

III CAROLINGIAN RENAISSANCE

The Carolingian line of rulers is named for Charles Martel, the illegitimate son of Pepin, mayor of the palace of Austrasia under the Merovingian dynasty. Pepin II, the first Carolingian to usurp the title of king, was Charles' son, and Pepin's son was Charlemagne, the first to be elevated to the rank of emperor. The founder of the dynasty was known as Martel ("the Hammer") for beating back the foe in battle, some comparing him to Judas Maccabeus, the savior of the Jewish state, others calling him the Frankish Joshua.

Charles Martel's earliest known ancestress was Itta (592-652). She married Pepin the Elder (died 640), the power behind the throne in Austrasia in northeast Francia. Medievalists have generally glossed over her name as a form of Ida, presuming it is Germanic. On the contrary, it clearly derives from Yehudit (Judith). This archetypal Hebrew feminine name runs throughout Carolingian, Angevin and Norman genealogies as well as in the modern royal families of Europe such as the Bourbons and Hohenzollerns. Charles Martel's grandfather Ansegisel, son of Arnulf of Herstal, married Itta's daughter Begga (Rebecca), another name reflecting Jewish roots. In a rare link with ancient genealogy, Arnulf claimed to be directly descended from Flavius Aetius Syagrius (lived 345-382), a member of the Gallo-Roman aristocratic family of the Syagrii, which originated in Lyon. Whether Arnulf himself had Jewish ancestry, he took a wife named Doda (feminine form of David), a name that was still popular among Carolingian noble families three centuries later, when the emperor's "sister" Dhuoda wrote her manual on courtly life for her son. William was holding his mother's handbook when he was murdered in 850. Charles Martel, at any event, was indisputably the son of a Jewish father. He also had Jewish ancestry through the Pepinids' maternal lineage.

DNA studies suggest that Charles Martel's Y chromosome might have been type T, the same as Thomas Jefferson's. This is a male type strongly associated with the Phoenicians and other Canaanites. If so, setting aside whether the Carolingians continued to practice Judaism, Jewish ancestry may have been one of the reasons they trusted and favored Jews in their regime, to an extent unknown before or since.



Charlemagne
standard from



Charlemagne receives gifts of Caliph brought by Isaac the Jew at Aachen, including a standard from the Holy Sepulcher and the keys to Christian Jerusalem. After Alfred Rethel.

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If the Carolingian Renaissance was a time of reform and restoration, it was also a period of massive forgeries and falsification. One need only consider the Donation of Constantine. This was a fabricated fourth century Roman imperial charter that purported to hand the Pope "supremacy over all the churches of God on earth." It was accepted as a genuine edict of the Emperor Constantine throughout the Middle Ages. It was the legal instrument underpinning the Pope's ownership of a large chunk of Italy until 1870, the Papal States. It also justified the Pope's primacy over secular rulers. He outranked all kings, princes and lesser aristocrats.

But the ancient document is actually an invention. It was fabricated in the Carolingian Age more than four centuries after the fact with the complicity of the Papal curia and highly educated clerics in Frankish Gaul and Germany. The humanist Lorenzo Valla proved its falsity by internal textual analysis in 1440. While the deception prevailed, however, begetting a large body of law known as the False Decretals, it validated the legitimacy of the Holy Roman Empire, enabled the spectacular increase of the Papacy in wealth and political power, caused the creation of canon law equal in force to Roman civil law, and produced the Crusades, the disenfranchisement of Jewish people and expansion of autocratic Catholic Christian monarchies throughout Europe. It can thus lay claim to being the most profitable and far-reaching forgery of all time. It was also the ultimate inside job.

Some of these critical perspectives about making and remaking history were applied in the best spirit of Lorenzo Valla by medievalist Arthur Zuckerman, who published *A Jewish Princedom in Feudal France 768-900* in 1972. Zuckerman exposed the process of systematic alteration of Hebrew texts, events and biographies for reasons of Church and State in the suppression of the Machiri of Narbonne. In one instance, he showed how entire folios covering the years 717-77 had been ripped out of the Chronicle of Moissac in Aniane. Historical fact was falsified "with astounding audacity," according to Zuckerman, who used Hebrew sources to restore the record. Zuckerman also demonstrated with textual analysis how much of the language of the *chansons de geste* and their Latin sources employed striking Hebraisms, not the least of which was the use of the word *consul* (as in the Tucson Artifacts) from Hebrew *moschel*, "ruler." The expression used to describe Makhir on the Celtic cross/nehushtan (*regnavit populorum Theodorus*, literally, "Theodore ruled of the peoples," an obvious Hebraism) belongs in the same category.

This unique moment in Jewish history corresponds precisely to the dates of the Tucson Artifacts and represents one of the first times in Western Civilization when Jews outside their homeland of Israel had their own state and were highly integrated into the power structure and surrounding society. It was also perhaps the last chance in history for a world that was not polarized between Christendom and Islam. After the First Crusade, this experiment by the Carolingians was reversed. The names of Makhir/Theodore, William and the descendants of the House of David in the West passed into legend.

1. Description of the City of Narbonne

*Narbonne was Rome's first colony beyond the Alps. Its famous harbor at the mouth of the Aude river on the Mediterranean had been visited by Iberians, Phoenicians, Carthaginians and Greeks. With rich mines located in the hinterland, it continued to be a nexus for the metals trade, linking Brittany and the Atlantic, the Garonne and the Rhône, the road from Toulouse, the ports of Spain and the sea lane to Alexandria. Its impregnable walls were destroyed by Charlemagne after reconquest from the Moors, when a third of the city was said to be Jewish. Special privileges were given to the Jews of Narbonne. At the time this Old French epic was written in the late twelfth century, Ermengard, heiress of the House of Aymeri, presided over a brilliant court. Narbonne was also the capital assigned to the semi-legendary King of the Jews, who bore the Good Name, that of David, the model biblical king. In Hebrew literature, it was the seat of a respected academy or yeshiva, the place of dissemination where the Babylonian Talmud first arrived in Western Europe under Makhir. The following passage captures some of Narbonne's reputation for riches and power. Today there are extensive horrea or warehouses beneath the city, as well as surviving roads and gates built by the Romans. See also I.13 and II.4. Michael A. H. Newth, *Aymeri of Narbonne: A French Epic Romance* (New York: Italica, 2005), pp. 7-8 (Chant 2), 10-11 (Chant 3).*

Brave Charlemagne was coming home from Spain
 With all the knights and soldiers he retained;
 How heavy was the grief and great dismay
 Shown by them all, as you have heard me say.
 Our emperor was riding down a dale,
 And as he rode back up the slope again
 Towards the right he turned and fixed his gaze,
 Between two cliffs and set along a bay
 Upon a ridge he saw a city raised
 By Saracens born in a former age.
 The town was girt by walls and colonnades
 More strongly built than any ever made;
 Viburnum trees, grown in a grove for shade,
 And yews they saw, which in the breezes swayed.
 You could not see a sweeter sight than they.
 Some twenty towers the shining town displayed,
 And in their midst stood one of greatest praise.
 No man alive, although his skills were great,
 Would take less time than one whole summer's day
 To tell of all the skill those pagans gave
 To building this majestic tower I've named.
 The crenels were all sealed with leaden frames,

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Though any bolt would barely reach their range;
The dome that crowned its highest floor was made
Of shining gold, the best the East contained;
Set in it was a garnet-stone which blazed
Its luster forth and shed as bright a ray
As does the sun when dawn lights up the day.
In darkest night, this is no lie or tale,
Its glow would show from four full leagues away.
On one side lay the shoreline and the waves;
The other side the Aude's swift waters raced,
Which brought the folk whatever goods they craved.
Great barges which they summoned there conveyed
Rich merchants bringing goods and wealth to trade.
The city folk were so well served this way
That there was nothing that you could contemplate
Which this town lacked to honor man's estate.

...

The great Aude River makes
A circle all around its walls – this way
The great iron-sheeted barges and galleys draped
With costly goods arrive with all their trade.

2. Disaster at Roncesvalles, 778

This rather meager reference is recognized as the only known historical mention of Roland. After it, the Breton hero's name slumbers in the written record for nearly three hundred years until the eleventh century chanson de geste, The Song of Roland. Samuel Epes Turner, Einhard: The Life of Charlemagne (New York: Harper, 1880), chapter 9.

In the midst of this vigorous and almost uninterrupted struggle with the Saxons, he covered the frontier by garrisons at the proper points, and marched over the Pyrenees into Spain at the head of all the forces that he could muster. All the towns and castles that he attacked surrendered, and up to the time of his homeward march he sustained no loss whatever; but on his return through the Pyrenees he had cause to rue the treachery of the Gascons. That region is well adapted for ambushes by reason of the thick forests that cover it; and as the army was advancing in the long line of march necessitated by the narrowness of the road, the Gascons, who lay in ambush [778] on the top of a very high mountain, attacked the rear of the baggage train and the rear guard in charge of it, and hurled them down to the very bottom of the valley [at Roncesvalles/Roncevaux, later celebrated in *The Song of Roland*]. In the struggle that ensued they cut them off to a man; they then plundered the baggage, and dispersed with all speed in

every direction under cover of approaching night. The lightness of their armor and the nature of the battle ground stood the Gascons in good stead on this occasion, whereas the Franks fought at a disadvantage in every respect, because of the weight of their armor and the unevenness of the ground. Eggihard, the King's steward; Anselm, Count Palatine; and Roland, Governor of the March of Brittany [*Hruodlandus Brittannici limitis praefectus*], with very many others, fell in this engagement. This ill turn could not be avenged for the nonce, because the enemy scattered so widely after carrying out their plan that not the least clue could be had to their whereabouts.

3. Charlemagne Is Crowned Emperor of the Romans

These brief notices are the only known contemporaneous accounts of Charlemagne's coronation in Rome as the first Holy Roman Emperor. It has been pointed out that they do not agree, not on the exact date, not on the title conferred, not on what crown was used and not on whether indeed Charlemagne sought such an elevation.

a.

Translated from Annales Regni Francorum (Annals of the Kingdom of the Franks), a. 801, ed. Pertz, p. 112.

On that very holy day of the nativity of the Lord when King Charles, at mass before the tomb of the blessed apostle Peter, arose from prayer, Pope Leo [III] placed upon his head a crown and the whole Roman people acclaimed him: "Life and victory to Charles, Augustus, crowned by God, great and peaceful Emperor [*imperator*] of the Romans!" And after the laudation he was adored by the Apostolic One in the manner of ancient princes and instead of Patricius he was now titled Emperor and Augustus.

b.

Translated from Annales Laureshamenses (Annals of Lorsch), a. 801, ed. Pertz, p. 38.

And as the title of an emperor [*nomen imperatoris*] had come to an end among the Greeks [Byzantines, or Romans of the East], since they had a woman on the imperial throne [Empress Irene], it seemed to Pope Leo and the Holy Fathers assembled at the council as well as to the rest of Christian people that they should give the title of emperor to Charles, king of the Franks, since he held not only Rome itself, where the Caesars used to reside, but the other seats of government in Italy, Gaul and Germany as well. Since the almighty God had given into his possession all these places, they deemed it right that with the assistance of God and according to the request of the whole Christian people he should bear the title also. King Charles was not able to refuse this demand: in all humility he submitted to God and to the

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request of the whole Christian people and on the day of the nativity of our Lord Jesus Christ he assumed the title of an emperor and was consecrated by Pope Leo.

c.

Translated from Vita Leonis III (Life of Pope Leo III), in: Louis Duchesne, ed., Le Liber pontificalis: Texte, introduction et commentaire (Paris: Bibliothèque des Écoles françaises d'Athènes et de Rome, 1892) vol. 2.3, 23, p.7.

After this [the oath of Pope Leo acquitting him of wrongdoing in Old St. Peter's] all came together again on the day of the nativity in the above-said basilica of the blessed apostle Peter. And then the venerable and peaceful pontiff crowned him with his own hands with that most precious crown. Then all the faithful Romans who saw how he was eager to defend and how he loved the Holy Roman Church and its vicar, cried out with one voice—and this was the will of God and of the blessed Peter, the key-holder to the kingdom of heaven: To Charles, the most pious Augustus, crowned by God, the great and peaceful emperor, life and victory! This was announced three times before the holy tomb [confessional] of the Blessed Apostle Peter while they were invoking various saints: and he was established by all as Emperor of the Romans.

Thereupon the most holy prelate and pontiff anointed king Charles, his most excellent son, with the holy oil on that very day of the nativity of our Lord Jesus Christ.

d.

Translated from Einhard's Life of Charlemagne, Vita Caroli Magni, ed. Waitz, p. 32.

Although Charlemagne held the Roman Church in great respect, he only traveled to Rome to fulfil his vows and make his supplications four times during the forty-seven years of his reign. But for his last journey there was still another reason. The Romans had inflicted many injuries upon Pope Leo, tearing out his eyes and cutting out his tongue so that he felt compelled to implore the help of the king. Therefore he went to Rome to restore order in the much disturbed affairs of the Church, and stayed there for the whole winter. At this time he received the titles of Emperor and Augustus. But at first he disliked this act so much that he declared that had he known the pope's intention beforehand, he would not have entered the church that day when it happened, although it was a great feast day. And he endured very patiently the jealousy of the [Byzantine] emperors who were indignant about his assuming these titles. By sending them frequent embassies and letters in which he addressed them as brothers, he overcome their contempt with his magnanimity, in which he was undoubtedly their superior.

4. Charlemagne and the Jews of Narbonne

Narbonne was an important Jewish center in Roman and post-Roman times, and it was one of the main focal points for the transfer of the Babylonian Talmud to Western Europe under the Carolingians. Hence it began to be associated with the King of the Jews (the Exilarch or Nasi). When the Berber armies conquered Spain in 711, the Muslims quickly overran Southern France. For most of this period, Narbonne was divided between two kings, "one Jewish and one Saracen." It remained under Arab rule until Charles Martel launched a counteroffensive following his victory at Poitiers in 732. Aided by "Roman" forces drawn from places like Brittany, Lyon and Orleans, he destroyed Arles, Avignon and Nîmes, but he was unable to take Narbonne, stoutly defended at the time by Jews and Arabs under the command of its governor Yusef. Pepin, Charles Martel's son and the father of Charlemagne, besieged Narbonne, which capitulated in 759. Under Charlemagne, notwithstanding the disaster at Roncesvalles and frequent Muslim raids and depredations in other parts of the Midi, Septimania (as the province was known) remained in Frankish hands. The Nasi (Prince) of Narbonne occupied a palace called *Cortada Regis Judeorum*. Narbonne passed to Louis the Pious, who ruled all Aquitaine before succeeding his father as emperor. In 826 Narbonne became the possession of Count Bernard of Gothia. But this scion of the House of Makhir was accused of treason and beheaded by Charles the Bald, Charlemagne's grandson, in 844. After that, Narbonne was ruled by Frankish counts and churchmen who increasingly "restored" Jewish possessions and privileges granted to the Romani as the spoils of war under Pepin and Charlemagne. A central figure was Aymeri, archbishop of Narbonne from 927 to 977. By the end of the eleventh century, on the eve of the Crusades, Jews had effectively become second-class citizens in Narbonne.

The anonymous Latin text titled *Gesta Karoli Magni ad Carcassonam et Narbonam* was copied about 1200 by a monk at Lagrasse, where books, charters and traditions of the Makhiric regime were said to have survived. Later, a translation known as the *Philomena* was made into the Occitan language. The original *chansons de geste*, of course, were oral compositions in rustic Latin incorporating folk elements that distorted and embroidered history. They were fixed in literary form by clerics, often after hundreds of years of evolving developments and "spin-offs" at the hands of roaming *trouvères* and *jongleurs*. Four hundred years after the original events, the Lagrasse manuscript attributes certain deeds to Charlemagne that properly belong to the time of his father Pepin and grandfather Charles Martel. This widely-cited passage tells how the Jews helped Charlemagne conquer Narbonne, and how he reconfirmed their possession of the city, granting to Aymeri, King of the Jews, additional fiefdoms of the richest cities in Septimania, Provence and the Spanish Marches plus all the kingdoms the Jews could conquer in Spain. These extracts are here translated into English for the first time, so far as I know. *Gesta Karoli Magni ad Carcassonam et Narbonam*, ed. Schneegans, pp. 176-191; cf. Zuckerman, pp. 379-81. See also I.13.

[In fighting outside the walls of Narbonne, Roland and Oliver have just inflicted great losses on the Saracen army, including the death of the queen's brother. They hurl the heads and

limbs over the city walls. The queen counsels her husband Matrand to surrender to Charlemagne.]

The Jews remaining in the city recognized in their circumstances Charles would take the city and become master of the entire territory inland from the sea. After holding a council they went to Matrand (Maurontus?) and told him to make whatever peace he could with Charles, as he now knew for sure he would lose the city and be killed along with all his followers. But Matrand replied angrily this he would in no way do and asserted he would have great and good assistance (from the emir in Spain), and in short, would defeat Charles and slay both him and his. Nevertheless, the Jews responded this consolation was no good. Before they were murdered they would betake themselves to Charles and do his pleasure in all things. Matrand forbade them to do this.

Yet spurning his forbiddance they elected Isaac and ten others (i.e., a minyan) and sent them to King Charles with 70,000 marks of silver. These came before Charles, offered their salutation and Isaac began to speak first, saying: Lord King, we well know that Narbonne cannot longer resist you, and we are Jews and ask for your mercy both on our own behalf and all from our town, and whatever you please we shall do. And Charles responded to him: Whoever asks for mercy ought to obtain it. I accept you into my jurisdiction and care. And Isaac said: Lord, do not believe that we commit any treason, for Matrand has no claim upon us, nor do we hold anything from him, except that we give him a certain amount of money annually as an assessment for guaranteed protection (*amparancia*). For the rest, we beseech you that there always be a king from our own people in Narbonne, because so there ought to be and so there exists today. Indeed, at his behest did we come to you, and he is of the lineage of David and ancient Babylon and through us has sent you 70,000 marks of silver, and if you want more, more you shall have, and whatever we have will be yours. Further, that on behalf of our community (*villa*) you attack Narbonne and capture it, for we hold 100 rods of the wall and more, and no one will dare throw a single stone on us or bring any injury. And Charles granted everything they asked and took the money. And they went back into the city and relayed to the other Jews everything Charles said, whereat all were as joyed as much as possible over the response to the delegates. And Charles and the Lord Pope met concerning the delegation of the Jews, together with all the other nobles from his army. And the Patriarch of Jerusalem sought an audience and this was granted to him (corrupt text)...

Then Charles unsheathed his sword named Joyous and struck the aforesaid Matrand through the top of his helmet and cut to his skull through the entire middle of his body, and his soul was carried away to hell by devils. Hearing of the death of Matrand, more than 500 armed Jews marched up through the Royal Gate and four hundred or more into Matrand's palace and did not allow the Saracens (outside) to enter the city. Roland and his entire army made an attack on them and killed more than seven thousand outside the gate. After this they went to the Royal Gate and the Jews allowed them to enter. Aymeri came to the royal palace and the Jews returned it to him, and they planted the standard of Charles on top. Afterwards, they coursed through the whole town and into the other palace at the Water Gate (also called

the Gate of Lagrasse, in the Jewish quarter) killing more than 5,000 Saracens who were holding out there, and after this the whole city was their prize. And Charles had it announced throughout the whole city that no one was to dare touch a thing, because he did not want to render the town impoverished and destitute for such a noble hero as Aymeri. And no one afterward dared touch anything, and no Saracen desiring baptism was killed, though all others were beheaded. The city having been captured in this fashion everyone within and without slept easy that night with the greatest jubilation.

At the end of eight days after the capture Charles held a general assembly with his court and divided the city. He set up as archbishop a man named Thomas, from Normandy, and put ten bishops under him. Moreover, he gave him a third part of the city and built the church of St. Mary and gave him other possessions and surpassing revenues. Similarly, he gave the Jews another third of the city which he returned to them and granted them a king in accordance with their wish. Furthermore, when he was in session at his palace in the royal capital, holding even his scepter, surrounded by an infinite multitude of noblemen, he had Aymeri come before him and said to him: Aymeri, a third part of the city I have given to the archbishop, another third to the Jews, the remaining part shall be yours. And the fact that I have given the other two parts under my own decree, may that please you or not. And the other replied: You should not wonder about such things, for you know or should know, had I a thousand cities it is you who possess both me and them totally to give, because at no time in my life will I be disobedient to you but rather fulfill your will as soon as I can. And the emperor replied: You reply as a noble hero and for that reason you will receive a reward immediately. Thus in measure with the one part I shall give you the city of Béziers, and in measure with the rest Agde and the seaport. Furthermore, I give you Montpellier, Uzès, Nîmes, Arles, Avignon, Orange and Viviers. Valence already belongs to your uncle, so I cannot give that to you, the same for Vienne. By the same token, I give you Lyon on the river Rhône, Rodez, Lodève, Cahors, Toulouse, Albi, Carcassonne, Redez, Heuna, Empúries, Collioure, Girona, Barcelona and Tarragona. Thus you will be able to possess the twenty-three kingdoms of the Saracens. And you will be duke of Narbonne, count of Toulouse and marquess over the cities (*per civitates*), and receive dominion over all your conquests immediately. (The rights to) those which are unconquered we retain as long as it please God, and with the ones mentioned you will be able to safely give and bestow them. The gift of these cities I confirm in the presence of all of you, and I give you the royal gauntlet as the sign and surety of complete possession.

5. The Historical Makhir, 791

It is not easy to be qualified as an expert in both medieval Latin and Hebrew—the two languages of the Tucson Artifacts—but that accomplishment belongs in superabundance to Arthur J. Zuckerman. A graduate student at Columbia under "Master of Jewish History in Our Time" Salo W. Baron, Zuckerman went on to become a New York rabbi and professor who shocked the scholarly world by publishing A Jewish Principdom in Feudal France 768-900 in 1972. He died January

6, 1990. His novel thesis about Carolingian Jewry and its military and spiritual leaders is certainly pertinent to the Tucson Artifacts. Zuckerman identified the Jewish right-hand man—one is tempted to say mastermind—of the Carolingian empire with Natronai, the Babylonian exilarch, or leader of the Exile; Makhir, nasi, or prince, of Narbonne (hence the mention of “princedom” in the book title); Magnario, count of Narbonne; Aymeri of Narbonne, celebrated in chansons de geste, epics and romances; Todros, a form of Nathaniel; Kalonymus, “Of the Good Name”; and Theuderic, or Theodore, the spouse of Alda, an aunt of Charlemagne.

Despite the author’s glittering credentials, and the book’s provenance coming from Columbia University Press, Zuckerman’s study raised a level of outrage that can only be suspected of anti-Semitic undertones. Let us say it met with a mixed reception. Zuckerman’s thesis has not been followed up on in medieval Latin or Hebraic scholarship, though it figures large in popular literature ranging from Merovingian genealogies to “history” of the Holy Grail. Much seems to rest on whether a single now-lost diplomatic charter names Makhir or not. The latest debunker, a lecturer in medieval history and literature at Harvard, Nathaniel L. Taylor, writes: “Zuckerman claims the name in the document is actually Maghario, ‘a Romanized form of Makhir,’ and that this proves that the legendary nasi, Makhir, was simultaneously count of the city and a representative of the imperial government.” However, claims Taylor, “Zuckerman’s interpretation is based both on faulty paleography (the study of ancient handwriting) and faulty onomastics (the study of names).”

The original charter was lost during the French Revolution. Its atrocious, but typical Latin was traced and transcribed in the seventeenth century by Jean Mabillon, founder of the science of paleography. The difficult Merovingian script has never been translated...until now. Merovingian or early Frankish chancery script, a form of late Roman cursive, narrow, steep and compressed, with convoluted letters and ligatures, is not easily read even by experts. The spelling of the name depends on whether you read an h (with Zuckerman) or n (with his detractors).

Let us quote Zuckerman’s precise notes on this crucial evidence, which seem spot-on to one who was trained in Latin paleography and has a Ph.D. in medieval Latin: “The only non-Hebrew source which explicitly names Makhir of Narbonne is dated December 5, 791. A fragment of this document was first published in facsimile, apparently because its script was so unusual, by Mabillon who, however, misread Maghario Comis de Narbone as Magnario. In this incorrect form it was published by the editors of the *Histoire générale du Languedoc*. The peculiar ligature of the h with the preceding g accounts for the error. The ordinarily vertical left leg of the h is here curved in such a way as to form the right side and round head of the g and at the same time is attached to the preceding a. Comparison with the word *regnante* two lines lower confirms our reading. Here too the left leg of the first n also forms the right side of the g and is joined to the preceding e. However, there is a clearly discernible difference between this n in *regnante* and the h in what must be read Maghario. It is clear, furthermore, that the writer’s pen did not leave the page in tracing the n, while he lifted his pen, as expected, in starting the right hand side of the h. There can be no doubt that Maghario or Magharius is a Romanized form of Makhir.”

As to the name Makhir (which some writers find unauthentic), Rabinowitz points out that the Makhir of French Jewish and Carolingian tradition was an important “Rhadanite contemporary.”

He suggests Makhir was a Babylonian Jew who returned with the embassy of Charlemagne to Harun al Rashid (797-802). The absence of the name in Babylon is a difficulty overcome by its preservation among Chinese Jews, who originally came from Persia (p. 184). One might also point out there was a St. Machar in Scotland (Hirschman and Yates, pp. 152-53).

The facsimile by Mabillon captures an extract from the original cartulary of Cannes on the Côte d'Azur, not far from Narbonne. This is no doubt it is the same ancient house as Lérins Abbey on the island of St. Honorat, where Muslim raiders later slaughtered five hundred monks. The founding charter, Mabillon notes, was reconfirmed by Charlemagne's heirs Louis the Pious and Charles the Bald. Jean Mabillon, *De re diplomatica*, (Paris 1681), p. 397; vol. 5 (Naples 1789), p. 413, table XXVII (facsimile).

Cannes Land Grant under Charlemagne

The terms of sacraments, to which (pertains) the ordination of Magharius (Makhir), count of Narbonne, or is from the judges Rasoarius...Deoarius...and others, etc. December 5 in the 35th regnal year (791) of our Lord Charles, King of the Franks and Lombards, also Patricius of the Romans (Romani). Signed Vincilanus, clerk... Signed Valentinus, who were present when this was handed around.

6. Then King Charles Sent to the King of Babylon

This unique text in New York has become the crux of arguments about who Makhir really was, and whether he truly became a vassal prince under the Carolingian kings. (See also III.5.) Translated from the Hebrew of Ibn Daud (about 1160) according to an Addendum found in New York, Jewish Theological Seminary of America, Adler MS 2237 (fifteenth century). Arthur J. Zuckerman, *A Jewish Princedom in Feudal France 768-900* (New York: Columbia UP, 1972), pp. 58-60, 74, 140-43, 384-386 (Appendix III).

Then King Charles sent to the King of Babylon [Caliph in Baghdad] requesting that he dispatch one of his Jews of the seed of royalty of the House of David. He hearkened and sent him one from there, a magnate and sage, Rabbi Makhir by name. And [Charles] settled him in Narbonne, the capital city, and planted him there, and gave him a great possession [*ahuzah*] there at the time he captured it from the Ishmaelites [Arabs]. And he [Makhir] took to wife a woman from among the magnates of the town. At the time of the capture of the city, the King divided it into three districts. One he gave to the viscount whom he placed [*or*, who was there] in the city, Don Aymeric by name; the second district to the [Arch]bishop of the city; and the third district he gave to R. Makhir. And the King made him a nobleman [*ben horin*] and designed, out of love for [Prince Makhir], good statutes for the benefit of all the Jews dwelling in the city [Narbonne], as is written and sealed in a Latin [*lit.*, Christian] charter; and the seal of the King thereon [bears] his name *Carolus* [Charles]; and it is in their possession at the

present time. This Prince [*Nasi*] Makhir became chieftain there. He and his descendants were close [*or*, related] with the King and all his descendants. Anyone who came to molest him because of his hereditary land-holdings [*nahalot*, i.e. *hereditates*] and his high office [*kavod*, i.e. *honor*] was himself molested by power of the King of France.

Furthermore, he [Makhir] and his dynasty were among the leaders of their time, rulers and judges in all the lands, virtual exilarchs shepherding Israel with faithfulness and skill.

7. Pirate Ship Is Sighted by Charlemagne in Narbonne

*This Latin tale told by the Swiss monk Notker the Stammerer in his semi-hagiographical life of Charlemagne about 883 stems from an intermediate period between the oral legends that formed the raw material of jongleurs and minstrels in the Age of Heroes and the literary epics inaugurated by the appearance of the Song of Roland in the eleventh century. Much commented on for its mention of Jewish traders in Narbonne (or some other Mediterranean port), it relates to around 805 before Charlemagne's death in 817. Most commentators fail to translate the word Brittani correctly, rendering it as "British" rather than "Breton." If the "geste" does belong to Charlemagne, however, it should be noted there were no British ships in his time. Charlemagne had no navy or merchant marine. There were many ships from Nantes and the cross-channel seaways. Incongruously, there were also no Vikings or Northmen, so Charlemagne's prophetic vision is anachronistic. The Vikings' dread of Charles Martel, Charlemagne's grandfather, is also odd. In short, we seem to have an episode from evolving poetic composition, shaped for the taste of the late ninth century and written in a clerical mold. But the fact that the author says the citizenry of Narbonne guessed the strange ships might be Jewish or Breton suggests at least that Jewish and Breton shipping did indeed operate in the waters off Southern France. Notker the Stammerer, *Gesta Karoli Magni Imperatoris: Taten Kaiser Karls des Grossen*, ed. H. F. Haefele, MGH. SRG N.S. 12 (Berlin: Weidmann, 1959), book II, chapter 14, pp. 77-78.*

It befell on his many travels Charlemagne once arrived unawares at a certain port in Narbonne. While he was at dinner in the harbor, it happened unbeknownst that some Viking adventurers made a raid on the town. When the ships came in sight some declared them Jews, some Moors, some Breton merchants. But by the build of the ships and their speed, Charles sagely identified them as hostile, not traders. He said to his followers: "These ships are not full of trade goods but freighted with the fiercest sort of foes." When they heard this, each vying to beat the next, the men rushed down to the ships. But all in vain. For when the Vikings heard that Charles Martel, as they used to call him, was there, fearing lest their fleet be beaten back or even smashed in a thousand little pieces, they absconded with a wondrously rapid retreat not only from the sword points but even the very eyesight of those pursuing them. The most religious, just and devout Charles rose from the table and was standing at an eastern window. For long did he pour down precious tears. None dared speak a word. But at last he explained his behavior to his peers, saying:—"Do you know why I weep so bitterly, men? It is not this that

I am afraid of, that these worthless people of no account will be able to do me harm. I am rather saddened to think that even during my lifetime they dare attack this shore. I am torn by great sorrow because I foresee what evil they will do to those who come after me and their subjects."

8. Charlemagne's Protectorate in the Holy Land and Enrichment of Rome

The Carolingians diplomatically maintained a Frankish-Roman presence in Palestine centered on the protection of pilgrims visiting Jerusalem from about 775 to about 925. The German emperors who followed them were not altogether successful in reestablishing it. Only the Crusades revived the idea of a political/ecclesiastical enclave with soldiery attached to the Holy Sepulcher. Einhard wrote his encomiastic biography of Charlemagne about 835 (see also III.3, III.6). Samuel Epes Turner, Einhard: The Life of Charlemagne (New York: Harper, 1880), chapter 27.

He was very forward in succoring the poor, and in that gratuitous generosity which the Greeks call alms, so much so that he not only made a point of giving in his own country and his own kingdom, but when he discovered that there were Christians living in poverty in Syria, Egypt, and Africa, at Jerusalem, Alexandria, and Carthage, he had compassion on their wants, and used to send money over the seas to them. The reason that he zealously strove to make friends with the kings beyond seas was that he might get help and relief to the Christians living under their rule.

He cherished the Church of St. Peter the Apostle at Rome above all other holy and sacred places, and heaped its treasury with a vast wealth of gold, silver, and precious stones. He sent great and countless gifts to the popes; and throughout his whole reign the wish that he had nearest at heart was to re-establish the ancient authority of the city of Rome under his care and by his influence, and to defend and protect the Church of St. Peter, and to beautify and enrich it out of his own store above all other churches. Although he held it in such veneration, he only repaired to Rome to pay his vows and make his supplications four times during the whole forty-seven years that he reigned.

9. Charlemagne's Relations with Harun al-Rashid

In the 790s, both Charlemagne at Aachen and Harun Al-Rashid in Baghdad were at the height of their wealth, power and reputation. The Abbasid caliph ruled over a well-governed state that stretched from the Nile, Syria, Arabia and Persian Gulf to the Indus and Oxus rivers. Dominating the trade in spices, gold, silk and precious stones, the Eastern caliph operated long-distance land routes and sea lanes reaching to India, Southeast Asia and China. His rival was the Umayyad caliph in Spain. When Harun died in 809 his sons plunged the empire into a war of succession. A not dissimilar turn of events overtook the Frankish empire when Louis the Pious followed his father.

MERCHANT ADVENTURER KINGS OF RHODA

Crises and disasters multiplied in both empires. By the year 900, when the Carolingian line was running out, the Abbasid renewal was also at a low ebb, the agriculture of its heartland in the Sawwad failing, province after province refusing to pay tribute and a destructive slave revolt under way. The caliphate would survive until swept away by the Mongols in the thirteenth century, but its rulers turned into effete puppets of the Turkish guards, and its authority and influence were no longer supra-national. Samuel Epes Turner, Einhard: The Life of Charlemagne (New York: Harper, 1880), ch. 16.

He added to the glory of his reign by gaining the good will of several kings and nations; so close, indeed, was the alliance that he contracted with Alfonso [II 791-842] King of Galicia and Asturias, that the latter, when sending letters or ambassadors to Charles, invariably styled himself his man [i.e. vassal]. His munificence won the kings of the Scots also to pay such deference to his wishes that they never gave him any other title than lord or themselves than subjects and slaves: there are letters from them extant in which these feelings in his regard are expressed.

His relations with Aaron [i.e. Harun Al-Rashid, 786-809], King of the Persians, who ruled over almost the whole of the East, India excepted, were so friendly that this prince preferred his favor to that of all the kings and potentates of the earth, and considered that to him alone marks of honor and munificence were due. Accordingly, when the ambassadors sent by Charles to visit the most holy sepulcher and place of resurrection of our Lord and Savior presented themselves before him with gifts, and made known their master's wishes, he not only granted what was asked, but gave possession of that holy and blessed spot. When they returned, he dispatched his ambassadors with them, and sent magnificent gifts, besides stuffs, perfumes, and other rich products of the Eastern lands. A few years before this, Charles had asked him for an elephant, and he sent the only one that he had.

The Emperors of Constantinople, Nicephorus [I 802-811], Michael [I, 811-813], and Leo [V, 813-820], made advances to Charles, and sought friendship and alliance with him by several embassies; and even when the Greeks suspected him of designing to wrest the empire from them, because of his assumption of the title Emperor, they made a close alliance with him, that he might have no cause of offense. In fact, the power of the Franks was always viewed by the Greeks and Romans with a jealous eye, whence the Greek proverb "Have the Frank for your friend, but not for your neighbor."

10. Decline of the Carolingians

Edward Gibbon's masterful verdict on Byzantine history was to call it "a tedious and uniform tale of weakness and misery." He had an equally witty remark on the latter Carolingians. Gibbon memorialized Charles the Bald (d. 877), Louis the Stammerer (d. 879), Charles the Fat (d. 888) and Charles the Simple (d. 929) as "a crowd of kings deserving of oblivion." Edward Gibbon, The Decline and Fall of the Roman Empire, vol. III (London: Warne), pp. 101-103.

If we retrace the outlines of this geographical picture, it will be seen that the empire of the Franks extended, between east and west, from the Ebro to the Elbe or Vistula; between the north and south, from the duchy of Beneventum to the River Eyder, the perpetual boundary of Germany and Denmark. The personal and political importance of Charlemagne was magnified by the distress and division of the rest of Europe. The islands of Great Britain and Ireland were disputed by a crowd of princes of Saxon or Scottish origin: and, after the loss of Spain, the Christian and Gothic kingdom of Alphonso the Chaste was confined to the narrow range of the Asturian mountains. These petty sovereigns revered the power or virtue of the Carolingian (Carolingian) monarch, implored the honor and support of his alliance, and styled him their common parent, the sole and supreme emperor of the West. He maintained a more equal intercourse with the caliph Harun al Rashid, whose dominion stretched from Africa to India, and accepted from his ambassadors a tent, a water-clock, an elephant, and the keys of the Holy Sepulchre. It is not easy to conceive the private friendship of a Frank and an Arab, who were strangers to each other's person, and language, and religion: but their public correspondence was founded on vanity, and their remote situation left no room for a competition of interest. Two thirds of the Western empire of Rome were subject to Charlemagne, and the deficiency was amply supplied by his command of the inaccessible or invincible nations of Germany. But in the choice of his enemies, we may be reasonably surprised that he so often preferred the poverty of the north to the riches of the south. The three-and-thirty campaigns laboriously consumed in the woods and morasses of Germany would have sufficed to assert the amplitude of his title by the expulsion of the Greeks from Italy and the Saracens from Spain. The weakness of the Greeks would have insured an easy victory; and the holy crusade against the Saracens would have been prompted by glory and revenge, and loudly justified by religion and policy. Perhaps, in his expeditions beyond the Rhine and the Elbe, he aspired to save his monarchy from the fate of the Roman empire, to disarm the enemies of civilized society, and to eradicate the seed of future emigrations. But it has been wisely observed, that, in a light of precaution, all conquest must be ineffectual, unless it could be universal, since the increasing circle must be involved in a larger sphere of hostility. The subjugation of Germany withdrew the veil which had so long concealed the continent or islands of Scandinavia from the knowledge of Europe, and awakened the torpid courage of their barbarous natives. The fiercest of the Saxon idolaters escaped from the Christian tyrant to their brethren of the North; the Ocean and Mediterranean were covered with their piratical fleets; and Charlemagne beheld with a sigh the destructive progress of the Normans, who, in less than seventy years, precipitated the fall of his race and monarchy.

Had the pope and the Romans revived the primitive constitution, the titles of emperor and Augustus were conferred on Charlemagne for the term of his life; and his successors, on each vacancy, must have ascended the throne by a formal or tacit election. But the association of his son Lewis the Pious asserts the independent right of monarchy and conquest, and the emperor seems on this occasion to have foreseen and prevented the latent claims of the clergy. The royal youth was commanded to take the crown from the altar, and with his own hands to

place it on his head, as a gift which he held from God, his father, and the nation. The same ceremony was repeated, though with less energy, in the subsequent associations of Lothaire and Lewis the Second: the Carlovingian sceptre was transmitted from father to son in a lineal descent of four generations; and the ambition of the popes was reduced to the empty honor of crowning and anointing these hereditary princes, who were already invested with their power and dominions. The pious Lewis survived his brothers, and embraced the whole empire of Charlemagne; but the nations and the nobles, his bishops and his children, quickly discerned that this mighty mass was no longer inspired by the same soul; and the foundations were undermined to the centre, while the external surface was yet fair and entire. After a war, or battle, which consumed one hundred thousand Franks, the empire was divided by treaty between his three sons, who had violated every filial and fraternal duty. The kingdoms of Germany and France were forever separated; the provinces of Gaul, between the Rhone and the Alps, the Meuse and the Rhine, were assigned, with Italy, to the Imperial dignity of Lothaire. In the partition of his share, Lorraine and Arles, two recent and transitory kingdoms, were bestowed on the younger children; and Lewis the Second, his eldest son, was content with the realm of Italy, the proper and sufficient patrimony of a Roman emperor. On his death without any male issue, the vacant throne was disputed by his uncles and cousins, and the popes most dexterously seized the occasion of judging the claims and merits of the candidates, and of bestowing on the most obsequious, or most liberal, the Imperial office of advocate of the Roman church. The dregs of the Carlovingian race no longer exhibited any symptoms of virtue or power, and the ridiculous epithets of the *bald*, the *stammerer*, the *fat*, and the *simple*, distinguished the tame and uniform features of a crowd of kings alike deserving of oblivion. By the failure of the collateral branches, the whole inheritance devolved to Charles the Fat, the last emperor of his family: his insanity authorized the desertion of Germany, Italy, and France: he was deposed in a diet, and solicited his daily bread from the rebels by whose contempt his life and liberty had been spared. According to the measure of their force, the governors, the bishops, and the lords, usurped the fragments of the falling empire; and some preference was shown to the female or illegitimate blood of Charlemagne. Of the greater part, the title and possession were alike doubtful, and the merit was adequate to the contracted scale of their dominions. Those who could appear with an army at the gates of Rome were crowned emperors in the Vatican; but their modesty was more frequently satisfied with the appellation of kings of Italy: and the whole term of seventy-four years may be deemed a vacancy, from the abdication of Charles the Fat to the establishment of Otho the First (Otto I).

IV JEWS AND JEWRY LAW

The makers of the Tucson Artifacts do not specifically identify themselves as "Jews." They refer to some of their men as Levites, presumably in the Biblical tribal sense of priests and servants of the temple, and to others as Israelites. The latter term was the preferred ethnonym for Jews in the early Middle Ages. Even today, the Roman Jewish community, the oldest Jewry in the West, calls their main house of worship the Synagogue of the Israelites.

Our Romans (*Romani*) knew Latin, Brythonic and Hebrew, presumably also North American Indian languages, and were strongly oriented toward Palestine, called the Good, or Beloved Land (see V). They were evidently identical with the so-called Rhadanites (Rabinowitz). As can be appreciated from several of the laws and texts of the Middle Ages that follow, *Romani* was a legal concept. Under the meaning of "personality of the law," it was akin to Visigoths, Salian and Ripuarian Franks, Burgundians and Lombards, a class of persons that embraced Jews as well as Gallo-Romans and other remnant peoples of Roman rule surviving in Britain, Wales, Brittany, Normandy, Galicia and farflung regions on the margins of emerging Germanic kingdoms.

In the Byzantine Empire, Jews outnumbered their Western counterparts by two to one or more and were more consistently labeled Jews, pure and simple. In Muslim states, where Jews were a thousand times more populous, they were granted the status of People of the Book and accorded many more rights, after paying taxes. Still, however, they were second-class citizens, frequently mistreated and often publicly humiliated.

As the earliest newspaper accounts pointed out (II), the Tucson Artifacts superficially mingle Jewish and Christian imagery. This observation was considered grounds for judging them inauthentic, as it was believed that Jews never used the cross. It should be pointed out, however, that the name of Jesus Christ does not appear anywhere in the inscriptions. Only the Old Testament is quoted. The cross, moreover, was the symbol of Quetzalcoatl in Mexico, where the artifacts were created. We cannot imagine that such cruciform artifacts with Hebrew language and images of temples were displayed anywhere in Europe. The Tucson Artifacts are

American (or at least Mexican, or Mesoamerican). After the Crusades, the cross became a symbol of oppression and revulsion to Jews. On one artifact, moreover, it is the patriarch's rather than the Latin cross that is featured, a cross with roots in Samaritan history. Later, the Templars adopted this form and renamed it the Cross of Lorraine. Another type of cross is the eight-armed Calalus field symbol, prominent on the nehustans and swords as an armorial device. This insignia encapsulated the troops' different ethnic origins, including Gaul and Brittany. It obviously had no religious meaning.

Revealingly, the inscriptions seem to be placed with a certain disregard for the sanctity of the cross in Christian practice. We do not receive the impression that their layout is intended to enhance any mystic levels of meaning (as in the well-known acrostic poems in the shape of crosses by Carolingian poets). In one instance, on the Judas-Benjamin-Isaac Cross (6B), the contents run vertically down the upright shaft of the cross at a ninety-degree angle, an orientation that clearly goes counter to any regard for the cross as an object of veneration. The Josephus Cross (5A, 5B) also has an eccentric layout. Its long inscription irregularly fills the upper half in horizontal lines and continues on the lower half at a ninety-degree angle with lines running vertically from top to bottom. To read it properly, one would have to turn it several times, a treatment that would be considered sacrilege if inflicted on a Christian cross.

It should also be noted that the black cross is the traditional national emblem for Brittany, and that for all merchants originating in Christian lands and passing through Constantinople or points eastward, including the Caliphate, India and China, the cross was required to be exhibited on cargoes and goods for customs purposes.

Salo Wittmayer Baron and other Judaic scholars have drawn attention to the Carolingian age as a bright spot for medieval Jews. The emergence of Rhadanite activity and the communications with Babylonian and other Middle Eastern communities made it possible for Western Jews to turn a page on growing persecution and marginalization. The position of Jews in Western European society was transformed from "an oppressed, persecuted, unwanted element, sharing trade with the Syrians, to a privileged, prosperous class enjoying a trade monopoly as a result of the exclusion of their Syrian rivals; and in addition the extension of the [Abbasid] Empire eastwards, coupled with the permission granted to the Jews to take up residence in whatever place they desired, led to a corresponding spread of Jewish communities" (Rabinowitz, pp. 85-86). It was the age of Jewish merchants, and it lasted until about 900. When a new era dawned in 1095 with the Crusades, the plight of Jews was totally altered.

1. Pope Gregory's Verdicts on Jews

Gregory I the Great (pope 590-604) wrote several letters about how the Church should treat Jews. Here are three, including the encyclical Sicut Judaeis that became part of canon law for its even-handedness. P. Ewald and L. M. Hartmann, Gregorii I Papae registum epistolarum, in MGH, 2 vols. (1887-1893).

a.

Gregory to Vergil and Theodore, Bishop of Massilia (Marseilles), in Gaul, June 591

SCRIBENDI AD FRATERNITATEM. As there was no occasion with a proper time or personage to write to your Fraternity (to you my brother) and to pay the address of salutation due to you, it happens that I can now pay my debt and do what is demanded for love of your brotherly closeness and at the same time not remain silent about the complaint of some people, which has reached us, about how the souls of the errant are to be rescued. For many men of the Jewish religion living in this province, who traveled hence to the region of Massilia for various business, brought to our attention that many of the Jews living in those parts are led to the baptismal font by force rather than through evangelization. As for the intention that results in such acts, I judge it to be worthy of praise and acknowledge it to derive from love of the Lord. But I am afraid that this same intention, unless it is accompanied by a result in agreement with Holy Scripture, either should not bring the Lord's reward or should even bring about (God forbid) almost the loss of the souls we want to rescue. For if a man comes to the baptismal font not because of the sermon's persuasion but under compulsion, if he returns to his old superstition he dies a worse death precisely because he only seemed to have been reborn. Brother, you should appeal to such men in frequent preaching, so that they desire to change their old life because of the teacher's persuasion. In this way our intention would have the correct result while the convert's spirit would not be changed again toward his old vomit. Discourse, therefore, should be directed at them to burn out the thorns of deviation and illuminate in speaking whatever was darkness in them, and thus may you gain a reward in heaven for saving them, by frequent admonition, and thence lead as many of them as God will grant to the regeneration of new life.

b.

Gregory to Victor, Bishop of Palermo, June 598

Christians seized synagogues and other buildings of Jews in Palermo in violent riots. The Jews of Rome complained on their behalf to the Pope, who wrote this influential letter.

SICUT IUDAEIS. Just as the Jews should not have the allowance to presume anything in their synagogues beyond what has been permitted already by law, they should likewise suffer no prejudice in those matters that have been conceded to them. The petition presented to us by the Hebrews living in this the city of Rome, which is appended below, will inform you what they complained about to us on behalf of the Hebrews living in Palermo. If, indeed, their complaint is based in truth, it behooves your Fraternity (you my brother) to examine carefully the law in its continuations that everything decreed on this matter be kept and observed in

regard to them, so that no injustice be done in itself; neither should they be seen to suffer prejudice. If there is anything that could reasonably be adduced to oppose the restoration as requested, judges should be chosen by the parties able to give judgement according to equity. But if perchance this lawsuit can not be ended there it shall be necessary to transfer the case to us, so that your antagonism may be taken away and verdicts given in complete adherence to justice. As long, then, as this case has not been settled, your Fraternity (brother) shall abstain from the consecration of the places that are said to have been seized.

c.

Gregory to Fantinus the Protector, October 598

After no resolution of the crisis in Sicily, the Pope wrote this follow-up letter.

ANTE ALIQUANTUM TEMPUS. Some time ago, we wrote to Victor, our brother and co-bishop, that whereas some Jews complained in a petition presented to us that synagogues situated in the the city of Panormus (Palermo) were occupied by him without reason, together with their hostels, he should abstain from consecrating them until the case could be adjudged whether the deed was lawfully done, lest he be seen to have caused them prejudice arbitrarily. Indeed, respect for the office of priesthood held by our said brother did not permit us to believe easily that he had done anything untoward. But whereas we have learnt from the report of our notary Salerius (who happened to be there afterwards) that there was no reasonable cause for occupation and they were consecrated unadvisedly and rashly, we therefore order your Experience (title for official) that since what has been consecrated can not now be restored to Jews you see to it that our said brother and co-bishop is obliged to pay the price estimated by our sons, the glorious patrician Venantius and abbot Urbicus, for the synagogues themselves with the hostels that are within them or adjoined to their walls and the gardens attached to them, in order that what he caused to be occupied shall remain under the authority of his church and that they shall not be seen to have been oppressed or to have suffered any injustice whatever. The books and ornaments seized shall all be looked for; and if they were openly seized, we want them to be unambiguously restored; for just as Jews are not allowed the freedom to do anything in their synagogues beyond what is decreed by law (as we ourselves have previously written; see b. SICUT IUDAEIS), likewise no prejudice or any loss whatever should be inflicted on them contrary to justice and the demands of equity.

2. Pope Stephen Complains about the Jews of Narbonne

From the Arab conquest of Narbonne in 720 until Pepin retook the city in 759 the whole of the South of France was in chaos. These dates must be bracketed by a half century or more of uncertain fortunes at the end of the seventh century and another half century of Arab raids and devastation

from 775 to 825. In the meantime, a Jewish principedom under the Carolingians' Babylonian allies flourished from 768-900, centered in Narbonne. In what had once been the richest Roman provinces, there was a large Jewish population thriving in this shadowland between Christians and Muslims. It is a blank in the history books. An indication of the vacuum comes from the gaps in official lists of bishops and archbishops. The diocese of Antibes-Grasse (at the nerve-center of the Babylonian principedom), for instance, was interrupted for 130 years, from 644-791. Narbonne was abandoned by the Church 683 to 768, 782-799, 822-828 and assorted later years of the ninth century. Nothing is known whatever of the following: Aix (episcopal see vacant 200 years, 600-800), Agde 683-791, Arles 684-769, Cahors 663-752, Carcassone 683-791, Marseilles 614-739, Nîmes 673-791, Nice 614-777, Orleans 733-788, Perpignan 683-791, Rodez 626-838, Toulouse 671-785, Uzès 660-791 and Valence 580-814. Many of these cities were evidently strongly Jewish or significantly part-Jewish in their populaces up to the ninth century (see III.4). In Vannes in Brittany, the Roman Church did not assert any claim to authority between 580 and 814—nearly two hundred and fifty years. Most records for this period are lost or corrupted. Around 768, Pope Stephen (variously numbered III, IV or VI) grandly gave or reconfirmed to the archbishop of Narbonne extensive tithes and possessions (letter I). Soon thereafter, however, after the archbishop wrote back, Stephen sent this famous rant about the intransigent Jews of the area. The original document is incomplete and appears to have been tampered with, like so many other records of the time if they concerned this sensitive issue. Is it even coherent? No, it rambles. But it appears neither the Pope nor the Church got what they wanted. Narbonne remained in control of the prince Makhir and his descendants for many decades. "Convenit nobis qui clavem," PL CXXIX, col. 857).

Pope Stephen to Aribert archbishop of Narbonne and to all the rulers of Septimania and Spain, greeting!

It behooves us, as we have received the key to the granary of Heaven by apostolic succession, and reach forth the medicine of God's religion to any disease that may infect the flock, even if we are unable to give out great measures of good at least to be able to weigh out a little something. Accordingly, we were struck with sorrow and distressed to death to learn from you that the local Jewish people (*plebs Iudaica*), who are ever rebellious against God and disparaging of our rites, are in possession of hereditary land in villages and suburban estates—as if they were Christian inhabitants—within the boundaries and territories of Christians, by reason of certain orders of the Frankish kings; because these very enemies of the Lord . . . there is danger. . . cultivating him (?). . . and Christian men work their vineyards and fields; and Christians, both male and female, live amongst these same betrayers, and are debauched day and night by their blasphemies, within and without the cities, and the miserable men and women perform uninterruptedly all imaginable services for the said dogs—especially as such promises that were made to the Fathers of the Hebrews by Moses, their chosen legislator, defined and delimited by Joshua his successor, and sworn and given to the incredulous by God himself—these promises were appropriately taken away from their impious Fathers as punishment for the crucifixion of the Savior. And, in truth, the Teacher of the Church indicates to the orthodox:

"What society shall there be between light and darkness? What coming together between Christ and Belial? Or what agreement of the temple of God and idols?" And the Supreme Counselor of the Word admonishes, saying: "If anyone should say to him, Hail (2 John 11, end missing). . . ."

3. Theodosian Code

Selected from Theodosiani libri xvi cum constitutionibus Sirmondianis et Leges novellae ad Theodosianum pertinentes, ed. Theodor Mommsen and Paul M. Meyer, 2 vols. (Berlin: Weismann, 1905).

Jews are to live under Roman law. . . . All Jews known to be Romans (Romani) are to have the cases concerning their religion handled by their own judges. Among themselves the Jews are to live according to Jewish Law (2.1.10).

Jewish men are not permitted to marry Christian women and Christian men are not permitted to marry Jewish women (3.7.2).

We order that no Jew be compelled to perform public services and no Jew be brought to court on the Sabbath or any other day considered holy in that religion (8.8.8).

We permit all city governments to nominate Jews to serve in their respective city governments (16.8.3).

No law prohibits the practice of the Jewish religion (16.8.9).

Everyone is to know that we hereby grant to the Jews the right to collect money and to send those funds to the patriarchs in Jerusalem (16.8.17).

Anyone who breaks the laws prohibiting the converting of Christians to Judaism is guilty of high treason (16.8.19).

Any place considered a Jewish meeting house (which they call a synagogue) is to be safe from any efforts to attack it or to occupy it or to seize possession of it. Everyone has the right to possess his own property in an undisturbed manner and no claim can be made against this right on the basis of a religious argument (16.8.20).

No person simply because he is a Jew is to suffer when he is innocent. No one is to be attacked for religious reasons (16.8.21).

It is contrary to both ancient laws and our own laws for Jews to convert to Christianity for the purpose of avoiding prosecution or for other non-religious reasons. We know that such conversions are not the result of sincere religious faith but subterfuge (16.8.23).

From now on (468) those who live according to the Jewish religion are to be prevented from entering imperial service (16.8.24).

We order that no Jewish synagogue is to be burned or confiscated without due cause. If there are any synagogues recently given to churches or other religious groups the Jews are to receive compensation. Additionally, the Jews are permitted to build new synagogues like the old ones taken from them. If any religious objects, books or other things have been taken they are to be returned unless they have been made part of their new owner's worship service. In

that case the Jews are to receive compensation so they can replace the lost goods. From now on (468), however, no new synagogues are to be built and those already existing are to remain in the condition in which they are at present (16.8.25).

We order that people who are Christians or who say that they are Christians are not to use their religion as an excuse to attack law-abiding Jews or pagans who do not disturb the peace. Any Christian who attacks the above-mentioned people who live under imperial protection is to return the property that was stolen and is to pay damages three or four times the value of what he took (16.10.24).

4. Early Church Law in Frankish Lands

Such rulings as these about Jewish-Christian intercourse began to appear in scattered church councils in the sixth and seventh centuries, often patterned on Byzantine practices. The Carolingians codified them in the ninth century, introducing numerous forged decretals. Gradually, the proscriptions became more and more restrictive. By the 12th century they were incorporated into the Western Church's body of canon law.

It is established that no Christian man is to marry a Jewish woman and that no Jewish man is to marry a Christian woman. We decree that a marriage among these people is legal. (Second Council of Orleans, 533).

No Jews are to be placed as judges or as other lower officials over Christians (Council of Clermont, 535).

All Christians are forbidden to marry Jews. If they do this they are to be cast out of Christian society and driven away from communion. Also, we forbid Christians to eat with Jews. If someone is shown to have done this he is to be excommunicated for a year (Third Council of Orleans, 539).

God forbid that Christians may be subject to Jews (Council of Macon, 583)!

Jews are not to seek positions from the king (Council of Paris, 614).

Christians are not to be sold to Jews or to pagans. If a Christian believes that it is necessary to sell a slave then that slave is to be sold only to another Christian. Also, Jews are not to carry out any governmental business. Christians are forbidden to attend the feasts of Jews (Council of Rheims, 627).

5. Carolingian Jewry Law

Carolingian Jewry law from 768 to 840 was by no means consistent or uniform. These rulings have been gathered from capitularies (imperial decrees) and other civil sources. In general, the favoritism shown Jewish merchants and businessmen beginning with Pepin, the father of Charlemagne, was increased under Louis the Pious and Charles the Bald but dwindled and disappeared at the end of the Carolingian dynasty about 900.

It is established concerning the Jews that if any of them because of a disagreement brings suit against a Christian and the Jew is to prove his case with witnesses, three worthy Christian witnesses suffice and he is also to have four or nine or seven Jewish witnesses according the value of the thing in dispute. If a Christian wishes to bring suit against a Jew it is enough for him to have three worthy Christian witnesses and three Jews (809 capitulary).

It is established that Jews are not to dare to hire Christian men to do their work on Sunday. . . .

Let no Jew dare receive from a church of God anything either in gold or silver or . . . pledge or . . . debt from any Christian (ca. 813-814).

No Jew is to dare to have a mint in his own home.

Concerning the oath sworn by Jews in cases involving Christians. The Jew is to wrap himself around twice from head to foot in his prayer shawl and stand while he swears the oath. Also, he must have in his right hand the five books of Moses as indicated by his own law and if he cannot find a Hebrew version he is to use one in Latin (no. 131, ch. 4).

A Jewish Oath. So help me God, who gave the law to Moses on Mount Sinai, and so the leprosy of the Syrian Naamen not come upon me as upon him, and so the earth may not swallow me up as it swallowed Dathan and Abiron, I have done no evil against you in this case.

Let no one presume to deprive a Jew of the right to purchase, possess, employ, or sell pagan slaves (reconstructed from lost capitularies, 814-840).

Let no one presume to baptize a Jewish-owned slave without the owner's permission.

Let no one permit a market to be held on the Jewish Sabbath (same).

6. Complaint about Jews at the Court of Louis the Pious

Bernard S. Bachrach, Jews in Barbarian Europe (Lawrence: Coronado, 1977), pp. 63-64; Agobard, Epistolae, no. 7 MGH.Epistolae V, ed. Ernst Dümmler (Berlin, 1899).

The Jews are especially popular at the court and it is said that the emperor values them highly because of the patriarchs. Important people at the court seek the prayers and the blessings of the Jews and they wish that they had such people to support them as those who favor the Jews. The Jews say that the Christians at the court are angry because Bishop Agobard has prohibited the use of Jewish wine. The Jews make a great deal of money from these sales. Indeed, according to the canons Christians are forbidden to eat and drink with Jews. All the time the Jews go around showing people the imperial orders that they have been given under the imperial name and seal which protect the privileges granted to them. They are permitted to build synagogues against the law. Indeed, the Jews brag about the glory of their ancestors, their wives show off clothing which they claim to be gifts from royalty and from the ladies of the palace. Some Christians even say that the Jews are better preachers than are the priests.

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7. Diploma Granted to Rabbi Domatus

*In the second quarter of the ninth century, the archbishop of Lyon Agobard incurred the wrath of Louis the Pious by forcibly baptizing Jewish slaves and depriving their owners of rights of ownership. The emperor saw fit to grant the leaders of the Lyon community even greater privileges than previously. He threatened Agobard and his fellow anti-Semites in no uncertain terms. The controversy dragged on for several years but marked a decided defeat for Agobard and his kind. It proved to be only a temporary setback to the gathering forces of ecclesiastical assault on French Jews. Interestingly, the language of the imperial letter vacillates between referring to Domatus and Samuel as Hebrews and Jews, suggesting there was no distinction at this time between the two terms in Latin. In addition to exempting them from all tolls and traveling expenses as missi or roaming representatives of the court, Louis makes it clear that the two are also sworn into his homage and fealty, so that harming them will carry great consequences. For a discussion of the politics, see Bernard S. Bachrach, *Early Medieval Jewish Policy in Western Europe*, pp. 92-94. Karl Zeumer, ed., *Formulae Merovingici et Karolini aevi* (Hanover: Hahn, 1886), #30, pp. 309-10.*

To all bishops, abbots, counts etc. be it known that we have taken up and retain the Hebrews Rabbi Domatus and his nephew Samuel under our protection. Wherefore by force of our present authority we decree and order that neither you nor your subordinates or successors presume to annoy said Hebrews or produce any false accusations on any illegal pretexts whatever, nor presume to take anything away from them of the belongings or rights in which they are vested legally at the present time or diminish in any way, at any time. (There follows an exhaustive list of customs, tolls and travel expenses that the emperor forbids authorities to levy on Domatus and Samuel, including hosting charges, port duties, bridge tolls, traffic surcharges and fees for horses.) . . .

Indeed, these same Jews brought to the attention of our highness that certain men contrary to the Christian religion are persuading Jewish-owned slaves under the guise of the Christian religion to condemn their lords and to be baptized. They argue that if baptized they [the slaves] will be freed from the service to their lords. This practice the holy canons in no way ordain. On the contrary, they adjudge that those who perpetrate such acts deserve the severe sentence of anathema. Therefore we do not want any of you to dare to do anything like this again to the above-mentioned Hebrews, nor that you permit your subordinates to do anything of the kind. You may be sure that whosoever perpetrates this and we learn about it he will find himself personally in danger and he will not be able to escape the loss of his property. We want it to be known to you, as already stated, that we have taken up above-mentioned Hebrews into our personal immunity and protection and whoever conspires in their death, as long as they are liege men, or kills anyone, let him know to pay ten pounds gold as the portion for our palace. Further, we want in no way that the aforesaid Jews be questioned by a panel of inquisitors—not by fire, by cold water or even by the lash—unless it is permitted to them to live according to their own law and conduct such a procedure.

8. Two Jewish Merchant Charters

The well-appreciated roles of Jewish merchants in the Carolingian Empire can be seen in the privileges and protections granted to them. Here are two sample charters from scribal formula books. They are just the tip of the evidentiary iceberg. Rabinowitz regards one of the protected Jews, Abraham of Sargossa, as a "possible" Rhadanite. There must have been hundreds of such documents issued by Charlemagne and his son Louis the Pious. See Bernard S. Bachrach, Early Medieval Jewish Policy in Western Europe, pp. 94-105; Jews in Barbarian Europe (Lawrence: Coronado, 1977), pp. 68-70. Karl Zeumer, ed., Formulae Merovingici et Karolini aevi (Hanover: Hahn, 1886), #31, #52, pp. 311-11, 325-26.

a.

Be it known to all bishops, abbots, counts, vicars, hundred men and our other officials that we have received by our word and that we keep under our protection the Hebrews who came into our presence, David, a scion (*nunnus*) of the house of David, and Joseph (blank left for adding a title?) with their partners (?), all inhabitants of the city of Lyon. Therefore we decree and order through this our charter that neither the above-mentioned officials nor their subordinates or their successors dare do anything that might harm the afore-mentioned Hebrews through any kind of illegal action. . . . These Jews are to be permitted to live quietly under our defense and protection and to serve the palace faithfully. Also we concede to them the right to make deals concerning their goods with whatever men they might wish. Also, they are permitted to live according to their law and to hire Christian workers to labor for them as long as they do not require them to work on Sunday or on Christian holidays. These Jews also have the right to buy foreign slaves and to sell them within our empire and no faithful supporter of ours is to dare to baptize any of their foreign slaves without the consent and willingness of the Jewish owner. . . . If any case arises . . . which cannot be decided locally . . . let the proceedings be suspended and held over to be brought to our courts where a final judgment will be made according to the law. . . . The capitularies that have been issued on these matters by us and for them are to be observed and those who have violated them or provoked their violation in which this same provision is defined are to be punished by whipping for their guilt.

b.

Be it known to all bishops, abbots, counts, vicars, hundred men and our other officials that we have received by our word and we keep under our protection a certain Hebrew named Abraham from the city of Saragossa who has come into our presence and commended himself into our hands. Therefore, we order that this charter of protection of ours be given to Abraham. With this document we decree and order that [no one of you] are to dare to . . . harm the above-mentioned Jew. . . . Further, you are not to collect any tolls, nor fees for horses, nor for housing nor for damage done to fields nor for rights to dock on the riverbank nor cartage

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duties, nor customs at the city gate nor for crossing bridges nor charges for pasturing their animals. He is to be permitted to live in peace under our protection and our defense and to serve the palace faithfully without anyone doing anything illegal to the contrary. . . .

9. Charter of Louis the Pious for the Hebrews Gaudiocus and His Sons Jacob and Vivacius

*It has been doubted that Jews were ever landowners and aristocrats equal to Christians within the feudal system in France. In 838, Louis the Pious gave this charter to a Jewish family after his half-brother Hugo interceded on their behalf. It survived until the early eighteenth century in the archives of the abbey of Lagrasse near Carcassonne (where like most such documents it was tampered with) and then disappeared. It has subsequently been much reprinted and discussed. Everything seems to have ended for these Jewish merchants and vintners around 900. In 899, Charles the Simple formally returned to the bishop of Narbonne all the lands and titles enjoyed for the previous two hundred years by Jewish beginning under Pepin. It is probably no accident that this time point is also the last we hear of a Jewish colony in Calalus. Amnon Linder, *The Jews in the Legal Sources of the Early Middle Ages*, pp. 365-67; C. Devic and J. Vaissete, *Histoire générale de Languedoc, Preuves*, vol. 1, Toulouse 1730, p. 75; M. Bouquet, *Recueil des historiens des Gaules et de la France*, vol. 6, Paris 1870, p. 624.*

In the name of the Lord God and of our Savior Jesus Christ, Louis by the renewed favor of divine mercy Emperor and Augustus. Although apostolic teaching reminds us to do good especially unto our brethren in the faith, it does not prohibit us from doing kindnesses also to all the others, out of benevolent devotion, and even encourages us to pursue it further for the sake of divine compassion (Gal. 6:10). Therefore, let the dexterity of all the faithful of God's holy Church as well as ours, present as well as future, know that our beloved brother Hugo, venerable abbot and supreme notary of our sacred palace, introduced to our presence certain Hebrews, namely Gaudiocus (Sasson?) with Jacobus and Vivacius (Hayyim?), his sons, and we learnt their complaints from his story as well as from theirs. They advised the summit of our clemency how they have lost through certain adversities—nay, through the depredations carried out by certain malevolent people the lawful directive of our authority, which we formerly made for them concerning certain properties named Valerianae or Bagnila (Banyuls-les-Aspres, a wine village 80 km south of Narbonne in Septimania on the highway to Gerona and Barcelona), which belonged to them by right of succession from their ancestors, that directive enabling them to possess the same without hindrance. And they entreated and supplicated our mercifulness that we would order the said directive (*preceptum*) to be written down again for them and be given to them and that they would be able through that directive to maintain the said properties in the future without hindrance and without objection or disturbance from anyone. We have turned a favorable ear to their requests for the sake of divine

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love and decreed that this our imperial document be made and given to them in which we direct and command that said Hebrews and their posterity shall hold and possess through this our authority said properties with all their appurtenances and adjuncts, namely, with the houses and other buildings, lands cultivated and uncultivated, vineyards, meadows, pastures, waters and watercourses, mills, passages, and all rights of exit and entering and reentering without objection, detention or diminution on the part of anyone; and that they shall have free powers to exercise over them in everything according to the rights of proprietorship, to ordain, dispose, or do with, to sell, to give, or to exchange; and that no one shall dare to raise against them any calumny or disturbance on account of the oft-mentioned properties, but they shall be allowed to [obliterated word] them securely and undisturbed. And in order that this authority of our confirmation should obtain inviolate and unshaken power, we have ordered that it be undersigned according to our usage and impressed by our bull (seal).

Given on the VIIIth Kalends of March in the twenty-sixth year of the empire of the most pious Lord Louis by the grace of Christ Augustus, the second indiction. (February 22, 839/840). Executed at the royal palace at Frankfort most felicitously in the name of God. Amen.

10. Letter of Charles the Bald Mentioning His Vassal Judas the Hebrew

Charles the Bald (843-877) was the grandson of Charlemagne and youngest son of Louis the Pious by his second wife Judith. He sent this letter of thanks to the people of Barcelona after one of his men, a Jew named Judas, reported on the city's resistance to the Muslims under the Frankish armies in 876. Through another Jew in his service named Judicot, Charles sent the bishop ten pounds of silver to repair damage to the roof of the cathedral. If nothing else, this document proves that Jews were entrusted to move sums of money over long distances. They also occupied the rank of sworn officials, vassals and liege men (fideles) of the kingdom. Amnon Linder, The Jews in the Legal Sources of the Early Middle Ages, pp. 367-68.

In the name of the Holy and Undivided Trinity. Charles, Emperor Augustus by the compassion of the same omnipotent God, to all our subjects in Barcelona, greeting.

Know that we enjoy the prosperity fitting unto divine providence. We greatly desire that the same might continue with you. We send you many thanks for keeping our fealty always and in all ways. There came of late to us one Judas the Hebrew, our vassal, and informed us at length about your allegiance. We are therefore prepared to repay your allegiance with a worthy remuneration and handsome reward. Therefore do not slacken your diligence in that allegiance in any way but continue to maintain it in everything to the best of your knowledge and ability. Farewell. And know that I am sending with my liege man Judacot ten pounds to Bishop Frodynus to repair his church.

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11. Jews Calling Themselves Christians

Jews are documented living in Nantes, the capital of Brittany, from 465, when the Council of Vannes forbade clerics from partaking in meals with Jews, probably a reaction to the city's dominant Jewish merchant families inviting Christian associates and officials to seders during Passover. In the sixth century, a mixture of Frankish and Roman law prevailed, with the Bretons called Romani (as in the penitential titled Excerpta de libris Romanorum et Francorum). In the eighth century, the bishopric was vacant and the Breton kings assumed all authority, nominally pledging fealty to the Franks as counts. On June 24, 843, the Normans invaded, killing the Frankish bishop Gunhard. Another Frank, Actard, was elected bishop, but King Nominë expelled him along with the entire clergy in a new attempt to establish a Breton church independent of the Franks. When the civil war ended with emperor Charles the Bald, Actard alone returned but was again driven out by King Solomon, who replaced him with the separatist bishop Gislach. Pope Hadrian and the ruling bishops of the Frankish kingdom decided to accept this fait accompli and looked to install Actard in another bishopric in the archdiocese of Rheims. These events prompted the learned and rancorous churchman Hincmar to lecture the pope in a long open letter on episcopal translations in 872. In the midst of making a rather far-fetched legal case that a bishop who forsook his original see was like an adulterer, Hincmar drops a much-discussed casual reference to Jews in Nantes, "who pass for Christians," perhaps the first explicit reference to the phenomenon of crypto-Judaism in Welsh and British history. Here is the context, translated for the first time. The trail of Jews in Nantes may be picked up again in the tenth century. Jacob, the second king of Rhoda, was from Brittany, as was the famous hero Roland, and of course Oliver, together with his father Joseph. Brittany long resisted being unified with France, politically, ecclesiastically and culturally, not becoming part of France until 1547. Hincmar of Rheims, Letter XIII, De quibus apud, Patrologia Latina 126, 221.

The Blessed Gregory says an adulterer is someone who seeks pleasure rather than offspring in carnal intercourse. Rightly also is every person serving vainglory said to be committing adultery with the word of God since they desire not to produce children unto God with sacred eloquence but to flaunt their own knowledge. Whoever is attracted to speaking by the lust for glory devotes his efforts more to pleasure than procreation. In the same way, anyone who trades his own Church for riches and a plenitude of powers and things of this earth is justly called an adulterer. Thus for a bishop to desert a city out of cupidity—a city [Nantes] in which there resides a count as well as noble clergymen and noble lay persons, not to mention commoners and peasants and even Jews living within the parish under Christian guise (*sub nomine Christiano*), if I am to believe what people say—to desert that city, I say, in the heat of ambition, and to take another see that is vacant, and to hold onto a see in which he was ordained, in which he can live without any danger of death, is not only wicked but also dangerous and pernicious, since the holy canons have ruled concerning even that vacating bishop who jumps suddenly to a vacant Church (Conc. Antioch. Can. 14): "that if any bishop vacating a church jumps suddenly over into a vacant church and takes over that see without a

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proper act of council he must of necessity be thrown out, even if all the people wish him to have that see which he snatched."



Solomon's Temple with the Holy of Holies barred to profane approach, labeled TOB "good, beloved." Its site on the Temple Mount was marked by the Dome of the Tablets, also called Dome of the Spirits, located northwest of the Dome of the Rock and rebuilt in its current shape by Ottoman rulers in the 16th century. It is not known whether this is a hypothetical or idealizing representation or one corresponding to an actual Islamic structure of the day. Its relationship to the destroyed Herodian complex and Hadrian's temples to Jupiter and Venus replacing it is undetermined. All that can be said is that its style is that of a classical building with a circular footprint, six steps up and columns of the Ionic order similar to Roman models of the 2nd century, the small round Temple of Vesta in Rome or, indeed, Donato Brumante's Tempietto in the church of San Pietro in Montorio in Trastevere, a precursor for the design of the Vatican basilica of St. Peter. Artifact 6B. Photo Robert C. Hyde.