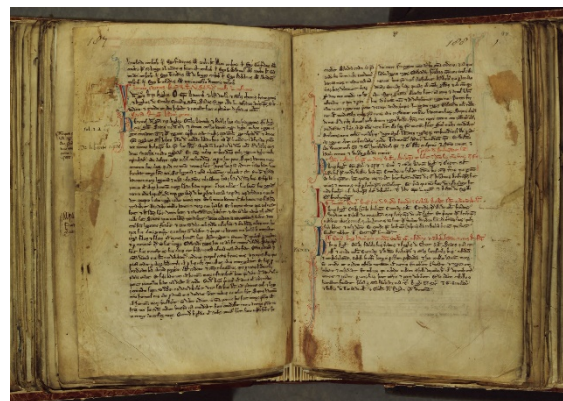


The Jews of England 1066 to 1290

Rabbi Jeremy Lawrence

Part 2 – Protected Property

Under early Roman rule, Jews had been citizens of the empire and able to declare “Civis Romanus Sum”. Under Constantine (272-337), they had forfeit the right to proselytise. Under Theodosius (347-395), they could no longer intermarry. Under Justinian (482-565) they could no longer testify in court. The emperor Charlemagne (748-814) encouraged Jewish traders who supplied silks and spices, though under his reign they had scant legal redress. In 829, at the Council of Bishops, Agobard of Lyon demanded segregation of the Jews, “detestable enemies of truth and worse than all unbelievers”. Charlemagne’s son, Louis (778-840) showed some sympathy, “Divine Law bids me protect my subjects who share my belief – but it nowhere forbids me to be just to those who differ from me.” Louis issued papers guaranteeing safe passage to Jews and thereby established a European principle that Jews effectively belonged to whichever king would grant them protection.



Coronation Charter Henry 1

The Jews who came to England with William had long lost any expectation of equality.

William the Conqueror found Jewish immigration expedient. William’s son and heir William Rufus (1056-1100) actively encouraged immigration. He encouraged faith dialogue between Jews and Christians, (to the annoyance of many) imagining that if the Jews were exposed to ‘Christian Truth’ they would convert. He is reported to have made a flippant joke that if the Jews got the better of the argument, he might convert, himself.

Nonetheless, under the Feudal system, everyone’s social rank was defined by the fealty they owed and their superiors. Oaths were needed to assume any office and such oaths were upon the Christian Scriptures. While Jews could swear upon the Chumash to testify in court, this was insufficient to swear oaths, assume titles to land or assume office. This placed the Jew on the outside of the social order.

The role of the Jew (and his only protection) was as a tool of the King. The Norman Kings were perceived as outsiders, who had usurped the social order and were often at odds with local Saxon barons and clergy. Aside from all religious antipathy, Jews were associated with foreign overlords and their hated taxes.

The first centres of Jewish settlement alongside London were trading ports and Oxford. Letters from 1075 record grants of titles in land so long as the land was not transferred to Jews. The concern was not that Jews would own land, but that any land they held could at any stage be seized to become the property of the Crown.

Successive monarchs enacted Charters of Protection. The changes in these reflect changing Jewish fortunes. Henry I (1068-1135) proclaimed, "Be it known that all Jews, wheresoever they may be in the realm, are of right under the tutelage and protection of the King; ... Jews and all their effects are the King's property, and if anyone withhold their money from him, let the King recover it as his own."

King John's Charter of Liberties (1205) allowed the Jews "all their long-standing franchises and customs... in peaceful and honourable enjoyment." He even permitted Jews to testify upon the Old Testament, guaranteed freedom of movement, exempting them from some tolls in England and Normandy "as our proper chattel". As "chattels", the Jews were not "free men" and pointedly excluded from the Magna Carta (1215) "habeas corpus" clause, protecting others against wrongful detention.

In Angevin England, the Jews were the absolute possession of the King and subject to his will. Upon his accession, Edward I failed to issue a charter of protection.