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**Venice's Colonial Jews:
Community, Identity, and Justice in Late Medieval Venetian Crete**

A dissertation presented by

Rena Nechama Lauer

to

The Department of History

in partial fulfillment of the requirements

for the degree of

Doctor of Philosophy

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Abstract

This dissertation offers a social history of the Jews of Candia, Venetian Crete's capital, by investigating how these Jews related to their colonial sovereign, their Latin and Greek Christian neighbors, and their diverse co-religionists in the fourteenth and fifteenth centuries. Latin ducal court records, Hebrew communal ordinances, and notarial materials reveal the unique circumstances of Venetian colonial rule on Crete, including the formalized social hierarchy dividing Latin and Greek Christians, ready access to the Venetian justice system, and Venetian accommodation of pre-colonial legal precedents. Together, these elements enabled and encouraged Jews—individuals and community alike—to invest deeply in the institutions of colonial society. Their investment fostered sustained, meaningful interactions with the Latin and Greek populations. It even shaped the ways in which Jews engaged with one another, particularly as they brought their quotidian and intracommunal disputes before Venice's secular judiciaries. Though contemporary religious authorities frowned upon litigating against co-religionists in secular courts, people from across the spectrum of Candiote Jewry, from community leaders to unhappily married women, sought Venetian judicial intervention at times.

Beyond a history of one Jewish community's encounter with the institutions of empire, this study opens a window into a medieval Jewish society unconstrained by lachrymose discourse. The result is an unexpected image of medieval Jews as individuals who made religious and personal choices, in contrast to the still-dominant representation of the tradition-bound, community-minded premodern Jew. At the same time, this project stresses that the study of Jews gains new depth and power when it is elevated from the isolation of ethnic studies and woven into mainstream historical

analysis. It situates Jewish interaction with the Venetian Empire within a broader discussion of conceptions of premodern colonialism, community and individuality, and minority heterogeneity. Finally, it argues that because of the central place held by law in both the maintenance and malleability of imperial structures, an exploration of the relationship between Jews and colonial judiciaries offers insight essential to building a broad understanding of relations between minorities and their host empires.

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A Note on Usage

Names and Orthography:

Orthographic flexibility (or inconsistency, we might say) rules the Latin records used in this study. Even within one document, a single person's name may be identified using different spellings, for example: Kali, Cali, Calli, and Kalli. In addition, some of these individuals also have Hebrew names apparent in the Jewish sources. These names are usually related to, but different than, their Latinate names, and must also be rendered consistently for this study. In recording names in the text, therefore, I have standardized the spelling either by using the common English spelling or by choosing a single orthography which reflects the most common usage, i.e. Cali. Though I have rendered Judah and Joseph following standard English usage, I have retained the local spelling of Isaac as "Isach." The Hellenized-Latinate version of Elijah utilized so commonly in these sources has many spellings: Liachus, Ligiachus, Lingiachus, Lighiachus, etc. I have chosen the Italianate Liacho which I believe reflects how the name might have been pronounced. While some men named Elijah in Hebrew were called Liacho in the vernacular, many others were called Elia. This distinction remains consistent in the ducal records, and I have retained it according to that information.

When Hebrew is transliterated, the ה has been rendered h (as in *hashvan*) and the כ has been rendered kh (as in *halakhah*).

Dating:

Venice began its year on 1 March. The Jewish calendar follows a modified lunar calendar with a New Year beginning in the Fall at the start of the month of Tishrei. For ease of understanding, I have changed all Venetian and Jewish dates to the familiar Julian calendar (solar, Christian,

beginning the year with 1 January) unless otherwise specified. Thus, for example, a ducal record marked 4 February 1439 will be rendered 4 February 1440 in this study, since the 1439 dating is according to the Venetian calendar which does not begin the New Year until 1 March.

Coinage and Currency:

In Crete during this period, the money of account was the hyperperon (a unit borrowed from the Byzantine coinage system), calculated in terms of the Venetian grosso. One hyperperon (in Venetian, a *perpero*) equaled twelve Venetian grossi. Twelve grossi also equaled about twenty-six soldi.¹ Notarial and ducal records almost always mention prices and fines in Cretan hyperpera, with smaller fractions of hyperpera calculated in grossi. Cretan hyperpera should not be confused with the hyperpera of Constantinople, nor should this money of account be confused with an actual coin. There was no mint in Crete during this period.² *Taqqaṇot Qandiya* mentions ducats (in this period, the gold ducat coin equaled about 2 Cretan hyperpera³) and florins, in addition to grossi, suggesting the range of actual coins used in transactions.⁴ It also mentions *dinarim*, a general currency designation in Hebrew which probably refers to hyperpera.⁵

¹ Frederic C. Lane and Reinhold C. Mueller, *Money and Banking in Medieval and Renaissance Venice*, vol. 1 (Baltimore: John Hopkins University Press, 1985), 296 and 416.

² See Lane and Mueller, *Money and Banking*, 296 n. 28.

³ Lane and Mueller, *Money and Banking*, 297.

⁴ Among other locations in the text, ducats appear in a Hebrew contract recorded within *Taqqaṇot Qandiya* dated from 1530; the penalty for non-compliance is 50 *ducati*. TQ no. 83, p. 100. Elia Capsali mentions that his ancestor Elijah Delmedigo (active in the late fifteenth century) had collected a large amount of money, close to 100 florins (“*prahim*,” literally flowers, a literal translation) for a scheme to build kosher ovens which never came to anything. TQ no. 102, p. 134. Grossi are mentioned in TQ no. 43, p. 35, from 1363, also translated quite literally in Hebrew as “*gdolim*,” i.e. “large ones.”

⁵ For example, the Venetian government fines Joseph Missini (active at the end of the fourteenth century and the first decade of the fifteenth) one hundred *dinarim*. TQ no. 46, p. 40.

Abbreviations and Archival Citations:

TQ = Elias Artom and Umberto Cassuto, *Taqqanot Qandiya u'Zikhronoteha (Statuta Iudaeorum Candiae eorumque Memorabilia)*. Jerusalem: Mekize Nirdamim, 1943.

Material from the Archivio di Stato in Venice (ASV) is rendered according to archive (ASV), series (usually *Notai di Candia* or *Duca di Candia*), *busta* (envelope-box) number, register number (that is to say, folder within the *busta*), and folio number. I then follow with the date of the entry in parentheses. For example: ASV Duca di Candia, b. 26, r. 8, fol. 7v (1 Oct. 1437).

Introduction: Jews and the Jewish Community of Venetian Crete

Soon after Passover in 1363, scandal consumed the leadership of the Jewish community of Candia, the capital of Venetian Crete. A Sicilian Jew who had been living in Candia had put out word that the Jewish women of the island were not a chaste lot. Having slept with Jewish prostitutes in the Jewish quarter, he made generalizations about all the Jewish women of Candia, “and did not differentiate between the respectable and the easy women, between the married and the penetrated women, or between the widows and the prostitutes.”¹ So recorded the community leaders who gathered to compose a Hebrew ordinance or *taqqanah* in an attempt to stop the Sicilian’s slander from affecting the community’s reputation. In expressing their overarching goals, the unnamed community leaders articulated their need to protect the honor of God, the Torah, those who keep God’s commandments, and finally, “the general honor of our praiseworthy community.”² Their strategy was to demand that the Sicilian physically leave town. In expelling him from Candia, they did not care where he went: “he should go from here to wherever the wind carries him,” just as long as he put a good distance between himself and their city.³

Thinking pragmatically about their problem, the Candiote Jewish officials immediately added a provision to the *taqqanah*. If the culprit refused to leave or if he ever reappeared in town, they ordered the head of the community, the *condestabulo*, to turn him over to the Venetian government, “may their glory be raised,” on account of his adulterous activities and his slander

¹ Elias Artom and Umberto Cassuto, *Taqqanot Qandiya u'Zikhronoteha (Statuta Iudaeorum Candiae eorumque Memorabilia)* (Jerusalem: Mekize Nirdamin, 1943), hereafter *TQ*, no. 32, pp. 20-22, quote on p. 21.

² *TQ*, no. 32, pp. 20.

³ *TQ*, no. 32, pp. 21.

against the virgins of Israel. The authors further clarified that the *condestabulo* should do so without fearing that he would be committing a sin by doing so. This last legal datum is quite striking. “Informing”—that is to say, denouncing Jewish misdeeds to a non-Jewish authority—provoked extreme anxiety among rabbinic authorities during Late Antiquity and the Middle Ages, and was squarely forbidden in most cases; the informer would even deserve capital punishment.⁴ In this *taqqanah*, however, the Candiot Jewish leadership not only established that the *condestabulo* could not be considered an informer. They even went so far as to decree that, should the *condestabulo* not turn over the libelous Sicilian to the Venetian government, the leader himself would be publicly shamed before the Jewish community for eschewing his sworn duty. In such a case, the rest of the governing board would have responsibility to turn him in.

The Sicilian’s case is not entirely unique; in a number of other circumstances when the reputation of the community as a whole was on the line, the *taqqanot* of Candia demand that the leadership hand over Jews to the Venetian government for trial and punishment. Should a Jew be found buying and selling stolen goods on the black market, for example, the *condestabulo* must turn over “that man or that woman” to the secular authorities, since his actions undermine confidence in Jewish economic practices.⁵ In this case too, the ordinance threatens the *condestabulo* with public shaming should he not do his duty, whether “out of flattery or relation or love or pursuit of bribes.”

Unique to this case, however, is the fact that we have further evidence of its outcome. Collected among *Taqqanot Qandiya* is a list, ostensibly authored by its sixteenth-century editor, Elia Capsali—community leader, rabbi, and historian—recounting a number of the community’s

⁴ For a classic scholarly view on “informing,” or *mesirah*, still useful despite later studies, see David Kaufman, “Jewish Informers in the Middle Ages,” *Jewish Quarterly Review* o.s. 8 (1896): 217-38.

⁵ *TQ* no. 43, pp. 34-36, quote on p. 35.

condestabuli and their great accomplishments. We learn from this list that a *condestabulo* named Malkiel (Melchiele) Casani “made a *terminazion* [agreement] regarding those who slander the virgin girls of Israel, that they would be punished and flogged around the city and will stay in jail. And it was done, and one Sicilian was punished, and they flogged him and incarcerated him, and this was done with the agreement of most of the distinguished men and masters of Torah in our community.”⁶ Not only was the Sicilian turned over to the authorities, but the *condestabulo* at the time also worked with the Venetian government to come to an official agreement over the bounds of his punishment—an agreement known as a *terminazion*, as our text records, transliterating a legislative term directly from the Venetian dialect into Hebrew letters.

The world depicted in this Hebrew source is not exactly what we might expect from *taqqanot*, a religio-legal genre common to the medieval and early modern periods. *Taqqanot* were rules relevant to the here and now of their production, binding only on the local community which produced them, and aimed at a Jewish readership (or listenership, as many were read aloud in the synagogue as well as recorded for posterity).⁷ Moreover, *taqqanot* are often understood by scholars as texts intended to act as a potent symbol of the semi-autonomy which the community was said to enjoy, a corporate authority granted by a sovereign government for the sake of Jewish self-rule.⁸ *Taqqanot* were indeed rules passed by the community, for the community, illustrating the independence of the community. By putting out a set of *taqqanot*,

⁶ *TQ* no. 46, p. 40.

⁷ For an overview on the genre of *taqqanot*, its historical development, and some examples, see Elliot N. Dorff and Arthur I. Rosett, *A Living Tree: The Roots and Growth of Jewish Law* (Albany: SUNY Press, 1988), 402-20.

⁸ See Menachem Lorberbaum, *Politics and the Limits of Law: Secularizing the Political in Medieval Jewish Thought* (Stanford: Stanford University Press, 2001), 99-100. Lorberbaum notes the romanticism of the vision of autonomy as set forth in *taqqanot*, especially as put forth by Louis Finkelstein in his highly influential work, *Jewish Self-Government in the Middle Ages* (New York: Jewish Theological Seminary of America, 1924).

usually following a synod, the community leaders expressed their own jurisdiction over religious life and practice in their town.

Yet this sense of self-sequester, idealized autonomy, communal unity, and rabbinically informed jurisdiction does not materialize in the texts from Venetian Candia. Though clearly focused on the language of Torah and rabbinic sensibilities, the Candiote community's leadership appears deeply involved with the sovereign government of Crete, not only turning over perceived criminals to be dealt with by secular channels, but working side-by-side to develop punishments. Though they wrote in Hebrew and spoke Greek, they also incorporated Venetian terms for state structures (here *terminazion* and *condestabulo*, but elsewhere also others) into their official Hebrew texts. We even read of Jewish leaders formalizing an internal financial penalty against potential wrong-doers through a Latin state notary.⁹

Taqqanot Qandiya does more than reflect relations between Jews and the State. The statutes also portray a community integrated into the broader town and deeply involved in a wide range of economic exchanges with their non-Jewish neighbors. In the ordinances discussed so far, contact is portrayed most negatively, as interactions on the black market and potentially in the sex trade. But other mentions in the text refer to contact through patronage of artisan crafts and the hiring of apprentices across religious lines. Nor were Jews immune from the moral complexity of Candiote society, as the reference to adultery and prostitution (addressed directly in another *taqqanah*¹⁰) suggests. Beyond the confines of the city walls, the entry of the Sicilian

⁹ *TQ* no. 46, p. 40. Among the list of *condestabuli* and their accomplishments, we read that during the tenure of Judah Havivi, he passed an *ordine* (i.e. an ordinance) regarding proper butchery practices; that its defiance came with a hundred *dinar* penalty was recorded in the *distesa* by a *nodar* named Acide—that is to say, it was spelled out in a binding contract by a Latin notary. Note not only the fact of a Latin notary writing up a secular act to enforce a Jewish communal ordinance, but also the many insertions of transliterated Venetian terms used in the Hebrew (in italics).

¹⁰ *TQ* no. 31, pp. 19-20.

into Candiote Jewish society suggests that the Jews of Candia were not disconnected from the wider Mediterranean Jewish (and non-Jewish) world. Almost by their very nature, *taqqanot* tend to emphasize the values of segregation, piety, and localism. But when read with open eyes and against the grain, these Hebrew sources illustrate that, during the late Middle Ages, the Jews of Candia inhabited a social reality which was linguistically, politically, and institutionally interwoven into the social tapestry of the majority Christian town in which they lived and of the Mediterranean networks in which Crete functioned as a major hub. From the elite leadership running the governing board to its rank-and-file members, the Jews of Candia were deeply involved in the structures of Cretan colonial society and its governmental institutions.

This study presents a history of the Jews who made up the *kehillah kedoshah*—the “Holy Community,” as the religious corporate structure called itself—which inhabited Candia (modern Iraklion), the major port and administrative capital of Venetian Crete, during the late Middle Ages. A community made up of Jews mostly from the Byzantine sphere, but with some of its membership hailing from western Europe and the Levant as well, the story of Candia’s Jews has been infrequently told; as this study demonstrates, however, theirs is a tale of Jewish life quite different than those typically recounted about the Middle Ages. This is not so much because it was unusual, though perhaps in some ways Candia was unique. Rather this particular community is unusually visible in a wide variety of sources across genres, languages, and perspectives.¹¹

¹¹ A number of article-length studies have been undertaken on the Jews of Crete, most notably Joshua Starr, “Jewish Life in Crete under the Rule of Venice,” *Proceedings of the American Academy for Jewish Research* 12 (1942): 59-114, which attempts a synthesis. Starr, however, had access neither to the full Hebrew or ducal sources from Candia. Also important is Zvi Ankori, “Jews and the Jewish Community in the History of Mediaeval Crete,” in *Proceedings of the Second International Congress of Cretological Studies*, vol. 3 (Athens: np, 1968), 312-67. More recently, David Jacoby’s numerous articles on the Jews of Crete have fleshed out elements of the picture, particularly in the realm of economics and their social implications. Among the most important of these studies are: David Jacoby, “Jews and Christians in Venetian Crete: Segregation, Interaction, and Conflict,” in *“Interstizi”: Culture ebraico-cristiane a Venezia e nei suoi domini dal Medioevo all’Età Moderna*, ed. Uwe Israel, et al. (Rome: Edizioni di Storia e Letteratura, 2010), 243-79.; idem, “Quelques aspects de la vie juive en Crète dans la première moitié du XV^e siècle,” in *Actes du Troisième Congrès international d’études crétoises (Rethymnon, 1971)*, vol. 2 (Athens: np,

Though Jewish sources from communities across the medieval world tend to portray their Jews as isolated, self-segregating groups living almost accidentally within a given sovereign society, in reality, medieval communities were quite often engaged in the wider societies they called home. In this study, I contend that the Jews of Venetian Candia wove themselves into the concentric social spheres of the colonial capital and beyond. That is to say, they were deeply involved in the life of the city, both in its capacity as a site of a great deal of formal business, and more casually, as a locus of other sorts of quotidian interaction. Jews regularly interacted with the Latin-rite (Catholic) Venetians and Greek-rite (Orthodox) native Cretans who inhabited the city alongside them. The Jews of Candia were also enmeshed in the Mediterranean and European networks of which Candia constituted a bustling nexus, connecting Alexandria to Germany and points between. In this project I focus primarily on the century between the Black Death (1348) and the Fall of Constantinople (1453), two events that reshaped the contours of the community and which bookend a period of relative peace, though for the sake of comprehensive analysis I occasionally move back in time to the beginning of Venetian rule and forward to the sixteenth century.¹²

Because the Jews of Candia were subjects of the Venetian empire, their lives were also tightly intertwined with the institutions of the colonial society. But the conventional view of

1974), 108-17; idem, "Rofim V'kirurgim Yehudiim Be-kritim Takhat Shilton Venetia" [Jewish Doctors and Surgeons in Crete Under Venetian Rule], in *Culture and Society in Medieval Jewry: Studies Dedicated to the Memory of Haim Hillel Ben-Sasson*, ed. Menachem Ben-Sasson, et al. (Jerusalem: Zalman Shazar Center, 1989), 431-44; idem, "Venice and the Venetian Jews in the Eastern Mediterranean," in *Gli Ebrei e Venezia, secoli XIV-XVIII*, ed. Gaetano Cozzi (Milan: Edizioni Comunità, 1987), 29-58.; and idem, "Venice, the Inquisition and the Jewish Communities of Crete in the Early Fourteenth Century," *Studi veneziani* 12 (1970):127-44. Nevertheless, a thorough analysis of the ducal court records has remained a lacuna, and the present study takes up one angle of this analysis by focusing on Jews in the sources.

¹² To be precise, a period of peace reigned from the end of the St. Tito revolt in 1363-64 onward, though I have decided to begin my investigation a bit earlier so as to track more closely with the dating of the sources I use. On the St. Tito revolt, see Sally McKee, *Uncommon Dominion: Venetian Crete and the Myth of Ethnic Purity* (Philadelphia: University of Pennsylvania Press, 2000), 133-67.

colonial institutions as tools for subjugation and control cannot fully describe the ways in which they functioned in the lives of Venice's colonial subjects. In Crete, Jewish subjects could harness some colonial institutions and maneuver through them for their own benefit and interests. A main theme addresses the ways in which one principal institution, the Venetian judiciary, became a major focal point of Jewish life on a number of levels. First, elite Jews developed relationships with the ducal court which empowered them to advocate for themselves and their community. In addition, Jewish doctors regularly worked for the judiciary as wound evaluators and expert witnesses, enhancing their own social status and earning access to parts of Candiot society that they would not have otherwise been readily able to enter. Perhaps most importantly, regular litigation by Jews against other Jews in these Venetian courts became a primary outlet for the airing of intracommunal and interpersonal disputes. Their knowledge of the colonial judicial system, and the malleability of the system itself, allowed this secular court to become a key venue for Jews—male and female alike—to articulate personal identity and work the system for their own individual benefit.

This study makes two primary claims. The first is that the Jews of Venetian Candia can only be understood when they are situated within a series of social, economic, and cultural networks, including the city of Candia and its urban structures, the colonial (Christian) society in Candia, and Jewish networks across the Mediterranean and northern Europe. The second is that the Venetian colonial judiciary provided Candiot Jews with a venue in which they could play out intra-communal tensions, including often emotionally charged religious disputes, and that these Jews quite regularly consumed Venetian justice for just this purpose.¹³ I assert that these two arguments are inextricably interconnected—that is to say, the internal relations of the

¹³ For the concept of justice as a consumable commodity, see Daniel Lord Smail, *The Consumption of Justice: Emotions, Publicity, and Legal Culture in Marseille, 1264-1423* (Ithaca: Cornell University Press, 2003).

community as negotiated in the colonial courtroom cannot be severed from the networks of which these Jews were a part. As individuals functioning within concentric human spheres, the Jews of Candia chose to act outside the bounds of traditional understandings of Jewish communal organization. That is to say, traditional rabbinic ideals dictated that all intra-Jewish disputes must be addressed within the confines of the Jewish community, in particular at the *beit din*, or Jewish court. But Candiotte Jews often chose to reject this directive, in part because of their relationships with people and governing entities outside the bounds of the local Jewish community. These external relations were not simply pragmatic and temporary. They shaped the nature and the experience of the individual Jews who made up the community. As a result, the decisions made by these Jews affected the nature of the Jewish communal organization at all levels.

Sources of Jewish History on Venetian Crete

The focus on the Venetian judiciary as a central institution in the lives of Crete's Jews stems in significant part from the exceptionally large collection of ducal court records that survived the Ottoman takeover of Crete in 1669.¹⁴ These court records reside today in Venice's Archivio di Stato, collected as part of a series known as *Duca di Candia*. My study relies on both the records of sentences meted out (known as *Sentenze Civili*) and the long-form records of cases (*Memoriali*), which sometimes, but not always, overlap.¹⁵ Jews appear in a considerable number

¹⁴ In the aftermath of the Ottoman conquest of Candia in 1669, Venice negotiated a treaty whereby its chancellery archives could be safely taken back to the metropole, and eventually were included in the state archives, the Archivio di Stato, Venezia, in the Campo dei Frari. On the structure and reorganization of these materials, see Ernst Gerland, *Das Archiv des Herzogs vom Kandia im K. Staatsarchiv zu Venedig* (Strassburg: Karl J. Trubner, 1899); and Maria Francesca Tiepolo, "Note sul riordino degli archivi del Duca e dei notai di Candia nell'Archivio di Stato di Venezia," *Thesaurismata* 10 (1973): 88-100.

¹⁵ For the period in question, the relevant *buste* (envelope-boxes, the primary unit of organization at the ASV) of *Sentenze* are b. 26 (1364-1436) and b. 26 bis (1437-1455). The relevant *buste* of *Memoriali* b. 29 (1318-1364), b. 29

of these records, regularly acting as litigants, defendants, witnesses, and in other capacities, including agents, executors of wills, and medical patients. References to Jews as neighbors, relatives, orphans, or guardians within these records offer even more information about the Jewish community, beyond the specifically legal context. Though the judicial records are an exceptionally rich source, a thorough study of their Jewish-related content has remained a lacuna until now.

The emphasis on the justice system, however, does not stem solely from the wealth of evidence. First, litigation was a far more common activity in this period than it is today, and so many more people were likely to be involved in late medieval court proceedings than in modern cases. Litigation thus offers us a broader cross-section of Candiot Jewish society than we might at first assume. Moreover, the emphasis on litigation also engages with the Venetian state's own ideological concern with "justice" as a primary ideological principle through which it ruled in both colonial and metropolitan settings. What precisely this "Venetian justice" means in a practical sense will be explored below and in chapter four. For now, suffice it to say that the world of litigation, legal recourse, and justice formed an essential building block in the development of the Venetian empire and its political philosophy. By asking how Jews fit into this picture of justice and judicial life, then, this study contributes not only to debates over Jewish life, but about the broader Venetian Mediterranean and about medieval empire as well.

The ducal court records are certainly not the only source available for an investigation of the Jews of Venetian Crete, and in this study I marshal a number of other surviving materials—both other Latin sources which offer information about the Jewish community, and a collection of Hebrew texts written by the community itself. Notarial acts form one of these source bases.

bis (1366-1383), b. 30 (1386-1395), b. 30 bis (1395-1413), b. 30 ter (1415-1425), b. 31 (1428-1440), b. 32 (1443-1490).

The Venetian bureaucratic engine was one of the most prolific record-keepers of the premodern world. Crete's thriving markets seem to have been in a constant buzz, and perhaps because any business deal could end up as a legal battle, residents of Candia eagerly patronized the city's many notaries, men who had the technical skills and legal know-how to compose binding contracts which would hold up in court. Though Greek and Hebrew notaries were active in Candia as well, Venice's official notaries wrote in Latin, and it is almost solely these Latin registers from the capital which survive in the archival series called *Notai di Candia*.¹⁶ Business seems to have been brisk for these men: for the fourteenth century, the registers of forty-seven notaries survive; in the fifteenth century, at least forty-one active notaries worked in Candia.¹⁷ The systematic exploration of the vast number of notarial records from the period under study lays outside the scope of this project, but I have incorporated much notarial data from unedited and edited registers, as well as from references to notarial acts mentioned by other scholars. In addition, I have incorporated material from the town crier's rolls.¹⁸ Even a cursory glance across

¹⁶ No Greek or Hebrew notarial registers from this period survive, though their existence echoes in the Latin materials. A person utilizing a Latin notary did not necessarily patronize that notary exclusively, nor even a notary only in a single language. Two contracts from the Latin notary Francesco Avonale dated to 4 Feb. 1450 illustrate this nicely. The first records the final payment and solution of all debt owed by two Christian brothers to the Jewish moneylender Judah Balbo of Castro Bonifacio. The original loan was recorded in January 1442 by a Greek notary (*tabillionus greci*). Over the course of the next eight years, portions of the repayment were recorded by both Latin and Greek notaries, and here the Latin notary records the final resolution of the loan. See ASV Notai di Candia, b. 2 (not. Francesco Avonale), fol. 3r (4 Feb. 1450). A second act from the same day, on the same folio, records the resolution of another loan that the same brothers took out from the Jew Liacho, son of the late Moyses, of Castro Bonifacio, in 1442, and used a different Greek notary to record the original loan.

¹⁷ These are the registers that have survived war, water, worms, and time. Many of the extant registers cover only a period of their notaries' careers. Other registers, not included in this count, only contain testamentary (last will) registers; for part of the period under study here, these wills have been edited and collected by Sally McKee, *Wills from Late Medieval Venetian Crete, 1312-1420*, 3 vol. (Washington, DC: Dumbarton Oaks, 1998). There were likely more notaries working in the capital city of Candia whose registers are lost; other notaries worked in the other Venetian cities, such as Canea, Rethymno, and Sitia.

¹⁸ Important announcements were made by an official town crier, and the content of those announcements were recorded and are known as *banni*. The surviving *banni* from Crete exist today in two *buste* of the *Duca di Candia* series. For the time period relevant to this project, I have used the first two registers of b. 15, covering 1356-1374, and October 1425 to October 1427. (The next register does not begin until 1469.) The quality of the first folder is strikingly better than the second: the fourteenth-century *banni* are recorded overwhelmingly in a formal, clear hand,

these materials illustrates just how deeply embedded in the economic and social life of the city Candia's Jews had become by the mid-fourteenth century; their mark, put simply, can be found everywhere.

Though invaluable, all of the Latinate sources address the Jews of Candia without allowing us to hear that community's voice. Happily, Hebrew communal ordinances written by members of the community (and which we met at the outset) survive in *Taqqanot Qandiya*, literally "the ordinances of Candia." In this collection, communal ordinances passed by the leadership of the Jewish community in Candia are gathered alongside other types of communal documents, including a few *responsa* (*halakhic* decisions written in response to specific questions), and some historical lists, such as the important accomplishments of some of the *condestabuli*, as discussed above.¹⁹ The collection as it exists now originates from the first half of the sixteenth century, when the historian and rabbi Elia Capsali gathered and copied them in the format that we have today. To be sure, *Taqqanot Qandiya* does not allow us to hear the voice of all sections of Candiote Jewry; it is the product of a male, elite, and rabbinically oriented subclass of the *kehillah*. Nevertheless, because of the local nature of the ordinances, *responsa*, and other included texts, as well as Capsali's own attention to the historical import of his home community and its concentric spheres (he also wrote histories of both the Venetian Empire and the Ottoman Empire), *Taqqanot Qandiya* does provide fascinating insight not only into the religio-legal life of the community, but also its quotidian working, its institutions, its tensions, and its relationship with Candia's non-Jewish majority.

ostensibly with an attention to posterity. The fifteenth-century hand, in contrast, is garbled in places, tiny in others, and generally far more similar to the quick notarial hand which obtains throughout this period.

¹⁹ *TQ*, no. 46, pp. 39-42.

An undated manuscript copy of Capsali's compilation discovered among the collection of David Salomon Sassoon, the famed Anglo-Iraqi collector of Jewish and Samaritan books, remains the only manuscript of *Taqqanot Qandiya* in existence. It now resides in Jerusalem as part of the manuscript collection at the National Library of Israel on the campus of the Hebrew University.²⁰ Its early pages are unfortunately in illegible condition, and an early attempt at conservation with what looks like contact paper has obscured rather than clarified some other pages. An edition from the mid-twentieth century, however, preserves material no longer visible in the manuscript. Umberto Cassuto and Elias Artom, scholars of Italian Jewry and classical Jewish texts, worked from this codex in the first half of the twentieth century to create an edition with critical apparatus in Hebrew, and this published version remains the only such edition.²¹ The editors intended their edition, published in 1943, to be the first volume of a two-part study of the Jews of Candia based on these ordinances, but exigencies of war and finances precluded the completion of this project.²²

As a self-consciously prescriptive source, *Taqqanot Qandiya* alone would offer a skewed view of the Jews of Candia, emphasizing piety, community, and religious concerns (even when honored in the breach). Rabbinic texts have been the major sources marshaled by scholars engaging in all sorts of history of the Jews—not only intellectual history (where the high culture understandings of the rabbi are perhaps most understandable) but even social history. When doing social history using rabbinic voices, however, we cannot help but trip over the

²⁰ MS. Heb 28°7203. For the Sassoon collection, see David Solomon Sassoon, ed. *Ohel Dawid: Descriptive Catalogue of the Hebrew and Samaritan Manuscripts in the Sassoon Library, London: Vol. I* (London: Oxford University Press, 1932), 349-57.

²¹ No edition in any other language has been published, although a short section of the earliest ordinances was translated in Finkelstein, *Jewish Self-Government*, 265-75.

²² On Artom and Cassuto's plans for the never-to-materialize volume 2, which aimed to give the historical and religio-legal background to *Taqqanot Qandiya*, see the *TQ*, introductory pp. x-xi.

uncomfortably prescriptive nature of them all, from legal codes to *responsa*, from biblical commentaries to Midrash. An alternate approach which looks only at Jewish life through non-Jewish sources, however, also has severe limits, stemming from the wholly outsider's perspective they necessarily offer. These materials, even if devoid of an explicitly anti-Jewish tone, remain inevitably imperfectly informed about the subject of their inquiry, leaving the scholar again with a skewed reading of a different kind. This study of Crete's Jews transcends that obstacle by bringing these different types of sources in conversation with one another, and by analyzing them in tandem. This study utilizes emic (insider) and etic (outsider) sources to offer not only more angles of view, but also a higher resolution—and therefore clearer and more nuanced—image of the community in question, much as anthropologists do when developing their ethnographies of contemporary social groups.²³ At the same time, when considering internally produced sources, this study aims to integrate religious thought (the purview of rabbinic text) and social history in a way that takes both seriously. I contend that only if we recognize that medieval Jews themselves did not differentiate between these two aspects of their

²³ In creating this robust thick description and working to recreate, descriptively and analytically, the world of the participants through their own view point, I intend this study to function not only as a history but also a historical ethnography of Candia's Jews. While this study cannot recover "the minutiae of everyday life at a fairly microscopic level," as Michael Herzfeld describes his ethnographic practice, I do aim to recover more quotidian sets of behaviors than many studies of permodern Jews are able to do. Michael Herzfeld, *Cultural Intimacy: Social Poetic in the Nation-State*, 2nd ed. (New York: Routledge, 2005), x. In choosing the language of historical ethnography, I agree with anthropologists John and Jean Comaroff, that, "To the extent that historiography is concerned with the recovery of meaningful worlds, with the interplay with the collective and the subjective, it cannot but rely on the tools of the ethnographer," albeit as one of the many utensils in the historian's tool-kit. John L. Comaroff and Jean Comaroff, *Ethnography and the Historical Imagination* (Boulder: Westview Press, 1992), xi. For a historical ethnography to medieval communities, see Diane Owen Hughes, "Toward Historical Ethnography: The Notarial Records and Family History in the Middle Ages," *Historical Methods Newsletter* 7 (1974): 61-71. For the basic tenets of modern ethnography, see Clifford Geertz, "Thick Description: Toward an Interpretive Theory of Culture" in idem, *The Interpretation of Cultures* (New York: Basic Books, 1973), 3-20. In using ethnographic language to address modes of encounter, I am also influenced by Michael Dietler's study of ancient colonial societies and what he calls the "historical anthropology of colonialism," which emphasizes "local experience of colonial encounters and subtle transformations of culture, consciousness, and identity." Michael Dietler, *Archeologies of Colonialism: Consumption, Entanglement, and Violence in Ancient Mediterranean France* (Berkeley: University of California Press, 2010), 50.

lives can we hope to develop a complex picture of these Jewish individuals and the communities of which they were a part.²⁴

The resulting details of Jewish daily life, family concerns, economic activities, living conditions, and approaches to religious communal life are far more diverse than the view of the *Taqqanot* alone. In some ways, they produce a typical portrait of medieval communal Jews: elites taking up local Jewish office to help liaise between the community and the sovereign; rabbis concerned with maintaining dietary standards and cleanliness in the Jewish quarter, or *Judaica*; and wealthy and poor alike anxious to make good marriage matches for their children. But in other ways, this consilience of sources also offers a far less typical social landscape: Jewish individuals concerned with their own interests, as well as those of the community—often contradictorily and simultaneously. Some were dedicated to religious practice and community leadership at the same time that they were comfortable going outside the community for resolutions to social and religious problems, for extended economic alliances, and even for intimacy. These Jews felt themselves part of Candiotte society, but did not think that this alienated them from their Jewish community. Some happily watched the public courtroom spectacles in the town center, and some strolled around the harbor—and they did this on Sabbath during the time of prayer services, in the teeth of the customary expectation that Jews should be

²⁴ Since the pioneering work of Marie-Dominique Chenu on Latin church theology, scholars have recognized the inextricable interplay between religious thought (theology, religious law, spirituality) and the material, social, and cultural lives of the societies which engaged with this religious thought, asserting that each side influences the other. While scholars of medieval Jews have intuited the importance of this interplay, the weight tends to remain on the side of the religious text, and analysis of social lives often get mangled in an attempt to fit them into the box defined by the rabbinic perspective. This study carries forward this engagement with the intersection of religious language (rhetoric and ideology), both Jewish and Christian, and social actions undertaken by individuals and groups apparently outside the frame of the theological, taking seriously the notion that each side must shape the other, in a significant and lasting way. For historians' debts to Chenu, see Barbara Rosenwein's "Forward" to Dominique Iogna-Prat, *Order and Exclusion: Cluny and Christendom Face Heresy, Judaism, and Islam (1000-1500)*, trans. Graham Robert Edwards (Ithaca: Cornell University Press, 1998), ix.

in synagogue then.²⁵ It is not that Candia's Jews were the only Jews in Europe doing these things, I contend; rather, the exceptional source base, and the juxtaposing of both secular and Jewish sources, allows us to actually see into the quotidian lives and concerns of the Jews of a medieval community, where we usually find our line of sight obstructed by ideology-infused sources.²⁶

Jewish Life in Christian Society

Focusing on Candia's well-documented Jews, therefore, suggests new ways to think about medieval Jewry across the Mediterranean and beyond, particularly by pointing to the importance of historical contingency in Jewish-Christian relations, and by identifying a complex *convivencia* outside the bounds of Iberia. As scholars have moved beyond the old models of reading medieval Jewish history through a lachrymose lens, one influential approach has been to reinterpret violence enacted against Jews through a multifaceted prism of local social, political, and religious realities—and not as the inevitable product of of prevalent rhetorical tropes.²⁷ But

²⁵ *TQ* no. 18, pp. 9-10.

²⁶ In recent decades, a number of scholars have taken up the approach of placing in conversation Jewish sources and secular sources which deal with Jews with excellent results. For an example which has deeply informed this project, see Elka Klein, *Jews, Christian Society, and Royal Power in Medieval Barcelona* (Ann Arbor: University of Michigan Press, 2006). Another outstanding example is Birgit Klein's work on the Jews of early modern Frankfurt, including her *Wohltat und Hochverrat: Kurfürst Ernst von Köln, Juda bar Chajjim und die Juden im Alten Reich* (Hildesheim: G. Olms, 2003).

²⁷ This view has been forcefully and influentially argued by David Nirenberg in his *Communities of Violence: Persecution of Minorities in the Middle Ages* (Princeton: Princeton University Press, 1996), 11. Though no longer in vogue, especially among those studying the Mediterranean, a Jewish history rendered as a vale of tears remains influential and just under the surface of many studies. The notion of the "vale of tears" originates as the title of an influential sixteenth-century chronicle history, *Emek HaBacha*, or "The Valley of Tears," written 1557/58. This work chronicled traumatic Jewish events, and was intended as a reading on the Ninth of Av, the fast day which memorializes the destruction of the Temple in Jerusalem, essentially a Jewish martyrology. Ironically, it was an epitome of the saddest parts of a longer, general history on French and Ottoman rulers (and their treatment of Jews) quite different than the lachrymose list for which he would be better known to modern audiences. For a critical edition, see Joseph HaKohen, *Sefer Emeq Ha-bakha (The Vale of Tears), with the Chronicle of the Anonymous Corrector*, ed. Karin Almladh (Uppsala: Uppsala University, 1981). To contextualize the work, see Martin Jacobs, "Joseph Ha-Kohen, Paolo Giovio, and Sixteenth-Century Historiography," in *Cultural Intermediaries: Jewish*

explaining the contingency of anti-Jewish violence can only act as one part of this corrective. The other side of this coin remains essential, as well: to recognize that violence was only one mode of interaction between medieval Jews and their Christian neighbors—one which characterized the minority of such interactions in many places across the medieval world. In Crete, as in locations across Christendom, quotidian interactions between Jews and Christians look quite different than the list of traumatic encounters emphasized by lachrymose narratives. This study argues that political alliances, professional reliance, sexual attraction, and even religious curiosity (as in the case of a Latin notary interested in Judaism in chapter three) could lead Jews and Christians—Greek Orthodox and Latin-rite alike—to encounter each other on terms which were not defined by animosity and conflict. It also contends that on a day-to-day basis, Cretan society exhibited a pragmatic acceptance of religious difference between Jews and Christians, as illustrated both by Jewish use of institutions run by Christians, and by the ways in which the Christians who ran those institutions made allowances for Jews which ran counter to their own customary practices—for example, by accommodating Jewish marriage and divorce law in the secular courtroom.

That these Jews interacted with a variety of Christians in a Latin-ruled context is an important element of this narrative. Scholarship on medieval Jews used to accept as true the belief that Jewish life under Christian rule was generally harsh, unkind, and ultimately destined

Intellectuals in Early Modern Italy, ed. David B. Ruderman and Giuseppe Veltri (Philadelphia: University of Pennsylvania Press, 2004), 67-85. Regarding the continuation of lachrymose tropes, even Nirenberg's own recent work on anti-Judaism returns to a number of themes which had been emphasized by scholars associated with lachrymose views; see David Nirenberg, *Anti-Judaism: The Western Tradition* (New York: W.W. Norton & Co., 2013), which contends that a common rhetorical anti-Judaism carried through the western traditions from ancient through modern times, and heavily influenced behavior toward Jews, quite a different view (in emphasis if not in content) than assertions he made in *Communities of Violence*.

for destruction.²⁸ But more recent scholarship has recognized that any universalizing conclusions about “Jewish life under Christian rule” are untenable.²⁹ Christendom was a large, diverse, and ultimately complicated place, and local considerations—whether tense relations between the king and his Christian subjects, or policies of economic pragmatism—often played a more important role in informing attitudes and actions toward (or against) Jews than did any uniform ideological approach. If by the twelfth century, “Christianity had modeled itself into Christendom,” to quote Dominique Iogna-Prat, the unity of Christendom existed far more in the discursive sphere than on the ground in the many states that made up Christendom.³⁰ Indeed, internal Christian tension could directly benefit Jews. For example, conflict between Venice and the pope (particularly over issues of authority and jurisdiction) helped protect Candiotte Jews from papal and papally appointed Dominican Inquisition tribunals which were not allowed to hold sway on the island except in very rare cases.³¹ This is especially noteworthy because the

²⁸ In this historiographic dichotomy, Jewish life under Muslim rule was far easier, more successful, and was marked by a fundamental tolerance of Jews by Islamic rulers and their people. Cohen’s *Under Crescent and Cross* unpacked the assumptions of this methodological approach, illustrating not only that Jewish life under Muslim rule could not be painted with such a rosy shade, but that contemporary concerns had informed much of this analysis of the Middle Ages. Mark Cohen, *Under Crescent and Cross: The Jews in the Middle Ages*, 2nd ed. (Princeton: Princeton University Press, 2008), esp. chapter one, “Myth and Countermyth,” pp. 3-16.

²⁹ See, for example, the medieval and early modern volume of David Biale, ed. *Cultures of the Jews* (New York: Schocken Books, 2006), which is subtitled “Diversities of Diaspora.” See esp. pp. xix-xii. Scholars of Jewish life in the medieval Mediterranean, in particular, have highlighted the differences between the historiography of northern European Jewry and those living in Mediterranean societies; see below for the discussion of *convivencia*.

³⁰ Iogna-Prat, *Order and Exclusion*, 1.

³¹ Jacoby, “Venice, the Inquisition and the Jewish Communities,” 127-144. See chapter 3 of this study for a case in which the Inquisition was allowed to try a Christian accused of heresy and judaizing. Sometimes Venetian aversion to inquisition practices arose for other reasons, and protected other groups: Around 1360, an offshoot of the Franciscans known as the Fraticelli, and deemed heretical by the pope, took root in Crete. But since its adherents included Venetian nobles connected to the government, the secular authorities refused to assist the papal legate-cum-inquisitor. Eventually, “possibly after a sentence of excommunication against the whole island,” the inquisitor succeeded in holding trials against the suspected heretics, burning one, and letting the rest off with light sentences. The Fraticelli represent a broader reality of the Inquisition in the Romania. “The Inquisition’s power was contingent upon the cooperation of the authorities,” and in the Romania, “it seems that the authorities” were not willing to combat perceived heresies because, “in fact the authorities were part of the problem.” Nickiphoros I. Tsougarakis, *The Latin Religious Orders in Medieval Greece, 1204-1500* (Turnhout: Brepols: 2012), 158, 161.

Dominican inquisitors for the entire Romania (as the eastern Mediterranean was known) often resided at the monastery of St. Peter Martyr in Candia, a beloved foundation well-supported and attended to by Venetians and the colonial administration.³²

The sort of regular, low-conflict interaction in a Christian context is often read as part of a phenomenon unique to the Iberian peninsula, the product of its exceptional local cultural complexity in which pragmatic needs and the reality of proximity pressed Jews, Christians, and Muslims to accommodate each other over the course of the medieval centuries in which they all inhabited the peninsula. This *convivencia*, as this ostensibly unique situation of cross-confessional integration is known, began as an idealized narrative of “tolerance,” but has evolved into a more complex understanding of many modes of interaction—both positive and negative. Medieval Iberia had some of the qualities of a frontier society, an environment in which pragmatic demands often overruled ideals, leading both to unusual integration and to real conflict, as conflict and contact are two sides of the same social coin. But other locations across Christendom ought to be observed through a similar filter, and the Venetian territories provide an excellent natural laboratory in which to explore cross-cultural contacts that look a lot like their own sort of *convivencia*.³³ As in Iberia, Candia's reality of three different religio-cultural groups—Greek, Latin, and Jewish—seems to have prevented the sort of focused binary tension (Us vs. Them) which tends to set the stage for violent conflict aimed at Jews. Perhaps the tripartite social reality diffused the force of hatred of the Other by multiplying the targets defined as Other. That is to say, it seems likely that animosity aimed at the Jews in Candia was buffered

³² Tsougarakis, *Latin Religious Orders*, 179-185; for the Inquisitors, see 183-84. Venetians bequeathed large amounts of money to the monastery in their wills, and many requested to be buried there. The property for the monastery was given by the colonial administration to the Dominicans. Chapter one notes that the final closing of the walls around the Judaica came about because of the direct request of St. Peter Martyr.

³³ For an excellent discussion of the historiographical trends regarding *convivencia* as it applies to debates over medieval Iberian Jews, see Klein, *Jews, Christian Society, and Royal Power*, 13-16.

by the reality of ongoing tensions between Greeks and Latins, just as the force of Greek-Latin tensions was cushioned because both Christian parties aimed some of their anger toward the Jews, a theme developed in chapter three.

Individuals and Community

The *convivencia* debate often revolves around the relationship between interaction and acculturation, a question that is important in Crete as well as in Iberia. The reality of meaningful interaction (even positive encounters) between Jews and Christians does not mean that either side thought of itself as losing its essential identifying markers, which are often understood to mean their religious identity. In Crete, regular neutral-to-positive contact seems to have led to only a small handful of Jews converting to Christianity. Those converts whose motivations are visible in the sources seem to have chosen baptism as a way to fulfill personal needs outside the frame of religious belief: one sought to distance herself from a family she hated (see chapter seven); one fell in love with a Christian man.³⁴

But we also ought to question the exclusivity of the religious identity marker.³⁵

Undoubtedly, social reality stratified Jews, Greeks, and Latins on Crete by dint of their religious

³⁴ Though this issue is not addressed at length in this study, I hope to publish my findings on Jewish converts to Christianity in Crete elsewhere. In my research so far, I have found fewer than ten converts to Christianity, predominantly women. Elea Mavristiri, whose story opens chapter seven, seems to have converted out of hatred and spite for her family. Ursula Delebelledona, whose Jewish name is irrecoverable, converted when she fell in love with the Latin Marcus Delebelledona. For Ursula, see ASV Duca di Candia, b. 29, r. 15, fol. 105v (11 July 1368) and fols. 107v-108r (13 July 1368).

³⁵ The trouble with hard and fast religious identity markers exists beyond the confines of medieval religious groups, and many of the same problems remain today in contemporary discussions of colonialism and group identification. As Frederick Cooper has asserted, "Much recent scholarship on identity uses the same words for something that is claimed to be general but soft—that is, everybody seeks an identity, but identity is fluid, constructed and contested—and for something that is specific and hard, that is, the assertion that being "Serbian," "Jewish," or "lesbian" *implies that other differences within the category should be overlooked in order to facilitate group coherence*. This contradictory usage leaves us powerless to explain what scholars most need to understand and explain: why some affinities in some contexts give rise to groups with a hard sense of uniqueness and antagonism to other groups, while in other instances people operate via degrees of affinity and connection, live with shades of grey rather than white and black, and from flexible networks rather than bounded groups." In the case of medieval

identities. Further evidence from Crete, however, troubles the easy assumption that in the “Age of Faith” of the Middle Ages members of religious communities defined themselves so fundamentally as Jews or Christians that all other identity markers were virtually meaningless. Indeed, these sources demonstrate the importance of other axes of identity (to use Daniel Jütte’s phrase).³⁶ Some visible key markers exist outside the frame of religion: language group, professional affiliation, gender, and socio-economic status. Some constitute sub-categories within the frame of religion: identification with Ashkenazi (northern European), Sephardic (Iberian), and Romaniote (Byzantine) ideas and origins. These other markers were important identifiers both for Jews who possessed them and for the Christians and Jews with whom they interacted.

Individual identity also appears poignantly throughout the study. In the colonial courtroom, for example, Candiotte Jews made choices based on a sense of their own ability to decipher religio-legal concepts without consulting “experts,” argued for their rights as Jews and persons, and even prized their own needs over the needs of the community. This reality of individuals shaping their identities, making choices and exerting agency over their own decision-making processes aims to break down another artificial dichotomy which has been constructed for the Jews of medieval Christendom, and indeed, an assumption that has been made for most premodern Jews. To wit: the notion that premodern Jews were tradition-bound, community-oriented, and overwhelmingly conceived of themselves within the framework of their *kehillah kedoshah*, the corporate communal organization which had semi-autonomous powers over those

religious communities, however, we are still in the stage of breaking down the assumptions that all religious identity groups “gave rise to groups” with flexible boundaries and hard and fast antagonism to other groups. Frederick Cooper, *Colonialism in Question: Theory, Knowledge, History* (Berkeley: University of California Press, 2005), 9. (Italics mine)

³⁶ Daniel Jütte, “Interfaith Encounters between Jews and Christians in the Early Modern Period and Beyond: Toward a Framework,” *American Historical Review* 118 (2013): 382.

considered Jews.³⁷ But the evidence for the Jews of Candia suggests a different picture: an evolving relationship with Christian sovereigns and sovereign law provided for individual Jews a space in which they could articulate choices not squarely in line with the platform of the community, even as these people remained tied to the corporate system of the *Kehillah*, and continued to be dedicated to Jewish law and custom.

The individuality of Candia's Jews becomes more meaningful when we look at the broad heterogeneity of the community. On one hand, this complexity stemmed from the community member's ethnic origins. Candiote Jewry was made up of Romaniote (Byzantine) Jews of Greek origin, but also newer immigrants from Iberia, Germany, and elsewhere, whose entrance into the community (especially in the decades following the Black Death and after the 1391 massacres in Iberia) could spark new challenges and new tensions related to Jewish law, social mores, and sense of communal belonging. In chapter two, but also throughout, this study takes seriously the difficulties inherent in a heterogeneously constructed minority community, something often considered only for communities changed by the Spanish Expulsion.³⁸ Moreover, even among those from similar locational backgrounds, competing cultural ideas brought in from across the

³⁷ For this view, see Jacob Katz, *Tradition and Crisis: Jewish Society at the End of the Middle Ages*, trans. Bernard Dov Cooperman (Syracuse: Syracuse University Press, 2000), 3. This is a recent (and second) translation of a text originally published in Hebrew as *Masoret u-Mashber: He-hevrah ha-Yehudit be-motsa 'ei yemei ha-benayim* (Jerusalem: Mosad Bialik, 1958). Also see this view fleshed out in Jacob Katz, *Jewish Emancipation and Self-Emancipation* (Philadelphia: JPS, 1986), esp. p. viii.

³⁸ While the importance of the divide between Ashkenazim and Sephardim has been recognized—in sixteenth and seventeenth century Amsterdam, for example—scholars often read pre-1492 communities as unproblematically uniform. Across the Mediterranean, for the most part, the challenges wrought by internal Jewish heterogeneity are only taken seriously for the post-expulsion world and beyond. On the Dutch case, see Miriam Bodian, *Hebrews of the Portuguese Nation: Conversos and Community in Early Modern Amsterdam* (Bloomington: Indiana University Press, 1997), esp. pp. 125-31. For a case study on Ashkenazi-Sephardi tensions in seventeenth-century Hamburg, see Dean P. Bell, "Jews, Ethnicity, and Identity in Early Modern Hamburg," *TRANSIT* 3 (2007): 1-16. In the eastern Mediterranean, tensions between Sephardic newcomers and Romaniote locals in the Ottoman Empire after the expulsion has elicited significant work. On the tensions between Sephardim and Romaniotes after 1492, and Sephardic cultural imperialism, see Esther Benbassa and Aron Rodrigue, *Sephardi Jewry: A History of the Judeo-Spanish Community, 14th-20th Centuries* (Berkeley: University of California Press, 1999), 11-16. On the problems of "Sephardization," a triumphalist imposition of the Sephardic rite on locals, see Minna Rozen, *The History of the Jewish Community of Istanbul: The Formative Years, 1453-1566* (Leiden: Brill, 2002), esp. 87-92.

Mediterranean and beyond—particularly the impact of Ashkenazi ideas brought by Candiotte Jews who studied in Ashkenazi *yeshivot* in Germany and Italy—could likewise produce palpable disagreements within the community. In addition, the Candiotte community was made up of individuals and families from vastly different socio-economic backgrounds: merchants and tanners, doctors and servants, grocers and masons, cobblers and scribes, teachers and tailors, among many others. These status-based differences also led to intracommunal tension; though poorer individuals are less visible, echoes in *Taqganot Qandiya* hint that they too made choices of which the (generally wealthy) leaders did not approve, from choosing affordable food with questionable *kashrut* to engaging in prostitution, a theme explored in chapter one.

The individualism and heterogeneity of the Jewish community of Candia problematizes the prevalent conception of the medieval Jewish community organization as a unified, semi-autonomous structure which used its limited corporate powers to build a defensive wall between the community and the outside world.³⁹ When evidence suggests otherwise, scholars tend to interpret that reality in quasi-religious terms; as Elka Klein has noted, “Jewish autonomy tends to be studied in the context of halakhic theory and the degree to which practice fell short of it.”⁴⁰ This view often stems from those who, whether intentionally or not, idealize the supposed religio-moral rigidity of the past with an eye to present-day laxity.⁴¹ But this wishful thinking

³⁹ For an important sociological approach delineating how minority groups relate to the majority groups in a given society, see Steve Rytina and David L. Morgan, “The Arithmetic of Social Relations: The Interplay of Category and Network,” *American Journal of Sociology* 88 (1982): 88-113. On the diversity of behaviors exhibited by minority communities, including those who retain intragroup cohesion while allowing for gregarious intergroup behavior, see pp. 101-2. For the role of minority elites as both those who engage “an abundance of contacts” outside the group while simultaneously maintaining tight intragroup relations, a theoretical discussion applicable to medieval Jewish communities, see pp. 105-6 and 109.

⁴⁰ Klein, *Jews, Christian Society, and Royal Power*, 153.

⁴¹ When this “laxity” is evident in premodern contexts, scholars have turned toward a moralizing tack in their writing. For example, Elka Klein notes that Yitzhak Baer’s critique of Jewish elite acculturation in medieval Spain stems from this tendency: “His primary interest was not to praise Spain for its hospitality to other religions but to admonish Spanish Jewish elites for their yielding to the seductions of foreign culture. Implicit in his critique is the

becomes untenable when held up beside the evidence. Beyond internal tensions sparked by Jewish heterogeneity of idea and origin, the boundary between inside and outside was not nearly so neat in Candia's *kehillah*. Not only did regular Jews made the choice to bypass the *kehillah* in making major decisions—a major theme of chapters five and six—but the very leaders of the community involved the sovereign government in communal decisions which were legally within the *kehillah*'s purview according to Venice's own rules. As chapter seven demonstrates, at times the community's leadership even sought the intervention of the colonial government for the most internal of acts, electing its corporate officers and synagogue officials. The Venetian government considered the Jews as a whole a singular *universitas*, but this does not mean the Jews who made up the community read themselves the same way.⁴²

By focusing on the importance of individuals, this study aims to intervene in a scholarly conversation that extends beyond Jews. If we are all intellectual heirs of James Harvey Robinson, E.H. Carr, and their revolutionary rejections of Great Man History, we also ought not throw out the proverbial baby with the bathwater, resigning ourselves to quantitative conclusions and tales in the aggregate.⁴³ For the individual tales of humans living ordinary lives with perhaps

allure of Christian culture that only those with a strong enough Jewish identity could resist." Klein, *Jews, Christian Society, and Royal Power*, 15.

⁴² Daniel Lord Smail has argued that the late medieval and early modern periods witnessed two apparently contradictory, but in fact symbiotic, changes: (1) the state became more interested in dealing with corporate groups (for example, holding kin groups responsible for the misdeeds of an individual), and (2) people asserted their individualism more explicitly and fluidly. Smail suggests the move toward assertion of the self (characterized by allying with groups by choice, not by blood, i.e. factionalism) stemmed from a reaction to the governmental push toward the corporate: "Individualism, here, was the not the handmaiden of the state but, instead, a mode of resistance." Daniel Lord Smail, "Factions and Vengeance in Renaissance Italy: A Review Article," *Comparative Studies in Society and History* 38 (1996): 789. Although the Candiot case does not map squarely onto questions of kin groups and state reactions to violence, it is worth considering the relationship between state-Jewish relations and its implications for individualism, a topic that will be taken up in the conclusion to chapter six.

⁴³ James Harvey Robinson, *New History: Essays Illustrating the Modern Historical Outlook* (New York: Macmillan, 1912). Robinson's ideas were built on and developed in the now far more famous work of E.H. Carr, *What is History?* (New York: Vintage Books, 1961).

extraordinary or at least unexpected moments, the microhistorical approach to history, reminds us that the daily habits of regular humans are the building blocks of the premodern world we are trying to reconstruct. In considering how human individuals lived their lives, this study takes seriously the contention that cultural and social history, too often approached as different subdisciplines with different assumptions, their intersections left unclear, actually do and must intersect if we are to make meaning of the lives of the individuals whom we study. This study intentionally weaves together cultural aspects and those traditionally deemed social historical (questions of social makeup and issues of gender, for example) to fashion a tapestry of a community for whom the social and the cultural played real, regular roles in the lives of their individuals. We see this link in particular in chapter two, with a discussion of the impact of Ashkenazi ideas and Ashkenazi people on the Romaniote community in Candia. It also sets the stage in chapter three, which addresses the interplay of anti-Jewish rhetoric and professional interactions. Cultural and social historical approaches intersect in chapter six's discussion of the ways that women articulated their judicial needs in the courtroom. Their meeting also deeply informs chapter seven, which looks at the intersection of religious leadership and economic reality.

Jews in Court

One of the most exciting and productive new methods for breaking through old approaches to and artificial bifurcations about medieval Jews is by exploring the ways in which Jews utilized sovereign courtrooms as a venue of dispute between Jews. Scholars of Iberia and Provence have noticed that Jews, male and female, chose to air their grievances against their fellow Jews not at the *beit din*, the Jewish court, but before secular, Christian sovereigns, despite rabbinic

prohibitions.⁴⁴ Yet until recently, the implications of this behavior have not been adequately addressed. Elka Klein's work on Catalonia has made an important step in recognizing that the reality of Jews in court, particularly women, ought to change our understanding of the daily functioning of Jewish society; as in other realms of medieval Jewish life, Jewish attitudes toward the court system were clearly not in line with rabbinic exhortations.⁴⁵ Uriel Simonsohn's recent work on Jews and Christians utilizing Islamic courtrooms in the early medieval Middle East and North Africa has demonstrated that this phenomenon extends beyond Christendom.⁴⁶ Building on Simonsohn's assessment of the motivations of Jews who litigated in sovereign judiciaries, chapter five exhibits how these courts—in Crete, as in the Islamic world—offered certain benefits which made it more appealing to bring civil suits before judges of a different religion than to bring similar suits before the Jewish court: enforcement powers, a balance of professionalism and useful subjectivity, arbitral neutrality, and even sometimes cultural familiarity. By looking at the kinds of cases Candiot Jews chose to bring against their co-religionists (from property disputes to marriage fights, from salary disagreements to synagogue crises) and the arguments made by these Jews in the course of their suits (often marshaling Jewish, religious discourse deciphered and reframed for non-Jewish consumption), readers are

⁴⁴ For Iberia, see Yom Tov Assis, “Yehudei Sepharad be-arkhaot ha-goyim (ha-mayot ha-13 ve-ha-14)” [Spanish Jews in Gentile Courts (Thirteenth and Fourteenth Centuries)], in *Tarbut ve-khevera be-toldot yisrael be-yemei ha-beinayim* [Culture and Society in Jewish History in the Middle Ages], ed. Robert Bonfil, et al. (Jerusalem: Zalman Shazar Center, 1989), 390-430. For Provence, see Joseph Shatzmiller, “Halikhatam shel yehudim l’arkhaot shel goyim be-Provanz be-yemei ha-beinayum” [Jews Going to Gentile Courts in Provence in the Middle Ages], in *Divrei ha-kongress ha-olami ha-khamishi l’mada’ei ha-yahadut* [Proceedings of the Fifth World Congress of Jewish Studies], ed. Pinchas Peli and Avigdor Shin’an (Jerusalem: ha-Igud ha-‘olami le-mada’e ha-Yahadut, 1973), 2:375-81.

⁴⁵ On women in court, see Elka Klein, “Public Activities of Catalan Jewish Women.” *Medieval Encounters* 12 (2006): 48-61. For a discussion of how Jewish recourse to secular litigation has been treated too narrowly by modern scholars, see Klein, *Jews, Christian Society, and Royal Power*, 153-54. Despite evidence of this reality, scholars have continued to tow the rabbinic line, assuming that Jews for the most part upheld the prohibition.

⁴⁶ Uriel Simonsohn, *A Common Justice: The Legal Allegiances of Christians and Jews under Early Islam* (Philadelphia: University of Pennsylvania Press, 2011).

able to imagine themselves present in the courtroom, hearing the ways in which individual Jews thought of the intersection of Jewish law and Jewish life, religious and secular interests, and how they crafted their narratives for an outsider audience.

Through the pen of the courtroom notary, these Jews cease to be caricatures of rabbinic discourse (wherein, for example, intentional anonymity often renders Jews mentioned in *responsa* as vague “Reubens” and “Simeons,” the equivalents of John Doe), and become three-dimensional, individuals with competing values and complex social associations.⁴⁷ Nevertheless, although the frame of Jews in court has become a primary way to witness Jews as individuals without the veil of community blocking our view, the image which develops from these sources is not one in which the Jew-qua-individual and the Jew-qua-community-member exist as separate beings. Rather, we see that a major facet of Jewish individual choice related to the ways in which he or she situated him- or herself in the community structure. That is to say, for some Jews, the courtroom could become a place in which they could express their own opinions and views on Jewish law and custom—not outside the frame of Judaism, but with an eye toward their own agency within Judaism. For example, as chapter seven illustrates, the very leaders of the Jewish community saw in the secular courtroom an effective venue for resolving squarely Jewish communal disputes, and did not see their choice as a rejection of their communal responsibilities. In fact, at times, Jewish elites came to the Venetian courtroom to force their co-religionists to uphold the tenets by which their community was supposed to live. Likewise, as chapter six explores, Jewish women trapped inside unhappy marriages did not use the secular court system to undermine Jewish marriage, but to find workarounds which enabled them to stay true to

⁴⁷ A prosopographic index in the appendix collects all of these individual members of the Jewish community during the period of study and enables us to identify 833 individuals whose real lives appear in the pages of the hearty sources from Venetian Candia, many in multiple sources over a number of years.

Jewish law (oftentimes pushing for their own definitions of Jewish law) while also freeing themselves from daily unhappiness and economic dependence.

As this discussion of unhappy wives suggests, a critical benefit of this move to identify individual agency—that is to say, personal choice and the power to enact it—among medieval Jews, and particularly in the ways that individuals used the secular judiciary, resides in what it tells us about Jewish women. Recent scholarship on premodern Jewish women has illustrated that once we step outside the frame of rabbinical texts, women appear in the public sphere engaging in a wide variety of public, professional activities, and not only engaging with other women (a “safer” public to encounter), but also with men unrelated to them, Jewish and Christian alike. Since the scholarly turn to women’s history, those studying medieval Jews have likewise turned to women, a group little represented in the sources, certainly not as authors, but even as subjects.⁴⁸ Yet the *responsa* literature, which has become a favorite mode of studying Jewish women, has often left quite a dichotomous view. As the title and content of Avraham Grossman’s pioneering book on women reminds us, Jewish women have been assigned discrete identities as either pious or rebellious. Medieval *responsa* categorize women according to male, rabbinic concerns, and offer moral judgments on them, based on whether the rabbinic sources approved of their behavior.⁴⁹

The present study rejects the notion that women’s behavior should be read according to medieval male categories and their notions of good and bad femininity (strikingly similar to the

⁴⁸ Much of this new literature on medieval Jewish women centers on family life, but also steps beyond it to attest to Jewish-Christian encounter between women. See Elisheva Baumgarten, *Mothers and Children: Jewish Family Life in Medieval Europe* (Princeton: Princeton University Press, 2004). Also see Shalom Sabar, “Childbirth and Magic: Jewish Folklore and Material Culture,” in *Cultures of the Jews*, vol. 2: *Diversities of Diaspora*, ed. David Biale (New York: Schocken Books, 2006), 369-420.

⁴⁹ Avraham Grossman, *Pious and Rebellious: Jewish Woman in Medieval Europe*, trans. Jonathan Chipman (Hanover, NH: University Press of New England, 2004).

Christian dichotomy of woman as being either Eve-like or Mary-like, without room for a middle path). Rather, this study takes seriously the notion of Jewish women as agents of their own lives, both figuratively—as deciders in their own lives—and literally, as self-representing figures in secular courts, as well as economic figures acting outside the frame of paternal or spousal male power.⁵⁰ The Jewish women of Candia certainly often married according to their parents' wishes and lived lives within the communal confines of the *kehillah*. Within these frames, however, we witness women in professional and public capacities, making decisions for themselves without constant permission of fathers or husbands, and asserting their own understanding of their identities as females and Jews. The secular judiciary, and its common use by Jews, provided for Jewish women in particular (as it did for men, as well) a venue for expressing personal, individual agency.

To be sure, we should not read the history of Jewish-Christian relations there through rose-tinted glasses.⁵¹ Cretan Jewish life during this generally calm century from the Black Death to the Fall of Constantinople was dotted with dark moments, including a massacre of Jews in the fortress town of Castronovo by rebels during the St. Tito Revolt in 1364.⁵² Residential confinement in the *Judaica*, a precursor to the ghetto though never with gates or locks, evolved over the course of the fourteenth and fifteenth centuries. Anti-Jewish rhetoric appears in many

⁵⁰ In this, I build on the concepts developed in Elka Klein, "Public Activities," 48-61.

⁵¹ In an effort to offer a counternarrative to the lachrymose view of Jewish history, some scholars have taken a (perhaps intentionally provocative) approach which seems to forget about the reality of oppression and persecution. This study aims not to forget those real traumas, but to contextualize them, and emphasize the space between the moments of trauma. For one of these positive depictions, see Jonathan Elukin, *Living Together, Living Apart: Rethinking Jewish-Christian Relations in the Middle Ages* (Princeton: Princeton University Press, 2007).

⁵² Starr, "Jewish Life in Crete," 63.

official sources. A claim of Jews crucifying a lamb around Easter time led to the arrest of nine elite Jews, and the death of two, in the early 1450s, a case addressed further in chapter four.⁵³

Yet in the aggregate, the history of Jewish life on Venetian Crete was fundamentally a successful experiment, in comparison with the broad, increasing anti-Judaism that characterized much of western Europe in this period. For Jews from Germany, Iberia, France and elsewhere, Crete was known as a haven, and became a locus of immigration throughout this period. Jews from across western Europe and the Levant trusted that Venetian justice would serve them and their families, and thus they not only moved to Crete but involved themselves in the civil systems (including the judiciary) of the island. Without a doubt, the medieval Christian world mistrusted religious difference, and read religious dissent or difference as heretical, diabolical, and as the target of morally and religiously justifiable violence. As such, the ability of medieval Jews to benefit from a justice system that limited the effects of this ideology of intolerance (if not the ideology itself) is worthy of emphasis.

Venice, Crete, and the World of the Late Medieval Eastern Mediterranean

While this study homes in on the Jewish community of Candia, its implications extend beyond the study of medieval Jews, and contribute to scholarly understandings of the broader world in which these Jews lived—that is to say, the social, political, and cultural spheres of the Venetian eastern Mediterranean in the aftermath of the Fourth Crusade. A tale of Jews in the Venetian empire, I contend, contributes to our understanding of the Venetian project from a fresh perspective. It is to this context that I now turn with some background to the Venetian colonial project on Crete.

⁵³ See below for a discussion of this strange case and its implications.

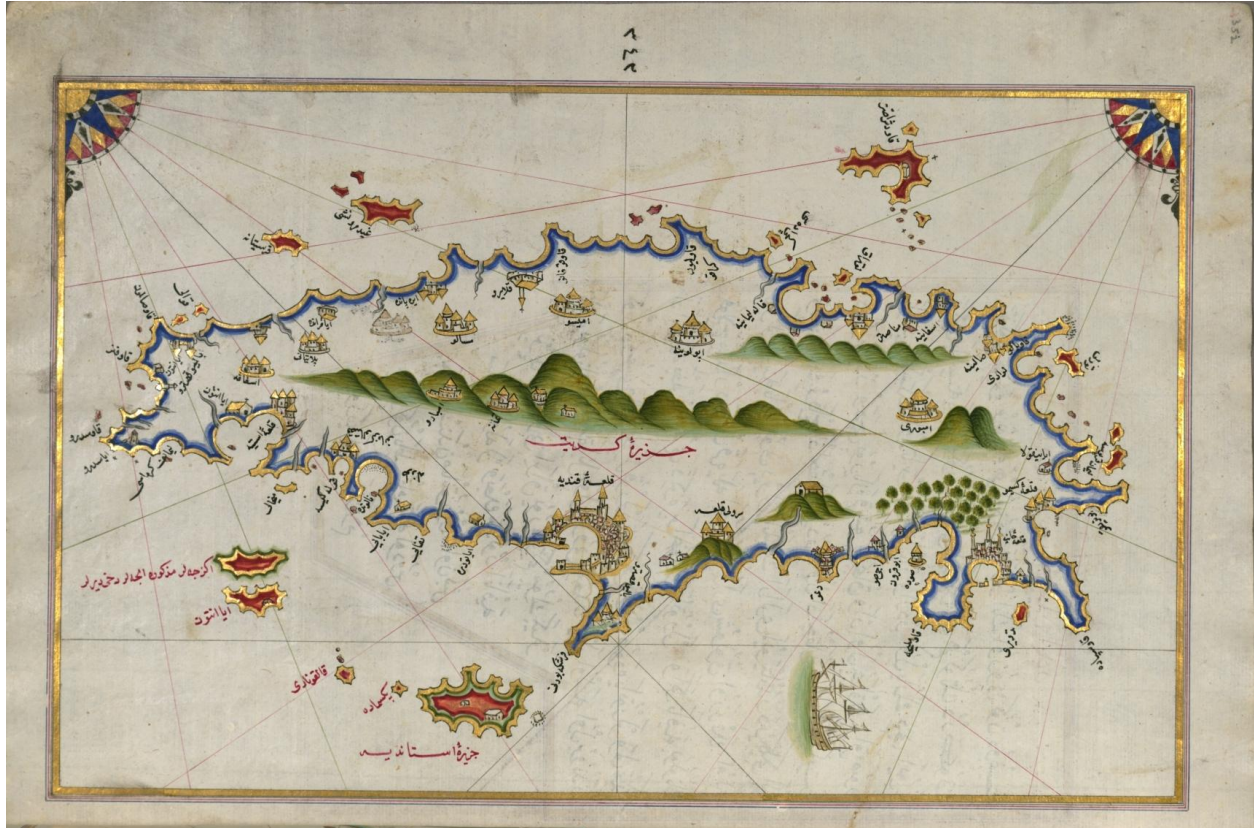


Illustration 1: Map of the island of Crete (oriented with south at the top of the map) from the first edition of Piri Reis, *Kitab-ı Bahriye* (*Book of Navigation*), 1521. Image courtesy of the Walters Art Museum, Baltimore.

The Fourth Crusade fundamentally redrew the political map of the eastern Mediterranean, and marks a substantive rupture in the history of the lands of the Romania. In October 1202, a Latin Crusader army set out by ship from Venice. This mostly French party intended to capture Muslim Alexandria, but through Venetian intervention (the army was deeply in debt to the Venetian state for its ships) first detoured to Christian Zara (modern Zadar, Croatia), reestablishing Venetian rule in that Dalmatian city by military force, and then eventually aiming their weapons at the Byzantine Empire itself. In April 1204, the crusaders sacked Constantinople, overthrew the emperor, and installed a Latin princeling on the throne. In retrospect, the Latin Empire of Constantinople, as this coup's resulting government was known, was an economic and

political disaster for those who ruled it, and in 1261, a Byzantine contingent from Nicaea restored an Orthodox Emperor to the throne. Nevertheless, the implications of the Fourth Crusade were vast. Most important was the infamous *Partitio Romaniae*, the treaty in which the Crusader leaders divided the former Byzantine territory amongst themselves, and subsequent land trades made in its aftermath. While Constantinople would return to Byzantine hands, the new political realities in the Romania (as former Byzantine territory was known) would in many cases remain for centuries.⁵⁴

No state benefited more from, or was changed more by, the Fourth Crusade than Venice. By 1100, Venice had begun to extend its naval power beyond the Adriatic. The goal was commercial expansion, and in the next century, the Republic harnessed the economic potential of the Crusader States for its own goals. Venice secured trading concessions from the Latin rulers of the Levant in return for occasional military assistance, particularly gaining mastery of the Levantine coast in the 1120s.⁵⁵ In the century before the Fourth Crusade, Venetian traders expanded their foothold across the wider eastern Mediterranean, building on inroads constructed before the Crusades. Evidence, including a letter found in the Cairo Genizah, indicates that Venetian merchants were active on Byzantine Crete—buying and transporting Cretan foodstuffs to Constantinople and Alexandria—already by the mid-eleventh century, but around 1126,

⁵⁴ While scholars continue to debate many aspects of the Fourth Crusade, primarily when Byzantium actually became the target, and how much “blame” should be ascribed to Venice in this whole endeavor, scholars do not tend to question the exceptional impact of the Fourth Crusade on the balance of power in the Mediterranean.

⁵⁵ In 1124, during the Siege of Tyre, Venetian forces helped secure crusader control of all Levantine ports north of Ascalon, and ensured their own commercial dominance in these ports. For the story of the growth of the Venetian naval and commercial empire before the Fourth Crusade, see the concise discussion by the father of Venetian maritime history, Frederic C. Lane, *Venice: A Maritime Republic* (Baltimore: Johns Hopkins Press, 1973), 31-36.

Venice obtained free trade privileges on Crete from the Byzantine Emperor John II Komnenos, and thus increased its economic power on the island and along its adjacent shipping lines.⁵⁶

But the Fourth Crusade offered Venice a chance to directly control many of the ports it had long used as purchase points and way-stations in its Levantine trade networks. Venice could cut out the middleman, i.e. other sovereigns' laws, taxes, and diplomatic mores. It is in this commercial light that we can understand the locations Venice acquired through the *Partitio Romaniae* and in subsequent private trades, including Negroponte (modern Evvia), connecting the Aegean Sea to the Greek mainland; the ports of Coron and Modon at the southern tip of the Morea (as the Peloponnese was known); and the Ionian island of Corfu, overlooking the southern entrance to the Adriatic (abandoned and then reconquered in 1401).

Among all these new territories, known collectively as the *Stato da mar*, Crete would quickly come to the fore as the flagship colony.⁵⁷ The island's strategic location, directly between Venetian waters and the Levant, would render it almost as important as Constantinople itself (which Venice chose to influence, but not to rule directly).⁵⁸ In 1264, Doge Ranieri Zeno would write to Pope Urban IV words to the effect that Crete, because of its position, was the linchpin in the Republic's maritime empire. Due to the audience of the letter, and the date (three

⁵⁶ David Jacoby, "Creta e Venezia nel contesto economico del Mediterraneo orientale," in *Venezia e Creta: Atti del convegno internazionale di studi Iraklion-Chanià, 30 settembre-5 ottobre 1997*, ed. Gherardo Ortalli (Venice: Istituto veneto di scienze, lettere ed arti, 1998), 74. Donald M. Nicol, *Byzantium and Venice: A Study in Diplomatic and Cultural Relations* (Cambridge: Cambridge University Press, 1988), 81, 85-86. The earliest record of individual Venetian merchants trading on Crete that Nicols is aware of is dated 1111. For this document, see Raimondo Morozzo della Rocca and Antonino Lombardo, eds. *Documenti del commercio veneziano nei secoli XI-XIII* (Rome: Sede dell'Istituto, 1940), vol. I, pp. 35-36.

⁵⁷ Freddy Thiriet contended that Venice intended only a minimal occupation of Crete, perhaps just focusing on the port cities. Thiriet, *La Romanie vénitienne au Moyen Age: Le développement et l'exploitation du domaine colonial vénitien, XIIIe-XVe siècles* (Paris: E. de Boccard, 1975), 105-6. But as Sally McKee has noted, "Like it or not, secure possession of the ports turned out to depend on securing as much of the island as possible and as soon as possible." McKee, *Uncommon Dominion*, 22.

⁵⁸ Lane, *Venice: A Maritime Republic*, 43.

years after the Byzantine reconquest of Constantinople), Zeno emphasized Crete's potential role in defending Latin interests.⁵⁹ But the island's economic advantages were equally, if not more, fundamental. Crete's strategic location for protection was but one of its tripartite benefits; the other two nodes stemmed from its strategic location for trade, and the island's natural fecundity. The recognition of Crete's central role was not immediate. In the aftermath of the purchase of Crete from the Crusader Boniface of Monferrat, Venice saw the island's obvious economic potential, but had not decided on a method of rule. Genoese pirates (or so Venice construed them) easily took most of the island in 1206. The spirit of rivalry awoke the Venetians, and they quickly dispatched forces to chase their sworn nemeses off the island. When it finally defeated the Genoese in 1211, the Venetian administration set to work bringing over settlers, at first predominantly military settlers. A first wave came in 1211, then others in 1222, 1233, and 1252.⁶⁰

Unlike most other holdings in the *Stato da mar* where feudal barons were allowed to retain control, Venice saw that, to develop Crete into the central hub of sea power it hoped to create, the government in the metropole needed to retain direct control. To be sure, Cretan land was given in exchange for military service; most of the Greek-speaking rural population lived under their feudatories.⁶¹ But feudal power was highly limited by the power of the island's governor, the Duke of Crete, who would become the most important colonial representative in

⁵⁹ Thiriet, *La Romanie vénitienne*, 145. On the fourteenth-century Cretan agrarian economy and trade in Cretan-produced goods, see Mario Gallina, *Una società colonial del trecento: Creta fra Venezia e Bisanzio* (Venice: Deputazione di storia patria per le Venezie, 1989), especially chapters 2 and 3.

⁶⁰ Thiriet, *La Romanie vénitienne*, 95. David Jacoby, "Candia between Venice, Byzantium, and the Levant: The Rise of a Major Emporium to the Mid-Fifteenth Century," in *The Hand of Angelos: An Icon Painter in Venetian Crete*, ed. Maria Vassilaki (Farnham, Surrey: Lund Humphries, 2010), 38.

⁶¹ Angeliki Laiou, "Venetians and Byzantines: Investigations of Forms of Contact in the Fourteenth Century," *Thesaurismata* 22 (1992): 33.

the *Stato da mar*.⁶² The first duke of Crete (r. 1218-1220), Jacopo (Giacomo) Tiepolo, would rise to the position of Doge of Venice (r. 1229-1249) and act as the prime mover behind the Republic's major legal code, known as the *Statuta Venetorum*, a work deeply influenced by his experience as head of this flagship colony, a theme discussed in chapter four. Venice would continue to send its best and brightest to rule its prized possession: Monique O'Connell has calculated that a full 25 percent of the men who served in Crete's top two positions, duke and captain, were also elected to the prestigious and exclusive *Avogaria di Comun*, the primary metropolitan court hearing criminal prosecutions from subject territories.⁶³ Venice and Crete, eighteen days apart by ship in good summer weather, remained in constant contact, and were ruled by many of the same patrician administrators.⁶⁴

In Crete, Venice aimed to replicate itself, a virtual Venice "Beyond-the-Sea."⁶⁵ Crete was to mimic the lagoon in its roles as an "import-export capital" and ship-building mecca.⁶⁶ Likewise, the island was divided into six districts, *sestieri*, in imitation of the very organizational system in the metropole, though the inefficiency of this system when applied to Crete led to

⁶² Lane, *Venice: A Maritime Republic*, 99.

⁶³ Monique O'Connell, *Men of Empire: Power and Negotiation in Venice's Maritime State* (Baltimore: Johns Hopkins Press, 2009), 94. On the *Avogaria*, see p. 84.

⁶⁴ According to Thiriet, the trip from Candia to Venice in the summer during fourteenth century was 18 to 25 days. Thiriet, *La Romanie vénitienne*, 188.

⁶⁵ "Beyond-the-Sea" (*Oltremare*) was a common name for the eastern Mediterranean territories. Originally signifying "what European then called the region in which the Crusaders were founding states in Syria and Palestine," it then become something of a catch-all term for overseas colonies, a Venetian synonym for the region known as the *Stato da mar*. Lane, *Venice: A Maritime Republic*, 32. Also see Benjamin Arbel, "Colonie d'oltremare," in *Storia di Venezia dalle origini alla caduta della Serenissima, vol. V: Il Rinascimento. Società ed economia*, ed. Alberto Tenenti and Ugo Tucci (Rome: Istituto della enciclopedia italiana, 1996), 947-85.

⁶⁶ Elisabeth Crouzet-Pavan, *Venice Triumphant: The Horizons of a Myth*, trans. Lydia G. Cochrane (Baltimore: Johns Hopkins University Press, 2002), xiv.

redistricting by the early fourteenth century.⁶⁷ As the center of the Mediterranean naval empire, Crete alone was outfitted with a ship arsenal—as in the metropole—in which to build armed galleys that could be dispatched across the region without having to begin at the metropole.⁶⁸

Unlike the metropole, however, the fertile land of Crete produced staples for export, including grain, wine, fruit, oil, and products from the island's many sheep. Venice's lack of hinterland in this period made these basic foodstuffs essential not only for reasons of profit but for feeding the people of the metropole and the Republic's army.⁶⁹ But more economically important in the long run, the capital city of Candia was an essential hub for goods produced from far beyond its own mountains and valleys. The port also served as a hub for Venice's active slave trade already from the thirteenth century.⁷⁰ Until the Fourth Crusade, Crete "remained... a secondary commercial base for Venice" (most convoys took the route hugging the Peloponnese toward the Levant), but it would become a key node on the Venetian maritime networks

⁶⁷ Around 1300, the island was divided into four north-south units, each utilizing one of the Crete's main cities (Candia, Rethymno, Canea, and Sitia) as a local capital. Thiriet, *La Romanie vénitienne*, 125; Chryssa Maltezou, "The Historical and Social Context," in *Literature and Society in Renaissance Crete*, ed. David Holton (Cambridge: Cambridge University Press, 1991), 17-47. For a clear explication of the wider governmental structure and apparatus of Venetian Candia, focusing on the fourteenth century, see Johannes Jegerlehner, "Beiträge zur Verwaltungsgeschichte Kandias im XIV. Jahrhunderts," *Byzantinische Zeitschrift* 13 (1904): 435-79. See especially pp. 444-46.

⁶⁸ Jacoby, "Candia between Venice, Byzantium, and the Levant," 45. Also see Jacoby, "Creta e Venezia," 103. First constructed around 1282, then rebuilt after the earthquake of 1303, the arsenal functioned not only as a shipyard but also as a warehouse for defense-related material such as weapons and timber. On the first century of Venetian rule, see the straightforward narrative history by Silvano Borsari, *Il dominio veneziano a Creta nel XIII secolo* (Naples: F. Fiorentino, 1963), which addresses political, economic, social, and religious history. Jews, however, are absent from these discussions.

⁶⁹ Crete's fertile land provided copious cereal grains, something that Venice sorely lacked, especially before it annexed its neighbors into a Venetian *stato di terra* or *terraferma* (Italian mainland holdings) in the fifteenth and sixteenth centuries. Along with wheat and barley, Cretan sheep provided lucrative cheese, skins, and wool. Cheese, in particular, served as a productive export, and Jews served as important middlemen in this trade. Increasing emphasis on viticulture in the fifteenth century made the island the prime exporter of the much beloved fortified wine known to the English as Malmsey, or more technically as Malvasia, vine-stocks of which were first brought to the island around the 1330s. Jacoby, "Candia between Venice, Byzantium, and the Levant," 41.

⁷⁰ For more on Cretan slavery, see Charles Verlinden, "La Crète, débouché et plaque tournante de la traite des esclaves aux XIVE et XVe siècles," in *Studi in onore di Amintore Fanfani*, vol. 3 (Milan: Giuffrè, 1962), 591-669.

important after 1204.⁷¹ Its star would rise even higher after the fall of the Crusader states in 1291, when Candia became the “major stopover and transshipment station for Venetian ships,” and would hold this honor for most of the period under study.⁷²

A New Social World

While the economic benefits of Crete would ensure its position as first colony of the *Stato da mar*, other factors would make ruling and inhabiting Venetian Crete more complicated. As important as the new political map are the new social realities that obtained in the post-1204 eastern Mediterranean. Venice had sent Latin-rite settlers from the metropole to the island, but Crete was no vacuum. Indeed, the maritime holdings were far more diverse than Venice's mainland, or *terraferma*, territories, both in terms of the multiplicity of languages and religions of the inhabitants, and the complexity of religious interactions especially between Latin and Greek Christians.⁷³

Venetians would never make up more than a small fraction of the population, in comparison to the island's native Greek inhabitants. These Greek speakers, loyal to the idea of Byzantium and dedicated to the Orthodox Church, would chafe against their Venetian-speaking, Latin overlords who had directly caused the demise of the Empire. But more than political resentments, the Greeks and Latins—alongside other minority groups, particularly Jews as this

⁷¹ Jacoby, “Creta e Venezia,” 75-76. Jacoby, “Candia between Venice, Byzantium, and the Levant,” 39.

⁷² Though Crete's role as a way-station lessened in 1345 with direct trade between the west and Egypt reinstated, the capture of Famagusta (Cyprus) by the Genoese in 1374 would restore Candia to its position as the main stopover on the Venice-Alexandria and Venice-Beirut. This political situation would remain to Crete's advantage through the period under study here; the Venetian capture of Famagusta in the late fifteenth century would redirect a significant amount of Crete's traffic to that more easterly port. Nevertheless, much of the period under study here constitutes what David Jacoby has considered Candia's peak as a major emporium. Jacoby, “Candia between Venice, Byzantium, and the Levant,” 43-45 (quote on p. 43).

⁷³ Such is the conclusion of Monique O'Connell in her work on patrician administrators of the *Stato da mar*. See her *Men of Empire*, esp. pp. 9-11.

study explores, but also Armenians and others—would have to learn to understand each other's cultural sensibilities, holiday calendars, religious attitudes, and social habits.

For Venice, this new reality called for new approaches to ruling, considered in chapter four. The heterogeneity was not only new for Venice and its government apparatus; the introduction of Venice, its agents and allies, into these colonies actually changed the nature of the dominions too. While the traditional narrative tells of a highly segregated, socially stratified colonial society in which Latins and Greeks did not mix, recent scholarship has shown the untenable nature of such ideological claims.⁷⁴ Sally McKee's work has illustrated the many ways in which Crete's Christian populations, Latin and Greek Orthodox, became entangled through an emotional and biological web of marriage and childbearing, concluding that one simply cannot separate the "Greek" and "Latin" strands. The entrée of Latins, particularly the nascent Veneto-Cretan nobility, onto the island began a process of demographic and cultural shifting that is still not fully understood.⁷⁵ That Crete served as a locus of interaction between people of different cultures, religions, and ethnicities must inform our understanding of the island and indeed the whole eastern Mediterranean in this period.

⁷⁴ The ideological nature of the modern scholarly claim for sharp segregation stems in part from Greek nationalist scholarship which desires to see the period of Venetian rule (like Arab rule before) as nothing but a long period of persecution of the rightful inhabitants of Crete, i.e. the Greek Orthodox. See, for example, Theocaris E. Detorakis, *History of Crete*, trans. John C. David (Iraklion, Crete: np, 1994), who sees the centuries of Venetian rule as nothing but "another long period of irksome oppression" (p. 145), and thus highlights the only important elements of this period as the "Cretan Resistance" movement (pp. 153-71). Even Detorakis, however, has to admit that the first half of the fifteenth century, until the Fall of Constantinople, was a high point of economic and social stability (171).

⁷⁵ On the inability to squarely divide Latins and Greeks in Crete, see McKee, *Uncommon Dominion*, chapters 2 and 3 (pp. 57-132), esp. p. 99. On the Veneto-Latins, see chapter 4 (pp. 133-167). It is worth remembering that, despite its centrality to Venice's colonial project, Crete was not demographically unique. In many ways, this pattern of conquest, control, and colonization was in step with other Eastern Mediterranean islands and port cities taken by Venice. As a result, the social change on Crete was also not exclusive to this one island. Yet the size of Crete and its duration as a Venetian colony make it a uniquely productive laboratory in which to research the impact of the Latin settlement.

The focus on the Jews in this study allows for a reevaluation of this major social shift. The historiography of Venetian Crete—and indeed the eastern Mediterranean more broadly in its post-1204 context—has tended to characterize the societal reality and its concomitant tensions as a sharp bifurcation, a world of Latin vs. Greek which influenced conflicts over politics, language, religion, and social affiliation.⁷⁶ Scholars have long noticed that the sources produce an enormous amount of information about Jews, but have chosen not to frame that group as a central part of the narrative. Sally McKee, whose *Uncommon Dominion* works to break down the “Latin-Greek dichotomy,” notes that, despite the rich references to Jews in the sources, she does not address them both “for the sake of brevity,” and because her question has been framed around Latins and Greeks, “since the language of the sources forces on us” that bifurcation.⁷⁷ In many respects, this study seeks to complement McKee’s work by supplying this missing element, and by highlighting the ways in which the language of the sources does render Jews a major component of local society. Indeed, in the daily social life of the colonial town, Jews were a highly visible subgroup. Statistically, Jews and Latins each made up roughly the same percentage of Candia’s demographic (in the range of 1,000 people each; see chapter 2 for Jewish demographics), in comparison to a much larger Greek Orthodox population. In Crete’s social theater, Jews were neither numerically small (in relation to the colonial elites) nor small in terms of available source evidence about them. Expanding the colonial history of Venice so as to embrace the Jews helps us delineate the contours of Candiote society more accurately, and

⁷⁶ See for example the very title of the excellent collection edited by Benjamin Arbel, Bernard Hamilton, and David Jacoby, *Latins and Greeks in the Eastern Mediterranean after 1204* (London: Frank Cass, 1989). The volume does indeed discuss Jews, Mongols, and others, but frames the major conversation as one which engages with Latin-Greek tensions.

⁷⁷ McKee, *Uncommon Dominion*, 6.

account for a significant amount of evidence that has heretofore been set aside by scholarly necessity or interest.

This approach also offers a new layer to the ongoing debate over the colonizer/colonized divide, a prevalent dichotomy in postcolonial studies which oversimplifies the realities of colonial society.⁷⁸ McKee broke down the artificial Latin/Greek bifurcation in *Uncommon Dominion* by showing that the social and religious lives of Greeks and Latins intersected, and that strict colonial divisions which were intended to create a formally segregated hierarchy were kept in the breach. This study aims to offer another dimension by illustrating that other players existed—and that these players do not fit neatly onto the preconstructed dichotomous colonial model. Rather, the Jews of Candia were in some ways closely aligned with the colonized populations: legally they were subjects without citizenship rights, and linguistically they spoke the same Greek as their majority subject neighbors. Yet, in other ways they were nested somewhere between the Greek subjects and the Latin colonizers, serving the colonial cause through professional and economic channels, and allying with the Venetian government at important moments (in particular, during anti-Venetian rebellions⁷⁹). Thus, the position of Jews in Candia's society offers an alternative view of colonial reality which, instead of comprising

⁷⁸ For a particularly influential formulation of this division that remains insightful despite its limits, see Albert Memmi, *The Colonizer and the Colonized*, trans. Howard Greenfield (Boston: Beacon, 1965), originally published in French in 1957. Though Memmi admits that the colonial situation affects both parties psychologically, he adamantly disconnects the two parties in the title. For a poignant and influential critique, see Frederick Cooper, *Colonialism in Question*, esp. p. 17: "Colonial power, like any other, was an object of struggle and depended on the material social, and cultural resources of those involved. Colonizer and colonized are themselves far from immutable constructs, and such categories had to be reproduced by specific actions." For a critique of this dichotomy through a historical example in which a group (Egyptians) was both colonizer (or aspiring colonizer, in the Sudan) and colonized (by the English) in the late nineteenth century, see Eve Troutt Powell, *A Different Shade of Colonialism* (Berkeley: University of California Press, 2003).

⁷⁹ As mentioned above, in the case of the St. Tito revolt. In addition, in the late fifteenth century, a Jew named David Mavrogonato uncovered and reported a anti-Venetian conspiracy by Greeks, and was awarded for his loyalty. See David Jacoby, "Un agent juif au service de Venise: David Mavrogonato de Candie." *Thesaurismata* 9 (1972): 68-96.

two groups existing at two poles, consisted of groups that occupied various and variable points on a spectrum in their relationships to their subject status and colonialism.

Frontier Justice

The mixed social reality and new political reality which obtained on colonial Crete, a situation which necessitated real flexibility of governance to accommodate the varying parties, made the island both squarely part of Christendom, familiar as a turnpike rest-stop (which, indeed, it was, on the Mediterranean superhighway), and something vaguely other, on the edges of “regular” civilization. Such is the picture of Crete drawn by Boccaccio in his *Decameron* in a story from the Fourth Day of his ten-day narrative, in which three sisters from Marseille elope to Crete with their lovers, only to find misery and death instead of love and freedom. Boccaccio’s narrative offers insight into how Crete was perceived by those from the center of Christian civilization precisely in the decades under study here, after the Black Death. For wealthy daughters of strict Marseille merchant society, Crete was a haven where they could live openly with their lovers without social repercussion, but still reside safely within a familiar social world, going to banquets and meeting other well-bred young people. But alongside the known types were other more dangerous people, such as “an old Greek woman who was expert in the preparations of poisons,” whom the oldest sister patronized in order to kill her wandering lover.⁸⁰ It was also a place with available open land, where their riches could pay for “vast and magnificent estates” not far from Candia.⁸¹ This depiction of Crete as a hub of civilization on the frontier of Christendom indeed maps onto the wider narrative of Venetian Crete, and it is the frontier-like

⁸⁰ Giovanni Boccaccio, *The Decameron*, trans. G.H. McWilliam (New York: Penguin Books, 1995 [1972]), 317.

⁸¹ Boccaccio, *Decameron*, 316.

flexibility which appears over and over again in this study and other scholarship on Candia in this period, to the potential benefit of Jews and other non-elites alike. Like the frontier societies of medieval Iberia, and indeed in some ways also like the colonial societies of the early modern period, social complexity and distance from the center of power provoked a situation in which social mores could be adjusted, and individuals could move beyond their assumed statuses.

But it was also a place where justice could be redefined, and where rules could be bent, for better or worse.⁸² Indeed, striking in the *Decameron's* vision of Crete is the depiction of the relationship of its justice system to the person of the Duke of Crete. It is clear that Boccaccio identified justice as a focus of Cretan governmental policy, and believed that the island was a place where arrests and trials were very common. He also portrayed the duke himself as an individual located at the center of the wheels of justice: an individual empowered to define what constituted justice according to his whims, and to use less than moral tactics under the guise of a sort of accommodationist justice (here, trading sex with the second sister to save the oldest one). Indeed, this tension also appears in many of the images of Venetian Crete analyzed in this study. A category of justice portrayed as unbending in the political discourse met up with a different reality on the ground, where it appeared extremely malleable. The claim of “justice” was easily manipulated for individual interest, or, less morally problematic to modern readers, as a rationale for undermining specific laws in favor of a perceived greater good.

For Boccaccio's three sisters of Marseille and their lovers, Venice's malleable “justice” led to their demise—in the narrative logic of the tale, a fair penalty for “the vice of anger.”⁸³ This

⁸² On this historiography of flexibility on the Iberian frontier, see Heath Dillard, *Daughters of the Reconquest: Women in Castilian Town Society, 1100-1300* (Cambridge: Cambridge University Press, 1990), on female agency and public life in this context; and Jonathan Ray, *The Sephardic Frontier: The “Reconquista” and the Jewish Community of Medieval Iberia* (Ithaca: Cornell University Press, 2008), which looks at the social and economic mobility made available to Jews on the Iberian frontier.

⁸³ Boccaccio, *Decameron*, 313.

legal flexibility, however, as we will see, did not always punish those outside the colonial administration, but offered particular advantages to other inhabitants of the island—including individual Jews and the Jewish community as a whole. Instead of imposing a uniform law on all subjects, the colonial system of rule in Crete reflected and acknowledged the social diversity of the island, particularly in the division of courts of first instance between Latin and Greek speakers (or between Venetian citizens and Venetian subjects, which these language groups mapped onto), and in its accommodation of local precedents and customary law into its judicial decision making.

Not only was the the notion of Venetian justice well known to contemporaries, as the *Decameron* highlights, but it has also become a central discussion in modern scholarly circles, particularly focusing on notions of justice among the patrician elite in the city of Venice itself. Venice's emphasis on the tropes of justice and equality, its approach to crime and punishment, and the place of law in its civil life have become a major focus in Venetian historiography, particularly for the fourteenth century and forward.⁸⁴ These studies tend to focus on criminal law, and thus give a very particular view of what constituted justice—a justice reflected through incarceration and punishment, in which violence plays a central role. Recently, James Shaw and others have noted that the rhetorical language of justice and equality also played a significant role in the civil courtrooms of Venice, and the meaning of the concept in such a context merits

⁸⁴ For some of the important works on Venetian justice, see: Stanley Chojanacki, "Crime, Punishment, and the Trecento Venetian State," in *Violence and Civil Disorder in Italian Cities, 1200-1500*, ed. Lauro Martines (Berkeley: University of California Press, 1972), 184-228; the corpus of work of Gaetano Cozzi, especially "Authority and Law in Renaissance Venice," in *Renaissance Venice*, ed. J.R. Hale (London: Faber and Faber, 1974), 293-345, and idem, ed. *Stato, società e giustizia: nella repubblica veneta (sec. XV-XVIII)* (Rome: Jouvence, 1980); Edward Muir, "The Sources of Civil Society in Italy," *Journal of Interdisciplinary History* 29 (1999): 379-406. Also see the work of Dennis Romano, including "Equality in Fifteenth-Century Venice," *Studies in Medieval and Renaissance History* 6 (2009): 125-45; Guido Ruggiero, *Violence in Early Renaissance Venice* (New Brunswick, New Jersey: Rutgers University Press, 1980). A scholarly interest in this topic can already be spotted in the early twentieth century in Melchiorre Roberti's *La magistrature giudiziare veneziane* (Padua: Tipografia del Seminario, 1907).

more investigation: that justice could be “a resource that could be used by the populace in pursuit of their own strategies.”⁸⁵ Though some Candiotte Jews encountered Venice’s criminal justice system on the island, most Jewish involvement with colonial justice came through the civil court. Thus, the particular ways in which justice was interpreted by the judiciary when Jews were involved—including by respecting and incorporating Jewish law into adjudication processes, and providing equal access to the civil courtroom for subjects, Jewish and Orthodox alike—shed new light on the meaning of these concepts so central to Venetian state ideology.



This study is not intended as a synthetic, encyclopedic accounting of the history of Crete’s medieval Jews. Rather, each chapter, singly and as it intersects with other chapters and with the study’s overarching themes, intends to offer a new lens onto Jewish life and its relation to the island. This study is divided into two parts. The first part, “Networks of Community and Identity,” situates the Jewish community of Crete in their concentric social and cultural milieus: geographically in Candia, within the world of medieval Jewish networks, and within a mixed Jewish-Christian society—in official and non-official settings. Chapter One focuses on the leadership of the Candiotte Jewish community and the physical center of their authority, the Jewish quarter (or *Judaica*). By following Rabbi Elia Capsali, the community’s best known and most prolific leader, through the city on a Friday afternoon in 1546, just after the main period under study, this chapter illustrates the ways in which the Jewish community was tied deeply into wider Candiotte society, and that even the Jewish quarter was a space of meeting between Jews

⁸⁵ James Shaw, *The Justice of Venice: Authorities and Liberties in the Urban Economy, 1550-1700* (Oxford: Oxford University Press, 2006), 19. For a pioneering work on the malleability of the medieval justice system for the social and emotional needs of those utilizing the civil courts, see Smail, *The Consumption of Justice*.

and others. It explores the ways in which the Jewish leadership dealt with—that is to say, regulated, reinterpreted, and appropriated—these encounters and how they understood their position within the city.

Chapter Two broadens the lens to focus on the wider Jewish population and its ties to Jewish communities across the Mediterranean and beyond. Here I offer a demographic assessment of the Jewish community, and its connections to other centers of Jewish life, whether through immigration, travel, or trade. Despite Cretan Jewry's deep and abiding identification as Romaniote (that is, Byzantine-Jewish), intellectual, cultural, and demographic waves from both the lands of Ashkenaz and Sepharad not only washed up on Candia's shores, but also shaped the particular variety of Jewish rite and custom practiced in Candia. The Jewish community and its leadership did not always find these waves to be unproblematic; this chapter argues that the reality of the makeup of Candia's Jewish leadership led to an affinity with many Ashkenazi legal innovations, with a simultaneous discomfort with those brought by Sephardic newcomers.

Chapter Three argues that, although Christians on Venetian Crete, both Latin and Greek, marshaled rhetoric of anti-Judaism familiar from across medieval Christendom, the particular political circumstances and judicial reality of the colonial island society prevented that rhetoric from provoking an explosive Jewish-Christian encounter. Framed by a fascinating criminal case in which a Jewish doctor was accused, convicted, and eventually acquitted of killing his Greek Orthodox mistress, this chapter argues that multiple nodes of identity—including profession, socio-economic status, and gender—facilitated relationships between Jews and Christians that went beyond the pragmatic into the affective.

Part Two of this study, "Jewish Justice in the Colonial Courtroom," considers the phenomenon of Jews choosing to litigate civil suits against their fellow Jews before the Venetian

colonial court. Chapter Four sets the stage by investigating the Venetian understanding of “justice” as a central tenet of its imperial project, rendered in practice as the right of all subjects to seek access to law courts, and for those law courts to take into consideration local precedent and pre-colonial custom of subject communities. It argues that Venice’s almost obsessive dedication to this value not only gave Crete’s Jews unusual access to the halls of justice, but also provided a mechanism that enabled them to litigate about decidedly religious subjects without fear of undermining Jewish law. Chapter Five asks why the Jews of Crete chose secular courts over the rabbinic court, especially in the light of the staunch rabbinic prohibition against suing fellow Jews in sovereign judiciaries. It surveys the general variety of cases which Jews brought against each other, noting that trade networks, inheritance squabbles, and life lived in the close quarters of the *Judaica* account for many of the suits recorded in the ducal court registers.

The final two chapters investigate less quotidian types of suits brought against Jews by their co-religionists. These suits deal with topics unique to intra-Jewish life, and reflect the ways in which Candiotte Jews used the secular court differently than their Christian co-inhabitants of the island. They intersect meaningfully with the world of Jewish law and practice, as considerations of *halakhah* and Jewish tradition had to be considered in certain cases by Venetian judges. Chapter Six looks at cases of marital strife in which one spouse—usually the wife—sought redress for financial and emotional unhappiness before the ducal court. Although women’s use of the court made the medieval rabbinical establishment particularly uncomfortable, Candiotte Jewish women marshaled the secular court without any perceived risk to their piety because of Venice’s consideration of Jewish marriage law in adjudicating family matters. Jewish women and men alike, disputing over marriage, utilized the language of Jewish law in their attempts to shape the narrative drawn out in the course of these disputes. Chapter

Seven returns full circle to the first subsection of the Jewish community addressed in this study: the elite leadership, the voice of rabbinic piety in Candia. This chapter argues that, rather than confining these religious leaders within the intracommunal system of dispute resolution found in the *beit din* (rabbinic court), the unique circumstances of semi-autonomous rule among a small elite in Candia pushed the very leaders themselves toward external, sovereign justice.

In some ways, the Jews of late medieval Venetian Crete lived out elements of Boccaccio's colonial fantasy. They inhabited a Mediterranean society which afforded them enough distance from the power center to live with a freedom atypical for medieval Jews, but also enough centrality to provide ready access to the economic, social, and intellectual currents of the Middle Sea and beyond. This is a tale of the consequences of such a tension, between centrality and peripherality, not only in space, but in culture and religion. It is also a study of the implications of other familiar tensions: community and individuality; social pragmatism and religious ideology; political expedience and juridical stringency. But most of all, it is a tale of lives—of individuals, families, and communities—intersecting with each other and with the state in a highly mobile late medieval world.

Part I: Networks of Community and Identity



Illustration 2: Woodcut illustration of Candia by Erhard Reuwich, from Bernhard von Breydenbach, *Peregrinatio in Terram Sanctam*, published in Mainz, 1486. Image courtesy of the Historic Cities website, a project of the Hebrew University (<http://historic-cities.huji.ac.il>).

**Chapter One:
The *Kehillah Kedoshah* in Context: Leadership, Communal
Life, and Jewish Space in Venetian Candia**

Late one Friday afternoon in 1546, Elia Capsali, rabbi, historian, and leader of the Jewish community of Candia, walked home from the ducal palace. He had been visiting with his “beloved” friend Carlo Capello, the current duke of Crete.¹ As he exited the ducal palace Capsali found himself on the city’s central piazza. It was still commonly known as the Platea (Greek for “the square”), even though Venice had officially renamed it Saint Mark’s Square centuries before, soon after it settled its military colonists in the city and its environs in 1211. The Platea was the buzzing nerve center of the city, and as Capsali entered the square, he would see the major municipal and business centers in the city, including the main marketplace, the currency exchange, the merchants’ loggia, and the Latin church of Saint Mark.

The appealing scents of food-sellers’ stalls and the acrid tang from the smiths’ workshops would have wafted into Capsali’s nostrils as he left the palace and entered the open square. Merchants loudly hawked all sorts of wares, from bread to horseshoes, from their rented benches. He might have heard the sudden hushed attention to public announcements made by the public crier in the central arcade, or *lobium*. He may have even seen a criminal doing time in the *berlina*, the pillory which had been set up in the square.² Though the duke was not sitting in judgment at that moment, since indeed he had been visiting with Capsali, the Platea was even the spot where the ducal court heard its cases “in the open air” of the square.³ The Platea, thus, was

¹ Capsali recounts elements of this walk in *TQ* no. 102, pp. 131-138. He calls Capello his “beloved dear” friend on p. 133: אהובי היחביבי.

² Maria Georgopoulou, *Venice's Mediterranean Colonies: Architecture and Urbanism* (Cambridge: Cambridge University Press, 2001), 82-84.

³ Sally McKee, *Uncommon Dominion: Venetian Crete and the Myth of Ethnic Purity* (Philadelphia: University of Pennsylvania Press, 2000), p. 152.

something of a theater of life in Candia. To the horror of religious leaders like Capsali, even Candia's Jews loved to watch the spectacle of the market and court proceedings—especially on Saturday mornings, instead of attending Sabbath prayers.⁴ Though Capsali's personal visit to the duke, the highest colonial official and governor of the island, was certainly not typical, every Jew of this city, for at least three centuries, would have spent time in the Platea, probably followed by a walk back to Candia's Jewish Quarter. Such was Capsali's plan on that day.

As he left the square this particular Friday afternoon, perhaps Capsali glanced up at the clock on the bell tower to check how long before Sabbath would begin.⁵ Though the clock was relatively new, the square—its organization and central role in the life of the city—would have been much as Elia's ancestors saw it during the three and a half centuries in which the once-Byzantine Capsalis had lived under Venetian rule. As a man keenly attentive to his family's and community's history, it could not have been lost on him that his situation was unique: his access to the halls of Venetian power, his freedom as a Jew in this colonial society, and indeed, the place of the community he led in comparison to many Jewish communities across the Mediterranean.⁶ He himself would write of the trauma of other Jews that he had personally

⁴ *TQ*, no. 18, p. 10.

⁵ The clock was installed on the bell tower in 1463. Georgopoulou, *Venice's Mediterranean Colonies*, 85.

⁶ Elia Capsali wrote his famed historical chronicle of the Ottoman Empire, titled *Seder Eliyahu Zuta* [the Order of Elijah the Younger] in 1523, during a bout of plague on Crete. But he had also written an earlier historical work on the history of Venice, *Divrei ha-Yamim le-Malkhut Venezia* [The Chronicle of the Kingdom (sic!) of Venice] in 1517. Capsali, and particularly his self-conscious construction of himself as a historian, has been the subject of a number of studies over the last decades. The most comprehensive remains Meir Benayahu's Hebrew-language monograph *Rabi Eliyahu Kapsali, ish Kandiya: rav, manhig, ve-historiyon* [Rabbi Elijah Capsali of Candia: Rabbi, Leader, and Historian] (Tel Aviv: Center for Diaspora Studies of Tel Aviv University, 1983). Also of note is the recent monograph by Aleida Paudice, *Between Several Worlds: The Life and Writings of Elia Capsali* (Munich: M-Press, 2010). A number of articles have also taken up Capsali the historian: Robert Bonfil, "Jewish Attitudes toward History and Historical Writing in Pre-Modern Times," *Jewish History* 11 (1997): 7-40; Martin Jacobs, "Exposed to All the Currents of the Mediterranean: A Sixteenth-Century Venetian Rabbi on Muslim History," *AJS Review* 29 (2005): 33-60; Aryeh Shmuelevitz, "Capsali as a Source for Ottoman History, 1450-1523," *International Journal of Middle East Studies* 9 (1978): 339-44.

witnessed when some of Iberia's expelled Jews—poor, ragged, and hopeless—washed up on Crete's shores after the traumatic events of 1492.⁷

In contrast to the insecurity of contemporary Sephardim, his community was confidently situated to help these fleeing Jews. Financially and politically secure despite heavy taxation, both the exigencies of Venetian imperial settlement and active negotiation by the island's Jews had created a safe space in which Jewish life could flourish. And flourish it had, for centuries, both before and during Venetian rule. A tale recounted by Socrates Scholasticus indicates that a Jewish community was settled on Crete by the fifth century, though we do not know if they remained there continuously.⁸ Evidence certainly places Jews in Chandax (the city later called Candia) in the ninth and tenth centuries.⁹ By the time Venice sent its first round of military colonists to hold the island in 1211, a Jewish community lived in its own neighborhood in the northwest corner of the city, the same district Capsali would walk home to after meeting the duke on that Friday in 1546.¹⁰

In fact, Elia's direct ancestors were among those who lived in that thirteenth-century Jewish quarter, the *Judaica*. In 1228, Parnas Capsali signed his name to the very first set of Jewish communal ordinances, *taqqanot*, which were meant to organize and unify Jewish life

⁷ As a historian, Capsali relied not only on hearsay and eyewitness accounts, he also interjected his own experience when relevant. In his *Seder Eliyahu Zuta*, he wrote of his own memories of the impact of the Spanish Expulsion. On Capsali's sources and their difficulties, see Shmuelevitz, "Capsali as a Source for Ottoman History," 340-41.

⁸ Joshua Starr, "Jewish Life in Crete under the Rule of Venice," *Proceedings of the American Academy for Jewish Research* 12 (1942): 59.

⁹ A Hebrew letter from the tenth or eleventh century suggests that Jewish tanners were already at work on Crete by that time. Nicholas de Lange, ed. *Greek Jewish Texts from the Cairo Genizah* (Tübingen: Mohr-Siebeck, 1996), 21-27, no. 4. On this subject, see also David Jacoby, "The Jews in the Byzantine Economy (Seventh to Mid-Fifteenth Century)," in *Jews in Byzantium: Dialectics of Minority and Majority Cultures*, ed. Robert Bonfil, et al. (Leiden and Boston: Brill, 2012), 230.

¹⁰ For this pre-Venetian community and the pre-Venetian nature of the Jewish quarter, see Zvi Ankori, "Jews and Jewish Life in the History of Mediaeval Crete" in *Proceedings of the Second International Congress of Cretological Studies*, vol. 3, esp. pp. 327-339 and 350-54.

across the Jewish communities on the island.¹¹ Scholars assert that, since the community had long predated the Venetian colonial project, the Jewish communal structure was probably a holdover from Byzantine days.¹² Yet the authors of the rules of 1228, according to an introduction by the signatories of the document, believed themselves to be innovators: this was the first unified attempt at bringing together representatives “from all four Hebrew (*ivrim*) communities” to agree to a set of rules aimed at all the Jews across the island.¹³ Only seventeen years after Venice had established its rule on the island, a group of elites had built up for themselves enough strength and trust within the community to gather the Jews, “young and old,” in the Great Synagogue of Elijah the Prophet, and to impose on them a set of apparently pre-determined ordinances.¹⁴

In his signature, Parnas Capsali identified himself as part of this older, elite lineage. Not only did he record the name of his father, Solomon, but he traced for posterity one more generation: his grandfather Joseph Capsali, whom he proudly titled “the Rabbi.”¹⁵ Over the course of the next three centuries, Capsalis remained at the forefront of communal leadership of

¹¹ Parnas is an unusual personal name, which led at least one scholar to suggest that Parnas should be read here as a title, with the man's first name missing (Nathan Porges, “Elie Capsali et sa Chronique de Venise,” *Revue des études juives* 78 (1924): 25). Artom and Cassuto (see *TQ* no. 12, p. 7, n. 13), however, believe Parnas was the man's actual first name. Their assertion is supported by evidence from my prosopographic index which illustrates that a significant number of other Candiote Jews also were called Parnas, including Parnas tu Setu, Parnas Buchi (see chapter six), Parnas Calopo, and others. In fact, feminized versions, Parnatissa (also Parnatissa) and Parnaza, appear among Crete's Jewish women as well. Most telling for our case, other Parnas Capsalis are attested, ostensibly the descendants of the thirteenth-century signatory: one lived in the late fourteenth and early fifteenth centuries, and another, this man's grandson, was active in the middle of the fifteenth century. (See prosopographical index for these men.)

¹² In particular, see Jacoby, “The Jews in the Byzantine Economy (Seventh to Mid-Fifteenth Century),” esp. pp. 222-33.

¹³ The Venetians (in Latin and Venetian) and the Jews (in Hebrew) both used the term “Candia” interchangeably for the city and for the whole island as well. Both also used “Crete” for the island. *TQ* no. 13, p. 6.

¹⁴ *TQ* no. 2, p.3.

¹⁵ *TQ* no. 13, p. 7.

Candia's *kehillah kedoshah*. While Parnas would sign the first set of *taqqanot*, it would be Elia—ever conscious of posterity and history—who collected these ordinances into a single text, the *Taqqanot Qandiya* which survives, though only in one manuscript, until today.¹⁶

Both Parnas and his far more famous descendent put their names on a document which would tell the tale of Candiot Jewry for generations. In fashioning *taqqanot* for Cretan Jewry, the Capsalis and other elite families would marshal the language of law and custom to present a cohesive front. Parnas and his cohort had hoped their initial ten rules would set the stage for a community united by common precepts and goals under the benevolent control of pious elite families. But was the Jewish community of Candia as simple—united, malleable, pious—as the laws, customs, and assumptions made in the *taqqanot* would suggest? Indeed, it is likely that Elia himself was aware that this vision was highly prescriptive; underneath the legal discussions lie hints of a more complex community which evolved, by necessity and choice, during the centuries between Parnas and Elia.

By utilizing the lens of the elite writings in *Taqqanot Qandiya*, this chapter explores the idealized vision of the *kehillah kedoshah* constructed by Candia's Jewish elites, particularly its set hierarchical structure, and its exclusive communal space of the *Judaica*. Yet the very same sources—augmented by notarial and legal materials which survive in Latin—allow us to get beyond the ideal vision. For, as Elia intentionally compiled and organized prescriptive texts, his collected materials also at times offer a descriptive perspective on the Jews of Candia. To get at those who shepherded this community, I first lay out the framework of the community structure, emphasizing the period following the Black Death when the leadership restructured itself and

¹⁶ This manuscript of Capsali's collection found its way into David Solomon Sassoon's famed collection, and is now held in Israel's National Library. See Sassoon, ed. *Ohel Dawid: Descriptive Catalogue of the Hebrew and Samaritan Manuscripts in the Sassoon Library, London* (London: Oxford University Press, 1932), volume I, 349-57. The manuscript is now Ms. Heb. 28°7203.

refocused its goals to better lead a changing community. I next turn to the Jewish quarter, which provided the setting for much of communal life and acted as the center of the elite leadership's authority. Although the leadership's rhetoric emphasized the *Judaica's* safe insularity, I complicate the notion of a segregated Jewish space by arguing from a number of fronts: first, evidence suggests that Jews and Christians regularly encountered one another inside the Jewish quarter; second, Venetian segregating legislation was decidedly ambivalent; and finally, the rabbis themselves had a pragmatic approach to the Jewish nature of the *Judaica*—an approach which focused on surveillance those who entered the quarter. Through a consideration of elite leaders and their space of leadership, this chapter aims to provide the beginnings of a three-dimensional understanding of the Jewish community of Candia.

Leading an Evolving *Kehillah Kedoshah*

Between the time when Parnas served his community in the early thirteenth century and when Elia reached adulthood around 1500, members of the Capsali family and other elite clans developed a comprehensive corporate organization similar to parallel institutions across the Mediterranean and beyond.¹⁷ As in other premodern Jewish communities, elected lay officials in Candia served to fulfill the mandate of the corporate institution, whose primary articulated goal was to enable, protect, and enforce Jewish ritual life in the city. These leaders ensured that Candia's Jews had access to kosher food, including ritually slaughtered meat, and inspected dairy and wine. They also organized and ensured liturgical life, with its ritual objects, Torah scrolls, and prayer leaders. A corporate legal body recognized by the Venetian government, the *kehillah* could own real estate from which it derived income to provide housing for the poor and

¹⁷ For the classic narrative account, see Salo W. Baron, *The Jewish Community, Its History and Structure to the American Revolution* (Philadelphia: Jewish Publication Society, 1948).

fund other community needs.¹⁸ The leadership's other primary task was to serve as liaison between the Jewish community and the Venetian colonial government on matters which affected the community as a whole. Its most daunting task, in this respect, was to collect the Jewish tax which was levied not per capita but on the community as a whole.¹⁹

Like the Capsali family's ongoing role in this *kehillah kedoshah*, in some fundamental ways the community they led would maintain continuity during the generations between Parnas and Elia. The community's liturgical rite, the majority of its population, and its synagogues would remain Romaniote—that is to say, Jews of Byzantine origin, native Greek speakers, and followers of a Byzantine-Jewish rite and liturgy which incorporated vernacular Greek into some parts of the prayer service.²⁰ In other ways, the Candiote Jewish community underwent significant changes between 1228 and the turn of the sixteenth century. While the majority of the community and its cultural rites continued to be Romaniote, Crete's Jewish population was in constant flux. In particular, the persistent outbreaks of plague in the mid-fourteenth century seems to have decimated the community, not only by deaths but rather, it seems, by the choice of Jewish families to flee the island. In 1389, three representatives of the Jewish community, supported by testimony of three Venetian noblemen who had spent time on Crete (including a

¹⁸ David Jacoby, "Venice and the Venetian Jews in the Eastern Mediterranean," in *Gli Ebrei e Venezia, secoli XIV-XVIII*, ed. Gaetano Cozzi (Milan: Edizioni Comunità, 1987), 38. For a case regarding Jewish owned buildings in the *Judaica* intended to house the community's poor, see ASV Duca di Candia, b. 30 ter, r. 30, fol. 18v (22 Nov. 1415).

¹⁹ See chapter eight for a fuller discussion of the role of the community head, the *condestabulo*, as tax collector.

²⁰ Most famously, by reading the Book of Jonah in Greek (though written in Hebrew letters) on Yom Kippur. Starr, "Jewish Life in Crete," 100; see idem, *The Jews in the Byzantine Empire, 641-1204* (Athens: Verlag der "Byzantinisch-Neugriechischen Jahrbücher," 1939), 212, for a comprehensive list of references to this practice.

former duke), convinced the Venetian senate that the collective tax, recently increased by Venice, was an impossible burden for this community much weakened in number.²¹

But this population loss seems to have been mitigated soon after, with an influx of Jews from Iberia and Venice over the next few years (see chapter 2). With this population boost, and probably in particular the financially successful German and Italian Jews arriving from Venice, Jewish economic and demographic fortunes changed for the better. Indeed, as Noiret (followed by Starr) has noticed, the expulsion from Venice was announced in late August 1394, and a year later, in early September 1395, the Venetian Senate voted to raise the Jewish tax citing not only the general wealth of the Jews but also explicitly the immigration of new rich Jews to the island.²² Now the Jews would have to pay 3,000 hyperpera, a 50 percent increase over the amount Jewish representatives had negotiated in 1389. If these tax rates continued to correlate to population, as they probably did at least in broad strokes, the Jewish community seems to have remained economically successful over the course of the next century.²³

After 1492 and into the sixteenth century, faced with the challenge of poor Iberian Jews arriving en masse, and the need to ransom kidnapped Jews from Candia and across Romania, the Jewish community became so strapped for cash that it sold the silver finials from a Torah scroll, and Elia Capsali sold his personal library to an agent of Ulrich Fugger.²⁴ But at least until 1492,

²¹ Hippolyte Noiret, ed. *Documents inédits pour servir à l'histoire de la domination vénétienne en Crète de 1380 à 1485* (Paris: Thorin & fils, 1892), 26-27 (25 May 1389).

²² Noiret, *Document inédits*, 71 (10 Sept. 1395), and n. 1, which points to the immigration of Jews expelled from Venice on 27 August 1394. Starr, "Jewish Life in Crete," 77.

²³ David Jacoby, "Quelques aspects de la vie juive en Crète dans la première moitié du XV^e siècle," in *Actes du Troisième Congrès international d'études crétoises (Rethymon, 1971)*, vol. 2 (Athens : np, 1974), 110, and n. 10.

²⁴ The sale of the finials is recorded in *TQ* no. 88, pp. 109-10, (undated, but apparently in the 1530s). The entry relates that two Candiot men, Samuel Rodoti and Shmarya Agapoli, were kidnapped and can be ransomed for the exorbitant price of 150 ducats. The community was able to raise eighty ducats, but could not find the rest of the money, and as such sold the finials. The previous ordinance suggests the ubiquity of the problem; Jews from Coron and Patras had been kidnapped, and the Candiot community contributed three ducats to their ransom (*TQ* no. 87,

the unexpected influx of Jews from western lands offered Candia's *kehillah* something of a financial and demographic cure. Capsali himself was the product of demographic changes in this period. Despite his well-known local patronymic, his mother came from the Delmedigo clan, an Ashkenazi family which arrived on the island in the late fourteenth century via Venetian Negroponte, and quickly worked its way into the cadre of Candiot elite Jews who held formal positions.

The leadership reacted to the challenges posed from the outside, such as raised taxes, through direct advocacy and negotiation of positive relationships with the colonial government. The 1389 embassy to Venice is one example of the direct approach Jewish leaders took in aiding their community; the support of the Venetian noblemen in that case suggests the value of maintaining close ties with the local administration. Capsali's visit to his dear friend, the duke, should be read as part of this strategy.

But when the challenges faced by the community were produced by the internal realities of the *kehillah*, a different sort of strategy had to be employed. After the demographic crisis of the Black Death, for example, the elite leadership convened a synod, perhaps recognizing in this moment an opportunity for unity and conformity which, they believed, would best serve the community for the future. This synod of 1363 and its resulting set of *taqqanot* illustrate a community in need of a new leadership structure and new rules for relating both to each other and to the Christian communities with which they lived, worked, and even at times socialized.²⁵

pp. 108-9, dated 29 Oct. 1533). For the sale of Capsali's library, see Umberto Cassuto, *I manoscritti palatini ebraici della Biblioteca apostolica vaticana e la loro storia* (Vatican City: Biblioteca apostolica vaticana, 1935).

²⁵ For example, *TQ* no. 35, p. 25-26; *TQ* no. 41, p. 33; *TQ* no. 43, pp. 34-36. Each of these reference and deal with Jewish-Christian business relations. For a more extensive discussion of Jewish-Christian relations, see chapter three.

In order to talk about these reforming ordinances, we must first understand the structure of the system in place beforehand. From the century and a half of Venetian rule before these 1363 ordinances, we have only the first set of *taqqanot* from 1228, the ones signed by Parnas Capsali and others written in rhyme, and a revised set of the same ordinances from some time later written in prose by an otherwise unknown Rabbi Tzedakah. These initial ordinances address ethical interactions with gentile neighbors, ritual purity, and synagogue attendance, among other elements of Jewish daily life.

Regarding communal structure, they identify communal leaders only with the vague terms “appointed officials” (*ha-memunim ha-reshumim*), and assert that these men are the only ones with the authority to impose excommunication.²⁶ An organizational structure which included these *memunim* (sg. *mamun*) seems to have lasted until 1363.²⁷ Deterioration in the sole surviving manuscript of *Taqqanot Qandiya*, especially in its early pages, makes much of these first ordinances unreadable, and so we do not know if the community’s “president,” the *condestabulo*, existed yet in the early decades of the thirteenth century. One of the signatories is referred to as the *manhig*, leader, but we cannot be sure what precisely this title designates. Certainly a century later the office of *condestabulo* was well established. In the revision of the first ten ordinances by Rabbi Tzedakah, dated to the first half of the fourteenth century by Artom and Cassuto, the right to call a ban is no longer the purview of unspecified officials, but only allowed with prior approval from “the *condestabulo* who will be [in that position] at that time.”²⁸

²⁶ In the Jewish context, the ban was a harsh social alienation with consequences in every area of economic, religious, and emotional life.

²⁷ Joshua Starr has outlined the evolution of the Jewish leadership council over the course of the fourteenth and fifteenth centuries in his seminal synthetic essay on the Jews of Venetian Crete. Starr, “Jewish Life in Crete,” 101-2.

²⁸ For the dating of Rabbi Tzedakah’s revisions, see *TQ*, introduction, p. 8. For the *condestabulo*, see *TQ* no. 22, p.13.

The Hebrew text transliterated the Venetian term without a translation, suggesting it had become well entrenched and deeply familiar by this point. From 1363 on, this leader's name would often be listed in the introduction or signatory sections of ordinances; the first man identified in March of that year is "our leader, our president [*nesiyeinu*]" David the son of Judah, "the *condestabulo*."²⁹

In 1363, however, this synod created and spelled out a more formalized leadership hierarchy. Each time the community elected a *condestabulo* (which seems to be an annual practice, though this is not entirely clear), that new leader was directed to choose seven men, "important men from the good men of the community," (*hashuvim mi-tuvei ha-kahal*) and have them swear on the Torah Scroll to uphold and enforce the rules of the community.³⁰ In a *taqqanah* dated a month later, but apparently part of the same synodal texts, the elite legislators referred to further community leadership roles: the *condestabulo* would have a panel of aides called "*hashvanim*" (auditors or councilors); the number of these men is not mentioned.³¹

The seeming precision of these new ordinances does not always bear out in the sources; in 1369, an ordinance is signed by the *condestabulo* and eight *memunim*, using the old term and an unexpected number—neither the seven goodmen mentioned above, nor any councilors.³² But by 1407, as Starr has noted, the *condestabulo*'s privy council was indeed made up of three men known as *hashvanim*, and this appears to be the standard arrangement over the course of the next

²⁹ *TQ* no. 24, p.13.

³⁰ *TQ* no. 25, p. 14.

³¹ *TQ* no. 31, p. 19. It is unclear whether these positions were innovations, or whether only their explication was new.

³² *TQ* no. 50, p.46.

centuries.³³ The *condestabulo*'s councilors were chosen internally within the Jewish community, although by the mid-fifteenth century Venice also recognized them as officials of the Jewish community, which we can see in a number of Latin records from the ducal court.³⁴

Many of the ordinances published by the reforming synod of 1363 repeat injunctions from earlier times, concerning mandatory gatherings, limitations on excommunication, maintaining the ritual bath, and the need for men to come pray in the synagogue. Despite their old content, their repetition at this juncture indicates the perceived importance of this synod and underlined the synod's goal of reunifying the community under common rules. In addition to these repeated statutes, other ordinances were decidedly new, and suggest novel social challenges faced by the community. Three ordinances seek to control the production, import, and purchase of kosher foodstuffs, to wit: wine (*TQ* 33), meat (*TQ* 36), and dairy products (*TQ* 37). Three others attempt to stem desecration of the Sabbath by various parties: those who sold wine on Sabbath (*TQ* 34), those who baked bread late into Friday afternoon (*TQ* 39), and those who worked late on Friday evening (*TQ* 38). This last injunction provided fresh specifications on how the leadership must work to prevent this behavior among members of the community. In addition, two ordinances seek to stem cheating in business deals with Christians, whether through the use of skewed weights and measures (*TQ* 35) or by selling black market goods (*TQ* 33).

If we are to take these new ordinances seriously, as I believe we should, they suggest a community large enough to regulate and produce kosher food, but also a community diverse

³³ Starr, "Jewish Life in Crete," 102.

³⁴ For example, in a ducal decree from 1454 instructing the Jews to give the government a very large forced loan of 5900 ducats, the duke specifically addresses the *condestabulo* (at that time, another member of the Capsali clan named David) and his three *camerarii* (chamberlains; advisors). The number of these advisors suggests that these are one and the same as the *hashvanim* mentioned in *Taqqanot Qandiya*. ASV Duca di Candia, b. 26 bis, r. 11, fol. 56r-v (24 Oct. 1454).

enough to have members for whom Sabbath was not the highest priority. These also point to increased commercial relations with Christian neighbors, with a concomitant rise in an attitude among some members of the community which rationalized unethical business practices when dealing with non-Jews. Although these are not unusual complaints to find in texts written by medieval Jewish communities, these new ordinances suggest an evolving focus and new challenges which the Candiotte leadership believed needed to be addressed in the post-Black Death decades.

Two new ordinances from 1363 point to a different kind of new problem facing the *kehillah*: Jewish prostitutes, Jewish pimps, and whorehouses within the Jewish quarter of Candia, a problem which—at least in part—appears to stem from entrenched poverty, since the statute records that some of the prostitutes attempted to secure housing in the Jewish community's poorhouse.³⁵ The authors of the *taqqanah*, however, are not concerned here with the sources of the problem. Rather, they seek only to root out the practice: first, by forbidding landlords to rent apartments to known prostitutes, and second, by publically shaming those involved (as providers or consumers) in prostitution. In the ordinance which follows, the authors express dismay over the implications of prostitution in terms of the reputation of Candia's Jewish women. Apparently, widespread knowledge of Jewish prostitution in the city had reached across the Mediterranean, particularly because of the many Jewish visitors who came to the city, patronized the prostitutes, and then told others of their existence.³⁶ This attempt at stamping out this “abomination” was fruitless: as scholars have noted, Jewish prostitutes remained a part of life in the city through the late sixteenth century at least, when the *provveditore generale* and known

³⁵ *TQ* no. 31, p. 19, and see esp. n. 15 and 16.

³⁶ *TQ* no. 32, pp. 20-22.

Jew-hater Giacomo Foscarini wrote of them.³⁷ Likewise, the leadership would reissue many other statutes over the next centuries, suggesting that many among their flock upheld the elite's careful plan only in the breach.

Between the writing of the initial ordinances of 1228 and the reforming ordinances of 1363, the Jewish community of Candia experienced a demographic and social crisis in the form of the Black Death, a horrific event which brought death and spurred survivors to flight. The leadership responded in the way it knew best: by putting in place new statutes which they hoped could reunify, solidify, and reorient the community under its leadership. Though the ordinances themselves were not revolutionary, the very act of calling a synod to pass a series of new statutes aimed at the community as a whole, and the conscious focus on explicating the structure of the Jewish leadership, speaks to the belief among the elite that this was a time in which Jewish life needed to be reordered and reunified, and that the community needed to be reminded of its unity. To some extent, the new *taqqanot* worked; it would be the system and the ordinances of 1363 which would remain mostly in effect and would often be republished over the course of the next centuries.

The *Judaica*

As the reforming ordinances of 1363 sought to control Jewish life within the confines of the Jewish quarter of Candia, let us turn to explore this important space and its broader implications for Jewish life in Candia. Let us first view the path to the *Judaica* through the eyes of Elia Capsali, as he continued his Friday afternoon walk in 1546.

³⁷ *TQ* no. 31, p. 19, n. 2. On Foscarini, see Zvi Ankori, "Giacomo Foscarini e gli Ebrei di Creta: Un riesame con una edizione degli 'Ordini' sugli Ebrei," *Studi Veneziani* 9 (1985): 67-183, esp. 94-96 and 172-73 for Foscarini's comments on Jewish prostitutes.

After taking leave of the duke, Elia Capsali started his jaunt home at the southern tip of the city. The Platea sat right inside the main southern land gate, an enormous vaulted archway known as the Porta di Piazza, which led from the town proper to the city's extensive suburbs, the *borgo*.³⁸ But the *borgo* primarily housed the Greek Orthodox population of Candia, and Capsali was heading in the other direction. Walking back to the northwest corner of the walled city where the Jewish quarter (Latin: *Judaica*; Venetian: *Zudecca*; Greek: *Obraki*) was located, Capsali may have walked north from the Platea, up the Ruga Maistra (or Magistra), the major north-south thoroughfare which tracked through the center of the whole town, from the southern land gate to the northern gate at the harbor. Along the Ruga he would have seen Jewish stalls set up among the homes and stores which lined the street.³⁹ He also would have seen garbage neatly piled up next to each home and stall: since the 1360s, residents and shopkeepers on the boulevard had been ordered to sweep up every Friday morning; a communal trash cart would collect it on Saturday morning while Capsali would be in synagogue.⁴⁰

At some point before the road hit the port, Capsali turned west and entered into the labyrinth of neighborhoods which made up much of the walled city. Before reaching the *Judaica*, navigating the narrow alleys, he passed by Jews rushing to bake their savory pies, known as

³⁸ Georgopoulou, *Venice's Mediterranean Colonies*, 54.

³⁹ Meshullam of Volterra notes Jewish shops along the Ruga in 1481. See Meshullam of Volterra, *Masah Meshullam mi-Volterah be-Eretz Yisrael be-Shnat 241 (1481)* [The Journey of Meshullam of Volterra in the Land of Israel in the Year 241 (1481)], ed. Avraham Yaari (Jerusalem: Mosad Bialik, 1948), 82. Though Jews could not live on the Ruga Maistra from the late fourteenth century onward, they were still entitled to rent storefronts and warehouses outside the *Judaica*. See, for example, ASV Duca di Candia b. 11, fragment 11/2, fol. 69v (27 Apr. 1391), in which a Christian is given permission to rent to Jews three of his stalls situated near (but outside) the Jewish quarter, which can be used as storage and retail venue. The Christian owner must make sure that the tenants do not live or sleep overnight in the stalls, on pain of fines imposed on both tenant and owner. Also referenced and edited in Georgopoulou, *Venice's Mediterranean Colonies*, 200, and n. 52.

⁴⁰ This garbage collection system had been put into place in the 1360s: ASV Duca di Candia, b. 15 (Bandi), fol. 79v, no. 109 (23 July 1361) and f. 104v, no. 26 (10 April 1363). Also referenced in Georgopoulou, *Venice's Mediterranean Colonies*, 76., with the complete text of the proclamation accompanying n. 7 (pp. 293-94).

tortes (sg. *torta*), alongside their Christian neighbors, as they had done for centuries—much to Capsali's pious dismay. This sight would bother him so much that in the weeks that followed this walk, Capsali would decide to build kosher ovens on his own property, at his own expense.⁴¹

Entering the *Judaica* through the southeastern gate, decorated with the lion of St. Mark and Venetian coats of arms,⁴² he probably strode down that neighborhood's main street, nicknamed in Greek *Stenón*, meaning “narrow.”⁴³ By Capsali's day, the *Judaica* was a city within the city—wholly enclosed by walls, some of which were also the outside walls of Jewish homes.⁴⁴ His ancestors living during the first two-and-a-half centuries of Venetian rule would have experienced a far more open *Judaica*, in which Jews living in the neighborhood would sometimes have Christian neighbors, and where, in the late fourteenth and fifteenth centuries, walls slowly began to delineate the boundaries of the quarter. Despite this increasing policy of isolating Jewish residence, Candia's Jewish community still felt that this place was a safe home for them, as it had been probably since Byzantine times. The physical neighborhood had become known by the insider-inclusive term *kahal* (community) already by the time of the ordinance revision under Rabbi Tzedakah (fourteenth century), where the author mandated that, for the sake of maintaining the sanctity of Sabbath and prayers, no Jew may leave the *kahal* (read:

⁴¹ Such is the primary focus of the ordinance in which Capsali describes this walk. *TQ* no. 102, p. 132-133.

⁴² This archway was erected and decorated in 1390, according to Georgopoulou, *Venice's Mediterranean Colonies*, 194. The source which mentions the building of this “*arcum de novo positum pro signo confinium Judaice*” is attested in 1390 or 1391, though Santschi misdates them to 1370. See Elisabeth Santschi, “Contribution à l'étude de la communauté juive en Crète vénitienne au XVe siècle, d'après des sources administratives et judiciaires,” *Studi Veneziani* 15 (1973): 189, where she quotes ASV DdC 29 bis, 22, 6, fol. 1r (24 June 1370), which according to the current identification system is ASV Duca di Candia b. 30, r. 22, fol. 106r-v.

⁴³ Ankori, “Jews and Jewish Life,” 332. Ankori notes that this *Stenón* still existed as a narrow lane in modern Iraklion through 1963. When he returned in 1966, however, he discovered that the whole street had been razed as part of the grounds of a hotel built in the area of the Jewish quarter. In fact, the hotel's garage replaced the medieval Jewish quarter.

⁴⁴ See below.

Jewish quarter) until morning services were over.⁴⁵ Here, the Jewish leadership co-opted the spatial limitations which had been imposed on the community and reinterpreted it as a protective neighborhood. A typical example of the intermeshing of imposed segregation and self-segregation, it tells us much about the way the Jewish elite, at least, had long thought of their micro-city.⁴⁶

There can be no doubt that the leadership of the ethno-religious communities of Candia emphasized and idealized segregation. As David Jacoby has written, “Both Jewish and Venetian ordinances envisaged the corrosive effects of social contacts and promiscuity between Jews and Christians and the benefits of the Jewish segregation.”⁴⁷ While Venetian legislation certainly aimed to separate Jewish and Christian residence, Jewish segregation was, at least in part, self-segregation. Per Jacoby, Jews kept to themselves “by choice. Their lifestyle, customs, culture, social cohesion and residential segregation emphasized their identity as a distinct ethnic and religious group.”⁴⁸ For Capsali and his ilk, then, the closed-in walls of the *kahal* felt comfortably familiar and protective.

In addition to experiencing the Jewish quarter of Candia as a locus of security, the elite also viewed it as a space in which they could assert their authority. Instead of considering the *Judaica* a limiting factor, *Taqqanot Qandiya* suggests that its authors saw the increasingly

⁴⁵ *TQ* no. 18, p. 10.

⁴⁶ That medieval Jewish quarters were a product of both externally imposed attitudes and internally constructed self-segregation has become something of a commonplace among scholars, as has the notion that these two factors functioned simultaneously without apparent contradiction. For one analysis of this approach, see Benjamin Ravid, “All Ghettos Were Jewish Quarters, but Not All Jewish Quarters Were Ghettos,” *Critical Inquiry* 10 (2008): 5-24.

⁴⁷ David Jacoby, “Jews and Christians in Venetian Crete: Segregation, Interaction, and Conflict,” in “*Interstizi*”: *Culture ebraico-cristiane a Venezia e nei suoi domini dal Medioevo all’Età Moderna*, ed. Uwe Israel et al. (Rome: Edizioni di Storia e Letteratura, 2010), 273.

⁴⁸ Jacoby, “Jews and Christians in Venetian Crete,” 256.

defined and confined space of the Judaica as a benefit. It enabled them to simultaneously define the boundaries of their power, helped them assert control over their communities, and perhaps even boost morale by assuring their flocks that they did indeed have a place to be themselves. The authors of *Taqqanot Qandiya* certainly saw and depicted the Jewish quarter of Candia as an insider space. As in the example above, they regularly use the term *kahal*, community, not only in reference to the people, but as a name for the physical Jewish quarter. The semantic field often seems to conflate the two, people and place. The leadership decries Jewish prostitutes dwelling in residences located “in our community [*be-kehelliteinu*].”⁴⁹ Even more explicitly, in the ordinances forbidding Jews from leaving the confines of the Judaica during Sabbath and holiday prayer services mentioned above, we read, “From today forward, no one among the people of our community [*me-anshei kehillateinu*] will be permitted to leave the community [*kahal*; read: Jewish quarter] on Sabbaths, the New Months, or holidays, without a compelling reason, until the exit from the morning synagogue service.”⁵⁰ A revision of this ordinance passed by the reforming synod of 1363 makes the conflation more specific, and more concrete: “from this day forward no Jew among the people of our community [*me-anshei kehillateinu*] will be permitted to leave from the street of the community [*rehov hakahal*] during the morning services during the time that the synagogue is open for prayer.”⁵¹ For the Jewish leadership, the space of the Jewish quarter was one and the same with the confines of the Jewish community.

But the conflated language of the *kahal* as a human and spatial designation functioned not only as a vocabulary of inclusion, marking everyone inside as a member of the community. It

⁴⁹ *TQ* no. 31, p. 19

⁵⁰ *TQ* no. 18, p. 10. The manuscript section in which the 1228 version of this ordinance appears is damaged and completely illegible.

⁵¹ *TQ* no. 30, p. 18.

could also help to draw the barriers of exclusion and difference. In a list of all the *taqqanot* passed in 1363, the Sabbath ordinance is identified with this extended title: “That no Jew may exit from the community [*min hakahal*] into the alley of the Gentiles [*le-mevo’i hagoyim*] on Sabbaths and holidays at the time that the congregation [*tzibbur*] is praying, and all Jews are obligated to come to the synagogue to be as a single association [*agudah*] in their prayers.”⁵² The Jewish space of the *kahal* sharply and definitively contrasts with Christian space in this model. One must exit, making a formal transition, from one to the other. Although it is unclear whether this alley refers to a specific street or a general category of streets, the choice of contrasting words is suggestive: the language of the *kahal* evokes openness, the alley calls to mind narrow confinement.

The contrast between Jewish space and the Christian space beyond the walls appears most explicit when the authors of an ordinance mention the vesper bells “which are rung by the friars [lit. the brothers], the priests who are on the border of the *kahal*.”⁵³ The Dominican monastery of St. Peter Martyr—and its representatives of Christianity—which stood to the east of the *Judaica* formed not only a physical boundary between the Jewish quarter and the Christian world outside, but also a conceptual boundary indicating where the *kahal* (qua persons and place) ended.

Yet even as the Jewish leadership saw the *Judaica* as a definitively Jewish space, they also recognized that they were not alone inside. The boundaries were not impermeable, nor did they need to be. Even the Dominican monastery, which starkly delineated the border of the *Judaica*,

⁵² *TQ* no. 54, p. 53.

⁵³ *TQ* no. 38, p. 28.

was not purely external to the Jewish space. The vesper bells could be easily heard within. In fact, the *taqqanah* which mentions these bells demanded that Jews utilize the sound of their ringing as a sign to cease working, once and for all, as Sabbath began.⁵⁴ The Christian sound, invading Jewish space could be repurposed for a squarely Jewish aim. The seeming encroachment of Christian things into Jewish space should thus be read as multivalent, not to be simply and single-mindedly repelled, but rather to be controlled—or better, in the spirit of Jewish exegesis, to be reinterpreted. Even a monastery—probably intentionally built in this location so as to abut the *Judaica*, perfect for turning Jewish souls to Jesus—could be co-opted by the Jewish establishment for its own goals.

Jews and Christians inside the Judaica

Such a case of the intersection of Jewish and Christian worlds inside the *Judaica* does not exist in isolation. A further analysis of sources from Candia, including evidence from other *taqqanot*, argues for a more complex picture of ongoing and relatively uncontentious Jewish-Christian interaction and Christian activity inside the very bounds of the Jewish quarter. First and foremost, these sources paint a portrait of a Jewish quarter with unrestricted access where Christians could regularly be found. While Venice compelled Candiot Jews to live almost exclusively within the confines of the understood *Judaica* around the middle of the fourteenth century, Christians also owned and lived in homes within the *Judaica*.⁵⁵ In the aftermath of the

⁵⁴ See Ankori, “Jews and Jewish Life,” 330, where he notices the strangeness of such a set up: “Paradoxically then, it were the Vesper chimes of Catholic prayerhouse in the predominantly Greek Orthodox city of Candia that heralded to Jews across the *Zudecca* wall the weekly advent of the Jewish Sabbath.” On the meaning of sound within a Jewish community, see Robert Bonfil’s imaginative eighth chapter, “Sounds and Silence,” in his *Jewish Life in Renaissance Italy*, trans. Anthony Oldcorn (Berkeley: University of California Press, 1994), 233-42.

⁵⁵ For the push to contain all Jews inside the Jewish quarter, see Starr, “Jewish Life in Crete,” 63, n. 15, also discussed below.

anti-colonial rebellion known as the San Tito revolt (1363-1364), as Venice's administration sought to reassert its control, it confiscated homes of rebels; a 1365 proclamation notes that many of these homes were not only *in civitate candide*, but also *in iudaica*.⁵⁶ Lest we think that all of these Christian-owned homes were rented to Jews—as many Christian-owned residential buildings were—other evidence illustrates that some, even wealthy, Christians actually lived there.⁵⁷ Sometime in the mid-fourteenth century, the Jewish businessman Liacho Mavristiri bought a home in the *Judaica* from Hemanuel Jalina, a successful Greek Orthodox businessman and tavern owner.⁵⁸ The Jalinas, however, were not selling their home to move out of the *Judaica*, but rather owned a second home next door to the Mavristiri's property where they actually lived. By 1393, the Mavristiris had sold their home to another wealthy Jew, Joseph Missini, but the Jalinas still lived on their property next door.⁵⁹ The *Judaica* housed not only Greek Christians, but also prominent Latins. In a family fight over ownership of a house in the Jewish quarter in 1358, the court record denotes the relative position of the residence by specifying all the neighboring homes.⁶⁰ On the east side, the house faced the street (*ruga*

⁵⁶ ASV Duca di Candia, b. 15, r. 1, fol. 118r (25 Jan. 1365).

⁵⁷ For a number of examples in which a Christian owned a home which he rented to a Jew: Antonino Lombardo, ed. *Imbreviature di Pietro Scardon* (Turin: Editrice libraria italiana, 1942) [hereafter *Pietro Scardon*], no. 358 (29 May 1271), in which Marcus Bernardo de Lassiti, a resident of Candia, rents a piece of land with a building on it for one year to the Jew Sambatheus, son of the late Moyses, for the low price of 1.5 hyperperon (whether this home was inside the *Judaica* or not is unclear); Gaetano Pettenello and Simone Rauch, eds. *Stefano Bono, notaio in Candia* (Rome: Viella, 2011) [hereafter *Stefano Bono*], no. 265 (10 Sept. 1303), in which Eleazaro Balbi and Potha Cummani, Jews, rent the house owned by Marinus Quirino of Candia for 12.5 hyperpera a year; Salvatore Carbone, ed. *Pietro Pizolo notaio in Candia* (Venice: Il Comitato, 1978-1985) [hereafter *Pietro Pizolo*], no. 798 (16 July 1304) in which Giovanni Corner rents (it seems, actually, re-rents) his home in the “campo iudee” which is “next to the city wall” to the Jew Ligiacho Lago for up to 29 years at a rate of 2 hyperpera per year; the next month, the same Corner rents a nearby home to the Jew Elia Vilara for 2.5 hyperpera per annum (*Pietro Pizolo*, no. 824, 6 Aug. 1304).

⁵⁸ For Hemanuel Jalina, see Sally McKee, “Women under Venetian Colonial Rule in the Early Renaissance,” *Renaissance Quarterly* 51 (1998): 43; Jacoby, “Jews and Christians in Venetian Crete,” 277.

⁵⁹ ASV Duca di Candia b. 30, r. 23, fols. 20v-21v (2 Dec. 1393). For more on Joseph Missini, see chapters 2 and 6.

⁶⁰ ASV Duca di Candia, b. 29, r. 12, fol. 2r-v (27 Nov. 1358).

comunis). On the west and north stood homes with Jewish residents. On the southern side, however, the disputed house abutted the residence of Ser Johannes Gradenico, a member of the Venetian elite.

Ambivalent Segregation

The *Judaica*'s close quarters suggests daily interaction on the street, and perhaps inside homes. Nevertheless, not all interaction was positive, nor did the decision to live next to Jews mean that Christian neighbors necessarily felt warm to Jews. When told that the new Jewish owners who had bought the Mavrisitiris' home should be able to share the water cistern which laid underneath the property of both neighbors, a member of the Greek Jalina family stated what he saw as a truism: '*non est justum nec equum iudeos et christianos missere in una cistern*' [it is neither fair nor just for Jews and Christians to mix at one cistern].⁶¹ Indeed, it was over the staunch refusal by the Jalinas to share their water with the Jewish Missini that a court case passed through all of the lower courts until it was heard by the duke himself.⁶²

It is worth emphasizing, however, that from a Venetian legal perspective, the colonial government cared little for the ethno-religious fear of sharing water, and looked only to issues of property rights to make its judgment in the case of the shared cistern. The Greek family was indeed ordered to accommodate the Jewish family with whom they shared the cistern, although the judges did authorize a division in the cistern so that each side would have separate access to the water. A Solomonic solution of sorts, meant to appease both sides. Social attitudes, then,

⁶¹ ASV Duca di Candia b. 30, r. 23, fols. 20v-21v (2 Dec. 1393).

⁶² For similar Greek fears of Jewish contagion, see chapter 3.

were not always translated into legal limitations, even as the Venetian government sought to keep all its subjects mollified.

Nevertheless, sometimes social dislike of Jews did translate into Venetian statutes that limited contact. The Jewish quarter as a singular, defined space become increasingly reified and limited over the course of the fourteenth and fifteenth centuries, a trend paralleled in many other locations across Christendom.⁶³ Until the fourteenth century, Jews lived both in the area which would become known as the *Judaica*, and in a particular area of the suburban *borgo*.⁶⁴ Even the very boundaries of what streets constituted the *Judaica* were fluid for the first century of Venetian rule, though they seem to have clearly defined by 1334, when, for the first time, Jews were ordered to own and rent homes only inside the *Judaica*. An order of compulsion for Jews to live exclusively in the streets now strictly delineated as the Jewish quarter was also published in 1350, perhaps part of the pan-European response to the Black Death.⁶⁵ In the early 1390s, the ducal administration ordered that some of the homes along the southern boundary of the *Judaica*, and which were directly across the street from Christian homes considered not part of the *Judaica*, had to be walled off.⁶⁶ The east side of the *Judaica* was similarly bricked up in 1450, at the very end of the period under study here, following complaints by the nearby Dominican

⁶³ For a concise discussion of the rise of compulsory Jewish quarters, see Ravid, "All Ghettos Were Jewish Quarters," 5-24. He notes in particular fourteenth-century trends toward limiting and delimiting Jewish residence in Germany, France, and Iberia; see pp. 8-11.

⁶⁴ Georgopoulou, *Venice's Mediterranean Colonies*, 193.

⁶⁵ For the senatorial order of 1334, see Spyridonos Theotokés, *Thespismata tes Venetikes gerousias, 1281-1385* (Athens: Grapheion Demosieumatou Akademias Athenon, 1936) vol. I, p. 43 (no. 35). The order by to confine the Jews to this bounded area is edited by Georg Martin Thomas, *Commission des Doges Andreas Dandolo für die Insel Creta vom Jahre 1350* (Munich: Verlag der K. Akademie, 1877), 185. Also see Starr, "Jewish Life in Crete," 63, esp. n. 15; and Georgopoulou, *Venice's Mediterranean Colonies*, 193.

⁶⁶ ASV Duca di Candia b. 30, r. 22, fols. 105v-106v (24 June 1391).

monastery of St. Peter Martyr.⁶⁷ By the mid-1450s, then, the *Judaica* was no longer simply a neighborhood where Jews chose to settle together, but a walled-in, discrete quarter whose inhabitants no longer lived there solely by choice.

Though these moments of legal separation were significant, and reflect new papal legislation and the effects of mendicant preaching, we must not forget that this monastery and church had stood side by side with the Jewish homes for over two centuries before the wall was erected.⁶⁸ The waterfront compound lay so close to the *Judaica*'s easternmost street that the friars could see into Jewish homes whose windows and balconies overlooked the monastery. It was this visual proximity to the Jews which threatened the friars' souls, or so they said in the complaint which sparked the walling in of the *Judaica*'s street.⁶⁹ In contrast, note that the Venetian Senate ordered the Jewish quarter of Venetian Negroponte to be separated from the rest of the city by a wall already in 1304 "for reasons of security."⁷⁰ Such a difference in policy highlights that each Venetian colony must be investigated separately, as legislation, contingencies, and enforcement of law regarding Jewish settlement and interactions with Christians did not necessarily apply uniformly to the whole *Stato da mar*.

⁶⁷ For this event, see Maria Georgopoulou, "Mapping Religious and Ethnic Identities in the Venetian Colonial Empire," *Journal of Medieval and Early Modern Studies* 26 (1996): 483, and see n. 58.

⁶⁸ The Dominican monastery was probably established during the reign of a Dominican archbishop, Giovanni Querini, whose tenure spanned 1247-1252. Georgopoulou, *Venice's Mediterranean Colonies*, 136. Ravid notes the effect of preachers such as Vincent Ferrer, and Pope Benedict XII's 1415 papal bull which called for Jewish residential segregation, on Italian (and thus Italian-sphere) policies. Ravid, "All Ghettos Were Jewish Quarters," 11-12.

⁶⁹ Georgopoulou, *Venice's Mediterranean Colonies*, 194.

⁷⁰ Georgopoulou, *Venice's Mediterranean Colonies*, 201. Even in Negroponte, however, a senatorial decree from 1402 intimates that neither the residential requirements nor the wall limited Jewish activity enough for Latin tastes, leading to further orders in 1402 to block off all but three entrances to the Jewish quarter. Noiret, *Documents inédits*, 133 (30 May 1402).

Had these and other similar laws been strictly enforced, the Jews of Candia could have encountered Christians close to home certainly before the 1390s, but a sharp segregation between Jewish and Christian residential areas would have obtained in the following decades. The statutes themselves, however, seem to hint at some ineffectuality, as in the repeated orders of 1334 and 1350. But they also suggest flexibility: the laws of the 1390s explicitly permitted specific Jewish home owners whose real estate fell outside of the technical confines of the Jewish quarter to continue living in their homes, and to rent apartments to other Jews.⁷¹ Indeed, Venice does not seem to have been terribly strict in enforcing the residence policy in any of its colonial holdings. David Jacoby has noted that even after Jews were forbidden from owning real estate outside Jewish quarters across the Venetian overseas territories in 1423, Venice looked the other way as Jews continued to buy, sell, and rent outside the *Judaica* even in parts of Crete over the course of the next centuries.⁷² In 1577, alongside his grievance over Jewish prostitutes in the city, *provveditore generale* Giacomo Foscarini complained that he still found Jews living outside Candia's *Judaica*, albeit in the vicinity.⁷³ As in other cases, it seems that the law was upheld mostly in the breach.

Thus Candia's Jewish quarter was not an impermeable space; it would never be precisely the 'urban condom' of the Venetian ghetto, to use Richard Sennett's graphic expression.⁷⁴ Even

⁷¹ ASV Duca di Candia, b. 30, r. 22, fols. 105v-106 v (undated; 1391?).

⁷² Jacoby, "Jews and Christians," 261. Jacoby cites evidence for the continued purchase and residence outside the Jewish quarters of Rethymno, a town on the northwestern coast of the island, and also in Castronovo and Bonifacio, closer to Candia.

⁷³ Georgopoulou, *Venice's Mediterranean Colonies*, 196.

⁷⁴ Richard Sennett, *Flesh and Stone: The Body and the City in Western Civilization* (New York: W.W. Norton, 1994), 237. Quoted in Benjamin Ravid, "How 'Other' Really Was the Jewish Other? The Evidence from Venice," in *Acculturation and its Discontents: The Italian Jewish Experience Between Exclusion and Inclusion*, ed. David N. Myers et al. (Toronto: University of Toronto Press, 2008), 43-44.

the closing of the walls over the course of the fourteenth and fifteenth centuries could not enforce this kind of complete separation. This was especially true because Venice did not prevent non-resident Christians from entering the *Judaica*. The arched gate built in 1390 to demarcate the southeast limit and provide a formal entrance into the Jewish quarter was neither closed nor locked.⁷⁵ Thus we find Christians who lived in other parts of the city and from the countryside present in the *Judaica*'s streets and squares, and even inside Jewish homes and on Jewish property. That it was absolutely normal for Christians to enter the Jewish quarter, rather than an exceptional experience, is perhaps best expressed in a court verdict from 1449.⁷⁶ The judiciary specifically banned three Christian men (whose crimes unfortunately were not recorded) from entering the Jewish quarter for any reason (*non debeant ire ad iudaicam candidè per aliqua causa*), on pain of both incarceration and monetary fine.⁷⁷ Should one of them enter the Jewish quarter, the monetary fine would be divided between the denouncer and the commune—only if another inhabitant of the city were to denounce the men would this restraining order have any teeth. Thus we see just how easy it would be for one of these men to walk right in, and how regular it was for Christians to enter the *Judaica* as they pleased.

Although we do not know why these particular three men wanted to enter the *Judaica*, we can certainly witness other Christians mid-activity. Just as Jews often used the rest of the city for economic transactions, much of the Christian activity in Jewish space that is visible to us was economic. The many Christian landlords who rented to Jews, for example, must have entered the *Judaica* to deal with their property and tenants. In another kind of exchange, the Jewish

⁷⁵ Georgopoulou, *Venice's Mediterranean Colonies*, 194, 196.

⁷⁶ ASV Duca di Candia, b. 32, r. 44, fols. 176r-v (6 Mar. 1449).

⁷⁷ The only hint of the circumstances of this restraining order comes from the final segment of the verdict, where the three men are also instructed not to harm Ser Johannes Suriano, an *advocatus*, nor Maria Christiana, a former Jew.

prostitutes mentioned above serviced their clients (including Christians) inside the *Judaica*'s whorehouses and poorhouses. Christian masons contracted to build walls for Jewish homes inside the *Judaica*.⁷⁸ Christians provided other goods and services for Jews in the *Judaica*'s streets and public squares, such as a Christian milk and cheese seller (probably from a surrounding village) whose products were deemed insufficiently kosher for Rabbi Meir Ashkenazi, who ordered the man's milk to be dumped.⁷⁹

Despite the negative valence of a malicious and fraudulent Christian food seller assumed by this tale of the dumped milk, proudly recorded by leaders asserting their right to control foodstuffs within the walls of their domain, Jews actually brought Christians into their very homes inside the *Judaica* for economic and professional purposes, even at the behest of the very same leaders.⁸⁰ A *taqqanah* from 1363 instructed that, although it was preferable for Jewish tailors to sew clothing for members of the community, should a Jew need to hire a Christian tailor, he was permitted to do so—on the Jew's turf. The Jew “should bring him [the Christian tailor] into the Jewish home, and he should sew for him on Jewish property” so as to avoid the biblically prohibited mixing of wool and linen known as *sha'atnez*.⁸¹

Though in this ordinance the Jewish leadership sought to control the entrance of Christian artisans into Jewish home, a later *taqqanah* indicates the flock did not limit Christian access as the rabbis had dictated. In 1518, the Jewish leadership wrote that some Jewish artisans, specifically tailors and cobblers, were regularly bringing Christian apprentices into their

⁷⁸ For one example among many, see *Stefano Bono*, no. 480 (5 Nov. 1303), in which the Jew David Villara hires two Christian masons Thomas Alberigo and Thomasinus Tanoligo to build three walls and three gates at his house.

⁷⁹ *TQ* no. 53, pp. 52-53.

⁸⁰ A further assertion of power through the control of the dairy trade can be found in *TQ* no. 55, pp. 54-56.

⁸¹ *TQ* no. 41, p. 33.

homes.⁸² Unsurprisingly, the Jewish leadership was horrified by this practice. Not only does such behavior make the Jews “impure,” they wrote, but such interaction inside the home defied Venetian law. Though the reasons to forbid Christians in Jewish homes were “too many too count,” the authors nonetheless chose to recount a few: “The teenage boys of Israel will follow along after them in their deeds and in their habits, and they will mix in with the *goyim* and they will learn their deeds.” Moreover, they wrote, the Jewish masters should be forbidden to bring in apprentices “because of their wives and their daughters.”⁸³

Although the authors of this ordinance, particularly the current leader Rabbi Elia Capsali, worked hard to make this seem like an atypical and perhaps new activity, the threat warranted its own community-wide decree. Indeed, it is highly likely that a significant number of young Christian men would come to the homes and workshops of Jewish artisans every day, perhaps even staying overnight and being fed and clothed by the Jewish master, like apprentices in Christian settings. This behavior was not new; a notarial contract from 1338 shows a Jewish weaver hiring two Latin assistants for an entire year to help him finish woolen cloth.⁸⁴ These apprentices were obviously not walled off from the artisans' Jewish families, but instead interacted with both the male and female family members in a way deemed seriously worrisome by the Jewish authorities, but apparently not by the Jews who hired them.

⁸² *TQ* no. 74, pp. 78-80.

⁸³ *TQ* no. 74, p. 80.

⁸⁴ Elisabeth Santschi, “Contrats de travail et d'apprentissage en Crète vénétienne au XIVe siècle d'après quelques notaires,” *Revue Suisse d'Histoire* 19 (1969): 50. Mentioned in Jacoby, “Jews and Christians,” 268-269.

Surveillance

The ordinances regarding Jewish artisans point to a divide between the rank and file Jews, who seem to have related more casually to sharing Jewish space with Candia's Christians, and the religious leaders, who appears in these sources more anxious about such interaction. Even in the ordinance 1363 which instructed Jews to bring Christian tailors into their homes, this act was approved only because it enabled surveillance: the Jewish home could be controlled by the Jew, and thus the Christian's behavior—that is, the choices of cloths the tailor used—could be watched and controlled. In the 1518 ordinance on Christian apprentices, the leadership appeared concerned about control once again; the long-term relationship of the master and apprentice had led to a situation in which the Christian was no longer guarded while in the Jewish house, and instead influenced the thoughts and behaviors of the susceptible members (read: females and children) of the Jewish household. The milk seller whose dairy products had to be spilled, likewise, did not break the rules of the *kahal* by being inside the *Judaica*, but instead had not subjected his goods to the rigorous guarding demanded to ensure a kosher product. Thus, from the perspective of Candia's Jewish leaders, within the confines of the Jewish quarter a surveilled Christian was an unthreatening Christian. Like the vesper bells ringing atop the Dominican monastery at the eastern border the *Judaica* which could become reinterpreted as a sign marking the entrance of the Sabbath, individual Christians could be co-opted; they could be socially neutered through surveillance, thus made unthreatening, and rendered useful.⁸⁵ Even Elia Capsali himself could agree: upon opening a kosher-only bake-house in his own property, he “discovered” that no Jewish bakers lived in Candia, and thus hired a Christian baker to come work on his property each day. Capsali taught this Christian the laws of kashrut and not to bake

⁸⁵ As the Jewish community is instructed as part of the 1363 reforms, in *TQ* no. 38, p. 28.

on Sabbath.⁸⁶ But even after learning the rules, this baker was rarely left alone. As Capsali told his reading audience, he built the two ovens right between his front door and his synagogue, so that “I enter them and certify them [*u-makhshiram*] at all times [*be-khol et v'et*].”

Surveilling Other Jews

An important addendum to our understanding of the Jewish leadership's approach to the *Judaica* as a space of surveillance lies in the groups intended to be excluded by the Candiote definition of the *kahal*. Without a doubt, the *taqqanot* illustrate that the *kahal*'s Jewishness contrasted with Christianness outside: it was a place where Sabbath happened, while outside the rest of the city went about their regular business; it limited the power of the friars whose Dominican monastery loudly perched on the very border of the *Judaica*. But the *kahal*'s guarded space also enabled the leadership to keep out other Jews. That is to say, the rhetorical language of “us and them” implied by the term *kahal* was at times marshaled not only against Christians, but also against Jews found equally threatening.

The Jews of the fortress town of Castronovo (or Castelnovo), near Candia, sparked a lot of anxiety in the pious leadership inside the *Judaica*. The tense relationship between Candia's leadership and Castronovo was not short-lived; ordinances against them appear in 1363, and then again in 1567.⁸⁷ Two statutes from 1363 offer a clear set of complaints against them.

Castronovo's Jews sold supposedly kosher meat which could not actually be trusted; their dairy

⁸⁶ *TQ* no. 102, p. 135.

⁸⁷ For the epistle-cum-ordinance from 1567, see *TQ* no. 108, pp. 143-44. Here, the Candiote leadership is horrified that the local religious leadership in Castronovo saw fit to take it upon themselves to excommunicate a member of the community on the first day of the holiday of Shavuot. The Candiote leadership reminds the people of Castronovo that only Candia's rabbis have that right—given to them by Venice itself—and that their behavior, if continued, would provoke a wholesale excommunication of Castronovo's Jews.

products were equally suspect.⁸⁸ Their religio-economic behavior was deemed “evil,” and the rabbis feared that they would act “in secret” to trick Candiote Jews into buying and eating impure foods (or, they admit in another spot, many Candiote Jews were all too willing to engage in this secretive purchasing).⁸⁹ Only if their cheeses were approved through a method of investigation, interrogation and certification—that is to say, sustained surveillance—could Jews from Castronovo legally sell to their co-religionists inside the city. The spatial component which highlights the divide directly echoes the language of Jewish-Christian bifurcation: the Castronovans and their ilk are “outside of our community” (*mi-hutzah le-kehilateinu*), to be contrasted with the Candiote Jews, who are “men of our place” (*anshei mekomeinu*). To be sure, we must contrast the rabbinic attitude toward these outsider Jews with that of the common Jewish flock. Not all Jews saw their co-religionists in Castronovo as beyond the pale; some Jews, at least, were willing to buy their unapproved foodstuffs. Likewise, some Candiote Jews were willing to marry their children to spouses from Castronovo, as Solomon Torchidi did in 1451.⁹⁰ Yet for the religious elite in Candia, these Jews were problematic and had to be watched with a careful eye.

The bifurcation of space according to this Jewish text's model, the complicated “us and them” which goes beyond ethnic affiliation, must then not be understood only as a setting for inter-religious separation (or at least, highly guarded and short-term interaction). Instead, we should read this rhetoric as a way in which the Jewish religious leadership sought to divide their

⁸⁸ *TQ* no. 36, pp. 26-27; *TQ* no. 37, pp. 27-28.

⁸⁹ *TQ* no. 37, p. 27 is concerned with the Castronovan Jews' “secret” selling of unapproved dairy; the Candiote Jews are treated as passive dupes. *TQ* no. 36, p. 26, quietly but equally implicates Candia's Jews in this behavior, this time in regards to unapproved meat.

⁹⁰ Solomon Torchidi of Candia contracted for his son Samaria to marry Cherana, the daughter of Isach Gaytani of Castronovo. Gaytani's daughter brought with her a significant dowry, including 300 hyperpera and an additional twenty-five hyperpera for a home. ASV Notai di Candia, b.2 (not. Michele Calergi), fol. 43r (15 July 1451).

community (qua “holy community”) from anyone (Christian or otherwise) who could threaten the order and organization, piety and religious strictures, and well-established social hierarchy which these elite families had carved out for themselves within the small set of rabbit-warren alleys.



Now that we have considered the ideologically infused meaning of the Jewish Quarter to Crete's Jewish elite, let us return to Elia Capsali as he entered the *Judaica* to explore how he might have experienced it spatially.

As he approached his home, the tall buildings which marked the *Judaica* as different from other neighborhoods—buildings of three or four stories, as opposed to the usual single story homes occupied by most non-Jewish Candiotte residents—would have shaded Elia on this late summer afternoon.⁹¹ He may have walked near the Jewish slaughterhouse, or through the web of streets known as the “Cobbler's Area” (*Contracta Cangaria*).⁹² He also may have passed any of the quarter's five synagogues,⁹³ its *mikveh* (ritual bath), or its public well.

Though the *mikveh* and the public well stayed constant over the course of the three centuries between the first *taqqanot* and Elia's own tenure as *condestabulo*, the number and locations of the synagogues did not. Within the *Judaica*, the synagogue was to some extent the center of Jewish life, at least for the elite members of the community. *Taqqanot Qandiya*

⁹¹ Georgopoulou, *Venice's Mediterranean Colonies*, 198.

⁹² Maria Georgopoulou, *The Meaning of the Architecture and the Urban Layout of Venetian Candia: Cultural Conflict and Interaction in the Late Middle Ages* (Dissertation, UCLA, 1992) (Ann Arbor: UMI Dissertation Services, 1995), 321.

⁹³ There were at least four synagogues in use during the fifteenth century, though multiple naming schemes for each one makes it difficult to identify them, and some evidence suggests at least five synagogues by 1500. Meshullam of Volterra saw four synagogues in 1481. See Zvi Ankori, “The Living and the Dead: The Story of Hebrew Inscriptions in Crete,” *Proceedings of the American Academy for Jewish Research* 38 (1970 - 1971): 19, n. 25. See also Georgopoulou, *Venice's Mediterranean Colonies*, 196-97.

suggests that the oldest synagogue which had been in use in 1228, the one named for the Prophet Elijah, closed down at some point after 1369. This closure left three synagogues still functioning until some point in the next century, when the Delmedigo family founded the Allemaniko (“German”) synagogue around 1400.⁹⁴ In 1481, the pilgrim-merchant Meshullam of Volterra reported that he saw four synagogues in Candia. But we cannot be sure of the size or regularity of use of these four. Indeed, the *taqqanot* indicate that in 1424 a number of synagogues existed, but there were but two major ones (*hashtayim hagdolot*).⁹⁵

The synagogue was a meeting house as well as a house of prayer. In the early part of the fifteenth century, the Synagogue of the Priests seems to have filled the role of a communal center. In 1435, then *condestabulo* Elkanah Delmedigo gathered the community to discuss the on-going crisis in which Jewish-owned stores remained open for business far too close to the start of Sabbath, and also sold goods during the intermediary days of holidays (*hol hamo'ed*). This particular synagogue, the resulting ordinance suggests, was the standard meeting place for community leaders who “sat time and time again in the Synagogue of the Priests, and debated the issue.”⁹⁶ Similar language positing the importance of Synagogue of the Priests for community meeting appears during the tenure of *condestabulo*, Elijah Missini a decade earlier.⁹⁷ In the later years of the fifteenth century, however, the nexus of power moved; the leadership met at the Great Synagogue (*Beit Knesset HaGadol*) to discuss religious crises such as the laxity in separation between fiancés and their betrothed before the wedding (as they did 1477).⁹⁸

⁹⁴ Starr, “Jewish Life in Crete,” 98.

⁹⁵ *TQ* no. 59, p. 61.

⁹⁶ *TQ* no. 57, p. 58.

⁹⁷ *TQ* no. 59, p. 61.

⁹⁸ *TQ* no. 62, p. 64.

On its west and north sides, the *Judaica* abutted the water. The *Judaica*'s seawall overlooked Dermata (Tanners') Bay, located west of the city's main port. Although the neighborhood was certainly crowded, it is hard to know if the *Judaica* Capsali called home was truly an undesirable location full of bad smells from the tanneries and constant threats from land and sea, as some scholars have asserted.⁹⁹ Contrary to this view, a series of Jewish mansions were built along the northern waterfront, suggesting the smell was not a reason to avoid the area, and at least one Christian visitor in 1571, Lorenzo da Mula, wrote that the Jewish quarter (or at least its parts closest to the water) was the "most beautiful part of the city."¹⁰⁰ Likewise, the keen-eyed visitor Meshullam of Volterra, in Candia in 1481, noticed other negative parts of Jewish life in the city, but did not comment on any problems with the Jewish quarter.

Perhaps if he was late in arriving, Capsali may have heard the Vesper bells from the monastery church of St. Peter the Martyr, paradoxically announcing that Sabbath was soon to arrive. Finally returning home, he would have strolled through his large yard and passed into his family's residence compound, where he would prepare for the incoming Sabbath. His wealthy family probably owned their own home; most Jews rented from rich Jews or Venetian Christian feudatories who held land in the *Judaica*, a situation which could provoke tensions (and sometimes lawsuits).¹⁰¹ But thoughts of business, property, and dispute could be left for another

⁹⁹ Ankori, "Jews and the Jewish Community," p. 324; Georgopoulou, *Venice's Mediterranean Colonies*, 192. Ankori's insistence on the negative qualities of the location of the Jewish quarter also include the assertion that the northwestern location of the *Judaica* actually deprived the Jews of easy access to the actual activities of the port, which were located "at the northeastern corner of the walled city" (p. 326; italics in the original). He also reads the legislation of 1325, the first attempt to limit Jewish residence to the Jewish quarter, as part of a project to keep Jews as far away from the center of town as possible (p.325).

¹⁰⁰ The Jewish quarter, according to Lorenzo, "nella più bella parte della città, sopra di mare, con case et stabili bellissimi." Quoted in Georgopoulou, *Venice's Mediterranean Colonies*, 199, n. 48.

¹⁰¹ For an ordinance warning Jewish landlords from mistreating and evicting their tenants, see *TQ* no. 29, p. 16; for examples of intra-Jewish landlord/tenant litigation, see chapter six. Also see Georgopoulou, *Venice's Mediterranean Colonies*, 197-98.

day. As the sun began to set on Friday afternoon, he would settle down with his family for the Day of Rest, pray the evening service in the synagogue of his choice, and enjoy Sabbath dinner with confidence in his stable position as leader of the Jewish community of Candia.

Conclusion: Elite Leadership, Community, and the Individual in Candia

The elite leadership of Jewish Candia left for posterity a self-conscious portrait of their community. In it, they carefully constructed an image of a neat and controlled organizational structure, a unified and safe Jewish quarter, and a community of mostly pious members. In moments of crisis, such as in the aftermath of the Black Death, the leadership marshaled custom and law to reconnect the people of the community. But this image must be read as predominantly a prescriptive one, because a close reading of the very same legislation reveals a practical reality far messier than the authors intended. The *kehillah kedoshah* of Candia was made up of rabbis, but also wine merchants and doctors, tanners and tailors, Sabbath-breakers and prostitutes, Jews very rich and very poor. It had old members of the community and newcomers from across the Mediterranean and beyond. With such diversity the leadership sought ways to unify, and to control, for the sake of piety and to maintain their authority. These leaders were able to marshal the image of Jewish quarter not as a locus of imposed segregation, as it appears in much of the historiographic discussions of medieval Jewish life, but as an insider space where the Jewish community could expect protection from outsiders, an emotional community of likeminded Jews, and a home base. The concept of self-segregation, an act of choice, is already woven into the philosophical underpinnings of *Taqqanot Qandiya*.

To be sure, this rhetorical and idealized image of the *Judaica* and its neat leadership structure did not squarely match the reality on the ground. The Jewish quarter was not a space apart, but one deeply tied into the wider city and its inhabitants, nor was it neighborhood in

which the Jews matched the leadership's picture. Prostitutes, Christians, impious Jews, and the sounds of the nearby Christian monastery intruded on the elite's idealized space. Yet even these intrusions could be reinterpreted and controlled through the language of communal ordinances. Understanding the reality of the Jewish quarter, that it would never be a closed space truly reserved for the good members of holy community, the rabbinic elite developed an alternate approach to maintaining authority in their own space.

This rhetorical understanding would serve the community surprisingly well; despite the undoubtedly deeply felt concerns expressed in the *taqqanot*, no explosive communal infighting would shake the foundations of the community structures. But they certainly hint at smaller complications and discontents which characterized the Candiotte Jewish community in the centuries under questions. It is to some of these social complications that we turn next.

Chapter Two: Jewish Cultural Complexity and Mobility: Demographics and Influences in a Colonial Island Community

By the time Joseph Missini died in Candia around 1411, he had lived a long and financially successful life in his home city, surrounded by his family and his fortune.¹ The Jewish community in Candia played a large role in this life. Like other males in his family, Joseph (commonly known as Ioste) was not simply a member of the *kehillah kedoshah*, but a respected leader of the community.² He had done a successful stint as *condestabulo*.³ He had even represented Cretan Jewry before the government in Venice, when he and two others successfully convinced the senate to lower Crete's Jewish tax in 1389.⁴

The traditional Jewish community on Crete that Joseph had led was Romaniote; that is to say, they were Greek-speaking followers of a Byzantine Jewish rite, with its own liturgy, customs, and approach to Jewish law. We cannot be entirely sure if the Missinis were Romaniote

¹ Data I have collected from legal, notarial, and Hebrew sources have uncovered Joseph's family, including his parents Chaim and Cali Missini, siblings Ligiacho and Cherana, alongside their spouses and families, two wives who both seem to be named Chana, and two children, Crussana (and her family) and Samuel (who died before marrying). More information on this family is discussed throughout this chapter.

² Though the women in his family could not hold public office, they could demonstrate their dedication to the religious community in other ways. When Joseph's sister Cherana, the wife of David da la Chania, composed her will during a difficult pregnancy in 1373, she left funds for the writing of three *Vetera Testamenta*. Sally McKee, *Wills from Late Medieval Venetian Crete, 1312-1420* (Washington, DC: Dumbarton Oaks, 1998), no. 762, p. 954 (25 Dec. 1373).

³ *TQ* no. 46, p. 40. The year of Missini's service as *condestabulo* is unclear, only identified as during the rule of "the duke Bembo." A number of Bembo family members, however, served as dukes of Crete, and in addition, the list of known dukes is incomplete. It is possible though uncertain that Missini held his office when Leonardo Bembo was duke in late 1405 through 1407. (The ducal court records in the *Archivio di Stato* list the records from 24 Nov. 1405-13 June 1407 as during the reign of Duca Leonardo Bembo.)

⁴ The record of the senate's decision following the hearing in which Joseph Missini, along with fellow Cretan Jews Sabatheus Retu (or perhaps, Vetu) and Melchior (probably Melchiele) Cassani, argued for a reduction in taxes is edited in Hippolyte Noiret, ed. *Documents inédits pour servir à l'histoire de la domination vénétienne en Crète de 1380 à 1485* (Paris: Thorin & fils, 1892), 26 (25 May 1389). In this fascinating case, mentioned in the previous chapter, three Venetian noblemen, including a former duke of Crete, testify to the truth of the Jews' claims that the Jews had been an enormous help to the Venetians during the war, and that recent plague had stripped the Jewish community of its high numbers. The senate agreed to reduce the tax.

in origin; the surname suggests that the family was not local, perhaps indicating they came from the southern Peloponnesian region of Messinia, or even perhaps from Messina in Sicily.⁵ But the Missinis appear to have been on the island for at least a generation (perhaps more) before Joseph was born, and as a family, they were deeply ensconced in this local Romaniote Jewish community and its Romaniote traditions.⁶

So it happened that when Joseph made his testament or last will before one of Crete's Latin notaries in August of 1411, he showed his ongoing loyalty both to his family and to his community of Jews.⁷ He left funds for his daughter, his brother, his nephew, and his other living descendants. He also provided for an investment fund to support a scholar of Jewish text and law on the island, and donated his own library for that scholar and his students to use. He even bequeathed money for twelve poor Jewish boys to study (*adiscant literas*) for twelve years, and ordered an annual payout of one hundred hyperpera to fund the wedding of a poor Jewish girl each year for a total of twelve years.⁸ He was a man concerned with the local benefit his considerable wealth could bestow. Such financial attention to family, community, and the Jewish

⁵ I thank David Jacoby for suggesting Messinia as a possible origin point for this name. Messinia is the region of the Peloponnese in which Venice's port city holdings of Coron and Modon can be found. (David Jacoby, e-mail message to Rena Lauer, 16 Oct. 2013).

⁶ Beyond his own leadership roles, Joseph himself appealed to Romaniote practices at times in his life, including in rationalizing his strange decision to engage in bigamy. ASV Duca di Candia b. 30 bis, register 26, fols. 18v-19v (27 Oct. 1401). Discussed more fully in chapter six.

⁷ For the cases in which parts of this testament are recopied, see ASV Duca di Candia, b. 30 ter, r. 31, fols. 17r-18v (18 Oct. 1417); b. 26 bis, r. 8, fols. 7v-8r (1 Oct. 1437); and b. 31, r. 40, fols. 14r-15r (1 Oct. 1437). The will was written up by Giovanni Catacalo on 14 Aug. 1411. The original will does not survive in the extant register of Catacalo (ASV Notai di Candia, b. 24) which unfortunately covers only parts of 1389.

⁸ For these funds to poor boys and girls, see the portion of the will copied in ASV Duca di Candia, b. 30 ter, r. 31, fols. 17r-18r (18 Oct. 1417).

poor is not unusual for both men and women whose Latin wills survive, though Missini's wealth enabled him to give larger amounts than most.⁹

Toward the end of Joseph's will, however, he added a bequest for something unique among the surviving testamentary evidence from Crete. While it was typical for Jewish and Christian testators alike to leave something "*pro anima mea*" (for the sake of one's soul), for Jews this usually took the form of donations to the synagogue or to local poor.¹⁰ Money left for to help fund marriages, for example, were often categorized as charity *pro anima mea*.¹¹ Joseph did, indeed, leave money *pro anima sua* to the Jewish poor and needy (*pauperes et egenos iudeos*) of Candia and Rethymno. But, for the sake of Joseph Missini's soul, he also sent a significant portion of his investment profits elsewhere: to the German and French rabbis who

⁹ Leaving funds to enable poor local girls who had no dowries to marry, for example, was a common bequest for men and women alike, the fulfillment of a mitzvah known as *hachnasat kallah*. Among the places where the Talmud discusses the commandment of "helping the bride enter [her wedding]" can be found in BT Sotah 14a. Also see Avot de-Rabi Natan, chapter 2, for an interpretation of the commandment as providing financial support for brides who cannot pay for their own marriages. This became the standard understanding in the Middle Ages. For another view of this commandment as it was practiced in the Venetian milieu, see Elliot Horowitz, "'Hachnasat Kallah' in the Venetian Ghetto: Between Tradition and Innovation, and Between Ideal and Reality," *Tarbiz* 56 (1987): 347-72 [Hebrew]. See pp. 348-49 for a short overview of the rabbinic discussion about the act. Note that Horowitz points out that the problem of women without dowries was not a uniquely Jewish problem (p. 347). In Venice, a sixteenth-century Jewish confraternity was set up to raise money for this cause, but until then—and in many other places—sources of support were far more *ad hoc*. In Crete, leaving bequests as part of the testament was a practice common to Jewish men and women alike. For example, a typical case among wealthy Candiotes is the will of Anastassia, the wife of the wealthy spice merchant Judah Balbo, who testated in 1334 before the Latin notary Antonio Rodolfo. She left fifty hyperpera to be used in the first year after her death to help marry off poor Jewish girls. See McKee, *Wills*, no. 463, pp. 595-96 (24 June 1334). In the will of Cherana, wife of David da la Chania (and sister of Joseph Missini), written on the occasion of a difficult labor, the testator leaves money for the marriage of "pauperes orfanas iudeas." See McKee, *Wills*, no. 762, p. 954 (25 Dec. 1373).

¹⁰ In 1348, a Jewish testator named Herini, the wife of Elia, left a hundred hyperpera to the Jewish communal institution—identified as the Iudaica—*pro anima mea*. See McKee, *Wills*, no. 499, p. 639 (14 Mar. 1348). The next month, Salachaya, son of the late Jeremiah (to be discussed below), also left a hundred hyperpera for the *universitas Iudeorum* among the thousand hyperpera he bequeathed to pious causes in his will. McKee, *Wills*, no. 511, p. 650 (6 April 1348). In 1379, Parnatissa tu Carteru bequeathed four *mitra* of oil to "our synagogue" (*in sinagoga nostra*) *pro anima mea*; in an unusually easy use of the expression, however, she also marked bequests left to her daughter and granddaughters as *pro anima mea*. McKee, *Wills*, no. 705, p. 892 (11 Mar. 1379).

¹¹ All of the examples of bequests for poor women's marriages in footnote 9 above are identified as "pro anima mea."

were living in Jerusalem (*quod vadat in manibus doctorum iudeorum theotonicorum et francigenorum qui fuerint ibi*).¹²

From a cultural perspective, the decision to send money to these people begs for scholarly attention. A Romaniote Jew, perhaps even of a family with Sicilian origin, but certainly tied tight into the Venetian Cretan post-Byzantine milieu in which he had grown up, decided to give a third of his investment profits not to fellow Romaniotes, but specifically to German and French Jews living in the Holy Land. Joseph's other bequests seem far more understandable, and far more local. While Missini's bequest is unusual in its specificity, he is one of a handful of Candiotes who left money to Jews in Jerusalem. Writing a will in April 1348, for example, the wealthy Salachaya, son of the late Jeremiah, ordered that a hundred hyperpera be sent "to the great Jewish men who are in Jerusalem (*magnatibus iudeis qui sunt in Yerusalem*)".¹³ Salachaya's request seems to be part of a larger love of Zion. At the end of the will, he instructed his brother to send his bones and the bones of their parents to be buried in Jerusalem.

Both of these wills point to a number of essential themes which this chapter seeks to address. To both of these men, Jerusalem was not a theoretical land of hope far, far away, but a final stop on a reasonable (and well-known) trip by boat. Living there were Jews about whom each knew something—while Salachaya in 1348 knew that there were "great" men (i.e. rabbinic sages) living there, Missini, a half-century later, knew more (or at least, told more): the rabbis, and ostensibly the communities they led, were specifically German and French, and for some reason, supporting them was as important to him as supporting his local community. These wills, and in particular Joseph's dual dedication to Jews both at home and abroad, both Romaniote and

¹² This is the language of the will as paraphrased in ASV Duca di Candia, b. 30 ter, r. 31, fol. 17v.

¹³ McKee, *Wills*, no. 511, pp. 650-51 (6 Apr. 1348).

Ashkenazi, point to a Cretan Jewish community deeply tied into broader Jewish community networks across the Mediterranean and beyond. This chapter investigates, on one hand, the connections between Candia's Jews and Jews elsewhere by exploring Jewish mobility and migration in the region. On the other hand, it illustrates the complexity of Jewish life and custom that existed on Candia as a result of this mobility and migration. Juxtaposing these two nodes enables us to understand the complex ethnic affiliations of Joseph Missini and his local co-religionists, and thus ultimately situate his decision to send money to Ashkenazi and French Jews in the Holy Land.

The first section of this chapter offers a demographic assessment of the Jews who made up the *kehillah kedoshah* in Candia from 1350, in the aftermath of the Black Death which hit the island first in 1348, until the fall of Constantinople in 1453. It utilizes a prosopography of the Jews of Crete which can be found at the end of this dissertation. The evidence argues for a substantial multi-ethnic community of Jews in Candia, despite its officially Romaniote status and majority Romaniote population. This chapter delves into the variety of factors which drove Jews from their homes elsewhere across Christendom—particularly from Germany and Iberia—and attracted them to Venetian Crete in particular. It also highlights connections between Candia's Jews and their Mediterranean co-religionists forged through trade. Finally, I consider the socio-cultural implications of this constant immigration and contact. I emphasize here that both Ashkenazi and Sephardi ideas played a significant role in the thought-worlds of the educated elite of the Romaniote community, although they played different intellectual roles in the period under study. Sephardi philosophical and literary ideas held sway over Candia's Jewish elites, as Ashkenazi legal approaches did. The attitude toward actual Ashkenazi and Sephardi immigrants also varied according to their place of origin, among other factors.

Demographics

The Candia in which Elia Capsali lived thrived as a cosmopolitan colonial capital. During his lifetime, the city's cultural life bustled even more than a century earlier. Byzantine refugees fleeing Constantinople in the aftermath of the Ottoman conquest of 1453 created a hub for literature, art, and classical philosophy in this Veneto-Greek milieu.¹⁴ Nevertheless, even in the century after the Black Death under discussion here, Candia served as a key node for travel, trade, and settlement, and had done so since surprisingly soon after Venice settled its first military colonists on the island in 1211. Indeed, during the century or so after the Black Death, Crete hit her stride as a trade hub. With the Genoese controlling Famagusta from Venice (Cyprus) from 1374 to 1464, Candia became the key stopover point on the Venice-Levantine shipping line.¹⁵ The first half of the fifteenth century, as David Jacoby has argued, witnessed the very peak in Candia's role as a major emporium.¹⁶

However bustling, Candia was nevertheless also a fairly small city. Today, a stroll from the Venetian piazza (now known as Lion's Square), up the Ruga Maistra (now a pedestrian walkway called August 25th Street), to the harbor—a journey through the entire north/south length of the walled city—takes little more than five minutes. Yet it was densely populated, at

¹⁴ Crete after 1453 (and especially after 1510, for hitherto unexplained reasons) became the locus of an artistic and literary explosion as Constantinopolitan literati, philosophers, and painters fled their home following the conquest, and encountered Venetian cultural trends. For literary trends, see David Holton, ed. *Literature and Society in Renaissance Crete* (Cambridge: Cambridge University Press, 1991); for visual arts in context, especially icon painting, see Maria Vassilaki, ed. *The Hand of Angelos: An Icon Painter in Venetian Crete* (Farnham, Surrey: Lund Humphries, 2010). The Jewish community was in no way quarantined from this Cretan Renaissance, as it is known; the philosophical and Latin writings of Elia Delmedigo (1458–93) and the histories of Elia Capsali should be read as part of this trend. On the philosophy of Delmedigo, who tutored Pico della Mirandola, see Harvey J. Hames, "Elia del Medigo: An Archetype of the Halachic Man," *Traditio* 56 (2001): 213-27.

¹⁵ Jacoby, "Candia between Venice, Byzantium, and the Levant: The Rise of a Major Emporium in the Mid-Fifteenth Century," in *Hand of Angelos*, ed. Maria Vassiliki, *The Hand of Angelos: An Icon Painter in Venetian Crete* (Farnham, Surrey: Lund Humphries, 2010), 43.

¹⁶ Jacoby, "Candia between Venice, Byzantium, and the Levant," 45.

least in the late sixteenth century, when an apparently careful census placed the population inside the walls (not including the *borgo*) at 15,976 people. The vast majority were middle class Greeks, Armenians, and non-noble Italians, constituting 13,625 individuals (84 percent). The rest of the population consisted of 964 Venetian nobles (5.7 percent) and 950 Jews (5.6 percent).¹⁷ In comparison, even during the “plague-ridden centuries” following 1348, Venice managed to rebuild its population and hover above 100,000 souls; a census from 1500 puts the number at about 120,000.¹⁸

This Candiotte census, taken in 1583, lists just under a thousand Jews living in the city's small *Judaica*. Unfortunately, no similar demographic assessment has survived to offer any sense of the number of Jews in Candia in the century following the Black Death. We have one earlier assessment, albeit from decades after the fall of Constantinople. An Italian Jewish traveler who visited the city of Candia in 1481 reported 600 Jewish households in the city of Candia—approximately 2,500 to 3,000 individuals, assuming about four or five members per household.¹⁹ Salo Baron considered this an exaggeration, and instead preferred an estimate given by a Venetian administrator in 1577, who counted approximately 700 Jews in the city.²⁰ The administrator's own estimate seems to be too low, however, considering that only six years later, a more exacting census would reveal 250 more Jewish inhabitants than he had guessed. To be sure, neither even presumes to tell us about the century surrounding 1400.

¹⁷ On this census, see Stephen Margaritis, *Crete and the Ionian Islands under the Venetians* (Athens: Lioniadis, 1978), 52-53; Maria Georgopoulou, *Venice's Mediterranean Colonies: Architecture and Urbanism* (Cambridge: Cambridge University Press, 2001), 284-85, n. 28.

¹⁸ Frederic C. Lane, *Venice: A Maritime Republic* (Baltimore: Johns Hopkins University Press, 1973), 19.

¹⁹ Meshullam of Volterra, *Masah Meshullam Mi-Voltera*, ed. Avraham Yaari (Jerusalem: Mosad Bialik, 1948), 82.

²⁰ Salo W. Baron, *A Social and Religious History of the Jews*, vol. 17: *Byzantines, Mamluks, and Maghribians* (New York: Columbia University Press, 1980), 71.

A prosopographical assessment for the century between 1350 and 1454—that is to say, approximately from the aftermath of the Plague until the fall of Constantinople—suggests that Baron's number may be too low, although the Italian traveler's estimate of almost three thousand Jews indeed seems too high for this century. When we collect the names of Jews mentioned during this century in *Taqqanot Qandiya*, the legal records of the ducal court, Sally McKee's published wills, and just a few of the notarial registers, already 833 individual Jews resident or working in Candia materialize from the sources. Of these 833 individuals, 230 are female, and the remaining 603 are male—a proportion which makes sense in light of the male-centered Hebrew sources and the predominance of males in the professional spheres.

Nevertheless, only few of these Jews are directly identified according to a profession, even when it is clear that they are moneylenders or merchants. The 833 souls represented here tend to be wealthier members of the community. When identified professionally, we see many doctors and moneylenders, and those mentioned because of their leadership positions within the community were also among the wealthier class. The list rarely includes those with lower status professions whom we know lived in Candia at this time. We see scribes and school-teachers (*papa*); though their socio-economic status is unclear, religiously they seem associated with the leadership elite. Only a few manual laborers appear. We see one tailor (Heb: *tofer*), one artisan (*faber*), and one goldsmith (*aurifex*). A pair of men identified as coming originally from the village of Milopotamo (perhaps father and son) is identified as cobblers (*cerdo*). Three members of the Atalioti family are identified as dyers (*tintor*). We also find a male and female servant (*famulus/famula*), each a Jew serving another Jew.

Due to the low number of professionally identifiable Jews, we must assume that the 833 Jews visible during this century are but a portion—perhaps a large percentage, but only a

percentage—of the Jews of Candia. *Taqqanot Qandiya* intimates that a substantial number Jews filled many more professional categories in these lower-status positions, including tanners, cork-makers, tailors, and butchers. In addition, the internal Jewish economy of kosher food production and Jewish education also must have occupied the professional lives of a number of residents. Finally, because the writing of both notarial and ducal records (i.e. hiring a notary to compose a contract and litigation) presupposes disposable wealth, the poorest of Candia's Jews are undoubtedly missing from this list. As a result, the evidence cannot offer a specific number of Jews in Candia in this period, but I would posit that it does suggest a population of at least 1,000 souls in the city—and probably more—in this century after the Black Death.

A Multi-Ethnic Jewish Community

Although scholars before me have noted that the Jews of Crete came from a diverse set of origins, the prosopographical analysis of the Jews of Candia bears out the complex makeup of the community and the arrival of newcomers after the Black Death with more specificity.²¹ Using toponymic surnames, onomastic suffixes, and post-nominal toponymics, the prosopography confirms that most Candiotte Jews in this century were of Byzantine origin or had been in the Greek milieu for a long time. Some families had recently arrived on Crete from locations within the contemporary and former Byzantine Empire, and from other Venetian colonies such as Coron and Negroponte. We also see Jews from across the Mediterranean and beyond, both east and west. The record identifies Jews with the surnames Turco (from Ottoman lands or Asia Minor), de Damasco (Damascus), Ciciliano (Sicily), Tzarfati (northern France),

²¹ For example, Simon Marcus, “Herkev ha-yishuv ha-yehudi ba-‘i kritim biyemei ha-shilton ha-venetsiani” [‘The Composition of the Jewish Community on the Island of Crete in the Days of Venetian Rule’] *Sinai* 60 (1967/68): 63-76.

Yerushalmi (Jerusalem), and even one Jew strangely named Joseph Saracenus.²² Certain families with origins elsewhere, for example the Missinis, seem to have been on the island since early on in Venetian rule, and so we cannot always assume that a surname indicating foreign origin suggests recent immigration, though regional identifiers which come after a surname or a patronymic—for example, Samuel son of Leo, the Spaniard (“*espagno*” in the Venetian of the document)—do seem to suggest more recent arrival.²³

The numerical data suggests that Sephardi Jews likely made up the largest sub-minority in Candia after the Romaniotes. Of the 833 Jews mentioned in the sources, 23 are identified as coming from Iberia or as the children of those who came from there; when a regional affiliation is specified, we see that Jews came from Portugal, Majorca, but especially Catalonia (representing 15 of the 23). In addition to these 23, the Astruc (Astrug) family, which rose to prominence in the community soon after their arrival by the mid-fourteenth century (see below), appear to have come from Catalonia, and represent another 23 individuals. Closely behind the Sephardim in numbers, another 18 Jews can be identified as having German origin, as specified by the designation *Theotonicus*, *Allemanus*, *Tedescho*, or, in *Taqqanot Qandiya*, Ashkenazi. In addition to these, we have the members of the Delmedigo family with Ashkenazi origins (see below), who count another 23 individuals among the total 833.

²² In private conversation, Israel Yuval has suggested to me that the surname Yerushalmi, as well as other names connected to Jerusalem or Zion, may have been taken on by those who made pilgrimage to Jerusalem, and thus did not express an actual origin.

²³ For Samuel, son of Leo, *zudio* (Jew) *espagno*, see ASV Duca di Candia, b. 31, r. 39, fol. 90r (4 Aug. 1436), where he is listed among those with cases pending in the ducal court.

Motives and Patterns of Migration: Push and Pull Factors

The Jewish community of Crete grew and evolved during the Venetian period because of a steady flow of Jewish immigration onto the island. The influx of Jews and Jewish ideas onto Crete is most visible in the century under exploration here, when a period of upheaval marked by plague, riot, and massacre, especially in Iberia and Germany, provoked an exodus from the traditional centers of Jewish settlement in western Europe. While northern France had expelled its Jews in 1182 and 1306 (only to allow the Jews to return in 1189 and 1315), England definitively drove its Jews out in 1290. German Jews suffered the Rindfleisch and Armleder Massacres in 1298 and 1336 respectively, and the Black Death provoked a sharpened set of anti-Jewish legislation, financial disabilities, and mob hostility across Europe which began in 1348 but continued in various incarnations for another century.²⁴ The massacres and burnings of the so-called *Pestpogrom* in the immediate aftermath of the plague gave way to devastating economic persecution around 1390, when the Luxembourger King Wenceslas IV cancelled Jewish debt.²⁵

²⁴ In a recent article, Samuel Cohn has pointed to a lack of scholarship on “the most monumental of medieval persecutions” which followed the Black Death, due to an overemphasis on studies of anti-Semitism between the First Crusade and 1300 or so. Cohn is primarily concerned with the burning of Jews between 1348 and 1351, and he considers the anti-Jewish acts of the following decades to have differed from the burnings immediately after the Plague “in the social composition of perpetrators and victims and in their underlying psychological causes.” This chapter heeds Cohn’s call in that it seeks to place the Black Death as a major factor in changing the demographic make-up of Venetian Crete. As such, I am not concerned to divide the particular varieties of anti-Jewish persecution from one another, but rather to emphasize the common migratory effect they had. See Samuel K. Cohn, Jr. “The Black Death and the Burning of Jews,” *Past and Present* 196 (2007): 3-36, esp. p. 1 and p. 6 for quote.

²⁵ On the Pestpogrom, see for example: Karl Heinz Burmeister, *Der Schwarze Tod: die Judenverfolgungen anlässlich der Pest von 1348/49* (Göppingen: Jüdisches Museum, 1999); František Graus, *Pest-Geissler-Judenmorde: Das 14. Jahrhundert als Krisenzeit* (Göttingen: Vandenhoeck und Ruprecht, 1987); Alfred Haverkamp, “Die Judenverfolgungen zur Zeit des Schwarzen Todes im Gesellschaftsgefüge deutscher Städte,” in *Zur Geschichte der Juden im Deutschland des späten Mittelalters und der frühen Neuzeit*, ed. Alfred Haverkamp (Stuttgart: A. Hiersemann, 1981), 27-93. On Wenceslas IV’s debt cancellation, see the classic work: Arthur Süßmann, *Die Judenschuldentilgung unter König Wenzel* (Berlin: Lamm, 1906).

A parallel trajectory can be seen in Iberia. Before 1348, anti-Jewish violence certainly took place, as David Nirenberg has illustrated.²⁶ With the advent of the plague, however, Catalonia and Navarre became “the center of violence and killings” of Jews, and the Inquisition “accompanied the crescendo of violence,” seeking out German and French converts to Christianity who had returned to their Judaism upon moving to Iberia.²⁷ The many Jews who sought refuge in Castile, however, were not to have peace in the following decades, as vitriolic anti-Jewish preaching led to mob riots and massacres across Iberia in the summer of 1391. Beginning in Seville, the riots spread to Valencia and Catalonia, and from there across the peninsula; Jews were killed and forced to convert en masse.²⁸ In the first half of the fifteenth century, popular preachers such as Vincent Ferrer continued to rouse the masses to attack Jewish quarters and force Jews to convert under fear of death, and pressed the governments of Iberia to pass ever-harsher anti-Jewish legislation.²⁹ Long before the expulsion of 1492, many of those who were able to get out fled Iberia, as did Jews from the German lands.

Even the city of Venice, which had finally allowed Jewish moneylenders to settle in the city and its environs in the decades after the Black Death, most explicitly from 1382, turned out its Jews at the end of the century.³⁰ In 1394, for economic reasons—“probably because the acute

²⁶ David Nirenberg, *Communities of Violence: Persecution of Minorities in the Middle Ages* (Princeton: Princeton University Press, 1996).

²⁷ Anna Foa, *The Jews of Europe after the Black Death*, trans. A. Grover (Berkeley: University of California Press, 2000), 84.

²⁸ For the classic account of the massacres of 1391 in Iberia, see Yitzhak (Fritz) Baer, *A History of the Jews in Christian Spain*, trans. Louis Schoffman (Philadelphia: Jewish Publication Society, 1961-1966), vol. 2, pp. 95-169.

²⁹ Foa, *The Jews of Europe*, 88-89.

³⁰ The right to lend in the city evolved over the course of the 1360s through 1380s. For the fundamental research which uncovered this change in policy and for a wider view of the settlement of Jews in Venice and its environs, see Reinhold Mueller, “Les prêteurs juifs de Venise au moyen âge,” *Annales ESC* 30 (1975): 1277-1302; and idem, “The Jewish Moneylenders of Late Trecento Venice: A Revisitation,” *Mediterranean Historical Review* 10 (1995): 202-17. Also see David Jacoby, “Les Juifs à Venise du XIVE au milieu du XVIe siècle,” in *Venezia centro di*

need for credit had passed”—the government in the metropole decided that it would not renew the charter of settlement and lending granted to the Jews when it expired in 1397.³¹ After this point, individual Jewish moneylenders were allowed into the city for no longer than fifteen days, and from 1402 on, these fifteen days could only take place once every four months. Jewish merchants and doctors were allowed in sporadically according to other sets of rules. All Jews had to wear a yellow circle on their clothing. Enormous fines were levied on those attempting to practice their Judaism in the open during their short stays in Venice, for example, by holding prayer services.³² Families who had been settled in the area left for greener pastures, and Venice was no longer a tempting destination for those seeking to relocate themselves, their businesses, and their families from environs further west.

As these western European spots became progressively more hostile to Jews, Crete was one of the places of refuge where Jews escaping expulsion or worse could come to start over. But Crete became a choice destination not only because its government allowed Jews, though that would perhaps have been enough. Rather, Crete offered attractions of its own which compelled not only desperate refugees to its shores, but also wealthy businessmen seeking to expand their networks. Crete's position at a crossroads between the Italian peninsula and the Levant made the island, and particularly Candia—arguably the most important rest stop on the Mediterranean

mediazione tra oriente e occidente, ed. Hans-Georg Beck et al. (Florence : L.S. Olschki, 1977), I: 163-216; and Eliyahu Ashtor, “Gli inizi della comunità ebraica a Venezia,” *La rassegna mensile di Israel* 44 (1978): 683-703.

³¹ Benjamin Ravid, “The Venetian Government and the Jews,” in *The Jews of Early Modern Venice*, eds. Robert C. Davis and Benjamin Ravid (Baltimore: Johns Hopkins University Press, 2001), 5.

³² Ravid, “The Venetian Government and the Jews,” 5.

superhighway, at least until the rise of Cypriot Famagusta toward 1500—a particularly prosperous destination for Jews.³³

To be sure, the fourteenth and fifteenth centuries have traditionally been read as centuries of increasing economic disabilities for Crete's Jews, and undoubtedly this period witnessed residential, financial, and professional limitations for the community. This period saw residential limitations put in place, beginning in 1325, tightened in 1391, and culminating in a final walling in of the *Judaica* in 1450.³⁴ Meanwhile, in 1423, Venice prohibited Jews in all of its domains from holding real estate outside any Jewish quarter.³⁵ Jewish trade was also limited to the shipping lines to the colonies in the east (i.e. to the Levant, see below); Jews were usually not able to secure rights to ship goods on the lines to the metropole.³⁶ For about two decades

³³ On the rise of Famagusta, see Benjamin Arbel, "Traffici marittimi e sviluppo urbano a Cipro (secoli XIII-XVI)" [Maritime Traffic and Urban Development in Cyprus (13th-16th Centuries)], in *Città portuali del Mediterraneo*, ed. Ennio Poleggi (Genoa: SAGEP Editrice, 1989), 89-94. Also of interest will be the forthcoming article by Benjamin Arbel, "Maritime Trade in Famagusta during the Venetian Period (1474-1571)," in *The Harbour to All This Sea and Realm: Crusader to Venetian Famagusta*, eds. Michael J.K. Walsh et al. (Budapest: Central European University, 2014), forthcoming.

³⁴ As addressed in the previous chapter, although the Jews had long lived in a Jewish quarter, probably by their own choice, they were pressed to live there exclusively beginning around 1325 (a policy applied to all of the colonies). On self-segregation, see David Jacoby, "Jews and Christians in Venetian Crete: Segregation, Interaction, and Conflict," in *"Interstizi": Culture ebraico-cristiane a Venezia e nei suoi domini dal Medioevo all'Età Moderna*, ed. Uwe Israel et al. (Rome: Edizioni di Storia e Letteratura, 2010), 248. On Byzantine policy regarding Jewish quarters, see David Jacoby, "Les quartiers juifs de Constantinople à l'époque byzantine," *Byzantion* 37 (1967): 178–83. On the 1325 residential limitations, see Joshua Starr, "Jewish Life in Crete under the Rule of Venice," *Proceedings of the American Academy for Jewish Research* 12 (1942): 63, and David Jacoby, "Venice and the Venetian Jews in the Eastern Mediterranean," in *Gli Ebrei e Venezia, secoli XIV-XVIII*, ed. Gaetano Cozzi (Milan: Edizioni Comunità, 1987), 37. In 1391, the Signoria ordered that some of the homes which were considered part of the *Judaica*, and which were directly across the street from Christian homes considered not part of the *Judaica*, had to be walled off. ASV Duca di Candia busta 30, r. 22. fol. 105v-106v (24 June 1391). The Candian Jewish quarter was fully walled in around 1450—a result of complaints from the nearby Dominican monastery. Georgopoulou, "Mapping Religious and Ethnic Identities," 483, and see n. 58.

³⁵ Noiret, *Documents inédits*, 297–98.

³⁶ Occasionally, however, Jews did manage to secure this privilege, as the case of Grissono, son of Salomone demonstrates. A Jewish ship-owner of Sicilian origin who lived in Rethymno in the 1410s, Grissono did obtain a special dispensation to trade even with Venice itself. See Eliyahu Ashtor, "New Data for the History of Levantine Jewries in the Fifteenth Century," *Bulletin of the Institute of Jewish Studies* 3 (1975): 78-79. Also mentioned in Francesco Apellániz, "Venetian Trading Networks in the Medieval Mediterranean," *Journal of Interdisciplinary History* 44 (2013): 176.

beginning in 1429, Venice prohibited its ships from transporting Jews or their goods to any Mamluk-held territory, extending a papal ban against Christian ships carrying Jews and Jewish-owned goods to the Holy Land.³⁷ Jewish economic outlets in Venice's colonies were increasingly limited, which "undoubtedly enhanced the orientation of Venetian Jews' capital toward moneylending."³⁸ Crete's Jews were legally compelled (though apparently without great success on Venice's part) to wear the yellow badge beginning around the turn of the fifteenth century.³⁹ In addition, during the 1430s and 1440s, Cretan Jews found themselves taxed very heavily and forced to lend money to support Venice's war efforts.⁴⁰

Nonetheless, although there was an increase in policies aimed at limiting the space of Jewish residency and Jewish market share in overseas trade especially in the fifteenth century, these impediments remained minor in comparison to the Jewish experience in other parts of Europe.⁴¹ The residential limitations appear not to have provoked too much anguish, especially since they were at times honored in the breach. The statutes themselves hint at some flexibility: the laws of the 1390s explicitly enabled certain Jewish home owners whose real estate fell outside of the technical confines of the Jewish quarter to continue living in their homes, and to rent apartments to other Jews. Venice does not seem to have been terribly strict about this policy

³⁷ David Jacoby, "Pèlerinage médiéval et sanctuaires de Terre Sainte: la perspective vénitienne," *Ateneo veneto* 173 (1986): 45.

³⁸ Jacoby, "Venice and the Venetian Jews," 47.

³⁹ Jacoby, "Venice and the Venetian Jews," 36.

⁴⁰ Starr, "Jewish Life in Crete," 77-80. Jacoby asserts that some taxation increases were intended to be proportional to the growing number of Jews on the island. David Jacoby, "Quelques aspects de la vie juive en Crète dans la première moitié du XV^e siècle," in *Actes du Troisième Congrès international d'études crétoises (Rethymnon, 1971)*, vol. 2 (Athens: np, 1974), 110, and n. 10. On this subject, see also David Jacoby, "Les Juifs vénitiens de Constantinople et leur communauté du XIII^e au milieu du XV^e siècle," *Revue de études juives* 131 (1972): 404, and n. 2 for a corrective regarding taxation.

⁴¹ Such is one premise of Jacoby, "Jews and Christians," 243-79.

in any of its colonial holdings.⁴² Segregation thus did not mean isolation or alienation, nor did it discourage new Jewish settlement in Candia.

Perhaps more importantly, the Jews of the *Stato da mar* could live in Venice's holdings without any specific legal charter or *condotta*, as did the Jews in many other parts of Europe and even in Venice's *terraferma* (peninsular) holdings. Residence, thus, was not "conditional and limited in time," but rather, seemed far more secure in its permanence.⁴³ The lack of *condotte* also meant exceptional economic freedom—that is to say, an "absence of specifications about, or limitations on their economic activity," in contrast to Jews who had to abide by specific residential charters in Italy and elsewhere, with two exceptions: the 1423 limitation on ownership of real estate outside the *Judaica*, and a general prohibition against shipping goods on state galleys (a privilege of citizenship or by special allowance).⁴⁴ Although this had the effect of limiting trade (especially of luxury items and spices) and promoting moneylending, limitation and prohibition should not be confused, and thus Crete could offer a wide variety of professional opportunities and options for financial success to Jews. Likewise, although Jews were never given citizenship, status as legal residents and formal subjects of Venice provided Candia's

⁴² As addressed in the previous chapter, David Jacoby has noted that even after Jews were forbidden from owning real estate outside the Jewish quarters throughout the Venetian overseas territories in 1423, Venice looked the other way as Jews continued to buy, sell, and rent outside the *Judaica* in some parts of Crete over the course of the next centuries. Jacoby, "Jews and Christians," 261. Jacoby cites evidence for the continued purchase and residence outside the Jewish quarters of Rethymno, a town on the northwestern coast of the island, and also in Castronovo and Bonifacio, which Ankori identifies as "key citadels guarding the northern rim of the Messara Plain." See Zvi Ankori, "Jews and Jewish Life in the History of Mediaeval Crete" in *Proceedings of the Second International Congress of Cretological Studies*, vol. 3 (Athens: np, 1968), 355. More on Jewish life in these towns follows in the discussion below.

⁴³ As noted by Jacoby, "Venice and the Venetian Jews," 33-34, quote on p. 34.

⁴⁴ Jacoby, "Venice and the Venetian Jews," 47.

Jewish merchants “diplomatic and legal protection” when abroad, alongside “preferential fiscal treatment,” the use of Venice’s warehouses, and even “occasionally, state sponsored shipping.”⁴⁵

Sephardi Jews in Candia

How did these “push” and “pull” factors function on the ground? That is to say, what can a closer assessment of the sources illustrate about the actual individual Jews who chose to leave their homes and settle among the Jewish community in Candia? The next section considers the settlement patterns of the two non-Romaniote groups most visible in the sources, Sephardim and Ashkenazim, to answer this question.

Most of the Sephardi Jews identified in the prosopographical analysis appear after the massacres of 1391, and it seems likely that most arrived in Crete fleeing those terrible events. Some Sephardim, however, appear in the sources in the century before those events. A Catalan Jew, resident of Candia, contracted to sell honey in Candia as early as 1339, notably working alongside his business associates, Jews with origins in Sicily and North Africa.⁴⁶ The widow Archondisa, testating in 1358, recorded her late husband as Elia, *catellanus*, though her name suggests that her own origins lay in the Grecophone world, a marriage pattern common in the sources for Sephardi men and Romaniote women.⁴⁷ Elia Catellan, son of Solomon, already lived in Candia in 1386 when he recorded a will there.⁴⁸

⁴⁵ Jacoby, “Venice and the Venetian Jews,” 35-36. In this last case, in 1402, some Jews were permitted to send money from the metropole to the colonies, including Crete, on state galleys for a fee of 2 percent. *Ibid.*, 49.

⁴⁶ Charalampos Gasparis, ed. *Franciscus de Cruce: notarios ston Chandaka, 1338-1339* (Venice: Hellenic Institute for Byzantine and Post-Byzantine Studies, 1999) [hereafter *Franciscus de Cruce*], no. 216, pp. 165-166. Also noted by David Jacoby, “The Jewish Communities of the Byzantine World from the Tenth to the Mid-Fifteenth Century: Some Aspects of their Evolution,” in *Jewish Reception of Greek Bible Versions: Studies in their Use in Late Antiquity and the Middle Ages*, ed. Nicholas de Lange, et al. (Tübingen: Mohr Siebeck, 2009), 179.

⁴⁷ McKee, *Wills*, no. 648, p. 820 (3 Dec. 1358)

⁴⁸ ASV Duca di Candia b. 32, r. 44, fol. 2r (23 July 1447), in which his children settle his estate.

Of all the Sephardim who settled in Candia before the *annus horribilis* of 1391, the Astruc family's tale appears in sharpest relief. Members of the family, most likely from Catalonia, settled in Candia in the mid-fourteenth century, and quickly managed to amass wealth and prestige.⁴⁹ Once on Crete, the Astrucs utilized strategies of intermarriage with the local community, as well as business partnerships, to cement their new positions as elite members of Candia's Jewish community. By the time Solomon Astruc, the first member of the family I have been able to identify in Crete, appears in the sources in 1359, he had already married and was in the midst of divorcing a well-connected Romaniote wife, Elea, daughter of a wealthy Greek Jewish businessman, Liacho Mavristiri.⁵⁰ The dissolution of their marriage seems to have had nothing to do with a difference in background, because Solomon remarried another Greek Jewish woman in the late 1360s.⁵¹ Astruc built up a successful moneylending business and bought lucrative real estate.⁵² He also made contacts in the colonial government; during the early 1390s, when the ducal court limited Jewish residence outside the Jewish quarter, the court listed Solomon Astruc—the only Jew identified by name—as exempt from selling his residential buildings outside the neighborhood (though he had to pay a high fee for this favor).⁵³ With their father's wealth to back them, Solomon's seven children flourished in Crete and for generations this growing family helped lead the Jewish community. Solomon's own son signed a *taqqanah*

⁴⁹ On the Iberian origins of the name Astruc, see Fritz Baer, *Die Juden im christlichen Spanien*, vol. I: *Urkunden und Regesten*, I. Aragonien und Navarra (Berlin: Akademi-Verlag, 1929), index, pp. 1101-102.

⁵⁰ ASV Duca di Candia, b. 29 bis, r. 15, fols. 63v-65v (7 Mar. 1368). This relationship and its end will be discussed more fully in chapter seven.

⁵¹ ASV Duca di Candia, b. 29 bis, r. 15, fol. 73v (30 Mar. 1368). He also adopted his new wife's young daughter.

⁵² The notarial registers of Egidio Valoso (ASV Notai di Candia b. 13) and Nicolo Tonisto (ASV Notai di Candia b. 273) both testify to Solomon's active moneylending business in the 1360s through 1380s. We also witness him renting out his real estate (see ASV Notai di Candia b. 273 (not. N. Tonisto), fol. 78r (15 Jan. 1388), and buying grain (see ASV Notai di Candia b. 273 (not. N. Tonisto), fol. 86r (26 Feb. 1388).

⁵³ ASV Duca di Candia, b. 30, r. 22, fol. 106r-v (undated, but possibly from 1391).

in 1435, and another apparent descendant did the same in 1439.⁵⁴ A descendant named for the family patriarch acted as the community's *condestabulo* in 1446.⁵⁵ Other Iberian families in the next century would follow this path toward cultural and social integration, though only a relatively small number of Sephardi Jews achieved the level of communal success of the Astrucs.⁵⁶

Ashkenazi Jews in Candia

While most Iberian Jewish immigrants appear to have come to Crete in the aftermath of a single traumatic event, the contours of German Jewish migration to the island remain less clear cut. As in the case of Sephardi newcomers, there were certainly some German Jews in Crete before the Black Death. For example, an Elia Allemanus made a contract to buy a large amount of wine there in 1271, only sixty years after Venice had first colonized the island.⁵⁷

A will from 1378 written by a Latin notary for a German Jew living in Candia indicates that a meaningful number of German Jews already resided in Candia at that point.⁵⁸ The testator, Ysacharus (probably Issachar), was not an official resident of the town, but rather was currently living there (*commorans Candide*) with his wife. Because he spoke no language in common with

⁵⁴ Meir Astruc, son of the late Solomon signed in 1435. *TQ* no. 57, pp. 57-58. Shalom (or Solomon) Astruc, the son of Shabbetai, signed in 1439. *TQ* no. 76, pp. 83-85. The relationship between this Shalom and the patriarch Solomon Astruc remains unclear to me, since none of Solomon's known children is named Shabbetai (or the Latin Sabatheus). It is possible, then, that (1) Solomon came to Candia with an otherwise unknown relative, (2) that the manuscript has mistaken the signatory's father's name, or (3) that these men are not related, but Shalom comes from another Astruc family which arrived after 1391.

⁵⁵ Solomon b. Mordechai Astruc is recorded as *condestabulo* on 4 Sivan 5206 according to the Jewish calendar, which falls in 1446 on the Julian calendar. *TQ* no. 60, p. 63.

⁵⁶ For some fifteenth-century examples of the same phenomenon, see Jacoby, "Quelques aspects," 111-12.

⁵⁷ Antonino Lombardo, ed. *Imbreviature di Pietro Scardon* (Turin: Editrice libraria italiana, 1942) [hereafter *Pietro Scardon*], no. 45 (8 Feb. 1271).

⁵⁸ McKee, *Wills*, no. 743, pp. 935-36 (4 May 1378).

the Latin notary hired to write his will, Ysacharus brought in two Jewish landmen, each identified as *theotonicus*, each of whom was already an official resident (*habitor*) of Candia. The name and information about one man is worn away, but the second was a surgeon, a Magister Iaco. In referencing these two men, the notary records the testator saying that these two men were “among the best German Jews living in Candia” (*de melioribus iudeis theotonicis habitatoribus in Candide*), a strange expression (referring to their socio-economic success?) which certainly indicates that more German Jews lived in the city. Some had clearly come before and acclimated, since both Magister Iaco and the other Jewish translator spoke the language and had gained residency. Others were just beginning to settle into Crete at this point, as Ysacharus and his wife Hebela did, but had not yet learned a local vernacular or earned official residency status. Their minor son had not joined them in Candia, but seems to have been left with family back in Ashkenaz, and was expected in Crete in the future. By the late 1370s, then, German Jews actively targeted Candia for settlement. We do not, however, know precisely where in Ashkenaz these Jews came from.

Evidence does suggest a number of the different routes by which Ashkenazi Jews came to Candia over the course of the centuries of Venetian rule. The first path is embedded in the very origins story of *Taqqanot Qandiya*.⁵⁹ In 1228, Rabbi Baruch ben Isaac, associated by scholars with the famed *tosafist* of that name from Worms and Regensburg, stopped on Crete with his rabbinic entourage during a pilgrimage to the Land of Israel. While on Crete, he inspired the community to create its first ten communal ordinances. Though Baruch and his entourage were soon sailing away from the island toward their real destination, not everyone who came left again. Crete's location had long been its real advantage, and thus we should not be surprised if

⁵⁹ See *TQ* no. 2, p. 3.

other western European Jews who were heading east to the Holy Land landed on Crete and stayed there. This was certainly the path for some Sephardi Jews, and it should be considered a likely tale for Ashkenazim too.

The second path jogs from Germany to Venice and then to Crete. A Jewish woman identified as Maria, the widow of Heschia Theotonicus, lived both in Candia and in Venice in the 1390s. Her unnamed daughter and her son-in-law, Samuel Theotonicus, were members of Crete's Jewish community.⁶⁰ But Maria was actually a resident of Venice, where she apparently held property and paid taxes, and was living there (*moratur et habitat*) in April of 1391, much to the chagrin of the local Jewish leadership which wanted her to help pay the Candiote collective Jewish tax. The trajectory of this movement seems to be the following: Maria and her husband had lived in Venice, and at some point (perhaps when already a widow), Maria came to Crete with, or after, her daughter and son-in-law. But she was not settled permanently on Crete, and at times (perhaps for long periods) returned to Venice. Although the date of 1391 falls into the period of twelve years when Jews were allowed to legally settle in the metropole, it seems that Samuel had (correctly) decided that Crete offered better long-term options for his family. Ashkenazim had migrated to Venice's peninsular holdings from the thirteenth century onward, and the example of the widow Maria and her family suggest that some turned from the metropole and its environs to the even broader possibilities available in Crete.⁶¹

⁶⁰ ASV Duca di Candia, b. 30, r. 22, fol. 77v (4 Apr. 1391).

⁶¹ On German Jews' migration to northern Italy and the Veneto, see Angela Möschter, *Juden in venezianischen Treviso (1389-1509)* (Hannover: Hahnsche Buchhandlung, 2008); Ariel Toaff, "Gli insediamenti ashkenaziti nell'Italia settentrionale," in *Gli ebrei in Italia*, ed. Corrado Vivanti (Storia d'Italia 11) (Turin: Einaudi, 1996), 155-71; Alessandra Veronese, "Mobilità, migrazioni e presenza ebraica a Trieste nei secoli XIV e XV," in *Scritti in onore di Girolamo Arnaldi offerti dalla Scuola nazionale di studi medioevali*, ed. Andrea Degrandi et al. (Rome: Istituto storico italiano per il Medio Evo, 2001), 545-82.

Though Maria and her family had chosen to move to Crete before 1391, other German Jews who had been living and working in Venice immigrated to Crete after August 1394 when Venice refused to renew the Jewish charter. As a result, Crete experienced “an influx of wealthy Jews,” and some were undoubtedly of German origin. Unlike the widow Maria, these Jews were liable to be taxed, and in fact, as mentioned previously, the Venetian government used this influx as an excuse to greatly increase the communal tax burden on the Jewish community.⁶² But this migration was not merely a one-time event, since Venice's uneven and fickle treatment of its metropolitan Jews inevitably caused a regular if inconsistent trickle of Ashkenazim leaving the metropole for the colonies, especially Crete, which were much more stable for Jewish economic interests.

A third road from Germany to Crete, visible later in the fifteenth century, meanders surprisingly through Spain, often characterized as disconnected from the world of Ashkenaz. This was the path taken by Moses Cohen Ashkenazi, who famously fought against the local Cretan rabbi Michael Balbo over the Kabbalistic concept of metempsychosis, a kind of reincarnation of the soul which had *halakhic* consequences.⁶³ In their vehement 1466 debate, Cohen Ashkenazi took up the anti-Kabbalist position. Following Ashkenazi tradition, he rejected the Levirate marriage between a widow and her brother-in-law which this type of reincarnation seemed to favor, and—more importantly—which was the custom of the Romaniote Jews. Despite his allegiance to the *halakhic* tradition of Germany, Ashkenazi did not come directly

⁶² Starr, “Jewish Life in Crete,” 77.

⁶³ On this debate, see Brian Ogren, *Renaissance and Rebirth: Reincarnation in Early Modern Italian Kabbalah* (Leiden: Brill, 2009), esp. chs. 1-2.

from Germany. Instead, he spent time in Iberia, then came to Venice with his father; from Venice he arrived in Candia.⁶⁴

Finally, the last road from Germany to Crete visible in the sources is that of the Delmedigo family.⁶⁵ The actual connection between Germany and this family, the most famous example of a family of Ashkenazi origin in Crete, is lost to history since the Latin legal material indicates that the original Cretan members of the family (two brothers named Judah and Shemarya) had come to Candia by 1359 after significant residence in Negroponte (modern Evvia).⁶⁶ It was Judah's family which became the famed lineage. And indeed, somewhere along the way they had adopted this Italianate name, meaning "of the doctor," sometimes spelled Del Medico. Actual physicians among the Cretan Delmedigo family, however, only appear in the sources from the second half of the fifteenth century onwards, which suggests that the name had been adopted at least a generation before the family's arrival on Crete. Therefore, although we do not know precisely how the Delmedigos got from Germany to Crete, we know that their path cut through the Italian sphere, including the Venetian colony of Negroponte.



⁶⁴ According to his son Saul, Moses Cohen Ashkenazi was "of Ashkenazic stock who had joined the exile of Jerusalem in Spain, currently dwelling on the slopes of the isle of Candia," as quoted in Aviezer Ravitzky, "The God of the Philosophers Versus the God of the Kabbalists: A Controversy in Fifteenth-Century Crete (Heb MSS Vatican 105 and 254)," in *Studies in Jewish Manuscripts*, ed. Joseph Dan and Klaus Herrmann (Tübingen: Mohr Siebeck, 1999), 140. An extant letter from Rabbi Judah Obernik of Mestre to Moses hints at his previous residence in Venice, and his father's continued presence there. Ephraim Kupfer, "Le-demut ha-tarbutit shel yahadut ashkenaz ve-hahameha be-me'ot ha-14-15" [Concerning the Cultural Image of German Jewry and its Rabbis in the Fourteenth and Fifteenth Centuries], *Tarbiz* 42 (1972/73): 129.

⁶⁵ For the classic views of the Delmedigo family, see Abraham Geiger, *Kevutsat ma'amarim*, ed. Samuel Abraham Poznanski (Warsaw: Tushiyah, 1910), 285-96; and Moritz Steinschneider, "Candia: cenni di storia letteraria," *Mosè: Antologie Israelitica* 2 (1879): 475, and 3 (1880): 282.

⁶⁶ Judah and Shmarya Delmedigo, the sons of Elia, and identified as "di Nigroponte," first appear in ASV Duca di Candia b. 29 in 1359. By October 1359 Judah was already a legal resident of Candia, and had already lent money to a fellow Jew, now dead. Judah sued the dead man's family to recover his money. ASV Duca di Candia, b. 29, r. 12, fol. 8r (3 Oct. 1359), and fols. 14r-16r (17 Oct. 1359). In 1360, both brothers were forbidden from leaving Candia because of pending litigation. ASV Duca di Candia, b. 29, r. 12, fols. 66v-67r (9 Mar. 1360).

These last two cases are particularly important for the complexity they bring to our conceptions of Candiot Ashkenazi identity. Both Moses Cohen Ashkenazi and the Delmedigos considered themselves Ashkenazi, were considered as such by their co-religionists in Candia, and held tight to a conception of that origin. Abba Delmedigo the Elder, for example, supposedly founded a synagogue in Candia called the *Allemaniko*, i.e. the German synagogue, around 1400. In his kabbalistic-philosophical fight with Moses Cohen Ashkenazi over competing ideas of reincarnation, the Romaniote Michael Balbo emphasized the alienness of his opponent's ideas by stressing his foreign birthplace.⁶⁷ But their location-based affiliations were far more complex, obtained as the men meandered across the Mediterranean, undoubtedly collecting new ideas and associations.⁶⁸ For all their German associations, the Delmedigos prayed according to the Romaniote rite, at least as far as their seventeenth-century family prayer book attests.⁶⁹ Moses Cohen Ashkenazi's appears to have formed some of his own philosophical ideology during his time with the Ashkenazi rabbis in Mestre, outside of Venice.⁷⁰

Moreover, despite a continued identification as Ashkenazi, a surprising number of these Jewish newcomers (and thus, their families) quickly integrated themselves into the Romaniote leadership hierarchy. By the second decade of the fifteenth century, Ashkenazim had worked their way into the communal establishment and its hierarchy. In 1411, Lazaro Theotonicus (Eliezer Ashkenazi Katz) acted as *condestabulo* (during which time he spearheaded a project to build a new sewer to protect water quality), and in 1429 served again as *hashvan*, councilor to

⁶⁷ As noted by Kupfer, "Le-demut ha-tarbutit," 126.

⁶⁸ For this dating of the *Allemaniko* synagogue, see Starr, "Jewish Life in Crete," 98.

⁶⁹ This was still true in the seventeenth century, when this prayer book was written. See Isaac Barzilay, *Yoseph Shlomo Delmedigo (Yashar of Candia)* (Leiden: Brill, 1974), 86-87.

⁷⁰ As seen in his communication with Rabbi Judah Obernik. Kupfer, "Le-demut ha-tarbutit," 129.

the *condestabulo*.⁷¹ In 1454, Isach Theotonicus held the role of *hashvan*, and may have been *condestabulo* himself in another cycle. Elia Capsali identifies a rabbi and scholar named Isach Ashkenazi (perhaps related to the *hashvan* just mentioned) as his much revered teacher.⁷²

Some German Jews had gained status in the community before the fifteenth century. Already in 1369, Malkiel Cohen Ashkenazi signed an ordinance of *Taqqanot Qandiya*, an act which indicated that he had achieved a certain status within the community.⁷³ However, Malkiel was not only a respected member of the Jewish community's elite, but also of the wider town's elite. Melchiele Theotonicus, as he is called in the Latin sources, was a doctor who not only treated his own patients but was also one of the doctors employed by the Venetian colonial administration and its court system to treat, evaluate, and testify about wounds in court. As mentioned above, the German Jewish surgeon identified as Magister Iaco appeared before the notary Michele Zusto to translate for a dying German Jewish man as he testated before the Latin notary in 1378.⁷⁴ As such, we ought to see some Ashkenazi immigrants to Crete as deeply intertwined in the Venetian system already in the 1360s and 1370s.

These Ashkenazi Jews, many of whom were Cohanim, of the priestly class, seem to have acclimated and integrated quickly due to a strategy of intermarrying with local elites. For example, sometime around 1400, Israel Theotonicus married the daughter of none other than Joseph Missini.⁷⁵ Missini, as we have seen, was member of a well-known Cretan family and a

⁷¹ On the sewer project, see ASV Duca di Candia, b. 30 bis, r. 29, fol. 60v (20 Nov. 1411).

⁷² *TQ* no. 102, p. 132.

⁷³ *TQ* no. 50, p. 48.

⁷⁴ McKee, *Wills*, no. 743, pp. 935-36 (4 May 1378).

⁷⁵ Israel died, leaving Crussana a widow. But she remarried, this time to a Jew with an apparently Italian name: Ottaviano Bonavita. See ASV Duca di Candia, b. 30 ter, r. 32, fols. 8v-9r (16 Oct. 1419).

community leader. He was also a savvy negotiator. We know from other sources that Missini was quite concerned to make financially lucrative matches for his children, which suggests that the Ashkenazi Israel was not only a man of decent status, but a man of serious means as well.⁷⁶

Ashkenazi parents of daughters, however, appear to have treated intermarriage with local Romaniotes with more ambivalence. When Jacob Theotonicus (perhaps the same Magister Iaco mentioned above) came to Candia sometime before 1400, he married a local Romaniote woman, and had a son named Isach, later to be *hashvan*, and a daughter named Mina. But when it came time for a match for Mina, her father did not marry her off to a Romaniote man, but rather to another man of German origin.⁷⁷ Mina married Isach Theotonicus, the son of Samuel whose mother-in-law Maria had lived in Venice. And indeed, Samuel's in-laws had made the same choice: when the Ashkenazi Heschia and Maria (then in Venice) chose a groom for their daughter, they chose a man from their own ethnic community. Perhaps these Ashkenazi families preferred a gendered mode of endogamy—that is to say, Ashkenazi men were commonly married to Romaniote women, but it was preferable to keep Ashkenazi women married to Ashkenazi men. Only significant further study outside the scope of this project will shed light on this speculation, but it would not be a wholly surprising model, in light of Jewish patterns of cultural inheritance in which the father's ethnic association (i.e. Ashkenazi) determines the children's affiliation.

⁷⁶ Joseph Missini attempted to marry his son Samuel to a wealthy girl from Rhodes who was to bring a huge dowry into the marriage. But by late 1390, the marriage was off, apparently for reasons relating to the bride's family, and the contract was nullified. See ASV Duca di Candia b. 30, r. 22, fols. 33r-34r (11 July 1390). At some point in the following decade, Samuel seems to have died, since the lack of a male heir is mentioned by Joseph Missini in 1401 and is also discussed during the estate proceedings following his death in 1411. See ASV Duca di Candia b. 30 bis, r. 26, fols. 18v-19v (27 Oct. 1401); b. 30 ter, r. 31, fols. 17r-18r (29 Oct. 1417).

⁷⁷ ASV Duca di Candia, b. 31, r. 38, fol. 192r (19 Oct. 1433).

All in all, the numerical and anecdotal data point to a relatively small group of Ashkenazi Jews in Candia, but identifies them as a group which appears to have been quite wealthy and learned and one that integrated easily into the elite hierarchy of the community. Perhaps this is what the German Jewish testator Ysacharus meant in 1378 when he recorded that the two landsmen he brought in to translate for him (and help deal with his estate) were *de melioribus iudeis theotonicis habitatoribus Candide*: “of the better German Jews [or perhaps “better Jews, Germans,”] resident in the Candia.”⁷⁸ In comparison, among the 23 Jews of clearly Iberian origin (but not part of the Astruc family) in the prosopographical database, only one is identified as a leader of the Jewish community, acting as *hashvan* in 1444. This is Isach Catellan, son of Elia son Solomon, whose father had been in Candia by 1386, and thus was not of the post-1391 migration.⁷⁹ One more, Emmanuel Sephardi, a doctor, signed a *taqqanah* in 1439.⁸⁰ More generally, the database enables us to confidently conclude that Jews of non-Romaniote origin made up a relatively small percentage of Candia's Jewish community, but that these newcomers played a significant role in the organizational life of the *kehillah kedoshah* and wider society in the town of Candia.

Thus far we have considered the role of Jews who came from other places to settle in Candia. But what of the broader networks of which the extant community were part? How should we characterize community members' contact with Jews from other locales, on and off the island?

⁷⁸ McKee, *Wills*, no. 743, p. 936 (4 May 1378).

⁷⁹ ASV Duca di Candia, b. 32, r. 42, fol. 18v (27 Nov. 1444).

⁸⁰ *TQ* no. 76, p. 85.

The next section explores the mobility and contacts of Candia's Jews with their co-religionists outside the frame of permanent migration into the city.

Mobility and Trade: Candia's Larger Jewish Networks

The port city of Candia was a place of transience and travel. Though the Jewish community was well rooted in the northwest corner of the city, it was in no way insular, and easy access to ships and shipping lanes made social contacts as common as cargo transport. In fact, Jewish life was characterized by regular contact with Jews from across the island, across Venice's dominions and other Byzantine (or formerly Byzantine) islands, and even across the Levant.

Unsurprisingly, Jews from all over the island were in regular contact. Significant Jewish communities inhabited Rethymno and Canea, though numerically Candia seems to have been the largest. Evidence from the ducal court and notarial registers—documents written and maintained in Candia—record Jews living in other fortified towns and, to a smaller extent, villages in the hinterland outside of Candia, including Castronovo, Castro Belvedere,⁸¹ and Castro Bonifacio.⁸² The last of these fortress towns even housed a kosher slaughterhouse (*becaria iudeorum*) in 1439, when a predatory castellan tried to exploit it for profit.⁸³ In 1419, some Jews lived in the

⁸¹ Potha Plumari, a resident of Candia, mentions in her will that her mother, Kali, resides in Belvedere in 1319. McKee, *Wills*, no. 336, p. 445 (24 June 1319). A Jewish doctor named Moses lived in Belvedere in 1373. ASV Duca di Candia b.29 bis, r.16, fol.10r (1 Feb. 1373). Occasionally Jews living in other villages or fortress towns appear in the record. The Jewish businessman Abraham (Avragha), son of the late Zacha Bufalo, lived in Castro Chilie (See Salvatore Carbone, ed. *Pietro Pizolo notaio in Candia* (Venice: Il Comitato, 1978-1985), no. 763 (24 May 1304).

⁸² Among those living in Castro Bonifacio we find: a doctor, Magister Elia, who was active in 1373 (ASV Duca di Candia b.29 bis, r.17, fol. 16v [9 Sept. 1373]); he may or may not be the same man as the salaried Jewish surgeon Elia Crusari active three decades later (For example, ASV Duca di Candia, b. 30 bis, r. 26, fol. 1r [9 Sept. 1401]); the doctor Elia Lago (For example, ASV Duca di Candia, b.30 ter, r.30, fol. 162r [18 Jan. 1417]); the doctor Joseph (Joste) Gracian (For example, ASV Duca di Candia, b.30 ter, r. 30, fol. 177r [27 Feb. 1417]); Judah (Jocuda) Balbo (ASV Duca di Candia b.31, r.40, fol.137r [19 Apr. 1439]).

⁸³ ASV Duca di Candia b. 31, r. 40, fol. 137r (19 Apr. 1439).

village of Casale de Evgenichi, when two Jews, a man and a woman, were killed in an assault there (*percussi et mortui*).⁸⁴

In the late fourteenth century in Castronovo, familiar to us from the rabbinic anxiety about that community's kosher standards made evident in *Taqqanot Qandiya* (see chapter one), the Jewish community fell victim to Greek rebels during the great St. Tito Revolt of 1363–1364. Associated by the rebels with their Venetian allies, the Jews were massacred in the summer of 1364.⁸⁵ Jews did not abandon Castronovo, however, or at least not for long. The surgeon Joseph Carfocopo was “*ad presens*” living in Castronovo in 1369, only five years after the massacre, while another Jewish surgeon, Moses Gradnelli (or Gadinelli), resided there sixty years later.⁸⁶ Two Jews from the town appear in the ducal records in May 1373, after one seriously wounded the other.⁸⁷ A decade later, enough Jews lived in Castronovo for a judicial sentence regarding payment for water use to simply refer to them as a group, *iudei morantes in Castronovo*.⁸⁸ Although the Jewish population was expelled from Castronovo and Bonifacio at some point in the fifteenth century, once again it could not be kept out permanently, and evidence of Jewish settlement in both those locales reappears in the sixteenth-century sources.⁸⁹

⁸⁴ ASV Duca di Candia b. 30 ter, r. 32, f. 9v (21 Oct. 1419). The ducal court could not find the perpetrators.

⁸⁵ Starr, “Jewish Life in Crete,” 64, n. 16. Evidence for the attack comes from Laurentius de Monacis, *Chronicon de rebus Venetis ab urbe condita ad annum MCCCCIV* (Venice: Ex typographia Redmondiniana, 1758), 179 and 186. The surviving Jewish sources make no mention of the attack.

⁸⁶ For Carfocopo, see ASV Duca di Candia b.29 bis, r.16, fol. (55)53r (5 July 1369) ; For Gradnelli, see ASV Duca di Candia b.31, r.36, fol.153r (1 Aug. 1429).

⁸⁷ ASV Duca di Candia, b. 29 bis, r. 17, fol. 13r (2 May 1373). Another injured Jew from Castronovo, Samaria Calopo, appears in the record in 1417. ASV Duca di Candia, b. 30 ter, r. 30, fol. 162v (27 Jan. 1417).

⁸⁸ ASV Duca di Candia, b. 29 bis, r. 19, fol. 53v (2 Sept. 1382).

⁸⁹ Benjamin Arbel, “Jews and Christians in Sixteenth-Century Crete: Between Segregation and Integration,” in *“Interstizi”: Culture ebraico-cristiane a Venezia e nei suoi domini dal Medioevo all’Età Moderna*, ed. Uwe Israel et al. (Rome: Edizioni di Storia e Letteratura, 2010), p. 283.

Throughout the century under study here, many Jews found themselves entrenched in Jewish communities of more than one city on the island. A number of Jews owned property in more than one location.⁹⁰ Branches of the same family would often live in different cities, especially in both Candia and Rethymno. Members of the Capsali family, for example, lived in Rethymno;⁹¹ and in the 1420s, Magister Monache, a doctor and resident of Candia, had his son settle in Rethymno, at least in part so that they could engage in the cloth trade between the two towns.⁹² Sometimes marriage connected families across the island. Herini, the widow of Sambatheus Chasuri, lived in Candia when she dictated her will to a Latin notary in March of 1348, but her two brothers, named as executors of her will, resided in Canea.⁹³ Jews of all socio-economic statuses also moved between towns and villages on the island. Liacho, a Jewish cobbler (*cerdo*), resided in Candia, but his father Lazarus had lived in the village of Milopotamo.⁹⁴

Most of the evidence of Jewish settlement from areas outside of Candia exists because these people came from their places of residence to the city. Indeed, Candia was a magnet for Crete's other Jews. As the colonial capital, inhabitants from across Crete would come to Candia

⁹⁰ Michael Malchisedech of Canea owned a house in the Candiote Judaica, which, at the turn of the fourteenth century he was renting to another Jew. ASV Duca di Candia, b. 30 bis, r. 25, fols. 34r-35r. Michael Antiqui acquired a pair of apartments in a two-floor building in Candia, which he rented out to other Jews, as well as two pairs of apartments in Rethymno. (These apartments became a point of contention among his heirs after his death in 1453 or 1454.) ASV Duca di Candia b. 26 bis, r. 11, fol. 46r (16 July 1454).

⁹¹ See ASV Duca di Candia, b. 30 bis, r. 29, fols. 137v-138r (30 May 1412), for Moses Capsali, resident of Rethymno. ASV Duca di Candia, b. 30 ter, r. 30, fol. 65v (? June 1416) records a Ligiachus Capsali of Rethymno, and a Sabatheus Capsali "de Rodo." Ankori notes that Delmedigo descendants lived in Khania (Canea) in the nineteenth century. Ankori, "Jews and Jewish Life," 320.

⁹² ASV Duca di Candia, b. 26, r. 5, fols. 63v-64r (18 Mar. 1427).

⁹³ McKee, *Wills*, no. 638 (vol. 2, p. 809).

⁹⁴ ASV Duca di Candia b. 29 bis, r.16, fol. (32)31r (29 Feb. 1369). Though the text clearly reads Pilopotamo, it may be a mistake by the scribe who intended to write Milopotamo, the name of a village known from other sources.

to petition the duke, and it is in large part these petitions (and contracts made during the visits) which allow modern scholars to track Jewish settlement outside the confines of Candia. While in Candia, these Jews relied on the institutions of the *Judaica* for food, shelter, and other needs, such as prayer services. *Taqqanot Qandiya* attests to connections between the elites of Candia and other cities. Jewish leaders from Rethymno appear as signatories on various ordinances, and an ordinance from Rethymno was adopted whole-cloth in Candia and recorded among Capsali's collection.⁹⁵ As such, it is not surprising that the Jews of these cities also worked together to promote common communal interests. When fighting a precipitous tax increase levied on the island's Jews during the 1440s, for example, the *universitas* of Candiotte Jews joined with representatives of the *universitas iudeorum* of Rethymno to appeal before the ducal court.⁹⁶

Shared Venetian sovereignty also facilitated regular and easy connections between Jews living on Crete and those living in other parts of the *Stato da mar*. The island of Negroponte, in Venetian hands from the thirteenth century until 1479, hosted another important Jewish community focused in a *Judaica* in the capital city, also called Negroponte (modern Khalkis).⁹⁷ A plethora of evidence points to ongoing connections—migration, visitation, marriage, and

⁹⁵ For Jews from other communities in Crete signing ordinances during the period under study, see *TQ* no. 51, p. 50 (Eliezer son of Rabbi Gershom, of Rethymno; 1428); and *TQ* no 52, p. 52 (Eliezer son of Rabbi Gershom, of Rethymno; Judah son of Moses from Rethymno; 1406). *TQ* no. 48, pp. 44-46, records a *taqqanah* regarding kosher slaughterers and cantors from Rethymno dated to 1362, which was adopted by the Candiotte community in 1385-6.

⁹⁶ ASV Duca di Candia b. 32, r. 44, fol. 168r (11 Feb. 1449).

⁹⁷ Byzantine rule on Negroponte, like that of Crete, fell victim to the division of the empire following the Fourth Crusade. While the island as a whole came under Venetian colonial rule only in 1390, Venice strongly influenced the island's rule already in the early thirteenth century when its Veronese ruler signed an alliance of protection and a generous trade pact with Venice, and gave much power to a Venetian *bailo* who represented La Serenissima's interests. For the classic account of Latin Negroponte, see John B. Bury's late-nineteenth-century study in three parts, "The Lombards and Venetians in Euboea (1205-1303)," *The Journal of Hellenic Studies* 7 (1886): 309-52; "The Lombards and Venetians in Euboea (continued)," *The Journal of Hellenic Studies* 8 (1887): 194-213; "The Lombards and Venetians in Euboea (1340-1470)," *The Journal of Hellenic Studies* 9 (1888): 91-117.

business links—between Jews in the two communities over the course of the period under study, and even before.⁹⁸ A marriage between a Negropontan Jewish woman, Elena Kallomiti, and a Cretan Jewish man, Samaria son of Elia (Helya), was contracted as early as 1279.⁹⁹ Silvano Borsari also notes a group of Cretan Jews who moved to Negroponte around 1300, though not before making a promise to continue paying the Cretan Jewish tax.¹⁰⁰ The Mosca family kept businesses and homes in both Candia and Negroponte during the late fourteenth and fifteenth centuries.¹⁰¹ As mentioned above, even the famed Delmedigo family seems to have come to Candia after a stint in Negroponte.¹⁰²

Jews from other islands in the region, even those not under Venetian control, created networks with Candia's Jews. Connections with Rhodes, under the rule of the Hospitallers from 1309 until the mid-fifteenth century, are particularly well attested.¹⁰³ Rhodian Jews appear as

⁹⁸ On the Jews of Venetian Negroponte, see David Jacoby, "The Demographic Evolution of Euboea under Latin Rule, 1205-1470," in *The Greek Islands and the Sea*, ed. Julian Chrystomides et al. (Camberley, Surrey: Porphyrogenitus, 2004), 131-179.

⁹⁹ Silvano Borsari, "Ricchi e poveri nelle comunità ebraiche di Candia e Negroponte (secc. XIII-XVI)," in *Ricchi e poveri nella società dell'oriente grecolatino*, ed. Chryssa Maltezou (Venice: Hellenic Institute of Byzantine and Post-Byzantine Studies, 1998), 211. The marriage contract, including a list of the promised dowry, can be found in Mario Chiaudano and Antonino Lombardo, eds. *Leonardo Marcello, notaio in Candia, 1278-1281* (Venice: Il Comitato, 1960), [hereafter *Leonardo Marcello*] n. 109-10, pp. 43-44.

¹⁰⁰ Borsari, "Ricchi e poveri," 211. The tax agreement is edited in Freddy Thiriet, *Régestes des délibérations du Sénat de Venise concernant la Roumanie* (Paris: Mouton & Co., 1958), vol. 1, n. 194, p. 107.

¹⁰¹ For more on the Mosca family and their connections to Negroponte, see chapter 7.

¹⁰² In March 1360, Judah Delmedigo (Jacuda del Medico) is identified as "judeo di Nigroponte." He and his brother Samargia are ordered not to leave the island pending the resolution of a financial agreement gone wrong with members of the Kalergi family. ASV Duca di Candia, b. 29, r. 12, fols. 66v-67r (9 Mar. 1360). The matter was apparently resolved quickly, since both acts are cancelled on 12 March.

¹⁰³ For the larger context of Venetian-Rhodian relations, with reference *passim* to the place of Crete in these relations, see A.T. Luttrell, "Venice and the Knights Hospitallers of Rhodes in the Fourteenth Century," *Papers of the British School at Rome* 26 (1958): 195-212.

visitors and residents in Candia.¹⁰⁴ Likewise, Candia's Jews traveled and settled in Rhodes; the prominent Candiot Jewish businessman Liacho Mavristiri, for example, migrated from Crete to Rhodes in the second half of the fourteenth century.¹⁰⁵ For a businessman like Mavristiri, who had chafed at Venice's rules, Rhodes offered breathing room and lower duties—a pattern typical of Venetian subject merchants, Jew and Greek alike.¹⁰⁶ Marriages between Rhodian and Candiot Jews were also common. Joseph Missini's own son, Samuel, was for a time betrothed to a fabulously wealthy Rhodian girl named Jocheyna.¹⁰⁷

Jews from farther afield also appeared in Crete, usually to trade, and this trade often involved accessing Jewish networks they found on the island. In February 1300, two Jews, Joseph (Iosep) Gavio and Ysaac Ligon, both residents of Barcelona, made a nautical *colleganza* before a notary in Candia, noting that two Majorcan Jews, Abramo Bono and Aymbrano Xulel, would actually travel on the ship bound for Sardinia and Tunis.¹⁰⁸ In the same month, another Barcelona native, the Jew Ysaac Gracian, received an interest-free loan from the Candiot Jew Sambatheus, son of the late David, with the understanding the Gracian might soon leave Crete

¹⁰⁴ For one example among many, in the 1379 will of Parnatissa tu Carteru, the testator names her son-in-law, "Samerya de Rodo," as her sole executor. Though from Rhodes, he clearly lived now in Candia. McKee, *Wills*, no. 705, p. 892 (11 Mar. 1379).

¹⁰⁵ Samargia de Rodo, currently in Candia and probably the same man identified as Parnatissa tu Carteru's son-in-law (see previous footnote), appears as the procurator for Liacho (Ligiachus) Mavristiri, a Candiot Jew resident in Rhodes. ASV Duca di Candia, b. 30, r. 20, fols. 8v-9v (6 Feb. 1386). For more on Mavristiri, see McKee, *Uncommon Dominion*, 71 and 184-88. Ligiachus' daughter Elea Mavristiri did not move to Rhodes, and will be discussed extensively in chapter 7.

¹⁰⁶ Apellániz, "Venetian Trading Networks," 178.

¹⁰⁷ ASV Duca di Candia b. 30, r. 22, fols. 33r-34r (11 July 1390). As mentioned above, the wedding was called off over financial disagreements, however, and the erstwhile groom died soon after.

¹⁰⁸ Salvatore Carbone, ed. *Pietro Pizolo notaio in Candia* (Venice: Il Comitato, 1978-1985) [hereafter *Pietro Pizolo*], no. 60 (13 Feb. 1300).

for Alexandria.¹⁰⁹ A Roman Jew named Meble took a loan in Crete in 1306 which he had to repay in Alexandrian currency, in Alexandria, after he traveled there on a Catalan merchant's boat.¹¹⁰

As these last two cases suggest, Alexandria served as a major destination for Jewish traders stopping temporarily on Crete.¹¹¹ But the Mamluk city also attracted Cretan Jews and their goods.¹¹² Evidence points to deep and direct connections between the Jews of Candia and those of Egypt. These connections began before the Venetian period. As Jacoby notes, in the eleventh or twelfth century, kosher Cretan cheese was already being imported into Alexandria, probably shipped by Jewish merchants.¹¹³ Not all travel to Egypt was economic in this pre-Venetian period; evidence from the Genizah shows that a Jewish community leader from Crete visited Cairo in 1105, and that Egyptian Jewish women sometimes traveled to Crete for marriages in that period as well.¹¹⁴

¹⁰⁹ *Pietro Pizolo*, no. 101 (26 Feb. 1300).

¹¹⁰ From the notarial register of Angelo de Cartura, no. 487 (8 Apr. 1306), as edited in Alan Stahl, ed. *The Documents of Angelo de Cartura and Donato Fontanella: Venetian Notaries in Fourteenth-Century Crete* (Washington, DC: Dumbarton Oaks, 2000).

¹¹¹ Ruthi Gertwagen points out that, at least in the tenth and eleventh centuries, Crete was a regular stopover on a northwesterly shipping lane from the Levant, via Alexandria, to Crete, then to southeastern Italy, partly because of the natural counter-clockwise currents and the cyclical breezes which made such travel relatively easy and fast. See Ruthi Gertwagen, "Geniza Letters: Maritime Difficulties along the Alexandria-Palermo Route," in *Communication in the Jewish Diaspora: The Premodern World*, ed. Sophia Menache (Leiden: Brill, 1996), 78. The evidence discussed here illustrates that lucrative trade possibilities made Crete a stopover in both directions.

¹¹² Alexandria served not only as a major market target for Jews, but also for Cretans and Venice more broadly. For a recent discussion on Venetian trade in early fifteenth-century Alexandria and its social implications, see Georg Christ, *Trading Conflicts: Venetian Merchants and Mamluk Officials in Late Medieval Alexandria* (Leiden: Brill, 2012). Also see Benjamin Arbel, "The Last Decades of Mamluk Trade with Venice," *Mamluk Studies Review* 8 (2004): 37-86.

¹¹³ David Jacoby, "Byzantine Crete in the Navigation and Trade Networks of Venice and Genoa," in *Oriente e Occidente tra medioevo ed età moderna: Studi in onore di Geo Pistarino*, ed. Laura Balletto (Genoa: G. Brigati, 1997), esp. pp. 519-30.

¹¹⁴ On the visit to Cairo, see S.D. Goitein, *A Mediterranean Society: The Jewish Communities of the Arab World as Portrayed in the Documents of the Cairo Geniza*, vol. 2: *The Community* (Berkeley: University of California Press, 1971), 130-1 and 444, appendix B25. Mentioned in David Jacoby, "Jews in the Byzantine Economy (Seventh to

But much of the travel was mercantile, especially during the Venetian period, when Venice actively developed its import-export routes to Egypt. The great Venetian wine trade to Alexandria, for example, enabled Jews like Elijah Capsali of Rethymno to make a good living importing both “Jewish” and conventional Malvasia di Candia to Alexandria’s Jews and tavern owners.¹¹⁵ Francesco Apellániz has recently noted that Venetian notarial material from Alexandria records a number of transactions involving Candiot Jewish traders and sees them as an important node in Venetian-Mamluk trade networks.¹¹⁶ In the 1360s, Candiot traders in general were “the most important” foreign group in Alexandria after the Venetians, Jews among them.¹¹⁷ After this period, the notarial acts and other evidence betray only faint evidence of Jewish trade activity there (although a *funduq*, inn-warehouse, of the Jews is attested) until the late 1410s. But at the end of that decade through the 1440s, Cretan Jews resurge in the notarial sources.¹¹⁸ In one Venetian notary’s register from 1418–1420, for example, two Candiot Jews (including one from the Capsali family) are among the most active of all Venetian-affiliated merchants.¹¹⁹

Mid-Fifteenth Century),” in *Jews in Byzantium: Dialectics of Minority and Majority Cultures*, ed. Robert Bonfil et al. (Leiden: Brill, 2012), 245. On the marriages between Egyptian Jewish women and Cretan Jewish men, see S.D. Goitein, *A Mediterranean Society*, vol. I: *Economic Foundations* (Berkeley: University of California Press, 1967), 49.

¹¹⁵ On the Venetian-Alexandrian wine trade, see Christ, *Trading Conflicts*, 167-74, and for the place of Cretan traders, see pp. 170-72. Also see Benjamin Arbel, “The ‘Jewish Wine’ of Crete”, in *Μομεμβάσιος Οίνος, Μοβοβας(ι)ά –Malvasia*, ed. Elias Anagnostakes (Athens: National Hellenic Research Foundation, 2008), 81-88.

¹¹⁶ Francesco Apellániz, “Collaboration des réseaux marchands à Alexandrie (XIVe-XVe siècles),” in *From Florence to the Mediterranean and Beyond: Studies in Honor of Anthony Molho*, ed. Diogo Ramada Curto, et al. (Florence: L.S. Olschki, 2009), vol. 2, 581-99, esp. pp. 588-91.

¹¹⁷ Apellániz, “Collaboration,” 585.

¹¹⁸ Apellániz, “Collaboration,” 588-89. Apellániz recognizes the need for a more comprehensive study of Crete’s Jewish traders in Alexandria, especially in the period after the 1440s.

¹¹⁹ Apellániz, “Venetian Trading Networks,” 176, and Table 1.

Jewish and Greek non-citizen subjects alike, according to Apellániz, managed to find ways around the limitations on trade which Venetian law placed on them. But Jewish involvement in this trade was not unproblematic. For about two decades beginning in 1429, Venice prohibited its ships from transporting Jews or their goods to any Mamluk-held territory, extending a papal ban against Christian ships carrying Jews and Jewish-owned goods to the Holy Land; Jews could not much get around the ban.¹²⁰ Even when Candiotte Jews did not travel to Alexandria themselves, however, they utilized their networks to send their goods there for sale. Already in 1300, the Candiotte Jew Sabatheus, son of David, handed over 3,000 lbs. of washed wool to his Barcelonan co-religionist Solomon Serot. While Sabatheus stayed on Crete, Solomon Serot vowed to travel on a Genoese merchant's ship to Alexandria, sell the wool at a good price, use the money to buy promising new merchandise in Egypt, and then bring it back to Sabatheus in Candia.¹²¹ When in Alexandria in the 1480s, the Italian pilgrim-rabbi Obadiah di Bertinoro drank a kosher version of the famed wine Malvasia di Candia, though we do not know if local Candiotte Jews had themselves transported and sold the coveted beverage.¹²² Alexandria's special links with the Venetian empire made her a convenient trading post for Cretan Jews, but little is known of direct Jewish trade after the 1440s.

Just as they had succeeded in Alexandria, a town deeply ensconced in the Venetian commercial orbit despite independence from her political machine, Jewish traders found opportunity in Constantinople, where a well-controlled Venetian quarter under the direct rule of a Venetian *bailo* provided privileged trading for *La Serenissima's* subjects. Before 1453,

¹²⁰ Jacoby, "Pèlerinage médiéval," 45.

¹²¹ *Pietro Pizolo*, no. 73 (18 Feb. 1300).

¹²² Obadiah of Bertinoro, *Me-Italyah li-Yerushalayim: Igrotav shel R. Ovadyah mi-Bartenura me-Eretz Yisrael* [From Italy to Jerusalem: The Letters of Rabbi Obadiah of Bertinoro from the Land of Israel], ed. M.E. Artom and Abraham David. (Ramat Gan: Bar Ilan University Press, 1997 [1988]), 49.

Candiote Jews often traveled and stayed in the Venetian quarter, where they would come into contact with Catalan and Genoese Jewish merchants.¹²³ Among the mutually beneficial trade schemas, Candiote Jews would export the island's kosher cheese and wine to the imperial capital, and in return, Jews in Constantinople would export hides to Candia's Jewish tanners.¹²⁴ After the Ottoman takeover, as Benjamin Arbel has illustrated, the new governmental regime "did not substantially change this long-established connection" between Venice and the newly renamed Istanbul; at this point, Jewish traders took on an even larger role, remaining an important node in the Venetian-Ottoman trade network.¹²⁵

Finally, Jerusalem served not only as a place of Jewish hope or Jewish death (as in the case of Salachaya's will, discussed in the beginning of this chapter, in which he instructed his brother to bury his bones and that of his parents there), but also as a locus of actual life for Cretan Jews. To be sure, a number of older Cretan Jews left for the Holy Land with the explicit understanding that they did not have too long to live. The widow Eudochia had her will drawn up in 1340 because she planned to "*accedere Yherosolimam*" within the next month, and did not plan to return to her family or goods in Candia.¹²⁶ Traveling to Jerusalem toward the end of one's life with the intention to die and be buried there remained a common enough plan for Crete's Jews even into the seventeenth century, as Chryssa Maltezou has illustrated in her edition of the

¹²³ David Jacoby, "The Jews of Constantinople and their Demographic Hinterland," in *Constantinople and its Hinterland: Papers from the Twenty-Seventh Spring Symposium of Byzantine Studies, Oxford, April 1993*, ed. Cyril Mango and Gilbert Dagron (Aldershot: Varorium, 1995), 229.

¹²⁴ Jacoby, "The Jewish Communities," 177.

¹²⁵ Benjamin Arbel, *Trading Nations: Jews and Venetians in the Early-Modern Eastern Mediterranean* (Leiden: Brill, 1995), 13, and 83-86.

¹²⁶ McKee, *Wills*, no. 137, pp. 174-75 (12 Oct. 1340). Her trip was organized by another Cretan Jew named Michael Tobia, for which she paid him thirty-eight hyperpera.

Greek-language will of the Cretan Jew Abraham Balanzas from 1626.¹²⁷ But certainly not every Jewish pilgrim intended to reach Jerusalem only to live out old age. A middle-aged member of the Capsali clan lived in Jerusalem in 1405, and may have returned to Crete.¹²⁸ Cardina, only known to us as the *filiastra* (step-daughter?) of a wealthy female testator named Chaluda Balbo, was in Jerusalem (*est in Yerusalem*) when a will bequeathing her ten hyperpera was drawn up in the 1370s.¹²⁹ This will also displays a deep familial love of the Holy Land among the Balbo clan: it identifies Chaluda's daughter as Çigio, from the Hebrew *Tziona*, the feminine form of the word "Zion."

Just as Jews came to Crete from locations across the Mediterranean and even from Northern Europe, the Jews of Crete did not stay home, but were mobile and traveled across these waters and lands as well. Alexandria, Constantinople, and Jerusalem were but three of the (relatively close) locales in which Candiot Jews could readily and regularly be found. Through the middle of the fifteenth century and beyond, we witness Crete's Jews buying and selling abroad, making connections with fellow Jewish merchants, pilgrims, and residents from across the Mediterranean.

Both the push factors which compelled Jews to leave their old homes, and the pull factors which attracted them to Candia, brought a regular influx of new Jewish immigrants from across the

¹²⁷ Chryssa Maltezou, "From Crete to Jerusalem: The Will of a Cretan Jew (1626)," *Mediterranean Historical Review* 10 (1995): 189-201.

¹²⁸ ASV Duca di Candia, b. 31, r. 41, fol. 40r-v (27 Jan. 1440). This case revolves around the will of Parnas Capsali, Sabatheus' father, who testated in Rethymno in 1405. In this will, Parnas recorded that Sabatheus was currently resident in Jerusalem. Sabatheus' son Joste, however, appears in Candia in 1440 as the claimant in this case, but we cannot know whether Sabatheus returned from Jerusalem to Crete or if Joste was born before his father left and had not gone with his father to the Levant.

¹²⁹ McKee, *Wills*, no. 97, p. 127 (no date; from its placement it must date to the early 1370s).

Mediterranean and beyond. Other Jews—traders and pilgrims—stopped in Candia, while Crete's Jews regularly did business with co-religionists (and others) off the island. Candia became a city in which Jews regularly stopped by for a while, some for longer, and others settled and remained for generations, just as Candiote Jews went out and brought back knowledge and goods from across the Mediterranean and beyond. Alongside goods and information—cloth, spices, and Jewish books among the plethora of items they transported—visitors and settlers brought their own local notions of Judaism too, making a Crete a crossroad for Jewish ideas.¹³⁰ It is to the world of imported ideas that we now turn.

Cultural Borrowing, Cultural Anxiety: Ashkenazi and Sephardi Ideas on Crete

The Venetian government preferred to think of Crete's Jews as large in number and wealthy—a characterization which helped the regime justify the high taxes and forced loans which it demanded from them.¹³¹ Its size we have addressed above; large was, of course, a relative term made meaningful only in comparison to city's similarly sized Latin colonial elite population. Likewise, the wealthy population of Candia was only a part of the city's Jewish story, albeit the most visible part of the narrative since the rabbinic elites of *Taqqanot Qandiya*, the majority of Jewish businessman making use of notarial contracts, and most Jews able to pay court fees for civil suits, belonged to this highly affluent class. Many members of the Jewish community in

¹³⁰ For Jewish tailors and cobblers, see *TQ* no. 74, pp. 78-79, from 1518. For the story of one Jewish tailor, a recent immigrant from Spain named Abraham, who caused trouble by marrying a woman already betrothed to another man, see *TQ* no. 76, p. 83, dated to 1439. Jewish doctors appear throughout the *Archivio di Stato* series Duca di Candia, and while some of these doctors seem to be of local origin, others were recent newcomers (within a few generations) to Candia. For example, one dynasty of surgeons made up of a father and his two sons are named *de Damasco*, and one physician hails from Majorca.

¹³¹ This is a common theme in senatorial demands for tax increases. For example, see Noiret, *Document inédits*, 13 (25 Feb. 1387) (“*sunt quamplures Judei cum maximo habere et valde divites*”); *ibid.*, 387 (21 Feb. 1439) (“*multi et divites*”); *ibid.*, 417 (27 Dec. 1447) (“*multi et potentes*”).

Candia and its surrounding areas, however, were of far lower status, as discussed above; Jacoby has likewise noted tanners, artisan apprentices, seasonal workers in wine-production, and servants.¹³² Some newcomers, too, came with little in their pockets. Jacoby notes a 1428 contract in which a Majorcan Jew agreed to serve a Candiote physician on his travels to Venice in return for food, lodging, and a salary of three hyperpera per month.¹³³ Others, like many of the Ashkenazi immigrants discussed above, appear to have arrived in Candia well heeled, well connected, and able to contribute significantly to Venice's coffers soon after disembarking. Newcomers and visitors to Candia, therefore, came under many conditions; they brought professional knowledge, personal wealth, and sometimes empty pockets and empty stomachs which needed communal help to fill.

The established community on Crete welcomed these newcomers, whether refugees or businessmen, from east or west. They were absorbed into the *kehillah kedoshah*, and many became Candiote residents, thereby contributing to the Jewish tax levied on the community as a whole. But these Jews were not empty vessels waiting to be filled with Candiote rite and philosophy. These Jews also arrived in Candia with their own experience of Jewish culture, rite, tradition, and their own approach to Jewish law, *halakhah*. On one hand, the official Jewish hierarchy demanded adherence to local Jewish custom from newcomers, a theme prevalent throughout *Taqqanot Qandiya*. At the same time, newcomers could work their way into the Jewish leadership hierarchy, and correlatively into the cohort of Jewish elite families who had

¹³² For just one example, in a 1432 will, a wealthy Jewish testatrix bequeathed to her Jewish servant girl, Esther, some goods and cash from the mistress's home where Esther had served for most of her life. Jacoby, "Venice and the Venetian Jews," 45; idem, "Quelques aspects," 114-15.

¹³³ Jacoby, "Venice and the Venetian Jews," 45; idem, "Quelques aspects," 114-15.

traded power among themselves at least since the thirteenth century, as we saw above for a number of Ashkenazi families, and for some Sephardim, such as the Astrucs of Catalonia.

But what of the traditions of their homelands, rituals and ideas they did not leave behind but brought with them? In the next section, I turn to the cultural impact of the constant stream of Jewish travelers, immigrants, and refugees on the Romaniote community—particularly as seen through the eyes of the elite authors of *Taqqanot Qandiya*—in terms of their relationships to the two ascendant ritual streams of Judaism, the Ashkenazi and Sephardi rites.

Along with the Jewish newcomers to Candia came the culture, language, and religious rite of their places of origin, new customs which could collide with the local traditions of Candia's well-established Romaniote community. Never neutral to change, our sources, especially *Taqqanot Qandiya*, illustrate the reaction to the new ideas brought to Candia by immigrants and visitors—and by Cretan visitors to lands abroad. We see something of a bifurcated response, in fact: while some Sephardi innovations were perceived as threatening the extant Romaniote elite, Ashkenazi ideas were welcomed almost whole-cloth. For many of the Cretan elite families, connections and contacts with all things Ashkenaz were actively sought and idealized.

According to their philosophical approach, the rabbis in Crete as elsewhere frowned upon change—particularly innovation in Jewish ritual practice and law, the elements which comprised *halakhah*. Scholars before me have noticed a very pointed *responsum* written around 1450 by Moses Capsali, a scion of the great Capsali house of Candia (and Elia's uncle) who moved to Constantinople and eventually became the head rabbi of the city under Ottoman rule.¹³⁴ Responding to a query from the leaders of his old community in Candia about a divorce

¹³⁴ Starr, "Jewish Life in Crete," 103.

procedure imported from Castile, Capsali excoriated Sephardic newcomers to Candia and Constantinople who brought in *halakhic* innovations which ran counter to the local traditions.¹³⁵ In articulating this aversion to innovation, Capsali was echoing a sentiment which can be found throughout *Taqqanot Qandiya* which claims allegiance to the old local ways.

The irony of this rhetoric, however, is that for Capsali and other Candiote elites innovation ceased to be anxiety-provoking and became acceptable and admirable when it came from the lands of Ashkenaz.¹³⁶ Answering another query from the Candiote rabbis, Moses Capsali wrote about the correct practices of choosing a *hazzan* for each synagogue.¹³⁷ On Crete as elsewhere a *hazzan* was not simply the cantor but acted as the chief executive officer for that synagogue during his tenure—a powerful, high-status, and perhaps lucrative job. Unhappy with Venetian government intervention in the choosing of Candia's *hazzanim*, Capsali wrote about the proper method.¹³⁸ Instead of suggesting that they go back to the old ways as we might expect, Capsali told the Jews of Candia to follow the example of none other than the Jews of Germany! Ashkenazi practices are better, wrote Capsali, and in the course of his *responsum*, referenced the Ashkenazi liturgy, and even quoted a story from Cologne, borrowed from the Ashkenazi Rabbi Eliezer ben Joel HaLevi of Bonn, as an exemplum. In idealizing Ashkenaz, Capsali reinterpreted Candiote practice. While he claimed that “the good customs of your fathers” had been forgotten

¹³⁵ *TQ* no. 47, p. 42-44.

¹³⁶ The irony increases when one considers that Ashkenazi approaches to its own tradition and custom were deeply conservative and claimed aversion to innovation, and had been since at least the tenth century when Ashkenazic communities established themselves in the Rhineland. See David Malkiel, “Renaissance in the Graveyard: The Hebrew Tombstones of Padua and Ashkenazic Acculturation in Sixteenth-Century Italy,” *AJS Review* 37 (2013): 334 and n. 3 for an extensive literature on the phenomenon.

¹³⁷ *TQ* no. 45, pp. 36-39.

¹³⁸ A fascinating earlier case of this government intervention—initially, it seems, at the request of a Jew who wanted the position!—is attested in the ducal court records. See ASV Duca di Candia, b. 30 bis, r. 29, fols. 19v-21r (3 Oct. 1411). See chapter seven for more on this case.

in Candia, he hoped to replace the new bad ways not with a return to the old Romaniote ways—but rather with a turn to borrowed Ashkenazi innovations!¹³⁹

In some ways, we must understand Moses Capsali as an extreme case. He himself had traveled to study in Germany in *yeshivot* there. His connection was visceral, a personal admiration for and belief in the Ashkenazi ways. But his attitude was not unique. In fact, for a number of socio-historical reasons, Crete found itself linked to Ashkenazi ways from the very earliest period of Venetian rule. Already in 1228, the year of the earliest *Taqqanot*, the first set of ten rules were inflected and perhaps even spurred on by German rabbis. As mentioned above, the introduction to the Hebrew ordinance collection, which describes the synod at which these original *taqqanot* were announced and formalized, attributes the impetus to Baruch ben Isaac, ostensibly the *tosafist* from Worms, who seems to have arrived in Candia and found himself horrified by the state of the communal organization.¹⁴⁰ If this attribution and narrative are correct, the very formalization of Crete's Romaniote community cannot be disconnected from Ashkenazi tradition. A century and a half later, the memory of the impact of these rabbis still loomed large for the communal elite who, when undertaking reforms in 1363, referred to Rabbi Baruch and his entourage by name, calling them and the other founders of the Candiotite ordinances “*geonei olam*,” genius-leaders of the world, and noting their fundamental work in establishing the parameters of community rule.¹⁴¹

In contrast, the reaction to Sephardi Jewish innovation, hinted at above through the communal mouthpiece of Moses Capsali, was far more negative. Appalled by an improper ritual

¹³⁹ *TQ* no. 45, p. 38.

¹⁴⁰ *TQ* no. 2, pp. 3-4.

¹⁴¹ *TQ* no. 40, pp. 31-32. They spill much ink apologizing for changing the old customs related to *eruv*.

for finalizing a Jewish divorce as mentioned above, an innovation which had recently come to Crete from Castile, Capsali claimed that the inappropriate behavior stemmed from “new people who have recently come, whom your ancestors could not have imagined” (an expression he borrowed from Deuteronomy 32:17).¹⁴² With Castile as the overt source of the new custom, the culprits are obvious—the Spanish Jews—despite the vagueness of his claim that these customs come from “other lands.”¹⁴³ Capsali’s own training in Germany, and vocal support of Ashkenazi stringencies and religious authorities, focus his ire away from any Ashkenazi immigrants despite their equivalent status as “newcomers.”¹⁴⁴ Rather, the Spanish Jews, according to Capsali, infected the Candians with their improper marital customs: “And now you have risen against your fathers,” he rebukes, “and you scorned all of the good customs of Candia by pursuit of which man shall live.”¹⁴⁵

Capsali was not the only one to utilize this particular phrase from Deuteronomy to criticize Sephardic émigrés. It was used by Capsali’s contemporary, the Romaniote David HaCohen (Radakh) of Corfu in a *responsum* in which, as one scholar puts it, he “contrasted the truly learned, Torah-true rabbis...to the Sephardim who abused the title” through impiety and

¹⁴² *TQ* no. 47, p. 43. Deuteronomy utilizes this expression to refer to false gods, an extremely negative association.

¹⁴³ *TQ* no. 47, p. 44. Jewish custom mandates that newcomers take on the customs of the local community; the Sephardic exiles throughout the diaspora refused to follow this traditional approach. Esther Benbassa and Aron Rodrigue, *Sephardi Jewry: A History of the Judeo-Spanish Community, 14th-20th Centuries* (Berkeley: University of California Press, 1999), 13.

¹⁴⁴ Note, for example, his own sources: the Maharam of Rothenburg (thirteenth century, Worms), the Rosh (fourteenth century, western Germany), and a set of Ashkenazi *mahzorim*.

¹⁴⁵ *TQ* no. 47, p. 43. The latter part of this statement is a quotation from Leviticus 18:5.

dedication to secular learning.¹⁴⁶ Here, this rabbi referred to the Sephardim with the now-familiar expression: “new [people] who have recently come.”¹⁴⁷

Although both Capsali in Candia and the Radakh in Corfu criticized the Sephardi newcomers for their wrongheaded approach to religious law and custom, dislike may have also stemmed in part from socio-economic factors. In 1439, the leadership passed an ordinance that a Jewish marriage could not take place with fewer than ten witnesses.¹⁴⁸ The need for this ordinance is spelled out in the text: A woman identified as one “of the wives of the children of the Cohanim” [*mi-nishei bnei Cohanim*] came “crying” [*ve-tza'akah*] to the current *condestabulo*, Jeremiah Capsali. She claimed that a Jewish woman, identified only as Cali, had been engaged to a man named Melli Beglici. But when already betrothed, another man married Cali, which according to Jewish law almost equates to polyandry, an act which no branch of Judaism could tolerate. The *taqqanah* blames this second man for the inappropriate marriage. The ordinance identifies him as “a Sephardi Jew, and his name is Abraham Tofer [i.e. the tailor].” The language of the ordinance highlights his ethnic origin and his low professional status, in sharp contrast to the elite women (of the Cohanim) who denounced him to the Jewish authorities. Indeed, the demographic data discussed above supports this supposition; although the Ashkenazi émigrés were often wealthy and engaged in high-status business and communal affairs, and many of them were Cohanim, bolstering their internal communal status, fewer of the Spanish newcomers brought riches and professional skills in line with the Candiotte elite. Perhaps

¹⁴⁶ Hava Tirosh-Rothschild, *Between Worlds: The Life and Thought of Rabbi David ben Judah Messer Leon* (Albany: State University of New York Press, 1991), 104.

¹⁴⁷ This *responsum* is quoted by Shlomo Rosanes, *Divrei yimei Yisrael be-Togarmah* [History of the Jews of the Ottoman Empire] (Tel Aviv: Dvir, 1930), 78. Thanks to Benjamin Arbel for suggesting this text.

¹⁴⁸ *TQ* no. 76, pp. 83-84.

in the meeting of these two tensions—socio-economic and cultural—we can understand the anti-Sephardi sentiment prevalent in *Taqqanot Qandiya*.

In the rejection of Sephardi custom alongside a parallel accommodation of Ashkenazi innovation lies a further irony, since Ashkenazi innovations at times directly undermined Romaniote custom—a reality which would spark real tension in parts of the Venetian eastern Mediterranean in the following decades. Being squarely part of the Venetian sphere, Crete and the other colonies of the *Stato da mar* with Jewish populations eventually found themselves in the gravity well of the great rabbis of the Veneto. This was particularly true as regards the yeshiva in Venetian Padua led by Ashkenazi rabbis, most famously Judah Mintz at the end of the fifteenth century, and his granddaughter's husband Meir Katzenellenbogen in the sixteenth. These rabbis were nominal chief rabbis of Venice, and at times sought to press their authority—and Ashkenazi perspective—in halakhic matters.¹⁴⁹ As David Malkiel has recently explained, a set of ordinances put out by Mintz and his contemporaries for the Veneto around 1507 “were rooted in a firm Ashkenazi identity, and collectively they express the rabbis’ concern to shepherd their flock along the path that could preserve it from the pitfalls of the local Italian lifestyle.”¹⁵⁰ To this assessment, we may safely add Mintz’s concern for the pitfalls of the lifestyle of the wider Romaniote spheres.

¹⁴⁹ Padua became a Venetian holding in 1405. When Padua expelled bankers in the mid-fifteenth century, the extant Ashkenazic and Italiote synagogues were closed; a new Ashkenazic synagogue was founded in 1525, and an Italiote one was founded in 1548. As Malkiel notes, throughout this period, even before the opening of the new synagogue in 1525, “In Padua the Ashkenazic Jews set the tone, their power and prestige based not only on their position as founders, but also on the city’s famous yeshiva.” Malkiel, “Renaissance in the Graveyard,” 334. On the Jewish community of Padua, its leadership and demographics, see the first three introductory chapters of Daniel Carpi, ed. *Pinkas va'ad kahal kadosh Padovah* [Minutes Book of the Council of the Jewish Community of Padua, 1577-1630] (Jerusalem: Israel National Academy of Sciences and Humanities, 1973), 13-55. On the synagogues closing and reopening, see I: 15-16, n. 2-3.

¹⁵⁰ Malkiel, “Renaissance in the Graveyard,” 364.

In particular, this rabbinic dynasty saw its role as revising local Romaniote marriage and divorce practices, which was likewise a bugaboo of the German-trained Moses Capsali, although he turned his ire on Sephardi innovations, not the Romaniote ways.¹⁵¹ At some point before 1490, for example, Mintz ruled that the ban against bigamy, an Ashkenazi innovation, had to be applied everywhere in the Venetian holdings. In Corfu—one of Venice's colonies inhabited by a significant Romaniote population—the leader of the Romaniote community, Rabbi Gershom Bonafazo, had married a second wife when his first was proven to be infertile, in line with Romaniote custom. Mintz excommunicated Bonafazo, sparking a communal split between the Romaniotes and the Ashkenazi-influenced Italian Jews on Corfu. The Ashkenazi-Venetian influence was strong, but as this case suggests, not without its own tensions.¹⁵²

Joseph Missini, the communal leader we met in the beginning of this chapter, himself married a second wife for the same reason. We cannot be sure if the Candiote community at large frowned upon this behavior in 1401, though in Missini's case, his unhappy first wife did announce that bigamy was against "local Jewish custom."¹⁵³ Here is a case in point about the Cretan connection with Ashkenaz: as part of the Venetian milieu, its official Jewish communal policy was heavily inflected with Ashkenazi approaches, its leadership often inclined toward Germanic Jews and their ideas, but in daily practice they could also continue their local ways, including their unique liturgy and even their own approaches to plural marriages. No matter what

¹⁵¹ For a discussion of this episode regarding Mintz and Bonafazo, see Elimelech Westreich, *Temurot be-ma'amad ha-ishah be-mishpat ha-ivri: masa ben masorot* [Transitions in the Legal State of the Wife in Jewish Law: A Journey Among Traditions] (Jerusalem: The Hebrew University Magnes Press, 2002), 202-8.

¹⁵² David Malkiel contends that the Ashkenazi rabbis of Padua such as Judah Mintz adapted, to some extent, to the more liberal attitudes of the Italian Jewish sphere, for example regarding women and dancing. He admits, however, that in other areas as diverse as the legitimacy of wigs as hair coverings and the appropriate age to become a ritual slaughterer, Mintz and his Ashkenazi rabbinic contemporaries in Italy remained in strict alignment with traditional Ashkenazi positions, in contrast to local norms. Malkiel, "Renaissance in the Graveyard," 363-64.

¹⁵³ ASV Duca di Candia b. 30 bis, r. 26, fols. 18v-19v (27 Oct. 1401). See chapter 6 for a detailed discussion of this case.

happened in Corfu a century later, there were leaders within the Jewish Candiotte elite who leaned both ways.

Broader Intellectual Traditions

Finally, though Ashkenazi ways inflected Crete's broad, community-wide halakhic practices, for example in kosher slaughter, and also pervaded a certain segment of Candia's Jewish philosophical perspectives, it is important to remember that the sphere of influence for Crete's Jews was much wider.¹⁵⁴ Sixteen Hebrew manuscripts of textual anthologies—that is to say, collections of texts copied for a given patron and reflecting his own interests—have survived from fourteenth- and fifteenth-century Crete, offering us an intimate view into the thought-world of a number of members of the island's wealthy and educated Jewish elite.¹⁵⁵ These manuscripts suggest a community deeply interested in knowledge both obviously religious and not so obviously religious: we find commentaries on the Bible, mystical texts, homilies, and texts on Jewish law (*halakhah*), but we also find tomes on Euclidean geometry, Hebrew grammar, Spanish poetry, many works on Aristotelian philosophy, and medical treatises.

As these latter topics suggest, if we consider the origins of the texts, the cultural sphere of Crete's Jews appears decidedly different than the one Moses Capsali and his legalists represented in *Taqqanot Qandiya*. Indeed, the major cultural magnet found in these texts is Iberia and

¹⁵⁴ *TQ* no. 61, p. 63, where a new method of checking the head of a slaughtered animal is explicitly connected to Ashkenaz, and the audience is told that Moses Capsali brought this new practice back from Germany when he returned from his studies there.

¹⁵⁵ The manuscripts are: MS Vat. ebr. 247 (1324); MS Oxford Hunt. 561 (1375); MS Parma 2286 (1395); Roma Cas. 2847 (1395); MS Leiden Cod. Or. 4751 (1397); MS Moscow Guenzburg 362 (1400); MS Vatican Barb. Or. 82 (1407); MS Parma 2473 (1408); MS Moscow Guenzburg 906 (1414); MS Vat. ebr. 345 (1451); MS Vat. ebr. 249 (1452); MS Vat. ebr. 225 (1458); MS Vat. ebr. 187 (1463); MS Vat. ebr. 257 (1469); MS Paris BnF heb. 919 (1481-85); MS Vat. ebr. 171 (1493). In addition, MS Vat. ebr. 254 and 105 record the two sides of the aforementioned 1466 metempsychosis debate between Moses Ashkenazi and Michael Balbo. (For full bibliographic information, see the bibliography.)

Provence, and its copyists' training squarely within the Sephardi and Byzantine spheres, according to the handwriting styles. Indeed, Spanish Jewish culture had long been a positive focal point for Romaniote Jews on Crete as elsewhere.¹⁵⁶ While Moses Capsali looked to German scholars such as the Rosh, the Mordechai, and the *tosafists*,¹⁵⁷ many other elites were more interested in Iberian and Provençal scholarship, including the medical philosophy of Joseph Lorki, the grammar of David Kimchi, and the mystical work of Joseph Gikatilla.¹⁵⁸ Even a volume commissioned by a Delmedigo in 1414 contained homilies on the Torah by the Spanish Joshua ibn Shu'ib.¹⁵⁹ More common Iberian works such as *Sefer Hazikaron*, the Ritvah's (Yom Tov Asevilli) defence of Maimonides, appear alongside little-known texts, such as the Portuguese David ibn Bilia's short work on poetry, *Derekh La'asot Haruzim* ("the way to make rhymes").¹⁶⁰ The importation of Spanish ideas often occurred quite rapidly; Joseph Lorki's commentary on Avicenna was copied into a Candiote codex in 1408, the very year of Lorki's death.¹⁶¹ Lorki's commentary was copied in a Sephardi script, indicative of the absorption of wider Sephardi styles (and perhaps Spanish copyists) on the island, though the Byzantine script remains most common in the extant codices. Alongside these codices, evidence from *responsa* indicates that already in 1300, some Candiote Jews sought religious rulings from the famed

¹⁵⁶ As Benbassa and Rodrigue note, "The Romaniots themselves, like other Jewish communities around the Mediterranean, had consulted the Jewish thinkers of Spain over a long period." *Sephardi Jewry*, 12.

¹⁵⁷ *TQ* no. 45, p. 38.

¹⁵⁸ For Lorki, see MS Parma 2473, dated to 1408. For Kimchi, see MS Parma 2286, dated to 1395. For Gikatilla, see MS Vatican Barb. Or. 82, dated to 1407.

¹⁵⁹ MS Moscow Guenzburg 906, dated to 1414.

¹⁶⁰ MS Parma 2286. This text was rarely copied, it seems, and therefore must be considered a 'lesser known' work. A critical edition of ibn Bilia's text has been published by Nehemya Allony, "Derekh la'asot haruzim le-David ibn Bilia" [The Way to Make Rhymes by David ibn Bilia], *Kovets 'al Yad* 6 (1966): 225-46.

¹⁶¹ MS Parma 2473.

Solomon ibn Adret of Barcelona; later in the century, Barcelona's rabbis were still responding to questions regarding Crete.¹⁶²

Despite the historical and cultural reality of varied influences, it was the Ashkenazi impact which seeped into the early scholarly historiography of the Jews of Candia. In the seventeenth century, an editorial comment on the Delmedigo family genealogy asserted that most of Candia's Jews were of German origin, an assumption that must reflect a conflation of the fact of Delmedigo family affiliation as Ashkenazim and the role of Ashkenazi ideas on the Jewish leadership of the island.¹⁶³ This claim was taken literally by the German and German-influenced scholars of the *Wissenschaft des Judentums* in the nineteenth century, and was codified in the English-language Jewish Encyclopedia of 1906 which, in the opening of the entry on the Delmedigo family, quite simply states: "Delmedigo. A family of German descent. About the end of the fourteenth century its founder, Judah Delmedigo, emigrated to the island of Crete, whose inhabitants were mostly of German origin."¹⁶⁴ Only in later decades did scholars, who were starting to become attentive to the reality of Byzantine Jewry, reconsider the ethnic origins of Cretan Jewry as part of the broader cultural milieu of the island and the eastern Mediterranean.¹⁶⁵

¹⁶² Referenced in Starr, "Jewish Life in Crete," 105.

¹⁶³ This is the first edition of Joseph Solomon Delmedigo, *Sefer Elim* (Amsterdam: np, 1629), with commentary by his student Moses Metz.

¹⁶⁴ Max Schlössinger, "Delmedigo," *Jewish Encyclopedia*, s.v. "Delmedigo" (New York: Funk and Wagnalls, 1903).

¹⁶⁵ Almost ten years after the publication of the final volume of the Jewish Encyclopedia, Samuel Krauss published his groundbreaking work on the Greek Jews, *Studien zur byzantinisch-jüdischen Geschichte* (Vienna: Verlag der Israel-Theol. Lehranstalt, 1914). A few decades later, Joshua Starr published his two volume *The Jews in the Byzantine Empire, 641-1204* (Athens: Verlag der "Byzantinisch-Neugriechischen Jahrbücher, 1939) and *Romania: The Jewries of the Levant after the Fourth Crusade* (Paris: Éditions du Centre, 1949). While writing the latter, Starr put out his "Jewish Life in Crete under the Rule of Venice," which takes seriously the Byzantine-Romaniote origin of the Jews on the island.

Conclusion: Mobility and Heterogeneity

Scholarship has often pigeon-holed the cultural lives of the Jews of Crete. To some extent, scholarship has carried on the mythos of Cretan Jewry (pious; Ashkenazi) propagated by members of the Capsali and Delmedigo families.¹⁶⁶ New studies have claimed Crete's Jews for the Byzantine world, and indeed, in the last decades, scholars of economic, social, and cultural history have all used *Taqqanot Qandiya* as evidence for little-known Romaniote culture.¹⁶⁷ This tendency toward compartmentalization, however, is in no way limited to the Jews of Crete. Scholars tend to categorize Jewish communities in pre-1492 Christendom into rigid affiliations based on the community's liturgical rite and location. Each community is read as a monolithic unit—"the Jewish community"—reading Jews as a unity, without considering internal difference. This image has been bolstered by historical voices of sovereign governments who treated the Jews of the town as a single corporate unit, a *universitas iudeorum*. Only after 1492, when the effect of the vast displacement of Jewish communities can no longer be ignored, does scholarly attention turn to the real variety inherent within these "universities."

As this chapter has illustrated, however, in the centuries before 1492 medieval Jewish communities—especially those located in the Mediterranean, governed by polities with lenient Jewish policies and easy transport lines—consisted of multi-ethnic groups of Jews who consciously continued to see themselves as part of their communities of origin just as they assimilated into the socio-religious world of their new homes. Especially in the aftermath of the

¹⁶⁶ See for example the depiction of the great Jewish families of Candia in Israel Ta-Shma, "Rabbinic Literature in the Late Byzantine and Early Ottoman Periods," in *Jews, Turks, Ottomans: A Shared History, Fifteenth through the Twentieth Century*, ed. Avigdor Levy (Syracuse, New York: Syracuse University Press, 2002), 52-57.

¹⁶⁷ Most explicitly, David Jacoby has utilized Crete's Jewish economic evidence as evidence for broader Byzantine Jewish practices. See Jacoby, "Jews in the Byzantine Economy," 219-55.

late medieval crises in Western Europe, alongside ongoing unrest in the Levant, Mediterranean Jewish communities swelled with newcomers.

To be sure, studies have noticed and even emphasized Jewish mobility, particularly Jewish merchants traversing the trade routes across the Mediterranean and the Indian Ocean during the Middle Ages. But the cultural implications of more than a few brave souls migrating across the waters remain little discussed. As a result, scholars tend to read the clash of Jewish ideas that arose out of the meeting of these different sorts of Jews as differences in *halakhic* or ritualistic approach. But this explains only part of the story. These clashing ideas are not merely juridical, but arose as part and parcel of the social reality that obtained when different groups met and settled within the same Jewish quarter, under the authority of a single leadership body.

Yet the story of variegated Jewish life in the medieval Mediterranean is not solely a narrative of tension. It is also one of cultural borrowing and adoption. Just as Crete's Jews were not monolithic in origin, custom, or lifestyle, Jewish intellectual life appears to have been quite varied, and its influences diverse. The texts and sources most influential to Crete's Jewish readers may seem to some extent bifurcated, favoring Ashkenazi *halakhah* while simultaneously borrowing and reproducing Sephardic cultural production. Such a clear division between these two, however, should probably be considered unlikely, perhaps instead the result of the legalistic emphasis of *Taqqanot Qandiya* and the heavy influence of the Capsali-Delmedigo family (in the persons of Moses and Elia) on the shaping of these texts. By juxtaposing the ordinances with the surviving literary manuscript evidence, we are offered a glimpse into the multifaceted cultural worldview of medieval Jews, no matter what liturgical rite they followed.

Ethnic origin and its ritual affiliation (Ashkenazi, Sephardi, Romaniote) functioned as a starting point, an identity marker but not necessarily a delineating or defining factor. Modern

categorizations of Jewish communities into these sorts of groups constitute an important shorthand for understanding social complexity, but they also hide the ways in which these divisions could be crossed, forgotten, and bent by the very people evidently upholding them. Joseph Missini, after all, felt no qualms about sending a good portion of money to the German and French Jews in Jerusalem, and yet he squarely rejected the Ashkenazi ban on bigamy. For Missini this was a normal negotiation of legitimate value options, not a contradiction.

Even when they had assimilated fully into their new communities, Jews maintained ongoing ties, and developed new ones, with other communities around the Mediterranean and beyond. Let us return to reconsider Joseph Missini, with whom the chapter opened. Now that we have witnessed the development of shared trade, shared family, and shared ideas between the Romaniote Jews of Venetian Crete and other communities, his choice to send charity to support German and French rabbis in Jerusalem may seem far more understandable. Missini's own son-in-law, after all, came from Ashkenazi stock. As a member of the *Judaica's* ruling elite, he likely sympathized with Ashkenazi intellectual and *halakhic* ideas at the same time that he was willing to marry his daughter to a German immigrant. Nevertheless, when asked to comply with the Ashkenazi ban on bigamy, Missini refused to agree and remained married to a second wife, according to Romaniote tradition. His connections with Jews around the Mediterranean—including his willingness to marry his son to a girl from Rhodes, and his own trip to Venice—locate him in a broader Jewish network. Dedicated to the Jews of Candia, he also worked for the *kehillah kedoshah* across the island, leaving money for poor people and Torah scholars in Candia and Rethymno. For Joseph Missini, as for so many others, Candia's location on a vast trade network affected not only his own business dealings (about which we know unfortunately only little), but also his socio-religious associations.

Joseph Missini and his fellow Jews who made up the *kehillah* of Venetian Candia function as something of a natural experiment of the effect on local Jewish communities produced by relatively easy mobility and steady migration. He and his co-religionists allow us to see that the social complexity, mobility and mixing usually ascribed to a post-1492 world was well underway a century earlier, and that one of the many results of this reshuffling of European and Mediterranean Jewry was a far less rigid boundary separating Ashkenazi, Sephardi, Romaniote, Italiote, and Arab Jews than has been seriously considered before. Similarly, by juxtaposing the demographic material and cultural studies as here, we are able to see just how mobile both ideas and people actually were.

To be sure, ideas did not necessarily have to travel at the same rate nor follow the same vector as the people who were supposed to carry them, as the intellectual connections between Iberian Jewry and Cretan Jews long before 1391 discussed in this chapter illustrate. But the relatively small world of Christendom—all the smaller in the post-Crusade world of ready shipping lines across the Mediterranean—facilitated the sharing of ideas once considered local knowledge or local custom. For the Romaniote Jews of Crete, even Ashkenaz was not an exotic land far away but instead an active part of their lives—certainly in its people, whether on the island of Crete, across the sea in the Holy Land, scholars in the *yeshivot* Cretan Jews went to, or those visiting on pilgrimage from Germany to Jerusalem. But Ashkenaz was also alive in its ideas, a place of pious innovation, attention to legal detail, and, like the land of Sepharad, one of the many wells from which Cretan Jews could draw their own living waters of knowledge.

In these first two chapters, I have situated the Jews of Candia in their physical sphere within Crete's capital city, and within a mobile Jewish world. The next chapter presents one intersection

where these two contexts meet: the space of Jewish-Christian relations, as seen both through rhetoric on Jews present in official Venetian documentation and through the reality of cross-cultural contact in daily life in Candia.

Chapter Three: State, Society, and Jewish-Christian Professional Relationships

According to the *fama*, the public knowledge that passed person to person in Candia, Judah de Damasco, a Jewish surgeon from a family of doctors and a leading member of the city's Jewish community, enjoyed a long sexual relationship with Maria (nicknamed Marula) Sithiacudena, a married-then-widowed Greek Orthodox woman.¹ The affair ended abruptly in July 1419 when Maria was found dead in her home in the *borgo* of Candia, the predominantly Greek suburb outside the city wall. A rope tied tight around her waist and a dead fetus in her womb provided the only clues to her demise. The five doctors sent in to examine Maria's body could not provide a conclusive cause of death, though they suggested that—perhaps—the tightly bound rope may have killed the woman. Some witnesses noted that she had been quite sick for over a week. The gossip mill, however, blamed Judah for poisoning his mistress in an attempt to abort the unwanted child.²

Following a series of decidedly inconclusive and contradictory interviews with twenty-one Greek neighbors and friends of the dead woman, most of whom proved reluctant in their testimony to admit to having any knowledge of the circumstances, the ducal court reached a verdict: Judah was guilty of murder. As punishment, he was to be hanged to death outside of

¹ The earliest evidence for Judah's leading place in the Candiot *Kehillah Kedoshah* appears in *Taqqanot Qandiya*. Judah (identified as "Judah, son of Joseph, the doctor") acted as signatory for a communal ordinance in 1399, two years before his first mention as a surgeon in the ducal records. *TQ* no. 55, p. 56. Further discussion of Judah's role in the Jewish community appears in the conclusion to this chapter.

² The ducal court's case against Judah de Damasco appears in ASV Duca di Candia, b. 30 ter, r. 31, fols. 222r-228r (18 July 1419). This case is also mentioned in the town crier's rolls: ASV Duca di Candia, b. 15, r. 3, fol. 15r., no. 17 (18 Jan. 1427). The aspects of the case pertaining to criminal justice were discussed by Elisabeth Santschi in her 1976 article "Affaires pénales en Crète vénétienne (1407-1420)," *Thesaurismata* 13 (1976): 47-80; this case is addressed on pp. 63-69. David Jacoby deals with Judah's case in the context of familial dynasties of doctors in his "Rofim V'kirurgim Yehudiim Be-kritim Takhat Shilton Venetzia" [Jewish Doctors and Surgeons in Crete Under Venetian Rule], in *Culture and Society in Medieval Jewry: Studies Dedicated to the Memory of Haim Hillel Ben-Sasson*, ed. Menachem Ben-Sasson et al. (Jerusalem: Zalman Shazar Center, 1989), 431-44.

Maria's home after his right hand had been cut off. His corpse was meant to be left hanging *in situ* for some time, a graphic message intended for other potential criminals.

But Judah was not in custody, and the court could only demand that he turn himself in to receive justice. Unconvinced that justice was what had transpired, however, Judah escaped the island and traveled to Venice—into the jaws of the beast, one might say—to demand his case be retried before a higher appeals court. Indeed, the case was retried, and Judah was eventually acquitted of all charges. Satisfied with the result, and confident of his freedom, Judah returned to Crete. A decade after the fateful day of Maria's death, Judah could be found back in Candia working as a medical expert for the very government that had once tried to have him executed.³

On the surface, this bizarre, poorly evidenced trial against this doctor, a Jew in a position of relative power, might suggest a certain hostility toward the Jews of Venetian Crete, or at least toward those who could be thought to have risen above their proper status or station. Such a case would be expected to reveal the sentiment of anti-Judaism that is said to characterize much of medieval Jewish-Christian relations. Some official source materials from Candia certainly made use of anti-Jewish tropes connected to Jewish greed and contagion, among other images.⁴ A close reading of the case against Judah de Damasco, however, provides an unexpected dearth of such evidence. Not a single witness explicitly mentioned Judah's Judaism; no one referred to the religiously forbidden nature of the relationship in the testimony. Instead, we find only one vague epithet referencing Judah's Jewishness, and it is tucked so tightly into witness testimony that we need to ferret it out with care.

³ The first record of Judah de Damasco's return to his official position dates to 16 September 1429 (ASV Duca di Candia, b. 31, r. 36, fol. 177v), though he may have gone back to work earlier. There is a source lacuna here: the ducal court registers are lost from the dates between 8 April 1425 (the end of busta 30 ter) and the 20 April 1428 (the beginning of busta 31).

⁴ See below.

The slur is as follows: One friend-cum-witness claimed that Maria herself, in a sick and angry state, had called Judah a dog, *canis Jocardas*.⁵ Calling a Jew “dog” in the Middle Ages was no general insult, but a well-known rhetorical trope. Indeed, this is not the only time Jews are called dog in the records from Candia.⁶ The epithet carried a very specific set of meanings linked to notions of filth, contagion, and segregation—tropes which were marshaled, among other uses, to rationalize why Christians should not let Jews into their private spaces or, more urgently, have sexual contact with Jews. A fourteenth-century French judge, for example, argued that Christian sex with Jews constituted “bestiality,” because it was akin to copulating with a dog.⁷ We must find it ironic, then, that this insult is put in the mouth of Maria, the very woman who chose (and it was a choice, as we shall see) to bring a Jew into her home, to allow her family to be touched by him in his capacity as a doctor, and then to engage in an extended sexual relationship with him. And Maria is not the only person “implicated” in this behavior. The relationship was no secret, but the affair had been allowed to progress by her friends and family; there is no suggestion in the case record that anyone had complained publicly about the cross-confessional sex before being called as witnesses at Judah’s trial. No matter whether the fated Maria actually called Judah a dog, or if the angry friend-cum-witness interpolated the insult himself, the original speaker of the epithet (and ostensibly the community to which he or she belonged, where such language was apparently commonplace) distinguished between definitively intolerant language of anti-Judaism and a more accepting approach to an individual Jew. This tension seems to have existed comfortably in medieval Candia. Indeed, Judah’s trial demonstrates the opposite of our

⁵ ASV Duca di Candia, b. 30 ter, r. 31, fol. 226v (23 July 1419).

⁶ See below.

⁷ The image of the dog will be discussed further below. The image has been addressed at length by Kenneth Stow in his *Jewish Dogs: An Image and its Interpreters* (Stanford: Stanford University Press, 2006). For the judge’s claim of bestiality, see pp. 18-19.

initial assumption: it suggests just how unsurprising meaningful social interaction, and even intimate relationships, between premodern Jews and Christians could be, in spite of bitter language which Christians often used to describe Jews, at least in homiletics and commentaries.

Anti-Jewish rhetoric and its images continue to be one of the major foci of scholarship on Jewish-Christian relations in the Middle Ages, and for good reason.⁸ Official documentation produced by Christians—laws and statutes, historical chronicles, and religious works—indeed characterize Jews according to familiar tropes related to greed and usury, filth and contagion, and Jewish murderous violence against Christians stemming from their purported killing of Christ.⁹ But the implications of this rhetoric are not quite so clear. Seen through the optic of a discourse of fear prevalent in Christian high culture texts, the relationship between Jews and Christians appears highly fraught, emotionally charged, and both ideologically and politically instantiated. This has been one of the major narrative frames through which the story of the Jewish Middle Ages has been told, and such a tale could be told for Venetian Crete as well, should we rely too heavily on official source materials. Yet as the previous two chapters have illustrated, Jewish settlement in Crete was a choice made by many who came from lands where anti-Jewish claims had exploded into violence, terror, and expulsion. This was not the case on Crete, where vitriolic rhetoric produced on the island remained, for the most part, at the level of the spoken or written word.

⁸ For one of the most recent works by a major scholar addressing this topic, see David Nirenberg, *Anti-Judaism: The Western Tradition* (New York: W.W. Norton & Co., 2013).

⁹ On rhetorics of Jewish usury, see Kenneth Stow, "Papal and Royal Attitudes toward Jewish Lending in the Thirteenth Century," *AJS Review* 6 (1981): 161-184; and Joseph Shatzmiller, *Shylock Reconsidered: Jews, Moneylending, and Medieval Society* (Berkeley: University of California Press, 1990), esp. pp. 43-70. On issues of contagion, see Stow, *Jewish Dogs*, esp. introduction, pp. 1-36. For the notion of Jews as Christ-killers in medieval discourse, see Jeremy Cohen, "The Jews as the Killers of Christ in the Latin Tradition, From Augustine to the Friars," *Traditio* 39 (1983): 1-27. On the evolution of the Christ-killer claim into the medieval blood libel, see Robert Chazan, *Medieval Stereotypes and Modern Antisemitism* (Berkeley: University of California Press, 1997), chapter 4, pp. 58-73. Also see Gavin Langmuir, *Toward a Definition of Antisemitism* (Berkeley: University of California Press, 1990), Part IV, pp. 195-298.

In practice, as we shall see, the Venetian state often distanced itself from the scapegoating or baiting process that characterized so much of western anti-Jewish activity.¹⁰ But Venice did more than passively refrain from incitement. Institutional systems and policies having little to do with a specific “Jewish policy” could and did foster circumstances that pushed Jews and Christians together. These structural approaches to rule facilitated the evolution of relationships that went beyond the kinds of categories where scholars usually identify such contacts; that is to say, these relationships were the product of encounters that were neither wholly pragmatic, nor intellectual, nor illicit.¹¹ The role of Jewish doctors as one of the main sources of medical expertise trusted by the colonial government provides a compelling example. The implications of such contact can be read between the lines in the background of Maria Sithiacudena's mysterious death.

¹⁰ For some views on the role of the state in medieval anti-Judaism in other places in Christendom, see William Chester Jordan, *The French Monarchy and the Jews: From Philip Augustus to the Last Capetians* (Philadelphia: University of Pennsylvania Press, 1989); Robert C. Stacey, “Anti-Semitism and the Medieval English State,” in *The Medieval State*, ed. J.R. Maddicott et al. (London: Hambledon Press, 2000), 163-77. Stacey points to the English royal court system as a locus of support for the blood libel, legitimating claims of Jewish murder, and the role of the king himself (in the persons of Henry III, to some extent, but most explicitly Edward I) in promoting anti-Jewish images and policies for the sake of political expediency.

¹¹ These three categories remain the loci of Jewish-Christian interaction, according to the prevailing historiographical trends. It is now a commonplace of historiography on medieval Jewish-Christian relations to identify the economic sphere as a locus of non-negative (or not necessarily negative) encounter between individuals of the two religious communities, though these interactions are often read as purely pragmatic (indeed, some scholars use “economic” and “pragmatic” as near synonyms), short-term and impersonal. Kenneth Stow, even while emphasizing discord between Jews and Christians, has noted regular joint business ventures between Jews and Christians as one of the reasons that Jewish life in the Middle Ages was “not an unmitigated ‘Vale of Tears.’” Kenneth Stow, *Alienated Minority: The Jews of Medieval Latin Europe* (Cambridge: Harvard University Press, 1992), 132. Scholars of early modern Venice have focused on conversations between elite intelligentsia as the locus of early meaningful contact between Jews and Christians. See, for example, Benjamin Ravid, “How ‘Other’ Really was the Jewish Other? The Evidence from Venice,” in *Acculturation and its Discontents*, ed. David Myers, et al. (Toronto: University of Toronto Press, 2008), pp. 19-55. In his discussion of the Jewish poetess Sara Coppio Sulam, Howard Adelman illustrates that these intellectual contacts also facilitated Jewish-Christian encounter for women. See Howard Tzvi Adelman, “Jewish Woman and Family Life, Inside and Outside the Ghetto,” in *The Jews of Early Modern Venice*, ed. Robert C. David and Benjamin Ravid (Baltimore: Johns Hopkins University Press, 2001), 146-149. Others have identified these early meaningful contacts as happening at the margins of society in a transgressive context. For example, Kenneth Stow has written, “It was among petty thieves and the like that social walls first began to break down” between Jews and Christians in early modern Rome.” Kenneth Stow, “Jews and Christians – Two Different Cultures?,” in *“Interstizi”: Culture ebraico-cristiane a Venezia e nei suoi domini dal medioevo all’età moderna*, ed. Uwe Israel et al. (Rome: Edizione di storia e letteratura, 2010), 32, n. 5.

Instead of painting the medieval government as a producer and/or facilitator of segregation, the Cretan case illustrates that meaningful relationships—characterized by ongoing contact, affective ties, or visible signs of trust—between Jews and Christians could and did grow out of encounters fostered by governmentally sponsored institutions, particularly those in which state-supported professionals of one religious group served clients of a different religious group.¹² The broader consequences of such situations spread beyond these limited professional circumstances, and helped make certain types of relationships and contacts with Jews socially acceptable in the context of broader Cretan society, for Latins and Greeks alike. Through their support of certain cross-confessional contacts, Venice enabled the taboos of contagion and pollution to be conveniently overlooked—and even drastically ignored—across a swath of Cretan daily life. To be sure, these relationships had their acceptable limits, but within socially and legally allowed bounds, they could evolve into significant affective ties.

This chapter engages with the intersection of the rhetoric that underpinned the Christian ideology of segregation, and the reality of the colonial life in Candia that brought Jews and Christians together in unexpected (and unexpectedly affective and intimate) ways through the daily acts of professional life. I explore the context in which this language of segregation, contagion, and the image of the Jewish dog existed for Jews, Greeks, and Latins in Candia. Then, I present two cases that address the implications of professional contact permitted and fostered by the institutions of Venetian colonial society. First, we return to Judah de Damasco and the relationships formed between a Jewish doctor and his Christian patients. Second, I consider the relationship that could be formed when the Jew patronized a Latin notary, an agent of the state.

¹² It is important to note that the state or local government could facilitate segregative policies advocated by non-state figures, such as mendicant preachers, whose popular influence and religious authority spurred the civil administration to react in support.

Finally, given that the source evidence suggests that the concessions made by the state fostered a wider set of socially acceptable Jewish-Christian interactions, I turn to professional relationships beyond the bounds of state-sponsored doctors and business contacts. Throughout this narrative, it is important to remember the medieval context and its reality of easily activated, embodied anti-Jewish feelings; rose-colored glasses skew our view as severely as the lachrymose lens.¹³ Each of these investigations is made possible by the records from criminal court cases which, as windows into the local understanding of right and justice, help us define the borders of what constituted socially acceptable cross-cultural behavior in Candiotte society, and what simply went beyond the pale.

Rhetorics of Contagion and Contact

When Elia Capsali referred to the duke of Crete as his “dear friend” in an ordinance aimed at his own Jewish community’s readership, he intended the warmth of the relationship to reflect an elite, political alliance.¹⁴ A deep and trusting connection with the powerful leader of Venetian Candia supported Elia’s own power within his community, and likely gave his followers confidence in their leader’s ability to advocate for them and their needs. It seems unlikely that the readers of Capsali’s ordinance expected the two men to informally break bread together, or socialize with one another’s families. The language of friendship was a political discourse, acceptable because of the piety of the Jew and the power of the Latin.

In contrast to these safe, elite connections, other ordinances in *Taqqanot Qandiya* reflect more anxiety about—and disdain for—Candia’s regular Christians. Although the *taqqanot* are

¹³ The revisionist approach is most evident in Jonathan Elukin’s provocative book *Living Together, Living Apart*. For a critique of the trend and this book, see David Nirenberg’s review essay: David Nirenberg, “Hope’s Mistakes,” *The New Republic* (Feb. 13, 2008).

¹⁴ See chapter one.

not consumed with concern for Jewish-Christian interactions, and more often than not express anxiety over Jewish misdeeds which could shame (or endanger) the holy community before the gentiles, some examples do suggest a visceral dislike of Christians and their effect on Jews, especially when they are too close. Christians are considered contaminants, polluting the pure Jewish community, as when Christian apprentices are allowed into Jewish homes: “*And we are all become as one that is unclean, woe to us.*”¹⁵ Gentiles are even conceived of as a force which, when allowed to interact with Jews, debases their very quality: “The Jews have established and accepted upon themselves, upon themselves and upon their descendants, so that they do not fall into [God’s] wrath, to separate Israel from all the nations, *so that the most fine gold will not change, and how has it become dim.*”¹⁶

From the Jewish perspective, this fear of contamination went both ways, especially when it came to the Greek Christians they encountered. The single time that *Taqanot Qandiya* refers to Greeks, instead of gentiles or Christians more generally, appears among the reforming ordinances of 1363 in a statute regarding the process of ensuring the *kashrut* of wine. Jews did not own the vineyards or presses used in the making of kosher wine, and thus relied on purchased grapes and rented presses to produce wine for the community and for export to Jewish communities elsewhere. But, at least until April 1363, the Jews sent to oversee the process often did not make necessary preparations to make the presses suitable for kosher wine production, but let the grapes intended for Jewish wine to run through the system anyway. This occurred as a result of “their fear of the Greeks, who say to the Jews ‘*Go away, they called to them, go away*

¹⁵ *TQ* no. 74, p. 79. Quote from Isaiah 64:5

¹⁶ *TQ* no. 41, p. 33. This apparently general statement of a segregative policy comes from the introduction to a statute pressing Jews to use Jewish tailors, though permitting Christian tailors only if they work inside the Jew’s home in order to be surveilled. For more on this statute, see chapter one. The quote is a slightly clumsy paraphrase and play on the first half of Lamentations 4:1, which reads “How the gold has become dim, how has the most fine gold changed.”

and do not touch.”¹⁷ According to the *taqqanah*, sometimes these verbal attacks emphasizing the polluting power of Jewish touch turned violent, leading to a reality in which Jews shirked their duties to the Jewish community in order to avoid being beaten up.¹⁸ Just as the Jews feared the polluting power of Christians on their own community, they saw the Greeks treating them as conveyors of contagion.¹⁹

Greek anxiety over Jewish contagion was not just a product of the Jewish imagination. As David Jacoby has noted, Greeks really did fear Jewish contagion transmitted to food and drink through touch, and this anxiety was a prevalent motif throughout the Byzantine world.²⁰ On Crete in particular, a Byzantine monk and preacher named Joseph Bryennios who lived there from the 1380s through the turn of the fifteenth century stoked this contagion anxiety.²¹ As we saw in chapter one, Greeks avoided sharing cisterns with Jews over fears that the Jews would contaminate the water—a concern which provoked litigation in the ducal court in the early 1390s. In addition to tensions over grapes and wine specifically, Crete's Greeks also did not want Jews to touch any fresh produce for sale in the marketplace for fear of contagion. Venetian

¹⁷ *TQ* no. 33, p. 22. The quote is a paraphrase of Lamentation 4:16, and in remaining faithful to the verse, the text becomes a bit redundant.

¹⁸ *TQ* no. 33, p. 23.

¹⁹ Indeed, the process of making wine “kosher” centered around a concern for gentile contagion. Ensuring that wine was kosher was synonymous with keeping gentiles away from all physical contact with the grapes, must, and wine during all stages of production and consumption, from harvest to pouring. For a clear introduction to “gentile” wine (*Yayin Nesekeh*), see David M. Freidenreich, *Foreigners and their Food: Constructing Otherness in Jewish, Christians, and Islamic Law* (Berkeley: University of California Press, 2011), chapter 14, pp. 209-26. On the evolving halakhic complexity of *Yayin Nesekeh*, see Haym Soloveitchik, “Can Halakhic Texts Talk History?,” *AJS Review* 3 (1978): 153-96, and esp. pp. 154-55. On Christian responses to the notion that “gentile” wine was contaminated, see pp. 177-78.

²⁰ David Jacoby, “Les Juifs de Byzance: une communauté marginalisée,” in *Marginality in Byzantium*, ed. Chryssa A. Maltezou (Athens: Goulandri-Horn Foundation, 1993), 142-43 (n. 18).

²¹ David Jacoby, “Jews and Christians in Venetian Crete: Segregation, Interaction, and Conflict,” in “*Interstizi*”: *Culture ebraico-cristiana a Venezia e nei suoi domini dal Medioevo all'Età Moderna*, ed. Uwe Israel et al. (Rome: Edizioni di Storia e Letteratura, 2010), 276.

authorities on Crete “bowed to Christian, mainly to Greek popular pressure,” from time to time in the 1440s and 1450s by legislating when Jews could shop for produce (i.e. only at times when they could be best surveilled).²² Meshuallam of Volterra, an Italian-Jewish visitor in Candia in 1481, noticed that the social custom banning Jews from touching produce was in full force during his time in the city, even if the law itself was no longer in force.²³ Parallel laws and customs would be spotted by visitors in Rhodes and in the Venetian holdings of Corfu, Zante, and Famagusta.²⁴

But the fear of Jewish contagion was not solely a product of the Greek world. Kenneth Stow has noted, “Laws passed by lay councils in southern France and Perugia in Italy in the fourteenth and fifteenth centuries prohibited Jews from touching all food in the marketplace and required them to purchase food they did touch.”²⁵ It was part of a larger fear of Jewish contagion that evolved among Christianities both eastern and western over the course of the Middle Ages.²⁶ Thus, rhetoric and imagery from both Latin and Byzantine traditions created a popular sentiment among both Candia’s Latins and Greeks that Jews could pass along pollution—a corrupting filth—through their touch.²⁷ Although Greeks seem to have produced most of the rhetoric of Jewish contagion which appears in Candiote sources, occasionally, and especially in decades leading to the mid-fifteenth century—when popular mendicant preachers changed the tenor of

²² Jacoby, “Jews and Christians,” 276.

²³ Meshuallam of Volterra, *Masah Meshuallam Mi-Voltera*, ed. Avraham Yaari (Jerusalem: Mosad Bialik, 1948), 82.

²⁴ Jacoby, “Jews and Christians,” 276.

²⁵ Stow, *Jewish Dogs*, 20.

²⁶ Anxiety over Jews touching grapes and wine during the wine-making process was expressed in the Latin west in the early thirteenth century by Pope Innocent III. Stow, *Jewish Dogs*, 23.

²⁷ Such is one of the major premises of Stow’s *Jewish Dogs*.

anti-Jewish discourse in the Italian sphere—Veneto-Cretan elites also expressed an aversion to the island's Jews that built on these and other familiar themes.²⁸

The most graphic and fully articulated Cretan example of this rhetoric comes from the records of the senate in the Venetian metropole, dated to 1433, in a petition that appears at first decidedly disconnected from questions of contagion.²⁹ In May, two Veneto-Cretan noblemen serving as ducal councilors petitioned the senate in Venice to forbid Jews from occupying two broker/tax-farmer positions that Jews were allowed to hold, and did hold, in previous centuries.³⁰ But these two Cretan councilors decided that such power—to mediate the business contracts between two good Christians—in the hands of Jews was wrong in every way. Indeed, according to their petition, Candia's bishop annually admonished his flock that those who let Jewish brokers mediate should be excommunicated.³¹ As enemies of the Cross, Jews should not be allowed to hold any benefices or honors.

²⁸ On mendicant anti-Judaism, see for example, Nirit Ben-Aryeh Debby, "Jews and Judaism in the Rhetoric of Popular Preachers: The Florentine Sermons of Giovanni Dominici (1356-1419) and Bernardino da Siena (1380-1444)," *Jewish History* 14 (2000): 175-200.

²⁹ Hippolyte Noiret, ed. *Documents inédits pour servir à l'histoire de la domination vénétienne en Crète de 1380 à 1485* (Paris: Thorin & fils, 1892), 360.

³⁰ The positions under discussion here are the *messetarius* and the *sansarius*, which appear to have involved both a tax-farming element and a role as broker between the parties making deals in the marketplace. These were actually held by Jews at times. In the early fourteenth century, for example, a Jew named Sambathinus, son of the late Moyses, had acted as *messetarius*, though it seems that he made some enemies during this tenure. This Jewish former *messetarius*, charged with the collection of certain taxes in the market as well as acting as a broker, appears in a town crier's proclamation of 1321. See Paola Ratti Vidulich, ed. *Duca di Candia: Bandi (1319-1329)* (Venice: Il Comitato, 1965), no. 316 (3 Nov. 1321). For reference to a Jew holding a similar type of position, a Jewish tax farmer collecting the impost on imported oil, the *daciarius olei*, in dispute with his successor, see ASV Duca di Candia, b. 30 bis, r. 26, fol. 179r-v (23 July 1403). Although the doors to most official positions in Candia remained closed to the city's Jews, during the first centuries of Venetian rule Jews could and did fill a handful of semi-official tax farming positions. If they successfully gave the highest bid at auction, individual Jews earned the right to collect, for a short time at least, taxes on various mercantile goods (such as imported oil) and imposts on transactions which took place in the marketplace. They also acted as official marketplace brokers who mediated between buyers and sellers. On some of these tax farming positions, and their continuity in Venetian times from Byzantine precedents, see David Jacoby, "From Byzantium to Latin Romania: Continuity and Change," *Mediterranean Historical Review* 4 (1989): 14-15.

³¹ *per Antistitem Ecclesie consueverit annis singulis populum ammoneri, quod nullus audeat per medium Judei, sub pena excommunicationis, mercatum aliquod contrahere ullo modo.*

Such a prohibition, they claimed, was gospel truth, quite literally: “Moreover, because we are taught by the Gospel’s warning that it is not good to take up the bread of the sons and give it to the Jewish dogs, of course, who by various methods hunt Christian blood to suck it up.”³² The comparison of Jews to dogs derives from an interpretation of Matthew 15:26 that the councilors paraphrased exegetically in their petition.³³ Similar exegesis of this verse—with Jews representing the dogs of Jesus’ parable—underpinned segregationist attitudes and policies from the fourth century onward, and was a primary image utilized to communicate fears of Jewish contagion across the medieval Christian world.³⁴ This petition conflates a number of anti-Jewish images: the Jew as dog, of course, but also an implication that the dogs do not simply pollute, but

³² *tum quia evangelica ammonitione docemur non esse bonum sumere panem filiorum et dare canibus Judeis, scilicet, qui varios modo exquirunt ad suggendum sanguine Christianorum.*

³³ The vulgate Matthew 15:26 reads: *non est bonum sumere panem filiorum et mittere canibus.*

³⁴ As Kenneth Stow’s work has illustrated, the origins of the common medieval conception of Jews as dogs lie in an interpretation of Matthew 15:26, where Jesus talks to a Canaanite woman who sought his help to save her demon-possessed daughter. Jesus at first refuses, because his mission is to help the people of Israel, not Canaanites. Jesus says to her, “It is not right to take the children’s bread and toss it to the dogs,” meaning, it is not right to give the spiritual nourishment that Jesus provides to the Israelites to those who don’t deserve it. Those who do not deserve his help are equated with dogs. In the original metaphor, the “children’s bread” is Jesus’ sustenance to the Israelites, and the dogs are the non-Israelites, here the Canaanite woman. But over the course of the next centuries, the characters understood to be the subject of this parable change. Most explicitly stated by John Chrysostom, the fourth-century church father, the “children” come to be understood as the innocent Christians, now self-identifying as “the true Israel” instead of the Jews, and the dogs are actually the “old” Jews. In this reinterpretation, the bread of the Christians should not be thrown to the Jewish dogs. By the tenth century, calling Jews dogs was prevalent throughout Europe. It appears in sources across a wide variety of genres, church and secular, from Germany to Italy and far beyond. Indeed, as Stow notes, it was so common that Shakespeare in *The Merchant of Venice* refers to the “dog Jew” and the “currish Jew.” But just as the use of the term became prevalent, the imagery became more specific. The concept of the “children’s bread” mentioned in Matthew became more literal. In the original parable, Jesus himself was the “children’s bread” which should not be thrown to the dogs. Intersecting with both the literal and metaphoric readings, the Christian’s bread is, of course, the Eucharist (the host for taking communion). And so, the idea of the Jewish dog became deeply tied into the concept of the host desecration libels, which swept across Europe from the high Middle Ages onward. The host libels were claims by Christians that Jews had tortured and defiled the Eucharistic wafer. The wafer, understood to symbolize and embody Christ, usually responded with human-like qualities: crying or bleeding, for example. Building on both this desecration of the host and the notion that a dog is a filthy animal, the Jewish dog became the symbol of the thing that polluted, defiled, and desecrated the pure host, now understood as the church and the community of Christians as well as the Eucharistic wafer itself. The image of the Jewish dog symbolized the notion that Jews were “perennially ‘unclean,’” and contact—especially sexual contact—would contaminate pure Christians as it would contaminate the Eucharist. With this notion of the polluting power we see the intersection of the concept of the Jewish dog with the fears of Jewish contagion discussed above. See Stow, *Jewish Dogs*, introduction, esp. pp. 3-7, 15-22.

actively seek to hurt Christians and draw blood (like the claim of Jews as Christ-killers, which of course the host desecration is understood to emulate). The novelty here lies in the association of blood as a metaphor for money; the classic blood libel of Jews drinking Christian blood (a libel which, incidentally, is not recorded as having ever appeared on Crete) is reinterpreted as an analogy for Jews stealing Christian money by seeking profit. Through this play on images which were known to have been marshaled by fifteenth-century Italian churchmen, the blood libel and classic claims of usury come together to form a new meta-image of the bad Jew through the reference to the Jewish dog.³⁵ Over the course of the rest of petition, the councilors characterize Jews as enemies (*inimicos*) and treacherous (*infidelium iudeorum*), unworthy of playing any role in the loyal and Catholic Venetian order, even in semi-official positions.

In responding to the petition in September of 1433, the Venetian senate overwhelmingly approved the ultimate request of these two Venetian men, banning Jews from holding the positions in question.³⁶ Instead of replicating the graphic vitriol of the local councilors, however, the metropolitan senate simply affirmed that such a prohibition would be honorable and praiseworthy to God and the world, and useful to the Christians who would occupy the offices.³⁷ The senate also articulated that God's law does indeed demand that "the perfidious Jews are deprived of all offices and benefices of the Christians," and that the new ban applied to the whole

³⁵ Jews considered guilty of usurious moneylending were called dogs by the fifteenth-century Ruggero Mandosi, bishop of Amelia. See Robert Bonfil, *Jewish Life Renaissance Italy*, trans. Anthony Oldcorn (Berkeley: University of California Press, 1994), 23. More directly applicable to our case, though three and a half decades later, Fortunato Coppoli da Perugia, an Observantine Franciscan friar, said that Jews "were truly wild and thirsty dogs, who have sucked and go on sucking blood," of Christians through moneylending. See Ariel Toaff, *The Jews in Medieval Assisi, 1305-1487* (Florence: L.S. Olschki, 1979), 61. Both quoted in Stow, *Jewish Dogs*, 28. I have not found a direct source for the use of this expression among these Cretan noblemen, though their reference to the local bishop suggests that this was a conversation being had among Latin clergy already in the first half of the fifteenth century.

³⁶ Noiret, *Documents inédits*, 359-60. Almost the whole Senate voted yes (*de parte omnes alii*), except for three men who voted against (*de non 3*) and five who abstained (*non sincere 5*).

³⁷ *Dictus ordo sit honestus et laudabilis Deo et mundo et utilis christianis qui exercebunt illum officium.*

island of Crete.³⁸ And with that, the Senate in Venice turned to other business. The language of the blood libel, the image of the dog, and even references to usury were left out of its consideration. For the government in the metropole, the moral rightness or political expediency of a cause—for indeed, we cannot know if the senators voted to approve the ban because they thought it right or convenient—had to be balanced with other considerations. In this case, it seems, in a move consistent with its general policy, the senate did not want to produce or replicate language of incitement, but rather language of relative appeasement. From its vantage point looking over all of Venice's holdings in the eastern Mediterranean, the peninsula, and its trading posts beyond, the senate had much larger concerns than the worries over profiteering of two Cretan councilors. This middle position, supporting the petition but rejecting its particular language, offered a compromise aimed at maintaining the quiet across the colonies. The efficiency and quiet of the colonies was undoubtedly a goal of much of the senate's decisions, and though this particular instance took away a mode of profit-making for Jews, in the aggregate this pragmatic approach could benefit the colonial Jewish communities.³⁹

The councilors who composed the petition in 1433 may not have said so explicitly, but they appear to have been concerned about a broader culture in Candia in which Jews were not kept in their proper place (below Christians) by the governmental system, but rather were able to further their goals (financial, certainly, but perhaps also social). This power was given to them by the colonial government itself through its permitting of Jews to hold certain semi-official positions.

³⁸ *Judei perfidi sunt privati omni officio et beneficio christianorum.*

³⁹ It has become squarely commonplace to speak of Venetian pragmatism. For a typical example of the assumed meaning of the term, see Photis Baroutsos, "Venetian Pragmatism and Jewish Subjects (Fifteenth and Sixteenth Centuries)," *Mediterranean Historical Review* 27 (2012): 227-40.

In this assessment of the relationship between state-approved roles and Jewish social and financial mobility, the angry councilors were not quite wrong; they may have, however, located their ire in the wrong semi-official position. That is to say, other professional circumstances fostered by the government played a much larger role in empowering Candia's Jews than collecting taxes on market goods. The position of Jews as doctors to Christians, both Latin and Greek, a role supported and encouraged by the policy of hiring Jews as medical experts in the island's sovereign courts and allowing Jews to treat these same groups, played a far more significant role in empowering Jews, upsetting the "proper" hierarchy between Jews and Christians, and giving the Jews access (both broad and intimate) to the world of Christian society. In order to explore the socio-cultural implications of Jews acting as state-supported doctors, let us return now to the murder trial of Judah de Damasco.

Venetian State Support of Jewish Medical Practitioners

Although scholars have identified meaningful premodern Jewish-Christian relationships as taking place among those living on the very peripheries of society, Judah de Damasco was a man squarely in the center of not only Jewish society, but also wider Candiote society.⁴⁰ A master surgeon trusted by the Venetian government to treat and evaluate non-Jewish patients, Judah appears in the sources as a professional wound expert employed by Candia's court system in many entries of the legal record beginning in 1401, joining his father and brother who were already in the same profession and working for the ducal judiciary.⁴¹ It seems that Judah met

⁴⁰ On this notion of peripheral figures taking part in meaningful cross-confessional relationships, see Stow, "Jews and Christians – Two Different Cultures?," 32, n. 5.

⁴¹ Judah de Damasco's prolific work for the Venetian colonial administration is attested throughout the ducal court records. The earliest record of Judah in the Duca di Candia series dates to 15 December 1401, when Judah along with his brother Nathan are listed as two of wound evaluators of note (ASV Duca di Candia, b. 30 bis, r. 26, fol. 25v).

Maria in the context of his work as a physician, since he was known to frequent her house when caring for her husband Johannes during his eight-month, ultimately terminal illness, and also came to treat their three children whenever they were ill.⁴² After Johannes' death, Judah continued to come around regularly—he was a constant visitor in the home (the term used is *conversabatur*), as witnesses note over and over again.

It was his professional credentials that gave his visits a credible veneer of social legitimacy. Jewish doctors were not a minority of those hired by the Venetian government to act as wound evaluators. They also played a very active role in caring for patients—Greek, Latin, and Jewish alike—in Candia and its outskirts: in fact, Jewish doctors treated Christians across the socio-economic spectrum, from slaves and poor Greeks to Latin nobles.⁴³ Jewish doctors seem to have played similar roles in other Cretan towns such as Canea.⁴⁴ The doctors who appear regularly in the ducal records lived and worked inside the town of Candia, in the predominantly Greek suburb south of town known as the *borgo*, and in a number of outlying fortress towns and villages, including Castronovo, Belvedere, and Castro Bonifacio.

Substantial data from the ducal records allow for a statistical evaluation of the doctors associated with the administrative region of Candia just outlined. From the first mention of doctors in the ducal record in 1366 until 1420 (the year after Judah's trial), we find thirty-seven

⁴² See the testimony of Costa Guna (or Guva), inhabitant of the *borgo*, who articulates this connection most explicitly: ASV Duca di Candia, b. 30 ter, r. 31, fol. 226r-v (23 July 1419).

⁴³ The acts in which doctors testified that a given patient should be rendered “out of mortal danger” list not only the three (or more) wound evaluators, but also the doctor who cared for the patient during his/her illness. For example, the records indicate that Nathan de Damasco personally treated a spectrum of patients, from Latin elites (ASV Duca di Candia, b. 30 bis, r. 29, fols. 232v-233r. [23 Jan. 1413]) to wounded slaves (ASV Duca di Candia, b. 30 ter, r. 30, fol. 62v [2 June 1416] for one slave patient, and fol. 63r [3-4 June 1416] for two more slaves in his care).

⁴⁴ We do not have nearly as detailed information for locations outside of Candia. Two Jewish physicians (*physicos*) from Canea, Solomon and Isaac, appear in the court record from 1395, as they come to testify that a Candiot patient who was in danger of death, and who had come to Canea before leaving the island, was out of mortal danger before he left their care. ASV Duca di Candia, b. 30, r. 23, fol. 99r (5 May 1395).

Jewish doctors caring for and evaluating patients in Candia and its environs. In contrast, for the same period, twenty Christian doctors appear. This ratio of slightly less than 2:1 Jews to Christians, however, is somewhat misleading, since in an average year, Jewish doctors outnumber Christian doctors by a higher proportion. By way of example, in 1416 thirteen Jewish doctors and five Christian doctors appear in the sources; in 1417, ten Jewish doctors and three Christian doctors are represented; in 1418, eleven Jewish doctors and three Christians appear; in 1419, the year of Judah's trial, nine Jewish doctors and four Christian doctors appear in the sources. In addition, and by way of explaining the discrepancy, while the same individual Jewish doctors appear in the records year after year, many Christian doctors—some of whom do not appear to be residents of Crete, but rather spent a limited time on the island—only appear intermittently, for one or a few years.

These findings concur with the scholarship of others, including Joseph Shatzmiller, who claims that, “next to moneylending, medicine seems to have been the most preponderant profession among Jews” in the Mediterranean after 1250.⁴⁵ What is most notable here, however, is not simply the ubiquity of Jewish doctors, but rather the relationship between Jewish doctors such as Judah de Damasco and the state apparatus. Most of the Jewish doctors who come to our attention in the Latin sources of Candia were not simply in private practice, caring for sick patients, though they also served this function for Cretans across the socio-economic spectrum. Rather, they are mostly visible to us because they worked regularly for the Venetian colonial judiciary, acting as wound evaluators and, in particular, offering their expert opinion about whether a given patient (usually wounded severely by someone else, though not always in cases where charges might be brought) was out of danger of dying from their wounds (*extra periculum*

⁴⁵ Joseph Shatzmiller, *Jews, Medicine, and Medieval Society* (Berkeley: University of California Press, 1994), 1.

mortis). Jews played similar evaluative role in courts across the Mediterranean and beyond, but their ubiquity strikes anyone reading the records from Crete: these short testimonies, almost always involving at least two Jewish doctors among the minimum three, are perhaps the most common type of entry in the archives of the *Duca di Candia*.⁴⁶ One imagines that dealing with these wounded patients in whom the ducal court was interested took up an immense amount of these doctors' schedules, between visiting and caring for patients and then reporting on the record before the notary.

To some extent, the Jewish ability to publicly and reputably practice medicine in the medieval Mediterranean always involved the state. Since for the most part Jews were not allowed to study medicine in the university, those seeking to learn the medical arts gained expertise through private study and apprenticeship, often from a father or father-in-law as part of a family dynasty of medical doctors.⁴⁷ Thus, when a Jew appears in the Latin record as *magister medicus*, whether at the grade of *physicus* (physician; also spelled *fisicus*) or *cirurgicus* (surgeon; often *ciroicus*⁴⁸), this indicates that the government had evaluated and approved these

⁴⁶ On wound evaluating doctors in the judiciaries of Italy, see: Michel Ascheri, "'Concilium sapientis' perizia medica e 'res iudicata': Diritto dei 'dottori' e istituzione comunale," in *Proceedings of the Fifth International Congress of Medieval Canon Law*, ed. Stephen Kuttner and Kenneth Pennington (Vatican City: Biblioteca apostolica vaticana, 1980), 533-79; Edgardo Ortalli, "La perizia medica a Bologna nei secoli XII e XIV: Normativa e pratica di un istituto giudiziario," *Deputazione di storia patria per le provincie di Romagna: Atti e memorie* 17-19(1969): 223-59; Guido Ruggiero, "The Cooperation of Physicians and the State in the Control of Violence in Renaissance Venice," *Journal of the History of Medicine and Allied Sciences* 33 (1978): 156-66. For Provence, with an emphasis on Jewish wound evaluators, see Joseph Shatzmiller, *Médecine et justice en Provence médiévale: Documents de Manosque, 1262-1348* (Aix-en-Provence: Publications de l'Université de Provence, 1989), esp. pp. 27-43. For a microhistorical example, see Andrée Courtemanche "The Judge, the Doctor, and the Poisoner: Medieval Expertise in Manosquin Judicial Rituals at the End of the Fourteenth Century," in *Medieval and Early Modern Ritual: Formalized Behavior in Europe, China, and Japan*, ed. Joëlle Rollo-Koster (Leiden: Brill, 2002), 105-23. In that article, Courtemanche also cites examples of this sort of wound evaluator in Germany and Dijon; see p. 115, n. 25.

⁴⁷ Shatzmiller, *Jews, Medicine, and Medieval Society*, 23.

⁴⁸ *Ciroicus* is the local Venetian-inflected back-formation. It consistently replaces the standard Latin *cirurgicus*, surgeon, using the root of the Venetian *cerdico*.

qualifications.⁴⁹ In Candia, these Jewish doctors acted as part of the recognized *collegium medicorum*, with the same status as non-Jewish physicians and surgeons.⁵⁰ Some Jewish doctors held other formal titles that came with salaries. The records show Jews named to official salaried positions with Candiate feudatories in the fourteenth and fifteenth centuries, a tenure which had to be both confirmed by, and discontinued with permission of, the ducal court.⁵¹ More fully tied into the state apparatus, the surgeon Magister Lazaro held the position of *deputatus medicus maleficiorum* until mid-April 1454, and was paid by the government (*ad salarium comunis*) for his work.⁵² Though Lazaro was summarily removed from his position, he was one of a number of Jewish doctors who held official positions, whether with the ducal curia or the noble feudatories, behind which stood the authority and the salary of the government and its elites.⁵³

⁴⁹ Andrée Courtemanche makes a similar point in “The Judge, the Doctor, and the Poisoner,” 109, n. 16.

⁵⁰ The court records only occasionally mentions Jewish affiliation with the *collegium*, though it appears that anyone granted the title of *magister* and employed as a wound evaluator held membership in the collegium. Explicit reference to the medical college occurs sometimes in extenuating or unusual circumstances, but simply seems dependent on a given notary's inclination. For example, in an unusual act from 1395, Nathan de Damasco (Judah's brother), referred to as *iudeum medicum chirurgicum di colegio [sic]*, had taken care of (and placed on the list of those whose wounds were potentially fatal) a Jewish victim of an assault who had left Candia for Canea, and then left the island. Because the patient left Candia, he could not be evaluated and taken off the list (*videri non poterat per collegium medicorum*), but Natan and his father Joste come to testify that they had seen him before he left and that he was out of danger of death. Once again, the two men are explicitly named as “*medicos chirurgicos de collegio*,” further establishing for bureaucratic posterity their authority to testify about this non-present patient. ASV Duca di Candia, b. 30, r. 23, fol. 99r (5 May 1395). However, the notary of the same register then proceeds to note that a number of doctors, Jewish and otherwise, are *medicos de colegio* without suggesting a clear reasoning. See b. 30, r. 23, fol. 105v (14 June 1395), where the Jewish doctor Elia Gadinelli is *chirurgicus de colegio*, and fol. 109v (21 June 1395), in which Cosmas Rosso and Elia Gadinelli are *medicos chirurgicos de colegio*.

⁵¹ The ducal court acts record the confirmation of Magister Elias, *fiscus*, to the position of salaried doctor of a feudatory in 1366 (ASV Duca di Candia, b. 29 bus, r. 15, fol. 16v (17 Nov. 1366)). In 1454, Magister Salamone, son of the late Magister Monachem, *fiscus*, held an official salaried position with one of the feudatories of Candia, though he decided not to seek a renewal of this position at the end of his contract. In order to end his tenure, he had to formally submit his intention before the ducal court (ASV Duca di Candia, b. 26 bis, r. 11, fol. 23r (8 Apr. 1454)).

⁵² ASV Duca di Candia, b. 26 bis, r. 11, fol. 23r (8 Apr. 1454).

⁵³ As the case of Lazaro suggests, the state's involvement in conferring authority worked both ways—to bolster a career, and to destroy it. In a similar case, Elia Gadinelli, a surgeon who had been working as a wound evaluator for the ducal court since 1393, was officially forbidden from taking care of any more wounds in December of 1411, when his eye sight was deemed too poor for proper evaluation. ASV Duca di Candia b. 30 bis, r. 29, fol. 61r (7 Dec. 1411). For other doctors who are explicitly paid a salary by the state, see two acts on ASC Duca di Candia b. 31, r.

The public role of the doctor made his work one in which he regularly found himself in the close working company of Christians. After Maria's body was discovered, for example, five doctors and a representative from the police force known as the "officials of the night" were sent to investigate. Four were Jewish doctors, working closely with a Latin doctor and a Latin lawman. Mixed Jewish/Christian teams appear extremely frequently in the ducal court record. Jews were regularly trusted to act as the *fisicus* leading the team of three doctors sent to evaluate wounds (usually a physician and two surgeons). In their official capacity, then, Jewish doctors working on behalf of the state were enabled by the state to share knowledge, build working relationships, and engage in scholarly and practical give-and-take with Latins on an equal—if not superior—footing.

Such is the circumstance of the Jewish doctor working with his medical colleagues. But what of the quotidian work of a doctor: his interactions with the ill or wounded people he was meant to heal? Medical interactions always involve a power dynamic, with a patient—by definition, vulnerable in body—seeking assistance from a presumed expert. Moreover, the official role of these Jewish doctors—that is to say, their perceived positions as agents of the state—affected the nature of their interaction with Christian patients. As Andrée Courtemanche has remarked, group outings to the sites of deaths and evaluations were decidedly public ventures which not only placed the health/death status of the patient in the public sphere, but also "lent official status to the medical expert visiting the home" of the dead or wounded.⁵⁴ When a Jewish doctor was involved, this public display must have cemented his power and status in the

40, fol. 67v (24 July 1438 and 14 Apr. 1439), which mentions state salaries for the physician Magister Solomon (son of Magister Monachem), the surgeon Magister Moses (son of Magister Joseph), and the surgeon Stamatinus Gadinelli.

⁵⁴ Courtemanche "The Judge, the Doctor, and the Poisoner," 115.

eyes of the laymen who saw his association with other civic officials and Christians. Indeed, perhaps it was this state-approved authority that enabled wealthy Latin nobles to hire Jewish doctors without concern for the religious divide.⁵⁵

Even more so did this obtain for low-status Greeks like Maria and her neighbors, for whom the doctor-patient relationship was highly inflected by the colonial circumstance and the Greek position on that hierarchy. That is to say, these Jewish doctors were given official sanction by the Latin government and instructed to inspect the bodies of Greek and Latin Christians alike. The authoritative use of Jewish doctors' testimony as part of the Venetian judicial system must have likewise been widely known. Thus, it seems probable that, although many witnesses knew about Judah's all-too-regular visits to the widowed Maria, no one was willing to question the legitimacy of his behavior because of his position of power relative to these poor, low-status Greeks. He may have been a Jew, but he was a doctor, virtually an agent of the colonial state which had stripped these Greeks of status and heavily controlled their social and physical mobility.

While this wealth and power dynamic kept these Greeks silent, it may have also been this same hierarchy that made the sexual relationship attractive to Maria, who may have seen in Judah an opportunity to care for her now fatherless family. We do not see any gifts explicitly exchanged between the two, but a wealthy Jew could use his money and connections in many ways. This kind of quiet support is hinted at in colorful testimony of George Vlagho. Vlagho reports a conversation he had with a Greek friend, Costas, whom he ran into at the Church of St.

⁵⁵ For example, Ser Urssius Justinian hired Judah's brother, the surgeon Nathan de Damasco, to care for a dangerous illness (an infection?) of his shin and foot, which he treated for eight months until his patient was healed, a process that apparently spanned most of 1412. Though Ser Urssius thought his care worth only fifty hyperpera, the ducal court agreed with Nathan and awarded him the full hundred hyperpera for his medical intervention undertaken "*cum magna industria et labore*" (ASV Duca di Candia, b. 30 bis, r. 29, fols. 232v-233r [23 Jan. 1413]).

Eleftherios.⁵⁶ An unhappy Costas told Vlagho (as the latter testified) that Judah had helped Maria sell her dead husband's sheep, shutting Costas out of his role as middleman for this deal. We are left to imagine that Judah's intercession netted Maria a higher final profit than what Costas would have given her after his own cut. According to Vlagho, Costas had blamed his loss of the deal on the sexual relationship between Maria and the good doctor. This elliptical conversation presents only one thin sliver of the events that surrounded it, but suggests that Maria gained more than a sexual partner from her relationship: she gained an economically savvy, well-connected man who was willing to assist her as she sought to rebuild a financial life without the primary earner in her household. We cannot know for sure, but a partly financial motivation for maintaining the sexual relationship certainly appears plausible.

A consideration of the power dynamic produced between a male, officially sanctioned, educated, wealthy Jewish doctor, and a poor, socially disadvantaged, widowed, female Greek offers us an important lens into the ways in which relationships formed between Jews and Christians of opposite sex in Venetian Candia. We cannot only consider gender and religion, we must consider precisely what "sort" of Christian woman the Jew interacted with: her status and her ethnicity, her financial and social needs, which helps us situate this Christian woman in the pecking order of Candiote society. Likewise, a Jewish doctor with ties to the colonial apparatus and successful business connections must be understood to fulfill a different social place than the average Jew—i.e. the ones who induced anxiety in a Greek grocer when the Jew would touch the

⁵⁶ See the decidedly unclear testimony of George Vlagho (ASV Duca di Candia, b. 30 ter, r. 31, fol. 224r-v), who appears all too eager to share conversations he had with friends. When those friends are deposed, they never affirm George's stories. George Vlagho claims that upon seeing Costas Guna in the church: *interrogavit ipsum quid fecerat de differentia quam habebat cum Jocuda medico de aliquibus ovibus viri condam dicte Marule, venditis dicto Coste per dictum Jocudam, et ipse Costas respondit, non potui facere aliquie, quia vendidit dictas oves aliis, dicens de ipso Jocuda et adiuvat ipsam Marulam, et iste dixit sibi, quare adiuvat ipsam? Et ipse Costas respondit, nescis quare, quia habet agere cum ipsa Marula carnaliter, sed non dixit isti si erat gravida nec iste curavit interrogare ipsum.*

fruit he wanted to buy at market. Jewish contagion, it seems, could disappear when the Jew was not “just” a Jew, but an agent of the colonial order.

Elea Iatrena: A Jewish Healer outside the Colonial Hierarchy

By way of complicating this picture, however, we must note that the contact which was sparked by Jews treating Christian patients neither always involved a colonially instantiated power dynamic, nor was it gendered each time in the same way, i.e. a Jewish male treating a Greek Christian female. This is precisely the lesson of a highly unusual contract that appears among the standard contracts of sales and loans written by the notary Nicolo Tonisto. In 1388, a Jewish woman from Candia identified as Elea Iatrena contracted to heal Ser Francesco Absaci (or Absati) of Canea. Though Francesco was currently in Candia, he hired Elea to come spend a month in Canea for the purpose of curing an unspecified malady on the front of his body (*a parte anteriori corporis tui*).⁵⁷ In the contract, Ser Francesco promised to pay for Elea's expenses and time, and if she were to succeed in healing him, she would also earn sixty hyperpera—not a small sum. We know very little about Elea, other than the fact that she hired the same notary to write contracts when she bought wheat from, and lent wheat (interest free!) to Greeks living in various nearby villages right before she contracted to travel to Canea.⁵⁸ But she was clearly known as a talented healer whose expertise warranted a significant financial investment. Though a woman and a Jew, Elea was trusted to have physical contact with a respected member of society (as his title of Ser suggests), and to be transported back to his home in Canea.

⁵⁷ ASV Notai di Candia, b. 273 (not. Nicolo Tonisto), fol. 91v (12 Mar. 1388).

⁵⁸ See ASV Notai di Candia, b. 273 (not. Nicolo Tonisto), fol. 89r (4 Mar. 1388) and fol. 90r (8 Mar. 1388).

Elea's contract suggests more questions than it answers, since the official Venetian medical industry on Crete was not only male-dominated but professional, and the female Elea certainly had no title suggesting a formal education recognized by the Latin authorities. We do not know how Elea gained her expertise, nor how she publicized her skills.⁵⁹ Her name, however, does hint at her authority among the Grecophone community. The Latin notary recorded her name as Elea Iatrena, with the latter name apparently a patronymic. In reality, however, Iatrena must be a feminization of the Greek word for doctor: *iatros* or *iatēr*. The –ena ending usually suggests a patronymic, so perhaps she is being identified as the daughter of a doctor; but a *iatrini* is also a midwife, which might be the title being offered here in a poorly Latinized form. Clearly, though, Francesco did not need Elea's help in delivering a baby, and her expertise went beyond obstetric concerns.⁶⁰

We do not know why the elite and apparently Latin Ser Francesco chose Elea's expertise over the male doctors in Candia or Canea. But this contract does hint at sustained interaction facilitated by an unofficial Greek health service industry, perhaps the same industry of popular, often plant-based, medicine that would give birth to the literary genre of *iatrosophia* ('medical wisdom') that appeared on Crete in the centuries following the Ottoman conquest of Constantinople.⁶¹ This Greek-centered healing network broke gender taboos (or perhaps was predominantly female), broke that community's own taboos of Jewish contagion, and served

⁵⁹ Though we cannot know how Elea gained her expertise, we do have some insight from a parallel case elsewhere. In early-fourteenth-century Manosque, Provence, a female doctor named Hava or Hana belonged to a family of surgeons, including her husband and son, which ostensibly was the source of her education. Shatzmiller, *Médecine et justice*, 150-151.

⁶⁰ Medicine and health in Byzantine Crete has recently received some scholarly attentions. For an archeological perspective focusing on skeletal analysis, see: Chryssi Bourbou, *Health and Disease in Byzantine Crete (7th-12th Centuries AD)* (Farnham and Burlington: Ashgate, 2010). For a diachronic perspective on popular healing on Crete, see Patricia Ann Clark, *A Cretan Healer's Handbook in the Byzantine Tradition: Text, Translation and Commentary* (Farnham and Burlington: Ashgate, 2011).

⁶¹ On *iatrosophia*, see Clark, *Cretan Healer's Handbook*, esp. pp. 11-16.

people across the socio-economic and linguistic strata of Cretan society. In this way, we see that Jewish modes of meaningful contact with Christian co-inhabitants of the island were not solely dictated by the Jewish position instantiated by the colonial government, but that it could (and did) take place through channels of power and authority fostered within the subject population's own systems.

Yet even in cases of standard male-centered medicine fostered by the Venetian colonial structure, Jews' care for Christian patients involved quite literal boundary-crossing. Indeed, even when Jewish doctors were not sleeping with their patients (such sexual liaisons were probably rare), standard care necessitated physicians entering Christian homes—the private space of Greeks and Latins, conceived of as a mono-confessional space—to treat critically injured patients there and evaluate their condition as they progressed, as illustrated in the very large number of “*extra periculum mortis*” acts surviving among the court records. Judah himself, for example, cared for the critically injured Cali Scandalaropula, a Greek resident of the *borgo*, until she could be certified out of mortal danger by a panel which included two Jewish and one Christian doctor.⁶² Elea Iatrena was brought into the home of her elite Canean patient to treat him for his back ailments for a full month.⁶³ Instead of reading these less sensational visits as pragmatic encounters of little personal meaning, we must consider that even this type of entrance must have left lasting impressions on the Jews who entered Christian homes, were given access to bedrooms and sitting rooms, witnessed how these people lived and ate and slept, how they spoke in their moments of great pain and great fear. At the same time, the Christian patients were

⁶² ASV Duca di Candia, b. 30 bis, r. 28, fol. 61v (5 Jun. 1409).

⁶³ ASV Notai di Candia, b. 273 (not. Nicolo Tonisto), fol. 91v (12 Mar. 1388).

able to engage with these Jews inside their own safe space at this difficult time, experience how Jews treated them while they were in pain, and how the Jews related to the Christian home.

The model of the doctor-patient relationship is unique in some ways, but it does carry implications for those other cases in which Jews found themselves in Christian space. Other Jews who worked day after day in the homes or workshops of Christian bosses (attested in *Taqqanot Qandiya*) may not have found themselves in the midst of such emotionally complicated situations, but the longevity of their encounters most likely fostered some level of real understanding that often moved beyond the pragmatic.⁶⁴ The knowledge that the Venetian government approved of some of these encounters undoubtedly influenced wider attitudes toward cross-confessional contact in private spaces, enabling it to take place beyond the confines of the colonially sanctioned doctor-patient relationship. If doctor-patient encounters could create strange bedfellows, literally, other colonial contacts could do the same in a less literal sense. It is to another one of these relationships that we turn next.

The Notary and the Wise Jew

The most pragmatic relationship between two people, one might argue, is between a businessman and the man who writes up his contracts: a cursory, if regular, transaction based on the recording of a well-known litany of reliable formulae meant to ensure a deal could be upheld in a court of law. Candia's Latin notaries were agents of the Venetian state whose status ensured that all transactions recorded in his registers had legal validity, in place of the waxen seals on

⁶⁴ *TQ* no. 16, p. 9. In an ordinance discussed earlier, the authors blame Christian employers for preventing Jewish employees from properly celebrating Sabbath. This ordinance is among the revisions of Rabbi Tzedakah, probably dated to the second half of the thirteenth century. "Additionally it should be known that we have seen that some of our people have thrown out the right way, behind their backs, and on the eve of Sabbath and holidays, men [remain] at work and they keep their hands busy with something as the sun goes down, and they set their eyes and their hearts to complete the work at hand, sometimes because his Christian boss holds and pressures him."

charters used in other parts of Christendom. The Latin notary, then, was a human seal, a man whose instrumental services ensured contractual legitimacy. This would not be a locus in which we would expect a relationship to go beyond the professional.

Nevertheless, the regular contact between Jewish businessmen and the notaries they frequented could also spark relationships which went beyond the confines of the technical contract-writing. Notarial registers illustrate just how regularly individual businessmen visited notaries, and many Jewish businessmen loyally patronized individual notaries. Between January and March of 1388, for example, the Jewish moneylender Abraham Angura patronized the notary Nicolo Tonisto thirteen times.⁶⁵ This same notary was a favorite of businessman Solomon Astruc, who hired Tonisto for twenty-three transactions during this same period.⁶⁶ Apparently Tonisto was known as a notary trusted by the Jewish community; other Jewish businessmen also appear over and over again in his records for these months. Tonisto was but one Christian notary with a dedicated Jewish following: two decades earlier, Solomon Astruc had faithfully patronized the Latin notary Egidio Valoso. Valoso was also a favorite of Judah Balbo, a prolific moneylender who utilized Valoso for forty separate contracts between April and August of 1370.⁶⁷ Judah Balbo's son, Lazaro, however, patronized another Latin notary, Giovanni Catacalo: Lazaro appears in Catacalo's register engaging in fourteen separate transactions over the course of just three days in May 1389.⁶⁸

A court case from late 1420 illustrates the tricky implications of Jewish loyalty for this last notary, Giovanni Catacalo, whose surviving registers show him to have been a favored

⁶⁵ ASV Notai di Candia, b. 273 (not. Nicolo Tonisto), fols. 74v-94v.

⁶⁶ ASV Notai di Candia, b. 273 (not. Nicolo Tonisto), fols. 76v-93v.

⁶⁷ ASV Notai di Candia, b. 13 (not. Egidio Valoso), fols. 17r-42v.

⁶⁸ ASV Notai di Candia, b. 24 (not. Giovanni Catacalo), fol. 2r-v (18-20 May 1389).

notary patronized not only by Balbo but also by many Jewish businessmen and -women of Candia.⁶⁹ Catacalo developed a relationship with a Jewish client that went beyond the pragmatic, and turned to him for more personal reasons. The official story, as told by Catacalo, was as follows: the Latin notary had bought himself a Bible (ostensibly the Hebrew Bible or “Old Testament”) in Greek but had trouble with some of the difficult language.⁷⁰ Through his professional work, he knew a Jewish man who was both a businessman and a scholar, identified as Protho Spathael. Spathael was indeed a businessman most active in the first decades of the fifteenth century.⁷¹ He was also a member of a leading family of the Candiote Jewish community: he or a descendant with the same name served as *condestabulo*, according to *Taqqanot Qandiya*, during the ducate of “messer Donado,” probably either to be identified with Donato Tron (1383) or Andrea Donato (1447).⁷² Spathael was known to Catacalo to be an intelligent and wise man (*hominem intelligentem et sapientem*) and thus turned to him for guidance regarding the meaning of the text and its vocabulary, which Spathael provided in meetings at Catacalo’s own house over the course of fifteen days.

This behavior was deemed beyond the pale. Denounced as a heretic, accused of doubting the fidelity of Christianity and of engaging in Judaizing—defined here as engaging in Jewish ceremonies—Catacalo was quickly imprisoned, tried, and found guilty. No matter the claim of

⁶⁹ Giovanni Catacalo’s surviving registers cover only May 1389 through May 1391 (ASV Notai di Candia, busta 24). Even a quick perusal shows him to have been favored by Jewish businessmen and moneylenders of the elite Candiote houses, including Lazaro, son of Judah Balbo; Melchiel Casan (later *condestabulo*); and Tam Belo (discussed in chapter seven).

⁷⁰ ASV Duca di Candia, b. 30 ter, r. 32, fols. 69v-72v (25 July 1425?)

⁷¹ For example, in line with his other interactions with Christians, Protho Spathael acted as a guarantor for the Latin Nicolas Geno when the latter borrowed a hundred hyperpera from a Jewish creditor. See ASV Notai di Candia, b. 23 (not. Andrea Cocco), fol. 6r (28 July 1400).

⁷² *TQ* no. 46, p. 40.

“difficult vocabulary,” the dedicated time spent by the two men discussing Jewish text in Catacalo’s own home suggests that Catacalo was interested in converting to Judaism, as the papal inquisitors allowed to prosecute the case seem to have believed.

The case against Giovanni Catacalo is fascinating for a number of reasons. Elisabeth Santschi has noted that this case is the only example of the Inquisition being allowed to intervene in Candia’s own judiciary.⁷³ Indeed, the investigation was run by Dominicans sent by the Roman curia, and the language of heresy, Judaizing, and the explicit claim of Jewish contagion (*contagia Judaice*) found here is decidedly atypical for Candia’s legal records until this point (it becomes more common beginning in these decades, as the petition from 1433 suggests). Equally unusual for Candia, the tribunal interrogated (tortured?) Catacalo for three days, after which he confessed to having lost faith in a whole slew of the fundamentals of Catholic dogma, including the messianic and divine nature of Christ, the power of Mary, the prophecies of Isaiah as foreshadows of Christ, and the value of adoration of saints and icons.⁷⁴ After his confession, he “begged for mercy from our God for his sin, that he recognized that he had acted wickedly.”⁷⁵ It seems likely that Catacalo was indeed considering doing that thing not done: converting to Judaism. But after his treatment at the hands of the state, he seems to have decided such a radical jump was not worth the sacrifices he would have to make.

Although we might not at first imagine that professional transactions between notary and client could foster the kind of meaningful contact necessary to make so drastic a decision as

⁷³ Santschi, “Affaires pénales,” 72. There is evidence that the Inquisition sought relapsed converts who had fled to Crete in the 1320s, but our evidence regarding this case comes exclusively from the canonist Oldrado de Ponte of Avignon. See Joshua Starr, “Jewish Life in Crete under the Rule of Venice,” *Proceedings of the American Academy for Jewish Research* 12 (1942): 64.

⁷⁴ ASV Duca di Candia, b. 30 ter, r. 32, fol. 71r (? July 1420).

⁷⁵ ASV Duca di Candia, b. 30 ter, r. 32, fol. 71v (? July 1420).

conversion to a minority religion, it is clear that the government believed the workplace was where Catacalo learned his heretical ideas. The notary's punishment highlights this reality. Following two years of jail and other acts of public humiliation, Catacalo was allowed to return to his old profession. But he did so with one caveat. This man, for whom a great deal of his business had come from Jews, was forbidden to notarize for Jews ever again. Moreover, his son Gabriele Catacalo, who had followed his father into the notariate, was also prohibited from working with Jews throughout his career. The ostensibly cut-and-dried matter of notarial work actually could and did promote a deeper relationship between client and notary—a reality that the inquisitorial court acting in Candia at the time understood well.

But that was the extent of his punishment. The relative ease of the punishment and its lack of larger implications are striking. A man of weak faith and weak will such as Catacalo could not be trusted to guard himself or his family against the implications of such professional relationships, and needed the “help” of the pious Inquisition and the government to save him and his family. Nevertheless, we must draw a distinction between the Roman inquisitorial fears (rarely allowed sway in Crete) and the broader approach of the regular, local colonial bureaucracy. Following this case, the ducal administration did not make any sweeping legislation against Jewish use of other notaries, nor did they search out other suspected “Judaizing” notaries. The trend toward favorite notaries for Jewish businessmen continued: in the early 1450s, the Latin notary Michele Calergi would be heavily patronized by Jews, including the Delmedigo family.⁷⁶ The colonial government appears to have accepted this reality. For the most part,

⁷⁶ Members of the Delmedigo family, especially Aba son of Liacho, Alcana son of Aba, Moyses son of Aba, Samargia son of Aba, and Moyses son of Judah, particularly favored Michele Calergi in the first half of the 1450s. See his surviving registers: ASV Notai di Candia, b. 2 (not. Michele Calergi). There appears to be a significant amount of overlap, however, between the Jews who patronized Calergi and those who patronized Francesco Avonale in the same period, and whose registers are stored in the same box at the ASV as Calergi's registers. For Avonale, see ASV Notai di Candia, b. 2 (not. Francesco Avonale).

Jewish contact with notaries was supported; it facilitated the active trade and moneylending on which Venice relied. A certain amount of meaningful and sustained contact could be tolerated—as long as the Christian involved could be trusted to avoid the temptation of public perfidy.

Beyond the State: Creating a Culture of Contact

Business Relationships

As in the case of Judah de Damasco, whose regular visits to Maria's home were accepted in part because of their professional relationship, the Latin notary Giovanni Catacalo was able to encounter Jews, learn about Judaism, and consider the extraordinary act of conversion from Latin Christianity to Judaism because he regularly serviced Jewish businessmen and –women seeking Latin contracts. Yet, if these quick transactions could foster meaningful contact with the potential to evolve into trust-filled relationships, what could become of the relationships which could be formed by the two parties seeking the contract; that is to say, what of the Jews and Christians who engaged in business together?

Mostly due to the nature of the sources, we have little evidence for the evolution of business relationships into developed relationships or friendships like the ones reflected in the trials of the doctor and the notary. In addition, sometimes business contacts were decidedly fraught because of religious differences; the tensions expressed by Jews partnering with Greeks to produce kosher wine, discussed above, illustrate this fact clearly enough. Moreover, early ordinances from *Taqqanot Qandiya* also suggest that, for some Jews at least, doing business with Christians meant they could feel free to cheat them; the communal leadership, of course, forbade

such behavior on the premise that it ruined the reputation of God and His people [*hillul hashem*].⁷⁷

Yet here, again, we must carefully differentiate between the ideologically infused official materials and other evidence which may suggest that quotidian interactions did not play out on such a rough field. In contrast to the sentiment of *Taqqanot Qandiya*, which expresses anxiety over Jews and Christians working together in a number of ordinances, notarial and judicial evidence from Candia reflect the ways in which trusting relationships between Jews and Christians in a business context were a norm, not an aberration. In short, the sentiment created in Candia by a colonial government willing to officially put Jews and Christians into regular (even physically intimate) contact could not but have spilled out beyond the confines of the limited professional capacities seen above. Judah de Damasco and Giovanni Catacalo were part of a society that regularly supported a wide variety of professional connections between Jews and Christians—a fact that helps situate, and to some extent normalize, their own extreme cases of extended personal encounter.

Common cross-confessional business connections went beyond the medieval stereotype of Jewish moneylender and his Christian debtor, although Jews did often lend money to their Christian neighbors. But business in Candia did not always place Jews and Christians on opposite sides of a deal. Instead, Jews and Christians worked together in a wide variety of professional and economic capacities, and these ventures illustrate the ways in which trust could and did obtain between Candiotte businessmen across the religious divide. Notarial evidence as

⁷⁷ Among the ordinances from 1228 is one entitled “An Ordinance Not to Steal from Gentiles Nor to Lie to Them,” which seems to deal with stealing and lying in the context of business relations. *TQ* no. 5, p. 4. The revised version of this ordinance from the time of Rabbi Tzedakah, entitled “Ordinance Not to Steal from Gentiles,” makes this clear: “Additionally we have agreed that from here on in, no member of our community, no matter whether young or old, is allowed to lie to the gentiles [*goyim*] or trick them. This applies to what Jews buy from them, and what Jews sell to them. For all those who lie to the gentiles and steal from there are desecrating the name of God among the gentiles.” *TQ* no. 23, p. 13.

well as material from other Latin sources reveals Jews and Christians collaborating in a variety of ways, including as employees, partnering for short-term work, and developing joint investment ventures.

In contrast to *Taqqaṇot Qandiya*'s assumptions that these were flashpoints of tension, some of these acts offer subtle clues that Jews and Christians had built or were in the process of building trust and cooperation intended to continue over a longer period of time. When Jeremiah Nomico, a Jew, bought a hundred skins of a certain sort from the Candiotte Christian butcher Raynerius in 1271, Raynerius was willing to give Nomico a monopoly on this good, promising in the contract not to sell this type of skin to anyone else.⁷⁸ The reciprocal or mutual nature of this trust reveals itself in interesting ways. While the Jew David Rodhothi was hired to stretch hides by the Christian Leonardo Dragumano of the village of Selopulo at the rate of six measures of wheat flour, David simultaneously gave Leonardo an interest-free loan.⁷⁹ Although we cannot know the layers of relations and agreements that undergirded this reciprocity, such mutual reliance betrays a different sort of relationship than either transaction might suggest alone. While David would be Leonardo's creditor, he was also his hired help, perhaps balancing the power dynamic that either act might produce individually. Christians and Jews also depended on each other to provide other sorts of confirmations and support: A Jew named Moses was called as a witness for the defense in case against the Christian Nicolas Serigo, who was accused of cheating a business partner out of the profits from their salted fish scheme.⁸⁰

⁷⁸ Antonino Lombardo, ed. *Imbreviature di Pietro Scardon* (Turin: Editrice libraria italiana, 1942) [hereafter *Pietro Scardon*], no. 253 (20 Apr. 1271).

⁷⁹ Gaetano Pettenello and Simone Rauch, eds. *Stefano Bono, notaio in Candia* (Rome: Viella, 2011) [hereafter *Stefano Bono*], no. 55 (17 May 1303).

⁸⁰ ASV Duca di Candia, b. 29 bis, r. 17, fol. 44v (26 Feb. 1378).

Many Candiotte Jews and Christians trusted each other to fulfill important obligations over significant time and space. When the Jew Elia, known as Sapiens, needed to have substantial cash money, plus gold, silver, books and other costly items delivered to his son Samaria, engaged to be married and living in Negroponte, he entrusted the valuable load to his agents: two Latin noblemen.⁸¹ Likewise, Christian noblemen relied on Jews to take care of their business. The Jew Leone Thiadus acted as *yconomos*, estate steward, for the Greek noble Andrea Kalergi, and was named as such in a proclamation from 1325.⁸² This is not the only time the Kalergi family relied on Jews to deal with their property and affairs. The Candiotte Jewish businessman Liacho Mavristiri acted as procurator for the Kalergi family in the 1350s.⁸³ A decade earlier Mavristiri had proven his loyalty by helping the Greek archon Alexios Kalergi (illegally) purchase a feudal holding supposedly reserved for Latin nobles; Mavristiri made significant profit, Kalergi got his *cavalleria*, and the trust between the two was sealed.⁸⁴ Jews and Christians relied on each other in professional capacities to deal with their possessions with fidelity and honesty, even if at times the deal itself was not entirely licit.

Not only trusted to work as each other's employees or agents, Jews and Christians at times became outright partners in a range of professional capacities, and in a variety of business ventures. Such cooperation took place across the socio-economic strata of Candia. As David Jacoby has pointed out, a Candiotte Jew and a Christian co-owned a small ship, noted in 1352;

⁸¹ Mario Chiaudano and Antonino Lombardo, eds. *Leonardo Marcello, notaio in Candia, 1278-1281* (Venice: Il Comitato, 1960) [hereafter *Leonardo Marcello*], no. 110 (25 Apr. 1279).

⁸² Vidulich, ed. *Duca di Candia: Bandi*, p. 156, no. 392 (15 Jan. 1325).

⁸³ ASV Duca di Candia b. 29, r. 10, fol. 7v (20 Oct. 1350), and ASV Duca di Candia b. 29, fol. 5r (30 Sept. 1359).

⁸⁴ The record of the acquisition and sale of this feudal holding can be found in four acts: ASV Notai di Candia, b. 101 (not. G. Gerardo), fols. 302v (17 May 1331), 302v (17 May 1341), 302v-303r (17 May 1341), and 303r (18 May 1341). These acts are edited in Sally McKee, *Uncommon Dominion: Venetian Crete and the Myth of Ethnic Purity* (Philadelphia: University of Pennsylvania Press, 2000), 184-187, and discussed on p. 71.

and two masons, one Jew and one Christians, contracted to work together to repair a Jewish physician's cistern in 1420.⁸⁵ Sometimes the equal nature of the partnership was specified in the surviving act. Sambatheus, son of the late Vlimidi, a Candiotte Jew, in an example from 1303, made a partnership agreement known as a *societas* with the Christian Victor Paulo to buy, store, and sell wine at profit. Paulo was responsible for investing a hundred hyperpera to buy the must; Sambatheus had to convey and store it, giving an extra key to the warehouse to Paulo. All profits would be divided equally.⁸⁶ In other cases, the language of partnership is less obvious, but the content of an act reflects it. For example, at times, what looks to be a loan is actually a form of partnership. When Jewish Michael Carvuni gave an interest free loan of ten hyperpera to the Christian Petrus Clarenvianus a decade before the Black Death, this was actually an investment in a joint partnership. Carvuni supplied the money, Petrus would produce "Jewish wine" to sell in Candia's *Judaica*, and they would split any profit beyond the original investment.⁸⁷

David Jacoby was certainly correct in his assertion that "joint business ventures between Jews and Christians were common at various levels of society" in Crete.⁸⁸ The long-term end-goal of common profit necessitated both sides working earnestly and energetically. As Ricardo Court has noted, "the joint venture... was itself a bulwark of trust."⁸⁹ The long-term end-goal of

⁸⁵ For the ship co-ownership, see Antonino Lombardo, ed. *Zaccaria de Fredo, notaio in Candia (1352-1357)* (Venice: Il Comitato, 1968) [hereafter *Zaccaria de Fredo*], nos. 61, 66, 71, and 72 (16-18 Sept. 1352). Also mentioned in David Jacoby, "Greeks in the Maritime Trade of Cyprus around the Mid-Fourteenth Century," in *Cipro-Venezia: Communi sorti storiche*, ed. Chryssa Maltezou (Venice: Hellenic Institute, 2002), 59-83. On the masons, see Chryssa Maltezou, "Métiers e salaries en Crète vénitienne (XVe siècle)," *Byzantinische Forschungen* 12 (1987): 326.

⁸⁶ *Stefano Bono* no. 290 (20 Sept. 1303).

⁸⁷ *Zaccaria de Fredo* no. 94 (20 Apr. 1357).

⁸⁸ Jacoby, "Jews and Christians," 268.

⁸⁹ Ricardo Court, "*Januensis ergo mercator*: Trust and Enforcement in the Business Correspondence of the Brignole Family," *Sixteenth Century Journal* 35 (2004): 997.

common profit necessitated both sides working earnestly and energetically. This notion of “trust” has recently come under the lens of a number of scholars considering the meaning of cross-confessional business relationships. While conventional wisdom has long held that premodern businessmen preferred to employ relatives, whose commonalities and kinship ties would ensure or at least suggest successful cooperation, recently a number of scholars have noted the problems with such assumptions. As Court has noted, kinship was “not the best basis for a business relationship” even in the premodern period because of the messy problems of disentangling oneself from the relative in case of problems; it is, to be sure, very difficult to fire a relative.⁹⁰ The Sephardi Jews of Francesca Trivellato’s *The Familiarity of Strangers* sometimes chose Sephardic non-relatives over relatives who lived in northern Europe; the Sephardic connection held faster than the ties of blood.⁹¹ Her work critiques the assumption of much of the scholarship on premodern trade networks by questioning the “groupism” which has obtained—i.e. the notion that internally homogenous religio-ethnic groups formed the main networks of business trust for medieval and early modern merchants.⁹² Trivellato’s Jews traded not only with non-relative Jews, but with Christians and Hindus, building relationships over time and across vast swaths of the planet, despite religious, ethnic, and cultural differences. They made this work through a “creative combination” of strategies, including “group discipline, contractual obligations, customary norms, political protection, and discursive conventions.”⁹³ Candioti businessmen used these same strategies in order to build lasting relationships with their religiously “other” business

⁹⁰ Court, “*Januensis Ergo Mercator*,” 995-96.

⁹¹ Francesca Trivellato, *The Familiarity of Strangers: The Sephardic Diaspora, Livorno, and Cross-Cultural Trade in the Early Modern Period* (New Haven: Yale University Press, 2009), 9.

⁹² Trivellato, *The Familiarity of Strangers*, 11.

⁹³ Trivellato, *The Familiarity of Strangers*, 16.

partners. Successful professional joint ventures, even when strictly limited to the realm of the professional, necessitated trust, a level of mutual interpersonal confidence that by definition at once cultivated and sought a deeper sense of connection. Such trust can be both reflective of the circumstances that empowered the professional venture to be built in the first place—the socio-cultural environment of colonial Candia—and generative of a furthered trusting relationship that could move beyond the professional under certain conditions.⁹⁴

Mistrust and Tension in Jewish-Christian Business Relations

To be sure, the many examples of trusting professional relationships, including those that evolved into personal relationships, friendships, or sexual intimacies, do not undermine the reality that numerous professional relationships were not nearly so felicitous. In a clear if somewhat humorous example, Zagha, son of the late Solomon, a Jew, bought a *millaria* (one thousand pounds) of “good Cretan cheese” from Bartholomeus Karavelo, a Candiotte Christian. Specified in their contract is a stipulation which suggests that Zagha did not trust his supplier: “and I [Bartholomeus],” reads the act, “have to weigh and give you this [cheese] for you with your scales.” Zagha apparently suspected Karavelo not only of skimping on his hefty *millaria*, but of weighing the cheese with conveniently skewed instruments.⁹⁵

This sort of careful proviso was meant to avoid litigation, though not always successfully. A business agreement made in 1398 by the Latin nobleman Ser Amocatus Geno and the wealthy Jew Protho Spathael—who, twenty years later, would tutor the heretical notary we saw above—exploded into litigation that worked itself all the way to the ducal court in 1406. Though a lower

⁹⁴ I am grateful to Dr. Ethan Katz for suggesting the language of “reflective” and “generative” trust.

⁹⁵ Salvatore Carbone, ed. *Pietro Pizolo, notaio in Candia*. 2 vol. (Venice: Fonti per la storia di Venezia, 1978-85) [hereafter *Pietro Pizolo*], no. 849 (3 Sept. 1304).

court found in favor of Spathael, the highest court found for the Latin Geno, and stripped the Jewish litigant of all profits from their undertaking. The mistrust between the men is palpable. The ducal court decided that Spathael's role in the business arrangement was "against all justice, equity, and good manners" (*contra omnem justiciam, equitatem, et bonas mores*), language that had probably been put forth by Geno's camp.⁹⁶ Importantly, the essential disagreement appears to have had little to do with the different religions of the two men, and it resulted from an initial willingness to engage in business together. No matter the religious affiliation of the men on each side of the deal, if both could live up to "justice, equity, and good manner"—the basic building blocks of trust—cross-confessional business could transpire successfully, and perhaps repeat for years to come.

Indeed, we must consider that much of the mistrust that occurred in business between Jews and Christians did not necessarily arise out of religious tensions, but rather, resulted from regular suspicions and standard difficulties that occur—now as then—between those who seek profit together, or those who are competing for the same piece of the market pie.⁹⁷ That is, the opportunity for disappointment over broken trust could only emerge from situations based upon a certain degree of trust in the first place, illustrating in its own way that the possibility of Jewish-Christian business partnership was viewed as normalcy more than as suspect. The Venetian state did not highlight the difference between Jewish business and other business (as did, for example, pre-expulsion England in its establishment of the Jewish Exchequer to deal

⁹⁶ ASV Duca di Candia, b. 26 bis, r. 27, fol. 63r-v (5 Nov. 1406). The court of first instance which found for Spathael was the *curia proprii* (for Latins), and not the *curia prosopi* (for Jews and Greeks). For more on the legal workings of the Candiote ducal court, see part two of this dissertation.

⁹⁷ For example, when Moses Carlion, a Jew and former *daciarus olei* (collector of a tax on oil imports) fought against the current, Christian holder of the same position, the spat had nothing to do with their difference in religion, but over who had the rights to collect the tax at the end of Moses' tenure. ASV Duca di Candia, b.30 bis, r. 26, fol. 179r-v (23 July 1403).

with Jewish business). It seems that Christians engaging in business with Jews likewise did not overemphasize the religious affiliations of their business partners, but rather their ability to deliver on the contract.⁹⁸ When we see dispute between Jews and Christians engaging in business we ought not assume that this reflects a social pathology set in motion by a religious divide. Instead, as legal anthropologists have stressed, “disputes, far from being pathological,” can often be read as “normal and inevitable” interactions between any individuals working to “secure their objectives.”⁹⁹ Dispute is a normal part of business relationships for all parties regardless of religious affiliation, and not necessarily a sign of social pathology heightened by religious difference.

Complicating the Creditor-Debtor Relationship

Although regular business dealings often fostered good will between Jews and Christians, one might suspect that the limit of Jewish-Christian economic trust stood fixed at the boundary between business and moneylending, that famed locus of enmity between Jews and Christians in Latin Christendom.¹⁰⁰ Loan contracts from the notarial registers, however, reveal that even these relationships could be more complex than a simple opposition between a Jewish lender and his Christian debtor. First, these loans often hide partnership dynamics that do not seem to have been very fraught. Like the case above in which a Jew's loan to a Christian actually hid a partnership

⁹⁸ On the Jewish Exchequer, an office set up to record, control, and perhaps protect Jewish credit in the century before the expulsion of 1290, see the entries “Exchequer of the Jews” and “Exchequer of the Jews, Plea Rolls of,” in *The Palgrave Dictionary of Medieval Anglo-Jewish History*, ed. Joe and Caroline Hillaby (Houndsmill and New York: Palgrave Macmillan, 2013), 130-134. For an extensive account of current historiographic understanding of the office, see the introduction to the latest edition of the Plea Rolls in Paul Brand, ed. *Plea Rolls of the Exchequer of the Jews* (London: Jewish Historical Society of England, 2005), 1-51.

⁹⁹ Simon Roberts, “The Study of Dispute: Anthropological Perspectives,” in *Disputes and Settlements: Law and Human Relations in the West*, ed. John Bossy (Cambridge: Cambridge University Press, 1983), 4.

¹⁰⁰ This section engages in a reevaluation of the social implications of moneylending, part of a scholarly revision most famously articulated by Shatzmiller in *Shylock Reconsidered*.

aimed at producing Jewish wine for the Candiotte market, many transactions that appear to be loans are actually investments in larger ventures; sometimes “loans” are a convenient if unbalanced investment in futures, such as the many cases in which a Jewish lender gave a loan in the form of an amount of wheat (or wine), with the specification that the borrower will pay back the loan in new wheat at the beginning of the next harvest season. This may help us understand the practice, surprisingly common among Candiotte Jewish creditors, both male and female, of giving Christians interest-free, unsecured loans in the form of both goods and cash.¹⁰¹ Instead of reading these as typical loan acts, we ought to understand them as a proxy mechanism of joint venture or futures sale. This type of transaction, one should note, must have involved a significant amount of trust between parties. This economic faith was not only incumbent on Jewish lenders: Jews at times also received interest free loans from Christians, as did the Jew Elia from the Christian Leonardo de Bonhomo, in just one example.¹⁰²

This trust is even more visible when Jews and Christians were not on opposite sides of the broker's table. In Candia's culture of moneylending, Jews and Christians sometimes acted as each other's loan guarantors, such as when the Jewish Joste (Joseph) Adamero acted as guarantor (*plecius*) for the Greek cobbler Alexius Stavrachi, who received an interest-free loan of six and a half hyperpera from the Jewish moneylender David Angura.¹⁰³ This was true for businessmen and businesswomen alike. Over the course of at least eighteen years, for example, the Jewish

¹⁰¹ A few other examples of this ubiquitous practice: Moses Nomico lent the borgo-based goldsmith Leone Villari 11.5 hyperpera without interest (*Pietro Scardon* no. 219, 9 Apr. 1271); Potho, son of Parna de Hebraam gave an interest-free loan of a hundred and fifty measures of wheat to the Christian Marcus Zambom (*Leonardo Marcello*, no. 222, 6 Sept. 1280); the widow Archondissa, a businesswoman involved in the kosher wine trade, gave a number of interest-free loans to Christian men both from the outlying villages and Candia who do not seem to be involved in her other business dealings (*Stefano Bono*, no. 351 [16 Aug. 1303] and no. 402 [17 Oct. 1303]).

¹⁰² *Leonardo Marcello* no. 100 (21 Apr. 1279).

¹⁰³ ASV Notai di Candia, b. 273 (not. Nicolo Tonisto), fol. 80r (23 Jan. 1388).

businesswoman Cherana, daughter of Abraham (Cherana tu Avracha), borrowed money with, guaranteed loans for, and had as guarantors two Greek sisters, Hergina Pantaleo and Petrucia Steno, both widows of elite men.¹⁰⁴ The unexpected group of three women even found themselves mounting a defense together (albeit unsuccessfully) in the *Curia Prosoporum*, the court of first instance for Greeks and Jews, when they were sued by a creditor.¹⁰⁵ This kind of consistent partnership over time suggests that these women were in business together, though we do not know what they were investing in, and hints at a deep-seated trust among the three.

Jewish moneylending, as William Chester Jordan has explained it, became the focus of extreme enmity in the Middle Ages because it created an “unnatural aspect of dependency,” an upending of what Christians saw to be the proper hierarchical balance between them and Jews.¹⁰⁶ Jewish loans to Christian debtors could undoubtedly spark anger and hatred. Yet not all types of moneylending produced these results. Evidence for wider use of loans as a proxy for other sorts of transactions, especially when these “loans” involved significant amounts of money or goods, presses for a reconsideration of the broader category of moneylending. Likewise, as in the case of Cherana tu Auracha and her Christian partners, if one side of the creditor/debtor divide contained members of both communities, any lender/borrower discord springing from the loan cannot be seen as a wholesale product of religious tension. Finally, recent scholarship on Jewish moneylending has noted a trend in some parts of Christendom in which Christian debtors tended

¹⁰⁴ Elite, i.e. identified as “ser.” For an example from 1370, see ASV Notai di Candia, b. 13 (not. Egidio Valoso), fol. 33r. For the 1380s, see ASV Notai di Candia, b. 273 (not. Nicolo Tonisto), including fols. 78r, 82v, and 90v.

¹⁰⁵ The suit is mentioned in a contract in ASV Notai di Candia, b. 273 (not. Nicolo Tonisto), fol. 82v (10 Feb. 1388). The angry creditor is the Jewish Solomon Astruc, a well-known moneylender and real estate investor.

¹⁰⁶ 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 (1978): 56. To be sure, Christian moneylenders also generated enmity, particularly Lombard moneylenders; see the forthcoming Harvard PhD dissertation by Rowan Dorin.

to choose favorite Jewish lenders—further evidence that the volatile combination of religious difference and economic dependency did not always explode into hatred.¹⁰⁷ These kinds of partnerships among those utilizing Candia's lending marketplace offer a prime example of the ways in which the segregative and segregating dichotomies presented by the official documentation hide the complexity of interactions fostered by Venice's credit economy. While Latin sources, inflected with church ideology about usury and filthy lucre, portray a strict bifurcation between Jewish creditors and Christian lenders, the reality is far more complicated—and, it seems, could be significantly less contentious.¹⁰⁸

¹⁰⁷ Hannah Meyer has recently claimed that among English debtors around 1270 a trend obtained in which borrowers tended to develop favorite Jewish creditors, further evidence that we must interrogate the assumption that moneylending was always the locus of tension and hatred. Hannah Meyer, "Gender, Jewish Creditors and Christians Debtors in Thirteenth-Century Exeter," in *Intersections of Gender, Religion and Ethnicity in the Middle Ages*, ed. Cordelia Beattie and Kirsten A. Fenton (Houndsmills and New York: Palgrave Macmillan, 2011), 112.

¹⁰⁸ Indeed, the notion of the Jew as moneylender and Christian as debtor is complicated by reams of evidence of Jewish debtors who borrowed from Christians. First, Jews throughout Europe were joined in the moneylending business by Christians who ignored or bypassed Catholicism's anti-usury laws. (See Jordan, "Jews on Top," 47-48, in which he notes that some Christians debtors chose Jewish lenders over available Christian lenders because their interest rates were lower.) Likewise, Jews joined their Christian neighbors as debtors. This was certainly the case in Venetian Candia. We have already seen above a number of cases in which Jews and Christians worked together to borrow money from other Jews or Christians. In fact, Jews regularly borrowed from their co-religionists and from Christians. The Jewish debt fugitive Helea owed money to nineteen creditors, of whom only six were Jews (three males and three females). The Christian creditors, with both Greek and Latin names, included eight women (among them a former slave) and six men (including a mason, *murarius*) (Vidulich, *Duca di Candia: Bandi*, 24-29). While some of these were small loans (the Jewish Sambatheus lent her two hyperpera), others were significantly larger: the Christian *murarius* Petrus Rubeus lent her fifty hyperpera, and Gisla the wife of Cerculinus lent fifty-seven hyperpera and two grossi. Not all her debts, it seems, were for simple consumption loans, and she spread jewelry, textiles, buttons, and belts across Candia as pledges. Town-criers' proclamations introduce us to a number of other Jews who defaulted on their debts owed to both Christians and Jews, including others who fled (one even from debtor's prison) instead of paying back their loans. This list of Jewish debtors from ASV Duca di Candia, b. 15 (*bandi*) includes Zachuli, who escaped from debtors prison (r. 3, fols 2r-v, no. 64 [9 Dec. 1425]); Jostef Spagnolo, who borrowed money widely (r. 3, fol. 5v, no. 20 [11 Aug. 1426]); and Zadoch, a debt fugitive (r. 4, fol. 27r, no. 178 [8 Apr. 1472]). The roster of Candiotte debtors, then, did not only list Christians who owed money to Jews. Instead, we see a far more complex situation in which Jewish men and women acted both as creditors and debtors to Christians. Already, then, we must question any assumptions about the bifurcated and static environment of borrowing and lending money in Candia.

Jews, Christians, and Debt Crises

To be sure, Jewish credit did at times spark real enmity from Christian debtors, particularly when the debtors were Veneto-Cretan aristocrats fallen on hard times. Most notably, over the course of a few decades in first half of the fifteenth century (in 1415, 1428, and 1449), Latin debtors in Crete complained to the Venetian senate about the “unfair” debts they owed to Jews. In the 1410s, in the aftermath of a “financial crisis which overwhelmed the nobility during the first two decades of the fifteenth century,” debtors petitioned Venice about Jewish lending practices (and the fact that Jewish lenders had already sued in court to recover the debts), leading to a new policy whereby Jews were ordered to lower their interest rates (from 12 percent to 10 percent plus pawns).¹⁰⁹ Nevertheless, unlike in some states in Latin Christendom, Venice did not cancel the extant debt, but rather, after hearing from ambassadors for both the Jewish and Latin parties in the summer of 1416, ordered a commission of three noblemen to work out compromise settlements that would ensure the repayment of a significant portion of the debt owed by each of these 1,970 men, depending on the financial state of the debtor.¹¹⁰ A smaller-scale debt crisis

¹⁰⁹ Noiret, *Documents inédits*, 244-247. Starr, “Jewish Life in Crete,” 85. First, these noble debtors (who owed both Jewish and non-Jewish creditors and merchants) fled their homes until November, 1411, when a compromise was reached. Upon returning to Candia, they declared bankruptcy, and negotiated a compromise for the repayment of portions of their debts to Jewish and non-Jewish creditors. Nevertheless, they also petitioned the senate about Jewish loans in particular. Regarding the new limit on interest, most loans after this do follow a 10 percent rate plus pawn. Nevertheless, notarial registers, particularly those of Giorgio Mendrino, illustrate that some Jews gave variable interest loans of up to 12 percent still in the 1440s. For example, see ASV Notai di Candia b. 30 (not. Giorgio Mendrino), fols. 1v (24 Nov. 1441); 3r (3 Dec. 1441); 6v (7 Jan. 1442).

¹¹⁰ Noiret, *Documents inédits*, 245-46; 264-65. Ironically, not even one Cretan nobleman without debt to Jews could be found (holding debt would bias them and thus prevented them from serving on this commission), and thus three Venetian patricians were sent to deal with the debt crisis. The debt crisis was indeed overwhelming, and the commission of just three men was unable to deal with all of the 1,970 cases that it was supposed to resolve. After two years (in May 1418), only 138/1,970 cases had been resolved, and the commission was renewed for another two years; in June the compromise scheme was reiterated (Noiret, *Documents inédits*, 265-66). Unfortunately we do not know about a final resolution to the crisis, although by August 1420 the remaining debtors had again fled the island, and the Senate again sought a compromise resolution (Noiret, *Documents inédits*, 274-76). Starr’s account of these events (“Jewish Life in Crete,” 85) offers a decidedly lachrymose reading, highlighting the changing interest rates, and underplaying, in my opinion, the unusual compromise solution.

took place in 1428, when thirty-six “poor, loyal” archers in the employ of the state (soldiers whose names and home villages suggest that they are Greek) “humbly” complained to the Senate that they could not repay their debts to the Jews (adding up to about 750 ducats). Venice cancelled a quarter of the debt, and as in the previous case, worked out a payment plan whereby the men would pay in annual installments over the course of a decade.¹¹¹ Here the petitioners, echoed by the Senate in its statement, stressed their own loyalty repeatedly (*fideles; fidelitate*); the Jews, on the other hand, are characterized as seeking the worst kinds of filthy lucre (*quod omnes pecunie in quibus tenentur dictis Judeis sunt prode prodium et usure usurarum*). Once again, however, the government sought a compromise solution in place of complete “forgiveness” of the debt; ostensibly only a quarter of the moneys owed could be seen as unfair interest, worth forgiving out sympathy for the poor archers. The rest should be returned, fair and square, to the Jewish creditors. In 1449, further complaints by defaulting debtors led to yet another commission, this time seeking to make concessions in the sale of pawns as a way to mitigate financial disaster.¹¹²

Such regular tensions remind us that our narrative still resides in the Middle Ages; the association of Jewishness with moneylending across Christendom made Jewish creditors a particularly soft target for disgruntled defaulters. In the case of these crises, governments had a choice in how to respond. In each instance, the Venetian government chose to take Jewish moneylenders, the debts owed to them, and their position in Candiote society seriously. In both England and France the Crown marshaled claims of usurious moneylending in rationalizing Jewish expulsions. Venice's approach was quite different. The senate sought solutions that

¹¹¹ Noiret, *Documents inédits*, 322-323. Starr, “Jewish Life in Crete,” 86.

¹¹² Noiret, *Documents inédits*, 425-426. Starr, “Jewish Life in Crete,” 86.

would appease the Latin debtors while simultaneously protecting Jewish moneylenders' rights to continue to lend at reasonable interest, recover debt (even if not in full), and maintain their place in Candiotte society.

The Implications of Contact for Religious Communities

The kinds of interactions we have witnessed throughout this chapter were not an intentional part of a program set forth by any formal body; the government did not allow Jewish doctors to serve Christians with the intent to promote social interaction. Likewise, Judah de Damasco's affair with Maria was not something their friends necessarily actively supported. Real social taboos existed across Latin Christendom, in Candia as elsewhere. Indeed, we must be careful not to impose an anachronistic conception of tolerance on any discussion of premodern cross-confessional contact. In the words of Benjamin Arbel, "segregation was (*avant la lettre*) and still is an ideological concept... Integration, on the other hand, has become an ideological concept only recently and had no place, as such, in the framework of Jewish-Christian relations in early modern Europe. It can only be considered in retrospect as a praxis, or better as a consequence of social, cultural, and economic forces."¹¹³ The rhetoric of separation, like the legal moves to isolate Jewish residential settlement we have seen in previous chapters, were part and parcel of an ideological policy in which ecclesiastical and state concerns met. Nevertheless, if we move beyond the ideology and rhetoric into the space in which both the government and residents of Candia had to make quotidian decisions, the reality of daily life—Arbel's "consequence of social, cultural, and economic forces"—created a surprisingly well-integrated society in colonial

¹¹³ Benjamin Arbel, "Jews and Christians in Sixteenth-Century Crete: Between Segregation and Integration," in *"Interstizi": Culture ebraico-cristiane a Venezia e nei suoi domini dal Medioevo all'Età Moderna*, ed. Uwe Israel et al. (Rome: Edizioni di Storia e Letteratura, 2010), 281.

Candia that could foster some level of trust even in the least expected places, as can be seen in the instinctive reactions between Jews and Christians that appear in the sources.

In 1424 near a Greek nunnery outside the walls of the *borgo*, highwaymen attacked a party of five Jews and one Greek Christian who were traveling to the Christian's home to collect wine they had bought from him. When faced with the option of letting one of the Jewish men, Joseph Sacerdoto, get assaulted, or letting him inside the sacred precincts, the nuns chose to save the Jew and close the gates with him safely inside.¹¹⁴ The highwaymen, attempting to unsettle their targets, had shouted at Joseph and the Jews with him calling them "dogs" (yelling "*male vaditis, canes,*" as one witnessed described).¹¹⁵ But the cloistered religious of medieval Candia, those who would be most directly influenced by the anti-Jewish rhetoric of Greek monk-preachers like John Bryennios discussed above, chose to go against their own church's attitudes about Jewish contagion and welcome in a Jew in need, keeping him hidden until he was safe to leave. And another Christian, a stranger, offered to walk the Jew securely back to town; the Jews trusted him (*ita confisi isti de ipso*), and safely followed him back to the road.¹¹⁶ The Christian man who had been traveling with the group of Jews had also been attacked by the highwaymen, and set off to catch them, in defense of the Jews and their possessions.¹¹⁷ In this harrowing

¹¹⁴ ASV Duca di Candia, b. 30 ter, r. 35, fols. 27r-32r (3 Sept. 1424). A group of Jewish men traveled outside the city to collect wine they had bought; the Greek Christian man who had sold them the wine traveled with them from the *Judaica*. Once outside the *borgo*, six highwaymen taunted and then two of them, identified as youths (*iuvenes*) attacked the group. Joseph Sacerdoto, the original purchaser of the wine, witnessed his company severely attacked, was himself attacked with a stick, and his coat (*mantellum*) was ripped off his body. Fearing he would be murdered, and seeing that he was near the Greek nunnery called the Monastery of Christ, Joseph jumped off his she-ass (*assela* [sic!]), fled from their hands (*aufugit de manibus eorum*) and ran inside. The nuns (*calogree*) who were there "immediately closed the gate of the monastery lest the youths [i.e. the attackers] enter and kill the Jew" (*statim clausurunt ostium monasterii ne dicti iuvenes intravent et occiderent istum judeum*) (fol. 27r-v). Later witnesses say that the nuns let in two of the Jewish men to hide there.

¹¹⁵ ASV Duca di Candia, b. 30 ter, r. 35, fol. 31r.

¹¹⁶ ASV Duca di Candia, b. 30 ter, r. 35, fol. 31v.

¹¹⁷ ASV Duca di Candia, b. 30 ter, r. 35, fol. 31v. *Georgius Turcopulo cucurit post ipsos agoziatos*.

moment, a business relationship had morphed into something deeper. This Christian would testify alongside the Jews in the ducal court inquest as they all worked to bring the highwaymen to justice and recover their lost belongings.

This social reality also helps explain the positive reaction to Judah de Damasco in the years following his trial. When Judah sailed back to Candia after being acquitted and vindicated by the highest court in Venice in 1426, he returned to a city willing to accept him again. His position as wound evaluator working for the colonial administration was returned to him, and he was certainly back at work in that role by September 1429.¹¹⁸ He even received a government salary for his work.¹¹⁹ Indeed, in the decade following his harrowing trials, Magister Judah de Damasco advanced his career considerably; while before the trial he had been a second-tier doctor, a surgeon (*chirurgicus; ciroicus*), in 1430, Judah became recognized as a top-tier physician, a *fisicus*, and was able to lead the wound-evaluation teams of which he had once only been a part.¹²⁰

Perhaps even more surprisingly, the Jewish community of Candia welcomed him back into his old social position. His now well-known behavior, his long-term sexual relationship with a Greek woman, did not change his standing among the Jews. He appears in the record over the course of the next twenty-plus years energetically taking part in Jewish public life. In 1444, acting on behalf of the Jewish community, Judah brought an update on certain Jews' tax statuses

¹¹⁸ ASV Duca di Candia, b. 31, r. 36, fol. 177v (16 Sept. 1429).

¹¹⁹ ASV Duca di Candia, b. 32, r. 44, fol. 82v (5 Sept. 1448). Judah de Damasco had planned a trip to Venice, and wanted the court to give the surgeon Melchiel his position and his salary until he returned from his travels.

¹²⁰ Magister Judah de Damasco is listed as a *fisicus* leading a team of wound evaluators beginning on 26 January 1430. Here are a number of these entries from the *Memoriali*: ASV Duca di Candia, b. 31, r. 37., fols. 34r (26 Jan. 1430), 55v (1 Mar. 1430), 66r (20 Mar. 1430), 97r (31 May 1430), and 103r (16 June 1430). According to Shatzmiller, the differentiation between the two kinds of doctors lies in the fact that the *physicus* (in Crete often spelled *fisicus*) was understood to have had a superior, well-rounded education, while the *chirurgicus* (here *ciroicus*) was "of limited medical capacity who was expected to deal with wounds and to perform a variety of surgical operations." Shatzmiller, *Jews, Medicine, and Medieval Society*, ix.

before the ducal court, and also reported on a new holder of a communal position.¹²¹ In 1451, he took the stand in his capacity as recent *camerarius* of the Jews (i.e. he had been chosen as *hashvan*) in order to defend the non-payment claims of the former *condestabulo* under whom he had served, Mioche Demedico (Delmedigo), against the current *condestabulo*.¹²² He was named one of the four executors of the estate upon the death of the elite Jew Sabatheus Casani, alongside Casani's widow and two sons.¹²³ Apparently, then, his behavior did not strip him of his normative leadership position within the community, nor did it alienate him from his friends and confidantes. Neither of the social circles in which Judah traveled saw his behavior as wholly beyond the pale; he could still be trusted by fellow Jews and Christians alike.

Conclusion: Religion and the Axes of Identity

Attempts to characterize the relationship between Jews and Christians in medieval Christendom have defined much of the scholarship in the last century across all genres and disciplines of medieval Jewish studies. While scholars considering Jewish-Christian relations have pointed to discrepancies between the official rhetoric and policy of Christian states and the actual practices of regular Christians on the ground, this chapter has demonstrated that another sort of dichotomous reality existed: one that differentiated between, on one hand, rhetorical anti-Jewish imagery which characterized both official and popular attitudes, and on the other hand, the actual actions of many who ostensibly utilized this same rhetoric. The story here also points to the state as an entity which did not necessarily foster the growth of anti-Jewish rhetoric, but rather one which at times actually tamped down negative language and facilitated meaningful Jewish-

¹²¹ ASV Duca di Candia, b. 32, r. 42, fol. 18v (27 Nov. 1444).

¹²² ASV Duca di Candia, b. 26 bis, r. 10, fol. 206r (27 Sept. 1451).

¹²³ ASV Duca di Candia, b. 32, r. 42, fols. 64r-v, 65r-66v (30 June 1445).

Christian encounter—even if it did so for its own reasons, wholly disconnected from any notion of tolerance or altruism.

Perhaps most importantly, a new look at the sources illustrates that we need not see Candia's Jews and Christians as two isolated groups whose Venn diagrams overlapped only when profit was involved (for, indeed, Christians may have scoffed at Jews as profit-seekers, but could affix this label to a broad set of medieval Christians too). What Daniel Jütte has recently demonstrated for premodern Germany is true beyond the lands of Ashkenaz: the notion of asserting that Jews and Christians engaged in “friendship”

has not ranked high on the agenda of historians working on premodern European Jewry. In studies of the Ashkenazic world, the term has largely been avoided. While these authors agree that there was economic interaction between Christians and Jews, business, in their view, seems to have more or less excluded any form of sincere social relationship or friendly reciprocity. However, this assumption oversimplifies the reality of Jewish-Christian relations and distorts the nature of business in that period.¹²⁴

When scholars (of Italy or the Sephardi diaspora, for example) do recognize or admit cases of friendship, as Jütte further notes, this contact is often limited to elite intellectuals interested in Christian Hebraism or taking part in the Renaissance Republic of Letters.¹²⁵ The case of Judah of Damascus offers just one example in which professional relationships (notably without an explicitly intellectual context nor purely profit-oriented goals) could and did evolve into sincere forms of emotional attachment; the case of Giovanni Catacalo likely indicates the same. A slew of sustained business contacts based on trust demonstrate the extent to which many types of sincere social relationships could and did occur. Common intellectual pursuits were but one of

¹²⁴ Daniel Jütte, “Interfaith Encounters between Jews and Christians in the Early Modern Period and Beyond: Toward a Framework,” *American Historical Review* 118 (2013), 379.

¹²⁵ Jütte, “Interfaith Encounters,” 379-380.

many modes of meaningful interaction between Jews and Christians in the medieval world, and, statistically, probably a minor one.

Perhaps this false bifurcation stems in part from an ongoing insistence on equating medieval personal identity with religious identity. Jütte has likewise remarked that, “there is something unsatisfying in the underlying premise that when Jews and Christians met, they did so primarily as ‘Jew’ and ‘Christian’ rather than as individuals embedded in a multifaceted reality.”¹²⁶ Jütte wondered whether “further axes” of identity may have informed these moments of contact—for example, common local identity, a suggestion originally posited by Alfred Haverkamp, noting that medieval Jews had “emotional bonds” with their “respective home cities.”¹²⁷ In the same vein, in a recent article about medieval women and interconfessional relationships, Monica Green has asked, “Could it be that the shared gendered concerns of Christian and Jewish women (maintenance of the household, raising and feeding their children) allowed avenues of dialogue that transcended religion and culture in a way not duplicated for men?”¹²⁸ Yet Jütte’s framing allows for a wide variety of such axes, and suggests that men also had their own sets of cross-confessional links: professional and local identity, and even shared experiences and travel, are as likely to create commonality as gender.¹²⁹ The men who shared the same professional skills and worked together across religious lines—weavers, stone masons, and entrepreneurs alike, as we have seen above—must have read their common professional choices at least as a mechanism for a common vocabulary. And, as Ricardo Court has argued for Genoa

¹²⁶ Jütte, “Interfaith Encounters,” 382.

¹²⁷ Alfred Haverkamp, “Jews and Urban Life: Bonds and Relationships,” in *The Jews of Europe in the Middle Ages*, ed. Christoph Cluse (Turnhout: Brepols, 2004), 55-67, here p. 57.

¹²⁸ Monica H. Green, “Conversing with the Minority: Relations among Christian, Muslim, and Jewish Women in the High Middle Ages,” *Journal of Medieval History* 34 (2008): 106.

¹²⁹ Jütte, “Interfaith Encounters,” 382.

in the sixteenth century, such shared elements—common language and similar professional upbringings that stem from common origins—do real social work, as they help facilitate trust.¹³⁰

By overemphasizing religious identity, official senatorial and other centrally produced Venetian sources obscure the many axes of identity by which these people may have identified themselves and others. Chapter Two explored the deeply heterogeneous nature of the Jewish community, yet the Latin sources often see the Jews as a monolithic unit, the *universitas iudeorum*. Through the opposite end of the lens, as it were, Anastasia Papadia-Lala has recently noted that “our sources underscore the Cretan Jews’ general perception of the Christians as a unified whole, despite the deep antagonisms between the Orthodox and the Catholics in Crete.”¹³¹ In neither case, though, is such reification impermeable to careful analytical probing. As the official documents attempt to obscure, they simultaneously—if unintentionally—reveal the many dimensions of identity claimed by each faith-community’s members. The witnesses’ testimony in Judah de Damasco’s murder trial suggests that Judah’s relationship with the Greeks of the *borgo* was not defined by his religious affiliation, but by his position as respected *magister* and *ciroicus*, i.e. his professional status a master surgeon. In contrast to the idealized, low social position afforded Jews in the official Venetian documentation, as in other parts of Christendom—as economic instruments, at best—Venice’s actual relationship to the Jews facilitated a power dynamic in which Jews functionally rose above the regular Greek subject populace. Judah’s recognized position in the colony’s social hierarchy, it seems, enabled the relationship to begin, to flourish, and to continue until the fateful day when Maria was found

¹³⁰ Court, “*Januensis ergo mercator*,” 990.

¹³¹ Anastasia Papadia-Lala, “The Jews in Early Modern Venetian Crete: Community and Identities,” *Mediterranean Historical Review* 27 (2012): 141-50, quote on p. 146. The exception to this rule can be found in *TQ* no. 33, p. 22, from 1363, which reports that Jewish workers who went to the countryside villages for the grape harvest feared the “Greeks” who yelled at them to go away and not to touch the vats, discussed above.

dead in her home with the cord around her waist. It was an identity as strong as his religious one, at least for some people in Candia.

Because of Judah's professional affiliations and social status, he would be treated as an individual. Likewise, despite the monolithic language regarding Jews present in the Venetian official materials, in the crucible of daily rule, neither the ducal administration in Candia nor the metropolitan government back in Venice regularly treated Jews as a generalized unity. The legal consequences for those caught engaging in such illicit behavior, remarkably, were often individual, not communal. To be sure, as David Jacoby has pointed out, the Jewish leadership of Candia feared that some activities such as economic misbehavior engaged in by individual Jews "elicited *collective* hostility directed against their community."¹³² Such was undoubtedly the case where money was involved, as in the petitions against Jewish tax-farmers or the complaints against Jewish moneylenders; the category of "Jew" overrides any individuality. But outside of these statements, supposedly inappropriate contact did not carry such collective repercussions, at least during the period under study. The handling of Judah's trial, rather, suggests that in the eyes of the Venetian government Judah's behavior reflected on him as an individual, and not on the Jewish community writ large. Such is the message in the fact that four of the five medical experts trusted to investigate Maria's death were also Jews, and that Judah's own brother was allowed to continue his work as a wound evaluator despite Judah's status as convicted murderer and fugitive.¹³³

¹³² Jacoby, "Jews and Christians," 272. Italics in the original.

¹³³ For the medical experts investigating the crime scene, see ASV Duca di Candia, busta 30 ter, r. 31, fol. 222r (18 Aug. 1419). Three physicians (*fisici*) are all Jews: Moyses Mauro, Moyses Catellan, and Monaghe. The two surgeons (*ciroici*) are: Cosmas Rosso, not Jewish, and Elia Gadinelli, a Jew. Regarding Nathan de Damasco, for just one example of many, see ASV Duca di Candia, b. 30 ter, r. 32, fol. 63v (10 June 1420).

Thus, a reality in which legal restrictions and social taboos often separated Jews from their co-inhabitants of Candia does not relegate all those who did regularly interact with their neighbors as social outsiders, nor did the prosecution of unapproved behavior necessarily reflect on Jews as a whole. If fears of Jewish contagion suggest that friendly or affective social interaction was neither ubiquitous nor casual, such contact was, by the same token, neither rare, nor purely intellectual, nor limited to the purview of pariahs. Despite the rhetorical language of separation articulated in both Latin and Hebrew sources, the very same sources simultaneously reveal evidence of an alternative actuality, one in which the reality of meaningful Jewish-Christian contact—and even the reality of a common Jewish-Latin-Greek colonial society—obtained.

As Crete's Jews interacted with their neighbors and their co-religionists, as they defended themselves from criminals and defaulters and proclaimed their own innocence, the colonial courts of law would become a primary locus for Jewish involvement in Candia's wider social world. It would be a crucible in which Jewish identity was formed vis-à-vis the island's Latin and Greek populace, but also where Jews would articulate their identities to other Jews. It is to the world of the colonial courtroom in Crete that we turn in Part Two of this study.

Part II: Jewish Justice in the Colonial Courtroom

Chapter Four: Jewish Subjects and the Ideology of Venetian Justice

By the time that the ducal court of Candia pronounced judgment against Judah de Damasco, the Jewish surgeon accused of killing his Greek Orthodox mistress, in late summer 1419, he was gone from the island. Judah did not appear in the courtroom to hear that he was meant to have his right hand amputated, be hanged to death, and then have his corpse strung up in front of his dead lover's home. Judah had managed to find a way off of Crete without alerting the authorities; he became a fugitive.¹ As a wealthy man, he could have gone anywhere that shipping lines and his money allowed: out of Venetian dominions, to hide within another Jewish community, perhaps to the Levant whence his family came.² A man with money and professional training could have started over.

But he chose a different route. Instead of running away, Judah intentionally entered the mouth of the lion, running directly into the arms of the justice system that wanted him dead. He went to the Venetian government in the metropole, and two years after his conviction, he appeared before the *Avogaria di Comun*, the state prosecutors' office which was empowered to initiate appeals of subordinate courts' decisions.³ His case was sent to the highest appeals court,

¹ For Cretan ducal court case against Judah de Damasco, see the previous chapter. On the wider issue, and commonality, of fugitives in Venice, see Gaetano Cozzi, "Authority and Law in Renaissance Venice," in *Renaissance Venice*, ed. J.R. Hale (London: Faber and Faber, 1974), 293-295.

² Judah's family may have fled Damascus as a result of the ongoing fighting between the Mongols and the Mamluks. Ashtor has noted that, while the thirteenth-century Mongol attacks drove Jews and Muslims alike out of Iraq into Syria and Egypt, in the following centuries of Mamluk rule, "the number of Jews in Egypt and Syria diminished sharply." Thus, it would have been unlikely that a Jew looking to migrate away from Crete would have chosen Syria for his destination, but other areas of the Levant could have been more attractive. Eliyahu Ashtor, "Prolegomena to the Medieval History of Oriental Jews," *Jewish Quarterly Review* 50 (1959): 63-64. On the prestige and high status of Jewish doctors in the Muslim Levant, see pp. 151-56.

³ On the wider work of the *Avogaria di Comun* (and its members, the *Avvogadori di Comun*), see Frederic C. Lane, *Venice: A Maritime Republic* (Baltimore: Johns Hopkins University Press, 1973), 100. Also see Cozzi, "Authority and Law," 309.

the *Quarantia* (the Council of Forty), in April/May of 1421.⁴ After two inconclusive votes, the *Quarantia* completely acquitted Judah on the third vote, overturning the ducal court's ruling. He could thus return to his family, his profession, and his life back on Crete.⁵ The Cretan administration recognized the acquittal in writing, entering a cancellation of the sentence into the court record on 9 August 1426, seven years after the initial court case. The town crier even announced the acquittal across the city.⁶ By 1429, Judah was once again working as an expert wound evaluator for the very administration which had sought to mutilate and execute him.⁷ Less than a decade after the sensational trial, Judah was once again living an ordinary life.

Perhaps Judah was lucky. His contentious acquittal meant he was freed only by the skin of his teeth. Yet, despite this outcome, it is clear that Judah believed from the start that he had a good chance to rehabilitate his image and have the charges dropped if only he could have his case appealed. It seems that he did not believe he would have a fair shake if he stayed in Crete, since there was no higher court to which he could appeal, but this did not make him lose confidence in the Venetian judicial system as a whole. It simply spurred him to appeal higher up the ladder.

⁴ On the role of the *Quarantia* as the highest appeals court, alongside their responsibility to prepare legislation on coinage and finances, see Lane, *Venice: A Maritime Republic*, 96.

⁵ The appeal is addressed by David Jacoby in his "Rofim V'kirurgim Yehudiim Be-kritim Takhat Shilton Venetia" [Jewish Doctors and Surgeons in Crete Under Venetian Rule], in *Culture and Society in Medieval Jewry: Studies Dedicated to the Memory of Haim Hillel Ben-Sasson*, ed. Menachem Ben-Sasson et al. (Jerusalem: Zalman Shazar Center, 1989), 441. On the complicated methods of voting among the judges of the *Quarantia* which could create the situation described above, see Horatio Forbes Brown, *Studies in the History of Venice*, vol. 1 (New York: E.P. Dutton, 1907), 311-12.

⁶ ASV Duca di Candia, b. 15, r. 3, fol. 15r, no. 17 (18 Jan. 1427).

⁷ ASV Duca di Candia b. 31, r. 36, fol. 177v (16 Sept. 1429). Judah and two Jewish colleagues, the physician Magister Monachem and the surgeon Moyses son of the late Magister Joste, testify that a victim is out of danger of death.

What was it about Venetian justice that gave Judah the confidence to walk right into the halls of power to appeal his case, despite having fled as a wanted fugitive from Candia? In this chapter I argue that an essential part of that answer lies in the Venetian patrician attitude to justice—that is to say, the idealization of the notion of justice by the government, alongside its somewhat amorphous and irregular implementation. The sources attest that the idea of justice was more important than the rigid enforcement of a specific set of laws, and that it was meant to be applied to all those under Venetian rule, regardless of status. As a result, this justice was readily available to, and commonly accessed by, colonial subjects on Crete—Jewish and Greek Orthodox alike.

In the following chapters of Part Two, I offer a number of reasons why Jews may have considered it obvious to appeal up the Venetian judicial chain. I explore the commonality of Jewish litigiousness on Crete, and Cretan Jewish attitudes to Venetian courts. Those chapters engage with the ways in which Jews of all types—elite and non-elite, male and female—negotiated Candia's courts for their own ends. This chapter, then, provides the groundwork for understanding Venetian justice and the place of Candia's Jews in it, predominantly from the Venetian perspective, though I will return to the Jewish case when it provides relevant illustrative examples. The first section briefly investigates the status of Jews as subjects of Venice, and its implications. Then, in the heart of this chapter I argue that Venetian law and the Venetian court system were not simply institutions meant to address conflict, but rather part of a larger pragmatic and ideological project meant to bolster Venetian hegemony around the concept of "justice." As a result, Venetian justice—in its criminal and civil forms—was readily available to, and commonly accessed by, non-patricians, including colonial non-citizen subjects, who found the system to be generally reliable and effective. It also gave those who used the system a

surprising amount of space to maneuver. By consciously prioritizing the value of justice over the rigidity of canonized law, this ideology of equality and justice fostered legal and judicial flexibility. I look at the unique application of this judicial complexity and flexibility on Crete, where, unlike in other colonies, the Republic had almost wholly replaced Byzantine and other preexisting administrative structures with Venetian ones. I then investigate some of the sociological and political motivations behind this seemingly altruistic method of delivering justice. Finally, I explain the development of Venetian law codes in their imperial context, particularly addressing the ways in which the Venetian system made room for non-Venetian customs and statutes, including accommodations for Jewish law which were worked directly into the imperial judicial system. Throughout, this chapter explores the practical application of Venice's legal approach as it affected Crete's Jews, focusing on the ways in which access to republican justice guided the relationship between the Jewish community and its colonial sovereign.

Colonial Jews: Subject Status and its Implications

Judah's behavior following his murder conviction is suggestive of his deep reliance on, and confidence in, the Venetian justice system. Was Judah's response typical of the Cretan Jewish community more widely? To some extent, we must be careful in our estimation of Judah since he was not simply a member of the Jewish community in Candia, but an employee of the Venetian state whose work as a wound evaluator and surgeon offered real benefits, including tax breaks and regular access to members of the administration. Perhaps, then, we might surmise that Judah's reaction to run to Venice was born out of his sense of his personal connection to the Republic and faith in his privileges as a doctor—an individual reaction which had little to do with his Jewishness and much more to do with his public profile.

If we look, however, at the ways in which Venice treated Venetian Jews more broadly, we will see that Judah's reaction need not have come from his special relationship to the Venetian government. Instead, the Jewish community, qua Venetian subjects, had good reason to rely on the Venetian system, since the Republic took seriously its promise to protect its subjects—as long as they behaved, and as long as they filled Venice's coffers. As a result, despite a predatory financial relationship with Crete's Jews, the colonial regime regularly protected them from outside threats, and enabled the community to appeal even the financial burden.

According to David Jacoby, Jews were most commonly treated as Venetian nationals. Sources typically refer to Jews as the “faithful” or *fideles* of Venice, a political affiliation whose irony stems from the fact that Jews were also the exact linguistic opposite: perfidious.⁸ This was a category often bestowed on foreigners who moved to Venice's dominion, and it came with a series of privileges particularly when overseas: diplomatic and legal protection, and the use of Venice's economic institutions and facilities. Jacoby stresses the economic and commercial benefits to becoming a Venetian “national,” though Venetian protection was undoubtedly a significant addition. Reinhold Mueller has stressed the unique nature of the “subject” (Latin: *subditus*) status of Jews in the Venetian dominions, both in the *Stato da mar* and the *Terraferma*. Unlike in the contemporary kingdoms of Christendom, the Jews were not “servants of the king's chamber,” a term which took on distinctly pejorative valences in the later Middle Ages. However the language of *subditi*, like the language of *servi*, indicated in its context that Jews were under

⁸ David Jacoby, “Venice and the Venetian Jews in the Eastern Mediterranean,” in *Gli Ebrei e Venezia, secoli XIV-XVIII*, ed. Gaetano Cozzi (Milan: Edizioni Comunità, 1987), 35. Benjamin Arbel, however, questions the evidence for such an assertion based on this linguistic distinction. See Arbel, “Jews and Christians in Sixteenth-Century Crete: Between Segregation and Integration,” in *“Interstizi”: Culture ebraico-cristiane a Venezia e nei suoi domini dal Medioevo all'Età Moderna*, ed. Uwe Israel et al. (Rome: Edizioni di Storia e Letteratura, 2010), 285, and n. 18.

the protection of the given sovereign, and in the case of Venice, had a “direct bond” to the republican government.⁹ Despite the decidedly hierarchical valence of both terms, it was the legal valence of Jewish status as *subditi* and *fideles* of Venice which ensured that the justice promised to their Greek Orthodox neighbors was also upheld when it came to them.¹⁰

As Eliyahu Ashtor has demonstrated, Venetian authorities took an active role in protecting Cretan Jewish subjects, particularly in the realm of commercial rights vis-à-vis non-Venetian actors. At least four times over the course of the thirteenth through fifteenth centuries, the Venetian government sought redress for their Jewish subjects: In the late 1270s, against the Byzantine government; in 1407, against Genoa; in 1411, against Sicily; and in the mid-fifteenth century, against the Byzantines again. In each case, Venice sought to protect Jewish trade rights and to ensure the safety of the Jews' trade-goods, despite the fact that these Jews were “only” subjects and not citizens.¹¹

⁹ Reinhold C. Mueller, “The Status and Economic Activity of Jews in the Venetian Dominions during the Fifteenth Century,” in *Wirtschaftsgeschichte der mittelalterlichen Juden: Fragen und Einschätzungen*, ed. Michael Toch et al. (Munich: Oldenbourg, 2008), 64.

¹⁰ It is worth noting how Venetian treatment of Jewish colonial subjects differed vastly from treatment of metropolitan Jews. In 1394, when the Signoria expelled Jews from Venice, they freely allowed these exiles to settle in the colonies, as discussed in chapter two. Jews in Venice proper did not fit into any of the standard categories of “Venetians,” i.e. nobles, native citizens by birth, or commoners. Instead, they were characterized as foreigners, and more specifically, “Tedeschi,” Germans. Yet the government also defined the Jews as a subgroup within the category of Tedeschi, the *Università degli Ebrei*. Benjamin Ravid, “How ‘Other’ Really Was the Jewish Other? The Evidence from Venice,” in *Acculturation and its Discontents: The Italian Jewish Experience Between Exclusion and Inclusion*, ed. David N. Myers et al. (Toronto: University of Toronto Press, 2008), 19-23. Also as mentioned in chapter two, Jews in Venice proper, certainly before 1516, needed a charter to settle in Venice, even for short periods of time. In contrast, the Jews of the *Stato da mar*—many of whose families had lived in those areas for up to a millennium—needed no *condotte* to legitimate their settlement. Only much later did practices which had become commonplace in the colonies work their way back to the metropole. Venetian Jewish policy in the colonies remains fairly unknown. Thus, looking at material from three centuries later, Benjamin Ravid could note, “in accordance with the assurance that Jews could live according to their own laws, the Venetian government most remarkably adjudicated cases involving the financial aspects of dowries, divorces, and inheritances according to Jewish law, especially, it seems, when individuals who had converted to Christianity were concerned.” (“How ‘Other’ Really was the Jewish Other?,” 26). As this chapter addresses later on, such practices were common in Crete by the fourteenth century.

¹¹ Eliyahu Ashtor, “New Data for the History of Levantine Jewries in the Fifteenth Century,” *Bulletin of the Institute of Jewish Studies* 3 (1975): 72.

Protection, after all, never meant citizenship for Venetian colonial Jews. Though a number of Cretan Jews sought citizenship or citizen-like privileges, the central government explicitly forbade Jews that right. Even in the years after the Black Death, when Venice eagerly sought to attract settlers to its maritime lands with citizenship privileges, the stipulation excluded Jews: “*Non intelligendo in hoc Iudeos.*”¹² Moreover, in two cases in which scholars have suggested that Jews on Crete had become Venetian citizens, that of David of Negroponte in the thirteenth century and David Mavrogonato in the fifteenth, David Jacoby’s meticulous rereading of the sources indicates that these men were given citizen-like economic privileges, but never attained the legal status of Venetian citizen.¹³

¹² Mueller, “The Status and Economic Activity,” 68. Also addressed in David Jacoby, “Le-Ma’amadam shel ha-yehudim be-moshavot Venetia biyemei ha-beinayim” [The Status of Jews in the Venetian Settlements during the Middle Ages], *Zion* 28 (1962): 58-59. The original offer of incentives can be found in two locations: ASV Commemoriali, r. 5, fol. 37; and, Senato Misti, r. 26, copia, fols. 245v-246v (21 June 1353). Jacoby notes that the exclusion of certain groups in these types of policies was not limited to Jews. “In the Venetian colonies Jews were not the only ethnic-religious group to suffer from discrimination in this respect. Although not specifically mentioned in the legislation” passed in 1352, following the Black Death, offering citizenship to non-Jews who resided in Venice’s main colonial cities for ten years, “Greek immigrants to the colonies were also barred from Venetian citizenship.” However, Jacoby ascribes the Greek exclusion to “social and political considerations,” and not stemming “from religious attitudes as in the case of the Jews.” Jacoby, “Venice and the Venetian Jews,” 34. Nevertheless, despite Jacoby’s distinction, perhaps we should see these two cases as more similar than Jacoby admits: this policy, aimed both at Greeks and at Jews, is part of a typical colonial approach toward maintaining a division between the colonized and the colonizer, not simply one aimed at a singular socio-religious group. As Jacoby himself recognizes, “religious affiliation provided the basic criterion of social stratification” for Latin colonies. David Jacoby, “The Encounters of Two Societies: Western Conquerors and Byzantines in the Peloponnesus after the Fourth Crusade,” *American Historical Review* 78 (1973): 903. As non-Latins, both Greeks and Jews had to be categorized such that their subjugation was legitimated and maintained; their religious status compelled Venice to see them as colonial subjects, and the religious status legitimated their maintenance as such.

¹³ See, for example, the case of Elia Capsali of Rethymno, who tried to get privileges while in Alexandria in 1422; he is the protagonist of Eliyahu Ashtor’s study, “Ebrei cittadini di Venezia?” *Studi Veneziani* 17-18 (1975-1976): 145-56. Reinhard Mueller claims that, in one case in the *Terraferma*, Venice renewed a local grant of citizenship to a Jew which had been given in 1394, before Venice took the city of Padua. Mueller, “The Status and Economic Activity,” 69. In contrast, Jacoby argues that no authentic citizenship was ever offered to Jews. The case of David Mavrogonato offers an important case in point. Mavrogonato, a merchant and translator for Greek priests, reported to the Venetian government a conspiracy to overthrow colonial rule which he had overheard when working for the Greek community. A few years after the events, in 1463, Mavrogonato requested special privileges as a reward for his loyalty. The Venetian government granted him a tax break (including the right to not pay additional taxes demanded by the Jewish communal organization) and the right to be in public without the Jewish clothing badge. In 1466, he also received permission to live anywhere in the city of Candia, to wear normal (i.e. non-Jewish) clothing, the right to an annual stipend, and was even allowed to send his merchandise on Venetian ships. See Jacoby, “Le-Ma’amadam,” 65-67. The rights Mavrogonato received highlight the diminished freedoms of the Jews of Crete, whose clothing, tax burden, and residential options were limited and controlled by virtue of their religio-ethnic

Despite the limitations in status available to Jewish subjects of Venice, Crete's Jews were not limited in their ability to seek justice, whether in civil or criminal court settings, and whether as individuals or as part of the *universitas iudeorum*. It is to an exploration of this justice system and its application for Jews that we turn now.

Justice as Imperial Ideology

Venice's implementation of a justice system in the *Stato da mar* went far beyond the apprehension and punishment of criminals for the sake of maintaining social order. For Venice, justice and equality were bywords of an ideology which was understood by Venice's ruling class as the epitome of the republican, patrician ideal. As Monique O'Connell notes, throughout the colonial period, "the idea of justice was the centerpiece of Venetian self-promotion as a good republic."¹⁴ From as early as 1205, upon taking office the doge himself would swear an oath to render justice and treat all men equally.¹⁵ He was obligated to personally "visit the law courts periodically and give ear to any complaints of denial of justice."¹⁶ This remained a fundamental (if propagandistic) ideal throughout the centuries of Venetian rule in the eastern Mediterranean.¹⁷

affiliation. As Mavrogonato's case indicates, however, these limitations were not insurmountable. And indeed, other Jews were granted elements of these privileges at other times, as well. Yet, while these privileges mimic those given to citizens, Jacoby argues convincingly that this is precisely the point—Mavrogonato was allowed to live like a citizen, but was never given the actual title or status.

¹⁴ Monique O'Connell, *Men of Empire: Power and Negotiation in Venice's Maritime State* (Baltimore: Johns Hopkins Press, 2009), 75. Addressed further below.

¹⁵ Dennis Romano, "Equality in Fifteenth-Century Venice," *Studies in Medieval and Renaissance History* 6 (2009): 131. For examples from 1205 and 1229, see Gisella Graziato, ed. *La promissioni del doge di Venezia dale origini alla fine del Duecento* (Venice: Il Comitato, 1986), esp. pp. 5 and 16.

¹⁶ Lane, *Venice: A Maritime Empire*, 97.

¹⁷ Benjamin Arbel has stressed that, though the boundaries of the maritime empire changed wildly, especially as the Ottomans forced a redrawing of the lines, what did not change were the essential governing principles. For Arbel, republican justice deserves primacy of place when discussing such principles, along with Venice's economic orientation, and the pragmatism which was at the bedrock of all its activities. Benjamin Arbel, "Colonie

In part, Venetian emphasis on justice stemmed from a republican ideology which placed “equality” as the highest value.¹⁸ To be sure, sometimes this notion of equality referred to “the equality of rights, privileges, and status” only conferred upon the noble class of Venetians.¹⁹ For the most part, patrician understanding of equality and justice did not overlap with our modern sense of the term; rather, justice was a patriarchal good for the aristocracy to bestow upon lessers, and a benefit which provoked obedience. Nevertheless, as Stanley Chojnacki has argued, patricians do not seem to have been above the law either theoretically or in practice. Likewise, equality also meant equal opportunity to be prosecuted for crimes committed.²⁰

Just as the paternalistic nature of justice and equality did not exclude the nobles from having to live within the frame of law, the ideology also did not entirely bar non-nobles from the benefits of law. In fact, a correlative meaning of equal justice applied broadly beyond the confines of the ruling class, and became increasingly important in the age of Venetian dominion

d’oltremare,” in *Storia di Venezia dalle origini alla caduta della Serenissima*, vol. V, eds. Alberto Tenenti and Ugo Tucci (Rome: Istituto della enciclopedia italiana, 1996), 979.

¹⁸ This discussion of equality applies to the period under investigation in this study. Cozzi argues that, in the early sixteenth century, notions of equality gave way to the concept of authority. This, in turn, led to changes in the Venetian justice system and its hierarchy. See Cozzi, “Authority and Law,” 317-19.

¹⁹ Romano, “Equality in Fifteenth-Century Venice,” 130-31. Dennis Romano has counted the uses of terms related to equality (*equalitas*, *equales*, *equaliter*, *inqualitas*, and their Venetian equivalents) in the mid-fifteenth century, and discovered that, in the reign of Doge Francesco Foscari alone (1423-1457), these terms “were used more than one hundred times in laws passed by the Great Council, Senate, and [the Council of] Ten. Its use far exceeds that of terms such as *unanimitas*,” which had previously been identified as the “ultimate expression of Venetian political ideals.” On the concept of *unanimitas* as the republican ideal par excellence, see Margaret L. King, *Venetian Humanism in an Age of Patrician Dominance* (Princeton: Princeton University Press, 1986), esp. pp. 92-105. The difference here, as it seems to me, is that *unanimitas* became the ideal most typically expressed by Venetian humanist writers. In legal and political texts, equality stood in first position.

²⁰ Individual patricians did not possess immunity from the judicial process,” and thus did not escape prosecution because of their social status. This played out in reality, at least in the fourteenth century: “There appears to be no social or economic determinant of the lightness or heaviness” of sentences in criminal cases, including murder, theft, and sexual violence. To be sure, individual nobles certainly “express[ed] disdain for the judiciary,” sometimes even through violence against court officials, and periodically opposed the law “when the law proved inconvenient.” Stanley Chojnacki, “Crime, Punishment, and the Trecento Venetian State,” in *Violence and Civil Disorder in Italian Cities, 1200-1500*, ed. Lauro Martines (Berkeley: University of California Press, 1972), 197, 201, 224, and 194.

in the *Stato da mar*. This other sort of “equality” represented fairness for all before the law, including non-patrician, non-citizen residents of Venice and even “inhabitants of the subject territories.”²¹ This patrician notion was safely applied to those outside the closed aristocracy through jurisdictional equality, i.e. the right to access law courts of the Republic no matter the class or status of the claimant. For subjects and citizens alike, the quality of the justice rendered was meant to be assured by a system of human checks and balances; no single judge could offer sentence, but instead a panel of judges conferred together.²² Thus, a justice system which promised equal access and impartial hearing to all of Venice’s subjects, citizen or not, became an essential part of Venice’s republican-imperial ideology, and an essential tool in its propaganda campaign following the successful capture and settlement of colonies in the wake of the Fourth Crusade. This judicial equality was realized in two primary ways for the subjects of the Republic: through the implementation of an appeals-based system of due process, and through the ability of all subjects to bring lawsuits before the Venetian court.

Due Process and Jewish Appeals

Venice claimed jurisdiction for all penal violations, and in doing so, it promised its own version of due process to all those suspected and convicted of crimes.²³ Part and parcel of this due process was the guaranteed ability to appeal a verdict. Subjects could also appeal non-criminal judgments, for example, appealing new tax burdens or other financial legislation. Gaetano Cozzi

²¹ Romano, “Equality in Fifteenth-Century Venice,” 130.

²² As Frederic Lane noted, this was part of a wider approach toward ensuring justice and equality throughout the governing structure. “Distrust of individual power made the Venetians depend on committees and councils. Even in their judicial systems, sentences were not imposed by an individual judge but by several judges acting together.” Lane, *Venice: A Maritime Republic*, 95.

²³ O’Connell, *Men of Empire*, 78.

has identified this right to appeal as a “nodal point” of Venice’s governing policy.²⁴ In fact, the right to appeal a verdict was considered so important that appeals judges known as the *sindici da mar* “were obliged to go circuit every two years...through the towns of Dalmatia, Greece, and the Levant,” because the expense a colonial subject might suffer should he need to travel to an appeals court in Venice might be prohibitive.²⁵

For Jews, the right to appeal criminal cases and new legislation benefited not only individual members of the community, such as Judah of Damascus, but the wider community as well, for example in the case of an ever-growing tax burden levied on the *universitas iudeorum* as a whole. On 25 February, 1387, the Senate in Venice passed a resolution that the Jews of Crete would have to pay their communal tax at a rate of 2500 hyperpera annually. This high assessment came with an explicit rationale: the island was full of very rich Jews.²⁶ Moreover, between 1387 and 1389 the Senate raised the annual tax fee again to 3500 hyperpera a year.²⁷ The perception of Jewish economic success, it seems, was here a detriment to the Jews, for whom this crushing burden was simply too much to let pass. In response, three prominent members of Candia’s Jewish community including Joseph Missini (see chapter two) were chosen to travel to Venice and represent the island’s Jews before the Senate. Their appeal was heard on 25 May 1389.²⁸

²⁴ Gaetano Cozzi, “La politica del diritto nella repubblica di Venezia,” in *Stato, società e giustizia: nella repubblica veneta (sec. XV-XVIII)*, ed. Gaetano Cozzi (Rome: Jouvence, 1980), 69.

²⁵ Brown, *Studies in the History of Venice*, vol. 1, 312.

²⁶ This piece of legislation is edited in Hippolyte Noiret, ed. *Documents inédits pour servir à l’histoire de la domination vénétienne en Crète de 1380 à 1485* (Paris: Thorin & fils, 1892), 13-14. On the rich Jews, p. 13: “*per insulam sunt quamplures Judei cum maximo havere et valde divites.*”

²⁷ On this taxation, see Joshua Starr, “Jewish Life in Crete under the Rule of Venice,” *Proceedings of the American Academy for Jewish Research* 12 (1942): 77.

²⁸ This judgment is recorded in Noiret, *Document inédits*, 26-27.

The main thrust of their argument was one of utility: we Jews are too useful to the state to overtax us so heavily, claimed the representatives; the weight of the tax was causing Jews not only to suffer personal financial setbacks, but that it was also spurring some to abandon Crete—and leaving those remaining to shoulder an even larger portion of the burden. All in all, they argued, the tax rate provoked a spiral of poverty which would eventually undermine Venetian interests. And indeed, Venetian experts on Crete agreed with the Jews' determinations. Three noble men, including a former duke and a former *provveditor* of Candia, testified that in fact the tax burden was ultimately detrimental to Venetian interest in maintaining a successful and wealthy Jewish community on Crete.²⁹ The Senate was convinced by the argument's logic and by the people who argued for it: the government lowered the tax rate to 2000 hyperpera, a very significant 43 percent reduction for the Jewish community.

This tax appeals case suggests that the Venetian perception of Jewish wealth and success was a mixed bag. Though it was undoubtedly a burden which provoked exploitation, perhaps counter-intuitively it could and did provide the Jewish community as a whole with a tool in its arsenal of self-protection. In addition, of course, this case illustrates the ways in which access to Venetian institutions for the sake of appealing legislation was not simply lip service, but could function effectively and to the benefit of the Jewish community as a whole.

The right to appeal could also enable Jews to leap over the hierarchy and access the very top of it. Appeals allowed Jews to fight across social class boundaries, and against those who had direct power over them. An illustrative case stems from Rethymno, a Cretan city on the northwest coast with a substantial Jewish population. In 1356, a Rethymniote Jew named Samaria appealed to the Senate in Venice to overturn an impost of corvée labor, an *angaria*,

²⁹ On the patrician conviction that Jews were essential to Venice's economy, see Cozzi, "Authority and Law," 333-34.

instituted by a former rector the town. Samaria argued that this demand for labor on top of steep taxation would render the Jews of that city villeins—virtually serfs—of Venice, and therefore unfree, which would be illegal. The Senate concurred and overturned the rector's Jewish *angaria* in this case.³⁰ Samaria's ability to access directly the halls of power enabled him to leapfrog above the immediate Venetian representative in Rethymno, and instead appeal to a higher Venetian council—to the Senate itself.

For Samaria, his very freedom seemed to be at stake. Sometimes, however, this access was utilized for less than virtuous means. Ottaviano Bonavita, a member of Candia's Jewish community (and incidentally, the late Joseph Missini's son-in-law), was accused in 1433 of having successfully convinced three Cretan noblemen—all former councilors, i.e. ducal advisors and judges, in Candia—to decide a case in his favor.³¹ We hear that the three men were seduced by his smooth talk.³² Somehow (perhaps a bribe was part, though this is not articulated), Bonavita was able to induce the judges “to sell law and justice, offices and benefices of our dominion on the island of Crete.”³³ Unfortunately no other details survive, and much of the story remains unclear. What is clear, however, is that Bonavita's direct access to the councilors and his ability to argue his case behind the scenes enabled him to get his way, though not without accusations of judicial misconduct. Access, then, had its many benefits, if not necessarily all ethical ones.

³⁰ Salo W. Baron, *A Social and Religious History of the Jews*, vol. 17: *Byzantines, Mamluks, and Maghribians* (New York: Columbia University Press, 1980), 62, where he notes an important caveat: this ruling did not set a long-standing precedent. In 1485 the doge of Venice, Giovanni Mocenigo, explicitly stated that “no Jew and Jewess shall be able to free themselves from some *angaria*, except through accepting baptism.”

³¹ Noiret, *Documents inédits*, 358; also referenced in Freddy Thiriet, *Régestes des délibérations du Sénat de Venise concernant la Roumanie*, vol. 3 (Paris: Mouton & Co., 1961), 29.

³² *cum suis sagacitatibus et astutiis, ac cum suis verbis cautelosis.*

³³ *ad vendendum ius et iusticiam, officia et beneficia nostri domini insule Crete.*

Limits to the Appeal

It must be said that the right to appeal was in no way a panacea for Venetian subjects, including Jews. On the most simple level, appeals against taxation were not always effective. A request by the Jews of Candia to revisit the Jewish tax in 1437 was rejected outright by the ducal court.³⁴ A Jew from Rethymno was rebuffed in the ducal court two years later, despite his claim that the wheat tax imposed on him was neither just nor reasonable (*non erat justum nec rationabile*).³⁵ An embassy from the three Jewish communities on the island of Negroponte, another Venetian colony, had its petition for lowering the Jewish taxes turned down in 1452. Nevertheless, in an act indicative of the seriousness with which Venice's governing bodies took each petition, two other simultaneous requests made by the ambassadors were approved: the first to lower shipping taxes for the island's Jews to the level of all other subjects, and a second to defend Negropontan Jews against extortion by Venetian soldiers.³⁶

There were also further limitations to the appeals process. While multiple appeals were allowed, a court could put a stop to the process. For example, Crete's ducal court sentenced the Jewish woman Elea Mavristiri to remain "*in perpetuum silentium*"—effectively forbidding any more litigation on this topic—after they determined she had brought too many (to their minds, unfounded) appeals to her case.³⁷ In addition, from a financial point of view, not only were court cases expensive, but embassies to Venice were even more costly, necessitating contributions from community members. In 1314, for example, a town crier read a public proclamation

³⁴ ASV Duca di Candia b. 31, r. 39, fol. 149r (22 Feb. 1437).

³⁵ ASV Duca di Candia, b. 31, r. 40, fol. 114r-v (26 Jan. 1439).

³⁶ ASV Senato mar, r. 4, fols. 120v-121r (11 May 1452). Summarized in Thiriet, *Régestes*, vol. I, 175, no. 2887.

³⁷ ASV Duca di Candia, b. 29 bis, r.19, fols.(13)60r-(15)62r (10 Nov. 1382).

reminding everyone who had promised to contribute to the Jewish embassy to Venice to pay up by the following Sunday.³⁸ Suggestive of the importance of this communal financial support for enabling the mission, the proclamation came with an enforceable threat to ensure timely payment, a penalty of two grossi for each hyperpera pledged but not paid. According to Jacoby, moreover, in addition to the expected costs of this 1314 trip, the Jewish community probably paid bribes to the duke and his councilors to facilitate the embassy, as indicated by a set of other expenses mentioned in this record.³⁹ Successful appeals could happen, but various less-than-pristine wheels at times needed to be greased.

Finally, while the Jews could continue to appeal, so could their adversaries. In a tragic case beginning in 1451, a nun (ostensibly a Latin-rite nun) and perhaps converted Jew accused prominent members of the Candiotte Jewish community of crucifying a lamb on Holy Friday. She claimed that this was done each year, ostensibly as a way of mocking Christians' celebration of Easter, which highlights Jesus as the lamb of God, *Agnus Dei*. When the accusation was brought to the attention of the authorities, the Venetian doge ordered the Cretan duke to investigate the charge, and the duke in his turn assigned the affair to a fiercely anti-Jewish syndic (circuit judge and investigator) named Antonio Gradenigo. Gradenigo's investigation, supported by the state prosecutors, the *Avogaria di Comun*, led to the arrest of nine community leaders.⁴⁰ Imprisoned

³⁸ Paola Ratti Vidulich, ed. *Duca di Candia: Bandi (1319-1329)* (Venice: Il Comitato, 1965), no. 35 [48] (28 June 1314).

³⁹ David Jacoby, "Venice, the Inquisition and the Jewish Communities of Crete in the Early Fourteenth Century," *Studi Veneziani* 12 (1970): 135.

⁴⁰ For the role of Gradenigo and the timeline of the case, see Starr, "Jewish Life in Crete," 66-67. Note that Starr believed there to have been two different accusations in the early 1450s, one the lamb crucifixion, and one a host desecration. As noted in the introduction, Toaff and Jacoby both convincingly argue that this is one and the same event, and there was no host desecration libel involved. Nevertheless, on the host desecration element, see Miri Ruben, *Gentile Tales: The Narrative Assault on Late Medieval Jews* (Philadelphia: University of Pennsylvania Press, 2004), esp. pp. 115-16, where she briefly deals with the Cretan case addressed here as a host desecration, the import of which she deems to be further evidence that "an accusation that was aborted could nonetheless cause a great deal with pain and suffering" (p. 115).

and tortured in Candia, two of the men died on the long voyage to Venice, where they and their compatriots were to be tried before the Grand Council (*Maggior Consiglio*). On July 15, the case was tried and the remaining seven Jews were acquitted. It was not over, however, since Gradenigo appealed the ruling, charging that the Jews had bribed members of the council. In the retrial, held in March 1453, six men were found guilty—and punished. However, in a final appeal by the Jews in June 1454, the six community leaders were retried and finally found innocent. While the appeals process finally ended with an overwhelming call for the freedom of these Jewish men, the many layers of appeals had led to the death of two, the torture of all, and almost two years of incarceration for the very leaders of Candia's Jewish community.

In the final estimate, this case was an anomaly, and in fact, should be read as the exception which proves the rule. Accusations such as these came late and rarely to Crete, and when these events did happen, the Jews were not left entirely powerless to face massacres and summary executions, but rather could at least wield the weapons of the courtroom, the appeals process, and the concept of “justice” to defend themselves. The results might not have uniformly fallen in the Jews' favor, the trauma was real, and the appeals process could hinder as well as help. But these tools were not illusory; they could and often did protect Jewish subjects of Venice from the explosive vicissitudes of minority life in a volatile social environment.

Civil Suits and Grecophone Court

In addition to the right to appeal up the chain, the second way in which equal justice was delivered was through access to civil court. All subjects, regardless of citizen status, could bring lawsuits before Venetian courts. Like the right to appeal, the right to sue for civil damages brought many Jews to the Venetian judiciary. These suits are the subject of the following

chapters of this study. For the moment, however, let us set the stage for such a discussion by looking at the courts in which Jews could bring their suits.

Though Venice promised equal access to justice, this did not mean that all the justice had to be meted out in the same venue. Scholars have noted the jurisdictional complexity, and indeed the confusing overlap, of the Venetian system. Multiple mid-level appeals courts, for example, could hear civil petitions in Venice, including the *auditori di sentenze* and the *Avogaria di Comun*.⁴¹ By 1340 in Candia, no fewer than five bodies could be expected to deal with various kinds of justice. As in Venice, Latins would bring a civil case in the first instance which dealt with inheritance matters before the *Giudici di proprio*, while suits regarding debts and commerce would be brought before the *Giudici di petizion*.⁴² Justice was also the business of the Officers of the Night (*Signori di Notte*, a sort of police force and investigative judiciary); and the Officers of the Peace (another police court)—two other judicial offices which could be involved with facilitating the processes of civil and criminal justice. Many of these judiciaries were parallel to those in the metropole.⁴³ The same institutions as in Candia were found across the island's towns, including at Canea and Rethymno.⁴⁴

As non-Latin subjects, Crete's Jews, like their Greek Orthodox neighbors, did not have access to the same court of first instance as their Latin, citizen neighbors. Instead, when their

⁴¹ O'Connell, *Men of Empire*, 76.

⁴² An entry from the senate's records from 1339 spells out part of the system as regards the courts *di proprio* and *di petizion*: three Venice-based judges would be sent and paired with three local Latin judges on Crete, and four Venetian officers of the night would also be chosen and sent to Candia. Thiriet, *Délibérations du Sénat*, 40, no. 90 (2 Apr. 1339). On the roles of these courts, see Sally McKee, *Uncommon Dominion: Venetian Crete and the Myth of Ethnic Purity* (Philadelphia: University of Pennsylvania Press, 2000), 27-28.

⁴³ For example, Venice's infamous Officers of the Night, mentioned even by Shakespeare in *Othello* (I.I.180), were known for using torture to seek confessions. On the functions of this Venetian police court, see Melchiorre Roberti, *La magistrature giudiziaria veneziane* (Padua: Tipografia del Seminario, 1907), vol. 1, 206-9.

⁴⁴ O'Connell, *Men of Empire*, 78.

cases involved only Jews and/or Greeks, they went to a separate court, known as the *Curia Prosopi* (also known as *di prosopo* or the *Curia Prosoporum*). Although this may look like a case of second-class marginalization, and could indeed be read this way, Venice maintained a second court for Grecophone inhabitants for good reason. First, it engaged with a slightly different set of laws: Byzantine and Jewish precedents were taken into consideration for the relevant communities, and the judges engaged at the *Curia Prosopi* had to be versed in these. Second, Jews and native Greeks both spoke the Cretan-Greek dialect, and this court could focus on Greek speakers and Greek documents. To be sure, the three judges who made up the *Curia Prosopi* were Venetians, but the focus on Greek language must have affected the choice of judges, while “Greek notaries and scribes were indispensable for the operation of the Venetian administration” and especially in this court.⁴⁵

Unfortunately, the records from the court do not survive; what we know of the *Curia Prosopi* has come indirectly through other sources, such as mentions during the appeals process and echoes in the notarial registers. For example, a solution of debt from 1450 mentions that tensions over a loan had brought the two parties—the Jew Judah Balbo versus Greek Christian brothers Georgius and Philippus Avonale—to the *Curia Prosopi*.⁴⁶ Likewise, in 1359, the Jewish woman Elea Mavristiri had sued and won against another Jew, Mordachai Plumari, before the *iudices prosopii*.⁴⁷ We know of this latter case because when Elea brought another suit a few

⁴⁵ David Jacoby, “Multilingualism and Institutional Patterns of Communication in Latin Romania (Thirteenth-Fourteenth Centuries),” in *Diplomatics in the Eastern Mediterranean 1000-1500. Aspects of Cross-Cultural Communication*, ed. Alexander D. Beihammer et al. (Leiden and Boston: Brill, 2008), 42.

⁴⁶ ASV, Notai di Candia, b. 2 (not. Francesco Avonale), fol. 3r (4 Feb. 1450). Evidence from the ducal court also suggests that some adversaries chose to seek arbitration, though we do not know many details about this process. See, for instance, ASV Duca di Candia, b. 30 bis, r. 27, fol. 94r-v (? Mar. 1406), in which two Jewish men (Elia Mosca and Judah son of the late Octaviano) had sought arbitration. Unhappy with the results, though, one of the men appealed in the ducal court. The ducal court annulled the arbiter’s conclusions.

⁴⁷ ASV Duca di Candia b. 29, r. 12, fol. 23r (7 Nov. 1359).

months later, this time to the ducal court, she produced the earlier court decision as proof of the legitimacy of her claims.

What have lasted through the centuries are the court records from the ducal court, which would have been the court of appeals for Crete's Jews, Greeks, and Latins alike. These survive because they were transported to Venice in 1669 as part of the Archive of the Duke of Candia (filed now as a series titled *Duca di Candia*). It is in these records that Jewish activity abounds.

The Practical Benefits of Delivering Justice

It should be emphasized that the seemingly altruistic act of guaranteeing and safeguarding access to criminal, civil, and appellate justice for all subjects of Venice and accommodating Greek language needs for Grecophone subjects in the *Curia Prosopi*, also had deeply pragmatic motivations. On an economic level, civil litigation and appeals could be a cash-cow; scholars have recognized that Venetian justice was expensive, and thus could function as another way for Venice to generate revenue.⁴⁸ Enabling Greek speakers to comfortably present their disputes before a Venetian judiciary broadened the consumer base considerably, bringing easy money into the coffers. Second, the appeals process could also function as a way for the central government to stay in contact with the periphery. Cozzi has stressed that allowing appeals from the colonies to be heard in Venice, for example, enabled the magistrates in the metropole to keep a check on the administrators abroad, and also to get a sense of colonial subjects' "moods and needs."⁴⁹

⁴⁸ Among those who have pointed out the cost of litigating in the Venetian court are: Freddy Thiriet, *La Romanie vénitienne au Moyen Age: le développement et l'exploitation du domaine colonial vénitien (XIIe-XVe siècles)* (Paris, Editions E. de Boccard, 1975), 240; Despina Vlasi, "La tariffa delle spese giudiziarie pubblicata a Cefalonia nel 1511," *Studi Veneziani* 7 (1983): 233-52. Noted in O'Connell, *Men of Empire*, 84.

⁴⁹ Cozzi, "La politica del diritto," 69.

Offering tangible justice also benefited Venice because it placated and appeased potentially unsettled subjects. Chojnacki has argued that promising—and delivering—equal justice for nobles and non-nobles alike played an essential role in successfully facilitating public order and peace among the *popoli* during the turbulent fourteenth century, when immigrants of many different cultural and socio-economic backgrounds flooded the metropole.⁵⁰ A parallel motivation was in play in the colonies. Venice could promise that it would be more just than previous rulers, and when it was seen actually fulfilling this promise through widespread access to courts, it could effectively garner favor.

Contemporary patricians were well aware of this political benefit. Writing in the 1540s, Gasparo Contarini, Venetian nobleman, diplomat, and proponent of the so-called myth of Venice, identified “justice” as a primary reason for Venice’s continual imperial success. In his encomium to Venetian governance, *De magistratibus et republica Venetorum* (here in an early English translation), he wrote that Venice’s domination was not “accomplished by any violent force,” but rather “onely by a just and temperate manner of ruling, insomuch that the people do obey the nobilitie with a gentle and willing obedience, full of love and affection.”⁵¹ Ignoring the very real militarism which had been put forth in the name of Venetian hegemony, Contarini highlighted that Venice’s just mode of rule attracted subjects, and kept them loyal.⁵²

⁵⁰ Chojnacki, “Crime, Punishment,” 222.

⁵¹ This English translation is from a very early version of the work. Gasparo Contarini, *The Commonwealth and the Government in Venice*. Trans. Lewes Lewkenor (London: John Windet for Edmund Mattes, 1599), 146. Quoted in James E. Shaw, *The Justice of Venice: Authorities and Liberties in the Urban Economy, 1550-1700* (Oxford: Oxford University Press, 2006), 10.

⁵² For a modern biography of Contarini, whose opus was quickly translated into a number of languages and republished many times, see Elisabeth G. Gleason, *Gasparo Contarini: Venice, Rome, and Reform* (Berkeley: University of California Press, 1993).

Contarini's contemporary, the patrician lawyer Pietro Badoaro, agreed, highlighting Venice's just laws and legal system. Venice's victorious conquests came less through military might, he said, and more through the imposition of its glorious law, which contained in it a mixture of rigor and gentleness, and its legal verdicts, which were based on justice and honesty. Venetian justice—particularly as it was expressed in legal verdicts—continued Badoaro, was founded on the principles of compassion and fairness.⁵³ Certainly in the sixteenth century, but undoubtedly stemming from a patrician attitude founded centuries before, the ruling class of Venice saw justice as part and parcel of its successful expansion.

Imperial Justice and Local Law

Legal equality was certainly a republican ideal, tied to Venetian self-image, and created in the crucible of evermore complex social demographics across the empire.⁵⁴ But this political concept also has a far longer and wider history. The promise of justice as an ideological tool of state-building stretched beyond Venice to many places and times. Indeed, Venice followed a long tradition of expanding powers which used justice and law (always the claim and sometimes the reality) as a mechanism of placating their conquered populations. State-building entities have commonly promised their new subjects the right to have litigation of local disputes heard by the new sovereign.⁵⁵ Many sovereigns engaged in centralizing projects across time and space have

⁵³ Cozzi, "La politica del diritto," 19-20.

⁵⁴ In this I refer to the socio-economically, ethnically, and linguistically complex societies of the colonies, but also to the increasingly complex society of post-plague Venice, where Chojnacki locates the cementing of Venetian practices of equal justice. Chojnacki, "Crime, Punishment," 227.

⁵⁵ The ubiquity of such a phenomenon in both past and present imperial projects has been noticed by legal anthropologist Simon Roberts. Comparing the use of courts in the European past and in the colonial expansion of the past two centuries, he remarks: "In both, we find rulers struggling to establish, consolidate and expand control in peripheral areas; in both the rulers present themselves as judges of local disputes." Simon Roberts, "The Study of Dispute: Anthropological Perspectives," in *Disputes and Settlements: Law and Human Relations in the West*, ed. John Bossy (Cambridge: Cambridge University Press, 1983), 5.

utilized the rhetoric of justice—particularly the promise of access to fair law courts—as a means of attracting loyalty of their new (or renewed) subjects.⁵⁶ Roman emperors and magistrates used the claim of justice and ready access to law to pacify newly conquered peoples in the provinces, setting an example for millennia to come.⁵⁷ One can find similar tactics in the justice of Charlemagne, the legal reforms of Henry II Plantagenet, and in the use of courts in the dynasty-building projects of early modern European monarchs.⁵⁸

Though premodern examples of such behavior abound, the practice of linking access to justice to an imperial project is perhaps best known from modern empires. Scholars have noted

⁵⁶ To be sure, this was not universal; McKee has noted that, after England's colonization of Ireland, the English judiciary on that island explicitly rejected lawsuits brought by the Irish, with a "clear implication of unfree status in that legal incapacity." McKee, *Uncommon Dominion*, 15.

⁵⁷ On Roman justice in the imperial ideology, see Greg Woolf, *Becoming Roman: The Origins of Provincial Civilization in Gaul* (Cambridge: Cambridge University Press, 1998); and Clifford Ando, *Imperial Ideology and Provincial Loyalty in the Roman Empire* (Berkeley: University of California Press, 2000). See especially chapter 2, 19-48. Roman legal justice was defined as "the set and constant purpose which gives to every man his due" (*Iustitia est constans et perpetua voluntas ius suum cuique tribuens*), in the words of the third-century jurist Ulpian. This formulation became the opening maxim of Justinian's sixth-century legal textbook, the Institutes, which continues on to define law as "the science of the just and the unjust." The link between justice, law, and the expansionary project is made clear in the person of Justinian, who spent much of his reign reconquering Roman territories. Vergil made the connection more explicitly over a half-millennium before Justinian. In his magisterial piece of imperial propaganda, the *Aeneid*, giving law to the conquered played a central role in the fashioning of Rome's imperial identity. Says a dead, prophetic Anchises to Aeneas in Book 6: "*Tu regere imperio populos, Romane, memento (hae tibi erunt artes), pacique imponere morem, parcere subiectis et debellare superbos*" ("You, Roman, remember to rule the peoples through power [i.e. *imperium*], (these will be your arts:) to pacify and impose law [i.e. *mos*], to spare the vanquished and to crush the proud." Vergil, *The Aeneid* 6:851-54. Translation is my own.

⁵⁸ For Charlemagne, the claim of a unified, just law provided a mechanism for control over local rulers, by forcing them to abide by the new authority; simultaneously it offered incentives to new subjects, particularly the ability to complain about, and appeal the rulings of, their local lords. Matthew Innes, "Charlemagne's Government," in *Charlemagne: Empire and Society*, ed. Joanna Story (Manchester: Manchester University Press, 2005), 83. One can read Henry II Plantagenet's twelfth-century legal reforms, credited as the foundation upon which English customary law was built, along the same lines: In the aftermath of a civil war, as part of his attempt to reunify England around him, Henry utilized the promise of royal justice as a means of turning the loyalty of his subjects in the shires toward him by offering an alternative mode of adjudication to that of the (often cruel and dismissive) barons, who had previously held a tighter grasp on local jurisdiction. This standard reading, although here emphasizing the implications for the rank-and-file instead of the nobles, can be found in: Paul R. Hyams, *Rancor and Reconciliation in Medieval England* (Ithaca: Cornell University Press, 2003), 156-58. For early modern European monarchs, see the sixteenth-century kings of Castile in Richard Kagan, *Lawsuits and Litigants in Castile, 1500-1700* (Chapel Hill: University of North Carolina Press, 1981), esp. 136. In each of these cases, the subjects were equally able to manipulate the right to justice for their own needs; this reality will be addressed later in this chapter, and will make up a significant part of the discussion of the whole of Part II of this dissertation.

that modern imperial governments used the promise of justice and law in their colonies as a rationalization and promotion of their colonial projects. In eighteenth-century India, for example, “colonial administrators claimed that the promises of British justice was a cornerstone of its government,” and “used the language of law to legitimize their rule.”⁵⁹ The British government promised access to justice for all, subject or colonizer. Here, as elsewhere, colonizers assumed that the promise and delivery of justice would secure “the loyalty of the colonial subjects and the stability of the empire.”⁶⁰

Yet in some very significant ways, Venice's claims to justice were unique. For the British Empire in India, for example, the promotion of justice was “a key agent in its civilizing mission.” In fact, “the view that India had long been enslaved by the tyranny of Oriental despotism made law a critical instrument by which Britons simultaneously established their authority and differentiated colonial law and anarchy of previous regimes.”⁶¹ The British discourse claimed that there had never been a rational legal system, and therefore no justice had even been served before their arrival in India.

In contrast, Venice could not make, and had no interest in making, such a claim for a *mission civilisatrice*, to use the French colonial term.⁶² Settled into the Greek Eastern Mediterranean following centuries of close interaction culminating in the Fourth Crusade, Venice knew well that it was supplanting the rule of a great empire, and its people—though

⁵⁹ Elizabeth Kolsky, *Colonial Justice in British India* (Cambridge: Cambridge University Press, 2010), 2.

⁶⁰ Kolsky, *Colonial Justice in British India*, 2-3.

⁶¹ Kolsky, *Colonial Justice in British India*, 2.

⁶² See Alice L. Conklin, *A Mission to Civilize: The Republican Idea of Empire in France and West Africa, 1895-1930* (Stanford: Stanford University Press, 1997). Also see Mathew Burrows's discussion of the concept at the beginning of his article “‘*Mission civilisatrice*’: French Cultural Policy in the Middle East, 1860-1914,” *The Historical Journal* 29 (1986): 109-35; and Raymond Betts, *Assimilation and Association in French Colonial Theory, 1890-1914* (New York: Columbia University Press, 1960).

heretics, as Orthodox Christians, among other flaws—were not quite the heathen barbarians of the British discourse. To be sure, Greek subjects were treated as second-class subjects deserving of a place significantly lower down on the social hierarchy. Social stratification defined daily life in Venetian colonies.⁶³ Instead of assuming that its subjects had never experienced legitimate law, however, as did British colonizers in India, Venice recognized a long tradition of custom, precedent, and statute which had made up Byzantine law. Byzantine custom had long influenced Venice and its laws, and the Most Serene Republic undoubtedly (even if unintentionally) found in Constantinople's empire a model from which to borrow.⁶⁴

Law and Statute in the *Stato da Mar*

The recognition of the legal legacy of Byzantium, the need to govern a growing empire, and Venice's ideological dedication to the concepts of justice and equality, created a state with an unusual relationship to the practice of law and statute. Indeed, as a state, Venice was much concerned with a strict interpretation of legislation. Other communes in Italy and other states across Christian Europe rediscovered "common law," the *ius commune*, in the twelfth century—a set of basic tenets of law stemming from Roman law which would give birth to similar legal systems across most of the Latin West. Venice, however, consciously rejected the tradition of a

⁶³ See, for example, McKee, *Uncommon Dominion*. Also see David Jacoby, "From Byzantium to Latin Romania: Continuity and Change," *Mediterranean Historical Review* 4 (1989): 1-44; on social stratification, see p. 32.

⁶⁴ On similarities and borrowings from Byzantine law in eleventh- and twelfth-century Venetian customary, particularly in elements of family law, see Giustiniana Migliardi O'Riordan, "Elementi di diritto bizantino nella consuetudine veneziana dei secoli XI e XII," *Byzantinische Forschungen* 22 (1996): 111-17. One might find another influence on Venice's emphasis on legal justice in what its merchants and travelers witnessed in Byzantium before the siege of Constantinople in 1204. According to Jacoby, in the Byzantine Empire in the decade before the Fourth Crusade, "all free men enjoyed equal legal status and were justiciable in imperial courts according to the same Byzantine law, regardless of their social and economic standing or the imperial privileges they held." Jacoby, "From Byzantium to Latin Romania," 3.

uniform, codified Roman law.⁶⁵ To be sure, most communes and monarchies alike passed and codified local statutory law, *ius proprium*. But even this reification was rather unappealing to Venice's governing class. Venice did not begin any codification process of its own written law until the middle of the twelfth century, culminating in two codes dated to 1181 and 1232—both limited in scope to criminal law.⁶⁶

Importantly, we cannot separate the establishment of the *Statuta Venetorum* from the establishment and administration of a colonial empire, particularly the rule of Crete. It was only in the wake of Venice's growing empire that it developed what can be called a comprehensive Venetian Law, instituted in 1242 at the behest of doge Jacopo Tiepolo. These five volumes of law plus an appendix on court procedure would become the "fundamental nucleus," the foundational document in the canonization of Venetian legislation, although it would be added to and adjusted through the fifteenth century.⁶⁷ Chryssa Maltezou, following the pathbreaking work of Gaetano Cozzi, notes that Tiepolo's role in this codification process cannot be taken too lightly. He was not only "the first duke of Crete, but was also the man who laid the foundations of the administrative organization" of Venetian rule on Crete.⁶⁸ Having seen firsthand the need to apply law across a wide swath of territory far from the lagoon, Tiepolo articulated a vision in

⁶⁵ On the evolution of the civil and canon conceptions of *ius comune* in medieval Europe, see Manlio Bellomo, *The Common Legal Past of Europe, 1000-1800*. Trans. Lydia G. Cochran (Washington, DC: The Catholic University of America Press, 1995), 55-77. On the rejection of Roman law, see Cozzi, "La politica del diritto," 23.

⁶⁶ Cozzi, "La politica del diritto," 21.

⁶⁷ Cozzi, "La politica del diritto," 21-22.

⁶⁸ Chryssa Maltezou, "Byzantine 'consuetudines' in Venetian Crete," *Dumbarton Oaks Papers* 49 (1995): 269-80; here p. 271. Cozzi, "La Politica del diritto," 28-29.

which all of the Venetian dominions “ought to have a cohesive framework that could be built on a unifying structure of a legal system.”⁶⁹

Despite Tiepolo's codification, Venetian law and its application did not become particularly rigid. Built into the system was an approach which favored an amorphous concept of justice as much as it emphasized the importance of statute and precedent. Writing a prologue to the first edition of the *Statuta*, Tiepolo himself recognized that these statutes were not all encompassing, and that a judge should consider appropriate analogous precedents and local customary law (*consuetudine*). Should none of the above be found satisfactory, Tiepolo directed judges to use their best God-given reason.⁷⁰ Thus, the consideration of statutory law was one of a number of valid approaches toward deciding legal matters. As Edward Muir has put it, “Venetian law was more ‘oracular’ than guided by statute or precedent.”⁷¹

This “oracular” approach—in part a conscious, politicized rejection of the all-encompassing Roman or Imperial law—paved the way for Venice to deal flexibly with the legal circumstances they found in the colonies they annexed.⁷² That is to say, Venice did not attempt to rid their new dominions of their old systems of legislation and civil society; instead they tried to accommodate much of the local customary law which was already in place in these locations. Venice's penal code was the only element of its law which was uniformly, and immediately,

⁶⁹ Maltezou, “Byzantine ‘consuetudines,’” 271.

⁷⁰ Cozzi, “La Politica del diritto,” 22.

⁷¹ Edward Muir, “The Sources of Civil Society in Italy,” *Journal of Interdisciplinary History* 29 (1999): 394. Nevertheless, of course, statutes, customary law, and precedents did technically provide the body of Venetian jurisprudential material.

⁷² Cozzi, “La Politica del diritto,” 23. McKee claims that the common law forms “the backdrop to all sources of law” in Venice, but their “traces” are “so faint” that they have not been much considered. McKee, *Uncommon Dominion*, 29. Ideologically, however, the *ius commune* played no role in secular law, though of course it played a continued role as the essential foundation of ecclesiastical law.

imposed on all of the new dominions.⁷³ But beyond the punishment of crimes, law could be flexible.

In large part, this was the result of necessity: the reality of a multiplicity of locations with varying political realities across Venice's dominions provoked the establishment of a legal system in which flexibility and adaptation were expected, and even mandated. Many of the Latin conquering parties in the eastern Mediterranean similarly found that their formerly Byzantine holdings were not empty of people or traditions. Jacoby has noted that, across the Romania, all Latin conquerors "developed and adapted their legal traditions...in accordance with their specific needs and mentality, relying on judicial precedents, borrowings, and legislations."⁷⁴ Venice took the same tack in its *Stato da mar* dominions, which resulted in an accommodation and acceptance of much of the way things had been done before the Venetian conquest. In short, without a vested interest in a particular set of laws but rather in a wider concept of justice, across its dominions Venice "habitually guaranteed that it would respect the local *statuti e consuetudine*."⁷⁵ In most locales within the Republic's dominion, Venice allowed the primary statutory code which had been used in pre-Venetian days, the so-called Assizes of Romania, to remain in effect.⁷⁶ Many subject communities were granted *capitoli* by Venice – a formal body of statutes and privileges which often confirmed local right to continue following traditional customs.⁷⁷

⁷³ David Jacoby, *La féodalité en Grèce médiévale: les "Assises de Romanie"* (Paris: Mouton, 1971), 311.

⁷⁴ Jacoby, "From Byzantine to Latin Romania," 17.

⁷⁵ Edward Muir, "Was there Republicanism in the Renaissance Republics? Venice after Agnadello," in *Venice Reconsidered: The History and Civilization of an Italian City State*, eds. John J. Martin and Dennis Romano (Baltimore: Johns Hopkins University Press, 2002), 143.

⁷⁶ The essential work on these Assizes remains Jacoby, *La féodalité*.

⁷⁷ On the bestowal of *capitoli* and their role in the ideology of empire, see O'Connell, *Men of Empire*, 31-33.

It was a psychologically pragmatic move. Since local statutes “functioned as a locus of civic political identity for many communities,” by empowering these newly conquered communities to retain their sense of identity through law, “Venice eliminated one motivation for opposing its rule.”⁷⁸ Like the promise of access to justice, granting subjects the right to live and be adjudicated according to their local customary law was not a claim unique to Venice’s state-building project. As Simon Roberts remarks, “For any ruler struggling to establish or extend his authority an alternative to attempting direct suppression must be to associate himself closely with indigenous institutions in the first instance and gradually subject them to regulation.”⁷⁹

Colonial Law and Flexible Justice in Crete

Venice’s approach to Crete, however, was slightly different than in other parts of the *Stato da mar*. The Assizes did not remain in effect; Venice did impose Tiepolo’s *Statuta*, and no separate *capitoli* were granted. Unlike many other Venetian holdings in which individual Venetian families acted as feudal landowners, the Republic decided to rule Crete directly, and its colonists were pressed to create “a Venetian society in miniature in the island’s port cities.”⁸⁰ In its initial physical organization, the first duke (and later doge and author of the *Statuta*) Jacopo Tiepolo even divided the island into *sestieri* (sixth-districts) sharing names with the *sestieri* of the metropole.⁸¹ Tiepolo or one his successors established that the duke would be aided by two councilors and three advisory councils, a system which “corresponded roughly to the doge, the

⁷⁸ O’Connell, *Men of Empire*, 32.

⁷⁹ Roberts, “The Study of Dispute,” 9.

⁸⁰ O’Connell, *Men of Empire*, 19.

⁸¹ Cozzi, “La politica del diritto,” 28-29. This organization proved to be inefficient for the topographical and demographic reality of the island, and the island was redistricted into four north-south strips, each with a governmental seat in on the four major towns situated on the north coast: Rettimo, Canea, Candia, and Sitia.

College or Signoria, and the other legislative councils of Venice.”⁸² Crete was to be Venice abroad.

Even in this case of direct rule according to Venetian statutory law, however, accommodation of local custom was an essential part of the governance of Crete. By the mid-thirteenth century, judges sent to serve a stint in the courts on Crete were explicitly instructed—in a formula directly echoing Tiepolo’s prologue to the *Statuta*—that, should they be unable to find a solution in Venetian statutory law, they should turn to precedent from similar cases (*de simile ad simile*), then to local custom or approved use (*consuetude*). If neither provided a solution, they should turn to their own best judgment (*bona conscientia*).⁸³

The character of the judge himself, as the above orders make clear, played a large role in how justice was meted out in Candia. This was even more so the case in the Venetian milieu than elsewhere because Venetian judges (or governor, in an appellate case) were usually politicians little trained in legal minutiae, and certainly not professional jurists.⁸⁴ As James Shaw notes, “The only requirement to become a judge was that candidates be of good patrician stock: there was no need for any formal training in law.”⁸⁵ Noblemen were “amateur judges armed with a strong self-belief in their innate capacity for justice,” and therefore needed neither education nor

⁸² McKee, *Uncommon Dominion*, 26 and 30-31; also addressed in Thiriet, *La Romanie vénitienne*, 191-193. The three advisory councils were the Great Council of Candia, the Council of Feudatories, and the *Consilium Rogatorum* (the Candiote Senate).

⁸³ This judge’s oath of office from the *Capitularium* was first published in Ernst Gerland, *Das Archiv des Herzogs von Kandia im K. Staatsarchiv zu Venedig* (Strassburg: Karl J. Trubner, 1899), 93-98. It is also referenced in O’Connell, *Men of Empire*, 77; McKee, *Uncommon Dominion*, 27-30; and Maltezos, “Byzantine ‘consuetudines’,” 271.

⁸⁴ Venice’s approach to office, judiciary and otherwise, tended toward the patrician amateur, and away from any sort of professional bureaucratic corps. See Lane, *Venice: A Maritime Republic*, 98.

⁸⁵ Shaw, *The Justice of Venice*, 12.

experience to guide them.⁸⁶ Patrician administrators and judges could and would use their own positions to further the position of kin, patrons, and clients.⁸⁷ A lack of expertise in the *Statuta Venetorum*, then, could be easily masked by recourse to local custom and one's own "best judgment." As susceptible to disorder as this might seem, such a practice could certainly benefit colonial subjects unfamiliar with Venetian norms, particular statutes or legal intricacies, and who could instead rely on forceful logical or emotional argumentation to sway a lay judge himself little versed in the technicalities of law and statute.

At the same time, it offered consumers of Venetian justice, including Jewish subjects, other benefits. The system of amateur judges was built with the intent of aiding Latins and preventing the accumulation of too much power among the nobility: "The practice of continually rotating judges was an essential part of the Venetian system of power-sharing."⁸⁸ A regular changing of who sat on the bench meant that no single person or family could make the law a personal fiefdom. But this solution to an internal, elite, problem also aided those non-elites who utilized the courts: regular turnover served to ensure that badly educated, bribable (or unbribable!), anti-Jewish, or otherwise poor quality judges would not remain long in office.

Local Custom and Jewish Law in the Cretan Courtroom

Also to the benefit of Jews was Venice's accommodation of certain types of local custom and precedent by which subjects had abided before the colonial period.⁸⁹ Although local custom

⁸⁶ Shaw, *The Justice of Venice*, 18.

⁸⁷ Muir, "Was There Republicanism?," 146.

⁸⁸ Shaw, *The Justice of Venice*, 11.

⁸⁹ Venice accommodated certain local laws and customs for Greeks as well. Venice's major goal was to maximize land-based revenue, and it saw the old Byzantine tax models on Crete as the best way to accomplish this, both in terms of tax-farming officials such as the *messetarius* (from the Greek title, *messites*), and in distinguishing between

would only be applied as far as “it was compatible with [Venice’s] interests,” for Jews this translated into the ability to bring certain parts of Jewish family law into the courtroom.⁹⁰ Specifically, Venetian judges were instructed to allow Jews to uphold their ancient law (known as the *lex moisis* or the *ritus iudeorum*, among other variations) in cases related to marriage and divorce. Divorce, of course, was not allowed by the Latin Church, but Jews were entitled to legally engage in divorce if they followed the traditional Jewish processes. Only Jewish instruments of marriage and divorce (i.e. the *ketubbah* and the *get*), only Jewish customs regarded as making these events legally valid (i.e. certain modes of gift giving, rings, etc.), and only Jewish agreements regarding post-divorce financial settlements (as outlined in the *ketubbah* and elsewhere) were considered legitimate for Jews in the eyes of the Catholic judges.

Thus the ducal court would often judge that a given case ought to be decided *secundum legem iudeorum*.⁹¹ Two limitations to this accommodation, however, ought to be stressed. First, the *lex moisis* and *ritus iudeorum* was defined according to rabbinic law, not the literal Torah, i.e. the law of Moses, a point to be discussed further in a moment. Second, the jurisdiction of the *ritus iudeorum* was quite limited and did not translate to other parts of family law, such as inheritance or orphan law, which remained squarely in the realm of Venetian private law. Thus,

private and public taxes. Jacoby, “From Byzantium to Latin Romania,” 15, 21. In the courtroom, Greek subjects could expect multiple codes of law to be accessed within the single legal framework of the Venetian court, and that Venetian law would not necessarily be favored. Chryssa Maltezou notes a case heard before the Cretan ducal court in which the grown sons of the late Greek Stamati de Portu successfully argued that a land-sale agreement conducted by their father sixteen years earlier, which blocked a sale they wanted to make after his death, was illegal and invalid because the local “*tradicio*” had not been observed. The Venetian court agreed, annulling the father’s original, Venetian-style contract in favor of the sons’ sale done according to local custom! Therefore, the ability to call upon local custom provided a ready out in cases where Venetian or other custom had been followed, but which was now deemed unsatisfactory to one of the parties. Maltezou, “Byzantine ‘consuetudines’ in Venetian Crete,” 273. Greek custom also took precedence in certain family law matters, for example when a conflict arose over a dowry. McKee, *Uncommon Dominion*, 28.

⁹⁰ Jacoby, “From Byzantium to Latin Romania,” 19.

⁹¹ For one example, see ASV Duca di Candia b. 30 bis, r. 27, fol. 54r (16 Sept. 1406). Also see chapter six.

when Joseph Ferer swore an oath to care for (i.e. act as legal *tutor* for) his orphaned granddaughters, he swore according to Jewish law—*secundum legem moysi*—with the understanding that only such a vow would be binding on a Jew. But the content of his oath bound him to care for the children in accordance with Venetian statutory law.⁹²

Like Jewish oaths, Hebrew language contracts were permissible in court, regardless of the subject matter. But if the tools of *lex moisis* were fairly clear, the application of *lex moisis* was fluid and highly subjective. One local judge's conception of legitimate consideration of Jewish custom was not always in line with the thinking of those further up in the appeals chain. In the mid-fourteenth century, for example, the *Quarantia* in Venice heard a strange case from Venetian Negroponte, another center of Jewish life in the *Stato da mar* in which the “law of Moses” was meant to be upheld for Jews—in the correct situations.⁹³ One Jewish family (the Kallomitis) had owned another Jewish family (the Galimidis) as serfs for seven decades, since the 1260s. Members of the serf family sued for freedom in the court of the *bailo*, the Venetian colonial governor, which was Venice's highest court in Negroponte. Empowered to make decisions according to local and ethnic custom, the *bailo* chose to look to Jewish law to adjudicate this dispute, and decided according to his understanding of biblical precedent (the law of the Hebrew slave in Exodus 21:1-6) that a Jew had to free his Jewish slave after seven years.

⁹² ASV Duca di Candia, b. 30 ter, r. 30, fol. 20r (10 Dec. 1415). Ferer's daughter Astruga, the children's mother, died recently before this naming of the *tutoria*; her husband had died a few years before.

⁹³ Silvano Borsari, “Ricchi e poveri nelle comunità ebraiche di Candia e Negroponte (secc. XIII-XVI),” in *Ricchi e poveri nella società dell'oriente grecolatino*, ed. Chryssa Maltezou (Venice: Hellenic Institute of Byzantine and Post-Byzantine Studies, 1998), 221-22. Jewish serfs are attested on Negroponte from the Byzantine period on. See, for example, a case in which the eleventh-century emperor Constantine IX Monomachos granted fifteen formerly free Jewish families to a monastery on Chios as serfs. Amnon Linder, “The Legal Status of Jews in the Byzantine Empire,” in *Jews in Byzantium: Dialectics of Minority and Majority Cultures*, ed. Robert Bonfil, et al. (Leiden: Brill, 2012), 208. Jewish ownership of Jewish serfs, however, seems to be an unusual phenomenon, and as Baron has remarked on this case, “Pending further clarification by some new documents, it must be regarded as a singular exception.” Baron, *Social and Religious History*, vol. 17, 14-15.

The Galimidis were free. Unfortunately for the newly freed serf family, the Kallomitis were not satisfied with this ruling, and appealed it all the way up to Venice's supreme court. There, the judges of the *Quarantia* decided that biblical precedent was not exactly what they had meant when they said that local judges could decide based on local custom. In fact, they stated, this use of biblical precedent was against God and justice, against the laws and customs (*ordines et consuetudines*) of Negroponte, and was even against the commission of the *bailo*. The *Quarantia* thus overturned the Galimidi family's free status, sending them back to their co-religionist masters. In this case, the literal *lex moisis* did not win a place in Venice's hierarchy of just law.

Legal Flexibility for Jews: Between Protection and Limitation

Aside from the problems which arose from the disconnect between local judges' prerogatives and the ideals of the metropolitan judiciary, other potential limitations of such application of "traditional" law to colonized subjects obtained here as elsewhere, as Sally McKee has noted. Considering the Gaelic Irish who "were governed according to their own traditions, customs, and laws that had grown out of native conditions," she remarks that "this policy had the effect of locking them into a socially and economically inferior status."⁹⁴ Likewise, there is no doubt that Jews and Greeks fell into a social and economic status far below that of Latin colonizers. In Venetian Crete, then, when Jews and Greeks were able to marshal Venetian law alongside local custom, this sort of legal pluralism at times empowered and at times limited them.

To the benefit of the Jewish community, the supreme value ascribed to this flexible judicial ideology even at times overrode papal pretensions and Catholic law. Following an attempt by a papal inquisitor to persecute an important member of the Jewish community in

⁹⁴ McKee, *Uncommon Dominion*, 16.

Candia in 1314, which the Cretan duke prevented, Venice requested from legal jurists an opinion on the jurisdiction which should be granted to inquisitors vis-à-vis the Jews.⁹⁵ The jurists confirmed that Jews were entitled to their ancestral customs. Incidentally, the same juridical opinions asserted that Venice's secular courts had the sole right to prosecute Jews, thus using its jurisdictional exclusivity as a way to protect (and, to be sure, control) even its most problematic subjects. As we will see in chapter six, accommodation of Jewish law and custom could even override basic Catholic doctrinal prohibitions, such as divorce and bigamy.

Nevertheless, the exclusivity of Venice's jurisdiction addressed by the jurist above suggests one of the ways in which Venice's broad bestowal of justice upon its Jewish subjects simultaneously acted to seriously limit Jewish communal power and independence. The Jewish corporate institution, as we saw in chapter one, was given certain rights to self-governance and was likewise imposed upon to collect the communal imposts. Venice's exclusive jurisdiction over law, particularly criminal law and the enforcement of its punishments, prevented the *universitas* from presiding over many internal legal issues which would have been left to the discretion of Jewish corporate bodies in other places in medieval Christendom. In thirteenth-century Burgos, for example, the *aljama*, as the Jewish corporate organization was called in Iberia, was empowered to fine those guilty of "assault and vilification."⁹⁶ Similarly, the Council of Lithuania was empowered to inflict corporal punishment for a wide range of presumed religious vices, including those found to have married in secret.⁹⁷ In Crete, the same inappropriate wedding is forbidden in an ordinance *Taqqanot Qandiya*, yet the Cretan

⁹⁵ Jacoby, "Venice, the Inquisition," 134-35.

⁹⁶ Biale here quotes Baer in the former's *Power and Powerlessness in Jewish History* (New York: Schocken Books, 1986) 79. Biale quotes the English translation of Baer's work: Fritz (Yitzhak) Baer, *The History of the Jews in Christian Spain*, trans. Louis Schoffman (Philadelphia: Jewish Publication Society, 1961), 1:235.

⁹⁷ Biale, *Power and Powerlessness*, 80-81.

leadership's inability to enforce their ban resulted in more bark than bite; in the first decade of the sixteenth century, Candia's Jewish leaders could only threaten excommunication upon those who commit this misdeed.⁹⁸ Venice's broad jurisdiction certainly offered benefits, and Jews could expect to have Jewish family law respected in the Candian courtroom, but from the perspective of the Jewish leadership organization, Venetian sole jurisdiction limited the ability of Jews to deal with intracommunal issues inside the framework of the community.

Conclusion: Justice and the Myth of Venice

The Venetian justice system was undoubtedly complicated, but could be bent to meet many of the needs of those who used it—noble, citizen, and subject alike. Traditionally, scholars have tended to view the benefits of the civil aspects of the system as a patrician prerogative. As O'Connell writes, "A Venetian patrician's ability to navigate the often serpentine paths of Venetian legislation and justice could be a great help to an individual subject or to a community as a whole."⁹⁹ To be sure, bringing suit was not cheap, and thus one had to be solvent to take real advantage of the civil court. Yet the very structure of the system and the evolving notion of justice for subjects ensured that it was not only patricians who could gain from access to Venice's councils and courts. Subjects, too, gained significant control over their disputes by marshaling Venetian justice. This was surely, in part at least, an intentional by-product—a visible piece of propaganda on which the Republic could carry through and show its benevolence, securing loyalty and social quiet. This imperial pragmatism thus served both colonizer and colonized, facilitating a symbiotic relationship which could empower both even

⁹⁸ *TQ* no. 70, pp. 72-74.

⁹⁹ O'Connell, *Men of Empire*, 6.

within the decidedly uneven power dynamic which defined the colonial environment. That is to say, if justice was a propaganda piece, it successfully met its goal of attracting those to whom the campaign was aimed. Such was the case with Jewish subjects across the dominions, including the Jewish community on Crete and in other colonies, a theme which will continue to concern us in the following chapters.¹⁰⁰

Sometimes disputes outside the realm of the Jewish question affected and protected the community, but this must be read as part and parcel of Venice's interpretation of its own interests. Venice's protection of the Jews against the Roman Church's Inquisition, for example, must be understood as part of the Serenissima's attitude that the Inquisition was "a direct challenge to its own authority."¹⁰¹ Frederic Lane has noted that, in practice if not in intention, Venice's non-intrusive flexibility translated into a philosophically hands-off approach. "Venice was far from being any champion of freedom of thought in principle... But men of a great variety of views succeeded one way or another in living in Venice pretty much as they pleased, thinking as they pleased, so long as they did not attack the government."¹⁰² Likewise, the ability of Jews

¹⁰⁰ That the Venetian system was known widely to benefit Jews can be seen by the fact that, by the thirteenth century, Byzantine Jews sought shelter under the banner of *La Serenissima*. In the years following the recapture of Constantinople from the Latins in 1261, tempted by the promise of exemption from Byzantine taxes and jurisdiction, Jews who were previously imperial subjects sought the title of Venetian (and to, be sure, Genoese) national. The Palaeologan Emperor Andronicus II (r. 1282-1328) "complained that numerous Venetian Jewish craftsmen" working in Constantinople "were in fact imperial subjects from the provinces who, after settling in the city, had obtained Venetian status there." David Jacoby, "The Jews of Constantinople and their Demographic Hinterland," in *Constantinople and its Hinterland: Papers from the Twenty-seventh Spring Symposium of Byzantine Studies, Oxford, April 1993*, ed. Cyril Mango and Gilbert Dagron (Aldershot: Varorium, 1995), 229. To be sure, part of the Jewish decision making in this situation was economic; for those working with fur and hides, at least, Venetian subjects were fully exempted from imperial taxation, while Byzantine subjects were not. Jacoby, "Venice and the Venetian Jews," 39. Nonetheless, it seems clear to those who sought Venetian nationality believed that the overarching picture of life under Venetian sovereignty was more pleasant, in more ways than just economic, than under the Emperor's rule.

¹⁰¹ David Jacoby, "Jews and Christians in Venetian Crete: Segregation, Interaction, and Conflict," in *"Interstizi": Culture ebraico-cristiana a Venezia e nei suoi domini dal Medioevo all'Età Moderna*, ed. Uwe Israel et al. (Rome: Edizioni di Storia e Letteratura, 2010), 257.

¹⁰² Lane, *Venice: A Maritime Republic*, p. 395. The interplay between the Latin church and secular governments, however, did not always create maneuvering space for Jews. At times, Jews were caught as pawns between the two

to marshal Venetian law and justice, thereby obtaining for the community and the individual a more tolerable life, stemmed in large part from Venice's inherently ideological approach to justice and unusual approach to law, a policy not aimed at Jews but readily adopted by them.

An important if incidental consequence of governmental insistence that Jews gain judicial access and due process was that it helped protect the Jews of Candia from the massacres and uprisings which plagued other parts of Christendom. Real anti-Jewish activities did take place occasionally during the time period of this study. I have previously mentioned the massacre of Jews in the town of Castronovo by rebels during the St. Tito Revolt in 1364. In 1538, Greeks rioted with the intent to massacre Candia's Jews, whom they suspected of hiding Turks, but Venetian military intervention stopped the event.¹⁰³ In both cases, popular Greek animosity toward the Jews was sparked by (in the 1364 case) or mitigated by (in the 1538 case) a trusting alliance between Jews and the Venetian government. The Jewish relationship with the colonial administration and its judiciary, then, gives us one insight into the difference between this locus of Jewish settlement and that found in other contemporary locales. If it is a truism that medieval Jews, "who were often close to the centers of power, had much more to fear from popular uprisings than they did from established authority," it still must not escape our notice that in Crete, the established authority was not willing to let the popular uprisings undermine Jewish communal security (or its own colonial authority).¹⁰⁴ But more significantly, it would not let the

sides. Such was one of the limits of Jewish freedom in Candia. In particular, Venice's ongoing love-hate relationship with the Papal See could suddenly jolt the community out of its stable symbiosis with the *Serenissima*. The ban on ship-owners from taking on Jews or their merchandise to the Levant in 1429 stemmed from a papal bull from Pope Martin V; in this case, Venice chose not to fight the ban. (See Noiret, *Document inédits*, 329).

¹⁰³ Recorded by Elia Capsali in *TQ* no. 99, pp. 118-28, in which the community is ordered to celebrate a special local Purim (a holiday of celebration of being saved from massacre, modeled on the holiday of Purim which celebrates the story of Esther) each year on 18 Tammuz.

¹⁰⁴ David Biale, *Power and Powerlessness*, 66. For a seminal view on the protective relationship between Jewish communities and states, known as the "royal alliance"—i.e. a relationship forged in particular with monarchies—see

popular uprisings take place at all; dispute was meant to be relegated to the proper judicial channels, for reasons related to its own colonial circumstances and ideologies.

The strange lamb crucifixion libel of 1451 discussed above places the difference between the Venetian approach on Crete and other locations across Christendom in high relief. Undoubtedly, the Jewish community found the death of two leaders and the repeated trial of a number of others traumatic. But the scale and the majority's approach to this blood libel was quite different from that of other blood libels across Europe. First, let us note that the response to these accusations involved a judicial process, and not rioting by the masses, such as the massacres of 150 Jews by mobs in London and York in 1190 following claims of blood libels around England. Moreover, the result for the Candiotte case was an acquittal (twice)—far different than the public burning of over thirty Jews in Blois, following a blood libel there in 1171, the execution of eighteen Jews following the accusation of the murder of Hugh of Lincoln in 1255, or—closer in time and place—the fifteen Jews burnt to death for the supposed murder of Simon of Trent in 1475. In contrast, as well, child murder accusations across Germany did not merit judicial examination, but relied on miracle accounts to condemn Jews, who were summarily and publicly executed.¹⁰⁵

Yosef Hayim Yerushalmi, *“Diener von Königen und nicht Diener von Dienern”*: *Einige Aspekte der politischen Geschichte der Juden* (Munich: Carl Friedrich von Siemens Stiftung, 1995). A comparison between royal and republican state relations with medieval Jews would be worthwhile, though outside the scope of the present study.

¹⁰⁵ For a comprehensive, if traditional and Christianocentric view of the blood libel claim, see the recent study by Darren O'Brien, *The Pinnacle of Hatred: The Blood Libel and the Jews* (Jerusalem: Magnes Press, 2011). On the blood libel in Ashkenaz (including the German cases and Blois), see Israel Yuval, *Two Nations in Your Womb: Perceptions of Jews and Christians in Late Antiquity and the Middle Ages*, trans. Barbara Harshav and Jonathan Chipman (Berkeley: University of California Press, 2006), chapter 4, 135-204, and esp. 159 ff. Yuval's view finds the origin of the blood libel in Jewish-Christian contacts, though he in no way “blames” the Jews for it. For another, highly influential, view which reads Jews as disconnected from the Christian accusation, see Gavin Langmuir, *Toward a Definition of Antisemitism* (Berkeley: University of California Press, 1990), Part Four, pp. 195-298, which also addresses the earliest English ritual murder accusations on pp. 209-262. For an account of the continuation and new significance of the blood libel in early modern Germany, see Ronnie Po-chia Hsia, *The Myth of Ritual Murder: Jews and Magic in Reformation Germany* (New Haven: Yale University Press, 1988).

To be sure, the Jews of Candia were “only” accused of crucifying a lamb, not a child (though the Venetian records suggest that the accusers believed the Jews chose a lamb because they could not find a child), but that is precisely part of the point: in Candia, no accusation of a ritual murder of a human being was ever leveled against the Jews, and when a similar accusation regarding a symbolically potent animal was made (quite late in the scheme of these accusations), the government apparatus took it on as a legal matter, refusing to let it spark public riots or a massacre. Venetian “justice” and the rule of law as it was understood and respected by the Venetian authorities offered Crete’s Jews a benefit which, if not a panacea, certainly could protect the community as a whole (despite the undeniably horrific reality of torture and death for a few).



From the start, the Venetian legal project faced a tension of opposing goals. On one side stood the impetus to unify law, to create one approach despite the distance and cultural differences separating the metropole from its many dominions. On the other stood an inherent tendency toward flexibility which had always characterized Venice’s approach to law: a flexibility which valued abstract ideals of justice, equality, and reason above the letter of the law. The very project of creating a codified statutory code illustrates this tension in the person of Doge Jacopo Tiepolo and his prologue to the first edition, as he consciously limited the authority seemingly inherent in the volumes he himself was publishing. The seeming contradiction of these two tendencies, however, appears to have fostered a unique situation which accommodated not only the aristocratic ruling class, but also empowered the popular classes—and even colonial subjects—to seek justice, sometimes even according to their non-Venetian norms, and to receive due process.

The historiography of Venetian justice which addresses this accommodation of non-patricians has, in some ways, idealized the Venetian system, buying into the myth of Venice as the most serene, and serenely just, Republic, almost despite itself. To be sure, the resulting depiction of these patricians is not, in the end, flattering. As Stanley Chojacki has noted, this narrative sees the implementation of Venetian justice “as a means of preserving the Venetian establishment—the patrician regime—an end that the wily patricians were flexible enough to serve by bestowing upon the popolo tokens of equality before the law, security from outside attack, and a share in the state’s security.”¹⁰⁶ Yet, although the intentions of the Venetian patriciate in providing access to justice and flexible law were not nearly as pure as their ideological mouthpieces would have their readers believe, the subjects who utilized their judiciaries could nevertheless harness the power of the court for their own needs, benefits, and motivations. If the Venetian colonial administration of Crete thought that the bestowal of justice promoted a pacified populace, this did not mean they would have a passive populace.

In the next three chapters, then, I will look at some of the ways in which Jews actively consumed justice, though not by responding to criminal charges lobbied by the government, or by appealing fiscal burdens also imposed by the Venetian regime. Instead, I will explore the Jewish use of Venetian civil courts to address problems which in fact did not relate in any way to laws or acts of the colonial government. Civil courts were an essential part of the Venetian justice apparatus, but they facilitated the airing of disputes which was not oriented along the lines of government/subject, but between two subjects. For Jews, then, Venetian justice could provide the space for wholly intracommunal fights and family squabbles, disputes in which the players were all Jewish even if the rules of the game were decidedly not.

¹⁰⁶ Chojacki, “Crime, Punishment,” 188.

Chapter Five: Jew versus Jew in Secular Court

It was a truth universally acknowledged that the Jews of late medieval Venetian Crete were highly litigious. Both Venetian and Jewish sources complain about rampant and sometimes problematic use of the court system. In many ways, Venice welcomed this wide use of its judiciary. As the previous chapter explored, access to the justice system played a primary role in Venice's self-definition as a benevolent colonial power, and its Jewish policies ensured that its subject Jews would indeed have the rights to utilize the judiciary. But this did not mean that Venice had to like how its justice system played out in the hands of its subjects. The Venetian complaint, at least in one version read out by a town crier in 1321, was not that Jews chose to bring suits on illegitimate grounds, but rather that they made the courthouse date into a spectacle. In July of that year, the town crier was ordered to proclaim that any Jew who brought a case before any Cretan court (*in curia domini duche vel in aliquibus curiis quorumcumque officialium*) must limit his companions to the *condestabulo* and two or three companions who were close enough to the claimant to be allowed to legally plead or submit petitions for him or her.¹ The ostensible pre-history to this, it seems, is a roomful of potential character witnesses, moral supporters, and voyeurs clogging up the wheels of justice—or at least giving a headache to the judges.

Among the Jewish leadership of Candia, on the other hand, the source of criticism against the misuse of the Venetian court system lay not in the eagerness of access to the court—that is to say, not in Jews using secular courts in general or too much—but instead in the timing of suits. Jews were so eager to bring their fellow Jews to court that they were even doing so on Friday

¹ Paola Ratti Vidulich, ed. *Duca di Candia: Bandi (1319-1329)* (Venice: Il Comitato, 1965), no. 304 [69] (14 July 1321).

(Sabbath eve) and on the eves of holidays, which had created a situation in which the court case would continue past sundown, into the holiday, causing a serious religious transgression. This sentiment already weighed heavily on the authors of the first set of Hebrew ordinances dated to late summer 1228:

In order that everyone will be happy in his rest [or: on his Sabbath], he and his children and his wife, and all of his entourage who accompany him, and each one cannot mold what will be his own verdict, we have decreed that no one is allowed to bring a lawsuit against his fellow Jew, from noon forward, whether before the gentile [court] or the Jewish [court].²

As in Venice's 1321 complaint, it is not the fact of using the court that is problematic. That much is taken for granted. Instead, the problem lies in the way in which Jews access justice without consideration of other factors. In fact, the reference to "all of his entourage" may echo the sentiments of the Venetian court: a trip to court meant a horde of other people accompanying the litigant.³ This ordinance, meant to be binding upon all Cretan Jews, suggestively places the use of the Venetian court before reference to the Jewish rabbinic court, or *beit din*, tacitly if unintentionally approving of the use of either option. Indeed, the reference to the Jewish court is likely superfluous, as rabbinical judges would not likely allow their cases to extend past the start of Sabbath.

Such blatant acceptance of Jewish recourse to the secular court does not map onto the rabbinic theoretical conception of Jews and justice. In fact, it seems that the communal leadership of Candia was acting in opposition to the prevailing, canonical opinions of the great rabbis of the age that recourse to secular courts was forbidden. Over the course of the tenth through fifteenth centuries, as influential rabbis developed systematic theories of how Jews

² *TQ* no. 10, p. 5.

³ On the other hand, this list of people may be those for whom the litigant is responsible to ensure a peaceful Sabbath.

should live and function communally under non-Jewish sovereigns, retaining as much intracommunal control as a community could muster became a major element of many of these political philosophies.⁴ A major figure in this articulation was the Catalan rabbi Solomon Ibn Adret, who, along with the German Rabbi Meir of Rothenberg, wrote the *responsa* that most comprehensively explicate both the legitimation of the corporate project, and its practical applications.⁵

Though both sets of writings probably influenced Cretan Jewry, as they did Jews across Christendom, Adret's opinions were especially sought by Candiotte Jews, to whom he addressed at least two *responsa*.⁶ Across his corpus of *responsa*, Adret wrote powerfully about the need for the Jewish *kahal* across Christendom to retain as much autonomy as possible; autonomy and legitimacy were, for him, two sides of the same coin. One of the key tenets of maintaining this self-sufficiency was the principle of dealing with internal grievances internally. In short, no intra-Jewish fights should play out in a secular court, but must rather be settled by Jewish judges

⁴ While the impetus for the creation of medieval Jewish communal organizations across Europe and North Africa stemmed from the same historical phenomena as contemporary corporate associations, such as the ubiquitous guilds and confraternities which sprung up in the Christian world, the rabbis couched their *kahal*'s origins in Talmudic terms. For the rabbis—concerned to not overstep the biblical prohibition against creating new laws—the authority of Jewish townspeople to make decisions about their own communal life, produce ordinances, and enforce them came via canonical passages in the Babylonian Talmud: BT Gittin 36b authorized the power of the Jewish court; BT Yebamot 30b authorized townspeople to organize and enforce functions which were indisputably necessary, for example defense and charity; and BT Baba Batra 7b-9a allowed occupational corporations, such as butchers and bakers, to make group statutes and enforce them. See Yacov Guggenheim, “Jewish Community and Territorial Organization in Medieval Europe,” in *The Jews of Europe in the Middle Ages (Tenth to Fifteenth Centuries)*, ed. Christoph Cluse (Turnhout: Brepols, 2004), 76. Though the rulings which set out a theory of a semi-autonomous Jewish corporate organization were often formulated inside *responsa* to particular questions, the rulings were intended to – and indeed did – carry weight beyond the confines of the specific case. For more on this political philosophy, see Menachem Lorberbaum, *Politics and the Limits of Law: Secularizing the Political in Medieval Jewish Thought* (Stanford: Stanford University Press, 2001), esp. pp. 95-96.

⁵ Lorberbaum, *Politics and the Limits of Law*, 95-96. Quote on p. 95.

⁶ Joshua Starr, “Jewish Life in Crete under the Rule of Venice,” *Proceedings of the American Academy for Jewish Research* 12 (1942): 105. These two *responsa* deal with questions regarding proper use of phylacteries, and the use of an agent to sign a document. Another Cretan Jew, one Solomon of Candia, is addressed in a *responsum* written by the great Nissim Gironi, also a Catalonian, in the mid-fourteenth century.

and arbiters. Because legitimacy only came with autonomy, the *halakhic* implications were enormous. He stridently wrote that, if Jews do seek recourse for internal matters with the non-Jewish court, “you void all the *takkanot* of the community; and the customs [*minhagam*] of the communities are Torah.”⁷ For Adret, recourse to the secular court undermined and invalidated the internal Jewish set of communal ordinances, and because these ordinances attained the status of *halakhah* (since custom becomes Torah), the undermining of the *taqqanot* was a grave sin. Yet this single sin was not the only concern. Adret and other rabbis also feared for the socio-religious implications of Jewish use of secular adjudication: as Lorberbaum has put it, paraphrasing Adret, “if Jews had no option but to appeal to the local gentile courts to conduct their daily affairs, they would quickly assimilate into the surrounding culture.”⁸

Nevertheless, despite the warnings of Adret and others, scholarship has begun to illustrate that Jews across the Mediterranean chose to air their grievances with one another not in a *beit din*, a Jewish court, but in the halls of justice administered by their current sovereign.⁹ As a *gaon* (academy leader) in Palestine asked in a letter written around 1030 CE, should we excommunicate “those who go to litigate before the Gentiles and claim inheritance according to

⁷ Quoted in translation in Lorberbaum, *Politics and the Limits of Law*, 98. Italics in the original.

⁸ Adret is here paraphrased by Lorberbaum, *Politics and the Limits of Law*, 99. The original responsum can be found in Solomon ibn Adret, *Responsa* (Bnei Brak: Sifriyati, 1981), 2:290 [Hebrew].

⁹ For Spain, see Yom Tov Assis, “Yehudei Sepharad be-arkhaot ha-goyim (ha-mayot ha-13 ve-ha-14)” [Spanish Jews in Gentile Courts (Thirteenth and Fourteenth Centuries)] in *Tarbut ve-khevra be-toldot yisrael be-yemei ha-beinayim* [Culture and Society in Jewish History in the Middle Ages], ed. Robert Bonfil et al. (Jerusalem: Zalman Shazar Center, 1989), 399-430. For Jews in Provençal courts, see Joseph Shatzmiller, “Halikhatam shel yehudim l’arkhaot shel goyim be-Provanz be-yemei ha-beinayum” [Jews Going to Gentile Courts in Provence in the Middle Ages] in *Divrei ha-kongress ha-olami ha-khamishi l’mada’ei ha-yahadut* [Proceedings of the Fifth World Congress of Jewish Studies], ed. Pinchas Peli et al. (Jerusalem: ha-Igud ha-‘olami le-mada’e ha-Yahadut, 1972), 2: 375-81. For the Muslim Mediterranean, see Uriel Simonsohn, *A Common Justice: The Legal Allegiances of Christians and Jews under Early Islam* (Philadelphia: University of Pennsylvania Press, 2011). Simonsohn’s model will be discussed extensively below.

their laws, [while] many who are found in disadvantage litigate before the Gentiles?”¹⁰ The ubiquitous occurrence made the gaon's question a rhetorical one. Joseph Shatzmiller has stressed that Jews in Spain and in Ashkenaz, and indeed throughout Christendom, “turned to the Christian judicial system if they felt that their case would be heard either more favorably, or in a more timely manner.”¹¹ This trend stretched beyond Latin Christendom as well; the Palestinian gaon above directed his criticism at those Jews living under Muslim rule who took advantage of Muslim courts to litigate with their fellow Jews.

Salo Baron, writing before scholars had discovered archival evidence of widespread Jewish litigation in secular courts across Latin Christendom, suggested that the Cretan tradition of regularly approaching secular courts, to the apparent neglect of a Jewish judiciary, stemmed from Byzantine times and was prevalent throughout the Byzantine Empire's Jewish communities.¹² And indeed, by necessity and law, Byzantine Jews accessed the imperial judiciary quite often. As early as 398, the eastern emperor Arcadius mandated that Jews were subject to regular imperial courts for all issues concerning *forum et leges et iura* (“courts, laws, and rights”).¹³ The work of Shatzmiller and others, however, indicates that Cretan Jewish

¹⁰ Moshe Gil, *A History of Palestine, 634-1099* (Cambridge: Cambridge University Press, 1992), doc. 121. Quoted in Simonsohn, *A Common Justice*, 174.

¹¹ Joseph Shatzmiller, *Jews, Medicine, and Medieval Society* (Berkeley: University of California Press, 1994), 94.

¹² Salo W. Baron, *A Social and Religious History of the Jews*, vol. 17: Byzantines, Mamluks, and Maghribians (New York: Columbia University Press, 1980), 48.

¹³ In religious matters, as Arcadius wrote regarding “their superstition,” they “shall litigate before the Heads of their religion only on what concerns the discipline of their religion, so that they shall observe among themselves what was established in the Hebrew laws.” This ruling also gave to the Jewish court jurisdiction over non-religious civil cases between Jewish litigants. Though this final clause may seem generous, it seems that Jewish authorities had wide jurisdictional powers, sometimes even over non-Jews. Yet in retrospect, Arcadius' Jewish judicial policy was indeed generous. Justinian virtually eradicated judicial autonomy for Jews, reinterpreting earlier law to order that all cases, including religious ones, should be remanded to imperial courts. The important ninth-century law code, the *Basilica*, reconfirmed Justinian's approach to Jews and court jurisdiction. While it is certainly possible that Jews sometimes came together to arbitrate internally, legally they were prevented from any form of internal juridical control. See Amnon Linder, “The Legal Status of Jews in the Byzantine Empire,” in *Jews in Byzantium: Dialectics of Minority and Majority Cultures*, ed. Robert Bonfil, et al. (Leiden and Boston: Brill, 2012), 149-218 esp. pp. 159-61 and 186.

decisions to litigate in secular courts ought not be seen as a product of the Byzantine milieu alone, nor the result of sovereign force: Jewish communities in Latin Christendom often had broad rights to internal justice, yet they still often chose the secular route.¹⁴ Thus, like their co-religionists from the Atlantic coast to the far edges of the Black Sea, Crete's Jews adopted the habit seemingly without concern for Adret and his contemporaries' prohibition.

If Jews were offered a choice of judiciaries, as they were in Crete and in many parts of Latin Christendom, why did they often choose to put their faith in secular justice? How did they rationalize this behavior, and what psychological or other motivations may have played a role? What internal justification was given for choosing the traditionally fraught one? This chapter will consider some answers to these questions, first by returning to the Venetian rabbinic context and its understanding of the Jewish principle that “the law of the land is [valid] law.” Then I step outside the frame of religious discourse and suggest that Jewish recourse to the secular judiciary satisfied social, psychological, and institutional needs. Finally, this chapter considers the subjects of the mundane and most common types of suits that the Jews of Candia brought against one another: business deals gone sour, inheritance squabbles, and property fights among neighbors.

Internal Justification: *Dinah De-Malkhutah Dinah*

For more nuanced attitudes toward secular law among communal leadership, let us look at further interpretations of rabbinic norms, and particularly the perspective and behavior of the Jewish community in Venice itself as regards the Talmudic maxim coined by the sage Samuel, “*dinah de-malkhutah dinah*,” or “the law of the land is [valid] law.”¹⁵ This principle is

¹⁴ For an optimistic overview of Jewish agency and autonomy, see David Biale, *Power and Powerlessness in Jewish History* (New York: Schocken Books, 1986), 77-83.

¹⁵ The first formulation of this maxim can be found in BT Gittin 9b, in which Shemuel argues that, when Jews live under a non-Jewish sovereign, all secular transactions, i.e. those necessitating deeds, should be dealt with according

understood by the rabbis to mean that, in specific cases (namely property and business law), Jews living as minority subjects must adhere to the legal structures of their secular rulers.¹⁶ The rabbis limited the legitimacy of secular rulers' laws by juxtaposing this principle against another concept, *hamsanutah de-malkah*, or "the robbery of the king": if a law was deemed by the Jewish establishment to be arbitrary or unethical, or if a royal whim undermined the laws on the books, Jews could safely (at least in a religious context) ignore the mandate.¹⁷ This principle of *dinah de-malkhutah dinah* was usually applied broadly to obligatory secular laws, such as taxation, sanitation, or real estate laws. Indeed, the famed fourteenth-century Catalonian rabbi Nissim Gerondi (Nissim of Gerona; known as the Ran) wrote that, when it came to secular taxation, "the question needs no deliberation, for certainly concerning tax matter we follow the custom," i.e. the local secular law, "even if it is unlawful [according to Jewish law] [*she-lo ka-din*]." ¹⁸

The Rabbinic leadership of Venice was notoriously flexible in interpreting Jewish law according to the precept of *dinah de-malkhutah dinah*, stretching the authority of their Christian sovereign government beyond the usual bounds of the maxim. The Venetian rabbinical response to the phenomenon of Jews testating in the Venetian style, as explained by Howard Tzvi Adelman, provides a compelling example.¹⁹ As in the Candiote case, Venetian testaments "departed from Jewish tradition both in that they were made before Christian notaries and also

to the secular authority's law. (His argument contrasts with the first opinion which rejects the use of secular instruments entirely.)

¹⁶ Amos Funkenstein, *Perceptions of Jewish History* (Berkeley: University of California Press, 1993), 157.

¹⁷ Funkenstein, *Perceptions of Jewish History*, 157-58.

¹⁸ Quoted in translation by Lorberbaum, *Politics and the Limits of Law*, 132. The original can be found in Nissim b. Reuben Gerondi, *Teshuvot ha-Ran: Responsa of R. Nissim b. Reuben Gerondi* [Hebrew], ed. Leon A. Feldman (Jerusalem, Shalem Institute, 1984) volume 2, p. 14.

¹⁹ Howard Tzvi Adelman, "Jewish Woman and Family Life, Inside and Outside the Ghetto," in *The Jews of Early Modern Venice*, ed. Robert C. David and Benjamin Ravid (Baltimore: Johns Hopkins University Press, 2001), 143-65.

that they were based on the principle of granting a bequest rather than following traditional lines of succession.”²⁰ Yet Venice-based rabbis overwhelmingly defended the practice, some citing it as an example of “the law of the land,” and therefore binding—despite the fact that Jews were not obligated to testate in this way. Some rabbis even went so far as to claim that it had become in itself a Jewish custom by extremely common use, and as such, was subject to the complicated Talmudic concept that “custom takes precedence over law” (*minhag mevatel halakhah*).²¹

Utilizing the concept of *dinah de-malkhutah dinah* was in no way obvious in the case of testaments; as mentioned above, the precept usually applied only to obligatory secular laws, and the Venetian testament undermined traditional Jewish (male) succession lines. It was precisely this behavior that bothered the eleventh-century Palestinian *gaon* mentioned above. Yet the communal benefits of the secular testament were seen as so vast that the rabbis co-opted *halakhic* language in order to legitimate it. This was not a uniform practice; in direct contrast to the Venetian case, when rabbis in the Ottoman empire were asked to judge the merit of these wills (for example in cases when a male member of the family was left out of a will, and wanted to press for a portion of the inheritance based on Jewish inheritance law), they often threw them out, arguing that the secular wills had absolutely no standing.²²

But across the Mediterranean, internal legalistic language was used by the Venetian rabbis to validate the use of local, secular practices. The Talmudic idea that “the law of the land is law” provided for the Venetian Jewish communal leadership a loophole that enabled them to benefit from what they must have seen as convenient, and even superior, methods of transmitting

²⁰ Ibid., 149.

²¹ Ibid., 150.

²² Ibid., 150.

significant wealth and goods from one generation to the next. In these cases, the use of the Venetian standard, in place of the equally available Jewish standard, must have seemed to confer better benefits. The next section will consider what precisely these “benefits” were.

Choosing the Venetian Court

As I have stressed above, Jews engaged in forum shopping. That is, they had a choice when deciding where to bring their lawsuits. This was true in Candia, as it was in Venice itself in later centuries, and in lands across the Mediterranean. They were not compelled to air disputes in the secular judiciary. There was a Jewish court to which Jews could, and did sometimes, resort. Though no records from this court survive, reference to the court can be found in the ordinance of 1228 discussed above. The prose edition of these same ordinances, dated to the first half of fourteenth century, confirms the continuing existence of the Jewish court a century after the first set of decrees: “From here on out, no man among us is permitted, on pain of anathema, to make a complaint against his Jewish brother in any court [lit. house of justice], whether at the gentiles’ [court] or the Jews’ [court], on Sabbath eve and holiday eve.”²³ We learn a bit more about the sixteenth-century iteration of the rabbinic court, or at least its setting: in an ordinance from 1518, the authors note in passing that “the seats of justice” were located in the Great Synagogue, i.e. the *beit din* met there.²⁴ Beyond these references, however, we hear little about the workings of the rabbinic court.²⁵

²³ *TQ* no.17, p. 9.

²⁴ *TQ* no. 74, p. 80.

²⁵ A meeting of rabbis recorded in *TQ* no.76, p. 83, dated to 1439, may refer to a *beit din*, but on the other hand, it may simply relate to a meeting of the city’s Jewish elders without any litigants.

Ostensibly this *beit din* was a court in which judges understood not only the litigants' language, but also their mindset, their lifestyle, their religious practices, and most importantly, the religious law which affected the ways in which Jews were supposed to deal with other Jews, whether in business or in family life. Nevertheless, although the Hebrew ordinances suggest that some Jews did seek out Jewish justice, the lack of internal evidence (i.e. from other Hebrew ordinances), and the placement of the "gentile court" first in both versions of the aforementioned ordinance, alongside the lack of references to the Jewish court in the Latin records all conspire to suggest that the secular court commonly won out when a Jew was deciding between the Venetian court or the *beit din*.

In the previous chapter I discussed why secular sovereigns would want to offer ready access to civic justice to their subjects. Here let us frame our question from the other side: What motivations could have compelled the Jews of Crete out of their (ostensible) social comfort zone and to enter the Venetian *curia prosopi* for their first round of litigation, and then appear before the court of the duke himself should they choose to appeal?

In a recent study of Jewish (and Christian) use of early Islamic courts, Uriel Simonsohn argues that three main factors drove Jews in that context into the sovereign's courtroom, and not to the Jewish rabbinical court: "the weakness of Jewish judicial institutions; the advantages inherent in the Islamic judiciary; and environmental causes, namely, factors that derive from life within a Muslim majority."²⁶ We may find it useful to apply these three categories to the case of Cretan Jews, modified for the Christian setting, though we cannot take them as a comprehensive list. Let us explore Simonsohn's list, but then consider additional socio-emotional factors at play in Candia.

²⁶ Simonsohn, *A Common Justice*, 174.

Weak Alternatives: The Problems of the Beit Din

As in Simonsohn's Islamic milieu, the *beit din* in Candia appears to have been a weak institution. The impotence and unimportance of the rabbinic court is suggested by the *taqqanah* addressed above. Even the authors of communal ordinances placed the gentile court before their own. Perhaps the problem was an old one. As mentioned before, rabbinic courts in pre-Venetian Crete may not have developed fully as a result of Byzantine policies which, though recognizing the corporate rights of Jewish communities, had first an ambivalent policy toward the *beit din*, and later a negative one.²⁷ Justinianic Jewry-law "banned the Jewish judiciary," notes Amnon Linder, "but tacitly accepted Jewish jurisdiction in cases between Jews." At least in Constantinople, however, beginning "on some unspecified date" and until 1166 or so, "they established a special court for the Jews" under the aegis of the Byzantine magistrate responsible for the area comprising the Jewish quarter. This effectively eliminated the possibility of a licit Jewish court. After the period of the specialized Byzantine court, Jews had to seek justice in the secular judicial system, though they were entitled to give an oath that did not run counter to Jewish belief.²⁸ Experiencing a dedicated judiciary not too dissimilar from the Venetian model, the Jews of Constantinople were not allowed to develop a Jewish court, but were given rights of access to a Byzantine court meant for them alone. It is possible that these restrictive Byzantine policies resulted in a weak and disorganized Jewish court which, though it existed in the first half of the thirteenth century, did not find a substantial footing during the first centuries of Venetian rule.

²⁷ Linder, "The Legal Status of Jews," 162.

²⁸ Linder, "The Legal Status of Jews," 207-12.

The notion of the Candiote *beit din*'s inherent weakness also finds support in the fact that the religious leadership often sought Venetian aid in the enforcement of their legislation.²⁹ To be sure, the elite leadership could impose powerful social punishments, particularly excommunication and shaming. A typical example of this punishment scheme can be found in a Hebrew ordinance from among the rewritten decrees of Rabbi Tzedakah, dated to the first half of the fourteenth century. In this ordinance, entitled "A decree that one may not encroach on his friend's territory and evict him from his home," the authors forbid a Jew seeking housing to offer a landlord an above-market rental price if a fellow Jew is already living in that apartment, and if he has not sought prior permission from the current tenant.³⁰ Probably indicative of a severe housing shortage in the Jewish quarter, the result of such offers had led lucky landlords to evict current tenants "within a day or two days"³¹ in order to rent at higher prices to new tenants. This decree declares illegal not only the initial offering of a higher price point, but also forbids anyone to live in a house where this has been done for a full year following the event.

The punishment is a declaration of anathema (*knas brakhah*, literally, "a penalty of a blessing," a euphemistic term for a curse), which is here described in detail. The community leaders must

gather the entire community together in one of the synagogues, and there his peer [the man who was evicted] should reveal to the community what he [the landlord] did, and he [the illegal renter] is called transgressor [lit. "one who breaks through a fence"] within Israel, and there they must obligate every Jew to separate themselves from him. You shall not take part in his happy occasions, and do not come close to him in his time of mourning, and peace will be upon Israel.³²

²⁹ See below.

³⁰ *TQ* no.14, pp. 7-8.

³¹ *TQ* no.14, p. 7.

³² *TQ* no. 14, p. 8.

The very public nature of this humiliation is spelled out: the intentional gathering of the whole community, and bestowing on him an official status as a recognized law breaker or transgressor, known as one who “breaks through the fence.”³³ This status is meant to act as a curse in itself, as it refers to a quotation from Ecclesiastes 10:8 in which one who “breaks through the fence, a serpent should bite him.” He is publicly excommunicated, which not only means that he be exiled from religious venues, but also that the community is meant to ostracize him at his life-cycle events: “happy occasions” refers to births and weddings, for example; “mourning” refers to burial and the week of *shivah*, when a mourner is regularly visited, fed, and cared for by fellow members of the community. He no longer deserves such treatment.

Although excommunication could be a powerful enforcement tool in a functioning community, it in no way offered a catch-all solution. The force of this ostracism was only as strong as the elite leadership's authority at the time. If the flock chose to ignore the call for the ban, there was little that the *condestabulo* could do. If members of the flock chose to take it upon themselves to excommunicate whomever they wanted, a problem addressed a number of times in *Taqqanot Qandiya*, the leadership's only recourse was a verbal reaffirmation that this power should be left to the *condestabulo*, and a (somewhat ironic) threat to publicly shame the individuals imposing the extra-legal bans.³⁴ Likewise, there is evidence that, in some cases, Venice intervened in Jewish excommunication, either by demanding its use against the *condestabulo*'s will, or by forcing Jews to request permission to use the ban.³⁵ Evidence for this

³³ Ecclesiastes 10:8. As a rabbinic codeword for a transgressor or law-breaker, see for reference BT Bava Kamma 60b, among other locations.

³⁴ *TQ* no. 6, p. 4 (from 1228); *TQ* no. 22, p. 13 (dated between 1300 and 1363); *TQ* no. 27, pp. 14-15 (from 1336).

³⁵ For the former case, see *TQ* no. 43, pp. 34-36. A strange expression in this ordinance has led Artom and Cassuto to posit a translation reading: “We must ban excommunications in the synagogue which have been made on the order of the gentiles.” See Artom and Cassuto, *TQ*, p. 35, n. line 17.

second category comes from a 1409 court record in which seven elite members of the Jewish community come before the duke to seek the right to excommunicate those who are engaged in “the vices of adultery” which have “corrupted” the Jewish quarter of Candia.³⁶ The request indicates either that, by 1409, Jews were expected to get ducal permission before using the power of ban; alternatively, it is further proof that the *condestabulo*'s right to invoke excommunication was not an effective deterrent against bad behavior. By requesting permission, these elite men were invoking Venice's enforcement arm to help give teeth to an otherwise weak ban.

Where the Jews had recourse only to internal excommunication, Venice could use its bureaucrats, policing agents (“officers of the night”), prisons, and financial control to force a party to pay its fine or live up to its verdict. This is not to say that Venice was an Orwellian police state. Plenty of people fled their sentences, prompting angry *bandi* (town criers' proclamations) and threats of heavier fines for those harboring fugitives.³⁷ Nor was every case settled as soon as judgment was rendered, a feature of an open appeals system. But as compared to the Jewish community, Venice's enforcement was far more effective.

The elite religious leaders in Candia recognized the advantages and reality of Venice's enforcement arm. References to the communal leadership's recourse, or subservience, to Venice's power pepper the text of *Taqqanot Qandiya* from the late fourteenth century onward. In a long discourse from 1363, the community leaders decide to ban the carrying of items from

³⁶ See below, for a discussion of the court case dated to 1409 in which seven elite members of the Jewish community request permission to excommunicate those who are engaged in “the vices of adultery” in the Jewish quarter. ASV Duca di Candia, b. 30 bis, r. 28, fol. 61v (4 June 1409).

³⁷ For example, ASV b. 15, r. 1, fol. 133v (24 Mar. 1367), in which the Jew Liacho (Ligiachus), son of Vetu, and a Christian accomplice, Marcus Veto, were convicted, jailed “in the prison of the castle” (*in carcerem castelli*), and then escaped from prison. The *gastaldo* was instructed to alert Candians, including the Jews, that anyone found protecting the fugitives will serve time in prison as well.

public to private property (and vice-versa) on Sabbath.³⁸ The rabbinic understanding of the thirty-nine activities (“work”) which are prohibited on Sabbath include carrying objects from one type of domain (public or private) to another type. But as a work-around, they developed the concept of an *eruv*, an artificial boundary that, through a Talmudic loophole, would enable an area enclosed by this boundary to be considered a private domain. Though earlier rabbis had declared that the walls of the city of Candia constituted such an *eruv*, the current leadership decided to repeal the earlier permission—out of fear of Jewish infighting. Because Sabbath is a day on which Jews gather together, they may disagree and begin to fight. But this verbal brawl might escalate beyond words, or even beyond fists. In fact, the authors of the ordinance are fearful that Jews might carry, and fight with, weapons:

Lest anyone go home to get a sword [*herev*] or spear [*hanit*] or lance [*kidon*] to stir up conflict³⁹ if there were a dispensation to carry [them] in entryways, therefore we have put in place a prohibition [*issur*] to carry on Sabbath in its place, and Sabbath will remain observed respectfully. And also no one may take up an ax [*garzen*] or a sword in his hand, and he may not wave iron [*barzel*] against his friend on Sabbath, just as the sound of iron vessels was not found in the Temple during its building.⁴⁰

Apparently, at least in the decade of the 1360s, the Jews of Venetian Candia were prone to violence; or, at least, public violence concerned the Jews as it did the patrician government in the metropole around the same time.⁴¹ So as to prevent the possibility of violence on Sabbath, the *condestabulo* and his aides forbade carrying anything in order to prevent the Jews from using weapons.

³⁸ *TQ* no. 40, pp. 29-32.

³⁹ Proverbs 29:22.

⁴⁰ *TQ* no. 40, p. 32.

⁴¹ On the concern about popular violence in Venice which seems to have spiked around the same time as this ordinance, see Stanley Chojnacki, “Crime, Punishment, and the Trecento Venetian State,” in *Violence and Civil Disorder in Italian Cities, 1200-1500*, ed. Lauro Martines (Berkeley: University of California Press, 1972), 212-18.

The ultimate rationale for this law, however, deals with fear of Venetian justice:

And also so that the Jews will not fall before the laws of the authority (may its glory be raised) and be punished bodily or with fines, and that we will not be subject to ridicule in the eyes of the nations, therefore we have placed a ban on ourselves and on our children and on all of our posterity to desist from carrying, bringing out, and bringing in from property-type to property-type [*mi-reshut le-reshut*] on Sabbath.⁴²

The *taqqanah*'s authors never made a moral argument. They did not forbid carrying because fighting with swords on Sabbath was against Jewish law, against morality, or bad for the community as a whole. Instead, they put forth an argument in which they attempted to dissuade the Jews from carrying on Sabbath out of fear of Venice's punishment—both in criminal and civil court. Alongside this fear of prosecution, they suggested that public shaming before “the nations” (i.e. gentile people) should further deter potential transgressors. Instead of threatening excommunication, the leadership turned to the threat of Venice and her sovereign right to violence and punishment as a means of discouraging Jews from transgressing the Jewish ordinance. Not only expressing a fear, the leadership writing the *taqqanah* appears to marshal this fear to accomplish its own ends. It could not accomplish its goals without the Venetian government, and it was conscious of the potential of Venetian power.

One more example, also from 1363, will suffice to illustrate the scope of the Jewish leadership's recognition of its own weakness, and its reliance on the Venetian state in its own stead.⁴³ A *taqqanah* (also addressed in the introduction) forbade Candiote Jews from buying merchandise whose sale price was so far below market value that the purchaser had to know that

⁴² *TQ* no. 40, p. 32.

⁴³ *TQ* no. 43, pp. 34-36. Rulings against dealing in stolen goods were made in other Jewish communities far from Candia, suggesting perhaps a problem common across Christendom. In particular, a similar ordinance was passed in early modern Prague, and will be addressed in Rachel Greenblatt's forthcoming book, *To Tell Their Children: Jewish Communal Memory in Early Modern Prague* (Stanford: Stanford University Press, 2014), in chapter 4, n. 53. I thank Rachel Greenblatt for bringing this similarity to my attention, and for the reference to her forthcoming book.

the object was stolen. This ordinance attempts to stem the fencing of stolen goods, particularly in “silver or gold, or copper, iron, or ore [lit. “earth”], or tin, or cloth, or leather good or pearl or precious stone, turquoise, sapphire, or diamond, or silk cloth or linen or wool, and anything else worth three silver *grossi* or more.”⁴⁴ So as to protect Jews from any suspicion of such behavior, “within the community it will be forbidden to buy from any of the known ones [i.e. from the “usual suspects”], and if one wants to buy [such things], he should buy from the market and from merchants, owners of stores belonging to good men.” Once again, the authors warn their flock that such behavior creates a bad reputation for Jews among the gentiles, and makes both the average Christian and the Venetian government suspect the Jews when any item is found missing. The punishment for such behavior, however, is not excommunication; in fact, the authors explicitly mandate that no form of excommunication is allowed. There is no interest in keeping this behavior inside the community. Because of the danger to the reputation of the community as a whole, the authors decree that, as soon as he finds out about such behavior, the *condestabulo* must turn the criminal directly over to the Venetian government. Should the *condestabulo* not act, he is anathema.

However, a stronger caveat—an internal threat of sorts—is presented. The decree repeats a number of times that the *condestabulo* must not shirk this duty for any reason, even if he fears his action will harm the good reputation of Jewish virgins (a formulaic ultimate value which usually overrides other values). The final warning reads:

And if, God forbid, the *condestabulo* averts his eyes and closes his eyes from seeing the evil, whether because of flattery, or [family] relation, or love, or chasing after a bribe, and he does not report the criminal who did this evil to the authority, then the seven goodmen of the community who are appointed at that time are obligated to rebuke the *condestabulo* publicly in the synagogue and to say to his face that he transgressed the penalty-in-place-of-excommunication in

⁴⁴ *TQ* no. 43, p. 35.

that he did not notify the authority [Venice] or the owner of the lost item, on penalty of an obligatory oath. And in their keeping of this, our ordinance, then they will be innocent before God and also before Israel.⁴⁵

Alongside the recognition that the rest of the elite leadership was not always confident in the *condestabulo*'s integrity or ability to enforce his community's edicts, even when that rule was to turn over a criminal to the Venetian authorities, we witness in stark relief the limits of the Jewish institutional organization, confirming our initial hypothesis: Jews indeed sought justice at the secular court because the Jewish institution was too weak, too irregular, and had too little enforcement power to make its will be done.

The Venetian Advantage: Enforcement and Professionalism

As regards Simonsohn's second category, "the advantages inherent in the Islamic judiciary," there were, likewise, advantages inherent in using a Christian judiciary—at least, in the Venetian context. As Shatzmiller has suggested, there was always a certain pragmatic logic to choosing the secular courts. In his estimation, the Christian court expedited matters in a way that the Jewish court did not. Venice promised—and delivered—ready access to a regular court with levels of appeal. Indeed, the Venetian Curia was a full-time (that is to say, professional) court, even going so far as running a circuit to the villages "when required."⁴⁶ Elisabeth Santschi has noted the relative speed with which the ducal court closed cases, for example, never taking more than two years from inquest to judgment during the criminal trials she explored; the cases explored in this study were often concluded in a matter of days or weeks from the time of the

⁴⁵ *TQ* no. 43, pp. 35-36.

⁴⁶ David Jacoby, "Multilingualism and Institutional Patterns of Communication in Latin Romania (Thirteenth-Fourteenth Centuries)," in *Diplomatics in the Eastern Mediterranean 1000-1500. Aspects of Cross-Cultural Communication*, ed. Alexander D. Beihammer et al. (Leiden and Boston: Brill, 2008), 42.

initial complaint or crime.⁴⁷ In contrast, the *beit din* utilized judges who were the same men busy with many other aspects of communal leadership, not to mention their own businesses.⁴⁸ The ordinance against evicting a fellow Jew discussed above also hints at the inconsistency of access to the Jewish communal leadership. As they describe the proper way to punish one found guilty of causing such an illicit eviction, the signatories mandate that “the *condestabulo* or whichever of the appointed men [*memunim*] who is available on that day” should send out the call to gather the members of the *kahal*.⁴⁹ Despite their official positions, the community's very leaders were often unavailable, perhaps out of town on other business.

The regularity and consistency of the secular judiciary provided an incentive for Jews across Christendom to choose to air their disputes in that venue. What Venice's court alone offered, and which was not always available in many other Christian secular courts, was the consideration of local Jewish family law. As Tommaso Astarita has argued for village litigants in the Kingdom of Naples, when a group is able to incorporate local traditions and social structures into their sovereign court cases, they can maintain for themselves some amount of agency while simultaneously acquiescing to the formalized court system.⁵⁰ By choosing Venice's courtroom, Jews did not have to choose between the *ritus iudeorum* and the promise of enforceable justice; they could have both.

⁴⁷ Elisabeth Santschi, “Procès criminels en Crète vénétienne (1354-1389),” *Thesaurismata* 7 (1970): 83.

⁴⁸ One may think of a sixteenth century case from Ferrara, in which a fight between two Jewish bankers in 1507 was not brought before the rabbinical court for twelve years. This represents an extreme case for certain, but indicative of the irregular and erratic schedule one faced when seeking Jewish justice. See Elliot Horowitz, “Families and their Fortunes: The Jews of Early Modern Italy,” in *Cultures of the Jews, Vol. II: Diversities of Diaspora*, ed. David Biale (New York: Schocken Books, 2002), 292.

⁴⁹ *TQ* no. 14, p. 8.

⁵⁰ Tommaso Astarita, *Village Justice: Community, Family, and Popular Culture in Early Modern Italy* (Baltimore: Johns Hopkins Press, 1999). See especially pp. 52-53.

It is worth emphasizing, however, that some of the advantages inherent in the Venetian judiciary were a product of its distinct jurisdictional disorder, and not a neat duality of Jewish and Venetian law as expressed above. As addressed in the previous chapter, the appeals system benefited Crete's Jews through its overlapping courts and long-lasting strings of litigation. Edward Muir and Monique O'Connell have each emphasized the ways in which Venice's complicated jurisdiction could benefit low-status communities in the rural hinterlands of Venice and in the colonies. An appeals process facilitating a "semipermanent state of litigation" avoided a firm resolution against the rural populace, and created space for these individuals and communities to negotiate with and maneuver against powerful oligarchs. The justice system became a locus in which they could exert their own agency despite low status; a system which seemed primed to oppress them could instead be marshaled as a productive method of arbitration and negotiation.⁵¹

But we need not limit this discussion to those in the rural hinterland, as addressed by Muir and O'Connell. Jews, in particular, would be primed to marshal this system because of the multiple judicial outlets at their disposal. Particularly in civil suits, Jews could engage in forum shopping—that is, choosing where to litigate in light of perceived best outcomes. Allowed to access the *beit din* should they choose, given their own court of first instance in the *curia prosopi*, and ultimately enabled to appeal *ad infinitum* (unless explicitly ordered otherwise, as very occasionally happened) before the duke, and even before the senate in the metropole, the unending series of litigative moments provided Jews with space to maneuver and negotiate—whether the fight was against the government itself, as in Muir's discussion, or against fellow

⁵¹ On rural populations on the mainland, see Edward Muir, "The Sources of Civil Society in Italy," *Journal of Interdisciplinary History* 29 (1999): 398-99. On the parallel phenomenon in the Stato da mar, see Monique O'Connell, *Men of Empire: Power and Negotiation in Venice's Maritime State* (Baltimore: Johns Hopkins Press, 2009), 75.

Jews. The relevance of this element will become clearer as we address non-material motivations below, and when we encounter disputes which lasted for decades, through many appeals, without final resolution. But suffice it say for now, the Jews and the Jewish leadership found in the very structure of the colonial apparatus—and indeed, in its complicated, overlapping, sometimes contradictory structures—methods through which to maximize their own utility.

Feeling Venetian: Jews and the Environment of Crete

Having engaged with structural reasons as to why Jews sought out their sovereigns' courts, let us now turn to socio-cultural factors. Simonsohn's third category, "environmental factors," are motivations which stem from living life as a minority within a certain majority milieu. Using the "commitment theory" of Gideon Libson, a scholar of Jews under Islamic rule, Simonsohn argues that all minority groups become deeply invested and involved in the majority culture—as Libson says, "to the point that [the majority customs] become a commitment."⁵² In this model, emotional attachment to individual non-Jews outweighs emotional attachment to distant co-religionists, leading to Jewish-Christian alliances in the courtroom—something which could not happen in the rabbinical court. Although we have seen just how integrated Jews were into their non-Jewish environment in Part One of this study, it is worth considering again for a moment here. Jews and Christians do occasionally appear together in Venice's courts. For Simonsohn, the key evidence for these "environmental factors" occurs when Jews and Christians act as witnesses for each other. Such behavior does indeed take place in Candia. In a tantalizing record from 1371, a case between two Christian members of the de Ripa family, a Jewish woman named

⁵² Simonsohn, *A Common Justice*, 181. For "commitment theory," see Gideon Libson, *Jewish and Islamic Law: A Comparative Study of Custom during the Geonic Period* (Cambridge: Harvard University Press, 2003), 47.

Jani appears on the witness list, though her testimony does not survive.⁵³ Likewise, a Jew named Moses is brought in as a defense witness in a lawsuit between two Christians from 1378.⁵⁴ Christians likewise occasionally serve as witnesses in cases in which at least one litigant is a Jew.⁵⁵

Exploring witness lists, however, is not the only way to detect Jewish-Christian cooperation; other explicit examples of collaboration in the courtroom appear in the records. In the late 1360s, a Christian (Facino de Molino) and a Jew (Liacho Sacerdoto) were hired by and worked together to help a Jewish woman, Elea Mavristiri, recover her “*repromissa et dimissoria*”⁵⁶ in the ducal court following her bitter Jewish divorce (see chapter six).⁵⁷ They were also sued together: Elea later came to court to break her agreement with these two men, claiming that she had been pressured into hiring them and that they had not provided any benefit. The court agreed that the two men had acted inappropriately, and agreed to cancel to contract. The existence of such a pair, cooperating for a Jewish customer, fighting together against charges of fraudulent dealings, speaks to a deeper set of connections between Jews and Christians, which may have led some Jews to choose the secular judiciary path.

In the case of Elea Mavristiri, we witness a Jewish woman believing herself to have been cheated by the team of a Jew and a Christian whom she herself had hired. Indeed, the fear that a Jew might invite Christian aid when fighting against a co-religionist appears in *Taqqanot*

⁵³ ASV Duca di Candia, b. 29 bis, r. 17, fol. 35v (20 Nov. 1371).

⁵⁴ ASV Duca di Candia, b. 29 bis, r. 17, fol. 44v (26 Feb. 1378).

⁵⁵ See chapter 4.

⁵⁶ The *repromissa* is the standard dowry; the *dimissoria* seems to be a portion of a dowry brought into a new marriage by a widow.

⁵⁷ ASV Duca di Candia b. 26, r. 3, fol. 121r (27 Nov. 1368). As recorded in this case, the hiring contract is dated 13 July 1368.

Qandiya, in an ordinance from the second half of the fifteenth century.⁵⁸ Entitled “A decree that a man should not inform on [or: hand over] his friend to the violent gentiles,” it reads:

*It is a time to act for God,*⁵⁹ when I saw that sin begot sin, and it is when a man fights with his friend he brings to his aid violent ones who are not of the children of Israel, he informs on his friend to them, which is not according to the laws of our holy Torah, and nor is it like the good customs of the ruler [i.e. Venice], may it stay strong [lit: may He lift its horn], and they cause much to be ruined.⁶⁰

Although the details surrounding this ordinance are unclear, especially in light of the language of “informing,” what is made clear here is that there are Jews who, when fighting with other Jews, choose to turn to Christians for assistance instead of dealing with the problem internally.

These contacts between Jews and Christians were not limited to moments of violence. In other circumstances at the beginning of the sixteenth century, the elite leadership declared that professional relations between Jews and Christians had verged (inappropriately, in their minds) into personal relationships. Therefore, they order:

No longer may fraternization [*hithabrut*] with people who are not from among the children of Israel be tolerated in our communities, because the adolescent boys [*na'arei*] of the children of Israel are attracted to their behaviors and habits; they get involved with the gentiles and they learn their behaviors. *A fortiori* [*kal v'homer*] one should separate [from them] because of their women and daughters.⁶¹

As is traditionally understood, legislation against such cross-confessional partnerships and friendships indicates the prevalence of such behavior. Undoubtedly these associations with Christians—whether forged through business or in other ways—left an impact on the Jews of

⁵⁸ Based on the known dates of the decree's singular author, Elijah b. Moses Delmedigo.

⁵⁹ Psalms 119:126.

⁶⁰ *TQ* no. 68, pp. 69-70.

⁶¹ *TQ* no. 74, p. 80, dated 1518.

Crete, perhaps offering one more reason why they chose to litigate in the colonial courtroom, and not before their fellow Jews.

The Benefit of Neutrality

Uriel Simonsohn's three categories offer much food for thought regarding the motivations of Candia's Jews. Simonsohn's model, however, needs not exhaust the reasons for Jewish use of secular courts in this case. Indeed, another reason to access Venetian justice stemmed from the very outsider nature of the secular court which made rabbinic authorities such as Ibn Adret uncomfortable. In a fairly small minority community where the socio-economic elite play the roles of rabbis and judges, it would be difficult for someone going against the status quo to expect a fair hearing at the Jewish court. In a sixteenth-century Italian case brought before a *beit din* in Ferrara, a fight broke out "which turned largely on the question as to whether the case could be impartially tried in Ferrara," because one of the litigants, the banker Immanuel Norzi, "wielded considerable influence" over the rabbis who would act as judges.⁶² A significant concern was that if one side was a powerful elite, the rabbinic judges might be swayed. Yet even if in Candia neither side was as powerful as the banker Norzi, simple familiarity and widespread kinship ties among Jews in a small endogamous community could breed just as much bias.

In contrast, a certain impartiality could be expected in secular court, not because the Venetian court system was inherently any more unbiased than that of the Jews, but because the Venetian judges were not nearly as invested in the Jewish political wrangling which stood as the backdrop to many suits. As an outside arbiter without insider biases, old enmities and favoritisms

⁶² Horowitz, "Families and Fortunes," 292. Also see Alexander Marx, "A Jewish Cause Célèbre in Sixteenth-Century Italy," in *Studies in Jewish History and Booklore*, ed. Alexander Marx (New York: JTS, 1944), 107-54.

could simply not play a role when a Venetian judge decided a case between Jew and Jew.⁶³ For members of the small community of patrician Venetians living in Candia, perhaps cliquish biases frustrated their own attempts at impartial justice in the ducal court, but as semi-outsiders, the Jews were almost paradoxically empowered by their liminal position.

It should be noted that Jewish recourse to Venice's secular courts reflects a strategy employed by many minority groups under imperial rule. Simonsohn's *A Common Justice*, for example, compares similar behaviors by Jews and Christians in the centuries after the Muslim conquest of North Africa and the Levant. In a variation on this theme, Lauren Benton discusses occasional Muslim use of Christian arbitrators (i.e. not in a court setting) to resolve disputes in post-Reconquest Aragon.⁶⁴ Although just as for Jews the use of a Christian authority ran counter to Muslim juristic opinion, for individuals Muslims, "the strategy made sense when litigants believed that judgments made by Christian elites would have greater legitimacy and possibility of enforcement."⁶⁵ Access to a "foreign" legal system, or at least to its judges and arbitrators, offered medieval Muslims and Jews alike a mechanism by which they could call upon not only a more neutral party, but one who also had the status and authority of sovereign power behind him.

⁶³ Thomas Kuehn has articulated a similar point in his work on arbitration, arguing that those seeking arbitration sometimes chose "distant, even unknown arbitrators (e.g., lawyers)" because they "might be more evidently neutral than closely related persons who, after all, had their own view of matters and their own interests." Thomas Kuehn, *Law, Family, and Women: Toward a Legal Anthropology of Renaissance Italy* (Chicago: University of Chicago Press, 1991), 73. In a small Jewish community such as Candia, it would be difficult to find a Jewish judge who was not somehow invested in the outcome, whether for religious or social reasons.

⁶⁴ Lauren A. Benton, *Law and Colonial Cultures: Legal Regimes in World History, 1400-1900* (Cambridge: Cambridge University Press, 2002), 41.

⁶⁵ Benton, *Law and Colonial Cultures*, 41.

Social Emotions and Public Shame

A consideration of these personally motivated uses of the judiciary moves us into the world of legal anthropology—the field of exploring the human, cultural, and often emotional, elements of jurisprudence. Humans have long manipulated court systems to protect their own interests, and to act out power struggles which, strictly speaking, have little to do with the contemporary notion of “justice.” As a number of scholars have concluded, “courts must have been of some use for the disputants; we should not assume that people went to court out of a disinterested love for the law.”⁶⁶ Looking at those who “consumed” the justice offered by the courts of medieval Marseille, Daniel Lord Smail has asked why late medieval litigants would have chosen to replace their vendetta-oriented systems for pursuing conflict with a formal case pleaded before a royal official.⁶⁷ In answering this, he has emphasized the emotional benefits—imposing shame and humiliation on others, for example—afforded to those who chose to use Marseille’s judiciary.

This suggests a final reason why Jews, like their Christian neighbors, might have decided to bring disputes before the secular court system: it offered the opportunity to air grievances and to publicly impose shame and humiliation in a way that Jews perceived to be more satisfying than seeking Jewish justice. Smail has shown that the open courtroom in Marseille was quite literally open—it was centered in the city’s markets, allowing anyone and everyone to hear the

⁶⁶ See the conclusion to Wendy Davies and Paul Fouracre, eds. *The Settlement of Disputes in Early Medieval Europe* (Cambridge, Cambridge University Press, 1986), 234. Quoted in Kuehn, *Law, Family, and Women*, 99.

⁶⁷ Daniel Lord Smail, *The Consumption of Justice: Emotions, Publicity, and Legal Culture in Marseille, 1264-1423* (Ithaca: Cornell University Press, 2003), 3-24.

plaints brought before the judges.⁶⁸ Likewise, in Candia, the ducal court was held outside in the Platea, the central piazza of the city that housed all the major public buildings.⁶⁹

The court's public nature, and its function as a site of well-attended entertainment, is made clear in a Hebrew ordinance from the first half of the fourteenth century. In a scathing critique of the Jews of Candia, the decree's authors detail the disinterest that many of the community's Jews had in attending Sabbath services. "We seek even ten men," the number necessary for a proper prayer quorum, "and we cannot find them in the synagogue to fulfill the law of prayer. They are causing the *Shekhinah*⁷⁰ to be angry at us because of their avoidance of being found in the house of God at the time of prayer."⁷¹ Where, then, were these Jews if not in the synagogue? The authors answered this unambiguously: "Some head toward the vineyards and gardens and orchards, some head to the beaches to [watch] the *reed boats*,⁷² and some head to the law courts, also in the markets and in the streets, without any purpose."⁷³ The law court, like the market or the beach, was a place to spend a relaxing or invigorating morning, where one could watch the latest case unfold just as easily as he could watch the boats enter Candia's harbor. Like the courts of Marseille, Venice's judiciary offered a very public venue for the pursuit of emotional satisfaction. The ability to present a case not only to the judges but to an

⁶⁸ Smail, *The Consumption of Justice*, 33-34.

⁶⁹ Sally McKee, *Uncommon Dominion: Venetian Crete and the Myth of Ethnic Purity* (Philadelphia: University of Pennsylvania Press, 2000), 152 and 24.

⁷⁰ The *Shekhinah* translates as the "Divine Presence" on earth.

⁷¹ *TQ* no. 18, p. 9.

⁷² Job 9:26; here indicating swiftness.

⁷³ *TQ* no. 18, p. 10.

active audience of peers must have aided Jews in their decision-making when they chose to try their cases in Venice's colonial court.

Sources of Discord: Litigation beyond Business

As the ordinance of 1228 makes clear, less than two decades after Venice had sent its first military settlers to colonize and administer Crete, the Jews of Venetian Candia were regularly bringing suits against Jews and non-Jews in the relatively new Venetian courts.⁷⁴ The Jewish leadership accepted the reality of such behavior, at least to a point, as we have seen above. The same ordinance which seeks to prevent suits brought too close to Sabbath and holidays offers some insight into the types of cases Jews brought—or at least those which were deemed legitimate to bring. It notes that suits revolve around “Silk cloth, or about the business of buying and selling, or about the other issues of things and merchandise.”⁷⁵ At least as portrayed in this context, business and financial dealings were the primary stressors driving Jews to sue their co-religionists in Venice's court.

To an extent, this poetic assertion matches the ducal court records, though we must remember that the records of the court of first instance do not survive, and therefore we do not know how many, or what sort of, cases were settled in the *curia prosopi*. With this in mind, we can confidently assert that financial matters were the most common reason that Jews brought each other to court. Many cases revolve around deals gone sour. And indeed, cloth sales and the import/export of other goods could spark such fights. In spring 1402, a Candiote Jew brought suit over “a certain quantity of pepper and some cloths and Jewish books” which he was

⁷⁴ *TQ* no. 10, p. 5.

⁷⁵ Isaiah 51:11.

importing from Alexandria. He sent the merchandise with a Jew sailing to Candia while he himself remained in Egypt, but he was never able to recover the goods upon his own return.⁷⁶

Commerce was not the only kind of stressor that led to long-lasting litigation between Jews. Family strife caused by the death of a wealthy patriarch drove many Jews to sue their relatives, and these were often cases that were not easily settled through one court appearance. The illustrious Balbo family, particularly the family of Isaiah Balbo who died in the first years of the fifteenth century, fought bitterly and repeatedly in the ducal court over Isaiah's possessions. Brother fought brother, as Isaiah's sons Judah and Shabbetai did in February 1409, utilizing Shabbetai's very marriage contract as evidence of what their father wanted to hand over to each child.⁷⁷ Only a few months earlier, Judah and Shabbetai had been united in court—against Judah's own wife and father-in-law!—in an attempt to seize goods held by the defendants which the brothers claimed belonged to Isaiah's estate.⁷⁸ In 1411, Isaiah's granddaughter Tziona, here named as heir of her now-late father Judah, came to court to fight her uncle, Shabbetai again calling on evidence from previously made marriage contracts to seek a portion of her father's part of Isaiah's estate.⁷⁹ On the very same day, Isaiah's widow Chana sued Tziona to secure her dowry.⁸⁰ Settling the inheritance from a single death was complicated enough, but when a second

⁷⁶ ASV Duca di Candia, b. 30 bis, r. 26, fol. 91v: *certam quantitem piperis et aliquos panos [sic] et libros judaicos*. The date has been erased by water damage, but its placement in the register suggests that the case is from May 1402. Similar sources of discord appear in litigation between Jews and Christians. For such a case in which payment for a shipment of cloth is the central concern, see ASV Duca di Candia, b. 26, r. 5, fols. 63v-64r (18 Mar. 1427).

⁷⁷ ASV Duca di Candia, b. 30bis, r. 28, fols. 33v-34r. No date recorded; placement in the register suggests February 1409.

⁷⁸ ASV Duca di Candia, b. 30bis, r. 28, fols. 21v-22v (12 Nov. 1408).

⁷⁹ ASV Duca di Candia, b. 30 bis, r. 29, fols. 35r-37r (27 Oct. 1411). In the court records, the name of Isaiah's granddaughter is spelled as Çigio and Zyo, probably a phonetic rendering of the Hebrew name Tziona, i.e. the feminine form of Zion.

⁸⁰ ASV Duca di Candia, b. 30 bis, r. 20, fols. 40v-41v (27 Oct. 1411).

death occurred within a few years of the first, and the first estate had not been settled, any hopes for a peaceful arrangement within the Balbo family must have disappeared.

Fights over inheritance, such as that exemplified in the above case, make up a large number of the cases in which Jews fought not only other Jews, but their own relatives. They certainly outweigh in number the cases which appear in the records of the ducal court over business deals gone bad. This may be a result of the reality of appellate cases: while two businessmen might be eager to settle their financial dispute and move on, the emotional component to family fights may have led to unceasing appeals processes, resulting in a weighty historical record from the ducal court.

Though we might take for granted the use of the secular judiciary in cases of inheritance, this prevalence takes on further significance when we contrast this practice to that which was done among Jews living in the Islamic world. A letter saved in the Cairo Geniza records a letter sent by two orphan girls, who were desperate for help in obtaining their inheritance, to their Jewish congregation for assistance. In this letter, they threaten the Jewish community, hinting that should help not come from the Jews, they would turn to the non-Jewish courts for assistance: “We cry to God, may he be exalted, and to you, the House of Israel—do not leave us empty handed... You [who] excommunicate on the Mount of Olives all who obtain their inheritance through the judgments of the Gentiles.” Should they be forced to seek aid in the Islamic court, they could be subject to the local practice of excommunicating those who do so. In reminding their congregation in Egypt of the possibly severe implications of their own non-action, the orphan sisters attempted to pull at the community’s heart-strings, compelling them to act.⁸¹

⁸¹ On this document and its relevance in the context of Islamic courts, see Simonsohn, *A Common Justice*, 175.

In Crete, by contrast, the families of community elites—in parallel position to the recipients of the orphans' letters—themselves sought the aid of the secular court to resolve inheritance disputes. The Balbo family represented the epitome of the Candian Jewish religious elite; their use of the Venetian judiciary to play out this long inheritance battle illustrates the well-accepted nature of such behavior. They were not the only elite family to do so. Over the course of century after the Black Death, a number of the *kahal*'s leading families appeared in court over and over again to dispute estate settlements. In 1427, 1430, and again in 1433, for example, the children of the late Elia Astruc used the secular court to fight over dowry money left in Elia's will.⁸² Over the course of the second half of 1445, and into 1446, the widow of Sabatheus Casani (a former *condestabulo*) and his sons bickered over the dead man's estate, resulting in no fewer than ten entries in the *Memoriali*.⁸³

Aside from business discord and familial inheritance crises, Jews also often sued their co-religionists because of cases provoked by their close living arrangements, and the nature of some legally shared property features. A common water cistern, which as we saw in chapter one could provoke anxiety between Jewish and Christian neighbors, could likewise cause enmity between two Jewish neighbors.⁸⁴ Jewish neighbors likewise fought over each other's rights to renovate, especially if their properties shared a common wall.⁸⁵ Good fences make good neighbors, we

⁸² ASV Duca di Candia, b. 26, r. 5, fol. 62r (30 Jan. 1427). ASV Duca di Candia, b. 31, r. 37, fols. 102v-103r (15 May 1430). Also, b. 31, r. 37, fols. 214v-215r (10 Dec. 1433).

⁸³ ASV Duca di Candia, b. 32, r. 42, fols. 64r-66v; r. 43, fols. 26v-28r, 34v-37r, 38v-40r, 52v-53v. Dated respectively: 30 June 1445, 22 Nov. 1445, 26 Nov. 1445, 14 Dec. 1445, 15 Dec. 1445, 19 Jan. 1446.

⁸⁴ In July 1430, for example, Samaria Delmedigo and Meir Astruc fought in court over access to their common water cistern, which Samaria claimed Meir prevented him from accessing. Seeing that both men should have access to the water, the court ordered the men to pay jointly to have a locked door constructed so that each can access the cistern with a key. ASV Duca di Candia, b. 31, r. 37, fol. 107r (1 Aug. 1430).

⁸⁵ Just a month earlier (and recorded in the following page in the same court register), Nathan, son of the late Vitale, and the surgeon Stamati Gadinelli came to court, fighting about a wall which separated their properties. Nathan

might say, but only if both parties could agree over the nature of the fence. Even when neighbors did not co-own a fence or a cistern, other stresses and strains of tight, urban living provoked angry lawsuits, as Protho Spathael and his neighbor Liacho, son of the late Moses, discovered, when Liacho's renovation project, a new balcony, broke Protho's wall.⁸⁶ The reality of community-based life—life lived inside a particular, crowded urban neighborhood in which Jews worked with and lived near their co-religionists, and characterized by endogamy over many generations—can account for many of the cases in which Jews sued their fellow Jews in Venice's ducal court. Undoubtedly, many more minor squabbles were heard by the *Curia Prosopi*; many of these must have been successfully settled, and thus do not make it into the surviving appeals record.

Conclusion: Rationalizing the Secular Court

We have seen here some of the ways in which Jews rationalized their use of the secular court. The particular cases explored in this last section were not only decidedly private matters, but depended on a reading of Venetian property law and questions of ownership rights. Although

wanted to add timber to the top of their common wall, but Stamati did not approve of the plan, provoking a suit. ASV Duca di Candia, b. 31, r. 37, fol. 107v (12 June 1430).

⁸⁶ ASV Duca di Candia, b. 30 bis, r. 25, fols. 41v-42r (10 June 1400). Protho Spathael, the community leader and teacher of the heretical Christian notary featured in chapter three, and Liacho, son of the late Moses, were neighbors, or at least were owners of neighboring homes, most likely inside the *Judaica*. Proto Spathael is known to have owned a number of homes, a fact which is referred to both in this case and in others. His involvement in real estate and his obvious wealth and power is further described here: ASV Duca di Candia, b. 30 bis, r. 25, fols. 108v-109r (24 Mar. 1401). Liacho's renovation, the building of a new balcony, not only broke a wall of Protho's home, but Liacho—said Protho in his complaint, via his Venetian lawyer—had also prevented Protho from covering the path or street next to his home (i.e. enclosing it as an extension to his own home), which he had a legal right to do. Liacho defended himself through an agent, saying that his renovations were intended to bring more light into his home, but Protho's attempts to cover his path blocked sunlight from entering. The wall in question, claimed Liacho, was his to do whatever he liked with it, and no one could stop him (*non potere aliquis de prohybere*). In its final judgment, the court sided with Protho, and Liacho was ordered to fix the wall within fifteen days; they reconfirmed Liacho's right to build a balcony, but stressed to him the need to be more careful when doing so. But Protho did not entirely win his case; at some point during the year after the original case, the court ordered Proto to dismantle the light-blocking home extension which covered the street in between their homes. ASV Duca di Candia, b. 30 bis, r. 25, fol. 123r (undated).

scholars like Solomon ibn Adret would likely not have enthusiastically supported such intra-Jewish litigation over such material goods, at least these areas of dispute did not contravene the conceptions of *Dinah de-malkhutah dinah*—the principal that “the law of the land is (valid) law”—as laid out at the beginning of this chapter. In addition, as Elka Klein has illustrated, scholarly references to Adret’s anti-court statements have overstated the man’s own behavioral practices: not only does Adret’s writings in other places seem to prohibit only certain types of Jewish use of secular courts, but Adret himself brought suit against another Jew in the royal court in Barcelona, in his capacity as guardian of an orphan!⁸⁷ Certain kinds of cases, then, were less problematic than others, and even Adret understood that reality sometimes necessitated outside intervention.

But the medieval Jews of Candia did not strictly limit their use of the Venetian courtroom to issues safely outside of the purview of Jewish law, or to issues that did not embarrass or degrade the Jewish community in the eyes of Gentiles—a serious fear in the eyes of the rabbinical class, even for Adret. In the following two chapters we will explore the ways in which the rationalizations set out in this chapter took on a life of their own. First, we will turn to an investigation of Jewish litigation over issues squarely in the realm of Jewish law, particularly issues of marriage. And finally, we will look toward the very essence of Jewish communal life—the *kehillah*’s organization and the synagogue—and witness how even issues internal to these institutions found a place among the disputes heard in the ducal court, brought by the very leaders who would be expected to safeguard them within the confines of the intracommunal conversation.

⁸⁷ Elka Klein, *Jews, Christian Society, and Royal Power in Medieval Barcelona* (Ann Arbor: University of Michigan Press, 2006), 153 and 155-58.

Chapter Six: Unhappily Ever After: Litigating Jewish Marriage in Secular Court

Over the course of two and a half decades, Elea Mavristiri, a Jewish resident of Candia, appeared before the Venetian judges in her home city at least twelve times. She usually acted as the claimant in these suits, though occasionally she found herself playing the part of defendant. Seen through the lens of her cases, Elea's life reads like a melodrama: abandoned on Crete by her father and brother after the death of her mother, widowed by her first husband and then forced into an unwanted divorce by her second, childless and alone except for her sister Herini, Elea became one of the very few recorded Jewish women to choose an extreme path of escape from the Jewish community of Candia: she converted to Christianity, taking the new name of Maria Christiana Cornario. But her conversion did not relieve her of all her unhappy contacts. Even after her baptism, we find Elea/Maria litigating against and being sued by her old Jewish connections, still fighting her wealthy ex-husband, who had himself been remarried for almost a decade.¹

It is unusual to find such a sharply defined image of a complex and emotionally fraught life like the one which emerges from these court cases. But perhaps even more surprising is Elea's unceasing use of the Venetian justice system. Unwilling to give up, she regularly appealed the judgments rendered by the court of first instance, and appealed even ducal court decisions. In one instance, she drove a frustrated judiciary to condemn her to "perpetual silence" on the matter at hand.² Because the records which survive are from the ducal court, that is to say the island's appeals court, we must imagine that the total number of cases brought by Elea was substantially

¹ Elea's extant ducal court cases take place between 1359 and 1382, and appear in ASV Duca di Candia, b. 26, 29, and 29 bis.

² ASV Duca di Candia, b. 29, r. 19, fols. (13)60r-(15)62r (10 Nov. 1382): *et imponatur dicte Marie perpetuum silentium in premissis.*

higher, since ostensibly at least some of her disputes were settled in the first rounds heard before the *curia prosopi*.

The number and intensity of Elea's lawsuits are unusual for any Jew found in the Candian record. The fact of her entrance into the halls of Venetian justice, however, is not unique among the Jewish women of the colonial capital. From the Venetian perspective, that women regularly brought lawsuits was no surprise.³ But for unhappily married Jewish women in particular, the secular court offered something that a *beit din* could not: an alternative path for gaining personal agency unavailable through Jewish law, which tended to disenfranchise women in marital situations. By petitioning for legal separation provisions, which took the form of alimony and housing stipends, and presenting cases which challenged the honor of their husbands, Jewish women could marshal tools similar to those used by their Christian counterparts to seek resolution outside the frame of the Jewish system.

In this chapter, I first consider the rabbinic view that Jewish women should not appear in secular court, and the contrasting reality of regular female Jewish litigation drawn from non-rabbinic sources. Then I explore the two primary ways in which Jewish marital disputes entered secular lawsuits, as contractual disputes and through the introduction of arguments based in Venetian-recognized Jewish marriage law. I will then survey the varieties of marriage litigation brought by women before the court. Jewish women brought many kinds of marriage disputes before the ducal court, most commonly petitioning for legal separations from husbands characterized as negligent, abusive, or absentee, but also at times requesting assistance in

³Dennis Romano has noted that "noble legislators generally viewed women as deserving the same right to legal equity as men," both when bringing civil suit and when tried for illicit activity. Dennis Romano, "Equality in Fifteenth-Century Venice," *Studies in Medieval and Renaissance History* 6 (2009): 143-144.

recovering assets after a Jewish divorce had already occurred. I argue that Jewish women approached the court with many of the same goals and much of the same vocabulary as their late medieval and early modern Latin counterparts, while also utilizing the language of Jewish law in support for their positions.

Next, this chapter evaluates two unusual cases. The first concerns a male litigant unhappy in his Jewish marriage. This unique entry illustrates that the limits which Jewish law presented to those seeking control over their relationships did not only constrain women, but also at times men. Litigating in secular court could adjust the disempowerment experienced by both women and men in the face of *halakhic* rules regarding family law. I then turn to a dispute between a wife and her bigamous husband, which resulted in unusual consequences for the couple and the Venetian judiciary. A close analysis of this case will allow me to illustrate more definitively a point which will be brought out throughout the chapter: at times, when marriages were not served well by the local understanding of *halakhah*, the Jews of Candia were able to use the secular court as a means of litigating according to their own understanding and definition of Jewish law.

In offering these two specific cases for closer analysis, alongside more general discussion of litigational categories, I aim to balance the benefits of a microhistorical approach, which (in the words of Gene Brucker) “when successful...conveys a sense of immediacy, intimacy, and concreteness,” with the advantages of an analytical history, cognizant of “the general and the structural,” as Thomas Kuehn has it.⁴ Yet it is worth noting the limitations of this exploration. The court documents which have survived are only those from the ducal court, which was the

⁴ Gene Brucker, *Giovanni and Lusanna: Love and Marriage in Renaissance Florence* (Berkeley: University of California Press, 1986), ix; Thomas Kuehn, *Law, Family, and Women: Toward a Legal Anthropology of Renaissance Italy* (Chicago: University of Chicago Press, 1991), 52. Kuehn’s approach informs much of the methodology of this chapter.

highest appeals court on the island. In addition, many of the entries come from the *Sentenze*, the short form record of judgments rendered. We do not, in most cases, have any witness depositions, nor even a full accounting of previous iterations of the same case. We hear little of the gossip, that “community broadcasting system for domestic drama,” which other scholars have found useful in their studies of premodern marriage litigation.⁵ As such, the conclusions we can make here are significant, but limited even within the realm of marriage, family, and law.

Jewish Women in Secular Court

Over the last two decades, scholars of the Middle Ages have pointed to a widespread pattern of female litigation, a phenomenon shown to obtain not only in the Mediterranean, but also beyond, and across Christian and Muslim states.⁶ Scholars of Jewish women, however, have been slower to take up this area of study, in part because the traditional rabbinic source base obscures this reality under a series of normative prohibitions of such behavior—part of a larger phenomenon in which quotidian female activity outside the frame of the socially accepted has been little explored. Rabbinic prescriptive views which mandated that women remain in the private sphere have often been taken as depictions of reality.⁷

⁵ Joanne M. Ferraro, *Marriage Wars in Late Renaissance Venice* (Oxford: Oxford University Press, 2001), 6.

⁶ By way of just a few examples of what is a very large historiography: Maya Shatzmiller, interested in the ways that fights over Muslim females' property rights played out in fifteenth-century Granadan court rooms, notes the ubiquity of women in her sources: 95 percent of her case records have at least one female actor. Maya Shatzmiller, *Her Day in Court: Women's Property Rights in Fifteenth-Century Granada* (Cambridge, MA : Harvard University Press, 2007), 1. Sue Sheridan Walker has noted that “the frequency with which women used the law courts and bureaucratic tribunals of the king, the church, and the town is one of the striking features of medieval England. Sue Sheridan Walker, “Introduction,” in *Wife and Widow in Medieval England*, ed. Sue Sheridan Walker (Ann Arbor: University of Michigan Press, 1993), 1.

⁷ For example, as Judith Baskin articulates the rabbinic notion of the women's domestic sphere and their influence on marriage roles: “The framers of rabbinic Judaism discouraged a female presence in the communal realms of worship, study, and governance. Rather, rabbinic social policy directed women's energies to domestic activities to provide for their husband's and children's needs; women are praised for modest and self-sacrificing behavior that enables their husbands and sons to achieve success in the public domain.” But, while Baskin readily admits that Late

Sure enough, it was difficult for rabbinic authorities to conceptualize women in public. In their view, religious notions of modesty prevented women from engaging in the public sphere. In an admittedly extreme example, the late twelfth-century philosopher and legalist Maimonides claimed that modest Jewish women should not be seen on the street more than once a month.⁸ But even those who were not as severe (or influenced by contemporary Muslim society) as Maimonides sought to keep Jewish women out of the public eye. The court was certainly off-limits. Rabbi Solomon ibn Adret argued that, because of modesty, it was especially important that “women do not display themselves in Jewish courts (*batei din*), nor especially in non-Jewish courts (*archaot*).”⁹

Despite these idealized Hebrew portraits of medieval women which show them behind the curtains, some recent scholarship on medieval Jewish women, particularly studies looking at the rich Latin archives from Iberia and southern France, has demonstrated that Jewish women did not remain silent partners. Indeed, they lived public lives, accessing public institutions and partaking in the surrounding economic and quotidian life of the majority culture.¹⁰ Though Adret

Antique women's behavior probably did not square with this Talmudic ideal, she does insist that the rabbis' "prescribed patterns...became increasingly normative for Jewish life in general" during the Middle Ages. Judith Baskin, "Medieval Jewish Models of Marriage," in *The Medieval Marriage Scene: Prudence, Passion, Policy*, ed. Sherry Roush and Cristelle L. Baskins (Tempe, Ariz.: Arizona Center for Medieval and Renaissance Studies, 2005), 1-2.

⁸ Maimonides, *Mishnah Torah, Hilkhhot Ishut* 13:11.

⁹ Cited in Elka Klein, "Public Activities of Catalan Jewish Women," *Medieval Encounters* 12 (2006): 49.

¹⁰ As Yom Tom Assis and Elka Klein have both illustrated, Jewish women regularly brought suit in the Gentile courtrooms across the Iberian peninsula, including in Aragon, Castile, and Navarre. Assis engages with women in court in the court of a wider discussion of Jews in royal judiciaries; see his "Yehudei Sepharad be-arkhaot ha-goyim (ha-mayot ha-13 ve-ha-14)" [Spanish Jews in Gentile Courts (Thirteenth and Fourteenth Centuries)], in *Tarbut ve-khevra be-toldot yisrael be-yemei ha-beinayim* [Culture and Society in Jewish History in the Middle Ages], ed. Robert Bonfil et al. (Jerusalem: Zalman Shazar Center, 1989), especially pp. 422-423. Klein deal extensively with women in court in her "Public Activities." Joseph Shatzmiller has likewise uncovered Jewish women litigating in Provence. For example, Joseph Shatzmiller, "Halikhatam shel yehudim l'arkhaot shel goyim be-Provanz be-yemei ha-beinayum" [Jews Going to Gentile Courts in Provence in the Middle Ages], in *Divrei ha-kongress ha-olami ha-khamishi l'mada'ei ha-yahadut* [Proceedings of the Fifth World Congress of Jewish Studies], ed. Pinchas Peli et al.

was one of the most important and well-respected scholars of his time, his assertion that women should (or did) not bring disputes before the secular judiciary was incorrect, or at least roundly ignored—even in his own town of Barcelona.¹¹ Now that scholars have begun to consider evidence from the Latin judiciaries held in European archives, it has become apparent that rabbinic theory did not jibe with the reality on the ground.

Late medieval Venetian Crete was no different. Jewish women regularly appeared as claimants, defendants, and even witnesses in the island's ducal court. The colonial administration, in fact, recognized that a significant number of the Jews who brought claims were women. The town crier's proclamation from 1321 which limited the number of supporters a Jewish litigant could bring along to court addressed both male and female claimants: *nullus iudeus vel iudea*.¹² Jewish women were involved in suits of all types, including property disputes, inheritance battles, debt recovery cases, taxation fights, and suits over broken contracts of all sorts, among others. In this way, the Jewish women of Candia were part and parcel of the extensive litigiousness explored in the previous chapter. Unlike their male co-religionists, however, Jewish women—far more than Jewish men—often came to court in order to litigate over their marriages, a gendered phenomenon which scholars of Christian women have also identified.¹³

(Jerusalem: ha-Igud ha-ʿolami le-madaʿe ha-Yahadut, 1972), 375-381. Here, a Jewish woman litigant appears on p. 380.

¹¹ Elka Klein, *Jews, Christian Society, and Royal Power in Medieval Barcelona* (Ann Arbor: University of Michigan Press, 2006), 151-161.

¹² Paola Ratti Vidulich, ed. *Duca di Candia: Bandi (1319-1329)* (Venice: Il Comitato, 1965), no. 304 [69] (14 July 1321).

¹³ Joanne Ferraro has noted a similar trend in fifteenth- and sixteenth-century Christian marriage litigation in Venice. "Married women, more often than married men, called upon established institutions to protect their welfare and interests." Ferraro, *Marriage Wars*, 8.

Translating Jewish Marriage into Secular Litigation

Despite the fact that Jewish women did not obey prohibitions against litigating in secular court, we should not think that recourse to secular court meant Candiotte women rejected Jewish law while pursuing their disputes. In fact, I argue in this chapter that instead of escaping or rejecting *halakhah* by entering the halls of secular justice, Candia's Jewish women—and also at times, Jewish men—used the secular court to obtain solutions which were acceptable within Jewish law, and even at times used the Venetian system to uphold *halakhah*, or at least their perception of it. These claimants avoided transgressing against the *halakhic* system in two primary ways: first, by framing their arguments as contract disputes; and second, by paying heed to the accommodation of religious family law made for Jews in Venice's courts. Jewish women could therefore bring arguments based in Jewish law before the judiciary, and would expect answers which complied (at least on the face of it) with *halakhah*.

Yet, while Jewish women used the language of Jewish law to explain their disputes, and the Venetian ducal court only adjudicated according to what it perceived as Jewish law, the kinds of cases which Jewish women brought before the court were strikingly similar to those which late medieval Christian women would have brought. To some extent, this is the product of two legal codes, one Jewish and one Christian, growing alongside one another in their rabbinic and canon law formats. But in another way, the ways in which Jewish women litigated about unhappy marriages—the petitions they put forth, the language they used—suggest a deeply intertwined social reality between Jews and Christians on the island of Crete. Indeed, while Jews had the right to divorce, Latins did not. But the ways in which Jewish women (and indeed, sometimes men) used the secular court to deal with unhappy marriages illustrate that Jews accepted and worked around that limitation. Their turn to the secular court was the product of

two factors: an understanding of Christian conceptions of marital separation and its potential application to Jews, to be sure, but also a failure of the Candian Jewish court (the *beit din*) to address women's needs. A lack of evidence about the *beit din* and its activities prevent a significant assessment of this second factor, but as I illustrated in the previous chapter, it was certainly perceived by Candia's Jews as ineffective and unenforceable.

Marriage Contracts and the "Ritus Iudeorum"

The Talmud articulates the mechanisms of Jewish marriage as a transaction: "A woman is acquired through three things," write the rabbinic authors of the second-century law code, the Mishnah, "through money, a contract, or intercourse."¹⁴ Though one of the three options was an actual written contract, over time, all elements of the marriage process took on contractual significance. Even the betrothal agreement between two parties, before the actual marriage, carried legal weight, conferring a new status upon the woman as a "married woman," unable to engage in intercourse with another man without committing adultery.¹⁵ As Michael Berger notes, "Talmudic marriage was essentially of a legal, not sacral, nature," a fact "most evident in the requirement of a marriage document."¹⁶ This marriage document, the *ketubbah*, obligates a husband to provide his wife with food, clothing, and conjugal rights. The importance of the *ketubbah* particularly lies in its provisions for the wife should the marriage end in divorce or in the death of the husband. In these cases, the *ketubbah* contracts the return of the wife's dowry, plus an additional amount of money from the husband's estate which was to be set aside for this

¹⁴ TB Kiddushin 2a.

¹⁵ Michael S. Berger, "Two Models of Medieval Jewish Marriage: A Preliminary Study," *Journal of Jewish Studies* 52 (2001): 61.

¹⁶ Berger, "Two Models," 61-62.

potential purpose at the beginning of the marriage. Essential to understanding the importance of such payment is the fact that *halakhah* directs all of the husband's inheritance to his children, and none to the wife; the *ketubbah* thus provides all of the support which she would get from her husband's estate.¹⁷ Rabbinic marriage, however, does protect the woman's right to maintain the title to property which she brought into the relationship, and to sell it if she so desired. In the eyes of the Talmudic authors, the *ketubbah*'s role was explicitly to protect women; the mechanisms of financial payment would ensure that a husband did not "regard it as easy to divorce her."¹⁸

The contractual nature of Jewish marriage provided Jewish women on Crete with a familiar language when they litigated over it in the secular courtroom. In 1370, the Jewish Cali Chersoniti of Castronovo sued her almost-husband Peres Stamati, from the same town. A valid Jewish marriage had been contracted between the two of them according to Jewish rite (*secundum ritum iudeorum*), Cali contended. But her ostensible groom then went and contracted marriage with another girl. "Girl" is the *mot juste* here, since the new bride was identified by Cali as a young girl about age seven. As a result, Peres refused to marry Cali. Her request in this case was to have the court force Peres to take Cali as a bride "*secundum formam pactorum suorum*"—that is, according to the terms of the betrothal contract they had signed.¹⁹

¹⁷ For a fuller discussion of marriage practices, including the stipulations of the *ketubbah*, see Baskin, "Medieval Jewish Models," 2-3.

¹⁸ TB Yevamot 89a; Ketubot 11a. Quoted in Berger, "Two Models of Medieval Jewish Marriage," 62. To be sure, the financial implications of marriage were real for Jews and Christians alike, and the Jewish marriage contract undoubtedly shared characteristics with betrothal agreements among Christians. For a foundational work on the place of economic considerations in medieval marriage, see Anthony Molho, *Marriage Alliance in Late Medieval Florence* (Cambridge, Mass.: Harvard University Press, 1994).

¹⁹ ASV Duca di Candia, b. 26, r. 3, fol. 158r (12 Aug. 1370).

Peres' rebuttal relied equally on the contractual nature of the marriage. After noting that in fact he and Cali were not even able to speak for this contract, since indeed their respective fathers had made the marriage contract in the first place, he claimed that the fathers agreed to cancel the marriage contract, and that he and Cali had indeed also agreed to call off their marriage. After examining the evidence, the court sided with Cali, noting that the contract never appeared to have been canceled, and that Peres had continued with the betrothal long enough to take possession of Cali's dowry and to exchange further marriage gifts; the couple had gone so far as to exchange rings. The court explicitly understood that the exchanging of rings constituted marriage for Jews, i.e. "*secundum ritum et consuetudinem iudeorum*." As such, the marriage could not simply be dissolved by reference to an invalidated contract, as Peres had claimed.

Cali was empowered to sue the man who shamed her by contracting marriage with her and then marrying a child because she was able to frame the emotional (and financial) violation against her as a breach of contract. The importance of the contractual nature of marriage, and the potential for the contract to be interrogated in court, appears to have been recognized widely; some Jews chose to write up marriage contracts in both Hebrew and in Latin, *scriptum in lingua ebraycha et ex altram in latinam*, as did the unhappy couple Stamata and Joseph, who appeared before the ducal court in 1417.²⁰

Fascinatingly, in the case of Cali and Peres, it was the court which refused to frame the question simply as a matter of contract law. To be sure, they did find for Cali, judging that the betrothal contract itself was still valid. But they recognized that marriage was constituted not only in the realm of the written word, but also in a whole host of other ritualized behaviors. They noted that an exchange of goods in the form of dowry, other gifts, and in particular rings (which

²⁰ ASV Duca di Candia, b. 26, r. 5, fols. 69v-70r (1 July 1417?).

had come to represent the Mishnaic notion of acquiring a wife through money) had indeed taken place, and thus they could not relegate their judgment to a simple matter of contracts.

Claiming Jewish Law's Jurisdiction

The knowledge that Venice's judges were sensitive to Jewish law and custom produced a situation in which the claim of Jewish law became a common defense. One of the many suits brought by Elea Mavristiri, on this occasion before the ducal court in November 1359, provides a case in point.²¹ She was suing her father, who now lived in Rhodes, and was thus represented by a relative and procurator, the Jew Samuel. The backstory is as follows: Elea's father, Liacho (Ligiachus), an unscrupulous but sometimes successful businessman, had recently married a Jewish widow named Eudochia Plumari. Though we do not know the details, the prospect of this marriage had apparently caused the family much aggravation. Indeed, in 1355, Elea had convinced Eudochia's brother-in-law Mordachai Plumari to sign a Latin contract in which he had sworn never to give permission for a marriage between Liacho and Eudochia, his brother's widow. Should a marriage occur, he had promised to pay Elea, Liacho's daughter, an extremely large fine of 7000 hyperpera. Somehow, Mordachai Plumari was cajoled by Liacho, even from afar, to ignore the contract he had made with Elea and to give permission for the nuptials. The marriage took place.

How did this evolve into a case against Liacho's agent? Mordachai Plumari had not paid Elea the fine for allowing the marriage to go through, and Elea had successfully sued him for the money in the *curia prosoporum*, the court of first instance for Jews and Greeks in Candia. She won her case in January 1359. By November of the same year, however, Mordachai had not paid

²¹ ASV Duca di Candia, b. 29, r. 12, fols. 23r-25r (7 Nov. 1359).

his debt, and thus Elea appeared at the ducal court to press for her payment. But her tactic was different now. Her father Liacho was already in debt to his new brother-in-law Mordachai, and so instead of attempting to get the money out of Mordachai directly, Elea petitioned to have the court force her father (through his procurator) to pay her from the money which he owed to Mordachai.

This case is not about marriage; it concerns first and foremost a breach of contract, and second, the unsuccessful collection of a fine already imposed by a Venetian court. The fact of the marriage is secondary, if not simply irrelevant, to this round of litigation. Liacho's procurator, however, attempted to utilize the court's attention to Jewish law in the case of marital rulings as a defense. The permission to marry Eudochia Plumari was valid, *secundum legem moisi*.²² He concluded (through the voice of the court notary): "The law of Moses was divine, according to which [law] the Jews are ruled in their marriages, and the temporal ruler must govern the Jews [through it], namely by their laws and rites, and by the power of these personal [i.e. corporate] privileges that the university of the Jews had."²³

It is clear that the procurator, Samuel, knew that this was not, strictly speaking, a case about marriage. He followed this initial line of defense with a second rationalization, claiming that Liacho and Mordachai had no financial connection, and that Elea had mischaracterized the original contract, and so Liacho should not have to pay Elea for Mordachai's potential wrongdoings. Samuel's first argument, however, appealed to this realm of the Jewish law, which seems to have become a catch-all defense whether or not the facts of the case precisely applied.

²² ASV Duca di Candia, b. 29, r. 12, fol. 24r (7 Nov. 1359).

²³ *Lex moisi erat divina, secundum quam iudei regebantur in matrimoniis suis et dominatio temporalis debebat iudeos regere, videlicet eorum leges et ritus, vigore quorundam privilegiorum propriarium que habebet universitas iudeorum.*

The court, we should note, was not convinced, nor were they tripped up by Samuel's use of the "Jewish law" argument, just as they did not limit their judgment of Cali Chersoniti and Peres Stamati's marriage contract case to the contractual frame the claimants attempted to utilize. They found in favor of Elea, and awarded her a thousand hyperpera from Liacho's estate.²⁴ The application of Jewish law, as I stressed above, was subject to each judge's will and understanding of *halakhah*, which at time appears to have been quite extensive. Appeal to the *ritus iudeorum*, then, was neither a panacea nor a sure-fire strategy, but provided Jews—male and female—with one mode of logical discourse which could support their suit's claims.

Drawing the Boundaries of Jewish Law's Jurisdiction

Venice was one of a number of medieval polities to consider Jewish custom in its own jurisprudence, a fact that must have played a role in attracting Jews to their courtrooms. Scholars have pointed to a few other medieval polities which, at least to some degree, did the same. Some kingdoms of thirteenth- and fourteenth-century Iberia—particularly Castile, Aragon, and Navarre—also adjudicated according to Jewish law in family or marital matters, and the Jews who litigated in these secular courts expected *halakhah* to obtain.²⁵ In this Iberian context, at times the courts were instructed by the crown to consult with the sages of the Jewish community in order to come to a resolution which would be considered religiously valid in the eyes of rabbinic experts. In at least one case, a court in Aragonese Girona came to a decision after

²⁴ ASV Duca di Candia, b. 29, r. 12, fol. 25r.

²⁵ On marital law in Iberian courtrooms, see Assis, "Yehudei Sepharad," 422. Also see Klein, *Jews, Christian Society, and Royal Power*, 153-161. Vittore Colorni has noted two exceptional cases in the Italian sphere (Sicilian Malta in 1416, and Venetian Feltre in 1578) in which Jewish men were given explicit permission to marry second wives (by the king and a bishop, respectively) because of extenuating circumstances, such as prolonged absence and infertility. But these are true exceptions to the rules of normal juridical decision-making, and not the typical response. Vittore Colorni, *Legge ebraica e leggi locali* (Milan: Giuffrè, 1945), 194.

discussing the *halakhic* ramifications of a marriage with Rabbi Solomon ibn Adret himself (despite his own prohibition of Jewish use of courts!) and Rabbi Aharon Halevi de na Clara, two of the major *halakhists* of their generation.²⁶

Though we do not know if the Candiote court turned to local rabbinic experts—we have no evidence for this practice in Crete, and the discussion of bigamy below would suggest that at least at times they did not—nevertheless, the judges were serious about coming to conclusions that they believed squared with authentic Jewish law. In pronouncing judgment in a marriage suit brought by a Jewish woman in 1406, the duke and his council announced that in assessing the case, they had considered Jewish law, and in particular, had examined the provisions of the Jewish marriage gift, given according to Jewish law: *in hac questione considerari debent dato prius sacramento secundum legem iudeorum*.²⁷ A later appeal of the same case once again reiterated and emphasized the court's responsibility to consider Jewish law (*spectant secundum ritum iudeorum*) if both parties remain alive.²⁸

The degree of autonomy granted to Jewish law by the Venetian judiciary, however, was highly constrained, even within the boundary of cases understood by the ducal court as marriage-law cases. The stipulation in the case above—that consideration of Jewish law only applies when both parties are living—illustrates this limited scope. The judges stressed that, should the wife either die first and/or die intestate, the court should then adjudicate on the basis of Venetian law, ostensibly because the case would cease to be a one which deals with marriage, and instead would become an issue of inheritance—an area which the colonial government retained for its

²⁶ Assis, "Yehudei Sepharad," 422. See also Yom Tov Assis, *The Golden Age of Aragonese Jewry: Community and Society in the Crown of Aragon, 1213-1327* (London: Littman Library of Jewish Civilization, 1997), 311-14 for further examples and discussion.

²⁷ ASV Duca di Candia, b. 30 bis, r. 27, fol. 54r (16 Sept. 1406)

²⁸ ASV Duca di Candia, b. 30 bis, r. 27, fol. 98v (14 Apr. 1407).

own jurisdiction.²⁹ It is worth reiterating a point from the previous chapter: legal flexibility in the *Stato da Mar* benefited Greek and Jewish subjects, but the application of local law only obtained “as long as it was compatible with [Venice’s] interests.”³⁰

This respect for Jewish law even extended to instances when it directly clashed with canon law. In a 1409 ruling, the court noted that some Jewish practices “differ from the rites of the Christians” (*discrepant a ritibus xristianorum*), but that, despite this fact, the court could not impede the practice of Jewish law.³¹ Likewise, despite the Catholic ban on divorce, the Cretan judiciary emphasized the legitimacy of Jewish divorce through a *libellus repudii* written according to the Jewish rite. The court recognized its own limited jurisdiction over questions of Jewish divorce, at times even admitting that it had no jurisdiction to make certain divorce-related decisions.³²

Nevertheless, the secular venue of such debates undoubtedly influenced the outcome of Jewish marriage cases, a consequence explored throughout this chapter. Although scholars of Christian marriage have noted the tensions between ecclesiastical and secular authorities over rights to recognize and dissolve marriage, Jewish autonomy over Jewish marriage in the Middle Ages has been little questioned both in the historical record and in the historiography, until quite recently.³³ As Rebecca Lynn Winer has articulated, “it has been a commonplace of Jewish

²⁹ ASV Duca di Candia, b. 30 bis, r. 27, fol. 98v (14 Apr. 1407).

³⁰ David Jacoby, “From Byzantium to Latin Romania: Continuity and Change,” *Mediterranean Historical Review* 4 (1989): 19.

³¹ ASC Duca di Candia, b. 30 bis, r. 28, fol. 54v (7 May 1409).

³² ASV Duca di Candia, busta 26 bis, r. 9, fols. 41v-42r (3 Apr. 1443). Abba son of Moses seeks Venetian support in his attempt to divorce his wife Pothu, no longer in Candia; the court insists he work through the rabbinic establishment.

³³ For a classic example of secular-ecclesiastical tensions in a Christian context, see George Duby, *Le chevalier, la femme, et le prêtre: la mariage dans la France féodale* (Paris: Hachette littérature générale, 1981). Published in

history that marriage and inheritance in particular were almost the last bastions of Jewish life uncontaminated by the practices of the Christian majority. There, Jewish identity and tradition remained stable.”³⁴ A number of recent studies have questioned this assumption by demonstrating how family law did indeed act as a locus of acculturation among some medieval and early modern Jewish women: decisions about inheritance and the dowry portion reflect non-traditional choices outside the realm of normative Jewish practice.³⁵ The right and ability to access secular bureaucratic and juridical structures meant that women could “consult all of their legal options and,” as a result, “at times even chose the law of their land over the dictates of the *halakhah*.”³⁶ This was true even, and perhaps especially, in the realm of marriage law, an arena in which traditional Jewish law gave women few privileges.

To be sure, Jews could not be married or divorced outside of Jewish law, and thus these documents and rituals did not, for the most part, work their way into the secular court venue. In a sense, however, the ways in which the Jews discussed in this chapter utilized the financial penalties of the civil court in the cases of unhappy marriages suggest that even this most sacred institution of marriage was not immune to acculturative trends. In these lawsuits, not only did marriage get distilled into an underlying set of contracts without sacred force, these litigants accepted a Latin Christian judge's interpretation of rabbinic law. Even Jewish marriage, then, did

English as *The Knight, the Lady, and the Priest: The Making of Modern Marriage in Medieval France*, trans. Barbara Bray (New York: Pantheon Books, 1983).

³⁴ Rebecca Lynn Winer, *Women, Wealth, and Community in Perpignan, c.1250-1300* (Aldershot: Ashgate, 2006), 81.

³⁵ Some of the important work of the late Elka Klein focused on this: “The Widow's Portion: Law, Custom and Marital Property among Medieval Catalan Jews,” *Viator* 31 (2000): 147-64; eadem, “Splitting Heirs: Patterns of Inheritance among Barcelona's Jews,” *Jewish History* 16 (2002): 49-71. Also see Stefanie B. Siegmund, “Division of the Dowry on the Death of the Daughter: An Instance in the Negotiation of Laws and Jewish Customs in Early Modern Tuscany,” *Jewish History* 16 (2002): 73-106.

³⁶ Winer, *Women, Wealth, and Community*, 82.

not live in a cultural vacuum. In the next section, we will see further ways in which Jewish marriage disputes shared similarities with their Christian parallels, as we survey the sorts of claims which Candia's Jewish women brought before the duke and his councilors.

Women and Divorce in the Cretan Judiciary

In 1368, Elea Mavristiri came to court to fight her ex-husband Solomon Astrug (Astruc). It seems that the marriage had never been a happy one. The court has previously been a site of fighting between the two: in 1359, the ducal court upheld a lower court's ruling that Solomon owed his wife a thousand hyperpera, and ordered him to pay within the week.³⁷ Less than a year later, the court had to intervene and order Solomon to pay his wife a yearly stipend of forty hyperpera to cover her food, clothing, and for cloth—part of separation proceedings, though Elea is still named as Solomon's wife in these records.³⁸

By 1368 the divorce had been completed. Yet it was particularly painful for Elea, for two reasons. Firstly, in court, Elea insisted that she did not want the divorce, but that her legal passivity in the face of the Jewish divorce process had left her without recourse.³⁹ The process of Talmudic divorce was extremely constricted, and not terribly female-friendly. Biblical and rabbinic understandings of divorce dictated that only a husband could initiate and carry out a divorce. Deuteronomy 24:1 is explicit in the matter, and the rabbis found no way to mitigate the uni-directionality: "A man takes a wife and possesses her. She fails to please him because he finds something obnoxious about her, and he writes her a bill of divorcement, hands it to her, and

³⁷ ASV Duca di Candia b. 29, r. 12, fol. 41r (3 Dec. 1359).

³⁸ ASV Duca di Candia b. 29, r. 13, fol. 2(35v) (3 Nov. 1360).

³⁹ This case appears in two records, both in the *Memoriali* (longer court records), as ASV Duca di Candia, b. 29 bis, r. 15, fols. 63v-65r (7 Mar. 1368), and in the *Sentenze* (shorter judgment records), as ASV Duca di Candia, b. 26, r. 3, fols. 85v-86r (7 Mar. 1368).

sends her away from his house.” The Mishnah suggests a wide variety of opinions regarding the situations in which a man is allowed to divorce his wife; while some rabbis demand divorce in situations of sexual misconduct or physical repulsion, others enable a man to divorce his current wife simply if he has found someone else whom he would prefer.⁴⁰ The Talmud limits to very few cases the reasons for which a wife may ask the *beit din* to compel her husband to divorce her.⁴¹ Therefore, within the rabbinic framework, the husband must grant the wife a divorce, in the form of a written divorce decree, known as a *get*; the wife remains legally passive in this process.

Despite her inability to control the end of her marriage, Elea had accepted this reality; besides, her ex-husband had already remarried. Perhaps expressing her discontent with the events surrounding her divorce gave Elea some emotional redress; it was not solely for this reason, however, that she approached the court. Money was the medium of vengeance in civil court, and Elea had reason to seek a payout from Solomon. Indeed, the case from 1368 deals with the money owed to Elea from her *ketubbah*, which apparently had not made it back into her hands. She asked the court to compel Solomon to pay that which was owed her “*secundum ritum iudeorum*”: her dowry, which was worth 700 hyperpera, not to mention an additional 36 exagia of silver, 36 exagia of gold, and 200 silver coins. The additional sum constituted the money which “is imparted to women according to the rite of the Jews, as is contained in a certain cadastral writ,” which had been made on the order of the former duke of Crete, Marino Grimani,

⁴⁰ Mishnah Gittin 9:10 and Mishnah Ketubbot 7:6. The widely accepted ban of Rabbeinu Gershom of Mayence in the eleventh century limited this further, forbidding a man to divorce his wife without her consent. Berger, “Two Models of Medieval Jewish Marriage,” 76. This ban, and its application beyond the bounds of Ashkenaz, will be discussed below.

⁴¹ TB Ketubbot 71a.

in December 1361.⁴² Though it is unclear why this order was made in 1361 (perhaps this dated to the beginning of the divorce proceedings), it is worth noting here that the rules for Jewish divorce penalties had been spelled out, according to Elea, by the ducal court in its own records, thus tightly entwining the secular court and the supposedly autonomous Jewish rites of marriage and divorce.

Solomon defended himself by denigrating Elea; she was oppressive and annoying to him (*sibi gravis et molesta*) and he could no longer tolerate her unending burden and attacks (*gravedens et impugnationes*) on him. Their marriage had been legitimate, and the divorce, too, was legitimate “*secundum legem mosaicam et secundum ritum iudeorum*.” But, he claimed, the dowry had only been 500 hyperpera. As for the additional payments, he did not have to pay them because they were only usual Jewish custom (*ritu solito iudeorum*), not Jewish law (*legem iudaicam*). Note here the *halakhic* argument being made: all parties agreed that the divorce was done correctly, according to Jewish law, but Solomon claimed that the ducal court in 1361 misunderstood the additional payments which it claimed he owed. It was his choice, he argued, whether or not to pay out the additional moneys because it was simply a matter of Jewish custom (ostensibly the Heb. *minhag*), a semi-binding tradition which might look to an outsider as a part of Jewish law, but in reality it was not.⁴³

Despite Solomon's attempt to parse the case logic according to the law/custom divide, Elea had already set the tone of the debate years before, when she had convinced the court that the additional moneys were owed to her according to Jewish rite. The court did not consider the difference between custom and law in this case. Indeed, the ducal judges reaffirmed that, with a

⁴² ...*mulieribus adduntur secundum ritum iudeorum, prout continebatur in quadam scriptura catasticata.*

⁴³ On the legal category of *minhag*, see Elliot N. Dorff and Arthur I. Rosett, *A Living Tree: The Roots and Growth of Jewish Law* (Albany: SUNY Press, 1988), 421-34.

valid divorce, Elea had the right to her dowry, which—they confirmed through investigation of the contracts—was equal to 700 hyperpera. They also confirmed Elea's right to the additional moneys, mimicking the very language she had used: the extra silver and gold is the money which is imparted to Jewish women according to the rite of the Jews (*mulieribus ebreis adduntur secundum ritum iudeorum*). We see that, by disputing before the secular court, the female claimant was not only able to define the parameters of the case, but was also able to establish the understanding of correct Jewish law which the court would perceive as authentic. Had she chosen to utilize Jewish channels, all decisions about how to read Jewish law would have been made by the rabbinical court judges themselves, since they were perceived as the authorities on such matters. The woman's own view of Jewish law could play no role.

The sad tale of Elea Mavristiri's divorce did not end here; documents from the ducal court show that Elea continued to sue her ex-husband for at least another seven years for money she claimed he owed her. Yet it is this initial case that sheds the most light on the plight of Jewish women in Candia, and the utility of accessing the Venetian court system. Because Jewish marriage was based on a contract, the clauses of the contract (the *ketubbah*) could be parsed in the secular court of law according to its own standards. But in essence the *ketubbah* was an instrument of Jewish law, and thus the realm of the contractual (Venetian jurisdiction) and the religious (meant to be dealt with under Jewish law's specifications) intersected in a place which gave Jewish women in Candia power unimaginable in a rabbinic court: the power to define Jewish law and its parameters. By turning to the secular court, Elea and women like her did not have to reject Jewish law and custom; yet the definitions of Jewish law were malleable in this context. Elea could shape the court's view of the Jewish legal approach toward giving over goods in the wake of a divorce, and her now ex-husband could offer a counter-narrative of his

own view of proper Jewish law. This case, however, also suggests the limits of this power; Elea's continued litigation indicates that Solomon continued to refuse to pay the money, and that the ducal court was also unable (or unwilling) to enforce its judgment.

Despite her frustration at her own lack of control—which may have been a factor in her decision to convert to Christianity sometime between 1368 and 1375—Elea was one of the lucky ones.⁴⁴ Though she had not wanted it, Solomon had given her a divorce, and Elea was now free to move on with her life. For women whose husbands were not so accommodating, Venice's insistence on Jewish divorce for Jewish people prevented the secular court from playing such an ameliorative function; despite leaving the Jewish judiciary, Candiote Jews could not leave the framework of Jewish law. The rabbinic principle of *Dinah de-malkhutah dinah*, discussed in the previous chapter, specifically prohibited Jews from considering as valid two types of secular documents: a bill of divorce, and a bill of manumission.⁴⁵ Therefore, as regards the laws of marriage and divorce, one could never rely on the secular state. As a result, for most women bringing suit in Crete, the request for a divorce was simply off-limits, and the court had to provide them with some recompense beyond divorce.

In one bizarre case, however, the Venetian court did attempt to compel a Jewish man to divorce his wife. In 1447, Fumia, a daughter of the well-known Politi family, came before the

⁴⁴ Elea certainly converted before February 1375, when she appeared in court once again fighting with her ex-husband. She is now referred to as Maria Cornario, Christiana; see ASV Duca di Candia, b. 29 bis, r. 17, fol. 30v (8 Feb. 1375). It is likely that the Maria Christiana litigating against a Jew named Michael Carvuni in October 1374 is also the same, now-Christian, Elea; see ASV Duca di Candia, b. 29 bis, r. 17, fol. 26v (5 Oct. 1374). The definitive articulation of the conversion, i.e. in which Elea's identity as Maria Cornario is made explicit, comes from ASV Duca di Candia, b. 29 bis, r. 18, fols. (9)56v-(10)56r (12 Apr. 1375), in which Elea/Maria and her still-Jewish sister Herini are sued jointly.

⁴⁵ This limitation is already spelled out explicitly in the Mishnah. See Leo Landman, *Jewish Law in the Diaspora: Confrontation and Accommodation* (Philadelphia: Dropsie College, 1968), 15.

ducal court to seek assistance with her failed marriage.⁴⁶ She had married Avraghuli (Abraham) Mosca some time before, but the marriage had never been consummated, and Mosca had never lived with her. He, in fact, had left Crete altogether for most of their marriage, and when he did come back for short visits, he would not stay with her. He would not give her a *get*, a Jewish divorce, but he also would not invest himself in the marriage on Crete. The social and religious embarrassment caused by such abandonment must have, in part, driven Fumia to the court. More important, however, was the question of money: Avraghuli was in control of her substantial dowry. In its judgment, the court came as close as it could to forcing a divorce: the judges demanded that, should the husband not take back his wife and live with her in a normative married sense, he must give her a writ of divorce, a *libellus repudii*, according to Jewish law, here *more iudaico* (also called here *more abraico*).

Yet even in this case, the duke fundamentally upheld the *ritus iudeorum*, whether intentionally or not. The court did not grant a divorce, but acted precisely as a *beit din* is authorized to. As noted above, religious law dictated that only the husband could initiate a divorce. In some very specific cases, however, the Talmud indicates that a rabbinical court was supposed to help a woman get a divorce, such as if the wife felt physical repulsion or if her husband refused to engage in sexual activity.⁴⁷ Fumia articulated that, in her case, her husband had not and would not engage in sexual intercourse with her. Theoretically, since she could not initiate a divorce process, the Jewish court was called upon to act “as [the wife’s] agent in requiring divorce.”⁴⁸ The theory contends that, since the wife cannot act, the rabbinical court

⁴⁶ ASV Duca di Candia b. 26 bis, r. 10, fol. 35v (10 Oct. 1447).

⁴⁷ TB Ketubbot 47b-48a; Berger, “Two Models of Medieval Jewish Marriage,” 65-66.

⁴⁸ Berger, “Two Models of Medieval Jewish Marriage,” 67.

must become her protector and agent, acting on her behalf.⁴⁹ Whether they acted with intentional knowledge of this point of Jewish law, or not, the ducal court in practice pressed Mosca to act according to Talmudic precedent.

The court's reaction to Fumia's case, to be sure, must also be understood in the judges' Christian context as well. As Joanne Ferraro has illustrated, Venetian ecclesiastical courts which heard Christian marital litigation, and primarily heard claims initiated by women, had a bifurcated approach to dealing with these claims. Claimants who asserted that a marriage was coerced or unconsummated were supposed to petition for an annulment.⁵⁰ Indeed, "marriage not consummated, according to canon law, was not valid" since the time of Gratian's *Decretum*, and thus was liable to dissolution.⁵¹ Those who argued that husbands were guilty of cruelty or neglect (which we will see in the next section), on the other hand, were entitled to petition for "separation of bed and board," but without the legal dissolution of the marriage.⁵² Jewish women typically appeared in court making the second claim, that a husband was abusive or neglectful, and thus they sought provisions which would enable them to live separately. In this unique case, in which sexual consummation functioned as the primary node upon which this case pivoted, the ducal court of Venice acted as the ecclesiastical court would have done and demanded that the marriage be dissolved. Yet, in recognizing its limited jurisdiction—it was neither an

⁴⁹ For a few pre-twelfth-century cases in which Jewish women were able to "initiate" (to varying degrees) divorce with the help of the rabbinic court, and the push to stop this behavior in the twelfth century, see Lois Dubin, "Jewish Women, Marriage Law, and Emancipation: A Civil Divorce in Late-Eighteenth-Century Trieste," *Jewish Social Studies* n.s. 13 (2007), esp. 69-70.

⁵⁰ Ferraro, *Marriage Wars*, 9.

⁵¹ Ferraro, *Marriage Wars*, 70. For more on the importance of consummation in the making of a legally valid Christian marriage, and Gratian's formulation, see Giuliano Marchetto, *Il divorzio imperfetto: I giuristi medievali e la separazione dei coniugi* (Bologna: Il Mulino, 2008), 43-52 (for Gratian); 67-80 (in other jurists' formulations). For an evolution in the attitude toward divorce in the case of non-consummation, see chapter six, pp. 207-31.

⁵² For the Venetian case, see Ferraro, *Marriage Wars*, 9. For a wider canon law approach to this so-called *divortium quoad thorum*, see Marchetto, *Il divorzio imperfetto*, 253-60.

ecclesiastical court, nor did they hold jurisdiction to end Jewish marriages at all, so all they could do was demand that a divorce happen—the court pushed its ruling only as far as it believed it could. Jewish and Christian law, thus, intersected here, helping the court frame its decision in a way that seemed suitable perhaps from both perspectives.

Marital Solutions outside the Bounds of Divorce

Because the ducal court could not grant divorces, for reasons related to both Jewish and Catholic law, marriage suits tended to revolve around two other issues, both framed through financial claims: (1) a husband's misuse of the wife's dowry, and a fight to regain that money; and (2) even more commonly, a petition for provisions in the case of legal separation, the separation of "bed and board." Instead of providing a permanent end to a bad marriage, litigation in secular courts provided for women another way of regaining some amount of control over their economic lives. The court could not grant divorces, but it could press a husband (or his family) into paying for the wife he was mistreating, neglecting, abusing, or in some other way making unhappy; and while sharing the husband's misdeeds in the course of her claim, the litigating wife undoubtedly found satisfaction in the public shaming of her husband or his family.

The interplay of financial and emotional satisfaction in litigation is of course not limited to marital disputes, but it plays a significant role here. It can be witnessed, for example, in the case of Hergina, the abandoned wife of Isach Gracian, a contemporary of Elea Mavristiri.⁵³ The spoiled son of a wealthy businessman named Joseph Gracian, Isach was a wastrel. He had frittered away the enormous dowry, as well as the *dimissoria*, substantial real estate and other goods brought into the marriage by his wife, leaving her and her young son with not so much as

⁵³ ASV Duca di Candia, b. 29 bis, r. 15, fol. 7r-v (13 Aug. 1366).

a home to live in. She has been reduced to living with a poor aunt. In a deeply emotive parallel likely echoing the language used in the courtroom proceedings, Hergina compared her husband's behavior, squandering all her property while living his life erratically, *vivendo inordinate*, with her own pathetic, current predicament, in which she found herself living strictly and miserably, *vivendo stricte et miserime*. For this wife, then, the court functioned both as a venue for telling her side of the story as well as a place to regain financial security.

The misuse of a dowry was not unusual in Candia.⁵⁴ But unlike in other cases, Hergina appears to have had no family able to defend her or take part in the suit, and thus had to make her claims herself.⁵⁵ Nor could she sue the actual target of her ire, her husband, who seems to have been missing or off the island. Instead, Hergina appeared in court in August 1366 to sue her father-in-law Joseph. Hergina clearly held Joseph responsible for the misbehavior of his son, but the man claimed he could not afford to repay his daughter-in-law. The court, unconvinced by Joseph's pleading, demanded that he pay a significant amount of money over the course of the following year, including her entire *dimissoria* of 800 hyperpera! Not divorced, but no longer in penury, Hergina was now able to begin to rebuild a life for herself and her son. Likewise, her father-in-law seems to have internalized the public shame arising from his son's negligence. Dealing with his son's outstanding debts a few months later before the same judiciary, he admitted outright that he had raised a negligent and evil-doing son (*homo dissolutus et faciebat*

⁵⁴ For example, in a case which ran from 1451 to 1454, we witness another example: a young couple had gotten betrothed, and the girl's parents handed over a very large dowry worth 3500 hyperpera. In short order, the groom and his father used the money, which was meant to be safeguarded by the groom but never spent, to pay off their debts. ASV Duca di Candia, b. 26 bis, r. 10, fols. 199v-200r (15 Apr. 1451); ASV Duca di Candia, b. 26 bis, r. 11, fol. 25r-v (22 May 1454).

⁵⁵ In this case mentioned in the above footnote, the bride had the support of her wealthy mother, a widow of a scion of the illustrious Capsali family; the bride's mother brought the suit before the ducal court. Hergina, in contrast, appears to have had no direct support from her parents.

sinistre facta sua).⁵⁶ After the trauma of her circumstances, she would benefit from the public shaming and a financial settlement at the end of litigation.

The need to find an alternate target of litigation appears commonly in these sources, since misbehaving husbands often seem to have disappeared, for a variety of reasons. Hergina's husband probably fled from debtors. In other cases, the absence of the husband spurred the very litigation. Stamatini, the wife of Samuel, could not sue her husband because he had left Crete for Jerusalem—where, as Stamatini learned, he had taken a new wife and did not intend to return home.⁵⁷ With her husband far away, and not expected back in Crete any time soon, Stamatini saw no hope for a divorce. Like other women, unwilling to give up, she chose a new target: her brother-in-law, who had played the role of his brother's agent in the past. As a known agent, he could be held legally and financially culpable; as Samuel's brother, he could be expected to carry back the humiliation of Samuel's misdeeds to the family.

From her husband's brother, Stamatini sought to get back her very large 1500 hyperpera dowry and additional 500 hyperpera in marriage gifts. In order to facilitate Stamatini's financial independence, the court obliged at first by creating a stipend for her; in 1401, she obtained an order that the brother-in-law pay her 200 hyperpera up front, and then another 300 hyperpera to sustain her with food and clothing for another three years. In 1406, when those provisions had elapsed, Stamatini sought and received a longer term solution. Once again the court obliged, going so far as to order the brother-agent to pay Stamatini the remaining 1500 hyperpera, the rest of her dowry money, by liquidating Samuel's real estate and mobile assets still on the island.

⁵⁶ ASV Duca di Candia, b. 29 bis, r. 15, fols. 15r-16r (quote on fol. 15v) (12 Nov. 1366).

⁵⁷ ASV Duca di Candia, b. 30 bis, r. 27, fols. 53r-54r (16 Sept. 1406). A husband's long-term journey could actually be grounds for a rabbinically supported Jewish divorce in some medieval places, particularly in Muslim lands in the eleventh century. Avraham Grossman, *Pious and Rebellious: Jewish Women in Medieval Europe*. Trans. Jonathan Chipman. (Waltham, Mass.: Brandeis University Press, 2004), 235-36. Nevertheless, the Cretan rabbinic establishment apparently did not support this sort of divorce.

Though she could not remarry, Stamatini could now control her own future through investment or moneylending.

The solution met other emotional and institutional goals, too. Should Samuel have decided to return to Crete, he would have found himself with far less awaiting him. From the court's perspective, it seems, awarding the lump sum meant that it could expect the case to be closed, and it would not have to expend more time or manpower enforcing an annual payment. Finally, the work done by this settlement was not wholly separate from the Jewish milieu of divorce. The secular financial settlement was meant to mimic the circumstances of Jewish divorce, a fact which can be seen from her petition, which asked for the return of virtually the same moneys which would have been granted to her in a Jewish divorce settlement according to a *ketubbah*. Stamatini did not get a divorce, but what she did receive looked very similar.

The Cretan judiciary's approach, to award Jewish women separation stipends, helped resolve a wide variety of marital disputes, not just for women with deeply absent husbands, but for others who came to court out of desperation with all-too-present ones. In April 1418, for example, Eudochia Crusari came to court to combat her husband, a surgeon named Monache Crusari. Eudochia's husband was very present—and dangerous, acting with *sevitia et crudelitas*: brutality and cruelty. In a court record highly inflected with the Venetian dialect, perhaps indicating the voices of the participants in the case, Eudochia recorded that the *crudellissimo odio* (most cruel hatred) expressed by her husband made her unable to live with him because she feared for her life (*nullo modo potest conversari secum, sine suspitionem vite sue*). Jealous and suspicious, he had even accused her of committing adultery before the state prosecutor. This panel found her innocent of any adultery charge, but her husband continued to mistreat her. Eudochia asked the court to order Monache to give her a portion of her dowry, worth 400

hyperpera, in a yearly stipend, so that she could support herself. In a typical defense presented by a Christian lawyer (Eudochia had spoken for herself), Monache blamed his wife for the discord between them; he also noted she was welcome to come back home, and that he was ready to treat her well. Indeed, he countersued, seeking to be absolved of the separation petition entirely.⁵⁸

But the court was convinced by Eudochia's well-constructed complaint, and after its investigation, it ordered Monache to pay an annual living stipend of forty hyperpera to his estranged wife, paid in two increments of twenty hyperpera each, in addition to other goods for her own use. This settlement was very similar to that which the court had granted to Elea Mavristiri in her initial separation of 1361. But the goals accomplished by the parallel award were not quite parallel. Elea's settlement was largely financial in the work it did; it provided a woman whose divorce was in progress the ability to move out and begin again independently. To be sure, it must have done some public emotional work as well, notifying Cretan society of the separation. But for Eudochia, the public "work" accomplished by the settlement appears far more significant: the award of a separation stipend legitimated her claims of her husband's cruelty, put his alleged behavior in the public sphere in which he worked, and forcefully acted as a public announcement of her independence. Elea's award brought her tale out into the public, but Eudochia's settlement did much of the difficult social work, and indeed the financial work, of a nasty divorce.

Eudochia's claims regarding her husband's behavior look remarkably similar to the approaches taken by unhappy Latin wives across late medieval Christendom. Indeed, it seems likely that the case built by Eudochia's team (though we do not know who assisted her) intentionally sought to play on this similarity. Giuliano Marchetto has recently illustrated that

⁵⁸ For the case between Eudochia Crusari and her husband Monache, see ASV Duca di Candia, b. 30 ter, r. 31, fol. 90r-v (26 Apr. 1418).

some of the very terms which Eudochia used in claiming that her husband was cruel to her, particularly *sevitia* (cruelty) and *odio* (hatred, particularly a mortal hatred which made a wife fear for her life), were the ones which Christian ecclesiastical courts and their jurists began to accept as legitimate grounds for Christian legal marital separation in the thirteenth century.⁵⁹ Her choice of words, echoed also in similar claims made by a number of Jewish women in the Cretan court, reflects a conscious appeal to a vocabulary familiar to Christian judges.⁶⁰ Using a script familiar to Christians in an unexpected setting, Eudochia could skillfully and subtly press the judiciary to react in the way she wanted. This is not to say that Jewish law did not consider domestic violence legitimate grounds for divorce; it did in many circumstances.⁶¹ But Eudochia's choice of words here reflects a conscious strategy which would add strength to her case against a surgeon, a man in the employ of the judiciary itself, and thus in a position of power.

Traditional rabbinic grounds for separation and divorce almost always located fault in the wife. As Avraham Grossman has noted, “we search in vain” in the Talmud “for any comments about a bad husband and the way to free oneself of him.”⁶² The secular court provided Jewish women with the opportunity to do precisely this: tell their tale of the “bad husband.” Joanne Ferraro has stressed the narrative and trope-oriented nature of claims made by women (and men) when litigating marriage. “Rather than read the self-descriptions of deposing husbands and wives as reflections of their actual experiences, we may view them as appropriations from a cultural

⁵⁹ Marchetto, *Il divorzio imperfetto*, 361-75.

⁶⁰ For example, this language is also used by Arconda, who seeks relief from the abuse of her in-laws. ASV Duca di Candia, b. 30 bis, r. 25, fols. 141v-143r (31 May 1401) and fols. 145v-146r (23 June 1401).

⁶¹ Grossman, *Pious and Rebellious*, 212-30, 235, 239.

⁶² Grossman, *Pious and Rebellious*, 232.

repository of stories that became synthesized as personal narratives.”⁶³ In the above cases, these Cretan Jewish women certainly deployed tropes of abusive and neglectful husbands, tropes gleaned from the surrounding social milieu, in their attempts to persuade the judges of the veracity of their tale.

None of this goes to say that Eudochia and other women in Crete and elsewhere who used this language were simply performing. Howard Adelman has written about the very real abuse against wives visible in a number of early modern Italian rabbinic sources. There is no reason to think these late medieval Cretan Jewish women were not subject to some of the same mistreatment.⁶⁴ Nevertheless, the particular words used by women and their defenders were carefully chosen. Fascinatingly, as Adelman illustrates, this concept of *sevitia*—the Latin term which conveyed a level of cruelty considered above and beyond the bounds of acceptability—not only was adopted by women who sought their freedom from abusive marriages in secular court, but by the sixteenth century would permeate rabbinic discourse. That is to say, in the words of Adelman dealing with the sixteenth century, “Almost every rabbinic *responsum* on wife-beating in Italy contained terms for cruelty, *ahzariut*. This not only differentiated the behavior from less severe, sanctioned physical chastisements, but conveyed the Catholic notion of *saevitia*, savagery,” that threshold level of cruelty at which canon law demanded a Catholic wife be given protection and separation.⁶⁵ The rabbis would use the term in the same way, to express a level of abuse which could not be condoned within the confines of Jewish marriage. But while Adelman

⁶³ Ferraro, *Marriage Wars*, 7. On the ways in which court records reflect constructed narratives, see Natalie Zemon Davis, *Fiction in the Archives: Pardon Tales and their Tellers in Sixteenth-Century France* (Stanford: Stanford University Press, 1987).

⁶⁴ Howard Tzvi Adelman, “Law and Love: The Jewish Family in Early Modern Italy,” *Continuity and Change* 16 (2001): 283-303, esp. pp. 291-96.

⁶⁵ Adelman, “Law and Love,” 296.

sees a borrowing of terms from one educated legal elite to another, the case of Crete illustrates the way that women themselves could marshal this language and deploy it for the sake of their own protection, without having to wait for apparently ineffective rabbinic intervention.

To be sure, we do not know if women like Eudochia tried religious paths first. But whether or not she had, by April 1418 she had decided that the rabbinic court could not help her. Unlike a *beit din*—which not only had no enforcement power, but also perhaps, would not wish to upset an important member of Jewish society accused by his wife—Venice's court could assist women like Eudochia in making the most of an obviously miserable situation. Perhaps, as in the case of Elea Mavristiri, the judgment of forty hyperpera per year would act as a first step toward divorce; perhaps she would remain in her separated status for the rest of her life. But in either case, she would not have to remain in the house of her abusive husband.



All of the women I have presented started out in financially well-situated marriages, bringing extensive dowries into the homes of their new husbands. A variety of situations rendered the marriages untenable—negligence, absenteeism, abuse—but in none of these cases could a complete solution be found inside the Jewish community and its intra-communal socio-judicial framework alone. As the case of Elea Mavristiri makes clear, it is possible that a number of the disputes which are visible to us through the request for separation and provision eventually led to a Jewish divorce. Probably some disputes did end in divorce, while some other unhappy women remained legally chained but economically freed. One element appears consistent, though: husbands could not be forced to give divorces, but wives could be given independence through cash payouts. But while financial security was a significant concern, particularly in the plethora of cases which included a petition for provisions, this was only one element. Legal

anthropologists have emphasized that money acts as the language of dispute in civil cases, while motivations behind the cases are far more varied. Thomas Kuehn has emphasized that the decision to litigate in court often occurred when “the nature of a relationship or personal status was open to doubt.”⁶⁶ Suits which on their face were defined by claims of money owed should often actually be understood as a venue to address issues of status and relationships. Referencing Comaroff and Roberts, Kuehn contends that “a debt may precisely be the relationship. To pay off the debt would thus be to constrain the relationship.” An act in which a wife presses a husband to pay moneys owed to her can redefine a relationship as “one of separation.”⁶⁷ These moments of public litigation offered Jewish women precisely this power to define the status of their unhappy relationships. By compelling their husbands to pay provisions, even ones similar to those which a Jewish system would dictate, these women found a way in which to announce a change of status from wife to separated wife, without undermining the religious system they still wanted to maintain.

A Husband's Honor: Parnas Buchi vs. Saphira, His Wife

The nature of the case records discussed above, particularly cases of misuse of dowries and physical abuse, tend to favor the women's readings of their situations, highlighting their physical and financial weakness within the power dynamic of medieval marriage. The extensive (female) petitioners' claims are often followed by a curtly recorded rebuttal by the (male) defendant. In addition, despite claims of deep investigation, the court's final judgments tend to mimic the language of the claimant. The husbands appear as little more than foils or archetypes of “the bad

⁶⁶ Kuehn, *Law, Family, and Women*, 67.

⁶⁷ Kuehn, *Law, Family, and Women*, 73.

husband.” But what might we find if we tried to access male litigants as three-dimensional characters instead of as foils? Such an exercise leads to the recognition that women were not the only ones to engage in this sort of litigation, nor was a concern for reputation and definition of status limited to the female disputant. An unusual case brought by an unhappy husband, Parnas Buchi, demands a more nuanced understanding of the phenomenon of Jews seeking financial resolutions to failed marriages before secular judges. The records of his litigation offer us an alternate lens, one focused on the characters on the other side of the courtroom.⁶⁸

The presence of Jewish women at the ducal court was in part the product of the Jewish approach to divorce, in which only the husband can initiate and carry through a divorce. But this is only part of the tale. Even though most Jewish marriage-related suits heard by Candia's ducal court were indeed initiated by women, the case of Parnas Buchi suggests that Jewish men faced marital concerns, just as their female co-religionists did. The challenges of agency in the face of religious norms (and indeed the difficulties of marriage) cannot solely be seen as the plight of Jewish women “anchored” to husbands who refused to divorce them.⁶⁹ But it also reminds us that each story has two sides, and that giving precedent to the claimants' versions of events—as the ducal court seems to have done—must be done only with extreme care.

This case appears in the records at the beginning of 1416, when Parnas Buchi, son of the late Samaria, requested from the ducal court that he should not have to pay provisions for his wife of less than four years, Saphira, which he had been ordered to pay at some unknown point

⁶⁸ In this discussion, I follow Joan Scott's premise that scholars must evaluate gendered differences in the understanding of categories of analysis. See Joan W. Scott, *Gender and the Politics of History* (New York: Columbia University Press, 1988).

⁶⁹ As these women incapable of getting a divorce are called in the rabbinic literature, “the anchored ones”: Heb. *agunot*.

in the past.⁷⁰ The plaintiff claimed that it was his wife who decided that they could no longer live together, forcing him to move out of the house that she had brought into the marriage. But Saphira's desire for a separation was not Parnas' only complaint about his wife. Instead, as a rationale for his request to end his payments to her, Parnas challenged Saphira's behavior: she constantly acted inappropriately, wandering around the city every day, at all hours, and even entering strange (Gentile?) homes.⁷¹ This 1416 case record intimates that the Venetian court had gotten involved in Saphira's activities once before at an unknown date, when it attempted to press Saphira into returning to her marriage and its duties. But here, the court finally recognized that this goal was could not be met (*non videtur esse spes concordii*), due to Saphira's obstinacy and rashness (*propter perversitatem duritiam et temeritatem*; later *propter duritiam et obstinatam voluntatem suam*). There was no hope; her behavior could not be "corrected."

From his self-description, Parnas appears to be a sympathetic character, concerned with the humiliation his wife was causing him. Indeed, language of honor and shame pervade this entry. Throughout his complaint, Parnas emphasized that he had always acted toward his wife with a consideration of her honor (*pro honorando ipsam*), and that he treated her with as much honor as possible (*semper tractavit ipsam honorifice ultra posse*). Her misbehavior, he argued, not only brought shame to him (*in dedecus dicti Parne*), and made her seem immodest (*contra honestatem dictem Saphire*), but it even upset the honor and law of Venice herself (*contra honorem et ordinamentum dicti regiminis*)! He stressed his previous attempts at reconciliation,

⁷⁰ ASV Duca di Candia, b. 30 ter, r. 30, fols. 27v-28v (14 Jan. 1416). The date of the marriage is not indicated here, but a betrothal agreement is dated to 23 May 1412: ASV Notai di Candia, b. 23 (not. Andrea Cocco), fol. 21r. We learn here, as well, that Saphira is a member of the elite Angura family, though her father died before her betrothal, and negotiations were undertaken by her mother, Chana. Recorded in May, the betrothal agreement mandates that the marriage take place before the following March.

⁷¹ ASV Duca di Candia, b. 30 ter, r. 30, fol. 27v: *videlicet a perversitate ipsius Saphira, que ibat vagabunda omni die et hora sicut volebat per civitatem et per domos alienas.*

and their failure at the hands of his wife. It seems that for Parnas, the airing of his grievances in the ducal court provided a mechanism for regaining his own honor. By illustrating in detail the misdeeds of his wife, Parnas could distance himself from her acts, and attempt to show that he could not be held responsible for them. By airing his shame, he could begin to rebuild his reputation. Thus, repeated assertions of his innocence and her guilt constituted not only an argument before the court, but an attempt to rebuild his own reputation beyond the confines of the judiciary.⁷²

From the perspective of Jewish marriage and divorce law, the necessity for such a case seems a bit strange. If Saphira were embarrassing him so greatly, why could not Parnas simply divorce his wife? Though Parnas' claim does not provide a direct answer to this, his argumentation sheds some light on the ways in which Jewish divorce limited men as well as women. Jewish divorce was a decidedly expensive undertaking; the right to divorce a wife also signified that the husband had to, except under very limited circumstances, pay out the *ketubbah* penalties, equal to the dowry price plus additional moneys. Parnas, however, argued that he was a poor man (*Parna qui est pauper*) who lived hand to mouth, making only what he earned from work (*vivit de die in diem de labore et industria sua*). Saphira had brought an extensive dowry; though the amount is not recorded in the case registers, the betrothal contract lists a dowry of 2500 hyperpera in cash.⁷³ The dowry also included real estate, and Saphira continued to live a wealthy life style in the home which she had brought into the marriage. In contrast, Parnas claimed that his poverty prevented him even from paying his wife's normal provisions (although apparently he could pay the court fees, and must have held her dowry in some fashion), and it

⁷² Regarding Parnas: *Non processit ab ulla culpa; non sit in culpa aliqua*. In contrast, regarding Saphira: *est in culpa*.

⁷³ ASV Notai di Candia, b. 23 (not. Andrea Cocco), fol. 21r (23 May 1412).

was to escape this responsibility that he began this round of litigation. For Jewish men, as for Jewish women, the Jewish mechanisms of marriage and divorce could not provide all solutions to the reality of family life. The secular court, with its financial settlements or dissolution thereof, offered an alternative resolution for these very tangible problems faced by men, too. And men, too, could marshal narrative tropes of honor, poverty, and female misbehavior in their attempts to shape the judicial response.

This court record also provides us with a subtle corrective to the current understanding of male dominance in Jewish marriage, a dominance most apparent in the legal mechanisms of marriage. The notion that men held decidedly unequal power in late medieval marriages, in a Christian context as well, “has been a powerful force in shaping historians’ interpretations of marriage” in this period.⁷⁴ Scholars have identified two elements of marriage across Christendom which enabled and supported this male control: first, the fact of his control over her dowry; second, the legal control over the woman (the *patria potestas*) which was transferred from the father to the husband.⁷⁵ These obtained for Jews living in these lands as well. Moreover, the normative power assigned to men in Jewish law—the exclusive ability to end a marriage, for example—has illustrated for scholars the dominant male role in such relationships, as I too have emphasized in the earlier section of this chapter. As this case makes clear, however, these factors were not insurmountable for some women. Nor did they protect all men. Saphira’s home, from which she kicked out Parnas, had come with her at the time of her marriage, but it did not constitute dotal goods; it was, instead, ultra-dotal, and thus was not under Parnas’ control along with the rest of the dowry. By holding the rights to a home, Saphira could wield power within the

⁷⁴ Kuehn, *Law, Family, and Women*, 198.

⁷⁵ Kuehn, *Law, Family, and Women*, 198.

confines of her marriage. Moreover, because of the strictures of Jewish law, the fact of Parnas' control over Saphira's dowry meant that he was mandated to pay for her provisions, so that he could not wield complete control over his finances. Finally, no matter the normative element of *potestas*, Saphira's behavior makes clear that legal power did not equal control on the ground; Parnas could not mandate Saphira's comings and goings, nor could his status as her husband empower him to correct her. Despite the claims for male dominance so often made, marital control was never unidirectionally controlled.

Seen in this light, Saphira becomes an agent of control, though still not a terribly sympathetic character. Indeed, in the end, the judges of the ducal court found for Parnas in this case, virtually repeating his own language in their sentence: Parnas had made honest attempts at reconciliation; Saphira had acted with obstinance and rashness. But it is worth considering the argument she made in her defense. In the short entry on her defense, she admitted that she did not want Parnas in her house, but she stressed that this house was her own—freely possessed by her above and beyond her dowry.⁷⁶ She rejected the assertion made in the complaint that she had thrown out belongings that Parnas had left in the house, items which would ostensibly show his intent to return were he allowed. Instead, she claimed, Parnas had taken every last item with him when he left: “in this house, nothing was left except a single pair of boots belonging to Parnas, her husband” (*in dicta domo non remanserat nisi unum par stivalorum dicti Parne viri sui*). Saphira worked hard to assert dual guilt, or at least to convince the court that her husband had not tried to make sustained and serious efforts at reconciliation, and that she had not acted outside her legal rights.

⁷⁶ On such non-dotal assets brought into marriage by Italian brides, see Julius Kirshner, “Materials for a Gilded Cage: Non-Dotal Assets in Florence, 1300-1500,” in *The Family in Italy*, eds. David I. Kertzer and Richard P. Saller (New Haven: Yale University Press, 1991), 184-207.

On the matter of her reputation, she simply announced that she was *bona femina de corpore sua*, perhaps suggesting that the audience understood Parnas' reference to her wandering into strange homes as an allegation against her sexual propriety. This accusation is similar to the one endured by Eudochia Crusari, whose husband had unsuccessfully accused her of adultery. And like Eudochia, Saphira appeared in court unable to press for a divorce—a divorce which Parnas apparently opposed as well, since he does not seem to have attempted to give her a Jewish writ of divorce. Indeed, in stark contrast to the claims brought by the women in the earlier sections of this chapter, Parnas Buchi's case record never mentioned Jewish law, not even when discussing the original contracting of the marriage between himself and Saphira. The court only adjudicated according to Parnas' description of his "obstinate" wife and his own claims of financial troubles. The limits of the structure of such a document frustrate our efforts at understanding Saphira; indeed, we are "saddled with one-sided accounts" here, and are "unable to illuminate the shadowy perimeters," as Kuehn defines the classic difficulty of working with this type of legal record.⁷⁷ Our only remedial lens can be the cases of many women observed above, for whom seeking provisions provided a necessary mode of legal separation from their absent husbands. Saphira may indeed have been a singularity, a truly awful wife of a sweet husband, but then again she may have been justifiably unhappy in her marriage.

In any case, it is not our role to judge personalities or pick sides, but to understand the ways in which both women and men marshaled socially understood narratives to convincingly assert their wants and needs. The male perspective compels us to recognize the limitations inherent in digging through these court records. They provide us only with a piece of an ongoing dispute, a set of circumstances which had undoubtedly developed over time, and the records are

⁷⁷ Kuehn, *Law, Family, and Women*, 98.

mediated not only through the claimant's presentation of the case, but also through the language chosen by the judges, and finally through the scribal voice.

In the next section I focus on a final, unusual case in which the voices of both the wife, the claimant, and her husband, the defendant, can be heard in fuller detail. This will allow us to assess another way in which women marshaled the power of the court: as a mode of arbitrating for the sake of a compromise settlement. In addition, this case illustrates the complex ways in which claims for the primacy of the *ritus iudeorum* could be used in Venetian court, as the married litigants offered two subtle sets of arguments regarding proper Jewish law, between which the ducal court was forced to negotiate.

Arbitrating Bigamy in a Monogamous Town: Channa vs. Her Husband, Joseph Missini

On the face of it, the suit brought by Channa against her husband Joseph Missini, the community leader whose last will we explored in chapter two, seems similar to other cases we have seen. Channa claimed to have been rejected and kicked out of her home by her husband, and sought financial redress as well as emotional satisfaction by means of the secular judicial apparatus. Yet a deeper investigation reveals that Channa Missini's case, and its repercussions, were quite different from other examples we have seen. Channa's husband, she revealed, was not absent, or negligent, or financially or physically abusive. Instead, Joseph Missini's fault was that he was an unrepentant bigamist.

In October 1401, using a Christian lawyer, Channa Missini brought a suit in which she complained that her husband had kicked her out of their home and had taken another wife, "against the customs of the Judaica of Candia" (*contra consuetudinem iudaice candide*).

Although she was supposed to have been given provisions, time passed, and no care was given to

her.⁷⁸ In its basic contours, then, Channa's petition reads similarly to that of the women explored above, in which other women sought not divorce, but for the court to compel a husband to pay alimony he already owed his wife. Unlike the short, pro-forma defendant responses noted in the previous cases, however, Joseph Missini offered a far more extensive defense recorded by the court notary. Though Channa had claimed she had been expelled from her home, Joseph countered by claiming that, "with all respect [*salva reverentia*] to his wife," he did not kick her out. Rather, he claimed, she left of her own accord (*sponte sua...sua culpa et sua voluntate*). As such, Joseph offered Channa a counter-proposal. Should she want to come home, he would welcome her back and treat her honorably. We have heard such a counter-proposal before from the allegedly abusive husband of Eudochia Crusari. Nevertheless, the similarity ends here. For Monache Crusari, the counterclaim was meant to prove his innocence, and thus his next move was to ask the court to reject his wife's petition. Joseph Missini, on the other hand, proceeded to present his wife with a second option: first, he offered to pay her provisions, precisely as she had requested; alternatively, if she did not want to come home, he explained, he would be willing to pay for her food and clothing "honorably and appropriately" (*honorifice et decenter*)—and provide her with a different home. According to this new option, Missini would provide for her as a wife (not separation provisions), but give her a separate home away from Missini's new, second wife.

The judges reacted to Missini's proposal by turning to Channa and asking her if she was interested in her husband's counter-offer. She agreed, stating that she was willing to remain his wife, though in a separate home from the new wife, and receive the provisions suggested during Joseph's defense. As such, the court ordered Joseph to pay for the following provisions for her:

⁷⁸ ASV Duca di Candia b. 30 bis, r. 26, fols. 18v-19v (27 Oct. 1401).

food, clothing, and a home, totaling six years of annual payments worth one hundred fifty hyperpera annually, paid out as fifty hyperpera every four months. But this was no separation deal: the agreement will be valid, the judges added, only with the specific condition that Channa allow her husband into the new home he would provide her at any time (“day and night”; *die noctuque*) and engage in sexual behavior with him (*videlicet vir ad uxorem*). A far cry from the provision agreements of the women seen above, Channa’s judgment remained valid only as long as she engaged in conjugal behavior.

This compromise solution appears particularly unusual in the context of Candiote Jewish marital cases because the court did not rule according to the petition articulated by the unhappy wife. Instead of the easy (and far more typical) solution, finding for the female plaintiff while borrowing language from her petition, the judges involved themselves in brokering a new deal. As such, this court case looks far more like an act of arbitration than a strict legal hearing. Perhaps that is exactly how we should interpret these happenings. As Thomas Kuehn has explained, this was precisely one of the functional (if not intended) roles of the Renaissance courts of Italy, where lawsuits were not necessarily brought in straightforward hopes of a cut and dried judgment. Indeed, “many suits were initiated to culminate not in formal adjudication but in a compromise settlement. The lawsuit was not an end in itself but a form of leverage to force a settlement, at times with the encouragement of a judge.”⁷⁹ Channa’s case plays out as a microcosm of these overlapping systems of suit and arbitration, since both approaches to dispute appear in her case. The judges acted in the role of mediators, presenting to Channa the compromise solution, which she readily accepted.

⁷⁹ Kuehn, *Law, Family, and Women*, 19.

A scholarly commonplace has traditionally dichotomized law and arbitration as two opposing approaches to the resolution of dispute. Courts offer justice, a winner-take-all solution defined by a strictly normative decision-making process. Arbitration, in contrast, looks at the holistic social situation which provoked the dispute, and looks for an acceptable compromise. But as Kuehn has argued, an approach which bifurcates law and arbitration is not tenable according to a close reading of actual case records. As in the case of Channa and Joseph Missini, “the dichotomy between and law and arbitration was not so great, especially in the late Middle Ages.”⁸⁰

An Evolving Case: The Role of Jewish Law in Judicial Mediation

Channa Missini's case illustrates the ways in which these two approaches could not only overlap but evolve based on the very specific circumstances. A case which began like many others transformed in the course of litigation, becoming a venue not for dispute but for reconciliation; the relationship status was reaffirmed. Both parties received benefits from the compromise: Channa obtained her own home, away from her husband's second wife; Joseph regained access to his first wife, though forced to pay for an additional home on top of alimony. If the goal of arbitration is, as legal anthropologists have stressed, to “re-create durable ties,” the resolution of the Missinis' case must be understood as a form of arbitration.

How did this case evolve from a zero-sum game into an arbitrated compromise? What enabled Channa and her husband to turn the Venetian ducal court into their personal arbitrators? Though Channa presented a petition for provisions, her carefully chosen method of explaining her complaint left room for her husband to offer a counter-solution. In fact, it was the discourse

⁸⁰ Kuehn, *Law, Family, and Women*, 20.

regarding the *ritus iudeorum* which provided a language through which conciliation could be reached. Channa claimed that bigamy was “against the customs of the *Judaica* of Candia.” She did not make a comprehensive claim that bigamy was against the *ritus iudeorum* or the *lex moisis*, but only that it violated local Jewish custom—*consuetudinem iudaice candide*—an unusual and highly specific expression.

In presenting his defense, Joseph did not deny that he took a second wife. In contrast to Channa's claim of local Jewish custom, Joseph defended his actions in terms of broader Jewish law. It is commonplace, he argued, for Jews observing the Jewish rite around the world to keep two wives. He spelled out a number of cases in which this is so, including a provision for marrying one's niece, marrying one's brother's widow (Levirate marriage), and marrying a second wife when the first cannot produce a male heir. He asserted that in many parts of the world, according to the law of Moses and the rite of the Jews, it is admirable and permissible to take a second wife, “especially when a Jew does not have a male child, and there is no hope of having a male child with whatever wife he has, in which situation the aforementioned Joseph is now.”⁸¹

Joseph's religious rationale was not wrong. Rabbinic authorities from the Talmud onward had indeed argued precisely some of these points, suggesting a deep knowledge of rabbinic law on Joseph's part—unsurprising in light of what we know from Joseph's will and his communal

⁸¹ ASV Duca di Candia b. 30 bis, r. 26, fol. 19r: *hoc fecit secundum legem moisis et secundum ritus iudeorum qui semper fuerunt observati et adpresens observantur in pluribus partibus mundi, unde non est solus qui ad presens sit ad hanc conditionem cum etiam quotidie nuptie fiant inter eos marioris? admirarum quam sit habere duas uxores sicut est in accipiendo neptem filiam fratris, amitam et germanam consanguineam et uxores olim fratrum suorum et huiusmodi accipere autem duas uxores multum magistrum? est concessum, et specialiter quando Iudeus non habet filium masculum et sit extra spem habendi filium masculum cum aliqua uxore quam teneat. In quo causa est adpresens dictus Josteff.* (Reading unclear at points.) Sadly for Joseph Missini and his dreams of a son, his new wife also could not produce a male heir for him. A fight over his inheritance from 1437 indicates that the second wife only gave birth to a daughter, Ghrussana, who in turn gave birth to a daughter, interestingly enough named Channa (also spelled Ghana), but who was known by the unfortunate nickname “Sclavina.” ASV Duca di Candia b. 26 bis, r. 8, fols. 7v-8r (1 Oct. 1437).

activity.⁸² Importantly, Joseph was not the only Jewish man on Crete to claim this religious right to bigamy. In 1409, Lazaro Vetu—also sued by his wife for kicking her out and marrying again—also rationalized his decision to take a second wife as legitimate behavior *secundum ritus suos et legem moisis*.⁸³ In Vetu's case, though, it seems that the defendant hoped his situation was temporary, and did not want his first wife back; the record mentions that he disliked her. His bigamy was thus meant to be either short-lived or passive, legal bigamy though not functional bigamy. In fact, in Vetu's case, perhaps he attempted or planned to attempt to divorce his first wife; we simply do not know. The Missini case is different. Joseph's bigamy, as he made clear, was intended to be a life-long situation; and he had hoped to actively retain both wives.

Nevertheless, this was not the accepted custom in Crete, where the communal leadership adhered to the strict Ashkenazi ban on bigamy. As illustrated in chapter two, Candia's elite Jewish families sent their sons to the Ashkenazi yeshiva in Padua, and the *halakhic* approach often mirrored the Ashkenazi positions. This is not surprising, as most of Northern Italy, including the Veneto, followed the ban on bigamy which had been put in place around the year 1000 by Rabbi Gershom ben Judah.⁸⁴ At his synod in Mainz, Gershom instituted a ban on bigamy and polygamy, as well as a ban on husbands divorcing their wives without the wives' consent.⁸⁵ The extent of the ban, however, remained controversial. The Talmud had explicitly

⁸² The Talmud, and confirmed by Rabbi Gershom himself as well as Rashi, allowed bigamy in case of barrenness. Grossman, *Pious and Rebellious*, 71.

⁸³ ASV Duca di Candia, b. 30 bis, r. 28, fol. 54r (7 May 1409).

⁸⁴ Elimelech Westreich, *Temurot be-ma'amad ha-ishah be-mishpat ha-'ivri: masa ben masorot* [Transitions in the Legal State of the Wife in Jewish Law: A Journey Among Traditions] (Jerusalem: The Hebrew University Magnes Press, 2002), 200-201.

⁸⁵ It should be noted that, though this ban is traditionally attributed to Gershom, and known by his name, some scholars consider the connection between the man and the ban spurious, attached to his name later because of his prominence. See Grossman, *Pious and Rebellious*, 70-71.

allowed bigamy (i.e. two wives) in a number of cases, including those in which the first wife was immoral, infertile, insane, or had abandoned her husband. It also specified the possibility of bigamy in the case of levirate marriage, as Joseph Missini had correctly indicated. However, in Ashkenaz, Gershom's ban superseded the Talmudic leniency, including the cases of infertility and levirate marriage; the rabbis did not allow a man to marry a second wife in any of these cases. In Spain, on the other hand, and to some extent in Provence as well, some polygamy did take place, particularly in cases of infertility or levirate marriage.⁸⁶ Yet even here it was still considered a poor choice, and many *ketubbot* were written in which we find specific clauses forbidding the husband to take a second wife.⁸⁷

This suggests a key reason for Channa's choice to litigate in the ducal court instead of before the local *beit din*. It also suggests that Channa may have intended from the start to use the suit in order to create a space in which an arbitrated compromise could be reached—without having to accept the permanent loss of her husband. Had her case and its intentions been simple—if her husband was indeed acting bigamously against local Jewish law—the rabbinic court would have likely awarded her the *ketubbah* money, and perhaps the *beit din* would have encouraged or compelled Joseph to divorce her. But Channa, it seems, did not want a simple resolution in which she would accept provision money and lose her husband. As such, what appears in sharp relief is that Channa's choice to seek redress in the secular court was very much a product of her (and indeed, likewise her husband's) attempts to enable reconciliation. This

⁸⁶ Solomon ibn Adret notes in his responsa that the ban of Gershom “did not spread throughout our borders.” Responsa of Rashba, 3:446. For a discussion of Spanish bigamy which takes into consideration both Jewish and secular archival sources, see Yom Tov Assis, “‘*Herem de-rabbeinu gershom' ve-nisuei kefel be-Sepharad*’ [‘The Excommunication of Rabbeinu Gershom’ and Bigamous Marriage in Spain], *Zion* 46 (1981): 251-77. On Provence, see Grossman, *Pious and Rebellious*, 87-88.

⁸⁷ M.A. Friedman, *Ribui nashim be-yisrael: Mekorot hadashim me-genizat kahir* [Jewish Polygyny: New Sources from the Cairo Genizah] (Jerusalem: Bialik Institute, 1986), 34, 36, 42, 43, and sources mentioned there.

could only be done by avoiding the *beit din*, which probably would have decided her case purely on the basis of legal considerations, not social factors. The Venetian court appears to have been better equipped to straddle the line between law and arbitration than the Jewish court. In addition, because it was less familiar with the politics of the Jewish law by which it was mandated to decide this case, the Venetian court proved a more malleable medium for Channa's intentions.

The goal was never, however, to avoid an answer framed in Jewish law. Indeed, Venice's accommodation of *lex moisis* ensured that both Channa and her husband could come to a resolution which was acceptable according to their own interpretation of Jewish law, but interpretations which were not mutually exclusive: Channa said that local Jewish custom forbade bigamy; Joseph claimed that technically, Jewish law (*writ large*) allowed the practice. Neither was wrong. This was precisely what enabled the Venetian court, sensitive to the distinctions between law, local statute, custom, and common sense to look beyond a rigid interpretation of the law; they were presented with two, potentially equally legitimate, versions of Jewish law's perspective on bigamy. Each side carefully constructed a case in which each could appeal to Jewish law for different reasons, neither side offering a false tale.⁸⁸ And the ducal judiciary, ever careful to ensure that they were perceived as respecting local custom, indeed took the bait. Before rendering judgment, the panel of judges added into the record a note in which they eagerly affirmed that Jews are allowed to act according to their rite.⁸⁹ Forced to decide whose version constituted legitimate Jewish law, the court allowed both to be possibilities, paving the

⁸⁸ Thomas Kuehn has noted that it was very common for each side in a dispute to offer evidence of competing, and often convincing, norms in late medieval courts. Kuehn, *Law, Family, and Women*, 97.

⁸⁹ ASV Duca di Candia b. 30 bis, r. 26, fol. 19r-v: *Magnificus dominus Albanus Baduario et eius consilium noluerunt causis superis allegatis, quod ad vocum? se impedirent in dicto facto, que Judei possunt facere secundum ritus eorum.*[Reading unclear.]

way for a compromise between the two. In the end, Joseph's claim that the *lex moisis* allowed bigamy provided enough space for both husband and wife to be correct, thereby enabling reconciliation.

In this case, the language of Jewish rite overruled not only the notion of local Jewish custom, but also enabled the allowance of something explicitly forbidden in Venetian law. To be sure, Jewish "legal personality"—that is, the individual legal advantages and disadvantages which belonged to those considered part of the Jewish *universitas*—situated Jews differently from their Christian neighbors in a number of ways. Nevertheless, the advantage given to Jews according to this system created a situation in which their legal personality empowered them to explicitly break the Christian moral code.⁹⁰ As Joseph had framed bigamy as a part of Jewish rite, the judges were pressed to allow something expressly forbidden in Venetian and canon law. Indeed, in 1288, the *Maggior Consilio* of Venice had outlawed bigamy not only for citizens but also for foreign residents in Venice. Punishment specified for a bigamous husband included a financial penalty or, if not paid within the specified time, a year in jail.⁹¹ Though not specifically aimed at overseas dominions, this law emphasizes the seriousness with which bigamy could be taken. To be sure, we should not overestimate the Venetian aversion to bigamy. At least since 1289, the government treated bigamy as a civil offense, not a religious one: in limiting the power of the Holy Office (Inquisition) which set down roots in Venice in 1289, the *Maggior Consilio* demanded that "Exemption may also be claimed for persons guilty of bigamy, blasphemy, usury,

⁹⁰ To be sure, contemporary American law, for example, permits certain religious beliefs and rituals which would otherwise be banned (such as the right for members of the Native American Church to ingest hallucinogenic peyote, otherwise an illegal, controlled substance). Nevertheless, let us not confuse medieval state's choices regarding legal toleration with American First Amendment rights. That Jewish rights would be upheld even when in diametric opposition to Christian religious values remains a fascinating and unusual circumstance.

⁹¹ William Carew Hazlitt, *The Venetian Republic: Its Rise, its Growth, and its Fall, 421-1797*, vol. 2 (London: Adam and Charles Black, 1900), 505-6.

or necromancy, it being considered by the Government that, except in cases where a breach of the sacrament can be proved, these are merely secular offenses.”⁹² The admission of the *ritus iudeorum* into the litigative logic, however, forced the ducal court not only to permit but to facilitate an action which was usually explicitly illegal. Not asked to differentiate between internal differences among Jewish communities, the judges could only decide based on what the two sides had presented to them. This legal flexibility enabled the ducal court to act beyond the bounds of its own law, and even outside the bounds of strictly legal considerations, and become an ad-hoc body of arbitration.⁹³

Conclusion: Gender between Religion and Pragmatics

Legal anthropologists have rightly warned those reading case records that the material presented is partial, and intentionally so. “In any culture we must expect some disparity between the form in which a dispute appears in court and the ‘real’ substance of the quarrel which gives rise to it,” writes Simon Roberts. Those choosing to bring their disputes before judges understood, and understand, that they must present an argument in a way which the court is “prepared to hear it.”⁹⁴ An intuitive understanding of the complexity of marriage, as compared to, say, a property dispute, enables us to recognize that, in the cases explored above, we are not getting only one of side of the story; we are likely not even getting an entire side of the story.

⁹² Paraphrased in Hazlitt, *The Venetian Republic*, 395

⁹³ The central premise of Sara McDougall’s recent work, that bigamy was seen as a crisis in the late Middle Ages because it threatened not the solidity of identity in general, but particularly threatened Christian identity, may help us understand why Jewish bigamy was less problematic for the Venetian court. Sara McDougall, *Bigamy and Christian Identity in Late Medieval Champagne* (Philadelphia: University of Pennsylvania Press, 2012).

⁹⁴ Simon Roberts, “The Study of Dispute: Anthropological Perspectives,” in *Disputes and Settlements: Law and Human Relations in the West*, ed. John Bossy (Cambridge: Cambridge University Press, 1983), 20-22. Also quoted in Kuehn, *Law, Family, and Women*, 96.

Yet what does become visible is that Jewish women, as well as men, were able to air disputes over the most seemingly sacred of institutions, marriage, without recourse to the *beit din*. These Jews did not violate Jewish law, and indeed they utilized the very language of *halakhah*. Their activities, however, were in very few ways unique to Jews. These unhappy spouses acted precisely as their Latin Christian neighbors would do in ecclesiastical court, seeking financial settlements for separation of “bed and board” in light of their inability to obtain formal divorces. The ducal court also acted like its Christian counterpart even when dealing with Jews: in cases of non-consummation, the court suggested an end to the marriage, parallel to the annulment which the ecclesiastical court would insist upon in such cases. To be sure, in some way Jews were different. For example, the Venetian court supported bigamy if presented carefully. More important was the fact that Jews could potentially obtain divorces, while Christians had no choice but to seek alternative means for separate lives. But the reality of the Talmudic system in which women could not initiate divorce, and the late medieval closing of the last rabbinic loopholes to help women seek divorce, left unhappy Jewish spouses in a parallel position to their Christian neighbors—in need of an alternative to religious courts.⁹⁵

While it may seem obvious that Jewish disputes and disputants functioned little differently from their Christian neighbors, contemporary scholarship on premodern Jewish marriage disputes tends to claim real difference and to emphasize the prescriptive aspects of law, assigning an untenable correlation between norm and behavior.⁹⁶ Yet, as in every dispute, “more

⁹⁵ Dubin, “Jewish Women, Marriage Law, and Emancipation,” 69-70.

⁹⁶ For example, Grossman’s *Pious and Rebellious* almost always relies on responsa literature, such as that of Solomon ibn Adret, whose reliability for social history, as addressed above, is questionable. In this context, women become an extreme example of this misreading when scholars read rabbinic “defensive domesticity,” idealized claims about the modest and domestic nature of women, as normative statements. For this concept of “defensive domesticity,” see Michael Herzfeld, *Cultural Intimacy: Social Poetics in the Nation-State* (New York: Routledge, 2004), 4.

was at stake and more was in play than law.”⁹⁷ The *ritus iudeorum*, at first glance primarily a category important for its legal power, under careful analysis appears as a multifunctional tool by which emotionally laden disputes could be translated into norms which Jewish disputants could wield more effectively in a secular court. As such, Jewish law could be brandished in this fight, but another weapon could be chosen in its place: the language of honor and honesty, in the case of Parnas Buchi; claims of violence or impoverishment as with Eudochia Crusari and Heregina Gracian; or the emphasis on upholding valid and binding contracts, as in many others. The real benefit of claiming jurisdiction of Jewish law, then, was that it empowered the claimant (or, much less frequently, the defendant) to define *halakhah* according to her (or his) own understanding and thus potentially shape the judicial outcome more effectively.

It is important to conclude, then, with the recognition that the Venetian government's intensive involvement in the lives of individual Jews did not necessarily limit Jewish freedoms, as scholars have often argued, but rather that it could offer an alternative path to agency for those whom rabbinic law tended to disenfranchise. In his discussion of Jews in the early modern Papal State, Kenneth Stow has claimed that newly evolving notions of state responsibility toward uniform law and direct rule led to increased Jewish inclusion in a legally standardized civil society. The result of such inclusion (including in secular juridical life) was an increasing confrontation between Jews and the state in which Jews were forced to adopt civil procedures where they had once been able to maintain Jewish law.⁹⁸ Stow argues that Jewish recourse to the Vicar of the papal state to act as judge or arbiter in marriage litigation is indicative of a

⁹⁷ Kuehn, *Law, Family, and Women*, 99.

⁹⁸ Kenneth Stow, “Jewish Pre-Emancipation: *Ius Commune*, the Roman *Comunità*, and Marriage in the Early Modern Papal State,” in *Tov Elem*, ed. Elisheva Baumgarten et al. (Jerusalem: Mossad Bialik, 2010).

modernizing state's power grab, expressed in its attempts to centralize and streamline its legal system, i.e. in applying the *ius commune* to every *cives*, including Jews.⁹⁹

In making his argument, Stow describes a case which will seem quite familiar, albeit from an Early Modern Roman context: a betrothed woman is scorned by a fiancé who decides not to go through with the marriage. The jilted bride's mother asks for the intervention of secular authorities, here in the person of the Vicar, to press the erstwhile fiancé to fulfill his promise. While Jewish communal leaders had been involved in the initial betrothal, they were not involved in the break-up of the engagement. For Stow, the mother's choice to turn to the Vicar, and the community leaders' lack of involvement in the settlement of the dispute, must be illustrative of a loss of communal power in the face of a "modernizing" state.

To be sure, the Papal State in 1791 was not fifteenth-century Venetian Crete. The Roman Rota in 1621 had explicitly demanded that Jews bring all lawsuits before a secular court; intra-Jewish arbitrations had fallen by the wayside around the same period, ostensibly because of papal disapproval. Nevertheless, such state-based argumentation disregards the reality of Jewish life and marriage litigation before the fateful moment of 1621, in favor of a potentially teleological narrative. The litigative moment presented above was not new in a post-1621 world. The mother in this case chose to have her daughter's contractual marriage evaluated in a secular court, just as many women did three centuries earlier. It is this matter of choice—this agency to decide before whom to air a dispute—which gets left out when one looks at Jewish policy as part of an Emancipation origin story, with its civil law approach to marriage, and its final death blow to Jewish corporate structures. Even in an age in which the possibility of pursuing or resolving

⁹⁹ For Stow, this tale offers a prolegomenon to Emancipation, in fact which presses him to assert that the legal needs of the state, i.e. to standardize law for all, made evident already in the sixteenth- and seventeenth-century Papal State, made Emancipation an inevitable part of the narrative of the rise of the modern state.

disputes inside the *kehillah* still existed, as it did in late medieval Candia, Jews—men and women, elites and non-elites alike—made a conscious choice to bring their suits before a secular body of Christian judges.

As both this and the previous chapter have illustrated, secular court could provide things that a Jewish court could not: enforcement, not least of all, but also a judge less likely to have a conflict of interest, a more public venue to humiliate one's opponent, regular court dates, more equal access for female disputants, and an opportunity to use the court to arbitrate beyond the strict ruling of local Jewish law. We need not see state intervention as the primary motivating factor which brought Jews into the secular litigative process. To be sure, Venice did encourage its subjects to make use of its colonial administration, including its halls of justice. But for the Jews of Crete, we need not see this behavior as the first step toward losing communal semi-autonomy, a narrative of Jewish disempowerment, but as a mechanism which could empower the individual Jew, male and female alike.

Chapter Seven: Community on Trial: Jewish Leaders in Venice's Court

In the autumn of 1406, the leadership of the Candiotte Jewish community came together to pass a short set of statutes for the Candiotte flock.¹ These five wide-ranging rules empowered the cantor to call for the beginning of Sabbath within the *Judaica*; set rules for the supervision of kosher animal slaughter by communally beholden slaughterers, butchers, and inspectors; and enabled the cantor to protect the ritual bath. It also set up a penalty for those officials who were not fulfilling their duties, banning them from service for six months. This is a set of ordinances which reflect the authors' sense of autonomous rule over the Jewish community's time (Sabbath), institutions (the slaughterhouse), officials (butchers, etc.) and spaces (the entrance to the ritual bath), all conceived of as entities separate from the society outside the Jewish quarter's walls. In the final line of the *taqqanah*, in fact, the authors articulate that these ordinances are the things that allow the Jews to live in gentile society, apparently by acting as a protective fence not unlike the *Judaica* walls themselves.² It is a discourse of separation, similar to the rhetoric addressed in chapter one, but also an assertion of the independent authority of the Jewish leaders, here defined as "the teachers and the masters of Torah...and the rest of the respected ones," whom the *condestabulo* gathered to create and publish these rules.

Nevertheless, this rhetoric of autonomy does not completely match reality—a fact which the authors seem to admit at the end of the *taqqanah*. The leadership can realize their punishments, records the ordinance, "only if the will of the authority," that is to say, the ducal administration, "agrees to this." Yet even here, the assumption remains that, from the perspective

¹ *TQ* no. 52, pp. 51-52.

² *TQ* no. 52, p. 52. "And we have made these ordinances which, through them, we live among the nations."

of the Jewish elites, intracommunal matters should stay inside the walls of the *Judaica*; intervention only occurs when the Venetian sovereign demands it.

A close reading of the prologue to this *taqqanah*, however, paints quite a different picture of the extent and vector of Venetian involvement in Jewish communal life. The ordinance opens with a mention of the roster of the current leadership committee: these decrees were established during the tenure of “our Parnas in this year, the leader of our community, a man of faith, Rabbi Malkiel Casani, the *condestabulo*, and his auditors, *chosen in the assembly, men of repute*,³ our teacher and rabbi Shmarya Delmedigo, and the honored Rabbi Isaiah Cohen Balbo, and the honored Rabbi Elijah Missini, may they live.”⁴

The names of the *condestabulo* and his three *hashvanim* are not surprising; the Casani, Delmedigo, Balbo, and Missini families long shared power with a few other clans. But the *taqqanah* reports that this roster does not reflect the original group of men chosen at the beginning of the current tenure cycle. Originally, Jeremiah Capsali was named *hashvan*, and Isaiah Balbo was not.

But when there was a marriage agreement between him and the above-mentioned teacher and rabbi Shmarya [Delmedigo], some of our community became angry since they thought that it was not appropriate for two in-laws in one ministration together, and so the authority [i.e. the Venetian colonial government], may God protect her,⁵ decreed one of the two to leave, as you can see in the notebook of decisions of the *cancellaria*.⁶

While the Jewish community accepted that a small number of elite families would consistently hold the leadership positions, there was a limit to what could be tolerated. Two men, joined by

³ Numbers 16:2. Strangely, this verse actually refers to evil characters in the Bible: the community leaders who joined with Korah to rebel against Moses' authority.

⁴ *TQ*, no. 52, p. 51.

⁵ ירים קרנם, literally “May He raise their horns”

⁶ *TQ* no. 52, p. 51.

their children's marriage, would share—whether by necessity or plan—certain goals and interests which could blind them to the common good. While any man can be expected to have personal reasons for making decisions, the assumption, it seems, is that each individual councilor's reasoning was supposed to balance his fellow's biases. Now legally related, two men could no longer be counted on to balance each other's self-interest. The ducal court became involved, and ruled that one man must step down. Balbo replaced Capsali for the cycle.

However much our ordinance writer (the *condestabulo* Casani himself, according to a note among the signatures⁷) desired to show these men in a good light—after all, “the abovementioned honored men, quite good in ethics, did not go against this judgment” of the ducal court—the fact that the Jews involved the colonial government hints that the back-story of this event was far more complicated than the ordinance writer was willing to admit overtly. Likely, a group of Jews sought an internal solution to this seemingly internal matter: one of the two in-laws must recuse himself. But each refused, and, it would seem, the *condestabulo* Malkiel Casani declined or was unable to convince either of them to step down. With no more internal recourse, the unnamed agitators sought justice in the secular court. And indeed the ducal court supported them. The ordinance then turns to the good values and strong leadership of this new four-man council, ignoring the wider implications of this coup.

Those who brought the case before the colonial government were concerned with the personal and familial interests of the men who would be in power. These extracommunal interests must have been a significant tension not only in this case, especially in a community in which the most successful businessmen were also the religious leaders. The notion of a tension between the individual interests of the Jewish elite and the needs of the community as a whole

⁷ *TQ* no. 52, p. 51.

has been woven into many parts of this study. Elia Capsali surely sought to promote his friendship with the duke of Crete to aid his community, but the personal benefits he could obtain should not be ignored. Joseph Missini, whose last will illustrates that he cared deeply for his community of Jews in Crete and beyond, was also willing to marshal the malleable secular court system to maintain his bigamous marriage. Judah de Damasco leveraged his role as a doctor to maintain a Greek Orthodox mistress, while also serving the Jewish community in a formal function.

In each of these cases, the tensions between elite families' individual and community interests played out in the end in the arena of the ducal court, not within the framework of the Jewish communal organization. The very leaders of the Jewish community accessed the halls of justice not only to air private disputes between business partners and neighbors, or even simply to resolve familial disputes. Rather, the secular court of Crete became a locus in which the Jewish leaders of the community battled over decidedly intracommunal issues, often reflecting this individual/community tension. Despite the rhetoric of private rule within the confines of the corporate *kehillah kedoshah*, in reality, the leaders of the Jewish community actively opened the doors to Venetian intervention in the running of the Jewish community's institutions, particularly in cases where individual interests collided with the good of the community as a whole. It was a venue in which both those seeking their individual interests could seek protection from the community's will, and where the community leadership in their official capacity could push individuals to recognize wider communal interests. The same individuals, depending on the situation, could find themselves on either side of this interest divide.

This final chapter, then, aims to bring together a number of the dichotomies which this study has addressed and complicated—community and the individual, rhetoric and the real, the

kehillah and the state—by exploring the ways in which the ducal court became a site for these decidedly intracommunal fights. First I offer an analysis of an exceptional courtroom fight over the position of *hazzan* (called in the Latin *sacerdos*). This intra-elite battle highlights not only the role of the secular judiciary in intracommunal disputes, but also illustrates the important corrective to our historical understanding which can be gleaned by reading *Taqqanot Qandiya* alongside the ducal court records. Next, I consider the challenge between individual and communal interests in the person of the *condestabulo*. His dual role, as internal community leader and quasi-official tax farmer collecting the Jewish impost, certainly placed him in a particularly awkward situation vis-à-vis his flock. But in addition, the reality in which many *condestabuli* were also wealthy, high-status men, often doctors (eligible for tax exemptions), created another layer of disconnect between communal and individual good. As I have stressed throughout this study, the line between “inside” and “outside” the Jewish community was not only blurred, but sometimes appears downright non-existent—even among those who claimed to hold the keys to the doors of self-segregation.

The Crisis of the Cantor

Although Moses Capsali (1420-1495) had left his home in Crete to study in the *yeshivot* of Ashkenaz, and then to lead the Jewish community in Constantinople, he remained for the Candiot leadership a source of rabbinic wisdom and advice, and they often turned to him to answer particularly thorny questions of law and ethics.⁸ Collected among *Taqqanot Qandiya* is a *responsum* written by Moses, addressed to the heads of Candia's community (including a relative, Eliezer Capsali), who had requested from him an opinion. The topic was a crisis in the

⁸ Moses Capsali, also discussed in chapter 2, served in Constantinople as a community leader, and later as official head rabbi of the city under Ottoman rule.

office of *hazzan*, literally cantor, but a position which in reality was more akin to chief executive of an individual synagogue.⁹ Each synagogue had a *hazzan* who appears to have been a powerful force in the microcosm of that building and its sub-community of Jews. In explaining the query which his *responsum*, dated to July 1458, sought to address, Capsali recounted that the Venetian government had somehow become involved in the selection of a *hazzan* in one of the city's synagogues: "And you asked about the issue of the cantor who was appointed silently [or: violently; *be-alimut*] by the patrician [*ha-partamim*] rulers of the lands and the ministers of the states, and was not appointed by the seven good-men of the city according to the law and the custom of our holy fathers, the sages of Candia, may their memories be a blessing."¹⁰

Capsali expressed his horror at such a situation, yet he targeted his ire not at the Venetian government which had stepped into an area of Jewish semi-autonomous rule. Rather, he blamed Jewish men: "How did men arise in your midst who would violate the covenant of commandment [*mitzvah*] and the laws, *new people who have recently come, whom your ancestors could not have imagined?*" This last phrase was an expression he borrowed from Deuteronomy 32:17, which, as discussed in chapter two, was also a favorite way that Capsali had denigrated Sephardi Jews who had brought innovations in Jewish divorce.¹¹ Although in this case Capsali did not articulate the identities of the newcomers, he clearly saw them as a group apart from the traditional leadership of Candia who wrote the inquiry; those traditional leaders, he must have assumed, would be precisely the ones who would closely hew to the ways of the Candiot sages.

⁹ *TQ* no. 45, p. 37.

¹⁰ *TQ* no. 45, p. 37.

¹¹ *TQ* no. 47, p. 43. Deuteronomy utilizes this expression to refer to false gods, an extremely negative association.

From the view of Capsali's *responsum*, practices in which Candiotte Jews allowed Venice to interfere in their internal communal life were a new problem, sparked by newcomers and troublemakers. It could be solved with swift action. By way of resolving the conflict, Capsali ordered the community leaders to publicly demand that the *hazzan* step down; if he refused, they should put him into social isolation akin to excommunication. According to a note appended to the letter, community leader Moses Casani read Capsali's missive aloud at a gathering of the community, an act of shaming that quickly convinced the *hazzan* to step down. Capsali's solution had worked, or so it seemed: the insiders would shame the outsiders, and life would return to "normal."

This conclusion, however, reflects a skewed image produced by a highly narrow lens. If we broaden our scope beyond *Taqqanot Qandiya* to include the vantage point of the ducal court records, a new picture appears: Jewish behavior leading to Venetian involvement in Jewish intracommunal issues was neither new nor limited to a group outside the elite leadership context. Rather, the question of the state's intervention in the election of a *hazzan*, which Capsali treated as a novelty in 1458, had come before the secular court eight decades earlier, in 1374, and had continued for decades. Most importantly, the dispute involved not a newcomer, but a member of the communal elite whose parents had built the synagogue in which he wished to act as *hazzan*. This member of the Jewish elite invited Venice to the table by bringing suit against other communal elites, a case which was heard by the duke himself.

Details of this case from the 1370s appear in the record from a hearing in October 1411, when Tam Belo, son of the late Chai, brought suit against the current *condestabulo*, Shabbetai Casani, over the election of the *sacerdos* of the Stroviliatiko synagogue.¹² Though *sacerdos*

¹² ASV Duca di Candia, b. 30 bis, r. 29, fols. 19v-21r (3 Oct. 1411). From other evidence, this "Tam" can be identified as Jacob Belo, son of the late Chai. Tam is his nickname: see ASV Duca di Candia, b. 30 ter, r. 30, fols.

literally means “priest,” in this context it refers to the position of *hazzan*, cantor, who served the synagogue in a role which must have appeared similar to the role of a priest in a church. In his petition, Tam explained that in order to name a new *sacerdos* at any synagogue in Candia, the current *condestabulo* and his councilors were mandated to choose seven men who would then become the formal electorate with the power to appoint a new *sacerdos*; the elected cantor would then hold his position for two years. Once he completed his two years, he could not hold the position again for four years. This reference to the proper modes of election, based on an electorate of seven men, recalls Moses Capsali’s assertion that seven good men of the city should choose the *hazzan*, but offers more particulars.

This entry also indicates that, as a result of a previous lawsuit brought in the 1370s, the duke and his councilors had explicitly confirmed this communal practice, and threatened anyone who dared transgress it (ostensibly by holding office for too long, or seeking office again too frequently) with a hefty enough fine of twenty-five hyperpera. Not willing to rely on an internal *taqqanah*, the leadership had a legally binding contract written up to this effect by a Latin notary in 1374, applicable to all current and future communal leaders. Tam, a member of the Stroviliatiko synagogue—and not just a member but part of the elite family which built it, as he stated in his petition—claimed that he was supposed to be named the newest *sacerdos*, with all the concomitant (though unnamed) benefits.¹³ But through the improper intervention of the *condestabulo* and his councilors, Tam was prevented from taking his rightful post.

11v-13r (21 Oct. 1415). He is dead by August 1437, when his widow appears in court; see ASV Duca di Candia, b 31, r. 40, fol. 5r-v. (30 Aug. 1437).

¹³ It seems likely that the Stroviliatiko synagogue is the same as the one mentioned in *Taqqanot Qandiya* as Seviliatiko, and identified as the major synagogue (*beit ha-knesset ha-gadol*) in 1518. *TQ* no. 72, p. 76.

Ironically, then, as a result of a law suit brought by a Jewish litigant before the colonial judiciary, the Venetian government had intervened to demand that the internal workings of the Jewish communal organization remain both internal and fair—that is to say, that the Jewish community follow its own rules! According to Tam, at least, the *condestabulo* and his councilors were the ones guilty of improper intervention in the election of the *hazzan*, and in doing so they were not only defying “the customs of the fathers” (to paraphrase one of Moses Capsali’s favorite expressions), but simultaneously defying Venetian law. For Tam, Jewish custom and Venetian law were not in opposition, but rather in agreement; it was only the Jewish leadership which refused to uphold them both. The secular court could be the enforcement arm for an authentic upholding of community custom, while the internal leadership refused to follow its own rules.

The circumstances surrounding this court case offer important insight into government involvement in the community’s internal Jewish life. It highlights the recourse of the Jewish leadership to the secular authority and its notarial arm as a means of legitimating its own internal agreements. Methods of electing officials had been spelled out in the Hebrew *taqqanot* during the reforms of 1363, as discussed in chapter one. In a decree entitled “An ordinance [lit. fence] for the election of seven good-members [*tovei*] of the community,” the signatories of the reforms declared that upon the election of a new *condestabulo* (no councilors are mentioned, though a number of lines of the manuscript are illegible), the new leader chooses seven “important men from the good men of the community.” Their role, according to the Hebrew decree, was “to uphold and strengthen that which the community sets in place and decrees, on all of the issues which are for the need of this community, and to fix and to straighten every obstinate and crooked thing which it [i.e. the *kahal*] may do which is outside the laws of the community during

his [i.e. the *condestabulo*'s] tenure.”¹⁴ During each *condestabulo*'s time in office, then, the *kahal* also formed a larger board of seven who were meant to uphold and enforce (in whatever unspecified way) the communal rules and decrees. Though this ordinance does not indicate that these are the same seven called to name a synagogue's *sacerdos*, it certainly seems likely. Although this structure of choosing communal officials appears to be an internal process, the final line of this *taqqanah* suggests otherwise. As in the Hebrew act from 1406 discussed at the opening of this chapter, the role of the Venetian government is written into the ordinance itself: “And according to this set-up should this topic be dealt with forever, *until the spirit be poured upon us from on high*.¹⁵ And only if the will of our lords, the duke and the captain, and his advisors (may their glory be raised), is with this [plan].”¹⁶

At first glance, this may seem like a commonplace statement intended to appease the colonial government, but without active implication. The Latin court record from this case, however, suggests otherwise—that the active interference of the Venetian government suggested in the Hebrew ordinance was intended to be, and was, real. Eleven years after the decree of 1363, the somewhat vague organization and election principles set down in this ordinance were made more detailed, verified, and notarized in a Latin context. The ducal court was asked to spell out consequences for non-compliance, a financial penalty backed up by the colonial government herself. Venice's theoretical “glory” evolved into a literal enforcement power in the form of a significant penalty for those who do not observe “that which the community sets in place and

¹⁴ *TQ* no. 25, p. 14.

¹⁵ Isaiah 32:15.

¹⁶ *TQ* no. 25, p. 14.

decrees.” Moses Capsali’s anxiety about a changing community in 1458 appears even more idealized in such a context.

The final judgment in Tam’s court case of 1411, however, also suggests the ways in which the acceptance of some amount of intervention could become a slippery slope. Instead of choosing to side either with the *condestabulo* or with Tam, the court provided a compromise solution in which it inserted itself into the decision-making process. Undermining the agreement made in 1374, by which the *condestabulo* was empowered to choose the seven men of the electorate, the duke and his councilors decreed the following: when a new *sacerdos* was to be chosen in the Stroviliatiko synagogue, the *condestabulo* at that time was given the right to choose three electors, while Tam and his brother (apparently as the first family of the synagogue) would choose another three. This accounts for six men. The duke decreed that these six should attempt to reach an agreement, but if they could not (*si ullo dicte sex non essent in concordio*), a final elector should be chosen. Here we see the most blatant change: this final elector, the tie-breaker, would be chosen by the colonial government. This final sentence thus showcases the possible extent of government intervention in the period under study, and its effect on both the institutional leadership and other Jews.

Instead of serving as a powerful enforcement arm for already established internal policies, the intervention of the court actually undermined the independent corporate decision making power of the Jewish community. Refusing to side with the official leader of the community, the ducal court chose a compromise resolution which empowered itself to the detriment of the Jewish community on all sides. It is clear that Tam’s family and the *condestabulo*’s company had differences of opinion over whom to elect as *sacerdos*; it is likely that this division would continue in future years. A split vote would be more than probable. By

establishing itself as the body empowered to choose a final elector, the colonial government had given itself the deciding vote in the internal election process of the Jewish community.

Court Intervention and the Maqom Qavuah

Court intervention in the internal politics of synagogues was not simply a one-time event.¹⁷ Nor was this intervention solely requested in the context of an election in which official positions and perhaps a salary were on the line. Rather, it appears that at times, Jewish litigants involved the duke in the very minutiae of inner Jewish communal life. A short record from December 1439 offers us no background information, but simply orders “that Michyel [?], Jew, son of the late Samuel Sacerdos, Jew, should be able to stand and sit in the priests’ synagogue [*in sinagoga sacerdotum*] called Chochanitico, in the place in which his late father, Samuel, stood and sat.” Michyel had noted that this seat was one which had been passed down for generations, as Samuel’s own father Joste (Joseph) had passed it down to his son. There the entry ends, without discussion of a plaintiff or defendant, though ostensibly Michyel had brought the initial complaint.

The essence of this fight is over a *maqom qavuah*, a fixed seat for prayer in a synagogue. The idea of establishing a consistent spot to pray in, done in the Jewish rite both while standing and sitting, stems from a number of Talmudic discussions which find biblical precedent for the concept.¹⁸ Medieval commentators, including Solomon ibn Adret, explained that a fixed prayer

¹⁷ ASV Duca di Candia b. 31, r. 41, fol. 23r (3 Dec. 1439).

¹⁸ BT Berakhot 6b and 7b; JT Berakhot 4:4.

spot helped focus the mind for prayer, and created an atmosphere of seriousness in the synagogue.¹⁹ As regards Samuel, however, it seems that his distress over his fixed prayer location stemmed not only from a religious concern, but from a point of familial honor. His family, members of the priestly class, had attended this priestly synagogue for at least three generations. This spot had likewise been used by the men in the family for three generations. We cannot know more than this, as no parallel court entries record the back story of this case. It does, however, shed light on the extent to which Jews were willing to use the court to stake their claims to their Jewish activities. A seemingly minor fracas over a seat in the synagogue was not too petty to bring before the duke himself, as it made its way up from the court of first instance to the ducal court. It was obviously deeply important to Michyel, willing to pay the court costs for such a dispute.

The topic is certainly telling: in stark contrast to Ibn Adret's warning that the use of gentile courts would promote assimilation and loss of identity, the Venetian court had actually become a venue in which Jews could play out disputes wholly internal to community identity and communal interests. Elite Jews in Candia in this period were not concerned with keeping internal politics inside the *Judaica*; the ducal court had become a site for Jewish institutional fights from the highest levels (over the election of officials) to the lowest (members of synagogues bickering over seating arrangements). Even a present *condestabulo* and a former one would use the court to settle disagreements over that office's salary. This happened, in fact, in September 1451, when two *condestabuli*—a former one, Mioche son of Moses Delmedigo, and

¹⁹ Solomon ibn Adret, *Pirushei Ha-Agadol*, Berakhot 6:2. Edited by Getz in his *Sifre Ha-Rashba* (Jerusalem: Oraita, 1986).

the current one, Solomon son of the late Potho—appeared in court over 236 hyperpera Mioche claimed were owed to him from his time holding the office.²⁰

Moreover, this short case illustrates the way in which Jewish use of these courts handed over surprising power to the colonial government. No longer could an internal, autonomous hierarchy expect to be solely responsible for settling problems inside the *Judaica*. The corporate mirage of the *universitas iudeorum* was breached; the elite *taqqanot* relied on the support of the colonial government, and the elite families readily brought that government inside their own disputes. The equal access to Venetian justice granted to all colonial subjects had not necessarily promoted assimilation, as Ibn Adret had feared, but certainly ran counter to the private self-governance he had so intently imagined.

***Condestabuli* in Court: The Tension of Dual Roles**

One of the important ways in which the ducal judiciary became a site for intracommunal dispute among Jewish elites was as a venue for fights over taxes. The Jewish tax offers a prime example of the way in which internal Jewish life intersected directly with the Venetian colonial government's tax policies. That is to say, the *condestabulo* did not function solely as a legislator of internal policy for the spiritual betterment of his flock; he also acted as a quasi-official of the Venetian state in his role as tax collector, responsible for the gathering of the Jewish taxes levied on the community as a whole. We can witness the awkward juxtaposition of these two roles in a number of court cases in which the *condestabulo* engaged the judiciary as his enforcement arm (both successfully and unsuccessfully), as well as in suits in which the Jewish flock held their *condestabulo* responsible for tax pressure they deemed unfair. In addition to this external tension

²⁰ ASV Duca di Candia, b. 26 bis, r. 10, fol. 206r (27 Sept. 1451).

between leader and flock, the very person of the *condestabulo* also experienced an internal tension as one who was responsible to pay his fair share of taxes, but also (like many in the community) hoped to evade some of that same burden.

As leaders of a corporate body responsible for the collection of Jewish taxes, the *condestabuli* saw litigation in the Venetian court as a way to force members of the community to pay their piece of the impost pie. But this was not their only motivation; sometimes money could act as a currency of dispute with implications beyond the financial, into the realm of identity and status definition. A dispute between the Jewish leadership and a non-paying member of the *kehillah* (and later, his son) that continued heatedly for almost forty years offers a particularly illustrative case in point. In April 1401, three men, namely David, the son of the late Moses, Alchana de Negrofonte, and Lazaro Vetu, all identified as *condestabuli* of the Jews of Candia (*comestabiles iudeorum Candide*), brought suit against a Jewish agent for Elia Mosca, a successful Jewish businessman who had refused to take part in paying the Jewish taxes levied communally on the Jews of Candia.²¹ Elia Mosca himself had left Candia, and the *condestabuli* (like the unhappy women in the previous chapter) were looking to Elia's agent as a man who could speak for him—and who held his Cretan purse-strings. The courtroom complaint records the dispute as follows: though Elia came from Negrofonte, he had married and bought a home in Candia. As such, he should participate in the communal taxation burden of 4000 hyperpera which the Jews of the city had to pay at that time. The agent defended Elia with the claim that his client was only a foreigner (*peregrinus*) and stranger in Candia, and did not have a home in the city. The judges, however, were not convinced, and in this case they found for the *condestabuli*: they ordered Elia to pay a portion of the Candian Jewish tax.

²¹ ASV Duca di Candia, b. 30, r. 25, fols. 124v-125r (19 Apr. 1401).

The Venetian court did indeed sometimes exempt non-residents, including Jews, from local taxation, often after the Jewish leadership had aggressively sought their payment. In 1391, the ducal court granted Maria, the widow of Hosea Theotonicus, an exemption from the Jewish tax because she was actually a resident of Venice, despite the fact that she had lived on Crete. The court explained that she should not be taxed as long as she did not own any property on the island.²² In a parallel case from 1412, a Jewish member of the Capsali family resident in Rethymno extracted himself from the *geta* tax in Candia based on the same principle—that he possessed no property in Candia.²³ The *condestabuli*'s argument in the Mosca case, then, relied in part on this principle: Mosca, in fact, did own real estate (a home) in Candia, claimed the *condestabuli*. Moreover, against his assertion that he had no real social place within the local Jewish community, the *condestabuli* countered that, in fact, he had married a local woman.

The court register does not record any more data in the aftermath of the judgment against Elia Mosca.²⁴ In May 1438, however, almost forty years after the original case, Aaron Mosca—the son of the now-late Elia—appeared before the ducal court in Candia requesting a tax exemption.²⁵ Neither he nor his late father, he explained to the duke and his two councilors, really counted as Candiote Jews; though they both resided in Candia, as Aaron continued to do after his father's death, they were actually from the island of Negroponte, where the family's land, assets, and main business remained. Nevertheless, he related, he was forced to pay various

²² *Cum constiterit dictam iudeam non habere possessiones in creta*. ASV Duca di Candia, b. 30, r. 22, fol. 77v (4 Apr. 1391).

²³ ASV Duca di Candia, b. 30 bis, r. 29, fols. 137v-138r (30 May 1412).

²⁴ We do learn, however, that Elia died before May 1417, when a creditor from Negroponte appeared at the ducal court seeking money Elia had owed him, and which the *curia prosopi*, the court of first instance for Greeks and Jews, had already demanded be paid to him. ASV Duca di Candia, b. 30 ter, r. 30, fols. 220v-221r (11 May 1417).

²⁵ This case is recorded very similarly in two locations: ASV Duca di Candia, b. 26 bis, r. 8, fols. 33v-34r; and b. 31, r. 40, fols. 58r-59r (5 May 1438).

Jewish taxes on Candia, as well as back home in Negroponte. On that island, “we are taxed, and we have paid and pay the imposts, the *geta* tax, and the *angaria* taxes.”²⁶ Therefore, he continued, he should not have to pay taxes since “one should not suffer” these Jewish taxes twice.²⁷ As his father’s heir and trustee, he was responsible not only for his own taxes, but for all of the years of back-pay for when his father did not pay the Candiot Jewish tax (suggesting that the judgment of his father’s case did not render the older man ready to hand over the money). He requested an exemption for his own and his father’s back taxes in Candia, so that he could limit his financial suffering.

Despite Aaron’s claim that he had been unfairly burdened by double taxation, the current *condestabulo*, Solomon de Potho, arrived to testify against Mosca using the same argument his predecessors had taken up four decades before. Though Aaron’s petition did not rely on the original claims of property and connections, Solomon argued along the same lines as his predecessors, asserting that Aaron had truly become part of the community: like his father, he had married a wife in Candia, and—most importantly—he owned a home (*domicilium et habitacionem*) on the island. In truth, other evidence suggests that the Moscas had indeed sunk

²⁶ Aaron [here spelled Acharon] came to court claiming the following: *patrus suus predictus et ipse Acharon erant et sunt de Negroponte in quo loco taxabantur et faciebant et faciunt impositiones et geta ac engarias suas* (in the language of the b. 26 bis record). The impost was the general annual tax; the *geta* or *gettum*, according to Elisabeth Santschi, “is probably a corruption of *guettus* or *guetus*, which signifies the watch-duty tax: in effect, the Jews of Candia, as the other inhabitants of the city, had to participate in the guarding of the walls for their quarter.” Elisabeth Santschi, “Contribution à l’étude de la communauté juive en Crète vénitienne au XIVe siècle, d’après des sources administratives et judiciaires,” *Studi Veneziani* 15 (1973): 185 [translation mine]. For the Jews in this period, the *geta* had seemingly become a monetary replacement tax and not an actual levy of man-hours. The *angaria* was an ad hoc labor tax, sometimes rendered by localities, but not usually employed for the Jews of Candia.

²⁷ It is worth noting that Mosca’s claim, that his “visitor” status should afford him protection from local imposts, was not one which would carry weight throughout the medieval Jewish world. In fact, in many cities, including those in Germany and Iberia, Jewish communities demanded that temporary residents and visitors participate in communal obligations. To be sure, we cannot know if Mosca paid into any internal Jewish pots—for example, funds to pay for the marriages of poor orphans (a fund made known to us through bequests in wills)—but he certainly claims to not be obligated to pay any of the Venetian-imposed taxes. On taxation levied on visitors by Jewish communities, see Salo W. Baron, *The Jewish Community, Its History and Structure to the American Revolution*, vol. 2 (Philadelphia: JPS, 1945), 12.

deep roots in Candia.²⁸ It comes as little surprise then that the court sided again with the *condestabulo*, and Mosca was ordered to pay the Jewish taxes both in Candia and in Negroponte (where he also owned property), both for himself and for his late father. Aaron's claim against the injustice of double taxation had been undermined by the parallel logic of the Jewish communal leaders: as long as the Moscas were legitimate members of Candia's Jewish community, they could not claim to be from (or "only" from) Negroponte.

On a basic level, the court's decision rested on a simple principle of proof of intentional settlement, through ownership and social connections, but over the course of arguments, we are able to sense the non-legalistic elements of this case, particularly the intense discord between a member of the Jewish flock and its leadership. The pitting of the Mosca family against the Jewish leadership places in high relief the awkward position of a leader; though we might expect him to seek methods to protect his flock from the financial exploitation of the Venetian government, instead he marshaled the instruments of Venetian power in Crete to force them to pay. The rancor is evident; in his complaint, Aaron told the court that he was motivated to seek this official exemption because, a number of years earlier, the leader of the Jewish community, the *condestabulo*, had harassed (*molestebat*) an agent for his father. Recently, he explained, he himself had been harassed by the current *condestabulo*. In each case, the Moscas were badgered by the Jewish communal leader because of their refusal to pay the Jewish taxes in Candia. We see from other evidence that the Jewish leadership used this type of pressure in other cases of non-payment of taxes. For example, the ruling which protected the Venetian Jew Maria from

²⁸ An entry in the court records from 1407 witnesses Elia Mosca, Aaron's late father, fighting another Jew over a contract they had made in 1400. ASV Duca di Candia, b. 30 bis, r. 27, fol. 94r-v (? May 1407). We see Aaron involved in local business in 1430, when he was trusted to manage money belonging to Latin noblemen in Candia. ASV Duca di Candia, b. 31, r. 37, fol. 82v (12 May 1430).

paying Candiote Jewish taxes also stressed that Maria's son-in-law, her agent, should not be harassed anymore (*non molestetur amodo in ante*) for her money—ostensibly the impetus for her suit in the ducal judiciary. In his role as tax-collector, the *condestabulo* at times felt compelled to pressure his own flock to the extent that they experienced it as harassment, quite different from his role as protector of the Jews.

It seems that in Candia, as in most locations across Christian and Muslim lands, with a few exceptions, the government's choice of Jewish leader "was an extension of their preexisting communal offices."²⁹ The Jews chose their leader, and the government gave him the added position of a semi-governmental functionary. We have no reason to think this was otherwise in Candia. But the external authority granted to the leader appears to have become an important part of the job. While the first *condestabulo* to appear by name in Hebrew sources of *Taqqanot Qandiya*, David, son of Judah, mentioned in the reforming ordinances from March 1363, is called both *condestabulo* and *nasi*, reflecting his external and internal authority, most later *taqqanot* simply call Candia's current leader a *condestabulo*.³⁰ This dual role as religious leader

²⁹ Kenneth Stow, *Alienated Minority: The Jews of Medieval Latin Europe* (Cambridge: Harvard University Press, 1992), 164.

³⁰ *TQ* no. 24, p. 13. The term "*nasi*," literally a prince, was originally used by Jewish leaders supposedly descended from the Davidic line during the Babylonian captivity, and resuscitated in the Middle Ages (along with the title *nagid* in Muslim lands) to indicate an internally accepted leader of a diasporic Jewish community. Like many titles used within medieval Jewish communities, *nasi* could sometimes signify the title of a specific appointed or recognized leader, and thereby bestow status (as in the Candiote context); however, in some medieval locales, the title could function as a general category of respected members of the community—a title, then, recognizing an already held social status, akin to *zaqen* (elder) or *tov ha'ir* (good man of the city). For a discussion of these titles and statuses, see Elka Klein, *Jews, Christian Society, and Royal Power in Medieval Barcelona* (Ann Arbor: University of Michigan Press, 2006), 65-67. Klein has translated a certificate of appointment for a *nasi*/leader from a document formulary written in twelfth-century Barcelona. Though it seems that this document was never actually used by a community, it quite accurately depicts the authority apparently given over to Candia's *nasi/condestabulo*, as reflected in *Taqqanot Qandiya*. As such, it is worth recounting part of the formulary here: "We the elders and the heads of the community of such and such a place [say]: so it was that for our great sins we declined and decreased and diminished until we remained a remnant of many, like a tall pine tree on a mountain, and like a flag on a hill, (Isaiah 30:17), and the people of our community remained *without a head and without a nasi and without a chief judge and without a leader* so that we were like sheep without a shepherd... And we assembled with all of the members of the community and negotiated and saw that this is a disgrace to us and to our community and we agreed in an assembly (ma'amad) of all of our community and we balloted from lesser to greater for Mr. X (or X and Y) a

(if not rabbi, like Capsali, then upholder of religious rules and values) and civil liaison—and sometime enforcer of the Venetian regime—made the office of *condestabulo* one which inherently produced tension vis-à-vis his community.

The Jews of Candia were not the first to experience this tension. As Kenneth Stow remarked when evaluating modes of communal Jewish leadership in the Middle Ages, “this union of externally appointed and internally chosen leaders was not an ideal one,” neither in the former Carolingian lands where a royally appointed *Episcopus Judaeorum* was also a *parnas*, an internal Jewish leader, nor in England, where the Presbyter or “Jews’ Priest” filled the same role.³¹ The English case illustrates for Stow the worst problems of this duality of roles: “The Episcopus and his ilk could be made to coerce the Jewish community against its will, and against its best interest. This occurred most visibly in England in the thirteenth century when the kings began to demand from the Jews abusive taxes and to use the Presbyter as their chief collectors.”³²

Likewise, in Candia, the last decades of the fourteenth and the fifteenth century were characterized by a steep increase in Jewish imposts to be paid as a community rather than individually. In 1386, the government demanded 1,000 hyperpera annually from its Candiote

member of our city, since he is wise and discerning and fears heaven and is trustworthy with money and hates avarice [cmp. Dt 1:13, Exod 18:21]. He was appointed for us (may God strengthen him for good) and we asked him to lead us in the straight path and to teach us the Torah of God (may His name be exalted and His memory be raised up forever) and to judge over us as he is shown from heaven, and to coerce for us those people who speak obscenity and to castigate them and to excommunicate them and to lead in a straight path those who are mingling with the nations and to remove them from their perversion and to teach them.” The original formulary was published as: Judah b. Barzillay Bartzeloni, *Sefer haShetarot*, ed. S.Z. Halberstam (Berlin, 1898), 3. Translated in Klein, *Jews, Christian Society, and Royal Power in Medieval Barcelona*, 32-33.

³¹ Stow, *Alienated Minority*, 160-61.

³² Stow, *Alienated Minority*, 161.

Jews, which was over 200 hyperpera more than any impost before that date.³³ Over the course of the following years, Venice tried to sharply raise this amount. In 1389, the attempt to raise the Jewish obligation to 3,500 hyperpera sparked a large and successful outcry, after which the Venetian senate agreed that the Jews as a whole “only” had to pay 2,000 hyperpera each year.³⁴ But in the years before Mosca’s case, the Venetian government—struggling to pay for the wars against Genoa and the Turks—had raised the Jews’ total tax level per annum to an exorbitant 4,000 hyperpera.³⁵ This time, no appeal was successful; the Jews of the city of Candia had to come up with this exceptionally large amount of money every single year.

Perhaps in this light, the harassment of Mosca’s father’s agent and on Mosca himself appears to be a desperate act by a sympathetic leader trying to protect the rest of his flock. In the Mosca case, the *condestabuli* appear to put business interests second, after the needs of the community. The reclamation of many years of back-taxes was undoubtedly a significant motivating component in this case, and certainly in its longevity over years and multiple generations. Indeed, Venice’s weighty imposts and its desire to collect as much of its mandated amount as possible made the secular court an obvious ally for the *condestabuli*.

On another level, however, the fight over the Mosca’s family tax payments represents a wider internal struggle within the Jewish community, beyond financial questions. This dispute was not only about money, but about the right of the *condestabulo* to define the parameters of his community—who was “in” and who was “out.” We see this concern, for example, in the repetition of *taqqanot* which stress that the *condestabulo* and his councilors alone have the right

³³ An overview of Jewish taxation of Crete can be found in Salo W. Baron, *A Social and Religious History of the Jews*, vol. 17: *Byzantines, Mamluks, and Maghribians* (New York: Columbia University Press, 1980), 61.

³⁴ Published in Hippolyte Noiret, ed. *Documents inédits pour servir à l’histoire de la domination vénétienne en Crète de 1380 à 1485* (Paris: Thorin & fils, 1892), 13 (25 Feb. 1387) and 26 (25 May 1389).

³⁵ ASV Duca di Candia b. 26, r. 6, fol. 102v (? 1430).

to excommunicate someone, that is, to literally expel him from within the ranks of the community.³⁶ But the *condestabulo*'s attempts at policing the borders of community were fraught for both the leaders and for those people who would have rather decided their own communal affiliations. *Taqqanot* regarding rules for excommunication seem to indicate that the Jewish leadership feared not only that community members would ignore their bans, but also more frighteningly, that they would compose their own writs of excommunication, sidelining the official leadership and their authority.³⁷ In the case of the Moscas, we witness an individual and then his son taking part in an attempt to define their own group identity. Father and son were undoubtedly Jews, but their decision to affiliate with the Candiotte Jewish community—whether one would be part of the official *kehillah kedoshah*—should be their own choice, the Moscas claimed. This struggle over back-pay on communal taxes should also be seen as a battle over the question of who was empowered to decide group membership.

The competing assertions of communal belonging were part of an internal power struggle. Yet they played out in an unexpected venue—one which provided special benefits to the *condestabuli* who brought the initial suit. As we saw in the previous chapter, the Venetian legal environment allowed the claimants to set out their own religio-legal definitions in the courtroom. Here the Jewish community leadership ensured that official membership was defined by deep ties to the city through multiple measures of permanence, through real estate ownership and through marriage to a local girl. The defendant was, by nature of the proceedings, forced to answer according to rubric foisted upon him, unable to express his views of belonging or

³⁶ *TQ* nos. 6, 22, and 27 outline the limits to excommunication. In 43, we see this in practice, as the leadership rejects the use of excommunication in a particular case. In a number of other *taqqanot*, excommunication is threatened; see for example nos. 68 and 70.

³⁷ *TQ* no. 22, p.13.

unbelonging. His own definitions became moot. By actively initiating the case before the Venetian court, the *condestabuli* put themselves in the position of power by creating and controlling the tenor of the debate. While this did not universally ensure success, it seems that it was often an effective tactic.

As we have seen, the weight of taxation increased dramatically toward 1400. To be precise, however, we cannot associate the difficult role of the *condestabulo* and the awkward problem of individuals attempting to find loopholes to avoid communal taxation solely with the increased tax burden of the fifteenth century. Rather, losing members on the rolls to emigration was complicated even a century before. Around 1300, a Jewish family emigrating from Candia to Negroponte, Mosca's home, was made to promise that, despite their move, they would still pay their fair share of the collective Jewish tax in Candia.³⁸ Nor was this tension limited to the world of Venetian dominions; as Elka Klein has noted, fights between Jewish communities and Jewish individuals over taxation regularly made their way to the Aragonese royal court in the thirteenth century.³⁹

In addition, tensions between the Jewish leadership and its flock over taxes did not solely revolve around issues of migration and mobility. In the early decades of the fourteenth century, a ruling regarding a house in the Jewish quarter suggests that a link between the Jewish community leader's difficult position and the inconsistencies of all types of Venetian taxation

³⁸ Freddy Thiriet, *Régestes des délibérations du Sénat de Venise concernant la Roumanie*, vol. 1 (Paris: Mouton & Co., 1958), no. 194, p. 107. Mentioned in Silvano Borsari, "Ricchi e poveri nelle comunità ebraiche di Candia e Negroponte (secc. XIII-XIV)," in Chryssa Maltezou, ed. *Ricchi e poveri nella società dell'oriente grecolatino* (Venice: Hellenic Institute, 1998), 211.

³⁹ Klein, *Jews, Christian Society, and Royal Power*, 158. Also see n. 98, in which Klein highlights a parallel phenomenon among Iberian Muslims, noting "Tax exemptions for Jews and Muslims produced strikingly similar conflicts between individuals and their communities."

was already in place.⁴⁰ In 1319, Herini, the widow of Abraham, brought a suit against the current *condestabulo*, Lazaro Balbo. Herini claimed that her late husband had bought a house from another Jew, Samaria. This house, at least when owned by Samaria, was exempted from the *geta*, or watch-duty tax. When Herini and her now-dead husband took possession of the home, they were not given the same exemption, but she claimed they should have been. Now in court, Herini sought to have the exemption reinstated.

Importantly, Herini did not bring this case as a complaint against the state. Instead, she treated the *condestabulo* as the victimizer, and expected that only a court ruling against him could reinstate her house's exemption. There is no other reason Balbo would have been brought to court; he was not directly affiliated with either the buyer or seller of the aforementioned house. Instead, he appeared as a representative of the state tax engine. And, indeed, it appears that at least Herini believed his power was quite widespread, i.e. that the ducal court could not exempt her, but that rather, it could only compel the *condestabulo* to exempt her.

Apparently well-versed in the tax code, the *condestabulo* defended his position by arguing that the exemption was attached to a person, not a place. When the house was sold, the right to an exemption left along with the former owner. That homeowner could have formally transferred the exemption if the house had been given as a gift; but since Herini and her husband bought the house, the exemption could not apply to them.⁴¹ The court was convinced by the *condestabulo*'s argument, and found that the claimant would indeed be compelled to pay the *geta* tax. As in the case of Aaron Mosca, the *condestabulo* sat uncomfortably between the flock he was meant to protect and the Venetian government which sought to earn significant income by

⁴⁰ Santschi, "Contributions," 185.

⁴¹ Summarized in Santschi, "Contributions," 185.

taxing it. We can certainly sympathize with the claimant, whose logical argument could have been easily supported by the leader of her community; in the case, the *condestabulo* himself recognized a potential loophole by which she could have received the tax break. But we may also see the pattern informing the *condestabulo*'s decisions; the communal nature of taxation may have forced him to weigh one individual's tax break against the many others among whom this increased burden would have to be spread.

Condestabulo as Individual and Leader

The complex interests of the Jewish community leaders not only stemmed from their dual roles within the confines of the job, but also from a second tension: their goals as leaders alongside their individual financial and familial interests. This was precisely the concern of those Jews who, at the beginning of this chapter, forced a change in the line-up of *hashvanim* when two councilors became linked through marriage. For a number of elites, the courtroom became a site for expressing this tension between individual interests (usually financial) and the interests of the community. Certainly the Mosca family's case must be read through this lens. But it was also an approach taken by leading men who would act as *condestabuli* and their councilors. In 1428, for example, members of the Casani family came before the duke to demand that a *carta* given to their ancestor in 1274 be honored, protecting them from paying any Jewish taxes, whether the *dacia* or the *angaria*, two of the categories of collective taxation imposed on Jews.⁴² On an individual basis, of course, this tax exemption appeared to be a boon. Yet, as in the case of Aaron and his father, one man's advantage put a larger burden on the rest of the community which had

⁴² ASV Duca di Candia b. 31, r. 26, fol. 109r-v (4 Aug. 1428).

to compensate for the Casani's exemption by spreading out his per capita tax to the rest of the community.

The position of Jewish doctors was particularly problematic, since those physicians and surgeons who received salaries from the ducal government were exempted from taxes. For *condestabuli* who were also doctors, in particular, this tension was particularly apparent. A year after Mosca's case, in 1439, the Jews of Crete were forced to take on a significant portion of the war debt in the form of 4000 ducats per annum for three years, above and beyond regular taxes.⁴³ In the same year, the Jews were ordered to give 3000 measures of wheat as an added tax.⁴⁴ In the aftermath of this order, many Jews attempted to evade the tax either by utilizing the doctor's exemption, whereby physicians and surgeons of the state were exempted from the Jewish taxes, or by somehow acquiring exemption documents.⁴⁵ As we saw in chapter three, many Jewish doctors worked at least part of the time for the colonial government as medical experts and witnesses, and in this semi-official capacity they were given tax exemptions. They were even freed from the wheat tax imposed in January 1439, as established in a case regarding the Jewish physician Hemanuel de Rodo.⁴⁶

As Jewish doctors were among the community's most wealthy, when they were exempted, the burden necessarily fell to those less equipped to pay it. Salo Baron considered

⁴³ ASV Misti del Senato fol. 125r; partial text published in Noiret, *Documents inédits*, 387; referenced in Freddie Thiriet, *Régestes des délibérations du Sénat de Venise concernant la Romanie, vol. III: 1431-1463* (Paris: Mouton & Co., 1961), 70. The feudatories of Candia were also told to pay the same amount for three years.

⁴⁴ ASV Duca di Candia, b. 31, r. 40, fol. 119r (11 Jan. 1439), in which the Jews are ordered to pay 3000 measures, while the island's feudatories pay 2000 measures, the citizens in the city pay 2000, and the burghers pay 2500. The clerics are told to pay a token 400 measures.

⁴⁵ Baron, *A Social and Religious History*, vol. 17, 59.

⁴⁶ ASV Duca di Candia, b. 31, r. 40, fol. 115r (27 Jan. 1439)—only sixteen days after the initial order for the wheat tax was announced.

Candiote Jewish doctors who accepted the tax exemption to be guilty of “abuse” and appears frankly relieved by the “government’s revocation of such discriminatory privileges in 1441.”⁴⁷ Nevertheless, if these doctors were harming the Jewish community, they were often the same men who ran it. In 1438, for example, Magister Solomon, a physician, and Magister Moses, a surgeon, were listed as current *contestabili* of the Jewish *universitas*.⁴⁸ They also acted as petitioners “for themselves and for the other salaried doctors” (ostensibly the Jewish ones) in a judgment which resulted in the reaffirmation of Jewish doctors’ exemption from all taxes levied on the Jews.⁴⁹ This exposes another level to the tension which Jewish community leaders must have experienced between their varying allegiances: personal, familial, and communal. For the *condestabuli* involved in the Mosca case, securing the Mosca family’s portion of the Jewish tax would lighten the burden for the rest of the city’s Jews; for other community leaders, such as the doctors appealing in 1438, the ability to evade the Jewish tax, even if to the detriment of the rank-and-file, was too financially significant for their personal circumstances to set aside.

This particular crisis, however, was tempered by circumstances outside the control of the Candiote *kehillah*. In 1441, two years after the initial war-debt order, and ostensibly as a direct result of it, Venice revoked the medical exemption once and for all. The Senate in the metropole heard about the inability to collect the money from maritime Jews, and offered a complaint which seems sympathetic to the plight of the rest of the Jews: with all of these rich (*potentes*) Jews claiming exemptions, the burden has fallen squarely and painfully on the shoulders of the less wealthy. Of course, this sympathy had its limits; they were not ready to lighten the collective

⁴⁷ Baron, *A Social and Religious History*, vol. 17, 59.

⁴⁸ *Contestabili* is an alternate spelling for *condestabuli* used occasionally in the Latin sources.

⁴⁹ *Per se et aliis medicis salariatis*. ASV Duca di Candia b. 26 bis, r. 8, fol. 38v (24 July 1438).

weight, as the war still needed to be funded. Instead, the Senate chose to revoke all exemptions from all Jews—including doctors—in the *Stato da mar*.⁵⁰ Though we do not know if a Jew brought the initial complaint to the Senate, it is inconceivable that the disparity between those who were exempted and those who were obligated to pay did not create animosity within the corporate body of the Jews. Ironically, then, the end of the exemption may have at least removed this one source of internal tension as Venice's exploitative tax program could become a weight equally felt by all Jews, doctors and others alike.

Conclusion: Ideal and Real, Community and the Individual

The pressures of corporate taxation did not affect the Jews of Candia alone, nor was this a particularly Venetian problem. Jews throughout medieval and early modern Europe experienced the burden of communal taxation, which could often negatively affect the workings of the Jewish communal institution. I mentioned above the case of the English “Jews’ Priest,” forced to collect abusive taxes for the king, to the detriment of his communal authority. In thirteenth-century Barcelona, a document formulary offering a template for taxation reallocation expresses the common lament of Jews suffering from a state-imposed tax burden:

We the elders and leaders and heads of the community of such and such a city [say]: so it was that for our sins and for the sins our generation...suffering multiplied from the heaviness of the penalties and the magnitude of taxation and the burden of all sorts of labor services imposed upon us daily...for our enemies have placed their yoke upon us; this one says, bring your [land] taxes, and this one says, bring your poll taxes,...and thus the members of our community became fewer in the city, until for our sins we remained, a few of many...and the taxes that used to be imposed on all of our compatriots rebounded upon the heads of those who remained, until they could no longer bear them.⁵¹

⁵⁰ ASV Misti del Senato fol. 57r (5 September 1441). Referenced in Noiret, *Documents inédits*, 399, and in Thiriet, *Régestes*, vol. III, 89.

⁵¹ As translated and quoted in Klein, *Jews, Christian Society, and Royal Power*, 41.

The document's placement inside a formulary suggests that the author of this work, Judah Bartzeloni, believed it had wide applicability, at least in Spain, but perhaps beyond the peninsula as well. Throughout Europe, medieval state-building was accompanied by highly organized tax systems, and corporate associations like Jews were targeted.

But this theoretical case from Barcelona reflects an expectation not precisely in line with what Candia experienced. In the next section of Bartzeloni's formula, the "elders and leaders and heads" of the Jewish community sought to negate the state burden by internally reallocating and redistributing the money owed. Internal reorganization among the Jews could solve external problems, claims this document, and there was no need to involve the secular authorities. In fact, in the Spanish case, the template for reallocation warns its signatories not to "mention anything about this assessment to the rulers."⁵² In Crete, however, we have witnessed the *condestabulo* seeking to uphold the current allocation system, and pressing for payment those burdened Jews who sought legal loopholes. Even those who held the position of *condestabulo* were willing to access the power of the secular court to enforce this system. Nevertheless, when concerned with personal and familial interest, these same men and their families would not hesitate to seek their own exemptions from the communal tax. In Candia, taxation became for the leadership an awkward example of complicated loyalties perhaps unforeseen by theoreticians such as Bartzeloni.

The men who led the Jewish community of Candia were part and parcel of broader Candiot society, individuals with personal, familial, and economic interests. Yet they still acted—effectively, it seems—for the communal cause. This duality of focus presents quite a different picture than the one usually assigned to medieval rabbinic and communal leadership,

⁵² Klein, *Jews, Christian Society, and Royal Power*, 44.

whom we tend to perceive as *halakhic* first. In this narrative, their relationship to secular legal culture is relegated to the world of *dinah de-malkhutah dinah*—that is to say, a necessary evil which reflects the reality of living as a minority in a non-Jewish society. But as this study has illustrated throughout, premodern Jewish axes of identity were more complicated, and many premodern Jews felt deep affiliation and social connection with their so-called host societies. Likewise, the legal culture of places like the Venetian Empire was not a social factor ignored or begrudgingly accepted by Jews, but actively adopted and utilized by them. It was part of an overlapping world of jurisdictions, and the turn to the Venetian colonial courts was as natural—if not more so—than turning inward and dealing with disputes before a rabbinic court. The implications of this complex set of identities, affinities, and institutional interests were equally as important for the very leaders of the community as they were for those who were simply rank and file members.

Conclusion

In the aftermath of the successful Ottoman conquest of Constantinople in 1453, Byzantine refugees flooded Candia. They were seeking to hold onto their Greek identity—a choice that seems ironic considering the vociferous anti-Venetian sentiments which exploded from time to time on the island. But these newcomers would join and help produce the cultural flourishing which we now call the Cretan Renaissance. Crete, already an economically cosmopolitan center, would become a hub of artistic and literary creativity expressed in a style defined by its fusion of Greek and Latin sensibilities, an approach deemed central to the Renaissance project.¹

Crete's Jews, in their own ways, took part in this cultural flourishing. Indeed, two native sons of the Jewish community would put Candiot Jewry on the map in a new way in this period. Scion of the famed family we have witnessed traveling from Germany to Negroponte and then to Crete, Elia Delmedigo would spend the late fifteenth century working in Latin in Italy—explaining Aristotelian and Averroistic philosophy to Italy's Christian Hebraists in person, through translations into Latin, and in his own Latin compositions—before returning to Crete to lead the Candiot *kehillah* and to write his own Hebrew work of Jewish-Averroistic fusion, the *Behinat Hadat* (or “Examination of Religion”). Admired by Jews and Christians alike, an expert in philosophy as well as Talmud, Elijah Cretensis, as some knew him, would embody the new Renaissance Jew.

A child when Elia Delmedigo led the Jewish community in Crete, Elia Capsali, whom we met in chapter one taking a stroll in 1540s Candia, would emerge as a historian, rabbi,

¹ For the literature of this Cretan Renaissance, see David Holton, ed. *Literature and Society in Renaissance Crete* (Cambridge: Cambridge University Press, 1991). For just one of the many studies on the revolutionary icon painting which defined this period, see Anastasia Drandaki, *The Origins of El Greco: Icon Painting in Venetian Crete* (New York: Onassis Foundation, 2009).

community leader, and most important son of Candia's greatest Jewish family. Capsali also would bridge the cultural gap between Jewish and secular modes of learning. He would write histories in a way not much attended to before this period—histories not of the Jewish people alone, but of Venice itself (*Divrei Ha-yamin le-malkhut Venezia*, 1517) and of the Ottoman Empire (*Seder Eliyahu Zuta*, 1523). Like his older relative (for Capsali was a Delmedigo on his mother's side) who had fused Jewish and Greek thought into one philosophical approach, the younger Elia would weave the story of the Jews into a broader history, attentive to doges and Ashkenazi immigrants, sultans and Sephardi refugees, contemporary history and its parallels to the Hebrew Bible.² Capsali, like Delmedigo, consciously situated himself in overlapping thoughtworlds just as he did in overlapping political worlds, for he made sure to build a relationship with his “dear friend,” the duke of Crete. In their interests and expertise, intersecting realms and complex creative outlets, Capsali and Delmedigo each characterize the Jewish Renaissance man who fit so easily in the Cretan cultural world after 1453.

As much as each of these men must be seen as a product of the world after the fall of Constantinople, they cannot be read outside the context of their community's previous centuries of history, when Venetian Crete existed side-by-side with a reduced but still viable Byzantine Empire.³ Indeed, as this study has illustrated, the Jews of Venetian Crete lived as part of the

² Capsali's work on Ottoman history, *Seder Eliyahu Zuta* (Order of Elijah the Younger), has been edited and annotated in Hebrew: Eliyahu Capsali, *Seder Eliyahu Zuta*, ed. Aryeh Shmuelevitz et al. 3 vol. (Jerusalem: Ben Zvi Institute, 1975-77). Also see Aryeh Shmuelevitz, “Capsali as a Source for Ottoman History, 1450-1523,” *International Journal of Middle East Studies* 9 (1978): 339-44, esp. p. 341 for Shmuelevitz's critique of what he sees as Capsali's overreliance on biblical parallels.

³ Continuity exists even on a literary level, argues Bonfil, who stresses Capsali's dependence on earlier literary forms in *Seder Eliyahu Zuta*. See Robert Bonfil, “Jewish Attitudes toward History and Historical Writing in Pre-Modern Times,” *Jewish History* 11 (1997): 16-22. Nevertheless, both men are often treated without consideration of their Cretan connections. Bonfil dismisses the Cretan element in Delmedigo's thinking, highlighting instead the importance of Delmedigo's time in Padua and his family's Ashkenazi connection. Robert Bonfil, “A Cultural Profile,” in *The Jews of Early Modern Venice*, ed. Robert C. Davis and Benjamin Ravid (Baltimore: Johns Hopkins Press, 2001), 177. Harvey Hames recognizes the importance of contemporary debates in Crete (such as the 1466 fight over metempsychosis), but chalks up the tension to a “clash between different halakhic traditions, the Sephardi

wider colonial society in Venetian Candia, and participated in—both absorbing and contributing to—that cultural and social milieu. Although the Jewish quarter offered a sense of privacy and autonomy, its location and open access to all offers a microcosm of Jewish life. The *Judaica* was a neighborhood enmeshed within the city grid, and not a ghetto—even following the walling-in of the quarter, a process that, in any event, took over a century to complete. Like Jewish life across the city, the *Judaica*'s importance lay not in its actual separation from, nor its actual openness to, the broader society. Rather, the essential significance of the *Judaica* stems from the way the community's Jews interpreted its meaning. A contradictory space in many ways, the *Judaica* could contain both the drive to self-segregate and protect alongside the need to welcome in outsiders (Christians; Jews from suspect villages), and encourage both simultaneously. Likewise the individual Jewish inhabitants of Candia's *Judaica* who lived comfortably between multiple realities and values without experiencing what we might call cognitive dissonance. Medieval Candiote Jews could be worldly and provincial, isolated and inviting, *halakhic* and law-breaking, and these opposing qualities could often be found within individual Jews—elite leaders, wealthy woman, and low-status people alike.

That is to say, the reality of interaction did not prevent the Jews of Candia from experiencing a sense of safety due to their ability to hold their own neighborhood. Indeed, the *Judaica*'s relative locational isolation in a corner of the city and its growing set of walls enabled the community's leadership to feel a sense of ownership over the neighborhood and its environs. This perceived control over the space sparked a desire to control what occurred within, from who could sell food on the street to how to relate to the sound of monastic prayer bells ringing next

and the Ashkenazi," ignoring the Romaniote and local elements which informed Cretan Jewish life. Harvey J. Hames, "Elijah Delmedigo: An Archetype of the Halakhic Man?," in *Cultural Intermediaries: Jewish Intellectuals in Early Modern Italy*, ed. David B. Ruderman and Giuseppe Veltri (Philadelphia: University of Pennsylvania Press, 2004), 41.

door. In reality, though, the individuals Jews who lived within the walls made their own decisions, without constant concern for the leadership's directives. They bought and sold food that they deemed acceptable, they cavorted with Jewish prostitutes (or prostituted themselves) within Jewish-owned buildings, they left the quarter on Sabbath precisely when their leaders told them they should be in synagogue. To be sure, many Jews lived within the acceptable bounds of Jewish life in the *Judaica*, and these breaches of the leadership's rules do not demonstrate anarchy or chaos within its confines. But in contrast to the typical view of medieval Jewish communities as homogenous, rule-abiding, and community-minded, Jewish behavior in Candia suggests a community with diverse approaches to community and Judaism, with individuals weighing communal interests against their own, and often choosing their own utility over the official party line. Even members of the leadership class, scions of wealthy and prestigious families destined to hold office in the *kehillah's* corporate organization, could exist on both sides of the divide—on one hand, signing the very ordinances which promoted self-segregation, control of the *Judaica*, and community-minded values, while simultaneously, on the other hand, working quite outside the system, whether by building intimate relations with Candia's Christians, or by inviting in secular institutions and officials of the colonial state to intervene and make judgments about intracommunal affairs.

This study has argued that part of this diversity of approaches to Jewish life and identity stemmed from local factors: the very ethnic and ideological homogeneity of the Jews of Candia, their easy mobility across the Mediterranean, and their sense that they could benefit from the Venetian system of law, justice, and policy. Though mostly of Romaniote origin, even those who came from old Jewish families long on the island held differing allegiances, whether to their Ashkenazi rabbis or their familial traditions, to Kabbalistic mysticism or rationalist philosophy.

These very tensions would produce some of the most interesting Jewish thinkers of the fifteenth and sixteenth centuries, in the persons of Elia Delmedigo and Elia Capsali. While the creativity and scholarly output of these two men put them on the historical map far more clearly than their ancestors, those who came before them set the stage for the culturally cosmopolitan, intellectually interwoven views these men would disseminate.

One of the most visible ways that Candia's Jews intersected with, learned about, and integrated themselves into the city's wider social milieu and institutional structures was through their regular visitation of, litigation at, and professional employment through the colonial judiciary, especially the duke's highest court held in the open air of the Platea, the city's central square and nerve center. Whether by choosing to watch court cases unfold on Saturday morning instead of attending Sabbath services, by suing family members or business partners or Jewish leaders in the same courts, or working as medical experts for the court system, many of Candia's Jews engaged with the judicial system and its ideologically tinged brand of justice throughout their lives. Even poor Jews who could not afford the court fees would encounter the justice system if they were wounded and needed to be evaluated, if they defaulted on debt, or if they were suspected of criminal activity. As illustrated in the scene from Boccaccio's *Decameron* discussed in the introduction, the tale of the three wealthy couples who fatefully escaped their society's conventions by fleeing to Crete, the ducal court was the quintessential Cretan institution known across the Mediterranean, and Jewish residents of Candia were not left out of its social importance simply by dint of their religious affiliation.

But far from experiencing the justice system as a mode of colonial oppression, Candia's Jews understood the judiciary as a tool which could be wielded for their own interests, whether

group concerns, or individual interests which went against those of their co-religionists, as a group or as individuals. It was a locus of empowerment for a surprisingly broad set of Jewish subgroups, including the leadership itself, those questioning the leadership's authority, and even women. That the secular courtroom became for them an important venue for intra-Jewish fighting does not suggest that the Jews were disconnected from Candia and simply using its institutions for convenience' sake, disputing among themselves because they were not part and parcel of the broader society. Rather, their choice to play out intracommunal disputes in the sovereign court, and the ways in which they undertook the task, suggests just how deeply tied into Candiot society these Jews felt, for they framed their disputes according to Venetian sensibilities and statutes, while reframing Jewish law in terms a Catholic, patrician judge could understand. This study has not emphasized litigation between Jews and Christians, not because these do not exist commonly in the court registers, but because their usual focus on business disputes is not surprising even in a medieval context. Nevertheless, they too—like the business interactions explored in chapter three—highlight the ways in which Jews were not a people apart in Candia, but formed one of the sub-communities which characterized, and even defined, the colonial society of cosmopolitan Candia.

The ways in which Jewish individuals—from unhappy spouses, to angry neighbors, to *condestabuli*—made use of the colonial courtroom certainly tells us a great deal about the competing interests of the Jews in question, and about their self-conception as part of the Venetian imperial enterprise. But even more so, it suggests a corrective to a common scholarly assumption about the relationship between medieval Jewish communities and the sovereign governments under which they lived. Expressing a scholarly commonplace, Robert Bonfil wrote:

“The Jewish public, always and everywhere, saw itself through its communities as subject to Jewish law alone for the determination of its parameters and identity.”⁴ This theory holds that individual Jews “sought solutions to all questions, both public and private, within this normative system,” i.e. within the *kehillah*. It further suggests that these answers would be dictated through “subjugation to *halakhah*,” as understood and translated for the people by the official “quasi-municipal organizational frameworks.” Underlying this assumption is the idea that premodern Jews saw themselves primarily as part of a semi-autonomous community, and that for all castes within Jewish society, identity was tied up far more with the community than with their individual needs and concerns.

In investigating Candia, we find that the model of easy subjugation to the will of the Jewish leadership does not meet the reality of the evidence. To be sure, a reading of elite Hebrew sources would undoubtedly leave us with this impression. As Uriel Simonsohn has noted in his discussion of Jewish and Christian use of early Islamic courts, “the principle of autonomous units based on confessional affiliation was best realized in the minds of those who sought to implement them—namely, the religious elites—and not necessarily in the lives of their communities.”⁵ Scholars of Jewish history have often assumed the validity of the rabbinic voice as a spokesman for all Jews, and therefore have read rabbinic sources as true for all Jews. In many ways, the rabbis cannot be understood this way; they represent a set of elite power brokers who do not speak for the whole, but rather seek to manage and stand for the whole. Communal ordinances which have served as evidence for these arguments must be interrogated for the

⁴ All quotes in this paragraph come from Robert Bonfil, *Rabbis and Jewish Communities in Renaissance Italy* (Oxford: Littman Library, 1990), 4-5.

⁵ Uriel Simonsohn, *A Common Justice: The Legal Allegiances of Christians and Jews under Early Islam* (Philadelphia: University of Pennsylvania Press, 2011), 7.

under-the-surface tensions between the leadership (the authors of these ordinances) and their “public.” We must move beyond a wholesale reliance on these sources, and not simply allow Jewish voices to supply evidence on the unity of Jewish communities.

When we put Jewish sources into conversation with others, such as the Latin court documents explored here, a different picture comes to light. Throughout the sources from the fourteenth and fifteenth centuries, whether written from a Jewish or a Venetian point of view, we witness Jews using the apparatus of the colonial government as a way to express individual agency, often in opposition to the Jewish corporate entity and its leadership. Individual choice was a feature of this premodern community; whether from a rejection of the ineffectual and unenforceable nature of the Jewish court, or the conscious decision to access Venice's perhaps less-biased (toward individual Jews) and indubitably more professional court, Jews thought and acted outside the frame of their relationship to the *universitas iudeorum*. Indeed, we are witness to a variety of suits between two Jewish people which had nothing to do with the litigants qua members of the Jewish community. Rather, family ties, connections from within the spatial confines of the *Judaica*, and co-religionist business partnerships are the reason that Jews were suing other Jews.

These were not issues which destabilized the semi-autonomous *kehillah* structure in Candia. Issues of importance to the community—both those which were intended to uphold the leadership's status quo and those in which members of the community hoped to unsettle the current circumstances of rule—were not simply kept inside what Bonfil, cited above, called “the normative system” of Jewish institutional structures. Intracommunal fights were played out in the public venue, without the involvement of a *beit din*, but with decided intervention of the duke and his councilors. Despite the seemingly incongruous venue, the religious leadership

maneuvered through the secular court as part of their mandate to maintain control over the Jews of Crete, and to maintain a *status quo* in terms of the identity markers of their supposed flock. Likewise, those who were unsatisfied were no less able to push back against the leadership's power in this public space, particularly when they saw that power becoming too concentrated or unfairly wielded.

Despite the focus on individuality, it is worth rehearsing here the fact that elite Jewish access to the halls of power was at times certainly a real boon to the community as a whole. At times, the community's leadership acted as liaisons, successfully speaking on behalf of the whole community, for example to protect them from unfair taxation. At other moments, Venetian support undoubtedly offered the Jewish leadership an important and powerful ally, one whose authority and legitimacy in the eyes of all those on Crete strengthened the position of a potentially flaccid *condestabulo*—even when his opponent was one of the Jewish flock. As such, the common image of a semi-autonomous community engaging with the sovereign ruler only through an appointed and approved liaison is incomplete, if not simply incorrect. The role and reality of this liaison must be revisited. Moreover, for those not in leadership positions, access to Venice's ducal court proved to be a means of asserting control within the Jewish milieu. At times, the use of the courts resigned the leaders to a position of sheer impotence, unable even to control those things which were meant to be squarely within their purview, such as issues related to synagogue life.

To be sure, then, this study has been a tale of individual agency. Every (sufficiently affluent) member of the Jewish community had access to an arbitrating power outside the framework of the Jewish community. The ducal court enabled those inside the box of a

supposedly corporate entity to act independently. In some sense, the ducal court represents a defanging of the power of the *universitas iudeorum*, whose right to internal self-rule was at least in theory part of Venice's concession to its subject Jews. In moments when corporate power weakened, individual agency could find a voice. As such, we must reconsider the notion that medieval Jewish "power" existed only as a product of the structures of self-government. But it is not that the *kehillah* did not have institutional authority; rather, the reality of legal pluralism offered the Jews of Candia alternative modes of power beyond the confines of the corporate body. And indeed, the *kehillah* structure itself could benefit from the intervention of the state, giving up some of its supposed autonomy for the sake of ultimately a more enforceable system. When we look beyond a set of moral judgments which deems autonomy the highest ideal, and when we recognize the overlapping worlds in which individual Jews and Jewish communities could take part, we can begin to see a different picture of the reality of Jewish life—and life for many inhabitants—in the late medieval Mediterranean.

**Appendix: Prosopographic Index of the Jews of Venetian Crete
(1350-1454; with additions from *Taqqanot Qandiya* to 1459)**

This prosopographic index aims to be a census of the Jews who lived and worked in Venetian Candia in the century following the Black Death. It is collected from the following archival and edited sources: (1) ASV Duca di Candia buste 26, 26 bis, 29, 29 bis, 30, 30 bis, 30 ter, 31, and 32 (through 1450); (2) ASV Notai di Candia b. 2 (not. Francesco Avonale and not. Michele Calergi); b. 23 (not. Andrea Cocco); and b. 143 (not. Giorgio da Milano); (3) the notarial register of Zaccaria de Fredo (1352-57) edited by Antonino Lombardo (see bibliography); (4) *Taqqanot Qandiya*; (5) the last wills from Crete edited by Sally McKee (see bibliography; I have used these beginning with wills from 1350); (5) Candiote Jews mentioned in Noiret's *Documents inédits*; (6) colophonic signatures from Candiote manuscripts now held in collections around the world.

The volume of surviving notarial registers which cover the century under question has made a complete assessment impossible for this project, and thus this index is drawn from a small sample of registers. These represent the beginning, middle, and end of the period under study: the registers of Giorgio da Milano (1348-1371); those of Zaccaria de Fredo (1352-1357); those of Andrea Cocco (1399-1423); those of Francesco Avonale (1441-1462; here, until 1454); and those of Michele Calergi (1442-1454). I intend to continue building this prosopographical index, adding more notarial data in a digital form going forward.

In this index, after each individual's name I list the sources in which they appear along with the year(s) of appearance in that source. I have used a series of abbreviations for the sake of brevity. Archival material from ASV Duca di Candia appears as DdC, followed by the busta number. Notarial material is identified by the notary in whose register reference to the person can

be found. A reference taken from Sally McKee's collection of wills is identified as Will; the will number, according to McKee's edition, follows. References from Noiret's edition are identified as such. References from *Taqqanot Qandiya* are identified as *TQ* followed by the ordinance number according to Artom and Cassuto's edition. References from Hebrew manuscripts are listed by their library identification.

When an individual has multiple names or multiple forms of a name, that data is given in parenthesis following the most simple or common form of their name. In the rare case when the gender of a name is not obvious, I have added (f) or (m) following the name to clarify. For those few cases in which an individual's first name is not known, though their relationship to others (wife, daughter, etc.) is known, I have listed them by their relationship. These appear at the end of the prosopographical index.

Other information shared when available includes profession, official position in the *kehillah* organization, or semi-official Venetian tax collector office (*sansarius* or *daciarius olei*), which follow in brackets after the name. Offices in the *kehillah* organization other than *condestabulo* are identified in the language in which they appear, i.e. a person may either be identified as a *hashvan*, *camerlengus*, or *camerarius*, depending on the language and term used in the source in which they appear. Doctors are identified when possible according to the status, i.e. as physicians (*fisicus*) or surgeons (*ciroicus*). Professions are given in Latin and in translation when feasible.

Known family members not identified in one's name (i.e. father or husband), such as mother, siblings, grandparents, father-in-law, etc., are listed after the person's known dates of activity. Specific non-professional roles mentioned in *Taqqanot Qandiya*, such as "signatory" or

“slaughtering expert,” also follow the list of known dates. The year in which official communal positions were held is also listed here.

Orthographic flexibility (or inconsistency, we might say) rules these records. I have standardized the spelling either by using the common English spelling (Judah; Joseph) or by choosing a single orthography which appears quite commonly (Isach; Cali). In other cases, I have chosen the simpler form used, for example, Eudochia instead of Eudhochia, Caludia instead of Caludhia, etc. I retain an initial H for Herini and Heregina, most common in the sources, but use Elea (not Helea), again reflecting the most common usage in the sources. Judah is spelled in the Latin sources as Jachudas, Jocudas, Jocuda, and Jecuda, among others. The Hebrew sources record Yehuda and Yudah. I have standardized this to Judah. Ioste or Joste, a diminutive Grecophone rendering of Joseph, has been rendered Joseph. I have retained the local spelling of Isaac as “Isach.” The Latin/Hellenized version of Elijah utilized so commonly in these sources has many spellings: Liachus, Ligiachus, Lingiachus, Lighiachus, etc. I have chosen the Italianate Liacho which I believe reflects how it would have been pronounced.

Because the Jews of Candia are often identified by different names, certainly in Hebrew and Latin sources, but also within Latin sources, I have done as much detective work as possible to avoid inadvertently replicating an individual in the index. As a result of this approach, it is possible that some individuals have been conflated (for example, if men with the exact same name lived at the same time and I was not able to differentiate between them). It is also possible that some individuals are listed twice because I could not cross-reference their multiple names (for example, if a man was known at times by a patronymic and at times by a classic surname, but I was unable to correlate the two; or if a man's given name and his nickname never appeared together, so that I could not ascertain that they were the same individual). Nevertheless, the

number of cases in which this could have occurred is very small; the plethora of sources usually allowed me to correlate different names and nicknames, and to differentiate between contemporaries with identical names. Thus I believe that overall, this index offers a useful starting point for addressing Jewish demographic questions for Venetian Candia.

Findings:

The prosopographic index accounts for 833 Jewish individuals living or working in Candia, of which 603 are male and 230 are female. Of the 603 men, 38 of them (6.3%) are attested as having held official positions in the Jewish communal organization. The following tables present some of the more common names as well as the professional data revealed by the index.

Table 1: Male First Names

Name	No.	%
Elijah (including Elia, Lia, and Liacho)	77	12.8
Moses	72	12.0
Joseph	58	9.6
Judah	36	6.0
Samuel	30	5.0
Solomon	28	4.6
Lazaro (Eliezer)	23	3.8
David	20	3.3
Michael	20	3.3
Sabatheus	20	3.3
Samaria	17	2.8
Abraham	13	2.2
Other	147	23.3
TOTAL:	603	100

Table 2: Female First Names

Name	No.	%
Cali	31	13.5
Herini	16	7
Anastassu	15	6.5
Potha (incl. Pothiti)	15	6.5
Eudochia (incl. Heudocula)	13	5.2
Elea	12	5.2
Chana	8	3.5
Cherana	7	3
Crussana	7	3
Other	106	46.6
TOTAL:	230	100

Table 3: Professions Attested

Profession	Number
doctor (incl. fisicus, ciroicus, and Heb. Rofeh)	47
scribe	4
tintor (dyer)	3
cerdo (cobbler)	2
faber (artisan)	2
papa (teacher)	2
aurifex (goldsmith)	1
speciarius (grocer/spicer)	1
tailor	1
TOTAL:	63



Prosopographic Index

Aaron Mosca, son of Elia

- 1430-1440 (DdC b. 31; b. 26 bis)
- Dead by 1443 (DdC b. 26 bis)
- Married to Anastassu

Aaron Tzarfati, son of Jacob

- 1439 (TQ no. 76)

- TQ signatory in 1439
- Of French origin

Aaron Zuri

- 1421 (DdC b. 30 ter)

Aba (Abba) Delmedigo, son of the late Judah

- 1407-1411 (DdC b. 30 bis)
- 1408 (not. Andrea Cocco)
- 1417-1422 (DdC b. 30 ter)
- 1430-1433 (DdC b. 31)
- Known sibling: Samaria
- Known children: Moses, Liacho, Samaria

Aba (Abba) Delmedigo, son of Elijah (Elia) [*condestabulo*]

- First decades of the fifteenth century (TQ no. 59)
- 1428-1438 (TQ nos. 51, 57)
- 1451-1452 (not. Michele Calergi)
- *Condestabulo* between 1363 and 1439 (TQ no. 46)
- Known children: Elia, Elkanah

Aba (Abba) Delmedigo, son of Moses [*camerlengus*]

- 1439 (DdC b. 31)
- 1443 (DdC b. 26 bis)
- 1444-1445 (DdC b. 32)
- 1450-1451 (not. Michele Calergi)
- *Camerlengus* of the *Judaica* in 1444
- Married to (and trying to divorce) Potha in 1440s
- Married to Conortis by 1451

Aba (Abba) Delmedigo, son of late Samaria

- 1444 (DdC b. 32)
- 1451-1452 (not. Michele Calergi)
- Known sibling: Moses

Abraham [*tofer* = tailor]

- 1439 (TQ no. 76)
- Married to Cali
- Sephardic origin

Abraham (Abram) Angura

- 1409-1413 (DdC b. 30 bis)
- Father of David

Abraham (Abraam) Calamino

- Dead by 1413 (DdC b. 30 bis)
- Known siblings: Rachel, wife of Liacho Fabri

Abraham Haviv (Havivi)

- 1406 (TQ no. 52)
- Known children: Judah
- TQ signatory in 1406

Abraham (Abraam) Mauro [*fisicus*]

- 1413 (DdC b. 30) [only mentioned once – typo?]

Abraham (Avracha, Abram) Mosca

- 1450-1451 (not. Michele Calergi)
- 1451 (not. Francesco Avonale)

Abraham Noah, son of Elijah (Elia)

- 1439 (TQ no. 76)
- TQ signatory in 1439

Abraham (Abram) Nomico [*fisicus*]

- 1411-1417 (DdC b. 30 bis; b. 30 ter)

Abraham (Abram) Theotonicus, son of Lazaro

- 1446 (DdC b. 26 bis)
- 1447 (DdC b. 32)
- *Consanguineus* with Isach Theotonicus son of Jacob

Abraham (Avracha) Vubola

- 1367 (DdC b. 29 bis)

Abraham, son of Leon [scribe]

- 1375 (OX 2003)

Abraham (Abraam), son of the late Liacho

- 1406 (DdC b. 30 bis)
- Dead by 1407
- Brother of Samuel

Abraham (Abraam), son of Liacho (Abraam de Liacho) [*condestabulo*]

- 1409 (DdC b. 30 bis)
- 1415 (DdC b. 30 ter)
- *Condestabulo* in 1415

Absalom, son of Judah son of Shaltiel [Avshalom ben Yehuda] [scribe]

- 1395 (Parma 2286)

- 1395 (Roma Cas 2847)

Alcana [*fisicus*]

- 1389-1395 (DdC b. 30)

Alcana Calamino, son of the late Abraam

- 1413 (DdC b. 30 bis)
- Minor in 1413
- Known siblings: Judah, Moses

Alcana (Elkanah) Delmedigo, son of Aba

- 1414 (Mos 906)
- 1421 (DdC b. 30 ter)
- 1437 (TQ no. 57)
- 1444 (DdC b. 32)
- 1451-1453 (not. Michele Calergi)
- 1452 (not. Francesco Avonale)
- TQ signatory in 1437
- Known sibling: Samaria, Moses

Alcana Gadinelli, son of the late Moses

- 1453 (not. Michele Calergi)
- Known sibling: Lia (Liacho)

Alcana Nomico

- 1453 (not. Michele Calergi)

Alcana di Nigroponte

- 1400 (not. Andrea Cocco)
- 1400-1401 (DdC b. 30 bis) [*condestabulo*]
- Dead by 1421
- Married to Crussana, daughter of Jeremiah Sacerdoto

Amigha (f)

- Dead by 1420 (DdC b. 30 ter)

Amram, son of Yekutiel

- 1428 (TQ no. 51)
- Slaughtering expert

Anastassu

- 1401 (DdC b. 30 bis)

Anastassu, daughter of the late Sabatheus

- 1379 (Will no. 705)

- Daughter of Cali, daughter of Parnatissa tu Carteru
- Granddaughter of Parnatissa tu Carteru
- Niece of Parmya, wife of Samaria de Rodo

Anastassu Atalioi, daughter of Moses

- 1443 (DdC b. 26 bis)
- Minor in 1443
- Daughter of Chana
- Known siblings: Sara, Jacob, Sabatheus

Anastassu Balbo, daughter of Lazaro

- 1352 (not. Zaccaria de Fredo)

Anastassu Cursara (Crussari; Cursari), daughter of the late Joseph, ciroicus

- 1446 (DdC b. 32)
- Known siblings: Menaghem, Moses, Elia, Samaria

Anastassu Sgurena

- 1352 (not. Zaccaria de Fredo)

Anastassu, widow of Aaron Mosca

- 1443 (DdC b. 26 bis)
- Daughter of Plecti

Anastassu, widow of (Magister) Abraham (Hebramo), ciroicus

- 1352 (not. Zaccaria de Fredo)

Anastassu, widow of David Capsali

- 1447 (DdC b. 32)
- Known children: Lazaro, Moses

Anastassu, widow of Lazaro de Xeno, daughter of Moses Nomico

- 1370 (DdC b. 26)

Anastassu, widow of (Magister) Leone (Judah) son of the late Tavia, fisicus

- 1421-1430 (not. Andrea Cocco)

Anastassu, widow of Moses

- 1386 (DdC b. 30)

Anastassu, wife of Lazaro (Anastassu tu Lasaru)

- 1401 (not. Andrea Cocco)
- 1401-1405 (DdC b. 30 bis)

Anastassu, widow of Octavianus

- 1401 (DdC b. 30 bis)
- Mother of Judah

Anastassu, wife of Solomon Astrug (Astru), widow of Taviano

- 1368 (DdC b. 26)
- Mother of Pothiti, daughter of the late Taviano

Anatoli Casani (Avra)

- 1428-1430 (DdC b. 26; b. 31)
- Married to Elea Dono, daughter of Isach Catellan

Archonda, daughter of Michael de Davit, wife of Judah Balbo, son of Isaiah

- 1401-1413 (DdC b. 30 bis)
- Mother of Zigiona

Archonda, widow of Michael Tureno

- 1401 (not. Andrea Cocco)
- Known child: Elia Tureno

Archondisa, daughter of the late Calo, widow of Elia Catellan

- 1358 (Will no. 648)
- Sister of Sabatheus son of Calo
- Grandmother of Ligia
- Aunt of Eudochia, daughter of Sabatheus son of Calo
- Rents her house in 1358 to Samaria Cumaro

Archondissa Milopotamitissa

- 1417 (DdC b. 30 ter)

Astera Catellan

- 1422 (DdC b. 30 ter)

Astruc Dalal

- 1439 (TQ no. 76)
- Known children: Elijah

Astruga, widow of Moses Zabira (or, Dabara), daughter of Joseph Ferer

- 1412 (DdC b. 30 bis)
- Dead by 1415
- Mother of Clara, Bonadona, and Hester

Ayton Sengo

- 1375 (DdC b. 29 bis)

Azaria Nomico, son of Peretz [*ciroicus*]

- 1429 (DdC b. 31)
- 1439 (TQ no. 76)
- Known sibling: Moses

Baruch, son of the late Solomon

- 1453 (not. Francesco Avonale)

Bella, widow of the late Chersson Xeno

- Dead by 1434 (DdC b. 31)
- Known children: Moses
- From Castro Novo

Benjamin Theotonicus

- Dead by 1402 (not. Andrea Cocco)

Benjamin, son of Rabbi Judah

- 1428 (TQ no. 51)
- Slaughtering expert
- Known son: Judah

Blancha, wife of Nathan son of the late Vitalis

- 1428-1430 (DdC b. 31)

Bona, widow of Judah Mavrogonato

- 1451 (not. Michele Calergi)

Bonadona, daughter of the late Moses Zabira (or, Dabara)

- 1412-1415 (DdC b. 30 bis; b. 30 ter)
- Mother is Astruga
- Known siblings: Clara, Hester

Bonsignor Catellan

- 1413 (DdC b. 30 bis)

Bota, widow of Moses

- 1450 (not. Michele Calergi)

Buffu, widow of Moses Tarbonis

- 1450 (not. Francesco Avonale)

C— Cusin, son of the late Moses

- 1431 (not. Andrea Cocco)

Cagi (Cay; Chai) Bello

- 1373 (DdC b. 30 ter)

- Father of Moses, Jaco “Tam”, Noah

Caleb (Calef) de Nigroponte, son of Alchana [*hashvan*]

- 1421 (DdC b. 30 ter)
- 1428-1439 (TQ nos. 51, 76)
- *Hashvan* in 1428
- TQ signatory in 1439
- Mother is Crussana, wife of Alchana di Nigroponte

Caleb, son of Judah

- 1369 (TQ no. 50)
- TQ signatory in 1369

Cali tu Perna

- 1386 (DdC b. 30)

Cali tu Selome

- 1418 (DdC b. 30 ter)
- Nursemaid

Cali Calopo, daughter of Samaria

- 1417 (DdC b. 30 ter)

Cali Chersoniti, daughter of Liacho

- 1370 (DdC b. 26)
- Betrothed to Peres Stamati
- From Castro Novo

Cali Setudena (aka Cali Setu)

- 1412 (DdC b. 30 bis)
- Daughter-in-law of Parnas tu Setu
- Mother of Moses

Cali Zughnena

- 1448 (DdC b. 32)

Cali, wife of Abraham the tailor

- 1439 (TQ no. 76)
- Betrothed to Melchiel (Melli) Beglici

Cali, daughter of Anatoli Casan, wife of Samuel Abezi

- 1428-1430 (DdC b. 26; b. 31)
- 1439-1444 (DdC b. 32)
- Mother is Elea Dono, daughter of Isach Catellan

Cali, wife of Chai son of the late Bello

- 1382-1438 (DdC b. 31)

Cali, wife of Chaim

- 1432-1434 (DdC b. 31)
- Known children: Liacho, Isaiah, Yostuli

Cali, widow of Chai (Chaim)

- 1358, 1359 (DdC b. 29)
- 1372 (DdC b. 26)
- Mother of Liacho

Cali, widow of Chaim Missini

- 1373 (Will no. 762)
- Mother of Cherana, wife of David da la Chania

Cali, widow of David Misara

- 1395 (DdC b. 30 ter)
- Dead by 1422

Cali, widow of Elia de Xeno

- 1429-1439 (DdC b. 31)
- Known grandchildren: Sabatheus, Maltha, Luna (Eluna)
- Known sibling: Chana, widow of Joseph Missini

Cali, wife of Hemanuel son of Jocuda

- 1386, 1393 (DdC b. 30)
- Daughter of Renicha and Lazaro

Cali, widow of Jacob Tedesco (Theotonicus)

- 1440 (DdC b. 32)
- Dead by 1441 (DdC b. 32; b. 26 bis)
- Known child: Isach Tedesco (Theotonicus)

Cali, widow of Judah

- 1369 (DdC b. 29 bis and b. 26)

Cali, wife of Lazaro Vetu (Betu)

- 1409 (DdC b. 30 bis)

Cali, wife of Lemelec son of the late Judah

- 1451 (not. Michele Calergi)

Cali, wife of Liacho Agapi, daughter of Samargia (Cali de Samargia)

- 1416 (DdC b. 30 ter)

Cali, widow of Magister Monachem, fisticus

- 1433 (DdC b. 31)

Cali, wife of Mi— Cini—, daughter of David Geriti

- 1452 (not. Francesco Avonale)
- Daughter of Chana, widow of David Geriti

Cali, widow of Mioche

- 1389 (DdC b. 30)

Cali, widow of (Magister) Moses de Maiorica (Magiolicha)

- 1416-1418 (not. Andrea Cocco)

Cali, wife of Moses Balbo, daughter of Elia Russo “Boleli”

- 1426-1446 (DdC b. 32)
- Known sibling: Solomon

Cali, widow of Moses son of the late Octavianus

- 1439 (DdC b. 26 bis)

Cali, widow of Sabatheus

- 1379 (Will no. 705)
- Daughter of Parnatissa tu Carteru
- Mother of Anastassu, daughter of Sabatheus
- Aunt of Cali, daughter of Samaria de Rodo (Cali tu Samaria)
- Sister of Parmya, wife of Samaria de Rodo

Cali, daughter of the late Sabatheus the *speciarius*

- 1357 (not. Zaccaria de Fredo)

Cali, daughter of Samaria de Rodo

- 1379 (Will no. 705)
- Granddaughter of Parnatissa tu Carteru
- First cousin of Anastassu, daughter of the late Sabatheus and Cali

Cali, daughter of Samuel Nomico

- 1373 (Will no. 94)
- Daughter of Pernattissa, widow of Samuel Nomico

Cali, wife of Solomon

- 1350 (DdC b. 29)

Cali de Potho

- 1436 (DdC b. 31)

Calo Lago

- 1409-1416 (DdC b. 30 bis; b. 30 ter)
- Father of Moses, Liagho

Calo, son of Avracha (Abraham)

- 1350 (DdC b. 29)

Caludia, widow of Moses Tranisseo

- 1358 (DdC b. 29)

Caludia, widow of Salachaya Sapiens

- 1352 (not. Zaccaria de Fredo)
- Known child: Moses

Cavin (Cavinus), son of the late Moses Cazura

- 1450 (DdC b. 32; b. 26 bis)
- Dead by 1451 (DdC b. 26 bis)
- Known sibling: Joseph (Joste) of Canea

Chai (Chay)

- 1447 (DdC b. 32)
- *Nepos* of Protho Boki

Chai (Chay) Delmedigo

- 1450 (not. Michele Calergi)

Chaim (Chaym)

- 1432 (DdC b. 31)
- Dead by 1434 (DdC b. 31)
- Married to Cali
- Known children: Liacho, Isaiah, Yostuli

Chaim Missini

- 1406 (TQ no. 52)
- Dead by 1424 (TQ no. 59)
- TQ signatory in 1406
- Known children: Elijah (Liacho), Joseph

Chaim Missini

- 1435 (TQ no. 57)
- Known child: Isaiah

Chaim (Chai), son of the late Bello

- 1382 (DdC b. 31)
- Dead by 1438 (DdC b. 31)
- Married to Cali
- Known *nepos*: Jaco “Tam” Bello

Chaim (Caym), son of the late Liacho (Elijah) [Missini?]

- 1428 (TQ no. 51)
- 1430 (DdC b. 31)
- TQ signatory in 1428
- Father-in-law of Parnuli Buchi

Chana Angura

- 1412 (not. Andrea Cocco)
- Known child: Safira, married to Parnas (Parnuli) Buchi

Chana, widow of David Geriti

- 1452 (not. Francesco Avonale)
- Known child: Cali, wife of Mi— Cini—

Chana (Ghana; Cana), wife of Isaiah Balbo

- 1401-1411 (DdC b. 30 bis)

Chana (Channa), first wife of Joseph Missini

- 1401 (DdC b. 30 bis)
- 1429 (DdC b. 31)
- Known sibling: Widow of Elia de Xeno

Chana (Cana; Ghana), second wife of Joseph Missini

- 1401 (DdC b. 30 bis)
- 1411 (DdC b. 30 ter; b. 26 bis)

Chana, widow of Joseph Angura, then wife of Lazaro Lipomano Theotonicus

- 1382 (DdC b. 29 bis)

Chana, widow of Moses Ataloti

- 1443 (DdC b. 26 bis)
- Known children: Sara, Jacob, Sabatheus, Anastassu

Chana “Sclavina,” daughter of Octavianus Bonavita, wife of Miochas Delmedigo

- 1437-1439 (DdC b. 31; b. 26 bis)
- 1446 (DdC b. 32)
- Mother is Crussana, daughter of Joseph Missini

Chasa (m)

- 1383 (DdC b. 29 bis)

Cherana

- 1413 (DdC b. 30 bis)

Cherana Scolarena

- 1368 (DdC b. 26)

Cherana, widow of David Theologiti

- 1391 (DdC b. 31)
- Dead by 1430

Cherana, wife of David de la Chania, daughter of the late Chaim Missini

- 1373 (Will no. 762)
- Sister of Joseph Missini
- Daughter of Cali

Cherana, daughter of Isach Gaytano

- 1451 (not. Michele Calergi)
- From Castro Novo

Cherana, daughter of Isach Orfano, wife of Elia Balaza

- 1447-1454 (DdC b. 26 bis)

Cherana, daughter of Moses tu Setu

- 1369 (DdC b. 29 bis)
- Nine years old in 1369

Cherson Ciciliano

- 1449 (DdC b. 32; b. 26 bis)
- Community leader in Rethymno

Cherson Xeno

- Dead by 1434 (DdC b. 31)
- Married to Bella
- Known children: Moses

Cherson, son of the late Liacho

- 1443-1444 (DdC b. 26 bis)
- Known sibling: Solomon

Chrussafa, widow of Samargia son of the late Chaii

- 1358 (DdC b. 29)

Clara, daughter of the late Moses Zabira (or, Dabara)

- 1412-1415 (DdC b. 30 bis; b. 30 ter)
- Mother is Astruga
- Known siblings: Bonadona, Hester

Clareta, wife of Gerson Alemanus

- 1357 (not. Zaccaria de Fredo)

Conorti Astrug (Astru), daughter of the late Elia

- 1430 (DdC b. 31)
- Known siblings: Solomon, Samuel, Elissa

Conorti Astrug (Astru), daughter of the late Mordachai

- 1440 (DdC b. 31)
- Known siblings: Solomon, Meir, Samuel, David, Nechama

Conortis, wife of Aba Delmedigo son of Moses

- 1451-1454 (not. Michele Calergi)

Cressunus Sacerdoto, son of Mechir (Chersson; Gershon)

- 1420 (DdC b. 30 ter)
- Son of Hester, widow of Mu—Sacerdoto
- Known sibling: Joseph

Cressono, son of the late Solomon de Rethymno

- 1418 (DdC b. 32)
- 1429 (DdC b. 31)

Crison Calopo

- 1401 (not. Andrea Cocco)

Crussana Delmedigo, daughter of Solomon son of Samaria

- 1442-1444 (DdC b. 26 bis)
- Daughter of Ester

Crussana, daughter of the late Solomon Astrug (Astru)

- 1405 (DdC b. 30 bis)
- Known siblings: Samuel, Elia, Meir, Joseph, Mordachai, Eudochia

Crussana, wife of Alchana de Nigroponte

- 1411 (DdC b. 30 ter)
- Dead by 1421
- Daughter of Jeremiah Sacerdoto and Elea

Crussana, widow of Israel

- 1413 (DdC b. 30 bis)

Crussana, widow of Melchiel Casani

- 1452 (not. Michele Calergi)

Crussana, wife of Octavianus Bonavita, daughter of Joseph Missini, former widow of Israel Theotonicus

- 1411-1422 (DdC b. 30 ter)
- 1427 (DdC b. 26)
- 1437 (DdC b. 26 bis)
- 1439 (DdC b. 31)
- 1446 (DdC b. 32)
- Known children: Chana "Sclavina," daughter of Octavianus Bonavita

Crussana, wife of Samuel Astrug (Astru)

- 1436 (DdC b. 31)

Crusso Catellano

- 1428-1438 (DdC b. 31)

Cuthael, widow of Benjamin Theotonicus

- 1403 (not. Andrea Cocco)

David de Copro

- 1394 (DdC b. 30)

David da la Chania

- 1373 (Will no. 762)
- Married to Cherana Missini

David Angura

- 1393 (DdC b. 30)

David Angura, son of Abraham (Abram)

- 1408 (DdC b. 30 bis)

David Astrug (Astru), son of the late Mordachai

- 1440 (DdC b. 31)
- Known siblings: Solomon, Meir, Samuel, Nechama, Conorti

David Capsali, son of the late Liacho [*condestabulo*],

- 1428 (TQ no. 51)
- 1452 (not. Michele Calergi)
- 1454 (DdC b. 26 bis)
- 1454 (not. Michele Calergi)
- Slaughtering expert in 1428

- *Condestabulo* in 1454 (DdC b. 26 bis)
- Known child: Shabbetai (1439; TQ no. 76)

David Capsali, son of the late Magister Elia (aka David Licurdi)

- 1424 (DdC b. 30 ter)

David Capsali, son of Parnas

- 1405-1440 (DdC b. 31)
- 1412 (DdC b. 30 bis)
- 1419 (DdC b. 30 ter)
- Son of Luna
- Known siblings: Sabatheus, Judah, Jeremiah

David Capsali, son of Sabatheus de Rodo

- 1399 (TQ no. 55)
- 1416 (DdC b. 30 ter)
- 1435 (TQ no. 57)
- TQ Signatory in 1399 and 1435

David Casani, son of the late Liacho

- 1428 (DdC b. 31)
- 1443 (DdC b. 26 bis)
- Known children: Isach, Zera

David Misara

- 1391 (DdC b. 31)
- 1395 (DdC b. 30 ter)
- Dead by 1422
- Married to Cali
- Known granddaughter (*neptis*): Herini, wife of Moses Lago

David Miseta, son of Gaghi

- 1402 (DdC b. 30 bis)
- Age 3.5 in 1402

David Sacerdoto, son of Sabatheus

- 1398 (DdC b. 30 bis)
- Dead by 1402

David, son of the late Judah [*condestabulo*]

- 1363 (TQ no. 24)
- 1366 (DdC b. 29 bis)
- *Condestabulo* in 1363

David, son of Michael

- 1369 (TQ no. 50)
- TQ signatory in 1369

David, son of the late Michael de David

- 1429 (DdC b. 26 bis)
- Dead by 1448 (DdC b. 26 bis)
- Married to Eluna
- Known child: Michael

David, son of the late Moses [*condestabulo*]

- 1394 (DdC b. 30)
- 1402 (DdC b. 30 bis)
- 1418 (DdC b. 30 ter)
- 1428 (TQ no. 51)
- Dead by 1439 (DdC b. 26 bis)
- TQ Signatory in 1428
- *Condestabulo* in 1402
- Brother of Judah, Liacho, and Octavianus

David, son of the late Panguli (?)

- 1360 (not. Giorgio da Milano)

David, son of Parnas (David de Parna)

- 1405 (DdC b. 30 bis)
- 1414 (DdC b. 30 ter)
- 1362-1419 (DdC b. 26)

David, son of the late Zacharias

- 1409 (DdC b. 30 bis)

Dolze, widow of Liacho Plumari

- 1352 (not. Zaccaria de Fredo)

Donabona (Bonadona, Dona), widow of Judah Cusin Catellan

- 1450 (DdC b. 32)
- 1451 (DdC b. 26 bis)
- 1452 (not. Francesco Avonale)

Effraym Delmedigo [*Condestabulo* and *Camerarius*]

- 1444 (DdC b. 32)
- 1450 (TQ no. 46)
- 1454 (DdC b. 26 bis)
- *Condestabulo* in 1450
- *Camerarius* in 1454 (DdC b. 26 bis)

Elea

- 1351 (Will no. 215)
- Mother of Potha, wife of Lazaro

Elea Dono, wife of Anatoli Casan, daughter of Isach Catellan

- 1428 (DdC b. 26; b. 31)
- Dead by 1430
- Known children: Cali, wife of Samuel Abezi

Elea Mavristiri, daughter of Liacho

- 1359, 1360 (DdC b. 29)
- 1368, 1375 (DdC b. 29 bis)
- 1368 (DdC b. 26)

Elea Zachulena

- 1373 (DdC b. 29 bis)

Elea, widow of David de Xeno

- 1419 (DdC b. 30 ter)

Elea, wife of Elia de Nigroponte

- 1351 (Will no. 643)
- Pregnant in 1351

Elea, widow of Jacob "Sapientis"

- 1360 (DdC b. 29)
- Mother of Parnas

Elea, widow of Jeremiah Sacerdoto

- 1411 (DdC b. 30 ter)
- Dead by 1421
- Known children: Crussana, widow of Alchana di Nigroponte

Elea, widow of Mataphye Nomico, daughter of the late Sabatheus Betu

- 1430 (DdC b. 31)
- Known sibling: Potha, widow of Moses de la Canea

Elea, widow of Michael Evgenius

- 1357 (not. Zaccaria de Fredo)

Elea, widow of Moses Agapi

- 1450 (not. Michele Calergi)
- From Castro Novo

Elea, widow of Parnas tu Setu

- 1412 (DdC b. 30 bis)

Elia [*fisicus*] (also, Helia)

- 1366-1375 (DdC b. 29 bis)
- *Salarium feudatorum*

Elia [*ciroicus*]

- 1373 (DdC b. 29 bis)
- From Castro Bonifacio

Elia di Nigroponte

- 1351 (Will no. 643)
- Married to Helea

Elia (Liacho) Angura

- 1411-1422 (DdC b. 30 bis; b. 30 ter; b. 26 bis)
- Sometime between 1417 and 1422, spends about two years living on Rhodes

Elia Astrug (Astru), son of the late Solomon

- 1405 (DdC b. 30 bis)
- 1425 [but dead by 1427] (b. 26)
- Known siblings: Samuel, Meir, Joseph, Mordachai, Crusana, Eudochia
- Father of three sons: Solomon, Samuel, and Elissa

Elia Atalioti (Matalioti) [*tintor*=dyer]

- 1422 (DdC b. 30 ter)

Elia Balaza, son of Michael

- 1447-1454 (DdC b. 26 bis)
- 1451 (not. Michele Calergi)
- Married to Cherana, daughter of Isach Orfano

Elia (Liacho, Lia) Bonaniti

- 1450-1451 (not. Michele Calergi)
- 1454 (DdC b. 26 bis)

Elia (Nomico(?)) Carfocopo

- 1424 (DdC b. 30 ter)
- Has *famulus*: Joseph Pangalo

Elia Catellan, son of Moses

- 1422-1423 (DdC b. 30 ter)
- Moves to Chios by 1428 (DdC b. 31)
- Married to Mina, daughter of the late Meir

Elia Catellan, son of Isach

- 1400-1430 (DdC b. 31)
- 1428 (DdC b. 26)
- 1429 (not. Andrea Cocco)
- 1447-1450 (DdC b. 32)
- Known siblings: Leon Catellan, Elea Dono wife of Anatoli Casan
- Married to Herini, daughter of Lazaro, son of the late Cressoni, from c. 1400

Elia Catellan, son of Solomon

- 1386 (DdC b. 32)
- Dead by 1447 (DdC b. 32)
- Married to Ester
- Known children: Isach, Judah, Solomon

Elia Cursari (Crussari; Cursara), son of the late Joseph, *ciroicus*

- 1446 (DdC b. 32)
- Known siblings: Menaghem, Moses, Samaria, Anastassu

Elia Cursari (Crusari) [*ciroicus*]

- 1389-1416 (DdC b. 30; b. 30 bis; b. 30 ter)
- From Castronovo
- Father of Manachem, *ciroicus*

Elia Gadinelli [*ciroicus*]

- 1393-1422 (DdC b. 30; b. 30 bis; b. 30 ter)
- In 1403, lives in Castro Bonifacio
- Removed from his post in 1411 due to vision problems; restored in 1412.

Elia Gracian, *nepos* of Magister Joseph [*ciroicus*]

- 1406 (DdC b. 30 bis)
- From Castro Bonifacio

Elia Lago [*ciroicus*]

- 1412-1420 (DdC b. 30 bis; b. 30 ter)
- 1430-1437 (DdC b. 31)
- From Castro Bonifacio

Elia Mechir

- 1453 (not. Michele Calergi)

Elia Milopotamiti

- 1430 (DdC b. 31)
- Known child: Liacho

Elia Mosca, son of the late Moses, di Nigroponte

- 1401-1407 (DdC b. 30 bis)
- 1407 (not. Andrea Cocco)
- 1417 (DdC b. 30 ter) = *olim de Nigroponte*
- Dead by 1438
- Known child: Aaron

Elia Politi

- 1406 (DdC b. 30 bis)
- Married to Herini

Elia Politi, son of Jacob

- 1416 (DdC b. 30 ter)

Elia Russo “Boleli”

- 1426-1427 (DdC b. 32)
- Dead by 1446
- Known children: Solomon, Cali wife of Moses Balbo

Elia Tureno, son of the late Michael

- 1401 (not. Andrea Cocco)
- Mother is Archonda, widow of Michael Tureno

Elia (Liacho), son of the late Chaim

- 1435 (DdC b. 26)
- Known sibling: Isaiah

Elia, son of the late Chavi

- 1367 (DdC b. 26)

Eliezer Cohen, son of Judah [*hashvan* = councilor]

- First decades of the fifteenth century (TQ no. 59)
- *Hashvan* in first decades of the fifteenth century (TQ no. 59)
- Known children: Judah (1406; TQ no. 52)

Elijah Capsali, son of Moses

- 1399-1406 (TQ no. 55 and 52)
- TQ signatory in 1399 and 1406

Elijah Dalal, son of Astruc

- 1439 (TQ no. 76)
- TQ signatory in 1439

Elijah Lago, son of Michael

- 1439 (TQ no. 76)
- In 1439 “currently in the district of Candia”

Elijah Noah

- 1439 (TQ no. 76)
- Known children: Abraham

Elijah Nomico

- 1406 (TQ no. 52)
- Known child: Jeremiah

Elijah, son of David

- 1369 (TQ no. 5)
- TQ signatory in 1369

Elijah, son of Gershom [*hashvan*]

- 1428, 1435, 1439 (TQ nos. 51, 57, and 76)
- Hashvan in 1428
- TQ signatory in 1435

Elijah, son of Judah

- 1369 (TQ no. 50)
- TQ signatory in 1369

Elimelech, son of the late Judah de Elimelech

- 1443 (DdC b. 26 bis)
- Son of Herini
- Known siblings: Moses, Michael, Lazaro

Elissa Astrug (Astru), son of the late Elia

- 1427 (DdC b. 26)
- 1429-1440 (DdC b. 31)
- 1454 (not. Francesco Avonale)
- Known siblings: Solomon, Samuel, Conorti

Eluna, widow of David de Michael

- 1448-1454 (DdC b. 26 bis)
- Known sibling: Parnaza, wife of Samuel
- Known child: Michael son of David

Emmanuel Sephardi, the Younger [doctor]

- 1439 (TQ no. 76)
- TQ signatory in 1439
- Of Spanish origin

Emmanuel, son of Jacob

- 1435 (TQ no. 57)

- TQ signatory in 1435

Encresson Namacus, son of Solomon

- 1408 (DdC b. 30 bis)
- From Rethymno
- Brother of Liacho

Ester, wife of Elia Catellan son of Solomon

- 1386 (DdC b. 32)
- Dead by 1446 (DdC b. 32)
- Known children: Isach, Judah

Ester, wife of Joseph Nomico

- 1364-1368 (DdC b. 26)

Ester, wife of Solomon Delmedigo son of Samaria, daughter of Jeremiah Capsali

- 1442 (DdC b. 26 bis)
- Dead by 1444 (DdC b. 26 bis)
- Known children: Crussana
- Known sibling: Parnas

Estera Xipolitina

- 1418 (DdC b. 30 ter)
- Has child out of wedlock with Octavianus Bonavita

Eudochia Russo "Boleli"

- 1448 (DdC b. 32)

Eudochia, daughter of the late David Veccele

- 1383 (DdC b. 29 bis)

Eudochia (Eudochula), adopted daughter of Jeremiah son of the late Lazaro, *papa*

- 1428 (DdC b. 31)
- 1433 (not. Andrea Cocco)
- A minor (*puella*) in 1428
- Betrothed to Mordachai, son of Michael de David of Canea

Eudochia, daughter of Sabatheus son of Calo

- 1358 (Will no. 648)
- Niece of Archondisa, widow of Elia Catellanus

Eudochia, daughter of the late Solomon Astrug (Astru)

- 1405 (DdC b. 30 bis)
- Known siblings: Samuel, Elia, Meir, Joseph, Mordachai, Crusana

Eudochia, widow of David Capsali, daughter of the late Harhi Zolo de Canea

- 1453 (not. Francesco Avonale)
- Daughter of Cherana, widow of the late Harhi Zolo

Eudochia, widow of Elia Mosca

- 1413 (DdC b. 30 bis)

Eudochia, widow of Moses Plumari

- 1359 (DdC b. 29)

Eudochia, widow of Moses Vecele

- 1383 (DdC b. 29 bis)

Eudochia, widow of Sabatheus Capsali

- 1448-1451 (DdC b. 26 bis)
- Known child: Hester

Eudochia, widow of Solomon son of the late Liacho

- 1443-1444 (DdC b. 26 bis)

Eudochia, wife of Magister Managhem Cursorsi

- 1418 (DdC b. 30 ter)

Fluru, widow of Solomon

- 1419 (DdC b. 30 ter)
- Mother of Strigona, wife of Jeremiah Capsali

Fortuna, widow of Moses Calopo

- 1417 (DdC b. 30 ter)

Fostira, widow of Liacho

- 1417 (DdC b. 30 ter)

Frossini, daughter of the late David Vecele

- 1383 (DdC b. 29 bis)

Gasdriel

- 1367 (DdC b. 29 bis)

Gershom

- 1428 (TQ no. 51)
- Known child: Elijah, *hashvan*

Gershon

- 1399 (TQ no. 55)

- Dead by 1435 (TQ no. 57)
- Known child: Eliezer

Gerson Alemanus

- 1357 (not. Zaccaria de Fredo)
- Married to Clareta

Ghi[...?] Theotonicus

- 1378 (Will no. 743)

Gizicha Vergron

- 1454 (DdC b. 26 bis)

Hebela, wife of Isacharus Theotonicus

- 1378 (Will no. 743)

Helena, wife of Isaiah Vraculi

- 1406 (DdC b. 30 bis)

Hemanuel, son of Jocuda

- 1393 (DdC b. 30)

Heregina Bili, daughter of the late Samuel

- 1401 (not. Andrea Cocco)

Heregina, daughter of Magister Moses Sacerdoto (Mauro), wife of Sabatheus Balbo

- 1400 (DdC b. 30 bis)

Heregina, daughter of the late Samuel, son of the late Angelo de Benedicto

- 1359 (DdC b. 29)

Heregina, widow of Samuel Sacerdoto

- 1413 (DdC b. 31)
- Dead by 1440 (DdC b. 31)
- Known children: Joseph, Herini widow of Meir

Heregina, wife of Ysahac Gracian

- 1366 (DdC b. 29 bis)

Herini Mavristiri, daughter of Liacho

- 1375 (DdC b. 29 bis)

Herini Marena

- 1451 (not. Michele Calergi)

Herini, wife of Elia Catellan son of Isach

- 1400-1429 (DdC b. 31)
- 1429 (not. Andrea Cocco)
- Daughter of Lazarus, son of the late (Rabbi) Cresson (Cherson)

Herini, wife of Elia Politi

- 1406 (DdC b. 30 bis)

Herini, wife of Joseph (Joste) Mauro, *faber*

- 1409 (DdC b. 30 bis)

Herini, daughter of Judah

- 1433 (not. Andrea Cocco)

Herini, widow of Judah Mazi

- 1394 (DdC b. 30)

Herini, wife of Judah Turco

- 1453 (not. Michele Calergi)

Herini, widow of Judah de Elimelech (Judah de Lemelec)

- 1443 (DdC b. 26 bis)
- 1452 (not. Michele Calergi)
- Known children: Moses, Michael, Elimelech, Lazaro

Herini, widow of Mathathia T—

- 1446 (DdC b. 32)
- From Castro Novo

Herini, widow of Meir son of the late Magister Melchiel

- 1413-1440 (DdC b. 31)
- Daughter of Heregina, widow of Samuel Sacerdoto

Herini, widow of Meir Zudestho (Herini de Meir Zudestho)

- 1440 (DdC b. 32)
- Dead by 1448 (DdC b. 32)
- Known children: Mina

Herini, widow of Magister Moses son of the late Magister Joseph (Joste)

- 1444 (DdC b. 32)
- Daughter of Jaco “Tam” Bello

Herini, wife of Moses Lago

- 1422 (DdC b. 30 ter)
- Granddaughter (*neptis*) of David Misara

Herini, widow of Pangalo

- 1368 (DdC b. 29 bis)

Hester, daughter of Sabatheus Capsali, wife of Judah son of Joseph de Zachariah

- 1448-1454 (DdC b. 26 bis)
- Daughter of Eudochia

Herini, wife of Salachaya son of Moses de Potho

- 1433 (not. Andrea Cocco) = *betrothal to Salachaya*
- 1433-1440 (DdC b. 31)
- Daughter of Judah Cusin Catellan

Hester, wife of Liacho son of Chaym

- 1432-1434 (DdC b. 31)
- 1435 (DdC b. 26)

Hester, widow of Mechir Sacerdoto (Aster)

- 1413 (DdC b. 30 ter)
- Dead by 1420
- Mother of Joseph, Cressunus

Hester, wife of Mordachai Astrug

- 1419 (DdC b. 31)

Hester, daughter of the late Moses Zabira (or, Dabara)

- 1412 (DdC b. 30 bis)
- Mother is Astruga
- Known siblings: Clara, Bonadona

Hestera, wife of Isach Zugni

- 1428-1430 (DdC b. 31)
- Grandmother of Mathafius Zugni

Heudocula, *famula* of Vitale Catellano

- 1396 (DdC b. 30 bis)

Ho—, widow of Vuzalo

- 1451 (not. Francesco Avonale)

Iona Palea, son of Isach Axioti

- 1439 (DdC b. 31)
- Dead by 1440 (DdC b. 31)

Isach

- 1447 (DdC b. 32)
- *Nepos* of Protho Boki

Isach (Isahach) [*aurifex*=goldsmith]

- 1401 (DdC b. 30 bis)

Isach Axioti

- 1439-1440 (DdC b. 31)
- Known child: Iona Palea

Isach Casani, son of David

- 1421 (DdC b. 30 ter)
- 1428 (DdC b. 31)
- Known sibling: Zera

Isach Catellan, son of Elia son of Solomon [*camerlengus*]

- 1428-1430 (DdC b. 26; b. 31)
- 1429 (not. Andrea Cocco)
- 1444-1445 (DdC b. 32)
- 1447-1450 (DdC b. 32)
- 1451-1452 (not. Francesco Avonale)
- Son of Ester
- Known sibling: Judah Cusin Catellan, Solomon Cusin Catellan
- Known children: Elea Dono, wife of Anatoli Casan; Elia; Leon
- *Camerlengus of the Judaica* in 1444

Isach Gaytano

- 1451 (not. Michele Calergi)
- Known child: Cherana
- From Castro Novo

Isach Gracian

- 1366 (DdC b. 29 bis)

Isach (Gizica) Orfano

- 1447-1454 (DdC b. 26 bis)
- Known children: Cherana, wife of Elia Balaza

Isach Tedesco (Theotonicus), son of the late Jacob [*camerarius*]

- 1440-1454 (DdC b. 32; b. 26 bis)
- Son of Cali, widow of Jacob Tedesco (Theotonicus)
- *Camerarius* in 1454
- *Consanguineus* with Abram Theotonicus son of the late Lazaro

Isach Theotonicus, son of the late Samuel

- 1419 (DdC b. 31)
- Dead by 1433
- Married to Mina, daughter of Jacob Theotonicus

Isach Zugni

- 1428 (DdC b. 31)
- Dead by 1430
- Married to Hestera
- Grandfather of Mathafius Zugni

Isach, son of the late Solomon de —

- 1450 (not. Michele Calergi)

Isach, son of the late Theodore

- 1412-1413 (DdC b. 30 bis)
- Procurator

Isacharus Theotonicus

- 1378 (Will no. 743)
- Married to Hebela

Isaiah (Ysagia; Ysaia) Balbo, son of Judah (Isaiah Cohen Balbo) [*hashvan*]

- 1400-1405 (DdC b. 30 bis)
- 1406 (TQ no. 52)
- Dead by 1408
- Hashvan in 1406 (TQ no. 52)
- Known children: Sabatheus and Judah

Isaiah Bello, son of Jaco “Tam”

- 1437 (DdC b. 31)

Isaiah Brouli

- 1450 (not. Michele Calergi)

Isaiah Missini, son of Chaim

- 1435 (TQ no. 57)
- TQ signatory in 1435

Isaiah, son of the late Caym (Chaim)

- 1432-1434 (DdC b. 31)
- 1435 (DdC b. 26)
- Known siblings: Elia (Liacho), Yostuli

Israel (Ysrael; Ysrilis) Theotonicus

- 1400 (DdC b. 30 bis)

- Dead by 1419 (DdC b. 30 ter)
- Married to Crussana, daughter of Joseph Missini, later wife of Octavianus Bonavita

Jaco "Tam" Bello, son of the late Chaim

- 1411 (DdC b. 30 bis)
- Dead by 1437 (DdC b. 31)
- Married to Panorea
- Known children: Isaiah, Herini wife of Magister Moses
- Brother of Moses
- *Nepos* of Chai, son of the late Bello

Jaco, son of the late David

- 1375 (DdC b. 29 bis)

Jacob Abec (Abezi; Abeci; Abbas) [*hashvan* and *condestabulo*]

- 1434-1437 (DdC b. 31)
- 1439-1445 (DdC b. 32)
- 1439 (TQ no. 76)
- 1447 (DdC b. 32)
- Circa 1450s (TQ no. 46)
- *Hashvan* in 1439
- *Condestabulo*, circa 1450s
- Known child: Samuel

Jacob Atalioti, son of Moses

- 1443 (DdC b. 26 bis)
- Minor in 1443
- Son of Chana
- Known siblings: Sara, Sabatheus, Anastassu

Jacob Bili (Billi)

- 1452 (not. Michele Calergi)

Jacob Contron

- 1446 (DdC b. 32)

Jacob Custenza

- 1394 (DdC b. 30)

Jacob Delmedigo, son of the late Moses, son of Abba

- 1429 (not. Andrea Cocco)

Jacob Mo'ati

- 1407 (Vatican Barb 82)

Jacob Sapientis

- 1354 (DdC b. 29)
- Dies between 1354 and 1359

Jacob Sfano

- 1453 (not. Michele Calergi)

Jacob (Iaco) Theotonicus [*ciroicus*]

- 1378 (Will no. 743)

Jacob Theotonicus

- 1387 (DdC b. 30)
- 1402 (DdC b. 30 bis)
- 1419-1433 (DdC b. 31)
- Known children: Isach; Mina, wife of Isach Theotonicus

Jacob di Nigroponte

- 1394 (DdC b. 30)
- 1399 (not. Andrea Cocco)
- Married to Potha, née Sacerdoto

Jacob, son of Eliezer

- 1369 (TQ no. 50)
- TQ signatory in 1369

Jacob, son of the late Tobias

- 1448 (DdC b. 32)
- Resident of Chios, living in Candia in 1448
- Married to Nechama, daughter of Chalasa

Jacutiel, son of Solomon de Aharon

- 1406 (DdC b. 30 bis)

Jechiel Mavristiri, son of the late Liacho

- 1386 (DdC b. 30)
- Born in Candia; lives in Rhodes

Jechiel Mosca

- 1454 (DdC b. 26 bis)

Jecicha (m)

- 1429 (DdC b. 31)

Jeremiah Angura, son of Joseph

- 1369 (DdC b. 29 bis)

Jeremiah Capsali

- Dead by 1419 (DdC b. 30 ter)
- Married to Strigona, daughter of Solomon
- Known sibling: David

Jeremiah Capsali, son of Moses [*hashvan* and *condestabulo*]

- First decades of fifteenth century (TQ no. 59)
- 1406-1439 (TQ nos. 52, 46, and 76)
- *Hashvan* in first decades of fifteenth century
- *Condestabulo* in 1439
- 1450 (not. Michele Calergi)
- Marriage between his daughter Esther and the son, Solomon, of Samaria Delmedigo (TQ no. 52)

Jeremiah Capsali, son of Parnas

- 1405 (DdC b. 31)
- 1443 (DdC b. 26 bis)
- Son of Luna
- Known siblings: Sabatheus, Judah, David
- Known children: Parnas, Ester

Jeremiah Capsali, son of Rubinus son of Sabatheus

- 1400 (not. Andrea Cocco)

Jeremiah Nomico, son of Elijah

- 1406 (TQ no. 52)
- TQ Signatory in 1406

Jeremiah Nomico, son of Sabatheus [*fisicus*]

- 1401-1403 (DdC b. 30 bis)

Jeremiah Sacerdos, son of the late Liacho

- 1352 (not. Zaccaria de Fredo)

Jeremiah Sacerdoto

- Dead by 1411 (DdC b. 30 ter)
- Married to Elea

Jeremiah, son of the late Lazaro [*papa*]

- 1429 (DdC b. 31)
- 1433 (not. Andrea Cocco)
- Son of Rachel
- Adoptive father of Eudochia

Jeremiah, son of Lazaro (Jeremiah de Lazaro)

- 1453 (not. Michele Calergi)

Jeremiah, son of Tovegia

- 1367 (DdC b. 29 bis)

Jesua —

- 1450 (not. Michele Calergi)

Jocutiel Habraam [*ciroicus*]

- 1451 (not. Francesco Avonale)

Joel de Samuel

- 1451 (not. Francesco Avonale)
- Married to Strigona

Jonah ibn Dalal, son of Judah son of Moses

- 1439 (TQ no. 76)
- TQ signatory in 1439

Joseph de Mira

- 1453 (not. Francesco Avonale)

Joseph (Jostali) Ad—

- 1451 (not. Michele Calergi)

Joseph (Jostef) Angura, son of Samaria [*condestabulo*]

- 1352 (not. Zaccaria de Fredo)
- 1362-1368 (DdC b. 29 bis and b. 26)
- 1369 (TQ no. 50)
- Dead by 1382 (DdC b. 29 bis)
- *Condestabulo* in 1369

Joseph Astru, son of the late Solomon

- 1402-1405 (DdC b. 30 bis)
- 1420 (DdC b. 31)
- Dead by 1428 (DdC b. 31, b. 26 bis)
- Known siblings: Samuel, Elia, Meir, Mordachai, Crusana, Eudochia

Joseph (Jostali) Balaza

- 1450-1451 (not. Michele Calergi)

Joseph (Joste) Capsali, son of Sabatheus son of Parnas

- 1440 (DdC b. 31)

- Known sibling: Jacob

Joseph (Joste) Capsaloni

- 1436 (DdC b. 31)

Joseph (Joste) Carfocopo [*ciroicus*]

- 1366-1369 (DdC b. 29 bis)
- 1389-1409 (DdC b. 30; b. 30 bis)
- In 1369, lives in Castro Novo

Joseph (Joste) Casan, son of Melchiel

- 1408-1423 (DdC b. 31)
- 1424 (Noiret)
- Dead by 1437 (DdC b. 31)
- Known sibling: Sabatheus

Joseph Catellano

- 1420 (DdC b. 30 ter)
- Father of Zimcha

Joseph Crediti

- 1454 (DdC b. 26 bis)

Joseph (Joste) Cursara (Cursari; Crussari) [*ciroicus*]

- Dead by 1446 (DdC b. 32)
- Known children : Menaghem, Moses, Elia, Samaria, Anastassu

Joseph Delmedigo

- 1450 (not. Michele Calergi)

Joseph Evgenico

- 1451 (not. Francesco Avonale)

Joseph Fabri, son of Solomon

- 1401 (DdC b. 30 bis)

Joseph Ferer

- 1412-1415 (DdC b. 30 bis; b. 30 ter)
- Father of Astruga
- Grandfather of Clara, Bonadona, Hester

Joseph (Josep) Gracian

- 1366 (DdC b. 29 bis)

Joseph (Joste; Josteph) Gracian (Graciano) [*ciroicus*]

- 1394-1420 (DdC b. 30; b. 30 bis)
- 1429 (DdC b. 31)
- From Castro Bonifacio

Joseph Mauro [*faber*]

- 1409 (DdC b. 30 bis)

Joseph (Joste) Missini, son of the late Chaim [*condestabulo*]

- *condestabulo* (TQ no. 46)
- 1368 (DdC b. 26)
- 1373 (Will no. 762)
- 1389 (Noiret)
- 1390-1402 (DdC b. 30; b. 30 bis)
- 1411 (DdC b. 30 ter)
- Dead by 1411 (DdC b. 30 bis)
- Known siblings: Liacho Missini; Cherana, wife of David de la Chania
- Married to Chana and Channa (two wives)
- Known children: Chrussana; Samuel (dead by 1401)

Joseph Missini, son of Liacho (Joste de Liacho)

- 1409-1417 (DdC b. 30 bis; b. 30 ter; b. 26 bis)
- Dead by 1432 (DdC b. 26 bis)
- Known children: Octavianus, Liacho, Judah
- Nephew of Joseph Missini son of Chaim

Joseph Nomico

- 1360-1364 (DdC b. 26)
- Dead by 1368
- Married to Ester

Joseph Pangalo, *famulus* of Elia Nomico(?) Carfocopo

- 1424 (DdC b. 30 ter)

Joseph Parir, son of Abraham

- 1408 (Parma 2473)

Joseph Politi

- 1451 (not. Michele Calergi)

Joseph Proto, son of Zachariah

- First decades of fifteenth century (TQ no. 59)
- 1406 (TQ no. 52)
- TQ signatory in 1406 and in first decades of fifteenth century

Joseph Sacerdoto, son of Mechir

- 1420-1424 (DdC b. 30 ter)
- 1448 (DdC b. 32; b. 26 bis)
- 1451 (not. Michele Calergi)
- Son of Hester, widow of Mechir Sacerdoto
- Known sibling: Cressunus

Joseph Sacerdoto, son of Samuel

- 1419 (DdC b. 31)
- Dead by 1440 (DdC b. 31)
- *Mentus captus*

Joseph (Josep) Saracenus

- 1412 (DdC b. 30 bis)

Joseph Spagnolo

- 1425 (DdC b. 15)
- 1451 (not. Michele Calergi)

Joseph, the son of Zachariah (Joste de Zacharia; Joste Zacharia)

- 1435 (TQ no. 57)
- 1444 (DdC b. 32)
- 1448-1451 (DdC b. 26 bis)
- TQ signatory in 1435
- Known children: Judah

Jacob Turlafti, son of Lazaro

- 1424 (DdC b. 30 ter)

Joseph, son of David (Joste de David) [*ciroicus*]

- 1409 (DdC b. 30 bis)

Joseph (Jostalim), son of Magister Elia

- 1449 (DdC b. 32)
- From Castro Bonifacio

Joseph, son of Liacho

- 1447 (DdC b. 32)
- *Nepos* of Protho Boki

Joseph, son of the late Melchiele

- 1417 (DdC b. 26)
- Married to Stamata

Joseph (Josep), son of Isach de Portugal

- 1394 (DdC b. 30)

Joseph, son of the late (Magister) Michiele [*ciproicus*]

- 1406-1412 (DdC b. 30 bis)

Joseph, son of Sabatheus de Salonichi

- 1357 (not. Zaccaria de Fredo)

Joseph (Joste), son of Xeno

- 1368 (DdC b. 29 bis)

Joseph (Joste) de Damasco [*ciproicus*]

- 1389-1401 (DdC b. 30; b. 30 bis)
- Father of Natan and Judah

Judah Agapito, son of the late Liacho

- 1373 (DdC b. 29 bis)
- From Castro Novo

Judah Alemanus

- 1357 (not. Zaccaria de Fredo)

Judah Balbo, son of Isaiah (Judah Cohen Balbo)

- 1401-1409 (DdC b. 30 bis)
- Dead by 1411
- Married to Arconda, daughter of Michael de David
- Known sibling: of Sabatheus
- Known children: Zigiona

Judah Balbo

- 1429 (DdC b. 31)

Judah Balbo

- 1439 (DdC b. 31)
- 1454 (not. Francesco Avonale)
- From Castro Bonifacio
- Known sibling: Solomon

Judah Calamino, son of the late Abraam

- 1413 (DdC b. 30 bis)
- Minor in 1413
- Known siblings: Alcana, Moses

Judah Candiotti [*doctor*]

- 1428 (TQ no. 51)
- TQ signatory in 1428

Judah "Leo" Capsali, son of Parnas

- 1405-1440 (DdC b. 31)
- Son of Luna
- Known siblings: Sabatheus, David, Jeremiah

Judah "Cohen," son of Eliezer

- 1369-1406 (TQ nos. 50 and 52)
- TQ signatory in 1369 and 1406

Judah Cusin Catellan, son of Elia son of Solomon

- 1433 (not. Andrea Cocco)
- 1433-1440 (DdC b. 31)
- 1447 (DdC b. 32)
- Dead by 1450
- Son of Ester
- Married to Donabona/Bonadona
- Father of Herini, wife of Salachaya son of Moses de Potho
- Known siblings: Solomon Cusin Catellan, Isach Catellan

Judah Cuxin (Cusin), son of Moses, of Rethymno

- 1450 (not. Francesco Avonale)

Judah Delmedigo, son of Elia, di Nigroponte

- 1359 (DdC b. 29)
- 1360 (DdC b. 29)
- 1364-1368 (DdC b. 26)
- Brother of Samargia Delmedigo

Judah Delmedigo, son of Mordachai

- 1411 (DdC b. 26 bis)
- 1417 (DdC b. 30 ter)

Judah Delmedigo, son of Moses son of Aba

- 1411 (DdC b. 30 bis)
- 1420 (DdC b. 30 ter)

Judah Grasso, son of Moses

- 1454 (not. Francesco Avonale)
- Emancipated son

Judah Havivi, son of Abraham [*condestabulo*]

- First decades of the fifteenth century (TQ no. 59)
- 1459 (TQ no. 46)
- TQ signatory during first decades of fifteenth century

- Condestabulo in 1459

Judah Mavrogonato

- 1450 (not. Michele Calergi)
- Dead by 1451 (not. Michele Calergi)
- Married to Bona

Judah Missini, son of the late Joseph (Joste) de Liacho

- 1431 (DdC b. 31)
- Dead by 1438 (DdC b. 31; b. 26 bis)
- Known siblings: Octavianus, Liacho

Judah Proto, son of Moses

- 1428 (TQ no. 51)
- TQ signatory in 1428

Judah Spagnolo

- 1393-1395 (DdC b. 30)
- Moves to Canea by 1395

Judah Turco

- 1453 (not. Michele Calergi)
- Married to Herini

Judah Zarnina, son of Joseph

- 1452 (not. Michele Calergi)

Judah de Damasco, son of Joseph [*ciroicus*, then *fisicus*] [*camerarius*]

- 1399 (TQ no. 55)
- 1401-1419 (DdC b. 30 bis; b. 30 ter)
- 1409 (not. Andrea Cocco)
- 1426 (DdC b. 15)
- 1429-1439 (DdC b. 31)
- 1444-1448 (DdC b. 32)
- 1448-1451 (DdC b. 26 bis)
- TQ Signatory in 1399
- *Camerarius* around 1450 under *condestabulo* Miochas Delmedigo (DdC b. 26 bis)
- Brother of Natan

Judah, son of the late Abraam de Potho

- 1443-1444 (DdC b. 26 bis)
- 1450 (not. Michele Calergi)
- Scribe: writes wills in Hebrew

Judah, son of Aaron

- 1406 (DdC b. 30 bis)

Judah, son of Benjamin son of Rabbi Judah

- 1428 (TQ no. 51)
- Apprentice slaughtering expert in 1428

Judah, son of the late David

- 1394 (DdC b. 30)
- Predeceased by wife, Elea

Judah, son of the late David

- 1403-1427 (DdC b. 26)

Judah, son of Elimelech (Judah de Elimelech; Judah Cohen)

- 1421 (DdC b. 30 ter)
- 1439 (TQ no. 76)
- Dead by 1443 (DdC b. 26 bis)
- TQ signatory in 1439
- Married to Herini
- Known children: Moses, Michael, Elimelech, Lazaro

Judah, son of Joseph de Zacharia

- 1448-1454 (DdC b. 26 bis)
- Married to Hester Capsali, daughter of Sabatheus

Judah, son of Mordachai (Jocuda de Mordachai)

- 1409 (DdC b. 30 bis)

Judah, son of Mordachai de Nigroponte

- 1419-1422 (DdC b. 30 ter)

Judah, son of Moses son of the late Rabbi Samaria, of Rethymno

- 1406 (TQ no. 52)
- TQ signatory in 1406

Judah, son of Moses

- 1429 (DdC b. 31)

Judah, son of the late Moses

- 1388 (DdC b. 30)
- 1394 (DdC b. 30)
- 1401 (DdC b. 30 bis)
- Dead by 1418
- Married to Potha

- Brother of David, Liacho, and Octavianus

Judah, son of the late Octavianus

- 1401-1407 (DdC b. 30 bis)

Lazaro

- 1350 (Will no. 215)
- Married to Potha

Lazaro

- 1357 (not. Zaccaria de Fredo)
- Known child: Moses

Lazaro (*papa*)

- 1411 (DdC b. 26 bis)
- 1415 (DdC b. 30 ter)
- Dead by 1429 (DdC b. 31)
- Known child: Jeremiah
- Lives in Rethymno in 1411

Lazaro Balbo

- 1411 (DdC b. 30 ter)
- Related (*consanguineus*) to Crussana, widow of Alchana di Nigroponte

Lazaro Boki (Buchi)

- 1413 (DdC b. 32)
- Dead by 1445
- Married to Mor—

Lazaro (Eliezer) Capsali, son of David

- 1447 (DdC b. 32)
- TQ no. 45 (date unknown)
- Son of Anastassu
- Known sibling: Moses

Lazaro Carfocopo, son of David (Lazarus de David) [*fisicus*]

- 1416-1418 (DdC b. 30 ter)

Lazaro Lipomano Theotonicus

- 1382 (DdC b. 29 bis)
- Married to Chana, formerly widow of Joseph Angura

Lazaro Russo [*ciroicus*]

- 1430 (DdC b. 31)
- 1454 (DdC b. 26 bis)

- *Deputatus medicus maleficiorum* in 1454 (DdC b. 26 bis)

Lazaro Salonicho, son of the late Mordachai, of Rethymno

- 1453 (not. Francesco Avonale)

Lazaro Theotonicus (Lazaro Tedesco; Eliezer Ashkenazi Katz) [*condestabulo* and *hashvan*]

- 1411 (DdC b. 30 bis)
- 1417-1420 (DdC b. 30 ter)
- 1428 (TQ no. 51)
- 1440 (DdC b. 32)
- 1441 (DdC b. 26 bis)
- Dead by 1447
- Known child: Abram
- *Condestabulo* in 1411
- *Hashvan* in 1429

Lazaro Vetu (Betu) [*condestabulo*]

- 1401-1409 (DdC b. 30 bis)
- 1406 (not. Andrea Cocco)
- Dead by 1430 (DdC b. 31)
- Married to Cali

Lazaro, son of the late (Rabbi) Cressoni (Eliezer, son of Rabbi Gershon of Rethymno) [*hashvan*]

- 1400-1429 (DdC b. 31)
- (1399, 1406, 1428 (TQ nos. 55, 52, and 51))
- (*hashvan* in 1428)
- (TQ signatory in 1399 and 1406)
- Known children: Herini, wife of Elia Catellan

Lazaro, son of the late Judah de Elimelech

- 1443 (DdC b. 26 bis)
- 1445 (DdC b. 32)
- Minor in 1443
- Son of Herini
- Known siblings: Moses, Michael, Elimelech

Lazaro (Eliezer), son of Judah (Lazaro de Jocuda)

- 1412 (DdC b. 30 bis)
- First decades of the fifteenth century (TQ no. 59)
- TQ signatory in the first decades of the fifteenth century

Lazaro, son of the late Judah [*fisicus*]

- 1417 (DdC b. 30 ter)

Lazaro, son of Lemelec (Lazaro de Lemelec)

- 1452 (not. Michele Calergi)

Lazaro, son of the late Moses

- 1453 (not. Francesco Avonale)

Lazaro, son of the late Parnas

- 1368 (DdC b. 26)
- Son of Rachel
- Known sibling: Solomon

Lazaro, son of Rebi

- 1448 (DdC b. 32)

Lazaro de Xeno

- Dead by 1370 (DdC b. 26)

Lazaro de Xeno [*fiscus*]

- Dead by 1429 (DdC b. 31)
- Married to Potha
- Son of Elia de Xeno and Cali
- Known children: Sabatheus, Maltha, Luna (Eluna)

Lemelec, son of the late Judah

- 1451 (not. Michele Calergi)
- Married to Cali

Leo (Leone) Chuduri (Cunduri), son of Samuel (Leo de Samuel)

- 1420 (DdC b. 30 ter)

Leo Dearchana

- 1399 (not. Andrea Cocco)
- Nephew of Samaria Dearchana

Leo (Leon) Nomico, son of the late Samuel

- 1410-1429 (DdC b. 31)
- 1428-1435 (TQ nos. 51 and 57)
- TQ signatory in 1428 and 1435
- Known child: Samuel

Leo Stolari, son of the late Alcana

- 1451 (not. Michele Calergi)

Leone (Leo) Catellan, son of Isach

- 1428-1430 (DdC b. 26; b. 31)
- 1449-1452 (not. Francesco Avonale)
- 1452 (not. Michele Calergi)

- Known siblings: Elia, Elea Dono wife of Anatoli Casan

Leone (Judah), son of the late Tavia [*fiscus*]

- Made will in 1421 (not. Andrea Cocco)
- Dead by 1430 (not. Andrea Cocco)
- Related to Samaria Delmedigo

Levi Nomico, son of Elia [doctor]

- 1439 (TQ no. 76)
- 1450 (not. Michele Calergi)
- TQ signatory in 1439

Lia (Liacho) Gadinelli, son of Magister Moses the *ciroicus*

- 1450-1453 (not. Michele Calergi)
- Known child: Cali
- From Castro Novo

Lia Maruli

- 1451 (not. Michele Calergi)
- Known child: Samaria

Lia Russo

- 1451 (not. Francesco Avonale)

Lia Turcho

- 1451-1452 (not. Francesco Avonale)

Lia, son of the late Alchana

- 1357 (not. Zaccaria de Fredo)
- Father in law of Moses, son of the late David de Chorono

Lia (Ligia)

- 1358 (Will no. 548)
- Grandson of Archondisa, widow of Elia Catellan
- First cousin once removed of Eudochia, daughter of Sabatheus son of Calo

Liacho Agapi

- 1416 (DdC b. 30 ter)
- Married to Cali, daughter of Samargia

Liacho Capsali [*condestabulo*]

- 1430 (DdC b. 26)
- 1436 (DdC b. 26 bis)
- 1437 (DdC b. 31)
- Dead by 1443

- *Condestabulo* in 1430
- Known children: David

Liacho Capsali of Rethymno

- 1416 (DdC b. 30 ter)

Liacho Carvuni, son of the late Moses

- 1412 (DdC b. 30 bis)
- Minor in 1412

Liacho Carvuni

- 1453 (not. Michele Calergi)

Liacho Casani

- 1374 (DdC b. 29 bis)

Liacho Chersoniti

- 1413? (DdC b. 30 ter)

Liacho Culi

- 1452 (not. Francesco Avonale)

Liacho Damanoli, son of the late Lazaro

- 1424 (DdC b. 30 ter)

Liacho (Elijah) Delmedigo, son of Aba

- 1406, 1428, 1439 (TQ nos. 52, 51, 76)
- 1417-1421 (DdC b. 30 ter)
- 1429-1433 (DdC b. 31)
- 1449 (DdC b. 32)
- 1450 (not. Michele Calergi)
- TQ signatory in 1406, 1428; considered rabbinic expert in 1439.
- Known sibling: Moses

Liacho Fabri [or, *faber* = artisan]

- 1413 (DdC b. 30 bis)
- Married to Rachel, née Calamino

Liacho Lago, son of Calo

- 1412-1422 (DdC b. 30 bis, b. 30 ter)

Liacho Lazaro Mulo (Liacho son of the late Mulo)

- 1413 (DdC b. 30 bis)
- From Rethymno

Liacho Mavristiri

- 1350, 1359 (DdC b. 29)
- Lives on Rhodes by 1359
- Dead by 1375 (DdC b. 29 bis)

Liacho Melame

- 1429 (DdC b. 26 bis)

Liacho Milopotamiti, son of Elia

- 1430 (DdC b. 31)

Liacho (Elijah) Missini, son of the late Chaim [*condestabulo* and *hashvan*]

- 1368 (DdC b. 26)
- 1406; First decades of the fifteenth century (TQ no. 52 and 59)
- Condestabulo in first decades of the fifteenth century (TQ no. 59)
- *Hashvan* in 1406 (TQ no. 52)
- Known sibling: Joseph Missini

Liacho Missini, son of the late Joseph (Joste) de Liacho

- 1431 (DdC b. 31)
- Dead by 1438 (DdC b. 31; b. 26 bis)
- Known siblings: Octavianus, Judah

Liacho Namacus, son of Solomon

- 1408 (DdC b. 30 bis)
- From Rethymno
- Brother of Encresson

Liacho Nomico, son of the late Jeremiah

- 1352 (not. Zaccaria de Fredo)

Liacho Remondo

- 1375 (DdC b. 29 bis)

Liacho Sacerdoto, son of the late Michael

- 1412 (DdC b. 30 bis)

Liacho Sacerdoto, son of the late Moses Jeremiah

- 1352 (not. Zaccaria de Fredo)
- 1360 (not. Giorgio da Milano)
- 1368 (DdC b. 26)

Liacho Tuco (Turco?)

- 1362 (not. Giorgio da Milano)

Liacho Vecele, son of the late David

- 1382 (DdC b. 29 bis)

Liacho Vetu

- 1367 (DdC b. 15)

Liacho, son of the late Angelo de Benedicto

- 1359 (DdC b. 29)

Liacho, son of the late Chaii

- 1358, 1359 (DdC b. 29)
- Mother: Cali; brother: Samargia (dead by 1358)

Liacho, son of Chaym

- 1432-1434 (DdC b. 31)
- 1444 (DdC b. 32)
- Known siblings: Isaiah, Yostuli

Liacho, son of the late Lazaro

- 1429 (DdC b. 26 bis)

Liacho, son of Lazaro, papa

- 1417 (DdC b. 30 ter)
- From Rethymno

Liacho, son of Lazaro de Milopotamo [*cerdo* = cobbler]

- 1369 (DdC b. 29 bis)

Liacho, son of the late Moses

- 1368 (DdC b. 29 bis)

Liacho, son of the late Moses

- 1394-1400 (DdC b. 30; b. 30 bis)
- Dead by 1413
- Brother of David, Judah, and Octavianus
- Father of Moses, Zacharia, and Mordachai

Liacho, son of Moses (Liacho de Moses)

- 1437 (DdC b. 31)

Liacho, son of the late Moses

- 1439 (DdC b. 31)
- 1450-1453 (not. Michele Calergi)
- 1454 (not. Francesco Avonale)
- From Castro Bonifacio

Liacho, son of the late Solomon

- 1411 (DdC b. 26 bis)
- 1413-1417 (DdC b. 30 bis; b. 30 ter)
- From Rethymno

Lio Mavrogonato

- 1453 (not. Francesco Avonale)

Luna (Eluna), daughter of the late Lazaro de Xeno

- 1429-1439 (DdC b. 31)
- Minor in 1429
- Daughter of Potha
- Known siblings: Sabatheus, Maltha

Luna, wife of Parnas Capsali

- 1405 (DdC b. 31)
- Known children: Sabatheus, Judah, David, Jeremiah

Machyr (Mechir; Meir) Sacerdoto, son of Joseph

- 1446-1447 (DdC b. 32)

Malkiel (Melli) Beglici, son of Eliezer

- 1439 (TQ 76)
- Betrothed but not married to Cali, wife of Abraham the tailor

Maltha, daughter of the late Lazaro de Xeno

- 1429 (DdC b. 31)
- Minor in 1429
- Dead by 1439
- Daughter of Potha
- Known siblings: Sabatheus, Luna

Manachael (aka Manachel, Monachael) [*fisicus*]

- 1399-1423 (DdC b. 30 bis; b. 30 ter)
- 1427 (b. 26)
- 1429-1430 (DdC b. 31)
- Dies in 1433 (DdC b. 31)
- Married to Cali

Manachem Cursari (Crussari), son of Elia [*ciroicus*]

- 1406 (DdC b. 30 bis)
- 1415-1422 (DdC b. 30 ter)
- From Castro Novo

Maria, widow of Heschia Theotonicus

- 1391 (DdC b. 30)
- Lives in Venice and Candia

Marula Spagnolo, daughter of Judah

- 1393 (DdC b. 30)
- Age 4 in 1393

Matatia Lago, son of the late I—

- 1452 (not. Francesco Avonale)
- Son of Potha, widow of I— Lago

Mathafius Zugni

- 1428-1430 (DdC b. 31)
- Grandson of Isach and Hestera Zugni

Mathagia Chersoniti

- 1373 (b. 29 bis)
- From Castro Novo

Mathathia T—

- Dead by 1446
- Married to Herini
- From Castro Novo

Matitya

- 1439 (TQ no. 76)
- Known child: Moses

Mathya Sacerdoto, son of the late Samuel

- 1439 (DdC b. 31)

Meir Astrug (Astru), son of the late Mordachai

- 1430 (DdC b. 31)
- Known siblings: Solomon, Samuel

Meir (Meyr) Astrug (Astru), son of the late Solomon

- 1405 (DdC b. 30 bis)
- 1415 (DdC b. 30 ter)
- 1427-1439 (DdC b. 26)
- 1428-1433 (DdC b. 31)
- 1435 (TQ no. 57)
- 1444 (DdC b. 26 bis)
- 1445-1446 (DdC b. 32)
- TQ signatory in 1435

- Known siblings: Samuel, Elia, Joseph, Mordachai, Crusana, Eudochia

Melchiele Casan (Casani) [*condestabulo*]

- 1363 (TQ no. 40)
- 1389 (Noiret)
- 1406 (TQ no. 52)
- 1408 (DdC b. 31)
- 1412 (DdC b. 30 bis)
- Dead by 1437
- *Condestabulo* in 1363 and 1406
- Known children: Sabatheus, Joseph

Melchiele Casan (Casani), son of Sabatheus

- 1440 (DdC b. 31)
- 1445-1448 (DdC b. 32)
- Dead by Dec. 1448 (DdC b. 32)
- Son of Sara
- Married to Crussana
- Known sibling: Moses

Melchiele Theotonicus, son of Meir (Malkiel Ha-Rofeh b. Meir Ashkenazi) [*ciroicus*]

- 1366-1369 (DdC b. 29 bis)
- 1369 (TQ no. 50)
- TQ signatory in 1369

Melchiele, son of the late Magister Joseph (Joste) [*ciroicus*]

- 1428-1448 (DdC b. 26 bis)
- 1429-1439 (DdC b. 31)
- 1448 (DdC b. 32)
- 1450-1451 (not. Michele Calergi)
- brother of Moses

Menaghem Cursara (Crussari; Cursari), son of the late Joseph, *ciroicus*

- 1446 (DdC b. 32)
- Known siblings: Moses, Elia, Samaria, Anastassu

Michael Astrug

- 1451 (not. Michele Calergi)

Michael Balaza

- 1447-1454 (DdC b. 26 bis)
- Known children: Elia

Michael Balbo, son of the late Casan

- 1357 (not. Zaccaria de Fredo)

Michael Balbo (Michael Cohen), son of Shabbetai [*camerarius*]

- First decades of the fifteenth century (TQ no. 59)
- 1439 (TQ no. 76)
- 1453 (not. Francesco Avonale)
- 1454 (DdC b. 26 bis)
- TQ signatory in 1439 and during the first decades of the fifteenth century
- *Camerarius* in 1454 (DdC b. 26 bis)
- Known child: Soltana, wife of Solomon

Michael Carvuni, son of the late Moses

- 1352-1357 (not. Zaccaria de Fredo)

Michael Carvuni, son of Liacho

- 1374, 1375 (DdC b. 29 bis)
- 1394 (DdC b. 30)
- 1412 (DdC b. 30 bis)
- Dead by 1420 (DdC b. 30 ter)

Michael Mosca (or, Mosto)

- 1450 (not. Michele Calergi)
- 1453 (not. Francesco Avonale)

Michael Sacerdoto

- 1394 (DdC b. 30)
- Brother of the Potha, wife of Jacob di Nigroponte

Michael Sacerdoto, son of Sabatheus

- 1444 (DdC b. 32)

Michael "Cohen" Yerushalmi

- 1439 (TQ no. 76)
- Rabbinic expert

Michael Turco

- 1454 (DdC b. 26 bis)
- Known sibling: Vrachuli

Michael de David, *antiqui*

- 1429 (DdC b. 26 bis)
- 1453 (not. Francesco Avonale)
- Dead by 1454 (DdC b. 26 bis)
- Father of David de Michael, husband of Eluna
- Known *nepotes*: Michael and Sabatheus
- Has holdings in Candia and Rethymno

Michael, son of David (Michael de David)

- 1401-14011 (DdC b. 30 bis)
- 1433 (not. Andrea Cocco)
- Known children: Arconda, Mordachai
- From Canea, resident in Candia

Michael, son of the late David de Michael

- 1450 (not. Michele Calergi)
- Known sibling: Sabatheus, son of the late David de Michael
- From Castro Bonifacio, now resident in Candia

Michael, son of David

- 1454 (DdC b. 26 bis)
- Son of Eluna

Michael, son of the late Judah de Elimelech

- 1443 (DdC b. 26 bis)
- 1445 (DdC b. 32)
- Minor in 1443
- Son of Herini
- Known siblings: Moses, Lazaro, Elimelech

Michael, son of the late Melchisedech

- 1382 (DdC b. 29 bis)
- 1394 (DdC b. 30)
- 1400 (DdC b. 30 bis)
- By 1400, lives in Canea; owns property in Candia

Michael, son of Monachem

- 1367 (DdC b. 26)

Michael, son of Xeno

- 1362 (not. Giorgio da Milano)

Michele [*ciroicus*]

- 1368 (DdC b. 29 bis)

Mina, daughter of Jacob Theotonicus, wife of Isach Theotonicus

- 1419-1433 (DdC b. 31)

Mina, daughter of Meir Zudestho

- 1440 (DdC b. 32)
- Dead by 1448 (DdC b. 32)
- Daughter of Herini

- *Mente capta*

Mina, daughter of the late Meir, wife of Elia Catellan

- 1422-1423 (DdC b. 30 ter)
- 1428 (DdC b. 31)

Miochas Delmedigo, son of Moses [*condestabulo*]

- 1445-1447 (DdC b. 32; b. 26 bis)
- 1451 (DdC b. 26 bis)
- Dead by 1452 (not. Michele Calergi) (?)
- Married to Chana "Sclavina," daughter of Octavianus Bonavita and Crussana née Missini
- *Condestabulo* around 1450

Mira, widow of Samuel Mulo

- 1434 (DdC b. 31)
- Known sibling: Chersson Xenì

Missael Turcho (m)

- 1451 (not. Francesco Avonale)
- Dead by Dec. 1451
- Married to Xathi

Monachem di Nigroponte [*fisicus*]

- 1400-1406 (DdC b. 30 bis)

Mor—, wife of Lazaro Boki

- 1413-1445 (DdC b. 32)

Mordachai Astrug (Astru), son of the late Solomon

- 1400-1406 (not. Andrea Cocco)
- 1405 (DdC b. 30 bis)
- Dead by 1430 (DdC b. 31)
- Known siblings : Samuel, Elia, Meir, Joseph, Crusana, Eudochia

Mordachai Man

- 1451 (not. Michele Calergi)

Mordachai Plumari

- 1352 (not. Zaccaria de Fredo)
- 1359 (DdC b. 29)

Mordachai, son of the late Jaco *papas*

- 1357 (not. Zaccaria de Fredo)

Mordachai, son of the late Liacho

- 1412-1413 (DdC b. 30 bis)
- Brother of Moses and Zacharia
- Uncle of Moses son of the late Tobias

Mordachai, son of Michael de David of Canea

- 1433 (not. Andrea Cocco)
- Betrothed to Eudochia

Moses

- 1375 (DdC b. 29 bis)

Moses Atalioti [*tintor*]

- 1439-1440 (DdC b. 31)
- Dead by 1443 (DdC b. 26 bis)
- Married to Chana
- Known sibling: Samuel
- Known children: Sara, Jacob, Sabatheus, Anastassu

Moses Balbo

- 1426-1446 (DdC b. 32)
- Married to Cali, daughter of Elia Russo “Boleli”

Moses Bello, son of the late Chai [*fisicus*]

- 1411 (DdC b. 30 bis)
- 1417-1419 (DdC b. 30 ter)
- Brother of Tam

Moses Bili

- 1453 (not. Michele Calergi)

Moses Bonsignor

- 1399 (TQ no. 55)
- 1406 (TQ no. 52)
- 1409 (DdC b. 30 bis)
- TQ signatory in 1399 and 1406

Moses Cabes, Catellanus (aka Moses Catellano; Moses Carbiti; Moses Karbida) [*fisicus*]

- 1397 (Leiden OR 4751) = *copies for himself Aristotelian and Jewish-Aristotelian texts*
- 1400-1416 (DdC b. 30 bis ; b. 30 ter)

Moses Calamino, son of the late Abraam

- 1413 (DdC b. 30 bis)
- Minor in 1413

- Known siblings: Alcana, Judah

Moses Calopo, son of Samaria

- 1414 (DdC b. 30 ter)
- Dead by 1417

Moses Capsali

- 1406 (TQ no. 52)
- Known child: Elijah

Moses Capsali

- 1418 (DdC b. 30 ter)
- 1430 (DdC b. 31)

Moses Capsali, son of David

- 1447 (DdC b. 32)
- Minor in 1447
- Son of Anastassu
- Known sibling: Lazaro

Moses Capsali, son of Elijah

- EJ: 1420-1495
- Born in Candia; moves to Germany and Constantinople
- Rabbinic authority (TQ no. 45, 47, and 61)

Moses Capsali of Rethymno

- 1412 (DdC b. 30 bis)

Moses Capula

- 1369 (DdC b. 29 bis)

Moses Carlion [*daciarium olei*]

- 1403 (DdC b. 30 bis)

Moses Casani (Casan), son of Sabatheus

- 1445-1448 (DdC b. 32)
- 1450-1454 (not. Michele Calergi)
- Son of Sara
- Known sibling: Melchiel

Moses "Cohen Tzedek," son of Judah

- 1369 (TQ no. 50)
- TQ signatory in 1369

Moses Cursara (Crussari; Cursari), son of the late Joseph, ciroicus

- 1446 (DdC b. 32)
- Known siblings: Menaghem, Elia, Samaria, Anastassu

Moses Cusi

- 1429 (DdC b. 31)

Moses Cusin

- 1406 (TQ no. 52)
- TQ signatory in 1406
- Known son: C—

Moses Cusin de Rodo

- 1452 (not. Michele Calergi)

Moses Delmedigo, son of Aba [*condestabulo*]

- 1406 (TQ no. 52)
- 1411 (DdC b. 30 bis)
- 1412 (not. Andrea Cocco)
- 1433-1440 (DdC b. 31)
- 1450-1454 (not. Michele Calergi)
- *Condestabulo*, date unknown (TQ no. 46)
- Married to Sofia
- Known children: Judah, Aba
- Known sibling: Liacho, Alcana, Samaria

Moses Delmedigo, son of Judah

- First decades of the fifteenth century (TQ no. 59)
- 1428-1439 (TQ nos. 51 and 76)
- 1450-1452 (not. Michele Calergi)
- 1452-1453 (not. Francesco Avonale)
- TQ signatory in 1439 and during first decades of the fifteenth century
- Apprentice slaughtering expert in 1428

Moses Delmedigo, son of the late Samaria

- 1444 (DdC b. 32)
- 1448 (DdC b. 26 bis)
- 1452 (not. Michele Calergi)
- 1454 (not. Francesco Avonale)
- Known sibling: Aba

Moses Fauro

- 1422 (DdC b. 30 ter)

Moses F—meo

- 1450 (not. Michele Calergi)

- From Rethymno

Moses Futri

- 1368 (DdC b. 29 bis)

Moses Gadinelli [*ciroicus*]

- 1429-1430 (DdC b. 31)
- 1446 (DdC b. 32)
- 1450 (not. Michele Calergi)
- Dead by 1453 (not. Michele Calergi)
- Known children : Lia (Liacho), Alcana
- From Castro Novo

Moses Grasso

- 1454 (not. Francesco Avonale)
- Known child : Judah

Moses Haviv [*condestabulo*]

- 1428 (TQ no. 51)
- *Condestabulo* in 1428

Moses ibn Tibbon, son of Isaac [scribe]

- 1407 (Vatican Barb 82)
- 1439 (TQ no. 76)
- TQ signatory in 1439

Moses Ishak, son of Nissim

- 1439 (TQ no. 76)
- TQ signatory in 1439

Moses Lago, son of Calo

- 1391 (DdC b. 31)
- 1415 (DdC b. 30 ter)
- 1422 (DdC b. 30 ter)
- Dead by 1430 (DdC b. 31)
- Married to Herini

Moses Mauro (aka Moses Sacerdoto; Moses Cohen) [*fisicus*]

- 1399-1423 (DdC b. 30 bis; b. 30 ter)
- 1406 (TQ no. 52)
- TQ signatory in 1406
- Father of Zacharias, *fisicus*, and Hergina, wife of Sabatheus Balbo

Moses Mavrogonato, son of the late Elia

- 1398-1444 (DdC b. 32)

- 1451 (DdC b. 26 bis)

Moses Milopotamiti

- 1450 (not. Michele Calergi)

Moses Nomico

- 1370 (DdC b. 26)

Moses Nomico, son of Peretz

- 1439 (TQ no. 76)
- Known sibling: Azariah

Moses Politi

- 1393 (DdC b. 30)

Moses Proto

- 1428 (TQ no. 51)
- Known child: Judah

Moses Pulla [*specarius*=spicer/grocer]

- 1368 (DdC b. 29 bis)

Moses Sfano

- 1451 (not. Michele Calergi)

Moses Turco

- 1428 (DdC b. 31)

Moses Xeno, son of the late Chersson

- 1434 (DdC b. 31)
- Minor in 1434
- Son of Bella, widow of the late Chersson Xeno
- From Castro Novo

Moses, son of the late David de Chorono (Moses de Chorono)

- 1357 (not. Zaccaria de Fredo)

Moses, son of the late David

- 1389 (DdC b. 30)
- 1400 (DdC b. 30 bis)

Moses, son of the late David

- 1453 (not. Francesco Avonale)

Moses, son of Gizica (Isach)

- 1450-1454 (not. Michele Calergi)

Moses, son of the late Isach de Maiorica [*fisicus*]

- 1413-1423 (DdC b. 30 bis ; b. 30 ter)

Moses, son of the late Magister Joseph (Joste) [*ciroicus*] [*condestabulo*]

- First decades of the fifteenth century (TQ no. 59)
- 1417-1423 (DdC b. 30 ter)
- 1429-1438 (DdC b. 31)
- 1444 (DdC b. 32)
- 1450-1451 (not. Michele Calergi)
- 1451 (not. Francesco Avonale)
- TQ signatory during first decades of fifteenth century
- *Condestabulo* in 1438 (DdC b. 26 bis)
- Married to Herini, daughter of Jaco “Tam” Bello
- brother of Melchiele

Moses, son of the late Judah de Elimelech (Judah de Lemelec)

- 1443 (DdC b. 26 bis)
- 1445 (DdC b. 32)
- 1452 (not. Michele Calergi)
- Minor in 1443
- Son of Herini
- Known siblings: Michael, Lazaro, Elimelech

Moses, son of the late Judah

- 1357 (not. Zaccaria de Fredo)
- 1362 (not. Giorgio da Milano)

Moses, son of Judah

- 1413 (DdC b. 30 bis)

Moses, son of the late Judah

- 1418 (DdC b. 30 ter)
- Mother is Potha

Moses, son of the late Judah

- 1448 (DdC b. 32)

Moses, son of the late J— of Rethymno

- 1453 (not. Francesco Avonale)

Moses, son of Lazaro

- 1357 (not. Zaccaria de Fredo)

Moses, son of Levi [doctor]

- 1439 (TQ no. 76)
- TQ signatory in 1439

Moses, son of the late Liacho

- 1412-1413 (DdC b. 30 bis)
- Brother of Mordachai and Zacharia
- Uncle of Moses son of the late Tobias
- Lives in Rethymno in 1413

Moses, son of Matitya

- 1439 (TQ no. 76)
- TQ signatory in 1439

Moses, son of Nechamia (Moses de Nechamia)

- 1450-1453 (not. Michele Calergi)

Moses, son of the late Octavianus

- Dead by 1439 (DdC b. 26 bis)
- Married to Cali
- Nephew of David son of the late Moses

Moses, grandson of the late Parnas tu Setu

- 1412 (DdC b. 30 bis)
- Son of Cali Setudena

Moses, son of Potho de Avracha (Moses de Potho) [*condestabulo*]

- 1362-1430 (DdC b. 26)
- 1428-1440 (DdC b. 31)
- 1433 (not. Andrea Cocco)
- 1444 (DdC b. 32)
- *Condestabulo* in 1428 and 1444
- Known child: Salachaya

Moses, son of Sabatheus of Canea

- 1449 (not. Francesco Avonale)
- Resident of Candia; father is resident in Canea

Moses, son of the late Salachaya Sapiens

- 1352 (not. Zaccaria de Fredo)
- Son of Caludia, widow of Salachaia Sapiens

Moses, son of Salachaya

- 1436 (DdC b. 31)

Moses, son of the late Tavia

- 1425 (DdC b. 30 ter)

Moses, son of the late Vlidmidhiachus

- 1352 (not. Zaccaria de Fredo)

Moses de Belvedere

- 1369 (DdC b. 29 bis)
- Doctor

Moses de Maiorica (Magiolicha) [*fisicus*]

- 1395 (DdC b. 30 bis)
- Dead by 1417 (not. Andrea Cocco)
- Married to Cali

Nachama Astrug, daughter of the late Mordachai

- 1440 (DdC b. 31)
- Known siblings: Solomon, Meir, Samuel, David, Conorti

Nachamia Calomiti

- 1412 (DdC b. 30 bis)
- Father-in-law of Liacho Lago, son of Calo

Naghama

- 1451 (not. Francesco Avonale)

Nathan de Damasco, son of Joseph (Natan Medico) [*ciroicus*]

- 1393-1422 (DdC b. 30; b. 30 bis; b. 30 ter)
- Brother of Judah

Nathan, son of Chai

- 1451 (not. Francesco Avonale)

Nathan, son of Moses Yerushalmi

- 1400 (Mos 362)

Nathan, son of the late Vitalis

- 1427-1430 (DdC b. 31)
- Married to Blanca

Nechama, wife of Jacob son of the late Tobias, daughter of Chalasa

- 1448 (DdC b. 32)
- Resident of Chios, living in Candia in 1448
- *Neptis* of Herini de Meir Zudesth

Nechamia Lago

- 1453 (not. Michele Calergi)

Octavianus (Tavia) Bonavita

- 1418-1422 (DdC b. 30 ter)
- 1437-1439 (DdC b. 31)
- 1443-1446 (DdC b. 32)
- 1453 (not. Michele Calergi)
- Married to Crussana, daughter of Joste Missini
- Known children: Chana "Sclavina"; baby out of wedlock with Estera Xipolitina

Octavianus, son of Joseph (Joste)

- 1362-1419 (DdC b. 26)

Octavianus Missini, son of the late Joseph (Joste) de Liacho

- 1420-1427 (DdC b. 26)
- 1431-1438 (DdC b. 31; b. 26 bis)
- Known siblings: Judah, Liacho

Octavianus, son of the late Moses

- 1394 (DdC b. 30)
- Dead by 1401 (DdC b. 30 bis)
- Brother of David, Judah, and Liacho

Panorea, widow of Jaco "Tam" Bello

- 1437 (DdC b. 31)
- Known children: Isaiah

Parmya, wife of Samaria de Rodo

- 1379 (Will no. 705)
- Daughter of Parnastissa tu Carteru
- Sister of Cali, widow of Sabatheus
- Mother of Cali, daughter of Samaria de Rodo

Parnas (Parnuli) Buchi, son of the late Samaria

- 1412 (not. Andrea Cocco) = *betrothal to Saphira*
- 1416 (DdC b. 30 ter)
- 1430 (DdC b. 31)
- Known sibling: Proto
- Married to Saphira (ends before 1430)
- By 1430, son-in-law of Caym son of the late Liacho

Parnas Capsali

- 1405 (DdC b. 31)
- Married to Luna

- Known children: Sabatheus, Judah, David, Jeremiah
- Resident in Rethymno (?)

Parnas Capsali, son of Jeremiah

- 1444 (DdC b. 26 bis)
- Known sibling: Ester, wife of Solomon Delmedigo son of Samaria

Parnas Calopo

- 1426-1438 (DdC b. 31)

Parnas Piro

- 1373 (DdC b. 29 bis)

Parnas, son of the late David

- 1401 (not. Andrea Cocco)

Parnas, son of the late Jacob "Sapientis"

- 1359, 1360 (DdC b. 29)
- 1382 (DdC b. 29 bis)

Parnas, son of the late Lazaro

- 1367 (DdC b. 26)
- Married to Rachel
- Known children: Solomon, Lazaro

Parnas, son of the late Sabatheus

- 1394 (DdC b. 30)

Parnatissa tu Carteru

- 1379 (Will no. 705)
- Know daughters: Parmya, Cali
- Known granddaughters: Cali tu Samaria; Anastassu, daughter of the late Sabatheus

Parnaza, wife of Samuel

- 1448 (DdC b. 26 bis)
- Known sibling: Eluna, widow of David de Michael

Peres Stamati, son of Samuel

- 1370 (DdC b. 26)
- Betrothed to Cali Chersoniti
- From Castro Novo

Pernattissa, widow of Samuel Nomico

- 1373 (Will no. 94)

- Known children: Cali

Plecti

- 1443 (DdC b. 26 bis)
- Mother of Anastassu, widow of Aaron Mosca

Plecti, widow of David Vecele

- 1383 (DdC b. 29 bis)

Plecti, widow of Miochas, daughter of the late Octaviano de Canea

- 1426 (DdC b. 15)
- Sister of the late Yechiel son of the late Octaviano de Canea

Plecti, wife of Samuel Cassini, daughter of the late Zadoch

- 1454 (not. Francesco Avonale)

Potha

- 1373 (Will no. 762)
- Aunt of Cherana, wife of David da la Chania (daughter of Chaim and Cali Missini)

Potha Vafisa

- 1360 (DdC b. 26)

Potha, wife of Abba Delmedigo son of Moses

- 1439 (DdC b. 31)
- 1443 (DdC b. 26 bis)
- 1445 (DdC b. 32)

Potha, widow of Evgenius

- 1358 (DdC b. 29)

Potha, widow of I— Lago

- 1452 (not. Francesco Avonale)
- Known child: Matatia Lago

Potha, wife of Isach Catellan

- 1428-1430 (DdC b. 26; b. 31)
- Known children: Elea Dono, wife of Anatoli Casan; Elia; Leone

Potha, wife of Jacob di Nigroponte

- 1394 (DdC b. 30)
- Dies between June and December 1394

Potha, widow of Judah son of the late Moses

- 1418 (DdC b. 30 ter)
- Mother of Moses

Potha, wife of Lazaro

- 1350 (Will no. 215)
- Mother is Helea

Potha, widow of Lazaro de Xeno, *fiscus*

- 1429-1439 (DdC b. 31)
- Known grandchildren: Sabatheus, Maltha, Luna (Eluna)

Potha, widow of Moses de la Canea, daughter of the late Sabatheus Betu (Vetu)

- 1430 (DdC b. 31)
- Known sibling: Elea, widow of Mataphye Nomico

Potha, wife of Octavianus

- 1362-1419 (DdC b. 26)
- 1382 (DdC b. 29 bis)
- Widowed by 1419

Potha, widow of Samuel the *speciarius*

- 1357 (not. Zaccaria de Fredo)
- Known child: Zachuli

Potha, widow of Xeno

- 1429 (DdC b. 31)
- Known children: Lazaro

Pothiti, daughter of the late Taviano

- 1368 (DdC b. 26)
- Is a minor in 1368
- Daughter of Anastassu, wife of Solomon Astrug (Astru)

Pothus [*sansarius*]

- 1395 (DdC b. 30)
- 1400 (DdC b. 30 bis)

Pothus Malapti

- 1352 (not. Zaccaria de Fredo)

Protho Boki (Buchi), son of Elia [scribe]

- 1414 (Mos 906)

Protho Boki (Buchi), son of Samaria [*condestabulo* and *hashvan*]

- 1424, 1428, 1435 (TQ nos. 60, 51, and 57)

- 1447 (DdC b. 32)
- Dead by 1448 (DdC b. 32)
- *Condestabulo* in 1424
- *Hashvan* in 1428
- TQ signatory in 1435
- Known brother: Parnas
- Known *nepotes*: Chay, Isach, Joseph son of Ligiachus

Protho Spathael [*condestabulo*]

- 1400 (not. Andrea Cocco)
- 1400-1412 (DdC b. 30 bis)
- *Condestabulo*, date unknown (TQ no. 46)

Rachel Bonanitena

- 1429 (DdC b. 26 bis)

Rachel, widow of Alchana Stolari

- 1450 (not. Michele Calergi)

Rachel, mother of Jeremiah son of the late Lazaro, papa

- 1428 (DdC b. 31)

Rachel, wife of Liacho Fabri

- 1413 (DdC b. 30 bis)
- Known sibling: Abraam Calamino
- Aunt of Alcana, Judah, Moses Calamino

Rachel, wife of Parnas, son of the late Lazaro

- 1367-1368 (DdC b. 36)
- Known children: Solomon, Lazaro

Renicha, widow of Lazaro

- 1393 (DdC b. 30)

Revecha, daughter of Octavianus son of the late –

- 1444 (DdC b. 32)
- Related to the Delmedigos

Sabatheus Astrug (Astru), son of Liacho

- 1402 (DdC b. 30 bis)
- Age 4 in 1402

Sabatheus Atalioti, son of Moses

- 1443 (DdC b. 26 bis)
- Minor in 1443

- Son of Chana
- Known siblings: Sara, Jacob, Anastassu

Sabatheus Balbo, son of Isaiah (Shabbetai Cohen)

- 1402-1413 (DdC b. 30 bis)
- 1435 (TQ no. 57)
- Brother of Judah
- TQ signatory in 1435
- Married to Hergina, daughter of Magister Moses Sacerdoto (Moses Mauro)

Sabatheus Berbignano

- 1454 (DdC b. 26 bis)

Sabatheus Capsali

- Dead by 1399 (TQ no. 55)
- Known children: David

Sabatheus Capsali (Shabbetai), son of David

- 1428-1439 (TQ nos. 51 and 76)
- Apprentice slaughtering expert in 1428
- TQ signatory in 1439

Sabatheus Capsali, son of the late Moses

- 1430 (DdC b. 31)
- 1448-1450 (DdC b. 26 bis)
- Dead by 1451
- Married to Eudochia
- Known children: Hester

Sabatheus Capsali, son of Parnas

- 1405 (DdC b. 31)
- Dead by 1440
- Lives in Jerusalem in 1405
- Son of Luna
- Known children: Joseph (Joste), Jacob

Sabatheus Capsali, de Rodo

- 1416 (DdC b. 30 ter)
- Father of David

Sabatheus Casan, son of the late Melchiel [*condestabulo*]

- 1399 (TQ no. 55)
- 1411-1420 (DdC b. 30 bis ; b. 30 te ; b. 26)
- 1412 (not. Andrea Cocco)
- 1428 (TQ no. 51)

- 1408-1440 (DdC b. 31)
- 1433 (not. Andrea Cocco)
- *Condestabulo* in 1411
- TQ signatory in 1428
- Dead by 1445
- Married to Sara
- Known sibling: Joseph Casan
- Known children: Melchiel, Moses

Sabatheus Nomico [*fisicus*]

- 1394-1396 (DdC b. 30; b. 30 bis)
- Known child : Samuel

Sabatheus R—

- 1452 (not. Michele Calergi)
- In 1452, currently in Candia (not resident)

Sabatheus Sacerdoto

- 1401 (DdC b. 30 bis)
- 1444 (DdC b. 32)

Sabatheus Salonicho (Sabatheus de Salonichi)

- 1352 (not. Zaccaria de Fredo)
- Known children: Joseph

Sabatheus Vetu (Betu; Retu)

- 1389 (Noiret)
- 1400 (not. Andrea Cocco)

Sabatheus, son of the late Calo

- 1358 (Will no. 648)
- Brother of Archondisa, widow of Elia Catellanus
- Father of Eudochia

Sabatheus, son of the David son of the late Melchiel

- 1445 (DdC b. 32)
- Son-in-law of Sabatheus Casan

Sabatheus, son of the late Ishmael (Gysmael, Ismael)

- 1451-1454 (not. Michele Calergi)

Sabatheus, son of the late Lazaro

- 1367 (DdC b. 26)

Sabatheus, son of the late Lazaro de Xeno

- 1429-1439 (DdC b. 31)

- Minor in 1429
- Son of Potha
- Known siblings: Maltha, Luna (Eluna)

Salachaya

- 1436 (DdC b. 31)
- Known children: Moses

Salachaya Milapotamiti [*cerdo* = cobbler]

- 1450 (not. Francesco Avonale)

Salachaya de Cherson (Salachaya Chersonis)

- 1449 (DdC b. 32; b. 26 bis)
- 1450 (not. Francesco Avonale)
- Community leader in Rethymno

Salachaya, son of the late David de Michael

- 1450 (not. Michele Calergi)
- 1454 (not. Francesco Avonale)
- Known brother: Michael
- From Castro Bonifacio

Salachaya, son of Moses de Potho

- 1433 (not. Andrea Cocco) = *betrothal to Herini*
- 1433-1440 (DdC b. 31)
- Married to Herini, daughter of Judah Cusin Catellan

Samaria Agapi

- 1437 (DdC b. 31)
- 1451-1452 (not. Michele Calergi)

Samaria Buchi

- 1409 (DdC b. 30 bis)
- Dead by 1412
- Known sons: Parnas, Proto

Samaria Calopo

- 1416 (DdC b. 30 ter)
- Dead by 1417
- From Castro Novo

Samaria Cumaro

- 1358 (Will no. 648)
- Rents home in Judaica from Archondisa, widow of Elia Catellanus

Samaria Cursara (Crussari; Cursari), son of the late Joseph, ciroicus

- 1446 (DdC b. 32)
- Known siblings: Menaghem, Moses, Elia, Anastassu

Samaria Dearchana

- 1399 (not. Andrea Cocco)
- Paternal uncle (*barbanus*) of Leo Dearchana

Samaria Delmedigo, son of Aba

- 1433-1440 (DdC b. 31)
- 1445-1448 (DdC b. 32)
- 1450-1453 (not. Michele Calergi)
- Known sibling: Alchana

Samaria Delmedigo, son of the late Judah [*hashvan*]

- 1399 (TQ no. 55)
- 1406 (TQ no. 52)
- 1408 (not. Andrea Cocco)
- 1409 (DdC b. 30 bis)
- 1410-1421 (DdC b. 26 bis)
- 1417-1421 (DdC b. 30 ter)
- 1430 (DdC b. 31)
- Dead by 1441 (DdC b. 26 bis)
- TQ signatory in 1399
- Hashvan in 1406
- Marriage between his child and the child of Jeremiah Capsali (TQ no. 52)
- Known sibling: Aba
- Known children: Solomon

Samaria Delmedigo, son of Elia di Nigroponte

- 1359 (DdC b. 15) = *recognition of emancipation*
- 1360 (DdC b. 29)
- Brother of Judah Delmedigo di Nigroponte

Samaria Maruli, son of Lia

- 1451 (not. Francesco Avonale)
- 1451 (not. Michele Calergi)

Samaria Politi, son of the late Liacho

- 1451-1453 (not. Michele Calergi)
- 1451-1452 (not. Francesco Avonale)
- 1454 (DdC b. 26 bis)

Samaria Tolano, son of Avracha (Abram) (Samaria de Avracha)

- 1451 (not. Francesco Avonale)

- 1454 (DdC b. 26 bis)

Samaria Torchidi, son of Solomon

- 1451 (not. Michele Calergi)

Samaria, son of Abraham (Samaria de Avracha)

- 1453 (not. Michele Calergi)

Samaria, son of Alcana

- 1394 (DdC b. 30)

Samaria, son of Judah

- 1428 (TQ no. 51)
- TQ signatory in 1428

Samaria de Rodo

- 1379 (Will no. 705)
- 1386 (DdC b. 30)
- Married to Parmya, daughter of Parnatissa tu Carteru
- Father of Cali

Samoli Russo

- 1451 (not. Francesco Avonale)

Samuel

- 1359 (DdC b. 29)
- Relative and procurator of Liacho Mavristiri

Samuel (Samoli)

- 1438-1448 (DdC b. 26 bis)
- Married to Parnaza, sister of Eluna widow of David de Michael

Samuel Abezi (Abbas; Abizi, Abazi), son of Jacob

- 1439 (TQ no. 76)
- 1439-1445 (DdC b. 32)
- 1452 (not. Francesco Avonale)
- 1454 (not. Michele Calergi)
- TQ signatory in 1439
- Married to Cali, daughter of Elea Dono and Anatoli Casan, granddaughter of Isach Catellan

Samuel Astrug (Astru), son of the late Solomon

- 1362-1430 (DdC b. 26)
- 1405-1413 (DdC b. 30 bis)
- 1428-1440 (DdC b. 31)

- 1444 (DdC b. 26 bis)
- 1445-1446 (DdC b. 32)
- Known siblings: Elia, Meir, Joseph, Mordachai, Cursana, Eudochia

Samuel Astrug (Astru), son of the late Elia

- 1427-1440 (DdC b. 26; b. 31)
- Known siblings: Solomon, Elissa, Conorti

Samuel Astrug (Astru), son of the late Meir

- 1430 (DdC b. 31)

Samuel Astru, son of the late Mordachai

- 1430 (DdC b. 31)
- Known siblings: Solomon, Meir

Samuel Atalioti [*tintor* = dyer]

- 1443 (DdC b. 26 bis)
- 1450-1454 (not. Michele Calergi)
- Known sibling: Moses

Samuel Cassini

- 1454 (not. Francesco Avonale)
- Married to Plecti

Samuel Curtessi

- 1395 (DdC b. 30)
- 1391 (DdC b. 31)
- Dead by 1431 (DdC b. 31)
- From Castro Novo

Samuel Curtesi, son of the late Samuel

- 1403 (not. Andrea Cocco)
- From Canea, now resident in Candia

Samuel Delmedigo, son of Alcana

- 1451 (not. Michele Calergi)

Samuel Lero

- 1368 (DdC b. 29 bis)

Samuel Malior

- 1450 (not. Michele Calergi)

Samuel Medico

- 1394 (DdC b. 30)

Samuel Missini, son of Joseph

- 1382, 1390 (DdC b. 30)

Samuel Mosca

- 1451 (not. Francesco Avonale)

Samuel Mulo

- Dead by 1434 (DdC b. 31)
- Married to Mira, née Xeno

Samuel Nomico, son of Sabathethus, fisicus (Shabbetai Harofeh)

- 1439 (TQ no. 76)
- TQ signatory in 1439

Samuel Plumari Sacerdoto

- 1451 (not. Michele Calergi)

Samuel Sacerdoto [*ciroicus*]

- 1366 -1368 (DdC b. 29 bis)

Samuel Theotonicus

- 1391 (DdC b. 30)
- Son-in-law of Maria, widow of Heschia Theotonicus

Samuel Turcho

- 1452 (not. Francesco Avonale)

Samuel Xipolito

- 1373 (DdC b. 29 bis)

Samuel, son of Elijah [Shmuel ben Eliyahu]

- 1395 (Parma 2286)
- 1395 (Roma Cas 2847)
- Commissions two manuscripts to be copied by Absalom, son of Judah

Samuel, son of Ghrison Saloniqueus

- 1406 (DdC b. 30 bis)

Samuel, son of the late Jacob

- 1452 (not. Francesco Avonale)

Samuel, son of Leo son of the late Samuel

- 1410-1429 (DdC b. 31)

Samuel, son of Leo, *espagno*

- 1436 (DdC b. 31)

Sanas (?), son of Nathan de Clountia (?)

- 1418 (DdC b. 30 ter)

Sanson

- 1430 (DdC b. 26; b. 31)

Saphira (Safira), wife of Parnas Buchi, daughter of Chana Angura

- 1412 (not. Andrea Cocco) = *betrothal to Parnas (Parnuli) Buchi*
- 1416 (DdC b. 30 ter)

Sara Atalioti, daughter of Moses

- 1443 (DdC b. 26 bis)
- Minor in 1443
- Daughter of Chana
- Known siblings: Jacob, Sabatheus, Anastassu

Sara, widow of Sabatheus Casan

- 1445-1448 (DdC b. 32)
- Known children: Melchiel, Moses

Sathi, widow of —, *tintor*

- 1452 (not. Francesco Avonale)

Seto, son of the late Parnas

- 1402 (DdC b. 30 bis)

Sfluru (f)

- 1402 (not. Andrea Cocco)

Shalom (or Solomon?) Astruc (Astrug), son of Sabatheus (Shabbetai)

- 1439 (TQ no. 76)
- TQ signatory in 1439

Sofia, wife of Moses Delmedigo, son of Aba

- 1411 (DdC b. 30 bis)

Solomon Anastasy, son of Moses

- 1394 (DdC b. 30)

Solomon Astrug (Astru) (aka Solomon, son of the late Astrug; aka Solomon Barzalay)

- 1352 (not. Zaccaria de Fredo)
- 1359, 1360 (DdC b. 29)

- 1368, 1375 (DdC b. 29 bis)
- 1368, 1370 (DdC b. 26)
- 1390 or 1391 (DdC b. 30)
- Dead by 1402 (DdC b. 30 bis)
- Known children: Samuel, Elia, Meir, Joseph, Mordachai, Cursana, Eudochia
- Ex-husband of Elea Mavristiri
- Married to Anastassu, widow of Taviano

Solomon Astrug (Astru), son of the late Elia

- 1427-1440 (DdC b. 26; b. 31)
- Known siblings: Samuel, Elissa, Conorti

Solomon Astrug (Astru), son of the late Mordachai [*hashvan* and *condestabulo*]

- First decades of the fifteenth century (TQ no. 59)
- 1419-1440 (DdC b. 31)
- 1439 (TQ no. 76)
- 1446 (TQ no. 60)
- TQ signatory during first decades of the fifteenth century
- *Hashvan* in 1439
- *Condestabulo* in 1446
- Known siblings: Samuel, Meir, Nechama, David, Conorti

Solomon Astrug (Astru), son of Samuel

- 1417-1419 (DdC b. 30 ter)

Solomon Balbo

- 1454 (not. Francesco Avonale)
- Known sibling: Judah
- From Castro Bonifacio

Solomon Catellano

- 1391 (DdC b. 31)
- 1417 (not. Andrea Cocco)
- 1422 (DdC b. 30 ter)
- Dead by 1431 (DdC b. 31)

Solomon Cusin Catellan, son of Elia son of Solomon

- 1433 (not. Andrea Cocco)
- 1433-1440 (DdC b. 31)
- 1432-1446 (DdC b. 32)
- Dead by 1447
- Known sibling: Judah Cusin Catellan, Isach Catellan

Solomon Delmedigo, son of Samaria

- 1422 (DdC b. 30 ter)

- 1437-1440 (DdC b. 31)
- 1441 (DdC b. 26 bis)
- 1446 (DdC b. 32)
- 1454 (not. Francesco Avonale)
- Married to Ester, daughter of Jeremiah Capsali (dead by 1444)
- Known child: Crussana

Solomon Fabri

- 1401 (DdC b. 30 bis)

Solomon Rodeo (*praenominato Baldu*)

- 1449 (DdC b. 32)
- Maybe from Rethymno?

Solomon Russo “Boleli,” son of Elia

- 1427-1448 (DdC b. 32)
- 1451 (not. Francesco Avonale)
- 1451 (not. Michele Calergi)
- Known sibling: Cali, wife of Moses Balbo

Solomon Torchidi

- 1451 (not. Michele Calergi)
- Known child: Samaria

Solomon Zazon [*fisicus*]

- 1407 (not. Andrea Cocco)

Solomon Zolo, son of the late Harhi de Canea

- 1453 (not. Francesco Avonale)
- Son of Cherana
- Known sibling: Eudochia, widow of David Capsali
- From Canea

Solomon, *senex* (or: *senior*), son of the late Lazaro de Meyr

- 1429 (DdC b. 31)

Solomon, son of the late Magister Boni [*ciroicus*]

- 1367-1369 (DdC b. 29 bis)

Solomon, son of Gi— de —

- 1416 (not. Andrea Cocco)

Solomon, son of the late Liacho

- 1443 (DdC b. 26 bis)
- Dead by 1444 (DdC b. 26 bis)

- Married to Eudochia
- Known sibling: Cherson

Solomon, son of the late Lazaro, of Rethymno

- 1427 (b. 26)
- Owns store in Rethymno

Solomon, son of Magister Monaghem [*fisicus*]

- 1422-1423 (DdC b. 30 ter)
- 1427 (DdC b. 26)
- 1438 (DdC b. 31; b. 26 bis)
- 1451 (not. Michele Calergi)
- 1454 (DdC b. 26 bis)

Solomon, son of the late Naman

- 1443-1444 (DdC b. 26 bis)

Solomon, son of Ogharo (Aaron) (Solomon de Aaron)

- 1368-1373 (DdC b. 29 bis)

Solomon, son of the late Parnas

- 1367 (DdC b. 26)
- Son of Rachel
- Known sibling: Lazaro

Solomon, son of Potho (Solomon de Potho) [*condestabulo*]

- 1437-1439 (DdC b. 31; b. 26 bis)
- 1451 (DdC b. 26 bis)
- *Condestabulo* in 1437 and 1451

Solomon, son of the late Samaria

- 1450 (not. Michele Calergi)

Solomon de Genuto

- 1439 (DdC b. 31)
- 1450 (not. Michele Calergi)
- From Rethymno

Solomon de Rodo

- 1419 (DdC b. 30 ter)

Soltana, wife of Solomon, daughter of Michael Balbo

- 1454 (not. Francesco Avonale)

Stamata, wife of Joseph son of the late Melchiale

- 1417 (DdC b. 26)

Stamata, daughter of the late Parnas

- 1419 (DdC b. 30 ter)

Stamati, widow of Joseph Casani

- Dead by 1452 (not. Michele Calergi)

Stamatini

- 1412 (DdC b. 30 bis)
- Paternal aunt of orphan Liagho Carvuni

Stamatini, wife of Samuel son of the late Liagho

- 1406-1407 (DdC b. 30 bis)

Stamatinus Gadinelli [*ciproicus*]

- 1417-1422 (DdC b. 30 ter)
- 1429-1438 (DdC b. 31)

Strigona, widow of Abraham de Potho

- 1451 (not. Michele Calergi)

Strigona, widow of Jeremiah Capsali, daughter of Solomon

- 1419 (DdC b. 30 ter)
- Daughter of Fluru, widow of Solomon

Strigona, wife of Joel de Samuel

- 1451 (not. Francesco Avonale)

Strigona, wife of Liacho Remondo

- 1375 (DdC b. 29 bis)

Tavia

- 1352 (not. Zaccaria de Fredo)

Theodore Crescho

- 1450 (not. Francesco Avonale)

Varu Provenciale

- 1451 (not. Francesco Avonale)

Vitale Catellano

- 1396 (DdC b. 30 bis)

Vrachuli Turcho

- 1451 (not. Francesco Avonale)
- 1452 (not. Michele Calergi)
- 1454 (DdC b. 26 bis)
- Known sibling: Michael

Vrachuli, son of the late Liacho

- 1401 (DdC b. 30 bis)

V—, widow of Moses Sacerdoto

- 1362 (not. Giorgio da Milano)

Xathi Curtesi

- 1401 (not. Andrea Cocco)

Xathi Sulina

- 1451 (not. Francesco Avonale)

Xathi tu Ieriti (f)

- 1368 (DdC b. 29 bis)

Xathi, widow of Missael Turcho

- 1451 (not. Francesco Avonale)

Xathi, widow of Namius Rothidhi

- 1450 (not. Michele Calergi)

Xeno Malotus, son of the late Lia

- 1352 (not. Zaccaria de Fredo)
- Originally from Misitra (Mistra?), resident in Candia

Yecussua Carvuni, son of Moses

- 1359 (DdC b. 15)

Yostuli, son of Chaym

- 1432-1434 (DdC b. 31)
- Known siblings: Liacho, Isaiah

Zacha, son of the late Moses Caloronibilo

- 1358 (DdC b. 29)
- *nepos* of Potha, widow of Eugenius

Zachariah Proto

- 1406 (TQ no. 52)
- Known child: Joseph

Zachariah Proto [*condestabulo*]

- Circa 1450s (TQ no. 46)
- Condestabulo around the 1450s

Zacharias Sacerdoto (Mauro), son of the late Magister Moses [*fisicus*]

- 1414-1425 (b. 26)

Zacharias, son of the late Liacho

- 1413 (DdC b. 30 bis)
- Brother of Moses and Mordachai

Zachuli, son of the late Leone

- 1358 (DdC b. 29)
- 1368 (DdC b. 29 bis)
- 1369 (DdC b. 29 bis and b. 26)

Zachuli, son of the late Samuel the *speciarius*

- 1357 (not. Zaccaria de Fredo)
- Son of Potha

Zadech [moneylender]

- 1428 (Noiret)

Zadoch

- 1426 (DdC b. 15)
- 1426 (DdC b. 26)
- 1436 (DdC b. 31)
- Debt fugitive

Zadoch Sacerdoto

- 1438 (DdC b. 31)
- Possibly dead by 1438

Zera (Ziera) Casani, son of the late David

- 1428 (DdC b. 31)
- 1429 (not. Andrea Cocco)
- Known sibling: Isach

Zigiona (Zyo; Ziona), daughter of Judah Balbo

- 1401-1413 (DdC b. 30 bis)
- Mother is Arconda, wife of Judah Balbo

Zimcha, daughter of Joseph Catellano

- 1420 (DdC b. 30 ter)

Unnamed Individuals

Daughter of Lazaro and Anasstasu, #1

- 1401 (DdC b. 30 bis)

Daughter of Lazaro and Anasstasu, #2

- 1401 (DdC b. 30 bis)

Daughter of Moses Delmedigo son of Aba, and his wife Sofia

- 1411 (DdC b. 30 bis)

Wife of Isaiah son of the late Chaym

- 1432-1434 (DdC b. 31)
- 1435 (DdC b. 26)

Wife of Samuel, son of Leo

- 1429 (DdC b. 31)

Wife of Samuel Theotonicus, daughter of Maria and Heschia Theotonicus

- 1391 (DdC b. 30)

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