The Visigothic Code: (Forum judicum)

ed. S. P. Scott

Book XII: Concerning the Prevention of Official Oppression, and the Thorough Extinction of Heretical Sects

Title II: Concerning the Eradication of the Errors of all Heretics and Jews

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THE GLORIOUS FLAVIUS RECESVINTUS, KING.

I. Laws Having Been Given to True Believers, it is Now Necessary to Place Restraints upon Infidels.

Hitherto, we have directed our steps cautiously through the arduous paths which traverse he iniquities of the Jews; and have used moderation in the restraint of human crimes and infirmities. For it has been our manifest purpose and task, both to remove ill-founded opinions, and to prohibit what is evil, as well as to abolish what has been wrongfully done, and is abhorrent to decency and honor. As the law penetrates the secret recesses of minds conscious of guilt, so its censure corrects the depravity of morals, and prevents the perpetration of crime. And, indeed, we do not attempt to bring about this purity of soul for any other purpose than for the sake of the Church of the living God, which has invested so many different nations and peoples with the robe of immortality, and has united them to

herself with the bonds of one holy religion. For the excellence of our strength and earthly glory are derived from the virtues of God, and his influence, sometimes acting through compassion, sometimes through fear of the sword of justice, prevents the commission of sin; and on one occasion diminishes crime by the practice of moderation, on another, extirpates it by an exhibition of severity. Following, not only the example of noble and illustrious races who restrained the illegal excesses of the people by leniency and rational laws, but also copying the rules and imitating the example of the Holy Fathers throughout the entire globe of the earth, we shall endeavor, as far as lies in our power, to reduce to action the precepts which we have received from them. For this reason, our relatives and subjects will know that our decrees are suitable, and dictated by honesty of purpose, in that they forbid the commission of crime, and are not opposed to the opinions of the Holy Fathers heretofore promulgated. And we are confident that we shall receive two rewards from the generosity of God: one, that we will be permitted to remain in the enjoyment of peace with our neighbors, as we are now; and **[364]** the other, that, when our rule is ended, we shall receive due acknowledgment from heaven. Thus, when, by means of the laws directed to our faithful people this salutary remedy shall have been administered to the adherents of the Holy Faith, (as medicine is absorbed by the members of the body), and peace and charity shall everywhere prevail; confiding in the virtue of God, we shall attack his enemies, pursue his rivals, and conquer his adversaries; contending manfully, and constantly persevering; dispersing and overcoming those enemies, as dust is driven by the wind, or as mud is dried up in the fields, we shall acquire the reward of Faith; and when we shall include all people as true believers in our holy religion, and shall bring all infidels to belief in its truths, our glory shall increase, and our kingdom shall be exalted.[(1)]

FLAVIUS RECESVINTUS, KING.
II. Concerning the Renunciation of the Errors of all Heresies.

The eternal counsel of Almighty wisdom and Divine piety, as we understand it, and revealed to us in former ages, for the benefit of our own times, dissipated the errors of perfidious heretics, as well as abolished the false maxims of impious doctrines. Nevertheless, that such a time may not come during our lives, as that of which the representative of Grace formerly said : "A time will come when persons will not desire sound doctrine, but with eager ears, and according to their desires, will seek masters for themselves: and who will not listen to the truth, but will turn to false doctrines; and as it is proper that whatever remains in the light of the **[365]** Faith should be defended, by legal edicts, from the efforts of all who seek to contradict it, and that whatever ideas have arisen through the influence of error, be removed by legal proceedings; therefore, we decree that no man of whatever race or lineage, either native or foreigner, proselyte or old in faith, visitor or resident, shall openly or silently, impugn the unity of the Catholic faith; or take part in any injurious disputes affecting the truth of said faith; or countenance the same by remaining silent." No one shall attack the decrees of the Gospel, or criticize the institutions of the Church, or call in question the sacred institutions established by the ancient Fathers; no one shall treat with contempt discussions concerning points of doctrine which arise in modern assemblies, no one shall entertain any thoughts against the holy edicts or the true religion, or shall utter any words in depreciation of the same; or perfidiously cause a controversy to arise with an obstinate unbeliever; or engage in a quarrel on account of the contempt of honor exhibited by a listener. Any person who violates any of the provisions aforesaid shall be arrested; and should he be an ecclesiastic, or belong to any religious order, he shall lose his rank and dignity, shall be regarded forever as a criminal; and shall be punished by the loss of all his property. If he should belong to the laity, he shall be deprived of honor and position, and stripped of all his possessions. Every violator of this law shall be condemned to perpetual exile, unless he should be converted from his errors by the interposition of Divine mercy, when he may be suffered to remain and live in accordance with the commands of God.

FLAVIUS RECESVINTUS, KING.

III. Concerning the Laws Promulgated on Account of the Wickedness of the Jews.

The execrable errors of heretics in general, having been already prohibited and disposed of, it now becomes our duty to make special provision for some that exist in our days, and of which we are, at present, well aware. For while the **[366]** virtue of God, by the sword of his Word, extirpated all other heresies, root and branch, we have to lament that the soil of our kingdom is still only defiled by the infamy of the Jews. Therefore, to the end that we may establish peace in our realm, by the spirit of God (which, indeed, seems folly to pagans, and scandal to the Jews themselves), we, who believe in the virtues of Christ, and the wisdom of God, for the sake of whose commiseration we attempt, with pious intentions, to put an end to ancient errors, that others may not arise in future ages; decree by this law, which shall be forever observed, and by the mandate of the Holy Scriptures, that our edicts, as well as those promulgated by our royal predecessors against the perfidy and persons of the Jews, shall be forever inviolate, and shall be obeyed for all time. And if anyone should violate said laws, he shall be liable for the damages provided by them, and to the punishments especially prescribed for their infraction.

FLAVIUS RECESVINTUS, KING.

IV. Concerning the Extirpation of the Errors of the Jews in General.

No Jew who has received the sacred rite of baptism shall renounce the faith of the holy Christian religion, or blaspheme said faith, in any way. No Jew shall impugn its precepts by deed or word; or speak insultingly of it either secretly or openly. No Jew shall flee to avoid being received into the Church, or conceal himself for such a purpose, after having taken to flight. No Jew shall entertain the hope of resuming his errors, or of performing the ceremonies of his infamous belief. No Jew shall entertain in his heart any perfidy against the Christian religion, and in favor of his own sect, or exhibit such perfidy by word or deed. No Jew shall attempt to infringe, or oppose, any regulations or laws of the Christians which have been published. No one shall venture to conceal a Jew who is aware of the existence of these offences which have been prohibited, or who has committed them. No one shall delay to denounce a fugitive Jew when he is found, or to reveal his hiding place. Any **[367]** person who violates the provisions of the aforesaid law, shall be subjected to the punishment prescribed for the same.

V. Jews shall not Celebrate the Passover According to their Custom.

No Jew shall celebrate the Passover upon the fourteenth day of the month, nor shall perform any of the ceremonies customary at such times. Nor shall any Jew, in honor of this ancient, erroneous belief, observe any festival days, great or small; or attempt their observance; or desist from labor upon any holidays; or hereafter keep the Sabbath, or any other sacred days prescribed by his rites, or attempt to do so. Anyone detected violating this law shall be liable to the condemnation and penalty prescribes for the same.

VI. Jews shall not Contract Marriage According to their Custom.

No Jew shall marry, or defile with adultery or incest, anyone nearly related to him by blood. No Jew shall marry another within the seventh degree of relationship, nor shall he desire or practice any other nuptial ceremony than that customary among Christians. Whenever detected, he shall be punished according to law.

VII. Jews shall not Perform the Rite of Circumcision.

No Jew shall circumcise another; nor shall a person who has permitted himself to be circumcised be exempt from the operation of the law. No slave, freeborn person, or freedman, native or foreigner, shall practice or submit to this detestable operation. Whoever is proved to have voluntarily performed, or

submitted to it, shall be punished with the utmost severity of the law.

VIII. Jews shall not Divide their Food into Clean and Unclean, According to their Custom.

The blessed apostle Paul said, "To the pure all things are pure," but nothing is pure to those who are defiled, because they are unbelievers; and, for this reason, the execrable life **[368]** of the Jews and the vileness of their horrible belief, which is more foul than any other detestable error, must be destroyed and cast out. Therefore, no Jew shall make a distinction between food which is clean and unclean, as established by the customs and traditions of his ancient rites. No one shall perversely refuse to eat food of any kind, whose condition is proved to be good. No one shall reject one article of food, and accept another, unless the distinction be such as is considered salutary and proper by all Christians. Anyone detected in the violation of this law shall be subjected to the punishment instituted for the same.

IX. No Jew shall Subject a Christian to Torture.

We especially decree, by the following law, that it shall not be lawful for any Jew to testify against a Christian in any legal proceeding, or business transaction, even though said Christian should be of the lowest rank or a slave; nor shall a Jew prosecute a Christian, in any action at law; or sue him upon any written contract; or subject him to torture for any reason whatever. For it seems sacrilegious to prefer an infidel to him who is a believer, and to subject the members of the followers of Christ to torture inflicted by his adversaries. If, however, Jews should have causes of action among themselves, they shall have the right, under the law, to testify against each other; and to put their slaves to the torture in the presence of Christian judges.

X. No Jew shall Testify Against a Christian; and Under what Circumstances the Descendants of Jews may Testify.

If he who is convicted of having uttered a falsehood becomes infamous in the sight of all men, with how much more reason should he be excluded from giving testimony who denies the truth of the Divine Faith? Jews, whether baptized or unbaptized, are therefore forbidden to testify against Christians. The descendants of Jews, however, if they are of good morals, and adherents of the Faith, shall be permitted to give evidence among Christians: but not unless their morals and their belief shall be vouched for by either the king, a priest or a judge.
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XI. No Jew shall Circumcise a Christian Slave.

It shall not be lawful for a Jew to purchase a Christian slave, or to accept of one as a gift. Should a Jew purchase such a slave or accept of him as a gift and then circumcise him, he shall lose the price of said slave, and the latter shall be free. The Jew who circumcises a Christian slave shall forfeit all his property to the king. Any slave of either sex who is unwilling to become a Jew, shall receive his or her freedom.

XII. Concerning the Penalties to be Inflicted for Offences Committed by Jews.

The following law is derived from others of great severity, which have been enacted to punish the perfidy of the Jews; and it is hereby decreed that whoever attempts to commit any of the crimes prohibited by former laws, or contained in any amendments to the same, or presumes to act in defiance of said laws, shall be either stoned to death, or burned by such of his own countrymen as may have entered into an agreement to do so. However, if the king, in his mercy, should decide to spare the life of such a criminal, he shall be delivered up as a slave to whomever the king may select, and all his property shall be given to others; and this shall be done in such a way that the culprit can never come into possession of his property again, or recover his liberty in the future.

XIII. Concerning Christian Slaves who are Known to have been Sold or Liberated by Jews.

To the most holy and blessed Agapius and Cecilius, bishops, and to the judges of their districts, as well as to other ecclesiastics and magistrates, of the provinces of Barbia, Ausgia, Sturgia, Viatula, Tutigia, Gabrus, and Epagrus, greeting: The authority of the law promulgated by our lord and predecessor, Recaredus, declaring that Christian slaves shall under no circumstances remain in the power of Jews, would be sufficient, if the depravity of the Jews had not afterwards corrupted the minds of princes, and they had not demanded **[370]** and obtained benefits for themselves contrary to the principles of justice. And that we may, with the assistance of God, promulgate a law by which these frauds may hereafter be abolished, and for the reason that, in past times, the edict of said king has been nullified, we hereby decree: that if any Christian slave should be in the possession of a Jew after this law is published, whether said slave should have been set free or not, he shall have the same right as a Roman citizen. And if said slave, through any unlawful act, should have been transferred to the possession of any other person by an instrument in writing, when he should have been liberated according to law, he shall be given his liberty; the contract shall be canceled; the price paid for him shall be returned to the vendor; and said slave shall have a right to pass his life in freedom, supported by his own labor, have his name inscribed upon the public records, and be taxed according to an equitable estimate of his property.

If any slaves should have been acquired by any just title, after the time in which the law of said king was promulgated, their masters shall have the right, until the Kalends of July, to sell, or liberate said slaves, as they choose. Any Christian slaves who have been circumcised by the Jews, at any time, or have joined their sect, shall be punished as prescribed by law. Where such slaves as we have declared to be free, are again reduced to slavery by the Jews, or are retained by them, without being emancipated; the Jews, guilty of such offences, shall be punished as in the case of freemen, where the latter are restrained of their liberty. All Jews who have been converted to the Holy Faith, shall be entitled to their share in the inheritance of their fathers.

Where sales have been made of slaves at a certain time, in the division of the same there shall be no separation of parents and children, but all shall be transferred together to the purchaser. Where a Jew has been proved to have obtained property by fraud, from the ancestors of any person, he shall be deprived of it, and it shall be forfeited to the royal treasury. Any slaves belonging to the Jews, who have been baptized, shall, with their children, be returned to their masters, and be liberated by them: and any property they may have **[371]** acquired shall be given them along with their freedom. Those who have no property shall be aided by the person who sets them free, as far as he is able to do so; and said emancipated slaves shall be classed as other freedmen, and shall be taxed in proportion to the property they own.

XIV. Under no Circumstances shall Christian Slaves Attach themselves to Jews, or be Admitted into their Sect.

We provide for the health and safety of our subjects, and of all other persons within the provinces of our kingdom, when we rescue the adherents of our religion from the hands of infidels. For, by thus means, the orthodox faith will be greatly exalted, when the execrable perfidy of the Jews shall no longer have power over Christians. The fatal control of Jews over Christians should therefore be abominated, and the people consecrated by the favor of God brought under the influence of Divine Love. Therefore, we promulgate the following law, to be forever obeyed, and admonish every royal officer, in all future times: that, from the first year of our reign no Jew shall be permitted to have a freeborn Christian, or a Christian slave, under his patronage, or in his service. Nor shall a Jew be allowed to employ any such person for hire, or avail himself of his services, under any pretext whatsoever. A Jew shall, however, be permitted to sell his slave, for a just price, to a Christian, under proper circumstances, anywhere he resides within the limits of our kingdom. It shall not be lawful to sell such slaves in foreign countries, unless it should be proved that said slaves reside there. Where

slaves sold by Jews into foreign countries, as aforesaid, have no property of their own, the vendor shall give to said slaves such sums as, in the opinion of the purchaser, will be sufficient for supporting and clothing them; and this is provided in order that a transaction concluded under the name of purchase, may not appear to be exile.

Where a Jew wishes to free a Christian slave, he must do so in such a way that the latter may attain the rank of a Roman citizen, to wit: that, by the act of emancipation, no services shall be reserved for the benefit of any Hebrew, or of **[372]** anyone else; and that said liberated slave may have the power to pass his life wherever he chooses, free from all obligation to, or association with, the Jews. If, however, any Hebrew should fraudulently sell or liberate a slave, and evidence of said illegal act should be proved at any future time, and any damage to the slave should result; where a freeborn person exposes such a fraudulent transaction, he shall be entitled to all the property of the parties, both vendor and purchaser, who perpetrated the fraud. Should a Christian be concerned in such a proceeding, he shall be given as a slave to whomever the king may direct; and where he has property, half of it shall be confiscated for the benefit of the public treasury, and the offender shall be branded with eternal infamy. Should a slave detect a fraud of this kind, he shall be given his freedom, and shall remain under the patronage of him in whose service he was until that time; and in order that exact justice may be done, the master of said slave shall receive another from the Crown in his stead, and, in addition, shall be entitled to a pound of gold from him whose deceit was exposed by the slave.

Where a Hebrew circumcises a Christian, or induces one to join his sect, or perform any of his rites, he shall be beheaded; the informer shall receive a proper reward; and the property of said Jew shall be forfeited to the royal treasury. All slaves who are known to be the issue of marriages between Christians and Jews, we hereby declare shall be made Christians. And if such slaves as have been converted to the Jewish religion should desire to remain in that perfidious belief, and should refuse to return to the true faith, they shall be scourged, and scalped, in the presence of the assembled people, and delivered up to whomever we may select, to remain in perpetual servitude. Where the unlawful marital unions hereinbefore mentioned have already taken place, we hereby decree that the infidel party to the same shall have a right to embrace the true faith, should he or she desire to do so. Should, however, said party refuse, the marriage shall be dissolved, and the recalcitrant person shall be driven into perpetual exile. To the other provisions of this law we add the following: that whenever any Jew desires **[373]** sincerely to embrace the Catholic faith, and has been purified by the holy water of baptism, he shall be entitled to retain, without molestation, all the property which he possessed at that time.

This edict we declare shall be in force, and shall be observed by all our subjects throughout our dominions, after the Kalends of July of the present year. If, after said date, a Christian slave should be found in the possession of a Jew, half the property of said Jew shall be forfeited for the benefit of the royal treasury, and said slave shall be set at liberty, nor shall any Jew have any claim to the person or property of said slave thereafter.

The aforesaid law which we, induced by piety and religion, have framed for the benefit, of our people and ourselves we hereby decree, with the aid of God, shall be forever valid. And may Christ, the Conqueror, make all our successors, guardians of thus law, victorious, and confirm in the enjoyment of His kingdom those who He knows will faithfully enforce it. While we are not of the opinion that its provisions will be violated by anyone; nevertheless, should such a person exist, may he who audaciously disobeys it, or does not reverently observe it, be regarded by all men as the most infamous person of the century; may he lose his life at the moment when he forms the detestable resolution to break said law; and may he be oppressed by the accumulated mass of his sins through all eternity, inasmuch as, by his transgression, he has infringed this salutary decree. And, in the terrible time of the Day of Judgment, reserved for the coming of the Lord, may the said culprit be separated from the flock

of Christ; and, placed at the left hand with the Jews, be burned with eternal fire, with the devil for his companion; in order that avenging punishment may be inflicted upon all transgressors, and that true Christians may receive a rich and eternal reward.
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XV. All Christians are Forbidden to Defend or Protect a Jew, by Either Force or Favor.

To the former laws, which we, and our predecessors, have promulgated for the purpose of annihilating the perfidy of the Jews, it becomes necessary to add the following one to sanction and strengthen those which have been heretofore published. Now, after we have repudiated the profane enemies of the Holy Faith, and put an end to the wicked schemes of these perfidious wretches, it becomes necessary for us to confirm those things which have already been done, and arrange them suitably and in order; for, in the exact proportion as the skillful artificer gives form to the invention of his genius, so, in just such proportion does his work disclose the strength and beauty of his mind.

Therefore, lest the Jews should, by means of any artifice, and through their unremitting perseverance, obtain the legal sanction for their profane rites so much desired by them, we hereby decree that no person belonging to any religious order or rank whatsoever, or any of the royal officials, of high or low degree, or any individual of any station or family, or any prince, or person in authority, shall encourage any Jew, whether baptized or not baptized, to remain in the practice of his detestable faith and customs; or shall conceal the fact that he is doing so; or shall induce those who have been baptized to return to the observance of their perfidious ceremonies. No one shall attempt, under any pretext, to defend such persons in the continuance of their depravity, even should they be under his patronage. No one, for any reason, or in any manner, shall attempt by word or deed, to aid or protect such persons, either openly or secretly, in their opposition to the Holy Faith and the Christian religion.

If any bishop or other ecclesiastic should be guilty of such an offence, or if any member of the laity should be convicted of the same, he shall be excluded from the society of Christians, be excommunicated, and forfeit the fourth of all his property, which shall be confiscated for the benefit of the royal treasury. For it is eminently proper that those should be separated from the communion of the faithful, and be **[375]** punished by the loss of their possessions, who reject the love of Christ, and, in the aid of His enemies, infamously attack the truth. The penalties for such offences shall remain the same as were provided in a former law by King Sisibutus, of holy memory.

XVI. Memorial of the Jews Presented to the King.

To our most pious and noble lord and master, King Recesvintus. We, Jews of the city of Toledo, who have hereto attached our signatures, or seals, call your attention to the fact that formerly we were compelled to present a memorial to King Chintilanus, of holy memory, by which we bound ourselves to uphold the Catholic faith, as, in like manner, we do now. But, whereas the perfidy born of our obstinacy, and the antipathy resulting from our ancestral errors, influenced us to such an extent that we did not then truly believe in our Lord Jesus Christ, and did not sincerely embrace the Catholic faith, therefore, now, freely and voluntarily, we promise Your Majesty for ourselves, our wives, and our children, by this our memorial, that henceforth we will observe no Jewish customs or rites whatever, and will not associate, or have any intercourse with, any unbaptized Jews. Nor will we marry any person related to us by blood, within the sixth degree, which union has been declared to be incestuous and wicked. Nor will we, or our children, or any of our posterity, at any time hereafter, contract marriage outside our sect; and both sexes shall hereafter be united in marriage according to Christian rites. We will not practice the operation of circumcision. We will not celebrate the Passover, Sabbath, any other festival days, as enjoined by the Jewish ritual. We will not make any distinction in food, according to our ancient usages. We will not observe, in any way, ceremonies prescribed by the abominable practices and habits of the Hebrews. But, with sincere faith, grateful hearts, and perfect

devotion, we believe that Christ is the son of the living God, as declared by ecclesiastical and evangelical tradition; and we hereby acknowledge Him to be such, and venerate Him accordingly. Moreover, all the ceremonies enjoined by the Christian religion -- whether said ceremonies relate to festivals, or to marriage **[376]** and food -- we will truly and exactly observe; and we will maintain the same with sincerity, without any objection or opposition thereto; and without any subterfuge on our part, by means of which we might hereafter deny our acts, return to what has been prohibited, or not completely fulfil all that we have promised. With regard to the flesh of animals which we consider unclean, if we should be unable to eat the same on account of our ancient prejudices, nevertheless, when it is cooked along with other food, we hereby promise to partake of the latter with no manifestation of disgust or horror. And if, at any time, we should be found to have transgressed, and to have violated any of the promises hereinbefore specified; or should presume to act contrary to the doctrines of the Christian faith; or if we should, in word or deed, neglect to fulfil the obligations to which we have bound ourselves, as being acceptable to the Catholic religion; we hereby swear by the Father, Son and Holy Spirit, who form one God in the Trinity, that, in case a single, transgressor should be found among our people, he shall be burned, or stoned to death, either by ourselves, or by our sons. And should Your Majesty graciously grant such culprit his life, he shall at once be deprived of his freedom, so that Your Majesty may deliver him to be forever a slave to anyone whom Your Majesty may select; and Your Majesty shall have full authority to make whatever disposition of him and his property as may seem expedient; not only on account of the power attached to your royal office, but also by the authority granted by this our memorial. Made, in the name of God, at Toledo, on the Kalends of March, in the sixth year of Your Majesty's happy reign.

XVII. Concerning Judaizing Christians.

As the crime of hypocrisy should be deplored by all Christians; for the same reason it should be evident, that no person, under any circumstances, is deserving of pardon, who is proved to have renounced a good religion for a bad one. Therefore, because a cruel and astounding act of presumption should be expiated by a still more cruel punishment, we **[377]** declare, by the following edict: that, whenever it has been proved that a Christian, of either sex, and especially one born of Christian parents, has practiced circumcision, or any other Jewish rite, or anything else forbidden by God, he shall be put to an ignominious death by the zeal and co-operation of Catholics, under the most ingenious and excruciating tortures that can be inflicted; that he may learn how horrible and detestable that offence is, which he has so infamously perpetrated. All the property of such a person shall be confiscated for the benefit of the royal treasury, in order that his heirs and relatives may not, through consenting to his errors, be contaminated by them.

XVIII. Concerning the Perfidy of the Jews.

We learn from the Holy Scriptures, that Christ is called the Son of God, and it is but just, and consistent with Christian doctrine, that, as we present the favor of liberty to all true believers, we should suppress infidels, even to the loss of their lives; and, in order that the faith of Christ may increase in us to the utmost, the perfidious doctrines of the Jews must be destroyed to the very foundation. Therefore, in all devotion, we decree that henceforth, whenever a Jew, of either sex, renounces the perfidy of his religion, and is converted to the profession of the true Catholic faith and, repudiating the errors of his rites and ceremonies, lives his life according to the customs of the Christians, he shall be free from every burden and disability, which formerly, when attached to the Jewish faith, he would have been subject to for the public benefit; so that his privileges will increase with his freedom from those exactions which are imposed upon such as are blinded by the wickedness of their infidelity, and controlled by the inherited errors of their ancestors. For it is unjust that such persons as are known to have assumed the gentle yoke of Christ, and the light burden of his religion, through sincere conviction, should be oppressed with heavy taxation, or subjected to the pecuniary burdens imposed upon other

Jews. It shall be, in every respect, lawful for all such persons who are true believers, to engage in trade, and **[378]** to carry on business transactions with Christian customers; and if any Christian, not informed of the conversion of said Jew, should desire to purchase anything of them, it should not be lawful for him to do so, until said converted Jews declare that they are Christians, and recite for him the dominical prayer or the Apostles' Creed in the presence of witnesses; and, as true followers of Christ accept or signify their willingness to partake of food used by Christians.

If any hypocrite should be found among those converted to the Holy Faith, he shall be condemned to slavery, and all his property shall be confiscated for the benefit of the royal treasury. Such Jews, however, as remain obstinate, and, in the perfidy of their hearts, refuse to embrace the Catholic religion, we decree shall undergo the following penalty, to wit: they shall not dare to go into foreign countries for the purpose of commerce; nor shall openly or secretly engage in trade with Christians, but shall only have the privilege of transacting business with one another; and they shall pay the taxes imposed upon them, as in such case provided; and shall pay to the public treasury, out of their own property, the taxes due from those Jews who have been converted. All slaves, buildings, lands, olive-orchards and whatever other real property they are found to have acquired from sales by Christians, or in any other manner whatsoever, although it may have been in their possession for many years, shall be confiscated for the benefit of the royal treasury, and the king shall have the absolute disposal of the same. Should any Jew, who remains in infidelity, dare to act contrary to this law, or to transact business with any Christian, having been reprimanded, he shall be given to the Crown, along with all his possessions, to be a slave forever.

We admonish all Christians, calling to witness the Divine Personage by whose blood we have been redeemed, that none of them presume, in any way, to transact business with such Jews as continue in the obstinacy of their perfidious belief. Where a Christian commits such an offence, if he is a person of superior rank or power, he shall pay three pounds of gold to the royal treasury. And if anyone should buy from such Jews anything that is worth more than twice what he paid **[379]** for it, he shall pay out of his own property, three times the value of the same, along with the original price, to the royal treasury. If, however, a person of inferior station should be guilty, he shall receive a hundred lashes, and all the property which he is possessed of shall be given to the king, who shall have the right to dispose of any, or all of it, at his pleasure.[(2)]

Notes for Book XII, Title II

1. This pleasing homily, which precedes a collection of the most atrocious laws ever devised for the suppression of human thought and the persecution of heretics -- with the sole exception of the rules of the Inquisition, of which it is the prototype -- is extremely edifying. The confidence and assurance of a heavenly recompense, expressed by the pious king in whose name this edict was promulgated, reveals the degrading superstition of the time, and the absolute domination of the monarch by his spiritual advisers.--[ED.

2. The translator has interpolated between this and the succeeding title, in the Castilian version, another, of nine chapters, under the head of "Concerning insults and opprobrious language." Part of it relates to false accusations of physical deformity and disease, or slander; part to assault, or attempted assault, where no apparent injury resulted; and the remainder is devoted to laws punishing those who call Christians Saracens, or assert that they have been circumcised. The moderate penalty of a hundred and fifty lashes was prescribed for the last two offences.--[ED.