the Law," 1140–43.

64. John A. Watt, "The English Episcopate, the State, and the Jews: the Evidence of the Thirteenth-Century Conciliar Decrees," *Thirteenth Century England* 2 (1988), 137–47.

65. Thomas of Chobham, *Summa confessorum*, ed. F. Broomfield (Louvain: Nauwelaerts, 1968), art. 7, dist. 6, q. 11a, c. 3 (at p. 510). The work was completed ca. 1216.

66. Thomas of Chobham, *Liber poenitentialis* (Louvain: Johannes de Westfalia, 1483 × 1485), c. 172. John Baldwin considered the logic of the later version (which was also the basis for the two incunabular printings) to be more cogent and hence more representative of Chobham's original text; see his *Masters, Princes, and Merchants: The Social Views of Peter the Chanter and his Circle*, 2 vols. (Princeton, NJ: Princeton University Press, 1970), 2.204–5. Even the earliest witness of the so-called "improved recension," however, has the king protecting his subjects from the Jews. I am grateful to Dr. Linda Stone for checking the readings in London, British Library, Royal 8.A.XV, f. 116v (the earliest exemplar of the text) and Arundel MS 167, f. 45vb (the earliest exemplar of the "improved recension").

67. On the idea (and myth) of the "royal alliance," see Yosef Hayim Yerushalmi, "'Serviteurs des rois et non serviteurs des serviteurs.' Sur quelques aspects de l'histoire politique des Juifs," *Raisons politiques* 7, no. 3 (2002), 19–52.

68. Montfort's charter is printed in John Nichols, *The History and Antiquities of the County of Leicester*, 4 vols. (London: John Nichols, 1795), 1/1, Appendix, 38 (no. 130). It was issued sometime between August 1231 and October 1232, and therefore likely predates another charter that he issued in June/July 1232; see Nicholas Vincent, "Simon de Montfort's First Quarrel with Henry III," *Thirteenth Century England* 4 (1991), 167–77.

69. For Grosseteste's response, see his *Epistolae*, ed. Henry Richards Luard (London: Longman, 1861), 33–38; reprinted with an English translation by F. A. C. Mantello and J. W. Goering in "Roberti Grosseteste epistola quinta," in *Robert Grosseteste and the Beginnings of a British Theological Tradition*, ed. Maura O'Carroll (Rome: Istituto storico dei Cappuccini, 2003), 194–200.

70. Whether Grosseteste studied in Paris remains a matter of controversy, but his writings on usury reflect a thorough knowledge of the works of Peter the Chanter and others in his circle. See Matthew Paris, *CM*, 5.404; and J. W. Goering, "When and Where did Grosseteste Study Theology?," in *Robert Grosseteste: New Perspectives on his Thought and Scholarship*, ed. James McEvoy (Turnhout: Brepols, 1995), 17–51.

71. Marcel and Christine Dickson, "Le Cardinal Robert de Courson: Sa Vie," *Archives d'histoire doctrinale et littéraire du moyen âge* 9 (1934), 53–142, at 101; French influences are noted in John Maddicott, *Simon de Montfort* (Cambridge: Cambridge University Press, 1994), 15.

72. Monique Zerner, "L'épouse de Simon de Montfort et la croisade albigeoise," in *Femmes—Mariages—Lignages (XIII^e–XIV^e siècles): Mélanges offerts à Georges Duby* (Brussels: De Boeck Université, 1992), 449–70, at 461. Joseph Shatzmiller was the first to draw attention to this episode, recorded among some additions to the chronicle of Solomon ibn Verga: *Sefer Shevet Yehudah*, ed. Azriel Shohat (Jerusalem: Bialik Institute, 1947), 148.

73. See Rotuli *Litterarum Clausarum*, 2.123; and Joe and Caroline Hillaby, *The Palgrave Dictionary of Medieval Anglo-Jewish History* (Houndmills, UK: Palgrave Macmillan, 2013), 197–99, s.v. "Leicester".

74. See Vincent, "Jews, Poitevins, and the Bishop of Winchester," 119–32.

75. See, for instance, John Tolan, "Juifs du roi," 64; and similarly Ira Katznelson, "To Give Counsel and to Consent: Why the King (Edward I) Expelled His Jews (in 1290)," in *Preferences and Situations: Points of Intersection Between Historical and Rational Choice Institutionalism*, eds. Ira Katznelson and Barry R. Weingast (New York: Russell Sage Foundation, 2005), 88–126, at 107.

76. Maddicott, *Simon de Montfort*, 16–8; Vincent, "Montfort's first quarrel," 167–77.

77. *Calendar of the Fine Rolls of the Reign of Henry III Preserved in The National Archives*, eds. Paul Dryburgh and Beth Hartland, 3 vols. (Woodbridge, UK: Boydell Press, 2007–09), 2.550 (18 Henry III, §245). The English mark was a unit of account, valued at 160 pence (that is, two-thirds of a pound).

78. *CR Henry III*, 2.515–6 (11 September 1234). For an exemption granted to the newly arrived Jews in Berkhamsted, see *CR Henry III*, 3.46.

79. *CR Henry III*, 2.515–16 & 592 (Warwick), 3.20 (Wycombe, Buckinghamshire), 3.425 (Northampton), 5.149 (Newbury and Speenhamland, Berkshire). It is likely that a Southampton expulsion privilege rested on similar grounds; see *CR Henry III*, 3.275. Jews returned to both Warwick and Wycombe within a few years. For the 1253 Statute of the Jewry, see *CR Henry III*, 7.312–13, §12.

80. See *Calendar of the Liberate Rolls Preserved in the Public Record Office*, 6 vols. (London: H. M. Stationery Office, 1916–64) [hereafter *CLR*], 1.243, 280, 359; *PR Henry III*, 3.147, 232; William E. Lunt, *Financial Relations of the Papacy with England*, 2 vols. (Cambridge, MA: Mediaeval Academy of America, 1939–62), 1.599–603. The evidence concerning papal finances during this period is, however, extremely spotty.

81. Matthew Paris, *CM*, 4.8.

82. The Patent Rolls for 23–24 Henry III (October 1238–October 1240) are lost, as are the Close Rolls for 23 Henry III (October 1238–October 1239).

83. Kew, National Archives, Public Record Office [hereafter *PRO*], C 62/13 m. 7 (28 August 1239); summary in *CLR* 1.411. I would like to note my appreciation for the efforts of Bob Palmer in making publicly available digital scans of many medieval English records through the *Anglo-American Legal Tradition* website (<http://aalt.lawuh.edu>).

84. *CR Henry III*, 4.160. The entry in the Close Rolls notes that the decision "concerned a certain Sieneſe merchant" whose name ("Chace Cunte Kavelcan") was clearly mangled by the scribe (I have confirmed the reading in *PRO* C 54/50 m. 19). The last name is almost certainly an abbreviation of "Cavalcanti," in which case the subsequent papal intervention in this case may have been related to the fact that the imprisoned merchant was not Sieneſe but Florentine, and furthermore a member of a solidly Guelph family, best known for a later scion's imagined

encounter with Dante (*Inferno* 10.52–72). For the mercantile activities of the Cavalcanti family in the early thirteenth century, see von Roon-Bassermann, "Florentiner Handelsgesellschaften," 99–102.

85. Royal interest in the Sieneese merchants' business dealings might have been sparked by a papal bull issued earlier that year barring prelates from repaying their debts to Sieneese creditors, as punishment for the city's Ghibelline sympathies, but this would not in itself explain the royal decision to arrest them; see *Epistolae saeculi XIII e regestis pontificorum selectae*, ed. Carl Rodenberg, 3 vols. (Berlin: Weidmann, 1883–94), 1.642, no. 744.

86. Robert C. Stacey, *Politics, Policy, and Finance under Henry III, 1216–1245* (Oxford: Clarendon Press, 1987), 144–55. The king repeatedly imposed heavy tallages on the Jews between 1239–1241; full references are given in Stacey, "English Jews under Henry III," in *Jews in Medieval Britain*, 49.

87. *CR Henry III*, 4.239.

88. PRO E 159/18 rot. 19d (Memoranda Roll, 24 Henry III, 12 July 1240). This entry reveals that a usury ban was issued sometime before Easter 1240, and that an expulsion order targeting the Sieneese in July 1240 was only an expedited version of a more comprehensive expulsion order targeting foreign merchants, with Easter 1241 as its deadline. Neither the usury ban nor the general expulsion order has previously been noted, which may be due to the loss of the Patent Rolls for most of this period. (I am grateful to Bob Stacey for sharing his thoughts on this text.) A royal proclamation of July 14 (*CR Henry III*, 4.239) then specified November 11 as the departure date for Roman, Bolognese, and Florentine merchants. For ongoing Florentine financial activity during this grace period, see Whitwell, "Italian Bankers," Appendix D, 230; and *CLR*, 1.502. Four Sieneese merchants were later allowed to remain in the kingdom until they had collected their outstanding debts; see PRO C 66/49 m. 12 (17 November 1240); summary in *PR Henry III*, 3.239.

89. See Stacey, *Henry III*, 135. Rogers Ruding assumed that the resident Italian merchants were indeed expelled in 1240 and further suggested that they did not return until 1250; see his *Annals of the Coinage of Great Britain and its Dependencies*, 3rd ed., 3 vols. (London: Hearne, 1840), 1.183 n.3. Some recent scholars continue to follow him in this error, for example, Diana Wood, *Medieval Economic Thought* (Cambridge: Cambridge University Press, 2002), 171.

90. For Florentine activity: *PR Henry III*, 3.244, 255, 270, 275–6, 366, 375; *CR Henry III*, 4.283 and 5.38; *CLR* 2.81 (25 October 1241); *Rôles Gascons, 1242–1307*, ed. Francisque Michel, 3 vols. (Paris: Imprimerie nationale, 1885–1906), 1.117, 128, 161; and *Curia Regis Rolls of the Reign of Henry III Preserved in the Public Record Office*, vol. 18: 27 to 30 Henry III (1243–1245), ed. Paul Brand (Woodbridge, UK: Boydell Press, 1999), 89, no. 475. For Sieneese activity: *PR Henry III* 3.255, 272; *CLR* 2.17, 83; *Rôles Gascons*, 1.161. An entry in the Close Rolls concerns the theft of money from a Bolognese merchant, but it is unclear whether the merchant himself was still in the realm when the entry was recorded; see *CR Henry III*, 4.282.

91. *Treatise on the Laws*, ed. Hall, 89, §7.16. Although Hall translates the passage as "no living person can be appealed or convicted of the crime of usury," I take *non solet* slightly less forcefully, following Paul Hyams, "The Common Law and the French Connection," in *Proceedings of the Battle Conference on Anglo-Norman Studies (4th: 1981)*, ed. R. Allen Brown (Woodbridge, UK: Boydell Press, 1982), 77–92, at 82–83.

92. PRO C 60/42 (Fine Rolls 29 Henry III), m. 9, no. 309 (20 May 1245), accessible online through David Carpenter et al., eds., *Henry III Fine Rolls Project*, <http://finerollshenry3.org.uk>.

93. *CR Henry III*, 5.314, 319.

94. PRO C 66/50 m. 10 (13 February 1242); summary in *PR Henry III*, 3.272.

95. Mavis Mate, "The Indebtedness of Canterbury Cathedral Priory, 1215–95," *Economic History Review*, ser. 2, 26, no. 2 (1973), 183–97, at 185. Interest charges are almost never mentioned explicitly in the surviving royal accounts; a rare exception is found in *PR Henry III*, 4.629.

96. *CR Henry III*, 4.414.

97. John of Oxnead (att.), *Chronica de Johannes de Oxenedes*, ed. Henry Ellis (London: Longman, 1859), 174.

98. *CR Henry III*, 5.242. It is possible that the prohibition concerned only loans contracted with foreign merchants. This is suggested by an exemption granted in April 1245, which referred to "the king's prohibition against anyone contracting loans with the merchants beyond the seas" (*inhibitione regis facta omnibus de regno regis ne mutuum aliquod contrahant cum mercatoribus de partibus transmarinis*)—though this phrase might instead refer to the 1240 prohibition. See PRO C 66/56 m. 6 (24 April 1245); summary in *PR Henry III*, 3.452.

99. *The London Eyre of 1244*, eds. Helena M. Chew and Martin Weinbaum (Leicester: London Record Society, 1970), 7–8, nos. 21 and 34. Bracton follows almost verbatim the question concerning deceased usurers: *Bracton on the Laws and Customs of England*, ed. George E. Woodbine, rev. and trans. Samuel E. Thorne, 4 vols. (Cambridge, MA: Belknap Press, 1968), 2.330–31.

100. *London Eyre of 1244*, 7, 93, 126, 130 (nos. 202, 231, 314, 327). For a discussion of usury questions in the eyres, see Gwen Seabourne, *Royal Regulation of Loans and Sales in Medieval England: "Monkish Superstition and Civil Tyranny"* (Woodbridge, UK: Boydell Press, 2003), 49–51.

101. *CLR* 2.309; *CR Henry III*, 5.314–15. For Jewish parallels, see the discussion of the "Worcester Parliament" in Stacey, "Royal Taxation," 189–95. The inclusion of the Cahorsins here is odd, since they had fallen under French royal jurisdiction nearly two decades earlier. Whether this reflects the enduring association between the Cahorsins and their Italian counterparts (shifts in political geography notwithstanding), or administrative sloppiness, is unclear.

102. *CR Henry III*, 5.319; *PR Henry III*, 3.455, 470–71.

103. *CR Henry III*, 6.520 and 7.57, recalling an earlier (now-lost) prohibition of 24 September 1251 and ordering the release of some merchants (though their confiscated property remained in royal hands). There is no evidence to suggest that any of the Italians were expelled, despite T.H. Lloyd's repeated assertions; see his *Wool Trade*, 42; and *Alien Merchants in England in the High Middle Ages* (Sussex: Harvester Press, 1982), 171.

104. Matthew Paris, *CM*, 5.245–46.

105. *CR Henry III*, 7.3; *PR Henry III*, 4.131; *The Wardrobe Accounts of Henry III*, ed. Benjamin Linley Wild (London: Pipe Roll Society, 2012), 76–77. For evidence of renewed Italian lending; see Matthew Paris, *CM*, 6.220–1, no. 110.

106. *PR Henry III*, 4.198, 221; *CR Henry III*, 7.479, 485–6; *CR Henry III*, 8.259. Exemptions were granted for associates of the Florentine della Scala firm and the Siense Scotti-Tolomei firm. For subsequent Willelmi activity, see *PR Henry III*, 4.330, 358, 379; see also Lloyd, *Wool Trade*, 41–2. The Siense Federico Orlandi and Gentil Gentil returned to the realm by summer 1256; see *CR Henry III*, 9.428–29.

107. *PR Henry III*, 5.218; *CR Henry III*, 9.384, 12.131; and PRO C 54/71 m. 18d, with summary in *Calendar of Documents, relating to Ireland . . .*, ed. H. S. Sweetman, 5 vols. (London: Longman,

1875–86), 2.79, no. 485. The Sienese expulsion is referenced in a temporary safe-conduct granted at papal request to associates of the Sienese Bonsignori firm; see Rymer, *Foedera*, 1.414; PRO SC 1/15/200 (5 January 1262); and PRO E 36/274, f. 248r (14 May 1262). Other Sienese merchants who returned that spring were soon forced to flee the realm, out of fear that Henry III would enforce the sanctions of an even harsher papal bull: see Edward D. English, *Enterprise and Liability in Sienese Banking, 1230–1350* (Cambridge, MA: Medieval Academy of America, 1988), 28–29; and Cesare Paoli and Enea Piccolomini, eds., *Lettere volgari del secolo XIII scritte da Senesi* (Bologna: Romagnoli, 1871), 25–48, at 41.

108. Petition of the Barons (May 1258), in *DBM*, 76–91, at 86–89, no. 3, §26. For the drafting of the Petition, see Paul Brand, “The Drafting of Legislation in Mid Thirteenth-Century England,” *Parliamentary History* 9, no. 2 (1990), 243–85. See also the letter from a member of the King’s Court about the Oxford Parliament (ca. 18 July 1258), in *DBM*, 90–7 (no. 4), at 94–97, which notes that the barons were soon to “make provision at London together with the lord king, on many matters touching aliens (*alienigenas*), both Romans and merchants, money-changers, and others.”

109. Matthew Paris, *CM*, 5.702, 725. An ensuing inquest of the realm included Christian usurers among the topics to be investigated, but this was in keeping with earlier eyre developments, as noted above; see Matthew Paris, *CM*, 6.397–400, no. 204.

110. Arnold Fitz-Thedmar, *De antiquis liber legibus, Cronica maiorum et vicecomitum londoniarum* (London: Camden Society, 1846), 55; *Flores historiarum* (ed. Luard), 2.481; Dunstable Annals, in *Annales monastici*, ed. H. R. Luard, 5 vols. (London: Longman, 1864–69), 3.224; Carpenter, “Henry III’s ‘Statute,’” 931–32 and 943–44.

111. As noted in Huw W. Ridgeway, “King Henry III and the ‘Aliens,’ 1236–1272,” in *Thirteenth Century England II: Proceedings of the Newcastle Upon Tyne Conference 1987*, eds. Peter R. Cross and Simon D. Lloyd (Woodbridge, UK: Boydell and Brewer, 1988), 81–92, at 90.

112. *PR Henry III*, 5.279; Fitz-Thedmar, *De antiquis liber legibus*, 62; *Ex annalibus normannicis*, in *MGH SS 26 (Ex rerum Francogallicarum Scriptoribus)*, ed. Oswald Holder-Egger (Hanover: Hahn, 1882), 512–17, at 515; *DBM*, 299, no. 40; and Carpenter, “Henry III’s ‘Statute,’” 939–42.

113. For the most detailed contemporary account, see the Chronicle of Thomas Wykes, in *Annales monastici*, 4.141–43. The rumors are reported in the Dunstable Annals; see *Annales monastici*, 3.230. The impact on London’s Jewish community is made clear in Hillaby, “London: The Thirteenth-Century Jewry Revisited,” 89–158.

114. *DBM*, 86–7 (no. 4, §25), 108–9 (no. 5, §17), and 154–55 (no. 11, §23). Notably, the reform of Jewish moneylending went unmentioned among the peace conditions imposed by Montfort in the summer of 1264; see *DBM*, 295–301, no. 40.

115. PRO E 159/33 m. 10; Maddicott, *Simon de Montfort*, 315–16.

116. *Flores historiarum*, ed. Luard, 2.481.

117. William of Newburgh reports a popular rumor that Richard I was planning to eliminate (*exterminare*) England’s Jews before setting forth on crusade; see his *Historia rerum anglicarum*, ed. Howlett, 1.295, §IV.i. Imaginary Jewish fears of expulsion are also ventriloquized in Thomas of Monmouth’s *Life and Miracles of William of Norwich*, ed. Augustus Jessopp and Montague Rhodes James (Cambridge: Cambridge University Press, 1896), 25 (§I.vi); see also the new translation by Miri Rubin, *The Life and Passion of William of Norwich* (London: Penguin, 2014), 19.

Chapter 3: Inventing Expulsion in France, 1144–1270

1. The original manuscript, compiled by the royal clerk Jean de Caux around 1286, was already recorded as lost in 1318. For its surviving table of contents, see Charles-Victor Langlois, "Formulaires de lettres du XII^e, du XIII^e, et du XIV^e siècle. 6: Les plus anciens formulaires de la chancellerie de France," *Notices et extraits des manuscrits de la Bibliothèque nationale* 35, part 2 (1897), 793–830. I am grateful to Peggy Brown for her advice on this text.

2. Langlois, "Formulaires," §341–46. Additional entries concerning Jews appear at §190 (in the context of royal investigations) and §319 (in a sequence of Louis IX's ordinances). For the corresponding Lombard ordinance, see *Ordonnances des roys de France de la troisième race . . .*, eds. Eusèbe Jacob de Laurière et al., 23 vols. (Paris: Imprimerie royale, 1723–1849) [hereafter *Ord.*], 1.96.

3. See, for instance, the running headers in early modern copies of French administrative records that group texts according to the category of "Juifs, Lombards, et usuriers" (evidently following the practices of the lost *Mémoriaux* volumes of the *Chambre des comptes*): for example, Paris, Archives nationales [hereafter AN], P 2289, pp. 86–130; AN P 2290, pp. 79–86, 99–104; AN P 2294, pp. 417–20, 461; Paris, BnF, Baluze 14, ff. 45–46. The same pairing is found in contemporary records from Burgundy, Lorraine, and other nearby regions.

4. Further expulsions would be ordered by Philip III, Philip IV, Charles IV, and Philip VI; see *Ord.* 1.298–99, 484–91, 494–95, 794–96, 800–2; and Eusèbe Jacob de Laurière, *Table chronologique des ordonnances faites par les rois de France de la troisième Race depuis Hugues Capet, jusqu'en 1400* (Paris: Imprimerie royale, 1706), 165–66. These fourteenth-century cases are absent from the table of comparative Jewish and Lombard expulsion orders in Juliette Sibon, *Chasser les juifs pour régner* (Paris: Perrin, 2016), 239–41.

5. See Hanna Zaremska, *Les bannis au Moyen Âge*, trans. Thérèse Douchy (Paris: Aubier, 1996), 65–110; and Kenneth Meredith, "The Penalty of Banishment in Medieval France and England" (PhD dissertation, University of Virginia, 1979), 318–441. For acknowledgement of the royal prerogative in customary law, see Philippe de Beaumanoir, *Coutumes de Beauvaisis*, ed. Amédée Salmon, 2 vols. (Paris: Picard, 1889–1900), 2.277–78 (c. 51, §1536); Engl. tr. *The "Coutumes de Beauvaisis" of Philippe de Beaumanoir*, trans. F. R. P. Akehurst (Philadelphia: University of Pennsylvania Press, 1992), 552–53.

6. Claire Weeda, "Ethnic Stereotyping in Twelfth-Century Paris," in *Difference and Identity in Francia and Medieval France*, eds. Meredith Cohen and Justine Firnhaber-Baker (Farnham, UK: Ashgate, 2010), 115–35.

7. See, for instance, the 1256 imprisonment of Astigiani recorded in Ogerio Alfieri, *Fragmenta de gestis Astensium excerpta ex libro civis astensis*, ed. Luigi Cibrario, in *Monumenta Historiae Patriae*, t. 5: *Scriptores*, 3 (Turin: Tip. Regis, 1848), cols. 673–96, at 678.

8. See William of Puylaurens, *Chronique*, ed. and trans. Jean Duvernoy (Paris: Éditions du CNRS, 1976), 4.4, §7; *Layettes du Trésor des chartes*, eds. Alexandre Teulet et al., 5 vols. (Paris: Plon, 1863–1909), 1.279; and other examples cited in Julien Havet, "L'hérésie et le bras séculier au Moyen Âge jusqu'au treizième siècle," *Bibliothèque de l'École des chartes* 41 (1880), 488–517, 570–607.

9. The earliest French royal edict on heresy (which tacitly endorsed execution by fire) dates to 1226/27; see *Ord.* 12.319–20; and Havet, "L'hérésie," 169–71, 513–15, 593–95. For the Crown of

Aragon, see Serge Grau Torras et al., eds., *L'herètica pravitat a la Corona d'Aragó: Documents sobre càtars, valdesos i altres heretges (1155–1324)*, 2 vols. (Barcelona: Fundació Noguera, 2015), 73–79 (docs. 10, 12).

10. Paris, AN, K 23, no. 11 (*anc. AE II*, no. 154); edited in Jules Tardif, *Monuments historiques. Cartons des rois, 528–1789* (Paris: Cayce, 1866), 256, no. 470.

11. As first noted by Kenneth R. Stow, *Jewish Dogs: An Image and its Interpreters* (Stanford, CA: Stanford University Press, 2006), 90–91. For Louis VII's approach toward Jews, see Robert Chazan, *Medieval Jewry in Northern France: A Political and Social History* (Baltimore: Johns Hopkins University Press, 1973), 30–62; and Gérard Nahon, "From the *Rue aux Juifs* to the *Chemin du Roy*: The Classical Age of French Jewry, 1108–1223," in *Jews and Christians in Twelfth-Century Europe*, eds. Michael A. Singer and John Van Engen (Notre Dame, IN: University of Notre Dame Press, 2001), 311–39, at 326–29.

12. Achille Luchaire, *Études sur les actes de Louis VII* (Paris: Picard, 1885), 7. Gavin Langmuir too quickly dismissed its significance in his discussion of early Capetian lawmaking, though it is true that "effective general legislation"—of a sort acknowledged by all later rulers—would appear only in 1230; see his "'Judei nostri' and the Beginning of Capetian Legislation," *Traditio* 16 (1960), 203–39.

13. See Kenneth R. Stow, "Conversion, Apostasy, and Apprehensiveness: Emicho of Flonheim and the Fear of Jews in the Twelfth Century," *Speculum* 76, no. 4 (2001), 911–33; and Alfred Haverkamp, "Baptised Jews in German Lands during the Twelfth Century," in *Jews and Christians in Twelfth-Century Europe*, 255–310.

14. Its opening words (*Peruenit ad nos*) were a staple of papal correspondence, while the address "to all the faithful of the Church of God (*universis Dei ecclesie fidelibus*)" appears regularly in episcopal documents from the 1140s and 1150s. Neither of these phrases is otherwise associated with contemporary documents produced in the French royal chancery.

15. *Cod.* 1.7.6. For Louis VII's use of Roman law, see Éric Bournazel, *Le gouvernement capétien au XII^e siècle, 1108–1180: Structures sociales et mutations institutionnelles* (Paris: Presses universitaires de France, 1975), 171; with the cautionary remarks of André Gouron, "L'entourage de Louis VII face aux droits savants: Giraud de Bourges et son ordo," *Bibliothèque de l'École des chartes* 146 (1988), 5–29.

16. Rigord, *Histoire de Philippe Auguste*, ed. and trans. Elisabeth Charpentier et al. (Paris: Éditions du CNRS, 2006), 130–32 (§5), 147 (§11); Engl. tr. *The Deeds of Philip Augustus*, eds. M. Cecilia Gaposchkin and Sean L. Field, trans. Larry F. Field (Ithaca, NY: Cornell University Press, 2022), 51–52, 57–58. The continuation of his chronicle offers clearer chronology: *Oeuvres de Rigord et de Guillaume Le Breton, historiens de Philippe Auguste*, ed. Henri-François Delaborde, 2 vols. (Paris: Renouard, 1882–85), 1.181, §22–23. Whether the king was moved by pity or piety (*pietate commotus*) is semantically unclear, and in any case the Latin *pietas* could encompass both; see Bruno Bon and Anita Guereau-Jalabert, "Pietas: réflexions sur l'analyse sémantique et le traitement lexicographique d'un vocable médiéval," *Médiévales* 42 (2002), 73–88. For a general account of these events, see William Chester Jordan, *The French Monarchy and the Jews, from Philip Augustus to the Last Capetians* (Philadelphia: University of Pennsylvania Press, 1989), 30–37.

17. Rigord, *Histoire*, 144–58, §11–18 (Engl. tr. *Deeds of Philip Augustus*), 57–65.

18. Rigord claims that Philip expelled Jews "from his kingdom (*de regno suo*)" and "from all France (*de tota Francia*)"; see his *Histoire*, 151, §11 and 14 (Engl. tr. *Deeds of Philip Augustus*, 57–58,

60–61). William the Breton's prose continuation and poetic account (the *Philippide*) both follow suit: *Oeuvres*, ed. Delaborde, 1.181 (§23) and 2.22–23 (lines 429–35), as does the language of Pope Innocent III's "Etsi non displiceat Domino," (16 January 1205), in *Reg. Inn. III*, 7.336–39, no. 186; Engl. tr. Grayzel, *CJ*, 104–8. Whether this claim mirrors the king's language is unclear; what is certain is that the order was only enforced within the royal domains.

19. Chazan, *Medieval Jewry*, 68.

20. Robert-Henri Bautier, "Philippe Auguste: la personnalité du roi," in *La France de Philippe Auguste: le temps des mutations*, ed. Robert-Henri Bautier (Paris: Éditions du CNRS, 1982), 33–57, at 46.

21. *Gesta Dagoberti I. regis Francorum*, ed. Bruno Krusch, MGH SS rer. Merov. 2 (Hanover: Hahn, 1888), 396–425, at 409. See the discussion in Bernhard Blumenkranz, *Juifs et chrétiens dans le monde occidental, 430–1096* (Paris: Mouton, 1960), 99–100, which dates the expulsion to 631 × 639. Rigord's account of the expulsion (*Histoire*, 157–58, §18; Engl. tr. *Deeds of Philip Augustus*, 63–65) ignores the forced conversion.

22. For these and other arguments, see William Chester Jordan, "Princely Identity and the Jews in Medieval France," in *From Witness to Witchcraft: Jews and Judaism in Medieval Christian Thought*, ed. Jeremy Cohen (Wiesbaden: Harrassowitz, 1996), 257–73, at 260–65; and Emily M. Rose, "Royal Power and Ritual Murder: Notes on the Expulsion of the Jews from the Royal Domain of France, 1182," in *Center and Periphery: Studies on Power in the Middle Ages in Honor of William Chester Jordan*, eds. Katherine L. Jansen, Guy Geltner, and Anne E. Lester (Leiden: Brill, 2013), 51–63.

23. This would also imply, of course, that the expulsion was already being considered in 1181.

24. Jordan, *French Monarchy*, 41–42.

25. For Fulk, see Rigord, *Histoire*, 336 (§116), 349–50 (§133) (Engl. tr. *Deeds of Philip Augustus*, 138–39, 144); and Robert of Auxerre, *Chronicon*, ed. Oswald Holder-Egger, MGH SS 26 (Hanover: Hahn, 1882), 219–76, at 258. For Auxerre, see Robert of Auxerre, *Chronicon*, 270; and "Innocentii III (et ad ipsum) epistolae . . .," in *HF* 19.347–605, at 479n.

26. See Giuliano Milani, *L'esclusione dal comune: conflitti e bandi politici a Bologna e in altre città italiane tra XII e XIV secolo* (Rome: Istituto storico italiano per il medio evo, 2003).

27. *Recueil des actes de Philippe Auguste, roi de France*, eds. Élie Berger et al., 6 vols. (Paris: Imprimerie nationale, 1916–2005), 2.549–51, no. 955 (a. 1206); and *Ord* 1.35–37 (a. 1219); Engl. tr. Chazan, *CSJ*, 205–10. The papal letter (*Etsi non displiceat*) is cited above, n. 18. See also Jordan, *French Monarchy*, 61–63.

28. As Odette Pontal observed, this would explain the excision of the harshly anti-Jewish statutes found in some copies of early thirteenth-century Parisian episcopal legislation; see *Les statuts synodaux français du XIII^e siècle*, eds. Odette Pontal and Joseph Avril, 6 vols. (Paris: Bibliothèque nationale/CTHS, 1971–2011) [hereafter *Statuts synodaux*], 1.41–43, 94–95 (cc. 70–72).

29. *Ord*. 1.47–48; on which see Chazan, *Medieval Jewry*, 104–8; and Jordan, *French Monarchy*, 93–99.

30. *Ord*. 1.53, §1: "Statuimus quod nos, et Barones nostri Judeis nulla <debita> de cetero contrahenda faciemus haberi." Scholars continue to differ on the interpretation of the phrase; here I follow Langmuir, "Judei nostri," 226 n.85; cf. the translation in Chazan, *CSJ*, 213–15. Although the ordinance bears Louis's name, it was issued during the regency of his mother, Blanche of Castile.

31. For a general discussion of Jewish lending practices, see Gérard Nahon, "Le crédit et les Juifs dans la France du XIII^e siècle," *Annales E.S.C.* 24, no. 5 (1969), 1121–48. For apparent shifts in the wake of the Ordinance of Melun, see Aryeh Grabois, "Du crédit juif à Paris au temps de saint Louis," *Revue des études juives* 129, no. 1 (1970), 5–22; and William Chester Jordan, "An Aspect of Credit in Picardy in the 1240s: The Deterioration of Jewish-Christian Financial Relations," *Revue des études juives* 142, fasc. 1–2 (1983), 141–52.
32. For an early example, see Guibert of Nogent, *De vita sua*, ed. and trans. Edmond-René Labande (Paris: Belles Lettres, 1981), 450–52, §3.19.
33. *Parodies de thèmes pieux dans la poésie française du Moyen Âge*, ed. Eero Ilvonen (Helsingfors: Société de littérature finnoise, 1914), 45–103 ("Patrenostre a l'usurier" and "Credo a l'usurier"). For royal pushback, see *Recueil des actes de Philippe Auguste*, 2.487–88, no. 899 (a. 1205).
34. William the Breton, *Philippide*, in *Oeuvres*, ed. Delaborde, 2.44, lines 94–95; Georges Bigwood, "Les financiers d'Arras: Contribution à l'étude des origines du capitalisme moderne," *Revue belge de philologie et d'histoire* 3 (1924), 465–508, 769–819, and 4 (1925), 109–119, 380–421; and Alain Derville, "La finance arrageoise: usure et banque," in *Arras au Moyen Âge: Histoire et littérature*, eds. Marie-Madeleine Castellani and Jean-Pierre Martin (Arras: Artois Presses Université, 1994), 37–52.
35. Aside from its regular use in Latin sources, the term is also attested in a range of vernacular languages, including Anglo-Norman, Middle English, Old French, Middle High German, and Tuscan.
36. Beaumanoir, *Coutumes*, ed. Salmon, 2.475 (c. 68, §1932–33); Engl. tr. Akehurst, *Coutumes de Beauvaisis*, 707.
37. *Ord.* 1.176n; *Coutumiers de Normandie*, ed. Ernest-Joseph Tardif, 2 vols. (Rouen: E. Cagniard, 1881–1903), 1.40 (*Très ancien coutumier*, §1.49) and 2.52–55 (*Summa de legibus*, §1.2.19). The references to "proven usurers" in the later French customals may imply the involvement of the church, but to judge from the *Très ancien coutumier*, it was local testimony rather than church condemnation that mattered in early thirteenth-century Norman practice. For evidence of jurisdictional quarrels between secular and ecclesiastical authorities regarding the Norman custom, see Rowan Dorin and Raffaella Bianchi Riva, "Usury and Restitution in Late Medieval Episcopal Statutes: A Case Study in the Local Reception of Conciliar Decrees," *Bulletin of Medieval Canon Law* n.s. 38 (2021), 309–59, at 317.
38. Charles Petit-Dutaillis, *Étude sur la vie et le règne de Louis VIII (1187–1226)* (Paris: Bouillon, 1894), 417–18, and 521–22, no. 12; *Codex astensis qui de Malabayla communiter nuncupatur*, eds. Quintino Sella and Pietro Vayra, 4 vols. (Rome: Tip. della R. Accademia dei Lincei, 1880–87), 3.672–76, no. 656; Paris, BnF, CCC 60, ff. 175r–176r (copy of 1235 license granted by the count of Champagne to Astigiani moneylenders in Provins); and Auguste Longnon, ed., *Documents relatifs au comté de Champagne et de Brie, 1172–1361*, 3 vols. (Paris: Imprimerie nationale, 1901–04), 3.8–16, no. 2.6.
39. See, in general, Robert-Henri Bautier, "Les Lombards et les problèmes de crédit en France aux XIII^e et XIV^e siècles," in *Rapporti culturali ed economici fra Italia e Francia nei secoli XIV al XVI. Atti del Colloquio italo-francese (Roma, 18–20 febbraio 1978)* (Rome: Giunta centrale per gli studi storici, 1979), 7–32.
40. For the "pull" factors in Jewish migration to northwestern Europe, see Robert Chazan, *Refugees or Migrants: Pre-Modern Jewish Population Movement* (New Haven, CT: Yale University Press, 2018), 158–84.

41. Alfieri, *Fragmenta de gestis Astensium*, 677.

42. The focus on Louis's kingship as a marker of his saintliness largely postdates his formal canonization, as shown by M. Cecilia Gaposchkin, *The Making of Saint Louis: Kingship, Sanctity, and Crusade in the Later Middle Ages* (Ithaca, NY: Cornell University Press, 2008), 21–66.

43. Marie Dejoux, *Les enquêtes de Saint Louis: gouverner et sauver son âme* (Paris: Presses universitaires de France, 2014), 350–55.

44. William the Breton, *Philippide*, in *Oeuvres*, ed. Delaborde, 2.22, lines 429–43.

45. See *Ordines Coronationis Franciae. Texts and Ordines for the Coronation of Frankish and French Kings and Queens in the Middle Ages*, ed. Richard A. Jackson, 2 vols. (Philadelphia: University of Pennsylvania Press, 1995–2000), 2.191, 300. The earliest attestation of the passage occurs in the so-called *Ordo of Reims* (ca. 1230); see Richard A. Jackson, "Manuscripts, Texts, and Enigmas of Medieval French Coronation Ordines," *Viator* 23 (1992), 35–70, at 53–55.

46. Lateran IV, c. 3 (*Excommunicamus*; *COGD* 2.1.166–68); and "Bonifacii VIII sermones et bulla de canonisatione sancti Ludovici, regis Francorum," in *HF* 23.148–60, at 158. I have slightly adapted the translation found in *The Sanctity of Louis IX: Early Lives of Saint Louis* by Geoffrey of Beaulieu and William of Chartres, eds. M. Cecilia Gaposchkin and Sean L. Field, tr. Larry F. Field (Ithaca, NY: Cornell University Press, 2014), 169.

47. *The Teachings of Saint Louis. A Critical Text*, ed. David O'Connell (Chapel Hill: University of North Carolina Press, 1972), 59, §28.

48. *Ord.* 1.104–6, §5.

49. *Ord.* 1.65–75 (§34), 77–81 (§11), 104–6 (§5). These ordinances built on existing urban practices in southern France; see the discussion in Lydia Otis-Cour, *Prostitution in Medieval Society: The History of an Urban Institution in Languedoc* (Chicago: University of Chicago Press, 1985), 19–20. Norman ecclesiastical precedent might also have played a role: see Guillaume Bessin, ed., *Concilia rotomagensis provinciae accedunt dioecesanæ synodi . . .*, 2 vols. (Rouen: Vaultier, 1717), 1.36.

50. *Ord.* 1.105.

51. See William C. Jordan, *Louis IX and the Challenge of the Crusade: A Study in Rulership* (Princeton, NJ: Princeton University Press, 1979).

52. *Ord.* 1.99–102.

53. See Odd Langholm, *Economics in the Medieval Schools. Wealth, Exchange, Value, Money and Usury, according to the Paris Theological Tradition, 1200–1350* (Leiden: Brill, 1992), 37–62.

54. Paris, BnF, lat. 15959, ff. 527r–590v, especially ff. 529rb, 551va, 568rb–569vb, 570va. On this sermon collection, see Franco Morenzoni, "Introduction," in *Guillelmi Alverni Opera Homiletica*, t. 1: *Sermones de Tempore* (Turnhout: Brepols, 2010), vii–lxvii, at xxxvi–xl. For its compiler and his relationship to the king, see William C. Jordan, "Robert of Sorbon, Churchman," in *Men at the Center: Redemptive Governance under Louis IX* (Budapest: Central European University Press, 2012), 1–36.

55. Le Goff, *Saint Louis*, 858–63; Langholm, *Medieval Schools*, 88–248; and more generally, Giacomo Todeschini, *I mercanti e il tempio: la società cristiana e il circolo virtuoso della ricchezza fra medioevo ed età moderna* (Bologna: il Mulino, 2002).

56. See Arthur Giry, ed., *Documents sur les relations de la royauté avec les villes en France de 1180 à 1314* (Paris: Picard, 1885), 85–88. For a discussion and translation of these ordinances, see William C. Jordan, "Communal Administration in France, 1257–1270: Problems Discovered and Solutions Imposed," *Revue belge de philologie et d'histoire* 59, fasc. 2 (1981), 292–313.

57. The involvement of bishops is noted in *Les Olim ou Registres des arrêts rendus par la Cour du roi*, ed. Arthur Beugnot, 3 vols. (Paris: Imprimerie royale, 1839–48), 1.62, §6. That Louis had previously retained the confiscated goods is clear from the preamble to a 1257/58 ordinance (*Ord.* 1.85).

58. For Alphonse's prohibitions on Christian usury (and restitutions thereof), see Pierre-Fr. Fournier and Pascal Guébin, eds., *Enquêtes administratives d'Alfonse de Poitiers, arrêts de son Parlement tenu à Toulouse, et textes annexes, 1249–1271* (Paris: Imprimerie nationale, 1959), 62 (doc. 5, §34–36), 172 (doc. 52, §22), 179 (doc. 55, §66) and 221–23 (doc. 221, §25, 29, 30).

59. Marie Dejoux, "Gouvernement et pénitence: Les enquêtes de réparation des usures juives de Louis IX (1247–1270)," *Annales. Histoire, Sciences Sociales* 69, no. 4 (2014), 849–74.

60. See the customary texts assembled in *Les Établissements de Saint Louis*, ed. Paul Viollet, 4 vols. (Paris: Renouard, 1881–1886), 2.148 (§1.91), 3.50–51 (*Coutume de Touraine-Anjou*, §79), 3.121 (*Compilatio . . . Andegavie*, §21), and 3.164 (*Abrégé champenois*, §89). The preamble to a 1257/58 royal ordinance (*Ord.* 1.85; Engl. tr. Chazan, CSJ, 286–87) suggests that at that date, the custom had not yet spread beyond Normandy. This might still have been true in 1268/69, assuming that the Dupuy formulary (discussed below, n. 102) can be so dated, since it too implies that the custom remained confined to Normandy.

61. William of Chartres, *De vita et actibus . . . regis Francorum Ludovici*, eds. Pierre Daunou and Joseph Naudet, in *HF* 20.27–41, at 34; Engl. tr. *Sanctity of Louis IX*, 142–43, §21.

62. See the essays gathered in Paul Salmona and Juliette Sibon, eds., *Saint Louis et les juifs: politique et idéologie sous le règne de Louis IX* (Paris: Éditions du patrimoine, 2015).

63. *Thesaurus novus anecdotorum . . .*, eds. Edmond Martène and Ursin Durand, 5 vols. (Paris, 1717), 1.122–23 and 1.1294; *Ord.* 1.53–55. For a discussion of these texts, see Jordan, *French Monarchy*, 129–35.

64. The ordinance is referenced in a judgment of the Norman Exchequer from September 1235: Léopold Delisle, ed., *Recueil de jugements de l'Échiquier de Normandie au XIII^e siècle (1207–1270)* (Paris: Imprimerie impériale, 1864), 133, no. 581. For a discussion of this phrase and its subsequent dissemination, see my article, "La répression de l'usure sous Saint Louis et ses contemporains," in *Le gouvernement du roi Louis IX*, ed. Marie Dejoux (Paris, forthcoming).

65. *Thesaurus novus anecdotorum*, 1.990. The text must have been drawn up sometime before Hurepel's death on January 18, 1234.

66. The charter was issued by Archambaud VIII de Bourbon in May 1234; see *Layettes du Trésor des chartes*, 2.264, no. 2284.

67. Some royal investigators in Picardy carried out extensive investigations into Jewish usury on their own initiative during the *enquêtes* of 1247–48, but it is clear that this was not a generalized phenomenon; see Dejoux, "Gouvernement," 858–60. Moreover, one of the sources that has long served as evidence for royal investigations into Jewish usury is in fact a record of Christian lending in Cambrai, a town that lay beyond the reach of the royal *enquêteurs*. For a study and edition of this document (a deposition preserved in the binding of Paris, BnF, lat. 16471), see Nicole Bériou, "Usure, crédit, restitutions: un dossier inattendu dans les manuscrits de Robert de Sorbon," in *Commerce, finances et société (XI^e–XVI^e siècles): recueil de travaux d'Histoire médiévale offert à M. le professeur Henri Dubois*, eds. Philippe Contamine, Thierry Dutour, and Bertrand Schnerb (Paris: Presses de l'Université de Paris-Sorbonne, 1993), 135–55.

68. The order was sent to the seneschal of Carcassonne in the summer of 1246; see Claude de Vic and Joseph Vaissette, *Histoire générale de Languedoc*, rev. Auguste Molinier, 15 vols.

(Toulouse: Privat, 1872–92) [hereafter *HGL*], 8.1191–92; Engl. tr. Chazan, *CS*], 285–86. A similar order may have been sent to Beaucaire; see Robert Michel, *L'administration royale dans la sénéchaussée de Beaucaire au temps de Saint Louis* (Paris: Picard, 1910), 319.

69. Gregory IX, “Etsi judeorum,” (6 April 1233): in *Les registres de Grégoire IX*, ed. Lucien Auway, 4 vols. (Paris: Fontemoing, 1896–1955), 1.691–92, no. 1216; Engl. tr. Grayzel, *CJ*, 200–3, no. 70.

70. A 1245 expulsion of Jews from Saint-Quentin in Picardy is implied in a later *enquête* record; see Léopold Delisle, ed., *Enquêtes administratives du règne de Saint Louis*, in *HF* 24.744, no. 167. For attempted expulsions in Poitou in 1249, see *Layettes du Trésor des chartes*, 3.73, no. 3783; discussed in Gaël Chenard, “Les juifs et les marchands: le financement des croisades d’Alphonse de Poitiers,” in *Saint Louis et les juifs*, 125–34, at 130. As noted by Jordan in *French Monarchy*, 299 n.28, the supposed (and oft-cited) royal expulsion of Jews in 1248/49 stems from misinterpretations of a later ordinance (*Ord.* 1.85).

71. John Tolan, “*Lachrymabilem judeorum questionem*: la brève histoire de la communauté juive de Bretagne au XIII^e siècle,” in *Hommes, cultures et paysages: de l’antiquité à l’époque moderne*, eds. Monique Clavel-Lévêque et al. (Rennes: Presses universitaires de Rennes, 2012), 417–32. The expulsion order is edited in M. Planiol, *La très ancienne coutume de Bretagne* (Rennes, 1896), 329–30; Engl. tr. Grayzel, *CJ*, 344–45 (Appendix C).

72. For the massacre, see Michael Lower, *The Barons’ Crusade: A Call to Arms and its Consequences* (Philadelphia: University of Pennsylvania Press, 2005), 118–20 and 126. For the episcopal response, see Joseph Avril, ed., *Les conciles de la province de Tours* (Paris: Éditions du CNRS, 1987), 158–65 (Tours 1236, c. 2); Engl. tr. Grayzel, *CJ*, 327, no. XXXI.

73. Jacques Monicat and Bernard de Fournoux, eds., *Chartes de Bourbonnais (918–1522)* (Moulins: Crépin-Leblond, 1952), 218–19, no. 170 (issued by Archambaud IX de Bourbon). For the earlier expulsion threat, see *Layettes du Trésor des chartes*, 2.264, no. 2284. For further discussion of this privilege, see my article, “Migrant Moneylenders and the Threat of Expulsion in Late Medieval Europe,” in *L’expérience de la mobilité de l’Antiquité à nos jours, entre précarité et confiance*, eds. Claudia Moatti and Emmanuelle Chevreau (Bordeaux: Ausonius, 2021), 49–66, at 57.

74. Françoise Lehoux, *Le Bourg Saint-Germain-des-Prés depuis ses origines jusqu’à la fin de la Guerre de Cent Ans*. (Paris: Lehoux, 1951), 413, p. 1.

75. Matthew Paris, *CM*, 5.361–62 and 441; and *Historia Anglorum*, ed. Frederic Madden, 2 vols. (London: H. M. Stationery Office, 1866), 3.103–4. The dating of the edict is uncertain, but 1251 or early 1252 is most likely. In the *Chronica Majora*, Paris dates it to 1253, but in the *Historia Anglorum* he states that Louis ordered an expulsion of Jews in 1251. The expulsion is dated to 1251 or 1252 in two later chronicles from Normandy (*HF* 23.215 and 23.402).

76. See *Les Olim*, 1.364–65; and Gérard Nahon, “Pour une géographie administrative des Juifs dans la France de Saint Louis,” *Revue historique* 254, fasc. 2 (1975), 305–43, at 327. There is no reason to assume (as have most recent scholars, with the notable exception of Robert Chazan) that the expulsion was put into effect only in 1256, nor is there any reason to posit a second expulsion in that year.

77. See *Ord.* 1.75, §32–33; *HGL* 8.1350–51 (doc. 450, §36–38). On this text, see Marie Dejoux, “La fabrique d’une loi: Retour sur la ‘grande ordonnance de réforme de 1254,’” *Médiévales* 79 (Automne 2020), 189–208, with further references.

78. A 1269 decision of the Parlement of Paris refers to “the time when the lord King banished Jews from his domains” (*de domaniis suis*), while another from 1270 refers to “the time when

the lord King . . . banished . . . his Jews" (*judeos suos*); see *Les Olim*, 1.364–65, 791; and HGL 8.1358 (doc. 448, §6).

79. See especially *Ord.* 1.595–96 (a. 1315); and *Recueil général des anciennes lois françaises depuis l'an 1420 jusqu'à la révolution de 1789*, eds. Athanase-Jean-Léger Jourdan et al., 29 vols. (Paris: Berlin-le-Prieur, 1821–1833), 16.76–77, no. 51 (a. 1615).

80. Meir ben Simeon of Narbonne, *Lettre à Louis IX sur la condition des Juifs du royaume de France*, ed. and trans. Judith Kogel (Paris: Éditions de l'éclat, 2017); for a translated excerpt, see Chazan, *CSJ*, 217–20.

81. William of Chartres, *De vita et actibus*, 34; Engl. tr. *Sanctity of Louis IX*, 142–43, §21.

82. The 1255 provincial council of Narbonne (held at Béziers) promulgated the 1254 ordinance verbatim: see *Mansi* 23.875–884, c. 23 (Engl. tr. Grayzel, *CJ*, 337, no. XLII). By contrast, earlier French provincial canons had toed the conciliar line in prohibiting only "*immodicas usuras*"; see *Mansi* 23.20–26 (Narbonne ca. 1227, c. 2) and 23.689–704 (Béziers 1246, c. 37); Engl. tr. Grayzel, *CJ*, 317–19 (no. XVIII), 333 (no. XXXVII). It is possible that Louis's *ordonnance* also inspired a supposed expulsion of Jews from Lyon by order of Archbishop Philip of Savoy, but the dating (and even the historicity) of this expulsion is unclear, and anyway Lyon was not yet under French royal control. On this expulsion, see Jean-Marie de La Mure, *Histoire ecclésiastique du diocèse de Lyon* (Lyon: Gautherin, 1671), 176.

83. Grayzel, *CJ*, 232–239, nos. 90–93.

84. The first systematic treatise on the topic is by Manfredi da Tortona, who studied theology in Paris in the early 1240s (or thereabouts) and was later a *lector* at the Franciscan convent in Bologna; see Giovanni Ceccarelli and Roberta Frigeni, "Un inedito sulle restituzioni di metà Duecento: L'*Opusculum* di Manfredi da Tortona," in *Male ablata: La restitution des biens mal acquis (XII^e–XV^e siècle)*, eds. Jean-Louis Gaulin and Giacomo Todeschini (Rome: École française de Rome, 2019), 25–50.

85. Robert of Courçon was an early advocate of this view; see *Le Traité 'De usura' de Robert de Courçon*, ed. Georges-Joseph Lefèvre (Lille: au siège de l'Université, 1902), especially 23, 47, 51, and 63–65.

86. *Ord.* 1.85 (Engl. tr. Chazan, *CSJ*, 286–87), issued in 1257 or early 1258; on this text, see Dejoux, "Gouvernement," 861–62. Forty of the bishops' replies survive in Paris, AN, J 367, nos. 1–38. See also the papal response (dated 13 October 1257) to an inquiry from the count of Champagne concerning the same: Léon Cadier, "Bulles originales du XIII^e siècle conservées dans les Archives de Navarre," *Mélanges d'Archéologie et d'Histoire* 7 (1887), 268–338, at 321–22, no. 28.

87. William of Chartres, *De vita et actibus*, 34; Engl. tr. *Sanctity of Louis IX*, 142–43, §21.

88. Longnon, *Documents*, 3.8–16, no. 2.

89. Alfieri, *Fragmenta de gestis Astensium*, 678. For this conflict's earlier reverberations, see Francesco Cognasso, ed., *Documenti inediti e sparsi sulla storia di Torino* (Pinerolo-Turin: Baravalle & Falconieri, 1914), 245, no. 249.

90. *Les Olim*, 1.51, §32. For the jurisdictional context, see Honoré Labande, *Histoire de Beauvais et de ses institutions communales jusqu'au commencement du XV^e siècle* (Paris: Imprimerie nationale, 1892), 166–83.

91. *Les Olim*, 1.285, 477, 681, 785 (all dated 1257–1260).

92. Carlos Wyffels, "Les cahorsins en Flandre au XIII^e siècle," *Annales du Midi* 103 (1991), 307–21, at 314–15.

93. The text survives as an addition to the so-called *Registre E* of Philip Augustus: Paris, AN, JJ 26, f. 385v (no. 287).

94. For Tournai, see Georges Bigwood, *Le régime juridique et économique du commerce de l'argent dans la Belgique du Moyen Âge*, 2 vols. (Brussels: Lamertin, 1921–22), 2.104. For Rouen, see *Layettes du Trésor des chartes*, 3.543–45, no. 4629. For Sieneese moneylending in Troyes, see J. L. Charles, *La ville de Saint-Trond au Moyen-Âge: des origines à la fin du XIV^e siècle* (Paris: Les Belles Lettres, 1965), 94–97 and 238 n.117. For the establishment of a Lucchese pawnshop in Poigny (near Provins) in 1260, see Thomas Blomquist, "The Early History of European Banking: Merchants, Bankers and Lombards of Thirteenth-Century Lucca in the County of Champagne," *Journal of European Economic History* 14, no. 3 (1985), 520–36, at 530–32.

95. In June 1265, the monks of Saint-Florentin in Bonneval granted to the count of Chartres the right to both harbor Jews in the town and expel them at will; see Chartres, Archives départementales d'Eure-et-Loir, H 606, f. 6v. In 1266, Alphonse of Poitiers refused a request from the abbot of Saint-Savin-sur-Gartempe to expel Jews from his town. Five years later, however, Alphonse evidently decided to expel Jews from the town of Moissac, for reasons that remain unclear. See Fournier and Guébin, *Enquêtes administratives d'Alphonse de Poitiers, 194–95* (doc. 64, §39) and 366–67 (doc. 137, §14). There is no evidence of a general expulsion within the count's domains, notwithstanding the claims of Georges Passerat, "Les juifs de Toulouse entre deux expulsions," in *Philippe le Bel et les Juifs du Royaume de France (1306)*, ed. Danièle Iancu-Agou (Paris: Cerf, 2012), 161–72, at 161.

96. Gustav Boland, "Le testament d'Henri III, duc de Brabant (26 février 1261)," *Revue d'histoire ecclésiastique* 38 (1942), 59–96, at 94.

97. Christoph Cluse, "Zum Zusammenhang von Wuchervorwurf und Judenvertreibung im 13. Jahrhundert," in *Judenvertreibungen in Mittelalter und früherer Neuzeit*, eds. Friedhelm Burgard, Alfred Haverkamp, and Gerd Mentgen (Hanover: Hahnsche Buchhandlung, 1999), 135–63, at 137; and Christoph Cluse, *Studien zur Geschichte der Juden in den mittelalterlichen Niederlanden* (Hanover: Hahnsche Buchhandlung, 2000), 174–76. Since Louis IX's expulsion of Cahorsins from Beauvais (and perhaps elsewhere) has generally escaped scholarly notice, so too has its possible influence on the duke's testamentary provision.

98. See now Michael Lower, *The Tunis Crusade of 1270: A Mediterranean History* (Oxford: Oxford University Press, 2018).

99. For the *enquêtes*, see Delisle, *Enquêtes*, HF 24.7^a-8^a, 704–28; and Dejoux, "Gouvernement," 863–65. For the ordinances, see *Ord.* 1.99–102, 104–6. The latter, issued on June 25, 1270, is incorrectly dated to 1269 in de Laurière's edition.

100. The only record of the expulsion order is a hitherto unnoticed entry in the letter collection of Jean de Caux; see Langlois, "Formulaire," 807, §345. It was likely issued sometime following the interdict that Pope Clement IV imposed on these cities and their citizens in April 1268; see Cesare Baronio et al., eds., *Annales ecclesiastici*, rev. ed. by Augustin Theiner, 37 vols. (Bar-le-Duc: Guérin, 1864–1874), 22.222. Merchants loyal to the papal cause were later given safe-conducts within the Angevin domains, see Sergio Terlizzi, ed., *Documenti delle relazioni tra Carlo I d'Angiò e la Toscana* (Florence: Olschki, 1950), 72, no. 132.

101. Langlois, "Formulaire," 807, §341. Evidence for the arrests and confiscations is found in *Les Olim*, 1.793 (§7), 807–8 (§23), and 811–12 (§32); Nicolas Brussel, *Nouvel examen de l'usage général des fiefs en France*, 2 vols. (Paris: Prud'homme & Robustel, 1727), 1.595–96; Henri

d'Arbois de Jubainville, *Histoire des ducs et des comtes de Champagne*, 7 vols. (Paris: Durand, 1863–1869), 6.44–45, no. 3531; *Layettes du Trésor des chartes*, 5.296, no. 849; and *Correspondance administrative d'Alphonse de Poitiers*, ed. Auguste Molinier, 2 vols. (Paris: Imprimerie nationale, 1894–1900), 1.402–3. For the counties of Toulouse and Poitou, see Maurice Jusselin, “Documents financiers concernant les mesures prises par Alphonse de Poitiers contre les Juifs (1268–1269),” *Bibliothèque de l'École des chartes* 68 (1907), 130–49.

102. Here I follow Marie Dejoux (“Gouvernement et pénitence,” 863–65), who dates a royal formulary on the investigation of Jewish usury to 1268/69, rather than 1247/48, as previous scholars had maintained. The formulary (Paris, BnF, Dupuy 532, f. 88r–90v; edited in Dejoux, *Enquêtes*, 398–400) is undated, but it is nearly identical to a mandate that Louis's brother Alphonse of Poitiers issued for his domains in June 1270 (*Layettes du Trésor des chartes*, 4.452–53, no. 5711). Jean de Caux also seems to have included the royal formulary within the cluster of other ordinances dating to 1268–69 (Langlois, “Formulaire,” 807, §344), which lends further support to Dejoux's argument. An undated fragment (Paris, AN, J 943, n. 19/39/1) offers evidence for the conduct of the investigations in Champagne.

103. The relevant texts are edited in Joseph Shatzmiller, *La deuxième controverse de Paris: un chapitre dans la polémique entre chrétiens et juifs au Moyen Âge* (Paris–Louvain: Peeters, 1994), Annexe 1, p. 3; partial English translation in Chazan, *CSJ*, 261–63.

104. *Ord.* 1.294; and see Danièle Sansy, “Marquer la différence: l'imposition de la rouelle aux XIII^e et XIV^e siècles,” *Médiévales* 41 (Automne 2001), 15–36.

105. The early modern copy of the January 1269 ordinance expelling Lombard and Cahorsin usurers (Paris, AN, P 2289, pp. 86–87) bears the added heading, “Juifs, Lombards, et Usuriers.” In his reconstruction of the lost *Mémoriaux* volumes of the Chambre des comptes, Joseph Petit accordingly summarized the ordinance as expelling Jews as well as foreign moneylenders; see his *Essai de restitution des plus anciens memoriaux de la Chambre des comptes de Paris* (Paris, 1899), 23 (=Reg. Pater, §25). Gérard Nahon followed suit in his study of Louis IX's anti-Jewish legislation: “Les ordonnances de Saint Louis sur les Juifs,” *Les nouveaux cahiers: revue d'études et de libres débats publiée sous les auspices de l'Alliance Israélite Universelle* 6 (1970), 18–35, at 20. This error has since crept into the work of other scholars, my own included: see my article on “Les maîtres parisiens et les Juifs (fin XIII^e siècle): Perspectives nouvelles sur un dossier d'avis concernant le *regimen judaeorum*,” *Journal des Savants* 2016, no. 2 (2016), 241–82, at 275.

106. For a full presentation of this argument, see Dorin, “Les maîtres parisiens,” 97–138. On treason, see William C. Jordan, “Jews, Regalian Rights, and the Constitution in Medieval France,” *AJS Review* 23, no. 1 (1998), 1–16, at 7.

107. *Ord.* 1.96.

108. See Bautier, “Les Lombards et les problèmes de crédit,” 19–24.

109. William of Chartres, *De vita et actibus*, 34; Engl. tr. *Sanctity of Louis IX*, 142–43, §21.

110. Bernard d'Alteroche, *De l'étranger à la seigneurie à l'étranger au royaume XI^e–XV^e siècle* (Paris: LGDJ, 2002), 59; Godfrey of Fontaines, *Quodlibet* 12.9, in *Les Quodlibets onze-quatorze de Godefroid de Fontaines*, ed. Jean Hoffmans (Louvain: Editions de l'Institut supérieur de Philosophie, 1932), 114–18, at 116.

111. See especially Michel, *Administration royale*, 162–88; and more recently, Pierre-Anne Forcadet, *Conquestus fuit domino regi: le recours au roi d'après les arrêts du Parlement de Paris*,

1223–1285 (Paris: Boccard, 2018), 309–19. Several of these disputes concerned jurisdiction over Jews; see in particular *Les Olim*, 1.791, 793, 811–12.

112. See (Abbé) Gabriel Bonnot de Mably, *Observations sur l'histoire de France*, 2 vols. (Geneva: par la Compagnie des libraires, 1765), 2.132–33, 351–52. Beugnot (*Les Olim*, 1.973) appears to have been the last scholar to recognize the ordinance's novelty on this front.

113. Sens (1269), c. 2, in Mansi 24.3–8, at 3.

114. The following account updates the arguments of my article, "L'expulsion des usuriers lombards hors de France à la fin du XIII^e siècle," *Hypothèses: Travaux de l'École doctorale d'histoire de l'Université Paris I Panthéon-Sorbonne* 17 (2014), 153–62.

115. For Burgundy, see Luisa Castellani, *Gli uomini d'affari astigiani. Politica e denaro tra il Piemonte e l'Europa (1270–1312)* (Turin: Paravia scriptorium, 1998), 150. For Champagne (where there are references to foreign pawnbrokers between 1265 and 1276/78), see Blomquist, "Early History," 532–35; and Longnon, *Documents*, 2.30, §II.8. For Artois, see Pierre Bougard and Carlos Wyffels, eds., *Les finances de Calais au XIII^e siècle* (Brussels: Pro civitate, 1966), 75 (no. 52) and 238 (no. 3829). For Anjou, see Alain de Boüard, ed., *Actes et lettres de Charles I^{er}, roi de Sicile, concernant la France (1257–1284)* (Paris: de Boccard, 1926), 59, no. 225.

116. For Artois, see Bigwood, *Régime juridique*, 2.273–85, §7; for Anjou, *Actes et lettres de Charles I^{er}*, 177–79, no. 658.

117. Innocent Gentillet, *Brieve remontrance à la noblesse de France sur le fait de la Declaration de Monseigneur le Duc d'Alençon* (Aigenstain, 1576), 24.

118. Blomquist, "Early History," 530–32. For continuing Italian activity in Paris in 1270, see *Les Olim*, 1.813, §37.

119. See Bigwood, *Régime juridique*, 1.356–59, 2.94–95, and 2.103–13 (Annexe III). To these may be added Paris, BnF, NAL 2309, no. 87, a loan contract from 1267 involving three Astigiani lenders, among them Bonifacio da Bene.

120. See Paul Rolland, "A quels baillis ont ressorti Tournai et le Tournais durant le XIII^e siècle?" *Revue du Nord* 52 (1927), 249–74, at 258–64.

121. For a detailed discussion, see most recently Céline Balasse, 1306: *L'expulsion des juifs du royaume de France* (Brussels: de Boeck, 2008).

122. Sibon, *Chasser*, especially 82, 89.

123. See especially *Ord.* 1.595–96 (a. 1315); and *Recueil général des anciennes lois françaises depuis l'an 1420 jusqu'à la révolution de 1789*, eds. Athanase-Jean-Léger Jourdan et al., 29 vols. (Paris: Berlin-le-Prieur, 1821–33), 16.76–77, no. 51 (a. 1615).

124. Aside from the expulsions cited above (n. 4), see also Augustin Calmet, *Histoire ecclésiastique et civile de Lorraine . . .*, 4 vols. (Nancy: J. B. Cusson, 1728), 2.543; and Léon Gauthier, *Les Lombards dans les deux-Bourgognes* (Paris: Champion, 1907), 51–52, 220–23 (p. 86).

125. Aside from Louis IX's shadowy (and papally driven) banishment of Pisan, Siennese, and Veronese merchants (cited above, n. 100), see the expulsions of Flemings (1315), English clerics (1326), and Florentines (1345), recorded respectively in: Antoine Lancelot, *Mémoires concernant les Pairs de France* (Paris: Coustelier, 1720), 207–10; *Chronique parisienne anonyme de 1316 à 1339*, ed. Amédée Hellot, in *Mémoires de la Société de l'histoire de Paris et de l'Île-de-France* 11 (1884), 1–207, at 104–7; Leonardo Bruni, *History of the Florentine People*, ed. and trans. James Hankins, 3 vols. (Cambridge, MA: Harvard University Press, 2001–07), 2.299–300, 307 (§7.20, 21, 27).

Chapter 4: Canonizing Expulsion: The Second Council of Lyon, 1274

1. For the size and participants, see Louis Carolus-Barré, "Les pères du II^e concile de Lyon (1274): esquisses prosopographiques," in 1274, *Année charnière: mutations et continuités* (Paris: Éditions du CNRS, 1977), 377–423.

2. For the so-called "conciliar version" of the council's decrees (ed. Burkhard Roberg), see COGD 2.1.247–358. For the promulgated version, see *Conciliarum oecumenicorum decreta*, ed. Giuseppe Alberigo (Bologna: Istituto per le scienze religiose, 1973), 309–31.

3. COGD 2.1.346–48 (cc. 24, 25). The date of their approval is indicated in Antonino Franchi, *Il concilio II di Lione (1274) secondo la Ordinatio Concilii Generalis Lugdunensis. Edizione del testo e note* (Rome: Edizione Francese, 1965), 96–97.

4. This draft text survives in two manuscripts: St. Florian, Stiftsbibliothek, Ms. XI 722, ff. 22v–29v, 32r–36v; and Washington DC, Catholic University of America, MS 183, ff. 1r–9v. The latter, once held at the Minoritenkonvent in Vienna, was likely copied from the St. Florian manuscript. For a discussion and transcription (based on the Washington copy), see Stephan Kuttner, "Conciliar Law in the Making. The Lyonese Constitutions (1274) of Gregory X in a Manuscript at Washington," *Miscellanea Pio Paschini. Studi di storia ecclesiastica*, 2 vols. (Rome: Facultas Theologica Pontificii Athenaei Lateranensis, 1948–49), 2.39–81. For further discussion of the drafting and early circulation of the Lyonese decrees, see Peter Johaneck, "Studien zur Überlieferung der Konstitutionen des II. Konzils von Lyon (1274)," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte* [hereafter ZRG] 96, *Kanonistische Abteilung* [hereafter Kan. Abt.] 65 (1979), 149–216; along with Burkhard Roberg's editorial observations in COGD 2.1.254–57.

5. Lucan, *De bello civili*, ed. David R. Shackleton Bailey (Stuttgart: Trübner, 1988), 7, l. 181. For earlier thirteenth-century attestations, see two letters of Innocent III (*Reg. Inn. III*, 14.248–51, no. 157; and *Reg. 16.160*, in *PL* 216, col. 949C); and Lyon I, c. II.1 (*Cura nos pastoralis*; COGD 2.1.235–237).

6. I have slightly adapted Norman Tanner's translation of the decree, as given in *Decrees of the Ecumenical Councils*, 2 vols. (London: Sheed and Ward, 1990), 1.328–29.

7. VI 5.5.1–2 (*CIC* 2.1081–82).

8. Gregory X, "Dudum super generalis," (11 March 1273): in *Les registres de Grégoire X (1272–1276) et de Jean XXI (1276–1277)*, eds. Jean Guiraud and Léon Cadier (Paris: Thorin, 1892–1906), 91–92, no. 220. See also the contemporary description of the petition process, in Burkhard Roberg, "Die lectura des Franciscus de Albano aus dem Jahr 1276 über die constitutiones novissimae Papst Gregors X," *Annuario historiae conciliarum* 31 (1999), 297–366, and 33 (2001), 26–79, at 304–305.

9. Roberg, "Die lectura des Franciscus de Albano [part 2]," 60. For other mentions of usury in the preparatory documents, see Bruno von Schauenberg (Bishop of Olomouc), "Relatio Episcopi Olmucensis in Alemannia ad Papam super deliberandis in concilio," in *Analecten zur Geschichte Deutschlands und Italiens*, ed. Constantin Höfler (Munich: Weiss, 1846), 18–28, at 28; Gilbert de Tournai, "Collectio de scandalis ecclesiae. Nova editio," ed. P. Autbertus Stroick, *Archivum franciscanum historicum* 24 (1931), 33–62, at 59–61; and Humbert of Romans, "Opusculum tripartitum," in *Concilia omnia tam generalia, quam particularia*, ed. Pierre Crabbe, 2nd ed., 3 vols. (Cologne: Quentel, 1551), 2.967–1003, at 1001 (§III.5).

10. COGD 2.1.346.

11. St. Florian, Stiftsbibliothek, Ms. XI 722, f. 32r; Washington DC, Catholic University of America, MS 183, ff. 6vb-7va.
12. Roberg, "Die *lectura* des Franciscus de Albano [part 2]," 60; and an anonymous commentary on the Lyonese decrees written before October 1275 (known by its incipit, "Hoc dicit quod spiritus sanctus," and likely produced by a member of the papal curia), for which I consulted Luxembourg, Bibliothèque nationale, Ms. 140, f. 195r, s.v. *publice*.
13. *Chronicon Parmense*, ed. Giuliano Bonazzi, *Rerum Italicarum Scriptores*, ser. 2, 9/9 (Città di Castello: Lapi, 1902), 30. The chronicle was written in the late 1330s, presumably drawing on earlier (now lost) sources.
14. This intermediate version is preserved in Châlons-en-Champagne (formerly Châlons-sur-Marne), Bibliothèque municipale, Ms. 63, f. 169r, with the promulgated text of *Quamquam usurarii* added in the bottom margin. In my article on "Canon Law and the Problem of Expulsion: The Origins and Interpretation of *Usurarum voraginem* (VI 5.5.1)," *ZRG* 130, *Kan. Abt.* 99 (2013), 129–61, at 131 n.7, I incorrectly classed the St. Florian manuscript as containing this intermediate version, whereas it is in fact contains the text of the initial draft.
15. Rowan Dorin and Raffaella Bianchi Riva, "Usury and Restitution in Late Medieval Episcopal Statutes: A Case Study in the Local Reception of Conciliar Decrees," *Bulletin of Medieval Canon Law* n.s. 38 (2021), 309–59.
16. Sens (1269), cc. 2–3; in Mansi 24.3.
17. For the commissioners, see Arnaud de Sarrant (att.), *Chronica XXIV generalium ordinis minorum*, *Analecta Franciscana* 3 (Quaracchi: Coll. S. Bonaventurae, 1897), 353.
18. The most recent edition of *Usurarum voraginem* (COGD 2.1.346–48) accepts the reading of "within one month" (*infra mensem*) found in many of the early manuscripts, but the three-month timeframe is found in both of the draft versions, many of the earliest manuscripts of the promulgated decrees, and all of the canonistic commentaries. The codified version of the text in the *Liber Sextus* likewise adopted the three-month timeframe. On its anomalous nature, see my "Canon Law and the Problem of Expulsion," 152–53.
19. *Les sources du droit du Canton de Vaud. Moyen âge (X^e-XVI^e siècle). B: Droits seigneuriaux et franchises municipales*, t. 1: *Lausanne et les terres épiscopales*, eds. Danielle Anex-Cabanis and Jean-François Poudret (Aarau: Sauerländer, 1977), 504, no. 290 (May 1273).
20. The arguments of the following paragraphs are laid out more fully in Dorin, "Problem of Expulsion," 134–57.
21. For Roman legal usage, see *Dig.* 50.1.6, 50.1.30, 50.1.37, and 50.16.190.
22. Residence in a particular parish or diocese was the most common baseline for establishing "foreignness" in canon law; see Willy Onclin, "Le statut des étrangers dans la doctrine canonique médiévale," in *L'Étranger*, 2 vols. (Brussels: De Boeck, 1958), 2.37–64, especially 41–42 and 46–47.
23. See generally Benjamin Nelson, *The Idea of Usury* (Princeton, NJ: Princeton University Press, 1949). The Hebrew term *nokhri* (נוכרי) was rendered as *alienus* in the Vulgate translation of this passage, but *alienigena* is attested in other early Latin translations (collectively known as the *Vetus Latina*).
24. See Giacomo Todeschini, *I mercanti e il tempio: la società cristiana e il circolo virtuoso della ricchezza fra Medioevo ed Età Moderna* (Bologna: il Mulino, 2002), though my reading of the thirteenth-century evidence differs from his.

25. See, among many, Jean Gaudemet, *Les sources du droit de l'Église en Occident du II^e au VII^e siècle* (Paris: Éditions du Cerf, 1985).

26. See, with caution, the list of citations in *CIC* 1.xxxix-xli. The literature on Roman law in the *Decretum* is vast; see Anders Winroth, "Roman Law in Gratian and the Panormia," in *Bishops, Texts and the Use of Canon Law around 1100: Essays in Honour of Martin Brett*, ed. Bruce C. Brasington (Aldershot: Ashgate, 2008), 183–90, with further references.

27. See Stephan Kuttner, "Some Considerations on the Role of Secular Law and Institutions in the History of Canon Law," in *Scritti di sociologia e politica in onore di Luigi Sturzo*, 3 vols. (Bologna: Zanichelli, 1953), 2, 351–62. For further examples, see Francesco Migliorino, *In terris ecclesiae. Frammenti di ius proprium nel Liber Extra di Gregorio IX* (Rome: Il Cigno Galileo Galilei-Edizioni di Arte e Scienza, 1992).

28. For Lyon I (1245), see Stephan Kuttner, "Die Konstitutionen des ersten allgemeinen Konzils von Lyon," *Studia et documenta historiae et iuris* 6 (1940), 70–131; for Vienne (1311–12), see Ewald Müller, *Das Konzil von Vienne (1311–1312). Seine Quellen und seine Geschichte* (Münster i.W: Aschendorff, 1934).

29. The two manuscripts containing the earliest draft version of *Usurarum voraginem* both belonged to institutions within the diocese of Passau in the late thirteenth century, though other local manuscript copies of the Lyonese decrees (for example, from the Stift St. Nikola in Passau, now Munich, Bayerische Staatsbibliothek [hereafter BSB], Clm 1128) hew closely to the promulgated version; see Johaneck, "Studien zur Überlieferung," 156, 172–78, and 205–9.

30. Salzburg (1274), *praefatio*: in *Concilia Germaniae*, eds. Johann Friedrich Schannat and Joseph Hartzheim, 11 vols. (Cologne, 1759–90) [hereafter CG], 3, 639–44, at 639.

31. It was to avoid precisely this problem that a later pope reputedly ordered the destruction or suppression of all copies of the decrees of the Council of Vienne that were circulating in advance of the formal publication; see Giovanni d'Andrea, *Apparatus* on the *Constitutiones Clementinae*, §*Proemium*, s.v. *de cetero*; here I have relied on the 1471 Strasbourg (Eggestein) edition, at f. 1vb.

32. I located and consulted fifty canonistic commentaries on the decree produced between 1274–1500 (including collections of *casus*, summaries, and other learned legal genres).

33. On this development, see generally Wilfried Hartmann and Kenneth Pennington, eds., *The History of Courts and Procedure in Medieval Canon Law* (Washington, DC: Catholic University of America Press, 2016).

34. William Durand, *In sacrosanctum Lugdunense concilium sub Gregorio X Guilelmi Duranti cognomento Speculatoris commentarius* (Fano: Moscardo, 1569), ff. 88v–92r. For a more detailed discussion of Durand's commentary on the decree, see my "Canon Law and the Problem of Expulsion," 144–47.

35. Nov. 14. This text also resembled *Usurarum voraginem* in laying penalties on those who rented houses to the wrongdoers.

36. The citation is to VI 3.2.4.2 (*CIC* 2.1065–66). Giovanni d'Andrea's *Apparatus* (completed ca. 1301) is found in many editions of the *Liber Sextus*, including the 1582 *editio romana*. Here I have relied on the copy in Munich, BSB, Clm 2934, f. 93v.

37. See Bernardo Raimundo's second recension of his *Apparatus* on the *Liber Sextus* (completed before 1311), in Paris, BnF, lat. 4088, f. 93rv; the citation is to X 3.18.3–4 (*CIC* 2.521). The reference is missing from the first recension, found in Paris, BnF, lat. 4089, f. 64r. On these texts,

see Francisco Cantelar Rodríguez, "El apparatus de Bernardo Raimundo al Libro Sexto de Bonifacio VIII," in *Proceedings of the Fifth International Congress of Medieval Canon Law. Salamanca, 21–25 September 1976*, eds. Stephan Kuttner and Kenneth Pennington (Vatican City: Biblioteca Apostolica Vaticana, 1980), 213–58.

38. For Pisa (1324), see Archivio di Stato di Pisa, Miscellanea Manoscritti, Ms. 12, f. 1v-35r, at f. 28r (c. 69); I am grateful to Sylvie Duval for sharing her images of this manuscript. For Lucca, see Raoul Manselli, "La sinodo lucchese di Enrico del Carretto," in *Miscellanea Gilles Gérard Meersseman*, 2 vols. (Padua: Antenore, 1970), 1.197–246, at 232–33 (c. 56). These statutes have not been precisely dated, but they are generally held to have been issued toward the start of del Carretto's episcopate (r. 1300–30).

39. See generally, Bain, "Marchands chassés," 53–74. Anglo-Saxon exegesis was something of an exception, as noted in Michael McCormick, *Origins of the European Economy: Communications and Commerce, A.D. 300–900* (Cambridge: Cambridge University Press, 2001), 13.

40. In the absence of a critical edition, I have relied on *Biblia cum glossa ordinaria: Facsimile Reprint of the editio princeps Adolph Rusch of Strassburg 1480/81*, eds. Karlfried Froehlich and Margaret T. Gibson, 4 vols. (Turnhout: Brepols, 1992). On the dating, authorship, and development of the *Glossa*, see Lesley Smith, *The Glossa Ordinaria: the Making of a Medieval Bible Commentary* (Leiden: Brill, 2009).

41. Giacomo Todeschini has forcefully argued that these new themes were firmly embedded in earlier discourses, as suggested by the close links between usury and simony in much of twelfth- and thirteenth-century thought; see his *Il prezzo della salvezza. Lessici medievali del pensiero economico* (Rome: Nuova Italia Scientifica, 1994), 174–76, with further references.

42. See especially Hugh of St. Cher's popular postils on the Bible, for which I consulted his *Opera omnia in universum Vetus et Novum Testamentum*, 8 vols. (Venice: Pezzana, 1732). For Thomas Aquinas, see his *Super evangelium S. Matthaei lectura*, ed. Raffaele Cai (Turin: Marietti, 1951); *Super evangelium S. Ioannis lectura*, ed. Raffaele Cai (Turin: Marietti, 1952); and *Catena aurea in quatuor Evangelia*, ed. Angelico Guarienti, 2 vols. (Turin: Marietti, 1953). For Pierre de Tarentaise's commentary on Matthew, I consulted Saint-Omer, Bibliothèque municipale (now Bibliothèque d'agglomération), Ms. 260, at ff. 78vb–80rb. The same manuscript contains a commentary on John by the mid-thirteenth century Dominican William of Alton (d. 1265), which again focuses on simony in its moralizing treatment of the episode (at f. 116rb–va). Similar tendencies are found in contemporary Dominican sermons on the Cleansing: see Jacopo da Voragine, *Sermones quadragesimales*, ed. Giovanni Paolo Maggioni (Florence: SISMEL, 2005), 189–94, 284–287; Nicolas de Hanapes, *Sermons on John 2:15*, in Florence, Biblioteca nazionale centrale, Conv. soppr. J.I.5, ff. 104v–106v; and Remigio dei Girolami, *Sermons on John 2:13–15*, in Florence, BN, Conv. soppr. G.7939, ff. 61r–67v. Albertus Magnus is unusual in using the episode to criticize the prelates of his own age for tolerating and even encouraging usurers; see his *Opera omnia*, ed. Auguste Borgnet, 38 vols. (Paris: Vivès, 1890–99), 24.104–6 (on John); his commentaries on the other Gospel accounts are found at 21.12–14, 21.632–33, and 23.592–94.

43. See the Gospel commentaries of Alexander of Hales and John of la Rochelle, for which I consulted (respectively) Reims, Bibliothèque municipale, Ms. 162, at ff. 66va, 115rb–va, 192rb, 216vb; and Paris, BnF, lat. 625, ff. 110va–b, 151vb–152ra. For the circulation and influence of Pseudo-Chrysostom's *Opus imperfectum in Matthaëum*, see Todeschini, *I mercanti e il tempio: la società cristiana e il circolo virtuoso della ricchezza fra medioevo ed età moderna* (Bologna: il

Mulino, 2002), 176–78; together with the cautionary remarks of Bain, “Marchands chassés,” 69–70. For the persistent focus on simony among even late thirteenth-century Franciscan writers, see Eudes Rigaud’s sermon on Luke 11:14, for which I consulted Bologna, Archiginnasio A 715, fols 34ra–36va. Even Alessandro Bonini (d. 1314), author of an important treatise on usury, says little on the topic in his Sermon on John 2:15 (Oxford, Merton College, MS 80, ff. 27v–30r).

44. See Paris, BnF, lat. 15588, f. 106ra (Matthew); *Lectura super Lucam et lectura super Marcum*, ed. Fortunato Iozzelli (Grottaferrata: Coll. S. Bonaventurae, 2010), 575 (Luke), 700–703 (Mark); and Florence, Biblioteca Medicea-Laurenziana, Plut. X dext. 8., ff. 22v–24rb (John). Olivi does cite the Cleansing in his treatise on contracts, pushing back against what he sees as excessive severity on the part of Pseudo-Chrysostom, but he focuses here on merchants rather than usurers; see his *Traité des contrats*, ed. and trans. Sylvain Piron (Paris: Les Belles Lettres, 2012), 134–37, §1.64.

45. Durand, *In sacrosanctum Lugdunense concilium*, f. 89r.

46. See Arnaud Fossier, “‘Propter vitandum scandalum’: Histoire d’une catégorie juridique (XII^e–XV^e siècle),” *Mélanges de l’École française de Rome. Moyen Âge* 121/2 (2009), 317–48; and Richard H. Helmholz, “Scandalum in the Medieval Canon Law and in the English Ecclesiastical Courts,” *ZRG* 127, *Kan. Abt.* 96 (2010), 258–74, especially 260–62.

47. See, for example, Durand’s remarks on c. 11 (*Exigit*) and c. 26 (*Hoc consultissimo*), and especially on the decree *Licet canon*, added after the council’s end; see too Leonard E. Boyle, “The Date of the Commentary of William Duranti on the Constitutions of the Second Council of Lyons,” *Bulletin of Medieval Canon Law* n.s. 4 (1974), 39–47, at 40–43.

48. Munich, BSB, Clm 2934, f. 93v. For a similar and nearly contemporaneous argument (that Florentines were too ashamed to lend at home and therefore did it in France instead), see Giordano da Pisa, *Prediche inedite . . . recitate in Firenze dal 1302 al 1305*, ed. Enrico Narducci (Bologna: Romagnoli, 1867), 233.

49. *Les Quodlibets onze-quatorze de Godefroid de Fontaines*, ed. Jean Hoffmans (Louvain: Éditions de l’Institut supérieur de Philosophie, 1932), 114–18 (no. 12, §9). For a broader discussion of Godfrey’s thinking on the “common welfare,” see Matthew Kempshall, *The Common Good in Late Medieval Political Thought* (Oxford: Clarendon Press, 1999), 204–63, especially 236–39.

50. The Dominican theologian John of Naples relied on similar reasoning in a quodlibet on usury delivered ca. 1323; see Naples, Biblioteca nazionale, Ms. VII.B.28, ff. 21va–23ra (no. 10, §18). On this text, see Odd Langholm, *Economics in the Medieval Schools. Wealth, Exchange, Value, Money and Usury, according to the Paris Theological Tradition, 1200–1350* (Leiden: Brill, 1992), 470–78. Another echo is found in Bernardino da Siena’s *Quadragesimale de Evangelio aeterno*, Sermon 43, edited in *Opera omnia; iussu et auctoritate Pacifici M. Perantoni*, 9 vols. (Quaracchi: Coll. S. Bonaventurae, 1950–65), 4:370–87, at 385–86.

51. Pierre Bersuire, *Opera omnia*, 6 vols. (Cologne: Huisch, 1730–31), 6:294 (Pars 4, s.v. *usura*): “Mandatorum transgressores/ Gaudiorum contemptores/ Proximorum deceptores/ Terrenorum consumptores.” The translation is mine, but I think Bersuire would have approved.

52. *Consiliorum, sive Responsorum Baldi Ubaldi Perusini*, 5 vols. (Venice: Domenico Nicolino, 1580), vol. 3, f. 131vb (no. 449, §8). I have confirmed the misquoted reference in Vatican City, Biblioteca Apostolica Vaticana [hereafter BAV], Barb. Lat. 904, f. 11rb.

53. Elsa Marmursztejn discusses this quodlibet at length in "A Normative Power in the Making: Theological *Quodlibeta* and the Authority of the Masters at Paris at the End of the Thirteenth Century," in *Theological Quodlibeta in the Middle Ages*, ed. Christopher Schabel, 2 vols. (Leiden: Brill, 2006–07), 1.345–402; and eadem, *L'autorité des maîtres: scolastique, normes et société au XIII^e siècle* (Paris: Les Belles Lettres, 2007), 145–50. In both cases, Marmursztejn argues that this quodlibet is connected to anxieties surrounding contemporary expulsions of Jews, an argument that (for reasons spelled out below) I consider highly unlikely. Drawing on Marmursztejn's work, Ian Wei also discusses this quodlibet in his *Intellectual Culture in Medieval Paris: Theologians and the University, c. 1100–1330* (Cambridge: Cambridge University Press, 2012), 346–47.

54. For its fourteenth-century expressions, see Cary J. Nederman, "Community and the Rise of Commercial Society: Political Economy and Political Theory in Nicholas Oresme's *De Moneta*," *History of Political Thought* 21, no. 1 (2000), 2–15; and Nederman, "The Opposite of Love: Royal Virtue, Economic Prosperity, and Popular Discontent in Fourteenth-Century Political Thought," in *Princely Virtues in the Middle Ages, 1200–1500*, eds. István P. Bejczy and Cary J. Nederman (Turnhout: Brepols, 2007), 177–99.

55. See the quodlibet of ca. 1316 by the Carmelite Guido Terreni, "Una soluzione teologico-giuridica al problema dell'usura in una questione 'de quodlibet' inedita di Guido Terreni (1260–1342)," ed. Pier Giorgio Marcuzzi, *Salesianum* 41 (1979), 647–84, at 663–65 (§6.12); Heinrich Volbert Sauerland, ed., *Urkunden und Regesten zur Geschichte der Rheinlande aus der Vatikanischen Archiv*, 7 vols. (Bonn: Hanstein, 1902–13), 6.91–92, no. 171 (13 November 1389); and Leonard Lessius, *De iustitia et iure* (Leiden: Masius, 1605), 249, §2.20.23.194, showing continuing resonance into the seventeenth century. I am grateful to Wim Decock for drawing my attention to the latter text.

56. Giovanni d'Andrea, *Novella super sexto decretalium* (Pavia: Franciscus de Girardengis, 1484), ad 5.5.1.

57. *Quellen zur Wirtschafts- und Sozialgeschichte mittel- und oberdeutscher Städte im Spätmittelalter*, ed. Gisela Möncke (Darmstadt: Wissenschaftliche Buchgesellschaft, 1982), 56–61; Henri d'Arbois de Jubainville, "De quelques documents récemment découverts à Evry (Aube)," *Bibliothèque de l'École des chartes* 17 (1856), 461–72; and Bernard d'Alterroche, *De l'étranger à la seigneurie à l'étranger au royaume XI^e-XV^e siècle* (Paris: LGDJ, 2002), 49–86 and 273–77.

58. See Durand, *In sacrosanctum Lugdunense concilium*, f. 89r (citing X 1.3.15); and Giovanni Anguissola, *Apparatus super Constitutiones novissimae*, for which I consulted Munich, BSB, Clm 14032, f. 283r, and Vienna, Österreichische Nationalbibliothek, Cod. 2216, ff. 74v–75r.

59. COGD, 2.1.144–45.

60. Most recently, Rebecca Rist, *Popes and Jews, 1095–1291* (Oxford: Oxford University Press, 2016), 159.

61. As a typical example, see Peter Lombard's gloss on Ps. 17:16, s.v. *alieni*, in *PL* 191, col. 202D.

62. Angers (October 1274), in *Statuts synodaux* 3.122–24.

63. In his 1261 statutes, Gellent tendentiously strengthened the penalty clause of the Lateran IV decree *Accedentibus ad nos* (COGD 2.1.195, §60; later X 5.31.12 [CIC 2.840–41]). For Gellent's reworking, see *Statuts synodaux*, 3.74, §5.

64. In a preparatory text drawn up by an earlier bishop of Angers for the 1231 provincial council of Tours (held at Château-Gontier), the first of the thirteen complaints concerned Jewish lending and the secular support that it enjoyed; see Joseph Avril, "La province de Tours

après le IV^e concile du Latran. Les 'Articuli missi archiepiscopo Turonensi . . .' (Nantes, Bibl. mun. ms. 36, fo. 90–91)," *Annuario Historiae Conciliorum* 6 (1974), 291–306, especially 297–98, c. 1.

65. Gellent's reliance on an early draft of the decree is demonstrated by his use of the phrase "aliis eodem crimine irretitis," since the corresponding phrase in the Washington and Sankt Florian manuscripts ("alios ipso crimine similiter irretitos") was dropped from subsequent revisions.

66. Tours (1282), c. 6: *Les conciles de la province de Tours/Concilia provinciae Turonensis (saec. XIII–XV)*, ed. Joseph Avril (Paris: Éditions du CNRS, 1987), 276–89, at 282. Here again the bishops ignored the decree's restriction to foreigners, which may suggest that they too were working from the draft version.

Chapter 5: Disseminating Expulsion: Synods, Summas, and Sermons

1. "Le Dit du Concile de Lyon," eds. Louis Carolus-Barré and Jean-Charles Payen, in *1274, Année charnière: mutations et continuités* (Paris: Éditions du CNRS, 1977), 915–67, at 945.

2. The manuscript is now in the collection of the Metropolitan Library of Zagreb; see Lucilla Spetia, "Le recueil MR 92 de Zagreb et son histoire," *Cultura neolatina* 53 (1993), 151–95. For the contemporary circulation of other French vernacular texts in Italy, see Paul Meyer, "De l'expansion de la langue française en Italie pendant le moyen-âge," in *Atti del Congresso internazionale di Scienze storiche, Roma, 1–9 aprile 1903*, 12 vols. (Rome: Tip. della R. Accademia dei Lincei, 1904–7), 4.61–104.

3. According to Matthew Paris (*CM* 5.513), the French also used this term to denote usurers, but in the context of the poem such a meaning would be tautological; see the etymological discussion in Monique Zerner, "Du court moment où on appela les hérétiques des 'bougres': Et quelques déductions," *Cahiers de civilisation médiévale* 32 (1989), 305–24.

4. For the demolition of houses and other punishments, see Julien Havet, "L'hérésie et le bras séculier au moyen âge jusqu'au treizième siècle," *Bibliothèque de l'École des chartes* 41 (1880), 488–517 and 570–607.

5. For the twelfth century, see Robert Somerville, *Pope Urban II's Council of Piacenza: March 1–7, 1095* (Oxford: Oxford University Press, 2011); Martin Brett and Robert Somerville, "The Transmission of the Councils from 1130–1139," in *Pope Innocent II (1130–43): The World vs the City*, eds. John Doran and Damian J. Smith (Abingdon, UK: Routledge, 2016), 226–71; and Danica Summerlin, *The Canons of the Third Lateran Council of 1179: Their Origins and Reception* (Cambridge: Cambridge University Press, 2019).

6. This is not true of work on the early Middle Ages, perhaps because the relative paucity of sources forces a certain ecumenism of approach; see Gregory I. Halfond, *Archaeology of Frankish Church Councils, AD 511–768* (Leiden: Brill, 2010) and Carine van Rhijn, *Shepherds of the Lord: Priests and Episcopal Statutes in the Carolingian Period* (Turnhout: Brepols, 2007), with further references. For the High Middle Ages, see the insightful summary by Anthony Perron, "Local Knowledge of Canon Law, ca. 1150–1250," in *The Cambridge History of Medieval Canon Law*, eds. Anders Winroth and John Wei (Cambridge: Cambridge University Press, 2022), 285–98.

7. The impact of new legal norms surrounding marriage is a notable exception; see especially Charles Donahue, Jr., *Law, Marriage, and Society in the Later Middle Ages: Arguments about Marriage in Five Courts* (Cambridge: Cambridge University Press, 2007). Also exemplary in this

regard is Ian Forrest, *The Detection of Heresy in Late Medieval England* (Oxford: Oxford University Press, 2005), chs. 4–6.

8. For an elegant critique of such tendencies, see Jeffrey Wayno, "Rethinking the Fourth Lateran Council of 1215," *Speculum* 93, no. 3 (2018), 611–37. See also the essays gathered in *Literary Echoes of the Fourth Lateran Council in England and France, 1215–1405*, ed. Maureen B. M. Boulton (Toronto: PIMS, 2019).

9. Tilmann Schmidt, "Publikation und Überlieferung des *Liber Sextus* Papst Bonifaz' VIII," in *Proceedings of the Twelfth International Congress of Medieval Canon Law. Washington, D.C., 1–7 August 2004*, eds. Uta-Renate Blumenthal, Kenneth Pennington, and Atria A. Larson (Vatican City: Biblioteca Apostolica Vaticana, 2008), 567–79.

10. Some religious communities even restricted access to legal manuscripts to prevent unlearned members from drawing dangerous conclusions; see, for example, *Statuta capitulorum generalium ordinis Cisterciensis ab anno 1116 ad annum 1786*, ed. Joseph-Marie Canivez, 8 vols. (Louvain: Bureaux de la Revue d'histoire ecclésiastique, 1933–1941), 1.108, a. 1188. I am grateful to Eva Schlotheuber for this reference.

11. *Gli statuti veronesi del 1276 colle correzioni e le aggiunte fino al 1323*, ed. Gino Sandri, 2 vols. (Venice: R. Deputazione di storia patria per le Venezie, 1940), 1.124 (§1.145). The statute was renewed in 1327; see Mariaclara Rossi, *Gli 'uomini' del vescovo: Famiglia vescovili a Verona, 1259–1350* (Venice: Deputazione di storia patria per le Venezie, 2001), 39. For a similar practice regarding urban civic statutes, see Christian D. Liddy, *Contesting the City: The Politics of Citizenship in English Towns, 1250–1530* (Oxford: Oxford University Press, 2017), 131 and 145.

12. These letters are further discussed in Chapter 7 below.

13. Lateran IV (1215), c. 6 (*COGD* 2.1.170); later codified as X 5.125 (*CIC* 2.747). The quotation is from Gabriel Le Bras, *Institutions ecclésiastiques de la Chrétienté médiévale*, 2 vols. (Paris: Bloud & Gay, 1959), 1.1.87. For a general discussion, see my article, "The Bishop as Lawmaker in Late Medieval Europe," *Past & Present* 253, no. 1 (2021), 45–82.

14. Salzburg (1274), *Praefatio*, in *CG* 3.639–44, at 639; Salzburg (1288), c. 13. The edition of the latter in *CG* 3.737–39, is incomplete; see instead Peter Johaneck, "Synodalia. Untersuchungen zur Statutengesetzgebung in den Kirchenprovinzen Mainz und Salzburg während des Spätmittelalters," (Habilitationsschrift, Univ. Würzburg, 1978), Band 3, Anhang 2, no. 2, 107–30. I am grateful to the author for sharing a copy of this study with me.

15. See the diocesan statutes of Lisieux (before 1321): Paris, BnF, lat. 15172, f. 142v, requiring each priests in the diocese to have a personal copy of both *Usurarum voraginem* and *Quamquam usurarii*; the *Ordo synodalis* of Noyon (1274 × 1312), in *Statuts synodaux* 4.271–78, at 278, requiring these same decrees to be read out at each diocesan synod; and the 1279 provincial canons of Rouen (issued at Pont-Audemer), c. 3, in Guillaume Bessin, *Concilia rothomagensis provinciae accedunt dioecesanæ synodi*, 2 vols. (Rouen: Vaultier, 1717), 1.150, requiring the two Lyonese decrees against usurers to be read out monthly in each parish.

16. Lateran IV (1215), c. 21 (*COGD* 2.1.178); later codified as X 5.38.12 (*CIC* 2.887–88). The decrees' provisions notably included a mandate for its regular proclamation.

17. See, for example, Wrocław (1279), in *Concilia Poloniae*, ed. Jakub Sawicki, 10 vols. (Warsaw: Nakł. Tow. Naukowego Warszawskiego, 1948–1963), 10.330–33, at 332; Canterbury (1279, issued at Reading), c. 5, in *Councils and Synods, with other Documents Relating to the English Church*, eds. F. M. Powicke and Christopher R. Cheney, 2 vols. (Oxford: Clarendon Press, 1964), 2.834–51, at 841–43; and Bourges (1286), cc. 1.11–12, in Mansi 24.625–48, at cols. 629–31.

18. Tours (1282), c. 6: *Les conciles de la province de Tours/Concilia provinciae Turonensis (saec. XIII–XV)*, ed. Joseph Avril (Paris: Éditions du CNRS, 1987), 276–89, at 282.

19. For instance Trier (1277; previously incorrectly dated 1227), c. 11: in *Statuta synodalia ordinationes et mandata archidioecesis Trevirensis*, ed. Johann Jacob Blattau, 9 vols. (Trier: Lintz, 1844–59), 1.14–30, at 25–26; Liège (1288), tit. *De usurariis*, in *Les statuts synodaux de Jean de Flandre, évêque de Liège (1288)*, ed. Joseph Avril (Liège: Société d'art et d'histoire du diocèse de Liège, 1995), 135–36; and Cologne (1298 × 1303), c. 9, in *Die Synodalstatuten der Kölner Kirche im Spätmittelalter 1261–1523*, ed. Heinz Wolter (Vienna-Cologne-Weimar: Böhlau, 2022), no. 6. I am grateful to Dr. Wolter for sharing his edition with me in advance of publication.

20. Huesca (1280, held at Barbastro), c. 22, in *Synodicon Hispanum*, eds. Antonio García y García et al., 15 vols. (Madrid: Biblioteca de autores cristianos, 1981–2023) [hereafter *SH*], 14.31–49, at 47.

21. See, in the first instance, Odette Pontal, *Les statuts synodaux* (Turnhout: Brepols, 1975).

22. The *Corpus Synodaliium* project maintains a working repertory of these statutes; see <http://www.corpus-synodaliium.com>.

23. See Charles Donahue, Jr., "Thoughts on Diocesan Statutes: England and France, 1200–1500," in *Canon Law, Religion and Politics: Liber Amicorum Robert Somerville*, eds. Uta-Renate Blumenthal, Anders Winroth, and Peter Landau (Washington, DC: Catholic University of America Press, 2012), 253–81. The Franco-German divergence is noted by Peter Johaneck in "Synodalität im spätmittelalterlichen Reich. Ein Überblick," in *Partikularsynoden im späten Mittelalter*, eds. Nathalie Kruppen and Leszek Zygnier (Göttingen: Vandenhoeck & Ruprecht, 2006), 29–53, at 51. The province of Reims is an exception to the general French pattern, as noted by Christine Barralis, "Législation provinciale, législation diocésaine dans la province de Reims aux XIV^e et XV^e siècles," *Travaux de l'Académie nationale de Reims 178* (2008), 353–64, at 357.

24. For the possession of diocesan statutes among the lower clergy, see (for England) Christopher R. Cheney, "Statute-Making in the English Church in the Thirteenth Century," *Proceedings of the Second International Congress of Medieval Canon Law: Boston College, 12–16 August 1963*, eds. Stephan Kuttner and J. Joseph Ryan (Vatican City: S. Congregatio de seminariis et studiorum universitatibus, 1965), 399–414, at 410–12; and, for a German example, Matthew P. Wranovix, *Priests and their Books in Late Medieval Eichstätt* (Lanham, MD: Lexington Books, 2017), especially ch. 3.

25. At a 1466 diocesan synod in Parma, earlier statutes (dating back to 1273) were read out in full over the course of three days; see Angelo Pezzana, *Storia della città di Parma, 1346–1500*, 5 vols. (Parma: Ducale Tipografia, 1837–59), vol. 3, Appendice, 18–26, no. 8.

26. Dorin, "Bishop as Lawmaker," 58–64.

27. See Christopher R. Cheney, "Textual Problems of the English Provincial Canons," in *Medieval Texts and Studies* (Oxford: Clarendon Press, 1973), 111–37; and Angela Treiber, *Die Autorität der Tradition: theoriegeschichtliche und quellenkritische Studien zur sogenannten 'Volkskultur' am Beispiel der spätmittelalterlichen Synodalstatuten der Kirchenprovinz Salzburg* (Dettelbach: Röhl, 1996), especially 116–99.

28. Bourges (1276), in Mansi 24.165–80; a similar pattern holds for the provincial canons issued a decade later: see Bourges (1286), in Mansi 24.625–48. For Arras (1280 × 1290), c. 82, see *Statuts synodaux 4*, 183–216, at 202; the text was compiled ca. 1280 and updated over the course of the following decade. For other examples, see Cologne (1275 × 1282), c. 14, in *Synodalstatuten*

der Kölner Kirche im Spätmittelalter 1261–1523, ed. Heinz Wolter (Vienna-Cologne-Weimar: Böhlau, 2022), no. 2; Autun (1286), cc. 50, 51, 98, 99, and 101, in Edmond Martène and Ursin Durand, *Thesaurus novus anecdotorum*, 5 vols. (Paris: Delaulne, 1717), 4.467–80, at cols. 473 and 480; Regensburg (1377), c. 32, in Joseph Lipf, *Oberhirtliche Verordnungen und allgemeine Erlasse für das Bisthum Regensburg, vom Jahre 1250–1852* (Regensburg: in der bischöflichen Ordinariats-Kanzlei, 1853), 2–15.

29. This occurs in at least a dozen cases; for representative examples, see Barcelona (1319), c. 2, in *SH* 13.205–10, at 206; Prague (1333), cc. 1–2, in *Pražké synody a koncily (předhusitské doby)*, eds. Jaroslav Polc and Zdeňka Hledíková (Prague: Univerzita Karlova v Praze, 2002), 106–7; Arras (before 1363), in Lille, Bibliothèque municipale (now Médiathèque municipale Jean Lévy), Ms. 81 (*anc.* 193), ff. 20v–22r; and Hildesheim (1365 × 1398), c. 12, in Richard Doebner, “Hildesheimische Synodalstatuten des 15. Jahrhunderts,” *Zeitschrift des historischen Vereins für Niedersachsen* (1899), 118–25, at 124.

30. Utrecht (1293), c. 24, in Jan Gualterius Christiaan Joosting, ed., *Bronnen voor de geschiedenis der kerkelijke rechtspraak in het bisdom Utrecht in di middeleuwen*, 8 vols. (The Hague: Nijhoff, 1906–24), 5.60–68, at 65.

31. For such broadenings, see Paris (1277 × 1279), c. 5, in *Statuts synodaux* 5, 176–79, at 178; Chalon-sur-Saône (1281), in Paris, BnF, lat. 18340, f. 2r, s.v. *Usurarios manifestos*; Basel (1297), c. I.13, in Joseph Trouillat, ed., *Monuments de l'histoire de l'ancien évêché de Bâle*, 5 vols. (Porrentruy: Michel, 1852–67), 2.655–65, at 657; Toledo (1302, held at Peñafiel), c. 9, in José Sánchez Herrero, *Concilios provinciales y sínodos toledanos de los siglos XIV y XV. La religiosidad cristiana del clero y pueblo* (Tenerife: Universidad de la Laguna, 1976), 165–72, at 168. There is a notable concentration in Tuscany: see Fiesole (1306), tit. *De usuris*, and Florence (1310), c. II.50, in Richard C. Trexler, *Synodal Law in Florence and Fiesole, 1306–1518* (Vatican City: Biblioteca Apostolica Vaticana, 1971), 203 and 278; Lucca (1300 × 1330), c. 56, in Raoul Manselli, “La sinodo lucchese di Enrico del Carretto,” in *Miscellanea Gilles Gérard Meersseman*, 2 vols. (Padua: Editrice Antenore, 1970), 1.197–246, at 232–33; Pisa (1324), c. 69 in Archivio di Stato di Pisa, *Miscellanea Manoscritti*, Ms. 12, ff. 1v–35r, at 28r; and Volterra (1356), c. 42, in Jacobo Paganelli, *Il sinodo del vescovo Filippo Belforti e la Chiesa di Volterra alla metà del Trecento* (Volterra: Accademia dei Sepolti, 2020), 100.

32. A list is given in Appendix B.

33. Most of the instances of textual resemblance occur in what is now southwestern France, which largely reflects the region's long history of frequent and extensive legislative borrowings between dioceses and across provincial and political boundaries. The only other obvious case of imitation is found in the diocesan statutes of Cologne from ca. 1300, which seem to have drawn their citation of *Usurarum voraginem* directly from (or else shared a now-lost common model with) the 1288 diocesan statutes of Liège; see Cologne (1298 × 1303), c. 9, in *Synodalstatuten der Kölner Kirche*, no. 6; and Liège (1288), c. 6, in *Statuts synodaux de Jean de Flandre*, 135–36.

34. See generally Winfried Reichert, *Lombarden in der Germania-Romania: Atlas und Dokumentation*, 3 vols. (Trier: Porta Alba, 2003).

35. For the housing ban, see Basel (1297), c. I.13, in Trouillat, *Monuments... de Bâle*, 2.657; and Chalon-sur-Saône (1281), in Paris, BnF, lat. 18340, f. 2r (s.v. *usurarios manifestos*). For the incipit, see Toul (1359), c. 69, in Étienne Baluze, *Histoire généalogique de la maison d'Auvergne*, 2 vols. (Paris: Dezallier, 1708), 2.850–64, at 861.

36. The surviving letters of Boniface VIII are addressed to the bishops of Autun, Basel, Bely, Besançon, Chalon-sur-Saône, Langres, Lausanne, and Mâcon; those of Benedict XII are addressed to the archbishops of Tarentaise and Vienne and the bishops of Valence and Viviers. See *Les registres de Boniface VIII*, ed. Georges Digard et al., 4 vols. (Paris: de Boccard, 1907–1939), 1.328–29, nos. 937a–b; and *Benoît XII (1334–1342): Lettres communes . . .*, ed. Jean-Marie Vidal, 3 vols. (Paris: Fontemoing, 1903–1911), 1.479 (no. 5097) and 2.204 (no. 7399).

37. Particularly influential were the synodal statutes issued for Rodez in 1289, whose discussion of *Usurarum voraginem* (and exclusive focus on clerical offenders) was taken up almost verbatim into the 1318 synodal statutes of Cahors, Rodez, and Tulle; the 1340 synodal statutes of Albi; and the 1358 synodal statutes of Castres. See Rodez (1289), c. 17.10, in *Statuts synodaux* 6, 178; Cahors/Rodez/Tulle (1318), c. 25, in Martène and Durand, *Thesaurus novus anecdotorum*, 4.744; Albi (1340), in *Synodale diocesis albiensis omnibus presbyteris curam animarum habentibus necessario pervium* (Limoges: Berton, 1528), f. 42v; Castres (1358), in Paris, BnF, lat. 1592A, f. 47rv.

38. It is only a single word (*huiusmodi*) in the codified version of *Usurarum voraginem* that establishes that the housing ban's restriction to foreigners extends to the expulsion provision as well (rather than the latter applying to all usurers, regardless of their origins). Needless to say, an inattentive scribe or reader might easily have missed it. See Carcassonne (1300 × 1322), in Paris, BnF, lat. 1613, f. 56r; Elne (1326), in Perpignan, Bibliothèque municipale (now Médiathèque municipale), Ms. 79, f. 86rb; Saint-Flour (1326), in Paris, BnF, lat. 1595, f. 48v; Pamiers (1326 × 1347), in Toulouse, Bibliothèque municipale (now Bibliothèque d'étude et du patrimoine), Ms. 402, f. 13va.

39. Vatican City, BAV, Palat. Lat. 832, ff. 91v–92r. The quire containing the Lyonese decrees dates to the late thirteenth century, and an *ex libris* (on f. 2r) records that the manuscript formerly belonged to the library of St. Martin's Cathedral in Mainz. The "non" is likewise omitted in Graz, Universitätsbibliothek, Ms. 222, f. 229v. For the diocesan statutes, see Mainz (1274 × 1275), c. 13: ". . . alienigenas vel etiam oriundos de terris ipsorum." Both extant copies of the diocesan statutes contain the same reading: Oxford, Bodleian Library, MS Laud 401, f. 3r; and Leipzig, Universitätsbibliothek, Ms. lat. 1085, f. 34v.

40. For a stimulating exception, see Gaines Post, "Copyists' Errors and the Problem of Papal Dispensations 'contra statutum generale Ecclesiae' or 'contra statum generale ecclesiae' according to the Decretists and Decretalists, ca. 1150–1234," *Studia Gratiana* 9 (1966), 357–405.

41. Rome, Biblioteca Casanatense, Ms. 774, ff. 3r–67v, with the anti-usury provisions at ff. 55v–58r (c. 67) and 65r–66r (c. 76), and the Jewish clothing restrictions at f. 66rv.

42. Ariel Toaff, *The Jews in Umbria*, 3 vols. (Leiden: Brill, 1993–1994), 1.99–100 (no. 152), as well as 1.78 (no. 108) for earlier Jewish privileges in the Duchy of Spoleto.

43. For the term *pastoralia*, together with a schematic breakdown of the textual genres that it encompassed, see Leonard Boyle, "The Fourth Lateran Council and Manuals of Popular Theology," in *The Popular Literature of Medieval England*, ed. Thomas J. Heffernan (Knoxville: University of Tennessee Press, 1985), 30–43.

44. Raymond of Penyafort, *Summa de Paenitentia*, eds. Javier Ochoa and Aloisio Díez (Rome: Commentarium pro religiosis, 1976). On the genre as a whole, see Pierre Michaud-Quantin, *Sommes de casuistique et manuels de confession au Moyen Age (XII–XVI siècles)* (Louvain: Nauwelaerts, 1962).

45. Leonard E. Boyle, "The *Summa Confessorum* of John of Freiburg and the Popularization of the Moral Teaching of St. Thomas and of Some of his Contemporaries," in *Thomas Aquinas, 1274–1974. Commemorative Studies*, 2 vols. (Toronto: Pontifical Institute of Mediaeval Studies, 1974), 2.245–68, at 253.

46. The vernacular translation, by an otherwise unknown Brother Berthold, survives in at least 130 extant manuscripts as well as a dozen printed editions from between 1472 and 1518; see *Die "Rechtssumme" Bruder Bertholds. Eine deutsche abecedarische Bearbeitung der "Summa Confessorum" des Johannes von Freiburg. Untersuchungen*, eds. Marlies Hamm and Helgard Ulmschneider, 2 vols. (Tübingen: Niemeyer, 1980), 1.6–11; and see also Ulrich-Dieter Oppitz and Klaus Klein, "Neue Textzeugen von Bruder Bertholds 'Rechtssumme,'" *Zeitschrift für deutsches Altertum und deutsche Literatur* 130, no. 3 (2001), 298–301. For the Latin reworkings, see Marlies Hamm, "Die Entstehungsgeschichte der 'Rechtssumme' des Dominikaners Berthold. Ihr Verhältnis zur 'Summa Confessorum' des Johannes von Freiburg und zu deren lateinischen Bearbeitungen," in *Die 'Rechtssumme' Bruder Bertholds. Synoptische Edition der Fassungen B, A und C*, eds. Georg Steer et al., 8 vols. (Tübingen: Niemeyer, 1987–2006), 1.35–115, especially 43–55.

47. John of Freiburg, *Summa Confessorum* (Augsburg, 1474), 2.771. John Lorenz has recently edited the titles on usury; see his "John of Freiburg and the Usury Prohibition in the Late Middle Ages: A Study in the Popularization of Medieval Canon Law," (unpublished PhD dissertation, University of Toronto, 2013), 273–327.

48. See *Die Summa confessorum des Johannes von Erfurt*, ed. Norbert Brieskorn, 3 vols. (Frankfurt: Peter Lang, 1980–81), 1.16–22. The same author also quotes extensively from *Usurarum voragine* in his popular *Tabula iuris utriusque*; I consulted Munich, BSB, Clm 8705, f. 460ra, s.v. *usura*.

49. The *Directorium iuris* of the Franciscan Peter Quesnel (or Quesvel) was written in the first quarter of the fourteenth century and survives in numerous manuscripts; I consulted Troyes, Bibliothèque municipale (now Médiathèque de l'agglomération troyenne), Ms. 75, f. 195ra.

50. Astesano da Asti, *Summa de casibus conscientiae* (Strasbourg: Johann Mentelin [not after 1469]), f. 122va, §3.11. The work was completed ca. 1317.

51. Martín Pérez, *Libro de las confesiones: una radiografía de la sociedad medieval española*, eds. Antonio García y García et al. (Madrid: Biblioteca de Autores Cristianos, 2002), 27, §1.6.32. The work was written in 1316.

52. Bartolomeo da San Concordio, *Summa de casibus conscientiae* (Augsburg: Günther Zainer, 1475), f. 188v. The work was completed in 1338 and subsequently appeared in Castilian, German, and Italian vernacular translations; for evidence of its popularity, see the list of manuscripts in Thomas Kaeppli, *Scriptores Ordinis Praedicatorum medii aevi*, 4 vols. (Rome: ad S. Sabinae, 1970–93), 1.158–65.

53. For William Paull's *Summa summarum*, I consulted Cambridge, Pembroke College, MS 201, f. 246rb. At least seventy manuscripts of the work are known to have been circulating in England in the fourteenth and fifteenth centuries, in both institutional and private contexts; see Leonard E. Boyle, "The 'Summa summarum' and Some Other Works of English Canon Law," in *Proceedings of the Second International Congress of Medieval Canon Law*, 415–56, at 425–30. Another of William Paull's pastoral works, *Oculus sacerdotis*, briefly references *Usurarum*

voraginem in reviewing cases of major excommunication; I consulted Philadelphia, University of Pennsylvania, MS Codex 721, ff. 49v and 66r-67r.

54. Johannes Nider, *Manuale confessorum* (Paris: Ulrich Gering, Martin Cranz and Michael Friburger, 1477), 1.4.14.

55. Niccolò da Osimo, *Supplementum Summae Pisanellae* (Venice, 1474), s.v. *usura*, §4.3.

56. See now Deena Copeland Klepper, *Pastoral Care and Community in Late Medieval Germany: Albert of Diessen's "Mirror of Priests"* (Ithaca, NY: Cornell University Press, 2022). For an instructive discussion based on the distribution and readership of the *Oculus*, the *Pupilla oculi*, and other handbooks for clergy, see Robert Michael Ball, "The Education of the English Parish Clergy in the Later Middle Ages with Particular Reference to the Manuals of Instruction" (PhD dissertation, University of Cambridge, 1976), especially 79–157.

57. To judge from the surviving library catalogs of mendicant houses, the two most successful thirteenth-century *summas*—by the Dominican Raymond of Penyafort and the Franciscan Monaldo da Capodistria—remained more popular throughout the fourteenth and fifteenth centuries than their more recent counterparts. That said, as Leonard Boyle observed, it is also true that such catalogs often attributed John of Freiburg's *Summa* to Raymond of Penyafort by mistake; see Boyle, "John of Freiburg," 259–60. As an example of a work that opted for a theological rather than juridical approach toward penance and pastoral care, see Alberto da Brescia's *Summa de officio sacerdotis*; I consulted the copy in Florence, Biblioteca Medicea-Laurenziana, Ashburnham 948, ff. 13r-230v, with the discussion of usury found at ff. 71vb-74ra (§2.10: *De peccato usure*). For fourteenth-century works relying on pre-1274 material, see Henry of Friemar, *De decem preceptis*, ed. Bertrand G. Guyot (Pisa: Scuola normale superiore, 2005), 134–35; and the anonymous *Summa rudium* (Reutlingen: Johann Otman, 1487), c. 2.

58. In addition to the works cited above, I consulted a further seventeen late medieval pastoral handbooks and penitential treatises, including those of (for the thirteenth century) Béranger Fredoli, Burchard of Strasbourg, and Marchesino da Reggio; (for the fourteenth century) Simon of Boraston, John of Mirfeld, Guido of Monte Rochen and Walter Murner of Strasbourg; (for the fifteenth century and later) Paolo Attavanti, Bernardino of Siena, Giovanni Cagnazzo, Angelo Carletti di Chivasso, Andrés de Escobar, Gottschalk Hollen, Silvestro Mazzolini da Prierio, Jean Rigaud, Baptista Trovamala, and Hermannus Zittart.

59. Most of the work on this topic has focused on England; see in particular Christina von Nolcken, "Some Alphabetical Compendia and How Preachers Used Them in Fourteenth-Century England," *Viator* 12 (1981), 271–88.

60. Among the exceptions are two handbooks that both made extensive use of canon law, both of which were composed in England in the first half of the fourteenth century: *Fasciculus Morum. A Fourteenth-Century Preacher's Handbook*, ed. and trans. Siegfried Wenzel (University Park, PA: Pennsylvania State University Press, 1989), 352–53 (§4.7: *De usura*); and John Bromyard, *Summa praedicatorum* (Basel: Johannes Amerbach, not after 1484), s.v. *usura* (§U.12.27). The former, by an anonymous Franciscan, circulated mostly in England, while copies of the latter work are attested in most of the major European manuscript collections.

61. Nicole Bériou, "Les sermons latins après 1200," in *The Sermon*, ed. Beverly Mayne Kienzle (Turnout: Brepols, 2000), 263–447, at 363; and Johannes Baptist Schneyer, *Repertorium der lateinischen Sermones des Mittelalters für die Zeit von 1150 bis 1350*, 11 vols. (Münster: Aschendorff, 1979–1990). Preliminary work on the later period can be found in the CD-ROM *Repertorium*

der lateinischen Sermones des Mittelalters für die Zeit von 1350 bis 1500 nach den Vorarbeiten von J.B. Schneyer, eds. Ludwig Hödl and Wendelin Knoch (Münster: Aschendorff, 2001).

62. In assembling this corpus, I focused particularly on preachers who demonstrated a particular interest in usury (especially the Observant Franciscans) and on extant sermons concerning the Cleansing of the Temple, many of which appeared in Lenten sermon cycles. Drawing on the Schneyer repertories cited in the previous note, I also examined a further fifty late medieval sermons that took as their *thema* Deuteronomy 23:19 (*Non foenerabis*); Luke 6:35 (*Date mutuuum*); Luke 11:14 (*Erat Iesus eiciens*); or Galatians 4:30 (*Eice ancillam*). In terms of their geographic distribution, Italy looms largest, followed by German-speaking lands.

63. Matthew's account (21:10–12) was the traditional *thema* for the Tuesday following the first Sunday of Lent; John's account (2:14–16) for the Monday following the fourth Sunday.

64. Giordano of Pisa, *Prediche inedite* (dal ms. Laurenziano, *Acquisti e Doni* 290), ed. Cecilia Iannella (Pisa: Edizioni ETS, 1997), 49–53 (Sermon 6); Bernardino da Feltre, *Sermoni del beato Bernardino Tomitano da Feltre nella redazione di Fra Bernardino Bulgarino da Brescia, minore osservante*, ed. Carlo Varischi, 3 vols. (Milan: Renon, 1964), 1,381–91 (Sermon 29), at 383.

65. A rare exception was the Carmelite John of Baconthorpe (d. 1347), but he virtually ignores usury in his surviving commentaries on Matthew and John, for which I consulted Cambridge, Trinity College, MS 0348 (B.15.12), ff. 18rv and 167v–168r.

66. Ludolph of Saxony, *Vita Christi*, 5 vols. (Salzburg: Institut für Anglistik und Amerikanistik, 2006–07), 3,498–501. For other examples, see in the first instance Nicholas of Lyra, *Postilla super totam Bibliam*, 4 vols. (Strasbourg, 1492), *ad loc*; he completed the *postilla literalis* around 1331, and the *postilla moralis* (which proved much less popular) in 1339. See also Guido Terreni, *Quatuor unum. Hoc est. Concordia evangelica in Quatuor Evangelistas . . .* (Cologne: Brachel, 1631), 740–45; Jacques de Lausanne, *Postilla super Mattheum* and *Postilla super Lucam*, both in Toulouse, Bibliothèque municipale (now Bibliothèque d'étude et du patrimoine), Ms. 27, at ff. 18ra and 54ra; Michele da Massa, *Moralitates super Mattheum*, in Paris, Bibliothèque de l'Arsenal, Ms. 1032, ff. 1–26v, and *Moralitates super Lucam*, in Rome, Biblioteca Angelica, Ms. 369, ff. 25ra–42rb; Nicolas de Gorran, *In quatuor Evangelia commentarius* (Antwerp: Keerberg, 1617), 186, 409, 746, 840–42; Pierre Auriol, *Compendium sensus litteralis totius divinae scripturae* (Quaracchi: Coll. S. Bonaventurae, 1896), 235, together with his separate commentary on John, in Friedrich Stegmüller, "Ein neuer Johanneskommentar des Petrus Aureoli," *Franziskanische Studien* 33 (1951), 207–19; and Pierre Bersuire, *Reductorium, Repertorium, et Dictionarium morale utriusque Testamenti quadripartitum*, 6 vols. (Cologne: Huisch, 1730–31), 1,201–2 (Matthew), and 215 (John).

67. I have found only one reference north of the Alps, in a Lenten sermon of the German preacher Johannes Bischoff on John 2:15 (*Cum fecisset quasi flagellum*): Munich, BSB, Clm 3543, ff. 148r–155v, at f. 153v.

68. See, for instance, the anonymous *Sermones thesauri novi de tempore* (formerly ascribed to Pierre de la Palud), specifically, the second sermon for the tenth Sunday after Trinity Sunday (at f. 240v in the Strasbourg 1491 edition; f. 110v in the Lyon 1571 edition). The popular German preacher Johannes Herolt incorporated the relevant passage verbatim into a 1418 sermon; see his *Sermones discipuli de tempore* (Reutlingen: Michel Greyff, 1479/82), ff. 154r–155r (on Matt. 6:24: *Non potestis deo servire et mammonae*). I would like to thank Christoph Cluse for bringing this borrowing to my attention.

69. See, in the first instance, Maria Giuseppina Muzzarelli, *Pescatori di uomini: predicatori e piazze alla fine del Medioevo* (Bologna: il Mulino, 2005).

70. For Bernardino of Siena, see his Sermon on John 2:15 (*Cum fecisset quasi flagellum*), in *Quadragesimale de Christiana religione*, in *Opera omnia; iussu et auctoritate Pacifici M. Perantoni*, 9 vols. (Quaracchi: Coll. S. Bonaventurae, 1950–65), 1.427–47, at 442–43. For Giacomo della Marca, see his sermons on Luke 6:35 (*Date mutuum*) in Vatican City, BAV, Vat. lat. 7780, ff. 8r–12v, at f. 11r; and Ephesians 5:3, in *Sermones dominicales*, ed. Renato Lioi, 3 vols. (Falconara Marittima: Biblioteca francescana, 1978), 2.26–46, at 45 (no. 32, §4.5). For John of Capistrano, see his sermon on Psalm 14:5 preached in Nuremberg in 1425; Munich, BSB, Clm 13571, ff. 38v–46r, at f. 45r. For Michele da Carcano, see his sermon on Exodus 20:15, in *Sermones quadragesimales de decem preceptis* (Venice, 1492/93), ff. 166v–170v (no. 59), at f. 169v. For Robert Caracciolo, see his “De peccato excreando usure et avaricia usurariorum,” in *Sermones quadragesimales de peccatis* (Venice: Andrea Torresano, 1488), ff. 172r–178r (no. 38), at f. 178r.

71. Alphons Maria Stickler, “Il diritto canonico nella pastorale di San Bernardino da Siena,” in *Atti del Simposio internazionale Cateriniano-Bernardiniano* (Siena, 17–20 aprile 1980), eds. Domenico Maffei and Paolo Nardi (Siena: Accademia Senese degli Intronati, 1982), 835–43; and Diego Quagliani, “Un giurista sul pulpito. Giovanni da Capestrano (+1456), predicatore e canonista,” in “*Civilis sapientia*: dottrina giuridiche e dottrine politiche fra medioevo ed età moderna” (Rimini: Maggioli Editore, 1989), 193–206.

72. For theologically inclined works, see Peter John Olivi, *Traité des contrats*, ed. and trans. Sylvain Piron (Paris: Les Belles Lettres, 2012), written 1293 × 1295; and Remigio dei Girolami’s *De peccato usure* (written 1305 × 1317), in “Il ‘De peccato usure’ di Remigio de’ Girolami,” ed. Ovidio Capitani, *Studi medievali*, ser. 3, 6, no. 2 (1965), 537–662. Among those evidently relying on pre-1274 material, see Gerard of Siena’s *Quaestio de usura* (1330), in *The Idea of a Moral Economy: Gerard of Siena on Usury, Restitution, and Prescription*, ed. and trans. Lawrin Armstrong (Toronto: University of Toronto, 2016), 102; Alessandro Bonini’s *Tractatus de usura* (1302), in *Un traité de morale économique au XIV^e siècle. Le Tractatus de usuris de maître Alexandre d’Alexandrie*, ed. Alonzo-Maria Hamelin (Louvain: Nauwelaerts, 1962), especially 210–11; and Jacob von Mies, *Contra usuram* (early fifteenth century), in Paul de Vooght, *Jacobus de Stirbro (+1429) premier théologien du hussitisme* (Louvain: Publications Universitaires de Louvain, 1972), 351–86. Less easily explained is the 1415 treatise of Nicholas of Dresden, an early disciple of Jan Hus in Prague, which cites both *Quia in omnibus* and the Vienne anti-usury decree *Ex gravi*, while leaving the Lyonesse decrees unmentioned: see Paul de Vooght, “Le traité ‘De usuris’ de Nicolas de Dresde,” *Recherches de théologie ancienne et médiévale* 44 (1977), 150–210; and 45 (1978), 181–235, at 192 (§52) and 198 (§58), the latter drawing on the commentary of the fourteenth-century canonist Guillaume de Montlaurzun.

73. Lorenzo Ridolfi, *Tractatus de usuris*, in *Tractatus universi iuris*, 22 vols. (Venice: Ziletti, 1584–86), vol. 7, ff. 15r–50r, with *Usurarum voraginem* cited at f. 36vb (q. 146). Bernardino kept a copy of this work in his personal library (now Siena, Biblioteca Comunale degli Intronati, Ms. U.VI.6); for its influence, see his *Tractatus de contractibus et usuris* (written in the form of fourteen sermons, as part of his *Quadragesimale de Evangelio*), in *Opera Omnia* (Quaracchi edition), 4.117–416.

74. See John of Capistrano, *Tractatus de Cupiditate*, in *Johannes von Capistrano*, ed. Eugen Jacob, 2 vols. (Breslau: Woywood, 1911), 2.2.27–460; Giovanni da Prato, *Summula contractuum*,

for which I consulted Florence, Biblioteca Medicea-Laurenziana, Ashburnham 145, ff. 155r-178r, with the decree cited at f. 162v; Francesco Piazza, *Opus restitutionum, usurarum, excommunicationum* (Venice, 1472), f. 133v; and Alessandro Ariosto, [*Libellus de usuris*] (Bologna, 1486), ff. 53v-54r (§4.2).

75. New Haven, Yale University, Law School Library, MssJ +C69 no.1, f. 101v.

76. As in, for instance, Gottschalk Hollen, *Praeceptorum divinae legis* (Nuremberg: Koberger, 1497), f. 201v (§VII.5); and John de Burgh's *Pupilla oculi* (a popular revision of William Paull's *Oculus sacerdotis*), for which I consulted Cambridge, MA, Harvard University, Law School Special Collections, MS 159, with references to *Usurarum voraginem* at ff. 84r (on excommunication) and 135v-36r (on interdicts). For the sermons, see Bernardino of Siena, *Opera Omnia*, ed. Jean De la Haye, 3 vols. (Venice: Andrea Poletti, 1745), 3.331-34 and 3.356-63 (Padua 1423, nos. 3, 11); Giacomo della Marca, Sermon on John 2:14, in Vatican, BAV, Vat. Lat. 7642, f. 143va; Roberto Caracciolo, *Sermones quadragesimales de peccatis* (Venice: Andrea Torresano, 1488), ff. 172r-178r (no. 38). All of these sermons also have the rental ban applying to all usurers, not just foreign ones.

77. Thomas Wilson, *A Discourse upon Usury* (London: Bell & Sons, 1925), 324 ("Doctours Oracion," §10).

78. For examples, see Johannes Bischoff, Sermon on John 2:15 (*Cum fecisset quasi flagellum*), in Munich, BSB, Clm 3543, ff. 148r-155v, at f. 153v; Michele da Carcano, *Sermones quadragesimales*, f. 169v (no. 59); and Luca da Penna, *Commentaria in tres posteriores libros Codicis Justiniani* (Lyon, 1582), f. 178va, *ad Cod.* 11.41.6.

79. *Statuta communis Fulginei*, eds. Angelo Messini and Feliciano Baldaccini, 2 vols. (Perugia: Deputazione di storia patria per l'Umbria, 1969), 1.85-86, §1.91. While the statutes have not been precisely dated, most of the clauses appear to date from the early fourteenth century.

80. *Chronicon Hildesheimense* [*Chronicon episcoporum Hildesheimensium*], ed. Georg Heinrich Pertz, *MGH SS* 7 (Hanover: Hahn, 1846), 850-73, at 868.

Chapter 6: Emulating Expulsion: England and France, 1274-1306

1. Compare the lists of bishops in Louis Carolus-Barré, "Les pères du II^e concile de Lyon (1274): esquisses prosopographiques," in 1274, *Année charnière: mutations et continuités* (Paris: Éditions du CNRS, 1977), 377-423, at 403-4; and H. G. Richardson, "The Coronation of Edward I," *Historical Research* 15 (Nov. 1937), 94-99.

2. *PR Henry III*, 5,551, 575-76, 580; discussed in T. H. Lloyd, *The English Wool Trade in the Middle Ages* (Cambridge: Cambridge University Press, 1977), 60-61. For the welcome granted to returning merchants, see PRO, SC 1/63/4 (3 April 1266).

3. Arnold Fitz-Thedmar, *De antiquis liber legibus, Cronica maiorum et vicecomitum londoniarum* (London: Camden Society, 1846), 126-27, 159-60; Richard H. Bowers, "English Merchants and the Anglo-Flemish Economic War of 1270-1274," in *Seven Studies in Medieval English History and other Historical Essays presented to Harold S. Snellgrove*, ed. Richard H. Bowers (Jackson: University Press of Mississippi, 1983), 21-54, 158-72.

4. PRO C54/91 m. 1; summary in *Calendar of the Close Rolls Preserved in the Public Record Office. Edward I, A.D. 1272-1307*, 5 vols. (London: H. M. Stationery Office, 1900-08) [hereafter *CR Edward I*], 1.108. See also the discussion in Gwen Seabourne, *Royal Regulation of Loans and*

Sales in Medieval England: 'Monkish Superstition and Civil Tyranny' (Woodbridge, UK: Boydell Press, 2003), 40–42, 53–54.

5. *CR Henry III*, 4.239, 5.319, 7.479.

6. *Calendar of the Patent Rolls Preserved in the Public Record Office. Edward I, A.D. 1272–1307*, 4 vols. (London: H. M. Stationery Office, 1893–1901) [hereafter *PR Edward I*], 1.86, 93, 95, 448. The earliest of these is misdated to March 8 (instead of May 8) in the printed edition; for the correct dating, see PRO C66/94 m. 26.

7. *CR Edward I*, 1.144 (23 January 1275); *PR Edward I*, 1.115; and see Adrian R. Bell, Chris Brooks, and Tony K. Moore, "Interest in Medieval Accounts: Examples from England, 1272–1340," *History* 94, no. 4 (2009), 411–33, at 428–31.

8. At least nine of the returns survive, all from March–April 1275; see PRO SC 1/14/130; SC 1/16/45; SC 1/17/125; SC 1/19/113, 115, 153; SC 1/20/177; and SC 1/21/55. For the release of a strongbox, see *CR Edward I*, 1.233.

9. Matthew Paris, *CM*, 5.511, 525. A 1245 Close Rolls entry (*CR Henry III*, 5.319) uses the term in the marginal summary, but not in the official text.

10. *PR Edward I*, 1.91–95, 128, 194; PRO C 47/13/1/9 (18 May 1275). For delayed pardons and unpaid debts, see *PR Edward I*, 1.128, 185; Pipe Roll 1280–81, PRO E 372/125 m. 12 (s.v. *Lond' et Midd'*).

11. PRO E 101/126/1; Bowers, "English Merchants," 49; and Mabel H. Mills, "Exchequer Agenda and Estimate of Revenue, Easter Term 1284," *English Historical Review* 40, no. 158 (1925), 229–34, at 231.

12. Edward A. Bond, "Extracts from the Liberate Rolls, Relative to Loans Supplied by Italian Merchants to the Kings of England, in the 13th and 14th Centuries," *Archaeologia* 28, no. 2 (1840), 207–326, at 275, nos. 59–60.

13. Mavis Mate, "The Indebtedness of Canterbury Cathedral Priory, 1215–95," *Economic History Review*, n.s. 26, no. 2 (1973), 183–97, at 190.

14. *CR Edward I*, 1.107; *PR Edward I*, 1.73; and *The London Eyre of 1276*, ed. Martin Weinbaum (Leicester: London Record Society, 1976), 85, no. 306; *Calendar of Letter-Books Preserved among the Archives of the Corporation of the City of London at the Guildhall*, ed. Reginald R. Sharpe, 11 vols. (London: J. E. Francis, 1899–1912), B.266 (a. 1277). The same royal official also led the efforts to collect that year's Jewish tallage; see *PR Edward I*, 1.51, 61.

15. *PR Edward I*, 1.172, 176, 236; Thomas Rymer et al., eds., *Foedera, conventiones, litterae, et cujuscunque generis acta publica . . .*, 4 vols. (London: Eyre & Strahan, 1816), 1.2.539. See also Sea-bourne, *Royal Regulation*, 54.

16. Petition 1, no. 8, in *The Parliament Rolls of Medieval England, 1275–1504*, vol. 2: *Edward I (1275–1294)*, ed. Paul Brand (London: National Archives, 2005), 571.

17. *Ord.* 1.69, 298–300. For Philip's meeting with Gregory X, see Guillaume de Nangis, *Gesta Philippi Tertii Francorum Regis*, eds. Pierre-Claude-François Daunou and Joseph Naudet, in *HF* 20.466–539, at 492–93.

18. In October 1274 Philip sent a copy of the ordinance to the seneschal of Carcassonne (Paris, BnF, lat. 9988, f. 117rv). In February 1275 the king also ordered that it be enforced in Brittany; see *Les olim ou registres des arrêts rendus par la Cour du roi*, ed. Arthur Beugnot, 3 vols. (Paris: Imprimerie royale, 1839–48), 2.60, no. 22. For a more detailed treatment of the ordinance's enforcement, see my article, "L'expulsion des usuriers lombards hors de France à la fin

du XIII^e siècle," *Hypothèses: Travaux de l'École doctorale d'histoire de l'Université Paris I Panthéon-Sorbonne* 17 (2014), 153–62.

19. *Ord.* 1.299–300 (n.d.). Since this concerns an investigation into local and foreign usurers alike, it should almost certainly be associated with one of Philip IV's anti-usury campaigns, which targeted both, rather than with Philip III's, which focused on foreign (that is, Italian) usurers.

20. Giovanni Villani, *Nuova cronica*, ed. Giuseppe Porta, 3 vols. (Parma: Fondazione Pietro Bembo, 1990–91), 3.428 (§13.57).

21. Georges Bigwood, *Le régime juridique et économique du commerce de l'argent dans la Belgique du Moyen Âge*, 2 vols. (Brussels: Lamertin, 1921–22), 1.358–59; and 2.94–95, 103–13 (Annexe III).

22. See, in general, David Kusman, *Usuriers publics et banquiers du prince: le rôle économique des financiers piémontais dans les villes du duché de Brabant (XIII^e-XIV^e siècle)* (Turnhout: Brepols, 2013), 79–86; and Camille Tihon, "Aperçus sur l'établissement des Lombards dans les Pays-Bas au XIII^e et au XIV^e siècle," *Revue belge de philologie et d'histoire* 39, fasc. 2 (1961), 334–64, at 346 (overlooking the connection to the royal ordinance).

23. Tommaso is also attested as a counselor to the dowager countess of Flanders; see Ghent, Rijksarchief Gent, Fonds Saint-Genois, no. 316 (22 August 1282).

24. Carola Small observed a similar phenomenon in the pattern of Lombard settlement within the duchy of Burgundy (which largely fell under French royal jurisdiction) and the county of Burgundy (which did not) in the early fourteenth century, with Lombards largely settling in the latter or in privileged enclaves within the duchy; see her "Lombards in the Two Burgundies: a Problem in Jurisdiction," in *Forestieri e stranieri nelle città basso-medievali. Atti del Seminario internazionale di studio, Bagno a Ripoli (Firenze), 4–8 giugno 1984* (Florence: Salimbeni, 1988), 115–25.

25. Charles Langlois, *Le règne de Philippe III, le Hardi* (Paris: Hachette, 1887), 401, no. 93; Villani, *Nuova cronica*, 1.494 (§8.53). According to Villani, the king cited *Usurarum voraginem* as justification for the expulsion order, but there is no contemporary evidence for this.

26. Cesare Paolo, *Siena alle fiere di Sciampagna. Conferenza tenuta il 2 aprile 1898* (Siena: Lazzeri, 1898), 34 n.1.

27. Paris, BnF, Moreau 201, no. 146 (7 October 1277).

28. *Les registres de Nicolas III (1277–1280)*, ed. Jules Gay (Paris: Fontemoing, 1938), 19–20, nos. 64–68 (15 June 1278).

29. For Lombard activity in Anjou, see *Actes et lettres de Charles I^{er}, roi de Sicile, concernant la France (1257–1284)*, ed. Alain de Bouïard (Paris: de Boccard, 1926), 177–79, no. 658; and *Les olim*, 2.104–5 (1278 n.s., Pallamento Epiphanie Domini, no. 24). For Artois, see Pierre Bougard and Carlos Wyffels, eds., *Les finances de Calais au XIII^e siècle* (Brussels: Pro civitate, 1966), 103–4 (nos. 560, 562), 110 (no. 682), 238–39 (nos. 3829, 3838). For Champagne, see Winfried Reichert, *Lombarden in der Germania-Romania: Atlas und Dokumentation*, 3 vols. (Trier: Porta Alba, 2003), 639 (s.v. Saint-Florentin) and 750–51 (s.v. Troyes). Although numerous records attest to the presence of Lombards in the duchy of Burgundy in the years surrounding the 1274 expulsion order, it is unclear whether any of them were in fact engaging in public moneylending.

30. Lombard lending is attested in two towns in the duchy of Burgundy (Beaune and Châlon-sur-Saône) during this period, but it is unclear whether they were settled there or elsewhere. For further details, see Reichert, *Lombarden*, 78, 110, 197, 694, 741.

31. Paris, BnF, (Languedoc) Doat 156, f. 12rv; Paris, Archives nationales, J 335, Nîmes, no. 14; Villani, *Nuova cronica*, 1.622 (§8.147). See also the contemporary account (dated 23 June 1291) from the correspondence of the Cerchi firm, in Paolo Emiliani-Giudici, *Storia dei comuni italiani*, 3 vols. (Florence: Le Monnier, 1864–66), 3.424.

32. For records of the inquest, see Paris, BnF, Doat 7, ff. 226r–229r; and Doat 156, ff. 12r–13r. For the resulting revenues, see Joseph R. Strayer, *The Reign of Philip the Fair* (Princeton, NJ: Princeton University Press, 1980), 149–50. For later Tuscan laments about Philip's "great extortions," see Siena, Archivio di Stato, Consiglio Generale, Deliberazioni 49, f. 54v (24 February 1296). The Lombards' disappearance is noted in Luisa Castellani, "Tra finanza e politica: prestatori astigiani in Terra d'Impero al principio del '300," in *Credito e società: Le fonti, le tecniche e gli uomini (secc. XIV–XVI)* (Asti: Centro Studi sui Lombardi e sul credito nel Medioevo), 37–44, at 38, though the author overlooks the continuing Lombard presence in Arbois and Dole, for which see Reichert, *Lombarden*, 69 and 253.

33. For the Narbonne protest, see *Le livre de comptes de Jacme Olivier, marchand narbonnais du XIV^e siècle*, ed. Alphonse Blanc (Paris: Picard, 1899), 444–46, no. 30bis.

34. Langlois, *Philippe III*, 401, no. 93.

35. Paris, BnF, Doat 7, ff. 226r–229r.

36. In 1311–12, Philip the Fair expelled Italians on charges of usury, then revoked the order following an indemnity payment; see *Ord.* 1.484–91, 494–95. In 1320, Philip V arrested and fined "all Lombard usurers"; see Nicolas Brussel, *Nouvel examen de l'usage général des fiefs en France pendant le XI^e, le XII^e, le XIII^e, et le XIV^e siècle*, 2 vols. (Paris: Prud'homme & Robustel, 1727), 1.608n. In 1326–27, Charles IV threatened all Italian moneylenders with expulsion unless they relocated to the fair-towns of Champagne, where they would operate under stricter fiscal scrutiny; see *Ord.* 1.794–96, 800–2. In 1330–31, Philip VI arrested "Italian usurers" then imposed a substantial fine and confiscated their outstanding loans; see *Ord.* 2.59–61; and "Chronique parisienne anonyme de 1316 à 1339," ed. Amédée Hellot, *Mémoires de la Société historique de Paris et de l'Île-de-France* 11 (1884), 1–207, at 143, no. 216. Philip VI did the same again in 1334, via a massive investigation into usury within the kingdom; see the many associated records gathered in Paris, AN, PP 117; together with Paris, BnF, fr 25995, no. 40j and Montpellier, Archives municipales, Louvet 1219–1221 (with thanks to Lucie Galano for photographing the latter on my behalf). In 1347, Philip VI expelled "Lombard usurers" after confiscating their property and outstanding loans; see Eusèbe Jacob de Laurière, *Table chronologique des ordonnances faites par les rois de France de la troisième Race depuis Hugues Capet, jusqu'en 1400* (Paris: Imprimerie royale, 1706), 165–66. I am grateful to Hervé Martin for allowing me to consult his unpublished study of these events: "Le pouvoir royal et l'usure pratiquée par les Lombards sous les deux premiers Valois" (mémoire de D.E.S. Histoire, Université de Paris, 1962); also valuable is John B. Henneman, Jr., "Taxation of Italians by the French Crown (1311–1363)," *Mediaeval Studies* 31 (1969), 15–43.

37. Bigwood, *Régime*, 2.290, no. 12. It is unclear whether these Lombards subsequently resumed their activities in the area, but a decade later some of them were active in Biervliet, in the county of Flanders (see Bigwood, *Régime*, 2.52). Other Lombards continued to be active in Holland, particularly in Dordrecht (see Reichert, *Lombarden*, 254–55).

38. Clement V, "Ferventis devotionis" (23 December 1305), for which see E. A. R. Brown, "Moral Imperatives and Conundrums of Conscience: Reflections on Philip the Fair of France," *Speculum* 87, no. 1 (2012), 1–36, at 29–32 (doc. 1), with discussion at 10–14.

39. *Patent Rolls of the Reign of Henry III Preserved in the Public Record Office*, 6 vols. (London: H. M. Stationery Office, 1901-03), 6.376; *CR Henry III*, 14.101; Robert C. Stacey, "Parliamentary Negotiation and the Expulsion of the Jews from England," *Thirteenth Century England 6* (1997), 77-101, at 94-96; and E. M. Rose's forthcoming study of the 1271 *Provisio Judaismi*. I am grateful to Dr. Rose for sharing a draft in advance of publication.
40. *The Statutes of the Realm*, 11 vols. (London: Dawsons, 1810-28), 1.220-21; together with the discussion in Paul Brand, "Jews and the Law in England, 1275-90," *English Historical Review* 115, no. 464 (2000), 1138-58, at 1140-42.
41. Robert of Boston (att.), *Chronicon Angliae*, in *Historiae Anglicanae Scriptores Varii*, ed. Joseph Sparke (London: Bowyer, 1723), 120.
42. See Kenneth R. Stow, "Papal and Royal Attitudes toward Jewish Lending in the Thirteenth Century," *AJS Review* 6 (1981), 161-84, at 178-83.
43. *PR Edward I*, 1.61-63, 215. For the enforcement of the 1273-74 tallage, see Zefira Entin Rokéah, "A Hospitaller and the Jews: Brother Joseph de Chauncy and English Jewry in the 1270s," *Jewish Historical Studies* 34 (1994-96), 189-207.
44. As observed by Brand, "Jews and the Law," 1142.
45. Fitz-Thedmar, *De antiquis liber legibus*, 234-36.
46. The decretal *Etsi iudeos*, issued by Innocent III in 1205 and subsequently taken up into the *Liber Extra*, likewise contrasted Jewish perfidy with princely grace; see *Reg. Inn. III*, 8.220-22, no. 122; later X 5.6.13 (*CIC* 2.775-776).
47. *PRO C66/94 m. 33*; summary in *PR Edward I*, 1.76. See also J. M. Rigg, *Select Pleas, Stairs, and Other Records from the Rolls of the Exchequer of the Jews, A.D. 1220-1284* (London: Quaritch, 1902), 85. Prior to Edward's confirmation of the queen's request (dated 12 January 1275), he had evidently already issued an order to this effect; see *Seventh Report of the Deputy Keeper of the Public Records* (London: Clowes, 1846), 240, no. 1620.
48. As was the case for the Jews of Winchelsea (Sussex) in 1273, Bridgenorth (Shropshire) in 1274, and Windsor in 1283; see *CR Edward I*, 1.50, 1.130, and 2.241. The 1275 Statute of Jewry (*Statutes of the Realm*, 1.220-21) reiterated the requirement for Jews to dwell in *archa* towns, as did a subsequent mandate of January 1284 (*CR Edward I*, 2.256).
49. *Annals of Waverley*, in *Annales monastici*, ed. H. R. Luard, 5 vols. (London: Longman, 1864-69), 2.409.
50. For the ordinance and its 1254 elaboration, see *Recueil de jugemens de l'Échiquier de Normandie au XIII^e siècle (1207-1270)*, ed. Léopold Delisle (Paris: Imprimerie impériale, 1864), 133, no. 581; and *Ord.* 1.75, §32-33.
51. Brand, "Jews and the Law," 1140.
52. The fullest discussion is to be found in Robin R. Mundill, *England's Jewish Solution: Experiment and Expulsion, 1262-1290* (Cambridge: Cambridge University Press, 1998), 279-82. Some Jews evidently remained in the duchy in the early fourteenth century (prompting a renewed expulsion order in 1305), while others sought refuge there from Philip the Fair's general expulsion in 1306. See *Rôles Gascons, 1242-1307*, ed. Francisque Michel, 3 vols. (Paris: Imprimerie nationale, 1885-1906), 3.461, no. 4786; *PRO SC 1/49/125 (a. 1311)*; and *Gascon Register A (series of 1318-1319)*, eds. G. P. Cuttino and Jean-Paul Trabut-Cussac, 3 vols. (London: British Academy, 1975-76), 2.368, no. 78.
53. *Records of the Wardrobe and Household*, eds. Benjamin F. Byerly and Catherine Ridder Byerly, 2 vols. (London: H.M.S.O., 1977), 2.305, no. 2578; and Jean-Paul Trabut-Cussac,

L'administration anglaise en Gascogne sous Henry III et Édouard I de 1254 à 1307 (Geneva: Droz, 1972), 85–86.

54. Here I am excluding a small number of local expulsions that took place in the 1260s and 1270s, for example, from Moissac and Carpentras, for which see Pierre-Fr. Fournier and Pascal Guébin, eds., *Enquêtes administratives d'Alfonse de Poitiers, arrêts de son Parlement tenu à Toulouse, et textes annexes, 1249–1271* (Paris: Imprimerie nationale, 1959), 194–95 (doc. 64, §39) and 366–67 (doc. 137, §14); and William Chester Jordan, "The Jews and the Transition to Papal Rule in the Comtat Venaissin," *Michael* 12 (1991), 213–32, at 218.

55. Pierre Rangeard, *Histoire de l'université d'Angers*, 2 vols. (Angers: Barassé, 1868–77), 2.183–87, no. 24; I have slightly adapted the translation found in Chazan, *CSJ*, 313–17.

56. Like the royal ordinances, Charles II's expulsion order refers to "Lombardos, Caourcinos, aliasque . . . alienigenas."

57. Rigg, *Select Pleas*, xl-xli (Writ of November 1290 to the Treasurer and Barons of the Exchequer).

58. For papal pressure, see *Croniques de London, depuis l'an 44 Hen. III jusqu'à l'an 17 Edw. III*, ed. G. J. Aungier (London: Nichols, 1844), 22. For coin-clipping, see *The Chronicle of Walter of Guisborough, previously edited as the Chronicle of Walter of Hemingford or Hemingburgh*, ed. Harry Rothwell (London: Royal Historical Society, 1957), 226; William Rishanger, "Gesta Edwardi Primi Regis Angliae," in *Chronica et annales regnantibus Henrico Tertio et Edwardo Primo, A.D. 1259–1307*, ed. Henry Thomas Riley (London: Longman, 1865), 411–33, at 418; Joseph Shatzmiller, "Solomon ibn Verga and the Expulsion of the Jews from England [in Hebrew]," in *Exile and Diaspora: Studies Presented to Professor Haim Beinart* (Jerusalem: Ben-Zvi, 1988), 349–55, at 355. On the coin-clipping affair more generally, see Zefira Entin Rokéah, "Money and the Hangman in Late 13th-Century England: Jews, Christians and Coinage Offences Alleged and Real," *Jewish Historical Studies* 31 (1988–90), 83–109, and 32 (1990–92), 159–218; along with the valuable remarks on legal procedure in Brand, "Jews and the Law," 1151.

59. See *Annales monastici*, ed. Luard, 3.361–62 (Dunstable Annals) and 4.326–27 (Osney Annals); *The Chronicle of Bury St Edmunds, 1212–1301*, ed. and trans. Antonia Gransden (London: Nelson, 1964), 95; Peter Langtoft, *The Chronicle of Pierre de Langtoft in French Verse*, ed. Thomas Wright, 2 vols. (London: Longmans, 1866–68), 2.186–89; and *The Chronicle of Walter of Guisborough*, 226–27.

60. For a survey of scholarly approaches, see Robin R. Mundill, "Banishment from the Edge of the World: The Jewish Experience of Expulsion from England in 1290," in *Expulsion and Diaspora Formation: Religious and Ethnic Identities in Flux from Antiquity to the Seventeenth Century*, ed. John Tolan (Turnhout: Brepols, 2015), 85–101, at 87–89. Unlike most other scholars, Mundill maintained that the expulsion was already being envisioned in 1275 (see especially his *England's Jewish Solution*, 249–85).

61. See the examples (from Edward I's reign and afterwards) in Anthony Musson, *Medieval Law in Context: The Growth of Legal Consciousness from Magna Carta to the Peasants' Revolt* (Manchester: Manchester University Press, 2001), 232–41.

62. Zefira Entin Rokéah, "An Anglo-Jewish Assembly or 'Mini-Parliament' in 1287," in *Thirteenth Century England VIII: Proceedings of the Durham Conference 1999*, eds. Michael Prestwich, Richard Britnell, and Robin Frame (Woodbridge, UK: Boydell Press, 2001), 71–95, at 77–81.

63. For the draft statute (drawn up ca. 1284–86), see Rigg, *Select Pleas*, lv-lxi; I follow here the dating proposed in Brand, "Jews and the Law," 1154–56.

64. *Councils and Synods, with other Documents Relating to the English Church*, vol. II: A.D. 1205–1313, eds. F. M. Powicke and Christopher R. Cheney (Oxford: Clarendon Press, 1964), 2.959–63; and *Acta Sanctorum, Octobris I* (Antwerp: Plassche, 1765), col. 560D (Thomas of Cantilupe). For an overview of the rising clerical hostility, see Mundill, *England's Jewish Solution*, 274–76. For Edward's failed dreams of mass conversion, see Robert C. Stacey, "The Conversion of Jews to Christianity in Thirteenth-Century England," *Speculum* 67, no. 2 (1992), 263–83.
65. For Jewish compliance, compare Robin Mundill, "Clandestine Crypto-Camouflaged Usurer or Legal Merchant? Edwardian Jewry, 1275–90," *Jewish Culture and History* 3, no. 2 (2000), 73–97; and Carl E. Feibusch, "Jews and Credit in Late Thirteenth-Century England," (PhD dissertation, University of California-Irvine, 2013), especially 88–89.
66. In certain other respects, the expulsion drew on existing procedures for abjuration; see William C. Jordan, "Administering Expulsion in 1306," *Jewish Studies Quarterly* 15, no. 3 (2008), 241–50, at 242–45.
67. *CR Edward I*, 3.95–96; also Matthew Paris et al., *Flores historiarum*, ed. Henry Richards Luard, 3 vols. (London: H. M. Stationery Office, 1890), 3.70–71. For the forfeiture of chattels in felony cases, see Frederick Pollock and F. W. Maitland, *The History of English Law before the Time of Edward I*, 2nd ed., 2 vols. (Cambridge: Cambridge University Press, 1968), 2.466.
68. Mundill, *England's Jewish Solution*, 254. According to one early modern source, England's Jews had averted an earlier expulsion threat (in 1281) by offering the king a sufficiently generous bribe, but there is no contemporary evidence for this; see Samuel Daniel, *The Collection of the Historie of England* (London: Nicholas Okes, 1618), 160.
69. For estimates of England's Jewish population before 1290, see Mundill, *England's Jewish Solution*, 25–27.
70. The death penalty is mentioned in the Annals of Dunstable (*Annales monastici*, 3.361–62); and *Croniques de London*, 22 (a. 1290).
71. Easter Parliament of 1290, §135, in *The Parliament Rolls of Medieval England, 1275–1504*, vol. 1: *Edward I (1275–1294)*, ed. Paul Brand (London: National Archives, 2005), 319. For the petition's dating, see H. G. Richardson & G. O. Sayles, "The Early Records of the English Parliaments. Part 3: The Exchequer Parliament Rolls and Other Documents," *Bulletin of the Institute of Historical Research* 6 (1928–29), 129–59, at 146–47.
72. Major efforts on this front took place in 1276 and 1283; see, respectively, Ernest Perrot, *Arresta communia Scaccarii* (Caen: Jouan, 1910), 45, no. 1; Gustave Saige, *Les juifs du Languedoc antérieurement au XIV^e siècle* (Paris: Picard, 1881), 212–13, no. 43/2 (tr. Chazan, CSJ, 186); and Senlis, Bibliothèque municipale, Collectanea Silvanectensia (Recueil Afforty), t. 16, p. 831 (a 1300 royal order renewing a previous expulsion of Jews from Angy ca. 1283). For Philip III's approach to Jewish moneylending, see Robert Chazan, *Medieval Jewry in Northern France: A Political and Social History* (Baltimore: Johns Hopkins University Press, 1973), 154–61.
73. William Chester Jordan, *The French Monarchy and the Jews, from Philip Augustus to the Last Capetians* (Philadelphia: University of Pennsylvania Press, 1989), 180–99. For restrictions on new settlements and efforts to corral existing communities in 1290–91, see *Les olim*, 2.299 §3; Saige, *Juifs de Languedoc*, 223, no. 43/10; Léopold Delisle, "Chronologie des baillis et des sénéchaux royaux depuis les origines jusqu'à l'avènement de Philippe de Valois," in *HF* 24.15°–270°, at 152°. For the royal response to English refugees, see *Ord.* 1.317; Claude de Vic and Joseph Vaissette, *Histoire générale de Languedoc*, rev. Auguste Molinier, 15 vols. (Toulouse: Privat, 1872–92), 10.2.268–69 (Preuves, no. 73/3); and the exemption recorded in an early fourteenth-century

collection of administrative documents (Paris, BnF, lat 4763, f. 61r), for which see *Administrative Korrespondenz der französischen Könige um 1300: Edition des "Formelbuchs" B.N.F. ms lat. 4763, Verwaltung, Gerichtsbarkeit, Kanzlei*, ed. Hans-Günter Schmidt (Göttingen: Hess, 1997), 380, no. 291. Philip also approved the expulsion of Jews from the county of Nevers in 1294; see René de Lespinasse, "Les chartes de Saint-Étienne de Nevers," *Bulletin de la Société nivernaise des Lettres, Sciences, et Arts* 22 (1908), 51–130, at 112, no. 40.

74. Édouard Audoin, *Recueil de documents concernant la commune et la ville de Poitiers*, 2 vols. (Poitiers: Société des archives historiques du Poitou, 1923–28), 226–28, no. 147. Only Normandy and Aquitaine continued to harbor significant Jewish communities.

75. The earliest account that I have found is Jean Bouchet, *Les annales d'Aquitaine* (Poitiers: Marnet, 1545), f. 78v. This error persists in (Dr.) Vincent, "Les Juifs du Poitou au bas moyen âge," *Revue d'histoire économique et sociale* 18, no. 3 (1930), 265–313, at 289–90, which has served as the basis for subsequent scholarly reconstructions of the events. Despite the claims of some earlier scholars (in particular Jordan, *French Monarchy*, 183), there was no initial arrest of Jews on May 1, while the newly-imposed *fouage* tax was to be paid by the remaining Christian subjects rather than the Jews.

76. In 1249, in the lead-up to Louis IX's first crusade, Alphonse of Poitiers had drawn up an edict expelling Jews from Poitou and Saintonge, only to reverse course for reasons that remain unknown. See *Layettes du Trésor des chartes*, eds. Alexandre Teulet et al., 5 vols. (Paris: Plon, 1863–1909), 3:73, no. 3783; and the discussion in Gaël Chenard, "Les juifs et les marchands: le financement des croisades d'Alphonse de Poitiers," in *Saint Louis et les juifs*, 125–34, at 130.

77. That Jews were "totaliter expulsi" is noted in a 1309 arrêt (*Les olim*, 2:506). The six-year tax amounted to half the ordinary tax revenues from the seneschalsies; for these revenues and the absence of recorded Jewish confiscations, see Joseph R. Strayer, "Consent to Taxation under Philip the Fair," in *Studies in Early French Taxation*, eds. Joseph R. Strayer and Charles H. Taylor (Cambridge, MA: Harvard University Press, 1939), 3–105, at 19.

78. For a recent evaluation of competing modern interpretations, see Céline Balasse, *1306: L'expulsion des Juifs du royaume de France* (Brussels: de Boeck, 2008), 239–43. For the number of expelled Jews, see most recently Simon Schwarzfuchs, "L'expulsion des Juifs de France en 1306: des réfugiés introuvables?," in *Philippe le Bel et les juifs du royaume de France (1306)*, eds. Danielle Iancu-Agou and Elie Nicolas (Paris: Cerf, 2012), 201–10.

79. That an official edict did exist is suggested by two contemporary documents (both cited in Balasse, *1306*, 251): Paris, AN, JJ 48, f. 126v, no. 113; and Saige, *Juifs de Languedoc*, 303–306, no. 50/1. On royal propaganda and the public response, see Sophia Menache, "A Propaganda Campaign in the Reign of Philip the Fair," *French History* 4 (1990), 427–54; and her earlier article on "Faith, Myth, and Politics—the Stereotype of the Jews and their Expulsion from England and France," *Jewish Quarterly Review* n.s. 75 (1985), 351–74, especially 365–66. The only laudatory account of the expulsion (perhaps reflecting the views of Philip's Dominican confessor William of Paris) is found in a variant tradition of the continuation of the Chronicle of Guillaume de Nangis, for which see Bern, Burgerbibliothek, Cod. 70 (at f. 193v); Naples, Biblioteca nazionale, Ms. VII.A.45, f. 142v; and Vatican City, BAV, Vat. Lat. 4598, at f. 203v. I am grateful to Peggy Brown for both her collation of these passages and our lively discussions over their significance.

80. Aside from the report in the Vatican and Bern manuscripts (cited in the previous note), see also the extended account in Geffroi de Paris, *Chronique métrique*, ed. Armel Diverres (Paris:

Les Belles Lettres, 1956), 150–52, at lines 3101–3210. As discussed in Chapter Eight below, the Cistercian Jacques de Thérines also presumed that usury was in play in responding to a quodlibetal question that fall.

81. For examples of extortion against Jews, Lombards, and local Christian usurers, see Saige, *Juifs de Languedoc*, 227–29, no. 43/13–14; Paris, BnF, fr. 2838, f. 37v; and Edgar Boutaric, "Notices et extraits de documents inédits relatifs à l'histoire de France sous Philippe le Bel," *Notices et extraits des manuscrits de la Bibliothèque Impériale*, 20, no. 2 (1862), 83–237; at 154, no. 20. For the papal response, see Clement V, "Ferventis devotiois" (23 December 1305), edited in Brown, "Moral Imperatives," 29–32.

82. John of Saint Victor, *Excerpta e Memoriali historiarum*, eds. Joseph-Daniel Guignaut and Natalis de Wailly, *HF* 21.630–75, at 647.

83. For a methodical evaluation of the expulsion's profitability, see Stéphane Mechoulan, "The Expulsion of the Jews from France in 1306: a Modern Fiscal Analysis," *Journal of European Economic History* 33, no. 3 (2004), 555–84.

84. See the continuation of Guillaume de Nangis, in Bern, Burgerbibliothek, Cod. 70, f. 193v; and Vatican City, BAV, Vat. Lat. 4598, f. 203v. For the king's meagre donations of Jewish property to the church, see Paris, AN, JJ 38 f. 92v, no. 217; JJ 45 f. 102, n. 160; and JJ 49, f. 18rv, no. 27 (all cited in Balasse, 1306, 265).

85. See especially two works by Geffroi de Paris: his *Chronique métrique*, ed. Diverrès, 150–52 and 215, at lines 3101–3210, 6607–12; and "Songe," in *Six historical poems of Geffroi de Paris, written in 1314–1318*, ed. and trans. Walter H. Storer and Charles A. Rochedieu (Chapel Hill: University of North Carolina, Department of Romance Studies, 1950), 61–72, at 66 (lines 171–76). The pun in the *Chronique métrique*, lines 3158–59 ("Le reume en torne en l'empire; / Dont li crestien ont le pire.") is untranslatable.

86. For Charles II's initial prohibition on usury (issued between 1291–93), see Charles Giraud, *Essai sur l'histoire du droit français au Moyen Âge*, 2 vols. (Paris: Videocoq, 1846), 2:37–39. Notably, the new limits on licit interest applied to both "locals and foreigners" (*inde oriundus vel aliunde*). For subsequent measures, see *Les statuts municipaux de Marseille*, ed. Régine Pernoud (Monaco: Archives du Palais, 1949), 212–13 (§6.31.8; 24 November 1293); and the investigation of Jewish usury recorded in Marseille, Archives départementales des Bouches-du-Rhône, B 416, no. 13 (14 May 1302).

87. For royal protection of merchants, see Marseille, ADBR, B 398, no. 7 (14 January 1294); Robert Davidsohn, ed., *Forschungen zur Geschichte von Florenz* (Berlin: Mittler, 1896–1919), 3:46–47 (nos. 186, 187, 190); and *I registri della Cancelleria angioina*, eds. Riccardo Filangieri et al., 50 vols. (Naples: Accademia Pontaniana, 1950–2010), 47:150–51, 162, 179–80 (nos. 440, 475, 513, 515).

88. Marseille, ADBR, B 267, ff. 233v–235r (20 August 1306). Despite the assertions of Salo Baron and many other scholars, Jews were not in fact expelled from Provence in 1306; the nineteenth-century source from which this claim ultimately derives was in fact referring to the 1289 expulsion of Jews from Anjou and Maine. See Salo Baron, *A Social and Religious History of the Jews*, 2nd ed., 18 vols. (New York: Columbia University Press, 1952–83), 11:82. For Charles II's conflicting policies toward the Jews in his Italian domains, see Joshua Starr, "The Mass Conversion of Jews in Southern Italy (1290–1292)," *Speculum* 21, no. 2 (1946), 203–11.

89. Léon Gauthier, "Les Juifs dans les Deux-Bourgognes. Études sur le commerce de l'argent aux XIII^e et XIV^e siècles," *Mémoires de la Société d'émulation du Jura*, ser. 9, 3 (1914), 55–232, at 222, no. 31.

90. Urbain Plancher, *Histoire générale et particulière de Bourgogne*, 4 vols. (Dijon: de Fay, 1739–81), 2.xcvi, no. 145. On the morality of minting, see most recently Adam Woodhouse, “Who Owns the Money?” Currency, Property, and Popular Sovereignty in Nicole Oresme’s *De moneta*,” *Speculum* 92, no. 1 (2017), 85–116, especially 98–105; and Andreas Thier, “Money in Medieval Canon Law,” in *Money in the Western Legal Tradition: Middle Ages to Bretton Woods*, eds. David Fox and Wolfgang Ernst (Oxford: Oxford University Press, 2016), 136–66, at 145–51.

91. Plancher, *Histoire de Bourgogne*, 2.cxii–cxiv (no. 167) and 2.cxxx.

92. Gauthier, “Les Juifs dans les Deux-Bourgognes,” 74–81.

93. Boutaric, “Notices et extraits,” p. 154, no. 20. Official knowledge of usurious lending among Christians is also evidenced in *Administrative Korrespondenz*, ed. Schmidt, nos. 34, 72, 88–89, 94, 137–38, 170, 175, 227, 429–30, 442, 481–82; while King Louis X of France even chastised his officers for their over-zealous pursuit of local Christian usurers (*Administrative Korrespondenz*, no. 500; dated 1314 × 1316). For England, see Seabourne, *Royal Regulation*, 46–49, 54–55; and W. Mark Ormrod, “Agenda for Legislation, 1322–c. 1340,” *English Historical Review* 105 (1990), 1–33, at 33 (Appendix C, §18).

94. *La Somme le Roi par Frère Laurent*, eds. Édith Brayer and Anne-Françoise Leurquin-Labie (Paris: Société des anciens textes français, 2008), 135.

95. For a joint expulsion from the county of Burgundy in 1349, see Léon Gauthier, *Les Lombards dans les deux-Bourgognes* (Paris: Champion, 1907), 220–23, p. 86; along with the discussion in Annegret Holtmann, *Juden in der Grafschaft Burgund im Mittelalter* (Hanover: Hahnsche Buchhandlung, 2003), 318–32. For the duchy of Burgundy, see the expulsion demanded by the Estates-General in 1382, in Dijon, Archives départementales de la Côte d’Or, B 2293, f. 2v. Both the attempted expulsion from the Dauphiné and other joint expulsions are discussed in the chapters that follow.

96. For a rebuffed expulsion effort in the county of Burgundy, see Gauthier, “Juifs dans les Deux-Bourgognes,” 222, no. 31. For the bifurcated response of King Jaume II of Mallorca (who was also the count of Roussillon and lord of Montpellier), see Jaime Villanueva, *Viage literario á las iglesias de España*, 22 vols. (Madrid: Fortanet, 1806–1902), 22.333–34; and Yom Tov Assis, “Juifs de France réfugiés en Aragon (XIII–XIV siècles),” *Revue des études juives* 142 (1983), 285–322, at 297–99. For the new settlement of Jews in the county of Hainaut, see Christoph Cluse, *Studien zur Geschichte der Juden in den mittelalterlichen Niederlanden* (Hanover: Hahnsche Buchhandlung, 2000), 32–38.

Chapter 7: Ignoring Expulsion: Episcopal Evasion and Papal Inaction, 1274–1400

1. Godfrey of Fontaines’s quodlibets 4.21, 9.15, 10.19, 12.9, and 13.15 all reference usury or usurers in the initial question.

2. Godfrey of Fontaines, Quodlibet 4.12, in *Les quatre premiers Quodlibets de Godefroid de Fontaines*, eds. Maurice de Wulf and Auguste Pelzer (Louvain: Éditions de l’Institut supérieur de philosophie de l’Université, 1904), 273–74 (*versio longa*) and 339 (*versio brevis*). For the dating and composition of the quodlibet, see John F. Wippel, *The Metaphysical Thought of Godfrey of Fontaines* (Washington, DC: Catholic University of America Press, 1981), xxvii–xxix.

3. *Les Quodlibets onze-quatorze de Godefroid de Fontaines*, ed. Jean Hoffmans (Louvain: Editions de l'Institut supérieur de Philosophie, 1932), 114–118 (§12.9), at 115; and 286–297 (§13.15), at 291–292.

4. Eustache de Grandcourt, *Quodlibet* 3.5: “Utrum prelati qui scienter sustinent extraneos usurarios in terra sua peccent,” in Paris, BnF, lat. 15850, ff. 36v–37v. Only a summary of the quodlibet survives.

5. “Die *lectura* des Franciscus de Albano aus dem Jahr 1276 über die *constitutiones novissimae* Papst Gregors X,” ed. Burkhard Roberg, *Annuario historiae conciliorum* 31 (1999), 297–366; and 33 (2001), 26–79, here at 62.

6. Giovanni d'Andrea, *Novella in librum sextum* (Venice, 1489), ad 5.5.1, s.v. *suspensionis*. He had a penchant for pointing out such disconnects between theory and practice; in his gloss on Clem. 3.13.3 s.v. *interdicti*, he notes that, on account of excessive penalty clauses, “all of Italy was probably under interdict.”

7. On this problem, see Giancarlo Andenna, “Non remittetur peccatum nisi restitatur ablatum’ (c. 1, C. XIV, q. 6). Una inedita lettera pastorale relativa all’usura e alla restituzione dopo il secondo concilio di Lione,” *Società, istituzioni, spiritualità: Studi in onore di Cinzio Violante*, 2 vols. (Spoleto: CISAM, 1994), 1.93–108. For an important exception, see Richard H. Helmholz, “Usury and the Medieval English Church Courts,” *Speculum* 61 (1986), 364–80.

8. For Godfrey’s activities in Liège, see Christine Renardy, *Le monde des maîtres universitaires du diocèse de Liège, 1140–1350*, 2 vols. (Paris: Les Belles Lettres, 1979–1981), 2.257–60.

9. Most of the sources for this dispute are contained in Louvain-la-Neuve, Archives de l’État, Archives ecclésiastiques du Brabant [hereafter AEB], Ms. 1417, a fifteenth-century cartulary made for the chapter of the Abbey of St. Gertrude in Nivelles. I would like to thank Marie Van Eeckenrode for her kind assistance in providing me with scans of this manuscript and other related materials. Additional sources are found in the abbey’s newly-rediscovered *Liber ordinarius*, now Cambridge (MA), Harvard University, Houghton Library, MS Lat 422. For a thorough examination of this manuscript, with an edition of its documentary materials, see *The Liber ordinarius of Nivelles: Liturgy as Interdisciplinary Intersection*, eds. Jeffrey F. Hamburger and Eva Schlotheuber (Tübingen: Mohr Siebeck, 2019). In reconstructing this event, I have also drawn on the earlier accounts of Jean-Jacques Hoebanx, *L’abbaye de Nivelles des origines au XIV^e siècle* (Brussels: Palais des Académies, 1952), 261–62; Pieter Gorissen, “Le compte du bailliage de Nivelles de 1257,” *Annales de la Société archéologique et folklorique de Nivelles et du Brabant Wallon* 17 (1952), 107–33, at 115–16; and David Kusman, *Usuriers publics et banquiers du prince: le rôle économique des financiers piémontais dans les villes du duché de Brabant (XIII–XIV^e siècle)* (Turnhout: Brepols, 2013), 97–98.

10. AEB, Ms. 1417, f. 540r. The deposition’s language (“mensas eorum subvertit”) is drawn directly from John 2:15: “and [Jesus] overthrew the tables” (*et mensas subvertit*).

11. AEB, Ms. 1417, ff. 540r–541r.

12. AEB, Ms. 1417, ff. 541r–542r.

13. AEB, Ms. 1417, ff. 542v–544v. For the regulations, see Lyons II, c. 16 (*Si canonici*; COGD 2.1.335–38).

14. *Liber ordinarius of Nivelles*, 411–18.

15. Floris Prims, “De Uitgaven van den Amman van Brussel in 1286 (8 Dec. 1285–16 Maart 1287 n.s.),” *Bijdragen tot de geschiedenis* 20 (1929), 51–71, at 57; and Georges Bigwood, *Le régime*

juridique et économique du commerce de l'argent dans la Belgique du Moyen Âge, 2 vols. (Brussels: Lamertin, 1921–22), 1.118. The duke reasserted his jurisdiction over Lombards (and Jews) in the 1292 *keure* for the township of Nivelles; see *Chronique en vers de Jean van Heelu*, ed. J. F. Willems (Brussels: Hayez, 1836), 549–54 (no. 184), at 553.

16. AEB, Ms. 1417, ff. 401r–403r; and Houghton Library, MS Lat 422, ff. 98ra–99ra. For an edition of the initial declaration of grievances, see A. G. B. Schayes, "Analectes XV: La ville et l'abbaye de Nivelles au XIII^e siècle," *Annales de l'Académie d'archéologie de Belgique* 9 (1852), 80–87.

17. Only the minute of the petition survives, in AEB, Ms. 1462. The document is undated, but Hoebanx (*Abbaye*, 255, n. 4) persuasively dates it to 1306 × 1312.

18. AEB, Ms. 1417, ff. 533v–534r; Bigwood, *Régime*, 2.115–261 (Annexe IV).

19. See Eva Schlotheuber, "Pilgrims, the Poor, and the Powerful: The Long History of the Women of Nivelles," in *The Liber ordinarius of Nivelles*, 35–96; and in the same volume, Rowan Dorin, "Order and Disorder: The Documentary Additions to the *Liber Ordinarius* of Nivelles," 133–50, especially 134–35.

20. David Kusman, *Usuriers publics*, 91–109. For Henry III of Brabant's testamentary expulsion, see above, p. 96.

21. For Liège, see Maurice Yans, "Un testament de bourgeois liégeois du XIII^e siècle, 8 juin 1281," *Bulletin de la Commission royale d'Histoire* 102 (1937), 1–31, at 23, recording goods pawned to the city's Cahorsins sometime before mid-1281. For Malines, an agreement from before 1283 notes the revenues from the city's Cahorsins were shared between the bishop of Liège and the Berthout family, an arrangement that persisted for decades thereafter. I am grateful to Godfried Croenen for sharing his transcription of this document in advance of his forthcoming edition.

22. AEB, Ms. 1417, f. 88r.

23. David Kusman (*Usuriers publics*, 97) has suggested that Bishop Jean d'Enghien's reluctance to force the issue with the duke stemmed in part from the fact that he was in debt to the duke (to the tune of 1000 Liégeois marks). It is unclear when exactly this debt was accrued, as it appears only in a reckoning of episcopal debts from 22 September 1284; see Alain Marchandisse, "Un prince en faillite. Jean de Flandre, évêque de Metz (1279/80–1282), puis de Liège (1282–1291)," *Bulletin de la Commission royale d'Histoire* 163 (1997), 1–75, at 10 and 49–50 (Annexes, no. 11).

24. For Anjou and Maine, see Pierre Rängeard, *Histoire de l'université d'Angers*, 2 vols. (Angers: Barassé, 1868–77), 2.184; Engl. tr. Chazan, *CSJ*, 313–17. For Burgundy, see Léon Gauthier, *Les Lombards dans les deux-Bourgognes* (Paris: Champion, 1907), 220–23, no. 86.

25. Lille, Archives départementales du Nord, 1 B 1565, no. 708 (15 March 1334).

26. *Privilegium maius: Autopsie, Kontext und Karriere der Fälschungen Rudolfs IV. von Österreich*, eds. Thomas Just et al. (Göttingen: Vandenhoeck & Ruprecht, 2018), 11–13, no. 2. The forgery purported to be an 1156 imperial diploma, notwithstanding the fact that Cahorsins would not be attested in imperial territories for another hundred years.

27. See the abbatial concessions from 1292, 1295 and 1332, respectively in Bar-le-Duc, Archives départementales de la Meuse, B 256, f. 84rv; Natalis de Wailly, "Notice sur les actes en langue vulgaire de XIII^e siècle contenus dans la collection de Lorraine à la Bibliothèque nationale," *Notices et extraits des manuscrits de la Bibliothèque nationale* 28/2 (1878), 1–188, at 248, no. 336; and Nancy, Archives départementales de Meurthe-et-Moselle, B 919, no. 4. For an allusion to some resulting difficulties in July 1345, see Bar-le-Duc, AD Meuse, B 1125, f. 37r.

28. Paris, BnF, NAL 2531, nos. 98–105. The duke of Lorraine gave way in the final accord (dated 12 March 1327). I am grateful to the staff at the Archives départementales des Vosges for their assistance in locating the corresponding transcriptions in a surviving cartulary of Remiremont (AD Vosges, G 869). For another such victory (this one concerning Werden Abbey, on the Ruhr), see *Urkundenbuch für die Geschichte des Niederrheins*, ed. Theodor Joseph Lacomblet, 4 vols. (Düsseldorf: Schöpping, 1840–1858), 3:121–22.

29. Léon Gauthier, "Les Juifs dans les Deux-Bourgognes. Études sur le commerce de l'argent aux XIII^e et XIV^e siècles," *Mémoires de la Société d'émulation du Jura*, ser. 9, 3 (1914), 55–232, at 222, no. 31. A decade later, however, Countess Mahaut apparently sought to drive Lombards from her domains; see Louis Stoff, *Les comtes de Bourgogne et leurs villes domaniales* (Paris: Larose & Forcel), 85–86 and p. j, 10, §9.

30. For the bishop's presence at Lyon, see Louis Carolus-Barré, "Les pères du II^e concile de Lyon (1274): esquisses prosopographiques," in 1274, *Année charnière: mutations et continuités* (Paris: Éditions du CNRS, 1977), 377–423, at 396. For his synodal statutes, see Cambrai (1275), cc. 21–27, and Cambrai (1278), cc. 11–12, in *Statuts synodaux*, 4.95–99, 103–8.

31. Cambrai (before 1311), in CG 4.236–43, at 240–41; and Franz Ehrle, "Ein Bruchstück der Acten des Concils von Vienne," *Archiv für Literatur- und Kirchengeschichte des Mittelalters* 4 (1888), 361–470, at 393. This and similar complaints were the inspiration for the decree *Ex gravi*, which considerably augmented episcopal authority vis-à-vis civic and other officials who provided support for moneylenders; see Vienne, c. 29 (*Ex gravi*): in COGD 2.1.445–46.

32. This and the following paragraphs are adapted from my article, "Migrant Moneylenders and the Threat of Expulsion in Late Medieval Europe," in *L'expérience de la mobilité de l'Antiquité à nos jours, entre précarité et confiance*, eds. Claudia Moatti and Emmanuelle Chevreau (Bordeaux: Ausonius, 2021), 49–66. For the Hainaut privilege, see *Cartulaires de Hainaut* (1310–1347), ed. Léopold Devillers (Brussels: Hayez, 1874), 644–49 (no. 440), at 648.

33. Merbes-le-Château and Forest-en-Cambrésis (1413), in *Cartulaire des comtes de Hainaut de l'avènement de Guillaume II à la mort de Jacqueline de Bavière* [1337–1436], ed. Léopold Devillers, 6 vols. in 7 (Brussels: Hayez, 1881–96), 3:552–59 (no. 1061). For other occurrences of this provision, see Quesnoy and Forest (1313), in Sylvain Koch, *Italienische Pfandleiher im nördlichen und östlichen Frankreich* (Breslau: Fleischmann, 1904), 18–25; Valenciennes (1323), Bouchain (1326), and Cambrai (1327), in Paul Morel, *Les Lombards dans la Flandre française et le Hainaut* (Lille: Université de Dijon, Faculté de Droit, 1908), 141–51, 153–59 (p. j, 16, 18, 19); and Ath and Lessines (1428), in Brussels, Archives générales du Royaume, Chambres des Comptes, Chartes du Trésor de Flandre, Première série, no. 2548.

34. Guelders (1332), in Isaak Anne Nijhoff, *Gedenkwaardigheden uit de geschiedenis van Gelderland*, 6 vols. (Arnhem: Nijhoff, 1830–1875), 1:289–98 (no. 266); Zaltbommel (1332), in Gerard van Hasselt, *Geldersche oudheden* (Arnhem: Morleman, 1806), 1:515–26 (no. 60.1); Middelburg (1397), in W. S. Unger, *Bronnen tot de geschiedenis van Middelburg in den landsheerlijken tijd*, 3 vols. (The Hague: Nijhoff, 1923–1931), 3:43–47 (no. 110). For Lorraine, see Rosières-aux-Salines, Saint Nicolas-de-Port, and Varangéville (1332), in Nancy, AD Meurthe-et-Moselle, B 919, no. 4.

35. The earliest instance of this safeguard is found in a 1380 privilege for Troyes (*Ord.* 6.481). Similar assurances continued to appear in subsequent Lombard privileges down to at least 1461 (a privilege for Laon, in *Ord.* 15.248–56).

36. This absence was first noted (on the basis of the Burgundian evidence) in Roger S. Kohn, "Le statut forain: marchands étrangers, Lombards et Juifs en France royale et en Bourgogne (seconde moitié du XIV^e siècle)," *Revue historique de droit français et étranger* 61, no. 1 (1983), 7–24.

37. For examples, see Shlomo Simonsohn, *The Jews in the Duchy of Milan*, 4 vols. (Jerusalem: Israel Academy of Sciences and Humanities, 1982–86), 1.38, 59 (nos. 49, 74); and Ariel Toaff, *The Jews in Umbria*, 3 vols. (Leiden: Brill, 1993–94), 1.282, 308, 360, 385, 395, 424 (nos. 567, 616, 710, 755, 765, 824).

38. *Cartulaires de Hainaut (1310–1347)*, 460–61, no. 344.

39. The debate rested on whether the sanction phrase "Qui vero . . ." referred to all of the earlier provisions, or only to the sentence that immediately preceded it ("Nemo illis . . ."). See William Durand, *In sacrosanctum Lugdunense concilium sub Gregorio X Guilelmi Duranti cognomento Speculatoris commentarius* (Fano: Moscardo, 1569), f. 90r, s.v. *contrarium*; and Godfrey of Fontaines, *Quodlibets* 12.9 and 13.15, in *Les Quodlibets onze-quatorze*, ed. Hoffmans, 117 and 292. Giovanni d'Anguissola likewise held to the broader reading; see his *Apparatus* in Munich, BSB, Clm 14032, f. 283r, and Vienna, Österreichische Nationalbibliothek, Cod. 2216, ff. 74v–75r.

40. The ordinary gloss to the Lyonese constitutions was composed by the Spanish canonist García; I consulted Paris, BnF, lat. 8923, f. 235v. On his name and career, see Peter Linehan, "García: A Case of Mistaken Identity," *Revista española de derecho canónico* 55 (1998), 749–54. For the commentary of the French cardinal and canonist Jean Lemoine, see his *Glossa aurea nobis priori loco super sexto decretalium . . .* (Paris, 1535; repr. Aalen: Scientia, 1968), f. 373r; for the commentary's continuing influence, see Ronald A. Steckling, "Jean Lemoine as Canonist and Political Thinker," (unpublished PhD dissertation, University of Wisconsin, 1964), ch. 7.

41. Particularly clear examples are found in the 1302 provincial canons of Toledo (from Peñafiel), in José Sánchez Herrero, *Concilios provinciales y sínodos toledanos de los siglos XIV y XV. La religiosidad cristiana del clero y pueblo* (Tenerife: Universidad de la Laguna, 1976), 165–72, at 168 (c. 9); the 1369 diocesan statutes of Tournai, in Paris, BnF Picardie 236, ff. 7–17, at f. 9r (c. 18); and a fourteenth-century Castilian penitential handbook, Martín Pérez, *Libro de las confesiones: una radiografía de la sociedad medieval española*, eds. Antonio García y García et al. (Madrid: Biblioteca de Autores Cristianos, 2002), 27 (§1.6.32).

42. Liège (1288), tit. *De usurariis*, in *Les statuts synodaux de Jean de Flandre, évêque de Liège (1288)*, ed. Joseph Avril (Liège: Société d'art et d'histoire du diocèse de Liège, 1995), 135–36. For the revised version, see Liège (1290), *Moderationes*, c. 1, in *Les statuts synodaux de Jean de Flandre*, 195, and the discussion at 75–76.

43. For Malines, see *Cartulaire de l'église Saint-Lambert de Liège*, eds. Stanislas Bormans, Émile Schoolmeesters, and Édouard Poncelet, 6 vols. (Brussels: Hayez, 1893–1935), 2.317–24 (no. 717), with the relevant passage appearing as a codicil (323–24). Godfried Croenen dates this to 1282 × 1288, that is, during the episcopate of Jean de Flandre; see his *Familie en Macht: de familie Berthout en de Brabantse adel* (Leuven: Universitaire Pers Leuven, 2003), 100, n. 107. For the bishop's indebtedness to Lombards, see Marchandise, "Un prince en faillite," 16–17 and 60–61 (no. 21). For similar behavior by the fifteenth-century bishops of Liège, see Myriam Greilhammer, *L'usurier chrétien, un Juif métaphorique? Histoire de l'exclusion des prêteurs lombards (XIII^e-XVII^e siècle)* (Rennes: Presses universitaires de Rennes, 2012), 147–48.

44. Cambrai (1323), c. 1, in *CG* 4.286–88 (here dated erroneously to 1324). For *Quia in omnibus*, see Lateran III, c. 25 (*COGD* 2.1.144–45).

45. For the denunciation by the abbot of Vaucelles, see David Kusman, "Quand usure et Église font bon ménage. Les stratégies d'insertion des financiers piémontais dans le clergé des anciens Pays-Bas (XIII^e–XV^e siècle)," in *Bourguignons en Italie, Italiens dans les pays bourguignons (XIV–XV^e s.)* (Neuchâtel: Centre européen d'études bourguignonnes, 2009), 205–25, especially 205–9. For subsequent measures, see Aloys Schulte, *Geschichte des mittelalterlichen Handels und Verkehrs zwischen Westdeutschland und Italien mit Ausschluss von Venedig*, 2 vols. (Leipzig: Duncker & Humblot, 1900), 1.307 and 2.291 (no. 438).

46. Trier (1277), c. 11, in *Statuta synodalia ordinationes et mandata archidioecesis Trevirensis*, ed. Johann Jacob Blattau, 9 vols. (Trier: Lintz, 1844–59), 1.14–30, at 25–26; and Trier (1310), c. 34, in *Statuta synodalia . . . Trevirensis*, 1.63–155, at 88.

47. The extant Lombard privileges date to 1262, 1335, and 1372; see, respectively, Gisela Möncke, ed., *Quellen zur Wirtschafts- und Sozialgeschichte mittel- und oberdeutscher Städte im Spätmittelalter* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1982), 56–61, no. 3; Karl Lamprecht, *Deutsches Wirtschaftsleben im Mittelalter. Untersuchungen über die Entwicklung der materiellen Kultur des platten Landes auf Grund der Quellen zunächst des Mosellandes*, 3 vols. (Leipzig: DuRr, 1885–86), 3.157, no. 129; and Johann Nikolaus von Hontheim, *Historia trevirensis diplomatica et pragmatica . . .*, 3 vols. (Augsburg: Veith, 1750), 2.276–80, no. 749 (here incorrectly dated 1376).

48. The earliest Lombard privileges in Cologne were granted by civic officials, but archiepiscopal privileges for Lombards within the prince-bishopric are extant from 1306 onward. For privileges for Cologne (1296, renewing an earlier privilege), Kempen and Rheinberg (1306), Cologne (1332), Neuss (1333), Deutz (1363), and Königswinter and Bonn (1373), see, respectively: Leonard Ennen and Gottfried Eckertz, *Quellen zur Geschichte der Stadt Köln*, 6 vols. (Cologne: DuMont-Schauberg, 1860–79), 3.409–10, no. 430; *Die Regesten der Erzbischöfe von Köln im Mittelalter*, ed. Friedrich Wilhelm Oediger, 12 vols. (Bonn: Hanstein, 1901–2001) [hereafter REK], 4.26–27, nos. 144 and 145; Bruno Kuske, *Quellen zur Geschichte des Kölner Handels und Verkehrs im Mittelalter*, 4 vols. (Bonn: Hanstein, 1917–34), 1.21–26, no. 76; Friedrich Lau, *Quellen zur Rechts- und Wirtschaftsgeschichte der rheinischen Städte. Kurkölnische Städte*, Band 1: Neuss (Bonn: Hansteins, 1911), 61, no. 30; REK 7.14–16, no. 50; REK 8.208, nos. 841 and 842. For the reception of *Usurarum voraginem* in local ecclesiastical legislation, see Cologne (1298 × 1303), c. 9; Bonn (1329), c. 6; and Cologne (1371), c. 7, in *Die Synodalstatuten der Kölner Kirche im Spätmittelalter 1261–1523*, ed. Heinz Wolter (Vienna-Cologne-Weimar: Böhlau, 2022), nos. 6, 33, 137.

49. See Donata Degrossi, "I rapporti tra compagnie bancarie toscane e patriarchi d'Aquileia (metà XIII secolo–metà XIV secolo)," in *I toscani in Friuli. Atti del Convegno (Udine, 26–27 gennaio 1990)*, ed. Alessandro Malcangi (Florence: Olschki, 1992), 169–99; Miriam Davide, "Modalità di insediamento di tre minoranze nel Friuli tardomedievale: ebrei, lombardi e toscani," in *Cultura cittadina e documentazione. Formazione e circolazione di modelli*, Bologna, 12–13 ottobre 2006, ed. A. L. Trombetti Budriesi (Bologna: CLUEB, 2009), 41–58; and Luca Demontis, *Raimondo della Torre, patriarca di Aquileia (1273–1299): politico, ecclesiastico, abile comunicatore* (Alessandria: Edizioni dell'Orso, 2009), 269–87.

50. The statute survives in a 1338 diocesan compilation: Aquileia (1338), c. 2.16, in Giacomo Marcuzzi, *Sinodi aquileiesi* (Udine: Tipografia del patronato, 1910), 361. That it dates to 1284 (or earlier) is suggested by its reissue in the diocesan statutes of Concordia from that year; see Pordenone, Archivio storico diocesano, Codice della catena, f. 15v.

51. Demontis, *Raimondo della Torre*, 558–59, no. 165. For Raimondo's relations with Florentine banking firms, see Degrassi, "Rapporti," 196.
52. S. Muller Fz., "Stukken betreffende den strijd der Bisschoppen van Utrecht met de stad Utrecht over het bezit van heerlijke rechten," *Bijdragen en mededelingen van het historisch genootschap* 9 (1886), 31–125, at 41, no. 6 (18 December 1298); and more generally, J. F. Hofman, "Willem Berthold, 1296–1301 bisschop van Utrecht," *Archief voor de Geschiedenis van het Aartsbisdom Utrecht* 26 (1900), 325–450. There is no other evidence of the bishop's dealings with Lombards, though his family long claimed jurisdiction over the Lombards in Malines; see Camille Tihon, "Aperçus sur l'établissement des Lombards dans les Pays-Bas au XIII^e et au XIV^e siècle," *Revue belge de philologie et d'histoire* 39 (1961), 334–64, at 354.
53. Godefroid Kurth, *La cité de Liège au Moyen-Âge*, 3 vols. (Brussels: Dewit, 1909–10), 1.160; Alain Marchandisse, *La fonction épiscopale à Liège aux XIII^e et XIV^e siècles. Étude de politologie historique* (Geneva: Droz, 1998), 2.41, 2.49–50, 282. For a detailed discussion of the event and its sources, see Antoine Bonnivert, "L'attitude ambivalente des évêques de Liège à l'égard des préteurs lombards aux XIII^e et XIV^e siècles: autour d'un acte notarié de 1303," *Bulletin de la Commission royale d'Histoire* 181 (2015), 149–208, at 169–80, though here too the recent vicissitudes of the bishop of Utrecht go unremarked.
54. *Ly myreur des historis. Chronique de Jean des Preis dit d'Outremeuse*, eds. Adolphe Borgnet and Stanislas Bormans, 7 vols. (Brussels: Hayez, 1864–87), 6.10–11.
55. Vatican City, Archivio Apostolico Vaticano [hereafter AAV], Reg. Vat. 52, f. 51r (17 February 1306); with summary in *Regestum Clementis papae V*, 8 vols. (Rome: Typographia Vaticana, 1884–92), 1.52, no. 293. For the interdict on Dinant, Huy and Sint Truiden, see *La chronique liégeoise de 1402*, ed. Eugène Bacha (Brussels: Kiessling, 1900), 252–53. According to the chronicler, Bishop Thibaut insisted that the towns expel both "local and foreign usurers (*usurarius domesticis et alienigenis*)," but it is unclear whether this reflects Thibaut's actual demands or a later, unreliable source.
56. Jean-François Tabouillot and Nicolas Tabouillot, *Histoire de Metz*, 6 vols. (Nancy-Metz, 1769–90), t. 4/Preuves, 295 (29 April 1308); and see also the related documents in Paris, BnF, NAF 6732, nos. 12–13.
57. Karl Anton Schaab, *Geschichte des großen rheinischen Städtebundes*, 2 vols. (Mainz: Kupferberg, 1843–45), 2.214–16, no. 154 (summary in *Regesten der Erzbischöfe von Mainz von 1289–1396*, ed. Goswin Freiherr von der Ropp et al., 2 vols. (Leipzig: Veit, 1913–58) [hereafter REM] 1.2.694, no. 6313).
58. See the 1356 privilege cited in the following note; as well as the summaries of other privileges in REM 1.2.389 (no. 4712) and REM 2.1.386–87, 390–91 (nos. 1710, 1730). A century later, another archbishop of Mainz expelled Lombards from Bingen, but the circumstances of the expulsion are unclear; see *Regesta Bingiensi/Regesten der Stadt Bingen, des Schlosses Klopp und des Klosters Ruppertsberg*, ed. Anton Josef Weidenbach (Bingen, 1853), 46, no. 496; and Winfried Reichert, *Lombarden in der Germania-Romania: Atlas und Dokumentation*, 3 vols. (Trier: Porta Alba, 2003), 1.471–72, s.v. Mainz.
59. For the 1356 privilege for Lombards in Bingen, see Würzburg, Staatsarchiv, Mainzer Urkunden 4243; a summary is given in REM, 2.1.148–49, no. 632. For the 1363 privilege for Lombards in Deutz, see Würzburg, Staatsarchiv, Mainzer Urkunden 4327 (summary in REK 7.14–16, no. 50).

60. 1361 privilege of Duke William II of Jülich for Aachen, Aldenhoven, Düren, and Jülich, in *Urkundenbuch der Stadt Düren (748–1500)*, ed. Walter Kaemmerer, 2 vols. (Düren: Dürener Geschichtsverein, 1971–78), 1.1.146–53, no. 134.

61. For episcopal complacency (or complicity) in the late medieval Low Countries, see Greilsammer, *L'usurier chrétien*, 144–56, especially 151–52.

62. For the differential fourteenth-century settlement patterns of Lombards and Jews in northwestern Europe, see Winfried Reichert, "Juden und Lombarden im Maas-Rheingebiet während der ersten Hälfte des 14. Jahrhunderts: Siedlungsgefüge und Raumerfassung im Vergleich," in *Geschichte der Juden im Mittelalter von der Nordsee bis zu den Südalpen*, eds. Thomas Bardelle and Alfred Haverkamp, 3 vols. (Hanover: Hahnsche Buchhandlung, 2002), 1.275–92.

63. See Chapter 4 especially 119. Note also the bishop of Constance's privilege to Astigiani moneylenders in 1282, in which he promised to welcome and protect them "like [his] other citizens" (*tamquam alios concives nostros*), and explicitly allowed them to charge interest of 43.3%; see Aloys Schulte, *Geschichte des mittelalterlichen Handels und Verkehrs zwischen Westdeutschland und Italien*, 2 vols. (Leipzig: Duncker & Humblot, 1900), 2.213–14, no. 325.

64. Trier (1310), c. 34, in *Statuta synodalia . . . Trevirensis*, 1.63–155, at 88; Lamprecht, *Deutsches Wirtschaftsleben*, 3.157, no. 129.

65. For the initial settlement privilege, see Johan van de Water, *Groot placaatboek vervattende alle de placaten, ordonnantien en edicten*, 4 vols. (Utrecht: van Poolsum, 1729–33), 3.719–20. For the opposition and the episcopal ruling, see Joost Kriex, *Noot-wendig bericht op sekere boeckskens, gheintituleert: Res judicata . . .* (Ter Goude: Pieter Rammazeyn, 1647), 66–67.

66. Godfrey of Fontaines, *Quodlibet* 13.15, in *Les Quodlibets onze-quatorze*, ed. Hoffmans, 292.

67. See especially David Kusman, "Textes concernant une consultation de l'Université de Paris par le duc de Brabant et la Ville de Bruxelles en 1318–1319: Lombards et pouvoirs en Brabant au début du XIV^e siècle," *Bulletin de la Commission royale d'Histoire* 161 (1995), 171–225. For illuminating case studies, see David Kusman, "Jean de Mirabello dit van Haelen (ca. 1280–1333). Haute finance et Lombards en Brabant dans le premier tiers du XIV^e siècle," *Revue belge de philologie et d'histoire* 77, no. 4 (1999), 843–931; and Winfried Reichert, "Lombarden als 'merchant-bankers' im England des 13. und beginnenden 14. Jahrhunderts," in *Landesgeschichte als multidisziplinäre Wissenschaft: Festgabe für Franz Irsigler zum 60. Geburtstag*, eds. Dietrich Ebeling et al. (Trier: Porta Alba, 2001), 77–134.

68. Thomas P. McLaughlin, "The Teaching of the Canonists on Usury (XIIth, XIIIth, and XIVth Centuries) [part 2]," *Mediaeval Studies* 2 (1940), 1–22, at 12–13; and Innocent IV, *Apparatus super V libros decretalium* (Venice: Johann Herbort, 1481), ad 5.19.2 s.v. *manifesti*. For especially thorough episcopal definitions, see Cologne (1275 X 1282), c. 14, in *Synodalstatuten der Kölner Kirche*, no. 5; and Udine (1335), c. 5, in *I Protocolli di Gabriele da Cremona, Notaio della Curia Patriarcale di Aquileia (1324–1336, 1344, 1350)*, ed. Andrea Tilatti (Rome: Istituto storico italiano per il Medio Evo, 2006), 389–95, no. 252.

69. On forbearance as the "intentional and revocable non-enforcement of law," see Alisha Holland, "Forbearance," *American Political Science Review* 110, no. 2 (2016), 232–46.

70. Heinrich Volbert Sauerland, ed., *Urkunden und Regesten zur Geschichte der Rheinlande aus der Vatikanischen Archiv*, 7 vols. (Bonn: Hanstein, 1902–13), 6.91–92, no. 171; and 6.201–3, no. 442. For clerical ties, see Kusman, "Quand usure et Église font bon ménage," 205–25.

71. Sauerland, *Urkunden und Regesten*, 1.248, no. 520; summary versions are found in *Lettres communes. Jean XXII* (1316–1334), ed. Guillaume Mollat, 16 vols. (Paris: Fontemoing, 1904–47), 2.384, nos. 9480–81. See also *Lettres de Jean XXII* (1316–1334), ed. Arnold Fayen, 2 vols. (Rome: Bretschneider, 1908–12), 2.276–77, no. 2397 (9 March 1329). For a detailed discussion, see Kusman, *Usuriers publics*, 326–34.

72. *Lettres communes. Jean XXII*, 4.154, no. 16067.

73. *Les registres de Boniface VIII*, ed. Georges Digard et al., 4 vols. (Paris: de Boccard, 1907–39), 2.723 and 3.447 (nos. 3621, 5246). These expulsions are discussed further in Chapter 8.

74. The Burgundian recipients were the bishops of Autun, Basel, Belley, Besançon, Chalon-sur-Saône, Langres, Lausanne, and Mâcon; see *Les registres de Boniface VIII*, 1.328–29, nos. 937a-b (March 1296). The only record of the 1302 letters is found in Jean d'Outremeuse, *Ly myreur des histours*, 6.10–11.

75. *Regestum Clementis papae V*, 8 vols. (Rome: Typographia Vaticana, 1884–92), 2.102–3, no. 1967. The document is misattributed to Clement VI (and accordingly misdated to 1343) in Joseph Laenen, "Usuriers et lombards dans le Brabant au XV^e siècle," *Bulletin de l'Académie royale d'archéologie de Belgique* (1904), 123–44, at 145–46, p. 1; the same error appears in Bigwood, *Régime*, 1.269. David Kusman (*Usuriers publics*, 239) has suggested that the duke's action was aimed at appeasing opposition among some of his councilors who held stringent views on usury.

76. Fernand Vercauteren, "Document pour servir à l'histoire des financiers Lombards en Belgique (1309)," *Bulletin de l'Institut historique belge de Rome* 26 (1950–51), 43–67.

77. See *Lettres secrètes et curiales du pape Jean XXII (1316–1334) relatives à la France*, eds. Noël Coulon et al., 4 vols. (Paris: Fontemoing, 1900–72), fasc. 5, col. 511, no. 2072 (25 May 1325); and Hyacinthe Chobaut, "Deux documents sur les marchands italiens établis dans le Comtat Venaissin au début du XIV^e siècle," *Annales d'Avignon et du Comtat Venaissin* 15 (1929), 117–28.

78. Vatican City, Archivio Apostolico Vaticano, Reg. Aven. 51, f. 225r (addressed to the archbishop of Vienne and his suffragan bishops of Valence and Viviers); and AAV, Reg. Vat. 127, f. 309rv (addressed to the archbishop of Tarentaise). I checked the latter against AAV, Reg. Aven. 91, f. 565rv. For summaries, see *Benoît XII (1334–1342): Lettres communes . . .*, ed. Jean-Marie Vidal, 3 vols. (Paris: A. Fontemoing, 1903–11), 1.479 and 2.204 (nos. 5097, 7399).

79. See Anna Maria Patrone, *Le casane astigiane in Savoia* (Turin: Deputazione subalpina di storia patria, 1959), 56–62; and Reichert, *Lombarden*, Karten L.5 (Bergognini) and L.20 (Pelletta).

80. For a general discussion of the Italian presence in the Dauphiné, see Diego Deleville, *Les italiens en Dauphiné à la fin du Moyen Âge. Crédit, finance, et pouvoir* (Grenoble: Presses universitaires de Grenoble, 2012), especially 48–50 and 185–219.

81. Grenoble, Archives départementales de l'Isère, B 3013, no. 177 (18 April 1334); and B 3234 (19 April 1334). The nineteenth-century archival summary incorrectly suggests that Jews were encompassed in this order; see *Inventaire-sommaire des Archives départementales antérieures à 1790: Isère*, eds. Jean-Joseph-Antoine Pilot-Dethorey et al., 4 vols. (Grenoble: Allier, 1864–1919), 2.219.

82. For indebtedness to Italian and Jewish lenders, see Vital Chomel, "Communautés rurales et casanae lombardes en Dauphiné (1346). Contribution au problème de l'endettement dans les sociétés paysannes du sud-est de la France au bas Moyen Âge," *Bulletin philologique et historique jusqu'à 1610 du Comité des travaux historiques et scientifiques* 29 (1951–52), 225–47; Frédéric

Chartrain, "Le point de non retour. L'endettement de deux communautés rurales dauphinoises envers les prêteurs lombards et juifs et l'intervention delphinale (1342)," in *Minorités et marginaux en France méridionale et dans la péninsule ibérique (VII^e-XVIII^e siècles)*. Actes du colloque de Pau, 27-29 mai 1984 (Paris: Éditions du CNRS, 1986), 307-38; and Frédéric Chartrain, "L'enquête delphinale de 1337 sur les abus delphinaux et l'usure: les griefs de Vals et d'Albon, deux châtellenies delphinales du Viennois," 1-31, published online on 3 June 2010, <http://halshs.archives-ouvertes.fr/halshs-00489083/> (last accessed 22 June 2022).

83. Grenoble, ADI, B 3245 (*Registrum litterarum*), f. 63r (27 July 1345).

84. Jean Pierre Moret de Bourchenu, marquis de Valbonnais, *Histoire du Dauphiné et princes qui ont porté le nom de dauphins* . . . , 2 vols. (Geneva: Fabri & Barrillot, 1722), 2:518-23 (p. j. 223), at 522. The mandate's language strongly resembles Philip III's 1274 expulsion ordinance: see *Ord.* 1.298-300. For local Christian moneylending, see Chartrain, "Enquête delphinale," 20-21. Given the traditional Good Friday prayer "for the perfidious Jews (*pro perfidis Judaeis*)," the dauphin's choice of Good Friday as the expulsion deadline seems especially deliberate, an observation I owe to Michael McCormick.

85. Grenoble, ADI, B 2958 (Reg. XIV Graisivod.), LXXXII, f. 476rv (22 May 1346); Ulysse Chevalier, ed., *Choix de documents historiques inédits sur le Dauphiné* (Lyon: Brun, 1874), 107-16 (no. 33), at 113.

86. See Diana Wood, "Infidels and Jews: Clement VI's Attitude to Persecution and Toleration," in *Persecution and Toleration*, ed. W. J. Sheils, Studies in Church History 21 (Oxford: Blackwell, 1984), 115-24.

87. Yves Renouard, *Les relations des papes d'Avignon et des compagnies commerciales et bancaires de 1316 à 1378* (Paris: de Boccard, 1941); and Luisa Castellani, "I fratelli Malabaila, banchieri del papa," in *Lombardi in Europa nel Medioevo*, eds. Renato Bordone and Franco Spinelli (Milan: Francoangeli, 2005), 189-93.

88. I am grateful to Maureen Miller for this suggestion.

89. As an example, see Amadeus VII of Savoy's abrogation of all moneylending privileges following his concordat with the local clergy: Jean-François Poudret, "Un concordat entre Amédée VIII et le clergé de Savoie," in *Amédée VIII-Félix V: premier duc de Savoie et pape (1383-1451)*, eds. Bernard Andenmatten and Agostino Paravicini Bagliani (Lausanne: Fondation Humbert II et Marie José de Savoie, 1992), 157-78, at 166.

90. R. I. Moore, *The War on Heresy* (Cambridge, MA: Harvard University Press, 2012), 242.

91. Innocent III, "Cum iuxta" (19 April 1208), in *Reg. Inn. III*, 11.78, no. 58 [62]; *Registres de Boniface VIII*, 1.328-29, nos. 937a-b. For stimulating reflections on the topic of papal enforcement, see Stefan K. Stantchev, *Spiritual Rationality: Papal Embargo as Cultural Practice* (Oxford: Oxford University Press, 2014).

Chapter 8: Expanding (and Impeding) Expulsion: Jews, Usury, and Canon Law, 1300-1492

1. See generally Renato Bordone and Franco Spinelli, eds., *Lombardi in Europa nel Medioevo* (Milan: Francoangeli, 2005), 76-97; and for the Low Countries, Myriam Greilsammer, *La roue de la fortune: le destin d'une famille d'usuriers lombards dans les Pays-Bas à l'aube des temps modernes* (Paris: ÉHESS, 2009).

(Trier, 2011-), EL 01, no. 109 (Basel, 19 March 1322), online at <http://www.medieval-ashkenaz.org> (last accessed 22 June 2022). I am grateful to Christoph Cluse for this reference.

21. Paris, BnF NAL 2531, nos. 98–105. See also a similar agreement concerning Werden Abbey (a. 1317): *Urkundenbuch für die Geschichte des Niederrheins*, ed. Theodor Joseph Lacombet, 4 vols. (Düsseldorf: Schöpping, 1840–58), 3:121–22.

22. I have located three copies of student *reportationes* for Imbert's lectures on the *Liber Sextus*, all datable to 1339 or thereabouts: Bernkastel-Kues, St. Nikolaus-Hospital, Cod. 247, ff. 74r-175v; Berlin, Staatsbibliothek, Ms. lat. fol. 657, ff. 143v-207v; and Munich, BSB, Clm 14293, ff. 203v-298r. Only the last of these has previously been identified as containing Imbert's lectures. I am especially grateful to Anne-Beate Riecke for her assistance with the Berlin manuscript.

23. Jesselin de Cassagnes does not mention Jews in his own glosses to *Usurarum voraginem* (for which I consulted Paris, BnF, lat. 4087, f. 82rb; and Reims, Bibliothèque municipale, Ms. 744, f. 143v), even though these certainly date from the years in which he was teaching at Montpellier (1317–22). In Jesselin's glosses on *Ex gravi* (for which I consulted Oxford, MS Bodl. 247, f. 55rv; and Reims, BM, Ms. 744, ff. 48v-49r), he argues against applying the decree's penalties to Jews. Rolando Scarampi is not known to have published any commentaries on the *Liber Sextus*, but his glosses to *Ex gravi* (for which I consulted Reims, BM, Ms. 744, f. 80rv) say nothing whatsoever about Jews. I would like to thank Martin Bertram for his guidance on Rolando's extant writings.

24. For similar dynamics among late twelfth-century Parisian theologians; see Philippe Buc, *L'ambigüité du livre: Prince, pouvoir, et peuple dans les commentaries de la Bible au Moyen Âge* (Paris: Beauchesne, 1994), 362–63.

25. The Franche-Comté is a rare exception, but it appears that the expulsion of Jews and Lombards ordered in 1349 was either never carried out or swiftly revoked; see Léon Gauthier, *Les Lombards dans les deux-Bourgognes* (Paris: Champion, 1907), 220–23, p. 86. The limited mention of Jewish usury in the rhetoric of mass violence in fourteenth-century Germany is noted in Samuel K. Cohn, Jr., "The Black Death and the Burning of Jews," *Past & Present* 196 (2007), 3–36.

26. King Jaume II of Mallorca explicitly reassured the Jews of his lands that he would not follow the example of his neighbor King Philip the Fair of France in 1306; see Jaime Villanueva, *Viage literario á las iglesias de España*, 22 vols. (Madrid: Fortanet, 1806–1902), 22:333–34. In 1331, Jaume III approved the expulsion of Jews from the town of Alcúdia, though the Jews soon returned (or perhaps never left); see Juan Vich y Salom and Juan Muntaner y Bujosa, eds., *Documenta regni Majoricarum* (Palma de Mallorca: Amengual y Muntaner, 1945), 157, no. 147. For a thwarted expulsion effort in Palma in 1374, see Fidel Fita y Colomé and Gabriel Llabrés, "Privilegios de los hebreos mallorquines en el Códice Pueyo. Tercer periodo. Sección segunda," *Boletín de la Real Academia de la Historia* 36 (1900), 369–401, at 393–94 (nos. 92–94).

27. As recounted in Solomon ibn Verga, *Shevet Yehuda*, ed. Azriel Shohat (Jerusalem: Bialik Institute, 1947), ch. 10, at 52–55; the episode bears the clear imprint of the Book of Esther.

28. For Aragon, see especially the companion studies of Mark Meyerson: *Jews in an Iberian Frontier Kingdom: Society, Economy, and Politics in Morvedre, 1248–1391* (Leiden: Brill, 2004), especially ch. 4; and *A Jewish Renaissance in Fifteenth-Century Spain* (Princeton, NJ: Princeton University Press, 2004), 106–8. For Castile, see José María Monsalvo Antón, *Teoría y evolución de un conflicto social: el antisemitismo en la Corona de Castilla en la Baja Edad Media* (Madrid:

Siglo Veintiuno de España Editores, 1985), 176–79, 186–87; and Maya Soifer Irish, *Jews and Christians in Medieval Castile: Tradition, Coexistence, and Change* (Washington, DC: Catholic University of America Press, 2016), 191–95, 244–46.

29. This was argued by Étienne Agonet (Stephanus Hugoneti), a rather obscure canonist who served briefly as the bishop of Bologna. The sole known copy of his commentary on the Clementines (written 1324 × 1330) is found in Philadelphia, University of Pennsylvania, MS Codex 643, with the discussion of *Ex gravi* at ff. 59r–60v.

30. This was argued both by Agonet and by Paolo Liazari, a respected canonist who completed his *apparatus* on the Clementines before 1330; for the latter's glosses on *Ex gravi*, I consulted Vatican City, Biblioteca Apostolica Vaticana, Vat. lat. 1452, ff. 240r–241r; along with the abbreviated version in Bologna, Collegia di Spagna, Cod. 71, ff. 134r–135r.

31. See Simone da Brossano's glosses on *Ex gravi* (probably from the 1360s), in Florence, Biblioteca Medicea Laurenziana, Edili Cod. 55, ff. 251r–253r.

32. For Giovanni d'Andrea's commentary on *Ex gravi*, I consulted Munich, BSB, Clm 2933, ff. 60v–61v; along with the 1471 Strasbourg (Eggstein) edition of the Clementines, *ad* 5.5.1, s.v. *hereticum*. Alberic of Metz likewise denied the decree's applicability to Jews in his commentary (completed ca. 1323), for which I consulted Bologna, Collegio di Spagna, Cod. 222, f. 40r.

33. Nearly two-thirds of surviving copies of the Clementines contain Giovanni d'Andrea's Ordinary Gloss; see Jacqueline Tarrant, "The Manuscripts of the *Constitutiones Clementinae*," *ZRG Kan. Abt.* 70 (1984), 67–133; and 71 (1985), 76–146; together with the updated references in Martin Bertram, "Clementinenkommentare des 14. Jahrhunderts," *Quellen und Forschungen aus italienischen Archiven und Bibliotheken* 77 (1997), 144–67.

34. For papal attitudes toward Jewish usury later in the fourteenth century, see Kenneth R. Stow, "The Avignones Papacy or, After the Expulsions," in *From Witness to Witchcraft: Jews and Judaism in Medieval Christian Thought*, ed. Jeremy Cohen (Wiesbaden: Harrassowitz, 1996), 275–97, at 283–87.

35. Burkhard Roberg, "Die *lectura* des Franciscus de Albano aus dem Jahr 1276 über die *constitutiones novissimae* Papst Gregors X," *Annuario historiae conciliorum* 31, no. 1/2 (1999), 297–366; and 33, no. 1 (2001), 26–79, at 60; For Giovanni d'Andrea's *Novella*, I consulted the *Novella super sexto decretalium* (Pavia, 1484), *ad* 5.5.1.

36. See especially the passage to this effect (in the context of oaths) in Gratian's *Decretum*, C. 22 q. 5 c.11 (CIC 1.886).

37. See Pierre de la Palud's *Sentences* commentary (completed in 1315 or soon afterwards): *Quartus sententiarum liber* (Paris, 1514), f. 66rb, at Dist. 15, q. 2. For the dating, see Valens Heynck, "Zur Datierung des Sentenzenkommentars des Petrus de Palude," *Franziskanische Studien* 53 (1971), 317–27.

38. For the Chaucer reference, see *Canterbury Tales*, in *The Riverside Chaucer*, ed. Larry Benson, 3rd ed. (Boston: Houghton Mifflin, 1987), 137 ("The Clerk's Prologue," lines 34–35); along with the discussion of this passage in John P. McCall, "Chaucer and John of Legnano," *Speculum* 40, no. 3 (1965), 484–89. For the tomb inscription, see R. Joseph Schork and John P. McCall, "A Lament on the Death of John of Legnano," *Studies in the Renaissance* 19 (1972), 180–95, at 185.

39. For the two shorter consilia ("Queritur an episcopus" and "Primum qualiter"), I consulted respectively Padua, Archivio Capitolare, Ms. C. 117, f. 133r; and Bologna, Collegio di

2. See Elizabeth A. R. Brown, "Philip V, Charles IV, and the Jews of France: the Alleged Expulsion of 1322," *Speculum* 66, no. 2 (1991), 294–329; Roger S. Kohn, *Les Juifs de la France du Nord dans la seconde moitié du XIV^e siècle* (Louvain: Peeters, 1988), especially 34–36, 251–75; and Gilbert Dahan, ed., *L'expulsion des juifs de France de 1394* (Paris: Cerf, 2004).

3. For the pogroms, see Tzafrir Barzilay, *Poisoned Wells: Accusations, Persecution, and Minorities in Medieval Europe, 1321–1422* (Philadelphia: University of Pennsylvania Press, 2022). For the impact on settlement patterns, see generally Michael Toch, "Die Verfolgung des Spätmittelalters (1350–1550)," in *Germania Judaica*, Band III/3, eds. Arye Maimon, Mordechai Breuer, and Yacov Guggenheim (Tübingen: Mohr, 2003), 2298–327; and Jörg R. Müller, "Judenverfolgungen und -vertreibungen zwischen Nordsee und Südalpen im hohen und späten Mittelalter," in *Geschichte der Juden im Mittelalter von der Nordsee bis zu den Südalpen*, eds. Alfred Haverkamp et al., 3 vols. (Hanover: Hahnsche Buchhandlung, 2002), 1.189–224 and the maps in Band 3, Seq. C.

4. For Germany, see the contributions to *Judenvertreibungen im Mittelalter und fruher Neuzeit*, eds. Friedhelm Burgard, Alfred Haverkamp and Gerd Mentgen (Hanover: Hahnsche Buchhandlung, 1999), especially the tables at 183–187 and 196–197; Gerd Mentgen, "Die Judenvertreibungen im mittelalterlichen Reich: Ein Forschungsbericht," *Aschkenas* 16, no. 2 (2006), 367–403; and Kerice Doten-Snitker, "Contexts of State Violence: Jewish Expulsions in the Holy Roman Empire," *Social Science History* 45, no. 1 (2021), 131–163. For Italy, see Ariel Toaff, "Gli insediamenti askenaziti nell'Italia settentrionale," in *Storia d'Italia. Annali*, 11: *Gli ebrei in Italia*, ed. Corrado Vivanti, 2 vols. (Turin: Einaudi, 1996), 1.153–71; and Michele Luzzati, "Banchi e insediamenti ebraici nell'Italia centro-settentrionale fra tardo Medioevo e inizi dell'Età moderna," in *Gli ebrei in Italia*, 1.173–235. The expulsion of 1492 is discussed below.

5. As did the German town of Lindau in 1344; see Johannes von Winterthur, *Die Chronik des Minoriten Johannes von Winterthur*, ed. Georg von Wyss (Zürich: Ulrich, 1856), 213–15.

6. For joint expulsions of Jews and Lombards from Swiss towns, see Hans-Jörg Gilomen, "Die Substitution jüdischer Kredite im Spätmittelalter," in *Christliches und jüdisches Europa im Mittelalter. Kolloquium zu Ehren von Alfred Haverkamp*, eds. Lukas Clemens and Sigrid Hirbodian (Trier: Kliomedien, 2011), 207–33; and *Die Rechtsquellen des Kantons Berns*, t. 1: *Stadtrechte*, Bände 1–2: *Das Stadtrecht von Bern I und II*, ed. Friedrich Emil Welti, 2nd ed. rev. by Hermann Rennefahrt (Aarau: Sauerländer, 1971), 272–73 (Satzungsbuch R, §116).

7. Kenneth Stow has been the most articulate and incisive exponent of this view; see in particular his *Catholic Thought and Papal Jewry Policy, 1555–1593* (New York: Jewish Theological Seminar of America, 1977); and "Expulsion Italian Style: The Case of Lucio Ferraris," *Jewish History* 3, no. 1 (1988), 51–63.

8. The lone exception is Christoph Cluse, who has recently drawn attention to reworkings of *Usurarium voraginem*; see his *Darf ein Bischof Juden zulassen? Die Gutachten des Siffridus Piscator OP (gest. 1473) zur Auseinandersetzung um die Vertreibung der Juden aus Mainz* (Trier: Kliomedien, 2013), especially at 86–87.

9. For Oldrado, see his *Consilia et quaestiones* (Venice, 1499), nos. 87 and 264; Engl. tr. *Jews and Saracens in the Consilia of Oldradus de Ponte*, ed. and trans. Norman Zacour (Toronto: Pontifical Institute of Mediaeval Studies, 1990), 54–58 and 62–67. Pierre Bertrand follows Oldrado's consilia almost verbatim in the second recension of his *Apparatus* on Clem. 5.2.1 (completed before 1342); I consulted Paris, BnF, lat. 4085, f. 158ra-vb.

10. Jacques de Thérines, *Quodlibets I et II*, ed. Palémon Glorieux (Paris: Vrin, 1958), 157 (no. 1.14). See too the interpretations of William C. Jordan, *Unceasing Strife, Unending Fear: Jacques de Thérines and the Freedom of the Church in the Age of the Last Capetians* (Princeton, NJ: Princeton University Press, 2005), 12–17; and Elsa Marmursztejn, “Débats médiévaux sur l’expulsion des juifs des monarchies occidentales,” in *Les expulsions de minorités religieuses dans l’Europe des XIII^e–XVII^e siècles*, eds. Isabelle Poutrin and Alain Tallon (Pompignac: Éditions Bière, 2015), 19–44 (also discussing Oldrado’s consilium).

11. *Les registres de Boniface VIII*, ed. Georges Digard et al., 4 vols. (Paris: de Boccard, 1907–39), 2.723, no. 3621. For the dating of this letter (and others sent at the same time), see Valérie Theis, *Le gouvernement pontifical du Comtat Venaissin: vers 1270-vers 1350* (Rome: École française de Rome, 2012), 42–44. It goes unmentioned in the same author’s detailed study of the later papal expulsion of Jews from the Comtat: “Jean XXII et l’expulsion des juifs du Comtat Venaissin,” *Annales. Histoire, Sciences Sociales* 67, no. 1 (2012), 41–77.

12. *Registres de Boniface VIII*, 3.447, no. 5246.

13. Vienne, c. 29 (COGD 2.1.445–46).

14. *Colección de cánones y de todos los concilios de la iglesia de España y de América*, ed. Juan Tejada y Ramiro, 6 vols. (Madrid: Montero, 1859), 5.674–78, at 677, §12; *Cortes de los antiguos reinos de León y de Castilla*, ed. Manuel Colmeiro, 2 vols. (Madrid: Rivadeneyra, 1883–84), 1.227–30 and 240. For a similar secular rebuff a few years earlier, see Yitzhak Baer, *Die Juden im christlichen Spanien*, 2 vols. (Westmead, UK: Gregg, 1970), 2.110–12, no. 121 (a. 1307).

15. See the 1318 protection for the Jews of Barcelona, in Joaquim Sarret y Arbós, *Jueus a Manrèsa* (Manrèsa: Esparbé y Sèrra, 1917), 60; and the 1358 confirmation of Jewish privileges in the Catalanian town of Santa Coloma de Queralt, in Juan Segura, “Documentos para las costumbres de Cataluña durante la Edad Media,” *Revista de ciencias históricas* 5 (1887), 210–19 and 322–35, at 331–32.

16. Shlomo Simonsohn, ed., *The Apostolic See and the Jews*, 8 vols. (Toronto: Pontifical Institute of Mediaeval Studies, 1988–1991) [hereafter ASJ], 1.324, 330–33, 342–43, and 347–49 (nos. 310, 315, 316, 317, 326, 331, and 332); and see also Solomon Grayzel, “References to the Jews in the Correspondence of John XXII,” *Hebrew Union College Annual* 23 (1950–51), 37–80. For the expulsion, see Theis, “Jean XXII et l’expulsion,” 41–77. For Jewish resistance, see Robert Chazan, “Anti-Usury Efforts in Thirteenth-Century Narbonne and the Jewish Response,” *Proceedings of the American Academy for Jewish Research* 41/42 (1973–74), 45–67.

17. Ravenna (1317, held at Bologna), c. 14, in Mansi 25.612–13; Spoleto (1325), c. 76, in Rome, Biblioteca Casanatense, Ms. 774, ff. 65r–66r.

18. A second official is recorded in *Urkundenbuch der Reichsstadt Frankfurt*, ed. Friedrich Böhmer, 2 vols., rev. ed. (Frankfurt: Baer, 1901), 2.119–22, no. 150.

19. *Urkundenbuch der ehemals freien Reichsstadt Mühlhausen in Thüringen*, ed. Karl Herquet (Halle: Waisenhaus, 1874), 355–56, no. 756. The aftermath of the expulsion order is unknown; see *Germania Judaica*, 2.1.551; and Wilhelm Auener, “Die Juden im mittelalterlichen Mühlhausen,” *Mühlhäuser Geschichtsblätter* 36/37 (1938), 73–109, at 77–78. For a broader discussion, see Adolf Kober, “Die rechtliche Lage der Juden in Rheinland während des 14. Jahrhunderts im Hinblick auf das kirchliche Zinsverbot,” *Westdeutsche Zeitschrift für Geschichte und Kunst* 28 (1909), 243–69.

20. Colmar, Archives départementales du Haut-Rhin, 10 H 26/1, cited in *Corpus der Quellen zur Geschichte der Juden im spätmittelalterlichen Reich*, eds. Alfred Haverkamp and Jörg R. Müller

Spagna, Cod. 207, f. 296v. Appended to the latter text are concurring opinions of various lengths, all from jurists teaching at Bologna in the 1390s.

40. For the long *consilium* (inc. "Iudei degentes in terris"), the earliest manuscript copy that I have identified thus far is Leipzig, Universitätsbibliothek, Ms. 1055, ff. 5v-6r, which was copied sometime in 1376 or 1377, in either Bologna or Padua. On this manuscript and its owner/copyist, see Marek Wejwoda, *Dietrich von Bocksdorf und seine Bücher. Rekonstruktion, Entwicklung und inhaltliche Schwerpunkte einer spätmittelalterlichen Gelehrtenbibliothek* (Leipzig: Universitätsbibliothek Leipzig, 2014), 117. I have also consulted five fifteenth-century exemplars: London, British Library, MS Add. lat. 28658, ff. 245v-246r; Eichstätt, Universitätsbibliothek, Cod. st. 186, f. 64rv; München, Universitätsbibliothek, 8° Cod. Ms. 152, ff. 118v-121r; Dillingen, Studienbibliothek, Ms. XV.47, f. 74rv; and Naples, Biblioteca nazionale, Ms. 1.H.11, f. 6rv. In an earlier study, I relied on the sixteenth-century printed edition: *Criminalium consiliorum atque responsorum . . .* (Venice: Ziletti, 1560), 132-33, no. 19. Since my subsequent research has shown that this was both heavily abbreviated and reworked, the analysis here revises that found in my article, "Once the Jews have been Expelled: Intent and Interpretation in Late Medieval Canon Law," *Law & History Review* 34, no. 2 (2016), 335-62.

41. Leipzig, Universitätsbibliothek, Ms. 1055, f. 6r: "Postea mandatur, ne locantur hospitia, uel conducantur ad fenus exercendum per alienigenas, et expellantur manifesti usurarii [. . .] Huius pene sunt capaces iudei."

42. See Francisco Zabarella's proemium to his *Lectura* on the Clementines (for which I consulted the 1602 Venice edition, at f. 2r).

43. *Criminalium consiliorum*, 133: "et *excluduntur* usurarii manifesti" (my italics). All of the extant manuscript copies that I have consulted read *expellantur*.

44. Eichstätt, Universitätsbibliothek, Cod. st. 186. For a description, see Hardo Hilg, *Die Mittelalterlichen Handschriften der Universitätsbibliothek Eichstätt*, 4 vols. (Wiesbaden: Harrassowitz, 1994-2017), 174-86. For von Heldburg's career, see Melanie Bauer, *Die Universität Padua und ihre fränkischen Besucher im 15. Jahrhundert: eine prosopographisch-personengeschichtliche Untersuchung* (Neustadt an der Aisch: Schmidt, 2012), 412-17.

45. Nuremberg, Staatsarchiv, Eichstätt Domkapitel Urk. 591 (1445 *Wahlkapitulation* of Bishop Johann von Eich); see also the brief mention in *Germania Judaica*, 4 vols. (Tübingen: Mohr, 1968), 2.1.192-93, s.v. Eichstätt.

46. The version in the French translation of 1378 is much expanded from the original Latin version of 1376; see *Somnium viridarii*, ed. Marion Schnerb-Lièvre, 2 vols. (Paris: Editions du CNRS, 1993), 1.116-20 (Lib. I, caps. CIII-CIV); and *Le songe du vergier*, ed. Marion Schnerb-Lièvre, 2 vols. (Paris: Editions du CNRS, 1982), 1.355-62 (Lib. I, caps. CLXIII-CLXIV).

47. For servitude and grace, see Innocent III, "Etsi iudeos" (15 July 1205), in *Reg. Inn. III*, 8.220-22, no. 122; later X 5.6.13 (CIC 2.775-76). For the oft-repeated canonical principle that those who abused a privilege deserved to lose it, see X 5.33.24 (*Ut privilegium*; CIC 2.866-67).

48. *Ord.* 7.675-76.

49. Antonio Ciscato, *Gli ebrei in Padova (1300-1800)* (Padua: Società Cooperativa Tipografica, 1901), 42.

50. For the proposal, see Umberto Cassuto, *Gli Ebrei a Firenze nell'età del Rinascimento* (Florence: Galletti e Cocci, 1918), along with Michele Luzzati's reinterpretation of the episode in "Florence against the Jews, or the Jews against Florence?," in *The Most Ancient of Minorities: The*

Jews of Italy, ed. Stanislao G. Pugliese (Westport, CT: Greenwood Press, 2002), 59–66, at 61–62. The consilium itself does not survive, but Lorenzo Ridolfi briefly summarized its tenor in his “Tractatus de Usuris,” in *Tractatus universi iuris*, 22 vols. (Venice: Ziletti, 1584–86), vol. 7, ff. 151a–50rb, at f. 36vb (q. 146). For the subsequent refusal, see Cassuto, *Ebrei a Firenze*, 362–63 (Appendix, doc. 2).

51. On the basis of its questionable attribution to Baldo degli Ubaldi, the consilium has been dated to the late fourteenth century, but it may be a product of the fifteenth century instead. For a thorough discussion of the consilium and its attribution, see Diego Quaglioni, “Inter Iudeos et Christianos commertia sunt permissa. ‘Questione ebraica’ e usura in Baldo degli Ubaldi (c. 1327–1400),” in *Aspetti e problemi della presenza ebraica nell’Italia centro-settentrionale (secoli XIV e XV)* (Rome: Università di Roma, 1983), 273–305, with an edition of the consilium at 303–5. Given that Baldo’s other discussions of *Usurarum voraginem* do not mention Jews, I continue to harbor doubts over the attribution of the consilium. For these other references, see Baldo’s *Consiliorum, sive Responsorum volumen Tertium* (Venice, ca. 1602), f. 131vb (no. 449, §7–8); and his *Apostillae ad Novellam in Sextum*, for which I consulted Vatican City, BAV, Barb. Lat. 1398, ff. 389r–487r, with the reference to *Usurarum voraginem* at f. 435va.

52. *Sermones thesauri novi de tempore* (Strasbourg: Martin Flach, 1491), ff. 240rv and 267r–269r; and *Sermones discipuli de tempore* (Reutlingen: Michel Greffy, ca. 1479/82), ff. 144v, 154–55 (nos. 105, 114). On these texts, see Cluse, *Darfein Bischof Juden zulassen*, 41–52. A modern edition of the latter sermon is given by Hans-Martin Kirn in “Sermo zum 10. Sonntag nach Trinitatis,” in *Spätmittelalterliche Frömmigkeit zwischen Ideal und Praxis*, eds. Berndt Hamm and Thomas Lentz (Tübingen: Mohr Siebeck, 2001), 181–87, but the 1508 Lyon edition on which Kirn relies is marred by several misreadings, for example, *dominibus* for *domibus* and *penetrare* for *perpetrare*, which Kirn in turn transmits.

53. As in John de Burgh’s *Pupilla oculi*, for which I consulted Cambridge (MA), Harvard University, Law School Special Collections, MS 159, ff. 84r and 135v–136r; Gottschalk Hollen, *Praeceptorum divinae legis* (Nuremberg: Koberger, 1497), f. 201v, §VII.5; and a fifteenth-century abbreviation of canon law, New Haven, Yale University, Law School Library, MssJ+C69 no.1, at f. 101v.

54. Munich, BSB, Clm 4355, f. 66v. The entry refers to a certain “Magister Martinus,” evidently Martin Schwinkrist, who served as general vicar of the diocese from ca. 1377 until his death in 1380; see Karl Kosel, *Der Augsburger Domkreuzgang und seine Denkmäler* (Sigmaringen: Thorbecke, 1991), 367. I am grateful to Christoph Cluse for sharing this reference.

55. For a reference to Sampieri’s opposition, see Alessandro Tartagni, *Consiliorum*, 7 vols. (Venice: Zenari, 1578), vol. 6, f. 5v (§6.6).

56. Wrocław, Wojewódzkie Archiwum Państwowe, Akta miasta Wrocław. J 5, no. 27; cited in Guido Kisch, *The Jews in Medieval Germany: A Study of their Legal and Social Status*, 2nd ed. (Chicago: University of Chicago Press, 1949), 294.

57. See the following commentaries on *Usurarum voraginem*: Benedetto Capra, *Lectura* on the *Liber Sextus*, for which I consulted Bologna, Collegio di Spagna, Cod. 115, ff. 216va–218rb; Filippo Franchi, *Prima lectura super sexto libro decretalium* (Venice, 1499), ff. 115va–116rb; Giovanni da Prato, *Summula Contractuum/De Usuris*, for which I consulted Florence, Biblioteca Medicea-Laurenziana, Ashburnham 145, ff. 155ra–178rb, at f. 162v; Peter von Andlau, *Conclusiones* on the *Liber Sextus*, for which I consulted Basel, Universitätsbibliothek, C II 28, ff. 58v–188r, at

ff. 172v-173v. (In my article on "Canon Law and the Problem of Expulsion," I erroneously dated the latter work to ca. 1420, whereas it actually dates to the third quarter of the fifteenth century.) Giovanni d'Anagni also quotes Domenico's position approvingly in glossing the canon *Præterea*; see his *Lectura super prima et secunda parte libri quinti Decretalium cum Repertorio* (Milan: Leonhard Pachel, 1497), f. 59va, ad X §.19.7. See also Freising (1419), c. 30, in Munich, BSB, Clm 5177, fols. 244r-251v, at 250r; the statutes (which again cite the rental ban but not the expulsion provision) were issued by Bishop Hermann von Cilli, who had studied at Bologna prior to his election as bishop.

58. An edition of the two consilia is given in Cluse, *Darfe ein Bischof Juden zulassen*, 104–32, with expulsion discussed at 115–16.

59. Kenneth Stow ("Expulsion Italian Style," 57) observed similar reluctance in the work of the canonist Giovanni d'Anagni.

60. Diego Quagliani, "Un giurista sul pulpito. Giovanni da Capestrano (+ 1456), predicatore e canonista," in *'Civilis sapientia': dottrina giuridiche e dottrine politiche fra medioevo ed età moderna* (Rimini: Maggioli Editore, 1989), 193–206. For the treatise, see *Tractatus de Cupiditate*, in *Johannes von Capistrano*, ed. Eugen Jacob, 2 vols. (Breslau: Woywood, 1903–11), 2.2.27–460, at 105–7. For the list, see Hélène Angiolini, "'Cibus iudei': un 'consilium' quasi inedito di Angelo di Castro sulla macellazione con rito ebraico e una 'reprobatio' di San Giovanni da Capestrano," in *La storia degli Ebrei nell'Italia medievale: tra filologia e metodologia*, eds. Maria Giuseppina Muzzarelli and Giacomo Todeschini (Bologna: Istituto per i beni artistici, culturali e naturali della Regione Emilia-Romagna, 1989), 102–15, at 111–14.

61. Bernardino of Siena, *Opera Omnia*, ed. Jean de La Haye, 3 vols. (Venice: Poletti, 1745), 3.334b (Sermon 3) and 3.361a-b (Sermon 11); a partial edition of the first is given in Franco Mormando, *The Preacher's Demons: Bernardino of Siena and the Social Underworld of Early Renaissance Italy* (Chicago: University of Chicago Press, 1999), Appendix 2, 238–40. For the Vicenza episode, see Alessandro Nievo, *Consilium de iuris/Contra iudeos fenerantes* (Venice, 1482), f. 12r.

62. Among texts that have already been cited above, see *Sermones thesauri novi de tempore* (Strasbourg: Martin Flach, 1491), ff. 240rv; Quagliani, "'Inter Iudeos,'" 303–5; and especially Peter von Andlau's *Conclusiones* on the *Liber Sextus* (Basel, Universitätsbibliothek, C II 28, f. 173r), which stresses the foreignness restriction for Christian usurers but ignores it for Jews.

63. As with Siegfried Piscator (discussed above); and Giovanni da Prato, *Summula Contractuum*, in Florence, BML, Ashburnham 145, f. 162v.

64. See the stimulating analysis in Giacomo Todeschini, "I diritti di cittadinanza degli ebrei italiani nel discorso dottrinale degli Osservanti," in *I Frati Osservanti e la società in Italia nel secolo XV. Atti del XL Convegno internazionale* (Spoleto: CISAM, 2013), 253–77. For two later examples, see Tamar Herzog, "Beyond Race: Exclusion in Early Modern Spain and Spanish America," in *Race and Blood in the Iberian World*, eds. Max S. Hering Torres et al. (Vienna: LIT, 2012), 151–67, at 156–57; and Tara Zahra, "'Condemned to Rootlessness and Unable to Budge': Roma, Migration Panics, and Internment in the Habsburg Empire," *American Historical Review* 122, no. 3 (2017), 702–26, at 719.

65. For instance, Bernardino of Siena (in his Padua sermons) and the canonist Giovanni d'Anagni (*Lectura super Decretalium*, f. 59va) both omit the restriction to foreignness with regard to Christians as well as Jews, suggesting that the omission was not specific to the latter.

66. The question was addressed to the jurist Mariano Sozzini, whose reply survives in Lucca, Biblioteca capitolare Feliniana, Cod. 416, ff. 1ra-9va. For the precipitating circumstances, see Sofia Boesch Gajano, "Il Comune di Siena e il prestito ebraico nei secoli XIV e XV: fonti e problemi," in *Aspetti e problemi della presenza ebraica nell'Italia centro-settentrionale (secoli XIV e XV)* (Rome: Università di Roma, 1983), 175-226.

67. Mantua, Archivio di Stato, Arch. Gonzaga, b. 3389, c. 3 (June 1401). For an edition, see ASJ 1.531-32 (= doc. 493)

68. See Vittore Colomi, "Prestito ebraico e comunità ebraiche nell'Italia centrale e settentrionale con particolare riguardo alla Comunità di Mantova," *Rivista di storia del diritto italiano* 8 (1935), 406-58, at 421; Léon Poliakov, *Les banchieri Juifs et le Saint-Siège du XIII^e au XVII^e siècle* (Paris: SEVPEN, 1965), 110; Shlomo Simonsohn, *History of the Jews in the Duchy of Mantua* (Jerusalem: Kiryath Sepher, 1977), 199-211; Shlomo Simonsohn, "La condizione giuridica degli Ebrei nell'Italia centrale e settentrionale (secoli XII-XVI)," in *Storia d'Italia. Annali*, 11: *Gli Ebrei in Italia*, ed. Corrado Vivanti (Turin: Einaudi, 1996), 1.95-120, at 98-99.

69. In the 1409 bull *Ab exordio nascentis* (ASJ 2.658-60, no. 583), the antipope Alexander V declared that inquisitors could proceed against Jews who denied the sinfulness of usury. Pope Martin V reconfirmed this bull a decade later (ASJ 2.667-69, no. 590), and he also excommunicated the civic authorities of Fano due to their support for Jewish moneylending; see Gino Luzzatto, *I banchieri ebrei in Urbino nell'età ducale* (Sala Bolognese: Forni, 1902), 13 n.2.

70. ASJ 2.771-74, no. 658.

71. ASJ 2.823, no. 703: "Concessum de absolute, expulsis primo Iudeis, in presencia domini nostri pape." As an ablative absolute, the phrase "the Jews having been expelled (*expulsis* . . . *Iudeis*)" could in theory refer to an expulsion that had already occurred, but both the context and the use of "first (*primo*)" suggest instead that the phrase is to be taken as a condition of the absolution, rather than an acknowledgment of a *fait accompli*. I have confirmed the edition against Vatican City, AAV, Reg. suppl. 296, f. 203rv.

72. For Parma, I have confirmed the edition in ASJ 2.844-45 (no. 720) against Vatican City, AAV, Reg. Lat. 339, ff. 258v-259r; whether or not the Jews were natives of Parma goes unmentioned. For Florence, see the concession of 17 October 1437, in Marino Ciardini, *I banchieri ebrei in Firenze nel XV secolo e il Monte di Pietà fondato da Girolamo Savonarola* (Borgo San Lorenzo: Mazzocchi, 1907), i-x, doc. 1.

73. The question was posed by Giacomo Primadizzi, a close associate of Pope Eugene IV and later vicar general of the Observant Franciscans in Italy. For the fullest version of the text, see Milan, Biblioteca Ambrosiana, Cod. D 10 sup, f. 84ra; I have also consulted Pavia, Biblioteca universitaria, Ms. Aldini 139, f. 58r; Bologna, Biblioteca universitaria, Ms. 1763, f. 99r; and Vatican City, BAV, Barb. Lat. 904, f. 90v. For a brief discussion and list of manuscripts, see Raymond Creytens, "Les cas de conscience soumis à S. Antonin de Florence par Dominique de Catalogne O.P.," *Archivum fratrum praedicatorum* 28 (1958), 149-220, at 195.

74. For the uncertain legal force of such *responsa*, see Thomas Izbicki, "The Origins of the *De ornatu mulierum* of Antoninus of Florence," *Modern Language Notes* 119, Supplement (2004), S142-61, at S146.

75. The Dominican scholar Giovanni Cagnazzo (d. 1521) cited it in his *Summa summarum quae Tabiena dicitur* (Bologna: Benedetto Faelli, 1517), at f. 479r. From there it spread into other early modern works on canon law and moral theology.

76. Antonino's fullest discussion of the question is found in two consilia on the topic of usury, one from April 1454 and a subsequent one addressed to a Dominican in Mantua. Both are edited in Raymond Creytens, "Les 'consilia' de S. Antonin de Florence, O.P.," *Archivum fratrum praedicatorum* 37 (1967), 263–342, at 311–15; I have checked the edition against another manuscript copy (Pavia, Biblioteca universitaria, Ms. Aldini 139, ff. 107r–108r). Antonino's pastoral handbook *Curam illius habe* offered an explicit argument in favor of applying the housing ban to (foreign) Jews, though he erroneously ascribes the provisions to the decree *Quamquam usurarii* rather than *Usurarum voraginem*; I consulted *Tractato volgare di frate Antonino arcivescovo di Firenze che e intitolato Curam illius habe* (Florence: Lorenzo de Morgiani & Johannes Petri, 1493), f. E5v. For Antonino's other references to *Usurarum voraginem* (which largely ignore the question of the decree's applicability to Jews), see his *Summa theologica* (Verona: Agostino Carattoni, 1740), 2.154–58 (§2.1.10), and 3.1359–1360 (§3.24.49); *Confessionale [Defecerunt scrutantes scrutinio]* (Mondovi: Antonio di Mattia & Baldassare Cordero, 1472), ff. 27v–28r; and a diocesan statute concerning usury, edited in Richard Trexler, "The Episcopal Constitutions of Antoninus of Florence," *Quellen und Forschungen aus italienischen Archiven und Bibliotheken* 59 (1979), 244–72, at 262 (c. 23). For relations between Antonino and Eugene IV during the winter of 1439–40, see Izbicki, "De ornatu mulierum," 143.

77. For rental dispensations, see ASJ 2.927–29, 955–57, 966–68 (nos. 772, 789, 794); and see generally Poliakov, *Banchieri*, 116–18. For the lifting of episcopal sanctions in Soave (1451), see ASJ 7.216, no. 790. For sanctions in Mantua (1449), see ASJ 2.932–34 (no. 774), 3.1393–96 (no. 1111); and Poliakov, *Banchieri*, 356–57, p. 4. For sanctions in Lucca (1452), see Giuseppe Coniglio, "L'usura a Lucca ed una bolla di Niccolò V del 1452," *Rivista di storia della chiesa in Italia* 6 (1952), 259–64, at 261–62; and Michael E. Bratchel, "Usury in the Fifteenth-Century Lucchesia: Images of the Petty Moneylender," *Journal of European Economic History* 32, no. 2 (2003), 249–76, at 251.

78. See Karl-Heinz Zaunmüller, "Nikolaus von Cues und die Juden. Zur Stellung der Juden in der christlichen Gesellschaft um die Mitte des 15. Jahrhunderts in den deutschen Landen," (unpublished PhD dissertation, Universität Trier, 2001); together with Christoph Cluse, "Jewish Moneylending in Dominican Preaching, Confession, and Counselling. Some Examples from Later Medieval Germany," in *Dominikaner und Juden: Personen, Konflikte und Perspektiven vom 13. bis zum 20. Jahrhundert*, eds. Elias H. Füllenbach and Gianfranco Miletto (Berlin: De Gruyter, 2015), 195–230, at 218.

79. See *Repertorium poenitentiariae Germanicum. Verzeichnis der in den Supplikenregistern der Pönitentiare vorkommenden Personen, Kirchen, und Orte des Deutschen Reiches*, eds. Ludwig Schmutge et al., 9 vols. (Tübingen: Niemeyer, 1998–2014), 2.87, no. 902 (13 January 1452); 3.12–13, no. 78 (9 July 1455); and 3.49, no. 348 (7 September 1456). I am grateful to Kirsi Salonen and Paolo Ostinelli for their advice on the Apostolic Penitentiary records. For the background to Arnold's request, see Karlheinz Müller, *Die Würzburger Judengemeinde im Mittelalter. Von den Anfängen um 1100 bis zum Tod Julius Echters (1617)* (Würzburg: Freunde Mainfränkischer Kunst und Geschichte, 2004), 166–93.

80. See Würzburg, Universitätsbibliothek, M. ch. f. 58, ff. 284r–286v (undated mandate against Christian usury); and 331r–332r (1475 mandate against Jewish usury); the latter is edited in Christoph Cluse's forthcoming study, "Jews, Ecclesiastical Courts, and Bishops in Later Medieval Germany." For the 1477 measures, see Würzburg, Staatsarchiv, Liber diversarum

formarum 13, 97–99. For the 1488 expulsion order, see Siegfried Haenle, *Geschichte der Juden im ehemaligen Fürstentum Ansbach* (Ansbach: Junge, 1867), 210–14, §IIIc.

81. For Freiburg, see Joseph Anton Riegger, ed., *Analecta academiae Friburgensis* (Ulm: Lebrecht, 1774), 272–91, at 283, §6. The university's founding rector was Matthäus Hummel, a native of Heidelberg who had earned a doctorate in canon law at Pavia in 1454; his role in the drafting of the statutes (which drew heavily on the 1386 foundation charter of Heidelberg University) is discussed in Heiko Haumann and Hans Schadek, eds., *Geschichte der Stadt Freiburg im Breisgau*, 3 vols. (Stuttgart: Theiss, 1992–2001), 1.234–36. For Tübingen, see Rudolph von Roth, ed., *Urkunden zur Geschichte der Universität Tübingen aus den Jahren 1476 bis 1550* (Tübingen: Laupp, 1877), 36. The connection between these statutes is noted in Franz-Josef Ziwes, "Territoriale Judenvertreibungen im Südwesten und Süden Deutschlands im 14. und 15. Jahrhundert," in *Judenvertreibungen in Mittelalter und früher Neuzeit*, 179–80.

82. Ziwes, "Territoriale Judenvertreibungen," 182–83.

83. Renata Segre, *The Jews in Piedmont*, 3 vols. (Jerusalem: Israel Academy of Sciences and Humanities, 1986–1990), 1.330–36 (nos. 740, 741, 745, 747).

84. Cassuto, *Ebrei a Firenze*, 376 (Appendix, no. 14); and Shlomo Simonsohn, *The Jews in the Duchy of Milan*, 4 vols. (Jerusalem: Israel Academy of Sciences and Humanities, 1982–86), 1.74, no. 100.

85. Aside from the examples cited earlier, see also the case of Padua (1455), in Ciscato, *Gli Ebrei in Padova*, 243–45 (Appendix, no. 6); Castello, near Padua (1463), in Filippo Tamburini, *Ebrei, saraceni, cristiani: Vita sociale e vita religiosa dai registri della Penitenzieria Apostolica (secoli XIV-XVI)* (Milan: Istituto di Propaganda libraria, 1996), 58, no. 7; and Frankfurt (1490), in *ASJ* 3.1410–11, no. 1126.

86. See Angelo di Castro's consilium on usury, for which I consulted Leiden, Universiteitsbibliotheek, D'Abblaing 33, ff. 5v–7r; and the four consilia that Alessandro Nievo produced in response, later published as an appendix to the 1482 Venice edition of the *Summa Pisanella*. For the debate, see Poliakov, *Banchieri*, 59–65; along with the additional remarks of Hélène Angiolini, "Polemica antiusuraria e propaganda antiebraica nel Quattrocento," *Il pensiero politico* 19 (1986), 311–18, especially concerning the dating of the consilia.

87. For a graphical representation of the close relationship between these forms of anti-Jewish hatred in late medieval Germany, see Ziwes, "Territoriale Judenvertreibungen," 183–87.

88. Earlier scholars have not found any attestations of foreign moneylenders in Iberia (of the sort that established themselves elsewhere in western Europe), and my own research in the royal and notarial archives in Barcelona and Mallorca did not turn up any new evidence of their activity.

89. Huesca (1280, held at Barbastro), c. 22, in *SH* 14.31–49, at 47; Toledo (1302, held at Peñafiel), c. 9, in José Sánchez Herrero, *Concilios provinciales y sínodos toledanos de los siglos XIV y XV. La religiosidad cristiana del clero y pueblo* (Tenerife: Universidad de la Laguna, 1976), 165–72, at 168; and Osma (1444, but evidently drawing on thirteenth-century material), c. 125, in *SH* 12.13–160, at 74. The Osma statute is the only one to specifically demand expulsion. The decree's restriction to foreigners is noted in a fourteenth-century Castilian penitential handbook: Martín Pérez, *Libro de las confesiones: una radiografía de la sociedad medieval española*, eds. Antonio García y García et al. (Madrid: Biblioteca de Autores Cristianos, 2002), 27 (§1.6.32).

90. Antonio de Capmany y Montpalau, *Memorias históricas sobre la marina, comercio y artes de la antigua ciudad de Barcelona*, 4 vols. (Madrid: de Sancha, 1779–92), 2.396–401, no. 269 (a. 1401). On these expulsions, see Maria Teresa Ferrer i Mallol, “Mercanti italiani nelle terre catalane: gli alessandrini (1394–1408),” *Rivista di storia, arte, archeologia per le province di Alessandria e Asti* 75 (1966), 5–44; and Ferrer i Mallol, “Els italians a terres catalanes (segles XII–XV),” *Anuario de estudios medievales* 10 (1980), 393–466.

91. For the prohibition on Christian lending, see *Cortes de los antiguos reinos*, 1.80–82, §44. See also *Las siete partidas del rey don Alfonso el Sabio*, 3 vols. (Madrid: Imprenta Real, 1807), 3.271, §5.11.31; Engl. tr. *Las siete partidas*, ed. Robert I. Burns, trans. Samuel Parsons Scott, 5 vols. (Philadelphia: University of Pennsylvania Press, 2001), 4.1105. For the temporary ban on Jewish and Muslim lending, see *Cortes de los antiguos reinos*, 1.532–34 (§57) and 2.39 (§66). For the continuing protests of the *Cortes*, see Moisés Orfali, “Provisions Relating to Jewish Moneylenders in the Medieval *Cortes* of Castile-León,” *Hispania Judaica Bulletin* 10 (2014), 93–108.

92. Meyerson, *Renaissance*, 106–108, 128, 245. In Portugal, the recurring complaints about Jewish usury in the fourteenth-century *Cortes* likewise died off in the fifteenth: see Maria José Pimenta Ferro Tavares, *Os Judeus em Portugal no século XIV* (Lisbon: Instituto de Alta Cultura, Centro de Estudos Históricos, 1970), 88–93; and *eadem*, *Os Judeus em Portugal no século XV*, 2 vols. (Lisbon: Universidade Nova de Lisboa, Faculdade de Ciências Sociais e Humanas, 1982–84), 1.27, 310.

93. For an example of episcopal complaints about Jewish usury, see Mark Meyerson, “Bishop Ramon Despont and the Jews of the Kingdom of Valencia,” *Anuario de Estudios Medievales* 29 (1999), 641–53; and for Christian usury, see Maria Teresa García Egea, ed., *La visita pastoral a la diócesis de Tortosa del Obispo Paholac, 1314* (Castelló: Servei de Publicacions, Diputació de Castelló, 1993), 105–12. For early royal anti-usury efforts in Aragon and Castile, see Claude Denjean, *La loi du lucre. L'usure en procès dans la couronne d'Aragon à la fin du Moyen Âge* (Madrid: Casa de Velázquez, 2011); and Soifer Irish, *Jews and Christians*, 191–92.

94. Alphonso de Espina, *Fortalitium fidei contra iudeos, sarracenos, aliosque christiane fidei inimicos* (Lyon: Gueynard, 1511), with the discussion of usury at f. 195r–196r (*Crudelitas* 17).

95. The Dominican Vincent Ferrer paid strikingly little attention to usury in his anti-Jewish preaching, as previously noted by Maurice Kriegel, *Les Juifs à la fin du Moyen Âge dans l'Europe méditerranéenne* (Paris: Hachette, 1979), 217–21; and Carolina M. Losada, “Ley divina y ley terrena: antijudaísmo y estrategias de conversión en la campaña castellana de San Vicente Ferrer (1411–1412),” *Hispania Sacra* 65 (2013), 603–40, at 618–19.

96. Among other networks, the foundation of the Real Colegio in Bologna in 1364 ensured the continuing presence of Iberian students at the university; see also Rafael Ramis-Barceló, “*Peregrinatio academica*: legistas y canonistas de la Corona de Aragón en las universidades italianas durante el Renacimiento,” *Miscellanea historico-iuridica* 13, no. 1 (2014), 35–66.

97. For the contested extension of royal jurisdiction over Jews in Aragon, see Thomas W. Barton, *Contested Treasure: Jews and Authority in the Crown of Aragon* (University Park, PA: Pennsylvania State University Press, 2015). For Castile, see Soifer Irish, *Jews and Christians*, especially ch. 7.

98. For a concise overview with further references, see Yom Tov Assis and Mark Meyerson, “The Iberian Peninsula,” in *The Cambridge History of Judaism*, vol. 6: *The Middle Ages: The Christian World*, ed. Robert Chazan (Cambridge: Cambridge University Press, 2018), 129–84.

99. See generally, Maurice Kriegel, “La prise d’une décision: L’expulsion des juifs de l’Espagne en 1492,” *Revue historique* 260, fasc. 1 (1978), 49–90 at 57–59. For anti-usury legislation,

see *Cortes de los antiguos reinos*, 4.102-4 (§36), 128-30 (§46), 177-78 (§95). For Seville, see Juan de Mata Carriazo y Ramón Carande, eds., *El tumbo de los Reyes Católicos del Concejo de Sevilla*, 5 vols. (Seville: Universidad Hispalense, 1968-1971), 2.223-24 and 3.89. For ripple effects in Navarre, see Benjamin R. Gampel, *The Last Jews on Iberian Soil: Navarrese Jewry, 1479/1498* (Berkeley: University of California Press, 1989), 125-26.

100. Barcelona, Archivo de la Corona de Aragón, Real Cancillería, Reg. 3643, ff. 48v-49v. I am grateful to Maurice Kriegel for sharing his transcription of this document with me. For the outcome of this investigation, see Miguel Ángel Motis Dolader, *La expulsión de los judíos del reino de Aragón*, 2 vols. (Zaragoza: Diputación General de Aragón, Departamento de Cultura y Educación, 1990), 1.63-68.

101. See Luis Suárez Fernández, ed., *Documentos acerca de la expulsión de los judíos* (Valladolid: Consejo Superior de Investigaciones Científicas, Patronato Menéndez Pelayo, 1964), 284-86, 312-314 (nos. 101, 120); together with the discussions in Haim Beinart, "The Separation in Living Quarters between Jews and Christians in Fifteenth-Century Spain [in Hebrew]," *Zion* 51 (1986), 61-85; and Haim Beinart, "La Inquisición española y la expulsión de los judíos de Andalucía," in *Jews and Conversos: Studies in Society and the Inquisition*, ed. Yosef Kaplan (Jerusalem: World Union of Jewish Studies, 1985), 103-23. For a mooted expulsion of Jews from parts of Aragon in 1286, see Baer, *Juden im christlichen Spanien*, 1.912-13, no. 563.

102. For the Castilian version of the Edict, see Suárez Fernández, *Documentos*, 391-95, no. 177. The best English translation is that given in Edward Peters, "Jewish History and Gentile Memory: The Expulsion of 1492," *Jewish History* 9, no. 1 (1995), 9-34, at 23-28. The earlier decree of the Grand Inquisitor Torquemada is edited in Rafael Conde y Delgado de Molina, ed., *La expulsión de los Judíos de la Corona de Aragón: Documentos para su estudio* (Zaragoza: Institución Fernando el Católico, 1991), 197-99. For royal legalism, see Kriegel, "Prise d'une decision," 80-82. On royal motives, see Haim Beinart, *The Expulsion of the Jews from Spain*, trans. Jeffrey M. Green (Oxford: Littman Library of Jewish Civilization, 2002), especially 43-45. For usury as a cause of the expulsion, see Ibn Verga, *Shevet Yehudah*, especially ch. 7; and "Continuación de la crónica de Pulgar por un anónimo," in *Crónicas de los reyes de Castilla*, ed. Cayetano Rosell, 3 vols. (Madrid: Rivadeneyra, 1875-78), 3.513-31, at 520.

103. Barcelona, ACA, Real Cancillería, Reg. 3665bis, ff. 129v-131r; edited in Conde y Delgado de la Molina, *Expulsión de los judíos*, 41-44. See also Moisés Orfali and M. A. Motis Dolader, "An Examination of the Texts of the General Edict of Expulsion [in Hebrew]," *Pe'amim* 46-47 (1991), 148-68. For the publication of the edict in Aragon, see Beinart, *Expulsion*, 37-38.

104. X 3.6.13 (*Etsi iudeos*; CIC 2.775-76). The decretal's influence on the Edict was previously noted by Maurice Kriegel, "El edicto de expulsión; motivos, fines, contexto," in *Judíos, Sefarditas, Conversos: la expulsión de 1492 y sus consecuencias*, ed. Ángel Alcalá Galve (Valladolid: Ambito, 1995), 134-49, at 139.

Conclusion

1. Luca da Penne, *Super tribus libris Codicis* (Lyon: Jacobus Myt, 1538), f. 146rb (*ad Cod.* 11.41.6). For pimps, he cites *Nov.* 14; for diviners and those conducting unauthorized religious services, *Cod.* 1.4.10 and *Nov.* 131.8; for sedition, Gratian's *Decretum*, C.11 q.3 c.7.

2. Luca da Penne, *Super tribus libris Codicis*, f. 291va (*ad Cod.* 12.41.5, s.v. *ipsique plebe*).

3. The manuscript commentary survives as a three-volume set: Vatican City, BAV, Vat. lat. 2298, 2299, and 2300.

4. "Le Dit du Concile de Lyon," eds. Louis Carolus-Barré and Jean-Charles Payen, in 1274, *Année charnière: mutations et continuités* (Paris: Éditions du CNRS, 1977), 915–67, at 945, line 92.

5. The statute is mentioned in a *quaestio disputata* of Baldo degli Ubaldi, "Statuto cavetur quod feneratores," printed as part of his *Quaestio disputata 'Accusatus de vi turbativa'* (Pavia: [Christophorus de Canibus], 1492/96), f. 5v, but I have been unable to trace the reference further. For the extended simile, see Baldo degli Ubaldi, *Consiliorum, sive Responsorum* 5 vols. (Venice: Domenico Nicolino, 1580), 3.131rb-va (no. 449, §1).

6. For other examples of this overlap, see Jeffrey Richards, *Sex, Dissidence and Damnation: Minority Groups in the Middle Ages* (London: Routledge, 1990), 19–21. On the politico-theological function of this collective vocabulary, see Lutz Raphael, "Royal Protection, Poor Relief Statute, and Expulsion. Types of State and Modes of Inclusion/Exclusion of Strangers and Poor People in Europe and the Mediterranean World since Antiquity," in *Strangers and Poor People: Changing Patterns of Inclusion and Exclusion in Europe and the Mediterranean World from Classical Antiquity to the Present Day*, eds. Andreas Gestrich et al. (Frankfurt: Peter Lang, 2009), 17–34, at 19.

7. Johannes Bischoff, Sermon on John 2:15 (*Cum fecisset quasi flagellum*), in Munich, BSB, Clm 3543, ff. 148r-155v, at f. 153va.

8. It bears noting that the local authorities who denounced the presence of such small settlements to higher authorities might well have considered the resulting relocations to be a form of expulsion too.

9. For a seminal discussion of this approach and its interpretative challenges, see Mark Granovetter, "Threshold Models of Collective Behavior," *American Journal of Sociology* 83, no. 6 (1978), 1420–43.

10. See, most recently, Myriam Greilsammer, *L'usurier chrétien, un Juif métaphorique? Histoire de l'exclusion des prêteurs lombards (XIII^e-XVII^e siècle)* (Rennes: Presses universitaires de Rennes, 2012); as well as the many publications of Giacomo Todeschini, in particular his *I mercanti e il tempio: la società cristiana e il circolo virtuoso della ricchezza fra Medioevo ed Età Moderna* (Bologna: il Mulino, 2002).

11. For a rare example of banishment as a generalized penalty for usury (along with its swift revocation three months later), see Venice, Archivio di Stato, Maggior Consiglio, Deliberazioni, Reg. Novella, f. 64v (22 June 1357); and Venezia—Senato. *Deliberazioni miste*, vol. 15. *Registro XXVIII (1357–1359)*, ed. Ermanno Orlando (Venice: Istituto veneto di scienze, lettere ed arti, 2009), 68–70, no. 135. For a generic homiletic call for the expulsion of usurers, see *Sermoni del beato Bernardino Tomitano da Feltre nella redazione di Fra Bernardino Bulgarino da Brescia, minore osservante*, ed. Carlo Varischi, 3 vols. (Milan: Renon, 1964), 1.381–91 (no. 29), at 383.

12. Bishop Thibaut of Liège's attempt to expel usurers in 1306 marks a rare exception, in targeting both "local and foreign usurers" (*usurariis domesticis et alienigenis*); see *La chronique liégeoise de 1402*, ed. Eugène Bacha (Brussels: Kiessling, 1900), 252–53.

13. For simony, see Giacomo Todeschini, *Il prezzo della salvezza. Lessici medievali del pensiero economico* (Rome: Nuova Italia Scientifica, 1994), 174–76; and Giuliano Milani, *L'uomo con la borsa al collo: Genealogia e uso di un'immagine medievale* (Rome: Viella, 2017). For Saracens, see Robert Mannyng, *Robert of Brunne's 'Handlyng Synne,' A.D. 1303 . . .*, 2 vols. (London: Early

English Text Society, 1901–03), 1.181, lines 4805–6 for Anglo-Norman; lines 5553–54 for Middle English. For sodomy, see the famous reference in Dante, *Inferno* XI, 49–50; together with the discussion in Giacomo Todeschini, “Soddoma e Caorsa: Sterilità del peccato e produttività della natura alla fine del medioevo cristiano,” in *Trasgressioni della carne: il desiderio omosessuale nel mondo islamico e cristiano, secc. XII–XX*, eds. Umberto Grassi and Giuseppe Marcocci (Roma: Viella, 2015), 53–80.

14. See Daniel Bornstein, “Law, Religion, and Economics: Jewish Moneylenders in Christian Cortona,” in *A Renaissance of Conflicts: Visions and Revisions of Law and Society in Italy and Spain*, eds. John A. Marino and Thomas Kuehn (Toronto: Centre for Reformation and Renaissance Studies, 2004), 241–56, at 252, citing Cortona, Archivio storico del comune, I.3, Capitoli del Monte Pio, 1494–1632, f. 3r; and Angelo Carletti di Chivasso, *Summa Angelica* (Venice, 1487), f. 393rb, s.v. *usura*, §2.14. For Swiss examples, see Hans-Jörg Gilomen, “Silbermangel und jüdische Geldleihe. Prämerkantilistische Bedenken gegen den lombardischen und jüdischen Geldhandel im Spätmittelalter,” *Aschkenas* 20, no. 2 (2010), 281–303.

15. For a Florentine example, see Samuel K. Cohn, Jr., “The Black Death and the Burning of Jews,” *Past & Present* 196 (2007), 3–36, at 23–24.

16. The constitution *Nullus haereticus* (CTh 16.5.6.3; Cod. 1.1.2) ordered heretics to be driven outside the walls of Constantinople. According to Luca da Penne (commenting on Cod. 1.1.2), this was to be done “by the fury of the people” (*furere populi*), but the modern editions of the Theodosian and Justinianic Codes both read *furere propelli*, without noting this variant: *Theodosiani libri XVI: cum Constitutionibus Sirmondianis et Leges novellae ad Theodosianum pertinentes*, eds. Theodor Mommsen, Paul Meyer, and Paul Krüger, 3rd ed., 2 vols. (Berlin: Weissmann, 1962), 1.857; and *Corpus iuris civilis*, vol. 2: *Codex Iustinianus*, ed. Paul Krüger, 11th ed. (Berlin: Weidmann, 1954), 5.

17. For a similar point regarding the expulsion of 1492, see Yom Tov Assis and Mark Meyerson, “The Iberian Peninsula,” in *The Cambridge History of Judaism*, vol. 6: *The Middle Ages: The Christian World*, ed. Robert Chazan (Cambridge: Cambridge University Press, 2018), 129–84, at 146–47.

18. On violence as a structuring force within local communities, see David Nirenberg, *Communities of Violence: Persecution of Minorities in the Middle Ages* (Princeton: Princeton University Press, 1996).



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B 1405, 1435, 1470, 2293, 3581, 4418, 4426, 4431, 4433, 6421, 6697, 9172,
9279, 9956, 11307, 11691
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B 2958 (Reg. XIV Graisivod.), 3013, 3234, 3245
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B 267, 398, 416
1 H Fonds de St Victor, C 158
- Montauban, Archives départementales de Tarn-et-Garonne
A 297
- Montpellier, Archives municipales
AA 4
Louvet 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226

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B 349, 399, 402, 402bis, 439, 522, 644, 734, 833, 859, 919, 962, 966

3 E 3557

2 F 2

3 F 436

G 6, 72, 1232, 1336

H 1225, 1719, 3086

Nantes, Bibliothèque municipale

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Nice, Archives départementales

G 1285

*Paris, Archives nationales

J 190, 254, 255, 335, 1034

JJ 36, 45, 46, 53, 54a, 56, 64, 65a, 65b, 66, 68, 71, 72, 73, 74, 75, 76, 77, 78,
80, 81, 84, 85, 86, 88

K 23

KK 2, 5, 1064, 1118, 1121, 1123

L 729 dr. 1 n. 22

MM 895

P 2289, 2290, 2292, 2293, 2294

PP 109, 117

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Bourgogne 26, 33, 72

Cinq cents de Colbert 60

(Languedoc) Doat 7, 51, 119, 156, 186

Lorraine 83, 255, 256, 722

Français 491, 4847, 7222, 11835, 18869, 25993, 25995, 27235, 27289

Latin 625, 632, 644, 995, 1237, 1547, 1551, 1560, 1590, 1591, 1592, 1592A,

1595, 1596A, 1597, 1598, 1611, 1612, 1613, 3295, 3578, 3701, 3921, 3914,

3967, 4011a, 4022, 4085, 4087, 4088, 4089, 4112, 5185, 5526, 5992,

8923, 9634, 9902, 9988, 10402, 10736, 11719, 12423, 12771, 13203, 13326,

13912, 14320, 14328, 14438, 15066, 15172, 15350, 15407, 15414, 15588,

15850, 15955, 15959, 16419, 16471, 16505, 17190, 17287, 18340

Moreau 201

Nouvelle acquisition française 3104, 3365, 7990, 22726, 28107

Nouvelle acquisition latine 1108, 1475, 1516, 2309, 2531

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 5893, 6269, 6351, 6689, 6905, 7841, 8449, 8495, 8705, 9657, 11454,
 13571, 14015, 14032, 14148, 14293, 16066, 17197, 18413, 18745, 22306,
 24164, 26858, 26883, 27463, 28642
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 Liber diversarum formarum 13
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 Ms. 87, 115, 116, 120, 217, 222
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 Ashburnham 145, 948, 1289
 Edili 50, 55
 Plut. X dext. 8
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 Miscellanea Manoscritti, Ms. 12
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1256, 1258, 1260, 1262, 1432, 1877, 1961, 2128, 2171, 2174, 2175, 2196, 2197,

2244, 2411

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C 62/13

C 66/49, 50, 56, 57, 95, 100

E 36/274

E 159/18

SC 1/10, 14, 15, 16, 17, 19, 20, 21, 63

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Laud misc. 401, 483

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Palat. Lat. 123, 639, 674, 807, 832

Reg. Lat. 1065

Vat. Borgh. 177, 228

Vat. Lat. 1086, 2233, 2236, 2274, 2343, 4598, 5273, 5773, 7642,
7780, 9868, 9870, 13931

INDEX

- Aachen, 329n60
 Aaron of Lincoln, 63, 64
 abjuration, 54, 162, 280n42, 319n66
 Abravanel, Isaac, 266n58
 Adela of Champagne, queen of France, 32, 244
 Agonet, Étienne, bishop of Bologna,
 335nn29-30
 Aigues-Mortes, 101
 Alba, 100
 Alberic of Metz, 335n32
 Alberto da Brescia, 310n57
 Albertus Magnus, 301n42
 Albi, 254, 273n58, 308n37
 Alcúdia, 206, 247, 334n26
 Aldenhoven, 329n60
 Alessandria, 220
 Alexander II, pope, 32
 Alexander V, antipope, 339n69
 Alexander of Hales, 270n25, 301n43
 Alfonso XI, king of Castile, 206, 247
 Alice de Montmorency, 69
 Almohads, 32
 Alphonse, count of Poitiers, 90, 244, 245,
 292n58, 293n70, 295n95, 296n102, 320n76
 Alphonso de Espina, *Fortalitium Fidei*, 223
 Amadeus VII, count of Savoy, 331n89
 Amiens, 152
 Anabaptists, 5
 Anatolia, 194
 Andalucía, 224
 Angers, 121-22, 125, 160, 168, 200, 303n64
 Angy, 245, 246, 319n72
 Anjou and Maine, counties of, 4, 100, 122,
 152, 160, 163-68, 179, 245, 295n100, 321n88
 Apostolic Penitentiary, 219, 340n79
 Aquileia, patriarchate of, 131, 184-85, 246,
 250, 251
 Aquinas, Thomas, xi, 47-50
 Aquitaine, 158, 320n74
 Aragon, Crown of, 15, 82, 206, 211, 222-25,
 229, 262n27, 265n49, 287n9, 322n96, 333n15,
 334n26, 343n101
 Arbois, 246, 316n32
 Archambaud VIII de Bourbon, 90, 244, 292n66
 Archambaud IX de Bourbon, 92, 293n73
 Ariosto, Alessandro, 312n74
 Aristotle, 12, 36, 208
 Arnold von Brende, 219, 223
 Arras, 55, 86, 99, 130, 152, 196, 254, 307n29
 Artois, county of, 100, 152, 180
 Asinari family, 189
 Astesano da Asti, *Summa Astesana*, 37, 136
 Asti, 95, 191, 287n7; moneylenders from, 1, 7,
 10, 44, 86-87, 92, 95-96, 100, 101, 110, 119, 151,
 155, 180, 187, 189, 191, 193, 195, 263n31, 290n38,
 297n119, 329n63. *See also* Cahorsins;
 Lombards
 Ath, 325n33
 Attavanti, Paolo, 310n58
 Auch, 252
 Augsburg, 212
 Augustine, bishop of Hippo, 29, 31, 32
 Auriol, Pierre, 311n66
 Autun, 306n28, 308n36, 330n74
 Auxerre, 32, 43, 84, 244
 Avesnes, lordship of, 191, 196, 247
 Avignon, 172, 192, 193, 202, 210
 Aydin, emirate of, 194

- Italy (*continued*)
 184–85, 227, 246, 267n1; Jewish settlement
 in, 48, 182, 211, 215–16, 223; migration
 from, 10, 44, 130, 170; moneylending in,
 10, 15, 36, 130, 138–39, 170, 174, 184, 200,
 211, 262n26, 263n34, 265n49. *See also* Asti;
 Bologna; Florence; Lucca; Piedmont;
 Rome; Siena; Tuscany
 Ivrea, 251
- Jacob von Mies, 312n72
 Jacopo da Voragine, 301n42
 Jacques de Lausanne, 311n66
 Jacques de Thérines, 201–2, 320n80
 Jaume II, king of Mallorca, 322n96, 334n26
 Jaume III, king of Mallorca, 247, 334n26
 Jean d'Enghien, bishop of Liège, 175–80, 182,
 183, 324n23
 Jean de Caux, 287n1, 295n100, 296n102
 Jean de Flandre/de Dampierre, bishop of
 Liège, 183, 326n43
 Jean Lemoine, cardinal, 183, 326n40
 Jerusalem, 29
 Jesselin de Cassagnes, 205, 334n23
 Jesus, 29, 36, 63, 116, 137, 164, 272n36, 323n10
 Jews, 6, 18, 19, 20, 22, 27, 52, 69–70, 72, 75, 83, 85,
 90, 97, 141, 145, 161, 168, 209, 210, 214, 221, 227
 —accusations against, 78, 83, 93,
 160–61, 164, 199, 223–25, 231;
 apostasy, 82–83, 85, 199, 223, 224;
 blasphemy, 34, 93, 244, 250; host
 desecration, 22, 199; miscegenation,
 31, 160, 164; poisoning, 1, 22, 206;
 ritual murder, 22, 34, 67, 69, 83, 199,
 206, 246
 —association with Lombards and
 Cahorsins, 53, 81, 96, 167, 168, 174, 180,
 199, 230, 233, 287n3, 296n105, 330n81
 —conversion of, 31, 67, 69, 82, 84, 150,
 161, 223, 224, 289n21, 319n64
 —distinguishing garb of, 31, 41, 50, 80,
 90, 97, 134
 —economic activities of, 9, 11, 39, 63–64,
 211, 223, 276n6
 —forced relocation of, 18, 70, 79, 158, 163,
 228, 245, 246, 317n48, 319nn72–73
 —as foreigners, 52, 60–61, 78, 120, 215
 —housing of, 48, 50, 121, 134, 160, 200,
 204, 205, 209, 212–15, 217–21, 230,
 340n76
 —imprisonment of, 59, 61, 62, 72, 97,
 159
 —massacres of, 22, 28, 34, 57, 68, 78, 92,
 146, 198, 206, 211, 223
 —migrations of, 3, 9, 15, 59, 62, 84, 87, 97,
 170, 198, 206, 208, 210, 211, 290n40,
 329n62, 332n3
 —and moneylending, 7–10, 12, 13, 15, 17,
 32, 39–43, 53, 57, 60, 63–65, 67, 69, 78,
 79, 81, 83–87, 90–94, 102, 103, 135, 146,
 156–57, 160–61, 163, 166, 188, 194,
 199–203, 205, 208, 210–12, 215–16,
 218–22, 229, 233, 262n29, 286n114,
 339n69
 —protection of (ecclesiastical), 18, 21,
 31–35, 91–92, 122, 161, 194, 199–200, 206,
 216, 218, 229–30
 —protection of (secular), 19, 57–58, 67,
 70, 93–94, 99, 102, 103, 135, 157, 169, 182,
 200, 201, 210, 232, 303n64
 —protests by, 42–43, 93, 203–4
 —royal revenues from, 9, 22, 40, 59–64,
 67, 69, 72, 80, 83, 84, 89, 91, 93, 94, 98,
 103, 152, 154, 156, 157, 159–66, 168,
 193–94, 210, 284n86, 314n114, 320n75,
 320n77
 —servitude/*servitium* of, 31, 32, 60–63,
 99, 158, 161, 224–25, 280n40
 —sources for, 11–12, 22, 263n37
 —as usurers, 1, 4, 6, 14, 18, 27, 39–43,
 48–50, 53, 63, 67, 68–9, 79, 81, 84, 90,
 93–95, 99, 103, 119–22, 134–35, 146, 150,
 158, 160–62, 164, 165, 167, 180, 199,
 200–202, 204–12, 224–25, 228, 342n95
 —*see also* England; expulsion; France
- Joan I, countess of Auvergne, 179, 247
 Jocelin of Brakelond, 58
 Johannes von Heldburg, 210

- John, king of England, 54, 56, 60, 65; expulsion of Jews by, 52, 59, 62, 79, 158, 161, 244
- John I, duke of Brabant, 175-79, 180, 245
- John I, duke of Brittany, 91-92, 165, 244
- John II, duke of Brabant, 178, 192, 330n75
- John XXII, pope, 191, 192, 196, 203-4, 206, 207, 216, 246, 247
- John de Burgh, 313n76, 337n53
- John of Baconthorpe, 311n65
- John of Capistrano, 138-39, 214, 312n74
- John of Erfurt, 136
- John of Freiburg, *Summa Confessorum*, 136, 310n57
- John of La Rochelle, 270n25
- John of Mürfeld, 310n58
- John of Naples, 302n50
- Jülich, 329n60
- Justinian, emperor, 145, 226, 233, 345n16
- Kedar, Benjamin, 5, 267n63
- Kempen, 327n48
- Kent, 65
- Königswinter, 327n48
- Kraków, 138
- Langres, 308n36, 330n74
- Langton, Stephen, archbishop of Canterbury, 36
- Laon, 325n34
- Lausanne, 111, 308n36, 330n74
- Laws of Aethelstan*, 54
- Laws of Edward and Guthrum*, 54
- Laws of Edward the Confessor*, 51-52, 65
- Legnano, Giovanni Oldrendi da, 208-211
- Leicester, 68-71, 79, 200, 229, 244
- Leo VII, pope, 269n15
- Léon, 203
- lepers, 6, 16, 19, 30, 38, 115, 224, 227, 228, 261m6
- Lessines, 325n33
- Lévis-Mirepoix, Pierre de, bishop of Cambrai, 181, 183, 190
- Liazari, Paolo, 335n30
- Liber Extra*, 112, 271n35, 317n46
- Liber Sextus*, 108, 114, 124, 126, 185, 192, 205, 207, 212, 255, 299n18
- Liberius, pope, 268n8
- Liège, 175-79, 180, 182, 183, 184, 187, 188, 251, 306n19, 307n33, 326n43; expulsion of Lombards from, 1-2, 185-88, 192, 246, 326n43, 344n12
- Lincolnshire, 57
- Lindau, 332n5
- Lisieux, 128, 253, 305n15
- Lombard, Peter, 303n61
- Lombards, 15, 48, 92, 95, 113, 120, 135, 146, 163, 167, 168, 170, 176, 178, 182, 183, 188, 191, 193, 197, 203, 263n31; accusations against, 2, 14, 98, 259n7; association with Jews, 53, 81, 167, 168, 174, 199, 230, 287n3, 296n105; definition of, 10-11, 87, 154-55, 189, 195, 265n45; migrations of, 9, 10, 44, 87, 92, 112, 130, 131, 151, 170, 173-74, 184, 198, 315n24, 316n37, 329n62; moneylending practices of, 47, 87, 96, 98, 151, 187, 189-90, 196, 315n29; privileges for, 7, 44, 87, 92, 100, 119, 180-82, 184, 187-90, 196, 233, 323n15, 325n35, 329n63, 331n89; punishment of, 47, 152, 154, 155-56, 170, 174, 183, 190, 198, 316n36; renting houses to, 48-50, 100, 111; sources for, 11-12, 22-23, 101, 262n27, 323n9. *See also* Asti; Cahorsins; expulsion; usury
- Lombardy, 10, 184, 269n11
- London, 10, 61, 65, 72, 74, 76, 147-48, 149, 150, 286n108; expulsion of Cahorsins from, 44-47, 71, 77, 95, 244; local merchants of, 55, 56, 162-63; mob uprisings in, 57, 77, 78, 82, 286n113; Tower of, 71, 75, 78, 150
- Longchamp, abbey of, 47
- Lorraine, duchy of, 103, 131, 152, 180, 181, 204, 247, 287n3, 325n28
- Louis I, count of Nevers, 246
- Louis IV, German emperor, 186, 187
- Louis VII, king of France, 40, 81, 82-83, 243, 268n8
- Louis VIII, king of France, 85, 86, 87

- Baldwin de Redvers, 277n12
 Baldwin of Luxembourg, archbishop of
 Trier, 189
 Barbastro, 306n20, 341n89
 Barcelona, 222, 262n27, 307n29, 333n15, 341n88
 Bardi, Bartolomeo, bishop of Spoleto,
 134–35, 204
 Barnim I, duke of Pomerania, 245
 Bartolomeo da San Concordio, 136
 Basel, 142, 204, 307n31, 307n35, 308n36, 330n74
 Bayeux, 183
 Beaucaire, 292n68
 Beaune, 315n30
 Beauvais, 95, 245, 295n97
 Becket, Thomas, 66
 beggars, 6, 16, 38, 228
 Belley, 308n36, 330n74
 Bene, Bonifacio da, 101, 297n119
 Bene, Tommaso da, 101, 151, 315n23
 Benedict XII, pope, 193, 194, 247, 308n36
 Benedictines, 73, 118
 Berkhamsted, 283n78
 Bern, 246, 267n1
 Bernardino da Feltre, 311n64, 344n11
 Bernardino of Siena, 14, 138–39, 214, 216,
 302n50, 310n58, 312n73, 313n76, 338n65
 Bersuire, Pierre, 118, 311n66
 Berthold (Brother), *Rechtsumme*, 136, 309n46
 Berthout family, 324, 328n52
 Bertrand, Pierre, 201, 211, 332n9
 Besançon, 167, 180, 246, 308n36, 330n74
 Béziers, 250, 294n82
 Biervliet, 316n37
 Bingen, 187, 328n58
 Bischoff, Johannes, 311n67, 313n78, 344n7
 Black Death, 2n, 28, 194, 198, 208, 211, 243, 247
 Blanche of Castile, queen of France, 89,
 289n30
 blasphemy, 34, 88, 89, 93, 97, 244, 250
 Blois, count of, 191–92
 Boccaccio, Giovanni, *Decameron*, 2
 Bologna, 172, 206, 208, 333n17, 335n29,
 336n40; merchants of, 72, 284n88,
 284n90; University of, 142, 213, 217, 227,
 294n84, 335n39, 337n57, 342n96
 Boniface VIII, pope, 108, 126, 185, 191–92,
 196, 202, 246. See also *Liber Sextus*
 Boniface IX, pope, 215–16
 Bonini, Alessandro, 301n43, 312n72
 Bonn, 253, 327n48
 Bonneval, abbey of Saint-Florentin, 295n95
 Boppard, 247
 Bordeaux, 252
 Boston, 255
 Bouchain, 325n33
 Bourges, 130, 155, 251, 253, 254, 305n17, 306n28
 Bouvines, 56
 Brabant, duchy of, 4, 28, 96, 104, 159, 168,
 175–79, 180–81, 192, 245, 323n15
 Bracton, *On the Laws and Customs of England*,
 285n99
 Braga, 251
 Bricstan of Chatteris, 63, 66
 Bridgenorth, 317n48
 Brittany, duchy of, 87, 151, 279n34, 314n18;
 expulsion of Jews from, 91–92, 159, 163,
 165, 244; expulsion of Lombards from,
 100, 152
 Bromyard, John, 310n60
 Bruges, 180
 Bruno of Segni, 268n6
 Burchard of Strasbourg, 310n58
 Burgos, 252
 Burgundy, county of, 131, 154, 287n3, 330n74;
 expulsion of Jews from, 28, 169, 179, 246,
 247, 322n95–96, 334n25; expulsion of
 Lombards from, 103, 132, 169, 179, 192, 198,
 246, 247, 322n95, 334n25; moneylending
 in, 7, 9, 87, 131, 152, 174, 315n24, 326n36
 Burgundy, duchy of, 287, 100, 103, 152, 168,
 169, 315n24, 315n29, 315n30, 322n95
 Bury St. Edmunds, 32–33, 57–58, 62, 64, 70,
 243
 Byzantine Empire, 5, 37
 Cade, William, 64, 65, 66
 Cagnazzo, Giovanni, 310n58, 339n75
 Cahors, 253, 308n37; moneylenders from, 7,
 11, 44, 45, 47, 77, 86, 95, 99, 119, 203, 274n67,
 285n101. See also Cahorsins

- Cahorsins, 75, 77, 79, 98, 120, 169, 173, 175-78, 180, 182, 204, 324n21; association with Jews, 53, 169, 174, 204; definition of, 11, 86, 263n34; migration of, 44-45, 112-13, 173, 184, 324n26; punishment of, 44, 47-49, 100, 111-12, 130, 172, 173, 183. *See also* expulsion; Lombards; usury
- Calais, 100, 152
- Cambrai, 180-81, 183-84, 190, 191, 247, 250, 253, 262n29, 292n67, 325n33
- Cambridge, 59
- Cambridgeshire, 63
- Canterbury, 36, 47, 54, 74, 147, 150, 269n11, 305n17
- Capra, Benedetto, 337n57
- Caracciolo, Robert, 312n70, 313n76
- Carcassonne, 134, 246, 252, 292n68, 308n38, 314n18
- Carletti, Angelo (di Chivasso), 310n58, 345n14
- Carmelites, 303n55, 311n65
- Carpentras, 245, 318n54
- Carretto, Enrico del, bishop of Lucca, 301n38
- Carthusians, 138
- Castile, kingdom of, 203, 211, 222, 326n41, 341n89, 342n93; expulsion of Jews from, 206, 229, 223-24, 247
- Castres, 308n37
- Castro, Angelo di, 341n86
- Cavalcanti family, 283n84
- censal*, 222
- Chalon-sur-Saône, 142, 307n31, 307n35, 308n36, 315n30, 330n74
- Champagne, county of, 87, 94, 96, 100, 152, 247, 294n86, 296n102, 316n36
- Charles I, count of Anjou, 97, 100
- Charles II, count of Anjou, 160, 164, 165, 166, 167-68, 179, 245, 318n56, 321n86
- Charles IV, king of France, 247, 287n4, 316n36
- Charles V, king of France, 181, 196, 210
- Charles VI, king of France, 210
- Chartres, 295n95
- Château-Gontier, 303n64
- Chaucer, Geoffrey, 208
- Chivasso, 220
- Chrysostom, Pseudo-, 301n43, 302n44
- Church Councils, general: 41, 112, 113, 124-26, 173, 200, 204
 - Second Lateran Council (1139), 38
 - Third Lateran Council (1179), 38, 65, 107, 109, 111, 120, 129, 140, 183, 190, 203
 - Fourth Lateran Council (1215), 30, 38, 41, 50, 88, 90, 97, 126, 127; provisions on Jewish usury, 42-43, 60, 119, 200, 269n10, 303n63
 - First Council of Lyon (1245), 107, 113
 - Second Council of Lyon (1274), 107-22, 123, 125, 131, 138, 141, 146, 150, 179, 180, 183, 184, 191, 227; promulgation of *Usurarum voraginem* at, 20, 113, 126, 127, 128, 142, 195-96, 245
 - Council of Vienne (1311-1312), 196, 200, 203, 300n31, 312n72
- Cistercians, 183, 201, 320n80
- Cleansing of the Temple (Gospel narrative), 29, 115-16, 137-38, 175, 268n4, 301n39, 301n42, 302n44, 311n62
- Clement IV, pope, 295n100
- Clement V, pope, 156, 186, 192, 203
- Clement VI, pope, 193-94, 247, 330n75
- Clementine Constitutions, 203, 206, 207, 335n33
- Cluny, abbey of, 40
- Code of Canon Law*, 108
- Cologne, 184, 187, 191, 251, 252, 253, 254, 306n19, 306n28, 307n33, 327n48, 329n68
- Como, 250
- Comtat Venaissin, 192-93, 202, 204, 245, 246, 247
- Concordia, 251, 327n50
- Constance, 329n63
- Constantinople, 94, 115, 345n16
- consilia*, 208-210, 212, 213, 223, 336n50, 337n51, 340n76, 341n86
- Constitutiones novissime Gregorii X*, 126
- Constitutions of Clarendon (1164), 66
- Corbeil (Abbey of Saint-Spire), 32, 244
- Cornwall, 281n60
- Cremona, 254

- Crusades, 41, 94, 148, 159; Albigensian, 69;
 First, 29, 57; Second, 40; Fourth, 41;
 Seventh, 87, 88, 89, 91, 92-93, 96, 103, 244,
 320n76; Eighth, 4, 81, 88, 96, 98, 100; and
 expulsions of Lombards, 4, 98-99, 167,
 169, 194, 247; and Jews, 41, 42, 69, 82, 92,
 103, 169, 194, 244, 247, 286n117, 320n76;
 and usury, 40, 41, 159
- Dagobert, Merovingian king, 84
- Dante, *Inferno*, 283n84, 344n13
- Dauphiné, 28, 169, 193-94, 247, 322n95
- Deuteronomy, 19, 43, 112, 230, 311n62
- Deutz, 327n48, 328n59
- Dinant, 246, 328n55
- Dit du Concile de Lyon*, 123-24, 227
- Dole, 316n32
- Domenico da San Gimignano, 212-13, 217,
 218, 337n57
- Dominicans, 34, 45, 47, 80, 89, 96, 97, 116,
 159, 165, 166, 169, 301n42, 302n50, 310n57,
 320n79, 342n95; and *Usurarum voraginem*,
 136, 137, 207, 213, 339n75, 340n76
- Dordrecht, 316n37
- Douai, 55
- Durand, William (the Elder), 114-17, 183
- Düren, 329n60
- Edward I, king of England, 71, 146-47, 155-63;
 and crusading, 147, 148, 159, 167; expulsion
 of Flemish merchants by, 56, 278n26;
 expulsion of foreign usurers by, 53, 147-50,
 179, 245; expulsion of Jews by, 52, 62-63,
 104, 158, 159-63, 165, 167, 169, 199, 228, 229,
 245, 246, 317n47; investigations of usury
 under, 66, 148-50
- Edward II, king of England, 56, 278n26
- Edward the Confessor, king of England, 51,
 65, 79, 157
- Eichstätt, 210
- Eisenach, 204, 246
- Eleanor of Provence, queen of England, 156,
 158, 161, 245, 317n47
- Elizabeth de Bierbais, 175-77, 187
- Elne, 253, 308n38
- England, kingdom of, 9, 15, 18, 20, 27-28, 51-79,
 109, 140, 145, 174, 222, 232, 310nn59-60;
 administrative records in, 12; anxieties
 over usury in, 16; expulsion of foreign
 merchants/moneylenders from, 4, 44-47,
 52, 56, 71-79, 95, 146, 147-50, 154, 158,
 162, 167, 168, 173, 179, 244, 245, 278n26,
 284n89, 285n107; expulsion of foreigners
 from, 20, 53-54, 55, 61, 77, 82, 104; expulsion
 of Jews from, 4, 32-33, 35, 57-63, 68-70,
 78-79, 91, 103, 146, 156, 157, 159-64, 167,
 199, 228-29, 243-46, 276n6, 278n29,
 317n47, 319n68; Italian economic activities
 in, 11, 45-46, 71-77, 148-50; Jewish
 moneylending in, 8, 12, 39, 57, 63-65, 67,
 68-69, 156, 161; local Christian money-
 lending in, 63-66, 86, 150, 158; xenophobia
 in, 55, 81, 82, 85, 102, 162. *See also* London
- Enguerrand II de Créqui, bishop of Cambrai,
 180-81
- Escobar, Andrés de, 310n58
- Etheldreda, saint, 63
- Eugene III, pope, 40
- Eugene IV, pope, 200, 217-19, 339n73, 340n76
- Eustache de Grandcourt, 172
- Ex gravi*, 191, 202-4, 206-7, 211, 214, 215, 261,
 312n72, 325n31, 334n23
- Exchequer, 59, 62; of the Jews, 12, 67, 78;
 Norman, 292n64
- excommunication, 28, 30, 41, 48, 115, 171, 185,
 203, 310n53, 313n76; of those harboring
 usurers, 108-10, 123, 124, 134, 172, 176-77,
 182, 206, 212, 214, 217-19, 221, 252-54,
 339n69; of usurers, 38, 45-46, 48, 109,
 209
- exhumation, 28
- exile, 5, 10, 16, 17, 28, 29-30, 54, 81, 124, 262n26
- expulsion, 5, 16-19, 23, 28-29, 52, 226-29,
 233-34, 260n12, 344n11
 —associated with usury, 1, 4, 6, 7, 16, 20,
 21-22, 27-28, 79, 81, 102, 108, 116, 124-25,
 129, 131, 135, 140, 145, 146, 156, 173, 174,
 222, 223, 226, 231, 234

- of blasphemers, 88–89, 93, 244, 250
 - of Cahorsins: in England, 44–47, 71, 75, 244, 245; in France, 95, 96, 98–101, 102, 111–12, 150, 155, 160, 167, 190, 245, 295n97, 296n105; in the Low Countries, 96, 175–179, 190, 245
 - of clerics, 52, 297n125
 - of courtiers, 52, 54, 77
 - of criminals, 54, 81–82, 162
 - of Flemish merchants, 52, 56, 162, 278n26, 297n125
 - of foreign moneylenders, 3, 4, 146–50, 154, 158, 168, 170, 179, 181, 184–85, 186, 191, 230–32, 245, 246, 247 (see also *Usurarium voraginem*)
 - of foreigners, 5, 20, 61, 104
 - of heretics, 5, 6, 16, 29–30, 46–47, 79, 82, 85, 88, 108, 111, 345n16
 - of Italian merchants and moneylenders, 167; in the Dauphiné, 169, 193, 247; in England, 71–79, 95, 102, 148, 150, 162, 167, 168, 233, 244, 284n89, 285n107; in France, 146, 151, 152, 156, 245, 246, 247, 297n125, 316n36; in Lorraine, 247
 - of Jews, 3, 17–18, 22, 23, 32–34, 167, 199, 209–15, 228, 229–30; in Burgundy, 167, 168, 169, 179, 244, 246, 247, 322nn95–96, 334n25; in the Dauphiné, 169, 194, 247, 330n81; in England, 4, 32–33, 35, 57–63, 68–70, 78–79, 91, 103, 146, 156, 157, 159–64, 167, 199, 228–29, 243–46, 276n6, 278n29, 317n47, 319n68; in France, 4, 32–33, 35, 57, 81, 82, 85, 90–94, 102, 103, 146, 156, 159, 160, 163–66, 169, 179, 198, 201, 210, 228, 229, 233, 243–47, 250, 293n70, 295n95, 317n52, 318n54, 319n73, 321n88; in Germany, 198–99, 205–6, 210, 219–20, 221, 246, 247, 267n11, 269n15; in Iberia, 17, 21, 198, 206, 223–25, 229, 247, 343n101; in Italy, 199, 214, 217–18, 220, 221, 245, 250, 267n11; in the Low Countries, 96, 159, 168, 178, 198, 245; in papal territories, 202, 204, 245, 246, 247; in Switzerland, 246, 267n11; opposition to, 4, 18, 21, 27
 - of lepers, 6, 16, 30, 115, 227, 228
 - of Lombards, 3, 4, 18, 22, 119, 120, 131, 199, 200; in Burgundy, 167, 169, 179, 180, 193, 198, 245, 247, 322n95, 325n29, 334n25; in the Dauphiné, 193–94, 247; in France, 2, 4, 80, 81, 98–101, 102, 103–4, 111–12, 150–52, 154, 155, 156, 160, 165, 166, 167, 168, 169, 179, 181, 198, 233, 245, 247, 316n36; in Germany, 186–87, 191, 247, 328n58; in Lorraine, 180, 204, 247; in the Low Countries, 1–2, 176, 179, 181, 185–86, 189–90, 192, 196, 246; in Switzerland, 332n6
 - of mercenaries, 52, 53–54
 - of pimps, 115, 226, 227
 - of prostitutes, 16, 30, 88, 89, 260n13
- Fano, 339n69
Fasciculus Morum, 310n60
 Ferdinand II, king of Aragon, 21, 223–25
 Ferrer, Vincent, 342n95
 Fiesole, 307n31
 fitzlabel, William, 64
 fitzSawin, Robert, 64
 Flanders, count of, 56, 180
 Flanders, countess of, 47–50, 97, 100, 112, 117, 147, 315n23
 Flanders, county of, 47, 53, 97, 153n; foreign moneylenders in, 44, 87, 151, 152, 180, 316n37; mercenaries from, 52, 53–54; merchants from, 19, 52, 55, 56, 57, 147, 148, 162, 278n26, 297n125; moneylenders from, 9, 64, 274n67
 Florence, 14, 139, 217, 253, 307n31; Cerchi firm of, 149, 316n31; della Scala firm of, 285n106; diocese of, 253; Jews in, 211–12, 215, 218, 220; merchants/moneylenders from, 10, 45, 72, 75–77, 95, 110, 134, 147–52, 184, 191, 193, 218, 283n84, 284n88, 297n125, 302n48; Willelmi firm of, 76, 285n106
 Foligno, 141

- foreigners, 81, 119, 156, 165, 176, 230; definition of, 7, 45, 49, 56, 61, 112, 114, 119, 140, 154, 160, 188–89, 212, 215, 299n22; expulsion of, 5, 16, 19, 20, 52–55, 58, 61, 77–78, 79, 102, 104, 108, 162, 169, 170, 195, 230, 231, 232, 243; hostility to, 55, 81, 82, 85, 102, 162; as moneylenders, 44, 48, 81, 98, 101, 103, 150, 188, 202, 326n86; penalties against, 55–56, 99, 169; protection of, 19, 49–50, 99, 169, 231. *See also* Cahorsins; Lombards; *Usurarum voraginem*
- Forest-en-Cambrésis, 325n33
- France, kingdom of, 9, 15, 20, 27–28, 56, 80–104, 109, 127, 128, 131, 141, 145, 153n, 166, 174, 194, 205, 222; administrative records in, 10, 12, 80–81; anxieties over usury in, 16, 36, 51, 79, 84, 85, 89–90, 94, 98, 104, 150; banishment in, 30, 81–82, 88–89; Christian moneylending in, 85–86, 90, 92, 98–99, 166, 168, 322n93; as destination for exiles, 54; expulsion of foreign merchants/moneylenders from, 2, 4, 81, 95, 98–101, 102, 146, 150–51, 152, 154, 155, 160, 166, 168, 173, 179, 181, 198, 245, 297n125; expulsion of Jews from, 4, 32–33, 35, 57, 81–85, 90–94, 96, 97, 102, 146, 156, 159–60, 163–66, 168, 198, 199, 201, 233, 243–47, 293n70, 293nn75–76, 296n105, 318n54, 319n73, 320n76, 321n88; forced relocation of Jews in, 163, 228, 245, 317n48, 319n72–73; Italian moneylending in, 9, 45, 86–87, 94, 95, 100–101, 113, 119, 146, 150–52, 153n, 181, 233, 302n48; Jewish moneylending in, 32, 39, 81, 83–87, 91, 92, 102–4, 156, 163, 170, 199, 279n38, 290n31; Jewish settlement in, 61, 84, 198; merchants from, 55; punishment of heretics in, 82, 85, 124. *See also* Paris
- Francesco d'Albano, 110, 172, 207
- Franchi, Filippo, 337n57
- Franciscans, 14, 33, 45, 47, 80, 89, 96, 112, 138, 159, 165, 166, 223, 231, 294n84, 301n43, 310n57, 311n62, 339n73; and *Usurarum voraginem*, 116, 139, 140, 141, 214, 218, 220, 309n49, 310n60
- Frankfurt, 341n85
- Fredoli, Béranger, 310n58
- Freiburg, 220
- Friuli, 184, 246
- Fulk (Foulques) of Neuilly, 32, 36, 43, 84, 86, 243
- Garcia, canonist, 183, 326n40
- Gascony, 55, 153n, 158; expulsion of Jews from, 159, 160, 163, 165, 166–67, 245, 317n52
- Gellent, Nicolas, bishop of Angers, 121–22, 134, 160, 168, 200, 212, 303n63
- Gentillet, Innocent, 100
- Geraardsbergen (Grammont), 151
- Gerald of Wales, 57
- Gerard of Siena, 312n72
- Gerlach von Nassau, archbishop of Mainz, 186–87, 195, 247
- Germany, 47, 128, 140, 214, 223, 227, 311n62, 311nn67–68; emperors of, 97, 175, 176, 178, 180, 186; expulsions of Jews in, 21, 198, 205–6, 210, 213, 219–20, 221, 245, 246, 247, 267n1, 269n15; expulsions of Lombards in, 186–87, 191, 247; merchants from, 55; moneylending in, 15, 187, 200, 205, 211, 265n49
- Gervase of Cornhill, 64–65
- Gervase of Melkeley, 272n37
- Giacomo della Marca, 312n70, 313n76
- Giordano da Pisa, 137–38, 302n48
- Giovanni d'Anagni, 337n57, 338n59, 338n65
- Giovanni d'Andrea, 115, 117, 172, 183, 206–8, 211, 213, 218, 335n33
- Giovanni d'Anguissola, 303n58, 326n39
- Giovanni da Prato, 312n74, 337n57, 338n62
- Girona, 224
- Glanvill, 73
- Glossa ordmaria* (Bible), 115–16
- Gniezno, 30, 269n13, 273n58
- Godfrey of Bridport, 66, 281n59
- Godfrey of Fontaines, 50, 99, 117–18, 171–72, 175, 183, 189, 231
- Gonzaga, Francesco I, lord of Mantua, 215–16

- Gorze, abbey of, 180
 Gospels, 29, 36, 115–16, 137, 272n36, 301n42, 311nn62–63. *See also* Cleansing of the Temple
Grande ordonnance (1254), 93, 158, 167–68, 244
 Gratian, *Decretum*, 112, 113, 268n8, 269n17, 272n38, 273n44, 300n26, 335n36, 343n1
 Greek church, 37, 107
 Gregory I the Great, pope, 31, 32
 Gregory IX, pope, 44, 47, 49, 275n70; defense of Jews by, 33, 91, 199, 244
 Gregory X, pope, 109, 110, 113, 126, 127, 174, 196, 245, 314n17
 Greifswald, 245, 267n1
 Grosseteste, Robert, 68–69, 71, 79, 157, 200, 275n69, 282n70
 Gubbio, 252
 Guelders, 325n34
 Gueric of Saint-Quentin, 34
 Guido of Monte Rochen, 310n58
 Guillaume de Montlauzun, 312n70

 Habsburgs, 180
 Hainaut, county of, 55, 181, 182, 196, 322n96
 Heidelberg, 341n81
 Heinrich III von Virneburg, archbishop of Mainz, 187
 Henry I, king of England, 276n1
 Henry II, king of England, 53–55, 57, 58, 62–66
 Henry III, duke of Brabant, 96, 159, 168, 178, 245
 Henry III, king of England, 27, 54–55, 59–62, 67, 69, 70, 71, 74–77, 145, 155, 156, 157–58, 179, 232; expulsion of foreign merchants by, 53, 56, 71–79, 102, 148, 233, 244, 285n107; expulsion of Jews by, 52, 59, 60, 62, 79, 102–3, 161, 244; piety of, 76, 87
 Henry of Friemar, 310n57
 Henry of Marcy, 268n8
 heretics, 13, 19, 29, 36, 38, 39, 124, 196, 203, 224, 225; execution of, 30, 82, 89, 111, 287n9; expulsion of, 5, 6, 16, 29–30, 46–47, 79, 82, 85, 88, 108, 111, 124, 345n16; Jews as, 206–7, 224; usurers as, 18, 47, 75, 123, 124, 227, 233
 Hermann, dean of St. Mary's in Eisenach, 204, 246
 Hermann von Cillii, bishop of Freising, 337n57
 Herolt, Johannes, 311n68
 Hildesheim, 141, 307n29
 Holland, 155, 196, 316n37
 Hollen, Gottschalk, 310n58, 313n76, 337n53
 Holy Roman Empire. *See* Germany
 Huesca, 251, 306n20, 341n89
 Hugh of Noyers, bishop of Auxerre, 32, 43, 84, 244
 Hugh of St. Cher, 301n42
 Huguenots, 5, 100
 Humbert II, dauphin, 169, 193–94, 247
 Hummel, Matthäus, 341n81
 Hus, Jan, 312n72
 Huy, 246, 328n55

 Iberia, 32, 55, 127, 131, 141, 203, 206, 222–23; expulsions of Jews in, 17, 21, 198, 206, 223–25, 229, 247. *See also* Aragon; Castile; Portugal
 Imbert, Jacques, 205, 211
 imprisonment, 5, 17, 22, 29, 56, 63, 72, 79, 266n54; of Italian merchants, 75, 76, 148, 150, 152, 154, 191, 283n84, 287n7; of Jews, 59, 61, 62, 72, 97, 159
 Innocent III, pope, 42, 196; and Jews, 32, 33, 210, 270n22, 288n18, 298n5, 317n46, 336n47; and moneylending, 41, 43, 85, 196
 Innocent IV (Pierre de Tarentaise), pope, 34–35, 190, 199, 205, 229, 244, 301n42
 Inquisition (Spanish), 224
 Ireland, 28, 62
 Isabella I, queen of Castile, 21, 223–24
 Isnardi family, 189
 Italy, 21, 46, 110, 123, 130, 139, 141, 205, 214, 223, 259n7, 263n31, 304n2, 311n62, 323n6, 339n73; banishment in, 5, 6, 85; clergy from, 52, 55; expulsions of Jews in, 21, 134, 199, 204, 214, 217, 220, 221, 245, 267n1, 321n88; expulsions of usurers in, 138,

Italy (*continued*)

- 184–85, 227, 246, 267n1; Jewish settlement in, 48, 182, 211, 215–16, 223; migration from, 10, 44, 130, 170; moneylending in, 10, 15, 36, 130, 138–39, 170, 174, 184, 200, 211, 262n26, 263n34, 265n49. *See also* Asti; Bologna; Florence; Lucca; Piedmont; Rome; Siena; Tuscany
- Ivrea, 251
- Jacob von Mies, 312n72
- Jacopo da Voragine, 301n42
- Jacques de Lausanne, 311n66
- Jacques de Thérines, 201–2, 320n80
- Jaume II, king of Mallorca, 322n96, 334n26
- Jaume III, king of Mallorca, 247, 334n26
- Jean d'Enghien, bishop of Liège, 175–80, 182, 183, 324n23
- Jean de Caux, 287n1, 295n100, 296n102
- Jean de Flandre/de Dampierre, bishop of Liège, 183, 326n43
- Jean Lemoine, cardinal, 183, 326n40
- Jerusalem, 29
- Jesselin de Cassagnes, 205, 334n23
- Jesus, 29, 36, 63, 116, 137, 164, 272n36, 323n10
- Jews, 6, 18, 19, 20, 22, 27, 52, 69–70, 72, 75, 83, 85, 90, 97, 141, 145, 161, 168, 209, 210, 214, 221, 227
- accusations against, 78, 83, 93, 160–61, 164, 199, 223–25, 231;
 - apostasy, 82–83, 85, 199, 223, 224;
 - blasphemy, 34, 93, 244, 250; host desecration, 22, 199; miscegenation, 31, 160, 164; poisoning, 1, 22, 206; ritual murder, 22, 34, 67, 69, 83, 199, 206, 246
 - association with Lombards and Cahorsins, 53, 81, 96, 167, 168, 174, 180, 199, 230, 233, 287n3, 296n105, 330n81
 - conversion of, 31, 67, 69, 82, 84, 150, 161, 223, 224, 289n21, 319n64
 - distinguishing garb of, 31, 41, 50, 80, 90, 97, 134
 - economic activities of, 9, 11, 39, 63–64, 211, 223, 276n6
 - forced relocation of, 18, 70, 79, 158, 163, 228, 245, 246, 317n48, 319nn72–73
 - as foreigners, 52, 60–61, 78, 120, 215
 - housing of, 48, 50, 121, 134, 160, 200, 204, 205, 209, 212–15, 217–21, 230, 340n76
 - imprisonment of, 59, 61, 62, 72, 97, 159
 - massacres of, 22, 28, 34, 57, 68, 78, 92, 146, 198, 206, 211, 223
 - migrations of, 3, 9, 15, 59, 62, 84, 87, 97, 170, 198, 206, 208, 210, 211, 290n40, 329n62, 332n3
 - and moneylending, 7–10, 12, 13, 15, 17, 32, 39–43, 53, 57, 60, 63–65, 67, 69, 78, 79, 81, 83–87, 90–94, 102, 103, 135, 146, 156–57, 160–61, 163, 166, 188, 194, 199–203, 205, 208, 210–12, 215–16, 218–22, 229, 233, 262n29, 286n114, 339n69
 - protection of (ecclesiastical), 18, 21, 31–35, 91–92, 122, 161, 194, 199–200, 206, 216, 218, 229–30
 - protection of (secular), 19, 57–58, 67, 70, 93–94, 99, 102, 103, 135, 157, 169, 182, 200, 201, 210, 232, 303n64
 - protests by, 42–43, 93, 203–4
 - royal revenues from, 9, 22, 40, 59–64, 67, 69, 72, 80, 83, 84, 89, 91, 93, 94, 98, 103, 152, 154, 156, 157, 159–66, 168, 193–94, 210, 284n86, 314n14, 320n75, 320n77
 - servitude/*servicium* of, 31, 32, 60–63, 99, 158, 161, 224–25, 280n40
 - sources for, 11–12, 22, 263n37
 - as usurers, 1, 4, 6, 14, 18, 27, 39–43, 48–50, 53, 63, 67, 68–9, 79, 81, 84, 90, 93–95, 99, 103, 119–22, 134–35, 146, 150, 158, 160–62, 164, 165, 167, 180, 199, 200–202, 204–12, 224–25, 228, 342n95
 - see also* England; expulsion; France
- Joan I, countess of Auvergne, 179, 247
- Jocelin of Brakelond, 58
- Johannes von Heldburg, 210

- John, king of England, 54, 56, 60, 65; expulsion of Jews by, 52, 59, 62, 79, 158, 161, 244
- John I, duke of Brabant, 175-79, 180, 245
- John I, duke of Brittany, 91-92, 165, 244
- John II, duke of Brabant, 178, 192, 330n75
- John XXII, pope, 191, 192, 196, 203-4, 206, 207, 216, 246, 247
- John de Burgh, 313n76, 337n53
- John of Baconthorpe, 311n65
- John of Capistrano, 138-39, 214, 312n74
- John of Erfurt, 136
- John of Freiburg, *Summa Confessorum*, 136, 310n57
- John of La Rochelle, 270n25
- John of Mirfeld, 310n58
- John of Naples, 302n50
- Jülich, 329n60
- Justinian, emperor, 145, 226, 233, 345n16
- Kedar, Benjamin, 5, 267n63
- Kempen, 327n48
- Kent, 65
- Königswinter, 327n48
- Kraków, 138
- Langres, 308n36, 330n74
- Langton, Stephen, archbishop of Canterbury, 36
- Laon, 325n34
- Lausanne, 111, 308n36, 330n74
- Laws of Aethelstan*, 54
- Laws of Edward and Guthrum*, 54
- Laws of Edward the Confessor*, 51-52, 65
- Legnano, Giovanni Oldrendi da, 208-211
- Leicester, 68-71, 79, 200, 229, 244
- Leo VII, pope, 269n15
- Léon, 203
- lepers, 6, 16, 19, 30, 38, 115, 224, 227, 228, 261n16
- Lessines, 325n33
- Lévis-Mirepoix, Pierre de, bishop of Cambrai, 181, 183, 190
- Liazari, Paolo, 335n30
- Liber Extra*, 112, 271n35, 317n46
- Liber Sextus*, 108, 114, 124, 126, 185, 192, 205, 207, 212, 255, 299n18
- Liberius, pope, 268n8
- Liège, 175-79, 180, 182, 183, 184, 187, 188, 251, 306n19, 307n33, 326n43; expulsion of Lombards from, 1-2, 185-88, 192, 246, 326n43, 344n12
- Lincolnshire, 57
- Lindau, 332n5
- Lisieux, 128, 253, 305n15
- Lombard, Peter, 303n61
- Lombards, 15, 48, 92, 95, 113, 120, 135, 146, 163, 167, 168, 170, 176, 178, 182, 183, 188, 191, 193, 197, 203, 263n31; accusations against, 2, 14, 98, 259n7; association with Jews, 53, 81, 167, 168, 174, 199, 230, 287n3, 296n105; definition of, 10-11, 87, 154-55, 189, 195, 265n45; migrations of, 9, 10, 44, 87, 92, 112, 130, 131, 151, 170, 173-74, 184, 198, 315n24, 316n37, 329n62; moneylending practices of, 47, 87, 96, 98, 151, 187, 189-90, 196, 315n29; privileges for, 7, 44, 87, 92, 100, 119, 180-82, 184, 187-90, 196, 233, 323n15, 325n35, 329n63, 331n89; punishment of, 47, 152, 154, 155-56, 170, 174, 183, 190, 198, 316n36; renting houses to, 48-50, 100, 111; sources for, 11-12, 22-23, 101, 262n27, 323n9. *See also* Asti; Cahorsins; expulsion; usury
- Lombardy, 10, 184, 269n11
- London, 10, 61, 65, 72, 74, 76, 147-48, 149, 150, 286n108; expulsion of Cahorsins from, 44-47, 71, 77, 95, 244; local merchants of, 55, 56, 162-63; mob uprisings in, 57, 77, 78, 82, 286n113; Tower of, 71, 75, 78, 150
- Longchamp, abbey of, 47
- Lorraine, duchy of, 103, 131, 152, 180, 181, 204, 247, 287n3, 325n28
- Louis I, count of Nevers, 246
- Louis IV, German emperor, 186, 187
- Louis VII, king of France, 40, 81, 82-83, 243, 268n8
- Louis VIII, king of France, 85, 86, 87

- Louis IX, king of France, 28, 80, 85, 86, 87–104, 145, 152, 159, 232, 244, 287n2, 320n76; expulsion of foreign merchants by, 97, 297n125; expulsion of foreign moneylenders by, 4, 80, 81, 98–101, 102, 104, 108, 111, 112, 120, 160, 167, 190, 245, 295n97; expulsion of Jews by, 4, 90, 92, 93–94, 97–98, 102, 103, 104, 145, 164, 165, 199, 228, 233, 244, 250, 293nn75–76, 296n105; imitations of, 96, 151, 158, 146, 163, 167–70, 194; investigations into usury by, 48, 80, 90, 94, 97, 99, 287n2, 292n57, 292n67, 296n102; piety of, 87–88, 145, 291n42. *See also* Crusades
- Louis X, king of France, 322n93
- Lovetot, John de, 148–150
- Low Countries, 12, 21, 133n, 329n61; expulsion of foreign moneylenders from, 1–2, 196, 245, 246, 247; expulsion of Jews from, 198, 245; moneylending in, 9, 15, 170, 174, 191, 198, 265n49, 331n1. *See also* Brabant; Flanders; Hainaut; Holland; Liège; Nivelles
- Luca da Penna, 226–27, 229, 230, 233, 313n78, 345n16
- Lucan, 107
- Lucca, 87, 110, 115, 295n94, 307n31, 340n77
- Ludolph of Saxony, *Vita Christi*, 138
- Lyon, 194, 244, 271n29, 294n82. *See also* Church Councils
- Macerata, 203–4
- Mâcon, 308n36, 330n74
- Magdeburg, 213
- Magna Carta*, 54, 277n14, 278n19
- Mahaut, countess of Artois, 180, 246, 325n29
- Mainz, 134, 186–87, 190, 195, 213, 247, 250, 269n15, 308n39, 328n58
- Malabaila family, 10
- Malines, 178, 182, 183, 324n21, 326n43, 328n52
- Mallorca, 206, 222, 247, 262n27, 334n26, 341n88
- Man, Isle of, 129
- Manfredi da Tortona, 294n84
- Mantua, 215–16, 340n76, 340n77
- Marchesino da Reggio, 310n58
- Margaret de Quincy, countess of Lincoln, 68
- Margaret of Provence, queen of France, 94
- Marinids, 206, 247
- Marly, 181
- Marseille, 194, 321n86
- Martin V, pope, 216, 339n69
- Mazzolini da Prierio, Silvestro, 310n58
- Meir ben Simeon of Narbonne, 273n59, 294n80
- Merbes-le-Château, 325n33
- Metz, 180, 186
- Michele da Carcano, 312n70, 313n78
- Michele da Massa, 311n66
- Middelburg, 325n34
- Milan, 251, 254
- Mirandola, 217–18
- Mirandola, Francesco Pico della, 217, 223
- Mirandola, Giovanni della, 217, 223
- Moissac, 245, 295n95, 318n54
- Monaldo da Capodistria, 310n57
- moneylending, 4, 8–15, 17, 19, 21, 22, 27–28, 32, 38, 39, 44, 47, 109, 111–13, 120–21, 123, 131, 133n, 140, 146, 167, 169, 172–73, 183, 187, 188, 191–95, 199, 200–202, 207, 211, 222, 230, 232, 233; in Burgundy, 7–9, 87, 131, 152, 174, 315n24, 326n36; and capitalism, 10; distinct from usury, 7, 13–15, 40, 103, 233; in England, 8, 12, 39, 45–46, 57, 63–69, 71–79, 86, 148–50, 156, 158, 160–62; in France, 9, 11, 39, 45, 81, 83–87, 90–92, 94–96, 98–104, 113, 119, 146, 150–156, 160, 166, 168, 170, 181, 233, 279n38, 290n31, 302n48, 322n93; in Germany, 15, 184, 187, 200, 205, 211, 265n49; in Iberia, 222–24; in Italy, 10, 11, 15, 36, 110, 130, 138–39, 170, 174, 184–85, 200, 211, 215–16, 262n26, 263n34, 265n49; in the Low Countries, 1, 9, 15, 48, 96, 133n, 151, 170, 174, 175–79, 183, 185–86, 188, 189, 191, 197, 198, 265n49, 331n1; overlap with mercantile activity, 11–12, 73, 100–101, 148, 155, 189–90; privileges for, 7–8, 44, 87, 92, 100, 111, 119, 176, 180–82, 184, 187–90, 196, 232, 233, 323n15, 325n35, 329n63, 331n89; regulation of, 7–8, 19, 20, 36–37, 41, 65–67, 85–86, 92, 156–57, 170, 222–23. *See also*

- Cahorsins; expulsion; Jews; Lombards;
 pawnbroking; usury
 Montbéliard, 7–8, 9, 10
 Montbrison, 247
 Montefia, Giovanni da, 187
 Montfort, Simon de (the Elder), Fifth Earl
 of Leicester, 69
 Montfort, Simon de, Sixth Earl of Leicester,
 55, 78, 158, 286n114; expulsion of Jews by,
 68–71, 104, 200, 229, 244
 Montluçon, 92
 Montpellier, 205, 322n96
 Mont-Saint-Michel, abbey of, 53
 Moore, Robert Ian (R. I.), 18–19, 267n61
 Moore, Sally Falk, 16
 Moriscos, 5
 Moutiers, 193
 Mühlhausen, 204, 246, 267n1
 Murner, Walter, 310n58
 Muslims, 32, 222, 224, 230, 260n13, 342n91

 Narbonne, 42, 154–55, 249, 250, 252, 253,
 273n58, 294n82
 Navarre, 342n99
 Neuss, 327n48
 Nevers, 246, 319n73
 Newbold, Geoffrey de, 148–49
 Newbury, 283n79
 Newcastle, 70
 Niccolò da Osimo, 136
 Nicholas III, pope, 152, 154, 191
 Nicholas V, pope, 219
 Nicholas of Cusa, 219
 Nicholas of Dresden, 312n72
 Nicholas of Lyra, 311n66
 Nicolas de Gorran, 311n66
 Nicolas de Hanapes, 301n42
 Nider, Johannes, 136
 Nievo, Alessandro, 341n86
 Niger, Roger, bishop of London, 44–47, 71,
 79, 244
 Nîmes, 154
 Nivelles, 175–79, 180, 182, 183, 185, 186, 245,
 323n9

 Normandy, 51, 53, 54, 57, 61, 87, 89, 94,
 246, 291n49, 292n64, 293n75, 320n74;
 customary law in, 86, 90, 290n37,
 292n60
 Northampton, 70, 283n79
 Novella (daughter of Giovanni d'Andrea),
 207
 Noyon, 129, 252, 305n15

 Oldrado da Ponte, 201, 211, 333n10
 Olivi, Peter John, 116, 272n36, 302n44,
 312n72
Omnis utriusque sexus, 127
 Ordinance of Melun (1230), 85, 86, 89, 91,
 93, 97, 290n31
 Osbert of Clare, 276n3, 281n55
 Osma, 252, 341n89
 Ottoman Empire, 5
 outlawry, 51, 52, 62, 65, 157

 Padua, 123, 210, 211, 214, 336n40, 338n65,
 341n85
 Palud, Pierre de la, 311n68
 Pamiers, 254, 308n38
 papacy/popes, 28, 29, 36, 86, 107, 113, 115,
 125–27, 176, 187, 192, 199, 201, 204, 208, 223,
 283n84, 288n14, 331n91; bestowal of
 benefices by, 54, 82, 195; curia of, 33, 34, 44,
 45, 46, 71, 80, 113, 175, 176, 186, 191, 192, 195,
 205, 299n12; economic dealings of, 10,
 44–46, 79, 195; expulsion of foreign usurers
 by, 121, 176, 178, 245, 246, 247 (see also
Usurarum voragine); expulsion of Jews
 by, 21, 34–35, 161, 199, 200, 202, 204, 215–20,
 246, 247; interdict levied by, 56, 77, 83,
 295n100; political conflicts of, 76–77, 80,
 97, 100, 164, 175, 187, 284n85, 295n100,
 297n125; protection of foreign merchants
 by, 152, 154, 191, 275n70, 285n107; protection
 of Jews by, 31–32, 33, 34, 42, 91, 122, 199;
 and usury, 27, 43, 41, 44, 47, 86, 94, 173,
 203–4, 207, 294n86, 335n34, 339n69.
*See also Church Councils; and entries
 for individual popes*

- Paris, 15, 32, 38, 47, 83, 84, 86, 87, 92, 97, 243, 244, 269n11, 289n28, 307n31; Parlement of, 95, 100, 150, 293n78; theologians in, 36, 38, 41, 47-50, 81, 84, 89, 94, 97, 104, 157, 171-72, 188, 231, 282n70, 294n84, 334n24; University of, 33, 34, 36, 46, 47, 67, 79, 80, 82, 117, 171, 227
- Paris, Matthew, 45-47, 53, 71, 72, 73, 75, 93, 148, 293n75
- Parma, 218, 306n25, 339n72
- Passau, 114, 300n29
- pastoralia*, 125, 135-39, 141, 308n43, 310n58, 340n76
- Paul, apostle, 29, 31, 33, 39, 68
- Paull, William, 136, 313n76
- Pavia, 220, 341n81
- pawnbroking, 4, 8, 10, 38, 86, 87, 98-101, 102, 104, 110, 111, 150, 154, 155, 166, 167, 184, 185, 190, 193, 295n94, 297n115, 324n21; by Jews, 12, 39, 57, 90, 211, 215, 264n40. *See also* Cahorsins; Jews; Lombards; moneylending; usury
- Peckham, John, archbishop of Canterbury, 47-50, 161
- Peñafiel, 307n31, 326n41, 341n89
- penitential treatises, 47, 67, 136-37, 139, 142, 310n58
- Peréz, Martin, 136, 326n41, 341n89
- persecution, 6-7, 18-19, 29, 53, 97, 146, 174, 233-34
- Perugia, 245, 267n1
- Peter II of Courtenay, count of Auxerre, 244
- Peter the Chanter, 36, 38, 41, 43, 45, 49, 67, 69, 79, 89, 282n70
- Peter the Venerable, 15, 40, 41
- Peter von Andlau, 337n57, 352n62
- Philip I Hurepel, count of Boulogne, 90, 244, 292n65
- Philip II (Augustus), king of France, 57, 83-85, 88, 102, 103, 104, 164, 243, 279n32, 295n93
- Philip III, king of France, 88, 314n17, 152, 155, 169, 191, 315n19, 316n32; expulsion of Lombards and Cahorsins by, 150-51, 152, 155, 160, 167, 179, 181, 245, 287n4, 314n18, 331n84; and Jews, 163, 245;
- Philip IV (the Fair), king of France, 156; expulsion of Cahorsins and Lombards by, 246, 287n4, 316n36; expulsion of Jews by, 103, 163-70, 180, 246, 317n52, 319n73, 334n26; investigations of usury under, 151, 154, 155, 315n19
- Philip V, king of France, 246, 316n36
- Philip VI, king of France, 151, 181, 193, 247, 287n4, 316n36
- Philip of Savoy, archbishop of Lyon, 244, 271n29, 294n82
- Piazza, Francesco, 312n74
- Picardy, 244, 292n67, 293n70
- Piedmont, 76, 87, 95, 220; moneylenders from, 7, 9-10, 19, 76, 86-87, 95, 100, 155, 193, 198. *See also* Asti; Cahorsins; Lombards
- Pierozzi, Antonino, archbishop of Florence, 219, 340n76
- Pierre de Charny, archbishop of Sens, 47, 100, 110, 111
- Piers Plowman*, 53
- Pisa, 97, 115, 137, 297n125, 307n31
- Piscator, Siegfried, 213, 338n63
- Pistoia, 110, 149, 218
- Poigny, 295n94
- Poitevins, 54, 77
- Poitiers, 66, 252
- Poitou, 163-65, 166, 167, 168-69, 244, 246, 293n70, 295n101, 320n76
- Poland, 3, 138, 214
- Pont-Audemer, 250, 305n15
- Portugal, 3, 342n92
- Post miserabile*, 41, 42
- Prague, 307n29, 312n72
- Prestor John, 80
- Primadizzi, Giacomo, 339n73
- Privilegium maius*, 180, 324n26
- prostitutes, 6, 37, 97, 188, 228; expulsion of, 16, 30, 88, 89, 260n13, 291n49
- Provence, 7-9, 44, 55, 167, 210, 321n88
- Provins, 290n38, 295n94
- Provisio Judaismi* (1271), 157-58, 161, 317n39
- Provisions of Oxford (1258), 55

- Quadripartitus*, 277n13
Quamquam usurarii, 108, 110, 124, 126, 129,
 130, 139, 209, 305n15, 340n76
Quanto amplius, 42, 43, 200, 209
 Quesnel (Quesvel), Peter, 136
 Quesnoy, 325n33
Quia in omnibus, 38–39, 44, 107, 109, 111, 120,
 130, 138, 183, 190, 203, 208, 312n72
quodlibets, 171–72, 201–2, 231, 302n50, 303n51,
 303n55, 320n80
- Raimundo, Bernardo, 300n37
 Ranulf de Blondeville, earl of Chester, 69
 Ravenna, 204
 Raymond of Penyafort, *Summa*, 136, 310n57
 Regensburg, 306n28
 Reims, 191, 250, 252, 253, 253, 254, 306n23
 Remigio dei Girolami, 301n42, 312n72
 Remiremont, abbey of, 180, 204, 325n28
 Renaud de Bar, bishop of Metz, 186
 Rheinberg, 327n48
 Rhineland, 9, 21, 61, 131, 170, 174, 184, 187,
 204, 265n49
 Rhône river, 131, 193
 Richard I, king of England, 57–58, 64, 65, 67,
 286n117
 Ridolfi, Lorenzo, *Tractatus de usuris*, 139,
 336n50
 Rigaud, Eudes, archbishop of Rouen, 111,
 301n43
 Rigaud, Jean, 310n58
 Rigord, 83–84, 288n18, 289n21
 Rimini, 253
 Robert, king of Naples and count of Anjou,
 246
 Robert II, duke of Burgundy, 168
 Robert of Courçon, 36, 38, 43, 69, 86, 269n11,
 294n85
 Robert of Torigni, 53
 Rodez, diocese of, 251, 253, 308n37
 Roero family, 189
 Roger of Asterby, 57
 Roma, 215
 Roman Empire, 5, 30, 83
 Roman law, 6, 13, 29–30, 36, 49, 83, 112, 113,
 115, 119, 226, 229, 233, 255, 345n16
 Rome, 45, 46, 71, 176, 218, 219; expulsion of
 Jews from, 246; moneylenders from, 56,
 75, 245, 284n88, 286n108. *See also* papacy
 Rosenwein, Barbara, 23
 Rosières-aux-Salines, 325n34
 Rouen, 96, 250, 253, 305n15
 Rudolf von Scherenburg, bishop of
 Würzburg, 219–20
 Rudolph the Valiant, duke of Lorraine, 181
- Saint Gertrude, abbey of. *See* Nivelles
 Saint-Bonnet, 194
 Saint-Florentin (Yonne), 315n29
 Saint-Flour, 253, 308n38
 Saint-Frambourg, abbey of, 246
 Saint-Germain-des-Prés, abbey of, 44, 92
 Saint-Nicolas-de-Port, 325n34
 Saint-Omer, 64, 152
 Saintonge, 163–65, 166, 167, 168–69, 244, 246,
 320n76
 Saint-Pierre-sur-Dives, abbey of, 246
 Saint-Quentin (Picardy), 244, 293n70
 Saint-Savin-sur-Gartempe, abbey of, 245,
 295n95
 Salisbury, 67
 Salzburg, 30, 114, 127, 131, 137, 251, 254
 Sampieri, Floriano, 213
 Samson of Tottenham, abbot of Bury St
 Edmund's, 57–58, 243
 Santa Coloma de Queralt, 333n15
 Saracens. *See* Muslims
 Savoy, 9, 10, 131, 198, 244, 247, 331n89
 Savoyards, 76
 Scarampi family, 119
 Scarampi, Rolando, 205, 334n23
 Schwinkrist, Martin, 337n54
 Scotland, 54
 Sées, 250
 Sens, 47, 100, 111, 112
 sermons, 20, 39, 80, 89, 97, 112, 125, 137–41,
 201, 212, 214, 301n42, 311n62
 Seurre, 152

- Shropshire, 317n48
- Sicut Iudeis* (papal bull), 31–32, 33
- Sicut olim*, 126
- Siena, 152, 215; merchants from, 10, 71, 75, 76, 95, 97, 147, 149, 152, 283n84, 284n85, 284n88, 297n125; moneylenders from, 44, 45, 71–73, 75, 87, 92, 110, 148, 149, 184, 244, 275n70, 285nn106–7, 295n94
- Simon of Boraston, 310n58
- Simone da Brossano, 335n31
- simony, 13, 29, 36, 38, 88, 89, 116, 137–38, 230, 268n6, 301nn41–43
- Sint Truiden, 246, 328n55
- Skinner, Quentin, 266n60
- sodomy, 6, 16, 124, 230
- Solomon ibn Verga, *Shevet Yehuda*, 283n72, 334n27, 343n102
- Southampton, 70, 283n79
- Sozzini, Mariano, 339n66
- Spain. *See* Iberia
- Speenhamland, 283n79
- Spoletto, 134, 135, 204, 249, 253, 255, 308n42
- Statute of Jewry (1253), 62, 70
- Statute of the Jewry (1275), 157, 158, 161, 167–68, 317n48
- statutes: episcopal, 3, 15, 39, 42, 115–16, 121–22, 125–35, 140, 141, 172, 180–85, 187, 188, 190, 195, 204–5, 222, 226, 249–254, 255, 269n11, 289n28, 326n41, 340n76; imperial, 29, 180, 226, 324n26, 345n16; legatine, 30, 38, 65, 129, 249, 251, 269n11, 273n58; papal, 31–32, 34, 41, 113, 115, 122, 126, 127, 210, 216, 268n8, 271n35, 284n85, 285n107, 317n39, 317n46, 339n69; royal, 62, 66, 70, 80–83, 85–86, 89, 90–91, 93, 98–102, 108, 111–12, 150–52, 156–58, 161–68, 190, 224–25, 244, 250, 287n9, 292n57, 292n60, 296n105, 314n18, 317n48, 320n79, 343nn102–104; university, 220. *See also* Church Councils; *Usurarum voraginem*
- Stephen, king of England, 54, 276n1
- Suffolk, 57
- Surrey, 65
- Sussex, 317n48
- Switzerland, 111, 131, 198, 246, 332n6, 345n14
- Talmud, 33, 34, 41, 90
- Tarentaise, 193, 247, 308n36, 330n78
- Tarragona, 251
- Templars, 164, 166
- Terreni, Guido, 303n55, 311n66
- Testa, Paolino, of Asti, 189
- Thibaut de Bar, bishop of Liège, 180, 186, 188, 192, 246, 328n55, 344n12
- Thomas II, count-regent of Savoy, 94–95
- Thomas of Chobham, 67, 157, 282n66
- Todi, 254
- Toledo, 206, 247, 307n31, 326n41, 349n89
- Torquemada, 343n102
- Torre, Raimondo della, patriarch of Aquileia, 184–85, 246
- Toul, 307n35
- Toulouse, 69, 254, 296
- Tournai, 44, 49, 96, 101, 151, 152, 189, 252, 326n41
- Tours, 122, 127, 251, 303n64
- Trémaugon, Évrart de, *Songe du Vergier*, 210
- Trier, 44, 119, 184, 189, 247, 250, 306n19
- Trovamala, Baptista, 310n58
- Troyes, 295n94, 315n29, 325n34
- Tübingen, 220
- Tulle, 253, 308n37
- Tunisia, 81, 101
- Tuscany, 115–16, 307n31, 316n32; moneylenders from, 7, 9–10, 130, 154, 170, 184, 193, 246. *See also* Florence; Lucca; Siena
- Ubaldo, Baldo degli, 118, 272n43, 337n51, 344n5
- Udine, 329n68
- Urban III, pope, 36, 271n35
- Usurarum voraginem* (VI 5.5.1), 3, 20–21, 107–8, 168, 226, 230, 245; applicability to Jews, 119–22, 134, 140–41, 160, 168, 200–201, 202, 204–5, 207–22, 225, 230, 246; dissemination of, 20–21, 108–9, 114, 123–42, 197, 222, 300n29; drafting of, 109–13, 120, 140, 155, 190, 298m4; echoes of, 141–42; enforcement of, 21, 122, 128, 132, 133, 145–46, 147, 149, 150–52, 155, 160, 170, 172–97, 217, 215–20, 315n25; interpretation of, 20, 111,

- 114-22, 123-24, 130-31, 134, 139-40, 142, 171-72, 183, 189, 227; in local statutes, 125-35, 180-81, 222, 249-254, 327n48; promulgation of, 108, 113, 126
- usurers, 14, 15, 41, 44, 76, 86, 89, 118, 123, 146, 150, 165, 222, 223, 229, 302n44; complicity with (ecclesiastical), 44, 45, 172, 173, 178, 182, 186-93, 195, 196, 210, 301n42, 329n61; complicity with (secular), 36, 49, 67, 68, 99, 79, 99, 146, 158, 169, 174, 180-81, 218, 224, 231-33, 303n64, 322n93; definition of, 13, 14, 37-38, 74-75, 102-3, 148, 154, 189-90, 195, 229, 231, 265n45, 272n41; distinct from moneylenders, 7, 13-15, 40, 103, 233; housing of, 48-50, 77, 98, 100, 107-9, 111, 115, 121, 124, 130, 131, 134, 136, 142, 160, 183, 185, 194, 200, 204, 205, 209, 212-15, 217-21, 223, 300n35, 308n38, 313n76, 340n76; local Christian, 19, 76, 90, 109-10, 114, 118, 120, 124, 134, 140, 168-69, 171, 207, 220, 222, 321n81, 322n93, 328n55, 344n12; punishment of, 27, 38, 39, 43, 44, 47-50, 51, 65-66, 73, 86, 89-90, 94, 107-8, 111, 115, 119, 120, 123-24, 130, 139, 140, 154, 186, 190, 196, 203-5, 207, 208-9, 216, 227, 230, 316n36 (see also *expulsion*); spiritual exclusion of, 6, 38, 108, 109, 116, 138, 145. See also *Cahorsins*; *Jews*; *Lombards*; *Usurarium voraginem*
- usury, 12, 15, 16, 35-39, 53, 63, 66, 67, 71, 86, 99, 101, 110, 115-17, 159, 168, 179, 187, 189, 193, 231, 233
- association with *expulsion*, 1, 4, 6, 7, 16, 20, 21-22, 27-28, 53, 67, 70, 72, 77, 79, 81, 90, 102, 108, 116, 124-25, 129, 131, 135, 140, 145, 146, 156, 170, 173, 174, 200, 201, 222, 223, 226, 230, 231, 234, 243-47, 249-54, 320n80, 343n102
- association with *heresy*, 13, 18, 47, 75, 123, 124, 196, 203, 206, 225, 227, 233
- association with *Jews*, 1, 4, 14, 15, 18, 27, 35, 39-42, 68, 103, 120, 121, 165, 199, 206, 229, 334n25
- condemnations of, 14, 118, 194, 223, 330n75; *Biblical*, 19, 35-36, 43, 146, 173, 205; *ecclesiastical*, 10, 15, 21, 23, 27, 36-9, 42, 44-47, 48, 51, 65, 67, 68-69, 79, 84, 86, 87, 89, 99, 104, 111, 116, 107, 130, 137, 141, 171, 172, 173-74, 182, 184, 188, 219-20, 222, 231, 342n95; *patristic*, 35, 38; *popular*, 77, 84, 221, 342n92; *royal*, 51, 52, 63, 71-76, 79, 84, 89, 93-94, 96, 98, 148, 152, 158, 160, 162, 165, 166, 167, 222-24
- definition of, 12-14, 35-36, 40, 66, 102-3, 102, 190; in *canon law*, 14, 37, 112-13; in *patristic texts*, 13; in *Roman law*, 13, 36; in *theology*, 12-14, 19, 20, 36, 37, 41, 48, 94, 112
- distinct from *moneylending*, 7, 13-15, 40, 103
- investigations into, 12, 48, 76, 66, 80, 90, 94, 97, 99, 148-51, 154, 155, 167, 192-94, 204, 223-24, 286n109, 287n2, 296n102, 292n57, 292n67, 315n19, 316n36, 321n86
- Jewish attitudes toward*, 13, 42, 93, 203-4
- penalties for, 49, 145, 196, 201-2, 230, 282n62 (see also *expulsion*); in *canon law*, 38-39, 44, 60, 107-11, 108, 115, 119, 120, 121-22, 124, 126, 129, 130, 134, 136, 138, 139, 183, 190, 191, 200, 202-4, 206-9, 211, 214, 215, 220, 261, 281n56, 305n15, 312n72, 325n31, 334n23, 340n76 (see also *Usurarium voraginem*); in *secular law*, 51-52, 66, 73, 85, 86, 89-91, 92, 98-99, 110, 141, 147, 149, 152, 154, 158, 161, 162, 164, 170, 180, 188, 199, 203, 229, 344n11
- see also *moneylending*; *pawnbroking*
- Utrecht, 130, 155-56, 185-90, 192, 197, 328n53
- Valence, 308n36, 330n78
- Valencia, 222
- Valenciennes, 181, 325n33
- Valréas, 34

- Varangéville, 325n34
 Vaucelles, abbey of, 327n45
 Verona, 97, 126, 297n125
 Vicenza, 214
 Vienne, 34–35, 199, 229, 244, 247,
 308n36, 330n78. *See also* Church
 Councils
 Villani, Giovanni, 151, 152, 154, 315n25
 Viviers, 308n36, 330n78
 Volterra, 307n31
- Waldeck, Adolph van, bishop of Liège, 1–2,
 185–86, 187, 192, 246
 Warwick, 283n79
 Werden Abbey, 325n28, 334n21
 Westminster, 46, 75, 281n56
 Westminster Abbey, 51, 53, 54, 65, 146
 William I, count of Hainaut, 182
 William II, duke of Jülich, 329n60
 William of Alton, 301n42
- William of Chartres, 90, 93
 William of Newburgh, 54, 286n117
 William of Paris, 320n79
 Wilson, Thomas, 140
 Winchelsea, 317n47
 Windsor, 317n48
 Wulfstan, archbishop of York, 278n21
 Würzburg, 44, 219–20, 251
 Wrocław, 269n13, 305n17
 Wycombe, 283n79
- Yolande de Steyne, 177
 York, 57, 147
 Yorkshire, 54
 Ypres, 7, 44, 47
- Zabarella, Francisco, 336n42
 Zaltbommel, 325n34
 Zamora, 203
 Zittart, Hermannus, 310n58

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