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Author(s): Sean Eisen Murphy

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# Concern about Judaizing in Academic Treatises on the Law, c. 1130–c. 1230

*By* Sean Eisen Murphy

Do not think that I have come to abolish the Law and the prophets. I have come not to abolish them, but to fulfill them.

Matthew 5.17

## 1. CONCERNS ABOUT JUDAIZING IN THE TWELFTH CENTURY: PRACTICAL JEWISHNESS

Accusations, admonitions, remonstrations, and reminders: when one begins to analyze the varieties of Christian anti-Judaizing texts written between the early twelfth and early thirteenth centuries, it is soon evident that, while individual Judaizers may be hard to find—and self-identifying Judaizers, of course, nonexistent—concerns about Judaizing are everywhere.<sup>1</sup> Responses to perceived threats of Judaizing became, it almost seems, as basic to learned manifestations of majority religious culture in twelfth- and early-thirteenth-century Christianity as accusations of heresy or debates about doctrinal terms and concepts.<sup>2</sup> The perceived

An early version of this paper was presented at the International Medieval Congress at Leeds in July 2004; I thank the members of the audience there for their warm interest. I am especially grateful to David Nirenberg, who has twice commented on this paper in his characteristically insightful way. Joseph Goering also deserves my abundant thanks for the very close reading he gave this paper; his thorough and challenging written comments forced me to reconsider my language and argument throughout. The detailed comments received from two anonymous readers for *Speculum* inspired further revisions and additions. Finally, my debt to Claudia Eisen Murphy, who shaped this paper in countless ways, only increases.

<sup>1</sup> A word about the word “Judaizer” and its forms: “Judaizer” is, of course, a polemical term, not an objective description, used with offensive intent from the first century forward by writers who identify themselves as Christians. Typically, the individuals or groups targeted by the term would identify themselves (or would be imagined as doing so by their opponents) as Christians, though there are also cases in the twelfth and thirteenth centuries (some cited below) in which the term is used against Muslims and even Jews. For those reasons, the term “Judaizer” should be read throughout this paper as enclosed in quotation marks. Only a concern about typographical clutter makes the marks invisible. The same point must be made about the term “Jewishness,” which, though only rarely found in the texts studied here, I frequently use to describe the hostile perceptions that inform accusations of “Judaizing” made by twelfth- and thirteenth-century Christians. “Jewishness,” in this context, describes a negatively evaluated condition perceived as inhering in the “Judaizer” or “Judaizing” ideas.

<sup>2</sup> Though there are a number of studies that touch on the topic, some of which are cited in the notes below, there is little sustained scholarship on twelfth-century concerns about Judaizing. On some of the uses of “Jewishness” in fifteenth-century Spain, see David Nirenberg, “Figures of Thought and Figures of Flesh: ‘Jews’ and ‘Judaism’ in Late-Medieval Spanish Poetry and Politics,” *Speculum* 81 (2006), 398–426.

Judaizer is, in these texts, sometimes a practical threat to Christianity but more typically an ideological one.

One obvious source of concern was conversion from Judaism to Christianity; in the eyes of those concerned about Jewishness in Christianity, there was the not-infrequent problem of imperfect conversion. This is, of course, an old, even a foundational problem in the history of Christian self-definition. The threat of excessive Jewishness among Christians is identified, repressed, and the very process of identification and repression recorded in the authoritative accounts of Christian origins and doctrine.<sup>3</sup> This old problem was newly reformulated in the second decade of the thirteenth century, when recent conversions from Judaism to Christianity prompted a definitive statement on the subject of Judaizing former Jews from the Fourth Lateran Council (1215). Like definitive policy statements in other times and places, canon 70 of Lateran IV is urgent, resolute, and vague:

Certain people who have come voluntarily to the waters of sacred baptism, as we learnt, do not wholly cast off the old person in order to put on the new more perfectly. For, in keeping remnants of their former rite, they upset the decorum of the christian religion by such a mixing. Since it is written, cursed is he who enters the land by two paths, and a garment that is woven from linen and wool together should not be put on, we therefore decree that such people shall be wholly prevented by the prelates of churches from observing their old rite, so that those who freely offered themselves to the christian religion may be kept to its observance by a salutary and necessary coercion. For it is a lesser evil not to know the Lord's way than to go back on it after having known it.<sup>4</sup>

The motivating forces behind the canon, the imagined forms and mechanisms of its implementation, even the particulars of the "old rite" remain unspecified.<sup>5</sup> But it is the very imprecision of the canon, issued as it was by the most eminent supranational body of religio-political leadership in western Christendom, that testifies to the spread of concern about what is represented here as an indeterminate and, thus, ubiquitous threat.<sup>6</sup>

<sup>3</sup> See the debate over Christian observance of circumcision and other elements of the Mosaic law in Acts 15; Romans, especially 2–4 and 7; 1 Cor. 7.18–20; Gal. 5–6; Phil. 3; and Col. 2.

<sup>4</sup> Norman P. Tanner, ed. and trans., *Decrees of the Ecumenical Councils*, 2 vols. (London, 1990), 1:267.

<sup>5</sup> Such is not consistently the case with Lateran IV's canons. On the definition of the divine essence, for example, Joachim of Fiore was condemned and Peter Lombard vindicated, both by name. (See canon 2.) The three canons immediately preceding the seventieth—now-infamous restrictions on Jewish engagement in public affairs (moneylending, dress, appearances during Holy Week, and holding of public office)—are more specific, at least with respect to what was being prohibited and, in some cases, how transgressions were to be punished. The final canon, a call for "liberation of the Holy Land from the hands of the impious," even goes so far as to set a date and place for an embarking of the forces: Sicily, 1 June 1217.

<sup>6</sup> The reality of Jewish conversion to Christianity in the years just before Lateran IV is a historical issue quite separate from the concern formalized here, one about which canon 70 provides no conclusive evidence. There is, it seems, very little evidence for anything other than occasional conversions in the mid and late twelfth century. In England at least seven Jewish communities were attacked and suffered massacres in 1189/90, but the sources say next to nothing about concomitant forced conversions: see R. B. Dobson, *The Jews of Medieval York and the Massacre of March 1190*, rev. ed. (York, 1996); and Joe Hillaby, "Jewish Colonization in the Twelfth Century," in *The Jews in Medieval Britain: Historical, Literary, and Archaeological Perspectives*, ed. Patricia Skinner (Woodbridge, Eng., 2003), pp. 29–32. Susan L. Einbinder, *Beautiful Death: Jewish Poetry and Martyrdom in Medieval France*

The authors of canon 70 at Lateran IV express concern less about Jews than about perceived Jewishness. Granted, this canon is preceded in the record of the council's statements by three canons regulating the conduct of Jews, not converts from Judaism, but there is no apparent conceptual link between canons 67–69 and canon 70: Jews are restricted on their own account, not because they are thought to encourage Judaizing among new converts to Christianity. And, while canon 70 depends, conceptually, on its objects having once been Jewish, as well as on the continued attraction of Jewishness to recent converts, it does not depend on the continued existence of Jews. The locus of concern in this case is the Christian, who in one way or another is thought of as being in danger of becoming, not a Jew, but simply Jewish.<sup>7</sup> It is the threat of contamination or corruption of Christianity, more than conversion away from it, that is the source of the council's concern about Judaizing: "For, in keeping remnants of their former rite, they upset the decorum of the christian religion by such a mixing."<sup>8</sup>

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(Princeton, N.J., 2002), introduction and chapter 1, suggests that Jewish martyrological poetry of the second half of the twelfth century functions, in part, as a response to contemporary conversion pressure in France, but she does not argue that there were, in fact, significant numbers of conversions. Alfred Haverkamp, "Baptized Jews in German Lands during the Twelfth Century," in *Jews and Christians in Twelfth-Century Europe*, ed. Michael A. Signer and John Van Engen, Notre Dame Conferences in Medieval Studies 10 (Notre Dame, Ind., 2001), pp. 255–310, at pp. 267–83, reviews evidence for several isolated cases of conversion in Germany in the second half of the twelfth century. The involuntary conversions associated with violence against Jews in 1096 were probably too transitory and, in any case, much too early to explain the concern expressed at Lateran IV: see Robert Chazan, *European Jewry and the First Crusade* (Berkeley, Calif., 1987), pp. 99–105; Haverkamp, "Baptized Jews," pp. 257–67; and Jeremy Cohen, *Sanctifying the Name of God: Jewish Martyrs and Jewish Memories of the First Crusade* (Philadelphia, 2004), esp. pp. 4–5, 58, and 66–67. It is only in the decades after Lateran IV that there is some evidence for an increase in conversions from Judaism to Christianity, at least in England and France. Robert C. Stacey, "The Conversion of Jews to Christianity in Thirteenth-Century England," *Speculum* 67 (1992), 263–83, shows the limited success through the 1240s and 1250s of a royally sponsored program of conversion initiated in the early 1230s. On increased conversion in France in the later decades of the thirteenth century, see William Chester Jordan, *The French Monarchy and the Jews: From Philip Augustus to the Last Capetians* (Philadelphia, 1989), pp. 149–54. Joseph Shatzmiller, "Jewish Converts to Christianity in Medieval Europe 1200–1500," in *Cross Cultural Convergences in the Crusader Period*, ed. Michael Goodich, Sophia Menache, and Sylvia Schein (New York, 1995), pp. 297–318, cites multiple cases of "private conversion" (as opposed to forced conversion) across western Europe and suggests a conversion rate of 5 percent in thirteenth-century England.

<sup>7</sup> The idea that Jewishness, independent of Judaism or Jews, poses a threat to Christianity is found in at least two other admonitions about Judaizing, which are, in other respects, thoroughly dissimilar to canon 70 and to each other. Alan of Lille, writing perhaps near the end of the twelfth century in an untitled sermon on the Song of Songs 3.7–8, condemns priests who traffic in spiritual goods, describing them as "Judaizers": "Iam non solus Iudas vendit Christum, sed omnes iudaizantes eum exponunt vendendum . . ." (Marie-Thérèse d'Alverny, ed., *Alain de Lille: Textes inédits*, Études de Philosophie Médiévale 52 [Paris, 1965], p. 285). A Master Serlo, writing after 1234 in his *Summa de penitentia*, says that Christians are to avoid social communication with "Saracens," just as they avoid such relations with Jews, "because they [the 'Saracens'] still Judaize" (Joseph Goering, "The *Summa de penitentia* of Magister Serlo," *Mediaeval Studies* 38 [1976], 53; I thank Joseph Goering for bringing this passage to my attention).

<sup>8</sup> Tanner, ed., *Decrees*, 1:267: ". . . cum prioris ritus reliquias retinentes, christianae religionis decorem tali commixtione confundant."

## 2. CONCERNS ABOUT JUDAIZING IN THE TWELFTH CENTURY: IDEOLOGICAL JEWISHNESS

Canon 70 of Lateran IV speaks of “certain people” who keep “remnants of their former rite.” That concern with a practical Jewishness among Christians typifies—in the early thirteenth century, as in other times—the kind of concern about Judaizing inspired by recent conversions from Judaism to Christianity. But for those intellectuals in the twelfth and early thirteenth century who believed it necessary to regulate perceived tendencies toward Jewishness on an individual basis among Christians who had, in a formal sense, always been Christians, Jewishness was more often conceived of as a state of mind than a state of practical engagement. And by that I mean a religious state defined more by adherence to certain ideas than by adherence to a set of observances informed by those ideas.

There was, between the late eleventh century and the early thirteenth century, an extraordinary growth of Christian anti-Jewish polemical literature.<sup>9</sup> It has often been suggested that the genre, as a whole, is directed, more often than not, toward Christian audiences, that most such works are rendered more comprehensible if we see their main objective as to influence the ideas and attitudes of Christians—to define Christianity by contrast with Judaism (in some form imagined by the author or inherited from predecessors in the genre) and, in doing so, to strengthen attachment to traditional Christian teachings by bolstering the conviction that Jewish beliefs are erroneous.<sup>10</sup> And it is certainly evident that some of the many authors writing treatises and dialogues “against the Jews” in this period were motivated primarily by concerns about Judaizing Christians—more precisely by concern about the perceived spread of ideological (but not practical) Jewishness among Christians. Some of the polemicists say as much.

Odo of Tournai (d. 1113), for example, introduces his *Disputation against a*

<sup>9</sup> At last count, I have found twenty-seven *contra Iudaeos* treatises written in Latin in western Europe between c. 1070 and 1215. Compare this figure with the approximately sixteen patristic treatises written in Greek and Latin, over a much wider geographic range, between 140 and 440. See Sean Murphy, “Judaism in the Thought of Peter Abelard” (Ph.D. dissertation, Cornell University, 2000), pp. 1–5. These figures are based, in part, on sources reported in Heinz Schreckenberg, *Die christlichen Adversus-Judaeos-Texte (11.–13. Jh.): Mit einer Ikonographie des Judenthemas bis zum 4. Laterankonzil*, Europäische Hochschulschriften 23/335 (Frankfurt am Main, 1988); Heinz Schreckenberg, *Die christlichen Adversus-Judaeos-Texte und ihr literarisches und historisches Umfeld (1.–11. Jh.)*, 3rd ed., Europäische Hochschulschriften 23/172 (Frankfurt am Main, 1995); and Samuel Krauss and William Horbury, *The Jewish-Christian Controversy: From the Earliest Times to 1789*, 1: *History*, Texte und Studien zum antiken Judentum 56 (Tübingen, 1995).

<sup>10</sup> On this point see, for example, the following (in order of publication): Bernhard Blumenkranz and Jean Châtillon, “De la polémique antijuive à la catéchèse chrétienne: L’objet, le contenu et les sources d’une anonyme *Altercatio Synagogae et Ecclesiae* du XIIe siècle,” *Recherches de théologie ancienne et médiévale* 23 (1956), 40–60; David Berger, “Mission to the Jews and Jewish-Christian Contacts in the Polemical Literature of the High Middle Ages,” *American Historical Review* 91 (1986), 576–91; Gavin I. Langmuir, *Toward a Definition of Antisemitism* (Berkeley, Calif., 1990), pp. 103 and 130–33; and Amos Funkenstein, *Perceptions of Jewish History* (Berkeley, Calif., 1993), pp. 172–201, at p. 175 (originally published as “Changes in the Patterns of Christian Anti-Jewish Polemics in the Twelfth Century” [Hebrew], *Zion* 33 [1968], 125–44). Berger’s demonstration that Christian polemical works of the late eleventh and twelfth centuries “were not rooted in a new or continuing missionary impulse” (p. 578) is thorough and still compelling.

*Jew Named Leo, concerning the Advent of Christ, the Son of God* with the simple desire to “instruct a faithful monk.” He answers the request of Acard, a monk of Fémy, for a written summary of a sermon defending the necessity of the Incarnation, the memory of which was in danger of being overwhelmed by “a flood of opinions” in the mind of his recipient.<sup>11</sup> Odo’s prologue nowhere explicitly articulates a concern with ideological Jewishness among Christians; such a concern is, at most, suggested, by the “flood of opinions” that unsettled at least one monk’s beliefs about the doctrine of the Incarnation. But the conclusion to Odo’s short *Disputation*, which defends the Incarnation and Passion of Christ as a necessary satisfaction for human sin, as well as the suitability of divine incarnation in a woman, takes a very different turn. The monk, Acard, and the Jew, Leo, whatever their real or imagined status, are still there, but they are joined by an unnamed, indeterminate number of “Catholics” whose attachment to ideas associated with the “Jew” provided the original impulse for the argument behind the treatise: “Brother Acard, I gave these reasoned arguments to the Jew concerning the advent of Christ, because certain Catholics who joined in on the part of the Jew forced me to dispute more subtly.”<sup>12</sup> That Odo’s polemic originated in a concern about possible ideological Jewishness among Christians could hardly be clearer.

Guibert of Nogent, to take another example, explicitly links his treatise-length anti-Jewish polemic, *Against a Judaizer and the Jews*, to the threat of ideological Jewishness.<sup>13</sup> The treatise was written, Guibert explains in his *Monodiae* (c. 1115), “almost four years earlier against the count of Soissons, who was a Judaizer and a heretic.”<sup>14</sup> And then, in a later section of the *Monodiae* devoted to the man, Guibert added: “He regarded the false beliefs of Jews and heretics so highly that he personally uttered blasphemies against the Savior, something the Jews out of fear of the faithful never dared to do.”<sup>15</sup> That the count’s alleged Jewishness is a matter of belief, not overt practice, is clear from the first chapter of Guibert’s

<sup>11</sup> PL 160:1103A. There is an English translation in Odo of Tournai, “*On Original Sin*” and “*A Disputation with the Jew, Leo, concerning the Advent of Christ, the Son of God*,” trans. Irvén M. Resnick (Philadelphia, 1994), p. 85. Resnick (p. 29) suggests a date of 1105 or 1106 for the work; Odo was bishop of Cambrai from 1105 to 1113.

<sup>12</sup> PL 160:1112C: “Has, frater, Acarde, Judaeo reddidi rationes de adventu Christi, cogentibus me quaedam subtilius disputare quibusdam Catholicis qui intererant pro Judaei parte.” Compare the translations of Resnick, p. 97, and Berger, “Mission,” p. 587. Berger, in his analysis of what he rightly describes as a “fascinating sentence,” reads the reported disputation as a kind of “intellectual entertainment,” in which some Christians in the audience were “prepared to challenge the arguments of the Christian protagonist” as “advocates of an explanation of the incarnation that differed from Odo’s.” Berger’s suggestions that Odo experiences the dispute as a kind of “entertainment” and that the “certain Catholics” in question differ from Odo simply in their explanations of the Incarnation seem to me unjustified by the evidence. The Catholics are clearly said to have “joined in on the part of the Jew,” which would mean that they doubted the necessity and suitability of the Incarnation itself.

<sup>13</sup> Guibert of Nogent, *Tractatus de Incarnatione contra Iudaeos*, PL 156:489–528. On Guibert’s treatise, see Jan M. Ziolkowski, “Put in No-Man’s-Land: Guibert of Nogent’s Accusations against a Judaizing and Jew-Supporting Christian,” in *Jews and Christians in Twelfth-Century Europe*, ed. Signer and Van Engen, pp. 110–22; and Jay Rubenstein, *Guibert of Nogent: Portrait of a Medieval Mind* (New York, 2002), pp. 116–24.

<sup>14</sup> *A Monk’s Confession: The Memoirs of Guibert of Nogent* 2.5, trans. Paul J. Archambault (University Park, Pa., 1996), p. 113; Guibert of Nogent, *De vita sua, sive Monodiae*, ed. and trans. Edmond-René Labande, Les Classiques de l’Histoire de France au Moyen Âge 34 (Paris, 1981).

<sup>15</sup> *Memoirs of Guibert*, p. 194.

tractise against him, where, in an account of his reasons for writing, Guibert makes the count's steady, ostensibly devout outward observance of Christianity one of the most damning marks against him.<sup>16</sup>

Like anti-Jewish polemic, biblical commentary was produced on an unprecedentedly large scale in monastic intellectual environments of the twelfth century. There are also essential links between these two types of literary production, including the early and constant role of biblical interpretation (and theories of biblical interpretation) in the refutation of Jewish beliefs and the parallel reinforcement of Christian ones. Much of the *contra Iudaeos* literature, early and late, is simply biblical interpretation with an apologetic and polemical purpose—for those familiar with the genre, this hardly needs stating.<sup>17</sup> And twelfth-century biblical commentary, like anti-Jewish polemic, is punctuated by surface eruptions of concern about Judaizing. In exegetical traditions in which the literal sense itself is often defined and dismissed as “Jewish,” the threat of ideological Jewishness is necessarily near at hand.

Bernard of Clairvaux (1090–1153) provides a lesser-known illustration of the pattern in his commentary on the Song of Songs, a series of eighty-six sermons written probably over the period 1135–53.<sup>18</sup> Having quickly summarized the literal sense of “Return, my beloved, like a roe or a fawn” (Song of Songs 2.17) in Sermon 73 (c. 1146?), Bernard refers to what he has just finished as “the part of the Jews” and promises his readers that he will now examine the “inner meaning” of the verse: “This is my part, as I believe in Christ.” The implication, of course, is that those who are satisfied with the literal sense do not. And from Bernard’s pithy contrast between “the part of the Jews” and the part of the believer in Christ arises an excursus (outweighing, in fact, his treatment of the literal sense by more than two to one) on the intellectual and moral failings associated with “Jewish literalism,” the “blindness of the synagogue,” and on the unhappiness and death such attention to the letter carries with it.<sup>19</sup> Bernard, like so many other exegetes of the spiritual sense polemicizing against what they think is undue attention to the literal sense of the Bible, cites the authority of Paul—2 Corinthians 3.6: “For the letter kills, but the spirit gives life”—to silence advocates of the

<sup>16</sup> Guibert of Nogent, *Tractatus de Incarnatione contra Iudaeos*, PL 156:489C–490C.

<sup>17</sup> The point is made by, among others, Gilbert Dahan, *Les intellectuels chrétiens et les juifs au moyen âge* (Paris, 1990), pp. 386–413; and Funkenstein, *Perceptions*, p. 173.

<sup>18</sup> *Sermones super Cantica canticorum* 36–86, in *Sancti Bernardi Opera*, 2, ed. J. Leclercq and H. M. Rochais (Rome, 1958); trans. by Kilian Walsh and Irene M. Edmonds in Bernard of Clairvaux, *On the Song of Songs*, Cistercian Fathers Series 4, 7, 31, and 40 (Spencer, Mass., and Kalamazoo, Mich., 1971–80). On the composition of the sermons, see Jean Leclercq, “The Making of a Masterpiece,” in *On the Song of Songs*, 4:ix–xxiv.

<sup>19</sup> As an anonymous reader for *Speculum* rightly noted, Bernard would be hard-pressed to find a single commentator—ancient or medieval, Jewish or Christian—on the Song of Songs who is satisfied with the literal sense. On the history of Christian commentary, see Ann W. Astell, *The Song of Songs in the Middle Ages* (Ithaca, N.Y., 1990), and E. Ann Matter, *The Voice of My Beloved: The Song of Songs in Western Medieval Christianity* (Philadelphia, 1990); for an instructive sampling of the sources, see *The Song of Songs: Interpreted by Early Christian and Medieval Commentators*, ed. and trans. Richard A. Norris (Grand Rapids, Mich., 2003).

literal sense.<sup>20</sup> Though Bernard often interrupts his long commentary on the Song of Songs for a timely attack on a contemporary or contemporary set of ideas, we do not know who, if anyone, is the object of his attack here. I suspect that there is no particular target—this section of the sermon reads like a general reminder—and that Bernard is simply airing, briefly and harshly, the sentiment, shared by others, that the literal sense is receiving entirely the wrong sort of attention among contemporary Christian exegetes.<sup>21</sup>

Perceived Jewishness among Christians was, I think, one of the great conceptual concerns of the twelfth century. It was, to be more precise, like all of the twelfth century's prevailing ideological bugbears, a great concern of twelfth-century intellectuals. We can see it emerge in twelfth-century anti-Jewish polemic and biblical commentary; it is evident, too—as I will demonstrate in the following sections—in the theological treatises produced by academic intellectuals. But, before moving to that complex body of material, it seems worth remembering that to speak of concern about Judaizing among twelfth-century intellectuals is to inhabit the perspective of the suspicious, the accusatory—those, as I have said, who believed some regulation was in order; for such intellectuals, it was a concern about Jewishness. For Christian intellectuals constrained by the suspicions or accusations of others, however, investigations into, for example, the significance of the literal sense or the continuation of Levitical observances in Christianity were simply manifestations of concern with an authentic understanding of their own religion.

### 3. A TWELFTH-CENTURY PROFUSION OF ACADEMIC TREATISES ON THE LAW

If sustained attention to the literal sense of the Bible was itself enough, in some cases, to provoke concerns about Judaizing—concerns, that is, about reading the Bible in what critics of the literal sense thought of as a distinctively “Jewish” way—one might expect to see elevated concern when attention to the literal sense invites a discussion of possible practical consequences: “Every male among you shall be circumcised” (Genesis 17.10), for example, or “Remember the Sabbath day, and keep it holy” (Exodus 20.8). And the potential for fostering ideological

<sup>20</sup> Sermon 73, *Sancti Bernardi Opera*, 2:233–39, at p. 234; *On the Song of Songs*, 4:75–84, at pp. 76–77. For a longer analysis of the sermon, in the context of Bernard's other writings about Jews and Judaism, see Murphy, “Judaism,” pp. 312–13.

<sup>21</sup> In an example made famous by Beryl Smalley, Richard of St. Victor's *De Emanuele* displays his opposition to Adam of St. Victor's literal commentary on the Immanuel prophecy in Isa. 7.14. For Richard, like Bernard, there is a Judaizing tendency afoot; for Richard, unlike Bernard, Judaizing exegesis has an individual face. See Beryl Smalley, *The Study of the Bible in the Middle Ages*, 2nd ed. (Oxford, 1952), pp. 110–11 and 168–72. In her articles on Ralph of Flaix, Smalley shows that this monastic commentator's mid-twelfth-century commentary on Leviticus, a “standard school text” of the thirteenth century, consistently devalues the Law and condemns, with few exceptions, reading the Law according to the literal sense—all this in order “to dissuade his brethren at St. Germer from overrating Jewish arguments in favour of the permanence of the whole Mosaic Law.” See Beryl Smalley, “William of Auvergne, John of la Rochelle, and St. Thomas Aquinas on the Old Law,” in *St. Thomas Aquinas, 1274–1974: Commemorative Studies*, 2 (Toronto, 1974), pp. 11–71, at pp. 13–14; and Smalley, “Ralph of Flaix on Leviticus,” *Recherches de théologie ancienne et médiévale* 35 (1968), 35–82. On opposition to the literal sense in the context of anti-Jewish polemic, see Dahan, *Les intellectuels*, pp. 475–87.



Jewishness in this respect is found not only in biblical commentary but also in Christian theory (or “theology” as Peter Abelard and Gilbert of Poitiers began to call it in the 1130s).

Theoretical investigation into the nature of Christianity was, by the mid-twelfth century, the dominant form of intellectual endeavor among the academic elite. The century between c. 1130 and c. 1230 is the great opening age of books of *quaestiones*, of *sententiae*, of *summae*, of—to put it descriptively—attempts to write systematic, comprehensive, sometimes innovative theoretical analyses of Christian belief and practice. The theorizing impulse among twelfth-century academics led very frequently to reconsiderations of the theoretical relationship between Judaism and Christianity, of the role, even in Christianity, of beliefs and observances interpreted by some as distinctively “Jewish.”

Lateran IV may have railed (at the beginning of the thirteenth century) against observance by new Christians of “their old rite”; Bernard of Clairvaux may have decried (at the middle of the twelfth century) a “Jewish” reading of the Bible; and Odo of Tournai may have worried (at the start of the twelfth century) about the attraction felt by “Catholics” toward “the part of the Jew.” But the thorough, astute investigator of the nature of Christianity, especially when investigating according to methods informed by historical or sacramental approaches, as some influential theorists of Christianity did, was going to have to assess those rites, that reading, and those views. This means that the inaugural age of the *summa* is also an age in which theoretical treatments of circumcision and the “Old Law” abound.<sup>22</sup>

Numerous academic intellectuals—including some of the best known, some of the less known, and some who remain anonymous—wrote about circumcision and the Law in the period 1130–1230.<sup>23</sup> Their treatment of the issues differs markedly in density of detail, in comprehensiveness, and, so, in length: in some cases the relevant issues are covered in independent *quaestiones* and *sententiae*; in others they are developed systematically in chapters and sections of *summae*; in several cases they are the subject of independent treatises.<sup>24</sup> There were, no doubt, many motives for these inquiries into the place of circumcision and the Law in Christianity. It is clear that some academics sought simply to understand the historical and theoretical relationship between Judaism and Christianity or, as they would put it, between the “Old Law” (or “Testament” or “Dispensation”) and the “New”: Peter Abelard, writing in the 1130s, is an exemplary case in point. But, as I will argue here, one of the most common motives, across this same

<sup>22</sup> For an overview of Christian ideas about circumcision and the Law in the twelfth and thirteenth centuries, see Artur Michael Landgraf, *Dogmengeschichte der Frühscholastik*, 3/1 (Regensburg, 1954), pp. 19–108; and Dahan, *Les intellectuels*, pp. 559–62.

<sup>23</sup> Up to this point, I have examined the works of seventeen authors writing on the subject between 1130 and 1230, twelve of whom are discussed in this paper. (I refer, here, to theological treatises on circumcision and the Law, *not* the separate genre of explicitly polemical, twelfth-century *contra Iudaeos* works discussed briefly in Section 2, above.)

<sup>24</sup> This description of textual forms is not meant to describe a strict pattern of chronological development: stand-alone treatises are sometimes found early in the twelfth century (for example, those of Hugh of St. Victor), while disconnected *quaestiones* are found late (for example, those of Stephen Langton). For convenience, I will use the term “treatise” in what follows to describe any distinct, purposeful discussion of circumcision and the Law, whatever its original form.

century, for writing a treatise on the Law was concern about the spread of Judaizing ideas in academic circles. Treatises of this sort, though their form is theological, functioned primarily as anti-Judaizing polemics—that is, polemics against Christians whose ideas were thought to be excessively Jewish. This concern is explicit in several treatises; it is implied in many others. In some cases, concern about Judaizing is clearly a response to earlier theological efforts to understand the relationship between old and new, efforts, like Abelard's, that are marked by a kind of openness in their inquiry. But it seems equally a response to a constant inquiring hum in the classrooms, one that posed, in various forms, this question: Is it not, in fact, the case that Christianity, despite what Christ himself taught (Matthew 5.17), has abolished the Law rather than fulfilled it?

Because of the number and variety of theoretical writings on circumcision and the Law—and the fact that the ideas they convey cannot be consistently correlated to their textual form or chronological order—I have found it helpful to divide the treatises that I consider here into three ideological categories. Treatises in the first category have a great deal to say on circumcision and the Law; their assessments of the sacraments and precepts of the Law are highly positive, even when judged in comparison with the sacraments and precepts of the “New Law”; and they are open to the possibility that nonmoral elements of the Law, even interpreted according to the letter, are and ought to be retained in Christianity.<sup>25</sup> Treatises in the second category are brief to the point of suggesting the issues involved are not worth considering; their assessments of the sacraments and precepts of the Law, inasmuch as they cover those subjects, are negative in comparison with those of the New Law; and they do not consider the possibility of continued observance of the letter of the Law. Treatises in the third category are again expansive on the issues. They emphasize, however, the inadequacies of the Law, and they insist on the total inadmissibility in Christianity of any literal observance of the nonmoral elements of the Law. They are, moreover, sometimes explicit in their condemnation of Judaizing.

I am well aware that there are almost always interpretive dangers in categorizing historical evidence in this way, and so I provide two caveats. First, these are simply hermeneutic categories—if, at some point, they cease to clarify our understanding of the historical evidence, they ought to be discarded. As categories, they do not, strictly speaking, represent past reality, but, given the conflictual, precise, and highly reflective nature of twelfth-century theological discourse, I am certain that most, if not all, of the authors considered here would acknowledge the differing ideas and approaches that I represent through these categories. Second, I do not mean to suggest that these categories, as listed here, represent a chronological

<sup>25</sup> The distinctions—circumcision and the Law, sacrament and precept, moral and nonmoral commands—used here to describe and compare the three categories are derived from the language used in the treatises themselves. So they reflect, in a summary and general form, ways in which twelfth- and thirteenth-century Christian academics conceptualized and analyzed the commands recorded in the Pentateuch. Of the three distinctions, probably the most constant and conceptually central across the treatises I have studied is the distinction between moral and nonmoral commands (between *moralia* and *legalia/caeremonialia/figuralia/ritualia/carnalia*). (Hugh of St. Victor is, I think, unique in describing the same distinction in terms of *immobilia* and *mobilia*.) Christian treatments of the Law are mainly distinguished by their evaluation of nonmoral commands, before, during, and after the advent of Christianity.

progression in writings on circumcision and the Law. We see, instead, an ongoing tension between open inquiry and polemical response among academic intellectuals in the period c. 1130–c. 1230.

#### 4. INQUIRY, INDIFFERENCE, AND CONCERN, c. 1130–c. 1160

##### Inquiry

Peter Abelard (c. 1079–1142) exemplifies his generation's renewed interest in understanding the status of the Law across the ages, and his writings on circumcision and the Law exemplify treatises of the first category. His works include a long sermon on the subject, Sermon 3, "On the Circumcision of the Lord," as well as ten theological *quaestiones* on the status of the Law, including five on circumcision, in his later *Commentary on the Epistle of Paul to the Romans*.<sup>26</sup> The questions do not arise in Abelard's *Theologia* (an attempt, in at least three distinct versions, to provide a systematic study of Christian doctrine), as questions of this sort did in the systematic doctrinal works of other twelfth-century academics, but only because of the structural limits he imposed on that work, clearly not because of a lack of interest.

Sermon 3 perfectly captures Abelard's own ambivalence about what Christians ought to believe about the present status of the Law. In doing so, it neatly reflects the divergent opinions of unnamed others who, Abelard wanted to show, err too much on one side or the other. After two preliminary questions—Why was circumcision instituted? Why was it replaced by baptism?—Abelard asks the final and most important question in the sermon: "Why does the Lord, when the Law is coming to an end and the gospel beginning, accept the very observances of the Law which he completed, as if exhorting us by his example, so that beginning with the Law we may be perfected in the gospel and not pass over to the new sacraments in such a way that we abandon the old?"<sup>27</sup> The third question demonstrates, in the very asking, why Abelard thought an inquiry into the "sacrament" of circumcision is at the heart of Christian self-understanding. It shows also, in the way it is phrased ("as if exhorting us by his example"), that a question about circumcision—more broadly about Christ's example in observing the mandates of the Law—naturally opens an investigation into the appropriateness of Christian observance of the Law. And, for Abelard, the question is as relevant for theorists of Christianity in the twelfth century as it was in the first.

<sup>26</sup> Peter Abelard, *Commentaria in Epistolam Pauli ad Romanos*, ed. Eligius M. Buytaert, CCCM 11 (Turnhout, 1969); Sermon 3, PL 178:398–409. For a full translation of the sermon and the ten questions in the Romans commentary, see the appendix in Murphy, "Judaism"; these and related works by Abelard are thoroughly analyzed in chapters 5 and 6. A summary of Abelard's ideas about the Law is found in Sean Eisen Murphy, "The Letter of the Law: Abelard, Moses, and the Problem with Being a Eunuch," *Journal of Medieval History* 30 (2004), 179–83. For a study of Abelard's Sermon 5, "On the Purification of Saint Mary" (PL 178:417–25), which includes a Paul-inspired (Abelard is commenting on Gal. 4.3–7) critique of the "literal sense," in its relation to Abelard's third sermon and Romans commentary, see Murphy, "Judaism," pp. 237–62.

<sup>27</sup> Sermon 3, PL 178:405A: "Superest autem, ut tertiae respondentem, praesentem operam consummemus, cur videlicet Dominus legem finiens, et Evangelium inchoans, ipsa etiam quae finivit legalia suscepit, quasi nos suo adhortans exemplo ut a lege incipientes, in Evangelio consummemur, nec sic ad nova transeamus sacramenta, ut derelinquamus antiqua." Trans. Murphy, "Judaism," p. 421.

If Christ himself observed circumcision and the feast of Passover, why shouldn't the Christians who claim to follow him do the same? "And indeed, as Solomon says, 'The eyes of a wise man are in his head.' As if expounding this, the apostle [John] says, 'He who says he remains in Christ ought also to walk just as he walked.' Therefore, just as the Lord, who says, 'I came not to destroy the Law, but to fulfill it,' accepted baptism after circumcision and after the sacrifice of the old Pasch celebrated the new, so it is fitting, *you might say*, that we, following in his footsteps, not stray from them at all."<sup>28</sup> Abelard expected this question to arise in the minds of his listeners or his readers. His sermon suggests that it was not infrequently asked, that there was some interest and concern among learned Christians about whether Christianity had somehow failed to follow the *vestigia* of Christ.<sup>29</sup>

Abelard argues that the practice of circumcision is one case, among many, in which it is not fitting to follow in Christ's footsteps. It would be an error, he says, for Christians now to continue to observe the practice of circumcision because the circumstances that made it reasonable for Christ to accept circumcision no longer exist.<sup>30</sup> But Abelard's aim is more interesting than the simple correction of an erroneous opinion. He considers the opinion because he thinks it is not an error to ask again whether past observances are to be retained, rejected, or reestablished. Some of the things Jesus and the apostles did in observance of the Law are to be imitated; some are to be avoided; some are to be avoided at one time but not another; and some are to be observed in a different way from how they originally were observed.<sup>31</sup> For Abelard, discussion of Christian observance of practices associated with the Law is justified and guided by the following principle: "Indeed, there are many things which according to the suitability of the time are approved at one time and disapproved at another, they are even done by the same persons earlier and later. Indeed, every place and time has its own reasons, according to which it is fitting that in them the same thing be done at one time and avoided at another."<sup>32</sup> Moral commands, Abelard argues elsewhere, are binding in every time and place, but the many nonmoral commands of the Law have been subject to review. "So in order to avoid scandalizing or driving away the peoples, it is clear that certain observances of the Law are now guarded against by us, such as cir-

<sup>28</sup> PL 178:405A–B: "Et quippe, ut Salomon ait: *Oculi sapientis in capite ejus* [Eccles. 2.14]. Quod quasi exponens Apostolus: *Qui dicit se in Christo*, inquit, *manere, debet sicut ille ambulavit et ipse ambulare* [1 John 2.6]. Sicut ergo Dominus, qui ait: *Non veni solvere legem, sed adimplere* [Matt. 5.17], post circumcisionem suscepit baptismum, post veteris Paschae sacrificium celebravit novum, ita nos ejus vestigia sequentes, ab his minime, inquires, convenit declinare." Trans. Murphy, "Judaism," p. 421.

<sup>29</sup> Heloise, for one, shows an interest in the issue. In a series of biblical and theological questions, she asked Abelard for his interpretation of Matt. 5.17: *Problemata Heloissae*, Problem 15, PL 178:702D–703C.

<sup>30</sup> PL 178:405B–406C; Murphy, "Judaism," pp. 422–23.

<sup>31</sup> See, for example, Sermon 3, PL 178:406B: "Sunt et alia nonnulla, quae et Dominum egisse meminimus, et ea tamen salubriter declinamus omnino, vel alio tempore et alio modo convenienter celebramus." Trans. Murphy, "Judaism," p. 423.

<sup>32</sup> Sermon 3, PL 178:406C–D: "Multa quippe sunt, quae secundum temporis opportunitatem alio tempore sunt probanda, et alio improbanda, etsi ab eisdem prius et postmodum gerantur personis. Habent quippe in omnibus loca et tempora suas rationes, secundum quas in eis eadem modo fieri, modo vitari convenit." Trans. Murphy, "Judaism," p. 424.

cumcision and observance of the sabbath or the holy days, and the rite of sacrifices, as well as abstinence from certain foods; but that in which the apostles or holy fathers found no scandal, or rather in which they perceived something useful or beautiful, they did not shrink from retaining.”<sup>33</sup> Abelard follows with multiple examples, including the lighting of candles, dedication of churches, grades of the priesthood, sacred vestments, anointing, and periods of fast.

And, Abelard seems to suggest, they still are subject to review: “Since, therefore, we keep some things from antiquity and reject others, the reasons or advantages must be weighed with respect to each individual thing.”<sup>34</sup> If, all things considered, a practice is fitting for a given time and place, it ought to be retained; if not, it should be rejected—for that time and place, but still not for every time and place. That is why Abelard thinks it reasonable that the question of Christian circumcision should be raised again in the twelfth as it was in the first century; that is precisely what he is doing in this sermon.

And so from the error of those who would mistakenly, though with good intentions, advocate Christian observance of circumcision and freely admit other observances of the Law, Abelard passes to the other extreme: “But some, being less careful, judge from this [the suspension of certain ancient practices] that everything [of ancient practice] ought now to be rejected, because they were intimations of the truth that followed and are now completed through Christ.”<sup>35</sup> On the basis of principles already enunciated—that appropriateness of a practice is relative to circumstances, so that each practice must be judged according to time and place—indiscriminate rejection of the Law is, to Abelard’s mind, clearly an error. Even granting the premise of the “less careful”—as Abelard is certainly ready to do—the argument does not follow. That it cannot follow is shown, Abelard thinks, by the very tradition of Christian practice: marriage, for example, as well as the anointing of kings and priests, the sacrifice of bread and wine, and the consecration of altars and dedication of churches. “But because no one among the faithful or the discerning approves of this [i.e., rejection of these practices], it is evident that there are some reasons why we retain from the old testament some signs of things just as we retain all the words.”<sup>36</sup> In the end, it is the unity of the two “testaments” that Abelard will emphasize in his defense of continuing openness to the literal observance of (some) nonmoral commands of the Law. “Why [is it] so astonishing that we accept some of its sacraments even after the completion of the things [it describes], when the things as much as the words which the

<sup>33</sup> Sermon 3, PL 178:406D: “Adeo pro scandalis vel repulsionem gentium vitandis, quaedam nunc a nobis legitima caveri manifestum est, utpote circumcissionem et Sabbati seu festorum observationes, et sacrificiorum ritum, sive quorumdam abstinenciam ciborum; quod in quibus apostoli vel sancti Patres nullum praesenserunt scandalum, imo aliquid utilitatis vel decoris intellexerunt, ea retinere non abhoruerunt.” Trans. Murphy, “Judaism,” p. 424.

<sup>34</sup> Sermon 3, PL 178:407B: “Cum igitur aliqua ex antiquitate retineamus, aliqua respuamus, causae vel opportunitates pensandae sunt in singulis.” Trans. Murphy, “Judaism,” p. 425.

<sup>35</sup> Sermon 3, PL 178:407B–C: “Quod quidam minus attendentes, inde omnia jam respuenda iudicant, quia figurae fuerunt subsecutae veritatis, et per Christum jam completae.” Trans. Murphy, “Judaism,” p. 425.

<sup>36</sup> Sermon 3, PL 178:407C–D: “Quod quia nemo fidelium vel discretorum approbat, constat aliquas esse rationes, cur ex Veteri Testamento nonnulla in rerum signis sicut in verbis omnia retinemus.” Trans. Murphy, “Judaism,” p. 425.

old testament, of which we do not presume to reject a single word, foretold are now fulfilled. Indeed, the greater is the agreement of the old and new testaments, and the more the latter is confirmed by the former, the more not only the words but the things themselves are seen to be conjoined.”<sup>37</sup>

In Abelard’s later *Romans Commentary*, a long *quaestio* following his commentary on Romans 7.13 (“Was that then which was good made death unto me?”) provides further justification for this conclusion in Sermon 3 that Christians ought to retain some of the “sacraments” of the “old testament.” To someone who might ask (after reading Romans 7.1–13), “how the command of the Law or the Law itself is called good or given for the sake of life, or why it was even given by God,” Abelard replies that the Law “is entirely good because all of its precepts, as was said, are just, if not complete, *even according to the letter*, and everything God commands has rational explanations, even if we do not know them.”<sup>38</sup> It is the fundamental justness and rationality of *every* precept of the Law that legitimate the ongoing judgment of the admissibility of *any* precept of the Law in the light of changing circumstances.

This basic principle, enunciated in Sermon 3 with respect to the practice of circumcision and other observances of the Law, is repeated in yet another *quaestio* from Abelard’s *Romans Commentary*—in this case, with respect to dietary restrictions. “But if we should carefully discuss those [teachings] which seem contrary in the apostles or apostolic men, we will find these and other things to be forbidden at one time and allowed at another according to the time and place; and sometimes in some of the things prohibited it is provided more for the respectability of life than from the religious practice of the faith.”<sup>39</sup>

Hugh of St. Victor (1096–1141), one of Abelard’s more famous contemporaries at Paris, shows, despite frequent differences of opinion on particular points, a fundamentally similar interest in and openness to the role of the Law in his own theoretical accounts of Christianity. Hugh wrote extensively on circumcision and the Law: in two stand-alone treatises—*Institutiones in decalogum legis dominicae* and *Dialogus de sacramentis legis naturalis et scriptae*—and, more significantly, in his major attempt at an ordered, comprehensive, but summary, treatment of

<sup>37</sup> Sermon 3, PL 178:407D–408A: “Quid ita mirum, cum tam rebus quam verbis ea quae nunc completa sunt Vetus Testamentum praenuntiet, nonnulla ejus sacramenta post rerum etiam completionem suscipiamus, cujus nulla respuere verba praesumimus? Tanto quippe major est concordia Veteris et Novi Testamenti, et hoc ex illo magis confirmatur, quanto non solum verbis, verum etiam rebus ipsis conjuncta videntur.” Trans. Murphy, “Judaism,” p. 426.

<sup>38</sup> Abelard, *Commentaria* 3, pp. 199–200: “Forte quaerat aliquis quomodo mandatum legis seu ipsa lex bonum dicatur uel ad uitam datum, uel quare etiam a Deo datum, si saluare obediens non poterat?—Ad quod respondemus legem in hoc esse datam ad uitam, ut etiam populo Dei uitae aeternae meritum initiaret, non perficeret; et ideo bona tantummodo esse quia omnia eius, ut dictum est, iusta sunt praecepta etiam secundum litteram, si non perfecta, et causas habent rationales quaecumque Deus praecipit, etiamsi eas ignoremus.” Trans. Murphy, “Judaism,” p. 475. Note, too, this passage from Abelard’s commentary on Rom. 7.7: “Vnde legem penitus bonam esse conuincit, quia quidquid suum est bonum est, siue in docendo scilicet siue in prohibendo” (*Commentaria* 3, p. 197; trans. Murphy, “Judaism,” p. 474).

<sup>39</sup> Abelard, *Commentaria* 4, p. 310: “Sed si haec in apostolis et apostolicis uiris, quae contraria uidentur, diligenter in ipsa radice intentione discutiamus, reperiemus haec et alia pro tempore et loco modo prohibenda esse, modo concedenda; et nonnunquam in aliquibus prohibendis magis de honestate uitae quam de religione fidei prouisum esse.” Trans. Murphy, “Judaism,” p. 484.

Christian doctrine into which those shorter, earlier treatises were almost fully incorporated, the *De sacramentis Christianae fidei*.<sup>40</sup>

Hugh's theoretical writings about the relation of Judaism to Christianity or, as he would put it, about the role of the "precepts, sacraments, and promises" of the "written Law" in the history of God's "restoration" of humankind are, if anything, more involved than those of Abelard.<sup>41</sup> To put it as simply as possible, the Law has an essential role in Hugh's story of the progress of revelation and salvation. The history of salvation cannot be told without an account of Judaism, including especially the Law; the very sources on which Hugh depends for his history make that the case. At the very least, he would think Christianity incomprehensible apart from Judaism. Like a telescope, each section in his history of salvation is drawn out of the one that precedes it; without the preceding section the full extension cannot be attained. For the purposes of this paper, however, I want to stress not simply the historical importance Judaism has for Christianity in Hugh's thought but the extent to which he believed the precepts of the Law are retained intact in Christianity.

Hugh distinguishes the "movable" from the "immovable" precepts of the Law. "Movable are those which from dispensation are ordained for the time. Immovable are those which come from nature and are either so evil that at no time can they be performed without blame or so good that at no time can they be dismissed without blame."<sup>42</sup> The "immovable precepts" of the Law are—he was convinced—fully incorporated in the teaching of Christianity. For Hugh, this means that the Gospel acquires from the Law both moral precepts, which teach and regulate good works, and precepts of faith, which teach about the nature of God and the ways in which he ought to be served and worshipped. Abelard, too, thought that all "moral precepts," all commands of the Law governing love of neighbor and love of God, became part of Christian moral teaching.

And just as Abelard thought it worth demonstrating that many of the nonmoral precepts of the Law have been incorporated into Christianity, making many of its institutions and observances a mirror of ancient Jewish ones, Hugh emphasizes the importance of the Law's "movable precepts" in the practice of Christianity. "Of the precepts which were superadded and were movable certain ones even now in time of grace have been retained for exercise, for example, the observance of fasts. And certain others which were instituted in earlier times have, however, been reserved providentially for the instruction of the present, and those especially which look to the exercise of spiritual zeal are reserved in a time of grace, those

<sup>40</sup> *Institutiones*, PL 176:9–18; *Dialogus*, PL 176:17–42; *De sacramentis Christianae fidei*, PL 176:173–618. For a translation of the last work see Hugh of St. Victor, *On the Sacraments of the Christian Faith*, trans. Roy J. Deferrari, Medieval Academy of America Publication 58 (Cambridge, Mass., 1951).

<sup>41</sup> For a thorough treatment of Hugh's theory of Judaism, including a detailed comparison of Hugh's ideas to those of Abelard, see Murphy, "Judaism," pp. 329–92. For a study focused primarily on practical and exegetical aspects of Hugh's relation to Judaism, see Rebecca Moore, *Jews and Christians in the Life and Thought of Hugh of St. Victor*, South Florida Studies in the History of Judaism 138 (Atlanta, Ga., 1998). The rest of this section on Hugh is quoted or otherwise adapted from Murphy, "Judaism," pp. 388–90.

<sup>42</sup> Hugh of St. Victor, *De sacramentis* 1.12.4, PL 176:351D; trans. p. 191.

being abolished which pertain to carnal observances.”<sup>43</sup> In book 2 of *De sacramentis*, where he wrote in far greater detail about the sacraments of Christianity, Hugh provides numerous examples in support of this general argument. He traces the origin of the tonsure to the practice of the Nazareans.<sup>44</sup> Six of the seven grades of spiritual office—porters, readers, exorcists, subdeacons, deacons, and presbyters (but not acolytes)—Hugh explains, are founded on the Law or the history of the practices of ancient Judaism.<sup>45</sup> Likewise, the sacred garments, to which Hugh devotes an impressive, brief though they may be, sixteen chapters, are derived from the sacred garments with which Moses vested Aaron and which were prescribed for the priests.<sup>46</sup> Other examples could be adduced; and other examples are, in fact, adduced in Abelard’s discussion of the subject. The point made by both Abelard and Hugh is that the maintenance of the Law within Christianity is not limited to moral teachings and doctrines of faith. The daily life of the church is replete with observances retained from nonmoral precepts of the Law.<sup>47</sup>

### Indifference

In the evolution of academic theorizing about the relation of Christianity to the Law, Peter Abelard and Hugh of St. Victor were originators and innovators; and in this respect, as in many others, they were exceptional in their generation. Several academic theologians writing near mid-century, including two of the most celebrated, seem to have shared next to nothing of Abelard’s and Hugh’s interest in questions about circumcision and the Law. That brings us to what I have called the second category of treatises on the Law.<sup>48</sup>

The *Sententiae* of Gilbert of Poitiers (1085/90–1154), for example, is a model of concision:<sup>49</sup> it contains thirteen very brief observations on the “sacrament of circumcision” that serve as a theological and historical introduction to the “sac-

<sup>43</sup> Ibid. 1.12.23, PL 176:362A–B; trans. p. 203.

<sup>44</sup> Ibid. 2.3.2, PL 176:422C; trans. p. 260.

<sup>45</sup> Ibid. 2.3.5–11, PL 176:423–30; trans. pp. 262–69.

<sup>46</sup> Ibid. 2.4.1–16, PL 176:433–38; trans. pp. 273–78.

<sup>47</sup> Treatise 4 of the *Summa Sententiarum* (PL 176:117–26), which includes chapters on the sacraments in general, the sacraments of the Law, and the Ten Commandments, owes much to Hugh’s discussion. Like Hugh and Abelard, the author of this work emphasizes the identity of circumcision and baptism as remedies for sin. It is, like other treatises of the first category, explicitly positive in its assessment of the Law, but it has much less to say on the subject than Abelard or Hugh of St. Victor. The best introduction to the *Summa Sententiarum* is still chapter 8 in D. E. Luscombe, *The School of Peter Abelard: The Influence of Abelard’s Thought in the Early Scholastic Period*, Cambridge Studies in Medieval Life and Thought, n.s., 14 (Cambridge, Eng., 1969).

<sup>48</sup> See p. 568, above.

<sup>49</sup> Two versions of the *Sententiae* have been published; both contain thirteen items on circumcision. I quote from the longer of the two versions: N. M. Häring, “Die Sententie Magistri Gisleberti Pictavensis Episcopi,” *Archives d’histoire doctrinale et littéraire du moyen âge* 45 (1978), 83–180. For the shorter version see N. M. Häring, “Die Sententie Magistri Gisleberti Pictavensis Episcopi (II),” *Archives d’histoire doctrinale et littéraire du moyen âge* 46 (1979), 45–105. John Marenbon contests “Häring’s attribution of the *Sententie* to Gilbert. Doubtless they reflect Gilbert’s views and perhaps derive in part from his teaching . . . but they are almost certainly not an independent work written or dictated by Gilbert himself.” Marenbon does not, however, provide arguments for his position. See John Marenbon, “A Note on the Porretani,” in Peter Dronke, ed., *A History of Twelfth-Century Western Philosophy* (Cambridge, Eng., 1988), pp. 353–54, n. 2.



rament of entrance,” that is, of baptism, because, simply enough, circumcision came before baptism.<sup>50</sup> Gilbert limits himself to the questions typical of such treatises: When did circumcision begin? Against what is it effective? How is it to be done?<sup>51</sup> What does it signify? And why was it abandoned? His answers are succinct and raise no significant issues. In Gilbert’s treatment of the subject, the only matter of debate, a question introduced at the end of the section, is whether those who were baptized in the period “from the nativity to the passion of Christ”—a period in which Gilbert and several other twelfth-century writers on the subject, including Peter Abelard, thought circumcision and baptism had equivalent status—must, like the circumcised, have descended to the underworld (“ad infernum”) to await salvation. Gilbert, like Abelard, thought they must have.<sup>52</sup>

Gilbert, on the other hand, does not ask, as Abelard does, whether Christians should continue the practice of circumcision. Nor does his brief treatment of circumcision prompt him to ask, as Abelard and Hugh do, whether any ancient observances of the Law are still to be maintained in the “time of grace after the passion of Christ.”<sup>53</sup> Gilbert, just like those Abelard criticizes in Sermon 3 for being “less attentive (*quidam minus attendentes*),” assumes that none of the nonmoral commands of the Law is to be retained.<sup>54</sup> He lists three reasons why circumcision was abandoned: it was not a general command, nor was it suitable for both sexes; it was a “great torture,” and so an impediment to attracting gentiles.<sup>55</sup> “The third reason is that all the nonmoral commands (*figuralia*) of the Old Law had to come to an end, and so this one does too. Which is why it is said: ‘The old things have passed away and, behold, all things are made new.’”<sup>56</sup> Gilbert’s five short questions on circumcision demonstrate, first, his relative lack of interest in the subject and, second, his uncomplicated conviction that there is simply no reason to investigate the continuing role of the nonmoral commands of the Law in Christianity—they have none. Though Gilbert’s very first ideological concern, explained carefully in the introduction to the *Sententiae*, is that the investigator into the “hidden matters of theology” avoid both heresy and schism, his section

<sup>50</sup> “Sententie,” p. 144: “Sed quia circumcisio ante fuit quam baptismus, dicendum est de circumcissione.”

<sup>51</sup> Gilbert’s relative indifference to the potential complexities of his subject is nicely evident here. This third question (“Quo modo?”) is answered in a single brief sentence: with a stone knife on the eighth day, so that that bit of skin (“pellicula illa”) is cut off. Hugh of St. Victor, noticeably more attentive to the practical, historical, and exegetical issues involved, wanted to convince his readers that there is no good reason, despite Zipporah and Joshua, for thinking that the command to circumcise requires that it be done with a stone knife (*De sacramentis* 1.12.2, PL 176:349C; trans. pp. 188–89).

<sup>52</sup> “Sententie,” p. 146: “Quod potest probari in baptizatis ante passionem Christi qui, quamvis essent baptizati, tamen ad infernum descendebant per passionem Christi saluandi.” For Abelard’s statement of the same, see Abelard, *Commentaria* 2, p. 130; trans. Murphy, “Judaism,” p. 456.

<sup>53</sup> This reflects Gilbert’s analysis of the status of circumcision according to a three-age scheme.

<sup>54</sup> Abelard, Sermon 3, PL 178:407B–C: “Quod quidam minus attendentes . . .”; trans. Murphy, “Judaism,” p. 425. See also n. 35, above.

<sup>55</sup> “Sententie,” p. 145. Both Abelard and Hugh also mention these putative problems with the sacrament.

<sup>56</sup> *Ibid.*, p. 145: “Tercia causa est quia omnia figuralia ueteris legis debebant cessare, similiter et hoc. Vnde dicitur: *Vetera transierunt et ecce nova facta sunt omnia* [2 Cor. 5.17].”

on circumcision does not signal any explicit concern about the potential for ideological or practical Judaizing.<sup>57</sup>

The *Sententiae Parisienses*, an anonymous work that in many places shows its debt to Abelard's teaching, has even less to say about circumcision than Gilbert's *Sententiae*.<sup>58</sup> Circumcision is introduced in this text only because of its perceived role as the precursor to baptism. After defining sacraments, and distinguishing those that are necessary for salvation from those that are not, the author proceeds to a brief comparative discussion of baptism and circumcision. He begins with a commonplace, a *sententia* cited from Gregory and Augustine, that attributes to circumcision and baptism the same power and purpose: "First is baptism, in which all sins, actual as much as original, are removed, just as circumcision did."<sup>59</sup>

Is baptism better than circumcision? If so, in what way? "But it would seem that baptism is more valuable than circumcision, because baptism opens the way [to salvation], which circumcision does not."<sup>60</sup> The author, again following Abelard, thinks this view is mistaken. Baptism, in itself, as a sacrament necessary for salvation, does not accomplish anything more than circumcision did; they hold, in essence, the same status. The efficacy of baptism depends on the blood of Christ (*rubor*); once that sacrifice has taken place, circumcision would function in just the same way. "Only the blood (*rubor*) opens the way. So that's why the way was not open for those who were baptized before the passion of Christ."<sup>61</sup> In other respects, however, the author argues that baptism *is* better than circumcision: it has perfection (*perfectio*), appropriate for all peoples and for women as well as men, and beauty (*decor*)—nothing washes like water—in ways that circumcision does not.<sup>62</sup>

Greater perfection and beauty are, in the argument of the *Sententiae Parisienses*, simply practical reasons for replacing circumcision with baptism. And for the author of the *Sententiae Parisienses*, the practical is paramount: not only with respect to baptism ("no one has reason not to be baptized, because no liquid is as common as water") but also with respect to the "sacraments of the Law," the entirety of which the author aims to explain away in a condensed aside en route to the perfection and beauty of baptism. "One might ask if God, at his advent,

<sup>57</sup> Ibid., p. 108: "Omnibus secreta theologie tractare uolentibus duo sunt necessaria: ueritas rerum et congruentia uerborum; alterum quorum si desit, facit hereticum, alterum scismaticum."

<sup>58</sup> On this work, see Luscombe, *The School of Peter Abelard*, pp. 164–68, and the introduction to Landgraf's edition (see the following note), pp. xxvi–xxvii.

<sup>59</sup> *Sententiae Parisienses*, ed. Arthur Landgraf, in *Écrits théologiques de l'école d'Abélard*, Spicilegium Sacrum Lovaniense, Études et Documents, 14 (Louvain, 1934), p. 37, lines 19–21: "Primum est baptismus, in quo dimittuntur omnia peccata tam originalia quam actualia, etiam quod faciebat circumcisio."

<sup>60</sup> Ibid., p. 37, lines 23–24: "Sed plus baptismus quam circumcisio valere videtur, quia baptismus viam aperit, quod non circumcisio."

<sup>61</sup> Ibid., p. 38, lines 1–7: "Baptismus non plus valet quam circumcisio. Sed baptismus cum rubore plus valet quam circumcisio. Si enim circumcisio ruborem haberet, tantumdem valisset. Solus rubor viam aperit. Unde qui baptizati sunt ante passionem Christi, non fuit via aperta. Unde filii Israël, cum egredierint de terra Egypti, transierunt non solum per mare, sed per mare rubrum. Mare baptismum, rubor passionem significabat." Cf. Abelard, *Commentaria* 2, p. 130, lines 249–63.

<sup>62</sup> *Sententiae Parisienses*, p. 38, lines 19–27, in particular, p. 38, lines 22–25: "Propter perfectionem, quia omnibus, tam Iudeis quam gentibus, tam maribus quam feminis convenit. Propter decorem, quia nullus liquor est qui ita abluat sicut aqua."

wanted to remove the sacraments of the Law, when through them he could have done the same.”<sup>63</sup> Certainly, the author replies, but only because the Law, as a whole, was too thoroughly associated with Jews: “The Law was given to the Jews alone, and they lorded the sacraments of the Law over the other peoples.” For a God trying to establish universal access to salvation, the only way to overcome the “pride of the Jews” and the enmity between them and all other peoples was “to give other sacraments in which the Jews were able to glory no more than the other peoples.”<sup>64</sup> This simultaneous defense of the salvific value of the “sacraments of the Law” (that circumcision and baptism, for example, have essentially the same power and purpose) and condemnation of their irremediable association with Jewishness concludes with a thoroughly practical, even prosaic analogy for what stands in the text as an epoch-making substitution of one set of sacraments for another: “And this is the custom of kings, who at the beginning of their reign change the images on their money.”<sup>65</sup> A coin is always a coin, but old coinage, the analogy implies, ought not to circulate with the new.

A tendency toward minimizing attention to the Law and its role in Christianity is definitively manifest just after mid-century in the *Sententiae* of Peter Lombard (d. 1160), whose contribution to the systematic study of Christian doctrine famously prevailed over its competitors, including Abelard’s *Theologia* and Hugh’s *De sacramentis*, in the second half of the twelfth century.<sup>66</sup> Two sections (distinction 40 in book 3 and distinction 1 in book 4) include everything he has to say about circumcision and the Law. He repeats many of the questions already raised by other authors: in some places his organization of material follows Hugh of St. Victor; Abelard, on the other hand, is a frequent object of criticism and never a model.

Lombard’s treatment of the Law is brief, his assessment crisply dismissive. The “letter” in Paul’s distinction between the spirit and the letter (2 Corinthians 3.6) is called “killing” because the Law lacks grace: “But grace was absent, and therefore the letter was ‘killing.’”<sup>67</sup> The “difference between the Law and the Gospel” with respect to sacraments is that “those of the Law only signified [grace], but these of the Gospel conferred grace.”<sup>68</sup> In fact, at the start of book 4, when Lom-

<sup>63</sup> Ibid., p. 38, lines 8–9: “Queritur, si Deus in adventu suo sacramenta legis solvere voluit, cum per ea idem posset facere.”

<sup>64</sup> Ibid., p. 38, lines 10–17: “Sed hoc fecit, ut superbia Iudeorum reprimeretur. Lex solis Iudeis data fuit, et legis sacramenta superbiebant contra gentes. . . . Ideo alia sacramenta dare voluit, in quibus non magis Iudei quam gentes possent gloriari.”

<sup>65</sup> Ibid., p. 38, lines 17–18: “Et hoc more regum, qui in principio regni ymagines monetarum mutant.”

<sup>66</sup> The final version of Lombard’s *Sententiae* was completed between 1155 and 1157. For a fuller study of ideas about Judaism in Lombard’s *Sententiae*, see Murphy, “Judaism,” pp. 392–406. For an introduction to the development of “systematic theology,” and a comparison of Lombard’s attempts with those of his predecessors, see Marcia L. Colish, *Peter Lombard*, Brill’s Studies in Intellectual History 41/1–2 (Leiden, 1994), pp. 33–90. A classic orientation to the same is found in J. de Ghellinck, *Le mouvement théologique du XIIIe siècle*, 2nd ed., Museum Lessianum, Section Historique, 10 (Bruges, 1948), pp. 113–296.

<sup>67</sup> Peter Lombard, *Sententiae in IV libris distinctae* 3.40.2, 3rd ed., Spicilegium Bonaventurianum 4–5 (Rome, 1971–81), 2:229: “Gratia autem deerat, et ideo littera occidens erat.”

<sup>68</sup> Ibid. 3.40.3, 2:229: “Diversa etiam sacramenta, quia illa tantum significabant, haec conferunt gratiam.”

bard introduces the idea of sacraments, he points out that it is not entirely appropriate even to refer to the observances of the Law as “sacraments”; they are better called simply “signs” because they signify grace without conferring it.<sup>69</sup>

In a series of questions on circumcision, Lombard insists that circumcision was changed to baptism not simply for practical reasons—the beauty, perfection, and attractiveness of baptism emphasized by Abelard, Hugh, and the *Sententiae Parisienses*—but because circumcision could not do what baptism can: “For there [i.e., with circumcision] sins were removed—that’s all—but no added grace for doing well, nor was possession or increase of virtue offered.”<sup>70</sup> Without charting the borders of this debate—the idea, for example, propounded by Abelard, Hugh, and the author of the *Sententiae Parisienses*, that the sacrament of baptism (like circumcision) does not in itself confer grace—I want to emphasize that Lombard is deliberately closing off possibilities opened by Abelard and Hugh of St. Victor. His minimal attention to the subject does not simply reflect a lack of interest or a difficult editorial choice made in the face of so much theological material; it is the consequence of a diminished assessment of the value of the Law, both in the past and, most certainly, in the present.<sup>71</sup>

### Concern

I have tried so far to group mid-twelfth-century treatments of the Law according to the varying objectives that moved their authors. In the first category, Abelard and Hugh represent an expansive interest in the Law that emphasizes the power of the Law (for teaching and sanctification) before the advent of Christ and the continued role of the Law, interpreted according to the letter, in Christian observance and self-understanding. In the second category, Gilbert of Poitiers, the anonymous *Sententiae Parisienses*, and, most importantly, given the eventual influence of his work, Peter Lombard treat the issues raised by Abelard and Hugh cursorily, emphasizing the inadequacies of the Law and its complete abandonment at the advent of Christianity. In the third category I begin with Roland of Bologna, the author of a relatively long series of questions on circumcision and the Law, who was clearly motivated by the desire to demonstrate the failings of the Law and its total inadmissibility, in anything but a spiritual sense, in the “age” of Christianity.

Roland, a probable one-time student of Peter Abelard, included nine questions

<sup>69</sup> Ibid. 4.1.4.3, 2:233.

<sup>70</sup> Ibid. 4.1.9.5, 2:238: “Ibi enim peccata solum dimittebantur, sed nec gratia ad bene operandum adiutrix, nec virtutum possessio vel augmentum ibi praestabatur.”

<sup>71</sup> This is amply confirmed by a passage in Lombard’s commentary on the Psalms (58.12) in which he interprets the observance of circumcision, the Sabbath, and Passover as a sign marking the Jewish people in the way that Cain was marked by a sign. Stephen Langton, making the same point, describes the mark as “circumcision and the carnal observance of the Law.” These passages are translated and discussed in Jack Watt, “Parisian Theologians and the Jews: Peter Lombard and Peter Cantor,” in Peter Biller and Barrie Dobson, eds., *The Medieval Church: Universities, Heresy, and the Religious Life: Essays in Honour of Gordon Leff*, Studies in Church History, Subsidia, 11 (Woodbridge, Eng., 1999), pp. 55–76, at pp. 72–73.

on circumcision and seven questions on the Law in his *Sententiae* (c. 1150).<sup>72</sup> A close reading of Roland's questions on circumcision reveals his frequent indebtedness to Abelard. But theological convergence on a number of technical issues proves compatible with fundamental ideological divergence in their overall assessment of the Law. And, for the purposes of this study, I need focus on only two points at which Roland's treatment of the Law is seen to serve much the same end as Lombard's later, shorter treatment.

At the conclusion of his section on circumcision and the Law, Roland asks "whether anyone was able to be justified through sacrifices or through the Law."<sup>73</sup> This is a question about whether the Law "conferred eternal life,"<sup>74</sup> a question to which Abelard answered that it was indeed sufficient, though indirectly, for eternal life. According to Abelard, if one observed the Law for the right reasons, everything else necessary for salvation would be granted through the intervention of human or divine agency.<sup>75</sup> After listing six possible definitions for "the Law," Roland proposes that "someone is both justified through the Law and not justified." They are "justified through the Law, that is, through the Ten Commandments or observance of the moral commands, and not justified through the Law, that is, through the carnal observances."<sup>76</sup> We see, then, a treatise on circumcision and the Law sharing a number of details with those of Abelard and Hugh but drawing the reader, against Abelard and Hugh, toward a thoroughgoing negative evaluation of the nonmoral commands of the Law.

Roland's dismissal of the "carnal observances" of the Law, even in their own time, is reinforced in what follows, as he denies that the Law as a whole is in any way a source of grace. "Why," he asks, "are the hands of Moses called heavy and the hands of Christ light?"<sup>77</sup> "The hands of Moses, that is, the precepts, are called heavy for this reason: because they only teach and do not confer grace; but the

<sup>72</sup> *Die Sentenzen Rolands nachmals Papstes Alexander III.*, ed. Ambrosius M. Gietl (Freiburg im Breisgau, 1891; repr. Amsterdam, 1969), pp. 141–53. For an introduction to Roland, see Luscombe, *The School of Peter Abelard*, pp. 244–53. In 1977 John T. Noonan, Jr., challenged the traditional identification of Roland of Bologna with Roland Bandinelli, later Pope Alexander III; Noonan's opinion is now generally accepted. See John T. Noonan, Jr., "Who Was Rolandus?" in *Law, Church, and Society: Essays in Honor of Stephan Kuttner*, ed. Kenneth Pennington and Robert Somerville (Philadelphia, 1977), pp. 21–48, and James A. Brundage, *Medieval Canon Law* (London, 1995), pp. 49 and 224–25. Colish, *Peter Lombard*, 1:66, mentions, in passing, Roland's attitude toward the Law: "Roland concludes Book 1 with a consideration of the Old Law, ordained to govern man. He goes into more detail on this subject than the Abelardians do but he keeps it more firmly under control as a superseded dispensation than Hugh does."

<sup>73</sup> *Die Sentenzen Rolands*, p. 152, lines 22–23: "Queritur, utrum per sacrificia seu per legem quis posset iustificari."

<sup>74</sup> *Ibid.*, p. 152, line 27: "[Lex] . . . vitam conferebat eternam."

<sup>75</sup> Abelard, *Commentaria* 3, p. 200, lines 446–50. Trans. Murphy, "Judaism," p. 475: "But we believe that all those who obey those imperfect commands out of love of God rather than fear will have revealed to them, either through some spiritual teacher or through the internal inspiration of divine grace before the day of their death, that which was lacking from perfection through ignorance because the Law was silent."

<sup>76</sup> *Die Sentenzen Rolands*, p. 153, lines 14–17: "Est ergo quod iustificabatur quis per legem, et non iustificabatur. Iustificabatur per legem, id est, per X preceptorum seu moralium observanciam, et non iustificabatur per legem, id est, per carnales observancias."

<sup>77</sup> *Ibid.*, p. 153, lines 26–27: "Queritur, quare manus Moysi dicuntur graves et manus Christi leves. . . ."

precepts of Christ not only teach but also confer grace.”<sup>78</sup> That the “precepts of Moses” refers, in Roland’s mind, to the whole of the Law is confirmed by an analogy from the world of snakes and charms with which he closes this discussion of circumcision and the Law:

Likewise, the words of the Gospel are more efficacious for preparing the hearts of those hearing them and for conferring grace than the words of the Law (*legalia*) were, as is clear in this metaphor. Some enchanter says some words specifically established for drawing snakes out of a cave. Imagine if the words he said are few, and, immediately upon saying them, the snakes went out of the cave, which would not have happened if he spoke many more words not established for this purpose. Therefore, just as some words are thought efficacious for driving serpents from a cave, but certain others not at all, so the words of the Gospel are efficacious for conferring grace and for preparing for faith the hearts of those hearing them, which the words of the Law (*legalia*) are not.<sup>79</sup>

The passage begins with a comparative evaluation—“the words of the Gospel are *more efficacious* . . . than the words of the Law”—implying that the Law, too, has been efficacious in “preparing the heart” and “conferring grace,” but that minimal allowance is obliterated by the metaphor and its conclusion. It is not simply that the new snake charm works better than the old one; the old charm did not work at all.

If there is a concern with Judaizing ideas in Roland of Bologna’s *Sententiae*, that concern is implicit, handled subtly, without calling attention directly to the contrary view or labeling it as heresy. In two other mid-twelfth-century treatises on the Law, we find expansive treatments in which concern about Judaizing is explicit, in which one of the compelling motives for writing the treatise is clearly to refute what is presented as a demonstrable ideological Jewishness among other learned Christians. Robert Pullen wrote his *Sententiae* in the early 1140s; Robert of Melun’s *Sententiae* dates to the late 1150s.

Robert Pullen (d. 1146), who wrote his eight books of *Sententiae* probably just after the deaths of Peter Abelard and Hugh of St. Victor, shows himself in that work an unrelenting antagonist of anyone who would assert the value of the Law in the past or its continuing relevance in the present.<sup>80</sup> The first half of book 3 (chapters 1–14) is devoted to showing the inadequacies of the Law, in order to prepare the way for the second half (chapters 15–30), which expounds the nature of Christ and the necessity of the Incarnation.

Abelard and Hugh insisted, on patristic authority, that circumcision was a rem-

<sup>78</sup> Ibid., p. 154, lines 10–13: “Ad hec: manus Moysi, id est, precepta hac de causa graves dicuntur, quia tantum precipiebant, nec gratiam conferebant; precepta vero Christi non tantum precipiunt, sed gratiam conferunt.”

<sup>79</sup> Ibid., p. 154, lines 13–23: “Item, maioris efficacie sunt verba evangelii ad audientium corda preparanda et ad gratiam conferendam, quam essent verba legalia, ut patet in hoc simili. Aliquis incantator dicit aliqua verba ad serpentes de caverna extrahendos proprie instituta. Si illa licet pauca sint diceret, ad eorum statim prolationem serpentes de cavernis egrederentur, quod non fieret, si multo plura verba ad hoc non instituta proferret. Sicut ergo quedam verba sunt ad serpentes de cavernis evellendos efficaciam habentia, quedam vero minime, ita verba evangelii sunt efficaciam ad gratiam conferendam, quod non legalia, et ad audientium corda ad fidem preparanda.”

<sup>80</sup> The best introduction to Pullen is still F. Courtney, *Cardinal Robert Pullen: An English Theologian of the Twelfth Century*, *Analecta Gregoriana* 64 (Rome, 1954).

edy for both original and actual sins. Lombard, without denying this view, later asserted that it was nevertheless a lesser sacrament than baptism because it did not provide additional grace. Pullen, writing a decade or more before Lombard, denies (in book 5 of the *Sententiae*) that circumcision provided—that it could have provided—any remedy at all for actual sins: “Furthermore, as a practice for adults, baptism also provides a remedy against actual sins (past ones only) to such an extent, perhaps, that, by the grace of expiation, they require no penalty after the washing. But circumcision, inasmuch as it was bestowed upon boys, excuses only the original crime.”<sup>81</sup> Pullen’s point is carried under cover of a mere matter-of-fact observation: only adults have “actual sins”; circumcision is for “boys” and baptism for “adults”; and, therefore, baptism is a remedy for actual sins, but circumcision is not. Of course, Pullen knew full well that Christians baptize children and that Abraham and his first son and his male servants were all circumcized as adults at the institution of the ancient sacrament. Following his own logic, Pullen would have to admit that, as sacraments for children, neither baptism nor circumcision provides a remedy for actual sins. The comparison that counts, on this question, is the comparison of the sacraments as applied to adults. This is the comparison that Abelard and Hugh and the patristic authorities behind them must have had in mind when they attributed to circumcision the power to remove actual sins. Pullen’s rhetorical strategy, here, is to dismiss as merely silly the very idea that circumcision remedied actual sins by ignoring the biblical evidence for adult circumcision.

In book 3 Pullen denies that there is any salvific value whatsoever in the precepts of the Law: “Therefore, those who, spiritually diseased, were under the Law received its commands, not for the restoration of health, but for the mitigation of punishment, so that ‘the son of the slave woman shall not inherit with the son of the free,’ that is, the people of the synagogue with the people of the church.”<sup>82</sup> His belief in the near-total damnation of past Jews is unusually severe: “But now that whole people is to be counted among the condemned, except those—among many, very few—who were distinguished by Christian perfection.”<sup>83</sup> This opinion, one that I have not seen expressed by any other twelfth-century theologian, is extraordinarily distant from the views of Abelard, for example, who believed that faithful Jews had revealed to them everything else they needed for salvation, or Hugh of St. Victor, who believed that Jews living before Christ were saved vicariously through an elite class (the prophets) who had Christian teachings miraculously revealed to them.<sup>84</sup>

<sup>81</sup> Robert Pullen, *Sententiarum libri octo* 5.26, PL 186:849C: “Item baptisma tanquam propositum adultis actualia etiam contra peccata (praeterita tantum) sumitur remedio, in tantum fortasse ut nullam expiationis gratia requirant poenam post lavacrum. Circumcisio vero tanquam pueris oblata solum originale excusat noxam.”

<sup>82</sup> Ibid. 3.8, PL 186:772C: “Num ergo qui sub lege erant spiritualiter aegroti mandata acceperunt non ad restitutionem salutis, verum ad lenimentum damnationis, ut *Non sit haeres filius ancillae cum filio liberae* [Gal. 4.30]: videlicet populus Synagogae cum populo Ecclesiae.”

<sup>83</sup> Ibid. 3.8, PL 186:772C: “Sed jam totus ille populus cum perditis est deputandus, nisi si qui, inter multos paucissimi, Christiana perfectione eminebant.”

<sup>84</sup> Abelard, *Commentaria* 3, p. 200, lines 446–50. Hugh of St. Victor, *De sacramentis* 1.10.6, PL 176:339D; trans., p. 178.

Pullen's treatise on the Law is as much polemical as theoretical, and eventually the object of his polemic emerges clearly. Pullen asserts, as many twelfth-century theologians did, that "the sacraments of the Law" are signs of the future;<sup>85</sup> then, on the basis of this commonplace observation, he condemns anyone who still advocates the "sacraments of the Law" after the advent of Christianity: "The sacraments of the Law, therefore, promised future things. But now the promises are at an end because the matter of the promises has come to pass. He who still promises lies because the promise is already fulfilled."<sup>86</sup> His example, in this case, of a "figure" of a promised future thing is the Levitical distinction between clean and unclean foods. That command, and its attendant promise, now constitutes a lie—the statement of a promise that has already been fulfilled—and must be scrupulously avoided: "Let us not *Judaize*, distinguishing one kind of food from another, because in the Law of Christ, as the Apostle testifies, 'All things are clean to the clean' (Titus 1.15). Rather, as Christians, we ought to chastize our body through abstinence and reduce it to servitude."<sup>87</sup> Circumcision is, in the same way, a promise of the future that now, when observed literally, lies.<sup>88</sup>

Pullen's concern about the possibility of Christian Judaizing emerges once again in his reminder that Christians must not observe the seventh day as a day of rest: "And indeed we are able to fight with the Jews, if reason requires; but we are able to Judaize for no reason other than danger. For the Apostle did not Judaize when, forced by dissension, he circumcized a disciple. For, imparting to the deed no reverence, he amputated the foreskin as if a finger for the sake of peace. And as much as we shun Judaism, we should also guard against the Sabbath because what it signifies is rest from vices or, as we prefer, of the soul after death."<sup>89</sup> In short, he reminds his readers, "The sacraments of the Law are at an end," replaced by "sacraments of greater merit."<sup>90</sup>

Finally, in book 8 of his *Sententiae*, Pullen makes it absolutely clear that his explicit concern about Judaizing in book 3 is not simply theoretical or historical; he is concerned with ideological and practical Jewishness among contemporary

<sup>85</sup> Pullen, *Sententiae* 3.14, PL 186:778D: "Sacramenta futuri praesaga. . . ." Ibid. 3.14, PL 186:779B: "Sacramenta igitur legis futura promittebant."

<sup>86</sup> Ibid. 3.14, PL 186:779B: "Sacramenta igitur legis futura promittebant. Sed jam cessent promissiones quoniam promissionum successit res. Mentitur qui adhuc promittit, quoniam promissum jam implevit." This point is restated at 8.9, PL 186:972B–C: "Nimirum sacramenta caeremoniarum adhuc observata quoniam veritatem gratiae, quae jam venit adhuc futuram promittunt, falsitati jam deseruiunt. *Umbra namque futurorum lex* [Heb. 10.1], si adhuc tenetur, illud mentiens promittit futurum, quod actu rei novimus praeteritum."

<sup>87</sup> Ibid. 3.14, PL 186:779B: "Non judaizemus cibos a cibus distinguentes, quoniam in lege Christi, teste Apostolo, *Omnia munda mundis* [Tit. 1.15]. Potius ut Christiani per abstinentiam castigare corpus nostrum et in servitum redigere debemus."

<sup>88</sup> Ibid. 3.14, PL 186:779C.

<sup>89</sup> Ibid. 3.14, PL 186:779C–D: "Et quidem bellare cum Judaeis si ratio postulat, possumus; judaizare autem nulla ratione nisi cum periculo possumus. Non enim Apostolus judaizavit, cum seditione compulsus, discipulum circumcidit. Nam nullam facto impendens reverentiam, ita praepitium quasi digitem propter pacem amputavit. In tantum autem judaismum vitemus, ut et sabbatissimum caveamus; quoniam quam figurat quietem, a vitiis aut animae post mortem praeferimus."

<sup>90</sup> Ibid. 3.14, PL 186:779D: "Legalia ergo sistuntur sacramenta, quorum loco succedunt aut alia quasi majoris meriti sacramenta. . . ."



Christians.<sup>91</sup> In a further polemic against observance of the Law—this in the context of a discussion of Jesus’s observance of the Passover meal on the night before he was executed—Pullen argues that, according to Paul, “the cult of the Law is not at all distant from the cult of idolatry.”<sup>92</sup> As such, Christians must scrupulously avoid observing the Law. Jews, Pullen says, “Judaize” when they abstain from certain foods or celebrate the Sabbath. Christians, he points out, also abstain from certain foods and observe a day of rest (on Sunday), but as long as they do it for other reasons, by “Christian custom,” they do not “keep the Law” and so do not Judaize.<sup>93</sup> Nevertheless, the danger of Judaizing always exists: “For unless too great a necessity forces us, nothing is to be done with the Jews for very long or to too great an extent, lest they be able to glory about our own kind of Judaizing. Let us take care, therefore, lest, as they say, we imitate the supper of the Lord even to the point that we Judaize.”<sup>94</sup> Pullen’s particular concern is the practice, among some Christians, of imitating Jesus by celebrating an extra Passover-type meal outside of the church’s celebration of the “Lord’s supper” on Holy Thursday. What necessity, Pullen demands, compels such a violation of the Lenten fast? “‘Keeping the custom of the church,’ you reply, but, among us, this is a custom of the laity or of none or of few; the greater part of clerics do not keep this custom, and the monasteries avoid it most religiously.”<sup>95</sup> Pullen’s argument against the practice concludes with this scornful rebuke of the “transgressor”: “Unjust imitator of the Lord, you Judaize.”<sup>96</sup>

Robert of Melun, whose *Sententiae* (written c. 1155–60) constantly engages the ideas of Abelard, Hugh of St. Victor, Roland of Bologna, and other contemporaries, announces his concern with Judaizing forms of Christianity at the very start of his extensive examination of Christian doctrine, a work in which he has more to say on the nature of the Law and its status in Christianity than nearly anyone I have yet discussed.<sup>97</sup> Like Abelard and Hugh, Robert thought that Christianity really cannot be understood without an assessment of the Law. Yet that admission led him, not to explore the possibility of a continuing presence of the

<sup>91</sup> A passage in Courtney, *Cardinal Robert Pullen*, p. 221, brought this to my attention: “So anxious is Pullen to prevent any reintroduction of Old Testament rites, that he inveighs at length against a custom of partaking on the evening of Maundy Thursday of a meal additional to the one sanctioned by ecclesiastical Law during Lent.”

<sup>92</sup> Pullen, *Sententiae* 8.9, PL 186:972B: “Atque ideo vir zelo domus Dei ardens, toties contra legem disputat, quatenus quae noviva sunt radicitus evellat, insinuens a cultu idololatriae cultum legis parum distare.”

<sup>93</sup> *Ibid.* 8.9, PL 186:973A.

<sup>94</sup> *Ibid.* 8.9, PL 186:973A–B: “Nisi enim necessitas nimia cogat, nihil cum Judaeis agendum est tale aut tandiu, ut de nostra quasi Judaizatione gloriari queant. Caveamus ergo ne, ut aiunt, coenam Domini usque adeo imitemur, ut judaizemus.”

<sup>95</sup> *Ibid.* 8.9, PL 186:973B–C: “*Morem Ecclesiae servandum* respondes, hic autem mos laicorum aut nullorum est apud nos, aut paucorum; clericorum pars maxima morem hunc non servant, conventusque religiosissimi evitant.”

<sup>96</sup> *Ibid.* 8.9, PL 186:973D: “Dupliciter itaque praevaricatorem te constituis, dum nec praecipuum jejunii genus observas, Domini imitator injurius judaizas.”

<sup>97</sup> On Robert of Melun, see Raymond-M. Martin, “L’œuvre théologique de Robert de Melun,” *Revue d’histoire ecclésiastique* 15 (1914), 456–89; and Luscombe, *The School of Peter Abelard*, chapter 12.

Law in Christianity, but to argue against the very idea at greater length—and with greater clarity—than Roland of Bologna or Robert Pullen.

The first and second chapters of the *Sententiae* ask, respectively, “whether the Old Testament fittingly precedes the New in its teaching” and “whether the Old Testament is a fitting testimony to the New.”<sup>98</sup> Having defended the rightful place of the Old Testament in Christianity, Robert of Melun passes, in the third chapter, to what he sees as the contrary error—an error about which he seems to be much more concerned, given the relative length, intensity, and detail of his argument: “Concerning whether the Law is to be kept with the Gospel.” He adopts a very strict line about the meaning of “keep (*tenere*),” when used in reference to the Law: “For what is it to keep the Law other than to observe its precepts? For the Law itself is precepts, and the precepts themselves are the very Law. Therefore, in no way are these seen to be observed unless the Law is kept. The Law cannot be kept if the precepts are not observed.”<sup>99</sup> Roland’s argument that the Law is to be kept in one sense and not kept in another is covered with scorn. The “Law,” Robert of Melun argues, does not mean both the words and the future things signified by the words—it means simply the words; if one “keeps” the Law, one is committed to keeping the words.<sup>100</sup> And this, he thinks, is unacceptable:

All those, therefore, who argue for this [the proposition that “the Law is to be kept with the Gospel”] and work to defend it are not experts in argument but in heresy. Because indeed the contentious defense not only of a condemned opinion, but even of the locution, makes one a heretic. Therefore, these ways of speaking are not to be kept and accepted at the same time: The Law is to be kept, the Law is not to be kept. For whoever judges this to be acceptable—“The Law ought to be kept”—is guilty of heretical perversion.<sup>101</sup>

The Law, he allows, is to be “accepted (*esse recipienda*)” as long as it is clear that there is no sense in which it is to be “kept”: “Therefore, it must be conceded that the Law and the precepts of the Law brought forth in witness are to be accepted; but it will not, therefore, be true that the Law is to be kept or its rites celebrated.”<sup>102</sup> Robert of Melun goes to great lengths, in his very careful attention to the language appropriate for describing the place of the Law in Christianity, to distance Christianity from the Law and from the slightest belief that observances of the Law have a place in Christianity. For Robert of Melun, the threat of ideo-

<sup>98</sup> *Œuvres de Robert de Melun*, ed. Raymond M. Martin, 3 vols. in 4, Spicilegium Sacrum Lovaniense, Études et Documents, 13, 18, 21, and 25 (Louvain, 1932–52), 3/1:159–62.

<sup>99</sup> *Ibid.* p. 163, lines 2–6: “Quid enim aliud est legem tenere quam eius precepta observare? Nam ipsa lex est precepta, et ipsa precepta sunt ipsa. Nullo itaque modo hec observari videntur, nisi lex teneatur. Neque enim Lex teneri poterit, si precepta non observantur.”

<sup>100</sup> *Ibid.*, p. 164, lines 12–22, and the elaboration of the argument on p. 165. Roland’s position is cited at p. 164, lines 13–15: “Aiunt enim Legem adhuc esse tenendam, et Legem non esse adhuc tenendam. Sed aliter et aliter hoc verum esse dicunt.”

<sup>101</sup> *Ibid.*, p. 166, lines 11–19: “Quicumque ergo pro ea contendunt et in eius defensione laborant, expertes heretice contentionis non sunt. Siquidem non solum hereticum facit dampnate sententie contentiosa defensio, verum etiam locutionis. Non sunt itaque tenende ac simul recipiende hee locutiones: Lex est tenenda, Lex non est tenenda. Nam quicumque hanc recipiendam iudicaverit: Lex est tenenda, heretice pravitatis culpe subiacebit.”

<sup>102</sup> *Ibid.*, p. 167, lines 10–12: “Est itaque concedendum, Legem et Legis precepta in testimonium adducta esse recipienda; sed non ideo verum erit, Legem esse tenendam nec eius ritus esse celebrandos.”

logical Jewishness is as close as Peter Abelard and, more severely still, Roland of Bologna; the perceived proximity and seriousness of the threat are, I think, what explain the placement of this anti-Judaizing manifesto at the very start of his *Sententiae*.

The second book of the *Sententiae* begins with 115 questions on circumcision and the Law, evidence that those academics who have the most to say on the subject were not necessarily motivated, as Abelard and Hugh of St. Victor were, by an elevated sense of the Law's value.<sup>103</sup> Chapter 17 perfectly captures the tone and objective of the treatise as a whole: "Therefore, those who judge that the teaching of the Law is sufficient for salvation Judaize and become wrapped up in the error of the Jews. For if the teaching of the Law is sufficient for salvation, there is no reason for the Gospel to replace the Law in the perfection of teaching."<sup>104</sup> Here, as in the introductory chapters of book 1, Robert of Melun is concerned, above all, with establishing the heresy of Christians who teach that the Law—or as he puts it in some places, "the whole of the Old Testament"<sup>105</sup>—provided, in any way at all, the teaching necessary for salvation.

#### 5. INQUIRY AND CONCERN, c. 1160–c. 1200

In the generation following Peter Lombard and Robert of Melun, both of whom died in the 1160s, Peter the Chanter (d. 1197) and Peter of Poitiers (d. 1205) demonstrate the continued conviction among academic intellectuals that something needed to be said about circumcision and the Law in systematic studies of Christian doctrine.<sup>106</sup>

Peter the Chanter's *Summa de sacramentis* begins with three questions on the sacraments of the Law; the second section of the work, "On the Sacrament of Baptism," touches on circumcision in four further questions.<sup>107</sup> His treatment of circumcision and the Law combines aspects of my first and second categories: it is certainly brief, and it limits, for example, the salvific efficacy of circumcision in

<sup>103</sup> For a list of chapters, see *ibid.*, pp. 140–46. Book 2 of the *Sententiae* has not been edited. I have used Saint-Omer, Bibliothèque municipale, MS 121, fols. 1–96.

<sup>104</sup> Saint-Omer 121, fol. 7r: "Judaizant ergo et iudeorum involuuntur errore qui legis doctrinam iudicant ad salutem sufficere. si enim legis doctrina ad salutem sufficiens est non est ratio evangelium in doctrinae perfectione legi proponere."

<sup>105</sup> See, e.g., Saint-Omer 121, fol. 6v, chapter 16.

<sup>106</sup> A late-twelfth-century manuscript (Paris, Bibliothèque Sainte-Geneviève, MS 1369) includes an anonymous stand-alone treatise on circumcision, the Law, and the sacraments of the Law covering thirteen double-column folios. Coverage of the theoretical issues involved is, again, expansive and detailed, while positively closed to the idea that observance of the Law, understood according to the letter, is to be maintained, in any way, in Christianity. Consider, for example, the summary remark just before the author commences the section on the "sacraments of the Law" (fol. 74v, lines 22–29). It is significant that, in yet another case, the subject is thought important enough—for negative reasons—to merit its own treatise. The section on the "sacraments of the Law" seems to try to cover the same ground as Abelard, in order to show that continuing certain practices of the Law does not imply observance of the Law according to the letter. I am currently preparing an introduction to and edition of this treatise.

<sup>107</sup> For an introduction to Peter the Chanter, see John W. Baldwin, *Masters, Princes, and Merchants: The Social Views of Peter the Chanter and His Circle*, 2 vols. (Princeton, N.J., 1970). See also Watt, "Parisian Theologians" (above, n. 71).

the way that Peter Lombard did,<sup>108</sup> but, at the same time, it sees the possibility of merit in the sacraments of the Law and accepts the continuation of certain observances of the Law in Christianity.

Peter the Chanter's first and principal question on the subject asks whether "works done according to the sacraments of the Law were meritorious."<sup>109</sup> His almost exclusive focus on this single aspect of the issue allowed him to compare existing evaluations of the Law and propose what he clearly regarded as a compromise position. For simply by asking whether or not the sacraments of the Law had merit, he distances himself from works of the first category, like those of Abelard and Hugh, whose arguments unproblematically assume that merit is attached to faithful observance of the Law; and, by trying to determine ways in which the sacraments of the Law did have merit, he distances himself from works of the third category, like those of Robert Pullen and Robert of Melun.

There is a point, in Peter the Chanter's back-and-forth on this first question, at which he adopts a position, like that of Abelard or Hugh, on the continuation of nonmoral commands of the Law in Christianity: "We still retain certain of these observances (*figuralibus*), such as incense, which signify nothing now that they did not then." If they have merit now, he argues, and neither the observance nor the thing signified by the observance has changed, then they must have had merit then: "Let us say, therefore, that works of this sort were meritorious."<sup>110</sup> In what immediately follows, he denies the force of this argument, but he does not deny the first premise. Ultimately, he tries to resolve the many conflicting arguments he cites, for and against the idea that there was merit in works done according to the sacraments of the Law, by appeal to a distinction between merit and the "increase of merit": "Or it can be said that the authorities do not take away merit, but the increase of merit (*cumulum meriti*)."<sup>111</sup>

Though he wrote nearly twenty years later, Peter of Poitiers's treatise on the Law is similar to Roland of Bologna's: expansive, largely negative in its evaluation of the Law, but not explicitly anti-Judaizing.<sup>112</sup> Book 4 of his five books of *Sen-*

<sup>108</sup> See Peter the Chanter, *Summa de sacramentis et animae consiliis*, part 1, ed. Jean-Albert Dugauquier, *Analecta Mediaevalia Namurcensia* 4 (Louvain, 1954), pp. 51–52. The argument concludes at p. 52, lines 17–20: "Dicendum tamen quod circumcisio non conferebat remissionem actualis peccati quia ad hoc non fuit instituta, sed tantum ad remedium originalis peccati."

<sup>109</sup> *Ibid.*, p. 13, lines 1–3: "Queritur de sacramentis legalibus . . . utrum opera in eis facta essent meritoria."

<sup>110</sup> *Ibid.*, p. 14, lines 18–24: "Adhuc retinemus quedam de illis figuralibus ut incensum quod nichil modo significat quod non tunc. Nunquid dices quod sacerdos non meretur modo incensando altare ex caritate? Preterea, sicut illa erant figura eorum que modo facimus, ita modo facimus quedam que sunt figura eorum que nondum sunt, sed erunt in patria. Nunquid dices illa non esse meritoria? Dicimus ergo quod huiusmodi opera erant meritoria."

<sup>111</sup> *Ibid.*, p. 17, lines 87–96: "Vel potest dici quod auctoritates non remouent meritum, sed cumulum meriti. Tria enim erant in veteri testamento et similiter sunt in nouo, scilicet voluntas, opus et sacramentum in quo exercetur opus. In veteri testamento tantum ab altera extremitate hauriebat medium, nam agnus ui immolabatur non plus valebat quam alius agnus. In nouo autem testamento medium utrimque haurit, id est ab utraque extremitate: a voluntate enim habet opus quod est meritum, a sacramento autem habet cumulum meriti."

<sup>112</sup> On Peter of Poitiers, see Philip S. Moore, *The Works of Peter of Poitiers, Master in Theology and Chancellor of Paris (1193–1205)* (Washington, D.C., 1936), and the introductory material in

*tentiae* (c. 1167–70) begins with four extended chapters on matters having to do with revelation and sanctity before the advent of Christ: “Did the holy ones who existed before the advent of Christ deserve to go down to hell?” “What is the power of circumcision, and how does it differ from baptism?” “About the ritual laws: did they bring eternal salvation to those who observed them?” Lastly, “where do the Ten Commandments of the Law stand?” Here we have yet another manifestation of the continuing conviction among Christian academics that the nature of Christianity cannot be understood without understanding the preceding revelation and the relationship of the New Law to the Old. Peter of Poitiers’s attention to the issues involved is sustained, but, in the end, he wants especially to impart to his readers the dead certainty that no observance should survive in Christianity of the nonmoral commands of the Law.

This point is made in the third chapter of book 4, “On the Ceremonial Precepts (*De caeremonialibus*),” where Peter’s assertion is unqualified: “But the Law consists in three things: promises, ceremonial precepts, and moral precepts.” Of those three the promises are finished and the moral precepts (“*moralia*”) retained, but “ceremonial precepts are destroyed according to the letter.”<sup>113</sup> Roland took a literary turn with his metaphor of the snake charmer; in a series of linked analogies, Peter of Poitiers asks us to imagine wine bars and wetness:

Now it is asked, since the ceremonial precepts signify the same thing that the letter of the Law does, why, given that the ceremonial precepts are cast aside, is the [letter of the Law] held in honor and read in the church, when nothing that is contained there about the ceremonial precepts is observed according to the letter. To which we say that there are signs that signify something present, as a circle hanging before a house indicates that wine is for sale in the house. So that if a circle is hanging and there is no wine for sale, it is a false sign. It is another kind of sign that signifies something past, as wetness of the earth [signifies] past rain. It is another [sign] that signifies something present and future, as the blessing of ashes, which in the beginning of Lent are placed upon the heads of Christians, signifies their present humility and future decay into ashes. But the ceremonial precepts were signs only of future things. So that if they were now done in some way, it would signify that those things were future [e.g., the sacrifice of the Passover lamb for the suffering of Christ] of which they are figures and signs. And so because those things are no longer future, *they are false signs.*<sup>114</sup>

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*Sententiae Petri Pictaviensis*, ed. Philip S. Moore, Marthe Dulong, and Joseph N. Garvin, Publications in Mediaeval Studies 7 and 11 (Notre Dame, Ind., 1943 and 1950). This edition includes only the first two of five books; for the rest, see PL 211:783–1280.

<sup>113</sup> Peter of Poitiers, *Sententiarum libri quinque*, PL 211:1144C: “Lex autem in tribus consistit, in promissis, in caeremonialibus, in moralibus. Promissa in Christi morte impleta sunt. Caeremonialia ad litteram sunt destructa, sed spiritualia servantur sicut et moralia.” Given the initial three-part distinction (promises, ceremonial matters, moral matters) on which his point depends, I assume that the *spiritualia* grouped here with the *moralia* are to be understood as the spiritual interpretations of the *caeremonialia* that still remain when the literal interpretations are destroyed.

<sup>114</sup> *Ibid.*, PL 211:1144C–D: “Quaeritur autem, cum caeremonialia idem significant quod littera legis, cur, illis abjectis, haec in honore habetur, et in Ecclesia legitur, cum nil quod de caeremonialibus ad litteram ibi contineatur observetur. Ad quod dicimus quod sunt signa quae rem praesentem significant, ut circulus ante domum pendens designat vinum esse venale in domo. Unde si pendeat circulus et non sit vinum venale, falsum est signum. Est aliud signum quod significat rem praeteritam, ut madefactio terrae pluviam praeteritam. Est aliud quod significat rem praesentem et futuram, ut cinis benedictus, qui in Capite jejunii superponitur capitibus Christianorum, significat praesentem humilitatem eorum,

There is nothing about Judaizers here, but Peter of Poitiers is clearly concerned with eradicating any temptation to believe, as Abelard did, that we maintain “some things according to the letter, just as we maintain the words.” About reading the words of the Law according to the literal sense, Peter of Poitiers only has this much more to say: “But the letter of the Law is always to be venerated, because while it is read, it confirms our faith, while it calls back to our memory those things which we believe were predicted by the holy prophets.”<sup>115</sup> The words of the Law are to be venerated, but the commands they convey rejected.

## 6. INQUIRY AND POLEMIC, c. 1200–c. 1230

Two treatises from the first decades of the thirteenth century show, if anything, an intensification of both academic interest in the Law and anti-Judaizing concern. William of Auvergne’s very long treatise on the Law, *De Legibus* (c. 1230), analyzes its subject far more comprehensively than any other such work written in the twelfth century.<sup>116</sup> And it also shows a different attitude toward the Law from that of any single treatise I have discussed so far—a striking composite of elements from my first and third categories. William combines a highly positive evaluation of the Law and its role in Christianity with explicit warnings about the dangers of practical Jewishness.

William’s first objective is to describe the Law and defend its worth at length (an eleven-page first chapter in the seventeenth-century edition) against its detractors, historical (the Manichees, for example) or contemporary. A section describing miraculous proofs for the veracity of the Law concludes with this tribute to its fundamental goodness, a tribute more comprehensive and definitive than even Abelard’s:

Therefore, it is clear from all these [testimonies] that the Law of Moses was raised up with God as author and source. That is why there is nothing in it that is useless, nothing superfluous, nothing absurd. Therefore, there is nothing in it, whether command or prohibition, nothing, whether Law or story, that does not have a rational explanation and sufficient reason, whether concealed or manifest.<sup>117</sup>

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et futuram resolutionem in pulverem. Caeremonialia autem non erant signa nisi rei futurae. Unde si modo fierent, significaretur quod illa essent futura quorum haec sunt figurae et signa. Et ita cum illa non sint futura, falsa essent signa.”

<sup>115</sup> Ibid., PL 211:1144D–1145A: “Sed legis littera ideo semper est veneranda, quia dum legitur, fidem nostram confirmat, dum nobis ad memoriam revocat ea quae credimus a sanctis prophetis praedicta. . . .”

<sup>116</sup> William of Auvergne, *De Legibus*, in *Opera omnia*, 1 (Paris, 1674; repr. Frankfurt am Main, 1963). In this edition, *De Legibus* covers eighty-four double-column folio pages. For an outline of William’s life, see Smalley, “William of Auvergne” (see above, n. 21), pp. 27–28. Smalley’s article, which was brought to my attention by Joseph Goering after I had completed this section on William, includes a lengthy study of *De Legibus* (pp. 28–46), in which she demonstrates William’s exclusive emphasis on the literal sense and rejection of the allegorical and tropological senses in his interpretation of the Law.

<sup>117</sup> William of Auvergne, *De Legibus*, p. 25, col. 1B: “Apparet igitur ex omnibus his legem Moysi Deo auctore, et conditore editam esse. Quare nihil in ea inutile, nihil supervacuum, nihil absurdum. Nihil igitur in ea vel praeceptum, vel prohibitum est, nihil vel statutum, vel narratum, quod non habeat causam rationalem, et sufficientem rationem, sive occultam sive manifestam.”

This observation, as unambiguous as it is, is reiterated at the start of the second chapter, where it serves as the starting point to a series of arguments for the rationality of each major element of the Law:

Now, let us go back to where we were and continue our discussion, for by now it is clear that there is nothing in the whole Law that does not have a rational explanation, whether command or prohibition or story. It is clear that there is nothing absurd, nothing irrational in it, and this is shown clearly in many places, since the matters shown there uphold what is reputable or useful. And because of this, it is not necessary that we labor any further. Let us begin, therefore, among other things, to examine, according to the letter, the explanations and reasons for the commands and prohibitions.<sup>118</sup>

William proceeds, from here, to a discussion of the value of sacrifices, the altar, and circumcision. And then he considers other prohibitions and commands that “seem absurd according to the letter”: uncleanness in men, women, and animals, for example, as well as commands governing clothing and the mixing of kinds.<sup>119</sup> His arguments for the rationality, the goodness, the fundamental worth of each nonmoral command of the Law as interpreted “according to the letter” are many, but underlying them all is the argument that such commands of the Law crushed idolatry and secured devotion to the one God.<sup>120</sup>

It is the perceived value of the Law, including its nonmoral and ostensibly irrational elements, as an antidote to idolatry in the past that leads William to embrace the rightness of continued observance of such “seemingly absurd” commands of the Law in the present:

Now from these, it should be clear to you, and convincing, that those things which seem to be absurd in the Law are to be understood according to the letter, and that there are just and rational reasons for its commands and its prohibitions, and that in that time the primitiveness and lack of education of the people, and the resemblance and proximity of idolatry required precepts and prohibitions of this sort. Let us also show you that the greater part of those [things that seem to be absurd in the Law] continue even among us, just like, for example, commands against the observance of superstitions, which we enumerated above. . . .”<sup>121</sup>

<sup>118</sup> Ibid., p. 29, col. 1C: “Revertamur autem ad id in quo eramus, et dicamus, quia postquam jam claruit nihil esse in tota lege, quod non habeat causam rationabilem, sive praeceptionis, vel prohibitionis, aut enarrationis. Manifestum nihil esse absurdum, nihil irrationale in ea, et hoc in multis evidenter apparet, cum manifestae, vel honestatem contineant, vel utilitatem. Et propter hoc non oportet nos aliquatenus laborare. Incipimus igitur in aliis, causas, et rationes praeceptionum, et prohibitionum, juxta litteram aperire.”

<sup>119</sup> Ibid., p. 34, col. 1G.

<sup>120</sup> See, e.g., *ibid.*, p. 24, col. 1G: “Secunda causa execrabilis idolatria multiplex, in cujus eliminationem pro parte magna intendit lex, et hoc potissimum in omnibus mandatis, quae absurda videntur, et nullam utilitatem afferre servantibus.” On the Law as a weapon against idolatry, Smalley, “William of Auvergne,” pp. 30–31 (and elsewhere), demonstrates William’s debt to Maimonides’ *Guide of the Perplexed*.

<sup>121</sup> William of Auvergne, *De Legibus*, p. 46, col. 1H–col. 2E: “Licet autem ex his clarum tibi sit, et merito, quia juxta litteram intelligenda sunt ea, quae absurda videntur esse in lege, et quia causas habent justas ac rationabiles suae praeceptionis, et suae prohibitionis, et quia tempus id, et populi ruditas, et ineruditio, idolatriaeque proximitas, ac vicinitas, praecepta, et prohibitiones hujusmodi requirebant. Ostendimus etiam tibi, quia magna pars eorum etiam apud nos extant, sicut prohibitiones observationum superstitiosarum, quas proxime enumeravimus. . . .”

The ongoing threat of idolatry, then, makes most of the Law still “reputable” and “useful” for Christians. What sort of idolatry threatened the faithful in William’s day? This is where we see William’s concern about Judaizing emerge in the midst of his running defense of the Law:

[A]nd such commands and prohibitions are also observed among us on account of the appearance of Jewishness and Saracenishness, and suspicions of other superstitions, and on account of this it is right that like commands and prohibitions were done for similar reasons much more strongly for that primitive people nourished by idolatry and pressed all around; but now let us say that if things of this sort do not have a literal sense, or understanding, many unfitting and many absurd things would follow.<sup>122</sup>

And so, in William’s argument, Christians avoid Jewishness, among other idolatries, by observing, according to the letter, certain elements of the Law. He is vague, at this point, about precisely what commands of the Law help Christians to avoid Jewishness (or Saracenishness or other superstitions), but his generalized concern about Judaizing is abundantly confirmed elsewhere in the work, always in the context of a pan-historical concern about idolatry: “If someone among us wanted to cease from manual labors on the day of the Sabbath, even in order to have time for prayer, the church would not allow this, and this on account of the appearance of Jewishness (*Judaismi*), and if this were a custom, it would be hard to justify it. What, therefore, is surprising if every kind of idolatry was forbidden that people in that time, when a kind of Jewishness is condemned in the same way among us?”<sup>123</sup> And in chapter 26, on “idolatry of the elements,” the mutilation and marking of the body are condemned as signs and instruments of idolatry, from which Christians are rightly restrained by the Law, even as they now count circumcision itself among these “most abominable pollutions.”<sup>124</sup>

In the *De cessatione legalium* (1231–35) of Robert Grosseteste, a work fitting squarely in my third category, we find a culmination of the anti-Judaizing impulse in academic literature on the Law.<sup>125</sup> This treatise brings concern about ideological Jewishness to the forefront. As Grosseteste explains in his introduction to the treatise, his theological purpose is as much polemical as theoretical, and the object of his polemic is explicitly Christians who insist on the observance of “sacraments

<sup>122</sup> *Ibid.*, p. 46, col. 2E: “. . . et quia etiam tales praeceptiones et prohibitiones fiunt apud nos propter speciem Judaismi, et Saracenisimi, aliarumque superstitionum suspiciones; et propter hoc merito ex similibus causis similes praeceptiones, et prohibitiones primitivo illi populo, et idolatriae innutrito, et circumquaque obsessio, multo fortius faciendae fuerunt: nunc vero dicemus quod si huiusmodi non haberent literalem sensum, sive intelligentiam, multa inconvenientia, multaque absurda viderentur.”

<sup>123</sup> *Ibid.*, p. 46, col. 1F: “Si quis vellet apud nos die sabbati cessare a servilibus operibus, etiam ut vacaret orationi, non sustineret hoc Ecclesia; et hoc propter speciem Judaismi; et si consuetudinarius esset, dure in eum vindicaretur. Quid ergo mirum, si omnis species idolatriae tunc temporis prohibebatur populo illi, quando species Judaismi ita damnatur apud nos?”

<sup>124</sup> *Ibid.*, p. 90, col. 1F: “Ex his igitur omnibus apparet justitia divinae legis, quae omnia ista nefaria prohibuit, utpote, et humani generis pollutiones abominabilissimas, et creatoris intolerabiles injurias. Quemadmodum enim Christiano nefas est circuncidi; sic et huiusmodi stigmatibus incidi, et characteribus imprimi, et multo amplius, videlicet quanto execratio idolatriae detestabilior est, quam ritus Judaicus.”

<sup>125</sup> On this treatise, see the introduction to Robert Grosseteste, *De cessatione legalium*, ed. Richard C. Dales and Edward B. King, *Auctores Britannici Medii Aevi* 7 (London, 1986).



of the Old Law.” For Grosseteste, as for Robert Pullen, Robert of Melun, and William of Auvergne, a discourse on the threat of Judaizing is not simply an academic exercise of an ancient controversy; it is directed toward present as much as past concerns:

There were many in the early church who argued that the sacraments of the Old Law ought to be observed at the same time with the sacraments of the New Law and that there was no salvation without their being observed. This opinion of theirs was reprovved by decree of the apostles recorded in the Acts of those same apostles, and most ably condemned by blessed Paul in the letters to the Romans and to the Galatians. Because, therefore, they [i.e., the proponents of the condemned position] were able to defend the error of their opinion as much by authorities as by fallacious arguments—and because by those arguments and authorities, even now faith can waver in the minds of the weak—let us present certain [authorities and arguments] that would seem to confirm their opinion, just as they occur to our small and impoverished mind and memory. And when these have been presented and, in their place, resolved in our small measure, we will also present certain [authorities and arguments] that disprove this error and confirm that the Law is abolished through the grace of Christ.<sup>126</sup>

Detailed arguments then follow in favor of Christian observance of the Sabbath, circumcision, ritual precepts, and, in general, the whole of the Law, following the authority of Matthew 5.17. Grosseteste concludes these several pages of argument in ways that again show that his concern is as much about the present as the past: “Therefore, by these and other reasons of this sort, and by very many more compelling arguments that are concealed by the smallness of my mind, pseudoapostles were able to defend their assertion that ritual Laws ought to be observed with the sacraments of the Gospels. Therefore these types are adversaries of both Testaments because while they wish to observe both at the same time, they destroy both.”<sup>127</sup> His refutation promises to make clear that the “imaginings of these calumniators are to be abolished and that the observation of the ritual observances of the Old Law now in the time of grace is not only superfluous but even pernicious.”<sup>128</sup>

<sup>126</sup> *Ibid.*, p. 7, lines 1–13: “Fuerunt plurimi in primitiva ecclesia qui astruerent sacramenta veteris legis simul cum sacramentis nove legis observanda esse nec sine illorum observacione salutem esse. Quorum sententia decreto apostolorum in eorundem apostolorum Actibus conscripto reprobata est, et a beato Paulo in epistolis ad Romanos et ad Galathas efficacissime improbata. Quia ergo sentencie sue errorem tam auctoritatibus quam argumentis fallacibus potuerunt astruere, quibus argumentis et auctoritatibus etiam adhuc posset fides in infirmorum mentibus vacillare, ponemus quedam que eorum sententiam videntur confirmare, prout occurent parvitati et paucitati ingenii et memorie nostre. Quibus pro modulo nostro positis et in suis locis solutis, ponemus etiam quedam que hunc errorem improbent, et legem per Christi gratiam evacuatam esse confirment.”

<sup>127</sup> *Ibid.*, p. 14, lines 22–26: “Hiis itaque et huiusmodi racionibus, et forte multo cogentioribus que mei ingenii parvitatem latent, potuerunt pseudo-apostoli suam assercionem astruere de observandis legalibus cum sacramentis evangelicis. Huiusmodi igitur pseudo-adversarii sunt utriusque testamenti, quia dum volunt utrumque simul observare, utrumque destruunt.”

<sup>128</sup> *Ibid.*, pp. 16, line 30–17, line 1: “Igitur ut magis clarescat quam evacuanda sunt huius calumpniarum fantasmata, et quod cerimonialium veteris legis observacio nunc tempore gracie sit non solum supervacua, sed etiam perniciosa. . . .”

7. CONCERN ABOUT JUDAIZING IN THE TWELFTH CENTURY:  
IDEOLOGICAL JEWISHNESS AND HERETICAL MOVEMENTS

In even the most explicitly anti-Judaizing treatises on the Law, the identity of the targeted Judaizers is never clear. Instead, academic condemnations of ideological and, less frequently, practical Jewishness do no more than suggest a shadow world of silent Judaizers in the intellectual communities of northern Europe between the 1130s and the 1230s. These are the “certain people,” the “Judaizers,” the “weak-minded”—in short, those who, without treatises of their own, seem nevertheless a staple of academic experience and discourse. Are these concerns about ideological Jewishness merely academic? That is, were authors of third-category treatises motivated to write simply by the recurring popularity among academics (students perhaps) of certain ideas thought by their critics to be too generous to the role of the Law in Christianity and, thus, too close to Jewishness?

At least one later author thought otherwise. To the author of the *Summa contra haereticos* (1184–1210), questions about ideological and practical Jewishness were not merely academic. Well over half the work (sixteen of twenty-seven chapters)<sup>129</sup> is devoted to what is described as a heretical movement, the so-called Passagini, who were condemned at the Synod of Verona (1184) and four times thereafter, in the first half of the thirteenth century, by papal, conciliar, and imperial authority.<sup>130</sup> The author’s stated objective is polemical, not theoretical—his primary motive is not to explore the place of the Law in Christianity but to describe and refute Judaizing heresy—and yet, in its content and approach, this work closely resembles some of the third-category treatises on the Law discussed so far. The second chapter against the Passagini begins in this way:

The aforesaid heretics also go further, saying that the Old Testament ought to be observed to the letter just like the New, arguing against us in general as well as with respect to particulars, about the observation of the Sabbath, for example, about circumcision, about dietary restrictions, and about certain other matters which we will take up in what follows. In general, they argue against us in this way. Christ said in the Gospel of Matthew (5.17), “Do not think that I have come to destroy the Law or the prophets, but to fulfill them.” Behold the lord of the Law did not destroy the Law but fulfilled it. Why shouldn’t we observe the Law?<sup>131</sup>

These and other subjects, including the question of whether the Passover is to be observed and whether the ancient saints had to go down to hell before the suffering

<sup>129</sup> The Garvin and Corbett edition (see below, n. 131) has twenty-seven chapters, of which sixteen (5–20) address the Passagini and only four (1–4) address the Cathars.

<sup>130</sup> On the “Passagini” and “Circumcisi” see Raoul Manselli, “I Passagini,” *Bullettino dell’Istituto storico italiano per il medio evo e Archivio Muratoriano* 75 (1963), 189–210; and Walter L. Wakefield and Austin P. Evans, *Heresies of the High Middle Ages* (New York, 1969), pp. 173–85.

<sup>131</sup> *The Summa contra haereticos Ascribed to Praepositinus of Cremona*, ed. Joseph N. Garvin and James A. Corbett, Publications in Mediaeval Studies 15 (Notre Dame, Ind., 1958), p. 92, lines 1–20: “Addunt etiam prefati heretici dicentes vetus testamentum esse observandum ad litteram sicut et novum, opposcentes nobis in generali, deinde in speciali, velut de observatione sabbati, de circumcisione, de ciborum discretione et de aliis quibusdam de quibus subsequenter tractabimus. In generali sic opponunt. Dixit Christus in evangelio Matthei (5.17): *Nolite putare quia veni solvere legem aut prophetas sed adimplere*. Ecce dominus legis non solvit legem sed adimplevit. Quare nos debemus legem observare.”

of Christ, overlap with the treatises on circumcision and the Law that I have examined.

Despite certain similarities between the *Summa contra haereticos* and academic treatises on the Law, at least treatises of the third category, the author explicitly distinguishes his own work from such treatises. He is critical of the failure of the theoretical-minded to adequately refute Judaizing heresy. One must address, he says, the Passagini (and the Cathars—the contrary heretical extreme) with straightforward attention to the fundamentals necessary for salvation:

Disregarding the pointless and, indeed, pernicious subtlety of the questions of the scholastics, we want, instead, to consider, with as much care as we can, the questions and opinions which are ventured about the things necessary for salvation, those that are of use to one who says with Isaiah (1.16–17): “Cease to do perversely; learn to do well.” “Cease to do perversely,” turning away from empty and useless things. “Learn to do well,” investigating rather those things which are necessary for salvation. And these are two: right faith and just works.<sup>132</sup>

What prompted this introductory diatribe, one launched, it must be emphasized, not specifically against the Cathars and the Passagini—that will come later—but against the “scholastics”? What makes their questions “pernicious” as well as “pointless”? Is it simply that they do no good? Subtle questions, subtly considered, that do not adequately silence heretics do no good. That would seem to make them “pointless,” but not “pernicious.” The author’s condemnation suggests that they not only do no good but positively do harm: perhaps the author thinks scholastic questions about circumcision and the Law are “pernicious” because they generate or reinforce the heretical positions attacked in this *Summa*. If such is the case, that makes the *Summa contra haereticos*, despite its attempt to distance itself from academic discourse, even more like third-category treatises on the Law—that is, academic treatises that target opinions about the Law held by other academic intellectuals.

In the end it is difficult to say anything certain about the relation of perceived ideological Jewishness to heretical movements.<sup>133</sup> On one hand, the language of the *Summa contra haereticos* suggests the existence of a Judaizing movement, and its author distinguishes academic theology from the movement, while blaming academic intellectuals for their role in abetting, if not fostering, the movement. On the other hand, upon closer inspection, the *Summa contra haereticos* looks every bit as imprecise as academic condemnations of ideological Jewishness: this little hammer of the heretics attacks an almost formulaic collection of Judaizing ideas, not a teacher or group or even a region in which such ideas are believed to flourish.<sup>134</sup> He is, furthermore, familiar with the “subtle questions of the scholas-

<sup>132</sup> Ibid., p. 3, lines 2–15: “Inani quidem ac perniciose scholasticorum questionum subtilitate postposita, eas potius questiones et sententias que de rebus salutis necessariis fiunt quanta possumus diligentia pertractemus, ipso adiuvante qui per Ysaiah dicit (1.16–17): *Quiescite agere perverse; discite bene facere. Quiescite agere perverse, vana et inutilia declinantes. Discite bene facere, ea potius que ad salutem necessaria sunt perscrutantes. Sunt autem duo: fides recta et operatio iusta.*”

<sup>133</sup> Here, David Nirenberg prompted me to reconsider my initial reading of the *Summa contra haereticos*.

<sup>134</sup> Perhaps the same point could be made about the other synodal or conciliar mentions of such a movement. They are perhaps too imprecise, abbreviated, and formulaic to be by themselves convincing evidence for the existence of Judaizing movements.

tics” and writes on all the topics covered in unapologetically “scholastic” treatises. With or without a real movement, however, the *Summa contra haereticos* is further evidence of the extent to which concern about Judaizing informed the intellectual culture of the twelfth century. It is certainly clear that twelfth-century concerns about Jewishness reflected in anti-Judaizing texts flourished even in the absence of significant conversions from Judaism. I think it equally clear that such concerns often flourished in the absence of Judaizing movements. In the intellectual context explored here, simple academic investigation of the place of the Law in Christianity was sometimes enough to trigger anti-Judaizing polemic.

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*Sean Eisen Murphy is Assistant Professor of Liberal Studies at Western Washington University, Bellingham, WA 98225-9064 (email: sean.murphy@wwu.edu).*