

WAYWARD WOMEN:
REPRESENTATIONS OF MOBILE JEWISH BUSINESSWOMEN IN MEDIEVAL
NORTHERN EUROPE

By

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To my grandfather, Kenneth Wilson Baumgardner,
Whose angelic voice and guiding hand are never too distant to perceive
1916 - 2002

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Abstract of Thesis Presented to the Graduate School
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Because most of the Jewish population in medieval Northern France and Germany were located within widely dispersed Christian towns and villages, rabbinic texts played a large role in providing spiritual and cultural direction for Jews. These texts sought not only to provide a correct interpretation of the Oral Law, but also attempted to reinforce a sense of commonality and a Jewish identity. Knowing that members of the Jewish community frequently relied on these texts for guidance, rabbinic scholars often tried to present ideas and lessons in representations applicable to daily life. These depictions emulated various aspects of daily life including religious practices, personal relationships, business, education, and interactions between Jews and Christians.

This thesis focuses on representations of Jewish female economic travel, which were frequently depicted even though traditional Rabbinic Judaism dictated travel as a distinctly male activity. The conviction that men exclusively participated in economic mobility is primarily the result of biblical texts and cultural traditions that emphasized the home as the proper location for

women. Women were characterized as sensual, emotional, irrational, and weak, not independent, mobile businesswomen.

Consequently, it is significant how rabbinic scholars and secular authority utilized the representation of female economic mobility within responsa, ethical wills, moralizing narratives, and Christian records. Using ten diverse representations of Jewish female mobility dated between the eleventh and fourteenth centuries, I contend that these depictions were meant to convey comprehensive messages to members of the Jewish community or to connote an experience that affected the Jewish population. Examined separately, each representation speaks to the various ideas, norms, lessons, and experiences not only of the author of the representations, but also of the Jewish community as a whole.

CHAPTER 1

INTRODUCTION AND HISTORICAL BACKGROUND

In the centuries leading up to and during the Middle Ages, the Jewish communities of Northern France and Germany relied heavily on rabbinic authority to provide both spiritual and cultural direction in their daily lives. While this guidance was frequently relayed orally through leaders present within the community, it was also dictated in texts written by rabbinic scholars. Since most Jewish communities in medieval Northern Europe were located within dispersed and isolated Christian towns and villages, these texts not only attempted to provide a correct interpretation of the Oral Law, but also reinforced a sense of commonality and Jewish identity. In an attempt to reach the general Jewish population, rabbinic scholars frequently presented these ideas in representations to which they believed the people could relate. These depictions emulated various aspects of daily life including religious practices, personal relationships, business, education, and interactions between Jews and Christians. In addition to these activities, Jews were frequently depicted as involved in travel for economic purposes throughout Northern Europe. This is not surprising given the association between Jewish trade and travel revealed in both Jewish and Christian records. What is astonishing, however, is that even though economic mobility was considered to be a distinctly male activity, many of these representations created by both Jewish and Christian authorities presented Jewish women as engaging in such practices.

Religious Ideals for Jewish Women

The conviction that men exclusively participated in economic mobility is primarily the result of biblical texts and cultural traditions that emphasized the home as the proper location for women. Rabbinic Judaism, which provided the structure for Jewish life beginning in the sixth century, specifically demanded a separation of male and female roles in social, religious, and

economic activities within the community. For women in the late-Middle Ages, this role was mainly domestic in nature, confining them to the private sphere, whereas the public sphere was reserved for men.¹ Within the private sphere, Jewish women were expected to live their lives as daughters, sisters, wives, mothers, or grandmothers, instead of scholars, teachers, or leaders. These roles are confirmed through the Mishnah's positive time-bound commandments, from which women are generally exempt.² It was presumed that women were fully committed to their duties as wives and mothers. Thus, to expect women to observe the positive time-bound commandments would interfere with the demands of children and housework, creating havoc within the home.³

The Talmud and Midrash tended to condemn the practice of female mobility as threatening to society due to their characterization of women as sensual, emotional, irrational, and weak.⁴ Biblical exempla reaffirm these cultural expectations. One frequently recounted story in Genesis describes Dinah's journey to see "the daughters of the land" in the distant community of Shechem, resulting in the death of all of the town's inhabitants.⁵ This story, regularly repeated in sermons and moral tracts, was meant to remind women of the dangers they would create for

¹ Judith R. Baskin, "Introduction," in *Jewish Women in Historical Perspective*, ed. Judith R. Baskin, 2nd ed. (Detroit: Wayne State University Press, 1998), p.16.

² The Mishnah provides a list of commandments (*mitzvot*) that are meant to provide regulations for all human activity. Commandments are divided into 4 categories: positive time-bound, positive non time-bound, negative time-bound, and negative non-time bound. While most are followed equally by men and women, the *Kiddushin* tractate of the Mishnah states that women are exempt from positive time-bound commandment (See chapter one, Mishnah seven within the tractate). Positive time-bound commandments are prescriptions meant to be completed ritualistically at a certain time and therefore might distract women from their primary duties within the house. For more information on this topic, see Rachel Biale, "Women and the *Mitzvot*" in *Women and Jewish Law: An Exploration of Women's Issues in Halakhic Sources* (New York: Schocken Books, 1985).

³ *Ibid.*, p. 13.

⁴ Roxanne L. Euben, *Journeys to the Other Shore: Muslim and Western Travelers in Search of Knowledge* (Princeton: Princeton University Press, 2006), p. 136.

⁵ *Tanakh, Genesis*, Chapter 34, Verses one through 27.

themselves and others if they attempted to step outside of their appropriate realm by leaving town.

The narrative concerning Dinah is also characteristic of the way medieval Jews understood Talmudic texts in their own lives. Surrounded by a changing and frequently ambivalent society, the Jews of Northern Europe held strongly to a history that was inextricably intertwined with the present and future.⁶ They believed that paradigms depicted within biblical texts were still influential and applicable to their culture. Members of the Jewish community used these paradigms to carry forth valued beliefs and customs and applied them to present time to make sense of and interpret contemporary events.⁷ Therefore, when rabbinic leaders examined historical Talmudic texts, many were unable or unwilling to conceive of true differences between the past and the present.⁸ Consequently, even though contemporary representations of women may have indicated otherwise, the idea that unregulated women were a danger to themselves and their community continued to concern the existing Jewish culture.

In order to placate this anxiety about unrestrained women, rabbinic authority continued to advocate those religious texts that stressed the home as being the proper location for women. For example, according to Proverbs 31, the virtue of a woman resides not as much in her character, as in her domestic skills, such as buying and serving food, spinning wool, and making clothes and linens for the family.⁹ Her attention to these details was meant to enable her husband to

⁶ Robert Chazan, "Representation of Events in the Middle Ages," in *Essays in Jewish Historiography*, ed. Ada Rapoport-Albert (1988; repr., Atlanta: Scholars Press, 1991), p. 42.

⁷ Ibid.

⁸ Ibid., p. 43.

⁹ It states, "What a rare find is a capable wife! Her worth is far beyond that of rubies. Her husband puts his confidence in her, and lacks no good thing. She looks for wool and flax, and sets her hand to them with a will. She is like a merchant fleet, Bringing her food from afar. She rises while it is still night, And supplies provisions for her household. . . .She makes cloth and sells it, and offers a girdle to the merchant. . . .She oversees the activities of her household And never eats the bread of idleness. . . ." *Proverbs*, Chapter 31, Verses 10-15 and 24-27.

provide for the family externally and study the Torah without interruption. It was even considered proper for a woman to supplement her husband's income by selling surplus clothes and lines she made at home. For instance, the *Bava Kamma* states, “. . . We may purchase from women woolen garments. . . . These are the women's own handiwork, and they sell them with their husbands' consent.”¹⁰ While women assisted in the family business, Talmudic texts continued to reiterate the need for women to be carefully controlled and supervised to protect her modesty and the family from shame. For example, the *Avodah Zarah* states, “Nor may a woman be alone with [gentile men], since they are suspected of illicit relations.”¹¹ It was believed that gentile men would likely assault Jewish women even with their wives present, and therefore it was both dangerous and inappropriate for a Jewish woman to be alone with a non-Jewish man.¹²

While these traditional religious attitudes continued to play an influential role within the Jewish communities of Northern France and Germany, historical texts such as responsa, ethical wills, moralizing narratives, and Christian records present numerous representations of women participating in economic activity, including travel. Although representations of mobile businesswomen may reflect reality, what are particularly significant are the means and reasons rabbinic scholars and secular authority employed this typology so frequently. I propose that examined together, these depictions were meant to convey an implication more complex than just incidents of Jewish women traveling for business purposes. Instead, they communicated comprehensive messages to the members of the Jewish community or connote an experience that affected the Jewish population of Northern Europe. Investigated individually and within its own

¹⁰ Rabbi Avrohom Yoseif Rosenberg, trans., and Rabbi Tzvi Zev Arem, ed., “Tractate Bava Kamma,” in Vol. 1 of *Seder Nezikin*, The Artscroll Mishnah Series (Brooklyn, New York: Mesorah Publications, Ltd, 1986), pp. 235-236.

¹¹ Roy Abramowitz, trans., and Rabbi A.H. Rabinowitz, ed., “Avodah Zarah,” in Vol. 4 of *Seder Nezikin*, The Mishnah (Jerusalem: Hechal Shlomo, 1987), p. 18.

¹² Ibid., p. 19.

context, I contend that each representation speaks to the various ideas, norms, lessons, and experiences not only of the author of the representations, but of the Jewish community as a whole. After establishing the historiographical approaches demonstrated by scholars who have previously examined these representations, I will expound upon this argument through the examination of ten diverse cases of Jewish female economic mobility dated between the eleventh- and fourteenth- centuries that I believe clearly display such underlying concepts. These examples will be categorized according to the identity of their traveling companions, Jewish or Christian, or solitary.

Historiographical Approaches

Since these representations of mobile women were created by men to convey specific ideas, it is necessary to consider the methodological challenges presented by these texts. Scholars have most thoroughly investigated rabbinic responsa, literature produced by the Hasidei Ashkenaz, and ethical wills.

Defined as “written replies to legal, moral, or exegetical questions put to a rabbinic authority, usually by another rabbi,” responsa were meant to address topics such as economics, trade, culture, religious tradition, and any others matters occurring within the daily life of Jewish community members.¹³ Writing extensively on the use of responsa in historical analysis, Haym Soloveitchik and Peter Haas raise important questions regarding the circumstances of these sources and how accurately they reflect reality.

In his investigation of how Ashkenazic rabbinic authority developed the laws of *yein nesekeh*, Soloveitchik analyzes various factors that contributed to decisions within responsa such as the circumstances of rabbis’ lives, the environment in which they were educated, and their

¹³ Peter Haas, *Responsa: Literary History of a Rabbinic Genre* (Atlanta: Scholars Press, 1996), pp. 11-12.

consciousness of prior and contemporary rabbinic judgments.¹⁴ Although Soloveitchik is successful in providing a broader portrait of *yein nesekh* according to rabbinic decision, he overlooks the response of the general community and the role it played in this development. He instead assumes that the Jewish population stringently followed the decisions of their rabbinic leaders even when these judgments caused a great inconvenience to the Jewish community.

Haas, on the other hand, focuses on responsa in general, looking at their origin and development. Unlike Soloveitchik, Haas asserts the subjective nature of these documents by explaining that instead of being an objective concept, a responsum seeks to “persuade its audience to accept the teaching of the author.”¹⁵ In other words, these texts reveal what leaders desired the community to conform to instead of what actually took place. This position not only provides a voice to both rabbinic authors and the general community, but also demands that scholars analyze each responsum within its own context.

The analyses of both historians demonstrate the ability of responsa to reveal various historical aspects depending on the focus of scholar and the questions asked. Since Soloveitchik is focused on rabbinic decisions, the documents appear empty of communal influence. Haas, however, expects to find evidence of a community voice and is therefore more aware of the prescriptive nature of responsa.

Similar concerns apply to the study of texts related to the pietistic group known as the Hasidei Ashkenaz and the broader genre of ethical wills. Although there are relatively few sources related to the Hasidei Ashkenaz, a few texts remain that reveal significant information

¹⁴ *Yein Nesekh* is a Talmudic regulation prohibiting the drinking of wine that has come in contact with non-Jews since it may have been used in rituals of idolatry. Haym Soloveitchik, “Can Halakhic Texts Talk History,” *AJS Review* 3 (1978): 153-196.

¹⁵ Haas, *Responsa*, p. 55.

about this small, sectarian group. Known for their strict interpretation of Jewish law, they produced such texts as the *Sefer Hasidim*, a collection of moralizing narratives meant to dictate proper and pious conduct within their daily lives.¹⁶ In their analyses of Hasidic texts, Gershom Scholem and Robert Chazan determine the sources' capacity to accurately depict historical events, beliefs, and traditions.

In his analysis of medieval Jewish mysticism, Scholem examines how the group contributed to the history of Jewish religion. In his examination of the *Sefer Hasidim*, he argues that it reveals "the whole truth about the circumstances of their time."¹⁷ Scholem also believes that Hasidim literature portrays their perception of other Jewish and Christian communities. He explains that because other Jewish groups did not hold the same spiritual ideals as them, the Hasidei Ashkenaz considered these groups inferior both spiritually and culturally to them.¹⁸

Chazan examines how medieval Jews understood and represented themselves within the historical continuum.¹⁹ He argues that there was both a conscious and unconscious tendency for Jewish scholars to interpret their own behavior and experiences as part of a "chain which stretches from the dimmest past to the most remote future."²⁰ With this in mind, Chazan asserts that texts like the *Sefer Hasidim* were not meant to be an accurate portrayal of the community; rather, they demonstrate how popular imagination would have liked it to be.²¹

¹⁶ For more information on the Hasidei Ashkenaz and their place in the medieval Jewish culture, see Kenneth R. Stow, *Alienated Minority: The Jews of Medieval Latin Europe* (Cambridge: Harvard University Press, 1992); and Ivan G. Marcus, ed. *The Religious and Social Ideas of the Jewish Pietists in Medieval Germany: Collected Essays* (Jerusalem, 1986).

¹⁷ Scholem, *Major Trends in Jewish Mysticism* (New York: Schocken Books, 1978), p. 85.

¹⁸ *Ibid.*, p. 91.

¹⁹ Chazan, "Representation of Events in the Middle Ages," p. 40.

²⁰ *Ibid.*, p. 41; Jeremy Cohen, *Sanctifying the Name of God: Jewish Martyrs and Jewish Memories of the First Crusade* (Philadelphia: University of Pennsylvania Press, 2004).

²¹ Chazan, "Representation of Events in the Middle Ages," p. 53.

In their respective examinations, Scholem and Chazan portray both the challenges and value of Hasidic sources. They indicate that while these texts do not necessarily portray a realistic image of the culture, through a careful examination they do reveal key aspects that can contribute to a better understanding of the community and its beliefs and practices.

Lastly, Israel Abrahams has examined numerous examples of ethical wills from the late Middle Ages. These documents were used by parents to express to their children what they wanted most for and from their children and to bestow upon them wisdom acquired over a life time.²²

While Abrahams acknowledges the ability of such texts to reveal a great deal about the authors, he argues that many have intentionally or unintentionally presented memories of experiences and events in a way that alters how they actually occurred. Abrahams suggests that since ethical wills were often written towards the end of the authors' life, it is probable that time played a large role in the distortion of memories. Moreover, due to the fact that the authors were essentially confronting themselves by writing such a piece, they may have decided to leave certain key aspects of their lives out or exaggerate them so that they no longer reflect reality.²³ Abrahams explains that it is tempting to assume that these exhortations reveal the habitual acts or mindsets of the writer, reader, or the entire community; however, scholars should remember that these documents contain only the information that the writer hoped the readers would take to heart, not the actual outcome of their actions.

With these methodological challenges in mind, it is necessary to examine how historians have examined these and other sources to make sense of representations of women, and more

²² Jack Riemer and Nathaniel Stampfer, *Ethical Wills: A Modern Jewish Treasury* (New York: Schocken Books, 1983), p. xix.

²³ Israel Abrahams, "Jewish Ethical Wills," *The Jewish Quarterly Review* 3 (April, 1891): 438- 439.

specifically, female mobility. While scholars have begun to investigate and develop some areas of female mobility, including marriage and expulsion, the depiction and actual practice of Jewish women traveling for economic purposes remains a relatively unexamined area of study, and those few researchers who have addressed this issue remain deeply divided about their significance.

Within their broader examination of Jewish women in medieval history, scholars such as Avraham Grossman, Judith Baskin, and Elisheva Baumgarten converge on the idea that representations of female economic mobility connote a level of realism. This argument implies that the necessities of life rather than religious attitudes were more influential in the circumstances of Jewish women's mobility and their daily lives in general. Grossman argues that religious leaders understood the need for women to support themselves and their families and therefore tended to formulate a more tolerant interpretation of biblical law.²⁴ In turn, this concession contributed to the practice, and therefore depiction, of female mobility that Grossman perceives as an indication of progress within the Jewish community.

Judith Baskin, on the other hand, is much more aware of these mobile Jewish women as representations. She attempts to mediate the tension between depictions of women in traditional roles and those in seemingly unconventional roles by displaying a wide range of female economic activity that occurred regardless of the underlying attitude that perceived women as objects of desire or the cause of sin.²⁵

²⁴ Avraham Grossman, *Pious and Rebellious: Jewish Women in Medieval Europe*, trans., Jonathan Chipman (Waltham, Massachusetts: Brandeis University Press, 2004), pp. 117-121.

²⁵ Judith Baskin, "Mobility and Marriage in Two Medieval Jewish Societies," *Jewish History* 22 (2008): 223-243; Judith R. Baskin, "Jewish Women in the Middle Ages," in *Jewish Women in Historical Perspective*, ed. Judith R. Baskin, 2nd ed. (Detroit: Wayne State University Press, 1998); Judith Baskin "From Separation to Displacement: The Problem of Women in *Sefer Hasidim*," *AJS Review* 19 (1994): 1-18.

Unlike Grossman and Baskin, who situate their assessment of female mobility within a more general picture of Jewish women in the community, Baumgarten specifically analyzes their role within the family. She attempts to reconcile the seemingly disparate roles of Jewish women as participants in economic activity and as mothers, wives, and daughters. Baumgarten argues that while it was intended that women remain within the domestic sphere, the prevalence of documents illustrating their participation in both economic mobility and the care of their families indicates that Jewish women found ways around these cultural constructs.²⁶

Lisa Bitel asserts that the boundaries limiting female roles in Jewish society relaxed between the eleventh and fourteenth centuries leading to an expansion of business opportunities for Jewish women and resulting in an increase in recorded female mobility. For Bitel, however, religious attitudes continued to be an authoritative force in the Jewish community so that mobile women remained the exception within a culture that continued to designate exclusively traditional roles to women.²⁷

While the scholars discussed above recognize a reality that differed considerably at times from religious decrees, Irving Agus and Cheryl Tallan regard these decrees as an accurate representation of women within the Jewish community. Agus utilizes depictions of mobile Jewish women for his analysis, but he ignores these representations and focuses solely on the domestic components.²⁸ In neglecting this feature, Agus perpetuates the outlook that female activities were strictly consonant with traditional attitudes. Like Agus, Tallan ignores illustrations of mobile Jewish women and argues that female participation in business ventures

²⁶ Elisheva Baumgarten, *Jewish Family Life in Medieval Europe* (Princeton: Princeton University Press, 2004).

²⁷ Lisa M. Bitel, *Women in Early Medieval Europe: 400-1100* (Cambridge: Cambridge University Press, 2002).

²⁸ Agus, *The Heroic Age of Franco-German Jewry* (New York: Yeshiva University Press, 1969), pp. 304-305 and 347-349.

was largely controlled by traditional attitudes. This assumption leads her to conclude that men exclusively traveled long distances for trade, while women were only involved locally.²⁹

By examining these different assertions, beginning first with the perceptions of women in religious and traditional text and then the assertions of modern scholars, I have introduced how scholars are able to engage intimately with the sources and the representations presented within them. Comparing representations of women traveling for economic purposes with traditional convictions allows scholars to discern the different approaches authorities adopted to communicate various ideas, lessons, and experiences to the reader. By then analyzing the challenges and arguments outlined by contemporary scholars, historians are better able to view these representations among the various possible interpretations, while avoiding the pitfalls that these sources present to the investigator. Thus with these observations and perspectives in mind, I will begin analyzing ten diverse representations of Jewish female economic mobility by first focusing on those traveling with co-religionists.

²⁹ Cheryl Tallan, "The Economic Productivity of Medieval Jewish Widows," in *Eleventh World Congress of Jewish Studies*, Vol. 1 of *From the Second Temple Period to Modern Times*, Div. B of *The History of the Jewish People*, (Jerusalem: The Magnes Press, 1994), p. 157.

CHAPTER 2

TRAVELS WITH CO-RELIGIONISTS

In addition to trade, many representations of Jewish entrepreneurs are depicted as satisfying the general public's appeal for funds through money lending and the public's need for medicinal direction for their routine illnesses and aches by providing healing skills.¹ Both Jewish and Christian documents such as responsa and administrative records present representations of women participating in these ventures as they traveled across Northern France and Germany to an assortment of towns and cities within the region. These sources allow scholars to ask questions such as what did these women represent? What are the underlying messages conveyed within these depictions? How did the author present such messages? How do the messages differ between Jewish and Christian sources? In this section, I will use these questions to investigate three cases of women who are depicted as traveling with family and other unrelated members of the Jewish community during economic trips.

Immodest Journeys

One case is discussed in a responsum in *Or Zaru'a*, which records a question answered by R. Eliezer ben Joel ha-Levi of Bonn (also known as "Raviah" or "Rabiah") in the late twelfth-century.² The document concerns a Jewish woman who set out on a journey with two Jewish men to another town in Germany for trading purposes. During the journey, one of the men raped the woman. Written by an unknown rabbi, the original question inquired as to

¹ Robert Chazan, *The Jews of Medieval Western Christendom: 1000-1500* (Cambridge: Cambridge University Press, 2006), pp. 217-219.

² Written by Isaac ben Moses of Vienna, the *Or Zaru'a* uses responsa, biblical texts, and other annotations to create commentary on religious law. The first section examines laws concerning prayer, dietary regulation, purity, and marriage and divorce. The second section considers the laws about the Sabbath and festivals. While it provides information on many aspects of life, this text is considered especially valued for its information on relations between Jews and Christians. Monika Saelemakers, "Can Halakhic Texts Talk History? The Example of *Sefer Or Zarua* (MS. ROS. 3, CA. 1300 CE), *Zutot* 6 (2009): 17-23.

whether or not the woman was also culpable since she was alone with two unrelated men, and therefore acted immodestly and against Talmudic law.³ In response to this question, R. Eliezer declared that the woman was not guilty since “Day after day women go forth with two or three men, and seeing that the sages of Torah offer no protest, are unaware that it is forbidden.”⁴

Before attempting to discern what this representation is inferring, I believe that it is necessary to investigate the cultural and religious context of twelfth-century Germany and the rabbinic authority answering the inquiry, Raviyah. During the twelfth and thirteenth centuries, the Tosafists created a number of critical and explanatory glosses on the Talmud that were meant to make its religious demands more understandable and applicable for daily life.⁵ At this time, Northern French and Ashkenazi Tosafists tended to adhere to two distinct traditions. In France, scholars were apt to regard Babylonian Talmudic teachings and rabbinic literature in general as conclusive and binding even when they were at odds with accepted customs within Jewish communities.⁶ On the other hand, German scholars were not as “halakhically single-minded” and

³ Baskin, “Jewish Women in the Middle Ages,” p. 114. Translated from: Isaac Or Zaru’a, *Or Zaru’a*, ed. B. Posner, vol. I, (Jerusalem, 1887), p. 166.

⁴ Baskin, “Jewish Women in the Middle Ages,” p. 114.

⁵ Up to the end of the eleventh century, scholars perceived ideas within the Talmud using a method that understood biblical concepts literally. Beginning with Rashi, scholars began writing commentaries that were meant to determine new explanations for seemingly contradictory passages and to guide readers through difficult arguments. As this method of investigation became more accepted within Northern Europe, Tosafist commentaries became a core feature of Talmudic study. The first Tosafists descended from the family of Rashi, including his two sons-in-law, R. Meir ben Samuel of Ramerupt and R. Judah ben Nathan, and his grandsons, R. Shmuel ben Meir (Rashbam), R. Yitzhak ben Meir (Ribam), and R. Yaakov Tam (Rabbenu Tam). Eventually, the Tosafist enterprise came to include outside key figures, such as R. Isaac of Dampierre, R. Yitzhak ben Asher ha-Levi (Riba), and R. Meir ben Baruch of Rothenburg. Ephraim Kanarfogel, *“Peering through the Lattices”: Mystical, Magical, and Pietistic Dimensions in the Tosafist Period* (Detroit: Wayne State University Press, 2000), p. 72; Chazan, *The Jews of Medieval Western Christendom*, pp. 265-266.

⁶ Avraham Reiner, “From Rabbenu Tam to R. Isaac of Vienna: The Hegemony of the French Talmudic School in the Twelfth Century” in *The Jews of Europe in the Middle Ages (Tenth to Fifteenth Centuries): Proceedings of the International Symposium held at Speyer, 20-25 October 2002*, ed. Christoph Cluse (Turnhout, Belgium: Brepols Publishers, 2004), p. 275.

used other religious commentaries along with the Talmud, such as liturgical commentary.⁷

Therefore, while Northern-French leaders tended to be more stringent in their rabbinic decisions, making sure community members correctly followed Talmudic commandments, German authorities routinely relied on transmitted practices and established conventions, resulting in judgments that were shaped by daily life. This distinction is significant, not only because it is discernable in sources such as responsa, but also because it appears to have caused occasional disagreements between rabbinic leaders concerning the correct approach to carrying out certain Talmudic orders.

This distinction can be seen in Raviyah who, despite his Ashkenazik identity, was a major advocate of the French tradition and helped to expand this approach eastward. The origin of this mindset can be found in the writings of his father, Rabbi Joel, who studied at the French-influenced Regensburg Academy in his younger years. Under his father, Raviyah became familiar with well-known and esteemed rabbis and scholars such as Rabbenu Tam, who, according to Soloveitchik, was one of the principal founders and purveyors of the French tradition, along with Rashi and R. Isaac of Dampierre.⁸ These scholars appear to have influenced Raviyah, who was often depicted as unusually devout in practices such as fasting for two days in observance of Yom ha-Kippurim and abstaining from eating meat for the entire three-week period commemorating the destruction of the two Temples in Jerusalem. While Raviyah tended to be rigorous in his personal piety, he did not expect others to follow such strict practices, asking only for an observance of Talmudic and local rabbinic law.⁹ Therefore, even though

⁷ Haym Soloveitchik, "Catastrophe and Halakhic Creativity: Ashkenaz: 1096, 1242, 1306, and 1298," *Jewish History* 12 (Spring, 1998): 78.

⁸ Soloveitchik, "Catastrophe and Halakhic Creativity," 76.

⁹ Kanarfogel, "Peering through the Lattices," pp. 38-39.

Ravayah did not hold the whole Jewish community to the same fervent standards to which he held himself, he did demand a firm adherence within everyday life to the written law.

With this background information in mind, Ravayah's response to the incident described above becomes less surprising. By saying "Day after day women go forth with two or three men," he depicted women not only as traveling, but doing so with multiple men outside of their families without a chaperone. Phrasing his response in such a manner, Ravayah gave the impression that he was unperturbed with the idea of women traveling for trading purposes.¹⁰ Rather, it is that these depicted women were doing so with unrelated men against the prohibition of *Yichud* within the *Kiddushin* and the *Sanhedrin* tractates that has created incidents of indecency and rape.¹¹ Moreover, it seems that Ravayah was forgiving these vulnerable, unsuspecting women for their actions due to their ignorance, admonishing instead the rabbis of the various communities who had made no effort to educate them on the Talmudic laws regarding such behavior. With his French Tosafist approach, Ravayah appears to have held the rabbis responsible for ensuring that their followers were adhering to Talmudic instructions instead of condoning or promoting traditional practices that might result in hazardous practices and tragic incidences such as the one described above.

Bribery in Creçy

Civic documents from the Picardy region of France present another case of a Jewish woman traveling with a co-religionist. Throughout the thirteenth century, the kings, barons, and lords of France enacted multiple treaties, laws, and orders that required information regarding the

¹⁰ Baskin, "Jewish Women in the Middle Ages," p. 114.

¹¹ *Yichud* is a Talmudic regulation prohibiting the seclusion of a man and woman who are not married to one another in a private area. This regulation was meant to prevent men and women from being tempted to commit adulterous or promiscuous acts. For more information on *Yichud*, see Maurice Lamm, *The Jewish Way in Love and Marriage* (San Francisco: Harper & Row, 1980), p. 22.

number of people, their race, gender, trade, and location of their residence within the region. Due to the abundance of these documents, many have survived into the present day, providing data for various studies analyzing the area and its inhabitants.¹² One such study reports an incident in 1257 in which Gaucher of Chastillon, Lord of Creçy, permitted two Jews, Elias and his wife, Joya, to reside in the town on the condition that they pay an annual fee of twenty *tournois* and “did not raise the question of any claims that they might already have against him.”¹³

To comprehend the significance of Joya and her husband’s mobility, I again find it imperative to examine the prior and contemporary events that affected the security of this couple and compelled them to relocate to Creçy. During the eleventh and twelfth centuries, the position of the Jews in France remained insecure at best. It was not uncommon for the rulers of various regions to revoke or drastically modify grants or charters made with the Jews that had originally been asserted as permanently fixed. These changes often left Jews impoverished from excessive taxation or within a totally new territory as a result of being transferred to another ruler in the form of a gift or a type of payment.¹⁴ In addition to capricious rulers, the Jews also frequently dealt with hostile neighbors who resented their presence within the town on account of certain privileges given to the Jews, economic rivalry, and arrearage owed by townspeople to the Jews.

¹² Sidney Painter, “Documents on the History of Brittany in the Time of St Louis,” *Speculum* 11 (Oct, 1936): 470.

¹³ James Parkes, *The Jew in the Medieval Community: A Study of His Political and Economic Situation* (London: Soncino Press, 1938), p. 151. Translated from J.B.A.T. Teulet, ed., *Layettes de Trésor des Chartes*, Vol. 3 (Paris: 1863-1875), p. 373.

¹⁴ The practice of “giving” the Jews as a gift or payment is most widely documented in the tenth and early-eleventh centuries under the rules of Louis of Provence, who confirmed the Archbishop of Arles as the owner of the city’s Jews; Otto the Great, who gave the Jews of Magdeburg to the Archbishop of the city; and Otto II who gave the Jews of Merseburg to the town’s Archbishop. Parkes, *The Jew in the Medieval Community*, p. 41.

Although some towns simply requested that their ruler expel the Jews, such requests were often unsuccessful, inciting villagers to force the Jews out through rioting and looting.¹⁵

The legal, economic, and personal position of the French Jews began to drastically decline in the eleventh and twelfth centuries following some distressing situations for the Jews including their expulsion in 1182 from the Ile de France and their subsequent recall in 1198 by Philip Augustus.¹⁶ Then in 1223, Louis VIII enacted an order that prohibited any new interest-bearing loans from being contracted and stopped additional interest from accruing on unsettled loans.¹⁷ Concerned over the effects of such an order being executed only within the royal domain, Louis restricted the movement of Jews between regions and demanded extradition treaties with his barons that ordered leaders to return fleeing Jews to their original domain.¹⁸ Louis IX continued these types of restrictions. In 1230, he prohibited any type of usury, which he defined as “anything beyond principle” and in 1254, he ordered that all Jews were to live by the work of their own hands or by commerce instead of lending money.¹⁹ While many historians have accepted that these laws were often only loosely regulated and varied greatly between the regions, it is clear that with these restrictions on trade and movement, most French Jews were

¹⁵ Ibid., p. 208. For more information on Christian violence towards the Jews in Northern Europe, see Robert Chazan, *Medieval Jewry in Northern France: A Political and Social History* (Baltimore: The Johns Hopkins University Press, 1973), p. 114; Leonard B. Glick, *Abraham's Heirs: Jews and Christians in Medieval Europe* (Syracuse, New York: Syracuse University Press, 1999), pp. 170-171.

¹⁶ A.H. Rabinowitz, *The Social Life of the Jews of Northern France in the XII-XIV Centuries: As Reflected in the Rabbinical Literature of the Period* (London: Edward Goldston, LTD, 1938), pp. 18-19; Chazan, *The Jews of Medieval Western Christendom*, p. 142; Gilbert Dahan, *The Christian Polemic against the Jews in the Middle Ages*, trans. Jody Gladding (Notre Dame: University of Notre Dame Press, 1998), pp. 12-13.

¹⁷ Stow, *Alienated Minority*, p. 226.

¹⁸ Chazan, *Medieval Jewry in Northern France*, p. 139; Chazan, *The Jews of Medieval Western Christendom*, p. 147; and Glick, *Abraham's Heirs*, p. 166.

¹⁹ Gerard Nahon, “Zarfat: Medieval Jewry in Northern France,” in *The Jews of Europe in the Middle Ages (Tenth to Fifteenth Centuries)*, ed. Christoph Cluse (Turnhout, Belgium: Brepols Publishers, 2004), p. 215.

slowly but deliberately being forced to depend on the king and his barons for rights and privileges.²⁰

As described by Meir ben Simeon in his *Milhemet Mitzvah*, many of the Jews were going hungry due to their loss of interests and principle on loans and their inability to establish themselves in the restricted market of agriculture and crafts.²¹ As the Jews became more and more desperate, some risked the chance of being returned to their previous residences and began searching for a better and more lenient economic environment. While Louis VIII and Louis IX appeared serious about their restrictions on money lending and movement between different regions, these orders were not always strictly executed by the different barons and lords, especially when bribes were involved.²² Some historians argue that bribery was commonplace between Jews and their overlords especially during times of turmoil and in many cases such transactions were written into contracts.²³ David Biale asserts that Jews frequently exploited their status as moneylenders and merchants to obtain privileges or protection. This was possible

²⁰ William Chester Jordan, "Jews on Top: Women and the Availability of Consumption Loans in Northern France in the Mid-Thirteenth Century," *Journal of Jewish Studies* 29 (Spring, 1978): 98. Dahan, *The Christian Polemic against the Jews*, p. 13.

²¹ Meir ben Simeon of Narbonne, a mid-thirteenth century rabbinic leader, is documented as writing numerous Talmudic commentaries and polemics; however, he is most recognized for *Milhemet Mitzvah*, a sort of compendium discussing current events. In one section, Meir ben Simeon denounces the oppressive laws and measures taken against the Jews by the Church and Christian authorities, such as Louis IX. Hanne Trautner Kromann, *Shield and Sword: Jewish Polemics against Christianity and the Christians in France and Spain from 1100-1500*, trans. James Manly, Texts and Studies in Medieval and Early Modern Judaism 8 (Tübingen: Mohr, 1993), p. 73; Chazan, *Medieval Jewry in Northern France*, p. 123; Robert Chazan, *Fashioning Jewish Identity in Medieval Western Christendom* (Cambridge: Cambridge University Press, 2004), pp. 106,109; Stow, *Alienated Minority*, p. 227.

²² Chazan, *Medieval Jewry in Northern France*, p. 178. Michael Toch, "Between Impotence and Power- The Jews in the Economy and Polity of Medieval Europe" in *Peasants and Jews in Medieval Germany: Studies in Cultural, Social, and Economic History*, ed. Michael Toch (Burlington, Vermont: Ashgate Publishing Company, 2003), p. 242.

²³ David Biale, *Power and Powerlessness in Jewish History* (New York: Schocken Books, 1986), p. 61; Parkes, *The Jew in the Medieval Community*, p. 150.

since it was common knowledge that by existing outside of the Christian social hierarchy, the Jews could better “serve the needs of new and rising forces in society”²⁴

Knowing this, it is apparent why Elias and Joya felt compelled to bribe the Lord of Creçy. While it is not known from where the couple was traveling or why, I argue that the couple anticipated Creçy to be a place where they could support themselves and their family economically. This induced Elias and Joya to bribe Gaucher of Chastillon to allow them to settle in the area, which was done on the condition that they pay Gaucher an annual sum of twenty *tournois* and forgive him any debts that he had already accumulated with them.

Since civil documents such as their contract with Gaucher typically only referred to the head of the household, it is significant that Joya is also mentioned along with her husband. It is entirely possible that the case of Elias and Joya was meant to exemplify the circumstances of the general, hard-pressed Jewish population at this time. If this is the case, even though Elias and Joya are presented as a couple, Joya seems to represent one of many French Jewish women, who, both separately and with their families, traveled across the French countryside, hoping to scrape together enough to survive.²⁵

Jewish Refugees in Paris

Lastly, the records of *Le Rôle de la Taille*, collected between 1292 and 1313 for tax purposes that assessed the Parisian population, record another mobile Jewish woman traveling with her husband. In the first survey taken in 1292 there is listed under the title, *Ce Sunt les Juifs de la Ville de Paris*, a woman named Sarre, a recent refugee from England, who is described as

²⁴ Ibid., pp. 61-62.

²⁵ Stow, *Alienated Minority*, p. 281.

la mirgesse (physician). Vivant, her husband, and Florion, their daughter, who is only labeled as *veuve*, are also on the list but neither Vivant nor Florion were given an occupation title.²⁶

To understand the implication of Sarre and her family's movement to Paris, it is crucial to first analyze their motive for leaving their home in England. In 1272, Edward I was crowned the King of England. Historians have long debated the motives behind Edward's drastic actions against the Jews. These reasons include the decline of Jewish wealth, ecclesiastical pressures, greater royal support for the Church, the King's realization of his duty to his subjects, and animosity among the general public toward the Jews.²⁷ Regardless of the reasons, most historians would agree that his reign marked the last stage of Jewish life in medieval England. After attempting to wring from the Jews what was left of their resources, Edward expelled them in 1290 from his kingdom, forcing thousands of families like that of Sarre, Vivant, and Florion out of England.²⁸

Towards the end of the twelfth century and beginning of the thirteenth century, large numbers of people from distant regions like Italy, Germany, and Scotland, along with those from the more local areas surrounding the city such as Beauvais and Soissons, began to migrate to the burgeoning city of Paris. This was mainly due to the city's commercial opportunities generated from the numerous land and water routes that led into the City.²⁹ Consequently, it was natural for the expelled Jews of England to make their way to Paris. Not only could they find more

²⁶ Par H. Geraud, *Paris Sous Philippe-Le-Bel, d'après Des Documents Originaux, et Notamment d'après un Manuscript Countenant Le Rôle de la Taille Imposée sur les Habitants de Paris en 1292*, Collection de Documents Inédits sur l'Histoire de France (Paris: Crapelet, 1837), p. 179.

²⁷ Chazan, *The Jews of Medieval Western Christendom*, 166; Stow, *Alienated Minority*, p. 285.

²⁸ Chazan, *The Jews of Medieval Western Christendom*, p. 166.

²⁹ David Herlihy, *Opera Muliebria: Women and Work in Medieval Europe* (Philadelphia: Temple University Press, 1990), pp. 136-139. Taitz, *The Jews of Medieval France*, p. 96.

opportunities to support their families, but there was already a well established Jewish community inhabiting the city that was willing to accommodate the refugees.³⁰

It seems that this exodus did not go unnoticed by the other residents of Paris. In one surviving document, Rigord, a monk of Saint Denis, dramatically complained that at the end of the thirteenth century so many Jews began to enter the City that they controlled half of Paris by 1306.³¹ These new inhabitants also did not escape the attention of Philip Augustus since he attempted to eject the English Jews who arrived virtually penniless and appeared unprofitable to the King of France.³² It was only through the generosity of the Parisian Jewish community, who was willing to pay a substantial fee for their admittance, that the King changed his mind and allowed them to remain.³³

In order to collect taxes from the newly settled immigrants, Philip Augustus authorized a survey of the city's population in 1292 which was recorded in *Le Rôle de la Taille*. When surveying the city, assessors went from house to house recording the population according to "hearths," which included the number of family members and their occupations within each household.³⁴ In addition, it appears that the assessors attempted to categorize some of the immigrants, such as the Jews, the Lombards, and the *menu genz* by status and residence.³⁵ Although it is clear that this estimate was at times careless and inaccurate, it provides a fleeting glimpse of the Parisian Jewish population following the expulsion from England and demonstrates how many of the refugees attempted to establish themselves in a completely new

³⁰ Chazan, *Medieval Jewry in Northern France*, p. 10.

³¹ William Chester Jordan, *The French Monarchy: From Philip Augustus to the Last Capetians* (Philadelphia: University of Pennsylvania Press, 1989), pp. 9-10.

³² *Ibid.*, p. 185.

³³ Chazan, *Medieval Jewry in Northern France*, p. 183.

³⁴ Herlihy, *Opera Muliebria*, p. 133.

³⁵ *Ibid.*, p. 132.

community and region. These records indicate that many Jewish women engaged in small-scale enterprises such as trading, peddling wares, and money lending.³⁶ More significantly, a good number of the women were labeled as *mirgesse* (physicians) or *ventrières* (midwives) who seem to have been quite successful since they received a greater tax fee than a majority of the other recorded men and women.³⁷

For millennia, healing has been an indispensable component of a society, which routinely suffered from a multitude of illnesses and ailments. Therefore, it comes as no surprise that both male and female healers were regarded as one of the most respected members of the Jewish community.³⁸ This regard was affirmed on Jewish markers such as gravestones, which displayed only two female occupations: healer and prayer leader.³⁹ Most female doctors dealt first and foremost with women and their ailments. Jewish women in the profession of healing were expected to have a continuous relationship with the women of the community ranging in age from infants to the very old. They accompanied young women to the *mikve* (ritual bath), confirmed pregnancies, provided charms and chanted incantations to guard women from harm, identified and prevented miscarriages, delivered babies, routinely followed up on mothers after their delivery, and healed children and young women as they developed.⁴⁰ When restrictive laws were put in place to prevent women from practicing medicine in late thirteenth- and early-fourteenth century France, female healers still found themselves in demand by women who

³⁶ Jordan, *The French Monarchy*, p. 184. Marty Newman Williams and Anne Echols, *Between Pit and Pedestal: Women in the Middle Ages* (Princeton: Markus Wiener Publishers, 1994), p. 52.

³⁷ Herlihy, *Opera Muliebria*, p. 147.

³⁸ Baumgarten, *Mothers and Children*, p. 44; Baskin, "Jewish Women in the Middle Ages," p. 115; Grossman, *Pious and Rebellious*, p. 119; Tallan, "The Economic Productivity of Medieval Jewish Widows," p. 155; Herlihy, *Opera Muliebria*, p. 112.

³⁹ Baumgarten, *Mothers and Children*, p. 44.

⁴⁰ Baumgarten, *Mothers and Children*, p. 43; Herlihy, *Opera Muliebria*, p. 112.

didn't consider it proper or sensible to go to a male doctor. In 1322, Jacoba Felicie stated in defense of her practice that

It is better and more suitable and proper that a woman wise and experienced in the art should visit sick women, and that she should examine them and inquire into the secrets of nature and its hidden things, than that a man should do so, to whom it is forbidden to see and inquire into the aforesaid things, not to touch women's hands, breasts, belly and feet.⁴¹

This seems to have been a common conclusion among women since female doctors continued to play a large and necessary role within society for centuries to come.⁴²

While female healers mainly treated women, records indicate that they also had a male clientele as well. During one trial it was documented that Jacqueline Felicie de Alamania had multiple male patients and Fava, a Jewish woman from Manosque, was said to have treated the public crier of the Hospitalers who had been wounded in his pubic area.⁴³ In addition, it appears that Jewish female healers were occasionally called upon by the Christian community. For example, in one biography of Christina of Markyate, it was stated that her parents hired a Jewish healer to administer a love potion to their rebellious daughter in order to convince her to accept her parent's choice as her husband.⁴⁴

As a representation, Sarre *la mirgesse* fits into a long tradition of traveling business women. While it is plausible that her household traveled to Paris due to its established Jewish community, I believe that this decision was also greatly influenced by the opportunities Paris offered in supporting her family. Paris was known to hold a large population that was constantly

⁴¹ Emilie Amt, ed., *Women's Lives in Medieval Europe: A Sourcebook* (New York: Routledge, 1993), p. 111.

⁴² For more information on Jewish healers in the Middle Ages, see Ron Barkai, *A History of Jewish Gynecological Texts in the Middle Ages* (Leiden: Brill, 1998).

⁴³ Herlihy, *Opera Muliebria*, pp. 109-111. For more information on the trial of Jacqueline Felicie, see Pearl Kibre, "The Faculty of Medicine at Paris, Charlatanism, and Unlicensed Medical Practices in the Later Middle Ages," *Bulletin of the History of Medicine* 27 (1953): 1-20.

⁴⁴ Herlihy, *Opera Muliebria*, p. 107.

in need of healers and could provide a clientele for Sarre and her medicinal business. While it may have been considered an honor for a Jewish woman to be a successful and revered healer for a community, to be a key income producer within the family was not the female ideal for Jewish or Christian women at this time. Therefore, it is significant that while Sarre is the only one connected with an occupation, Vivant is listed as the head of the household. As stated before, the records of *Le Rôle de la Taille* are clearly faulty and deficient in some cases making it possible that Vivant brought in some form of income through trade or money lending that was not documented; however, I believe that because Sarre's vocation is the only one listed indicates that her business was their main income. In this sense, the Sarre and Vivant are represented as having made the right decision to travel to Paris after their exile from England. The way her occupation is attached to her name, Sarre *la mirgesse*, signifies that this was not an activity she did in her free time, but rather a title she was known by. In addition, their income merited the family a fee of 70 *denier*, an amount far above the five to 12 *denier* most of the other Jewish families in their community were assigned.⁴⁵ While no other men or women are listed as doctors or physicians within Sarre's community, it likely that other women continued to make their way into Paris hoping to profit from their knowledge and skills in healing, contributing to an image of Jewish women as healers.

None of these representations was written in direct response to the travels of Jewish women. Rather, these were the product of some other message or idea, such as the dangers of women associating unsupervised with unrelated men, the image of the hard-pressed Jewish population, or that of women supporting their families. While their mobility was only mentioned incidentally, it clearly contributed to an image of Jewish women as pillars of the household and

⁴⁵ Geraud, *Paris Sous Philippe-Le-Bel*, p. 179.

community, who frequently traveled for economic purposes not only to support themselves and their families, but also to help maintain a sense of unity among the Jews of Northern France and Germany.

CHAPTER 3

JOURNEYS WITH GENTILES

While most Jewish communities within a town or city would have inhabited a separate part of the town, usually called a “Jewry,” “rue des Juifs,” or “Jüdengasse,” distinct from the rest of the townspeople, boundaries between the two sections tended to be fluid, allowing for interactions between Jews and Christians on a daily basis.¹ In her analysis of Muriel, a thirteenth-century English Jew living in Oxford, Charlotte Goldy, describes Muriel’s house as being only two doors down from a Christian vintner and near to a regular market in which Christians and Jews regularly interacted.² By imagining the layout of Oxford, Goldy seeks to illustrate how Jewish women might have interacted with Christian women in their daily lives and how this resulted in a “real understanding and respect among women, particularly in regard to female activities such as care of the household.”³ In this chapter, I will demonstrate that this interaction was also represented in other daily life activities of Northern European Jewish women, such as mobility for economic enterprises. While examples of this type of contact appear to be scarce due either to the anxiety surrounding such relations or simply because of the deterioration of sources over time, they enable scholars to ask questions such as how are these interactions presented? What concerns is the author attempting to communicate? How does he portray the community’s response to such interactions? How does this compare to the response given by rabbinic authority? I will use these issues to examine one case recorded within a

¹ Mark Cohen, *Under Crescent and Cross: The Jews in the Middle Ages* (Princeton: Princeton University Press, 1994), p. 123; Taitz, *The Jews of Medieval France*, p. 63.

² Charlotte Goldy, “A Thirteenth-Century Anglo-Jewish Woman Crossing Boundaries: Visible and Invisible,” *Journal of Medieval History* 34 (2008): 136-137.

³ Ibid., 130. For more information on relations between Jewish and Christian women, see Jonathan Elukin, *Living Together, Living Apart: Rethinking Jewish-Christian Relations in the Middle Ages* (Princeton, Princeton University Press, 2007).

responsum concerning a Jewish woman who was recorded as traveling with a Christian woman for business purposes.

Literal and Allegorical Voyages during the Fast of Esther

During the late-eleventh century in France, a student documented a dialogue between Rashi and a local Jewish woman who planned to ride with the ruler's wife on a Thursday, the day designated for the Fast of Esther. During this day the Jewish community was accustomed to fasting but, knowing that she would have to endure a long day's travel, the woman came to Rashi and asked if it would be permitted for her to eat on Thursday and adhere instead to the fast on the Friday. Rashi explained to her that while the fast was dictated neither by Biblical Law nor Rabbinic decree, she could not be exempted from the fast since "a person was not permitted to separate himself from the group."⁴

This responsum can be understood in a number of ways. One way is to perceive it in a literal manner.⁵ While it is not explicitly stated in the responsum why the woman was traveling with the ruler's wife that Thursday, Lisa Bitel and Maurice Liber argue that her interactions with the ruler's wife and possibly the ruler's entire entourage make it likely to have been a business trip.⁶ While both scholars remain undecided on what her specific occupation was, it was not unusual for merchants and money lenders, after establishing a relationship with a client, to spend a great amount of time with them in order to take advantage of any economic opportunity that might arise.⁷ This was especially the case with prosperous clients, such as a ruler's wife, who

⁴ Irving Agus, *Urban Civilization in Pre-Crusade Europe*, Vol. 2 (New York: Yeshiva University Press, 1965), p. 766. Translated from Israel Elfenbein, ed. *Responsa of Rashi* (New York: Shulsinger, 1943), no. 128.

⁵ A literal approach to this responsum has been taken by Irving Agus, *Urban Civilization*, vol. 2, p. 766; Lisa Bitel, *Women in Early Medieval Europe*, p. 237-238; Maurice Liber, *Rashi*, trans. Adele Szold (New York: Hermon Press, 1970), p. 167.

⁶ Bitel, *Women in Early Medieval Europe*, pp. 237-238; Liber, *Rashi*, p. 167.

⁷ Agus, *The Heroic Age*, p. 107.

often associated with and had influence over other affluent people. The Jewish woman's decision to accompany her influential client on this trip would have provided her with an opportunity to expand her clientele at their destination.

When examining works by Rashi, such as his commentaries of the Tanakh and Talmud and hundreds of responsa, most scholars recognize two distinct traits in his discourse: his lenient approach to daily activities and human nature and the importance he attached to traditional religious practices.⁸ Rashi believed that due to the circumstances of the Diaspora, certain laws could not be strictly followed. For example, in another responsum concerning the ban on Jews trading cattle with non-Jews, Rashi acknowledged that a Talmudic prohibition was created when the Jews lived together in one region, and it was convenient for them to trade with each other; however, he states that "at present, when we are a minority in the midst of our neighbors we cannot conform to so disastrous a measure."⁹ Although Rashi was willing to ignore certain Talmudic laws that he believed were too burdensome to follow, he concluded that most religious practices were necessary not only for sustaining a strong faith, but also for maintaining a sense of commonality among the Jewish communities in Northern Europe and creating a strong defense against the outside world.¹⁰ This attitude is frequently intensified within responsa since many of these were recorded by Rashi's students, who, in their admiration tended to portray him as a legendary figure.

The conviction that religious practices should be consistently observed seems to apply to the Fast of Esther as well, which finds its origins in the story of Purim. According to the Book of

⁸ Esra Shereshevsky, "Some Aspects of Everyday Life in Rashi's Times," *The Jewish Quarterly Review* 65 (Oct., 1974): 101. For more information on his commentaries, see Benjamin J. Gelles, *Peshat and Derash in the Exegesis of Rashi* (Leiden: E.J. Brill, 1981).

⁹ Chaim Pearl, *Rashi* (New York: Grove Press, 1988), pp. 21-22.

¹⁰ Ephraim Kanarfogel, "Progress and Tradition in Medieval Ashkenaz," *Jewish History* 14 (2000): 296.

Esther, when Ahashverosh, the Persian king and ruler over the kingdom of Judah, decided to take a wife he found favor in the orphaned cousin of Mordekhai, Haddassah, who took the name Esther in order to conceal her Jewish identity. When Haman, the royal vizier of the King, resolved to annihilate all of the Jewish people within the realm by drawing lots, Esther bravely revealed her identity to the king and pleaded for the safety of her people after fasting for three days. She successfully obtained an edict that allowed the Jews to assemble and defend themselves successfully. In memory of this, it was established that the thirteenth of Adar would be a day of fast, while the fourteenth and fifteenth would be days of celebration.¹¹

These factors help to explain Rashi's response to the woman who wished to postpone her participation in the Fast to make the journey with the ruler's wife a little more comfortable. While Rashi may have been concerned about her actual participation in the Fast of Esther, I believe that his response that "a person was not permitted to separate himself from the group" communicated an anxiety stemming from her willful neglect of an established custom. He may have been worried that her disregard of tradition and prolonged interactions with a prominent and influential Christian woman would lead her to become too comfortable with the community's Gentile neighbors and aspire to abandon her Jewish identity and remain permanently within their company. Moreover, he may have understood her situation as a more extensive problem for the community at large. It is possible that at this time both Jewish men and women found it more acceptable to ignore established religious traditions in order to interact with non-Jews either economically or socially. If this was the case, such a practice could have

¹¹ *The Book of Esther*, Chapters 1 through 9.

resulted in a gradual assimilation into the Christian culture, endangering the very foundation of the Jewish community.¹²

While it is quite possible that this text was based on an actual conversation between Rashi and a local Jewish woman, it is more likely that it was meant to be understood as an allegorical representation. As discussed in the introduction, medieval Jewish culture often conceived of historical events as inextricably intertwined with the present and future.¹³ The mention of Purim and the Fast of Esther in the first two sentences seems to be a cue for the reader to bring to mind the characters of Esther and Mordekhai and the diasporic circumstances of the Jews under Persian rule, a condition that could be evoked to describe the unstable and insecure situation of almost any Jew in Europe.¹⁴ This evocation was meant to connect the scattered communities by expressing a shared history while articulating the need to preserve a culture that remained separate from that of their gentile neighbors.¹⁵ With this in mind, it is possible to discern two potential allegorical interpretations of this responsum.

The first approach depicts the woman in the text as a contemporary Esther. Like Esther, who was compelled to marry the gentile King, the woman must enter into dangerous territory traveling faraway from those who share her faith to support herself and her family. In addition, the woman seemed to feel the need to conceal her Jewish identity by forgoing certain religious

¹² This anxiety regarding Jewish-Christian relations is a prevalent theme within both communities. This is reflected in Christian blood libel stories, like that of William of Norwich, a young boy who was supposedly murdered by local Jews when he visited their home on account of his job. This account along with the situation discussed in Rashi's responsa indicate that the permeability between the two communities created a general feeling of unease that close relations between them were dangerous not only for the individual but for the community at large. For more information on William of Norwich and anxiety about Jewish-Christian relations, see John M. McCulloh, "Jewish Ritual Murder: William of Norwich, Thomas of Monmouth, and the Early Dissemination of the Myth," *Speculum* 72 (July, 1997): 698-740; Ezra Shereshevsky, "Rashi's and Christian Interpretations," *The Jewish Quarterly Review* 61 (July, 1970): 76-86.

¹³ Chazan, "Representation of Events," p. 42. Nina Caputo, "Regional History, Jewish Memory: the Purim of Narbonne," *Jewish History* 22 (2008): 97-114.

¹⁴ *Ibid.*, 106.

¹⁵ *Ibid.*, 99.

practices like the Fast, just as Esther attempted to hide her identity by changing her name. While, relations between Jews and Christians prior to the First Crusade were relatively good, this was never taken for granted by those who spent their lives in the land of the Diaspora. It is even possible that the anxiety Rashi is described as expressing throughout the text was in response to the tremors of tension that were destined to erupt in 1096 with the massacre of the Jews in Rouen. By stating “a person is not permitted to separate himself from the group,” Rashi, in the spirit of Mordekhai, instructed the woman to declare her Jewish identity and participate in the fast even when faced with condemnation and persecution, since, as Mordekhai told Esther, even her position among the gentiles was not an assurance of protection.¹⁶

A second approach perceives the woman as a symbol for the whole Jewish community which was beginning to neglect their religious and cultural responsibilities. It was recorded that during the time of Esther, the Jews had started to forget their religious traditions and practices and absorb those of the gentiles. Specifically, many of the Jews had attended Ahashverosh’s “orgiastic” feast, which was held to celebrate the supposed end of the 70 year prophecy that foretold of a Jewish return to their land.¹⁷ In writing about those depraved Jews who joined in the celebration, Rashi explained that these sinful deeds instigated *hester panim*, a dark time when the Jewish people were no longer rewarded with miracles and divine intervention, but were instead left to endure the natural course of events.¹⁸

It is possible that in examining the unstable conditions of ancient Jewish society in the time of Esther, Rashi saw an unsavory similarity between the past and contemporary diasporic

¹⁶ *The Book of Esther*, Chapter 4, Verse 14.

¹⁷ *The Book of Esther*, Chapter 1, Verses 1-8.

¹⁸ Gloria Wiederkehr-Pollack, *The Jewish Festivals in Ancient, Medieval, and Modern Sources* (Brooklyn, New York: Sepher-Hermon Press, Inc., 1997), pp. 152-154.

communities. Therefore, in the responsum he may have allegorically equated the character of the woman with the contemporary Jewish people. Similar to the ancient community, the medieval Jewish culture of Northern France lacked the desire to participate in religious traditions. Instead, they gave priority to economic enterprises for which they left the protective circle of the Jewish community and fraternized with powerful gentiles. While they were conscious of the Fast of Esther, they appeared to be more worried about how an empty stomach would affect their health and demeanor and possibly what their gentile associates would think about their Jewish customs. Therefore, when Rashi stated that “a person is not permitted to separate himself from the group,” he is expressing to the members of the Jewish community the need to remember their commitment to God and his commandments.¹⁹ In addition, by partaking in traditional religious practices they retained their sense of commonality amongst themselves and with the other Jewish communities throughout Europe with which they share a collective history and tradition.

I have presented three possible interpretations of this responsum, but the continued representation of travel remains central. While the theme of the text is not completely reliant on her mobility, the woman is not only described as literally traveling for economic purposes, but also figuratively in the sense that she is either moving away from the security of her community or away from her Jewish identity. Even more significantly, by using the representation of female mobility as an instructive paradigm to express a moral and ethical point regarding halakhah, Rashi assumed that the wider Jewish community could relate to such a custom.

¹⁹ Agus, *Urban Civilization*, Vol. 2, p. 766.

CHAPTER 4 SOLITARY TREKS

Due to the recognized precariousness of traveling during this time, it is not surprising that Jewish women are depicted as traveling in the company of others. While many would expect this practice to be standard for mobile women, there are a sufficient number of cases in which women are presented as traveling independently that refute this assumption. These recorded occurrences of solitary trips are presented within a variety of documents including responsa, commentary on Halakhic law, ethical wills, and Hasidic literature. There are a few possible reasons for this disproportional distribution. First, they can be understood as an actual reflection of reality, in that women regularly traveled alone for economic purposes. Second, this may be an instance in which the historical texts contain only occurrences that were considered unusual, omitting examples of accepted, habitual activities. In this light, cases of solo female travelers can be considered to be the exception, not the norm. Third, like the responsum discussed in the previous chapter, some of these examples can be interpreted allegorically, in which case authors saw them as an excellent way to articulate an ethical or moral point or express anxiety stemming from religious conventions. Fourth, it is possible that the essence of time has affected the type and amount of sources that have been passed down to scholars (which is further exacerbated by my limited linguistic skills). It is my opinion, however, that this imbalance of sources has resulted from a combination of the reasons listed above, forcing historians to investigate each case individually in order to fully comprehend its function within the medieval Jewish society. Whatever the reason, these cases permit scholars to analyze the significance of female economic mobility and ask why were these women depicted as traveling alone? What concerns or ideas are reliant upon their solo status? How do the authors mitigate representations of women in

unconventional roles with their maternal obligations? What historical experiences for the Jewish community can be deduced from these representations? How is the community depicted as responding to these cases? How does this response compare to that of rabbinic authority? Employing these inquiries, I will examine six documented cases of women who are depicted as traveling independently to engage in a variety of different business enterprises and investigate what these representations signified to the author and the reader.

Viticulture Conflicts

The first case is discussed within a late-eleventh-century French responsum directed to Rashi. The text describes a rather convoluted altercation between Rachel and her brother-in-law, “B.” It begins by explaining that when Rachel married her husband, “A,” his parents gave them a few valuable assets, including a large vineyard in town. During their marriage, Rachel and A received some items from the overlord of the town which they pledged to a non-Jew, “G,” for money. At some point the overlord demanded that they give those items back. When he realized that the couple could not return them or pay him back, he seized their vineyard. During this time, A went away on business, was taken captive, and was never heard from again. After A’s disappearance, A and B’s mother regained the vineyard by cultivating the land as a sharecropper. After her death, B received the land to work in the same manner. While he was a sharecropper, B heard that G was trying to make a deal with the overlord to obtain the vineyard for himself by offering the overlord those items that were pledged to him by Rachel and A. Since B was uncomfortable with a non-Jew owning his father’s land, B went to Rachel and asked for her permission in the presence of the members of her community to buy back the vineyard. B claims that with Rachel’s compliance, he returned home and purchased the vineyard from the overlord. Rachel, however, claims that when she and her husband were attempting to raise the money to

pay back the overlord, the overlord seized their vineyard by violence. She could not continue trying to regain the vineyard due to the absence of her husband, and she claims that her situation was impeded further by her mother in law. Rachel states, “When my husband left town, your mother, my mother-in-law, was a powerful person in town. She was well acquainted with the lords. She took away from me by violence the fruit of the above-mentioned tithe; and due to my difficult position, I was forced to leave town.”¹ She asserts that she tried to protest both her mother-in-law’s and B’s actions, but was not granted a hearing. Due to the injustice done to her, Rachel demanded that B give her the vineyard back and pay her the estimated worth of the fruit that he had harvested from the land. The inquirer asked Rashi whether Rachel or B should receive ownership of the vineyard and its profits.²

Rashi responded to this complicated and drawn-out inquiry by explaining that according to the Babylonian Talmud, a person is not required to return land that he bought from a gentile who received it illegally from another Jew. As previously discussed, however, Rashi believed that certain laws ought to be adjusted due to the circumstances of the Diaspora. Thus, in his response to this inquiry Rashi stated that

. . . .In Babylonia the aggrieved party had recourse to the well established courts, the judges of which courts were honest and truthful. Ours, however, are robbers and thieves, and anyone who brings his complaints before them is not granted a hearing- especially when the other party to the suit is an overlord, over whom no one exercises authority.³

He concluded that while B should not be forced to pay Rachel the value of the fruit he produced, B must give her half of the vineyard if Rachel could supply documents naming her as the rightful

¹ Agus, *Urban Civilization in Pre-Crusade Europe*, Vol. 1, p. 409. Translated from Joel Mueller, ed. *Teshuvot akhmei arefat ve-Loter (Responsa of French and Lorraine Scholars)* (Vienna: 1881), nos. 30-I. For Agus’s full translation see Appendix A.

² Agus, *Urban Civilization*, Vol. 1, pp. 407-412.

³ Ibid., 411-412.

owner of the property and could provide witnesses that support her claim that she protested against her mother-in-law's and B's actions. If, however, B could show evidence that he received Rachel's permission to buy the vineyard, then it should remain in his possession.⁴

Prior to the modern era, beer and wine maintained an important role in society due to a lack of clean drinking water and the absence of other beverages like tea and coffee in Northern Europe.⁵ As a result, viticulture was considered to be a profitable pursuit among both Christians and Jews. While many agriculturists began to gradually turn to other occupations in the eleventh and twelfth century as a result of population and economic growth in urban areas, many Jews retained their vineyards and continued to produce wine.⁶ This was mainly due to the Talmudic law, *yein nesekh*, which prohibited Jews from drinking wine that had even the possibility of being manufactured or touched by non-Jews.⁷ Because Jewish communities relied on Jewish wine makers to produce wine suitable for their consumption, viticulture remained a lucrative business for them.⁸

With this in mind, it is clear that this was not just a petty dispute over a piece of land. Even though many viticulturists, including A, participated in other types of economic enterprises, the vineyard seemed to have been the primary source of revenue for Rachel and her husband first, then her mother-in-law, and finally B. Thus, when Rachel lost the vineyard, she

⁴ Agus, *Urban Civilization*, Vol. 1, pp. 410-411.

⁵ Soloveitchik, "Can Halahkic Texts Talk History?" 154.

⁶ Agus, *The Heroic Age*, p. 117.

⁷ Theodore L. Steinberg, *Jews and Judaism in the Middle Ages* (Praeger Publishers: Westport, Connecticut, 2008), pp. 139-140. For more information on *yein nesekh* see Soloveitchik, "Can Halahkic Texts Talk History?"; Jacob Katz, *Exclusiveness and Tolerance: Studies in Jewish-Gentile Relations in Medieval and Modern Times* (Westport, Connecticut: Greenwood Press, 1980), pp. 40-41.

⁸ Agus, *The Heroic Age*, p. 117. For more information on Jews and viticulture, see Taitz, *The Jews of Medieval France*, p. 228.

complained that “due to my difficult position, I was forced to leave town.”⁹ As an *agunah*, Rachel was forbidden from taking another husband who might have aided her monetarily and since B and her mother-in-law were not inclined to assist her, she was compelled to travel to a different community in order to support herself.¹⁰ It seems that she found some form of revenue in the new community since B explained that because R was out of town when he sought her permission to buy the vineyard, “he went to her place and asked her in the presence of the members of her community. . . .”¹¹ It is significant that the responsum presents Rachel’s mobility so casually. It is never mentioned whether the community or relatives within the first town offered to give Rachel support or if she would have even accepted such an offer. Instead, her solution was to look to other Jewish communities to find some form of income.

By presenting Rachel as traveling outside of the community to support herself, Rashi may have been indicating a lack of concern or at least a sense of passivity about her status of an *agunah* within the community. By presenting a case about a woman who must leave her community to survive, Rashi demands that members of the community deal fairly with women in such a defenseless position. Moreover, instead of letting her wander the countryside, her neighbors should assist her both financially and emotionally so that she does not leave protective boundaries of the community physically or mentally. By stressing these concerns Rashi seeks to maintain a sense of unity and cohesion that was essential for the survival of Jewish society.

⁹ Agus, *Urban Civilization*, Vol. 1, p. 409.

¹⁰ An *agunah* is a woman who legally remains married even though her husband is no longer present mentally or physically. This occurs for five reasons: either because of she has been deserted by her husband and his location is unknown, he died but there are no legal records or testimony validating his death, he refuses to divorce her, he is legally incompetent and lacks the ability to grant a divorce, or the woman is a childless widow and her husband’s brother is unwilling or unavailable to marry her or perform the ritual that allows her to remarry someone else. The main fear is that the *agunah* may enter into an adulterous marriage by mistake. If her husband eventually returns, the woman will be labeled as an adulteress and any children resulting from the second marriage as *mamzerim* (bastards). Biale, *Women and Jewish Law*, pp. 102-103.

¹¹ Agus, *Urban Civilization*, Vol. 1, p. 408.

Traversing with Children

The next case, also recorded within a responsum, was discussed by R. Meir of Rothenburg in mid-thirteenth-century Germany. This responsum describes the case of a widow, Leah, who received an estate of two pounds from her late husband, which she entrusted to her cousin, R. Yēdidyah, as a trust fund for her daughter. When she chose to remarry, she made the decision to take the son of R. Isaac of Coburg as her husband. The author of the responsum explained that this man refused to support Leah, her daughter, and the children that resulted from this second marriage, forcing her to “wander from town to town with her children on her shoulder to procure her daily sustenance.”¹² Through this activity Leah was able to save up the sum of 22 *schillings*, with which she bought a garment worth three *pounds* for her daughter and deposited with her mother for safe keeping. When Leah’s husband found out about this purchase, he obtained the garment from Leah’s mother through deception. When Leah insisted that he give the garment back to her, he claimed that whatever a wife acquired belonged also to her husband, making the garment his as well. In addition, he demanded that Leah return any items she had given her daughter since their marriage.¹³

Originally, the community rabbi, R. Moses, judged that Leah must take an oath swearing that she did not give her daughter, directly or indirectly, any money or items that belonged to the son of R. Isaac of Coburg. R. Yēdidyah, wishing to obtain the judgment of a more authoritative figure and perhaps a different solution, sent R. Meir a copy of the decision and explained that R. Moses had directed Leah to take an oath even though her husband was not completely sure

¹² Irving A. Agus, *Rabbi Meir of Rothenburg: His Life and His Works as Sources For the Religious, Legal, and Social History of the Jews of Germany in the Thirteenth Century* (New York: Ktav Publishing House, Inc, 1970), pp. 609-611. Translated from Mordecai B. Hillel Ashkenazi, *Mordecai Hagadol*, Goldschmidt Manuscript (New York: Jewish Theological Seminary), Pr. 982, 172d

¹³ Agus, *Rabbi Meir of Rothenburg*, pp. 609-611.

whether the money was actually his or not. R. Meir responded by agreeing with R. Yedidiah, stating that “we can impose an oath on a wife only when the husband is positive that she misused his money.”¹⁴ It is unknown how the situation was resolved since R. Meir decided to extract himself from the case due to the embarrassment his letter caused R. Moses when R. Yedidiah made its contents public.¹⁵

Acknowledged as one of the greatest scholars of his generation, R. Meir of Rothenburg, was frequently consulted by authoritative figures from all over Europe including Germany, Bohemia, Moravia, Austria, and France.¹⁶ Born in Worms, R. Meir was sent to France to study under R. Samuel and R. Yehiel. There he seemed to have absorbed the French tradition of interpreting Talmudic teachings as conclusive since all of his decisions concerning civil and ritual matters were centered on the idea that the Talmud could provide answers for any situation that might arise.¹⁷ This idea can be observed in the numerous responsa discussed by R. Meir concerning business transactions, real estate, inheritance, marriage contracts, partnerships, community property, settling rights, taxation, and many others.¹⁸

Given his reputation and background, R. Meir of Rothenburg’s response to R. Yedidiah becomes more logical. Leah’s mobility appears to be the main focus of the text since through her travels Leah was able to participate in enough economic activity to save 22 *schillings*. R. Meir, however, was not concerned with Leah’s travels; instead, he sought only to provide the correct way of handling the situation. Thus, he made no mention of whether her actions were acceptable,

¹⁴ Ibid., p. 610.

¹⁵ Agus, *Rabbi Meir of Rothenburg*, pp. 610-611.

¹⁶ Ibid., pp. 14-15.

¹⁷ Ibid., p. 30.

¹⁸ Ibid., p. 17. For more information on the life of R. Meir, see Lilliam Simon Freehof, *The Captive Rabbi: the Story of R. Meir of Rothenburg*, Covenant Books 18 (Philadelphia: Jewish Publication Society of America, 1965).

but only that Talmudic law declares that a wife must take an oath when her husband is certain that she has misused his money or possessions. Her mobility is also ignored by the other rabbinic figures, R. Moses and R. Yēdidyah, who were even more involved in the case than R. Meir. It is also interesting that, there was no objection from Leah's husband concerning her economic mobility. In fact, it appears that the son of R. Isaac of Coburg benefited from this activity since he only complained to rabbinic authority once he found out that her profits were going to her daughter instead of him. Therefore, similar to the case of Rachel discussed above, Leah's mobility is not presented as the problem; rather it is her only solution for supporting herself and her children.

As Baumgarten explains in her analysis of Jewish family life in the Middle Ages, "Women had many roles, and motherhood was a central one. By looking for information on women as mothers, we may learn much about other aspects of society that have little to do with being a mother, but as they touch on the lives of women, they are discussed in similar contexts."¹⁹ By examining Leah's depiction as a mother in this responsum, scholars are given the opportunity to investigate how some Jewish women negotiated their responsibility as mothers with their obligation to provide for themselves and their families. Within traditional Jewish culture, women were assigned the role of main caretaker for their young children. It was expected that women would nurse their children for a period of 24 months. Even those mothers who hired a wet nurse for their children were prohibited from remarrying until the end of that designated period.²⁰ Also, children within the Jewish community remained primarily under the

¹⁹ Baumgarten, *Mothers and Children*, p. 186.

²⁰ *Ibid.*, p. 123.

care of the mother for at least the first four or five years of their lives.²¹ In addition to a concern for the welfare of children, this regulation indicates the assumption that caring for children was part of a woman's innate nature. For many women, this role of principal caretaker was expected of them not only when her husband was away from home, but also when he was present.²²

Since it specifically states within the responsum that Leah had "children," it is known that the daughter from her previous marriage was not her only responsibility.²³ It is probable that her other child or children from her second marriage were quite young and therefore either still nursing or at least considered under her responsibility. In addition, since Leah was compelled to acquire her own "daily sustenance," it is clear that she could not afford a wet nurse to care for them in her absence.²⁴ Thus, when Leah traveled from town to town in order to find some form of income for her family, she did so "with her children on her shoulder."²⁵ Like the topic of her mobility, the fact that Leah traveled with her children appears not to have been an important aspect of the case. Instead, this aspect is used perhaps only to emphasize her deplorable condition.

Off to the High Festival

Female mobility is also portrayed within R. Moses ben Jacob of Coucy's *Sefer Mizwoth Gadol*, a codification of Biblical Law which discusses a list of 365 negative and 248 positive commandments according to the Talmud and rabbinic authority. Written in the mid-thirteenth century, this text describes the situation of one woman who was preparing to travel to another

²¹ Ibid., p. 160.

²² Grossman, *Pious and Rebellious*, p. 131. For more information on childcare in medieval Europe, see David Herlihy, *Women, Family and Society in Medieval Europe: Collected Essays 1978-1991* (Providence: Berghahn Books, 1995).

²³ Agus, *Rabbi Meir of Rothenburg*, p. 610.

²⁴ Ibid.

²⁵ Ibid.

town to attend the “High Festivals.”²⁶ Before setting off on her journey, she left the keys to her house with a non-Jewish neighbor. This incident gave rise to a debate over whether her wine was still fit for Jewish consumption. R. Moses decided that it was not suitable since there was a possibility that the gentile had come in contact with the wine in the Jew’s absence.²⁷

By the twelfth century, a yearly circuit of fairs and festivals had been established within France and Germany.²⁸ While it does not state exactly the Jewish woman’s destination, it is clear that by this time annual fairs had been instituted in most of the major cities in France including Champagne, Rheims, Paris, Orleans, Provins, Troyes, and Arles, forming a cycle of festival locations that lasted approximately six weeks beginning in spring and ending in late autumn.²⁹ These fairs attracted huge numbers of merchants from all over Europe looking for commercial opportunities and bargains, and who brought with them materials from their own regions to exchange for items that they could take home and sell.³⁰ Fairs in France appear to have been imperative for many different types of merchants since it was known that careful bargaining could bring in large profits. In one document, Chrétien de Troyes was noted as stating that “At Bar, at Provins, and at Troyes, you’re bound to make a fortune.”³¹

Even though it does not specifically state in what commercial enterprises the woman participated, it is clear that these festivals were important enough that she is represented as was

It should be noted that the *Sefer Mizwoth Gadol* contains both legal and non-legal, moralistic teaching. The case described above belongs to the latter category. While it may describe a realistic situation according to R. Moses ben Jacob of Coucy, this case indicates what a member of the Jewish community should not do, not what they actually did in their daily lives.²⁶ Rabinowitz, *The Social Life of the Jews of Northern France*, p. 133. Translated from Moses of Coucy, *Sefer Mizwoth Gadol (The Great Book of Precepts)*, Vol. 1, (Kapost: 1807).

²⁷ Rabinowitz, *The Social Life of the Jews of Northern France*, p. 133.

²⁸ R.D. Face, “Techniques of Business in Trade between the Fairs of Champagne and the South of Europe in the Twelfth and Thirteenth Centuries,” *The Economic History Review*, New Series, 10 (1958): 428.

²⁹ Taitz, *The Jews of Medieval France*, p. 129.

³⁰ Agus, *The Heroic Age*, p. 104.

³¹ Marjorie Rowling, *Everyday Life of Medieval Travellers* (London: B.T. Batsford LTD, 1971), p. 37.

willingly leaving the keys to her house with a non-Jewish neighbor. In addition to her house, the gentile woman was also given responsibility over the Jewish woman's possessions, including her wine. As discussed above, Talmudic law prohibits Jews from drinking wine that had even had the possibility of being touched by non-Jews.³² While this ban enabled some to profit from producing wine fit for Jewish consumption, it also generated resentment from Christians who were aware of the law.³³ This resulted in texts documenting instances where Christians purposely touched, spilled, or threw items into wine belonging to Jews in order to cause the owner a loss or to instigate an emotional response.³⁴

While alterations in Talmudic law and historical debates between Jews and Christians have been scrutinized and widely discussed, their meaning and significance is particularly important to the Jewish community during the thirteenth century. Jeffrey Woolf has argued in his analysis of the *Sefer Mizwoth Gadol* that many of the Jewish texts produced during this time were written in response to the accusations articulated by the Church and its followers against Jewish thought.³⁵ Written after the 1240 disputation in Paris, R. Moses introduces the *Sefer Mizwoth Gadol*, by presenting a meticulous defense on the authority and authenticity of the Oral Law. R. Moses, like other rabbinic leaders of his generation, exhibited a certain anxiety within his texts concerning future scholarship and condition of the wider Jewish community. In reaction to this shared anxiety, many of the Tosafists began to write down and ratify Talmudic law in order to produce solid commentary to provide straight forward answers that could stand up to

³² Steinberg, *Jews and Judaism in the Middle Ages*, pp. 139-140.

³³ Agus, *The Heroic Age*, pp. 356-357.

³⁴ Rav Dovid Castle, *Rashi and the Tosafists*, Vol. 1 of *Living with the Sages* (Jerusalem: Feldheim Publishers Ltd., 1996), p. 82. Katz argues that even though this created great hardship for the Jews, rabbinic authority believed this law to be necessary due to the potential connection of wine and social integration with Christians. Katz, *Exclusiveness and Tolerance*, pp. 39-42.

³⁵ Jeffrey R. Woolf, "Some Polemical Emphasis in the 'Sefer Miswot Gadol' of Rabbi Moses of Coucy," *The Jewish Quarterly Review*, New Series 89 (Jul.-Oct. 1998): 84.

aggressive allegations, and also to unite members of the Jewish community to withstand the hostile atmosphere.³⁶

Therefore, while it appears that R. Moses was only concerned with the conditions of the wine that was left in the care of a gentile neighbor, his anxiety seemed also to touch on other layers of this case including relations between Jews and Christians in their everyday lives. Similar to traditional texts such as the tractate *Avodah Zarah*, the *Sefer Mizwoth Gadol* reflects the reality of contact between contemporary Jewish and gentile communities and seeks to dictate the proper methods of interaction in this type of environment.³⁷ The inclusion of a situation where a Jewish woman left her keys with her Christian neighbor in order to travel to festivals where she was in close contact with large numbers of other Christians indicates a need to define the limits of neutral space between the two groups. This delineation would in turn compel members of the Jewish community to further cleave to one another, making the community better able to withstand attacks from the outside. The case provides two examples of interaction that appear improper. First, she was traveling to what seemed to have been a well-known festival where she was likely come in daily contact with numerous Christians. It was traditionally believed that economic ventures between Christians and Jews, while necessary, could potentially lead to the encouragement of idol worship since merchandise might be used in religious rituals.³⁸

In addition, there was the chance that Christians would give thanks to their “idols” for business

³⁶ Ibid., 90. For more information on the 1240 disputation of Paris, see Jeremy Cohen, *The Friars and the Jews: The Evolution of Medieval Anti-Judaism* (Ithaca: Cornell University Press, 1982); C. Merchavia, *The Church Versus Talmudic and Midrashic Literature: 500-1248* (Jerusalem: Bialik Institution, 1970); Hyam Maccoby, *Judaism on Trial: Jewish-Christian Disputations in the Middle Ages*, Littman Library of Jewish Civilization Series (Rutherford, New Jersey: Fairleigh Dickinson University Press, 1982).

³⁷ Moshe Halbertal, “Coexisting with the Enemy: Jews and Pagans in the Mishnah,” in *Tolerance and Intolerance in Early Judaism and Christianity*, eds. Graham N. Stanton and Guy G. Stroumsa (Cambridge: Cambridge University Press, 1998), p. 159.

³⁸ Gerald J. Blidstein, “The Sale of Animals to Gentiles in Talmudic Law,” *The Jewish Quarterly Review* New Series 61 (Jan. 1971): 189.

deals that occurred between themselves and Jewish merchants.³⁹ Second, by giving responsibility of her house and possessions to her Christian neighbor, she confirmed a high level of trust, if not a friendship, between the two women that may have been perceived as inappropriate. While economic activity might have been necessary, close relationships such as this example had the potential of resulting in a laxity towards observance of religious laws, absorption of Christian traditions, intermarriage between Christians and Jews, or even conversion, all of which were detrimental to the Jewish community.⁴⁰

The Itinerant Healer

Another case of female mobility is depicted within the ethical will of Judah Asheri, who spent his early childhood in Germany in the late twelfth century before moving with his family to France and later to Spain.⁴¹ In this text, Asheri described a particular incident that continued to impact him for the rest of his life. He explained that when he was about three months old, his eyes became “affected.” At the age of three, a Christian woman was called upon to cure his affliction, but instead of alleviating the problem she caused his eyes to further degenerate. Asheri claimed that his blindness increased so much that for about a year he could not even “see the road on which to walk.”⁴² At this point, a Jewish woman, given the title of a “skilled oculist,” arrived in his home town. She treated his eyes for about two months before passing away. Asheri asserted that if she had just lived another month, he might have regained his sight fully; however, without her care he would have lost his eyesight permanently.⁴³

³⁹ Castle, *Rashi and the Tosafists*, pp. 152-153.

⁴⁰ Halbertal, “Coexisting with the Enemy,” p. 164.

⁴¹ Israel Abrahams, ed., *Hebrew Ethical Wills*, Expanded Facsimile ed. (Philadelphia: The Jewish Publication Society, 2006), p. 7.

⁴² Judah Asheri, *The Testament of Judah Asheri*, ed. Israel Abrahams, Part 2 (Philadelphia: The Jewish Publication Society of America, 1926), p. 165.

⁴³ *Ibid.*, pp. 165-166.

As mentioned before, ethical wills were often used by parents to express to their children what they wanted most for and from them and to bestow upon them wisdom acquired over a lifetime.⁴⁴ While various types of ethical wills have been in existence for thousands of years, the first will formatted as an independent document (like Asheri's text) came into existence around the middle of the eleventh century, composed by Eleazar ben Isaac of Worms.⁴⁵ These texts are especially momentous for scholars since they often reveal a great deal about the authors all written in their own words. Judah Asheri's ethical will described his father's accomplishments as a rabbinic leader in Toledo, his attainment of the position after his father's death, the establishment of salaries and financial arrangements for community rabbis, the effects of migration on the Jewish community, and the evolution of Asheri's own personal faith.⁴⁶ While most medieval ethical wills were written for male children and focused on male aspects of daily life, many held direct references to women, their activities, and impact on society.⁴⁷

In the first section of his ethical will, Judah Asheri demonstrated how the women of his childhood, both Jewish and Christian, continued to affect him throughout his life. As discussed previously, even though women mostly healed other women, they also had male patients. In addition, not all women were "midwives." As Monica Green has shown in her study of women's medical practices and health care in Medieval Europe, female healers consisted of physicians, surgeons, barber-surgeons, apothecaries, and empirical healers, along with midwives.⁴⁸ While different terminology was used to designate women according to their specialties, these

⁴⁴ Jack Riemer and Nathaniel Stampfer, *Ethical Wills*, p. xix.

⁴⁵ Abrahams, "Jewish Ethical Wills," 446.

⁴⁶ Abrahams, *Hebrew Ethical Wills*, pp. 10-13.

⁴⁷ *Ibid.*, pp. 1-2.

⁴⁸ Monica Green, "Women's Medical Practice and Health Care in Medieval Europe," *Signs* 14 (Winter 1989): 438-439.

categories tended to be fluid, and in all probability female healers considered themselves to be competent in a number of fields and treated many different types of ailments.⁴⁹ This may have been the case for the Christian woman who originally treated Asheri.

It is curious that his parents hired a Christian woman to treat their son rather than a Jewish healer from their own community. In her study on wet nurses, Elisheva Baumgarten argues that Jews frequently looked to their Christian neighbors for assistance since there were more Jewish women in demand of wet nurses than were available to provide the service.⁵⁰ In Asheri's childhood community, it is likely then that there were no Jewish physicians available who considered themselves knowledgeable enough to treat his eyes, forcing his parents to turn to a local Christian woman. Luckily, a Jewish healer arrived in town a couple years later and successfully began to treat his eyes. It is possible that, like the Christian woman, she believed herself able to treat a large variety of illnesses. With the title of "skilled oculist," however, it is clear that she considered herself a specialist in eye diseases and injuries. This does not appear to have been an anomaly among Jewish women. Walter Schöfeld has shown that between 1387 and 1497 there were at least 15 women practitioners, most of whom were Jewish, within the city of Frankfurt who specialized in eye diseases.⁵¹

Although the Christian and Jewish healers may have been actual figures in Asheri's childhood, this text can also be read allegorically. He made it clear that the Christian woman not only failed in healing his eyes, but made it worse, while the Jewish woman was able to almost

⁴⁹ Ibid., 439. For more information on medieval female healers, see Elisabeth Brooke, *Women Healers: Portraits of Herbalists, Physicians, and Midwives* (Rochester, Vermont: Healing Arts Press, 1995); Baumgarten, *Mothers and Children*; Joseph Shatzmiller, *Jews, Medicine, and Medieval Society* (Berkeley: University of California Press, 1994).

⁵⁰ Baumgarten, *Mothers and Children*, p. 135.

⁵¹ Walter Schöfeld, *Frauen in der abendländischen Heilkunde vom klassischen Altertum bis zum Ausgang des 19. Jahrhunderts* (Stuttgart: Ferdinand Enke, 1947), p. 75.

completely restore his eyesight within two months of her arrival. Figuratively then, the Christian and Jewish women represented their respective communities. Interpreted in this fashion, Asheri used female economic mobility to instruct his son not to depend or perhaps even associate with the Christian community. Asheri believed that by traversing the symbolic boundaries that separates the lives of Jews and Christians, his son risked not only damage to his spiritual and physical health, but also to the Jewish community at large.

The Highly Placed Woman

Representations of female mobility are also evident in the *Mainz Anonymous*, a text written by an unknown author at the beginning of the twelfth century.⁵² One section of the document describes the circumstances of Minna of Worms, who was found hiding outside of the city during the attack on Worms. When she was discovered, the burghers gathered around and pleaded with her to save her own life by converting. The author explains that they did not wish to kill her because of her reputations as a “highly placed woman” with whom all of the distinguished members of the city and all of the “princes of the land” conducted business.⁵³ Faced with what many considered to be the most evil betrayal of the Jewish religion and culture, Minna, like many of her other co-religionist, chose death over conversion stating: “Heaven forfend that I deny the God on high. For him and his holy Torah kill me and do not tarry any longer.”⁵⁴

⁵² The *Mainz Anonymous* documents the late-eleventh century attacks made on the Jewish communities of Worms, Speyer, and Mainz by Christian mobs fomented by the militant spirit of the First Crusade. Robert Chazan, *European Jewry and the First Crusade* (Berkeley: University of California Press, 1987), p. 42. For more information on the *Mainz Anonymous*, see Shlomo Eidelberg, ed. and trans. *The Jews and the Crusaders: The Hebrew Chronicles of the First and Second Crusades* (Madison, Wisconsin: University of Wisconsin Press, 1977).

⁵³ Grossman, *Pious and Rebellious*, p. 117. Translated from Abraham M. Habermann, ed. *Gezerot Ashkenaz ve-Zarfat* (Jerusalem, 1971), p. 97.

⁵⁴ Chazan, *European Jewry and the First Crusade*, p. 122.

When Pope Urban called for a Crusade to do battle with Muslim enemies, he envisioned carefully organized military forces led by ecclesiastical authority. In reality, unorganized groups, emboldened by the excitement and drama of such an event, began to spring up in France and Germany bringing with them their own interpretations of the Crusade.⁵⁵ Adding fuel to the fire, Peter the Hermit, a monk from Amiens, began to preach anti-Jewish convictions and succeeded in forming a large army that he meant to lead into the Holy Land.⁵⁶ While it is not completely clear who attacked the Ashkenazi communities, Chazan suggests that the responsibility lies with Peter's army, which had reached a boiling point by the time it entered Germany in April of 1096.⁵⁷ Hearing about the first attack on the Jewish community of Speyer, the Jews of Worms split up into two groups: those that stayed in their homes and those that retreated to the bishop's palace in hopes of protection. Joined by many of the members of the Christian community in Worms, however, the army is recorded as massacring much of the Jewish population in the town.⁵⁸

While random violence occurred, it seems that the main goal of the army was to convert the Jews of Worms. Chazan points out three methods of conversion that members of the army tended to use: brutal physical coercion; the choice of conversion or death; or by asserting the

⁵⁵ Ibid., p. 52. For more information on these interpretations of the First Crusade, see Jonathan Phillips, ed., *The First Crusades: Origins and Impact* (Manchester: MUP, 1997); Robert Chazan, "Christian and Jewish Perceptions of 1096: A Case Study of Trier," *Jewish History* 13 (Fall, 1999): 9-22.

⁵⁶ Peter's accountability in the origins of the First Crusade has been widely debated for years. Scholars such as Susan Edginton argue that Peter played a primary role in instigating the First Crusade, while historians such as E.O. Blake believe that Peter's role in instigating the First Crusade is much less significant compared to that of Pope Urban. See Susan Edginton, "The First Crusade: Reviewing the Evidence," in *The First Crusade: Origins and Impact*, ed. Jonathan Phillips (Manchester: MUP, 1997): pp. 57-77; E.O. Blake, "A Hermit Goes to War: Peter and the Origins of the First Crusade," *Studies in Church History* 21 (1985): 79-107.

⁵⁷ Chazan, *European Jewry and the First Crusade*, p. 57.

⁵⁸ Ibid., p. 58.

wisdom of converting to Christianity by pointing to the causalities that had already taken place.⁵⁹

Although some Jews chose to convert, many chose the option of death instead. Both men and women are recorded as “stretching forth their necks” before their murderers, drowning themselves in the local river, or offering themselves to one another to kill.⁶⁰

In examining the *Mainz Anonymous*, scholars have discussed the accuracy and purpose of its contents. Both Chazan and David Malkiel argue that the purpose of the text likely influenced what information was included and how it was presented.⁶¹ Like many other Jewish chronicles, the *Mainz Anonymous* was intended to portray the heroism of the survivors and the courage of the Jewish martyrs. These documents were used as consolation for a Jewish audience and to encourage prayers from readers for divine intervention and revenge.⁶²

While it is probable that many of the occurrences described within the *Mainz Anonymous* are either fictional or shaped to fit the function of the text, at the very least the text offers a glimpse into how the author believed the people should respond to outside attacks. This is portrayed in the case of Minna of Worms. Since the Christian attackers chose not to kill her because of her reputation, it is apparent that they recognized her function within their community as a successful business woman who engaged regularly in economic enterprises with the upper class in the lands surrounding the community. In presenting Minna’s situation in this manner, the author indicated a certain anxiety regarding the division between the Jewish and Christian community, which was blurred due to Minna’s mobility. Similar to the case of the woman traveling during the Fast of Esther, the author found her relationship with the Christian

⁵⁹ Ibid., p. 102.

⁶⁰ David Malkiel, “Destruction or Conversion Intention and Reaction,” *Jewish History* 15 (2001): 269; Chazan, *European Jewry and the First Crusade*, pp. 106-113.

⁶¹ Malkiel, “Destruction or Conversion,” 260-261; Chazan, *European Jewry and the First Crusade*, p. 40.

⁶² Ibid., p. 45. See also Malkiel, “Destruction or Conversion,” 260-261.

community and their leaders to be troublesome since they could influence her enough to compel her to convert, threatening the piety and spirituality of the community as they were confronted with this attack.

The author, however, depicted Minna as making the right ethical choice. Rather than giving in to persuasive words, she chose the option of death. Whether Minna is a fictional character or not, this ending demonstrated to the reader that even a woman who had associated with Christians so successfully as to earn the title of “highly placed woman,” remained true to her religion and culture by accepting her fate as a Jew.⁶³ This decision clearly placed Minna within the appropriate confines of the Jewish community and removed any doubt of where her loyalties lay.

Self-Defense for the Sojourner

Lastly, female mobility is depicted in one of the moralizing narratives within the *Sefer Hasidim*. This narrative explained that when a woman was traveling and she learned that a group of gentiles was advancing towards her and if she believed that they might rape her, she was permitted to dress herself in the clothing of a nun so that the group would believe her to be a nun and choose not assault her. On the other hand, if the woman discovered that the approaching group was made up of Jewish men, she was permitted to dress in non-Jewish clothing and assert that she is a Christian. In addition, she should warn the group that if they attack her, she will call for help so that gentiles from the area will come to assist her.⁶⁴

The authors of this text, the Hasidei Ashkenaz (also known as Pietists), tended to follow a strict interpretation of the most traditional norms and biblical laws. They also believed that their

⁶³ Grossman, *Pious and Rebellious*, p. 117.

⁶⁴ Baskin, “Jewish Women in the Middle Ages,” p. 114. Translated from Reuven Margoliot, ed. *Sefer Hasidim* (Bologna Version) (Jerusalem: 1964), par. 702.

uninterrupted line of scholars, esoteric doctrines, and pietistic teachings distinguished them and set them above the other Jewish communities inhabiting Northern Europe.⁶⁵ These stringent customs carried over to their outlook on women, who no matter how pious, were always thought to have the potential to lead men to sin.⁶⁶ Judith Baskin and Ivan Marcus have called attention to the absence of instruction on how women should do penance for their indiscretions and argue that this indicates a mindset that saw women only as objects of desire, not as people also in need of religious assistance.⁶⁷ Consequently, the Pietists appeared overly anxious about even the possibility of unauthorized sexual liaisons and tended to focus on minimizing contact between men and women.⁶⁸ In addition, not only did male Pietists attempt to protect their own sanctity, but they also felt an obligation to protect other non-Pietist Jews and Christians as well. This resulted in the traditional expectation that women should remain confined to the domestic sphere, which they believed would minimize the possibilities of illicit behavior.⁶⁹

This anxiety may have been further exacerbated by the public visibility of women in daily activities such as commerce and female mobility, both of which occurred frequently within the Hasidic culture.⁷⁰ One of the most famous examples of a Hasidic businesswoman is found in

⁶⁵ Stow, *Alienated Minority*, pp. 121-123. For more information on the Hasidei Ashkenaz and their beliefs, see Peter Schäfer, "The Ideal of Piety of the Ashkenazi Hasidim and Its Roots in Jewish Tradition," *Jewish History* 4 (Sept 1990): 9-23; Haym Soloveitchik, "Three Themes in the Sefer Hasidim," *AJS Review* 1 (1976): 311-357.

⁶⁶ Baskin, "From Separation to Displacement," 4; Ivan Marcus, *Piety and Society: The Jewish Pietists of Medieval Germany* (Leiden: 1981), p. 15.

⁶⁷ Baskin, "From Separation to Displacement," 4; Ivan Marcus, *Piety and Society*, p. 15.

⁶⁸ Baskin, "From Separation to Displacement," 6.

⁶⁹ *Ibid.*, 4.

⁷⁰ For more information on female roles in Hasidic culture, see Baskin, "From Separation to Displacement"; Judith Baskin, "Rereading the Sources: New Visions of Women in Medieval Ashkenaz," eds. L. Ehrlich, S. Bolozy, R. Rothstein, M. Schwartz, J. Berkovitz, J. Young in *Textures and Meaning: Thirty Years of Judaic Studies at the University of Massachusetts Amherst* (2004), <http://www.umass.edu/judaic/anniversaryvolume/articles/21-D4-Baskin.pdf> (accessed February 02, 2010).

the eulogy of Dolce of Worms, a twelfth-century Pietist who maintained her family through various vocations in the community, including money lending.⁷¹

While the instructive fictional narrative described above appears to project a sense of leniency about independent female mobility, a certain level of discomfort can be located just below the surface. The author's anxiety seemed to center on two factors. First, he presented a situation in which a woman was potentially threatened by a group of men, both Christian and Jewish, who appear likely to rape her. Since the woman is depicted as traveling alone this passage reflects a predictable concern with contact between men and women that might produce unauthorized sexual liaisons, whether forced or consensual. There were no disparaging comments about the non-Pietist men and no mention of punishment. Instead, the author only seemed worried about presenting a solution that would conserve the piety of both parties. Second, the fact that the woman needed to rely on repellant clothing or help from a nearby gentile community suggest that she was located a fair distance away from the confines of the Pietist community. Recognizing that this group believed themselves to be ethically superior to other Jewish and Christian communities, it is clear that they perceived the outside world to be morally corrupt and potentially hazardous to any upstanding Pietist who dared to cross into it. It was safer to remain within the confines of their community, where they were less likely to be affected by the debauchery and depravity of non-Pietists.

Like the previous chapters, the cases discussed above were not written in direct response to the economic movement of Jewish women. Instead, the participating figures and the

⁷¹ Judith R. Baskin, "Dolce of Worms: Women Saints in Judaism" in *Women Saints in World Religions*, ed. Arvind Sharma (Albany: State University of New York Press, 2000), p. 47; See also Judith R. Baskin, "Dolce of Worms: The Lives and Deaths of an Exemplary Medieval Jewish Woman and her Daughters," in *Judaism in Practice: From the Middle Ages through the Early Modern Period*, ed. Lawrence Fine (Princeton: Princeton University Press, 2001).

responding rabbinic authority focused on the illustrated women and their actions that happen as a result of this mobility. More specifically, they are concerned about the correct interpretation of Talmudic law and its application in the community, boundaries and proper interaction between Jews and Christians, the healing abilities of Jewish women, the correct response to attacks on Jewish culture and religion, and illicit contact between men and women. Although many of these cases mention mobility only in passing, they reveal a pattern of women traveling for specific economic reasons.

CHAPTER 5 CONCLUSION

Even though traveling continued to be considered a distinctly male activity as a result of deeply engraved religious traditions, these representations enabled authorities to convey certain ideas, norms, lessons, and experiences to and about the Jewish communities of Northern France and Europe. These underlying messages were often meant to protect the Jewish people, both men and women, from potential dangers, prevent Jews from succumbing to pressures from the outside world, and most importantly, reinforce the Jewish identity and commonality within the community. Representations utilized by authors illustrated women that ranged from the young, Leah the widow, to the old, Judah Asheri's oculist; from the poor, Joya, to the affluent, Minna of Worms; and from the female moneylender, who traveled on the Fast of Esther; to the physician, Sarre; the viticulturist, Rachel; and the female merchant, who traveled to the High Festival. Looking at these images together, this range of different faces, professions, and travels enabled readers to find themselves in these women and better connect to the message conveyed by the author.

While scholars have often neglected these sources due to their limited information on the lives of actual women, by revisiting them and asking different questions, clues about the roles and experiences of women, along with messages regarding the circumstances of the Jewish community and the outlooks of their leaders come to light. This new information allows historians to take a figural step forward in their documentation that will not only contribute to a more inclusive Jewish history, but to a wider medieval European history as well.

APPENDIX RESPNSUM OF RASHI

Q. R(achel) sued her brother-in-law B, the brother of her husband A. She produced a document signed by L, A's mother, and J, his father, wherein was written that the latter two gave to R and A, upon their marriage, the tithe collectible from a certain village, which tithe had been pledged with L and J for a loan of seven *roth*. L and J, this empowered R and A to collect the produce of that tithe, and the principle of the loan in the even the original owner of the tithe should come to repay the loan and redeem his pledge. They also gave to R and A their large vineyard which was located in town. In that document was written that the gifts were made to R and A. The latter, however, went overseas, was taken captive, and no one knew whether he was dead or alive. His brother B collected the above-mentioned tithe for many years, and eventually even received the principal on that loan. R is, therefore demanding that B repay her the produce he collected for so many years, and the principal.

B averred that he was forced to take over the tithe and the vineyard for the following reasons: R and his brother borrowed (sic!) pledges of the overlord of the town, and pledged them with a non-Jew, G, for a loan of sixteen *roth*. Subsequently the overlord demanded the return of his pledges, and since A was not able to produce them, the overlord imprisoned him. A, therefore, asked the overlord to grant him a moratorium for a certain period of time. If at the end of that time A still failed to return the overlord's pledges, the tithe of the above-mentioned village, and A's vineyard, would be forfeited to the overlord. A was released but failed to return the pledges. The overlord, therefore, took over the tithe and the vineyard. At that time L was still alive and she asked the overlord to return the tithe of the village to her so that she might hold it on a sharing-of-crop basis- on the same basis as all croppers hold the land they receive from the

lords. He did so, and B's mother held on to that arrangement for many years. When she died, however, the overlord repossessed that tithe. B then asked the overlord to give him the tithe on the same basis as it was held by his mother. The overlord refused B's request, since he wanted to hold it himself for a year in order to discover its actual yield. At the end of that year B approached him again with his request and the overlord gave the tithe to him on a sharing-of-crop basis. B thus (served him for it) [incurred on it] many expenses. Subsequently B heard that G approached the overlord and offered to give him the above-mentioned pledges in return for A's vineyard and the tithe. B was greatly disturbed at the prospect that the patrimony of his forefathers would thus become forfeited to a non-Jew. Since R was out of town at the time, B went to her place and asked her, in the presence of the members of her community, to give him permission to buy [back the vineyard and the tithe]. R, complied with his wishes. B returned home, transferred to G a certain estate that was pledged with him (with B) for a loan of fifteen *rotl*, received from G the pledges of the overlord and returned them to the latter. Whereupon the overlord gave B the above-mentioned tithe in full ownership, returned the principal to him, [and gave him back A's vineyard]. Several years later the original owner of the tithe came to B, gave him seven pounds (sic!), and thus redeemed his tithe.

R declared that she was ready to take any solemn oath or imprecation to the effect that neither she nor her husband had ever pledged the above-mentioned tithe with the overlord as security for his pledges and that the overlord never took over the tithe of that village and never collected its produce. She admitted that she pledged the vineyard with the overlord for a certain period of time, promising to return his pledges to him by the end of that period of time; that she sold wine and gave the overlord nine *rotl* in order that he give that money to G; but that before she had a chance to raise the rest of the money the overlord seized her vineyard by violence. She

thus owed the overlord the difference only between the amount she owed G, and the nine *rotl* she paid the overlord. She was willing to pay B that difference, but demanded that he return to her the vineyard and pay her the estimated value of the fruit of that vineyard that he gathered during all the years that he held it. She also demanded the tithe of the village, all the produce that B gathered through the years and the principal that was paid to him. She stated: “When my husband left town, your mother, my mother-in-law, was a powerful person in town. She was well acquainted with the lords. She took away from me by violence the fruit of the above-mentioned tithe; and due to my difficult position I was forced to leave town. I protested her action for many years but was not granted a hearing. After her death you took possession of it. I then protested your action. You would compromise with me and would give me from the produce [of the village] some three or four measures [of grain] a year. But after (I) [you] received the principal you took possession of it and gave me nothing.”

B said: “I did not give you that grain because of any compromise- for I ate the produce legally, as a well recognized right. Since, however, you were my brother’s wife, you appealed to me on two grounds: 1. I should have pity on a deserted wife; 2. I should grant you benefit from the above-mentioned tithe, since [the fact that you had lost it] was more painful now that it was in my possession, than when it was in the possession of the non-Jew. I had pity on you and granted you some benefits.” B further claimed that since it was not known whether A was alive or not, he, B, was not answerable to R.

Moreover, we (the questioners) are puzzled in case B is ordered by the court to repay some money, what to do with such money. For A’s children from a former wife lay claim to A’s possessions.

A. B is indeed answerable to R for two reasons. First, since the above-mentioned document-of-gift was written in the names of both R and A, one half of the tithe and the vineyard was this given to R and the other half to A. R has, therefore, the right to sue B for her half of these properties. Secondly, she has the right to sue B for the other half of these properties as well, since she is entitled to derive her sustenance from her husband's possessions.

As to B's claim that he bought the tithe of the village, that claim does not pertain to real property. For B had no right to the land itself, he allegedly brought that part of the produce that the Christians donate to their deity- i.e. the one tenth of their produce that they donate to their church. The recipient of that tithe has no right in the land itself, merely in its produce. Since B's claim does not pertain to real property, but rather to personal property, the law of usucapion is not a factor in this case. Thus R produces a document which clearly establishes her right to that personal property, while B merely claims that R and A sold that property and that he bought it afterwards. B, however, cannot produce any evidence at all as to the truth of his claim. He must therefore return to R the principal he received [from the original owner of the tithe]. [He may], if he wants to, pronounce a general ban against any daughter of Israel who sold that loan to a non-Jew; [or to B-for] whatever he was giving her every year; [or perhaps], since he was making the strenuous efforts to collect and gather [the tithe] from the non-Jews, she (that daughter of Israel) agreed to let him have the rest [of the produce the thus collected- and does not admit it].

The question regarding the vineyard, you did not present clearly enough. If R admitted in court that she and her husband had agreed to its being forfeited to the overlord in case they failed to return his pledges by a certain date- since they failed to return the pledges, the vineyard did indeed become the property of the overlord, and he had a right to sell it to B. The fact that the nine pounds (sic!) she allegedly gave to the overlord, were thus lost, was the result of her own

actions. If, however, R claims that she and her husband simply pledged the vineyard with the overlord as security for the latter's pledges and that she repaid most of the debt; while B claims that the vineyard was given over to the overlord on condition that it become forfeited to him by a certain date- the decision depends on the details of B's claims. If he claims that the condition of forfeiture was made in his presence and, furthermore, if he claims to have undisturbed possession of the vineyard for three years, while R can produce no witnesses before whom she protested B's possession of her vineyard- the fact that B has had undisturbed possession is sufficient evidence of the truth of his claims. If, however, B did not claim that the condition of forfeiture was made in his presence, his undisturbed possession is of no avail to him; for the law of usucapion does not apply to a person who buys real property from a non-Jew. Therefore, if R could produce witnesses before whom she protested against B's occupancy of the vineyard, or if B did not claim that the condition of forfeiture was made in his presence- R must take an oath to the effect that the vineyard was simply pledged with the overlord as security for his pledges, and that she repaid him a certain amount, and then she would be entitled to take back the vineyard upon her payment to B of the money she still owed to the overlord. The Talmudic ruling to the effect that in Babylonia a person is not obligated to restore to the original owner land that he bought from a non-Jew who had seized it illegally from that original owner-does not apply to us. For in Babylonia the aggrieved party has recourse to the well established courts, the judges of which courts are honest and truthful. Ours, however, are robbers thieves, and anyone who brings his complaints before them is not granted a hearing- especially when the other party to the suit is an overlord, over whom, no one exercises authority. B is not obligated to return to R the produce he has gathered, for years, from the vineyard. For he bought from the creditor all the rights the latter had in the property pledged to him and thereby the right to gather its fruit. As to B's claim that

before buying the vineyard from the overlord he consulted with R and received her permission to buy it- if she admits to having granted him such permission, the vineyard belongs to B. If, however, she does ever having given such permission to B, the vineyard must be returned to her and B cannot insist that she take an oath in support of her denial.

As to the claim of A's children by a former marriage to the money to be collected from B- the law requires that half of whatever will be collected from the latter should be given to R. The other half should be deposited with a trustee who will pay for her sustenance- on a level she was accustomed to- for the rest of her life, or as long as the money lasts. Her burial expenses must also be paid from the money handed over to the trustee. If any of that money still remains, and in the event the case again comes before us, we shall then consider what to do with that money.⁷²

⁷² Agus, *Urban Civilization*, pp. 407-412.

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BIOGRAPHICAL SKETCH

Alana Lord graduated with a bachelor's degree in history from Elon University in the spring of 2008. She entered the master's program in history at the University of Florida in the fall of 2008. Under the direction of Dr. Nina Caputo, Alana was able to develop her interest in women's history in medieval Europe. An exploration of this interest, led her to focus on women's roles and representations in the medieval Jewish community of Northern France and Germany. Currently she is continuing her examination of representations of Jewish women traveling for economic purposes between the eleventh and fourteenth centuries. Future chapters will examine medieval Christian representations of female economic mobility and how these compare to those that developed within the medieval Jewish community during the same period. It is also her desire to include an investigation of Jewish-Christian relations between medieval women. After graduating with a master's degree in history in May of 2010, Alana will continue her historical investigations in the doctoral program in history at the University of Florida. She hopes to continue to examine sources about medieval women and ask different research questions in order to shed new light about these women's lives and experiences.