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**The Medieval Jewish Underworld:
Jewish Involvement in Crime in Medieval Europe**

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**THE MEDIEVAL JEWISH UNDERWORLD:
JEWISH INVOLVEMENT IN CRIME IN MEDIEVAL EUROPE**

By Ephraim Shoham Steiner*

Abstract

Crime and its socio-legal impact may be used as a prism through which we can evaluate almost any given society, past or present, to explore the intersect between law and civilization. The Medieval Jewish Underworld project is a proposed new and comprehensive study that will collect, describe, and analyze evidence of Jewish involvement in crime and the criminal underworld in the medieval period. This project will uncover and evaluate this phenomenon both inside and outside of the Jewish community. The primary objective of the project is to build a database that will enable a proper analysis of the role of Jewish crime in medieval Europe in an effort to better understand its socio-cultural implications.

In the following pages I wish to briefly illustrate some of the difficulties inherent in the research of this topic, discuss the historiographic reasons for these difficulties, and conclude with a general overview of the project along with some the preliminary results.

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Difficult History

The significant historical phenomenon of Jewish crime has often been avoided, overlooked, or deliberately ignored. Even when Jewish involvement in crime has been acknowledged, it is frequently referred to as absorption of the social patterns prevalent in the surrounding non-Jewish society rather than an intrinsic matter. This approach subtly suggests that medieval Jewish society was inherently chaste; it was only through its inevitable quotidian dealings with non-Jews that the Jewish community and some of the individuals in its midst were susceptible to criminal corruption and depravity. This impression is echoed in the medieval Jewish self-perception which thought of the Jewish community as a holy, pious, and chaste group of individuals who bitterly suffered from persecution. The very notion that medieval Jews were involved in crime is often dismissed as anti-Jewish prejudice superimposed externally on this disempowered persecuted minority. This reaction is so embedded in Jewish culture and collective memory (especially since the period of the Enlightenment and subsequent Legal Emancipation of the Jews) that clear evidence to the contrary has barely managed to shake its foundations. Jewish historians, saw evidence of Jewish crime as part of the agenda of persecution and false accusations by non-Jews against Jews.

In many ways, this approach supports the famous expression, “lachrymose mode of Jewish History,” coined by the late Salo W. Baron . Baron had argued that for many years the prevailing historiographical narrative when discussing Jewish history was the “history of suffering and scholarship,” a phrase coined by Heinrich Grätz. Acknowledging the existence of Jewish crime and a Jewish underworld neutralizes the lachrymose agenda. Crime exemplifies empowerment and vitality rather than painting a bleak picture of a subdued disempowered minority.

Indeed, depicting pre-modern Jews as a chaste, law abiding, and spiritually elevated, if not outright “holy”, served not only the medieval Jewish self-perception but also the historiographical models of three very powerful trends in nineteenth and twentieth century Jewish historiography:

(1) the *Wissenschaft das Judentums*

(2) the Zionist movement

(3) the Jewish Orthodox movement

All three narratives shape the vision of the past to fit their specific needs and social agendas. The *Wissenschaft* historiography attempted to portray pre-modern Judaism as blazing the trail towards rationalism and a regulated civil society in spite of their medieval non-Jewish counterparts. One example of this attempt, which will be explored below, is evidenced by the censorship of incriminating evidence of Jewish criminal activity from the editions of medieval texts published by *Wissenshcraft* scholars¹.

The Zionist political claim was – and in many ways still is – that it was Zionism and the establishment of a nation state that had drawn Jews back from an ahistorical existence in Diaspora. It created a realm of national “normality and historicity” by acknowledging and engaging their national aspirations. This Zionist worldview and subsequent historical narrative was recently investigated in the works of David Myers and Amnon Raz-Krakotzkin.² The famed Hebrew poet H. N. Bialik, the standard bearer of national Jewish revival, reportedly said in the 1920s that Jews will know their dream of a nation state has been fully realized if there will be a Jewish state with a Jewish thief, a Jewish prostitute and a Jewish police force. This statement perfectly illustrates the Zionist perception that the pre-modern, pre-national Jewish existence in the Diaspora was lofty, almost spiritual, and hence a-criminal.

Jewish Orthodox historiographers also attempted to depict the old traditional world as ideal, pious, and religious. According to this model, the traditional Jewish

¹ More on this see: I.Schorch, *Ideology and History in the Age of Emancipation*, I.Schorch (trans.& ed.) Heinrich Grätz – *The Structure of Jewish History and Other Essays*, (Jewish Theological Seminary) New-York 1975, pp. 1-62.

² D.N.Myers, “History as Ideology: The Case of Ben Zion Dinur, Zionist Historian 'Par Excellence'.” - *Modern Judaism*, May 1988, pp. 167-194; *ibid*, “Is there still a 'Jerusalem School?' Reflections on the State of Jewish Historical Scholarship in Israel.” *Jewish History* 23 (2009), pp. 389-406. A.Raz-Krakotzkin, “Geschichte, Nationalismus, Eingedenken”, M.Brenner & D.Myers (eds.), *Jüdische Geschichtsschreibung heute :Themen, Positionen, Kontroversen : ein Schloss Elmau-Symposium*, Munich 2002, pp. 181-204.

world was shattered by the forces of modernity and secularization. Thus, it was problematic for them to underscore the fact that in medieval and early modern times there were Jews involved in crime who ostensibly did not adhere to rabbinical and communal decrees.³ The above narratives, each in their own way, preferred to downplay the role of crime in medieval Jewish society.

On the other hand, it is no secret that non-Jews, during the middle ages and later, often portray Jews as criminals. In 1278, hundreds of members of England's Jewry (~600) were accused of coin clipping and incarcerated in the Tower of London.⁴ European municipal, civic, and criminal records, especially those of a more local nature, supply us with indications of the significant involvement of Jews in crime. These records are usually from the later middle ages. Recently Jorg Müller has discussed references to Jewish thieves in 14th century municipal records of western Germany.⁵ Arguably, the sources from outside the Jewish community are often underlined by anti-Jewish bias and prejudice. Maria Boes has uncovered such tendencies by analyzing municipal criminal records from Nirenberg and Frankfurt am Main in the later middle ages. In her research she revealed that Jews were more easily indicted and also falsely accused of crimes. When convicted they were sentenced more severely than gentiles who committed the same offenses.⁶ But as Boes herself notes, this notion is more prominent

³ On Jewish Orthodox Historiography: I.Bartal, "True knowledge and wisdom" : On Orthodox Historiography, *Studies in Contemporary Jewry* 10 (1994), pp. 178-192 and more recently : Y.Finkelman, Nostalgia, Inspiration, Ambivalence: Eastern Europe, Immigration, and the Construction of Collective memory in Contemporary American Haredi Historiography, *Jewish History* 23 (2009), pp. 57-82; and N.Karlinsky, The Dawn of Hasidic –Haredi Historiography, *Modern Judaism* 27 (2007), pp.20-46.

⁴ D.Wilson, *The Tower of London: A Thousand Years*, London 1998², p. 34-38. Coin Clipping was very a serious offence in medieval England. It was seen both as an economical transgression of devaluing legal currency in an attempt to make personal gain as well as a capitol offence close to treason for undermining the popular trust in the royally sanctioned currency. Rabbi Meir of Rothenburg (d. 1293) even suggested an inner Jewish capitol punishment of maiming for those convicted of such a crime for he believed that due to the growing number of accusations of such nature medieval English Jewry was eventually expelled from the realm (1290), See: Z.Entin-Rokeah, "Money and the Hangman in Late-13th-century England : Jews, Christians and Coinage Offences Alleged and Real", *Jewish Historical Studies* 31 (1990), pp. 83-109.

⁵ J.R. Müller, "Eine Jüdische Diebesbande im Südwesten des Reiches in der ersten Hälfte des 14. Jahrhunderts", J.R.Muller (ed.), *Beziehungsnetze Aschkenasischer Juden Waehrend des Mittelalters und der Fruehen Neuzeit*, (*Forschungen zur Geschichte der Juden* A 20) Hannover 2008, pp.71-116.

⁶ M. R. Boes, "Jews in the Criminal-Justice System of Early Modern Germany", *Journal of Interdisciplinary History* 30 (1999), pp. 407-435 ; *ibid*, Zweifach im Visier : Jüdische Opfer von Straftaten und Rechtsprechung im Römisch-Deutschen Reich der Frühen Neuzeit", *Zeitschrift für Historische Forschung* 39 (2007), pp. 221-241. See also : O.Ulbricht, "Criminality and Punishment of the

moving forward in time towards the fifteenth century and beyond. This is not necessarily indicative of a change, however, as the greater number of references can be explained as a result of the growing bureaucracy of the municipal authorities in late medieval and early modern Europe. The difficulties discussed above are but some of the issues that will be addressed in this project.

Deliberate cover-up?

Returning to the scholars of *Wissenschaft des Judenthums*, I will present two examples that illustrate some of the methodological hurdles facing researchers of medieval Jewish crime.

From a very early stage in the Ashkenazi world many business dealings between Jews and non-Jews were governed by the *ma'arufia* regulations (*taqanot*). These regulations, which apparently owe their name to the Arabic root *Arafa* – "to know," were instituted in the early medieval Ashkenazi settlements north of the Alps in an attempt to internally regulate the business partnerships between Jews non-Jews. In the spirit of medieval European economic logic they sought to curb competition rather than encourage it. It was accepted that once a Jew had established a business relationship with a gentile their dealings were exclusive. Therefore, unless the Jewish "owner" of the relationship had explicitly terminated it, no other Jew was allowed to form a parallel relationship with that same gentile without the explicit authorization of the monopoly holder.⁷ Breaching the laws of *ma'arufia* was considered a grave offence punishable by fine or even, in more extreme cases, excommunication.

In 1975, Avraham Grossman published an article investigating the reaction of the early Ashkenazi masters to the rule of the *Kahal* (the autonomous inner Jewish body of adult tax paying males that governed the communities). One of the issues Grossman discusses in the article was the halakhic sanctioning of *ma'arufiah* regulations by early

Jews in the Early Modern Period", R.Po-Chia-Hsia & H. Lehmann (eds.), *In and Out of the Ghetto :Jewish Gentile Relations in Late Medieval and Early Modern Germany*, Cambridge-New-York-Melbourne 1995, pp.49-70.

⁷ On the laws of *ma'arufia*: S.Eidelberg, "Maarufia in Rabbenu Gershom's Responsa", *Historia Judaica*, 15 (1953), pp. 59-66. For more documents on this see: I.A.Agus, *Urban Civilization in Pre-Crusade Europe I-II*, (Yeshiva University Press) New-York 1965, vol.2 p.205

Ashkenazi sages. The sages searched for Talmudic proof texts to support the regulations in an attempt to ingrain them in the Jewish religious code of *Halakha*. The *ma'arufia* regulations were an extra-halakhic innovation of the early Ashkenazi community and here was a test case indicating how rabbinic authorities related to these regulations and communal governance in general. In the appendix to his article Grossman included, for the first time in print, a responsum from MS Montefiore 98⁸. The responsum is attributed to none other than the illustrious Rabbi Gershom Ben Judah of Mainz, better known as *Rabbenu Gershom "Meor Hagola"* ("Our" Rabbi Gershom "the light of the Exile" d. 1028). It discusses, in great and revealing detail, the intricacies of a partnership between two Jews and two local gentile thieves. The two Jews, each claiming to have had a long lasting business relationship with each of the gentile thieves, were quarrelling over the ownership rights of some coats that were stolen by the gentiles meant to be "fenced" by the Jewish partner. Eventually the quarrel was brought to Rabbi Gershom's court when one of the Jews sued the other for breaching the laws of *ma'arufia*. Grossman describes in detail the special merits of this specific manuscript. It seems that the 14th century Ashkenazi scribe that copied the manuscript was very meticulous. Unlike many of his contemporaries, this particular scribe did not omit or abbreviate questions even if they digressed into lengthy detailed descriptions that seemed superfluous. Some of the responsa collections the 14th century scribe was copying were apparently edited and penned during the lifetime of the 11th century respondents themselves. Therefore, this specific manuscript is possibly a facsimile of the 11th century material, rendering it highly trustworthy and thus an accurate historical source.

MS Montefiore 98 was first used by Rabbi Joel ha'Cohen Müller in 1881 as the textual basis for a collection of responsa printed in Vienna attributed to the early Ashkenazi masters. The collection, known as *Teshuvot Hakhmey Zarfat ve' Lotair* (THZVL), is one of the largest collections of the earliest surviving halakhic material from pre-crusade Ashkenaz⁹. Interestingly, Rabbi Müller chose to omit this specific

⁸ The manuscript itself was in the Montefiore Library collection of manuscripts in London Jew's College and that is how it got its name.

⁹ J. Müller (*ed.*) *Teshuvot Khahmei Tzarfat ve' Lotier*, Wein 1881. (Hebrew)

responsum about the Jewish partnership with the gentile thieves. Grossman, who had noticed its absence from TKHZVL, salvaged it from oblivion and found it to be a fine illustration of the main argument of his article. However, he chose to print it in the appendix without discussing it in the body of his work. The reason the responsum is absent from Müller's edition cannot be negligence. It was, most likely, deliberately omitted for apologetic reasons in an attempt to erase the reference to Jewish involvement in an intricate criminal operation pursued in cooperation with non-Jews.¹⁰

A similar fate befell a responsum attributed to a younger contemporary of Rabbi Gershom, Rabbi Judah ben Meir ha'Cohen ("the Elder"). Rabbi Judah is a lesser known eleventh century Jewish master somewhat neglected in Jewish historiography and collective memory.¹¹ Rabbi Judah was considered not only a local legal authority in his native Mainz but also a supra-communal juridical figure. In his long career as a judge he was approached time and again by Jewish individuals from the neighboring Rhineland towns and as far as Hungary and Poland, which sat on the "outer rim" of the medieval central European scope of travel and commerce.¹²

The case from Rabbi Judah's responsum discusses a business disagreement between two Jews. Once again the circumstances described are very revealing. The responsum involves a certain renegade cleric (חלל) that came to town and sold some

¹⁰ On this phenomenon and its reasons see: C.Gafni, *The Mishna's Plain Sense: A Study of Modern Talmudic Scholarship*, Tel-Aviv 2011, pp.157-159 (Hebrew) and J.Meir, "naftulei Michael Levi Rodkinson: Quavim Rishonim le'biographia", *Galed* 22 (2010), pp.13-44 (Hebrew).

¹¹ It was again Avraham Grossman who "redeemed" him in his ground breaking book "*The Early Sages of Ashkenaz*" published in 1981 see above footnote 10. On the history of rabbinat as an institution in Ashkenaz see: A.Grossman, "Towards a Portrait of the Rabbi in Eleventh Century Ashkenaz", J.Carlebach (ed.), *Das ashkenasische Rabbinat*, (Metropol) Berlin 1996, pp.25-36.

¹² *Sefer Hadinim* itself has not survived. Like many other Jewish books that were lost in transition and in transmission during the middle ages. Later, with the invention of the printing press, many manuscripts that had been copied in previous periods fell into obscurity and final oblivion. On this matter in the realm of Jewish manuscripts see S.Emanuel, *Fragments of the Tablets: Lost books of the Tosaphists* (Magnes Press) Jerusalem 2006 (Hebrew). In the case of *Sefer Hadinim* extracts from this book had survived in manuscripts that formed the source for the Prague edition were published in a facsimile edition by Grossman: Judah Ha'cohen, *Sefer Hadinim: teshuvotav melokatot mimkorot shonim*, (forward by: A.Grossman), (The Shazar Center) Jerusalem 1977. Other extracts were published more recently: S.Emanuel, "Sridim hadashim mi'Sefer Hadinim shel Rabbi Yehuda Ha'cohen", *Qovetz Al Yad* 20 (5771/2011), pp.81-103 (Hebrew). Emmanuel has also published some more material from Rabbi Judah's *Sefer Hadinim* in his latest collection of Rabbi Meir of Rothenburg's responsa in: S.Emanuel (ed.), *Responsa of Rabbi Meir of Rothenburg and his Colleagues, I-II (Sources for the Study of Jewish Culture XIII)*, Jerusalem 2012, i.e: pp. 99-101;580-599.

gold to a Jew (Reuven- a protonym used in the responsa literature to signify a place holder like “John Doe”). It is latter revealed that the cleric had stolen the gold from his former monastery or priory before eloping. The cleric apparently sold the gold to Reuven, received its value in new coins of the local currency and decided to spend some the newly acquired cash in a local brothel. Once news of this cleric's identity and his whereabouts in town were publicized, another Jew (Shimon) devises an extortion plan to be carried out by a local non-Jewish henchman. The purpose of the shakedown is to extract the cleric's newly acquired cash that he received in exchange for the gold. The assumption is that the cleric will surely not pursue legal action due to his difficult situation. The purpose of the extortion is to facilitate an opportunity for the non-Jewish henchman, a local town patrician (*sar*), to clear an old debt he owes to the Jew who devised the scam (Shimon). Reuven accused Shimon of causing him financial lose due to the fact that the extortion scam had gone sour and Reuven who fenced the stolen gold was implicated. As a result, he lost both the money he paid the cleric and the gold which was probably confiscated from him. There is a lack of positive evidence to substantiate whether the two individuals that are at the heart of the responsum were indeed Mainz locals. Nevertheless, the Hebrew phrasing in the responsum, “Reuven and Shimon came to the court,” suggests that unlike other individuals mentioned in other responsa these two people actually appeared before Rabbi Judah's court probably because they were lived in or around the city¹³

This case appears in full detail in the MS Prague Jewish Museum 20. The lion share of this manuscript contains responsa attributed to the thirteenth century Rabbi Meir of Rothenberg.¹⁴ In 1895 Rabbi Moshe Aryeh Bloch, head of the Rabbinical Seminary in Budapest, reprinted the Prague collection of Rabbi Meir's responsa from the Prague MS. However, when comparing the two printed editions of this specific responsum a minor discrepancy is found. While the original manuscript and the 1608

¹³ Ibid, p.199 n.107

¹⁴ This Prague manuscript served as the basis for one of the earliest collections of Rabbi Meir's responsa to appear in print, the 1608 Prague edition. Meir Ben Baruch of Rothenburg, *Responsa*, Prague 1608, (Hebrew) § 484. An entire section of about 40 responsa, mistaken to be Meir of Rothenburg's but actually belonging to Rabbi Judah ben Meir Hacoheh's lost "Sefer Hadinim" (=Book of Rulings"), were copied in the Prague manuscript and thus entered the 1608 printed collection.

printed text reads *Galakh* (חלג tonsured cleric), Bloch's edition reads *Ganav* (גנב thief) . With this emendation, Rabbi Bloch does not change the overall meaning or the legal aspects of the responsum as it indeed deals with a thief. But by not disclosing the thief's religious identity as a renegade Christian cleric, Bloch avoided what in his mind was a potential problem: incriminating evidence of Jews fencing stolen church gold and conspiring to extort a cleric. These two examples demonstrate the attempt made by nineteenth century scholars to draw attention away from evidence of Jewish involvement in crime in the middle ages.

Jewish Responsa Literature-

The examples above, given their innate difficulties, are all the same very useful source material for the prospected research. This source material, mainly from the vast Jewish responsa literature, is rather different and significantly richer in detail than previous materials consulted by historians of crime and the criminal underworld (lists of fines, abbreviated court records, penal list). Because of its nature and common use as a source for legal precedent it is at times even in the more abbreviated collections very detailed. Thus it grants us access to the almost unmediated voices of the individuals involved. The sources reflect not only the actions themselves and the penalties those involved received by the penal system but rather a rich and vivid reflection of the intricacies of the actions, the claims made at the court and the deliberations of the judges. This last feature may in some instances uncover even more details about the case than those discussed in the initial exposition of the case. Furthermore, in some cases as in the ones discussed above the sources express a clear awareness by those involved that they were breaching norms and participating in criminal conduct. In some instances we read how the individuals involved reflect on their intent to conceal the criminal aspect of their behavior. Listening through these texts to the almost unmediated voice of a late 10th century Rhineland town resident is a novelty in and of itself, all the more so when those whose voices we hear are not members of the social classes that are more frequently recorded in primary source material from that time period like the nobility or the clergy. Jewish records provide a first hand account of *sitz im leben* cases where ordinary individuals were involved. Some disclose the network of connections between local noblemen, Jewish "businessmen" and their local affiliates, who carry out the actual acts of larceny,

burglary and fencing. We do however need to exercise caution with regard to these sources for most of them are not as accurately dated as we would have liked them to be. The collectors and editors of the responsa dossiers were after all more concerned with the legal outcome than with the

Proposed Project

The proposed research will begin with an attempt to comprehensively map the various references to and entries about the Jewish criminal underworld in medieval Europe from as early as the tenth century until the beginning of the sixteenth century. I will seek to identify and define the illusive term “crime” within its relevant historical setting given the diverse legal systems of medieval Europe. This is not a simple task. In his book *Crime in Medieval Europe*, Trevor Dean underscores the fact that until the 14th century, even in a very well documented and rather structured society like that of medieval England, the definition of what constitutes a crime was rather elusive. Nevertheless, there are some acts which may undoubtedly be classified as crime, such as: robbery, arson, murder, rape, and treason.¹⁵

When investigating medieval Jewish society, pinpointing and categorizing crime is even more difficult. Jews were spread throughout medieval Northwestern Europe, as well as in Iberia and Italy, under different local rulers with a variety of legal systems and privileges. Usually, they were entrusted with internal legal autonomy which allowed them to govern themselves. In most matters they were expected to keep the peace and suppress attempts of legal transgression using their own methods. There were, however, exceptions. One example has been identified by Y.T Assis in his research on the thirteenth century Crown of Aragon. Despite the internal autonomy enjoyed by the Cal (the Jewish communal authority), rape and murder cases involving Jewish parties were under the jurisdiction of the crown that wished to collect the potential penalty fees¹⁶. In light of this diversity and in attempt to keep focus I will limit myself, in the first phase of this study, to an analysis of medieval Ashkenaz.

¹⁵ T.Dean , *Crime in Medieval Europe 1200-1500*, (Longman) Harlow-London 2001, Chapter 1.

¹⁶ Y.T.Assis, *The Golden Age of Aragonese Jewry: Community and Society in the Crown of Aragon 1213-1327*, London-Portland Or. 1997, p. 292.

Around the ninth century, groups of Jews who later formed communities first settled north of the Alps—in the river valleys of Germany and northern France. Real evidence of regulated Jewish communal life exists only from the tenth century onward, and the earliest material I have found that deals with what may be defined as crime comes only from the late tenth and early eleventh century. Jewish life in this region was marked by the heights of economic and spiritual creativity as well as by waves of religious hostility, violence, and persecution, at times ending in death (like in massive pogroms i.e. : 1096, 1190, 1298) and expulsion (England 1290; northern France 1182 and 1306). A number of social, economic, and religious processes ultimately led to the gradual decline of Jewish settlement in the area. The gradual segregation and eventual expulsion of Jews from western Europe was the result of multiple factors: 1) growing popular intolerance toward the Jews accelerated by preachers from the mendicant orders¹⁷, 2) Jewish involvement in financial crediting and money lending that was constantly under attack, 3) the diminishing legal and economic status of the Jewish community and 4) the fall from the grace with local rulers that used to see them as an essential economic asset. . This process that began in the fourteenth century accelerated in the fifteenth century. As the decline in economic and legal status sharpened, Jews began migrating en mass both eastward and southward, to Poland and Italy. While Ashkenazi Jews preserved their special character in their new homes, they were exposed to new influences as the cultural atmosphere around them changed. Life for those few who remained in Ashkenaz also changed with the emergence of the Reformation and the religious, social, political, and cultural change it brought about. This brief historical overview sets the parameters of my research as the 10th-14th centuries the height of the medieval Jewish life in Ashkenaz.

¹⁷ See : J.Cohen, *The Friars and the Jews: The evolution of Medieval Anti-Judaism*, Ithaca 1982.

As suggested by its title, the project is divided into two main sections: Jewish involvement in crime and the Jewish criminal underworld.

Part I: Jewish Involvement in Crime – Preliminary Mapping

This segment will explore various Jewish criminal personalities and their ventures. I will also analyze the phenomenon of Jewish crime and discuss some of the fundamental questions about profession, location, and victims.

A1. Economic crime – I will investigate theft, armed robbery, and fencing. I will also explore the connection between gambling and crime and the illusive matter of “white collar offences” such as violation of local tax laws and communal regulations regarding taxation. The preliminary work I have conducted has revealed that these matters were considered to be extremely important by medieval Ashkenazi Jews, as indicated by the highly charged cases found in the medieval responsa. I will include a special subsection about informants referred to in internal Jewish documents as *moser* and *malshin*.

A2. Violent Crime – I will seek evidence of Jewish involvement in violent crime such as armed robbery, raiding, extortion, bullying, and even murder.

A3. Crime involving Women – I will look at crimes committed against women, crimes committed by women, and Jewish involvement in prostitution. This discussion follows the model set by Ulinka Rublack in her book on crime and woman in early modern Germany¹⁸ and by Trevor Dean in his survey of crime in medieval Europe. Prostitution was not considered a crime in most medieval European countries until the later middle ages. Nevertheless, despite providing a needed service to the community, women in this profession were thought of as not living in accordance with the “right” moral code expected of women¹⁹.

¹⁸ U.Rublack, *The Crimes of Woman in Early Modern Germany*, (Oxford University Press) Oxford-New-York, 1999.

¹⁹ L.L.Otis *Prostitution in Medieval Society: The History of an Urban Institution in Languedoc*, (University of Chicago Press) Chicago 1985. ; R.M Karras, *Common Woman: Prostitution and Sexuality in Medieval England*, (Oxford University Press) New-York 1998.

B1. Profession: In this section I will explore the phenomenon of Jewish involvement in crime and answer questions such as: was it a profession or a one-time occurrence? Did the individuals who were engaged in crime lead a normative life alongside their criminal affiliation? Are there historical and geographical markers regarding the involvement in crime?

B2. Location: I will gather information about the places where crimes occurred, i.e., the home, the public arena or even sacred space.

B3. Victims: One of the most important questions asked in criminology is that of the distinctive attributes of the victims. Who were the victims of crime? What community did they belong to? Were they specifically targeted or was their victimization a byproduct of a criminal act and seen as collateral damage?

Part II : Jewish Society and the Jewish Criminal Underworld

This section will analyze and discuss the relationships between the community, the communal authorities, the local non-Jewish authorities, and the Jewish criminal underworld. This is a multi-faceted and multi-layered topic. Among the questions that will be asked are:

- What was the reaction to crime by individuals and by the collective? Did it differ depending on perpetrator and criminal venture and if so, in what way?
- How were the people associated with crime labeled in the community? Were they marginalized? If so, in what way? For example, in the 19th and early 20th centuries, professional Jewish prostitutes were sometimes banned from entering synagogues even the High Holidays. Was this the case in medieval Europe as well?
- What was the meaning of crime in a wider context? What did it mean with regard to the individual's religious self-identity and perceived self-identity? How did it project on the social cohesion of the community?
- How did local communities deal with crime? To what extent were prohibitions against crime enforced and was the enforcement efficient? When were communities compelled to turn to external aid and when were communal authorities powerful enough to enforce their own laws?

- Were there plans within communities intended to prevent crime or to combat it? To what extent did inner Jewish sentencing deter crime, if at all?

As in my earlier projects, the presentation of the findings will be constantly projected onto existing knowledge of the major trends prevailing in the surrounding Christian society.

It is my belief that the project will better our understanding of the relationship between the law, its interpreters, and the realities of life in these Jewish communities and the surrounding society. By understanding the actual types crimes committed we will improve our understanding of the ability of members of Jewish communities to combat crime. We will be able to identify when they successfully enforced the law and when their methods failed. The project will also help expose the inner communal cohesion mechanisms and the social stratigraphy within the medieval European Jewish communities. It will enable us to explore the intricate network of connections between Jews and their neighbors in medieval Europe, both among the social agents upholding the law and those who seek to breach it.

Preliminary Results

- **Crime as a part of social fabric** - The early evidence from the 11th century legal responsa shows an involvement of Jews in theft, extortion and violent raids as part of the fabric of life and commerce in these early times. Due to the nature of this material, and the fact that in several cases the elaborate case descriptions survived in full (not abbreviated by later copyists), the evidence of the criminal underworld activities (violence, partnerships, planning, division of spoils and fencing) is conveyed in full. Furthermore because the plaintiffs and defendants wished to earn their day in court they at times described in passing details that expose the intricacy of the network of connections between the individuals involved in these dealings. Because the evidence is conveyed in passing we may grant it more credence. The language in these sources is unequivocal about the crimes committed (the use of the Hebrew terms *Gneva* for theft, and *Gizem* for the threat of violence is telling, since these words reflect the contemporaneous attitude towards these actions).

- **Jewish Christian intimate relations** – Another important find that emerges even at this early state of the research is the intimate and close nature of the contacts between Jews and their non-Jewish accomplices to the criminal ventures described in the responsa. This intimacy and close relationship crosses social and religious barriers and it may serve as evidence to a much more tightly knit network of connections than previously described by historians. Evidence of contacts with both nobility clergy as well as regular folk comes to light in the responsa. Evidence of joint meals, mutual visits in the homes, sharing information of the most intimate nature of the criminal business dealing like safe houses and hideouts are just some examples. In other cases we find Jews “outsourcing” criminal actions like violent intimidation and extortion and even murder “contracts” to non-Jews who are in their confidence. Some responsa reveal sexual contacts between Jews and non-Jews of both sexes. Whether this relationship is typical of individuals involved in criminal ventures or it may reflect broader circles of Jewish society is subject to further research.